

ORDINANCE 49

AN ORDINANCE OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT  
AMENDING THE DISTRICT'S RULES AND REGULATIONS ESTABLISHING  
PROCEDURES FOR ACCEPTING WATER AND SEWER MAIN APPLICATIONS

WHEREAS, the District wishes to encourage the timely offer of donation of open space lands from developers whose projects include a condition of County land use approval requiring the offer of open space land dedication;

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT DOES HEREBY ORDAIN AS FOLLOWS:

**Section 1.** The following language is added to the end of Rule 6.08 of the MCS D Rules and Regulations:

"The application shall be reviewed by the manager who shall determine if it is complete. Where the manager deems the application to be complete, the manager shall set consideration of the application on the agenda of an upcoming Board meeting. Where the manager deems the application to be incomplete, the applicant shall submit the additional information itemized by the manager until the manager deems the application to be complete. Where the County of Humboldt has required the applicant to offer the dedication of property to MCS D as a condition of land use approval, the manager shall not deem the main extension application to be complete unless the applicant has satisfied the assessment district formation application requirements of Rule 72.01 and Rule 72.02 of Regulation 72 of the District's Rules and Regulations."

**Section 2.** The following language is added to the end of Rule 6.18 of the MCS D Rules and Regulations:

"Where the Applicant has applied to form an Open Space Maintenance Zone pursuant to Regulation 72 of the District's Rules and Regulation for the project, the District shall not consider acceptance of the facilities until the title to the donated property has been transferred and all conditions of the open space maintenance plan approval have been satisfied."

**Section 3.** The following language is added to the beginning of Rule 23.01 of the MCSD Rules and Regulations:

"Any person legally entitled to apply for a permit shall make such application of forms provided by the District for that purpose. The application shall be reviewed by the manager who shall determine if it is complete. Where the manager deems the application to be complete, the manager shall set consideration of the application on the agenda of an upcoming Board meeting. Where the manager deems the application to be incomplete, the applicant shall submit the additional information itemized by the manager until the manager deems the application to be complete. Where the County of Humboldt has required the applicant to offer the dedication of property to MCSD as a condition of land use approval, the manager shall not deem the main extension application to be complete unless the applicant has satisfied the assessment district formation application requirements of Rule 72.01 and Rule 72.02 of Regulation 72 of the District's Rules and Regulations."

**Section 4.** The following language is added to the end of Rule 23.11 of the MCSD Rules and Regulations:

"Where the Applicant has applied to form an Open Space Maintenance Zone pursuant to Regulation 72 of the District's Rules and Regulation for the project, the District shall not consider acceptance of the facilities until the title to the donated property has been transferred and all conditions of the open space maintenance plan approval have been satisfied."

On the Motion of Director SHEPHERD and seconded by Director WAKUND, the foregoing ordinance is duly adopted on second reading this TENTH day of AUGUST, 1993 by the following vote:

AYES: ESTES, HARLING, SHEPHERD, WALUND

NOES: NONE

ABSENT: RAMEY

*Edward E. Estes*

President, Board of Directors  
McKinleyville Community Services  
District

ATTEST:

Barbara Bethel

Secretary, Board of Directors  
McKinleyville Community Services District

I, BARBARA BETHEL, Secretary to the Board of  
Directors of the MCKINLEYVILLE COMMUNITY SERVICES DISTRICT,  
hereby certify that the foregoing is a full, true, and  
correct copy of an ordinance duly adopted this 10TH day  
of AUGUST, 1993.

Barbara Bethel

Secretary to the Board of  
Directors of McKinleyville  
Community Services District