

AN ORDINANCE OF THE SAN SIMEON ACRES
COMMUNITY SERVICES DISTRICT CONTINUING A 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 ("District") as follows:

SECTION I. FINDINGS.

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

A. There currently exists a serious water quality and quantity problem within the boundaries of the District;

B. There currently exists a moratorium on new sewer and water connections within the District originally established by Ordinance No. 61 and extended by Ordinance No. 63 to April 1, 1988. The intent of the Board of Directors by this Ordinance is to keep in effect said moratorium after the April 1, 1988, expiration date of Ordinance No. 63;

C. The water quality and quantity problems of the District pose a current and immediate threat to the health and safety of the people within the District;

D. The granting of additional water and sewer connections within the District contrary to the provisions of this ordinance would result in an immediate threat to the public health and safety;

E. The District is diligently pursuing long term supplemental water supplies, but until the time when such supply is available, it is necessary to continue the existing moratorium.

SECTION II. MORATORIUM ON WATER AND SEWER CONNECTIONS.

Except as provided in Section IV of this Ordinance, the District shall shall not allow water and sewer connec-

tions or service on properties located within the boundaries of the District to serve 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 III. DURATION OF MORATORIUM.

The provisions of this Ordinance shall remain in effect until repealed. This ordinance supersedes Ordinance No. 63.

SECTION IV. VESTED RIGHT EXEMPTION. The prohibition on new sewer or water connections provided in Section II of this Ordinance shall be inapplicable to projects receiving a vested rights exemption pursuant to Section 4 of District Ordinance No. 65.

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 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 immediately upon 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, PASSED AND ADOPTED at a regular meeting of the Board of Directors held this 9th of March, 1988, on motion of Director Hoffman, seconded by Director Blankenship, and on the following roll call vote, to-wit:

AYES: Beal, Hoffman, Blankenship, Boniface, Price

NOES: None

ABSENT: None



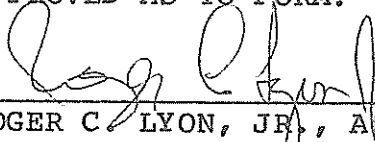
President of the San Simeon Acres
Community Services District and of
the Board of Directors Thereof

ATTEST:



Shauna D. Head, Secretary of
the San Simeon Acres Community
Services District and of the
Board of Directors Thereof

APPROVED AS TO FORM:



ROGER C. LYON, JR., Attorney
for the San Simeon Acres
Community Services District