

ORDINANCE NO. 12

AN ORDINANCE DECLARING THE POLICY OF THE DISTRICT WITH RESPECT TO THE DISTRIBUTION OF WATER AND REGULATING THE SAME.

BE IT ORDAINED by the Board of Directors of Contra Costa County Water District as follows:

SECTION 1: It is found and declared:

(a) That it is in the best interest of the residents and property owners of Contra Costa County Water District that the retail distribution throughout the said District of water supplied by the said District be undertaken by financially responsible persons, corporations or political bodies to the end that the expanding population of the said District may be adequately served with a supply of water.

(b) That stability of service conditions makes necessary the regulation of the distribution of such water throughout the said District.

(c) That the unrestricted distribution of such water for household, garden irrigation, commercial and industrial uses by persons, corporations or political bodies in such limited or overlapping service areas as they may select may result in a failure to provide adequate water service facilities to meet the present and future requirements thereof within all areas of the said District.

(d) That the following rules and regulations for the distribution within the said District of water furnished by the said District are reasonable, necessary and in the best interests of the residents and property owners of the said District.

SECTION 2: No person, group of persons, association or corporation, public or private, shall be furnished water by the said District for distribution either before or after treatment for household, garden irrigation, or other domestic use, or for agricultural, commercial or industrial use unless and until the Board of Directors of the said District has made the following findings:

(a) That the applicant for such distribution is financially responsible to undertake such distribution.

(b) That the area proposed to be served by the applicant is a reasonable service area.

(c) That the applicant has given the Board of Directors of said District reasonable assurance that the applicant is willing and able to supply, and will in fact supply, upon reasonable terms and conditions, all of the present and future needs for such water in such service areas.

(d) That it is in the best interests of the residents and property owners of the said District that the distribution of such water within such proposed service area shall be carried out by the applicant rather than by any other person, group of persons, association or corporation.

SECTION 3: The Board will conduct hearings on each application for distributing water furnished by the said District and the Secretary shall give to each applicant a notice of the time and place of such hearing, which notice shall be in writing and mailed postpaid to such applicant at least five (5) days prior to the date set for such hearing.

SECTION 4: If the Board determines that the applicant meets the requirements set forth in Section 2 of this Ordinance, the Board of Directors may enter into a contract on behalf of said District with such applicant for the exclusive sale to the applicant of water supplied by the said District for distribution by the applicant within such service area as shall be determined by the Board of Directors and described in such contract. Such contract shall be for such period of time as the Board of Directors shall determine, but shall not extend beyond the term of any contract for water service between said District and the United States of America.

SECTION 5: This Ordinance and all of its provisions are intended as, and shall have the force and effect of, a rule and regulation adopted under the power conferred upon the District by Section 31024 of the Water Code of the State of California.

SECTION 6: This Ordinance shall take effect and be in force on and after its final passage and adoption.

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First read at a regular meeting of the Board of Directors of Contra Costa County Water District held March 18, 1953 and finally passed and adopted as read at a regular meeting held April 1, 1953 by the following vote:

Ayes: Directors Bollman, Straight, Holmblad, Richards, Olney

Noes: None

Absent: None


Secretary

Approved:


President