

RESOLUTION NO. 06-13

A RESOLUTION OF THE NORTH LAKE RECREATIONAL SEWER AND WATER DISTRICT, VALLEY COUNTY IDAHO, DEFINING AND ADOPTING A POLICY FOR THE CONNECTION OF ACCESSORY DWELLING UNITS WITHIN THE DISTRICT; PROVIDING FOR THE PAYMENT OF CONNECTION, OPERATION AND MAINTENANCE FEES AND ASSESSMENTS; REPEALING CONFLICTING RULES AND REGULATIONS; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the North Lake Recreational Sewer and Water District ("District") is a recreational sewer and water district organized and operating under the laws of the State of Idaho and is authorized to fix rates and charges and take such other actions incidental to the management and operation of the District pursuant to Title 42, Chapter 32, Idaho Code; and

WHEREAS, dwelling units either attached to a single-family principal dwelling unit or located on the same lot and having an independent means of access are being permitted by Valley County, Idaho to be built on property within the District; and

WHEREAS, such accessory dwelling units require the provision of utility services including sewer and water services that meet all applicable federal, state and District public health and safety standards; and

WHEREAS, such accessory dwelling units must pay for the costs incurred by the District for providing sewer and water services, for developing, operating, and maintaining the District's sewer system and the District's water system; and for capacity in the District's sewer system and the District's water system, which fees and costs are established by resolution of the District, as amended from time to time; and

WHEREAS, the Board is of the opinion that it is in the best interest of the owners of property and of the inhabitants within the District to define an accessory dwelling unit and provide for the terms of connection, assessment and service for said accessory dwelling units as set forth below;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE NORTH LAKE RECREATIONAL SEWER AND WATER DISTRICT, Valley County, Idaho, as follows:

Section 1: An ACCESSORY DWELLING UNIT shall be defined as a dwelling unit either attached to a single-family principal dwelling or located on the same lot and having an independent means of access, including but not limited to garage units, mobile homes, recreational vehicles, and trailer homes.

Section 2: An ACCESSORY DWELLING UNIT shall constitute an equivalent dwelling unit (EDU) as defined by the District and shall be separately connected to the District's sewer system and water system.

Section 3: An ACCESSORY DWELLING UNIT must meet all the requirements for the provision of sewer and water service as established by the District, including but not limited to prior written approval of the District, payment of all applicable fees and charges, and the installation of a separate service line to each ACCESSORY DWELLING UNIT.

Section 4: An ACCESSORY DWELLING UNIT is subject to all applicable fees and charges established by resolution or ordinance of the District for sewer and water service, including but not limited to, (1) Service Availability Fees for Sewer or Water Service; (2) Sewer Line Capacity Fee; (3) Inspection Fees; (4) Operation and Maintenance Fees; (5) any applicable fees or charges for facilities within a local improvement district within the District; and, each ACCESSORY DWELLING UNIT shall pay all costs incurred by the District to install infrastructure and other improvements that the District deems necessary to provide sewer and water service to said ACCESSORY DWELLING UNIT.

Section 5: Once an ACCESSORY DWELLING UNIT has been occupied, the District shall continue to bill the monthly user charge regardless of whether or not the ACCESSORY DWELLING UNIT remains occupied.

Section 6: Existing District rules, regulations and policies that are not in conflict with this Resolution No. 06-13 shall remain in full force and effect.

Section 7: Existing District rules and regulations or parts thereof in conflict herewith are hereby repealed and rescinded.

Section 8: This Resolution shall take effect immediately upon its passage and approval.

DATED this 11th day of August, 2006.

NORTH LAKE RECREATIONAL
SEWER AND WATER DISTRICT
Valley County, Idaho

Ronald V. Zarbivsky
Chairman

ATTEST:

James G. Bruce
Secretary