

SUNNYSLOPE COUNTY WATER DISTRICT

ORDINANCE NO. 67

AN ORDINANCE OF SUNNYSLOPE COUNTY WATER DISTRICT  
AMENDING §3.40.275 TO REDUCE ADMINISTRATIVE COLLECTION FEE  
FOR WATER SERVICE

Be it ordained by the Board of Directors of  
Sunnyslope County Water District  
as follows:

Section 1. Authority. This ordinance is enacted pursuant to Sections 30000 and following of the California Water Code and Sections 50021, 50022.4 and 50022.7 of the Government Code.

Section 2. Findings.

- A. This ordinance is considered for action by the Board of Directors at a regularly scheduled and noticed meeting.
- B. The administrative collection fee amended by this ordinance was adopted in 2007. The General Manager has recommended that the administrative fee be reduced based on the district's experience since adoption of the fee with administrative costs for providing the service for which the fee is collected.
- C. The amended fee is for the purpose of meeting administrative costs and does not involve rates or delivery charges or fixed monthly charges for water delivery or treatment or wastewater collection or treatment. These fees and charges are imposed as a condition of providing administrative services requested or required by the District's customers.
- D. The district's legal counsel advises, and the Board finds, that adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the State CEQA Guidelines codified at 14 CCR §15273.
- E. It is in the interest of the district and its customers for the provisions of this ordinance to become effective immediately upon adoption pursuant to Water Code Section 31027, to provide immediate relief to customers through reduction of the fee.

Section 3. Administrative Collection Fee Amended. Section 3.40.275, "Administrative Collection Fee," is amended as follows:  
"An administrative collection fee of twenty ten dollars (\$20 10) will be charged to process each shutoff notice, past due notice, and or door hanger delivery."

Section 4. Effect of Repeal or Amendment on Past Actions and Obligations.  
This ordinance does not affect prosecutions for ordinance violations committed prior to the effective date of this ordinance, does not waive any fee or penalty due and unpaid on the effective date of this ordinance, and does not affect the validity of any bond or cash deposit posted, filed or deposited pursuant to the requirements of any ordinance.

Section 5. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, or superseded by some other provision of law, such provisions shall be severed from and shall not affect the validity of the remaining provisions of this ordinance. The Board hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any other part thereof be unconstitutional or invalid, or superseded by some other provision of law. The parts of this ordinance which are not unconstitutional, invalid, or superseded shall remain in full force and effect and shall be enforced according to their terms.

Section 6. Interpretation. Words and Phrases used in this ordinance shall be read conjunctively with and shall have the same meaning as in prior district ordinances and the district Code, unless specifically changed by this ordinance or unless the context requires some other construction. If there is any inconsistency between this ordinance and prior provisions, this ordinance shall control.

Section 7. Effective Date. This ordinance shall take effect immediately on adoption.

Section 8. Publication and Posting. Within 10 days after adoption, the district shall publish, in a newspaper published in San Benito County and circulated within the district, either a summary or the full text of this ordinance, and shall post in the district office a certified copy of the full text of this ordinance as adopted along with the names of those directors voting for and against

On motion of Director Meraz, seconded by Director Keck, the foregoing Ordinance is enacted and shall take effect on July 1, 2008, by the following roll call of the Board:

AYES: Directors Anderson, Hailstone, Keck, and Meraz  
NAYS: None  
ABSENT: Director Nelson

ATTEST:

  
Bryan M. Yamaoka, Secretary

By   
Dawn Anderson, President

#### CERTIFICATE OF SECRETARY

The undersigned hereby certifies that the foregoing Ordinance was adopted and approved by the Board of Directors at their regular meeting on June 12, 2008.

DATE: June 13, 2008

  
Bryan M. Yamaoka, Secretary