# ORDINANCE NO. 23-24-01

**(REVISED AS OF JUNE 20, 2024)**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE MENDOCINO COUNTY WATERWORKS DISTRICT #2 PRESCRIBING CONDITIONS FOR CONNECTION TO AND USE OF WASTEWATER FACILITIES.**

The Board of Directors of the Mendocino County Waterworks District #2 does hereby ordain as follows:

# ARTICLE I

GENERAL PROVISIONS

1. Purpose

The purpose of this Ordinance is to provide for the beneficial public use of the Mendocino County Waterworks District #2 (MCWD#2) sewerage facilities by establishing regulations relating to connections to and use of the MCWD#2 public sewer system. These regulations are adopted in accordance with the authority granted to the District by California Water Code §55333.

1. Scope

The provisions of this Ordinance shall apply to the direct or indirect discharge of liquid-carried wastes to the District facilities. This Ordinance provides for the regulation of sewer construction within the District, the quantity and quality of wastewater discharged, the issuance of permits for connection to the system, the operation and maintenance of facilities, and the provisions for enforcement of this Ordinance.

1. Waste Disposal Policy

Liquid wastes originating within the sewer zones of the District will be accepted into the sewerage system, provided the wastes will not 1) damage structures; 2) create nuisances; 3) threaten public health, unreasonably increase collection, treatment, or disposal costs to the District; 4) interfere with wastewater treatment processes; or 5) exceed quality requirements established by regulatory agencies.

Currently there is no industrial waste contribution to the sewerage system. The future use of the system for industrial wastewater is subject to additional regulation by the District.

1. Short Title

This Ordinance may be cited as the *Mendocino County Waterworks District #2 Wastewater Use Ordinance.* This document will supersede the original Ordinance 93-01.

1. Declaration

All connections required hereby shall be made in accordance with the rules, regulations, and Ordinances of the District.

1. Effect of Ordinance on past actions and obligations.

The adoption of the ordinance shall not in any manner:

* 1. Affect the prosecution for violations of ordinances, which violations were committed prior to the effective date of this Ordinance.
	2. Be construed as a waiver of any license, fee, or penalty at said effective date due and unpaid under such ordinances.
	3. Be construed as affecting any of the provisions of such ordinances relating to the collection of any such license, fee, or penalty, or the penal provisions applicable to any violation thereof; or
	4. Affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance and all rights and obligations thereunder appertaining shall continue in full force and effect.
1. Constitutionality.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the ordinance. The Board declares that it would have passed the Ordinance, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional, and if for any reason the ordinance should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

1. Maintenance of building sewers.

It is the responsibility of the property owner to maintain their sewer lateral connection in good condition in its entirety from the building served through the point of connection with the public sewer, regardless of whether said building sewer is located in a public street, alley, easement or other location on or off of owner’s property.

1. Effective Date. This Ordinance becomes effective as of June 20, 2024.
2. Definitions

The definitions given in this part shall be used in the interpretation of this Ordinance, the issuance of permits, the setting and collecting of fees and charges for services and other provisions of this Ordinance, unless another meaning is apparent from the context.

1. Average Flow Rate – shall mean the average rate at which wastewater is discharged to a collecting or main line sewer, during a 24-hour period. This flow rate can also be measured as an average dry weather flow (ADWF) rate for summer months and peak wet weather flow (PWWF) rate for the winter months.
2. Board - shall mean the Board of Directors of the Mendocino County Waterworks District #2.
3. BOD (Biochemical Oxygen Demand) - shall mean the measure of biologically decomposable organic matter in domestic or industrial wastewater as represented by the oxygen consumed over a 5-day period at 20 degrees Celsius.
4. Commercial User - shall mean any non-residential user that the District finds introduces primarily domestic wastewater from sanitary conveniences. Commercial users include, but are not limited to, mobile home parks, office space, campgrounds, supermarkets, banks, service stations, salons, hotels, restaurants, and hardware stores.
5. Connection Inspection Fee - shall be the fee established by the Board to cover the cost of administration and inspection of new on-site facilities and connections to the District collection system.
6. Discharger - shall mean any person or persons that discharge or cause a discharge to the District facilities.
7. District - shall mean the Mendocino County Waterworks District #2 .
8. Domestic Wastewater - shall mean the waterborne wastes produced by normal human living processes. It shall include commercial wastewater but not industrial wastewater.
9. Effluent Disposal Facilities – shall mean all those facilities as described and required by the existing Order No R1-2021-0005 and NPDES No. CA0024040, that provides disinfected secondary level treated wastewater to discharge to ocean and land disposal irrigation facilities.
10. Equivalent Single Family Dwelling Unit (ESD) - shall mean the basic unit of service for determining the quantity of wastewater discharged to the system, and the basis for establishing fees for sewer service. An ESD is calculated by dividing the total yearly wastewater flow attributed to all residential customers and then dividing by 365 days to acquire the average gallons per day per customer.
11. General Manager - shall mean the manager of the Mendocino County Waterworks District #2, through an employment or contract basis. The General Manager is the authorized representative of the District with respect to the operation and maintenance of the public sewer, the collection of District fees and charges, and the enforcement of District regulations including this Ordinance.
12. Grease Traps – shall mean those approved devices used by the commercial and industrial establishments to remove grease and solids from the waste stream.
13. Industrial Wastewater - shall mean all waterborne wastes and wastewater excluding domestic wastewater and uncontaminated water, and shall include all wastewaters from any producing, manufacturing, processing, institutional, commercial, agricultural, or other operation where the wastewater discharged includes significant quantities of wastes not of human origin.
14. Inspector - shall mean a person authorized by the General Manager to inspect the construction of on-site facilities, collection systems, pumping stations, treatment, storage, and disposal facilities.
15. Lateral Sewer - shall mean the sewer connecting to the collection or main line sewer and shall include both the portions on the private parcel and in the public right of way or easement.
16. Main Line Sewer - The main line is the main sewer transmission pipeline which allows for the transmission of raw wastewater through the District’s collection system to the District’s wastewater treatment plant (WWTP).
17. Parcel - shall mean a parcel of land as defined in the records of the County Assessor.
18. Peak Wet Weather Flow (PWWF)– shall mean the average rate at which wastewater is discharged to a collecting or main line sewer, during a 24-hour period. This flow rate can also be measured as a peak wet weather flow (PWWF) rate for winter months.
19. Person - shall mean any individual, partnership, firm, association, corporation, or public agency.
20. Property Owner - shall mean the person or other legal entity holding legal title to the property obtaining sewer service from the District.
21. Public Sewer - shall mean any sewer dedicated to public use and which use is controlled by the District.
22. Residential Customer – shall mean any residential user that the District finds introduces primarily domestic wastewater from sanitary conveniences.
23. Right of Entry Agreement - shall mean the agreement between a property owner and the District for the construction, installation and operation and maintenance of the on-site facilities.
24. Septage - shall mean the residual liquid and/or solids pumped from septic tanks or interceptor tanks.
25. Sewer Service Area – shall mean those sewer service area currently being served by the District.
26. Sewage - shall mean wastewater.
27. Sewerage - shall mean all facilities used for collection, conveying, pumping, treating, and disposing of wastewater.
28. Sewerage System - shall mean the network of wastewater collection, conveyance, pumping, treating, storage, and disposal facilities owned by the District.
29. Solid Waste - shall mean the non-liquid, non-water-carried wastes normally considered to be suitable for disposal with refuse at sanitary landfill refuse disposal facilities.
30. Suspended Solids (SS)- shall mean the insoluble solid matter suspended in wastewater that is separable by laboratory filtration and the amount of tiny solid particles that remain suspended in water and act as a colloid. The measurement of suspended solids is one way of gauging water quality.
31. Third Party Users – shall mean any potential sewer customer(s) located outside the District’s Service Area that are requesting services and will be required to pay their share of operation and maintenance fees as established within this ordinance and through third party agreements. These fees shall proportionally allocate the cost of service among all parcels to which service is provided or for which service is immediately available.
32. Treatment Process - shall mean the process by which wastewater for the District sewerage system is treated.
33. Turbidity- shall mean the cloudiness, opacity, or haziness of the suspended particles as found in the wastewater entering or being discharged from the wastewater treatment plant.
34. Uncontaminated Water - shall mean any wasted water not contaminated or polluted with wastewater or other waste products and which is suitable for discharge to a natural or man-made drainage system.
35. User - shall mean the discharger or shall mean the legal owner of a parcel served, or any person who has requested the sewer service charge be billed to them.
36. Wastewater - shall mean the water carrying wastes derived from human or industrial sources. Rainwater, groundwater, drainage, or uncontaminated water is not wastewater.

# ARTICLE II

SEWERAGE SYSTEM

1. District Service Area

The District services the downtown commercial area of Anchor Bay and the small subdivision east of the downtown area. The District also receives untreated wastewater from Anchor Bay Campground.

1. Sewerage System

The District collections system receives raw wastewater from a combination of residential and commercial users. There are no industrial users within the District boundaries. The collection system consists of gravity sewer mains and two lift stations. Lift station number 2 is the terminus of the collection system and from there it is pumped to the District's Wastewater Treatment Plant (WWTP).

1. Maintenance Responsibility

The District shall be responsible for the maintenance and repair of the main sewer lines only. The Building Sewer or lateral from the structure to the District’s main sewer line is the responsibility of the property owner.

The District reserves the right to assess penalties on any customer(s) discharging their wastewater to the MCWD#2 wastewater treatment facilities if it is found that the quantity and or quality of the wastewater flow is causing serious impacts to the ability of the District to properly treat the influent wastes. These customers will be charged accordingly.

1. Ownership and Right of Entry

As a condition of obtaining sewer service the property owner is required to assign access to any on-site facilities to the District and to grant to the District a Right of Entry to inspect and maintain sewer facilities in accordance with the terms and conditions established by the District and the property owner.

1. Limits of Service

Sewer service may not be provided to areas outside of the District service area except as approved by the Board in accordance with the provisions of this Ordinance and all applicable state laws, which exceptions include any existing or future agreements. Sewer service shall be provided only to parcels which are within the District service area. Parcels outside the District seeking sewer services must first be annexed to the District if possible. The cost of annexing will be at the proposed new property owners’ expense.

1. Public Nuisance

Commencing with the effective date of this Ordinance, the following are hereby declared to be a public nuisance and such uses are hereby prohibited within the District’s service area:

* 1. The use of cesspools, septic tanks or leach fields, or any other means of sewage disposal, other than connection to the District collection system, including any privately engineered system, whether for a single building or multiple buildings.
	2. The continued occupancy or habitation or use of any building which is not connected to the sewerage system in compliance with this Ordinance.

# ARTICLE III

SEWER CONNECTIONS

1. Connections Required

 Commencing with the effective date of this Ordinance, all buildings within the District service area from which wastewater is generated shall be connected to the District sewerage collection system.

 a) For all third-party customers, the point of connection shall be at a designated location, as described in subsequent agreements and within the District’s Service Area.

 b) Both District Service Area customers and those defined as third-party customers shall adhere to all requirements as described within Sections 2- 9, below.

1. Permit to Connect

No person or third party shall use, alter, disturb, uncover, make any connections with or opening into any public sewer, appurtenance thereof or on-site system without a written permit authorized by the General Manager of the District.

1. Application Required

Any person proposing to construct or modify any building from which wastewater may be generated shall make an application to the District for a permit to connect to the District system.

1. Permit Application Procedure

Applications for connections to the District system shall be made by the property owner or his or her agent on a form furnished by the District. Each application shall be supplemented by such plans, specifications, analyses of strength and quantity of wastewater to be produced, flow data, and other information as shall be deemed necessary by the General Manager. At the time of filing the application, the applicant shall pay the connection fee and any plan approval fees established by the District. This application procedure shall be applied to all existing and any future third-party customers. No permit shall be required for the clearing of stoppages or the repairing of leaks in plumbing inside of buildings and structures.

1. Cost of Sewer Connection

The connection to the public sewer, including the cost of all on-site facilities shall be installed at the sole expense of the owner of the property served. Such connections shall not be made without prior authorization of the General Manager or his representative, receipt of a complete application, and payment of all applicable fees and charges. A connection inspection fee shall also be paid prior to the start of any construction work.

1. No Vested Interest

The holders of all permits issued hereunder shall always be subject to all applicable District regulations. At no time and in no way shall the holder of any permit acquire or be regarded as having acquired a vested or continuing right to have or maintain continued connection to the District’s system.

1. Connection Standards

All on-site facilities and connections to the District collection system shall be in accordance with the standard specifications of the District, the requirements of the connection permit, and other requirements imposed by state or federal law. All connections shall be made gastight and watertight and shall be verified by proper testing. Any deviation from the prescribed standards or procedures must be approved by the General Manager in writing prior to installation. The District reserves the right to reject any or all of the constructed facilities, if it is found that the facilities fail to meet the District standards. Any future third-party customers shall be required to meet all standards within their jurisdiction in accordance with standard specifications.

1. Inspection; Right of Entry

The General Manager and his or her designated assistants, upon exhibition of proper credentials, shall have the right of entry upon private property for the purpose of inspection and maintenance of sanitary and waste disposal facilities.

All on-site facilities or lateral sewers to be connected to the District collection system shall be inspected by District personnel at the start of and during construction. No wastewater shall be discharged into the collection system prior to obtaining inspection and approval of the construction by the General Manager.

The applicant, or the person doing the work authorized by the applicant, shall notify the District orally or in writing when the work is ready for inspection. Such notice shall be given not less than twenty-four (24) hours before the work is to be inspected. It is required that the person responsible for the work be on the job site at the time of the inspection. Work which cannot be visually inspected will not be accepted.

Following satisfactory completion and inspection, the District will authorize sewer service to the applicant.

# ARTICLE IV

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SEWER USE REGULATIONS

1. Discharge to Drainage Systems Prohibited

It shall be unlawful to discharge within the District any wastewater or polluted waters into any storm drain or natural channel. All sewage, waste, and wastewater within the District’s service area shall be discharged to the District collection system except as hereinafter provided.

1. Discharges Shall Comply

All discharges to the District sewerage system shall comply with the regulations set forth in this Ordinance. Any sewer or waste disposal facility tributary to the District's collection system found by the General Manager to be unsanitary is hereby declared to be a public nuisance and subject to abatement.

1. Prohibited Discharges

No person shall discharge or cause to be discharged to a public sewer, which directly or indirectly connects to the District sewerage system, the following wastes:

* 1. Any wastewater which contains more than 100 milligrams per liter (mg/1) of fat, oil, or grease. At the discretion of the District, if there is a reasonable concern that a property is generating wastewater more than 100 mg/l of fat, oil or grease, a sample will be taken and sent to a certified lab for testing at the property owner’s expense.
	2. Any wastewater having a Ph lower than 6.0 or higher than 10.0 or having other corrosive properties capable of causing damage or hazard to structures, equipment, or personnel of the sewage system.
	3. Any wastewater containing synthetic detergents in sufficient quantity to injure or interfere with any treatment process or create problems in the treated effluent.
	4. Any wastewater containing suspended solids of such character and quantity that is unusual or causes extraordinary expense may be required to manage such materials before discharging into the District’s collection system.
	5. Any gasoline, benzene, naphtha, solvent, fuel oil or any liquid, solid or gas that would cause or tend to cause flammable or explosive conditions in the sewerage system.
	6. Any wastewater containing toxic or poisonous solids, liquid hazardous in such quantities that, alone or in combination with other waste substances, may create a hazard for humans, animals, or the local environment, interfere with wastewater treatment processes, cause a public nuisance, or cause any hazardous, conditions to occur in the sewerage system.
	7. Any solids or viscous substances of such quantity that they may cause obstruction to flow in the sewer or be detrimental to proper wastewater treatment plant operations. These objectionable substances include, but are not limited to, asphalt, dead animals, offal, ashes, sand, mud, straw, process shavings, metal, glass, rags, feathers, tar, plastics, wood, bones, entrails, paper dishes, paper cups, either whole or ground coffee diaper and cleaning wipes, or any other similar paper products.
	8. Any rainwater, stormwater, groundwater, street drainage, subsurface drainage, roof drainage, yard drainage, or other uncontaminated water.
	9. Any water added for the purpose of diluting wastewater that would otherwise exceed applicable maximum concentration levels.
	10. Any non-biodegradable cutting oils, commonly called soluble oil, from persistent water emulsions.
	11. Any wastewater containing excessive quantities of iron, boron, chromium, phenols, plastic resins, copper, nickel, zinc, lead, mercury, cadmium, selenium, arsenic, or any other objectionable materials toxic to humans, animals, and the local environment, or to biological or other wastewater treatment process.
	12. Any quantities of radioactive materials.
	13. Any wastewater having a temperature higher: than 150 degrees F (Fahrenheit) or 65 degrees C (Celsius).
	14. Any wastewater that contains substances or has characteristics which, either alone or by interaction with other wastewater, cause or threaten to cause damage to, interference with, or obstruction of flow in the District's sewerage system or create a hazard to human life.
1. Grease, Oil and Sand Interceptors

Grease, oil, or sand interceptors shall be provided when in the opinion of the General Manager they are necessary for the proper handling of wastewaters containing grease in excessive amounts, or any sand, flammable material, or other harmful materials, except that such interceptors shall not be required for private dwelling units.

All grease interceptor tanks shall be of a type and/ capacity approved by the General Manager prior to construction and shall be located to be easily accessible for inspection and cleaning. The interceptor shall be of substantial construction, made of impervious materials, capable of withstanding abrupt and extreme changes in temperature, and equipped with easily removable covers which when bolted in place shall be gastight and watertight. The cost of installation shall be borne by the customer.

All grease, oil and sand interceptors shall be constructed, and maintained and operated efficiently at all times by the user or property owner, and at the expense of the property owner. The District reserves the right to inspect at any time the constructed grease traps to assure that they are working properly, and no oil and grease is escaping from the grease trap. The District has the right to request that any oil and grease separator not working properly be replaced with an appropriate device, at the expense of the customer.

1. Limitations on Garbage Grinders

Waste from garbage grinders shall not be discharged to the sewerage system except for wastes generated in the preparation of food normally consumed on the premises, such as in a home or restaurant.

1. Prohibition of Liquid Wastes

Liquid wastes that have been collected and held in tanks or containers shall not be discharged to the sewerage system. Wastes in this category shall include but not be limited to:

* 1. septic tank pumping’s
	2. chemical toilet
	3. industrial wastes
	4. oils and greases
	5. any other materials not classified as residential sewage, including chemicals and other materials which might directly or indirectly enter the District sewerage system.
1. No Joint Discharge

No person shall discharge any substance directly into a manhole or other opening in the sewerage system; all such discharges shall be through an approved connection to the system.

1. Special Agreements

The General Manager shall have the responsibility to evaluate and the authority to determine whether to permit discharges into the District wastewater treatment system on a case-by-case basis. The Board of Directors shall retain ultimate authority to determine the appropriateness of any discharge into the wastewater treatment system. These regulations are adopted in accordance with the authority granted to the District by California Government Code Section §61060.

No statement contained in this Ordinance shall be construed as preventing any special agreement between the District and any person whereby any wastewater of unusual strength, character or composition may be accepted by the District. Such agreement may be allowed when in the opinion of the Board the circumstances warrant an exception. In the event that any such special agreement involves adding an extraordinary costs to the District, such person shall be required to reimburse the District for all such costs, and to post with the District such bond or other guarantees as are acceptable to the Board prior to discharging any such wastewater into the public sewer. District costs are listed in Article V, Section 1: Sewer Charges and Fees.

If the quality of water received by a third-party from any special arrangements jeopardizes the District’s ability to abide by its guidelines set forth in WDR Order No. R1-2002-0004 will be required to pretreat their raw wastewater before discharging to the District’s wastewater treatment facilities.

# ARTICLE V

ENFORCEMENT

1. Administration and Enforcement

The General Manager shall be responsible for the administration of the sewerage system and with enforcement of all of the provisions of this Ordinance. The General Manager shall be the authorized agent of the District in any enforcement proceedings filed on behalf of the District. The prevailing party in any enforcement proceedings filed on behalf of the District shall be entitled to an award of reasonable attorneys' fees and costs in addition to any other relief that may be granted in such proceedings.

The enforcement mechanisms available to the District for violations of the provisions of this ordinance, applicable District resolutions. and permit provisions are the following:

* + 1. Informal administrative action (including NOVs and warning notices).
		2. Administrative orders, compliance schedules, and other reports.
		3. Imposition of fines and fees for noncompliance with permit requirements.
		4. Imposition of penalties for noncompliance with administrative orders.
		5. Assessment of charges for obstruction or damage to District facilities or operations.
		6. Suspension or termination of services.
		7. Civil action.
		8. Criminal action.
1. Non-Payment of Fees or Charges

Any charge levied by the District pursuant to this Ordinance on any parcel having a connection to the District sewerage system shall constitute a lien upon the property, which lien may be filed with the County Clerk. The General Manager may, with the authorization of the Board of Directors, take further legal action to foreclose any such lien or otherwise collect any unpaid fees or charges. Any parcel subject to a lien in accordance with this Article shall be required to pay a reasonable administrative charge to release such lien. Furthermore, the General Manager may be authorized to retain the services of a collections agency to assist in the collection of any unpaid fees or charges and may otherwise use any legal means to collect any fee or charge owed to the District.

1. Penalties

Any person violating this Ordinance shall be guilty of a misdemeanor punishable by a fine not exceeding One Thousand Dollars ($1000.00) or by imprisonment in the County Jail for a term not to exceed six months, or by both such fine and imprisonment. A separate offense shall be deemed to have occurred for each and every week during any portion of which any violation is continued and shall be punishable as provided herein. Furthermore, and in addition to any other remedies provided for the collection of charges in accordance with California Government Code § 61115, the District shall be entitled to an award of reasonable attorney's fees and costs as part of any judgment in an enforcement action filed on behalf of the District. In addition, the District may obtain a monetary recovery in a civil action for any and all damages suffered by the District as a result of the actions giving rise to any legal action filed on behalf of the District. The remedies set forth in this Ordinance are cumulative and may be pursued alternatively or consecutively.

1. Informal administrative actions

District staff may, on an informal basis, take action against a discharger for minor violations of the Ordinance or technical or clerical shortcomings of a user or a user’s compliance submittals. These informal administrative actions may include informal notices (i.e., telephone calls or emails to the user’s representative), notices of violation (NOVs), informal meetings or warning letters. Such action will not prevent a subsequent or concurrent imposition of noncompliance fees or other enforcement mechanisms.

1. Appeals
	1. Any user or other person aggrieved by any decision, action, finding, determination, order, or directive of the General Manager which is made or authorized pursuant to the provisions of this Ordinance may file a written request with the General Manager for reconsideration thereof within ten (10) days of such decision, action, finding, determination, or order, setting forth in detail the facts supporting the request for reconsideration. The General Manager shall make a final decision within fifteen (15) days after the receipt of such request for reconsideration.
	2. Any user or other person aggrieved by the final determination of the General Manager may appeal such determination to the Board within fifteen (15) days after notification of the final determination of the General Manager and shall set forth in detail the facts and reasons supporting the appeal in writing. Any such written appeal must be filed with the General Manager and must be accompanied by the appeal fee required by the District. Failure to file a timely written appeal of the General Manager's determination, and pay the required appeal fee, shall result in the denial of the appeal. The appeal shall be heard by the Board at its next regularly scheduled meeting unless otherwise requested by the General Manager or the appellant. The appellant, the General Manager, and such other persons as the Board may deem appropriate, shall be heard at the hearing on such appeal.
	3. The Board shall cause notice to be given, at least ten (10) days prior to the time fixed for such hearing, to all persons affected by such appeal, of the time and place fixed by the Board for hearing such appeal. The Board shall direct the General Manager to mail a written notice, postage prepaid, to all such aggrieved persons whose addresses are known to the Board, and to publish such notice once in a newspaper of general circulation within the District at least five (5) days prior to the date fixed for such hearing.
	4. Upon conclusion of the hearing, the Board may affirm reverse, or modify the final determination of the General Manager as the Board deems just and equitable, and in harmony with the provisions of this Ordinance. During the pendency of any such appeal, the final determination of the General Manager shall remain in full force and effect. The Board determination on the appeal shall be final.
2. Collections and Other Court Proceedings

The Board of Directors of the District may authorize the General Manager or a member of the Board by resolution to file legal action in small claims court to collect past due amounts for services rendered by the District. Such small claims actions shall be brought in any appropriate branch of the Mendocino County Superior Court of California. In the event the District’s claim exceeds the jurisdiction of the small claims court, court proceedings may be prosecuted by the District in any appropriate venue in accordance with California law.

Notice of the commencement of court proceedings shall be provided to an adverse party by any means permitted under California law.

# ARTICLE VI

MISCELLANEOUS

1. Supersedes

When in effect, this Ordinance shall supersede Ordinance No.93-01

1. Severability

The Board hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more of the other sections, subsections, sentences, clauses, or phrases be declared unconstitutional and/or invalid.

1. Relief on Own Motion

The Board may, on its own motion, find that by reason of exceptional circumstances any provision of this Ordinance should be suspended or modified, order such suspension or modification for such premises during the period of such exceptional circumstances, or any part thereof.

In regular session of the Board of Directors of the Mendocino County Waterworks District #2 , passed this 20th day of June, 2024 on a regular roll call of the members of said Board by the following vote:

Directors: Aye No Abstain Absent

Linda Maria Koza \_\_ \_\_\_ \_\_\_\_\_\_ \_\_\_\_\_\_

Alex McDonnell \_\_ \_\_\_ \_\_\_\_\_\_ \_\_\_\_\_\_

Lisa Weineke \_\_ \_\_\_ \_\_\_\_\_\_ \_\_\_\_\_\_

Donna Lemmon \_\_ \_\_\_ \_\_\_\_\_\_ \_\_\_\_\_\_

Jens Shelby \_\_ \_\_\_ \_\_\_\_\_\_ \_\_\_\_\_\_

**SO, ORDERED**

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Linda Marie Koza, President

Mendocino County Waterworks District #2

ATTEST:

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_