

RESOLUTION NO. 3-2002

**A RESOLUTION CALLING A HEARING FOR CONSIDERATION OF
TERMINATING THE SEWER SERVICE OF 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, this Board did, by its Resolution No. 2-94, amend the regulations establishing the Program, thereby establishing the amended regulations now in effect ("the Regulations");

WHEREAS, Article III, Section 3.10 of the Regulations states that the Authority is authorized to establish a uniform schedule of fees to cover the cost of issuing permits and insure that the conditions of the permits is complied with;

WHEREAS, Article III, Section 3.11 of the Regulations states that the Authority is authorized to collect such fees;

WHEREAS, Article III, Section 3.12 of the Regulations states that the Authority is allowed to assess a penalty for delinquent payment;

WHEREAS, Article III, Section 3.0 of the Regulations states that it is unlawful to discharge non-domestic wastewater into the sanitary sewer without first obtaining a Permit from the Authority and that the Permit will not be issued until all applicable fees are paid;

WHEREAS, Article V, Section 5.6 of the Regulations states that the Authority may terminate sanitary sewer services to any premises from which waste is being discharged in violation of any provisions of the Regulations;

WHEREAS, the Authority did by its Resolution 9-2001 adopt a uniform schedule of fees for use in conjunction with the Program for Fiscal Year 2001-2002 ("Program Fees");

WHEREAS, there are certain dischargers, required to pay Program Fees, that have failed to do so even after receiving a reminder notice and late notice from the Authority ("Subject Dischargers");

WHEREAS, all Subject Dischargers and Subject Discharger property owners, have been noticed of the time and place of a hearing at which this Board would consider enforcement action against dischargers failing to pay Program Fees;

WHEREAS, this Board at such hearing duly considered information presented by staff regarding the failure of Subject Dischargers to pay Program Fees;

WHEREAS, this Board at such hearing also duly considered information presented by - persons appearing at the meeting, regarding the failure of Subject Dischargers to pay Program Fees; -and

WHEREAS, the Subject Dischargers have still not paid Program Fees;

NOW THEREFORE, it is determined and ordered that:

1. This Authority shall hold a hearing for consideration of terminating the sewer service of Subject Dischargers, identified in Exhibit A hereto, on April 22, 2002, 7:30 p.m., at the Sewer Authority Mid-Coastside Administrative Office, 1000 N. 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 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 certified mail, with return receipt, a copy of this resolution to each Subject Discharger and Subject Discharger property owner. Such mailing shall be made at least 10 days prior to said hearing.

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 MARCH 2002, by the following vote:

AYES, and in favor thereof, COLEMAN, FERREIRA, WOREN, BOYD, KATKE, and PTACEK

NOES, Directors: NONE.

ABSENT, Directors: TAYLOR, MC GRAW

ABSTAIN, Directors: NONE.



Chairperson
Sewer Authority Mid-Coastside

COUNTERSIGNED:



Secretary
Sewer Authority Mid-Coastside