

**ORDINANCE NO. 19**

**AN ORDINANCE OF THE GOVERNING BOARD  
OF THE MONTECITO SANITARY DISTRICT  
ELECTING TO HAVE CONNECTION FEES AND INSPECTION FEES  
AND PROPORTIONATE SHARE OF SEWER MAIN EXTENSION COSTS  
COLLECTED ON THE COUNTY TAX ROLL**

WHEREAS, Section 6520.5 of the Health and Safety Code authorizes the Montecito Sanitary District (“District”) to prescribe, revise and collect fees, tolls, rates, rental or other charges for services and facilities furnished by the District in connection with the District’s sanitation or sewerage systems; and

WHEREAS, Section 5474 of the Health and Safety Code provides that the District may, by ordinance approved by two-thirds (2/3) vote of its Governing Board (“Board”), fix fees or charges for the privilege of connecting to District sanitation or sewerage facilities and improvements constructed by the District pursuant to Section 5463 and 5464 of the Health and Safety Code, and to fix the time or times at which the fees or charges shall become due, to provide for the payment of the fees or charges prior to connection or in installments over a period of not to exceed thirty (30) years, to provide the rate of interest, not to exceed twelve percent (12%) per annum, to be charged on the unpaid balance of the fees or charges, and to provide that the amount of the fees or charges and the interest thereon shall constitute a lien against the respective lots or parcels of land to which the facilities are connected at the time and in the manner specified in Sections 5473.5 and 5473.8 of the Health and Safety Code; and

WHEREAS, Section 5473 of the Health and Safety Code provides that the District may, by ordinance approved by two-thirds (2/3) vote of its Board, elect to have such charges collected on the tax roll of the County of Santa Barbara in the same manner, by the same persons and at the same time as together with and not separately from, the District’s general taxes; and

WHEREAS, the Board has determined that more property owners within the District may choose to participate in sewer main extension projects if such owners are allowed to re-pay their proportionate share of construction costs and/or septic-to-sewer conversion fees over time, to be collected on the tax roll of the County of Santa Barbara in the same manner as the District’s general taxes.

**NOW THEREFORE, BE IT ORDAINED THAT:**

1. The District may, at its discretion, allow an owner of property within the District to elect to have such owner’s (a) proportionate share of the costs associated with the construction of a District sewer main extension project to serve such owner’s property, and/or (b) connection fees for a septic-to-sewer conversion as listed in the District’s then-current Establishing Fee Schedule Resolution for residential sewer connections (including inspection fees), to be collected on the tax roll of the County of Santa Barbara in the same manner, by the same persons, and at the same time as, together with and not separately from, the District’s general taxes, payable in thirty (30) equal annual installments with interest thereon at the rate set forth in Section 2 below, which amounts shall constitute a lien against the subject property at the time and in the manner specified in Sections 5473.5 and 5473.8 of the Health & Safety Code.

2. Interest on any amounts charged to a property owner pursuant to Section 1 above shall be calculated annually by applying an annual average of the prior four quarters of interest received on

**Ordinance No. 19**

**Fees on Tax Roll**

District funds held within the County Treasury to the remaining balance for each equal annual installment, which rate shall not in any event exceed twelve percent (12%) per annum or the maximum amount then permitted by law.

3. In the event a property owner elects to have the fees, charges and interest set forth in Sections 1 and 2 above collected on the tax roll of the County of Santa Barbara and constitute a lien on the owner's property, the District shall comply with the requirements set forth in Sections 5473 through 5747.10, as applicable.

4. Any lien established pursuant to this Ordinance must be paid in full when the subject property is sold, conveyed, assigned or otherwise transferred to any party other than the owner of record at the time the lien was established.


5. Anything herein to the contrary notwithstanding, any remaining balance due on amounts charged to a property owner pursuant to Sections 1 and 2 above may be paid in full in cash at any time, at the option of the property owner.

6. The procedures established by this Ordinance shall continue in effect until this Ordinance is revoked.

7. Immediately following adoption, the Clerk shall cause this Ordinance to be published one time in a newspaper of general circulation within the District.

PASSED AND ADOPTED by the Governing Board of Montecito Sanitary District on this 23rd day of September, 2021, to become effective upon expiration of the week of publication, by the following vote:

- AYES: Director Barrett, Eversoll, Fuller, and Newquist
- NAYS: None
- ABSTAIN: None
- ABSENT: Director Johnson

DocuSigned by:  
  
 A62221092E504A7...  
 Dorinne Lee Johnson  
 President of the Governing Board of the  
 MONTECITO SANITARY DISTRICT

(Seal)



**ATTEST:**

DocuSigned by:  
  
 FF99A9D2BB6448C...  
 Dana Newquist  
 Secretary of the Governing Board of the  
 MONTECITO SANITARY DISTRICT