

ORDINANCE NO. 112

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT MANDATING USE OF RECYCLED WATER STRICTLY FROM THE SAN SIMEON COMMUNITY SERVICES DISTRICT'S RECYCLED WATER FACILITIES.

Whereas; The San Simeon Community Services District (hereby referred to as the District) owns and operates a recycled water system providing tertiary treated disinfected recycled water for approved purposes to customers within its service area; and

Whereas; It is the objective of the District to continually focus on ways to improve and enhance the quality of service to our customers. In light of this objective, it is the policy of the District that recycled water shall be used within its service area wherever such use is economically justified, financially and technically feasible and is not detrimental to public health, safety, welfare, and the environment; and

Whereas: All persons, customers, and properties served by the District seeking recycled water shall be restricted and required to only utilize the reclaimed water from the San Simeon Community Services District's recycled water system; and

Whereas: Reclaimed water is determined to be available and useful by the District and suitable for the uses being proposed, customers of the District subject to this Ordinance shall comply with all terms and conditions of reclaimed water service as prescribed by the District.

Section 1: Purpose

The District will offer recycled water that is surplus to the needs of the recycled water customers within the District's service area for such uses outside the service area of the District by agreement with the retail water purveyor. The purpose of this Ordinance is to promote the conservation and reuse of drinking water resources and to ensure maximum public benefit from the use of District's recycled water supply by regulating its use in accordance with applicable federal, state and local regulations.

Section 2: Policy

Recycled water supplies shall be used to the maximum extent possible for any approved use. This shall be accomplished through the collection and treatment of wastewater and the beneficial reuse of the resultant recycled water in compliance with applicable federal, state and local regulations.

Section 3: General Statement

Where water is used for irrigation, commercial uses, industrial process purposes, landscape impoundment, wildlife habitat, or Recreational Impoundment, the District may provide recycled water where technically and economically feasible.

However, each use must be approved on a case by case basis. Determination of the specific uses shall be in accordance with the treatment standards and water quality requirements set forth in Title 22, Division 4, Chapter 3 of the California Administrative Code and with the intent of this Ordinance to preserve the public health. Each use shall, in addition, be subject to the availability of distribution facilities or the technical and economic feasibility of making such facilities available, as determined by the District.

Section 4: District's Liability

The District is not responsible for any condition of the recycled water itself, or any substance that may be mixed with or be in recycled water as delivered to any customer, except as required by Title 22 and applicable regulations. The District shall not be liable for any damage from recycled water, including that resulting from inadequate capacity, defective plumbing, broken or faulty services, or recycled water mains; or any conditions beyond the control of the District.

Section 5: Compliance with Regulations

The District's recycled water shall be used in a manner that complies with all applicable federal, state, and local statutes, ordinances, regulations and other applicable requirements for the treatment level supplied, as determined by the District.

Section 6: Service Constraints

All service is contingent on the quantity and quality of recycled water available from District's facilities and shall be provided in accordance with this Ordinance and the terms of the Agreement between the District and the Customer.

Section 7: Distribution

The District reserves the right to control and schedule distribution as necessary to:

- 1) Maintain an acceptable working pressure.
- 2) Safeguard the public health.
- 3) Manage the availability of the recycled water supply.
- 4) Construct, maintain, and operate facilities.

Section 8: Metering & Charges For Service

All use shall be metered, and all customers shall be held responsible and charged for all recycled water passing through the meter(s). It is the policy of the District to price recycled water at a sufficient discount from the price of potable water to make the use of recycled water for irrigation and other suitable uses cost effective for new development, and result in savings sufficient to encourage existing customers of the District to convert existing uses to recycled water where appropriate. To accomplish this policy the Board of Directors will set the price of recycled water service at least 10% less than the price of potable water served by the District.

Section 9: Unauthorized Sale

The reselling of District recycled water is hereby unauthorized and prohibited.

Section 10: Unauthorized Usage:

When the District has discovered an unauthorized use: The District shall, as appropriate, notify the California Department of Public Health of such unauthorized use. Repeated unauthorized usage shall be considered as tampering with District property and may result in the offender being charged and prosecuted.

Section 11: Enforcement, Investigation, and Initial Determination

The District shall investigate all reports of non-compliance to any provision of this Ordinance to determine the seriousness of the violation based upon:

- 1) The magnitude and duration of the violation.
- 2) Its effect on the operation of District's Recycled Water System.
- 3) Its effect on District's compliance with regulatory agency rules and regulation.
- 4) The history and good faith of the customer.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Directors of the San Simeon Community Services District; passed and adopted Ordinance 112 at a regular meeting held on this 16th day of August 2012 by the following vote:


Chairperson Ricci Y	Vice-Chair McAdams Y	Director Fields Y
Director Price Y	Director Williams Y	

On motion of Director Price, Seconded by Director Williams.

ATTEST:

ATTEST:

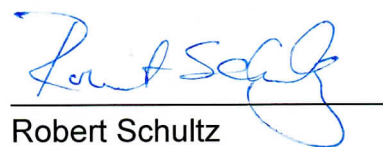
APPROVED AS TO FORM:



Dolores Ann Ricci
Chairperson



Charles Grace
General Manager/
District Secretary



Robert Schultz
District Council