

ORDINANCE NO. 5

(Supersedes Ordinance #4)

BIG PINE COMMUNITY SERVICE DISTRICT

INYO COUNTY, CALIFORNIA

AN ORDINANCE ESTABLISHING RATES  
AND CHARGES FOR WATER SERVICE

BE IT ORDAINED by the Board of Directors of the Big Pine Community Service District, Inyo County, California, as follows:

ARTICLE I

Definitions

Section 101. Service Availability Charge: The monthly Service Availability Charge is for the use, or reasonable availability for the use, of the system, and shall be due regardless to whether the system is actually used.

Section 102. Additional Terms: Additional terms shall have the meaning indicated in District Ordinance Nos. 1, 2 3 and 4.

ARTICLE II

Section 201. Applicability: Applicable to all water services including domestic, commercial, parks, playgrounds and any other water service for which no other rate schedule is specified.

Section 202. Monthly Rates:

A. Service Availability Charge:

<u>Size of Meter</u>	2007	7/1/08	7/1/09	7/1/10	7/1/11	7/1/12
1½ inch and smaller	\$ 8.00	\$16.00	\$17.00	\$18.00	\$19.00	\$20.00
2 inch	10.00	20.00	21.00	22.00	23.00	24.00
3 inch	25.00	50.00	51.00	52.00	53.00	54.00
4 inch	40.00	80.00	81.00	82.00	83.00	84.00

B. Commodity Charge: Per Billing Unit - \$ 0.45

C. Minimum Charge: The Service Availability Charge

Section 203. Special Conditions:

Billing: The bill shall be the sum of the Service Availability Charge and the Commodity Charge.

ARTICLE III

Public Fire Hydrant Service

Section 301. Applicability: Applicable to public fire hydrant service.

Section 302. Monthly Rates: Charges for operation, maintenance and replacement of fire hydrants shall be according to an agreement between the District and the Big Pine Volunteer Fire Department.

ARTICLE IV

Temporary Construction Service

Section 401. Applicability: Applicable to temporary water service for construction purposes.

Section 402. Monthly Rates: Commodity Charge per Billing Unit is \$ 0.45.

ARTICLE V

Combining Meters

Section 501. For the purpose of computing charges, each meter serving the customer's premises will be considered separately, and readings of two or more meters will not be combined as equivalent to measurement through one meter except when such combination is for the convenience of the District.

In those instances when, by reason of special operating conditions, the District substitutes two or more meters of smaller size for a single larger meter on the same service connection, the size of service connection shall be substituted for the size of the meter in the application of the rate schedule.

ARTICLE VI

General Provisions

Section 601. Purpose: This District finds that the foregoing water rates heretofore fixed by the District are for the following purposes:

- A. Meeting operating and maintenance expenses, including wage rates and contract costs;
- B. Purchasing or leasing supplies, equipment or materials;
- C. Meeting financial reserve needs and requirements; and
- D. Obtaining funds for capital projects that are necessary to maintain service within the existing District area.

Section 602. Environmental Exemption: The approval of said water rates by this District is exempt from the requirements of the California Environmental Quality Act under the provisions of Section 21080(b)(8), and this District makes this claim of exemption pursuant to said Section and authorizes a claim of exemption to be filed with the appropriate agencies.

Section 603. Partial Invalidity: If any section, subsection, sentence, clause or phrase in this ordinance or the application thereof to any person or circumstance is for any reason held invalid, the validity of the remainder of the ordinance or the application of such provision to other persons or circumstances shall not be affected thereby. The District hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof to any person or circumstance be held invalid.

## ARTICLE VII

### Relief from Unjust Rates

Section 701. The owner or occupants of any premises who, by reason of special circumstances, finds that the foregoing rates are unjust or inequitable as applied to this premises, may make written application to the Board, stating the circumstances and requesting a different basis of charges for water service to his premises. If such application be approved, the Board may, by resolution, fix and establish fair and equitable rates for such premises to be effective as of the date of such application and continuing during the period of such special circumstances. The Board may, on its own motion, find that by reason of special circumstances, the foregoing rates are unjust and inequitable as applied to particular premises, and may, by resolution, fix and establish fair and equitable rates for such premises during the period of such special circumstances or any part thereof.

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PRESIDENT  
Big Pine Community Service District

ATTESTED:

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Secretary

I hereby certify that the foregoing is a full, true and correct copy of an Ordinance passed and adopted at a Special meeting of the Board of Directors of the Big Pine Community Service District duly held on the 6<sup>th</sup> day of May, 2008 by the following vote of the members thereof:

AYES, and in favor thereof, Members: Kevin Tillemans  
Mitch Colvin  
Lupeta Mahoney

NOES, Members: 0

ABSENT, Members: Gary Doyel, Approval by Phone  
Don Nelson, Approval by Phone

May 6, 2008

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Bobbie Lovig

Secretary

APPROVED:

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Kevin Tillemans  
President  
Big Pine Community Service District