

ORDINANCE NO. 002A

AN ORDINANCE OF THE VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY AMENDING ITS RULES AND REGULATIONS FOR CONNECTION TO THE SEWERAGE SYSTEM

WHEREAS, Ordinance 002, adopted May 26, 1983, establishes and imposes a fee for the connection of real property to the sewerage system of the Victor Valley Wastewater Reclamation Authority ("VWVRA"), and a fee for an increase in strength or quantity of wastewater attributable to particular users of the VWVRA sewerage system; and

WHEREAS, Sections 3.01 and 3.05 of Ordinance 002, as amended July 25, 1985, provides for the method of imposition and payment of connection fees.

NOW THEREFORE, the Board of Commissioners of the Victor Valley Wastewater Reclamation Authority does hereby ordain as follows:

SECTION 1. Section 3.01 of Ordinance 002 is amended to read as follows:

SECTION 3.01 - CONNECTION FEES

No person or parcel shall connect any parcel or improvement within the boundaries of the VWVRA to the sewerage system until a sewer connection permit or similar instrument has been issued by the local agency having jurisdiction over land use. Connection fees shall be collected as described in Section 3.05 herein. (Paragraphs (1) and (2) of Section 3.01 remain unchanged.)

SECTION 2. Section 3.05 of Ordinance 002 is amended to read as follows:

SECTION 3.05 - IMPOSITION, PAYMENT, AND COLLECTION OF CONNECTION FEE

No sewer use by any person or parcel shall be permitted prior to payment of the connection fee. The connection fee for a parcel shall be paid and collected at the time of final inspection, or at the time the certificate of occupancy is issued to the subject parcel, whichever occurs first. No person who has secured a sewer connection permit prior to July 1, 1982 from the local agency having jurisdiction over land development shall be liable for the payment of a connection fee with respect to facilities of the type, quantity, and strength of use therein described.

In order to assure uniform calculation and collection of connection fees, and in accordance with good audit procedures, each member agency shall be responsible for the calculation and collection of connection fees from properties located within their respective jurisdictions. The connection fee shall be calculated according to VWVRA Ordinance 001 and 002, and shall be forwarded to VWVRA on a monthly basis. Connection fees collected during each calendar month are due and payable no later than the last day of the next month. Interest will be assessed for connection fees

received more than fifteen (15) days beyond the due date. The interest charge will be calculated using the State of California legal interest rate applicable to judgments.

SECTION 3. The provisions of this Ordinance are severable. If any provision or clause of this Ordinance is held invalid, such invalidity shall not affect other provisions of this Ordinance which can be given effect without the invalid provision or application.

SECTION 4. This Ordinance shall take effect and be in full force thirty (30) days after its adoption. Prior to the expiration of the fifteen (15) days from its adoption, the Ordinance or a summary of it shall be published in The Daily Press, a newspaper of general circulation within the boundaries of the Victory Valley Wastewater Reclamation Authority.

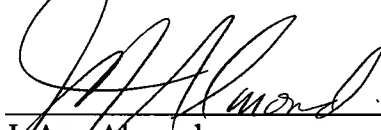
APPROVED AND ADOPTED this 21st day of August, 1997 by the following vote:

AYES:
NOES:
ABSTENTIONS:



Barbara Loux
Chair, VVWRA Board of Commissioners

ATTEST:



JoAnn Almond
Secretary, VVWRA Board of Commissioners

APPROVED AS TO FORM:



James P. Morris
for Best Best & Krieger LLP
Counsel, VVWRA