

Ordinance No. 46
Order No. 11-38

**AN ORDINANCE AND ORDER ADOPTING THE ANNUAL SEWER USE
REPORT FOR FISCAL YEAR 2011/2012**

WHEREAS, at its meeting on August 2, 2011, after duly publishing and posting all required notices, the Board of Directors (the "Board") of Ironhouse Sanitary District, a California Sanitary District (the "District") held a public hearing as part of a regularly scheduled meeting to consider the written report prepared for fiscal year 2011-12 filed with the clerk of the District containing a description of each parcel of real property receiving the District's sewer service and the amount of the charge for each parcel for such fiscal year (the "Report").

WHEREAS, at the public hearing on August 2, 2011 the Board considered all testimony presented.

NOW, THEREFORE, BE IT RESOLVED, by the Board that, based on the foregoing facts and circumstances and on the entire administrative record, the Board hereby finds and determines as follows:

1. The Board has earlier ordered, and finds and determines anew, that publication and posting of the notice of the filing of the report and of the time and place of hearing thereon were made in accordance with Health and Safety Code Sections 5473.1 and 6490 and all other applicable requirements.

2. The Report is computed in conformity with the charges prescribed by the District's ordinances and resolutions, including its Ordinance No. 25 (as amended) and Ordinance No. 34.

3. The District earlier increased its sewer service charge to the amounts set forth in the Report pursuant to its Ordinance No. 45/Order No. 11-25 adopted June 7, 2011, which Ordinance and Order took effect prior to the July 1, 2011 effective date of the increase. The Report does not change the amount of the charge for sewer service from that adopted in such Ordinance and Order.

4. It can be seen with certainty that there is no possibility that the actions being taken by this Ordinance and Order may have a significant effect on the environment, and it is therefore exempt from CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

FURTHER RESOLVED, by the Board that, based on the foregoing facts, circumstances and findings, and on the entire administrative record, the Board hereby ordains and orders as follows:

1. Each charge, as described in the Report, is hereby determined to be correct and approved. As previously determined by the District, the charges set forth in the Report shall be collected on the tax roll 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.

2. To the maximum extent permitted by law, the sewer service charge shall apply to state and local educational and other public entities.

3. This is both an ordinance and an order establishing a general regulation. If any portion of this ordinance or order is determined invalid or unenforceable for any reason by a court of competent jurisdiction, then such portion shall be deemed severed to the extent of the invalidity or unenforceability, and the remainder of this ordinance and order shall remain in full force and effect.

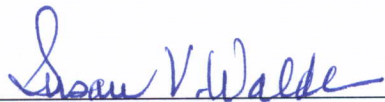
3. The District Secretary is hereby designated as the officer to publish or post this ordinance and order pursuant to applicable legal requirements.

I hereby certify that the foregoing is a full, true and correct copy of an ordinance and order duly passed and adopted by the Sanitary Board of the Ironhouse Sanitary District at a meeting thereof held on the 2nd day of August, 2011.


AYES, and in favor thereof, Members: D. Contreras, D. Hardcastle, D. Huerta, C. Lauritzen, and M. Painter

NOES, Members: none

ABSENT, Members: none



Susan V. Walde
Secretary to the Board
(SEAL)

APPROVED: 

Michael Painter
President of the Board