

ORDINANCE NO. 1-85



AN ORDINANCE AMENDING DISTRICT ORDINANCE 4-80 TO ADDRESS MULTIPLE FAMILY DWELLINGS THAT HAVE ONLY A SINGLE WATER SERVICE LINE AND ASSOCIATED WATER METER AND TO PROVIDE RELIEF FROM MULTIPLE SERVICE FEES FOR MULTIPLE FAMILY DWELLINGS UNTIL EACH DWELLING IS CONNECTED TO THE PUBLIC SEWER SYSTEM

WHEREAS, the District desires to recognize the difference between Commercial Buildings and Commercial/Multiple Family Dwellings which are serviced by a single water line and its associated water meter, and

WHEREAS, the Lake Shastina Mutual Water Company has installed water meters in all service lines to residential properties, and

WHEREAS, the District does not have access to the confidential tax assessor records which indicate the actual number of separate kitchens within said multiple family dwellings on which the present sewer rates are founded, and

WHEREAS, multiple family dwellings may be completed in phases for which the County Building Inspection Department may grant permission for occupancy of one family unit while constructing the remaining family units;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE LAKE SHASTINA COMMUNITY SERVICES DISTRICT, SISKIYOU COUNTY, CALIFORNIA, THAT ORDINANCE 4-80 PRESCRIBING RATES AND CHARGES FOR SEWAGE DISPOSAL SERVICE AND PROVIDING PROCEDURES AND PENALTIES FOR ITS ENFORCEMENT BE AMENDED AS FOLLOWS:

1. ARTICLE I. GENERAL PROVISIONS; Section 2. Definitions; Amend indicated subsections as follows:

(b) "Commercial" means any premises for commercial or business purposes. This category is to be divided into two distinct classes; i.e., 'Commercial Building' and 'Commercial/Multiple Family Dwelling serviced by a single water line and water meter for all dwelling units therein.'

(d) "Multiple Family Dwelling" means any premises designed, improved or used as a residence for two or more families, living independently of each other in two or more structurally joined dwelling units with separate water services, kitchens and entrances, including but not limited to the following: apartment houses, duplexes, triplexes and four-plex units."

(i) "Single Family Dwelling" means and refers to the place of residence for a single family. Multiple Family Dwellings consisting of two or more rental units for which there is a single water service line and single meter whose owner has received from the District an approved resolution resulting from an action taken in response to a 'relief on application' in accordance with Section 1. of ARTICLE III of this ordinance may be designated as a 'Single Family Dwelling' for the period of time and conditions specified in the aforementioned resolution.

2. ARTICLE II. SEWER SERVICE AND CONNECTION CHARGES; Section 1. Rate Schedule; Amend indicated subsections as follows:

(b) Multiple Family Dwelling With Separate Water Service Line And Meter For Each Unit: \$150.00 per unit per annum.

ADD (d) Commercial/Multiple Family Dwelling With Single Water Service Line And Water Meter: The rate shall be that initial block rate (\$15) charged to 'Commercial' but does not include any additional charge for water consumption above the initial block.

5. ARTICLE II. SEWER SERVICE AND CONNECTION CHARGES; Section 2. Standby or Immediately Available Charge; ADD the following sentence:

Multiple Family Dwellings being constructed in phases may, upon receipt and approval of 'relief on application' be treated as a single family dwelling until other units are completed and connected to the public

I hereby certify that the foregoing Ordinance was duly and regularly passed and adopted by the Board of Directors of the Lake Shastina Community Services District, Siskiyou County, at a meeting thereof held on the 14th day of May, 1985, by the following vote of the members thereof:

AYES, and in favor thereof, Directors: Dutro, Barbier, Spahr, and Trager.

NOES, Directors: None.

ABSENT, Directors: Worsnop.

Carol A. May
Secretary
Lake Shastina Community Services District

(SEAL)



Lake Shastina Community Services District

September 3, 1985

Dear Property Owner:

As a result of a recently enacted Lake Shastina Community Services District Ordinance (1-85 enclosed) multiple family dwellings such as yours has been reclassified as "Commercial" with a resultant increase in sewer service fees from \$12.50 to \$15 per month effective July 1, 1985. As a result of this action the quarterly billing to be mailed to you on or about October 1, 1985 for sewer services received July, August and September will be for the amount of \$45. You are hereby advised that in accordance with Ordinance 1-85 the "Commercial" designation attached to your townhouse may be redesignated as a "Single Family Dwelling" upon receipt of the enclosed "Request for Relief" by this office and approval of same by the CSD Board of Directors.

-NOTICE-

Once granted, the reclassification remains in effect until terminated. Once terminated, a new application must be submitted for approval from the District to regain "Single Family Dwelling" status.

-TIME FOR FILING-

The District office must receive your request for relief prior to close of business on September 9, 1985 to allow time for processing and submittal to the Board of Directors at the regular meeting of 10 September 1985.

-INSTRUCTIONS-

If your name is printed on the application and you have sold the property, please send the application AT ONCE to the new owner. If someone else's name is printed on the form and you are now an owner of the property, or a purchaser under contract of sale, strike out the printed name and insert your own name, or add your name if you and the one whose name is printed are co-owners.

----- cut here & return with "Request For Relief" -----

If you qualify for relief based on the fact that your townhouse contains only one kitchen and you are unable to make unit available for inspection so state and certify by signature that townhouse may be inspected by the District on or about _____ or you will notify your agent, _____

Date

Name, Address or Phone #

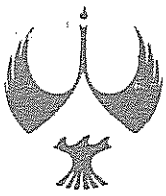
_____, who will open the unit for inspection by the District

General Manager.

If you have any questions please contact the District office any time between 8:00a.m. and 4:30p.m. Mon-Fri except holidays.

Very truly yours,

Charles R. Smith
General Manager



Lake Shastina Community Services District

REQUEST FOR RELIEF of COMMERCIAL/MULTIPLE FAMILY DWELLING STATUS
and RECLASSIFICATION AS SINGLE FAMILY DWELLING.

Name and Address of Account

For District Use Only
Received _____
Approved _____
Denied _____
Reason for Denial _____

Lot _____ Unit _____
Parcel No. _____

(Address of Dwelling)

Dear Sirs:

In accordance with District instructions promulgated herewith I (We)
_____ and _____

(Owner-print full name) (Co-owner-print full name)
hereby file this request for relief from District Ordinance 1-85 that has
reclassified our townhouse from a "Single Family Dwelling" to a "Commercial/
Multiple Family Dwelling" with a resultant increase in monthly sewer service
rate from \$12.50 to \$15. The basis for this request is as follows: (check
only one)

Property is my (our) principal place of residence and has been so since
_____ and none of the separate dwelling units contained in this townhouse
is being or will be used as a separate family unit unless I(we) notify the
District office, in writing, of any change in this status.

Property contains only a single kitchen and therefore should not be clas-
sified as a Commercial/Multiple Family Dwelling. Applicant agrees to allow the
District to inspect townhouse to verify the existance of only one kitchen. This
requirement is optional; nevertheless, when verification cannot be made the
District shall take this into consideration when considering this request.

Signature of Owner

Signature of Co-Owner

Note: If this request is based on reason unit has only single kitchen please
complete lower portion of INSTRUCTIONS and return with this request for relief.



MINUTES
MEETING OF 9 APRIL 1985

I. This regular meeting of the Board of Directors of the Lake Shastina Community Services District was called to order by President Worsnop at 7:00 p.m. On Roll Call there were present: Directors Barbier, Dutro, Spahr, and Worsnop. Director Trager was absent.

II. APPROVAL OF AGENDA:

General Manager Smith requested that the following items be added to the agenda: Item VI.C. - Notification of Motion for Appointment of Trustee or Examiner or Dismissal of Case re: Chapter 11 - Golf Course; Item VI.D. - Financial Information Regarding Special District Augmentation Funds; Item VI.E. - Memo to JSC from Employee Representative re: Employer/Employee Relations; Item IX.F. - Consolidation Agreement-Request for Public Information; and Item IX.G. - Siskiyou County Planning Department Letter re: Proposed Revisions to Zoning Ordinance. At the request of LaMar Sayer, a member of the audience, Item IX.F. was reassigned as Item IX.B., with following items being appropriately reassigned. Director Spahr requested the Police Report be assigned as Item IX.H., thus removing it from the Consent Agenda.

Upon motion of Director Barbier, second by Director Spahr, and unanimous vote, the Board approved the agenda as amended.

III. APPROVAL OF MINUTES:

Upon motion of Director Barbier, second by Director Dutro, and unanimous vote, the Minutes of the 12 March 1985 meeting were approved as submitted.

IV. PUBLIC HEARINGS:

The Public Hearing for the purpose of the first reading of Ordinance 1-85 was opened at 7:08 p.m. President Worsnop read Ordinance 1-85 into the record.

At the request of the Board, for the benefit of those in the audience, General Manager Smith explained the purpose of the proposed ordinance which amends Ordinance 4-80. Input was received from the audience and questions were answered by the Board and the General Manager.

The Public Hearing was closed at 7:17 p.m.

Upon motion of Director Barbier, second by Director Spahr, and unanimous vote, the Board approved Ordinance 1-85 as read. Second reading of said ordinance is to be held on May 14, 1985, at the regular meeting of this Board.

V. APPROVAL OF CONSENT AGENDA:

Upon motion of Director Spahr, second by Director Barbier, and unanimous vote, the Board approved the Consent Agenda with the exception of the Police Report which had previously been assigned Item IX.H.

VI. WRITTEN COMMUNICATIONS:

A. Siskiyou County/Negative Declaration-Notice of Determination (Replacement of Water Tank on Juniper Peak Road - Notice

has been received from the Siskiyou County Planning Department for public hearing for the purpose of negative declaration regarding the replacement of the water tank on Juniper Peak with one of a larger capacity by the LSMC. No action is required.

B. Notice of Surplus Property Sale by City of Salinas (1000 GPM Mack Pumper) - This item is discussed under IX.D.

C. Motion for Appointment of Trustee or Examiner or Dismiss Case -

The Board had received a notice from the Court stating this motion, which was a request by DMI that the Court appoint a trustee or an examiner or dismiss the case filed by the Golf Course under Chapter 11.

President Worsnop explained that DMI had petitioned the Court and the hearing on this petition would be held 29 April 1985. Basically, DMI contends that the owners of the Golf Course have been mismanaging it under Chapter 11. It is asking that either a trustee be appointed by the Court to run the Golf Course or that an examiner verify its allegations or that the Court dissolve Chapter 11 and allow DMI to proceed with foreclosure. Basically, from this motion, it would appear that DMI is pressing to proceed with foreclosure. CSD has been sent this notice because it is a creditor.

D. Financial Information Regarding Special District Augmentation Funds - General Manager Smith reported to the Board that

informational material had been received regarding the Special District Augmentation Fund. The CSD had looked to this funding as possible means of financial aid. However, particularly in regard to the Fire Department, the information received would indicate that the Frazee Bill would limit



Lake Shastina Community Services District

MINUTES MEETING OF 14 MAY 1985

I. This regular meeting of the Board of Directors of the Lake Shastina Community Services District was called to order by Vice-President Barbier at 7:04 p.m. On Roll Call, there were present: Directors Dutro, Spahr, Trager, and Barbier. President Worsnop was absent.

Others present were: Bobbie Johnson, Ruth James, Tom Allen, Bob Hickson, Chief of Police Preston, General Manager Smith, and District Secretary Carol May.

II. APPROVAL OF AGENDA:

General Manager Smith requested that item X.A.-Giese Complaint and Item X.B. The Future of Lake Shastina be added to the agenda.

Upon motion of Director Spahr, second by Director Trager, and unanimous vote, the Board approved the agenda as amended.

III. APPROVAL OF MINUTES:

Upon motion of Director Dutro, second of Director Spahr, and unanimous vote, the minutes of the Special Meeting of 20 April 1985, Budget Workshop of April 16, 1985, and regular meeting of 9 April 1985, were approved as written.

IV. PUBLIC HEARING:

The Public Hearing for the purpose of the second reading of Ordinance 1-85 was opened at 7:07 p.m. Vice-President Barbier read Ordinance 1-85 into the record.

A request for clarification on the zoning for single-family residences within Lake Shastina subdivision was received from the audience, and the question was answered by the Board and General Manager Smith. The Public Hearing was closed at 7:15 p.m.

There being no changes in the ordinance as presented, Director Trager moved that Ordinance 1-85 be adopted. Director Dutro seconded the motion. Motion carried unanimously.

V. APPROVAL OF CONSENT AGENDA:

Upon motion of Director Dutro, second of Director Trager, and unanimous vote, the Consent Agenda was approved by the Board.

VI. WRITTEN COMMUNICATIONS:

A. LAFCO Letter of May 1, 1985; Subject: Proposed Spheres of Influence -

General Manager Smith reported that the legal document which notifies agencies of their spheres of influence has been received from LAFCO. It is brought to the Board's attention to inform them of the Class 1 status of the District. If petitions are received in the future for inclusion of areas outside the present boundaries, the Board will have to request to have the boundaries changed.



Lake Shastina Community Services District

CERTIFICATE OF POSTING

Proposed Ordinance 1-85

CAROL A. MAY, under penalty of perjury, certifies as follows:

That she is, and during all times herein mentioned was, the duly appointed and qualified Secretary of the Lake Shastina Community Services District, Siskiyou County, California;

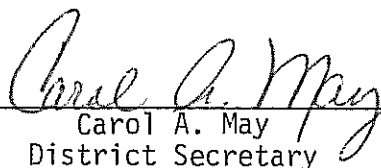
That on the 8th day of April, 1985, she caused to be posted a full, true and correct copy of:

Proposed Ordinance 1-85

AN ORDINANCE AMENDING DISTRICT ORDINANCE 4-80 TO ADDRESS MULTIPLE FAMILY DWELLINGS THAT HAVE ONLY A SINGLE WATER SERVICE LINE AND ASSOCIATED WATER METER AND TO PROVIDE RELIEF FROM MULTIPLE SERVICE FEES FOR MULTIPLE FAMILY DWELLINGS UNTIL EACH DWELLING IS CONNECTED TO THE PUBLIC SEWER SYSTEM.

in the official office of the District, 15440 "C" Juniper Peak Road, Weed, California, located in the Lake Shastina Mutual Water Company construction yard.

Executed this 8th day of April, 1985.



Carol A. May
District Secretary



Lake Shastina Community Services District

CERTIFICATE OF POSTING

Proposed Ordinance 1-85

CAROL A. MAY, under penalty of perjury, certifies as follows:

That she is, and during all times herein mentioned was, the duly appointed and qualified Secretary of the Lake Shastina Community Services District, Siskiyou County, California;

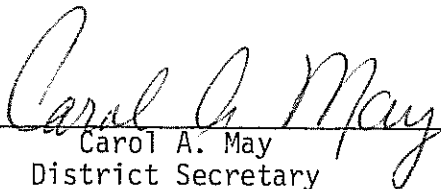
That on the 16th day of May, 1985, she caused to be posted a full, true and correct copy of:

ORDINANCE 1-85

AN ORDINANCE AMENDING DISTRICT ORDINANCE 4-80 TO ADDRESS MULTIPLE FAMILY DWELLINGS THAT HAVE ONLY A SINGLE WATER SERVICE LINE AND ASSOCIATED WATER METER AND TO PROVIDE RELIEF FROM MULTIPLE SERVICE FEES FOR MULTIPLE FAMILY DWELLINGS UNTIL EACH DWELLING IS CONNECTED TO THE PUBLIC SEWER SYSTEM.

in the official office of the District, 15440 "C" Juniper Peak Road, Weed, California, located in the Lake Shastina Mutual Water Company construction yard.

Executed this 16th day of May, 1985.



Carol A. May
District Secretary