ORDINANCE NO. 10982 JAN 30, 1973 (New Series)

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 4 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 64.14, 64.32 AND 64.32.2 AND BY ADDING SECTION 64.35 RELATING TO PUBLIC SEWERS.

BE IT ORDAINED, by the Council of The City of San Diego as follows:

Section 1. That Section 64.14 of the San Diego Municipal Code, be, and the same is hereby amended to read as follows:

SEC. 64.14 CONNECTIONS TO PUBLIC SEWERS - PERMIT REQUIRED - SPECIFICATIONS

be, unlawful for any person to connect any pipe on private property with any pipe in the street that is connected with the public sewer of said City, or to construct any sewer in said City, without first obtaining a permit to do so from the Department of Public Works of The City of San Diego, as hereinafter provided.

The application for such permit must first be pool works, it with the said Department of Public Works, in writing, by the owner of the property to be sewered, or his agent, before opening any street or alley, giving the correct number of the lot and block, and the place where it is desired to connect with the sewer, and shall give the name of the owner of the

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property. The Director of <del>Public Wor</del>ks shall designate the location of the nearest "Y" and the connection shall be made with such sewer at the "Y" so pointed out by said <del>Director of Public Works</del>.

Where the laterals have been installed to the curb line, the plumber must bring the soil pipe to the property line at a point opposite to, or not more than five (5) feet above where such lateral is installed, and in no case must pipe be brought to the property line below where such lateral is installed.

Where property owners excavate outside of property lines into the street for basement purposes, and wish to connect with sewer across such excavation, they shall install soil pipe to the outside line of such excavation at their own expense, the City making the installation from that point to the main in the street.

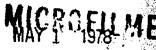
It will be necessary to take out sewer permit prior to the installation of any plumbing fixtures.

Every house and building must be separately and independently connected with the City sewer, except in cases where there may be a house in the rear of the lot. In this case it may be connected with the sewer of the house in front, provided the old sewer will satisfactorily stand the test, and the property is owned by the same parties.

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When property which faces on one street and has a sewer main, either in the street or alley, to serve such property as originally subdivided, is resubdivided, thus facing a cross street, the sewer necessary to serve such lots as are not adjacent to the sewer already installed, may be installed on the lot line at the rear of said property, or in the street. Said sewer shall be installed by the City, and the cost of such installation shall be paid by the property owner, the City reserving the right to make extensions or connections to said sewer at any time.

Where a sewer line is installed at the cost of property owners, on or over any street, alley, or any ground dedicated to the City for street purposes, or across private property, and where said sewer is connected to any City main, or is run to any outfall or septic tank which may be on City property, or which will ever be connected with the City sewers, or may become a part of the City sewer system, the same shall be installed under City supervision, and the City shall have the right to make extensions and connections to said sewer at any and all times. Before any lateral connection is made to any such sewer installed by property owners, a permit for such



connection must be taken out and the regular permit fee and all other appropriate fees paid.

Section 2. That Section 64.32 of the San Diego Municipal Code, be and the same is hereby amended to read as follows:

SEC. 64.32 SEWER SERVICE CHARGE ESTABLISHED

In addition to other fees, assessments or charges provided by the Municipal Code, the owner or occupant of any parcel of real property for which no other sewer service charge is provided, and which parcel of property is connected with the sewer system and/or water system of The City of San Diego, shall pay a sewer service charge as follows:

- The domestic sewer service charge for (1)each single family dwelling unit serviced by a separate water meter shall be Two Dollars Fifteen Cents (\$2.15) per month.
- The monthly sewer service charge for all premises, other than single family dwelling unit serviced by a separate water meter, shall be at the rate of fifteen and three-tenths cents (\$0.153) per one hundred cubic feet of water usage by such premise, but in no case less than a minimum charge of Two Dollars Fifteen Cents (\$2.15) per month.

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Section 3. That Section 64.32.2 of the San Diego Municipal Code, be, and the same is hereby amended to read as follows:

#### SEC. 64.32.2 RULES AND REGULATIONS OF THE CITY MANAGER

- The City Manager shall have the power to prescribe reasonable sewer service charges other than established in this Code and to establish rules and regulations for the granting of variances from the established sewer service charges for property connected with the sewer service and/or the water service of The City of San Diego. Such rules, regulations and sewer service charges shall be effective when approved by resolution of the City Council. The City Manager shall have the power to grant variances from the established sewer service charges upon his own initiative or when the owner or occupant of any premises applies therefor as hereinafter provided and one or more of the following situations exist:
- (1) Where the sewage from any parcel or premise, except single family residences shall be substantially different in volume or type from the average sewage entering the sewer system of the City. For the purposes of this subsection, "average sewage" shall In volume, 50 to 70 gallons of sewage for each MICROFILMED

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100 gallons of water consumed on any plant, building or premises of an industrial or commercial character, and in type, 300 parts per million of suspended solids and 300 parts per million of biochemical oxygen demand.

- property connected with the sewer system is received from a source other than The City of San Diego water system; provided that the sewer service charge for such property shall as nearly as possible be equivalent to the sewer service charge established under this section for similar property supplied with water from The City of San Diego water system.
- (3) Where a substantial portion of the premises of an industrial or commercial establishment is used for industrial, commercial, recreational, horticultural or agricultural purposes of such a nature that the water supplied to such premises is not entirely or substantially discharged into the sewer system.
- (4) Where a fire service connection to the municipal water system is installed.
- the sewer system of The City of San Diego and it MICROFILME is not physically possible or reasonably feasible MAY 1 1978 financially to connect such premises with the City sewer system.

- (6) When water is supplied to premises through a separate water meter measuring irrigation water and that water is used entirely for irrigation purposes.
- B. The owner or occupant of any premises subject to the sewer service charge may apply in writing to the City Manager for a reclassification of such premises under the provisions of paragraphs A(1), A(2), A(3), A(4), A(5), or A(6); provided, however, that no rebate upon such reclassification shall be allowed for a period more than ninety (90) days preceding the filing of such application. The applicant shall furnish substantial engineering and factual data to support the applicant's contention that the premises should be reclassified as provided in this section. The decision of the City Manager shall be final and conclusive.

Section 4. That Section 64.35 of the San Diego Municipal Code, be and the same is hereby added to read as follows:

### SEC. 64.35 CAPACITY CHARGE

When any person, firm, corporation or other entity shall apply for a building permit for the purpose of constructing single family living units or their equivalent, a capacity charge of Two Hundred

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Dollars (\$200.00) per single family living unit or equivalent shall be paid. This charge shall be due and payable at the time the building permit fees are paid. This charge shall be subject to simple interest of six percent (6%) per annum from the effective date of this ordinance to and including the date the charge is paid. In those areas of the City where a capacity charge in the form of area charges, agreements for the purchase of capacity rights or formation of special assessment districts resulting in a payment to City totaling more than Two Hundred Dollars (\$200.00) per single family unit, or its equivalent is being collected, no new capacity charge shall be imposed under this section.

Section 5. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

Peter D. Bulens, Deputy

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REVISED 1/16/73

	Passed and adopted by the Council of The City of San Diego on				JAN <sup>3 0</sup> 1973		
CITY CLERK'S OFFICE 1973 JAH 10 AH II: 31	Councilmen  Gil Johnson  Maureen F. O'Connor  Henry L. Landt  Leon L. Williams  Floyd L. Morrow  Bob Martinet  Allen Hitch  Jim Bates  Mayor Pete Wilson	Yeas  II	Nays	Excused	Absent		
AUTHENTICATED BY:			PETE WILSON Mayor of The City of San Diego, California.				
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·	(Seal)			EDWARD NIELSEN, City Clerk of The City of San Diego, California.  By Many and Mence, Deputy.			
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OLD LANGUAGE: Strike-out Type

NEW LANGUAGE: Underlined

SEC. 64.14 COMMECTIONS TO PUBLIC SEWERS - PERMIT REQUIRED - SPECIFICATIONS

That it shall be, and it is hereby declared to be, unlawful for any person to connect any pipe on private property with any pipe in the street that is connected with the public sewer of said City, or to construct any sewer in said City, without first obtaining a permit to do so from the Department of Public Works of The City of San Diego, as hereinafter provided.

The application for such permit must first be filed with the said Department of Public Works, in writing, by the owner of the property to be sewered, or his agent, before opening any street or alley, giving the correct number of the lot and block, and the place where it is desired to connect with the sewer, and shall give the name of the owner of the property. The Director of Public Works shall designate the location of the nearest "Y" and the connection shall be made with such sewer at the "Y" so pointed out by said Director of Public Works.

Where the laterals have been installed to the curb line, the plumber must bring the soil pipe to the property line at a point opposite to, or not more than five (5) feet above where such lateral is installed, and in no case must pipe be brought to the property line below where such lateral is installed.

Where property owners excavate outside of property lines into the street for basement purposes, and wish to connect with sever across such excavation, they shall install soil pipe to the outside line of such excavation at their own expense, the City making the installation from that point to the main in the street.

It will be necessary to take out sewer permit prior to the installation of any plumbing fixtures.

Every house and building must be separately and independently connected with the City sewer, except in cases where there may be a house in the rear of the lot. In this case it may be connected with the sewer of the house in front, provided the old sewer will satisfactorily stand the test, and the property is owned by the same parties.

When property which faces on one street and has a sever main, either in the street or alley, to serve such property as originally subdivided, is resubdivided, thus facing a cross street, the sewer necessary to serve such lots as are not adjacent to the sewer already installed, may be installed on the lot line at the rear of said property, or in the street. Said sewer shall be installed by the City, and the cost of such installation shall be paid by the property owner, the City reserving the right to make extensions or connections to said sewer at any time.

Where a sewer line is installed at the cost of property owners, on or over any street, alley, or any ground dedicated to the City for street purposes, or across private property, and where said sewer is connected to any City main, or is run to any outfall or septic tank which may be on City property, or which will ever be connected with the City sewers, or may become a part of the City sewer system, the same shall be installed under City supervision, and the City shall have the right to make extensions and connections to said sewer at any and all times. Before any lateral connection is made to any such sewer installed by property owners, a permit for such

connection must be taken out and the regular permit fee and all other appropriate fees paid.

### SEC. 64.32 SEWER SERVICE CHARGE ESTABLISHED

In addition to other fees, assessments or charges provided by the Municipal Code, the owner or occupant of any parcel of real property for which no other sewer service charge is provided, and which parcel of property is connected with the sewer system and/or water system of The City of San Diego, shall pay a sewer service charge as follows:

- (1) The domestic sewer service charge for each single family dwelling unit serviced by a separate water meter shall be Two Dollars Fifteen Cents (\$2.15) per month.
- (2) The-monthly-sewer-service-charge-for-other parcels-of-real-property-used-for-domestic--purposes (as-herein-defined)-AND-serviced-by-5/8"er-3/4" water-meter-shall-be-48,8%-of-the-amount-of-the-total water-bill-for-the-property-but-in-no-case-less-than Two-Dollars-Fifteen-Cents-(\$2,15)-per-monthy-nor-more than-Two-Dollars-Fifteen-Cents-(\$2,15)-per-dwelling unit-per-monthy-

- premises, other than single family duelling unit serviced by a separate water meter, shall be at the rate of fifteen and three-tenths cents (\$0.153) per one hundred cubic feet of water usage by such premise, but in no case less than a minimum charge of Two Dollars Fifteen Cents (\$2.15) per month.
- (3)--The-monthly-sewer-service-charge-for-all other-parcels-of-real-property--used-for-demestic-purposes-(as-herein-defined)-shall-be-48.88-of-the water-bill-for-the-property-but-in-no-case-shall be-less-than-50%-of-the-minimum-water-charge-as established-by-this-Code-nor-more-than-Two-Dollars Fifteen-Cents-(\$2.15)-per-dwelling-unit-per-month.
- (4)--The-monthly-sewer-service-charge-for-premises
  used-EXCLUSIVELY-for-commercial-or-industrial-purposes
  shall-be-48-88-of-the-water-bill-for-water-service
  as-computed-in-accordance-with-the-rates-established
  by-this-Code-for-water-supplied.

Real-property-shall-be-deemed-to-be-used-for

domestic-purposes-within-the-meaning-of-this-section

when-such-real-property-is-used-for-single-family

residence-or-the-furnishing-of-lodging-by-the-operation

of-hotels,-auto-courts,-apartment-houses,-bungalow

courts,-housing-units,-rooming-houses,-motels,-trailer

parks-or-the-rentals-of-property-for-lodging-purposes.

# SEC. 64.32.2 RULES AND REGULATIONS OF THE

- The City Manager shall have the power to λ. prescribe reasonable sewer service charges other than established in this Code and to establish rules and regulations for the granting of variances from the established sewer service charges for property connected with the sewer service and/or the water service of The City of San Diego. Such rules, regulations and sewer service charges shall be effective when approved by resolution of the City Council. The City Manager shall have the power to grant variances from the established sewer service charges upon his own initiative or when the owner or occupant of any premises applies therefor as hereinafter provided and one or more of the following situations exist:
- of-an-industrial-or-commercial-character parcel or premises.

  except single family residences shall be substantially different in volume or type from the average sewage entering the sewer system of the City. For the purposes of this subsection, "average sewage" shall be: In volume, 50 to 70 gallons of sewage for each

- property connected with the sewer system is received from a source other than The City of San Diego water system; provided that the sewer service charge for such property shall as nearly as possible be equivalent to the sewer service charge established under this section for similar property supplied with water from The City of San Diego water system.
- (3) Where a substantial portion of the premises of an industrial or commercial establishment is used for industrial, commercial, recreational, horticultural or agricultural purposes of such a nature that the water supplied to such premises is not entirely or substantially discharged into the sewer system.
- (4) Where a fire service connection to the municipal water system is installed.
- (5) Where the premises are not connected to the sewer system of The City of San Diego and it is not physically possible or reasonably feasible financially to connect such premises with the City sewer system.
- (6) When water is supplied to premises through a separate water meter measuring irrigation water and that water is used entirely for irrigation purposes.

The owner or occupant of any premises В. subject to the sewer service charge may apply in writing to the City Manager for a reclassification of such premises under the provisions of paragraphs  $\Lambda(1)$ ,  $\Lambda(2)$ ,  $\Lambda(3)$ ,  $\Lambda(4)$ ,  $\Lambda(5)$ , or  $\Lambda(6)$ ; provided, however, that no rebate upon such reclassification shall be allowed for a period more than ninety (90) days preceding the filing of such The applicant shall furnish subapplication. stantial engineering and factual data to support the applicant's contention that the premises should be reclassified as provided in this section. decision of the City Manager shall be final and conclusive.

## SEC. 64.35 CAPACITY CHARGE

Whenever any person, firm, corporation or other
entity shall apply for a building permit for the
purpose of constructing single family living units
or their equivalent, a capacity charge of Two Hundred

Dollars (\$200.00) per single family living unit or equivalent shall be paid. This charge shall be due and payable at the time the building permit fees are paid. This charge shall be subject to simple interest of six percent (6%) per annum from the effective date of this ordinance to and including the date the charge is paid. In those areas of the City where a capacity charge in the form of area charges agreements for the purchase of capacity rights or formation of special assessment districts resulting in a payment to City totaling more than Two Hundred Dollars (\$200.00) per single family unit or its equivalent is being collected, no new capacity charge shall be imposed under this section.

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\*CITY OF SAN DIEGO COMMUNITY CONCOURSE 202 "C" Street San Diego, California

### CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

PUBLIC SEWERS

I, Patricia M. Applestill hereby certify that San Diego Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of said newspaper; that the

ORDINANCE NO. 10982 (New Series)

is a true and correct copy of which this certificate is annexed was published in said newspaper on February 8, 1973

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on February 8, 1973

(Signature)

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### ORDINANCE NO. 10982

(New Series)

AM ORDINANCE AMENDING CHAPTER VI ARTICLE 4 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 64.14, 64.32 AND 64.32.2 AND BY ADDING SECTION 64.35 RELATING TO PUBLIC SEWERS.

BE IT ORDAINED, by the Council of The City of San Diego as

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ANY ORDINANCE AMENDING CHAPTER VI. ARTICLE 4 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 64.33 RELIATING TO FURLIC COLOR MUNICIPAL CODE BY AMENDING SECTION 64.33 RELIATING TO FURLIC STATE OF ANY BY ADDING SECTION 64.33 RELIATING TO FURLIC SECTION MUNICIPAL CODE, by the Council of The City of San Diego as Section 1. That Section 64.14 of the San Diego Municipal Code, be, and the same is hereby amended to read as follows:

SEC 64.14 REQUIRED SECTION 1888

That it shall be, and it is hereby declared to be, unlawful for any person to connect any pipe on private property with any pipe in the street that is connected with the public sewer of said City, or to construct any sewer in said City, without first obtaining a permit to do so from the sewer of the property of the sewer of said City, or to construct any sewer in said City, without first obtaining a permit to do so from the sewer of the property of the sewer of the property of the sewer of the property of the sewer and block and the place where the degree of the sewer of the property of the sewer and block and the place where the degree of the sewer of the property. The Director of Water Utilities Director.

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A. The City Manager shall have the power to prescribe reasonable sewer service charges other than cetablished in this Code and to establish fules and regulations for the granting of variances from the established sewer service charges for property connected with the sewer service and or the variances from the stablished sewer service charges upon his own initially of the city Council. The City Manager shall have the power to grant variances from the established sewer service charges upon his own initially of the city Council. The City Manager shall have the power to grant variances from the established sewer service charges upon his own initially of the city variances from the established sewer service charges upon his own initially of the city of the

1973. AUTHENTICATED BY:

PETE WILSON,
Mayor of The City of San Diego, California,
EDWARD NIELSEN
City Clerk of The City of San Diego, California,
By MARY ANNE MEASE, Deputy.

(SPIAL) Published February 8, 1973

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