



County of Lassen
Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

October 3, 2017

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TO: Board of Supervisors
Agenda Date: October 17, 2017

FROM: Maurice L. Anderson, Director

Zoning & Building
Inspection Requests
Phone: 530 257-5263

SUBJECT: Consider repeal, in its entirety, of Chapter 18.140 (Water Utility Rates for the Johnstonville Water System) of the Lassen County Code, because the requirements found therein are no longer considered necessary.

ACTION REQUESTED:

1. Receive report; and
2. Introduce the ordinance and read (or waive)

SUMMARY

The purpose of this Board letter is to provide information regarding an ordinance, which is proposed by staff to repeal Chapter 18.140 (Water Utility Rates for the Johnstonville Water System) of Lassen County Code. The proposed ordinance and a copy of Lassen County Code Chapter 18.140, as it currently exists, are attached.

In summary, the ordinance is being proposed because the County no longer owns operates or maintains the Johnstonville Water System, and because CSA # 2 has been dissolved, the Utility Rates found in section 18.140 of Lassen County Code no longer serve purpose.

The utility rates for the Johnstonville Water System were adopted in 1994, to facilitate water connection, and service at County Service Area No. 2 (CSA 2). On August 19, 2014, the Lassen County Board of Supervisors adopted resolution 14-045, transferring ownership, operation, and maintenance of the Johnstonville Water System to the City of Susanville. On April 14, 2015, the Lassen County Board of Supervisors adopted Resolution No. 15-029, directing staff to proceed with the dissolution of CSA 2. On August 10, 2015 the Local Agency Formation Commission adopted resolution 2015-0005 ordering the change of organization, and on October 6, 2015, a certificate of completion was recorded for the Dissolution of CSA #2 Johnstonville Water System.

Again, it is the determination of the Planning and Building Services Department that the requirements found in Chapter 18.140, are no longer needed, as the County no longer owns, operates, or maintains the Johnstonville Water System. That said, the Department recommends that the Board introduce the ordinance to repeal Chapter 18.140 and adopt said ordinance at a future meeting.

MLA:mcrm

Enclosures:

Proposed Ordinance to Repeal Lassen County Code Sections 18.140
Existing Chapter 18.140

ORDINANCE NO. _____

ORDINANCE AMENDING TITLE 18 OF LASSEN COUNTY CODE, REPEALING IN ITS ENTIRETY, CHAPTER 18.140 (Water Utility Rates for the Johnstonville Water System)
The following ordinance, consisting of four sections, was duly and regularly passed and adopted by the Board of Supervisors of the County of Lassen, State of California, at a regular meeting of the Board of Supervisors held on the ____th day of _____, 2017, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Chairman of the Board of Supervisors,
County of Lassen, State of California

Attest:
JULIE BUSTAMANTE
Clerk of the Board

By: _____
MICHELE YDERRAGA, Deputy Clerk of the Board

I, MICHELE YDERRAGA, Deputy Clerk of the Board of the Board of Supervisors, County of Lassen, do hereby certify that the foregoing ordinance was adopted by the said Board of Supervisors at a regular meeting thereof held on the ____th day of _____, 20____.

Deputy Clerk of the County of Lassen Board of
Supervisors

**THE BOARD OF SUPERVISORS OF THE COUNTY OF LASSEN
ORDAINS AS FOLLOWS:**

SECTION ONE: This ordinance shall take effect thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days after its passage a summary shall be published with the names of the members voting for and against the same, once in a local newspaper of the County of Lassen, State of California.

SECTION TWO: PURPOSE. The proposed ordinance repeals, in its entirety, Chapter 18.140 (Water Utility Rates for the Johnstonville Water System) of the Lassen County Code, because the requirements found therein are no longer needed. The utility rates for the Johnstonville Water System were adopted in 1994, to facilitate water connection, and service at County Service Area No. 2 (CSA 2). On August 19, 2014, the Lassen County Board of Supervisors adopted resolution 14-045, transferring ownership, operation, and maintenance of the Johnstonville Water System to the City of Susanville. On April 14, 2015, the Lassen County Board of Supervisors adopted Resolution No. 15-029, directing staff to proceed with the dissolution of CSA 2. On August 10, 2015 the Local Agency Formation Commission adopted resolution 2015-0005 ordering the change of organization, and on October 6, 2015, a certificate of completion was recorded for the Dissolution of CSA #2 Johnstonville Water System. Because the County no longer owns operates or maintains the Johnstonville Water System, and because CSA # 2 has been dissolved, the Utility Rates found in section 18.140 of Lassen County Code no longer serve purpose.

SECTION THREE: Chapter 18.140 of the Lassen County Code is hereby repealed.

SECTION FOUR: If any section, subsection, sentence, clause, or phase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Lassen County Code

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Chapter 18.140 WATER UTILITY RATES FOR THE JOHNSTONVILLE WATER SYSTEM

18.140.010 Charges for water service.

The charges for services and water used by customers of the Johnstonville water system shall be fixed from time to time by resolution of the Lassen County board of supervisors. (Ord. 521-A § 2, 2010; Ord. 521 § 1, 1994).

18.140.020 Connection fees.

The fee for connection to the Johnstonville water system shall be the actual cost, in labor and materials, to extend the water system's main to the customer's property and to connect the customer's service line to the water system main and shall include the cost of the water meter. (Ord. 521-A § 3, 2010; Ord. 521 § 2, 1994).

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