

Sausalito-Marín City Sanitary District

Guidelines for the Submission and Tabulation of Protests

Submittal of Protests

1. Any property owner and/or tenant of a parcel may submit a written protest to the District Secretary, either by delivery to the District Secretary or P.O. Box 39, Sausalito, CA 94966-0039 or by submitting the protest at the public hearing. If a signed written protest is received from both the property owner and tenant, only one protest will be counted per parcel. Please note on the envelope, "Sewer Service Charge Protest". Protests must be received by the end of the public hearing. No postmarks will be accepted.
2. If a parcel served by the District is owned by more than a single record owner, either or both owners may submit a protest, but only one protest will be counted per parcel and any one protest submitted in accordance with these rules will be sufficient to count as a protest for that property.
3. Each protest must identify the affected property (by assessor's parcel number or street address) and include the signature of either the record property owner or current tenant. Although oral comments at the public hearing will not qualify as a formal protest unless accompanied by a written and signed protest, the District Board welcomes input from the community during the public hearing on the proposed charges.
4. To be valid, a protest must bear the signature of the record owner or tenant with respect to the property identified and may not have been altered. Protests not bearing the signature of a record owner or tenant will not be counted.
5. Any person who submits a protest may withdraw it by submitting to the District Secretary a writing requesting that the protest be withdrawn. The withdrawal of a protest shall contain sufficient information to identify the affected parcel and the name of the record owner or tenant who submitted both the protest and the request that it be withdrawn.
6. A charge protest proceeding is not an election.
7. To ensure secrecy before tabulation, and transparency and accountability thereafter in the charge protest process, protests shall be maintained in confidence from their receipt until counted at the public hearing at which time they shall become disclosable public records.

Tabulation of Protests

1. The District Secretary shall determine the validity of all protests. The District Secretary shall not accept as valid any protest if the District Secretary determines that any of the following conditions exist:
 - a. The protest does not identify a property served by the District.

- b. The protest does not bear a signature of a record owner or tenant of the parcel identified on the protest.
 - c. The protest does not state its opposition to the proposed charges.
 - d. The protest was not received by the District Secretary before the close of the public hearing on the proposed charges.
 - e. A request to withdraw a previously submitted protest is received prior to the close of the public hearing on the proposed charges.
 - f. The protest was altered by one other than the owner or tenant who signed it.
2. The District Secretary's decision that a protest is not valid or does not apply to a specific charge shall constitute a final action of the District and shall not be subject to any internal appeal.
3. A majority protest exists if written protests are timely submitted and not withdrawn by the record owners or tenants of a majority of the properties subject to the proposed charge.
4. At the conclusion of the public hearing, the District Secretary shall complete the tabulation of all protests received, including those received during the public hearing and shall report the results of the tabulation to the District Council upon completion. If review of the protests received demonstrates that the number received is manifestly less than one-half of the parcels served by the District with respect to the charge which is the subject of the protest, then the Secretary may advise the District Board of the absence of a majority protest without determining the validity of all protests.
5. If at the conclusion of the public hearing the District Secretary determines that additional time will be needed to tabulate the protests, the Secretary shall so advise the District Board, which may adjourn the meeting to allow the tabulation to be completed on another day or days. If so, the District Board shall declare the time and place of tabulation, which shall be conducted in a place where interested members of the public may observe the tabulation, and the District Board shall declare the time at which the meeting shall be resumed to receive and act on the report of the District Secretary.