

**ORDINANCE NO. 2008-04**  
**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE SALTON**  
**COMMUNITY SERVICES DISTRICT, AMENDING ITS SEWER**  
**ORDINANCE TO ALLOW CERTAIN ADJUSTMENTS**

THE BOARD OF DIRECTORS OF THE SALTON COMMUNITY SERVICES DISTRICT ORDAINS AS FOLLOWS:

Section 1. The SALTON COMMUNITY SERVICES DISTRICT SALTON CITY/DESERT SHORES SEWER USE ORDINANCE adopted May 31, 1978 as amended (the "Sewer Ordinance"), is amended to add a new Section 10.2 to read as follows:

*10.2 Adjustments. If in respect to any customer, the Board of Directors should find that the service charge is inequitable, or unfair because of unusual circumstances, it may establish a special service charge for such customer, differing from those otherwise established which will bear a closer relationship to the benefit received from use of the District System. In establishing such a special service charge the Board of Directors may reduce the charge otherwise payable retroactive to the commencement of then the present fiscal year of the District only but may not so reduce the charge for any preceding fiscal year. Such special charge may be established by resolution or agreement, but may be revoked at any time by the Board of Directors whenever it finds that continuation thereof would be inequitable or unfair under the circumstances prevailing or if the customer has misrepresented any facts to the District or to the Board of Directors concerning the customer's sewer use or sewer hook ups.*

**Section 2.** *Severability.* Except as expressly amended by this Ordinance, the Sewer Ordinance remains unchanged and in full force and effect. Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable, or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

**Section 3.** *Effective Date; Transitional Clause.* This Ordinance shall take effect thirty days after adoption as provided by California Government Code Section 25123.

**Section 4.** *Certification.* The Secretary of the District shall certify to the passage and adoption of this Ordinance and shall cause the same to be published according to California Government Code section 25124.

Introduced at a regular meeting of the Board of Directors of the Salton Community Services District, Salton City, California, on August 19, 2008;

**PASSED, APPROVED AND ADOPTED**, at a regular meeting of the Board of Directors of the Salton Community Services District, Salton City, California, on the 16<sup>th</sup> day of September, 2008.

Ayes: James Barrett, Robert Butler, Dr. Jerry Medders, Darryel Neal & Shirley Palmer

Noes: None

Absent: None

Abstain:

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Shirley Palmer, President, Board of Directors

ATTEST:

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Assistant General Manager &  
Secretary to the Board of Directors