



ORDINANCE NO. SD-74

OF THE BOARD OF DIRECTORS OF THE NEVADA COUNTY SANITATION DISTRICT NO. 1

AN ORDINANCE AMENDING SUBSECTIONS 1.6, 4.3, 4.4 AND 4.5 OF TITLE 4 OF THE SANITATION DISTRICT CODE PERTAINING TO REVISED SEWER SERVICE CHARGE RATE ADJUSTMENTS

THE BOARD OF DIRECTORS OF THE NEVADA COUNTY SANITATION DISTRICT NO. 1,
STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

SECTION I:

That the revised sewer service charge rate adjustments be approved based on the following findings A-C:

- A. That the Board of Directors have accepted the County of Nevada Sanitation District No. 1 Wastewater Fee Study – All Zones (Fee Study) dated April 23, 2021 projecting expenses, revenues and reserves for a planning period through FY 2029-30 to provide a long-term outlook of the projected fund balances within each of the 10 District zones.
- B. That the Fee Study proposes annual sewer charges for five fiscal years (FY 2021-22 through FY 2025-26) as allowed per Article XIID, Section 6 of the State Constitution.
- C. That pursuant to Section 21080(b)(8) of the California Public Resource Code that the higher sewer service charge rates are derived directly from the cost of providing service, are necessary to meet operating expenses required for maintenance of service; and are therefore exempt from environmental review.

SECTION II:

Subsection 1.6 County Executive Officer of Chapter 1 of Title 4 Sanitation District Code is hereby amended to read as set forth in Exhibit "A.1," attached hereto and incorporated herein by reference.

SECTION III:

Subsection 4.3 Charges Established, of Chapter 4 of Title 4 Sanitation District Code is hereby amended to read as set forth in Exhibit "A.2," attached hereto and incorporated herein by reference.

SECTION IV:

Subsection 4.4 Adjustment for Overcharge or Undercharge, of Chapter 4 of Title 4 Sanitation District Code is hereby amended to read as set forth in Exhibit "A.3," attached and incorporated herein by reference.

SECTION V:

Subsection 4.5 Annual Rate Adjustment, of Chapter 4 of Title 4 Sanitation District Code is hereby amended to read as set forth in Exhibit "A.4," attached hereto and incorporated herein by reference.

SECTION VI:

If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION VII:

This Ordinance shall take effect and be in full force thirty (30) days from and after introduction and adoption, and it shall become operative on the day of July 23, 2021, and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the Supervisors voting for and against same in the Union, a newspaper of general circulation printed and published in the County of Nevada.

PASSED AND ADOPTED by a majority vote of the Board of Directors of the Nevada County Sanitation District No. 1, held on the 22nd day of June, 2021, by the following vote:

Ayes: Directors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Hardy Bullock.
Noes: None.
Absent: None.
Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Directors

By: 


Dan Miller, Chair

6/22/2021 cc: NCS#1*
CC*
Union
GIS*
QC*
COB*

EXHIBIT A.1

Sec. 1.6 County Executive Officer

The County Executive Officer for the County of Nevada shall be the ex-officio District Administrator for the Nevada County Sanitation District No. 1. The County Executive Officer is authorized to enter into and to execute all contracts or agreements on behalf of the Nevada County Sanitation District No. 1 that are \$25,000 or under and which are not contracts that fall within Public Contract Code Section 20131 relating to the authority granted to purchasing agents, contracts for construction of public improvements and contracts which must be awarded after public notice and competitive bidding. (Adopted by SD-5, 3/26/79; repealed and re-enacted by SD-35, 5/13/97; amended by SD-56, 6/13/06; SD-72, 5/24/11)

EXHIBIT A.2

Sec. 4.3 Charges Established

Sewer service and sewer standby charges are hereby established for the Lake Wildwood, Lake of the Pines, North San Juan, Gold Creek, Penn Valley, Mountain Lakes Estates, Cascade Shores, Eden Ranch, Higgins Village and Valley Oaks Court zones within Nevada County Sanitation District No. 1 as follows:

A. Lake Wildwood, Zone No. 1

1. Standby Charge. Sewer Standby Charge Total: \$385.00 per EDU.

This Sewer Standby charge is levied to provide for annual maintenance expenses and capital acquisition and improvements in accordance with Section 4.2 of the Sanitation District Code.

Each parcel of land in the Lake Wildwood Zone No. 1 that has sewer capacity allocated to it for future connection to the Lake Wildwood Zone No. 1 sewage disposal system will be assessed the following fees per EDU:

Sewer Maintenance: \$102.00.

Capital Acquisition and Improvement: \$283.00.

2. Service Charge. Sewer Service Charge Total per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Sewer Service Charge	\$1,112.00	\$1,248.00	\$1,399.00	\$1,441.00	\$1,484.00

This Sewer Service Charge is levied to provide for the cost of ongoing operation, annual maintenance expenses, and capital acquisition and improvements in accordance with Section 4.1 of the Sanitation District Code.

Each improved parcel of land that has sewer capacity allocated to it and is connected to the Lake Wildwood Zone No. 1 sewage disposal system will be assessed the following fees for each connected EDU:

Sewer Maintenance and Operation per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Sewer Maintenance and Operation	\$830.00	\$966.00	\$1,126.00	\$1,160.00	\$1,195.00

Capital Acquisition and Improvement per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Capital Acquisition	\$282.00	\$282.00	\$273.00	\$281.00	\$290.00

and Improvement					
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3. Dedication of Revenue. Sewerage system sewer charges collected from Lake Wildwood Zone No. 1 of Nevada County Sanitation District No. 1, as established by Ordinance Nos. SD-49 and SD-50 and as may hereafter be levied, are hereby dedicated as the source of revenue repayment of any and all State Revolving Fund loans on the Lake Wildwood Wastewater Treatment Plant Improvements 2006 (State Project No. C-06-4969-110). This dedicated source of revenue shall remain in effect until such loan or loans are fully discharged, unless modification or change of such dedication is approved, in writing, by the State Water Resources Control Board and the Board of Directors of Nevada County Sanitation District No. 1.

B. Lake of the Pines, Zone No. 2.

1. Standby Charge. Sewer Standby Charge Total: \$475.00 per EDU.

This Sewer Standby charge is levied to provide for annual maintenance expenses and capital acquisition and improvements in accordance with Section 4.2 of the Sanitation District Code.

Each parcel of land in the Lake of the Pines Zone No. 2 that has sewer capacity allocated to it for future connection to the Lake of the Pines Zone No. 2 sewage disposal system will be assessed the following fees per EDU:

Sewer Maintenance: \$100.00.

Capital Acquisition and Improvement: \$375.00.

2. Service Charge. Sewer Service Charge Total per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Sewer Service Charge	\$1,384.00	\$1,618.00	\$1,892.00	\$1,892.00	\$1,892.00

This Sewer Service Charge is levied to provide for the cost of ongoing operation, annual maintenance expenses, and capital acquisition and improvements in accordance with Section 4.1 of the Sanitation District Code.

Each improved parcel of land that has sewer capacity allocated to it and is connected to the Lake of the Pines Zone No. 2 sewage disposal system will be assessed the following fees for each connected EDU:

Sewer Maintenance and Operation per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Sewer Maintenance and Operation	\$1,017.00	\$1,251.00	\$1,525.00	\$1,525.00	\$1,525.00

Capital Acquisition and Improvement per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Capital Acquisition and Improvement	\$367.00	\$367.00	\$367.00	\$367.00	\$367.00

3. New EDUs Not Previously Allocated. Each parcel with a new EDU shall be charged a fee of \$14,700.00 as prepayment of the charges for debt service related to capital acquisition and improvement, in accordance with Section 2.9 of this Code. Its annual fee shall not include the fees for Capital Acquisition and Improvement in the amount of \$375.00 as shown above.

4. Nevada Joint Union High School District (Owner of the Parcel Identified as APN 21-730-32). The High School District has prepaid the charges for debt service on its connected and standby EDUs, in accordance with the agreement authorized by Sanitation District Resolution No. SD-06-42. Its annual fee shall not include the fees for Capital Acquisition and Improvement in the amount of \$375.00 as shown above.

5. Dedication of Revenue. Sewerage system sewer charges collected from Lake of the Pines Zone No. 2 of Nevada County Sanitation District No. 1, as established by Ordinance Nos. SD-49 and SD-50 and as may hereafter be levied, are hereby dedicated as the source of revenue repayment of any and all State Revolving Fund loans on the Lake of the Pines Wastewater Treatment Plant Improvements 2006 (State Project No. C-06-4968-110). This dedicated source of revenue shall remain in effect until such loan or loans are fully discharged, unless modification or change of such dedication is approved, in writing, by the State Water Resources Control Board and the Board of Directors of Nevada County Sanitation District No. 1.

6. DarkHorse Community. The following parcels have been assessed an annual surcharge of \$1,748.00 collected annually for ten fiscal years beginning in fiscal year 2010-11 through fiscal year 2019-20: 11-151-05, 11-151-17, 11-151-24, 11-151-27, 11-151-28, 11-151-39, 11-161-04, 11-161-07, 11-161-17, 11-161-18, 11-161-20, 11-171-08, 11-171-20, 11-171-21, 11-171-28, 11-171-31, 11-171-34, 11-171-38, 11-171-42, 11-171-45, 11-171-53, 11-171-54, 11-171-55, 11-171-60, 11-171-62, 11-171-63, 11-171-64, 11-171-65, 11-171-70, 11-191-28, 11-191-45, 11-191-50.

Parcels subject to the surcharge shall not be subject to the annual fee for Capital Acquisition and Improvement in the amount of \$375.00 as established by this Section, nor shall they be subject to the \$14,700.00 Capital Charge for "New EDUs." However, the owner of a parcel subject to the \$1,748.00 surcharge may satisfy that parcel's surcharge obligation by making a one time payment of \$14,700.00.

All parcels in the DarkHorse subdivision not specifically listed above shall be treated as "New EDUs" and shall be subject to the existing \$14,700.00 capacity charge for the "New EDUs." These parcels shall not be subject to the \$475.00 standby charge for unconnected parcels.

C. North San Juan, Zone No. 4.

1. Standby Charge. Sewer Standby Charge Total: \$48.00 per EDU.

This Sewer Standby charge is levied to provide for annual maintenance expenses and capital acquisition and improvements in accordance with Section 4.2 of the Sanitation District Code.

Each parcel of land in the North San Juan Zone No. 4 that has sewer capacity allocated to it for future connection to the North San Juan Zone No. 4 sewage disposal system will be assessed the following fees per EDU:

Sewer Maintenance: \$48.00.

Capital Acquisition and Improvement: \$0.00.

2. Service Charge. Sewer Service Charge Total per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Sewer Service Charge	\$864.00	\$950.00	\$1,045.00	\$1,149.00	\$1,264.00

This Sewer Service Charge is levied to provide for the cost of ongoing operation, annual maintenance expenses, and capital acquisition and improvements in accordance with Section 4.1 of the Sanitation District Code.

Each improved parcel of land that has sewer capacity allocated to it and is connected to the North San Juan Zone No. 4 sewage disposal system will be assessed the following fees for each connected EDU:

Sewer Operation and Maintenance per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Sewer Operation and Maintenance	\$864.00	\$950.00	\$1,045.00	\$1,149.00	\$1,264.00

Capital Acquisition and Improvement: \$0.00.

D. Gold Creek, Zone No. 5.

1. Service Charge. Sewer Service Charge Total per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Sewer Service Charge	\$282.00	\$338.00	\$406.00	\$487.00	\$585.00

This Sewer Service Charge is levied to provide for the cost of ongoing operation, annual maintenance expenses, and capital acquisition and improvements in accordance with Section 4.1 of the Sanitation District Code.

Each improved parcel of land that has sewer capacity allocated to it and is connected to the Gold Creek Zone No. 5 sewage disposal system will be assessed the following fees for each connected EDU:

Sewer Maintenance and Operation per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Sewer Maintenance and Operation	\$282.00	\$338.00	\$406.00	\$487.00	\$585.00

Capital Acquisition and Improvement: \$0.00.

E. Penn Valley, Zone No. 6.

1. Standby Charge. Sewer Standby Charge Total: \$245.00 per EDU.

This Sewer Standby charge is levied to provide for annual maintenance expenses and capital acquisition and improvements in accordance with Section 4.2 of the Sanitation District Code.

Each parcel of land in the Penn Valley Zone No. 6 that has sewer capacity allocated to it for future connection to the Penn Valley No. 6 sewage disposal system will be assessed the following fees per EDU:

Sewer Maintenance: \$130.00.

Capital Acquisition and Improvement: \$115.00.

2. Service Charge. Sewer Service Charge Total per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Sewer Service Charge	\$1,110.00	\$1,244.00	\$1,399.00	\$1,441.00	\$1,484.00

This Sewer Service Charge is levied to provide for the cost of ongoing operation, annual maintenance expenses, and capital acquisition and improvements in accordance with Section 4.1 of the Sanitation District Code.

Each improved parcel of land that has sewer capacity allocated to it and is connected to the Penn Valley Zone No. 6 sewage disposal system will be assessed the following fees for each connected EDU:

Sewer Maintenance and Operation per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Sewer Maintenance and Operation	\$955.00	\$1,037.00	\$1,126.00	\$1,160.00	\$1,195.00

Capital Acquisition and Improvement per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Capital Acquisition	\$155.00	\$207.00	\$273.00	\$281.00	\$290.00

and Improvement					
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F. Mountain Lakes Estates, Zone No. 7.

1. Standby Charge. Sewer Standby Charge Total: \$138.00 per EDU.

This Sewer Standby charge is levied to provide for annual maintenance expenses and capital acquisition and improvements in accordance with Section 4.2 of the Sanitation District Code.

Each parcel of land in the Mountain Lakes Estates Zone No. 7 that has sewer capacity allocated to it for future connection to the Mountain Lake Estates Zone No. 7 sewage disposal system will be assessed the following fees per EDU:

Sewer Maintenance: \$138.00.

Capital Acquisition and Improvement: \$0.00.

2. Service Charge. Sewer Service Charge Total per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Sewer Service Charge	\$593.00	\$523.00	\$654.00	\$687.00	\$721.00

This Sewer Service Charge is levied to provide for the cost of ongoing operation, annual maintenance expenses, and capital acquisition and improvements in accordance with Section 4.1 of the Sanitation District Code.

Each improved parcel of land that has sewer capacity allocated to it and is connected to the Mountain Lakes Estates Zone No. 7 sewage disposal system will be assessed the following fees for each connected EDU:

Sewer Maintenance and Operation per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Sewer Maintenance and Operation	\$593.00	\$523.00	\$654.00	\$687.00	\$721.00

Capital Acquisition and Improvement: \$0.00.

G. Cascade Shores, Zone No. 8.

1. Standby Charge. Sewer Standby Charge Total: \$735.00 per EDU.

This Sewer Standby charge is levied to provide for annual maintenance expenses and capital acquisition and improvements in accordance with Section 4.2 of the Sanitation District Code.

Each parcel of land in the Cascade Shores, Zone No. 8, that has sewer capacity allocated to it for future connection to the Cascade Shores, Zone No. 8, sewage disposal system will be assessed the following fees per EDU:

Sewer Maintenance: \$144.00.

Capital Acquisition and Improvement: \$591.00.

2. Service Charge. Sewer Service Charge Total per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Sewer Service Charge	\$2,494.00	\$2,544.00	\$2,595.00	\$2,647.00	\$2,699.00

This Sewer Service Charge is levied to provide for the cost of ongoing operation, annual maintenance expenses, and capital acquisition and improvements in accordance with Section 4.1 of the Sanitation District Code.

Each improved parcel of land that has sewer capacity allocated to it and is connected to the Cascade Shores Zone No. 8 sewage disposal system will be assessed the following fees for each connected EDU:

Sewer Maintenance and Operation per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Sewer Maintenance and Operation	\$2,276.00	\$2,321.00	\$2,368.00	\$2,415.00	\$2,463.00

Capital Acquisition and Improvement per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Capital Acquisition and Improvement	\$218.00	\$223.00	\$227.00	\$232.00	\$236.00

3. Dedication of Revenue. Sewerage system sewer charges collected from Cascade Shores, Zone No. 8, of Nevada County Sanitation District No. 1, as established by Ordinance No. SD-21 and as may hereafter be levied, are hereby dedicated as the source of revenue repayment of any and all State Revolving Fund loans on the Cascade Shores Wastewater Treatment Facilities Upgrade 1994 (State Project No. C-06-4030-11). This dedicated source of revenue shall remain in effect until such loan or loans are fully discharged, unless modification or change of such dedication is approved, in writing, by the State Water Resources Control Board and the Board of Directors of Nevada County Sanitation District No. 1.

Sewerage system sewer charges collected from Cascade Shores, Zone No. 8, of Nevada County Sanitation District No. 1, as established by Ordinance Nos. SD-49 and SD-50 and as may hereafter be levied, are also hereby dedicated as the source of revenue repayment of any and all State Revolving Fund loans on the Cascade Shores Wastewater Treatment Plant Improvements 2008 (State Project No. C-06-4967-110). This dedicated source of revenue shall remain in effect until such loan or loans are fully discharged, unless modification or change of such dedication is approved, in writing, by the State Water Resources Control Board and the Board of Directors of Nevada County Sanitation District No. 1.

H. Eden Ranch, Zone No. 9.

1. Standby Charge. Sewer Standby Charge Total: \$180.00 per EDU.

This Sewer Standby charge is levied to provide for annual maintenance expenses and capital acquisition and improvements in accordance with Section 4.2 of the Sanitation District Code.

Each parcel of land in the Eden Ranch Zone No. 9 that has sewer capacity allocated to it for future connection to the Eden Ranch Zone No. 9 sewage disposal system will be assessed the following fees per EDU:

Sewer Maintenance: \$180.00.

Capital Acquisition and Improvement: \$0.00.

2. Service Charge. Sewer Service Charge Total: \$1,148.00 per EDU.

This Sewer Service Charge is levied to provide for the cost of ongoing operation, annual maintenance expenses, and capital acquisition and improvements in accordance with Section 4.1 of the Sanitation District Code.

Each improved parcel of land that has sewer capacity allocated to it and is connected to the Eden Ranch Zone No. 9 sewage disposal system will be assessed the following fees for each connected EDU:

Sewer Maintenance and Operation: \$1,148.00.

Capital Acquisition and Improvement: \$0.00.

I. DarkHorse, Zone No. 10. Abolished by Ordinance No. SD-71.

J. Higgins Village Zone No. 11.

1. Standby Charge. Sewer Standby Charge Total: \$0.00 per EDU.

Each parcel of land in the Higgins Village Zone No. 11 will be assessed the following fees per EDU:

Capital Acquisition and Improvement: \$0.00.

2. Service Charge. Sewer Service Charge Total: \$1,892.00 per EDU.

In addition to the above fees, each improved parcel of land connected to the Higgins Village Zone No. 11 sewage system will be assessed the following fee for each connected EDU:

Sewer Maintenance and Operation: \$1,525.00.

Capital Acquisition and Improvement: \$367.00.

K. Valley Oak Court Zone No. 12.

1. Standby Charge. Sewer Standby Charge Total: \$0.00 per EDU.

This Sewer Standby charge is levied to provide for annual maintenance expenses and capital acquisition and improvements in accordance with Section 4.2 of the Sanitation District Code.

Each parcel of land in the Valley Oak Court Zone No. 12 that has sewer capacity allocated to it for future connection to the Valley Oak Court Zone No. 12 sewage disposal system will be assessed the following fees per EDU:

Sewer Maintenance: \$0.00.

Capital Acquisition and Improvement: \$0.00.

2. Service Charge. Sewer Service Charge Total per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond

Sewer Service Charge	\$921.00	\$1,148.00	\$1,399.00	\$1,441.00	\$1,485.00
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This Sewer Service Charge is levied to provide for the cost of ongoing operation, annual maintenance expenses, and capital acquisition and improvements in accordance with Section 4.1 of the Sanitation District Code.

Each improved parcel of land that has sewer capacity allocated to it and is connected to the Valley Oak Court Zone No. 12 sewage disposal system will be assessed the following fees for each connected EDU:

Sewer Maintenance and Operation per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Sewer Maintenance and Operation	\$830.00	\$966.00	\$1,126.00	\$1,160.00	\$1,195.00

Capital Acquisition and Improvement per EDU:

Fiscal Year	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026 & Beyond
Capital Acquisition and Improvement	\$91.00	\$182.00	\$273.00	\$281.00	\$290.00

Note: All fees shown above are for a unit of sewer service termed Equivalent Dwelling Unit (EDU).

The above established charges are for each EDU allocated and parcels which have multiple EDUs allocated to them shall be assessed based on the number of EDUs so allocated. Sewer service charges may be calculated and assessed against parcels based on actual usage where the District determines that the usage is either greater or lesser than the number of allocated EDUs to the parcel; provided, however, that no parcel may establish any right, interest or entitlement of any form whatsoever to generate sewage for disposal in the District's sewerage system in excess of the number of EDUs allocated to the parcel. (Adopted by SD-10, 8/8/89; amended by SD-12, 8/28/90; SD-13, 9/11/90; SD-14, 9/10/91; SD-15, 1/28/92; SD-17, 2/4/92; SD-19, 7/14/92; SD-20, 12/22/92; SD-21, 4/6/93; SD-22, 7/13/93; SD-23, 7/9/93; SD-27, 8/9/94; SD-31, 8/8/95; SD-33, 8/13/96; SD-34, 5/13/97; SD-37, 5/12/98; SD-38, 6/8/99; SD-39, 6/13/00; SD-40, 10/11/01; SD-41, 1/8/02; SD-42, 9/10/02; SD-43, 7/8/03; SD-44, 8/12/03; SD-45, 1/8/04; SD-46, 3/12/04; SD-47, 7/22/04; SD-48, 8/12/04; SD-49, 6/28/05; SD-50, 8/9/05; SD-51, 9/27/05; SD-52, 1/10/06; SD-53, 5/23/06; SD-54, 5/23/06; SD-55, 5/23/06; SD-57; SD-59, 8/8/06; SD-63, 6/10/08; SD-64, 7/8/08; SD-67, 6/9/09; SD-68, 6/23/09; SD-70, 6/22/10; SD-71, 8/24/10)

EXHIBIT A.3

Sec. 4.4 Adjustment for Overcharge or Undercharge

The Director of the Department of Public Works, as an agent for the Sanitation District, shall also be directed to make adjustments to charges billed to any parcel where it is determined that the parcel has been overcharged or undercharged for any of the sewer fees upon facts warranting an adjustment. Any correction of the charges shall be made on or before June 30th of the fiscal year in which the overcharge or undercharge occurred and shall be made following the procedures established in Nevada County General Code Section G-IV 8.16.D.2.d. As an alternative to the procedures set out in Section G-IV 8.16.D.2.d, the Director may request that a roll correction be made to the property tax bill for the property. (Adopted by SD-19, 7/14/92; amended by SD-20, 12/22/92; SD-21, 4/6/93; SD-22, 7/13/93; SD-27, 8/9/94; SD-30, 4/11/95)

EXHIBIT A.4

Sec. 4.5 Annual Rate Adjustment

The charges established by this Chapter shall be adjusted annually by the adoption of a resolution of the District; provided, however, that in the absence of any such adjusting resolution, the charges established the prior year shall remain in effect. Pursuant to Health and Safety Code Section 5471 any ordinance or resolution establishing charges for any year shall be approved (adopted) by a two-thirds vote of the members of the Board of Directors of the District. (Adopted by SD-5, 3/26/79; amended by SD-6, 10/16/79; SD-10, 8/8/89)