

ORDINANCE 90-2
WESTHAVEN COMMUNITY SERVICES DISTRICT

AN ORDINANCE CONCERNING NON-CONFORMING SERVICE CONNECTIONS

Be it ordained by the Board of Directors of the Westhaven Community Services District, Humboldt County, California, as follows:

ARTICLE 1 GENERAL PROVISIONS

Section 101 Short Title: This Ordinance shall be known and may be cited as “WCSD Non-Conforming Service Connections.”

Section 102 Words and Phrases: For the purpose of this Ordinance, all words used herein in the present tense shall include the future; all words in the plural number shall include the singular number; and all words in the singular number shall include the plural.

Section 103 Effect of Definition: The definition of a word applies to any of its variants.

Section 104 Severability: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

ARTICLE 2 DEFINITIONS

Section 201 Service Connection shall mean the pipeline and appurtenant facilities including without limitation the curb stop, meter and meter box used to extend water service to a parcel. Where services are divided at a parcel to serve more than one dwelling unit or business located thereon, each such use shall be deemed a separate service connection.

Section 202 Non-conforming, unauthorized service connection shall mean a service connection that has not been authorized and approved by the Westhaven Mutual Water Company and/or the Westhaven Community Services District.

Section 203 Non-conforming, authorized connection shall mean a service connection which has been authorized and approved by the Westhaven Mutual Water Company and/or the Westhaven Community Services District either through formal action of said Board of Corporation or by a long-standing and regular practice of billing at the established rate by said Board or Corporation and payment of same by the parcel owner or his/her representative.

ARTICLE 3 POLICY

Section 301 Discontinuance of Service: The District shall take such reasonable and prudent actions as it shall deem appropriate to discontinue service to non-conforming, unauthorized service connections.

Section 302 Coordination with Prior Ordinances: Non-conforming authorized connections to the water system are assigned to the category corresponding to Section 301 of Ordinance 90-1 (88-2 revised), the WCSD Connection Code, via Resolution 90-3 which “Assigns Parcels and Dwellings to Priority Categories for Providing Water Service.”

Section 303 Changes in Service Connections: The District shall do whatever is reasonable and prudent to decrease water use in resolving individual non-conforming service connection questions. A parcel split shall be recommended to the County Planning and Building Department only if the number of service connections will remain the same or be decreased.

Approved: June 18, 1990

President
Westhaven Community Services District

ATTEST:

Secretary
Westhaven Community Services District

SECRETARY'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of Ordinance 90-2 "An Ordinance Concerning Non-Conforming Service Connections," passed and adopted at a regular meeting of the Board of Directors of the Westhaven Community Services District, Westhaven, California, held on the 18th day of June, 1990 by the following roll call vote:

AYES: Hankin, Allan, Berman, Ruth

NOES: None

ABSENT: DeMarinis

