

Avila Beach County Water District

County of San Luis Obispo, State of California

PRESENT: Directors McLaren, Briley, Grife, Dee

ABSENT: Guernsey

Resolution No. 94- 09 _____

DATED: July 5, 1994

RESOLUTION ESTABLISHING POLICIES AND PROCEDURES

TO DETERMINE CONNECTION TO DISTRICT WATER

AND SEWER SYSTEMS

WHEREAS, by its Ordinances 1-87 and 2-87 the District established water and sewer facilities assessments payable to the District upon connection of properties to the District's water and sewer systems after November 4, 1987, in accordance with schedules of assessments prescribed in such Ordinances; and

WHEREAS, by its Resolutions 87-8 and 87-9 the District established policies for interpreting said Ordinances with respect to properties which in the past had been connected to the District water system but were not connected as of November 4, 1987; and

WHEREAS, the Board of Directors has determined that it is fair and equitable and in the best interests of the taxpayers of the District that additional policies and procedures as set forth in this Resolution be established.

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

1. The following occurrences shall be deemed to constitute a "connection" to the District's water and sewer system, for purposes of establishing a date of payment of assessments under Ordinances 1-87 and 2-87:

A. The placing of a new water meter on property having no meter;

B. The replacement of an existing water meter with a larger meter, or adding additional meters, in order to serve an expanded use of the property; or

C. Where there has been prior water service to a property which has been terminated, but the property currently has a meter, upon reactivation of service to the extent that the volume of use is expanded, under Section 2 of this Resolution.

2. For purposes of defining whether an enlargement, expansion or conversion of an existing use of property will result in a substantially greater consumption of water, under Ordinances 1-87 and 2-87, a projected increase in usage of 20% over historic use for the previous 5 years of service shall be deemed to constitute a substantial increase.

3. Properties which meet the qualifying conditions for exemption from assessments under Resolution 87-8 or 87-9 shall continue to be governed by the terms of said Resolutions.

4. The Board of Directors shall have the authority to make determinations as to the payability and amount of any water and sewer assessments in individual situations which are not clearly addressed by ordinance or resolution, which interpretations shall be consistent with the intent of said ordinances and resolutions.

On motion of Director Grife, seconded by Director Dee, and on the following roll call vote, to-wit:

AYES: Briley, Dee, Grife, McLaren

NOES: --

ABSENT: Guernsey

The foregoing Resolution is hereby adopted.

On motion of Director Briley, seconded by
Director Dee, and on the following roll call vote,
to-wit:

AYES: Briley, Dee, Guernsey, Grife, McLaren

NOES: None

ABSENT: None

ABSTAIN: None

The foregoing Resolution is hereby adopted.



President of the Board of
Directors

ATTEST:


Board Secretary

APPROVED AS TO FORM:

STEPHEN N. COOL, District Counsel