

**ORDINANCE NO. 83**

**AN ORDINANCE ESTABLISHING A  
SEWER LATERAL UPGRADE PROGRAM AND OUTLINING THE METHOD  
OF PAYMENT FOR ASSOCIATED CHARGES**

**TAMALPAIS COMMUNITY SERVICES DISTRICT**

**RECITALS**

WHEREAS, upgrading private sewer laterals improves the community health and safety and improves environmental health by preventing or mitigating potentially harmful discharges of untreated wastewater into the environment through leaky or unsound sewer laterals;

WHEREAS, the costs and expenses incident to upgrading private sewer laterals are generally borne by the owners or purchasers of the house, building or property which such sewer laterals serve;

WHEREAS, the Tamalpais Community Services District, ("District"), desires to establish a program to assist property owners in their efforts to upgrade private sewer laterals, hereinafter "Sewer Lateral Upgrade Program," within the District;

WHEREAS, the District desires to establish a method of repayment of District funds spent upgrading private sewer laterals within the District; and

WHEREAS, the District's sewer lateral upgrade program established by this ordinance is exempt from the California Environmental Quality Act, ("CEQA"), according to sections 15301, 15302, 15304, and 15284 of the CEQA Guidelines.

IT IS ORDAINED by the Board of Directors of the District as follows:

**Section 1. SEWER LATERAL UPGRADE PROGRAM**

District Staff Members are authorized to provide sewer lateral upgrades to property owners within the District. Property owner participation in the Sewer Lateral Upgrade Program shall be on a voluntary basis. Property owners shall be given notice of all charges associated with participation in the Sewer Lateral Upgrade Program.

**Section 2. CHARGES FOR SEWER LATERAL UPGRADE SERVICE**

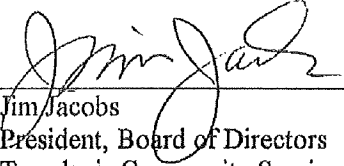
Charges associated with the Sewer Lateral Upgrade Program shall be on a per linear foot basis. The final total charge will be determined by the number of feet of sewer lateral upgraded. The final total charge to each property owner for the upgrade service will be calculated by the District before payment is due.

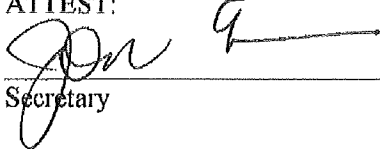
Section 3. TERMS OF PAYMENT OF CHARGES FOR UPGRADE SERVICE

Payment of charges for upgrade service will be either by payment in full subsequent to the District sending out an invoice or in installments according to the terms of individual contracts. District Staff shall have the authority to enter into contracts with each individual property owner who is a part of the Sewer Lateral Upgrade Program to outline the terms of payment by installment. Should any contract payments pursuant to an individual contract according to this Section be in default, the District may place any overdue payments, the balance due, and/or any late charges on the tax roll pursuant to California Government Code Section 61115(b).

Section 4. EFFECTIVE DATE

Upon adoption, this Ordinance shall be entered in the minutes of the District Board, shall be published once in a newspaper of general circulation published in the District within 15 days from and after its adoption and shall take effect and be enforced 30 days after its adoption.

  
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Jim Jacobs  
President, Board of Directors  
Tamalpais Community Services District

ATTEST:  
  
\_\_\_\_\_  
Secretary  
(SEAL)

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Passed and adopted at a regular meeting of the Board of Directors of the Tamalpais Community Services District, Mill Valley, California, duly held on the 23rd day of August, 2006, by the following vote:

AYES, and in favor thereof, Directors: Jim Jacobs, Steffen Bartschat, Linda Johnson, Sandy Glading and Rick Johnson

NOES, Directors: None

ABSENT, Directors: None