

## Chapter 5: ANNEXATIONS

### 5.0100 ANNEXATIONS

1. Annexation of land within the logical service area of the District may be permitted at the sole discretion of the Board if the District has the potential water reserve capacity and can serve the property, and if the developer presents an adequate plan of development, as determined by the Manager, and agrees to provide the necessary distribution facilities, without cost to the District.
2. A fee in the amount determined by the Board by resolution may be charged for annexation.

### 5.0200 ANNEXATION POLICY

1. All annexations to the District shall be governed by this policy and as it may be amended from time to time and in accordance with the Cortese-Knox Local Government Organization Act of 1985, Sections 56000, et seq. of the California Government Code.
2. Contiguous Property  
Territory to be annexed shall be within the District's sphere of influence boundary. Unless otherwise authorized by the Board, every annexing area must be contiguous to the District and shall not result in the creation of islands, corridors or peninsulas within the District or in non-District territory, or otherwise distort existing District boundaries.
3. Obligations: All land annexed to the District shall, following annexation, be subject to the repayment of prior, present or future obligations or indebtedness of the District.
4. Rules for Annexation: The following rules shall apply for annexation:
  - a. All annexations are subject to the approval of the Bureau of Reclamation, the Shasta County Local Agency Formation Commission, and shall conform to all ordinances, regulations, resolutions and standards established by this District.
  - b. Territory requesting annexation which does not have available to it an existing or alternate source of reliable water supply shall be given preference by the District with respect to a requested annexation.
  - c. Approval of annexation is conditioned upon the District having sufficient water at the time of annexation to supply water to all parcels of real property within the proposed annexation area. Provided, however, that annexation shall not constitute an agreement by the District that sufficient water to provide services to annexed property will be available when service is requested. The District can provide no guarantee of future availability of adequate water to serve

annexed property. The annexation will be subject to the Drought Contingency Plan.

- d. If the Board determines that an individual parcel shall be included in a larger area to be annexed, the Board may deny the annexation if such additional parcels owners decline to be included in the annexation.
- e. As a condition of annexation, a fee shall be established in order to compensate the District for monies expended for the District's system facilities upon which the annexed properties will rely for service.
- f. If the Board of Directors of the District determines that the District does not have sufficient water at the time of annexation to supply water to all parcels of real property within the proposed annexation area, annexation will be considered only if the territory requesting annexation provides new and additional sources of water to meet the estimated annual consumption, as well as the maximum daily demand of the annexed parcels. Provisions of new or additional sources of water may require payment by the proponents of the annexation of a Water Supply Annexation Fee.

5. Improvements Required

As a condition of annexation and at the request of the District, annexation proponents shall provide, at the time designated by the District, such pipelines, distribution systems, water facilities, booster pumps, water tanks, regulating valves, chlorinators, supplemental water, connecting lines, in-tract improvements, well systems, area maps showing the names and addresses of the property owners within said area to be annexed, and such other incidental information, facilities and requirements as the District may direct. All water system improvements shall be designed and constructed in accordance with District standards. Designs shall be submitted for District review prior to construction. Construction will be subject to inspection by the District. Prior to final acceptance, "as-builts" for all facilities shall be provided to the District.

6. Rights-of-Way and Easements

All owners of real property in each annexing territory shall grant and convey, without cost to the District, any rights-of-way or easements reasonably requested by the District for the purposes of installing water pipelines, storage tanks, booster pumps and other facilities required for the distribution of water within the annexed territories and other places in the District and for maintenance thereof.

7. Annexation Costs

All costs of annexation, including all regulatory fees and costs, legal, advertising, environmental review, engineering, and all other incidental expenses associated with the processing of an annexation by the District shall be paid by the proponents

of the annexation. A deposit toward these costs shall be made by the proponent of annexation in an amount determined by the Board through resolution as recommended by the District Manager. All costs and expenses of providing a complete water system satisfactory to the District shall be the responsibility of the proponents of the annexation.

8. Annexation Fee

- a. Property being annexed to the District will be required to pay a fee in order to compensate the District for monies expended for various system facilities upon which the annexed property will now rely for services. This fee for the recapture of costs expended to provide such facilities as water treatment, pumping stations, distribution systems, and storage, which facilities will provide a benefit to the annexed property, will be established from time to time by the District and will be expressed in terms of a dollar amount per each legally recognized parcel of real property being annexed to the District. The Annexation Fee shall be set forth in the District's Fee Schedule, as it is amended from time to time.
- b. The property being annexed to the District may, pursuant to Section 4(e) of this Section be required to pay a Water Supply Annexation Fee to provide funds for the District to acquire or develop additional sources of water to be utilized by the District. The Water Supply Annexation Fee will be established from time to time by the District and will be expressed in terms of a dollar amount per each legally recognized parcel of real property being annexed to the District. The Water Supply Annexation Fee shall be set forth in the District's Fee Schedule, as it is amended from time to time.
- c. The Annexation Fee and Water Supply Annexation Fee shall be payable by the proponent of the annexation upon final regulatory approval resulting in the annexation of parcels to the District.
- d. It is understood that upon any subsequent division of an annexed parcel which creates additional parcels, the Annexation Fee and Water Supply Annexation Fee will be applicable to each newly created parcel. This subsequent Annexation Fee and Water Supply Annexation Fee shall be collected upon the first to occur of any of the following events:
  - i. A Final Subdivision Map; or
  - ii. A Parcel Map; or
  - iii. Any other final regulatory approval which results in the creation of any additional parcels of real property.

9. Procedure

- a. All proposed annexations shall be subject to the approval of the Board. Proponents shall file an application for annexation with the District. The

application shall include the following minimum information; however, additional information may be required by the District:

- i. A map showing the area of the proposed annexation;
  - ii. The names and addresses of the owners of the land within the area of the proposed annexation;
  - iii. A petition signed by at least seventy percent (70%) of the fee owners of the land area of the territory requesting annexation;
- b. Following review by District staff, the proposed annexation will be presented to the Board for consideration. If the application is accepted by the Board, the proposal shall be presented to the Bureau of Reclamation and the Shasta County Local Agency Formation Commission for processing and approval. Prior to final acceptance by the Board, the applicant will be required to enter into an Annexation Agreement which shall be prepared setting forth the obligations of the proponents of the annexation and the District.

10. Providing Service

No water shall be delivered to an individual property within the annexed territory until such property owner has paid all fees due and has constructed all required water system improvements.