

ORDINANCE NO. 2016-01

AN ORDINANCE AMENDING ORDINANCE NO. 07-01; ARTICLE 5 - *Connection to the District's Treated Water System*

BE IT ENACTED by the Board of Directors of the Georgetown Divide Public Utility District ("District"), County of El Dorado, State of California, as follows:

ARTICLE 1. *Recitals*

A. Pursuant to Government Code Section 66013 et seq. the governing board of a district is authorized to levy a fee or capacity charge for any new connection to the district's water system to defray the cost of the public facilities necessary to serve the new connection. For the purposes of this Ordinance, new connections shall also include upgrades to existing connections where those upgrades are deemed necessary under a residential building permit, through the County of El Dorado, for both new and expanded construction where a residential automatic fire sprinkler system is required.

B. On 1 January 2011, the California Building Standards Commission began requiring residential automatic fire sprinkler systems for one and two family dwellings and townhouses.

C. All new residential construction within the District's service area must comply with this automatic fire sprinkler system requirement.

D. Residential automatic fire sprinkler systems, when activated, can place demands on a residential service that cannot be met by a 5/8-3/4-inch meter. Most automatic fire sprinkler systems require a 1-inch meter that allows for elevated flows to properly operate.

E. By Ordinance 07-01, ARTICLE 5. *Connection to the District's Treated Water System*, the governing board of the District established a Capital Facility Connection Fee and Capacity Charge ("fee" herein) for connections to the District's treated water system.

F. The Board of Directors ("Board") finds that prior to adopting this Ordinance, the Board held a public meeting at which time oral or written presentations were received regarding the above ordinance at a regularly scheduled meeting on the 8th day of March, 2016.

ARTICLE 2. *Amendment to Ordinance No. 07-01; ARTICLE 5-Connection to the District's Treated Water System:*

Upon the effective date of this Ordinance, ARTICLE 5, of Ordinance No. 07-01 is

amended. ARTICLE 5. *Connection to the District's Treated Water System* is amended to read as follows:

- (a) Based on the foregoing findings, the Board hereby approves, adopts, and levies a Capital Facility Connection Fee and Capacity Charge ("fee" herein) for connection to the District's treated water system in the following amount of \$9,200 for a 5/8-3/4 meter; \$22,575 for a 1-inch meter; \$45,148 for a 1 ½ inch meter; and \$72,239 for a 2-inch meter. The fee shall be paid directly to District prior to making a new connection or increasing the amount of an existing connection to the District's treated water system for which a service connection charge has not been paid or financed through an assessment district. If a parcel within an assessment district that included financing for connection charges is further subdivided, only the original parcel shall be exempt from the connection fee.
- (b) Residential fire sprinkler system connection fee waiver
 - (1) Upgrading a 5/8-3/4-inch meter to a 1-inch meter shall not require an additional connection fee where the upgrade is required to meet the increased capacity needs of a residential automatic fire sprinkler system required under the 1 January 2011 California Building Standards Commission revisions to the California Building Code.
 - (2) Individuals seeking a waiver of the connection fee established in subsection (b)(1) shall provide the District with verified calculations and findings by a State or El Dorado County approved designer of residential fire sprinkler systems demonstrating the need for a 1-inch meter.
 - (3) Based on a review of the verified calculations in subsection (b)(2), the General Manager of the District or his or her designee may grant a waiver of an additional connection fee where he or she finds that the increased capacity of a 1-inch meter is required to meet the requirements of a residential fire sprinkler system required under the 1 January 2011 California Building Standards Commission revisions to the California Building Code.
 - (4) The District reserves the right to monitor the water usage of accounts that are granted a waiver of the connection fee provided in subsection (b)(1) to verify that the upgraded capacity is required for a residential fire sprinkler system.
 - (5) Where the General Manager of the District or his or her designee finds that water use of an account that received the connection fee waiver established in subsection (b)(1) exceeds the use available for a 5/8-3/4-inch meter, demonstrating that the upgrade was not required for a residential fire sprinkler system, the General Manager of the District or his or her designee, in addition to all other legal rights and remedies, may impose the waived connection fees on that account.

ARTICLE 3. *Commencement Date*

The effective date of this Ordinance shall be 30 calendar days following its adoption by the Board.

ARTICLE 4. *Severability*

If any portion, phrase or segment of this Ordinance is found by a Court of competent jurisdiction to be invalid, such finding shall not affect the validity of the remaining portions of this Ordinance. The District hereby declares its intent to adopt this Ordinance irrespective of the fact that one or more of its provisions may be declared invalid subsequent thereto.

I HEREBY CERTIFY that the foregoing Ordinance was duly INTRODUCED at a regularly held meeting of the Board of Directors of the GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT on the 8th day of March, 2016, and was PASSED AND ADOPTED by the Board of Directors of the GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT on this 12th day of April, 2016, by the following vote:

AYES: Capraun, Hanschild, Hoelscher, Krizl, Uso

NOES:

ABSENT/ABSTAIN

By:



Norman A. Krizl, President
Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

ATTEST:

By:



Wendell B. Wall, Clerk and ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

CERTIFICATION

I hereby certify that the foregoing is a full, true, and correct copy of **Ordinance 2016-01** duly and regularly adopted by the Board of Directors of the Georgetown Divide Public Utility District, El Dorado County, California, at a meeting duly held on the 12th day of April, 2016.

Wendell B. Wall
Wendell B. Wall, Clerk and ex officio
Secretary of the
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT