

Susan Kitchens
 City Clerk, City of Los Altos, CA

RESOLUTION NO. 2009-37

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
 ALLOWING RELIEF FROM THE PROVISIONS OF SECTION 10.04.120 OF THE CITY OF
 LOS ALTOS MUNICIPAL CODE IN ACCORDANCE WITH SECTION 10.04.050**

BLUE OAK LANE SEWER ASSESSMENT DISTRICT

WHEREAS, Section 10.04.120 of the City of Los Altos Municipal Code ("LAMC") requires all buildings inhabited or used by human beings to be connected, at the owner's expense, with the sewerage system of the City within ninety (90) days from the time when such connection can be made, if the building to be served is with one hundred (100) feet of the system; and

WHEREAS, the City's new sewer system will be built to serve twenty-one (21) properties along Blue Oak Lane, twenty (20) of which have inhabited buildings within 100 feet of this new system; and

WHEREAS, since the City's new system is expected to be completed and ready for connection in the spring of 2010, these twenty (20) properties must be connected with ninety (90) days thereafter; and

WHEREAS, LAMC Section 10.04.050 allows the City Council, by resolution and based upon a finding that there are special circumstances, may suspend or modify any provision of the LAMC, including Section 10.04.120, as it applies to a particular premise; and

WHEREAS, the City Council has found that special circumstances may exist for the twenty-one (21) properties along Blue Oak Lane because of the financial hardship created by the construction of the new Blue Oak Lane Sewer Assessment District and the requirement of LAMC Section 10.24.120 to connect all inhabited buildings to be connected, at the owner's expense, to the City's sewerage system within ninety (90) days from the time when such connection can be made.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorizes the following:

1. The twenty-one (21) properties that may be impacted by the Blue Oak Lane Sewer Assessment District shall have until sixty (60) months following completion of the new sewer system, which shall be no later than March 31, 2015, to connect to the City's sewerage system unless directed otherwise by another jurisdiction, or if any new construction or remodeling is conducted on the property, or there is a health, safety or environmental risk.

2. **Effective Date.** This Resolution shall be effective upon the date of its adoption.

I **HEREBY CERTIFY** that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 8th day of September, 2009 by the following vote:

AYES: PACKARD, CARPENTER, CASAS, BECKER
NOES: SATTERLEE
ABSENT: NONE
ABSTAIN: NONE

Megan A Satterlee

 Megan Satterlee, MAYOR

ATTEST:

Susan Kitchens 9-15-09

 Susan Kitchens, CITY CLERK