

SECTION 3: Amendment. Section 13.12 is hereby amended as follows:

~~CHAPTER 13.12~~

~~SEWER CONNECTION CHARGES~~

~~§ 13.12.010. Sewer connection charges.~~

~~Sewer connection charges are established in the amounts set forth in this chapter for the privilege of connecting to the sanitary sewer system of the city.~~

~~(Prior code § 14-7)~~

~~§ 13.12.055. Additional connection charge.~~

~~A.—— Each residential dwelling utilizing Phase 3 wastewater treatment capacity and each commercial, industrial and institutional facility shall pay a sewer connection charge as follows:~~

LAND USE	CHARGE
Residential	
Very Low Density	\$3,961 per unit
Low Density	\$3,961 per unit
Medium Density	\$3,301 per unit
High Density	\$3,301 per unit
Commercial	
Office Professional	\$1,493 per 1,000sq.ft.
Neighborhood/Community Commercial	\$1,640 per 1,000sq.ft.
Business/Visitor Services	\$1,640 per 1,000sq.ft.
General Commercial	\$1,640 per 1,000sq.ft.
Commercial Recreation	\$1,640 per 1,000sq.ft.
Light Industrial	\$1,692 per 1,000sq.ft.
Heavy Industrial	\$1,692 per 1,000sq.ft.

~~B.—— The connection charges specified in subsection A shall be subject to payment in accordance with Section 13.12.070 of this chapter. Nonpayment of such charge may result in disconnection in accordance with Section 13.12.080 of this chapter. All revenue derived from the connection charges provided by this section shall be used for the Manteca wastewater quality control facility Phase 3 upgrade and expansion project.~~

~~(Ord. 1244 § 2, 2003; Ord. 1294 § 2, 2005; Ord. 1518 § 2, 2013)~~

~~§ 13.12.057. WQCF Phase 3 completion charge.~~

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~~A. In addition to the sewer connection charges provided by Section 13.12.055 of this chapter, each residential dwelling utilizing WQCF Phase 3 wastewater treatment capacity and each~~

~~commercial, industrial and institutional facility shall pay a sewer connection charge as follows:~~

Land Use	WQCF Phase 3 Completion Charge	Basis on Which Charged
Residential		
Very Low Density	\$2,003	per unit
Low Density	\$2,003	per unit
Medium Density	\$1,802	per unit
High Density	\$1,802	per unit
Commercial		
Office Professional	\$815	per 1,000 sq. ft.
Neighborhood/Community Commercial	\$895	per 1,000 sq. ft.
Business/Visitor Services	\$895	per 1,000 sq. ft.
General Commercial	\$895	per 1,000 sq. ft.
Commercial Recreation	\$895	per 1,000 sq. ft.
Light Industrial	\$924	per 1,000 sq. ft.
Heavy Industrial	\$924	per 1,000 sq. ft.

~~B. The connection charge specified in subsection A of this section shall be subject to payment in accordance with Section 13.12.070 of this chapter. Nonpayment of such charge may result in disconnection in accordance with Section 13.12.080 of this chapter. All revenue derived from the connection charge provided by this section shall be used for the Manteca wastewater quality control facility Phase 3 upgrade and expansion project.~~

~~(Ord. 1411 § 2, 2009; Ord. 1518 § 3, 2013)~~

~~§ 13.12.070. Payment.~~

~~A. Except as provided in subsection C, connection charges shall be due and payable at the time building permits are obtained or, when no building permit is required, prior to actual connection to the city system. For mobile home parks, connection charges shall be paid prior to the time of first connection for the total number of mobile home spaces permitted by the terms of the use permit.~~

~~B. The fees assessed shall be paid in an amount equal to the fees in effect at the time that a developer submits a complete and adequate application for a building permit for such development.~~

~~C. Connection charges for residential dwellings existing and lawfully occupied as of July 1, 1991 within the city limits may be paid over a five-year period (twenty percent of~~

~~the charge~~

~~each year) where the dwelling is owner-occupied at the time of the application for connection and the household income for the occupants of the dwelling does not exceed the moderate income level designated by the income standards used by the county in administering community development block grant funding in effect at the time of application. In such cases, the first payment shall be made at the time of actual connection to the city system and the remaining payments shall be due annually on the anniversary date of the connection.~~

~~(Prior code § 14-7.6; Ord. 884 § 1, 1990; Ord. 905 § 1, 1991; Ord. O2024-20, 9/3/2024)~~

~~§ 13.12.080. Disconnection for nonpayment.~~

~~The city may disconnect any facility from the sewer system if connection was made without city permission and without the payment of the appropriate connection charge. The cost to the city of disconnection shall be paid in addition to connection charges prior to reconnection.~~

~~(Prior code § 14-7.8)~~

~~§ 13.12.090. Revenue use.~~

~~All revenue derived from connection charges shall be deposited in the capital improvement fund and used for the acquisition, construction, reconstruction, reimbursement, maintenance and operation of the sanitary sewer and treatment system of the city.~~

~~(Prior code § 14-7.9)~~

13.12 SEWER CONNECTION CHARGES

13.12.010 Sewer Capacity Fees

- A. Except as otherwise provided in this Section, persons applying for new or expanded sewer service shall pay a sewer capacity fee in an amount established by ordinance or resolution of the City Council in accordance with a nexus study that demonstrates that the fees do not exceed the estimated reasonable costs of providing the services and/or facilities for which the fees are imposed. Unless otherwise required by law, said fee shall be collected at the time an application for installation of a new or expanded sewer service is filed with the City.
- B. Purpose. The purpose of the sewer capacity fee is to fund a proportionate share of the costs of existing and future sewer system facilities and assets that are reasonably necessary to provide sewer capacity for new development. For the purposes of this section, “new development” means all new building construction, conversion to a new use, or additional use within an existing building that creates a need for additional sewer capacity. The purposes of the sewer capacity fee include the purposes of the former Additional Connection Charge and the former WQCF Phase 3 Completion Charge.
- C. Determination of Required Fees.

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1. Sewer Capacity Fee. Prior to connection of a new sewer service line, the applicant shall pay a sewer capacity fee based on their water meter size.

2. The Public Works Director, or the Director's designee, shall be responsible for determining the fees required by this section. If new development changes or intensifies the existing use on the project site, thereby requiring the payment of a new or additional sewer capacity fee, the then current fee amount associated with the existing use on the project site shall be credited against the new total fee due, as determined by the Public Works Director; provided, however, that in no event shall the city refund the fees previously paid. The determination of required fees shall be made at the time of application for new or increased sewer service. However, the Public Works Director has the right to reassess actual sewer usage at any time after connection is made to the City's system.

If the sewer capacity fee associated with the consumer's actual sewer usage exceeds the sewer capacity fee imposed for the connection, the City may determine the difference between the original fee and the fee associated with the consumer's actual usage, at the rates in effect at the time the application for installation of a new or expanded sewer service was made, and impose the difference between the two fee amounts on the consumer that made the connection.

3. All fees shall be modified automatically on an annual basis, each July 1, in accordance with the change in the Twenty-City U.S. Average Engineering News Record Official July Construction Costs Index. This adjustment shall not require any action of the city council.

13.12.020 Sewer Capacity Fund

The revenues from the sewer capacity fee shall be deposited in a segregated sewer capacity fee fund for the purpose of funding public facilities reasonably necessary to provide sewer capacity service to new or expanded connections to the City's sewer system.

13.12.030 Fee Adjustments

- A. Any person subject to the sewer capacity fee may apply to the Public Works Director or the Public Works Director's designee, for a reduction, adjustment or waiver of that fee based upon the applicant's contention that (1) the amount of the fee is not reasonably related to the costs of providing sewer capacity to the new or expanded sewer connection; (2) the fee is not roughly proportionate to the sewer connection's impacts on the City's sewer system; or (3) the fee requires the person to pay more than is necessary to address the impacts of the new or expanded sewer connection on the City's sewer system.
- B. Application. An applicant shall file a written request to adjust fees with the Public Works Director not later than 10 days after the city notifies the applicant of the amount of the fee to be charged. Additional time, as determined by the Public Works Director, will be

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allowed when significant additional information is required of the applicant. The application shall provide evidence illustrating that the payment of the fee authorized by this chapter and imposed by implementing resolution bears no reasonable relationship and/or is not roughly proportionate to the impacts of the connection on the City's sewer system and shall state in detail the factual basis for the request for reduction, adjustment or waiver. If an applicant desires to receive a sewer connection prior to the city's issuance of a final determination on the adjustment application, the applicant shall deposit the fee with the application. Such fee or portion thereof will be refunded if the application is successful.

- C. Decision of the Public Works Director. The Public Works Director shall issue a decision on the application within 30 days after the application is filed. The Public Works Director shall consider evidence from the applicant, from other city departments imposing the fee or charge, and from other persons who may have personal knowledge of relevant information concerning the fee or charge. The Public Works Director's decision shall state his or her determination regarding the amount of the sewer capacity fee that may reasonably be imposed on the new development and include a brief description of the basis for the decision. The decision of the Public Works Director is final.

13.12.040 Exemptions

The following sewer connection types shall be exempt from paying the Sewer Capacity Fee.

1. Accessory dwelling units.
2. Interim Residential New Connections. Residential dwelling units existing and lawfully occupied as of March 1, 2024, within the city limits, utilizing a septic system, that have never been connected to the City's sewer system."

However, Interim Residential New Connections shall pay a fee for the City's administration costs associated with the new connection, to be established by the City Council by ordinance or resolution.