

SAN SIMEON COMMUNITY SERVICES DISTRICT

ORDINANCE NO. 77

AN ORDINANCE OF THE BOARD OF DIRECTORS TO ALLOW
HARDSHIP EXCEPTIONS TO THE PROHIBITION OF ADDING
PLUMBING FIXTURES

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE SAN SIMEON
COMMUNITY SERVICES DISTRICT ("DISTRICT") AS FOLLOWS:

SECTION 1: FINDINGS: The Board of Directors of the District
does hereby find, determine and declare as follows:

1. The findings set forth in Section 1 of Ordinance No. 66
are valid, true and correct and the measures adopted therein shall
remain in full force and effect.

2. There is a need to provide a means for meritorious
exceptions to be granted to the existing moratorium on additional
plumbing fixtures or increased demand for water and sewer uses.

section 2: HARDSHIP EXCEPTION TO WATER AND SEWER MORATORIUM:
Notwithstanding any other provision of any ordinance of the
District, the use of plumbing fixtures which use additional water
may be allowed during any moratorium for a demonstrated hardship
situation in accordance with the following procedures:

1. An application shall be filed with the District providing
all relevant information deemed necessary by District pertaining to
the need for said fixtures.

2. The District shall consider the application and may grant
an exception permitting the fixtures if one or more of the
following findings are made:

a. The proposed fixture(s) will have an insignificant increase in water usage.

b. The negative impacts associated with increased water usage are offset by positive impacts (e.g., reduced air pollution resulting from a decrease in vehicular traffic) directly associated with the proposed water use.

3. The District may impose reasonable terms and conditions on the exception to ensure that the goals, purposes and policies of the District's regulations are being satisfied. This includes, but is not limited to, such matters as periodic review by staff or the Board or limitations on actual usage.

SECTION 3: CONSTITUTIONALITY: If any action, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or the constitutionality of the remaining portions of this Ordinance. The Board of Directors of the District hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

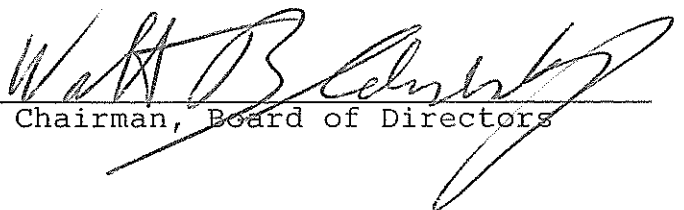
SECTION 4 EFFECTIVE DATE OF ORDINANCE: This Ordinance shall be in full force immediately upon passage and with fifteen (15) days thereof shall be published at least once in a newspaper of general circulation in the County of San Luis Obispo, California.

INTRODUCED, PASSED AND ADOPTED at a regular meeting of the Board of Directors held on the 8th day of April, 1992, on motion of Director Hahn, seconded by Director Price, and on the following roll call vote, to-wit:

AYES: Blankenship, Caras, Hahn, Price

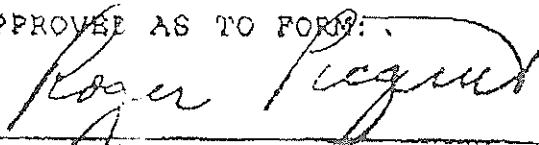
NOES: None

ABSENT: Cloud


Chairman, Board of Directors

ATTEST:


District Secretary

APPROVED AS TO FORM:

Roger Picquet
Assistant District Counsel