

ORDINANCE NO. 2  
TENAJA COMMUNITY SERVICES DISTRICT

ORDINANCE OF THE TENAJA COMMUNITY SERVICES DISTRICT  
EXERCISING AUTHORITY REQUIRING UNDERGROUNDING OF  
ELECTRIC AND COMMUNICATIONS FACILITIES

THE BOARD OF DIRECTORS OF THE TENAJA COMMUNITY SERVICES DISTRICT  
HEREBY ORDAINS AS FOLLOWS:

Section 1. Recitals.

a. Section 61060 of the Government Code provides that community services districts may exercise the power to require the undergrounding of existing overhead electric and communications facilities pursuant to Section 5896.1 et seq. of the California Streets and Highways code.

b. The Board of Directors hereby finds and determines that such existing overhead electric and communications facilities shall to be placed underground. All new facilities will be underground unless specifically waived by the District.

c. Existing overhead and communication facilities in the Tenaja Community Services District that may converted to underground locations pursuant to the procedures set forth in Section 5896.1 et seq. of the California Street and Highways Code. All financial burdens concerning utility installations shall be borne by the property owners benefited.

Section 2. Utility Installations

a. Please reference Exhibit A.

This ordinance shall be effective thirty (30) days after its adoption.

Passed, approved and adopted this 20th day of April, 2007, by the following vote, to wit:

Ayes: Directors: Inman, Earnhart and Linsley

Noes: Directors: None

Absent: Directors: Natale

Abstain: Directors: None

  
Robert Inman, President

(seal)

ATTEST:

  
Arlene J. Miller, Secretary  
final

EXHIBIT A  
ORDINANCE 2  
Tenaja Community Services District

Section 1.           Utility Installations

It is the intent of this Section that any new extensions of such conductors required to extend service to such a subdivision or other development, be placed in or relocated to an underground location. In the interest of orderly development and the health and safety of the District residents, an encroachment permit shall be required for the erection of utility facilities within District rights-of-way. Utility facilities shall include, but not be limited to, wires, pipes, conduits, and appurtenant structures owned and operated by public and private utility companies or agencies for the transmission or distribution of electric power, natural gas, water, or telecommunications. Except as otherwise provided by this Exhibit, all installations of utilities, including those providing direct service to buildings or structures, shall be installed below the surface of the ground within the District right-of-way, in accordance with all applicable codes, ordinances, safety regulation, orders, and rules of the County of Riverside and the State of California. Installations shall be outside the paved area where practicable and shall only be constructed beneath the finished surface of the roadway where installation in the road shoulder is demonstrated to be infeasible.

Section 2.           Appurtenances

Above-ground appurtenances of underground utilities shall be located clear of the graded shoulders of paved roadways, or clear of the traveled portion of unpaved roadways, in a location that will not present a hazard to the standard traffic. Retaining walls or other structures that may be required to support appurtenances shall be subject to District permit requirements and shall be constructed at the sole cost and expense of the project proponent, utility company or agency.

Section 3. Variance Provisions

The Board of Directors, upon application by the project component, utility company or agency, may consider a variance from the provisions of this Ordinance Code upon good cause being shown that, based upon unusual or difficult circumstances, construction of a proposed utility in strict compliance with the provisions herein is impractical or unreasonable. A written application for such a variance, setting forth in detail the reasons therefor, shall be filed not less than ten (10) days prior to the next regular meeting of the Board of Directors. The requested variance shall be heard by the Board of Directors at such meeting, where the Board may, at its discretion, grant all, part, none of the requested variance.