

ORDINANCE NO. 3398

AN ORDINANCE OF THE MONTEREY COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT ESTABLISHING
WATER STANDBY OR AVAILABILITY CHARGES
FOR ZONE 2A

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

SECTION 1.

Pursuant to Resolution No. 89-254 of the Board of Supervisors of the Monterey County Flood Control and Water Conservation District, adopted on May 16, 1989, the Board of Supervisors expressed its intention to adopt an ordinance imposing Water Standby or Availability Charges in Zone 2A of this District for the 1989-90 fiscal year to be used for ongoing maintenance and operation in said Zone 2A. A hearing was duly called and held on June 6, 1989. 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 or Availability Charge is hereby fixed and established for the fiscal year 1989-90. The Water Standby or Availability 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 agricultural, residential, commercial or institutional use.

1. ONE DOLLAR AND THIRTY FOUR CENTS (1.34) per year for each parcel of land $1/4$ acre or less.
2. FIVE DOLLARS AND THIRTY EIGHT CENTS (\$5.38) per year per acre for each parcel of land greater than $1/4$ acre.

GROUP B - Industrial use.

1. TWO DOLLARS AND SEVENTY CENTS (\$2.70) per year for each parcel of land 1/4 acre or less.
2. TEN DOLLARS (\$10.00) 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. FORTY SIX CENTS (\$0.46) per year per acre for each parcel of land.

GROUP D - River channels, creeks, or marsh land subject to frequent flooding.

1. FOUR CENTS (\$0.04) 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 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 Standby Charge is to be levied and collected for the fiscal year 1989-90, together with the amount of Water Standby 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 or 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 or Availability Charge in the same form and manner as County taxes are collected and shall be paid to the District. Such Water Standby or 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 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 the Auditor of Monterey County.

SECTION 6.

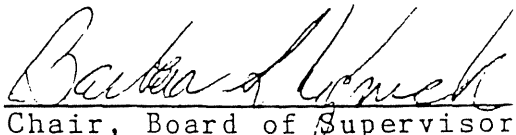
If any section, sub-section, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or otherwise invalid, then such unconstitutional or otherwise invalid part shall not affect the validity of the remaining sections or portions of this ordinance, and this Board of Supervisors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

PASSED AND ADOPTED this 20th day of June, 1989, by the following vote to wit:

AYES: Supervisors Del Piero, Shipnuck, Petrovic, Karas and Kauffman.

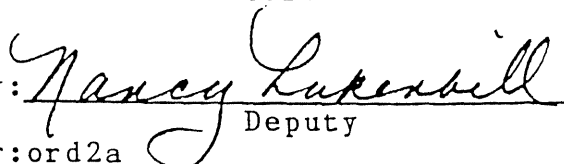
NOES: None.

ABSENT: None.


Chair, Board of Supervisors

ATTEST:

ERNEST K. MORISHITA,
Clerk of the Board

By: 
Deputy

wr:ord2a