

ORDINANCE NO. 27

AN ORDINANCE DECLARING EMERGENCY, PROHIBITING CONNECTION
TO CERTAIN SANITARY SEWERAGE FACILITIES AND PROVIDING
FOR ITS ENFORCEMENT

SANITARY DISTRICT NO. 1 OF MARIN COUNTY

The Sanitary Board of Sanitary District No. 1 of Marin County, California, does ordain as follows:

Sec. 1. Purpose. The sanitary sewerage system commonly known as the "Greenbrae Marina Sewer System" designed to serve the area more particularly described in Exhibit "A" hereto attached and by reference incorporated herein, has evidenced gross deficiencies which render it inoperable. Such deficiencies have resulted in salt water infiltration, differential subsidence, the corrosion of sanitary sewerage pumps and the leaking of raw sewerage from said facilities. Such deficiencies have caused the creation of an emergency situation and to continue to allow the connection of additional buildings to said facilities will have a detrimental effect on the sanitary sewerage collection, transmission and treatment facilities of the District and will seriously affect the health, safety and general welfare of the inhabitants of said District. The protection of the health, safety and welfare necessitates the adoption of this ordinance.

Sec. 2. Definitions. Unless the context of this ordinance otherwise indicates, terms used herein shall have the following meanings:

State of California, districts and all political subdivisions, governmental agencies and mandatories thereof.

(c) "Building" shall mean any structure used for human habitation or a place of business, recreation or other purpose containing sanitary facilities.

Sec. 3. Connections Prohibited. Following the effective date of this Ordinance, it shall be unlawful for any person to connect to, construct, install or provide, maintain and use any means of sewage disposal from any building in said area described in said Exhibit "A", which will in any way require the use of any of the facilities of said Greenbrae Marina Sewer System. The prohibition of such connections shall remain in effect during the continuance of such emergency and until such time as the correction of such deficiencies has been made in said Greenbrae Marina Sewer System to the satisfaction of the District.

Sec. 4. Violation. Any person found to be violating any provision of this Ordinance shall be served by the Manager 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 two nor more than seven working 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

the building during the period of such violation.

Sec. 6. Disconnection. As an alternative method of enforcing the provisions of this Ordinance prohibiting the connection of any building within said area described in said Exhibit "A" from and after the effective date of this Ordinance, the Manager shall have the power to disconnect said building from the sewer mains of the District.

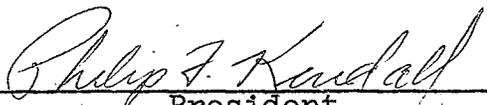
Sec. 7. Public Nuisance, Abatement. During the period of such disconnection, habitation or use of such building by human beings shall constitute a public nuisance whereupon the District shall cause proceedings to be brought for the abatement of the use of said building by human beings during the period of such disconnection.

Sec. 8. Means of Enforcement Only. The District hereby declares that the foregoing procedures are established as a means of enforcement of the terms and conditions of this Ordinance and not as a penalty.

Sec. 9. Misdemeanor. Section 6523 of the Health and Safety Code of the State of California provides that the violation of an ordinance, rule or regulation of a sanitary district by any person is a misdemeanor punishable by fine not to exceed One Hundred Dollars (\$100.00), imprisonment not to exceed one (1) month, or both. Each and every connection in violation of this Ordinance shall be deemed a separate violation and each and every day or part of a day a violation of this Ordinance continues shall be

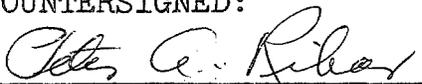
Sec. 11. Separability. If any section, sub-section, sentence, clause or phrase of this Ordinance or the application thereof to any person or circumstances is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance or the application of such provision to other persons or circumstances. The Board hereby declares that it would have passed this Ordinance or any section, sub-section, sentence, clause or phrase hereof irrespective of the fact that any one or more section, sub-section, sentences, clauses or phrases be declared to be unconstitutional.

Sec. 12. Publication. Upon adoption, this Ordinance shall be entered in full in the minutes of this Board and shall be published once in the Fairfax Reporter, a newspaper published in said District and be effective upon the expiration of one (1) week from the date of said publication.



President
Sanitary District No. 1 of Marin County

COUNTERSIGNED:



Secretary

* * * * *

I hereby certify that the foregoing is a full, true and correct copy of an Ordinance passed and adopted by the Sanitary Board of Sanitary District No. 1 of Marin County at a meeting thereof held on the 20th day of APRIL, 1967, by the following vote of the members thereof:

AYES, and in favor thereof, Members: Kendall, Ribar,
Nipper, Ostaggi,
Johnson

NOES, Members: None

ABSENT, Members: None



Secretary
Sanitary District No. 1 of
Marin County

APPROVED:


President

EXHIBIT "A"

Sanitary District No. 1
Boundary Description
Greenbrae Marina Sewer Maintenance District

Beginning at the Southwesterly corner of Lot 1 as shown on that certain Map entitled, "Map of Greenbrae Marina, Sub. No. One, Larkspur, Marin County, Calif." recorded April 5, 1963 in Book 11 of Maps at page 74, Marin County Records; running thence from said point of beginning along the boundary of said subdivision Southeasterly on a curve to the right the center of which bears South $32^{\circ} 41' 18''$ West with a radius of 340 feet through an angle of $13^{\circ} 50' 42''$ for a distance of 82.16 feet to a point of reverse curve; thence on a curve to the left with a radius of 360 feet through an angle of $26^{\circ} 12' 46''$ for a distance of 164.70 feet to a point of compound curve; thence on a curve to the left with a radius of 20 feet through an angle of $110^{\circ} 19' 14''$ for a distance of 38.51 feet to a point in the Westerly line of Riviera Circle as shown on said Map; thence continuing along said subdivision boundary South 36.57 feet; thence South $27^{\circ} 32' 20''$ East 359.17 feet to a point in the Northerly line of Lucky Drive as shown on said Map; thence continuing along said subdivision boundary Easterly on a curve to the left the center of which bears North $13^{\circ} 06' 34''$ East with a radius of 170 feet through an angle of $47^{\circ} 09' 54''$ for a distance of 139.94 feet; thence North $55^{\circ} 56' 40''$ East 19.63 feet; thence North $11^{\circ} 48' 20''$ West 282.40 feet; thence North $55^{\circ} 03' 40''$ East 177.48 feet; thence North $68^{\circ} 18' 40''$ East 100.0 feet; thence North $75^{\circ} 18' 40''$ East 120.0 feet; thence North $56^{\circ} 08' 40''$ East 256.95 feet; thence North $35^{\circ} 53' 40''$ East 221.88 feet; thence North $62^{\circ} 18' 40''$ East 155.41 feet; thence North $50^{\circ} 18' 40''$ East 247.96 feet; thence North $3^{\circ} 45'$ East 345.19 feet to the Northeasterly corner of said Sub. No. One; thence continuing along said boundary of Sub. No. One Westerly on a curve to the right the center of which bears North $15^{\circ} 37' 55''$ West with a radius of 1500 feet through an angle of $28^{\circ} 10' 30''$ for a distance of 737.62 feet to the most Northerly corner of said Sub. No. One, said point also being the Northwesterly corner of Lot 135 as shown on that certain Map entitled, "Map of Greenbrae Marina, Sub. No. Two, Larkspur, Marin County, Calif." recorded September 3, 1965 in Book 13 of Maps at page 36, Marin County Records; running thence along the boundary of said Sub. No. Two Northwesterly on a curve to the right the center of which bears North $12^{\circ} 32' 35''$ East with a radius of 1500 feet through an angle of $4^{\circ} 01' 14''$ for a distance of 105.26 feet to a point of compound curve; thence on a curve to the right the center of which bears North $16^{\circ} 33' 49''$ East with a radius of 5,000 feet through an angle of $22^{\circ} 20' 31''$ for a distance of 1949.70 feet to a point of reverse curve; thence on a curve to the left the center of which bears South $38^{\circ} 54' 20''$ West with a radius of 790 feet through an angle of $7^{\circ} 22' 48''$ for a distance of 101.76 feet to the Northwesterly corner of Lot 160 as shown on said Map

thence on a curve to the left with a radius of 200 feet through an angle of $41^{\circ} 00'$ for a distance of 143.117 feet; thence North $36^{\circ} 00'$ East 91.50 feet; thence on a curve to the right with a radius of 200 feet through an angle of $49^{\circ} 15'$ for a distance of 171.915 feet to a point of compound curve; thence on a curve to the right with a radius of 775 feet through an angle of $22^{\circ} 55'$ for a distance of 309.978 feet to a point of compound curve; thence on a curve to the right with a radius of 340 feet through an angle of $14^{\circ} 31' 18''$ for a distance of 86.173 feet to the point of beginning.

(Note: Bearings are based on Lambert conformal projection for Zone 3, California.)

Sanitary District No. 1
Boundary Description
Greenbrae Marina Sewer Maintenance District