

RESOLUTION NO. _____

A RESOLUTION RELATING TO SEWER RATES AND CLARIFYING RESOLUTION NO. **4329**.

WHEREAS, Albany's sanitary sewer rates are structured around both fixed and variable charge components; and

WHEREAS, the fixed charge component of rates is intended to provide a measure of rate stability by allocating a portion of the overall cost of running the sanitary sewer system among the entire base of users within each class; and

WHEREAS, the concept of "users" within each class is intended to include each person or family unit that utilizes the sanitary sewer on the basis of a property right; and

WHEREAS, some users have a property right that allows them to occupy premises, and these persons should be deemed separate users for purposes of the fixed rate charge; and

WHEREAS, within the residential rate category, the current sewer rate resolution (Resolution No. 4329) has a section that defines residential customers to "include all single-family and multi-family housing units" and specifies that "duplexes and other multi-family housing units will be charged a monthly fixed charge for each dwelling unit"; and

WHEREAS, multi-family housing units known as a "quad" or a "quint" have been properly billed using the number of bedrooms in each complex as the basis for calculating the monthly fixed charge; and

WHEREAS, the Albany City Council has decided to change the methodology for calculating the monthly fixed charge for "quads" and "quints"; and

WHEREAS, the current sewer rate resolution (Resolution No. 4329) does not contain a definition for "quad," "quints," or "dwelling unit."

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that for the purpose of clarifying sewer fixed charges:

"dwelling unit" shall be defined as "one or more habitable rooms that are occupied or that are intended or designed to be occupied by a person or persons with housekeeping facilities that may include but are not limited to facilities for living, sleeping, cooking, and eating"

"quad" shall be defined as "a dwelling that has separate sleeping and living quarters for four individuals but which is centered around a common kitchen facility"

"quint" shall be defined as "a dwelling that has separate sleeping and living quarters for five individuals but which is centered around a common kitchen facility."

BE IT FURTHER RESOLVED that for the purposes of calculating the monthly fixed charge for sewer service for quad and quint complexes the number of bathrooms in the complex shall be used as the basis for calculating the fixed charge.

BE IT FURTHER RESOLVED that Resolution No. **4329** shall be interpreted to be consistent with this clarification.

DATED THIS 27th DAY OF OCTOBER 2004.

Mayor

ATTEST:

City Recorder