

ORDINANCE NO. 44

AN ORDINANCE OF THE  
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
AMENDING THE WATER CONNECTION  
PERMIT PROCESS

FINDINGS

1. The Monterey Peninsula Water Management District has adopted and regularly implements a process whereby permits are issued to allow new or expanded water use from water distribution systems within the District. The District has exercised this power in accord with the provisions of Section 363 of Chapter 527 of the Statutes of 1977.
2. The water connection permit process followed by the District is based on the capacity of a water user to consume water on a particular site, dependent upon the activity undertaken at that site. The District has administered its water connection permit process in a manner which does not allow water meter connections to more than one water user for any purpose, and which requires each water user to have a separate meter connection.
3. The District has received requests to amend the administrative process which requires separate water meters for all purposes where the proposed water use by a single user is an incidental use such as a convenience faucet.
4. The District finds and determines that this request shall not interfere with its water management objectives, and that this request would serve the public good by streamlining the existing permit process.

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

SECTION ONE: INCIDENTAL WATER USE SHALL BE ALLOWED THROUGH A  
SINGLE WATER METER

A. The addition (shown in bold face and underscored) shall be made to the definition of the term "user" as set forth in the District's Rules and Regulations, Rule 11, Definitions, as follows:

USER - "User" means a customer or consumer of water delivered by a Water Distribution System. User does not include any owner or operator of a Water Distribution System. Each residence, commercial enterprise, or industrial enterprise shall be deemed a separate and

distinct user, except that a user may extend incidental water use (e.g. a single bar sink) to another for convenience.

B. The addition (shown in bold face and underscored) shall be made to the method of processing expansion or extension permits as set forth in the District's Rules and Regulations, Rule 23 A.(2), as follows:

(2). The General Manager shall not issue any single expansion/extension permit where such expansion will utilize a single water measuring device to provide water to more than one user. Multiple users must seek individual permits pursuant to this Rule. However, this provision shall not be interpreted to prevent the issuance of a permit which shall allow a single user to extend incidental water use (e.g. a single bar sink) to another for convenience of the parties. Any such extension shall nonetheless be processed in accord with Rule 24 (Connection Charges).

SECTION TWO: Publication

The provisions of this ordinance shall be published in the Rules and Regulations of the Monterey Peninsula Water Management District as Amendments to Rules 11 and 23. Except as shown, no other changes shall be made to those rules.

SECTION THREE: SEVERABILITY

If any subdivision, paragraph, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforcement of the remaining portions of this ordinance, or of any other provisions of the Monterey Peninsula Water Management District Rules and Regulations. It is the District's express intent that each remaining portion would have been adopted irrespective of the fact that one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

On motion of Director Davis, and second by Director Heuer, the foregoing ordinance is duly adopted this 9th day of October, 1989, by the following vote:

AYES: Directors Fisher, DeBerry, Strasser Kauffman, Lombardo, Davis  
Heuer and Hughes

NAYS: None

ABSENT: None

I, Bruce Buel, Secretary to the Board of Directors of the  
Monterey Peninsula Water Management District, hereby certify the  
foregoing is a full, true and correct copy of an ordinance duly  
adopted this 9th day of October, 1989.

Witness my hand and seal of the Board of Directors this  
12th day of October, 1989.

  
Bruce Buel, Secretary to the Board

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