

SAN SIMEON COMMUNITY SERVICES DISTRICT
ORDINANCE NO. 78
AN ORDINANCE OF THE BOARD OF DIRECTORS TO ESTABLISH
REGULATIONS FOR SEWAGE BACKFLOW VALVE INSTALLATION

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

WHEREAS, it is hereby found and determined by the Board of Directors of the District that in order to promote the health and welfare of the community it is necessary to establish measures that may include requiring the installation of an approved backflow valve to prevent sewage backflow; and

WHEREAS, the District desires to eliminate the potential for backflow from District sewers into private structures by installation and maintenance of backflow valves;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the San Simeon Community Services District do ordain as follows:

Section 1: That the recitals set forth hereinabove are true, correct and valid.

Section 2: Any new or existing sewer lateral which services fixtures whose elevation is lower than the elevation of the first upstream sewer manhole rim, lamphole, or pump station wet well cover of the public sewer shall be protected from backflow of sewage by the installation of a District approved backflow valve. The property owner shall be required to provide and install the District approved backflow valve.

Section 3: If a property owner fails to install and maintain a required backflow valve in

good working condition, the District may declare said sewer connection to be a nuisance and may abate said nuisance as provided for by law.

Section 4: All residential sewers, industrial sewers, private sewage disposal systems and appurtenances thereto now existing or hereafter constructed within the District shall be maintained by the owner of the property in a safe and sanitary condition and all devices or safeguards which are required herein for the operation thereof shall also be maintained in good working order by the property owner.

Section 5: This ordinance is adopted under the authority of Government Code section 61622.

Section 6: 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 effect the validity or 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 thereof be declared invalid or unconstitutional.

Section 7: This ordinance shall be in full force and effect 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.

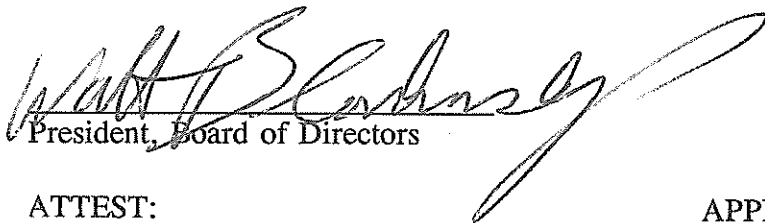
INTRODUCED, PASSED AND ADOPTED at a regular meeting of the Board of Directors held on the 12th day of August, 1992, on motion of Director Hahn, seconded by Director Price, and on the following roll call vote, to wit:

AYES: Blankenship, Caras, Hahn, Price

NOES: None

ABSENT: None

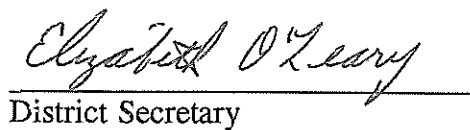
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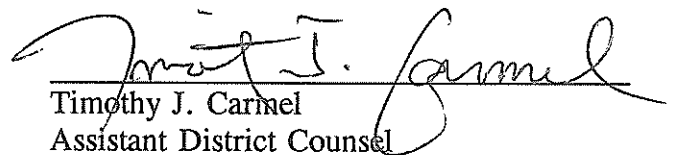
President, Board of Directors

ATTEST:

APPROVED AS TO FORM:



District Secretary



Timothy J. Carmel
Assistant District Counsel