

GRATON COMMUNITY SERVICES DISTRICT

250 ROSS LANE • MAIL: PO BOX 534, GRATON, CALIFORNIA 95444 • 707/823-1542 • FAX 707/823-3713



ORDINANCE NO. 101E

11/17/2008

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE GRATON COMMUNITY SERVICES DISTRICT, STATE OF CALIFORNIA, TO LIMIT THE NUMBER OF SEWER SERVICE PERMITS TO A DAILY FLOW EQUIVALENT TO EIGHT (8) EQUIVALENT SINGLE FAMILY DWELLING UNITS (ESD'S) PER YEAR.

The Board of Directors of the Graton Community Services (District), State of California, per Resolution 081006B, ordains as follows:

Section 1.

Article III of Ordinance No. 100 is hereby amended to read:

SECTION 3.19 – CONDITIONS FOR APPROVAL OF STANDARD NEW SEWER SERVICE INSTALLATION:

- A. Approval of an application for a new sewer service installation will normally be granted providing that
1. The property to be served is fronting an existing District sewer main, and
 2. The structure to be served is within three hundred feet of the property line fronting the sewer main, and
 3. Adequate sewer main capacity is available to serve all portions of the property, and
 4. The property served is at such an elevation that gravity flow of wastewater discharge will occur except as permitted under Section 4.05, and
 5. Such sewer lateral installation is in compliance with all other District rules, regulations, and conditions of sewer service, and
 6. GCSD shall limit the number of sewer service permits to a daily flow equivalent to eight (8) Equivalent Single Family Dwelling units (ESD's) per year, and –
- B. Applicants who cannot meet conditions (1) or (2) of subsection (A) must arrange for a sewer mainline extension permit pursuant to Section 3.26 et seq.

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Section 2.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Directors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

Nothing in this ordinance shall prevent the GCSD from waiving any limitation of this ordinance for the purpose of mitigating the existing limitations in collection, treatment, or disposal capacity. Such waivers will be based upon professional judgment of the General Manager and resolution of the GCSD Board of Directors.

Sonoma County Permits and Resource Development Department (PRMD) is authorized to issue sewer connection permits not to exceed the flow generated by eight (8) Equivalent Single Family Dwelling permits. The flow equivalent shall be calculated from Exhibit A guidelines in the most recently approved amendment to GCSD Ordinance 300.

At such time as sewer connection permits equaling the flow of eight (8) ESD's have been issued in a calendar year, the District will notify Sonoma County Permits and Resource Development Department (PRMD) in writing to temporarily suspend the issuance of sewer connection permits and to direct subsequent inquires to the GCSD.

Nothing in this ordinance shall prevent the GCSD Board of Directors from increasing or decreasing the number of annual connections in order to comply with State or Federal Law; or to protect public health, safety or the environment. Restrictions on the number of sewer service connections available to be issued in any calendar year may be waived for the purpose of providing outside service connections when the County Health Officer determines that a public health condition requires the abandonment of an existing failed wastewater treatment system that is currently located within the sphere of influence and vicinity of the GCSD boundaries. Under such situations the General Manager may borrow ESD's from a subsequent year's allocation. Under the GCSD Board's direction, the General Manager shall provide Sonoma County Permits and Resource Department (PRMD) with a written request to issue the specified number of permits.

Nothing in this ordinance shall prevent the General Manager from evaluating and reclassifying any existing user within the District. Where such reclassification indicates greater use the user may be required to purchase additional connections from Sonoma County Permits and Resource Development Department (PRMD).

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Section 3.

This Ordinance shall be and the same is hereby declared to be in full force and effect from and after 30 days after the date of its passage, and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Directors voting for or against the same, in a newspaper of general circulation, published in the County of Sonoma, State of California, and the District's Clerk of the Board shall post in the office of the District's Clerk, a certified copy of the full text of this Ordinance along with the names of those Directors voting for or against the ordinance.

In regular session of the Board of Directors of the Graton Community Service District, State of California, introduced, passed and adopted this 17th day of November 2008, on regular roll call of the members of the said Board by the following vote:

DIRECTORS:

WIEBE, JEPPESEN, CHRISTENSEN, EAGLE, ROEHL.

AYES - 4; NOES - 0; ABSTAIN - 0; ABSENT - 1

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and SO ORDERED.

Approved: _____

Jane Eagle
Jane Eagle
President, Board of Directors
Graton Community Services District

Attest: _____

Roland Wiebe
Roland Wiebe
Secretary, Board of Directors
Graton Community Services District