

ORDINANCE NO. 104

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT
RELATING TO STAGE ONE, TWO AND THREE
WATER CONSERVATION PLAN**

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE SAN SIMEON
COMMUNITY SERVICES DISTRICT (SSCSD) AS FOLLOWS:

SECTION 1: There is hereby re-established the SSCSD Comprehensive Water Conservation
Plan.

A. DECLARATION OF POLICY

It is hereby declared that, because of the conditions prevailing within the SSCSD, the general welfare requires that the water resources available to the SSCSD be put to the maximum beneficial use to the extent to which they are capable, and that the waste or unreasonable use, or unreasonable method of use of water be prevented and the conservation of such water is to be extended with a view to the reasonable and beneficial use thereof in the interest of the people of the SSCSD and for the public welfare.

The current water situation within SSCSD is as follows:

1. The District is committed to acquire new sources of water in order to be able to remove the existing water moratorium;
2. Present water supplies are limited;
3. The chloride constituent of the SSCSD water fluctuates to undesirable levels periodically;
4. Long-term water supply projects are in process but not readily available;
5. SSCSD needs to conserve its available supplies to provide water to its existing customers.

Based upon the water situation within the SSCSD, the Board finds that an emergency water situation exists necessitating the immediate re-implementation of comprehensive water conservation measures.

B. APPLICATION

The provisions of this Ordinance shall apply to all persons, customers and property served by the SSCSD wherever situated. No customer of SSCSD, or any employee or invitee of any customer of the SSCSD, shall knowingly make, cause, use or permit the use of SSCSD water for residential, commercial, industrial, agricultural, governmental or any other

purpose in a manner contrary to any provision of this Ordinance, or in an amount in excess of that use permitted by the following conservation measures. The term "SSCSD water" as used herein, shall not include reclaimed wastewater.

The SSCSD General Manager is granted the authority to implement the following water conservation measures which are:

STAGE ONE

Effective when the Pico Creek stops running to the ocean. To be lifted when Pico Creek starts running to the ocean.

1. Use of water from fire hydrants shall be limited to firefighting and/or activities immediately necessary to maintain the health, safety and welfare of the SSCSD.
2. All sales or use of SSCSD water outside of the SSCSD limits shall be discontinued.
3. SSCSD water shall not be used to wash down sidewalks, driveways, parking areas, buildings or other structures, except to alleviate immediate fire or sanitation hazards.
4. The washing of automobiles, trucks, trailers, boats, mobile homes and other types of mobile equipment with SSCSD water shall be prohibited.

STAGE TWO

Initiated when current well field levels for three consecutive weeks drop 5% below monthly historical averages. Lifted when Pico Creek starts running to the ocean and/or when well levels return to average level for two consecutive months.

1. All outdoor irrigation of vegetation with potable SSCSD water shall be prohibited.
2. The use of SSCSD water for the filling, refilling or adding of water to swimming pools, wading pools, ornamental fountains, or spas shall be limited to the amount necessary to keep the pool or fountain equipment operative and to refill for evaporative losses.
3. Restaurants are prohibited from serving SSCSD water to their customers except when specifically requested by the customer.

STAGE THREE

Initiated when current well field levels for three consecutive weeks drop 12% below monthly historical averages. Lifted when Pico Creek starts running to the ocean.

1. All lodging establishments are limited to changing stay-over guest linens to every other day unless specifically requested by the guest.
2. The use of SSCSD water for construction, compaction, concrete work or other construction related needs is prohibited.

The various stages of conservation will be implemented by special mailing or by a notice inserted into the water/sewer bills. Notices will also be posted at the District Office, and Chamber of Commerce.

C. PENALTY

1. The first violation of any provision of this Ordinance shall constitute an infraction and result in a fine of \$100.00 issued by the General Manager or his/her designee.
2. The second offense shall constitute a \$250.00 fine.
3. The third offense shall result in the discontinuance of water service.

D. SEVERABILITY

If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances if for any reason is held to be unconstitutional, void, or invalid, the invalidity of the Board of Directors in adopting this Ordinance that no portion thereof, or provisions, or regulation contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

SECTION 2: The Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Board Members voting for or against the same, in a newspaper of general circulation, published in the County of San Luis Obispo, State of California, and the Secretary of the Board shall post in the District Office, a certified copy of the full text of this ordinance along with the names of those Directors voting for or against the Ordinance.

This Ordinance was INTRODUCED, READ, and ADOPTED on this 10th day of June, 2009 on the following roll call vote, to wit:

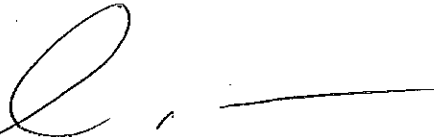
On motion of Vice-Chair Russell, and Seconded by Director Price,

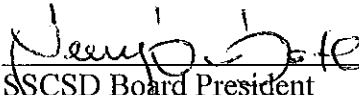
AYES: Director Ricci (Y), Director Price (Y), Director Fields (Y), Vice-Chair Russell (Y)
Chairperson Lambeth (Y)

NOES: 0


ABSENT: 0

ATTEST: 0


District General Manager / Secretary
Charles Grace


SSCSD Board President
Terry Lambeth

APPROVED AS TO FORM:


General Counsel
Rob Shultz