

**BEFORE THE BOARD OF SUPERVISORS
SITTING AS THE GOVERNING BOARD OF THE
TERRA BELLA SEWER MAINTENANCE DISTRICT
COUNTY OF TULARE, STATE OF CALIFORNIA**

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In the Matter of Adopting Ordinance) RESOLUTION
No. 9 of the Terra Bella Sewer) NO. TBS 96-03
Maintenance District pertaining)
to Sewer Service Charges/Fees and)
Required Connections)

WHEREAS, this Board introduced and waived the first reading of Ordinance No. 9 of the Terra Bella Sewer Maintenance District on February 13, 1996; and

WHEREAS, this Board set on March 12, 1996, and duly noticed, a public hearing at which to consider the sewer service charges/fees and required sewer service connections addressed by such ordinance; and

WHEREAS, on March 12, 1996, this Board held a public hearing at which it heard, received and considered evidence, comments and recommendations from staff and from members of the public:

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. This Board hereby finds and determines that the service charges or fee changes proposed in Ordinance No. 9 will not exceed the District's costs in providing sewer services and are necessary to finance the operation and maintenance of the District's sewer facilities and to partially finance the required sewer facility expansion.

2. This Board hereby makes the following findings and determinations in regard to mandating connection to the Terra Bella Sewer Maintenance District's sewer facilities of certain buildings in construction on or constructed after July 1, 1996, within the boundaries of the District:

A. The Community of Terra Bella is an unincorporated service center consisting of a concentration of residential, commercial and industrial uses and such

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1 intensity of use has in the past and continues to requires a public sanitary sewer system
2 in order to avoid pollution to ground waters;

3 B. The District has served this community need within its boundaries
4 since shortly after its formation in 1942 but the existing District public sanitary sewer
5 system is inadequate to fully serve current users and the District is under California State
6 Water Resources Control Board Cease and Desist Order No. 95-030, requiring that the
7 District expand its system in order to remain in operation or to serve new users;

8 C. An expanded system cannot be constructed or adequately maintained
9 or operated unless all new buildings in construction on or constructed after July 1, 1996,
10 inhabited by human beings and in which any sewage is produced are required to connect
11 to and pay their share of the cost for the availability and use of the expanded sanitary
12 sewer system.

13 D. The federal Rural Economic and Community Development Service, as
14 a condition precedent to providing grant funds and loaning money at a beneficial interest
15 rate to the District for the construction of the sewer system expansion, requires that new
16 development which will produce sewage within the District's boundary be required to
17 connect to the public sewer system.

18 E. Based upon the findings set out above and the information and
19 evidence before it, this Board finds and determines that it is in the best interest, health,
20 safety and welfare of the public within the boundaries of the District to require that all new
21 buildings in construction or constructed after July 1, 1996, within the boundaries of the
22 District, inhabited or used by human beings and in which any sewage is produced be
23 required to connect to the District's sewer system provided in Ordinance No. 9.

24 3. This Board hereby waives the second reading and adopts Ordinance No. 9
25 of the Terra Bella Sewer Maintenance District.

26 The FOREGOING RESOLUTION was adopted upon motion of Supervisor
27 Maples, seconded by Supervisor Harness, at a regular meeting of the Board of

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1 Supervisors, sitting as the governing board of the Terra Bella Sewer Maintenance District,
2 held on March 12 , 1996, by the following vote:

3 AYES: Supervisors Sanders, Richmond, Maze, Harness and Maples

4 NOES: None

5 ABSTAIN: None

6 ABSENT: None

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ATTEST: THOMAS F. CAMPANELLA
COUNTY ADMINISTRATIVE OFFICER/
CLERK BOARD OF SUPERVISORS

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By: 
Deputy Clerk

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February 28, 1996

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**ORDINANCE NO. 9
OF THE TERRA BELLA SEWER MAINTENANCE DISTRICT**

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2 AND SECTION 1 OF ORDINANCE NO. 6 OF THE TERRA BELLA SEWER MAINTENANCE DISTRICT AND ADDING SECTION 16 TO ORDINANCE NO. 1 OF TERRA BELLA SEWER MAINTENANCE DISTRICT PERTAINING TO SETTING OF SERVICES CHARGES FOR USE OF SEWER FACILITIES AND PERTAINING TO REQUIRING CERTAIN NEW BUILDINGS TO CONNECT TO THE SEWER SYSTEM UNDER THE TERRA BELLA SEWER MAINTENANCE DISTRICT RULES AND REGULATIONS.

THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE, SITTING AS THE GOVERNING BOARD OF THE TERRA BELLA SEWER MAINTENANCE DISTRICT, ORDAINS AS FOLLOWS:

Section 1. Section 1 of Ordinance No. 2 and Section 1 of Ordinance No. 6 of the Terra Bella Sewer Maintenance District are hereby amended to read as follows:

Section 1. Charges for sewer services within the Terra Bella Sewer Maintenance District are hereby established, based upon a comparison of water usage and strength of sewage of various users and the cost of services, as follows:

<u>User Groups (or Comparable Users)</u>	<u>Sewer Service Fees</u>		
	<u>Present</u>	<u>As of July 1, 1996</u>	<u>As of July 1, 1997</u>
	\$	\$	\$
1. Single Family Residential	17.00/Mo	21.00/Mo	25.00/Mo
2. Multi-Family Residential per unit	15.25/Mo	19.50/Mo	23.75/Mo
3. Tulare County Housing Authority ^(a)	2,327.00/Yr	3,158.50/Yr	3,990.00/Yr
4. Mobile Home	11.75/Mo	13.75/Mo	15.75/Mo
5. Commercial	17.25/Mo	21.75/Mo	26.25/Mo
6. Tulare County Fire Dept., Library Building, Tulare County Road Yard No. 5	210.00/Yr	420.00/Yr	630.00/Yr
7. Churches	16.00/Mo	19.50/Mo	23.25/Mo
8. Terra Bella Union School District	5,100.00/Yr	6,294.00/Yr	7,488.00/Yr
9. Packing House	448.00/Mo	743.00/Mo	1,038.25/Mo
10. Car Wash	42.50/Mo	42.50/Mo	42.50/Mo
11. Restaurant	56.00/Mo	58.50/Mo	61.00/Mo
12. Laundromat	172.00/Mo	256.00/Mo	339.75/Mo
13. Markets	25.50/Mo	36.00/Mo	46.25/Mo

(a) The Tulare County Housing Authority provides 14 multi-family residential units.

1 Section 2. Section 2 of Ordinance No. 1 of the Terra Bella Sewer Maintenance District
2 as previously amended by Ordinance No. 4 of the Terra Bella Sewer Maintenance District is
3 hereby amended to add Section 16 to the Terra Bella Sewer Maintenance District Rules and
4 Regulations to read as follows:
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6 SECTION 16. All buildings in construction on or constructed after July 1, 1996,
7 within the boundaries of the Terra Bella Sewer Maintenance District, inhabited or used by human
8 beings, and in which any sewage is produced shall be connected to the Terra Bella Sewer
9 Maintenance District sewer facilities prior to occupancy or within thirty days of receiving
10 permission to connect from the inspector of the Terra Bella Sewer Maintenance District,
11 whichever is later.
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13 Section 3. The foregoing ordinance shall take effect on July 1, 1996, and prior to the
14 expiration of fifteen (15) days from the passage hereof shall be published once in the Porterville
15 Recorder, a newspaper printed and published in the County of Tulare, State of California, and
16 distributed within the boundaries of the Terra Bella Sewer Maintenance District, together with
17 the names of the Board of Supervisors, sitting as the Governing Board of the Terra Bella Sewer
18 Maintenance District, voting for and against the same.
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20 THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors
21 of the County of Tulare, sitting as the Governing Board of the Terra Bella Sewer Maintenance
22 District, located in the County of Tulare, State of California, on the 12th day of March,
23 1996, at a regular meeting of said Board duly and regularly convened on said day by the
24 following vote:
25

26 AYES: William Sanders, District 1

27 Mel Richmond, District 2

28 Bill Maze, District 3

29 Charles Harness, District 4

30 James E. Maples, District 5

31 NOES: None

32 ABSENT: None

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Mel Richmond

Chairman, Board of Supervisors, Sitting as
the Governing Board of the Terra Bella
Sewer Maintenance District.

ATTEST: Clerk of the Board of the Terra
Bella Sewer Maintenance District, County
of Tulare, State of California

By *Jessie M. Farber*
Deputy