

RESOLUTION NO. 2007-_____
A RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS
FORMING AN ON-SITE WASTEWATER DISPOSAL ZONE

WHEREAS, the California Health and Safety Code Section 6950 et seq. allows a public agency that is authorized to acquire, construct, maintain or operate sanitary sewers or sewage systems to form an on-site wastewater disposal zone in all or any portion of the public agency's jurisdiction; and

WHEREAS, the County of Marin is a public agency as defined above; and

WHEREAS, a petition to form such a Zone in the Marshall area was submitted to the Board of Supervisors Office on March 2nd, 2007 pursuant to California Health and Safety Code Section 6957 to; and

WHEREAS, said petition was certified on April 3rd, 2007 to comply with all the provisions of California Health and Safety Code Section 6957 and Sections (a), (b), (c) and (d) of Section 6956; and

WHEREAS, the number of written protests represents fewer than 35% of the number of voters who reside in the district; and

WHEREAS, the number of written protests represents fewer than 35% of the number of owners of real property who also own not less than 35% of the assessed value of the real property within the Zone; and

WHEREAS, the Marin County Local Agency Formation Commission has conducted the necessary review and approval procedures; and

WHEREAS, the Marin County Health Officer has conducted the necessary review and approval procedures; and

WHEREAS, the San Francisco Bay Regional Water Quality Control Board has conducted the necessary review and approval procedures; and

WHEREAS, the operation of the Zone will not result in land uses that are not consistent with applicable general plans, zoning ordinances or other land use regulations.

NOW, THEREFORE, BE IT RESOLVED that the Marin County Board of Supervisors hereby forms an On-Site Wastewater Disposal Zone within the boundaries described in Exhibits A and B.

BE IT FURTHER RESOLVED that:

- (a) The public benefit to be derived from establishment of the Zone is improved water quality, public health and sanitation through the construction and operation of a community wastewater disposal system and the monitoring and maintenance services to be provided to owners of existing private individual onsite wastewater systems within the Zone boundaries.

- (b) The single community onsite wastewater system to be constructed and operated by the Zone shall serve only the wastewater disposal needs of existing legal lots of record that support existing legal residential or commercial development as of April 17, 2007. It shall not permit any future sewage disposal connections that would facilitate the development of undeveloped land.
- (c) Proposed additions or remodels to existing developed residential properties within the Zone shall be governed by all of the terms and conditions contained within the Remodel And Additions Policy in effect on April 17, 2007 and published by the County of Marin Environmental Health Services Division. Expansions or additions falling outside the scope of the Remodel and Additions Policy shall not be permitted. Modifications to commercial properties shall be governed by the provisions of Policy Memorandum Number One as issued by the County of Marin Environmental Health Services Division and as amended from time to time.
- (d) Liability for the wastewater system components located on privately owned property shall attach to the landowner and not the County of Marin.
- (e) The means of financing the construction of the community wastewater system shall be by grant funds and benefit assessments as contained in the Engineer's Assessment Report.
- (f) The method of financing the ongoing operational costs of the Zone shall be by means of benefit assessments as detailed in the Engineer's Assessment Report. These sums shall be collected by means of the regular Tax Rolls maintained by the County of Marin.
- (g) The Deputy Director of the Environmental Health Services Division of the Community Development Agency may form a citizen's advisory committee consisting of local residents and/or property owners to make periodic recommendations concerning the operation of the Zone.
- (h) The Zone shall provide monitoring services to those owners of real property within the Zone whose onsite wastewater systems are not connected to the community wastewater system.
- (i) The Zone shall file a periodic monitoring report as required by Section 800 et seq. of the Marin County Regulations for the Design, Construction and Repair of Individual Sewage Disposal Systems.
- (j) The Clerk of the Board shall file a copy of this Resolution in the Office of the County Recorder.
- (k) The Clerk of the Board is further directed to transmit a copy of this Resolution to the Marin County Local Agency Formation Commission, the Marin County Health Officer and the San Francisco Bay Regional Water Quality Control Board.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin held on this ____th day of _____, 2007, by the following vote:

AYES: SUPERVISORS

NOES:

ABSENT:

PRESIDENT, BOARD OF SUPERVISORS

ATTEST:

CLERK