

## ORDINANCE 55

### AN ORDINANCE OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT ESTABLISHING INTERIM RULES FOR THE ISSUANCE OF SEWER PERMITS

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**WHEREAS**, the Board of Directors of the McKinleyville Community Services District ("District") duly adopted Ordinance 54 on May 25, 1995.

**WHEREAS**, all of the findings of fact set forth in Ordinance 54 remain true.

**WHEREAS**, notwithstanding the foregoing facts, limited excess capacity in the District's sewer system may become available due to the lapse of previously issued permits, the voluntary relinquishment of outstanding permits or other factors.

**WHEREAS**, uniform rules are needed to provide a consistent and fair means of: (a) issuing the limited number of sewer connection permits which may become available until such time as the District's project to increase sewer capacity is completed; and (b) clarifying the circumstances in which a new connection may be made without the issuance of a connection permit.

**WHEREAS**, the adoption of this ordinance constitutes a matter of urgency in order to avoid unnecessary delay in the issuance of available permits.

**NOW, THEREFORE**, be it ordained by the Board of Directors of the McKinleyville Community Services District as follows:

Section 1. At such time that the Board of Directors makes a finding that excess capacity in the District's sewer system exists, the Board will make a determination as to the number of new connection permits that can be safely issued without exceeding the limits of the District's NPDES permit issued by the California Regional Water Quality Control Board.

Section 2. Upon making the determination described in Section 1 hereof, the Board of Directors shall direct the District's Manager to issue as many sewer connection permits as the Board has determined may be made available to permit applicants. All completed applications shall be marked with the time and date of filing by the District's staff. The permits shall be issued to applicants in chronological order of priority.

Section 3. Any person who, pursuant to the District's Rules and Regulations, has previously connected any residential or commercial premises to the public sewer system shall not be required to obtain a new connection permit where the person proposes to alter the existing premises by adding additional area or by remodeling, provided, however, that the proposed construction will not result in an increase of sewer flows from the premises to the District's sewer system.

Section 4. Any person who proposes to replace existing residential or commercial premises with new premises essentially similar to those being replaced shall obtain a connection permit before commencing any construction.

Section 5. A permit application filed pursuant to Section 4 will be considered by the Board of Directors, and the permit will be issued to the applicant if the Board finds that the projected sewer flows from the new premises are equal to or less than the sewer flows generated by the existing use. All work shall be inspected by the District, and an inspection fee of \$20.00 shall be paid by the applicant at the time of filing application.

Section 6. Except as provided herein, the Rules and Regulations of the District shall remain in effect. Staff decisions may be appealed pursuant to the provisions of District's Regulation 65.

On the motion of Director SHEPHERD and seconded by Director HARLING, the foregoing Ordinance is duly adopted this 7TH day of ~~ZTH~~ JUNE, 1995, by the following vote:

AYES: ESTES, HARLING, KLEIN, SHEPHERD, WALUND

NOES: NONE

ABSENT: NONE

ATTEST:

Barbara Bittel  
Secretary, Board of Directors  
McKinleyville Community  
Services District

Joe Walund  
President, Board of Directors  
McKinleyville Community  
Services District