

ORDINANCE NO. 2017-308

**AN ORDINANCE OF THE TOWN OF WINDSOR
AMENDING TITLE XVI, CHAPTER 6, SECTION 16-6-510 OF THE CODE OF THE
TOWN OF WINDSOR PERTAINING TO WATER CAPACITY FEES**

**THE TOWN COUNCIL OF THE TOWN OF WINDSOR DOES HEREBY ORDAIN AS
FOLLOWS:**

SECTION 1. Title XVI, Chapter 6, Section 16-6-510(b) of the Code of the Town of Windsor (“Town Code”) is amended to read as follows:

16-6-510 - Water Capacity Fee Established.

b. The Town Council shall, while acting in its capacity as the Board of Directors of the Windsor Water District, and in a Board resolution adopted after a duly noticed public hearing, set forth the amount of the water capacity fee and describe the methodology for calculating the fee, including but not limited to the estimated reasonable cost of providing water facilities and the proportional benefit to the persons and properties being charged for water facilities, the inflationary formula for automatically adjusting the amount of the fee, and the timing for payment of the fee.

SECTION 2. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason declared unconstitutional, unlawful or otherwise invalid by a court of competent jurisdiction, or is preempted by state legislation, such decision or legislation shall not affect the remaining provisions of this ordinance.

SECTION 3. CEQA. The Town Council finds that adoption of this ordinance is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Section 15060(c)(2) of Title 14, Chapter 3 of the California Code of Regulations (“CEQA Guidelines”) because there is no possibility that the activity may have a direct or reasonably foreseeable indirect physical change in the environment.


SECTION 4. Effective Date. This ordinance shall take effect and be in force thirty (30) days following its adoption.

SECTION 5. Posting. The Town Clerk of the Town of Windsor shall cause this Ordinance to be published or to be posted in at least three (3) public places in the Town of Windsor in accordance with Section 36933 of the Government Code of the State of California.

INTRODUCED on 15th day of February 2017.

PASSED, APPROVED, AND ADOPTED this 1st day of March 2017, by the following vote:

AYES: COUNCILMEMBER OKREPKE, VICE MAYOR FOPPOLI
AND MAYOR FUDGE
NOES: COUNCILMEMBER SALMON
ABSTAIN: NONE
ABSENT: COUNCILMEMBER MILLAN



DEBORA FUDGE, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK