

ORDINANCE NO. 73

**ORDER OF THE GOVERNING BOARD OF THE
GOLETA SANITARY DISTRICT ADOPTING
AN ORDINANCE AND GENERAL REGULATION
ESTABLISHING REVISED FEES FOR PLAN CHECKS,
REVIEWS, PERMITS, INSPECTIONS AND DEPOSITS**

WHEREAS, the Goleta Sanitary District (the "District") has completed an evaluation of the fees it charges for plan checks, reviews, permits, inspections and deposits (collectively, the "Fees"); and

WHEREAS, based on said evaluation, the Governing Board of the District has determined that adjustments to the Fees are necessary in order to cover the District's costs of providing service; and

WHEREAS, the District desires to adopt a revised schedule of Fees as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Governing Board of the Goleta Sanitary District, as follows:

1. Repeal of Prior Enactments

All District ordinances, regulations, resolutions, policies, procedures and administrative provisions that are inconsistent with the provisions of this Ordinance, including but not limited to Ordinance No. 60 adopted on February 18, 2003, are hereby repealed.

2. Revised Fees

The schedule of Fees attached hereto as Exhibit "A" is hereby adopted.

3. Cost of Living Adjustments

The Fees shall be adjusted on July 1 of each year to reflect any increases in the cost of living since the date of the last adjustment, as determined pursuant to the Consumer Price Index published by the United States Department of Labor, Bureau of Labor Statistics, for the Los Angeles-Riverside-Orange County area (All Urban Consumers, All Items, 1982-1984 = 100). When calculating such increases, the Fees shall be rounded to the nearest whole dollar amount.

4. Use of Fees

Revenues derived from the collection of the Fees shall be placed in the District's Running Expense Fund pursuant to District Resolution No. 99-360. Said revenues shall be for the

purpose of covering the District's administrative and labor costs associated with the services provided by the District.

5. General Findings

The Governing Board hereby finds that (a) the Fees adopted pursuant to this Ordinance are in an amount necessary to cover the District's administrative and labor costs, (b) in compliance with Article XIII A Section 4 of the California Constitution and Sections 50076 of the Government Code, the Fees do not constitute a special tax requiring voter approval, and (c) the revenues forecast to be generated by the Fees do not exceed the estimated reasonable cost of providing the services for which the Fees are imposed.

6. CEQA Findings

The Governing Board hereby further finds that (a) under Section 21080(b)(8) of the Public Resources Code, this Ordinance only increases fees to meet operating expenses, including employee wage rates and fringe benefits, and to fund services associated with the operation of the District's sewer system, (b) there is no substantial evidence in the record before the District that this Ordinance or the adoption of the Fees will have a significant effect on the environment, and (c) no environmental review is required. In accordance with Section 21152(b) and (c) of the Public Resources Code, the Governing Board hereby directs the Secretary of the District to file a Notice of Exemption with the Santa Barbara County Clerk.

7. Partial Invalidity

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, ineffective, or in any manner in conflict with the laws of the United States, or the State of California, such decision shall not affect the validity of the remaining portions of this Ordinance. The Governing Board of the District hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase, hereof, irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared unconstitutional, ineffective, or in any manner in conflict with the laws of the United States or the State of California.

8. Publication

The Secretary of the District is hereby directed to cause this Ordinance to be published once in a newspaper published in the District.

9. Effective Date

This Ordinance shall have an effective date of January 1, 2010.

ADOPTED, SIGNED, AND APPROVED this 7th day of December, 2009, by the following vote of the Governing Board of the Goleta Sanitary District:

AYES: Fox, Carter, Majoewsky, Emerson, Smith

NOES: None

ABSENT: None

ABSTAIN: None



John R. Fox, President
of the Governing Board

COUNTERSIGNED:



Kamil S. Azoury, Secretary
of the Governing Board

EXHIBIT "A"

FEES EFFECTIVE JANUARY 1, 2010

COLLECTION SYSTEM	
PERMIT TYPE	FEES
Plan check and review fees (commercial/industrial and large development projects only)	Minimum fee: \$100.00 (Per hour rate: \$100.00)
Permit fees	\$150.00
Inspection fees	\$150.00
Inspection fees for industrial establishments	\$200.00
Mainline inspections	\$400/100 ft
Cleanouts/inspection only - no permit fees	N/A
Deposit	\$500.00 (Maximum)

INDUSTRIAL WASTE CONTROL		
PERMIT TYPE	FEES	
	Initial Fee*	Renewal Fee*
Class I, 0	\$200.00	\$100.00
Class II, 12	\$400.00	\$200.00
Class III, 24	\$800.00	\$400.00
Class IV, SIU, 1	\$1,200.00	\$600.00
Class IV CIU, 11	\$1,600.00	\$800.00
Restaurants	\$300.00	\$150.00
"Zero-discharge"	\$100.00	\$50.00

* The District reserves the right to charge industrial users the initial fee instead of the renewal fee if the District determines that the renewed permit contains significant changes.

The fees set forth in this Exhibit "A" are subject to adjustment on July 1 of each year to reflect any increases in the cost of living since the date of the last adjustment.

Notice of Exemption

TO: Office of Planning and Research
P.O. Box 3044
1400 Tenth Street, Room 222
Sacramento, CA 95812-3044
or

County Clerk
County of Santa Barbara
105 E. Anapamu Street
Santa Barbara, CA, 93101

FROM: Goleta Sanitary District
One William Moffett Place
Goleta, CA 93117

Project Title: Adoption of Ordinance No. 73 revising fees for conducting plan checks, reviews and inspections and issuing permits

Project Location – Specific: Throughout Goleta Sanitary District

Project Location – City: City of Goleta, City of Santa Barbara and unincorporated areas

Project Location – County: Santa Barbara

Description of Project: Ordinance adopting revised fees for conducting plan checks, reviews and inspections and issuing permits

Name of Public Agency approving project: Goleta Sanitary District

Name of Person or Agency carrying out project: Goleta Sanitary District

Exempt status: (check one)

- Ministerial project.
- Not a project.
- Emergency Project.
- Categorical Exemption.
State type and class number:
- Declared Emergency.
- Statutory Exemption.
State Code section number: Section 21080(b)(8) of Public Resources Code
- Other. Explanation:

Reason why project is exempt:

Rate increase for services of the kind described in Section 21080(b)(8) of the Public Resources Code to fund operating expenses, including employee wage rates and fringe benefits, and to fund services associated with the operation of the District's sewer system within the existing service area of the District. There is no substantial evidence that this ordinance or the change in fees will have a significant effect on the environment.

Lead Agency

Contact Person: Kamil S. Azoury

Telephone: (805) 967-4519

Signature of Lead Agency Representative:


Kamil S. Azoury, General Manager

Date Received for Filing: _____

Dated: December 7, 2009