

Title 6 - WATER AND SEWER FEES AND CHARGES

Chapters:

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Chapter 6.04 - GENERAL PROVISIONS

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6.04.010 - Purpose.

The purpose of this title is to provide funding for water and sewer services and facilities which the district's board has found to be necessary and appropriate.

(Amended during 3-02 supplement: Ord. 6 Art. I, § 1, 1988)

6.04.020 - Existing fees and charges.

A. Existing fees and charges in effect when the ordinance codified in this chapter is adopted shall remain in effect unless specifically changed by this title.

(Ord. 44 § 6, 2007; Ord. 37 § 6, 2003: amended during 3-02 supplement: Ord. 6 Art. I, § 3, 1988)

6.04.030 - User charge billing.

All billings for sewer system user charges shall be either in the name of the property owner as registered with the district or in the name of tenant or occupant of the premises, if so requested in writing by the owner. All billings for water or sewer service shall be either in the name of the property owner as registered with the district or in the name of the tenant or occupant of the premises, if so requested in writing by the owner.

(Amended during 3-02 supplement: Ord. 26 § 6D, 1994)

6.04.040 - Payment of charges—Delinquencies.

All charges and fees made pursuant to the provisions of district ordinances, rules and regulations, or any amendments thereto, shall be due and payable upon the specified due date. Any charge or fee levied by the district shall have added to it a basic penalty charge of ten percent of the fee or charge, or portion thereof, that remains unpaid more than fifteen days following the specified due date appearing on the bill or statement of charges, plus an additional penalty of one and one-half percent per month for nonpayment of the delinquent amount, including the basic penalty.

(Amended during 3-02 supplement: Ord. 26 § 6E, 1994)

6.04.050 - Cost center separation.

For so long as justified by objective administrative, engineering, financial or legal considerations, and notwithstanding the termination of the district's water and wastewater agreement with the Fort Ord Reuse Authority, the MCWD will account for its operations for the Ord Community service area as a separate fund within the general MCWD operation. The Ord Community service area fund will have its own line items and account numbers, and will give the district the ability to report on revenues, operating and capital expenses for the Ord Community service area.

(Ord. 43 § 4, 2006)

Chapter 6.08 - WATER SERVICE CHARGES

Sections:

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6.08.010 - Monthly water rates and charges.

Monthly minimum service charge. Minimum monthly service charges shall be fixed by the board of directors from time to time and set forth by ordinance.

(Amended during 3-02 supplement: Ord. 34 § 8C, 1998; Res. 70-14; Ord. 1 Art. II, § 16, 1967)

6.08.020 - Water meter connection fee.

A. New meters. Applicant shall provide tapping and water service piping and vault. The district will install the meter in applicant-furnished vault.

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Meter size	Meter charge
3 / 4â€³	\$350.00
1â€³	\$400.00
1 1 / 2â€³	\$450.00
2â€³	\$700.00
3â€³ and larger	Actual direct and indirect cost to district, advance payment to be based on estimated cost.

B. Moving a meter. The customer shall make a two hundred dollars deposit and shall pay all costs incurred by the district in moving a meter. The customer shall provide the new service at the location approved by the district and shall install the on-site system piping. Once the new installation has been accepted by the district, the district shall install the relocated meter in the customer-provided meter box.

C. Replacing a meter box. The district shall, at its discretion, replace a damaged meter box or meter box lid when, in its opinion, the damaged meter box or meter box lid does not provide sufficient protection of the installed meter or when the damaged meter box or meter box lid itself poses a public safety hazard. The costs incurred by the district in replacing such damaged meter box or meter box lid shall be paid by the customer. When the estimated cost of such replacement exceeds one hundred dollars, the district shall notify the customer prior to such replacement to allow the customer the option of replacing the meter box or meter box lid using his own forces. Should the meter box or meter box lid not be replaced within thirty days or should the damaged meter box or meter box lid pose a public safety hazard, the district may replace the meter box or meter box lid and charge the cost of such replacement to the owner.

(Ord. 38 § 11, 2003; Ord. 36 § 4, 2002; amended during 3-02 supplement: Ord. 34 § 4 (part), 1998; Ord. 6 Art. II, § 2b, 1988)

6.08.030 - Temporary water service.

A. The district may grant permission to use water from specified hydrants, or other specified points of connection, by issuing a permit. Application for a permit should be made at least twenty-four hours before service is required. Except for qualified fire protection agency representatives, no person or persons shall operate or draw water from a fire hydrant without a permit. A charge of one hundred dollars per day per connection will be levied against any person taking water without a permit, using a non-district owned hydrant meter or other temporary water service without a permit and against any person that improperly attaches any hydrant meter to a fire hydrant and against any person that does not provide adequate backflow protection. The district shall have the right to remove any non-district owned hydrant meter attached or any district owned hydrant meter improperly attached to a hydrant.

B. The district owned meter shall be installed at the district's specified point of connection to measure the quantity of water used. Permittee shall return the permit the next regular working day after its date of expiration.

C. The applicant shall deposit in advance an amount equal to the cost of the estimated quantity of water for one month to be used or one thousand one hundred dollars which ever is greater and the cost of the district equipment to be installed as set forth in subsection F of this section. Deposits will be returned after the applicant has paid all fees and charges and the district completes the inspection of its equipment, including, but not limited to, the hydrant meter, gate valve, backflow device, and the fire

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hydrant.

D. Temporary water service other than from fire hydrants is to be granted at the convenience of the district and will be provided only after receipt of deposit and all fees and charges for the required service.

E. Applicant for temporary water service shall pay:

1. All direct and indirect costs to the district in rendering such service including but not limited to the making of connections and use of district equipment as set forth below.
2. For all water used as set forth in subsection F of this section.

F. The applicant shall be responsible for district equipment utilized for this purpose and the necessary repair or replacement costs shall be deducted from the applicant's deposit. The applicant is responsible for returning the district equipment and closing the account promptly after the job is complete. If a meter is not returned promptly, the district shall deduct the cost of replacing the meter from the applicant's deposit.

Gate Valve/Meter deposit	\$ 650.00
Water consumption deposit	1,100.00 minimum
Set or remove hydrant meter	140.00
Relocate meter per occurrence	140.00
Meter set, other than on fire hydrant	Actual Cost
Minimum monthly service charge (Effective July 1, 2011)	82.24
Minimum monthly service charge (Effective July 1, 2012)	86.35
Monthly quantity rate for each HCF (see Section 6.08.100 Water Consumption Rates)	

(Ord. 37 § 7, 2003: Ord. 36 § 5, 2002: amended during 3-02 supplement: Ord. 6 Art. II, § 2c, 1988)

(Ord. No. 51, § 4, 7-23-2008; Ord. No. 52, § 4, 8-10-2010; Ord. No. 54, § 4, 6-14-2011)

6.08.040 - Repair, replacement and maintenance of hydrants.

A. Private customers who desire to have the district maintain and repair fire hydrants on private property shall enter into an agreement with the district for that purpose.

Said agreement will in general:

1. Authorize the district to access the property to perform such services;
2. Require the customer to pay the district for all costs incurred in entering into and providing such services;
3. Require a deposit of six hundred dollars at time of execution of the agreement;
4. Require protection by bollards or guard posts should a hydrant be repeatedly damaged. The district may also require that the hydrant be relocated to a less vulnerable location. Such relocation or protection will be paid for by the customer and will be subject to the approval of the local fire protection agency;
5. Limit the liability of the district for loss or damages resulting from the district providing such services to loss or damages resulting from the district's sole negligence in performing such services.

B. The district will not maintain or repair nor will the district be liable for any loss or damage that results from a customer's failure to enter into an agreement with the district to provide the above described hydrant maintenance and repair services. In addition, the district may notify the local fire protection agency of the customer's failure to enter into a fire hydrant maintenance and repair agreement.

C. Public customers who desire to have the district maintain and repair fire hydrants under the public customer's jurisdiction may have the district provide such service by entering into an agreement to do so and by paying the fees indicated below. Such fees shall cover all costs incurred by the district in providing such maintenance and repair service.

Type of connection	Monthly charge per hydrant
Single/double outlet, all sizes main	\$13.50 per month

(Ord. 36 § 6, 2002: amended during 3-02 supplement: Ord. 6 Art. II, § 2e, 1988)

6.08.050 - Cross-connection control permit.

Permit fees are as follows:

First backflow prevention device	\$45/year
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Each additional backflow prevention device	30/year
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(Amended during 3-02 supplement: Ord. 6 Art. II, § 2f, 1988)

6.08.060 - Monthly minimum water charges.

The monthly minimum charges for water service shall be:

Meter Size	Effective July 1, 2011 Charges	Effective July 1, 2012 Charges
½â€³ or ¾â€³	\$ 17.95	\$ 18.85
1â€³	44.85	47.09
1½â€³	89.70	94.19
2â€³	143.50	150.68
3â€³	269.07	282.52
4â€³	448.45	470.87
6â€³	896.90	941.75
8â€³	1,793.80	1,883.49

(Ord. 36 § 7, 2002: amended during 3-02 supplement: Ord. 26 § 6A, 1994)

(Ord. No. 51, § 5, 7-23-2008; Ord. No. 52, § 5, 8-10-2010; Ord. No. 54, § 5, 6-14-2011)

6.08.070 - Long-term water supply.

Subject to the requirements of debt instruments issued by the district, twenty-five percent of all monthly charges collected shall be used for long-term water supply projects. This section may be waived on an annual basis.

(Amended during 3-02 supplement: Ord. 24 § 4b, 1993)

6.08.080 - Private fire service.

The monthly charge for private fire service shall be twenty dollars.

(Amended during 3-02 supplement: Ord. 24 § 4c, 1993)

6.08.090 - Capacity charges for new or modified potable and recycled water service connections.

A. The water capacity charge for each equivalent dwelling unit ("EDU," as defined in Section 1.04.010) shall be as follows:

\$5,450.00 per EDU

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The capacity charge for water supply for non-residential purposes shall be as follows:

\$16,350.00 per acre-foot

Appendix C shall be the basis for determining capacity charges for water service connections. The general manager shall determine the assigned water rate for those uses not specified in Appendix C. The assigned water rate for any use not specified in Appendix C may be increased within six months after the end of the first full year of any such use, if actual, metered water use for the year is higher than the use determined by the general manager in calculating the capacity charge.

B. The capacity charges adopted by this code shall each year, commencing on July 1, 2003, and continuing thereafter on each succeeding July 1st, be adjusted by an increment based on the change in the Engineering News Record 20-City Average Construction Cost Index over the prior year, using the index published for the first quarter of the calendar year, and rounded to the nearest twenty-five dollars. The board may, by resolution adopted before the effective date of any annual adjustment, determine that such adjustment shall not be effective for the next succeeding year, or that the adjustment shall be some other amount within the ranges set forth in this code.

C. For each new or modified water service connection, the general manager shall determine the appropriate use type or types. If the general manager determines that a new or increased service connection involves more than one use, the general manager shall determine the capacity charge based on such multiple uses. Increased service at each service connection shall be based on Appendix C and shall be adjusted based on the difference between an existing use type and the proposed use type. A change of use following the existing use which results in a less intensive assigned water use shall not entitle the user to any refund of capacity charges previously paid. The general manager's determination may be appealed to the board pursuant to the procedures under Section 2.08.020

D. If connection is not made to the district's water or recycled water system within one year from the date a capacity charge is paid after the effective date of this provision, the difference between the amount of the capacity charge paid and the amount of the revised capacity charge in effect at the time of the connection shall be paid to the district before the connection is installed. No credit will be provided by the district if the capacity charge is reduced. No additional payment shall be required for connections for which connection charges are paid before the effective date of this provision. No service shall be provided through a connection for which the required capacity charge has not been paid.

(Ord. 49 § 4 (part), 2007; Ord. 48 § 4 (part), 2007; Ord. 47 § 4 (part), 2007; Ord. 46 § 4 (part), 2007; Ord. 37 § 8, 2003; Ord. 36 § 8, 2002: amended during 3-02 supplement: Ord. 28 § 6(B)(1), 1995: Ord. 17 § 2.2, 1990)

(Ord. No. 51, § 6, 7-23-2008; Ord. No. 52, § 6, 8-10-2010)

6.08.100 - Water consumption rates.

A. Water consumption by District Customers shall be measured in units of one hundred cubic feet (seven hundred forty-eight gallons). The quantity charge for water consumption per one hundred cubic feet (HCF) shall be as follows:

	Effective July 1, 2011	Effective July 1, 2012
0—8 hcf	\$2.18 per hcf	\$2.29 per hcf

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9—16 hcf	2.66 per hcf	2.79 per hcf
16 + hcf	4.85 per hcf	5.09 per hcf

Construction Water Depots:	
Minimum Monthly Charge (Effective July 1, 2011)	\$ 82.24
Minimum Monthly Charge (Effective July 1, 2012)	86.35
Monthly Quantity rate for each HCF (see above table for Consumption Rates)	

B. The quantity charge shall be increased in amount just sufficient to pay any utility tax or assessment levied on the district by the state, municipality or other government entity.

(Ord. 37 § 9, 2003: amended during 3-02 supplement: Ord. 32 § 5, 1998: Ord. 30 § 5, 1996: Ord. 28 § 6, 1995)

(Ord. No. 51, § 7, 7-23-2008; Ord. No. 52, § 7, 8-10-2010; Ord. No. 54, § 6, 6-14-2011)

Chapter 6.12 - SEWER SERVICE CHARGES

Sections:

- [6.12.010 - Monthly sewer rates and charges.](#)
- [6.12.020 - Capacity charge.](#)
- [6.12.030 - Industrial waste discharge permit.](#)
- [6.12.040 - Capacity charge for new and modified sewer service connection.](#)
- [6.12.050 - Wastewater collection rates.](#)

6.12.010 - Monthly sewer rates and charges.

Minimum monthly sewer service charges shall be fixed by the board of directors from time to time and set forth by ordinance. The payment of charges shall be the responsibility of the owner. The board of directors by resolution shall establish such procedures for the billing and collection of charges as shall be deemed necessary and proper.

(Amended during 3-02 supplement: Ord. 34 § 80, 1998; Ord. 2 § 923, 1967)

6.12.020 - Capacity charge.

A. The collection system capacity charge for residential and equivalent dwelling units (EDU) shall be as follows:

\$3,950.00 per EDU

B. Connector element: Three hundred seventy dollars per EDU, charged only to properties which will be served by facilities not considered in the adopted facilities plan and which must be constructed by the district.

C. The capacity charges adopted by this code shall each year, commencing on July 1, 2003, and continuing thereafter on each succeeding July 1st, be adjusted by an increment based on the change in the Engineering News Record 20-City Average Construction Cost Index over the prior year, using the index published for the first quarter of the calendar year, and rounded to the nearest twenty-five dollars. The board may, by resolution adopted before the effective date of any annual adjustment, determine that such adjustment shall not be effective for the next succeeding year, or that the adjustment shall be some other amount within the ranges set forth in this code.

D. If connection is not made to the district's sewer system within one year from the date a capacity charge is paid after the effective date of this provision, the difference between the amount of the capacity charge paid and the amount of the revised capacity charge in effect at the time of the connection shall be paid to the district before the connection is installed. No credit will be provided by the district if the capacity charge is reduced. No additional payment shall be required for connections for which connection charges are paid before the effective date of this provision. No service shall be provided through a connection for which the required capacity charge has not been paid.

(Ord. 49 § 4 (part), 2007; Ord. 48 § 4 (part), 2007; Ord. 47 § 4 (part), 2007; Ord. 46 § 4 (part), 2007; Ord. 37 § 10 (part), 2003: amended during 3-02 supplement: Ord. 28 § 6, 1995; Ord. 6 § 3, 1988)

(Ord. No. 51, § 8, 7-23-2008; Ord. No. 52, § 8, 8-10-2010)

6.12.030 - Industrial waste discharge permit.

The industrial waste discharge permit charge is forty-five dollars per year.

(Amended during 3-02 supplement: Ord. 6 Art. II § 3b, 1988)

6.12.040 - Capacity charge for new and modified sewer service connection.

The sewer collection system element of the capacity charge for nonresidential units shall be based on "fixture units," as defined in the Uniform Plumbing Code, under the specified public or assembly uses, using the following guidelines:

- A. Twenty fixture units equal one EDU;
- B. The minimum charge for any connection to the public sewer system is one EDU;
- C. Fees shall be imposed at the time of connection to each structure for all plumbing fixtures on the customer's approved building plans, regardless of the number of fixtures installed at the time of the initial connection. Increased service shall be based on the Uniform Plumbing Code and shall be adjusted based on the difference between the existing fixture units and the proposed fixture units. A change of units following the project's initial fixture units, which results in fewer fixture units, shall not entitle the user to any refund of capacity charges previously paid.

Table 6.12.040 summarizes the sewer collection system charge.

Table 6.12.040

SEWER CAPACITY CHARGES

Residential Units

Sewer collection system capacity charge \$3,950.00 per EDU.

Same charge per unit for single-family, multiple dwelling, condominium, trailer space, or mobile home.

Nonresidential Units

Sewer collection system capacity charge—Based on fixture units as defined in the Uniform Plumbing Code per structure.

Fixture units are to be assigned based on ultimate plumbing fixtures per approved building plans, regardless of number of fixtures initially installed.

Each twenty fixture units are equivalent to one equivalent dwelling unit (EDU). For each hotel/motel unit a minimum of one EDU per room will be applied.

The sewer collection system capacity charge is collected at the ratio of one EDU per each twenty fixture units. For example, twenty-four fixture units equals one point two (1.2) EDU's for a capacity fee of \$4,740.00 when the capacity charge per EDU is \$3,950.00.

Each nonresidential connection is a minimum of one EDU.

(Ord. 37 § 10 (part), 2003; Ord. 36 § 10, 2002; amended during 3-02 supplement: Ord. 12 § 2.1, 1989)

(Ord. No. 51, § 8, 7-23-2008; Ord. No. 52, § 8, 8-10-2010)

6.12.050 - Wastewater collection rates.

Wastewater collection rates for all classes of customers within the district shall be as follows per month per equivalent dwelling unit (EDU), calculated using the table of user classifications and wastewater demand factors set forth in Appendix D of this code.

\$8.71 per equivalent dwelling unit

(Effective July 1, 2011)

\$9.15 per equivalent dwelling unit

(Effective July 1, 2012)

(Ord. 37 § 11, 2003; Ord. 36 § 11, 2002; amended during 3-02 supplement: Ord. 32 § 6, 1998; Ord. 26 § 6, 1994)

(Ord. No. 51, § 9, 7-23-2008; Ord. No. 52, § 9, 8-10-2010; Ord. No. 54, § 7, 6-14-2011)

Chapter 6.16 - OTHER FEES AND CHARGES

Sections:

[6.16.010 - Charges for services common to water and sewer service.](#)

[6.16.020 - Charges to schools, colleges, and state agencies.](#)

[6.16.030 - Fee for completion of water assessment charges.](#)

6.16.010 - Charges for services common to water and sewer service.

A. Plan review.

1. The district shall require a fee of two hundred dollars before undertaking a plan review/water conservation review for all existing residential modifications or additions and four hundred dollars for all existing commercial modifications or additions. The district shall require a fee of five hundred dollars before undertaking a plan review for a small project. For a large project, the district shall require a fee of five hundred dollars, plus an additional cost as determined by the district engineer, in order to recover the district's actual costs incurred for inspections, plan checks, administrative and legal costs. The applicant shall be advised before the additional cost is incurred and shall be given the option of withdrawing the plans or being billed for the additional cost.

2. The review is intended to provide: (a) an assessment of the proposed connection(s), and (b) an estimate of the development's impact on the district's facilities, (c) an estimate of fire flow rates in the vicinity of the project, and (d) a projection of the project's potential contribution to connection fees or reimbursement agreements.

B. Construction inspection.

1. The district shall require a deposit before undertaking a construction inspection check review of a proposed development. The fee shall be five hundred dollars for a large project, and four hundred dollars for a small project. A small project is defined as a single-family residence, duplex, etc. that is connecting to an existing main, with minimal on-site piping. A large project is defined as a subdivision, an apartment complex, a commercial development, or other project larger than a single-family home. If the construction inspection costs more than the fee, the applicant shall be advised before the additional cost is incurred and shall be given the option of withdrawing the plans or being billed for the additional cost.

2. The applicant will submit actual construction bid data. The submitted data shall be in a unit cost format and shall be certified by both the contractor and the applicant as being the actual costs incurred in furnishing and installing the water and sewer facilities. The water and sewer construction costs must be reviewed and accepted by the district.

3. The applicant shall deposit the appropriate inspection fee with the district at the time that permits are issued. The district will charge expenses incurred in inspecting the project against this account. Should the district incur costs in excess of the amount deposited, the developer will be required to make additional deposits.

C. Permit fees. Each water service or sewer lateral: thirty dollars. (Amended during 3-02 supplement: Ord. 21 § 6, 1991; Ord. 6 Art. II § 5, 1988)

6.16.020 - Charges to schools, colleges, and state agencies.

Notwithstanding the foregoing, the capacity charge shall not apply to any of the following:

- A. Any school district;
- B. The county office of education;
- C. Any community college district;
- D. The California State University;
- E. The University of California; or
- F. Any state agency.

Except upon compliance with Section 54999.3 of the Government Code, including, if necessary, negotiation with the public agencies to which Section 54999.3 applies, and the board's ratification of a negotiated agreement pursuant to Section 54999.3, the board directs that each such agreement provide for an application of the capacity charge on a nondiscriminatory basis, based upon each entity's proportionate share of use of those facilities.

(Amended during 3-02 supplement: Ord. 6 Art. II § 6, 1988)

6.16.030 - Fee for completion of water assessment charges.

A. Collection of fee. The district shall collect a fee to pay the district's costs of preparing and providing a water supply assessment or water verification for a development pursuant to the applicable sections of the Water Code and the Government Code. Costs may include, but are not limited to, all consultant fees associated with the preparation of the documentation, district staff time to assist with, prepare or otherwise coordinate the completion of the documentation. If the water supply assessment or water supply verification is requested by the developer, the fee will be paid at the time of the request. If the water supply assessment or water supply verification is requested by a land use jurisdiction and the requesting jurisdiction collects the district-specified fee from the developer, the fee will be paid at the time of the request. If the requesting jurisdiction does not pay the fee at the time the water supply assessment or water supply verification is requested, the fee will be collected from the developer at the time of the first request for service or the first request for a plan review or water conservation review for the development.

B. Calculation and payment of balance. The district will request payment and, if the water supply assessment or water supply verification is requested by the developer, will require payment of the estimated cost before preparing a water supply assessment or water supply verification. When the district submits the water supply assessment or water supply verification to the land use jurisdiction, the district will submit to the jurisdiction and the developer a final statement for all preparation costs. If the district has collected an estimated cost payment, the district will refund any balance remaining at the time of the final statement. If the district has not collected an estimated cost payment or if the costs exceed the estimated cost payment, the district will collect the balance before doing a plan review or water conservation review for the development.

C. Notice of obligation. The district will record a notice of obligation at the Monterey County recorder's office against the property for any fee not collected at the time the water supply assessment or water supply verification is requested.

(Ord. 39 § 4 (part), 2004)