

ORDINANCE NO. 18

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE  
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
EXTENDING A TEMPORARY SUSPENSION OF ITS AUTHORITY  
TO PROCESS PERMANENT WATER CONNECTION APPLICATIONS

WHEREAS, the Monterey Peninsula Water Management District has authority to review applications to expand or extend water distribution systems through additional water meter connections, and

WHEREAS, the Monterey Peninsula Water Management District is examining the impacts of increasing connection fees relating to such expansion/extension permits, and

WHEREAS, the Monterey Peninsula Water Management District had previously effected a temporary extension of its authority to process and issue permanent water connections, and

WHEREAS, the Monterey Peninsula Water Management District desires to receive public comment, and fully discuss the alternative methods to increase connection fees, and

WHEREAS, an advisory committee was formed on August 27, 1984 at the request of the community to study connection charges, and

WHEREAS, said committee will not submit its report until December 10, 1984, and

WHEREAS, a continuation of the prior suspension is necessary to allow the select Finance Advisory Committee to complete its study, and to promulgate its recommendations, and

WHEREAS, the Board will need at least three months after December 10, 1984 to adopt a permanent ordinance, and

WHEREAS, the Monterey Peninsula Water Management District desires to allow projects in process to have immediate access to the District's water supply through temporary connections, and

WHEREAS, a continuing need exists to allow temporary connections to the community water supply, and

WHEREAS, the proper planning of the proposed District water supply project supports the public health and welfare of the community,

NOW, THEREFORE, as an urgency measure,

BE IT ORDAINED THAT:

1. Except as provided in Paragraph (3) of this ordinance, the authority to process applications for a permanent permit to expand or extend a water distribution system set forth in Rules 23 and 23 (C) of the Monterey Peninsula Water Management District Rules and Regulations shall continue to be suspended for a further period of 60 days following adoption on this ordinance.

2. The authority to process applications for a temporary permit to expand or extend a water distribution system set forth in Rule 23 (B) of the Monterey Peninsula Water Management District Rules and Regulations shall not be affected by this ordinance.

3. Notwithstanding Paragraph (1) of this ordinance, applications for a permanent permit to expand or extend a water distribution systems may continue to be processed, and permits

granted where warranted, for those applications affecting construction projects which were "in process" on or before July 9, 1984. The term "in process" shall be defined as those projects which, on or before July 9, 1984,

a) had received a final building permit from the municipal unit whose jurisdiction includes the property upon which the project is constructed, or

b) had submitted a completed application for a building permit, together with all fees required thereon, to the municipal unit whose jurisdiction includes the property upon which the project is to be constructed.

4. The terms used in this ordinance shall be defined and construed in accord with their definitions and use in the Rules and Regulations of the Monterey Peninsula Water Management District.

5. This ordinance shall not become a part of the Rules and Regulations of the Monterey Peninsula Water Management District.

6. This ordinance shall take immediate effect upon its adoption by the Board of Directors as an urgency measure.

7. Upon expiration of this temporary suspension of permit processing authority, as it may be extended, each applicant for a temporary permit whose project would have met the eligibility criteria for a permanent permit under the existing Rules and Regulations shall be issued a permanent permit upon payment of the connection charge in accord with the revised fee schedule as promulgated by the District Board upon advice of the

select Finance Advisory Committee. Upon payment of the connection charge, issuance of the permanent permit shall be a ministerial act.

8. The General Manager or his delegate shall have the authority to rebate that portion of the fees collected upon issuance of temporary permits for projects in process on or before July 9, 1984 that are in excess of the total of the fees that otherwise would have been collected when the temporary permit is converted into a permanent permit.

On motion of Director Williams and second by Director Bernardi, the foregoing urgency ordinance is duly adopted this 12th day of November, 1984 by the following votes:

- AYES: Directors Townsend, Heuer, McClintock, DeBerry, Bernardi, and Williams
- NAYES: Director Peters
- ABSENT: None

I, Gladys McKillop, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a full, true and correct copy of an urgency ordinance duly adopted on the 12th day of November, 1984.

Witness my hand and seal of the Board of Directors this 14th day of November, 1984.

  
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 Gladys McKillop, District Secretary