

UKIAH VALLEY SANITATION DISTRICT

ORDINANCE AMENDING ORDINANCE NO. 12
TO PROVIDE LIEN FOR SEWER CONNECTION
CONSTRUCTED BY DISTRICT

The Board of Directors of the Ukiah Valley Sanitation District ordains as follows:

Ordinance No. 12 of the Ukiah Valley Sanitation District is amended by adding section 3.5A to read as follows:

"Section 3.5A. Lien For Connection Constructed By District.

(1) After serving written notice upon the owner or reputed owner of a parcel of land upon which there is a structure as to which the District's public sewer is available as provided in section 3.5 above, and such owner or reputed owner after 30 days following service of the notice refuses or fails to connect such structure's plumbing to the public sewer, District may construct such connection at a reasonable cost at the expense of such owner or reputed owner. Unless authorized in writing by the owner or reputed owner, District shall not enter such subject property to construct the sewer connection without first obtaining an order so authorizing from the Superior Court of the County of Mendocino. Upon completion of such sewer connection, the owner or reputed owner shall abandon any private on site sewage disposal system in accordance with section 4.5 below.

(2) The fees or charges and the interest thereon for connection to the District's sewer, including cost of the work done, materials furnished, and administrative expenses, shall constitute a lien against the parcel of land to which the District's sewer is connected. At the discretion of the District as authorized in subsection (5) below, delinquent fees or charges and the interest thereon may be collected for the forthcoming fiscal year on the tax roll on which general taxes are collected, in the same manner, at the same time, and together with and not separate from such general taxes.

(3) The fees or charges representing the District's work done, materials furnished, and administrative expenses, shall become due and payable 30 days after written notice served upon the owner or reputed owner.

(4) Prior to making the fees or charges a lien against the land, the District shall give written notice to the owner of the land affected. This notice shall set forth all of the following:

(a) The schedule of fees or charges to be imposed by District.

(b) A description of the property subject to the fees or charges.

(c) The time or times at which the fees or charges shall become due.

(d) That it is proposed that the fees or charges and interest thereon shall constitute a lien against the parcel to which the sewer connection has been made.

(e) The time and place at which District will hold a hearing at which interested persons may appear and present any and all objections they may have to the imposition of the fees or charges as a lien against the land.

(5) As an alternative power to the enforcement of the lien provided for in this section, District may, by order entered upon its minutes, declare that the amount of the costs of such work, materials furnished, and the administrative expenses incurred by District incident to the proceedings, together with other charges uniformly applicable within the jurisdiction of District for connection to the public sewer, shall be transmitted to the assessor and tax collector of the County of Mendocino, whereupon it shall be the duty of those officers to add the amount of the assessment to the next regular bill for taxes levied against the parcel."

PASSED AND ADOPTED by the Board of Directors of the Ukiah Valley Sanitation District, County of Mendocino, State of California, on this 16th day of November, 1992, by the following roll call vote:

AYES: Directors Schneiter, Redding and Butcher

NOES: None

ABSENT: None

WHEREUPON, the Chair declared the Ordinance passed and adopted and SO ORDERED.

Marilyn J. Butcher
Chair, Board of Directors

ATTEST: Clerk of Said Board

By: *Jewelry Auguadro*
Deputy

APPROVED AS TO FORM:
H. PETER KLEIN, County Counsel

H. Peter Klein