

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

ORDINANCE NO. 2334

AN ORDINANCE AMENDING AND ADDING CERTAIN SECTIONS TO
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 Article 1 of SECTION 1 of Ordinance No. 2279
entitled, "An Ordinance Establishing A Sewer Use Ordinance for
Portions of San Luis Obispo County Service Area No. 1 and Adopting
Rules and Regulations," is hereby amended 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:

Zone A, B, D and G 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 6
of Maps at page 56.

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

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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 easement 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."

SECTION 2. That Article 2 of SECTION 1 of Ordinance No. 2279 entitled, "An Ordinance Establishing A Sewer Use Ordinance for Portions of San Luis Obispo County Service Area No. 1 and Adopting Rules and Regulations," is hereby amended to read as follows:

"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 Commercial Establishment: A building or portion thereof, or a designated land area used for, or intended for use for, commercial, recreational, business or governmental purposes, including but not limited to golf courses, stores, markets, theatres, business offices, government offices and other places of business, but not including food establishments or other business establishments otherwise defined herein.

2.7 County: The County of San Luis Obispo.

2.8 County Engineer: The County Engineer of the County of San Luis Obispo.

2.9 District: Nipomo Community Services District.

2.10 Fixture: Any sink, tub, shower, toilet, grease, oil or sand interceptor, garbage grinder, dish or clothes washer, recreational vehicle wastewater drain, or any other wastewater collecting, generating, treating or conveying device, discharging to the public sewer.

2.11 Food Establishment: A building or portion thereof, upon the premises of which are provided facilities for preparing and/or serving food and/or drink, for dining, eating and/or beverage consumption by the public, and which is held out by the owner or operator thereof as a place where food and/or beverages may be purchased for consumption upon the premises or taken out, including establishments designated as restaurants, cafes, drive-ins, coffee shops, ice cream parlors, bars, bowling alleys, and other such establishments where food and/or drink are prepared and/or served.

2.12 Garbage: Solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of agricultural products.

2.13 Garbage Grinder: A device designed and used to grind or otherwise treat garbage so that it can be disposed of through the public sewer.

2.14 Grease, Oil, or Sand Interceptor: A device designed and installed on private property to accumulate grease and volatile liquids prohibiting them entering into the public sewer system.

2.15 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.

2.16 Local Disposal System: A cesspool, drywell, incinerator, septic system, any combination thereof, and/or any other local or individual means of wastewater disposal.

2.17 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. "Lot" shall mean and include the common area of a condominium, a planned unit development, a stock cooperative and a community apartment project.

2.18 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.

2.19 Manager: The General Manager and Chief Engineer of the Nipomo Community Services District.

2.20 Manhole: A structure for the purpose of providing access of a human to a buried public sewer.

2.21 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.

2.22 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.

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

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

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

2.26 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.

2.27 Recreational Vehicle Wastewater Drain: A fixture installed on a lot and used for draining wastewater from a recreational vehicle into the public sewer. The term, "Recreational Vehicle," shall include motorhome, camping trailer, or other self-powered and/or transportable building containing any fixture as defined herein, but not having a permanent connection to the public sewer.

2.28 Sewer: A pipe or conduit for carrying wastewater.

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

2.30 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.

2.31 Wastewater: Any water-carried wastes, and the water carrying such wastes, from buildings or recreational vehicles as defined herein.

2.32 Wastewater Treatment Plant - Black Lake: The arrangement of ponds, plumbing, devices and structures used for treating wastewater generated within Zone G; specifically, that wastewater treatment plant constructed for the purpose of processing sewage collected within Zone G, the Black Lake Specific Plan 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.

2.33 Wastewater Treatment Plant - Nipomo: The arrangement of ponds, plumbing, devices and structures used for treating wastewater generated within Service Area (except Zone G) 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 (except Zone G), 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."

SECTION 3. That Articles 3.1 through 3.4 of SECTION 1 of Ordinance No. 2279 entitled, "An Ordinance Establishing A Sewer Use Ordinance for Portions of San Luis Obispo County Service Area No. 1 and Adopting Rules and Regulations," are hereby amended to read as follows:

"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 (except Zone G), 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, or within Zone G, by County.

3.3 Pursuant to authority of Health and Safety Code Section 5009, 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 3.7, below, unless a variance is granted by said Board of Supervisors."

SECTION 4. That Article 4.4(3) of SECTION 1 of Ordinance No. 2279 entitled, "An Ordinance Establishing A Sewer Use Ordinance for Portions of San Luis Obispo County Service Area No. 1 and Adopting Rules and Regulations," is hereby amended to read as follows:

"(3) When the work to be performed involves the abandonment of a local wastewater disposal system, then the fee shall be thirty (\$30.00) dollars for this portion of the work."

SECTION 5. That Article 4.5 of SECTION 1 of Ordinance No. 2279 entitled, "An Ordinance Establishing A Sewer Use Ordinance for Portions of San Luis Obispo County Service Area No. 1 and Adopting Rules and Regulations," is hereby amended to read as follows:

"4.5 When connection of any building within Service Area (except Zone G) 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."

SECTION 6. That Article 5 of SECTION 1 of Ordinance No. 2279 entitled, "An Ordinance Establishing A Sewer Use Ordinance for Portions of San Luis Obispo County Service Area No. 1 and Adopting Rules and Regulations," is hereby amended to read as follows:

"ARTICLE 5. PUBLIC SEWER EXTENSIONS

5.1 Except within Zone G, 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.

5.2 Extensions of the public sewer to serve property within Zone G shall comply with the Black Lake Specific Plan and Reimbursement Agreement for Sewer Facilities as set forth in Board of Supervisors Resolution No. 84-195."

SECTION 7. That Articles 9.1 and 9.2 of SECTION 1 of Ordinance No. 2279 entitled, "An Ordinance Establishing A Sewer Use Ordinance for Portions of San Luis Obispo County Service Area No. 1 and Adopting Rules and Regulations," are hereby amended to read as follows:

"9.1 There is hereby levied and imposed upon any building or lot 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 or lot, County may ~~bill~~ said charges to the occupant of said building or lot, but such billing shall not relieve the owner of the responsibility of paying said charges. Said monthly charges are as follows:

<u>Classification</u>	<u>Charge</u>
(1) Single family residence or mobile home situated on a lot 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 residence or mobile home situated on a lot within Zone A of Service Area (Galaxy Park)	\$22.50
(3) Single family residence or mobile home situated on a lot within Zone G of Service Area (Black Lake Specific Plan Area)	\$12.00

- | | | |
|-----|---|----------|
| (4) | Commercial establishment within Zone G of Service Area | \$6.00* |
| (5) | The common area of a condominium, a planned unit development, a stock cooperative, or a community apartment project within Zone G of Service Area | \$6.00* |
| (6) | Food establishment within Zone G of Service Area | \$2.00** |
| (7) | Single family residence or mobile home within Zone B (Nipomo Palms) or Zone D (Black Lake Estates) of Service Area | \$24.00 |

*per fixture **per seat

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 (except for Zone G) shall be in conformance with the latest approved District Revenue Program and District Ordinance No. 86-48 as amended. 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."

SECTION 8. That SECTION 2 of Ordinance No. 2279 entitled, "An Ordinance Establishing A Sewer Use Ordinance for Portions of San Luis Obispo County Service Area No. 1 and Adopting Rules and Regulations," is hereby amended to read as follows:

"SECTION 2. The Nipomo Sewer Project utilizes Clean Water Grant funds. The public sewers (except within Zone G) 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."

SECTION 9. That SECTIONS 3 and 4 of Ordinance No. 2279 entitled, "An Ordinance Establishing A Sewer Use Ordinance for Portions of San Luis Obispo County Service Area No. 1 and Adopting Rules and Regulations," are hereby renumbered as SECTIONS 5 and 6 as follows:

"SECTION 5. 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 6. 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."

SECTION 10. That a new SECTION 3 of Ordinance No. 2279 entitled, "An Ordinance Establishing A Sewer Use Ordinance for Portions of San Luis Obispo County Service Area No. 1 and Adopting Rules and Regulations," is hereby added to read as follows:

"SECTION 3: The public sewers within Zone G are being constructed under an agreement between the Black Lake Partnership and the County of San Luis Obispo dated May 15, 1984, and have been designed and will be operated and maintained to provide compliance with California Regional Water Quality Control Board discharge requirements as adopted in their orders No. 84-14 and No. 84-15 on February 24, 1984."

SECTION 11. That a new SECTION 4, a part of the original SECTION 2 of Ordinance No. 2279 entitled, "An Ordinance Establishing A Sewer Use Ordinance for Portions of San Luis Obispo County Service Area No. 1 and Adopting Rules and Regulations," is hereby added to read as follows:

"SECTION 4. 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 12. That SECTION 7 is hereby added to said Ordinance No. 2279 entitled, "An Ordinance Establishing A Sewer Use Ordinance for Portions of San Luis Obispo County Service Area No. 1 and Adopting Rules and Regulations," to read as follows:

"SECTION 7. The fees and charges, as established by Articles 4 and 9 of SECTION 1 of this Ordinance, may be modified from time-to-time by Resolution of the Board of Supervisors."

SECTION 13: This Ordinance replaces and supersedes the "RULES AND REGULATIONS GOVERNING SEWER SERVICE IN COUNTY SERVICE AREA NO. 1, ZONE G (BLACK LAKE SPECIFIC PLAN AREA)", which are part of "RULES

AND REGULATIONS, County Service Area No. 1, Zone G, Black Lake Specific Plan," ARTICLE III and the words, "and/or waste water disposal, " in ARTICLE II of said "RULES AND REGULATIONS, County Service Area No. 1, Zone G, Black Lake Specific Plan," and Section II, "Sewer...", of the "SCHEDULE OF RATES...." attached thereto, as adopted by Resolution No. 85-48 on February 5, 1985, provided, however, that this Ordinance will have no effect on those reimbursement agreements for water and sewer facilities approved by Resolutions No. 84-194 and No. 84-195 on May 15, 1984.

SECTION 14. 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 26th day of JANUARY, 1988, by the following roll call vote, to-wit:

AYES: SUPERVISORS James Johnson, Evelyn Delany, Jerry Diefenderfer
NOES: None Carl Hysen and Chairman William B. Coy
ABSENT: None

WILLIAM B. COY

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: _____

December 8, 1988

Co. Eng. 0792x 0059x

CSA NO. 1 ORDINANCE REVISIONS

slash = ~~deleted~~

underline = added

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, D and G 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 6 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

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2.6 Commercial Establishment: A building or portion thereof, or a lot used for, or intended for use for, commercial, recreational, business or governmental purposes, including but not limited to golf courses, stores, markets, theatres, business offices, government offices and other places of business, but not including food establishments or other business establishments otherwise defined herein.

2/6 2.7 County: The County of San Luis Obispo.

2/7 2.8 County Engineer: The County Engineer of the County of San Luis Obispo.

2/8 2.9 District: Nipomo Community Services District.

2/9 2.10 Fixture: Any sink, tub, shower, toilet, grease, oil or sand interceptor, garbage grinder, dish or clothes washer, recreational vehicle wastewater drain, or any other wastewater collecting, generating, treating or conveying device, discharging to the public sewer.

2.11 Food Establishment: A building or portion thereof, upon the premises of which are provided facilities for preparing and/or serving food and/or drink, for dining, eating and/or beverage consumption by the public, and which is held out by the owner or operator thereof as a place where food and/or beverages may be purchased for consumption upon the premises or taken out, including establishments designated as restaurants, cafes, drive-ins, coffee shops, ice cream parlors, bars, bowling alleys, and other such establishments where food and/or drink are prepared and/or served.

2/10 2.12 Garbage: Solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of agricultural products.

2/11 2.13 Garbage Grinder: A ~~device~~ device designed and used to grind or otherwise treat garbage so that it can be disposed of through the public sewer.

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- 2.14 Grease, Oil, or Sand Interceptor: A device designed and installed on private property to accumulate grease and volatile liquids prohibiting them entering into the public sewer system.
- 2/12 2.15 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 2.16 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 2.17 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. "Lot" shall mean and include the common area of a condominium, a planned unit development, a stock cooperative and a community apartment project.
- 2/15 2.18 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 2.19 Manager: The General Manager and Chief Engineer of the Nipomo Community Services District.
- 2/17 2.20 Manhole: A structure for the purpose of providing access of a human to a buried public sewer.
- 2/18 2.21 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 2.22 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 2.23 Permit: Any written authorization required pursuant to this Ordinance.

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2/21 2.24 Person: Any human being, individual, firm, company, partnership, association, corporation, government agency or other entity.

2/22 2.25 pH: The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

2/23 2.26 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.

2.27 Recreational Vehicle Wastewater Drain: A fixture installed on a lot and used for draining wastewater from a recreational vehicle into the public sewer. The term, "Recreational Vehicle," shall include motorhome, camping trailer, or other self-powered and/or transportable building containing any fixture as defined herein, but not having a permanent connection to the public sewer.

2.28 Sewer: A pipe or conduit for carrying wastewater.

2/24 2.29 Shall, Will and May: Shall and will are mandatory; may is permissive.

2/25 2.30 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 2.31 Wastewater: Any water-carried wastes, and the water carrying such wastes, from buildings or recreational vehicles as defined herein.

2.32 Wastewater Treatment Plant - Black Lake: The arrangement of ponds, plumbing, devices and structures used for treating wastewater generated within Zone G; specifically, that wastewater treatment plant constructed for the purpose of processing sewage collected within Zone G, the Black Lake Specific Plan 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.

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2/27 2.33 Wastewater Treatment Plant - Nipomo: The arrangement of ponds, plumbing, devices and structures used for treating wastewater generated within Service Area (except Zone G) 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 (except Zone G), 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.

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 (except Zone G), 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, or within Zone G, by County.

3.3 Pursuant to authority of Health and Safety Code Section 4762 5009, 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 3.7, below, unless a variance is granted by said Board of Supervisors.

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4.4 (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)~~ thirty (\$30.00) dollars for this portion of the work.

4.5 When connection of any building within Service Area (except Zone G) 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.

5.1 Except within Zone G, 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.

5.2 Extensions of the public sewer to serve property within Zone G shall comply with the Black Lake Specific Plan and Reimbursement Agreement for Sewer Facilities as set forth in Board of Supervisors Resolution No. 84-195.

9.1 There is hereby levied and imposed upon any building or lot 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 or lot, County may bill said charges to the occupant of said building or lot, but such billing shall not relieve the owner of the responsibility of paying said charges. Said monthly charges are as follows:

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Building Classification

Charge per unit

- (1) Single family residences or mobile homes, previously/unsewered, situated on a lot 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/sewered, situated on a lot within Zone A of Service Area (Galaxy Park) Zones B/E/D/F/Service Area/Lake/Plains and/Black/Lake/Estates \$22.50
\$24.00
- (3) Single family residence or mobile home situated on a lot within Zone G of Service Area (Black Lake Specific Plan Area) \$12.00
- (4) Commercial establishment within Zone G of Service Area \$6.00*
- (5) The common area of a condominium, a planned unit development, a stock cooperative, or a community apartment project within Zone G of Service Area \$6.00*
- (6) Food establishment within Zone G of Service Area \$2.00**
- (7) Single family residence or mobile home within Zone B (Nipomo Palms) or Zone D (Black Lake Estates) of Service Area \$24.00

*per fixture

**per seat

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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 (except for Zone G) shall be in conformance with the latest approved District Revenue Program and District Ordinance No. 86-48, as amended. 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.

SECTION 2. The Nipomo Sewer Project utilizes Clean Water Grant funds. The public sewers (except within Zone G) 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.

SECTION 5. 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.

100% due to force and effect.

SECTION 6. 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."

SECTION 3. The public sewers within Zone G are being constructed under an agreement between the Black Lake Partnership and the County of San Luis Obispo dated May 15, 1984, and have been designed and will be operated and maintained to provide compliance with California Regional Water Quality Control Board discharge requirements as adopted in their orders No. 84-14 and No. 84-15 on February 24, 1984.

SECTION 4. 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 7. The fees and charges, as established by Articles 4 and 9 of SECTION 1 of this Ordinance, may be modified from time-to-time by Resolution of the Board of Supervisors.

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

CSA 1

TUES day 26TH JANUARY, 1988

PRESENT: Supervisors

Jerry Diefenderfer, Evelyn Delany, James Johnson
Carl Hysen and Chairman William B. Coy

ABSENT:

None

In the matter of ORDINANCE NO. 2334:

This being the time set for hearing to consider a sewer use ordinances for portions of San Luis Obispo CSA No. 1 and Amending and Adding Certain Sections to CSA 18 Sewer Use and adoption of rules and regulations. Mr. Jim Jonte, Engineering Department, summarizes the intention of these ordinances will be to incorporate the intent of the Rules and Regulations for Zone G sewers into the CSA No. 1 Sewer Use Ordinance which includes both the necessary waste discharge prohibitions and the required enforcement provisions; CSA No. 18 is to incorporate clarifying corrections and provide for fee changes; highlights the various revisions to the CSA No. 1 and CSA No. 18 Ordinances. Supervisor Johnson speaks to the Country Club owning the land. Supervisor Diefenderfer questions if there will be any effect on boundary changes or annexation with Supervisor Johnson responding with the Lewis system. Mr. Dickson was under the impression that the houses in the Rolling Hills area could hook-up to the sewage system. Mr. George Protopapas, County Engineer, speaks to the possibility of Rolling Hills annexing into the system; and acknowledges the need for leech lines to elevate the existing problems in the area. Mr. Paul Crawford, Planning Director, addresses the items to be heard in the Specific Plan amendments and related issues. Matter is discussed and thereafter, on motion of Supervisor Johnson, seconded by Supervisor Delany and on the following roll call vote, to wit:

AYES: SUPERVISORS Johnson, Delany, Diefenderfer, Hysen, Chairman Coy
NOES: None
ABSENT: None

the reading of the proposed ordinance being waived, said ordinance is read by the title only and thereafter, ORDINANCE NO. 2334 Amending and Adding Certain Sections to 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
Auditor
file 2-4-88 0078M:sr

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STATE OF CALIFORNIA)
COUNTY OF SAN LUIS OBISPO)
I, FRANCIS M. COONEY, County Clerk of the above
San Luis Obispo County, do hereby certify the foregoing
to be a full, true and correct copy of an order entered
in the minutes of said Board of Supervisors, and now
remaining of record in my office.

Witness, my hand and seal of said Board of Super-
visors this FEB 05 1988 day of _____

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

By Sondra Reiner
Sondra Reiner, Deputy Clerk