

**MIDWAY SEWER DISTRICT
RESOLUTION NO. 2008-12**

RESOLUTION AMENDING DISTRICT CODE

Background: The Board of Commissioners has determined that it is no longer necessary to require all structures to connect to the District's sewers when such sewers are available and have determined that it is unnecessary to continue the practice of billing unconnected properties located within a U.L.I.D.

Resolution: NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Midway Sewer District approves the following action:

Section 5.20.020 of the Midway Sewer District Code is hereby amended to read as follows:

5.20.020 Applicability of monthly charge -- Billing.

The monthly charge shall apply to all customers, but only to the extent sewer service is available. Sewer availability is defined as a property with a physical connection to the District sewer system or a property that has been required to connect pursuant to section 5.04.070 of this code. For unconnected properties within a ULID that continue to be billed under prior District policy, the billing shall be terminated at such time as the District determines that the property has no sewer availability as defined in this section but the District shall be under no obligation to refund any prior payments.

The code change shall become effective immediately.

Adoption: ADOPTED at a regular meeting of the Board of Commissioners of Midway Sewer District on September 10, 2008 the following Commissioners being present and voting:

Commissioner

Commissioner

Commissioner