

## **SECTION 6: MISCELLANEOUS**

### **Section 6.01 Collection of Fees:**

- A. Pursuant to the provisions of Section 12811 of the Public Utilities Code, all fees, tolls, rates, rentals or other charges established under provisions of this Ordinance may be collected by any lawful means including an action at law and all remedies for the collection and enforcement thereof are cumulative and may be pursued alternatively or consecutively.
- B. Pursuant to the provisions of Section 12811.1 of the Public Utilities Code, the owner of record of real property within the District is required to pay fees, tolls, rates, rentals and other charges that have become delinquent together with interest and penalties thereon, for services rendered to a lessee, tenant, or other occupant of the property and those fees, tolls, rates, rentals and other charges will constitute a lien on the property when a certificate is filed in the Office of the County Recorder and such lien has the force, effect and property judgment lien.
- C. Any fees, rates, or charges established by any of the provisions of this Ordinance shall not exceed the reasonable cost to the District of the rendition of the service for which the fee or charge is imposed.

### **Section 6.02 Appeals Procedures:**

- A. Any person aggrieved by a decision of the General Manager in the application of any provision of this Ordinance may appeal said decision to the Board of Directors pursuant to the following procedure:
  - 1. Within 20 calendar days after receipt of written notice of the decision of the General Manager, the aggrieved party may file a written Notice of Appeal setting forth in detail the reasons for said appeal. In the event no written Notice of Appeal is filed within the aforesaid 20 calendar day period, the decision of the General Manager shall become final.
  - 2. Immediately upon receipt of any Notice of Appeal filed within said 20 calendar-day period, the Secretary shall mail copies thereof to each member of the Board of Directors.
  - 3. At the next regular meeting following the filing of said Notice of Appeal, the Board can either hear the appeal or set a time convenient to the Board of the hearing of such appeal.
  - 4. The aggrieved or appealing party, or his authorized representative, shall be personally present at the hearing of such appeal and failure of said

aggrieved party or his authorized representative to appear at said hearing shall constitute sufficient grounds for affirmance of the decision of the General Manager.

**Section 6.03 Severability:**

- A. It is hereby declared that in the event any provision or section of this Ordinance is declared void or invalid by any Court of competent jurisdiction, that the remaining sections of the Ordinance shall not be affected thereby, and it is the intent of said Board of Directors to enact each and every, all and singular, of the provisions of this Ordinance irrespective of any provision which may be declared null and void.

**Section 6.04 Ordinance Introduction:**

- A. This Ordinance was introduced at a regular meeting of the Board of Directors on the 5<sup>th</sup> of February, 2009.

**Section 6.05 Ordinance Publication:**

- A. Upon final passage, this Ordinance, or a summary of this Ordinance, shall be published once a week for two successive weeks in a newspaper of general circulation within the District, pursuant to the provisions of Sections 11534 and 11910 of the Public Utilities Code.

**Section 6.06 Effective Date:**

- A. This Ordinance to take effect upon final passage.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of South Placer Municipal Utility District on this 5<sup>th</sup> day in March, 2009 by vote.