

COUNTY SERVICE AREA NO. 1
COUNTY OF SAN LUIS OBISPO
STATE OF CALIFORNIA

ORDINANCE NO. 2279

AN ORDINANCE ESTABLISHING A SEWER USE
ORDINANCE FOR PORTIONS OF SAN LUIS OBISPO
COUNTY SERVICE AREA NO. 1
AND ADOPTING RULES AND REGULATIONS

The Board of Supervisors of the County of San Luis Obispo, on behalf of County Service Area No. 1, do ordain as follows:

SECTION 1. That there is hereby established a Sewer Use Ordinance for portions of San Luis Obispo County Service Area No. 1, pursuant to the authority of California Health and Safety Code Sections 4766 and 5470 through 5474.10, to read as follows:

ARTICLE 1. GENERAL PROVISIONS

1.1 The provisions of this Ordinance shall apply within those portions of San Luis Obispo County Service Area No. 1 described as follows:

Zones A, B and D of said County Service Area No. 1.

Tract No. 199 as shown on a map thereof filed in Book 6 of Maps at page 53 in the Office of the County Recorder of said San Luis Obispo County.

Tract No. 220 as shown on a map thereof filed in said Book 5 of Maps at page 56.

Tract No. 229 as shown on a map thereof filed in said Book 6 of Maps at page 74.

Tract No. 238 as shown on a map thereof filed in said Book 6 of Maps at page 66.

Tract No. 252 as shown on a map thereof filed in said Book 6 of Maps at page 71.

Tract No. 266 as shown on a map thereof filed in said Book 6 of Maps at page 81.

Parcel A of Parcel Map CO 76-8 filed in Book 2 of Parcel Maps at page 10 in said County Recorder's Office.

The real property in the County of San Luis Obispo, State of California (hereinafter referred to as Parcel X), described as that portion of Lot 16 of La Mesa Tract, Rancho Nipomo, in the County of San Luis Obispo, State of California, according to map surveyed by J. Victor Jessie, November 1892 and filed for record April 11, 1893 in the Office of the County Recorder of said County described as follows:

Beginning at the Southeasterly corner of Tract 199 according to map thereof recorded December 2, 1960 in Book 6 at Page 53, said point of beginning being also on the westerly line of County Road 39 (60 feet wide), distant along said lot line North 22° 48' 32" East, 360 feet from the southeasterly corner of the above mentioned lot 16;

thence, along said lot and road line, South 22° 48' 32" West, 100 feet;

thence, North 67° 28' West, 100 feet;

thence, North 22° 48' 32" East, 100 feet to a point on the southerly line of the aforementioned Tract 199;

thence, along the said southerly Tract line South 67° 28' East, 100 feet to the point of beginning.

The real property in the County of San Luis Obispo, State of California (hereinafter referred to as Parcel Y), covering the following described as the part of Lot 16 of the La Mesa Tract in the Rancho Nipomo, County of San Luis Obispo, State of California, according to the map of said tract recorded in Book A of Maps, Page 18, records of said County, more particularly described as follows:

Beginning at a point on the easterly line of the above mentioned Lot 16, said line being also the westerly line of County Road No. 39 (60 feet wide), said point being distant along said lot line North 22° 48' 32" East, 100 feet from the southeast corner of Lot 16;

thence, along said lot line and road line North 22° 48' 32" East, 100 feet;

thence, North 67° 28' West, 100 feet;

thence, South 22° 48' 32" West, 100 feet;

thence, South 67° 28' East, 100 feet to the point of beginning.

All that real property located at Lots 15 and 16 of the La Mesa Tract, Rancho Nipomo, in the County of San Luis Obispo, State of California (hereinafter referred to as Parcel Z), according to the map surveyed by J. Victor Jessie, November 1892, and filed for record April 11, 1893 in Book 8, Page 25 of Maps, in the Office of the County Recorder of said County described as follows:

Beginning at the most easterly corner of Lot 1 in Block 4 of Tract 199 according to map recorded December 2, 1960 in Book 6, Page 53 of Maps;

thence, North 67° 28' West along the northeasterly line of said Tract No. 199, 260 feet to the southerly corner of Lot 8 in Block 3 of said Tract 199;

thence, North 22° 32' East along the southeasterly line of said lot 8 and along the northeasterly extension thereof 360 feet to the most westerly corner of the 25 foot easment shown on Tract 266 according to map recorded July 10, 1962, in Book 6, Page 81 of Maps;

thence, South 67° 28' East along the southwesterly line of said Tract No. 266 and along the southeasterly extension thereof 279.73 feet to the southeasterly line of said lot 15;

thence, South 22° 48' 32" West along said southeasterly line 360 feet to the southeasterly extension of the northeasterly line of Lot 1 in Block 4 in Tract 199;

thence, North 67° 28' West along said extension, 18 feet to the point of beginning.

Said portions of said County Service Area No. 1 are hereinafter referred to collectively as "Service Area."

1.2 A violation of any provision of this Ordinance is a misdemeanor punishable by fine not to exceed Three Hundred Dollars (\$300.00), imprisonment not to exceed six (6) months, or both.

ARTICLE 2. DEFINITIONS

2.1 Board of Directors. The Board of Directors of the Nipomo Community Services District.

2.2 Board of Supervisors: The Board of Supervisors of the County of San Luis Obispo.

2.3 Building: Any structure within Service Area, used for human habitation, or as a place of business, recreation, and/or any other wastewater generating activity and containing any fixture(s) as defined herein. "Building" shall mean and include "single family residence" and "mobile home."

2.4 Building Sewer: That portion of a sewer beginning two (2) feet from any building and extending to and including its connection to a public sewer.

- 2.5 Cleanout: A branch fitting installed in a sewer for the purpose of providing access for cleaning.
- 2.6 County: The County of San Luis Obispo.
- 2.7 County Engineer: The County Engineer of the County of San Luis Obispo.
- 2.8 District: Nipomo Community Services District.
- 2.9 Fixture: Any sink, tub, shower, toilet, grease, oil or sand interceptor, garbage grinder, dish or clothes washer, or any other wastewater collecting, generating, treating or conveying device, discharging to the public sewer.
- 2.10 Garbage: Solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of agricultural products.
- 2.11 Garbage Grinder: A unit designed and used to grind or otherwise treat garbage so that it can be disposed of through the public sewer.
- 2.12 Lateral Sewer: That portion of a public sewer lying within a public right of way or easement, which connects, or is intended to connect, a building sewer to a main sewer.
- 2.13 Local Disposal System: A cesspool, drywell, incinerator, septic system, any combination thereof, and/or any other local or individual means of wastewater disposal.
- 2.14 Lot: Any piece or parcel of land within Service Area, bounded, defined, or shown upon a plot or deed recorded in the Office of the County Recorder of San Luis Obispo County; provided, however, that in the event any building is located upon more than one such parcel of land, all under one ownership, the term "lot" shall include all such parcels of land.
- 2.15 Main Sewer: That portion of a public sewer, excluding lateral sewers, the purpose of which is to accept wastewater and convey it to the wastewater treatment plant.
- 2.16 Manager. The General Manager and Chief Engineer of the Nipomo Community Services District.
- 2.17 Manhole: A structure for the purpose of providing access of a human to a buried public sewer.

2.18 Mobile Home. A transportable building designed, built, and equipped as, and occupied or suitable for occupancy as, a home or living quarters, either permanently or temporarily, by a single family and their guests and servants.

2.19 Multiple Family Dwelling: A building or group of buildings designed as, and occupied or suitable for occupancy as, a home or living quarters, either permanently or temporarily, by more than a single family, including buildings designated as apartment houses, apartment buildings, duplexes, triplexes and condominiums, but not including motels, hotels, dormitories, or trailer courts.

2.20 Permit: Any written authorization required pursuant to this Ordinance.

2.21 Person: Any human being, individual, firm, company, partnership, association, corporation, government agency or other entity.

2.22 pH: The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

2.23 Public Sewer: That portion of a sewer lying within a public right of way or easement, and maintained by and subject to the jurisdiction of County on behalf of Service Area.

2.24 Shall, Will and May: Shall and will are mandatory; may is permissive.

2.25 Single Family Residence: A building or portion thereof, or a group of buildings, designed as and occupied or suitable for occupancy in whole or in part as a home or living quarters, either permanently or temporarily, by a single family and its guests and/or servants including a house and an apartment or other unit of a multiple family dwelling as herein defined.

2.26 Wastewater: Any water-carried wastes, and the water carrying such wastes, from buildings as defined herein.

2.27 Wastewater Treatment Plant: The arrangement of ponds, plumbing, devices and structures used for treating wastewater generated within Service Area and District; specifically, that wastewater treatment plant constructed under Clean Water Grants Project C-06-1255 for the purpose of processing sewage collected

within District, and within Service Area, including the structures and all stationary and portable equipment, devices, etc., necessary for the proper operation and maintenance of said plant, and also including all land associated with said plant.

ARTICLE 3. SEWER CONNECTION AND ABANDONMENT OF LOCAL
WASTEWATER DISPOSAL SYSTEM REQUIRED

3.1 For the purposes of this Ordinance a public sewer shall be deemed to be available to a building within Service Area if said public sewer is installed in a public right of way or easement adjacent to the lot upon which said building is located, and further, if District has agreed to provide sewer service to said building.

3.2 For the purposes of this Ordinance, a Local Disposal System shall be deemed to be failing if it has been so classified by District.

3.3 Pursuant to authority of Health and Safety Code Section 4762, the Board of Supervisors hereby finds and declares the maintenance or use of failing Local Disposal Systems within Service Area to be a public nuisance, and finds it to be in the public interest that buildings connected to such failing systems and to which a public sewer is available be required to connect thereto.

3.4 When a public sewer becomes available to a building within Service Area, which building is connected to a failing Local Disposal System, said building shall be connected to the public sewer within a time limit as established by the Board of Supervisors, but in no case longer than twelve (12) months after said public sewer is available, and any Local Disposal System situated on the lot occupied by said building, shall be abandoned as provided in Article 3.6, below, unless a variance is granted by said Board of Supervisors.

3.5 Any newly-constructed building to which a public sewer is available shall be connected to said public sewer prior to its use for human occupancy, unless a variance is granted by the Board of Supervisors.

3.6 Variances referred to in Articles 3.3 and 3.4 may be granted upon written application to the Board of Supervisors by the owner of the building, setting forth the basis for such request. Variances may be granted only upon affirmative showing that extreme hardship will accrue to the owner if required to connect the building to the public sewer and, also, that no health hazard, hardship or inequity to any other owner(s) or to Service Area, District or County will result from the granting of such variance.

3.7 When any building with a local wastewater disposal system is connected to the public sewer, the owner of said building shall, within ninety (90) days from the time of connecting to the public sewer, abandon said local wastewater disposal system(s) in the following manner:

- (1) All sewage shall be removed from the tank, pool, pit, well or other void (hereinafter referred to collectively as void).
- (2) Inlet and outlet pipes, if such pipes exist, shall be disconnected from said void.
- (3) Any wooden materials forming a part of said void shall be removed.
- (4) The void shall be filled with sand, gravel, or concrete, but such filling shall not extend above the vertical sidewalls of said void until inspected by County.
- (5) Following inspection, any remaining void shall be filled to the level of the top of the ground.

ARTICLE 4. PERMITS AND FEES

4.1 It shall be unlawful for any person other than County to make any connection with any public or building sewer, or to construct or alter any public or building sewer within Service Area, without first obtaining a sewer permit from County for such work.

4.2 Any person desiring a sewer permit for any work involving a public or building sewer shall make application in writing to County, giving such information as County may require, on forms furnished by County for that purpose. If the work to be performed

thereunder is to be done according to the regulations contained in this Ordinance and otherwise provided by law governing the construction of such work, a sewer permit shall be issued upon payment of the required fees.

4.3 Nothing contained in this Article shall be deemed to require the application for, or the issuance of, a sewer permit for the purpose of removing stoppages or repairing leaks in a building sewer, except when it is necessary to replace any part of such sewer.

4.4 The following fees shall be charged for sewer permits:

- (1) When the work to be performed involves the alteration of a building sewer, and does not involve a connection with the public sewer, the fee shall be twenty-five (\$25.00) dollars.
- (2) When the work to be performed involves the connection of a building sewer to a lateral sewer, the fee shall be twenty-five (\$25.00) for this portion of the work.
- (3) When the work to be performed involves the abandonment of a local wastewater disposal system, then the fee shall be seventy-five (\$75.00) dollars for this portion of the work.
- (4) When the work to be performed involves the connection of a building sewer to the public sewer, and the building to be served has been connected to a local wastewater disposal system, then both of the fees of 4.4 (2) and (3), above, shall be paid before either permit is issued.
- (5) When any portion of the work is to be performed within the limits of a public right of way within Service Area, or within the limits of any public sewer easement maintained and operated by County, an encroachment permit shall be obtained from the County Engineer.
- (6) When any portion of said work is to be performed within the limits of a public sewer easement maintained and operated by District, an encroachment permit shall be obtained from District. The fee for such permit shall be in an amount, and paid in a manner, as established by District.

4.5 When connection of any building within Service Area to the public sewer is desired, and arrangements have not been made and all charges for permits and other fees have not been paid for such connection prior to enactment of this Ordinance, such connection shall be subject to a "Sewerage System Fee" as established under Ordinance No. 86-48 of District. An applicant for any such connection shall obtain an "Approval Letter for Sewer Service" from District.

4.6 Before Service Area will issue any permit authorized by this Ordinance, the applicant must show satisfactory evidence of having paid all required fees and charges, including those imposed by District.

4.7 It is the intent of County to allocate the costs of providing sewer service equitably throughout Service Area by the application of these regulations and, notwithstanding any provisions of the foregoing Articles, County may in any instance increase or decrease the fee to be charged for any extraordinary service to achieve such objective.

4.8 It is the intent of the foregoing Articles that, in each instance in which connection to the public sewer is desired, the building owner shall make his own arrangements with a licensed contractor to perform the work, and shall submit satisfactory evidence to County that such arrangements have been made prior to issuance of any permit called for by this Ordinance.

ARTICLE 5. PUBLIC SEWER EXTENSIONS

5.1 Extensions of the public sewer shall be made only on approval of and in accordance with the regulations of District. Applications for extensions shall be made directly to District.

ARTICLE 6. INSPECTIONS

6.1 All work done under the provisions of this Ordinance shall be subject to inspection by County Engineer. Notice must be given in writing to County Engineer by the person doing said work, or causing same to be done, immediately after said work is ready for

inspection. Until the time of the inspection all work shall remain uncovered and convenient for the inspector's examination. If any such work is enclosed or covered in any way whatsoever, so as to tend to obstruct a thorough inspection of the work, said obstruction must be removed upon notice so to do from County Engineer, before an inspector shall be required to inspect the work. When, upon examination by the inspector, it appears that any such work is defective, either in its construction or material, the same shall be made to conform to the requirements set forth in this Ordinance, in default whereof the permit therefor shall be revoked by County Engineer and subject work shall be discontinued immediately.

6.2 When it appears to the satisfaction of County Engineer that any work authorized by this Ordinance has been constructed according to, and meets the requirements of, all provisions of this Ordinance and other applicable laws, and that all the fees for the doing and inspection thereof have been paid, County Engineer shall cause to be issued to the person constructing such work a certificate of final inspection, which certificate shall recite that such work as has been done pursuant to the permit, has been constructed according to the provisions of this Ordinance, and that said work is in sanitary condition. County Engineer shall not issue such certificate of inspection unless all requirements of this Ordinance have been met.

ARTICLE 7. BUILDING SEWERS

7.1 Every building in which a fixture is installed or located shall be separately and independently connected with the public sewer, except that, on a case by case basis, County Engineer may approve the connection of more than one building to the public sewer by a common building sewer, if County Engineer determines that requiring a separate and independent connection would cause or aggravate a hardship, and that such approval is consistent with good engineering practice and will impose no burden or hardship on Service Area, District or County. Approval by County Engineer of any such common connection shall not relieve the owner(s) of building(s) connected to the public sewers by any such common connection(s) from any other obligations under this Ordinance including but not limited to obtaining and paying individual permits, fees and/or sewer charges.

7.2 The requirements for building sewers as set forth in the latest adopted version of the Uniform Plumbing Code shall apply in Service Area and are incorporated herein by reference. However, where the requirements of this Ordinance are more restrictive than said Uniform Plumbing Code, this Ordinance shall apply.

7.3 Building sewers will be constructed only of the following materials:

- (1) Vitrified clay pipe, extra strength, with either bell and spigot or plain ends. Only County Engineer approved flexible compression type joints will be used with vitrified clay pipe.
- (2) Cast iron pipe and fittings, with either push on joints or plain ends. Push on joints of cast iron pipe will comply with all applicable requirements of ANSI A21.11. Approved flexible compression fittings, each consisting of a rubber sleeve and a stainless steel compression band, will be used to join plain-end cast iron pipe and fittings.
- (3) Polyvinyl chloride (PVC) pipe and fittings will comply with the requirements of ANSI/ASTM D3034-78, "Standard Specifications for Type PSM Polyvinyl Chloride (PVC) Sewer Pipe and Fittings." Joints will be either an integral bell gasketed joint, or joined by means of a fitting or socket and using solvent cement meeting the requirements of ASTM D2564.

7.4 No building sewer will be constructed with pipe of internal diameter less than four (4) inches.

7.5 Building sewers will be placed on a uniform slope of not less than one-fourth (1/4) of an inch per foot, except that when it is determined by County Engineer that such slope cannot be obtained without unusual hardship to the building owner, then a slope of not less than one-eighth (1/8) of an inch per foot may be used if County Engineer also determines that no burden or hardship will be imposed on Service Area or County by allowing the lesser slope.

7.6 A clean-out will be placed in every building sewer within five (5) feet of each building, at all changes in alignment or grade in excess of twenty-two and one-half (22-1/2) degrees, within five (5)

feet of the junction with the public sewer, and at intervals not to exceed one hundred (100) feet in straight runs. The clean-out will be made by inserting a "Y" fitting in the line and fitting the clean-out in the "Y" branch in an approved manner. However in the case of the clean-out near the junction with the public sewer, the "Y" branch will be extended to a depth of not more than two (2) feet, nor less than one (1) foot below the surface of the ground before the clean-out is installed.

7.7 No portion of a building sewer, or its connection to the public sewer, will be covered or concealed in any manner until it has been inspected and approved by County Engineer.

7.8 All piping and all joints in each building sewer are to be watertight and will be tested by filling the building sewer with water, in its entirety or in sections, in such a manner that no part is tested with less than a three (3) foot head of water.

7.9 Fixtures located at an elevation of less than one foot above the nearest upstream manhole cover in the main sewer serving said fixtures, will drain by gravity into the main sewer, and will be protected from backflow of sewage by installing an approved type backwater valve, and each such backwater valve will be installed only in that branch or section of said gravity drain which receives the discharge from those fixtures located less than one foot above the nearest upstream manhole cover. Said backwater valve will be installed immediately upstream of said junction of the clean-out with the public sewer.

ARTICLE 8. PROHIBITED DISCHARGES

8.1 No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, swimming pool water, sub-surface drainage, cooling water or industrial process waters into the public sewer.

8.2 No person shall discharge or cause to be discharged any of the following described wastewaters, wastes or substances to any public sewer:

- (1) Any gasoline, benzene, naptha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- (2) Any wastewaters, wastes or substances containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastewater treatment process or constitute a hazard to humans or animals, or create any hazard in the receiving waters of the wastewater treatment plant.
- (3) Any wastewaters, wastes or substances having a pH lower than 5.5, or having any other corrosive properties capable of causing damage or hazard to structures, equipment, and/or personnel of County and/or District.
- (4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater treatment or collection facilities, such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, paper materials such as newspapers, dishes, cups, milk containers, and meat processing wastes such as animal skins, intestines, fleshings, and paunch materials retained on a screen having eight (8) meshes per inch each way.
- (5) Any liquid or vapor having a temperature higher than one hundred fifty (150°) degrees Fahrenheit.
- (6) Any wastewaters, wastes or substances which may contain more than one hundred (100) parts per million, by weight, of fat, oil, grease, or wax.
- (7) Any wastewaters, wastes or substances containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the wastewater treatment plant.
- (8) Any noxious or malodorous gas or other substance capable of creating a public nuisance either by itself or by interaction with other substances.

- (9) Any domestic or other wastewaters, wastes or substances obtained from a local wastewater disposal system.
- (10) Any wastewaters, wastes or substances which cause discoloration differing from that caused by domestic sewage.
- (11) Any radioactive wastewaters, wastes or substances.
- (12) Any wastewaters, wastes or substances containing constituents which are not amenable to treatment or which cause the treatment plant effluent to fail to meet the discharge requirements established by the State Water Resources Control Board, the California Regional Water Quality Control Board or any other State or Federal regulatory agency.

8.3 Grease, oil and sand interceptors shall be provided when, in the opinion of County Engineer, they are necessary for the proper handling of wastewaters, wastes or substances containing grease in excessive amounts, or containing any sand, or other harmful ingredients; except that such interceptors shall not be required for a single family residence. All interceptors shall be of a type and capacity approved by County Engineer and shall be located so as to be readily and easily accessible for cleaning and inspection.

8.4 Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gas-tight and water-tight.

8.5 Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at owner's expense, in continuously efficient operation at all times.

8.6 All water softeners installed in buildings after the effective date of this Ordinance, including all water softeners installed in buildings to replace existing water softeners, shall be of the type which is regenerated at a location where salt brines or other waste substances resulting from said regeneration are not discharged into the public sewer, and shall be plumbed so that water passing through

said water softener does not serve any toilet or urinal, or any hose bib, pipeline or fixture supplying water for irrigation or other exterior uses. No person shall cause or permit salt brines or other substances resulting from said water softener regeneration process to be discharged into the public sewer.

ARTICLE 9. SEWER CHARGES

9.1 There is hereby levied and imposed upon any building within Service Area, having any connection with the public sewer or otherwise discharging wastewater which ultimately passes through the public sewer, and upon the owner thereof, a monthly sewer service charge (sewer charge). At the request of the owner or occupant of any such building, County may bill said charges to the occupant of said building, but such billing shall not relieve the owner of the responsibility of paying said charges. Said monthly charges are as follows:

<u>Building Classification</u>	<u>Charge per Unit</u>
(1) Single family residences or mobile homes, previously unsewered, situated on lots within Parcel A of Parcel Map CO-76-8, Parcel X, Parcel Y, Parcel Z, and Tracts 199,220, 229, 238, 252, and 266, all as described in Article 1 of this Ordinance.	\$29.50
(2) Single family residences or mobile homes, previously sewerred, situated on lots within:	
Zone A of Service Area (Galaxy Park)	\$22.50
Zones B & D of Service Area (Nipomo Palms and Black Lake Estates)	\$24.00

9.2 For any building connected to the public sewer, but for which a specific classification for sewer charges has not been set forth in Article 9.1, above, County Engineer shall determine such a rate as in his sole discretion he deems most applicable for the use being

made of the building in relation to the uses being made of classified buildings and the rates fixed for said classified buildings. Any such determination shall be in conformance with the latest approved Revenue Program and District Ordinance No. 86-48. Such rate is hereby levied and imposed upon said unclassified building and the owner of such building as though said building had been classified and set forth in Article 9.1, above.

9.3 Whenever requested in writing by County Engineer, information necessary to the accurate computation of a sewer charge for a particular building shall be furnished to County Engineer by the building owner.

9.4 In the event of failure of a building owner to furnish such information when requested and within the time allowed, County Engineer may compute a rate based on such information as he finds reasonably available and such computation shall be conclusive and final.

9.5 County may elect to have such sewer charges collected by any means authorized in the applicable sections of the Government Code and/or the Health and Safety Code of the State of California. Such charges shall be delinquent on the date indicated in the bills rendered therefor, after which date a delinquent penalty, calculated at twenty percent (20%) per annum or at the maximum rate allowable by law, whichever is less, shall be due and payable with the delinquent charges upon which they are imposed.

9.6 The County hereby elects to have delinquent sewer charges collected on the County Tax Roll in the same manner as its general taxes, as an alternative to other methods of collection prescribed herein, pursuant to Health and Safety Code Sections 5473 and 5473a.

9.7 As an alternative to any other procedures provided for herein, County may file to collect any delinquent sewer charges and penalties thereon by suit. In the event of such suit, County may also pray to the Court that favorable judgment therefor shall include the costs of the suit and reasonable attorney's fees arising from such action.

ARTICLE 10. ENFORCEMENT

10.1 As an alternative to any other measure provided by law for enforcing the provisions of this Ordinance, County may terminate sewer service to the building, structure or lot in question. Upon termination, County Engineer or his representative shall estimate the cost of termination and reconnection to the public sewer and the building owner shall deposit this amount with County before being reconnected. County shall refund any part of the deposit remaining after payment of all costs of termination and reconnection.

10.2 Any person, who by reason of special circumstances believes that the application of any of the provisions of this Ordinance to him is unjust or inequitable, may make written application to the Board of Supervisors for relief therefrom. Said application shall set forth all of the special facts and circumstances and shall request the specific relief or modification desired. The Board of Supervisors, upon receipt of such application and after such investigation as deemed necessary, may take action to grant such relief or modification as it finds appropriate. The Board of Supervisors, on its own motion and without application, may, when special circumstances make the application of any provision(s) of this Ordinance unjust or inequitable, modify or suspend any such provision(s) for the period during which the special circumstances exist.

SECTION 2. The Nipomo Sewer Project utilizes Clean Water Grant funds. The public sewers are, therefore, being constructed pursuant to certain agreements between the County of San Luis Obispo, Nipomo Community Services District, the State of California and the United States Government, including (1) Service Agreement between San Luis Obispo County and Nipomo Community Services District for the Construction, Operation and Maintenance of the Nipomo Sewerage Project, executed August 7, 1984, as amended; and, (2) U. S. Environmental Protection Agency Assistance Agreement, Assistance I. D. No. C-06-1255-110, dated September 19, 1986. This Ordinance is adopted pursuant to the aforesaid agreements and for the purpose of implementing certain provisions therein and this

Ordinance shall be interpreted to the end that the provisions of said agreements are carried out. Portions of these agreements may establish criteria for public sewer construction methods and materials and for operation and maintenance of the public sewers and, where applicable to Service Area, said criteria shall apply.

SECTION 3. If any portion of this Ordinance or the application thereof is held to be invalid for any reason, the validity of all remaining portions and applications shall be unaffected and shall remain in full force and effect.

SECTION 4. This Ordinance shall be in full force and effect thirty (30) days after its passage, and before the expiration of fifteen (15) days after the passage of this Ordinance, it shall be published once, with the names of the members of the Board of Supervisors voting for and against this Ordinance, in the Five Cities Times-Press Recorder, a newspaper of general circulation published in the County of San Luis Obispo, State of California.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, this 28th day of October, 1986, by the following roll call vote, to-wit:

AYES: Supervisors Evelyn Delany, Carl Hysen, Jerry Diefenderfer,
NOES: None William B. Coy, Chairman Ruth Brackett
ABSENT: None

RUTH E. BRACKETT

Chairman of the Board of Supervisors
of the County of San Luis Obispo,
State of California

ATTEST:

FRANCIS M. COONEY

Clerk and ex-officio Clerk, County
of San Luis Obispo, State of California

(SEAL)

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.
County Counsel

By: 
Deputy County Counsel

Dated: October 10, 1986

Co. Eng. 8748x 0044x

Engineering

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

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Tues day _____ October 28 _____, 19 86

PRESENT: Supervisors Jerry Diefenderfer, William B. Coy, Evelyn Delany,
Carl Hysen and Chairman Ruth Brackett

ABSENT: None

CSA 1

In the matter of proposed ordinance for the Nipomo Community Services District final revenue program and sewer service rate ordinance:

On motion of Supervisor Delany, seconded by Supervisor Coy and unanimously carried, hearing to consider the Nipomo Community Services District final revenue program and sewer service rate ordinance; and an ordinance establishing sewer use ordinance for portions of San Luis Obispo County Service Area No. 1 and adopting rules and regulations, is added to today's agenda.

cc: Engineering
10/29/86 vms

RECEIVED
OCT 31 1986
COUNTY ENGINEERING
DEPARTMENT

STATE OF CALIFORNIA, }
County of San Luis Obispo, } ss.

I, _____ FRANCIS M. COONEY _____, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this _____ 29th
day of _____ October _____, 19 _____ 86

(SEAL)

FRANCIS M. COONEY

County Clerk and Ex-Officio Clerk of the Board
of Supervisors

By

Vice M. Shelling

Deputy Clerk.

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Tues day October 28, 19 86

PRESENT: Supervisors Jerry Diefenderfer, William B. Coy, Evelyn Delany,
 Carl Hysen and Chairman Ruth Brackett

ABSENT: None

In the matter of ORDINANCE NO. 2279:

This being time set to consider adoption of a ordinance establishing a sewer use ordinance for portions of San Luis Obispo County Service Area No. 1 and adopting rules and regulations. Mr. George Protopapas, County Engineer, speaks to the proposed ordinance and to the prior actions of the Board. Further, states that the Nipomo Community Services District is in agreement with the proposed ordinance. No one appearing, thereafter, on motion of Supervisor Delany, seconded by Supervisor Hysen, and on the following roll call vote, to wit:

AYES: Supervisors Delany, Hysen, Diefenderfer, Coy,
 Chairman Brackett

NOES: None

ABSENT: None

the Board reaffirms their decision of October 21, 1986 to approve the Nipomo Community Services District's Final Revenue Program and Sewer Service Rate ordinance and waives the reading of the proposed ordinance and reads said proposed ordinance by title only and ORDINANCE NO. 2279, an ordinance establishing a sewer use ordinance for portions of San Luis Obispo County Service Area No. 1 and adopting rules and regulations, adopted.

cc: Engineering (2)
 Auditor
 10/29/86 vms

STATE OF CALIFORNIA, }
 County of San Luis Obispo, } ss.

I, FRANCIS M. COONEY, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this 29th
 day of October, 19 86.

(SEAL)

FRANCIS M. COONEY
 County Clerk and Ex-Officio Clerk of the Board
 of Supervisors

By Vice M. Shelly
 Deputy Clerk.