

ORDINANCE NO. 2023-02

**AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR THE
CARMEL AREA WASTEWATER DISTRICT, REVISING,
AMENDING, RESTATING, CODIFYING AND COMPILING
CERTAIN EXISTING GENERAL ORDINANCES OF DISTRICT**

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WHEREAS, the present general and permanent ordinances of the District are inadequately arranged and classified in a manner which permits their optimal utility in furtherance of the preservation of the public health, safety and general welfare of the District's residents and for the proper conduct of the District's affairs; and

WHEREAS, California Health and Safety Code Section 6491.3 empowers and authorizes the District to enact ordinances in the same manner and effect as the general regulations of the Board; and

WHEREAS, the Board of Directors previously authorized a general compilation, revision and codification of the ordinances of the District of a general and permanent nature and publication of such ordinances in book form; and

WHEREAS, codification is necessary to more effectively provide for the usual daily operation of the District.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE
CARMEL AREA WASTEWATER DISTRICT DOES ORDAIN AS
FOLLOW:**

1. Codification. The general ordinances of the District as revised, amended, restated, codified, and compiled in the book form entitled "Carmel Area Wastewater District, California Code of Ordinances," on file and available for inspection at Office of the Secretary to Board of Directors and online at:

[https://codelibrary.amlegal.com/codes/carmelwastewaterca/latest/carmelwastewater ca/0-0-0-2](https://codelibrary.amlegal.com/codes/carmelwastewaterca/latest/carmelwastewater%20ca/0-0-0-2)

are hereby adopted as and shall constitute the "Code of Ordinances of the Carmel Area Wastewater District."

2. **Titles.** Such Code of Ordinances as adopted in Section 1 shall consist of the following Titles:

CARMEL AREA WASTEWATER DISTRICT TABLE OF CONTENTS

TITLE I: GENERAL PROVISIONS

- 10. General Provisions
- 11. District Standards

TITLE II: ADMINISTRATION

- 20. Personnel
- 21. Board of Directors
- 22. Finances
- 23. Policies and Programs
- 24. Agreement: CAWD and PBCSD

TITLE III: SEWER REGULATIONS

- 30. Permits and Licenses
- 31. Fees and Charges
- 32. Sewers
- 33. Sanitary Sewer Standard Specifications
- 34. Reclaimed Water
- 35. Pretreatment Standards
- 36. Plumbing Regulations

TITLE IV: GENERAL REGULATIONS

- 40. Real Property and Improvements
- 41. Grease, Oil and Fats

TABLE OF SPECIAL RESOLUTIONS

- I. Contracts and Agreements
- II. Funds and Bonds
- III. Easements
- IV. Annexations and Detachments
- V. Real Property Transactions
- VI. Sale, Gift, Leasing and Appropriation of Property

PARALLEL REFERENCES

References to California Codes

References to Resolutions

References to Ordinances

3. **Repeal & Saving.** All prior ordinances pertaining to the subjects treated in such Code of Ordinances shall be deemed repealed from and after the effective date of this ordinance except as they are included and preordained in whole or in part in such Code; provided, such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this ordinance, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises, or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plat or dedication of land to public use, vacating or setting the boundaries of streets or other public places; nor shall such repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by the Code.

4. **Publication.** Following adoption, this ordinance shall be published once in a newspaper published in the District.

5. **Effective Date.** This ordinance shall take effect and be in force one (1) week following the date it is published in the newspaper, or fourteen (14) days following the date of its passage and adoption next below, whichever is later and the Secretary to the Board is hereby authorized and ordered to file a copy of such Code of Ordinances in the Office of the Clerk of the Board of Supervisors of the County of Monterey.

6. **Effect.** Such Code shall be in full force and effect as provided in Section 5, and such Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, penalties and regulations therein contained and of the date of passage, and that the same is properly signed, attested, recorded, and approved and that any public hearings and notices thereof as required by law have been given.

7. **Not a Project as Defined in CEQA.** Approval of this Ordinance does not involve any activity included in the definition of "Project" in the California Environmental Quality Act (CEQA), and therefore is not subject to review under CEQA.

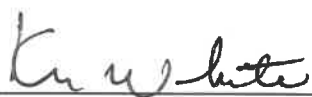
PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Carmel Area Wastewater District duly held on June 29, 2023, by the following vote:

AYES: BOARD MEMBERS: PRESIDENT WHITE, DIRECTORS: D'AMBROSIO,
RACHEL, SIEGFRIED AND URQUHART

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ABSTAIN: BOARD MEMBERS:



Ken White, President of the Board

ATTEST:



Domine Barringer, Secretary of the Board