Proposed Amendments to Regional Private Sewer Lateral Ordinance

Board of Directors Meeting

April 9, 2019
Background and Process

- Feb 13 – Planning Committee
- Mar 12 – Board Presentation
- Apr 9 – First Reading
- Apr 23 – Second Reading (planned)
- May 24 – Effective Date (planned)
Proposed Ordinance Amendments

- Sections 3-10: Various clarifications
- Section 11: Common Interest Developments
- Section 12: Parcels with >1,000 feet
- Section 13: Enforcement
- Section 14: Appeals
- Section 15: Additional Provisions
- Section 18: Effective Date
Common Interest Developments

- HOA managed developments may have common (shared) pipe
- Allocation of that pipe is up to the parties
- Ordinance has different requirements
  - HOA-maintained pipe → Set deadline
  - Property owner-maintained pipe → Triggers
- District needs information regarding allocation of responsibility
Common Interest Developments (Cont.)

- The default presumption consistent with Civil Code Section 4775
  - Exclusive use common area
  - Separate interest
  - Common area

- Provides ability to enforce and obtain the necessary information
Parcels with Laterals > 1,000 ft

- These properties with laterals exceeding 1,000 feet are treated differently under the Ordinance due to the extent of the pipe

- Proposed Changes
  - Clarify contents of interim deliverables (work plans)
  - Define deadlines for completing rehabilitation work
  - Address newly formed groups of >1,000 ft
Enforcement

- Existing enforcement language needs clarification and additional details

- Proposed Changes
  - Delete water shutoff
  - Authorize judicial penalties
  - Authorize compliance agreements
Next Steps and Schedule

- Second Reading: April 23, 2019
- Effective Date: May 24, 2019
- Continued outreach