

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

**RESOLUTION TO ADD CHARGES TO THE )  
TAX BILL FOR PROPERTY AT 650 RUSSELL )  
WAY FOR THE COST OF CONNECTING THE )  
PROPERTY TO THE PUBLIC SEWER SYSTEM )  
AND INTERIM UPKEEP AND MAINTENANCE ) RESOLUTION NO. \_\_\_\_\_  
COSTS OF EXISTING PRIVATE WASTEWATER )  
DISPOSAL SYSTEM )**

**WHEREAS**, the Public Health Department, Environmental Health Services (“EHS”) has identified a failed septic system serving a single family residence at 650 Russell Way, Santa Barbara in the unincorporated area of Santa Barbara County which since 2005 has resulted in intermittent overflows of effluent onto the public street thereby causing a public health hazard in violation of California Health and Safety Code § 5460; and

**WHEREAS**, due to site constraints, repair of the septic system is not a viable option and remediation requires the septic system be abandoned and the property connected to the public sewer system; and

**WHEREAS**, EHS has taken interim action to prevent the overflows of effluent onto the street by engaging a contractor to pump the failed septic system on a regular basis since January 2012; pumping will need to continue on a regular basis until such time as the residence is connected to the public sewer system; and

**WHEREAS**, EHS has served thirty-day written notice upon the owner of said residence to remedy the public health hazard by connecting the residence to the public sewer system, but the owner has failed to connect the residence to the public sewer within this thirty-day period; and

**WHEREAS**, pursuant to California Health and Safety Code § 5463, a governing body may direct a public agency to undertake the work related to connecting a residence with a failed septic system to the public sewer system at a reasonable cost if the owner does not undertake such work after written notice; and

**WHEREAS**, pursuant to California Health and Safety Code § 5463 a governing body may, by order entered on its minutes, declare that the amount of the costs of the work, the administrative expenses, and other related charges (cumulatively, the “Costs”) be transmitted to the assessor and tax collector for the purpose of adding the total of these amounts as an assessment on the next regular tax bill levied against the residence; and

**WHEREAS**, on August 21, 2012, an item was filed with the Clerk of the Board which identified \$7,702 in interim costs incurred through July 8, 2012 and estimated that an additional \$53,694 will be necessary to resolve the failed septic system by connecting it to the public sewer system;

**NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:**

The \$7,702 in costs incurred through July 8, 2012 and future Costs based on actual expenditures up to the estimated amount of \$53,694 shall be transmitted to the assessor and tax collector for the purpose of adding the total of these amounts as an assessment on the next regular tax bill levied against the residence at 650 Russell Way, Santa Barbara.

The Clerk of the Board is directed to file with the County Auditor-Controller as soon as possible after August 21, 2012, a certified copy of this Resolution and the Minutes of the Board meeting ordering the Costs added to the tax roll. Upon such filing, the County Auditor-Controller shall enter the Costs on the next regular tax bill for property at 650 Russell Way. The Costs shall be collected at the same time and in the same manner as County taxes are collected and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the Costs.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2012, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

ACCEPTED AND AGREED:  
COUNTY OF SANTA BARBARA

By \_\_\_\_\_  
Chair, Board of Supervisors

ATTEST:  
CHANDRA L. WALLAR  
CLERK OF THE BOARD

By \_\_\_\_\_

APPROVED AS TO FORM:  
DENNIS A. MARSHALL  
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING FORM:  
ROBERT W. GEIS, CPA  
AUDITOR-CONTROLLER

By \_\_\_\_\_  
Deputy County Counsel

By \_\_\_\_\_  
Deputy