

**ORDINANCE NO. 2026-02**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE  
CALAVERAS COUNTY WATER DISTRICT  
AMENDING THE ACCESSORY DWELLING PROVISION  
TO ORDINANCE NO. 84-1**

**WHEREAS**, The Board of Directors of the Calaveras County Water District adopted Ordinance No. 84-1 on September 13, 1984,

**WHEREAS**, on June 28, 2006, by Ordinance No. 2006-01, the Board of Directors of the Calaveras County Water District adopted an Accessory Dwelling provision to Ordinance No. 84-1,

**WHEREAS**, the State of California has enacted recent legislation that impacts capacity fees charged to Accessory Dwellings.

**WHEREAS**, The Board of Directors desires to adopt water and sewer connection fee provisions consistent with state law for accessory dwelling units, including distinctions for ADUs created within existing space, newly constructed attached or detached ADUs, and junior accessory dwelling units.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the CALAVERAS COUNTY WATER DISTRICT do hereby enact this Ordinance to supersede any previous Ordinance, or policy, relating to Accessory Dwelling Units and adopt the Ordinance as follows:

**Section 1. Definitions**

For purposes of this Ordinance, the following definitions apply:

A. "Accessory Dwelling Unit" or "ADU" has the meaning set forth in Government Code section 66313, as it may be amended from time to time.

B. "Junior Accessory Dwelling Unit" or "JADU" has the meaning set forth in Government Code section 66313 (d), as it may be amended from time to time.

C. "Primary dwelling" means the existing or proposed main residential unit located on the same parcel as the ADU or JADU.

D. "Connection fee" or "capacity charge" means a one-time charge imposed as a condition of connecting to or increasing the demands on the District's water or sewer system, consistent with Government Code section 66013.

**Section 2. Water and Sewer Connection Fees to ADUs**

**A. General Rule**

1. ADUs and JADUs shall be served by the District's water and/or sewer systems only where service is available and consistent with District regulations, capacity limitations, and the requirements of applicable land use authorities.

## **B. ADUs and JADUs Connection Fee and Capacity Charge**

1. A JADU or ADU described in paragraph 1 of subdivision (a) of Government Code Section 66323, shall not require a new or separate utility connection, and no connection fee or capacity charge shall be imposed.

2. All other ADU or JADU may connect through existing water and sewer service lines and meters serving the primary dwelling, and no connection fee or capacity charge will be imposed if all of the following apply:

A. The District Engineer has verified the adequacy of the water meter size based on the standards in the Uniform Plumbing Code, including the primary residence and ADU or JADU, including any fire sprinkler requirements, the meter size and service line is adequate;

B. The District Engineer has verified based on the standards in the Uniform Plumbing Code, the adequacy of sewer service for both the ADU or JADU and the primary dwelling, based on the total number of fixture units;

C. The maximum total floor area of the ADU does not exceed 750 square feet.

3. If the ADU or JADU meets the requirements of Section 2 above, but the Primary Dwelling is served by a septic tank effluent pump system, the ADU or JADU will need to either install a larger septic tank effluent pump system to handle the ADU or JADU, or install a separate septic tank effluent pump system dedicated specifically for the ADU or JADU as directed by the District Engineer. Any costs incurred by the District in connection with increasing the septic tank or adding a separate system will be borne by the applicant.

4. All ADU or JADU's that do not meet the requirements of item 1 or 2 above, shall be required to install a separate water meter and/or separate sewer lateral, and the connection fee and capacity charge shall be for such new connection shall be charged at fifty five (55) percent of the District's standard connection fee and capacity charge for an equivalent single family unit in the area of the ADU or JADU.

A. Additionally, upon connection of the ADU or JADU under this Section 4 to the District's system the ADU and JADU shall be required to pay the bi-monthly water and/or wastewater rates at the current District rate times .55.

B. The maximum floor area of an ADU or JADU shall not exceed one thousand two hundred square feet. Should it exceed one thousand two hundred square feet, it shall be required to pay the full District's standard connection fee and capacity charge and shall not be considered an ADU or JADU under this ordinance.

5. In no event shall the fee calculated under this section exceed the maximum connection or capacity charge supported by the District's most recent fee study for an additional EDU.

### **Section 3. Effect on Prior Actions**

All provisions of prior ordinances and resolutions of the District not inconsistent with this Ordinance shall remain in full force and effect.

### **Section 4. Severability**

If any section, subsection, sentence, clause, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions.

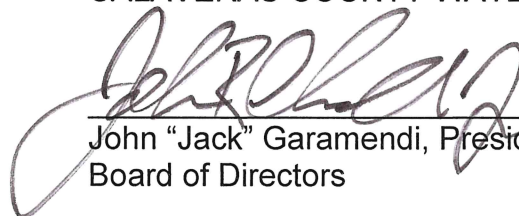
### **Section 5. Effective Date**

Within ten (10) days of adoption, this Ordinance shall be published in a newspaper of general circulation within Calaveras County. The Ordinance shall take effect thirty (30) days after its adoption.

**PASSED AND ADOPTED** this 10<sup>th</sup> day of June 2026, by the following vote:

**AYES:** Directors Davidson, Robertson, Ratterman, Thomas, and Garamendi  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

CALAVERAS COUNTY WATER DISTRICT

  
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John "Jack" Garamendi, President  
Board of Directors

**ATTEST:**

  
\_\_\_\_\_  
Rebecca Hitchcock  
Clerk to the Board