ORDINANCE NO. 863

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CRESCENT CITY AMENDING CHAPTER 13.30, SEWER CHARGES, OF TITLE 13, PUBLIC SERVICES, OF THE CRESCENT CITY MUNICIPAL CODE

WHEREAS, the City of Crescent City (the "City") is a general law city subject to all California State laws of general applicability; and

WHEREAS, the City owns and maintains a wastewater treatment plant (WWTP) located at 210 Battery Street in Crescent City that receives and treats wastewater from properties both within the City and within County Service Area No. 1; and

WHEREAS, the City owns and maintains a sewer collection system within the City of Crescent City; and

WHEREAS, in 1996, California voters passed Proposition 218 (the "Right to Vote on Taxes Act") adding article XIII D to the California Constitution ("Prop 218"), which restricts local governments' ability to impose taxes, assessments, and property-related fees without voter or property owner approval and requires that such property-related fees, such as water or sewer charges, do not exceed the cost of providing the service, and cannot fund general government services; and

WHEREAS, in 1997, the California legislature passed the Proposition 218 Omnibus Implementation Act (the "Act"), which provides the legal framework for local governments to comply with Proposition 218 (Government Code Section 53750 et seq.); and

WHEREAS, the City has commissioned and approved a Sewer Rate Study (cost of service analysis), which analyzed the cost of providing sewer services, the revenues currently received for sewer services, and recommended sewer rate increases; and

WHEREAS, Prop 218 and the Act require that the City conduct a majority protest procedure and public hearing prior to implementing any new or increased property-related fee.

NOW, THEREFORE, the City Council of the City of Crescent City does hereby ordain as follows:

SECTION 1. RECITALS. The City Council finds the above recitals to be true and correct and are incorporated herein as if set forth in full.

SECTION 2. FINDINGS. The City Council finds that the sewer service rates set forth in this ordinance are based upon a cost-of-service analysis performed by a rate-making consultant and that the rates reflect the proportional cost of service to each customer category.

SECTION 3. CODE AMENDMENT. Chapter 13.30, Sewer Charges, of Title 13, Public Services, of the Crescent City Municipal Code is hereby amended by adding the following sections as set forth herein.

3.01. Section 13.30.20, FY 26-27 Sewer Service Rates, is hereby added to Chapter 13.30, Sewer Charges, of Title 13, Public Services, of the Crescent City Municipal Code to read as follows:

13.30.20 FY 26-27 Sewer Service Rates. Effective July 1, 2026, the following schedule of monthly sewer service rates shall apply to city sewer customers:

MONTHLY RATES – INSIDE CITY LIMITS		
CUSTOMER CATEGORY	FIXED CHARGE	VOLUMETRIC RATE*
Residential Flat Rate	$ 98.06	--
Multi-Family Residential	$ 43.29	$ 10.17
Light Commercial	$ 43.29	$ 10.95
Heavy Commercial	$ 43.29	$ 23.39
Combined Residential / Light Commercial (Mixed Use)	$ 121.84	--
Combined Residential (2) / Light Commercial (Mixed Use)	$ 267.14	--
Industrial Pretreatment	$ 43.29	$ 4.62
MONTHLY RATES – OUTSIDE CITY LIMITS		
CUSTOMER CATEGORY	FIXED CHARGE	VOLUMETRIC RATE*
Residential Flat Rate	$ 79.60	--
Multi-Family Residential	$ 43.29	$ 7.00
Light Commercial	$ 43.29	$ 7.78
Heavy Commercial	$ 43.29	$ 20.22
Combined Residential / Light Commercial (Mixed Use)	$ 75.56	--
*The volumetric rate is per 100 cubic feet of water used during the billing cycle.		

3.02. Section 13.30.21, FY 27-28 Sewer Service Rates, is hereby added to Chapter 13.30, Sewer Charges, of Title 13, Public Services, of the Crescent City Municipal Code to read as follows:

13.30.21 FY 27-28 Sewer Service Rates. Effective July 1, 2027, the following schedule of monthly sewer service rates shall apply to city sewer customers:

MONTHLY RATES – INSIDE CITY LIMITS		
CUSTOMER CATEGORY	FIXED CHARGE	VOLUMETRIC RATE*
Residential Flat Rate	$ 110.32	--
Multi-Family Residential	$ 48.71	$ 11.45
Light Commercial	$ 48.71	$ 12.32
Heavy Commercial	$ 48.71	$ 26.32
Combined Residential / Light Commercial (Mixed Use)	$ 137.07	--
Combined Residential (2) / Light Commercial (Mixed Use)	$ 300.53	--
Industrial Pretreatment	$ 48.71	$ 5.20
MONTHLY RATES – OUTSIDE CITY LIMITS		
CUSTOMER CATEGORY	FIXED CHARGE	VOLUMETRIC RATE*
Residential Flat Rate	$ 89.55	--
Multi-Family Residential	$ 48.71	$ 7.87
Light Commercial	$ 48.71	$ 8.75
Heavy Commercial	$ 48.71	$ 22.74
Combined Residential / Light Commercial (Mixed Use)	$ 85.00	--
*The volumetric rate is per 100 cubic feet of water used during the billing cycle.		

3.03. Section 13.30.22, FY 28-29 Sewer Service Rates, is hereby added to Chapter 13.30, Sewer Charges, of Title 13, Public Services, of the Crescent City Municipal Code to read as follows:

13.30.22 FY 28-29 Sewer Service Rates. Effective July 1, 2028, the following schedule of monthly sewer service rates shall apply to city sewer customers:

MONTHLY RATES – INSIDE CITY LIMITS		
CUSTOMER CATEGORY	FIXED CHARGE	VOLUMETRIC RATE*
Residential Flat Rate	$ 117.49	--
Multi-Family Residential	$ 51.87	$ 12.19
Light Commercial	$ 51.87	$ 13.12
Heavy Commercial	$ 51.87	$ 28.03
Combined Residential / Light Commercial (Mixed Use)	$ 145.98	--
Combined Residential (2) / Light Commercial (Mixed Use)	$ 320.06	--
Industrial Pretreatment	$ 51.87	$ 5.54
MONTHLY RATES – OUTSIDE CITY LIMITS		
CUSTOMER CATEGORY	FIXED CHARGE	VOLUMETRIC RATE*
Residential Flat Rate	$ 95.37	--
Multi-Family Residential	$ 51.87	$ 8.38
Light Commercial	$ 51.87	$ 9.32
Heavy Commercial	$ 51.87	$ 24.22
Combined Residential / Light Commercial (Mixed Use)	$ 90.53	--
*The volumetric rate is per 100 cubic feet of water used during the billing cycle.		

3.04. Section 13.30.23, FY 29-30 Sewer Service Rates, is hereby added to Chapter 13.30, Sewer Charges, of Title 13, Public Services, of the Crescent City Municipal Code to read as follows:

13.30.23 FY 29-30 Sewer Service Rates. Effective July 1, 2029, the following schedule of monthly sewer service rates shall apply to city sewer customers:

MONTHLY RATES – INSIDE CITY LIMITS		
CUSTOMER CATEGORY	FIXED CHARGE	VOLUMETRIC RATE*
Residential Flat Rate	$ 123.95	--
Multi-Family Residential	$ 54.73	$ 12.86
Light Commercial	$ 54.73	$ 13.84
Heavy Commercial	$ 54.73	$ 29.57
Combined Residential / Light Commercial (Mixed Use)	$ 154.01	--
Combined Residential (2) / Light Commercial (Mixed Use)	$ 337.66	--
Industrial Pretreatment	$ 54.73	$ 5.84
MONTHLY RATES – OUTSIDE CITY LIMITS		
CUSTOMER CATEGORY	FIXED CHARGE	VOLUMETRIC RATE*
Residential Flat Rate	$ 100.62	--
Multi-Family Residential	$ 54.73	$ 8.85
Light Commercial	$ 54.73	$ 9.83
Heavy Commercial	$ 54.73	$ 25.55
Combined Residential / Light Commercial (Mixed Use)	$ 95.50	--
*The volumetric rate is per 100 cubic feet of water used during the billing cycle.		

3.05. Section 13.30.24, FY 30-31 Sewer Service Rates, is hereby added to Chapter 13.30, Sewer Charges, of Title 13, Public Services, of the Crescent City Municipal Code to read as follows:

13.30.24 FY 30-31 Sewer Service Rates. Effective July 1, 2030, the following schedule of monthly sewer service rates shall apply to city sewer customers:

MONTHLY RATES – INSIDE CITY LIMITS		
CUSTOMER CATEGORY	FIXED CHARGE	VOLUMETRIC RATE*
Residential Flat Rate	$ 130.15	--
Multi-Family Residential	$ 57.46	$ 13.50
Light Commercial	$ 57.46	$ 14.54
Heavy Commercial	$ 57.46	$ 31.05
Combined Residential / Light Commercial (Mixed Use)	$ 161.71	--
Combined Residential (2) / Light Commercial (Mixed Use)	$ 354.55	--
Industrial Pretreatment	$ 57.46	$ 6.14
MONTHLY RATES – OUTSIDE CITY LIMITS		
CUSTOMER CATEGORY	FIXED CHARGE	VOLUMETRIC RATE*
Residential Flat Rate	$ 105.65	--
Multi-Family Residential	$ 57.46	$ 9.29
Light Commercial	$ 57.46	$ 10.32
Heavy Commercial	$ 57.46	$ 26.83
Combined Residential / Light Commercial (Mixed Use)	$ 100.28	--
*The volumetric rate is per 100 cubic feet of water used during the billing cycle.		

[END CODE AMENDMENT]

SECTION 4. SEVERABILITY. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 5. CEQA FINDINGS. This Ordinance has been reviewed for compliance with the California Environmental Quality Act (CEQA), and the CEQA Guidelines, and has been found to be exempt pursuant to CEQA Guidelines 15061(b)(3) (common sense exemption).

SECTION 6. EFFECTIVE DATE & PUBLICATION. This Ordinance will become effective immediately upon its adoption pursuant to Government Code Section 36937(d). The City Clerk shall cause this ordinance to be published within 15 days of its adoption in accordance with the requirements of Government Code Section 36933.

INTRODUCED by the City Council of the City of Crescent City at a meeting of the City Council held the 6th day of April 2026.

PASSED AND ADOPTED by the City Council of the City of Crescent City at a regular meeting of the City Council held this 1st day of June 2026 by the following polled vote:

AYES: Council Members Greenough, Shamblin, Tinkler, and Mayor Wright
NOES: Council Member Altman
ABSENT: None
ABSTAIN: None

Isaiah Wright, Mayor

ATTEST:

Robin Altman, City Clerk

APPROVED AS TO FORM:

Martha D. Rice, City Attorney