

ORDINANCE NO. 49

AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE IDYLLWILD WATER DISTRICT ON-SITE
WASTEWATER DISPOSAL ZONE ADOPTING
REGULATIONS FOR THE MONITORING, MAINTENANCE
AND OPERATION OF ON-SITE WASTEWATER DISPOSAL SYSTEMS

BE IT ORDAINED by the Board of Directors of the IDYLLWILD
WATER DISTRICT On-Site Wastewater Disposal System Zone that:

1. Rules and Regulations. The attached Rules and
Regulations be adopted to regulate the monitoring, maintenance
and operation of on-site wastewater disposal systems and that
these Rules and Regulations be in effect immediately upon
adoption of this ordinance.

2. Enforcement.

(a) Investigation Powers.

The officers, inspectors, managers, and any
duly-authorized employees of the IDYLLWILD WATER DISTRICT
shall carry evidence establishing their position as an
authorized representative of the DISTRICT, and, upon
exhibiting the proper credentials and identification, shall
be permitted to enter in and upon any and all buildings,
industrial and commercial facilities, and properties for the
purpose of inspection, re-inspection, observation,
measurement, sampling, testing or otherwise performing such
duties as may be necessary in the enforcement of the

provisions of this ordinance and rules and regulations of the IDYLLWILD WATER DISTRICT. If necessary under the circumstances, such officials shall obtain an inspection warrant pursuant to Title 13 (commencing with Section 1822.50) of Part 3 of the Code of Civil Procedure of the State of California to obtain right of entry for such purpose.

(b) Violation.

Any person found to be violating any provision of this or any other ordinance, rule or regulation of the DISTRICT shall be served by the DISTRICT's Inspector or other authorized person with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. Said time limit shall be not less than 10 days. The offender shall, within the period of time stated in such notice, permanently cease all violations. All persons shall be held strictly responsible for any and all acts of agents or employees done under the provisions of this or any other ordinance, rule or regulation of the IDYLLWILD WATER DISTRICT. Upon being notified by the Inspector of any violation of this Ordinance, the person or persons having charge of said work shall correct the same within the time limit established.

3. Liability for Violation.

Any person violating any of the provisions of this

Ordinance or the rules and regulations promulgated thereunder, shall become liable to the IDYLLWILD WATER DISTRICT for any expense, loss or damage occasioned by the IDYLLWILD WATER DISTRICT by reason of such violation.

4. Public Nuisance.

Continued habitation of any building or continued operation of any facility in violation of the provisions of this or any other ordinance, rule or regulation of the IDYLLWILD WATER DISTRICT is hereby declared to be a public nuisance. The IDYLLWILD WATER DISTRICT may cause proceedings to be brought for injunctive relief and/or for the abatement of the occupancy of the building or facility during the period of such violation. In such event, there is to be paid to the IDYLLWILD WATER DISTRICT reasonable attorney's fees and costs of suit arising in said action.

5. Costs of Abatement.

Any violation of this Ordinance or any rule or regulation thereunder shall be abated as a public nuisance. The amount of any costs, which are incurred by the DISTRICT in abating such a nuisance upon real property, shall be assessed to such real property and shall be added to, and become part of, the annual taxes next levied upon the real property subject to

abatement and shall constitute a lien upon that real property as of the same time and in the same manner as does the tax lien securing such annual taxes. All laws applicable to the collection and enforcement of County ad valorem taxes shall be applicable to such assessment, except that if any real property to which such lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attached thereon prior to the date on which such delinquent charges appear on the assessment role, then a lien which would otherwise be imposed hereunder shall not attach to such real property, and the delinquent and unpaid charges relating to such property shall be transferred to the unsecured role for collection. Any amounts of such assessments collected are to be credited to the fund from which the costs of abatement were expended.

6. Water Cut Off.

As an alternative remedy for such violations, the IDYLLWILD WATER DISTRICT may cause DISTRICT water service to the premises to be discontinued during the period of violation.

7. Means of Enforcement Only.

The IDYLLWILD WATER DISTRICT hereby determines that the foregoing procedures are established as a means of enforcement of

the terms and conditions of its ordinances, rules and regulations and not as a penalty.

8. Miscellaneous Provisions.

(a) Separability.

If any article, section, subsection, sentence, clause or phrase of this Ordinance or the application thereof to any person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance or the application of such provision to other persons or circumstances. The Board of Directors of the IDYLLWILD WATER DISTRICT hereby declares that it would have passed this Ordinance or any article, section, subsection, sentence, clause or phrase hereof irrespective of the fact that any one or more articles, sections, subsections, sentences, clauses or phrases be declared to be unconstitutional.

ADOPTED this 14th day of April, 1987.

IDYLLWILD WATER DISTRICT
ON-SITE WASTEWATER DISPOSAL ZONE

By 
Janet E. McKeough, President,
Board of Directors

EXHIBIT "A"

LEGAL DESCRIPTION OF
BOUNDARIES OF IDYLLWILD WATER DISTRICT
ON-SITE WASTEWATER DISPOSAL ZONE

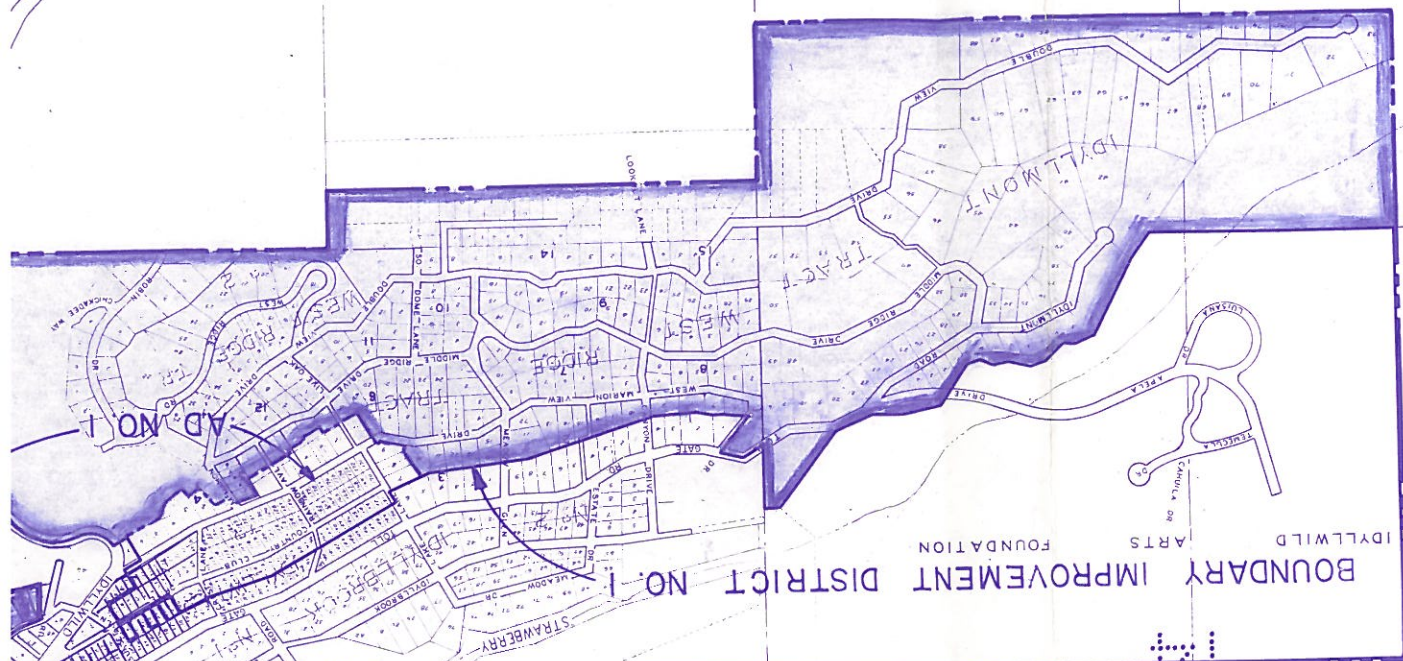
The boundaries of the Idyllwild Water District On-site Wastewater Disposal Zone, include all lands within the boundary of the Idyllwild Water District excepting therefrom those lands within Idyllwild Water District Improvement District No. 1, Idyllwild Water District Assessment District No. 1, and Pine Cove County Water District Assessment District No. P.C.-1.

In general the lands within the onsite wastewater disposal zone are located in the following sections:

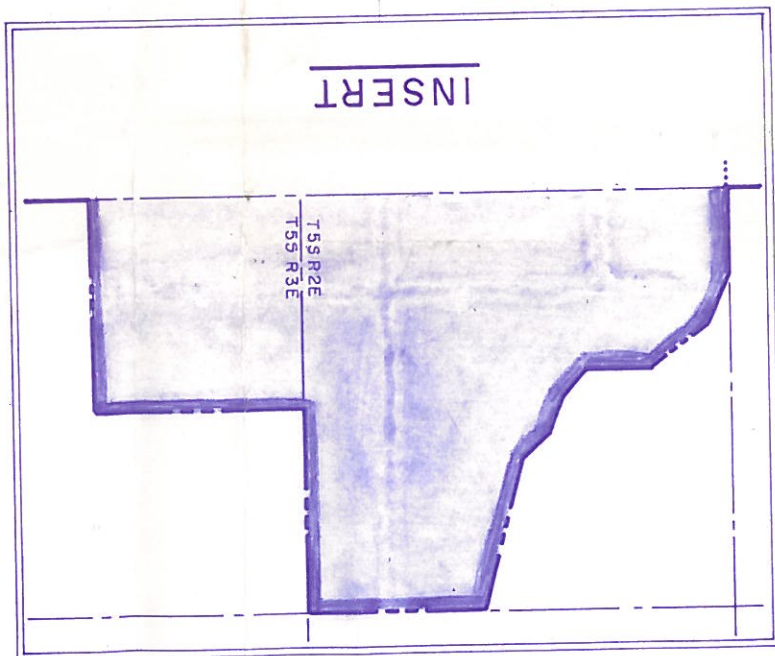
Portions of Sections 1, 12, 13, 14, 23, and 24 of Township 5 South, Range 2 East SBBM and portions of Sections 6, 7, 18, and 19 of Township 5 South, Range 3 East, SBBM.

The accompanying map titled Exhibit "A", Boundaries of Idyllwild Water District On-site Wastewater Disposal Zone, described in more detail the boundary of this zone.

IDYLLWILD



IDYLLWILD COUNTY WATER DISTRICT BOUNDARY



BOUNDARY
PINE COVE CWD
NO. P.C. - 1
ASSESSMENT DISTRICT

