

AN ORDINANCE OF THE MONTEREY COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT ESTABLISHING WATER STANDBY AND AVAILABILITY CHARGES

The Board of Supervisors of the Monterey County Flood Control and Water Conservation District do ordain as follows:

Pursuant to Resolution No. 82-207 of the Board of Supervisors of the Monterey County Flood Control and Water Conservation District, adopted on May 18, 1982, the Board of Supervisors expressed its intention to adopt an ordinance imposing water standby and availability charges in Zone 2A of this District for the 1982-83 fiscal year to be used for on-going maintenance and operation in said Zone 2A. A hearing was duly called and held on June 8, 1982 at 1:30 p.m. Notice concerning said resolution was given in the manner and for the time required by law.

SECTION 2.

Pursuant to Section 5.4 of the Monterey County Flood Control and Water Conservation District Act (Chapter 699 of the Statutes of 1947) a water standby and availability charge is hereby fixed and established for the fiscal year 1982-83. The water availability and standby charge shall be made on all land in Zone 2A of the Monterey County Flood Control and Water Conservation District and shall be computed in accordance with the following schedule:

Group A - Irrigated agriculture, residential, commercial or institutional use.

1. TWENTY CENTS (\$0.20) per year for each parcel of land 1/4 acre or less.
2. SEVENTY EIGHT CENTS (\$0.78) per year per acre for each parcel of land greater than 1/4 acre.

Group B - Industrial use.

1. THIRTY EIGHT CENTS (\$0.38) per year for each parcel of land 1/4 acre or less.

2. ONE DOLLAR AND FIFTY TWO CENTS (\$1.52) per year per acre for each parcel of land greater than 1/4 acre.

Group C - Dry farm and grazing use and vacant land.

1. EIGHT CENTS (\$0.08) per year per acre for each parcel of land.

Group D - River channels, creeks or marshland subject to frequent flooding.

1. TWO CENTS (\$0.02) per year per acre for each parcel of land.

### SECTION 3.

The Board of Supervisors of this District on or before the third Monday in August shall furnish in writing to the Board of Supervisors of Monterey County and the County Auditor of said county a description of each parcel of land within Zone 2A upon which said water availability charge is to be levied and collected for the fiscal year 1982-83, together with the amount of water availability charge fixed on each parcel of land.

### SECTION 4.

This Board of Supervisors of the Monterey County Flood Control and Water Conservation District hereby directs that, at the time and in the manner required by law for the levying of taxes for County purposes the Monterey County Board of Supervisors shall levy, in addition to any other tax it levies, the water standby and availability charges in the amounts for the respective parcels fixed by this Board of Supervisors of the Monterey County Flood Control and Water Conservation District. All County officers charged with the duty of collecting taxes shall collect the water standby and availability charge in the same form and manner as County taxes are collected and shall be paid to the District. Such water standby and availability charges are a lien on the property with respect to which they are fixed. Collection of the charges may be enforced by the

same means as provided for the enforcement of liens for state and county taxes.

SECTION 5.

The Secretary of this District shall deliver certified copies of this Ordinance to the Board of Supervisors of Monterey County and to the Auditor of Monterey County.

SECTION 6.

If any section, sub-section, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or otherwise invalid, then such unconstitutional or other wise invalid part shall not affect the validity of the remaining sections or portions of the ordinance, and this Board of Supervisors hereby declares that it would have passed this ordinance irrespective of the fact that any one or more of said sections, sub-sections, sentences, clauses, or phrases would be declared unconstitutional or other wise invalid.

PASSED AND ADOPTED this 15<sup>th</sup> day of JUNE, 1982, by the following votes:

AYES: Supervisors Del Piero, Petrovic, Moore.

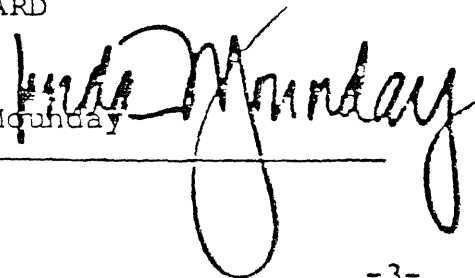
NOES: None.

ABSENT: Supervisors Shipnuck and Peters.

  
Chairman of the Board of Supervisors

ATTEST:

ERNEST A. MAGGINI,  
CLERK OF SAID BOARD

  
/s/ Linda Munday (SEAL)  
Deputy