

AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE MIDWAY CITY SANITARY DISTRICT
OF ORANGE COUNTY, CALIFORNIA, DIRECTING
THE COUNTY AUDITOR TO ADD RATES AND
CHARGES FOR SANITATION AND SEWERAGE
SERVICES AND FACILITIES TO THE 1986-1987
SECURED TAX ROLL.

Upon a Motion duly made, seconded and carried, the Board of Directors of the MIDWAY CITY SANITARY DISTRICT does hereby ordain as follows:

WHEREAS, by the adoption of Ordinance Nos. 26 and 30, the Board of Directors of the MIDWAY CITY SANITARY DISTRICT has elected to impose and collect rates and charges for sanitation and sewerage services and facilities provided by said District; and

WHEREAS, a written report containing a description of each parcel of real property receiving District services and the amount of the charges therefore was filed on July 1, 1986, and notice of the public hearing on said report was given as required by law; and

WHEREAS, a public hearing on said report was held on August 5, 1986, at which time the District's Board of Directors heard and considered all objections and protests; and

WHEREAS, following said hearing, on said date, the District's Board of Directors adopted the fees and charges set forth in said report and, objections and protests having not been made by the owners of a majority of separate parcels of property described in the report, ordered that said fees and charges be collected on the tax roll:

Section 1: GENERAL USER RATES AND CHARGES

(a) By virtue of Ordinance No. 30, the District is empowered to collect fees and charges from all users of the District's services and facilities up to the maximum amounts set forth in

1 said Ordinance.

2 (b) Charges for these services are spread on a flat
3 rate per unit basis rather than an ad valorem basis.

4 (c) Such charges shall be collected on the tax roll in
5 the same manner, by the same persons and at the same time as,
6 together and not separately from, the general taxes of the Dis-
7 trict.

8 (d) The County Auditor be and hereby is ordered and
9 directed to add the special assessments to the 1986-1987 Secured
10 Tax Roll. The sewer usage fee shall be One Dollar (\$1.00) per
11 unit per month. The trash usage fee shall be Four Dollars (\$4.00)
12 per unit per month.

13 Section 2: SPECIAL USAGE FEES

14 (a) By the virtue of the adoption of Ordinance No. 26
15 the Board of Directors of the MIDWAY CITY SANITARY DISTRICT has
16 elected to impose and collect additional rates and charges for
17 sanitation and sewerage services and facilities provided by said
18 District to properties annexed to said District subsequent to July
19 28, 1981.

20 (b) The MIDWAY CITY SANITARY DISTRICT and owners of
21 said annexed properties have executed Special Usage Permit Agree-
22 ment and Restrictive Covenant documents which have been recorded
23 with the County Recorder, and said documents contain an agreement
24 that the special user fee set forth therein may be collected on
25 the tax roll in the same manner, by the same person, and at the
26 same time as, together and not separately from, the general taxes
27 of the District.

28 (c) The calculation contained in said Special Usage
29 Permit Agreement and Restrictive Covenant for said special user
30 fee is as follows:

31 (i) The rates and charges for this service are a fee
32 which is equal to three percent (3%) of the annual property tax

1 increment from said property beginning with the fiscal year set
2 forth in each said Special Usage Permit Agreement and Restrictive
3 Covenant.

4 (ii) The annual property tax increment is defined as
5 that amount by which the property tax on said property has increas-
6 ed since the fiscal year immediately preceding the fiscal year
7 set forth in said Special Usage Permit Agreement and Restrictive
8 Covenant.


9 (d) That the description of the real property subject
10 to the above special usage fees appear in MIDWAY CITY SANITARY
11 DISTRICT Resolution No. 691 adopted on August 5, 1986.

12 (e) That the County Auditor be and hereby is ordered
13 and directed to add the special usage fees to the 1986-1987
14 Secured Tax Roll.

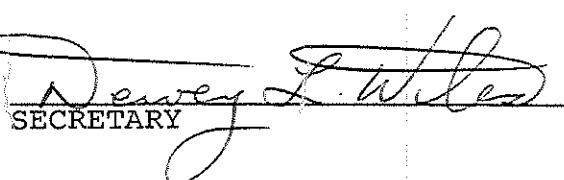
15 Section 3: The District's appropriation for the fiscal
16 year 1986-1987 will not exceed the limitation imposed by law.

17 Section 4: This Ordinance confirms the general orders
18 made by the District's Board of Directors at its regular meeting
19 of August 5, 1986, which Orders and this Ordinance constitute an
20 implementation of the provisions of Ordinance Nos. 26 and 30 for
21 the fiscal year 1986-1987. Nothing contained herein shall be
22 construed as a repeal of said Ordinance Nos. 26 and 30, which con-
23 tinue to remain in full force and effect.

24 ADOPTED, SIGEND AND APPROVED this 19th day of
25 August, 1986.

26 
27 _____
PRESIDENT

28 ATTEST:

29
30 
31 _____
SECRETARY
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