

EXHIBIT A

ORDINANCE NO. 10

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR RATIONING WATER DURING A WATER SHORTAGE EMERGENCY AND ESTABLISHING PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, Article X, Section 2 of the California Constitution declares that waters of the State are to be put to beneficial use, that waste, unreasonable use, or unreasonable method of use of water be prevented, and that water be conserved for the public welfare; and

WHEREAS, conservation of current water supplies and minimization of the effects of water supply shortages that are the result of drought are essential to the public health, safety and welfare; and

WHEREAS, regulation of the time of certain water use, manner of certain water use, design of rates, method of application of water for certain uses, installation and use of water-saving devices, provide an effective and immediately available means of conserving water; and

WHEREAS, California Government Code section 61100, subdivision (a) incorporates Water Code sections 71000 et seq., including section 71640, into the Community Service District Law; and

WHEREAS, California Water Code section 71610.5 authorizes the District to undertake a water conservation program to reduce water use and may require, as a condition of new service, that reasonable water-saving devices and water reclamation devices be installed to reduce water use; and

WHEREAS, pursuant to Water Code section 71640, municipal water districts may restrict the use of district water during a drought emergency or other water shortage condition and may prohibit the wastage of district water or the nonessential use of district water during such periods for any purpose other than household uses or other restricted uses as the District determines to be necessary; and

WHEREAS, pursuant to Water Code section 71641 and Government Code section 6061, the District must publish in a newspaper of general circulation any ordinance setting forth the restrictions, prohibitions, and exclusions determined to be necessary under Water Code section 71640 within 10 days after its adoption, even though the ordinance is effective upon adoption; and

WHEREAS, Water Code section 71644 establishes that, from the publication of an ordinance pursuant to section 71641 until the repeal of the ordinance or end of the

emergency, it is a misdemeanor punishable by up to 30 days in county jail and/or a fine of up to \$600 for any person to use or apply water from the District contrary to or in violation of any restriction or prohibition; and

WHEREAS, the adoption and enforcement of a comprehensive water conservation program will allow the District to delay or avoid implementing measures such as water rationing or more restrictive water use regulations pursuant to a declared water shortage emergency as authorized by California Water Code sections 350 et seq.

BE IT ORDAINED BY the Board of Directors of the McKinleyville Community Services District as follows:

Section 1. Declaration of Water Shortage Emergency.

This ordinance is effective immediately upon adoption. The provisions of this chapter shall take effect whenever the District General Manager, upon engineering analysis of District water supplies, information received from the wholesale water provider, Humboldt Bay Municipal Water District (HBMWD), or due to regulatory requirements, notices, or orders, finds and determines that a water shortage emergency exists or is imminent within the MCSD water service area and a declaration of a water shortage is made by a resolution of the MCSD Board of Directors, and they shall remain in effect for the duration of the water shortage set forth in the resolution.

Section 2. Publication.

Within ten (10) days of adoption the District will publish in a newspaper of general circulation this ordinance setting forth the restrictions, prohibitions, and exclusions determined by the District to be necessary.

Section 3. Definitions.

For the purpose of this Ordinance the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future; words in the plural number include the singular number. The word "shall" is always mandatory and not merely directory.

- a. "District" is McKinleyville Community Services District.
- b. "Board of Directors" is the elected Board of Directors of the McKinleyville Community Services District.
- c. "Customer" is any person using water supplied by the McKinleyville Community Services District.
- d. "Manager" is the General Manager of the McKinleyville Community Services District.
- e. "Person" is any person, firm, partnership, association, corporation, company, or organization of any kind.
- f. "Water" is water from the McKinleyville Community Services District.
- g. "Outdoor surface" is any patio, porch, veranda, driveway, or sidewalk.

Section 4. Application.

The provisions of this Ordinance shall apply to all customers using water both in and outside the McKinleyville Community Services District, regardless of whether any customer using water shall have a contract for water service with the McKinleyville Community Services District.

Section 5. Determination of Stage of Action Necessary.

This ordinance establishes regulations to be implemented during times of declared water shortages, or declared water shortage emergencies. It establishes four levels of response actions to be implemented in times of shortage, as set forth in Section 7, below, with increasing restrictions on water use in response to worsening drought conditions or decreasing available supplies. The MCSD Board of Directors, upon recommendation by the Manager, shall determine and declare by resolution the stage of response action necessary. Notice of such determination shall be published in a newspaper of general circulation and shall be effective within five (5) days from the date the declaration is made.

Section 6. Waste of Water Prohibited

No water furnished by the District shall be wasted. Waste of water includes, but is not limited to, the following:

- a. Permitting water to escape (run to waste) down a gutter, ditch, surface drain, or otherwise;
- b. Failure to repair a controllable leak of water; and
- c. Failure to put to reasonable beneficial use any water withdrawn from the District's system.

Section 7. Prohibition of Non-Essential Use of Water

No water furnished by the District shall be used for any purpose declared to be non-essential by this Ordinance for the following stages of action as determined by the Board of Directors after considering specific triggers consistent with the Water Shortage Contingency Plan for the MCSD Service Area.

Stage 1 - Voluntary Conservation (up to 20% reduction). Achieve up to 20% reduction in water usage compared to the corresponding billing period in the previous calendar year (prior to declaration of the most recent water shortage emergency) by encouraging voluntary conservation, enforcement of water wasting regulations and water conservation regulations, requesting customers to make conscious efforts to conserve water, request restaurants to serve water only upon request, encourage private sector to use alternate source and encourage night irrigation. Voluntary actions include:

Water conservation is requested of all customers.
Installation and use of water efficient indoor devices.
Use of hose-end shutoff nozzles on all garden and utility hoses.

Refrain from washing cars, boats, trailers, or other vehicles except by hose with shutoff nozzle and bucket.
Installation of low-flow shower heads, low flush water closets, and faucet aerators.
Promptly repair all leaks in plumbing fixtures, water lines, and sprinkler systems.

Stage 2 - Mandatory Conservation (up to 30% reduction)

d. From and after the date that the Board of Directors, by resolution, determines that Stage 2, Mandatory Conservation actions are to be implemented, in addition to the voluntary action is Stage 1, the following uses are declared to be non-essential:

Unattended automatic watering of any lawn, garden, landscaped area, tree, shrub or other plant except between the hours of 12:00 AM and 4:00 AM.
Washing sidewalks, driveways, parking areas, tennis courts, patios or other exterior paved areas except by public agency for the purpose of public safety.
Application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.
Use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculation system.
Watering any portion of a golf course other than the tees and greens except where private well or recycled water supply is used.
Fire hydrant water unless authorized by the District, except by fire protection agencies for fire suppression purposes, or for other authorized uses including storm drain maintenance, and street sweeping purposes. Water/sewer flushing and fire flow testing are authorized only if coordinated and performed at the same time.
The use of a hose that dispenses potable water to wash a motor vehicle or for any other purpose, except where the hose is fitted with a shutoff nozzle or device attached to it that causes it to cease dispensing water immediately when not in use.

Stage 3 – Emergency Water Shortage (up to 50% reduction)

e. From and after the date that the Board of Directors, by resolution, determines that Stage 3, Emergency Water Shortage actions are to be implemented, the following additional uses are declared to be non-essential:

Outdoor irrigation is prohibited unless total water use is reduced by 50 % from the same billing period from the previous calendar year (prior to declaration of the most recent water shortage emergency).
Any leak that are not repaired within 24 hours after discovery.

Automated commercial car washes without a water recycling system.
Street cleaning or dust control with potable water.
Filling or to top off any swimming pools, outdoor spas, wading pools, and ornamental water features.
Use of water from a fire hydrant except for fighting fires and human consumption.
Watering any residential lawn, or any commercial or industrial area lawn maintained for aesthetic purposes, at any time of the day or night during the period of March 1, through September 30, when a Stage 3 is in progress.
Planting any new landscaping, except for designated drought resistant landscaping approved by the District.
Operating a hotel, motel or other commercial lodging establishment without offering patrons the option to forego the daily laundering of towels, sheets and linens.
Use of water for any outdoor washing purpose including commercial car washing, window washing, and paint preparation.
Washing of cars, boats, trailers, or other vehicles.

Stage 4 – Critical Water Shortage Emergency Mandatory Rationing (> 50% reduction)

f. From and after the date that the Board of Directors, by resolution, determines that Stage 4, Critical Water Shortage Emergency actions are to be implemented, the following additional uses are declared to be non-essential:

Agricultural irrigation.
Outdoor irrigation.
Any leaks that are not repaired immediately.
Bulk water sales.

g. The percentages stipulated in Stage 2 and Stage 3 may be increased by the General Manager for any class of customer if the General Manager determines that such increase is necessary to protect the public health, safety and welfare or to spread equitably among the water users of the District the burdens imposed by the drought and the shortage in the District's water supply.

Section 8. Variances

Applications for a variance from the provisions of Section 7 of this Ordinance may be made to the General Manager. The General Manager may grant a variance to permit a use of water otherwise prohibited by Section 7 if the General Manager determines that the variance is reasonably necessary to protect the public health and safety and/or economic viability of commercial operation. Any decision of the General Manager under this section may be appealed to the Board of Directors.

Section 9. Suspension of New Connections to the District's Water System

a. From the date the Board of Directors, by resolution, determines that Stage 2 (Moderate Mandatory) or Stage 3, (Severe Mandatory) Stage 4, (Rationing), actions are to be implemented, until, the Board of Directors by resolution declares that the water shortage has ended, which period is hereinafter referred to as the suspension period, the General Manager may prohibit new or enlarged connections to the District's water system except the following:

- (1) connection pursuant to the terms of connection agreements which prior to the date Stage 2, or Stage 3 are implemented, had been executed or had been authorized by the Board of Directors to be executed;
- (2) connections of fire hydrants;
- (3) connections of property previously supplied with water from a well which runs dry.
- (4) connection of property for which the Applicant agrees to defer landscape installation until after the suspension period.
- (5) Recycled Water connections.

b. During the suspension period applications for water service will be processed only if the Applicant acknowledges in writing that such processing shall be at the risk and expense of the Applicant and that if the application is approved in accordance with the District's regulations, such approval shall confer no right upon the Applicant or anyone else until the suspension period has expired, and that the Applicant releases the District from all claims of damage arising out of or in any manner connected with the suspension of connections.

c. Upon the expiration of the suspension period, the District will make connections to its water system in accordance with its regulations and the terms of connection agreements for all said applications approved during the suspension period. The water supply then available to the District will be apportioned equitably among all the customers then being served by the District without discrimination against services approved during the suspension period.

d. Nothing herein shall prohibit or restrict any modification, relocation or replacement of a connection to the District's system if the General Manager determines that the demand upon the District's water supply will not be increased thereby.

Section 10. Limits on Individual Consumption.

Manager may limit the amount of water delivered to customers, whenever the Manager determines the water available to the McKinleyville Community Services District is insufficient to meet the demands of customers of the District and that all water available to said District should be used solely for human consumption, sanitation and fire protection, he may order limits be imposed on individual consumption as determined and specified by resolution of the Board of Directors including penalties in addition to those specified in Section 11 of this Ordinance.

a. While this Ordinance is in effect, no additional water use by a customer, shall be permitted unless the Manager determines that the health, safety, or welfare of the public might be endangered.

Section 11. Fines and Penalties.

Except as otherwise provided herein, violations of any provision of this Ordinance shall be punished as follows:

- a. An administrative fine of up to \$500.00 may be levied for each violation of a provision of this ordinance in accordance with Water Code Section 71590.
- b. Each violation of this ordinance may be prosecuted as a misdemeanor punishable by imprisonment in the county jail for not more than thirty (30) days or by a fine not exceeding \$600, or both as provided in Water Code Section 71644. The manager shall forthwith direct and cause disconnection of the water service of any person or customer cited for a misdemeanor under this section. Such service shall be restored only upon payment of any turn-on charge fixed by the Board of Directors.
- c. Each day any violation of this Ordinance is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Section 12. Enforcement.

The Manager and all employees of the McKinleyville Community Services District have the duty and are authorized to enforce the provisions of this Ordinance and shall have all the powers and authority contained in California Penal Code Section 836.5, including the power to issue written notice of violation.

Section 13. Signs on Land Supplied from Private Wells or Recycled Water.

The owner or occupant of any land within the MCSD water service area that is supplied with water from a private well or with recycled water shall post and maintain in a conspicuous place thereon a sign furnished by the District at cost giving public notice of such supply.

RESOLUTION 2014-23
A RESOLUTION OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT
(MCSD) BOARD OF DIRECTORS APPROVING AMENDMENTS TO ORDINANCE
NO. 10 AND DECLARING WATER SHORTAGE EMERGENCY CONDITION

WHEREAS, Article X, Section 2 of the California Constitution declares that waters of the State are to be put to beneficial use, that waste, unreasonable use, or unreasonable method of use of water be prevented, and that water be conserved for the public welfare; and

WHEREAS, conservation of current water supplies and minimization of the effects of water supply shortages that are the result of drought are essential to the public health, safety and welfare; and

WHEREAS, regulation of the time of certain water use, manner of certain water use, design of rates, method of application of water for certain uses, installation and use of water-saving devices, provide an effective and immediately available means of conserving water; and

WHEREAS, California Government Code section 61100, subdivision (a) incorporates Water Code sections 71000 et seq., including section 71640, into the Community Service District Law; and

WHEREAS, California Water Code section 71610.5 authorizes the District to undertake a water conservation program to reduce water use and may require, as a condition of new service, that reasonable water-saving devices and water reclamation devices be installed to reduce water use; and

WHEREAS, pursuant to Water Code section 71640, municipal water districts may restrict the use of district water during a drought emergency or other water shortage condition and may prohibit the wastage of district water or the nonessential use of district water during such periods for any purpose other than household uses or other restricted uses as the District determines to be necessary; and

WHEREAS, pursuant to Water Code section 71641 and Government Code section 6061, the District must publish in a newspaper of general circulation any ordinance setting forth the restrictions, prohibitions, and exclusions determined to be necessary under Water Code section 71640 within 10 days after its adoption, even though the ordinance is effective upon adoption; and

WHEREAS, the adoption and enforcement of a comprehensive water conservation program will allow the District to delay or avoid implementing measures such as water rationing or more restrictive water use regulations pursuant to a declared water shortage emergency as authorized by California Water Code sections 350 et seq.; and

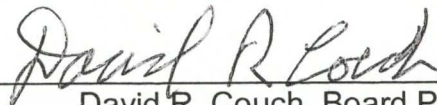
WHEREAS, on August 6, 2014, after a duly noticed public hearing, the District found the existence or threat of a local drought emergency or water shortage.

NOW, THEREFORE, BE IT RESOLVED that the McKinleyville Community Services District

1. Pursuant to Water Code section 71640, a drought emergency is hereby declared and MCSD believes restrictions upon the use of district water and prohibitions regarding the wastage of water or the nonessential use of district water should be implemented during said period; and
2. MCSD Ordinance No. 10 is hereby amended and restated to include the additions reflected in the form attached to this Resolution as Exhibit "A"; and
3. A clean copy of Ordinance No. 10, amended and restated to include the additions reflected in the form attached to this Resolution as Exhibit "A", shall be published in accord with Water Code section 71641 and Government Code section 6061 in a newspaper of general circulation; and
4. Staff is directed to implement and enforce Ordinance No. 10, as amended by this Resolution, immediately upon adoption.

ADOPTED, SIGNED AND APPROVED at a duly called meeting of the Board of Directors of the McKinleyville Community Services District on August 6, 2014 by the following polled vote:

AYES: Corbett, Edwards, Mayo, Wheeler and Couch
NOES: None
ABSENT: None
ABSTAIN: None



David R. Couch, Board President

Attest:



David Baldasser, Acting Board Secretary

The Times-Standard

PO Box 3580
Eureka, CA 95502
707-441-0571
legals@times-standard.com

MCKINLEYVILLE COMMUNITY SERVICES DISTRICT
DIANNE SLOAN, PO BOX 2037
ARCATA CA 95519

PROOF OF PUBLICATION (2015.5 C.C.P.)

STATE OF CALIFORNIA County of Humboldt

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-mentioned matter. I am the principal clerk of the printer of THE TIMES-STANDARD, a newspaper of general circulation, printed and published daily in the City of Eureka, County of Humboldt, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Humboldt, State of California, under the date of June 15, 1967, Consolidated Case Numbers 27009 and 27010; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit,

8/14/2014

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Eureka, California,
This 15th day of August, 2014

Signature



This space is for the County Clerk's Filing Stamp

Legal No. 0005269534

McKinleyville Community Services District Notice of Adoption and Urgency Ordinance Summary

NOTICE IS HEREBY GIVEN that at its regular meeting held on August 6, 2014, the McKinleyville Community Services District introduced and adopted the amended and restated Ordinance 10 by the following vote: AYES: Corbett, Edwards, Mayo, Wheeler and Couch, NOES: None, ABSENT: None, ABSTAIN: None. The Urgency Ordinance became effective immediately upon passage.

The Urgency Ordinance adopts a District-wide Drought Management Plan to address current drought conditions by imposing water conservation measures and preventing the waste of water. The Urgency Ordinance includes administrative penalties for violations.

Certified copies of the full text of the Ordinance may be viewed at the McKinleyville Community Services District, 1656 Sutter Road, McKinleyville, CA 95591, Monday through Friday 9:00 a.m. - 5:00 p.m. To make an appointment to view the text of the Ordinance, please call (707) 839-9003. Copies of the Ordinance are available at a nominal charge.
8/14/2014

RECEIVED
AUG 18 2014
MCK. C.S.D.

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The Times-Standard

PO Box 3580
Eureka, CA 95502
707-441-0571
legals@times-standard.com

MCKINLEYVILLE COMMUNITY SERVICES DISTRICT
DIANNE SLOAN, PO BOX 2037
ARCATA CA 95519

PROOF OF PUBLICATION (2015.5 C.C.P.)

STATE OF CALIFORNIA County of Humboldt

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-mentioned matter. I am the principal clerk of the printer of THE TIMES-STANDARD, a newspaper of general circulation, printed and published daily in the City of Eureka, County of Humboldt, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Humboldt, State of California, under the date of June 15, 1967, Consolidated Case Numbers 27009 and 27010; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit,

8/14/2014

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Eureka, California,
This 14th day of August, 2014

Signature



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MCKINLEYVILLE COMMUNITY SERVICES DISTRICT
DIANNE SLOAN, PO BOX 2037
ARCATA CA 95519

PROOF OF PUBLICATION (2015.5 C.C.P.)

STATE OF CALIFORNIA County of Humboldt

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-mentioned matter. I am the principal clerk of the printer of THE TIMES-STANDARD, a newspaper of general circulation, printed and published daily in the City of Eureka, County of Humboldt, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Humboldt, State of California, under the date of June 15, 1967, Consolidated Case Numbers 27009 and 27010; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit,

7/30/2014

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Eureka, California,
This 5th day of August, 2014

Signature



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0005254791

Public Hearing Notice

On August 6, 2014, at 7:00 PM, at Azela Hall located at 1620 Pickett Road, McKinleyville, California 95519, the McKinleyville Community Services District (MCSD) Board of Directors will be conducting a public hearing pursuant to California Water Code Section 350 to consider declaring a water shortage emergency condition to prevail within the area served by MCSD, and implementation of MSCD ordinance(s) restricting water use and imposing penalties for excessive use.
7/30/2014

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AUG 8 2014

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8/14/2014

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Eureka, California,
This 21th day of August, 2014

Signature



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McKinleyville Community Services District Notice of Adoption and Urgency Ordinance Summary

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8/14/2014

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Eureka, California,
This 25th day of August, 2014

Signature



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ORDINANCE NO. 10



AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR
RATIONING WATER DURING A WATER SHORTAGE EMERGENCY AND
ESTABLISHING PENALTIES FOR VIOLATIONS THEREOF

BE IT ORDAINED BY the Board of Directors of the McKinleyville
Community Services District as follows:

Section 1. The Board of Directors of the McKinleyville Community
Services District has declared that a water shortage emergency
condition prevails in the area served by the McKinleyville
Community Services District due to conditions prevailing through-
out the State of California and especially in the service area of
the Humboldt Bay Municipal Water District. This ordinance is
intended to allocate equitably the water available to the McKinleyville
Community Services District during such emergency to the end that
sufficient water will be available to human consumption, sanitation,
and fire protection.

The specific uses regulated or prohibited in this Ordinance are
nonessential, if allowed would constitute wastage of water and
should be prohibited pursuant to the Water Code Section 350 et seq.,
Water Code Section 71640 et seq., and the common law.

The actions taken hereinafter are exempt from the provisions of
the California Environmental Quality Act of 1970 as projects
undertaken as immediate action necessary to prevent or mitigate
an emergency pursuant to Section 15071 (c) of the State EIR
Guidelines.

Section 2. Definitions. For the purpose of this ordinance, the
following terms, phrases, words, and their derivations shall have
the meaning given herein. When not inconsistent with the context,
words used in the present tense include the future, words in the

plural number include the singular number. The word "shall" is always mandatory and not merely directory.

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B. "Board of Directors" is the elected Board of Directors of the McKinleyville Community Services District.

C. "Customer" is any person using water supplied by the McKinleyville Community Services District.

D. "Manager" is the Manager of the McKinleyville Community Services District.

E. "Person" is any person, firm partnership, association, corporation, company, or organization of any kind.

F. "Water" is water from the McKinleyville Community Services District.

G. "Outdoor surface" is any patio, porch, veranda, driveway, or sidewalk.

Section 3. Application. The provisions of this ordinance shall apply to all customers using water both in and outside the McKinleyville Community Services District, regardless of whether any customer using water shall have a contract for water service with the McKinleyville Community Services District.

Section 4. Certain uses regulated. From and after the time this ordinance becomes effective, or is implemented as is hereinafter provided, until rescinded by the Board of Directors, a voluntary system of water rationing shall apply to all irrigation, car and outdoor surface washing in the McKinleyville Community Services District as follows:

A. Irrigation sprinkling or watering of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, or any other vegetation, and washing of cars, sidewalks, driveways, porches or other outdoor surfaces shall be regulated in a manner as to not

exceed individual average flows for the months of October, November and December 1976, less 10%.

No fine or penalty shall be imposed and no water service shall be terminated for failure to observe the provisions of this section.

Section 5. Large water users. The requirements of Sections 4 of this ordinance to the contrary notwithstanding, no person whose historic monthly average water use of any three month period exceeds 50,000 gallons per month, hereinafter called "large water users", shall irrigate, sprinkle, or water any shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers, or any other vegetation except as assigned by the Manager after consultation with individual large water users.

Section 6. Further prohibition. No person or customer shall cause or permit any water furnished to him or her by the McKinleyville Community Services District to run to waste in any gutter or otherwise.

Section 7. Manager may prohibit swimming pool filling, car and outdoor surface washing and irrigation. Whenever the Manager determines that the water available to the McKinleyville Community Services District is insufficient to permit any swimming pool filling, car and outdoor surface washing, irrigation, watering, or sprinkling and that all water then available to said District should be used solely for human consumption, sanitation, and fire protection, he may order and direct individually or collectively that swimming pool filling, irrigation, watering, or sprinkling shall not be permitted by any person or customer. While such order is in effect, no person or customer shall fill, with District furnished water, any swimming pool, wash any car or any

outdoor surface, irrigate, sprinkle, or water any shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers, or any other vegetation as indicated in order of the Manager. Violations shall be punished as provided in Section 9 of this ordinance.

The Manager shall use every available means to inform customers that such order is in effect.

Section 8. Manager may limit the amount of water delivered to customers. Whenever the Manager determines the water available to the McKinleyville Community Services District is insufficient to meet the demands of customers of the District and that all water available to said District should be used solely for human consumption, sanitation and fire protection, he may order limits be imposed on individual consumption as determined and specified by resolution of the Board of Directors including penalties in addition to those specified in Section 9 of this ordinance.

A. While this ordinance is in effect, no additional water use by a customer, shall be permitted unless the Manager determines that the health, safety, or welfare of the public might be endangered.

Section 9. Fines and Penalties. Except as otherwise provided herein, violations of any provision of this ordinance shall be punished as follows:

<u>Violation</u>	<u>Classification</u>	<u>Penalty</u>
First violation	Infraction	\$ 10
Second violation	Infraction	\$ 30
Third violation and subsequent violations within a 6 month period	Misdemeanor	\$100

The Manager shall forthwith direct and cause disconnection of the water service of any person or customer cited for a misdemeanor

under this section. Such service shall be restored only upon payment of the turn-on charge fixed by the Board of Directors. Each day any violation of this ordinance is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Section 10. Enforcement.

A. The Manager and all employees of the McKinleyville Community Services District have the duty and are authorized to enforce the provisions of this ordinance and shall have all the powers and authority contained in California Penal Code Section 836.5, including the power to issue written notice of violation.

Section 11. When ordinance is effective.

A. The provisions of this ordinance shall be in full force and effect only upon adoption by this Board of Directors of a resolution declaring that a water emergency condition prevails pursuant to California Water Code Section 350 and following.

B. The provisions of this ordinance shall be of no further force or effect when the Board of Directors determines that a water shortage no longer exists.

ADOPTED THIS 16th day of June, 1977,
by the following vote:

AYES: ESTES, FORSON, HOOVEN, RAMEY, STOCKWELL

NOES: NONE

ABSENT: NONE

Attest: Walter F. Cooke
Secretary of the Board
of Directors

Signed: Frank H. Ramey
President, Board of Directors of
McKinleyville Community Services
District



SECRETARY'S CERTIFICATE

I, Wilmot F. Cooke, Secretary of the Board of Directors of McKinleyville Community Services District, do hereby certify as follows:

The foregoing is a full, true and correct copy of Ordinance No. 10, duly passed and adopted by the Board of Directors of said District at a regular meeting of said Board duly and regularly and legally held at the regular meeting place thereof on June 16, 1977, of which meeting all of the members of said Board had due notice and at which a majority thereof was present.

At said meeting, said Ordinance was, upon motion of Director Edward Estes, seconded by Director Gary Stockwell, adopted by the following vote:

AYES: ESTES, FORSON, HOOVEN, RAMEY, STOCKWELL

NOES: NONE

ABSENT: NONE

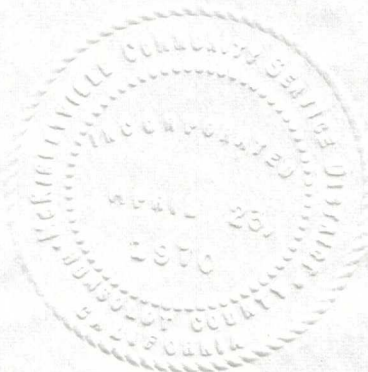
I have carefully compared the same with the original minutes of said meeting on file and of record in my office and said Ordinance No. 10 is a full, true and correct copy of the original Ordinance No. 10 adopted at said meeting and entered in said minutes.

The original Ordinance No. 10 has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: June 17,, 1977.

Wilmot F. Cooke

Secretary, Board of Directors of
McKinleyville Community Services
District



file
copy

December 3, 1976

Arcata Union Newspaper
P. O. Drawer "X"
Arcata, California 95521

RE: LEGAL PUBLICATION

Gentlemen:

Please publish the attached Ordinance #10, as a legal notice one time in the Arcata Union Newspaper on your next publication date December 9, 1976.

This ad should be single spaced and single column. This District will only pay for the minimum amount of space required by law to print the attached ad.

Very truly yours,

CHARLES J. JOHNSON,
Manager

CJJ:ps

Attachment

Full copy
December 3, 1976

Times-Standard Newspaper
P. O. Box 3580
Eureka, California 95501

RE: LEGAL PUBLICATION

Gentlemen:

Please publish the attached Ordinance #10, as a legal notice one time in the Times-Standard Newspaper at your earliest convenience.

This ad should be single spaced and single column. This District will only pay for the minimum amount of space required by law to print the attached ad.

Very truly yours,

CHARLES J. JOHNSON,
Manager

CJJ:ps

Attachment

*Ordinance
file*

June 17, 1977

Times-Standard
P. O. Box 3580
Eureka, Calif. 95501

Gentlemen:

Please publish in your Friday, June 24, 1977 publication, the attached Ordinance No. 10, as a "Legal Notice", one time only.

This ad should be single spaced and single column. This District will only pay for the minimum amount of space required by law to print the attached ad.

Very truly yours,

Charles J. Johnson,
Manager

CJJ:lm
Enclosure

*Ordinance
file*

June 17, 1977

The Union
P. O. Drawer "X"
Arcata, Calif. 95521

Gentlemen:

Please publish in your Thursday, June 23, 1977 publication, the attached Ordinance No. 10, as a "Legal Notice", one time only.

This ad should be single spaced and single column. This District will only pay for the minimum amount of space required by law to print the attached ad.

Very truly yours,

Charles J. Johnson,
Manager

CJJ:lm

Enclosure

500
Ordinance 3

ORDINANCE NO. 10

AN ORDINANCE AMENDING ORDINANCE NO. 3

Article 5. Application for Regular Water Service shall be amended to read as follows:

78. Installation Charges. Services and meters shall be installed without charge for all applications for water service received prior to or during the initial construction of the District's water system. The charges below will apply to applications received after the District's Contractor has progressed with the work beyond their property frontage. Such services and meters will be installed without charge only to areas having an existing need providing the owner guarantees to pay at least the minimum each month (whether used or not) for at least a one year period.

Where service is installed without charge for a vacant lot the owner must guarantee to pay at least the minimum each month (whether used or not) for at least a two year period.

Where a regular charge has been fixed for the type of service connection desired, such regular charge shall be paid in advance by the applicant in accordance with the table listed below. Where there is no regular charge, such as for large meters, the District reserves the right to require the applicant to deposit an amount equal to the estimated cost plus 10 percent of such service connection. The schedule of regular service connection charges is as follows:

5/8 x 3/4" Meter	\$280.00
3/4" Meter	310.00
1" Meter	330.00
1 1/2" Meter	649.00
2" Meter and larger	Cost + 10%

This ordinance shall take effect January 3, 1977.

Passed and adopted by the following vote:

Ayes, and in favor thereof, Directors: Forson, Hooven, Stockwell

Noes, Directors: None

Absent, Directors: Ramey, Estes



Archie M. Forson
Chairman, Pro tem of the
Board of Directors

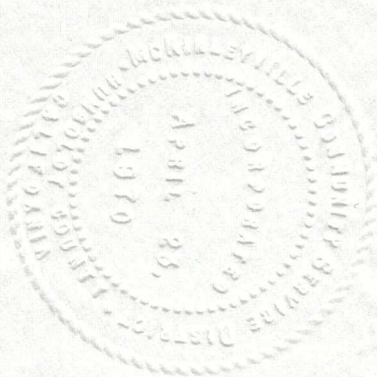
Attest:

Graeme Ramey
President of the Board
of Directors

Charles Johnson
Secretary of the Board of
Directors

SECRETARY'S CERTIFICATE

I hereby certify that the foregoing Ordinance was passed by the Board of Directors of the McKinleyville Community Services District, Humboldt County, California at a meeting held on the 2nd day of December, 1976.



Charles Johnson
Secretary, Board of Directors