

ORDINANCE NO. 61

AN ORDINANCE OF THE SAN SIMEON ACRES COMMUNITY SERVICES DISTRICT ESTABLISHING A TEMPORARY MORATORIUM ON THE ISSUANCE OF WATER AND SEWER CONNECTIONS WITHIN THE BOUNDARIES OF THE DISTRICT.

BE IT ORDAINED by the Board of Directors of the San Simeon Acres Community Services District as follows:

SECTION I. FINDINGS

The Board of Directors of the San Simeon Acres Community Services District do hereby find, determined, and declare as follows:

- (A) There currently exists a serious water quality problem within the boundaries of the San Simeon Acres Community Services District.
- (B) The water quality poses a current and immediate threat to the health and safety of the people within the District.
- (C) The granting of additional water and sewer connections within the District would result in an immediate threat to the public health and safety.

SECTION II. MORATORIUM ON WATER AND SEWER CONNECTIONS

The District shall immediately cease the granting of water and sewer connections on properties located within the boundaries of the San Simeon Acres Community Services District, for the construction for any of the following:

- (1) Any new structure that will require new water or sewer service; or
- (2) Any expansion of an existing structure that will incorporate additional plumbing fixtures; or
- (3) Any expansion of an existing structure that will increase its potential for occupancy and demand for water or sewer.

SECTION IV. DURATION OF MORATORIUM

The provisions of this Ordinance shall remain in effect until August 15, 1986, and as of such date this Ordinance is repealed, unless a later enacted Ordinance, which is effective before August 15, 1986, deletes or extends such date.

SECTION V. CONSTITUTIONALITY

If any section, 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 San Simeon Acres Community Services 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 VI. EFFECTIVE DATE OF ORDINANCE

This Ordinance shall be in full force and effect thirty (30) days after passage and within 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 at a regular meeting of the Board of Directors held this 8th day of January, 1986, and PASSED AND ADOPTED at an adjourned regular meeting of the Board of Directors held this 15th day of January, 1986, on motion of Director Raymond Price, seconded by Director GILBERT HOFFMAN, and on the following roll call vote, to wit:

AYES : Lonnie Price, Raymond Price, Gilbert Hoffman
NOES : ABSTAINED: DONALD KIOEDAN
ABSENT: ROBERT LANGKAMP

Lonnie Price
Lonnie Price, President of the
San Simeon Acres Community
Services District and of the
Board of Directors Thereof.

ATTEST:

APPROVED AS TO FORM:

Adell W. Cashdan
Adell W. Cashdan, Secretary of
the San Simeon Acres Community
Services District and of the
Board of Directors Thereof.

Paul A. Geins
Paul A. Geins, Attorney for the
San Simeon Acres Community
Services District and of the
Board of Directors Thereof.

PAUL A. GEIHS
Attorney at Law
640 Dolliver Street
Pismo Beach, California 93449
Telephone No. (805) 773-4601