

ORDINANCE NO. O. 02-2009

**AN ORDINANCE OF THE GOVERNING BOARD
OF THE BIG BEAR AREA REGIONAL WASTEWATER AGENCY
CLARIFYING THE SEWER STANDBY OR IMMEDIATE
AVAILABILITY CHARGES FOR THE FISCAL YEAR 2009/10**

WHEREAS, the Governing Board desires to clarify the sewer standby or immediate availability charges contained in Ordinance No. O.03-2008.

NOW, THEREFORE, the Governing Board of the Big Bear Area Regional Wastewater Agency hereby ordains as follows:

SECTION 1. Chapter 5.20 of the Big Bear Area Regional Wastewater Agency Code of Regulations and Ordinances is hereby amended to read as follows:

"Chapter 5.20

SEWER STANDBY OR IMMEDIATE AVAILABILITY CHARGES

Sections:

5.20.010 Properties subject to charges.

5.20.020 Amount of charges.

5.20.030 Collection

5.20.040 Credit against connection fee.

5.20.010 Properties subject to charges.

This Governing Board does hereby prescribe sewer standby or immediate availability charges (hereinafter "standby charge") for the fiscal year 2009/10 in the amounts hereinafter specified to be paid by the owners of all vacant parcels of real property which are located within 200 feet of a sewer main of the public sewer system of either the Big Bear City Community Services District or the City of Big Bear Lake or the public sewer system within Improvement Zone "B" of San Bernardino County Service Area 53 and by the owners of all improved parcels of real property which are so located but not connected to the public system. Such standby charges shall be collected from all owners of vacant parcels of real property which are so located and which are vacant as of July 1, 2009 and from all owners of improved parcels of real property which are so located and which are not connected to the public sewer system as of said date; provided, however, that owners of parcels of real property which are used primarily for public parking areas shall not be required to pay such a standby charge. The term "parcel of real property" means a parcel to which the County Assessor of the County of San Bernardino has assigned a separate assessor's parcel number, whether such parcel consists of a single lot or parcel or combination of lots or parcels.

5.20.020 Amount of charges.

Owners of parcels of real property which are an acre or less in size shall pay a standby charge in the amount of \$20.00, and owners of parcels or real property which are more than an

acre shall pay a standby charge in the amount of \$30.00. All such standby charges shall be due and payable on or before November 30, 2009.

5.20.030 Collection.

Such standby charges shall be collected by the Big Bear City Community Services District, the City of Big Bear Lake, and the County of San Bernardino from all owners of parcels of real property within their respective service area, the service area of said County being the territory within Improvement Zone "B" of San Bernardino County Service Area 53, whose parcels are subject to such charges, and shall be remitted by said District, City and County to the Agency on or before November 30, 2009. Said District, City and County are hereby designated as and shall be the agents of the Agency for purposes of collecting such standby charges and shall have and exercise all powers which could be exercised by the Agency with respect to the collection of such charges.

5.20.040 Credit against connection fee.

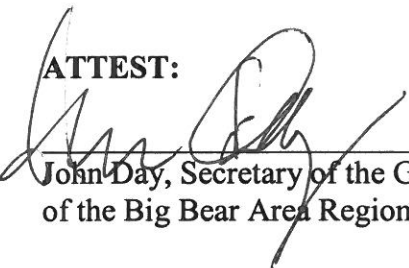
Any owner of a parcel of real property who pays a standby charge and who later during said fiscal year makes application to connect to the public sewer system a home or business establishment which is located upon the parcel of real property for which such standby charge was paid, shall receive a credit against the connection fee, if any is due, in the amount of such standby charge."

SECTION 2. This ordinance shall become effective on July 1, 2009. The Secretary of this Governing Board shall cause a copy of this ordinance to be published once in the Big Bear Grizzly. The Secretary shall deliver a certified copy of this ordinance to the City of Big Bear Lake, the County of San Bernardino and the Big Bear City Community Services District.

ADOPTED, this 25th day of February 2009.



Elizabeth Harris, Chair of the Governing Board
of the Big Bear Area Regional Wastewater Agency

ATTEST:


John Day, Secretary of the Governing Board
of the Big Bear Area Regional Wastewater Agency

I, John Day, Secretary of the Governing Board of the Big Bear Area Regional Wastewater Agency, DO HEREBY CERTIFY that the foregoing Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency Clarifying the Sewer Standby or Immediate Availability Charges for the Fiscal Year 2009/10 of the Big Bear Area Regional Wastewater Agency, San Bernardino County, State of California, being Ordinance No. O.02-2009 was adopted at a regular meeting on February 25, 2009 of said Agency by the following vote:

AYES: 4
NOES: 0
ABSTAIN: 0
ABSENT: 1


Secretary

(Seal)