

**SOUTH PLACER MUNICIPAL UTILITY DISTRICT
ORDINANCE 17-01**

**AN ORDINANCE REVISISING SEWER USE ORDINANCE 09-02 TO CONFORM TO
SB 1069 AND ESTABLISH DISTRICT OWNERSHIP OF LOWER LATERALS**

**BE IT ENACTED BY THE BOARD OF DIRECTORS OF SOUTH PLACER
MUNICIPAL UTILITY DISTRICT AS FOLLOWS:**

SECTION 1: AMENDMENTS TO ORDINANCE 09-02

Section 1, Definitions, of Ordinance 09-02 shall be amended as follows:

Section 1.01 Terms Defined:

Unless the context specifically indicates otherwise, the following terms, as used in this Ordinance, shall have the following meanings as defined in this section:

...

Q. “Lower Lateral”: That part of building sewer within the public right-of-way, extending from the property line or District easement line to the public sewer by gravity flow.

...

X. “P.L.C.O.” Property Line Cleanout: The access point installed on the building sewer near the public right-of-way, intended for access of the publicly owned Lower Lateral.

...

NN. “Accessory Dwelling Unit” or “ADU” shall have the meaning set forth in California Government Code Section 65852.2.

...

Section 3, Charges and Fees, shall be amended as follows:

...

Section 3.03 Participation Charges – Residential:

A. Determination of Residential Equivalent Dwelling Units. For purposes of this Ordinance, Residential Equivalent Dwelling Units (“EDU’s”) shall be determined as follows: All dwelling units, including, but not limited to single family homes, duplexes, condominiums, mobile homes, and apartments shall be one (1) EDU per living unit, except for Accessory Dwelling Units (“ADUs”) as provided below:

1. An ADU set forth in shall not be considered a Residential EDU for the purposes of the assessment of a Participation Charge applicable to the ADU, and shall not be assessed a Participation Charge, provided the following conditions are met::

- a. The ADU is not intended for sale separate from the primary residence and may be rented.
- b. The ADU is either attached to the existing dwelling and located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.
- c. The increased floor area of an attached ADU shall not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square feet.
- d. The total area of floorspace for a detached ADU shall not exceed 1,200 square feet.

2. Any other living unit not meeting the above definition of an ADU shall be considered a Residential EDU and shall pay the appropriate Participation Charge as authorized by this Ordinance.

3. Notwithstanding the foregoing, an ADU shall be billed at the same rate as a Residential EDU for purposes of the assessment of the Monthly Service Charge.

SECTION 2: MISCELLANEOUS PROVISIONS

Section 2.01 Conflicts:

In the event of a conflict between any provision of this Ordinance and the provisions of any other ordinance, rule or regulation promulgated by any California city or county or by any federal or state agency, the provisions of this Ordinance shall prevail except in cases where Federal or California law provide otherwise.

Section 2.02 Introduction/Publication/Effect:

- A. This Ordinance was introduced at a regular meeting of the Board of Directors on the 5th day of January 2017.
- B. 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.
- C. Ordinance to take effect upon final passage.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the South Placer Municipal Utility District on this ____ day of _____, 2017 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT: