

Avila Beach County Water District

PRESENT: Directors

ABSENT:

Resolution No. 94-11

RESOLUTION ESTABLISHING PROCEDURES FOR ISSUANCE OF "WILL-SERVE" LETTERS

WHEREAS, it is the intent of this Resolution to establish an orderly procedure for the issuance and administration of written commitments by the District to provide water service to new or expanded development of property within the District ("will-serve" letters). Resolution 94-11 supersedes and replaces Resolution 93-10.

NOW, THEREFORE, be it resolved by the Board of Directors of Avila Beach County Water District as follows:

The following procedures are hereby established for the issuance and administration of written commitments by the District to provide water service to new or expanded development of property within the District:

1. PLANS: Prior to issuance of an interim will-serve letter, the owner or owner's agent shall submit preliminary plans for the proposed development to the District, containing a floor plan for each floor, identification of plumbing fixtures, a statement of intended use of the building, square footage of floor space, and other information as District Staff requires in order to evaluate water and sewer requirements and compliance with fire safety.
2. PRELIMINARY WILL - SERVE LETTER: Once it is determined that the District has sufficient water capacity to provide water service to the development, and upon payment of fees as provided herein and upon owner's written agreement to comply with any retrofit requirements then in effect for the District, a preliminary will-serve letter will be issued. This letter shall remain in effect for six (6) months from the date of issuance. Upon application by the owner to the Board of Directors, the Board may extend the permit for up to an additional six (6) months from its expiration date if the Board finds that the owner is diligently pursuing the project. There will be a One Hundred Dollar (\$100) extension fee to cover administrative charges for such extension.

3. FEES: There shall be a fee in the sum of One Thousand Dollars (\$1000) payable to the District for the issuance of a preliminary will-serve letter. Two Hundred Fifty Dollars (\$250) of the fee shall be a processing charge, and Seven Hundred Fifty Dollars (\$750) shall be a deposit toward costs of plan check with any balance applied to applicable water and sewer availability assessments for the development. If it is determined that the development is not going to proceed, the Owner shall be entitled to a refund of the balance of the \$750 deposit remaining after any actual costs of project review.

4. FINAL WILL-SERVE LETTER: After the owner has completed the planning and permitting process for the development with the County, he shall deliver to the District a copy of his final approved plans. The District Engineer will review the plans to determine the development's water and sewer requirements; the plans will also be reviewed by the Fire Marshall to determine compliance with fire safety requirements. The District shall then issue to owner a final will-serve letter, which shall remain in effect for one (1) year from the date of issuance and shall bind the District to provide water to the development. Applicable assessments and connection fees are payable at issuance of the final will-serve letter.

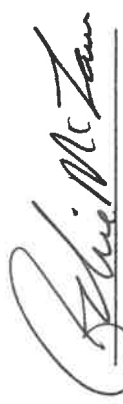
On motion of Director _____, Seconded by Director _____, and on the following roll call vote, to-wit:

AYES:

NOES:

ABSENT:

The foregoing Resolution is hereby adopted.



President of the Board of
Directors

ATTEST:

APPROVED AS TO FORM:

STEPHEN N. COOL,
Attorney for District