

**ORDINANCE NO. 125**

**AN ORDINANCE OF THE CUPERTINO SANITARY DISTRICT  
AMENDING CHAPTER VII, "PERMITS, FEES AND  
SERVICE CHARGES" OF THE CUPERTINO  
SANITARY DISTRICT OPERATIONS CODE RELATING  
TO PERMITS AND FEE CHARGES**

**The Sanitary Board of the Cupertino Sanitary District, Santa Clara County,  
California, hereby ordains as follows:**

**SECTION 1:** Article 2: System Connection Fees is amended by revising Sections 7200, 7201, 7202 and 7203 of the Cupertino Sanitary District Operations Code to read as follows:

**ARTICLE 2: SEWER DEVELOPMENT FEES**

**7200. PURPOSE:**

The purpose of the sewer development fee is to allow the District to recover the costs associated with providing sewer collection lines in the District, excluding pump station costs. The fee is payable at the time of application for development and/or as stipulated in the Installers' Agreement.

**7201. RESIDENTIAL DEVELOPMENTS:**

The development fee to connect a residential property to the sewer system shall be as follows:

Single-Family Residence.....	\$11,034.00/residence
Townhouse/Condominium.....	\$9,847.00/unit
Multiple Dwelling.....	\$8,173.00/unit

The above fee is applicable for all new residential developments without consideration for existing use, except for a single-family residence. Demolishing an existing residence and reconstruction with a new single-family residence is exempt from payment of this fee.

If a townhouse/condominium and multiple dwelling has common area (recreation room, library, classroom, auditorium, lobby/offices, etc.) and food service facility, there will be

additional charges equivalent to "Office" and "Food Service" classifications as outlined in Sections 7202 and 7302.

**7202. NON-RESIDENTIAL DEVELOPMENTS:**

The fee for all new non-residential developments, redevelopments (total demolition and reconstruction of site), or change in classification shall be as follows:

<b>Classification</b>	<b>Connection Fee</b>	<b>Unit</b>
Hotel/Motel	\$3,544.00	Per Room
Hospital	\$4,354.00	Per Bed
Convalescent Home	\$1,620.00	Per Bed
Office	\$1.27	Per Square Foot
Commercial Retail Store (Greater than 5,000 SF)	\$1.27	Per Square Foot
Commercial Retail Store (less than 5,000 SF)	\$1.52	Per Square Foot
Commercial Market - Grocery	\$2.17	Per Square Foot
Commercial Gas Station with Car Washer	\$5.59	Per Square Foot
Commercial School/Day Care Centers	\$17.00	Per Square Foot
Commercial Laundromat	\$19.97	Per Square Foot
Full Service Restaurant	\$19.49	Per Square Foot
Cafeteria (in Office Complex)	\$15.34	Per Square Foot
Fast Food Restaurant & Food Service in Grocery Store and Residential Development	\$8.35	Per Square Foot

Office as classified above also includes multiple uses from residential developments as described in Section 7201. If a residential development, hotel, hospital, convalescent home, and/or office includes food service, there will be an additional connection fee as listed above. Area costs as shown above are calculated based on gross square feet. For a new development or redevelopment, gross square feet are determined by the outside dimensions of the building. For tenant improvements, the area is calculated by adding four inches (4") to the interior dimension for a common wall and adding eight inches (8") for non-common wall thickness. Area for cafeteria and food service in a grocery store is based on total square foot of kitchen/cooking area, cooking food storage area, sit-down eating area, 50% of the sit-down eating area located outside

the building and associated/connection service/hallway/lobby area. The District Manager-Engineer will determine the area and calculate the fees.

**For other classifications not listed above,** The District Manager-Engineer shall, based on standard engineering practices and methods, estimate the average daily wastewater flows (in gallons per day) for the new development, and multiply those flows by the following unit cost to arrive at the total development fee:

**\$19.88 PER GALLON PER DAY**

If, as a direct result of a new connection, the District is required to upgrade the hydraulic capacity of any sewer collection line serving that connection, the installer will be responsible for all direct and actual costs associated with that upgrade, in addition to its development fee as calculated above.

**7203. DEMOLITION/RENOVATION:**

If there is no change in size or classification (land use), no fees will be assessed. If there is a change in size, the additional increase in size will be charged based on the cost for the difference (delta) in size in accordance with Section 7202. If there is a change in classification (land use), the entire square footage will be charged based on the cost for the delta in classification in accordance with Section 7202.

**SECTION 2:** Article 3: Treatment Plant Capacity Fees is amended by revising Sections 7301 and 7303 of the Cupertino Sanitary District Operations Code to read as follows:

**ARTICLE 3: TREATMENT PLANT CAPACITY FEES**

**7301. RESIDENTIAL CAPACITY FEE:**

The capacity fee to connect a residential property shall be as follows:

Single Family Residence.....	\$2,712.00/unit
Townhouse/Condominium .....	\$2,497.00/unit
Multiple Dwelling .....	\$2,009.00/unit

The treatment plant capacity fee applies to the use of the treatment plant at the time the connection is made. If the use of the connection is changed and the change results in use of additional treatment plant capacity, an additional fee shall be imposed for the change in use.

**7303. DEMOLITION/RENOVATION:**

If there is no change in classification (land use), no fees will be assessed. If there is a change in classification (land use), a fee will be charged based on the cost for the difference (delta) in classification in accordance with Section 7302.

**SECTION 3:** Article 4: Pump Fee is amended by revising Section 7402 of the Cupertino Sanitary District Operations Code to read as follows:

**ARTICLE 4: PUMP ZONE FEE**

**7402. DEMOLITION/RENOVATION:**

If there are no changes in size or classification (land use), no fees will be assessed. If there is a change in size, additional increase in size would be charged based on the cost for the difference (delta) in classification in accordance with Section 7402. If there is a change in classification (land use), the entire square footage will be charged on the delta of the cost for classification in accordance with Section 7402.

**SECTION 4:** This ordinance shall be retroactive to December 18, 2018. Any renovation projects that have paid previous fees will be recalculated based on this ordinance and the differential in fees, if any, will be refunded to the applicant.

**SECTION 5:** Upon adoption this Ordinance shall be entered in the minutes of the Sanitary Board and a summary of this Ordinance prepared by the District Counsel shall be published once in the Cupertino Courier and the Saratoga News, being newspapers of general circulation in the District. A certified copy of the full text of this Ordinance shall be posted in the office of the District Clerk.

**SECTION 6:** This Ordinance shall become effective upon expiration of the week of publication.


**PASSED AND ADOPTED** at a regular meeting of the Sanitary Board of the Cupertino Sanitary District held on the 17<sup>th</sup> day of July 2019, by the following vote:

AYES: Chen, Kwok, Saadati, Gatto, and Bosworth

NOES: None

ABSTAIN: None

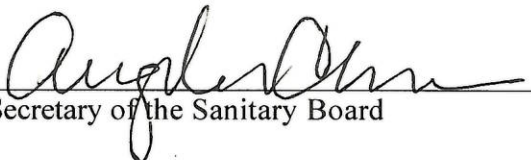
ABSENT: None



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President of the Sanitary Board

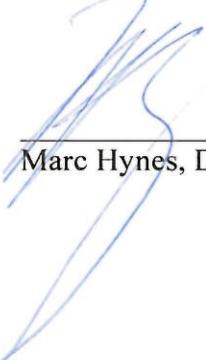
ATTEST:



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Secretary of the Sanitary Board

APPROVED AS TO FORM:



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Marc Hynes, District Counsel