

OTAY WATER DISTRICT
BOARD OF DIRECTORS POLICY

Subject	Policy Number	Date Adopted	Date Revised
DETACHMENT OF LAND FROM IMPROVEMENT DISTRICTS	03	10/15/84	8/10/11

Purpose.

To provide procedures and conditions for detachment of property from improvement districts under certain circumstances.

Background.

Property owners have participated in the formation and development of improvement districts in anticipation that some day water or sewer service would be available. However, due to the condition or location of the property, providing service to certain parcels may be impossible, impractical, or economically unfeasible, thus eliminating any benefit to the parcel from remaining in the improvement district.

Policy.

If a property owner can demonstrate that the property no longer benefits from remaining in an improvement district, the owner may petition the District to detach the property from the improvement district if either of the following conditions exists:

- (a) The owner furnishes proof that due to governmental regulations the property cannot be developed, i.e., "Flood Control Channel," moratorium, etc., which would preclude any development.
- (b) It is physically impossible or impractical for the property to receive the particular service furnished by the improvement district.
- (c) The cost of facility construction required to serve the property is financially unfeasible.

There shall be no refund of property taxes previously paid on the property being detached.

If, after such detachment the owner desires to re-annex the property to an improvement district, the owner must pay all associated administrative fees be determined in accordance with District requirements as then in effect.