

RESOLUTION NO. 2-2002

**A RESOLUTION CALLING A HEARING FOR CONSIDERATION OF
ENFORCEMENT ACTION AGAINST DISCHARGERS THAT HAVE NOT PAID NON-
DOMESTIC WASTE SOURCE CONTROL PROGRAM FEES FOR FISCAL YEAR
2001-2002**

RESOLVED, by the Board of Directors of the Sewer Authority Mid-Coastside, San Mateo County, California, as follows:

WHEREAS, this Board did, by its Resolution No. 1-91, adopt regulations establishing a Non-Domestic Waste Source Control Program ("the Program");

WHEREAS, such regulations authorized this Board to establish a uniform schedule of fees to be imposed upon and collected from applicants or dischargers to defray the costs of processing and issuing permits in conjunction with the Program and carrying out the services which are a part of the Program (Program Fees);

WHEREAS, such regulations state that it is unlawful to discharge non-domestic wastewater into the sanitary sewer without first obtaining a NDWSCP permit from the Authority and that the permit will not be issued until all applicable fees are paid;

WHEREAS, such regulations state that the Authority may take enforcement action against premises which are discharging in violation of the NDWSCP regulations;

WHEREAS, this Authority did by its Resolution 9-2001 adopt Program Fees for Fiscal Year 2001-2002;

WHEREAS, all dischargers subject to Program Fees for Fiscal Year 2001-2002 have been notified of the fee amount due, and that the fee was due on or before December 31, 2001.

WHEREAS, all dischargers delinquent in payment of such Program Fees have been notified;

WHEREAS, certain dischargers have still not paid such Program Fees.

NOW THEREFORE, it is determined and ordered that:

1. This Authority shall hold a hearing for consideration of enforcement action against dischargers that have not yet paid NDWSCP Fees for Fiscal Year 2001-2002, on March 25, 2002, 7:30 p.m., at the Sewer Authority Mid-Coastside Administrative Office, 1000 North Cabrillo Highway, Half Moon Bay.

2. The Secretary of this Authority is hereby directed to give notice of the hearing by posting a certified copy of this Resolution at the regular places for posting notices by this Authority at least 10 days prior to said hearing. Such places are:

- Sewer Authority Mid-Coastside Administrative Building,
1000 N. Cabrillo Highway, Half Moon Bay
- City of Half Moon Bay City Hall,
501 Main Street, Half Moon Bay
- Granada Sanitary District Regular Place of Posting Notices,
529 Obispo Road, El Granada
- Montara Sanitary District Office,
Highway One and 16th Street, Montara

3. The Secretary of this Authority is further directed to mail by 1st class mail postage prepaid a copy of this resolution to each discharger, and discharger property owner, that has not yet paid Program Fees for Fiscal Year 2001-2002. Such mailing shall be made at least 10 days prior said hearing.

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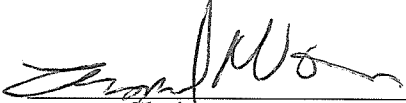
I hereby certify that the foregoing is a full, true and correct copy of the Resolution duly passed and adopted by the Board of Directors of the Sewer Authority Mid-Coastside at a regular Board meeting thereof held on the 25th day of February 2002, by the following vote:

AYES, and in favor thereof, McGraw , Woren , Coleman , Ferriera , Boyd , Ptacek

NOES, **Directors:** None .

ABSENT, **Directors:** Taylor .

ABSTAIN, **Directors:** None .



Chairperson
Sewer Authority Mid-Coastside

COUNTERSIGNED:



Secretary *PRO-TEM*
Sewer Authority Mid-Coastside

SEWER AUTHORITY MID-COASTSIDE

MEMORANDUM

DATE: February 21, 2002

TO: BOARD OF DIRECTORS
Sewer Authority Mid-Coastside

FROM: John Burgh
Interim Manager

SUBJ: NON-DOMESTIC WASTE SOURCE CONTROL PROGRAM (NDWSCP) PERMITTEES THAT
HAVE NOT YET PAID FISCAL YEAR 2001-2002 FEES

The following is a status report of the NDWSCP Permit Fee Payment:

Of the 107 NDWSCP Permittees:

- 89 Permittees paid fees in full and on time,
- 11 Permittees paid fees late and paid the additional late fees due,
- 1 Permittee went bankrupt
- 1 Permittee has been added since the Fee Schedule was approved
- 5 Permittees have not yet paid Fiscal Year 2001-2002 fees

Permit fees were due on or before December 31, 2001.

All Permittees that have not completely paid fees receive a monthly Permit Fee past due notice which identifies the amount past due and accrued late fee penalty amounts.

To prevent an indefinite period of time from elapsing before fee payment is made, and to be consistent with action taken in previous years, staff believes that the Board should consider beginning the process enforcement action against Permittees that have failed to pay Fiscal Year 2001-2002 fees.

RECOMMENDATION

Staff recommends that the Board consider this matter. Should the Board decide to begin the process of enforcement action, staff recommends that the Board adopt a Resolution Calling a Hearing for Consideration of Enforcement Action Against Dischargers that have not Paid Non-Domestic Waste Source Control Program Fees for Fiscal Year 2001-2002.

The Resolution orders that a hearing be held March 25, 2002 for consideration of enforcement action against dischargers delinquent in fee payment.