

ORDINANCE NUMBER 361
OF THE NORTH TAHOE PUBLIC UTILITY DISTRICT
ADDING CHAPTER 5 GENERAL UTILITY SERVICE PROVISIONS, ARTICLE 4 TO THE
DISTRICT CODE OF ORDINANCES RELATING TO RELOCATION OF PRIVATELY OWNED
SERVICE LATERALS TO CONNECT TO RELOCATED SERVICE MAINS

WHEREAS, the North Tahoe Public Utility District has the right to upgrade and relocate service mains when such is in the best interests of the people of the District; and

WHEREAS, the relocation of said service mains may require that privately owned service laterals also be relocated in order to connect to relocated service mains; and

WHEREAS, it is appropriate and necessary to adopt regulations relative to the relocation of privately owned service laterals to relocated District service mains.

NOW, THEREFORE, BE IT ENACTED by the Board of Directors of the North Tahoe Public Utility District as follows:

1. That Chapter 5, Article 4, as set forth in Exhibit "A" hereto is hereby adopted and shall become part of the District Code of Ordinances.
2. That this ordinance and shall be become effective thirty (30) days after adoption, and shall be posted and published as required by law.

PASSED AND ADOPTED THIS 13th DAY OF NOVEMBER, 2006 BY THE FOLLOWING ROLL CALL VOTE:

AYES: DIRECTORS BERGMANN, LANINI, MOONEY, LEWIS

NOES: None

ABSENT: DIRECTOR SCHWARTZ

S. Lane Lewis, President
Board of Directors

ATTEST:

Leon C. Schegg

Acting Clerk of the Board

EXHIBIT "A"

CHAPTER 5, GENERAL UTILITY SERVICE PROVISIONS

Article 4.05. PURPOSE

The purpose of this Article is to establish regulations relative to the relocation of privately owned service laterals to connect to relocated District service mains.

5.04.010 REQUIREMENT FOR RELOCATION OF PRIVATELY OWNED SERVICE LATERAL

When the District relocates service mains with the intention of disconnecting service through the original existing service mains it shall be the responsibility of the owners of all properties which have service provided through the original existing service mains to relocate their privately owned service laterals to accept service through the relocated service mains at their sole expense and pursuant to the relocation schedule established by the District pursuant to the provisions of this Article. The District shall provide service laterals between the relocated service mains and the property line and shall install appropriate meter boxes or cleanouts at the property line at no cost to the property owner.

5.04.015 NOTICE AND HEARING REGARDING RELOCATION SCHEDULE

The relocation schedule to establish the timing of installation of relocated service mains, the timing of construction of relocated privately owned service laterals and the timing of disconnection of service through original existing service mains shall be set by the Board of Directors at a public hearing. All affected property owners shall be notified by personally mailed notice to the property owners' address in the District files at least 15 days prior to the date of the public hearing.

At the public hearing the Board of Directors shall establish a relocation period giving the affected property owners at least two building seasons (May 1 through October 15), but ending on September 1 of the last season, to construct and have inspected new privately owned service laterals between the use served and their property line served by the relocated service main. The relocation period shall include the season during which the relocated service main is constructed.

20. CONTINUING NOTICE DURING RELOCATION PERIOD

Between May 1 and May 15 of each building season during the relocation period the District shall review the status of construction of new privately owned service laterals and shall give further notice of the relocation schedule to all property owners who have not at that time constructed and had inspected new privately owned service laterals between the use served and their property line served by the relocated service main. Said notice shall be given by personal mail to the property owners' address in the District files.

5.04.025 DISCONTINUANCE OF SERVICE FOR FAILURE TO RELOCATE PRIVATELY OWNED SERVICE LATERAL

At the end of the relocation period all services which have not had relocated privately owned service laterals constructed and inspected between the use served and their property line served by the relocated service main shall be subject to disconnection. Disconnection shall be made only after 90 days prior notice given in the same manner as disconnection for failure to pay District service charges. In the event of disconnection, reconnection shall be made only after the construction and inspection of a new privately owned service lateral between the use served and the property line served by the relocated service main and payment of any applicable reconnection charges, including service charges for the period during which service was disconnected. In the event that reconnection is not made within a period of one year following disconnection, service charges shall cease and reconnection shall require payment of a the full connection charge applicable to connection of a new use.

5.04.030 APPEAL BASED UPON SPECIAL CIRCUMSTANCES

Any property owner may petition the Board of Directors for an extension of the relocation period based upon special circumstances, provided that such petition shall be made at least 90 days prior to the end of the relocation period. The Board of Directors may grant such an extension, and may condition such an extension upon payment of the District's estimated cost of maintaining the service main which was to be abandoned during the extension period.