

## **RULE 65 - CONNECTION SURCHARGE**

- A. Each individual undertaking a Project which intensifies or develops the use of water from a Water Distribution System shall be responsible for compliance with the Water Use Permit process of the Monterey Peninsula Water Management District as required by the California Water Code - Appendix, Section 118-363. For each Project undertaken within an area in which a cooperative permit process does not exist, and/or for each Project which may not require a municipal permit, the Monterey Peninsula Water Management District staff shall forward notice of this requirement to the person and address shown on the application for a building permit maintained by each municipality, and to the person and address to whom property taxes are mailed for the Site of the Project.
- B. Individuals who make application for either an expansion/extension permit or an amended permit in accord with Rules 20, 23, and 24 of the Monterey Peninsula Water Management District Rules and Regulations within 45 days of the mailing of the notice required by paragraph A above, shall be exempt from the Connection fee surcharges required by this Rule.
- C. Individuals who fail to make application for either an expansion/extension permit or an amended permit in accord with Rules 20, 23, and 24 of the Monterey Peninsula Water Management District Rules and Regulations within 45 days of the mailing of the notice required by paragraph A above, shall be required to pay, in addition to any other fee, charge, or surcharge, the administrative processing fee of \$25 per Connection prior to the receipt of any permit or amended permit.
- D. For those Projects which are constructed without a valid permit or an amended permit from the Monterey Peninsula Water Management District, staff shall research the records of the municipal planning and/or building department, shall visit the Site, shall attempt to contact the owner or contractor of the Project, and shall rely on such further available information to estimate the water use which may be associated with the Project based upon the revised Table 1 or Table 2 of Rule 24 as appropriate to the Project. All assumptions made by staff regarding the Project shall be made in favor of the highest possible water use. An estimated Capacity Fee in accord with Rule 24 shall thereon be calculated by staff, and notice that this fee is due and payable shall be served by mail to the Site address of the Project, and a copy shall be mailed to the address shown on the application for the municipal building permit. Payment of all Capacity Fees, surcharges, fees, and administrative processing fees, in full, shall be required within sixty (60) days of the date notice is mailed.
- E. Staff shall accept applications for Water Use Permits, and may recalculate the Capacity Fee due thereon based upon the application and other information known to staff, during the sixty (60) days following the notice required by paragraph D above. Thereafter, the assumed Capacity Fee shall be presumed the final charge and staff shall commence the collection of such charges, fees, surcharges, and administrative processing fees through appropriate legal proceedings. On the sixty-first day following the mailing of notice required by paragraph D above, and in addition to the fees required by

paragraph C above, an additional administrative processing fee of \$150 per Connection shall be added to the Capacity Fee, to reimburse the extra staff effort and expense incurred by noncompliance with the permit process of the Monterey Peninsula Water Management District.

*Rule added by Ordinance No. 27 (2/9/87); amended by Ordinance No. 125 (9/18/2006); Ordinance No. 157 (12/9/2013); Ordinance No. 177 (9/18/2017)*