

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.