

**ORDINANCE NO. 2008-1**

**AN ORDINANCE OF THE BOARD OF DIRECTORS  
OF THE VOLCANO COMMUNITY SERVICES DISTRICT  
REGARDING WATER SERVICE**

BE IT ORDAINED by the Board of Directors of the Volcano Community Services District as follows:

**Section 1. Purpose and Authority.** This Ordinance establishes rules and regulations regarding water service. This ordinance is adopted pursuant to Government Code section 61060, and other applicable law.

**Section 2. Regulations.** The Board of Directors of the Volcano Community Services District (“District”) hereby adopts the following regulations affecting water service:

**A. Deadline to Connect to District Water System and Commence Water Service Where Property Owner Paid Participation Fees Prior to Adoption of Ordinance No. 2007-02 But Never Commenced Water Service.**

1. With respect to any property for which the property owner thereof has paid District participation fees to obtain water service therefor prior to adoption of Ordinance No. 2007-02, but has never connected the property to the District water system and commenced water service, the current owner of such property shall have 2 years from the effective date of this Ordinance to make such connection and commence water service to the property, unless otherwise specified in a pre-existing written agreement with the District.

2. If the property owner does not comply with the above provision, then the property owner no longer will be able to connect to the District water system. The property owner shall be entitled to a refund of any participation fees paid less 5% of such fees to cover the District's administration fees and costs incurred relative to the property owner's application. There shall be no extensions. The District will recover any meter installed, cap any connection to the District pipeline and refund any fees paid for such meter. The property owner shall be required to submit a new application for water service for the property in accordance with SECTION FOUR of Ordinance No. 2007-02 and be subject to any waiting list at the time of such application. With respect to any new application, the property owner shall pay all applicable charges and all applicable participation fees then in effect.

**B. Water Service Charges During Disconnection.**

With respect to any water service to a property which has been disconnected for whatever reason, including but not limited to the disconnection of a service provided through a meter serving multiple uses at a property where the disconnected service is billed a District monthly service charge or minimum charge, the customer shall continue to be obligated to pay the monthly service charge or minimum charge applicable to the service to the property. Such requirement shall apply to all properties to which service is currently disconnected and has received water service for any period of time prior to the adoption of this Ordinance. Prior to service being reinstated, the District shall require payment of any delinquent bill in full, together with all penalties thereon, and a reconnection charge. In the alternative, the property owner, to avoid the monthly service charge or minimum charge, could choose to forfeit the right to service

to the property. In such case, if the property owner ever desired to restore service, the owner would have to apply for service in accordance with SECTION FOUR of District Ordinance No. 2007-02 and would be subject to any waiting list then in effect.

**C. Forfeiture of Right of Service.**

Except as otherwise provided by law, if any water service bill remains delinquent for 9 months and service to the property has been disconnected, then the right to service to the property shall be forfeited. Any person seeking to restore water service to the property shall apply for service in accordance with SECTION FOUR of District Ordinance No. 2007-02 and would be subject to any waiting list then in effect.

**Section 3. Inconsistencies.** If any provision of this Ordinance is inconsistent with any provision of any other District ordinance, resolution, regulation or policy, the provisions of this Ordinance shall prevail.

**Section 4. Severability.** If any provision of this Ordinance is declared or found by a court for any reason to be invalid, illegal or unenforceable, no other provision shall be affected by such declaration or finding.

**Section 5. Effective Date.** This Ordinance shall take effect 30 days after its adoption.

Section 6.

Publication.

The District Secretary is directed to publish a copy of this Ordinance within 15 days after its adoption.

PASSED AND ADOPTED by the Board of Directors of the Volcano Community Services District on this 4<sup>th</sup> day of Aug, 2008, by the following vote:

AYES: 3  
NOES: 0  
ABSENT: 0  
ABSTAIN: 0

By: Taney M Bailey  
President, Board of Directors

ATTEST:

By: [Signature]  
Secretary, Board of Directors

**ORDINANCE 2008-2**

**AN ORDINANCE OF THE BOARD OF DIRECTORS  
OF THE VOLCANO COMMUNITY SERVICES DISTRICT  
ADOPTING A WATER SERVICE RECONNECTION CHARGE.**

BE IT ORDAINED by the Board of Directors of the Volcano Community Services District ("District") as follows:

**Section 1. Purpose and Authority.** This Ordinance establishes a reconnection charge for disconnected water service. This Ordinance is adopted pursuant to Government Code sections 61060 and 61115(a), and other applicable law.

**Section 2. Reconnection Charges.** A reconnection charge of \$250.00 shall be paid in advance to the District to re-establish any water service disconnected for any reason. Prior to water service being reinstated, the District also shall require payment in full of any delinquent bill of the property owner requesting reconnection, together with all penalties thereon.

**Section 3. Inconsistencies.** If any provision of this Ordinance is inconsistent with any provision of any other District ordinance, resolution, regulation or policy, the provisions of this Ordinance shall prevail.

**Section 4. Severability.** If any provision of this Ordinance is declared or found by a court for any reason to be invalid, illegal or unenforceable, no other provision shall be affected by such declaration or finding.

**Section 5. Effective Date.** This Ordinance shall take effect 30 days after its adoption.

**Section 6. Publication.** The District Secretary is directed to publish a copy of this Ordinance within 15 days after its adoption.

PASSED AND ADOPTED by the Board of Directors of the Volcano Community Services District on this 6th day of October, 2008, by the following vote:

AYES: 3  
NOES: 0  
ABSENT: 0  
ABSTAIN: 0

By: Nancy M Bailey  
President, Board of Directors

ATTEST:

By: Sharon Owens  
Secretary, Board of Directors