

ORDINANCE NO. 112

**AN ORDINANCE AMENDING ORDINANCE NO. 76 (UTILITIES CODE)
TO PROVIDE FOR CONSTRUCTION SERVICE AND REQUIRED CHANGES
TO COMPLY WITH STATE GOVERNMENT CODE CHAPTER 9.6**

**BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE BROOKTRAILS
TOWNSHIP COMMUNITY SERVICES DISTRICT AS FOLLOWS;**

Section 1. Ordinance No. 76, known as the Utilities Code, is hereby amended as follows:

(a) Section 1-203.052 is added to read as follows:

1-203.052. Construction Service shall mean initial connection for water service and facilities rendered for construction work prior to the final inspection by the County of Mendocino and an inspection by the District Architect for conformance to County Ordinance No. 3959.

(b) Section 1-203.210 is amended to read as follows:

1-203.210. Regular Water Service means metered water service and facilities rendered for normal domestic, commercial and industrial purposes on a long-term basis, and the water available therefore, but shall not include construction service.

(c) Section 1-203.265 is deleted.

(d) Section 2-205 is amended to read as follows:

2-205. Installation of Service. Where no connection exists, installation of a new service connection and meter shall be completed by the Water Department following receipt of the fully completed application with all required attachments and the connection fee and any other applicable charges and upon determination by the General Manager that the premises is eligible for service pursuant to Chapter IV of this code. Upon receipt of any application for water service or request for an application form, the General Manager shall determine whether, in his judgment, the existing service lateral is of sufficient size to provide the volume of water necessary for the property described in such application or request and the proposed use of the property. If the General Manager determines that the existing service lateral is of insufficient size, the Water Department shall install, at applicant's cost, a service lateral of sufficient size from the distribution main to the meter. No premises shall be occupied until said final inspection is completed.

(e) Section 2-205a is added to read as follows:

2-205(a) Construction Service. For all new service connections, where a County building permit is also required, the connection is considered to be a construction service until: 1) The County Building and Planning Department issues final approval for occupancy and 2) the District Architect issues a compliance certificate certifying that all conditions of the development review approval have been satisfied. All construction service water usage shall be paid at a rate established by the Brooktrails Board of Directors. When items 1) and 2) above have been met, the service will automatically convert to regular water service. If regular water service has not been obtained in one year from the date of the construction service issuance, all water service shall be terminated unless an extension approval has been granted by the General Manager. To obtain an extension approval, applicant must submit a written explanation as to why the project has not yet qualified for regular water service. The General Manager has full discretion in granting an extension approval. The General Manager will inform the Board of Directors, at their regular meetings, of all extensions requested, denied and/or approved since the prior meeting.

(f) Section 1-601 is amended to read as follows:

1-601. Discontinuance for Nonpayment. Water service may be discontinued for nonpayment of all or any portion of a utility bill. Advanced notice of discontinuance for nonpayment shall be given as provided in Chapter 9.6 of Division 1 of Title 6 of the Government Code. Charges covering the approximate cost for providing such notices may be established by the Board by resolution. Water service shall not, by reason of delinquency in payment, be discontinued on any Friday, Saturday, or Sunday, legal holiday, or at any time during which the District's offices will not be open to the public for at least two hours following discontinuation.

Section 2. Effective Date: This ordinance shall become effective thirty (30) days after its adoption by the Board of Directors of the District.

INTRODUCED this 11th day of January, 2000 at a regular meeting of the Board of Directors of the Brooktrails Township Community Services District.

ADOPTED this 8th day of February, 2000, at a regular meeting of the Board of Directors of the Brooktrails Township Community Services District by the following vote:

AYES: Directors: Orth, Venturi, Monteleone, Estabrook, Whitney

NOES: Directors: None

ABSENT: Directors: None

BOB WHITNEY, President

PAUL A. WILLIAMS,
Secretary to the Board of Directors