

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAVIS AMENDING
CHAPTER 30 OF THE CITY OF DAVIS MUNICIPAL CODE
RELATING TO STORMWATER RATES**

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF DAVIS DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 30.08.010 (“Use of drainage facilities charge proceeds”) of Article 30.08 (“Charges for Storm Drainage and Flood Control Facilities”) of Chapter 30 (“Stormwater Management and Discharge Control”), of the City of Davis Municipal Code is hereby amended to read as follows:

“Article 30.08 CHARGES FOR STORM DRAINAGE AND FLOOD CONTROL FACILITIES

30.08.010 Use of drainage facilities charge proceeds.

Revenues derived under the provisions of this article shall be used only for: (i) the acquisition, construction, reconstruction, maintenance and operation of storm drainage water systems and related facilities, (ii) to repay principal and interest on bonds issued for the construction or reconstruction of such systems or facilities, (iii) to repay federal or state loans or advances made to the City for the construction or reconstruction of such systems or facilities, (iv) operations and maintenance of detention ponds, conveyance channel, wetlands, (v) sampling and testing of stormwater, and (vi) studies, reporting, and permitting for such systems and facilities. A specific fund shall be established for the deposit and disbursement of the funds collected under this article.”

SECTION 2. Section 30.08.050 (“Schedule of Charges”) of Article 30.08 (“Charges for Storm Drainage and Flood Control Facilities”) of Chapter 30 (“Stormwater Management and Discharge Control”), of the City of Davis Municipal Code is hereby amended to read as follows:

“Article 30.08 CHARGES FOR STORM DRAINAGE AND FLOOD CONTROL FACILITIES

30.08.050 Schedule of charges.

The monthly rate for a single family home on a medium size parcel of 0.14 to 0.22 acres is \$13.10 per parcel for fiscal year 2022-23. This rate is expressed as one Single Family Equivalent (“SFE”). The rates for each land use category are calculated in relation to this rate. The land use category for the parcel shall be the use as of May 1 of each year. Parcel sizes are rounded to the nearest two decimal places. The rates are calculated as follows:

- (1) Single family homes, mobile homes, multifamily homes with up to four residential units:

- a. Parcels of 0.13 acres or less: 0.78121 SFE per parcel.
 - b. Parcels of 0.14 to 0.22 acres: 1.00000 SFE per parcel.
 - c. Parcels of 0.23 to 0.27 acres: 1.33247 SFE per parcel.
 - d. Parcels of 0.28 acres or more: 1.48654 SFE per parcel.
- (2) Condominiums:
- a. Condominium with no other condominium units above or below it: 0.65064 SFE per parcel
 - b. Condominium with one or more other condominium units above or below it: 0.60128 SFE per parcel.
- (3) Apartments: 7.948 SFE per acre
- (4) Mobile Home Parks: 7.499 SFE per acre.
- (5) Agricultural, open space, undeveloped land in its native condition: 0 SFE per parcel.
- (6) Other vacant land: 0.6280 SFE per acre.
- (7) Single family home on agricultural land: 1.48654 SFE per parcel.
- (8) Commercial/Industrial:
- a. Golf course, cemetery: 0.6280 SFE per acre.
 - b. General commercial, hotel/motel, parking lot, storage, warehouse, paved path: 10.527 SFE per acre.
 - c. Hospital, retirement home, day care, church/mosque/synagogue/temple, school without play field, mortuary, recreational (such as theater, bowling, tennis courts): 7.499 SFE per acre.
 - d. School with play field(s) 5.261 SFE per acre.
 - e. Office: 8.677 SFE per acre.

Charges may be prorated among multiple utility accounts on one parcel.”

SECTION 4. Section 30.08.080 (“Yearly increase”) of Article 30.08 (“Charges for Storm Drainage and Flood Control Facilities”) of Chapter 30 (“Stormwater Management and Discharge Control”), of the City of Davis Municipal Code is hereby amended as follows:

“Article 30.08 CHARGES FOR STORM DRAINAGE AND FLOOD CONTROL FACILITIES

30.08.080 Yearly increase.

Beginning in Fiscal Year 2022-23 and in each fiscal year thereafter, the rates established in Section 30.08.060 shall be increased by the lesser of: (i) 3 percent, or (ii) the percentage increase in the San Francisco-Oakland-Hayward Consumer Price Index, All Urban Customers (“CPI-U”), during the twelve month period ending with the most recent month that has been published by the Department of Labor, Bureau of Labor Statistics, as of the calculation date. The annually adjusted rates are the “Maximum Rates.” The City Council may, by resolution, adjust the rates in any amount up to and including the amount of the Maximum Rates.”

SECTION 4. Article 30.09 (“Storm Drain System Quality”) of Chapter 30 (“Stormwater Management and Discharge Control”), of the City of Davis Municipal Code is hereby deleted in its entirety.

SECTION 5. CEQA. The City Council finds that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Sections 15061(b)(3) and 15308 on the grounds that it can be seen with certainty that the enhanced solid waste regulations, as provided for in this Ordinance will not have a significant effect on the environment and that the new requirements, which strengthen requirements for the handling of solid waste, represent actions by a regulatory agency (the City) for the protection of the environment.

SECTION 6. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 7. Effective Date. This Ordinance shall be in full force and effect thirty (30) days from and after the date of its final passage and adoption.

INTRODUCED on the 10th day of May, 2022 and PASSED AND ADOPTED this ____ day of _____ 2022 by the following vote:

AYES:

NOES:

Gloria J. Partida
Mayor

ATTEST:

Zoe S. Mirabile, CMC
City Clerk