

ORDINANCE NO. 2013-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA AMENDING ARTICLE 1 OF CHAPTER 6-4 OF THE SAN JUAN BAUTISTA MUNICIPAL CODE TO ADD THERETO SECTIONS 6-4-111 AND 6-4-112 TO REQUIRE ANNEXATION OF EXTRA-TERRITORIAL PROPERTY CONNECTING TO WATER SERVICE, AND TO IMPOSE CERTAIN RECONNECTION FEES

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WHEREAS, the City of San Juan Bautista operates, maintains and provides public potable water services to the citizens, properties within the City of San Juan Bautista and some adjacent properties outside the City limits, and

WHEREAS, it is in the best interest of the City that properties requesting connection to the City's water system will be required to install, construct, and extend water mains, lines and services to the properties boundaries and pay all connection fees, water impact fees, meter cost, meter box cost, labor and materials to installation water services, and

WHEREAS, properties outside the City limits, where water mains and water line facilities exist and are currently being served, will be limited to the existing service connections. Any increase in meter size or numbers of water services connections to the property will be required to pay all fees required for new connection and agree to be annexed into the City limits pursuant to laws, procedures, and rules of the San Benito County Local Agency Formation Commission (LAFCo) and the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA HEREBY ORDAINS AS FOLLOWS:

Section 1. Section 6-4-111 hereby is added to Article 1 of Chapter 6-4 of the San Juan Bautista Municipal Code, to read as follows:

Water Service Outside City; Annexation. Property outside the City limits requesting new water service connection shall be required to annex or enter into an irrevocable offer to annex the property into the City Limits prior to connections to City's water distribution system. The property will be responsible to install, construct and extend, to the City's standards, all water mains, lines and water appurtenances to the property boundaries at the sole cost of the property owners and pay all connection fees, impact fees, water meter cost, shut off valves, water service laterals,

water valves, fire hydrants and other appurtenances associated with water services to said property.

Section 2. Section 6-4-111 hereby is added to Article 1 of Chapter 6-4 of the San Juan Bautista Municipal Code, to read as follows:

Water Service Reconnection Fees. When a property owner requests reconnection twelve or more months following termination or disconnection of water services, the property owner shall be required to pay all labor, materials and incidental costs, reconnection fees and 50% of the current adopted water impact fees.

Section 3. Severability. This Ordinance and the various parts thereof are hereby declared to be severable. Should any section of the Ordinance be declared by a court to be unconstitutional or invalid, such decisions shall not affect the validity of the Ordinance as a whole, or any parts thereof, so declared to be unconstitutional or invalid.

Section 4. Effective Date. This Ordinance shall go into effect thirty (30) days after the date of its adoption.

THE FOREGOING ORDINANCE was first read at a regular meeting of the San Juan Bautista City Council on the 21st day of May, 2013, and adopted at a regular meeting of the San Juan Bautista City Council on the 18th day of June, 2013, by the following vote:

AYES: **Boch, Cosio, Lund, Edge, Moore**

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

Tony Boch Mayor

ATTEST:

Linda G. McIntyre, City Clerk