

ORDINANCE NO. 1322

AN ORDINANCE OF THE CITY OF REDLANDS AMENDING ORDINANCES NO. 988 AND 1217 ENTITLED "AN ORDINANCE OF THE CITY OF REDLANDS, CALIFORNIA RELATING TO THE ACQUISITION OF STOCKS AND WATER RIGHTS BY SAID CITY WITH PARTICULAR REGARD TO NEW DWELLINGS AND SUBDIVISIONS"

The City Council of the City of Redlands does ordain that Ordinance No. 988, as amended, is hereby amended further to read as follows:

SECTION ONE: That in order to provide an adequate water supply for new dwellings and subdivisions within this City and approved developments outside this City, and to conserve the supply of water for an expanding population, this City hereby adopts this ordinance, whereby owners and subdividers before approval and/or securing water service shall first convey to this City, by deed or assignment, acceptable and exercisable water rights including rights previously used on said land to be improved in the amounts hereinafter set forth, and must pay certain charges to be placed in a separate municipal fund for the acquisition and purchase of water stock and water rights.

SECTION TWO: That within this City, all property owners, subdividers and developers as hereinafter classified, shall pay to the City of Redlands certain charges which shall be deposited in said water stock acquisition fund, and assign water stock or water rights to the City as follows:

A. LOT SPLITS AND SUBDIVISIONS - Before any lot split or subdivision for residences is given final approval, the owner or subdivider shall make payment to the City of Redlands for deposit in the water stock acquisition fund, and deliver to the City, free and clear, with all assessments paid to date of delivery, sufficient water stock, or other lawful rights acceptable to the City in accordance with this ordinance. Upon delivery of such water stock, or other lawful rights acceptable to the City, the owner or subdivider shall be paid amounts determined to be fair, compensation for such rights as fixed by resolution of the City Council.

1. SUBDIVISIONS

Single Family Residences

Three hundred (\$300.00) Dollars for each acre of the development shall be deposited in the water stock acquisition fund for use in maintaining a public water supply and to provide adequate water service to such acreage. Ten (10) miners' inch days per month per acre in such development shall be assigned to the City of Redlands to provide sufficient water to such acreage for domestic use and to conserve water in the public interest. If any lot or lots exceeds

20,000 square feet, such area in excess of 20,000 square feet shall be deducted from the total acreage of the subdivision in computing and meeting the requirements of this Ordinance.

Multiple Family Residences

Thirty (\$30.00) Dollars per dwelling unit to be deposited in the water stock acquisition fund for use in maintaining the public water supply and to provide adequate water service to such dwelling unit. One (1) miners' inch day per month per dwelling unit shall be assigned to the City of Redlands to provide sufficient water to such dwelling unit for domestic use and to conserve water in the public interest.

2. LOT SPLITS

Single Family Residences

For each additional lot created by subdivision or lot split in accordance with any ordinance of the City of Redlands: Seventy-Five (\$75.00) Dollars to be deposited in the water stock acquisition fund for use in maintaining the public water supply and to provide adequate water service to such acreage; and two and one-half (2½) miners' inch days per month per additional lot shall be assigned to the City of Redlands to provide sufficient water to such acreage for domestic use and to conserve water in the public interest.

Multiple Family Residences

Thirty (\$30.00) Dollars per dwelling unit to be deposited in the water stock acquisition fund for use in maintaining the public water supply and to provide adequate water service to such dwelling units. One (1) miners' inch day per month per dwelling unit shall be assigned to the City of Redlands to provide sufficient water to such dwelling units for domestic use and to conserve water in the public interest.

B. MULTIPLE DWELLINGS - Prior to receiving a water connection or building permit for multiple dwellings on single lots within the City limits, the owner shall pay to the City of Redlands, for deposit in the water stock acquisition fund, Thirty (\$30.00) Dollars per dwelling unit for use in maintaining the public water supply and to provide adequate water service to such dwellings. In addition, such owner shall assign to the City of Redlands, free and clear of all encumbrances with all assessments paid to date of assignment such water stock, or other lawful rights acceptable to the City and sufficient to supply water to such dwelling units for domestic use and to conserve water in the public interest, one (1) miners' inch day of water per month per dwelling unit in excess of the first three dwelling units. Upon assignment of such water stock, or other rights

acceptable to the City, the owner or subdivider shall be paid amounts determined to be fair compensation for such rights as fixed by resolution of the City Council.

C. SINGLE FAMILY DWELLINGS - Prior to receiving any water connection for a single family dwelling on a single lot, the owner shall pay to the City of Redlands for deposit in the water stock acquisition fund Seventy-Five (\$75.00) Dollars for use in maintaining the public water supply and to provide adequate water service to such a dwelling on a single lot.

SECTION THREE: INDUSTRY - In application for new commercial, industrial, or other development requiring water service, the City Council, after receiving a recommendation from the Water Board, composed of the City Manager, the Water Superintendent and the Director of Public Works, shall determine the amount of water needed for reasonable beneficial use by such business or industry. Prior to obtaining a water connection or building permit for such development, the developer shall assign such water rights or unencumbered shares of stock, with all assessments thereon paid to date of assignment, as may be necessary to supply sufficient water to such development for use in the public interest, and make payment to the City of Redlands for deposit in the water stock acquisition fund for the purpose of maintaining the public water supply and providing adequate water service to such development. These requirements shall be complied with before an existing service connection may be enlarged or a building permit issued for any construction causing an increase in water use on the property. Upon assignment of such water stock, or other lawful rights acceptable to the City, the owner or subdivider shall be paid amounts determined to be fair compensation for such rights as fixed by resolution of the City Council. The requirements of this Ordinance shall not apply to any application for a water connection or building permit for industrial or commercial use in which the estimated use is five (5) miners' inch days per month or less.

SECTION FOUR: That inasmuch as all property within the City limits has been assessed a certain amount of taxes for the retirement of water bonds used for the purchase of existing water rights of said City, and whereas property outside the said City has not been assessed such taxes, now therefore owners and subdividers of such outlying property, approved by said City for water services and desirous of such water delivery, must first deed and assign to this City acceptable and exercisable water rights, including water stock and rights which have been used previously on said land and shall transfer to this City certain water stocks used during the past five (5) years in connection therewith, or other water stocks and rights acceptable to said City, in order to insure an adequate supply of water for the development of such property without depleting the water rights of said City and shall pay certain charges to said City, and that such transfers and charges

shall be as follows: Before any approved outlying lot or subdivision is connected to the water system of the City of Redlands, the owner or subdivider shall deliver to the said City free and clear with all assessments paid to date of delivery, sufficient water stock, previously used on said land during the past five (5) years to be improved, or other water stock or rights acceptable to said City to insure delivery of two and one-half (2½) miners' inch days of water per house per month or ten (10) miners' inch days per acre per month. And no water service shall be furnished to such outlying lot or subdivision unless such water stocks or rights are transferred to the said City as herein set forth. The owner or subdivider shall further pay to the said City Water Department for the said water stock acquisition fund the sum of Seventy-five (75.00) Dollars per lot, with a minimum of Three Hundred (\$300.00) Dollars per acre. That upon delivery of the said required water stock, or water stock and water rights acceptable to said City, the City of Redlands shall pay to the owner or subdivider amounts determined to be fair compensation for such rights as fixed by resolution of the City Council.

SECTION FIVE: WELLS AND WATER RIGHTS. In the event the land to be improved and requiring water service is served by a well or water rights other than water stock, the City Council shall determine the nature and amount of such right, and the reasonable value thereof, and may acquire such well or other water right if the City Council determines and finds that the ownership and exercise of such right by the City is feasible and economic, in the public interest, and provides water in amounts sufficient to maintain an adequate public water supply and support any development proposed by the person seeking to transfer such right to the City.

SECTION SIX: There is hereby created by this ordinance a Water Stock and Water Rights Acquisition Fund, and all funds collected pursuant to this ordinance shall be placed therein, which fund is to be used exclusively for the purchase of water stock and water rights, and shall be used solely for such purposes by the said City and shall not accrue in any manner for the general funds of the City of Redlands.

SECTION SEVEN: This ordinance shall be in force and take effect as provided by law.

SECTION EIGHT: The City Clerk shall certify to the passage of this ordinance and shall cause the same to be published once in the Redlands Daily Facts, a daily newspaper hereby designated for that purpose.

ATTEST:

Gregory A. Moseley
City Clerk

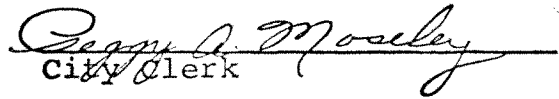
Walter F. Burroughs
Mayor of the City of Redlands

I, Peggy A. Moseley, City Clerk, City of Redlands, hereby certify that the foregoing ordinance was duly adopted by the City Council at a regular meeting thereof held on the 20th day of September, 1966 by the following roll call vote:

AYES: Councilmen Martinez, Cummings, DeMirjyn, Vice-Mayor Hartzell

NOES: None

ABSENT: Mayor Burroughs


City Clerk

Section 1, paragraph 7.1277. PENALTY FOR WORK BEFORE SECURING PERMIT. In the event a person does or performs or causes the doing or performing of any of the acts mentioned in Article 7.121, without securing a permit therefor (except in case of emergency as herein provided) the amount of the fee herein provided for such work shall be increased an additional fee as established by the City Council in a resolution, and the payment of such additional amount of fee shall not excuse or in any way interfere with the enforcement of any of the provisions hereof.

6. ORDINANCE No. 1145

SECTION 8322: CONNECTION CHARGES. Where a sewer line exists that was installed prior to November 17, 1953, the owner of the property desiring to connect to said sewer line shall first pay a frontage charge as specified by the City Council, except as provided in Section 8324 below. When connecting to a sewer line constructed by City funds after November 17, 1953, the owner of the property desiring to connect to the line shall pay a connection charge according to benefit as determined by the City Engineer. The minimum charge for such a connection shall be specified by the City Council.

7. ORDINANCE NO. 1322, SECTION TWO, PART 2:

A. 2. LOT SPLITS

Single Family Residence

For each additional lot created by subdivision or lot split in accordance with any ordinance of the City of Redlands: A fee specified by the City Council to be deposited in the water stock acquisition fund for use in maintaining the public water supply and to provide adequate water service to such acreage; and a water stock amount specified by the City Council shall be assigned to the City of Redlands to provide sufficient water to such acreage for domestic use and to conserve water in the public interest.

Multiple Family Residences

A fee specified by the City Council to be deposited in the water stock acquisition fund for use in maintaining the public water supply and to provide adequate water service to such dwelling units. A water stock amount specified by the City Council shall be assigned to the City of Redlands to provide sufficient water to such dwelling units for domestic use and to conserve water in the public interest.

B. MULTIPLE DWELLINGS - Prior to receiving a water connection or building permit for multiple dwellings on single lots within the city limits, the owner shall pay to the City of Redlands, for deposit in the water stock acquisition fund, a fee specified by the City Council for use in maintaining the public water supply and to provide adequate water service to such dwellings. In addition, such owner shall assign to the City of Redlands, free and clear of all encumbrances with all assessments paid to date of assignment such water stock, or other lawful rights acceptable to the City and sufficient to supply water to such dwelling units for domestic use and to conserve water in the public interest, a water stock amount specified by the City Council. Upon assignment of such water stock, or other rights acceptable to the City, the owner or subdivider shall be paid amounts determined to be fair compensation for such rights as fixed by resolution of the City Council.

C. SINGLE FAMILY DWELLINGS - Prior to receiving any water connection for a single family dwelling on a single lot, the owner shall pay to the City of Redlands for deposit in the water stock acquisition fund a fee specified by the City Council for use in maintaining the public water supply and to provide adequate water service to such a dwelling on a single lot.

ORDINANCE NO. 1322, SECTION THREE

INDUSTRY - In application for new commercial, industrial, or other development requiring water service, the City Council, after receiving a recommendation from the Water Board, composed of the City Manager, the Water Superintendent and the Director of Public Works, shall determine the amount of water needed for reasonable beneficial use by such business or industry. Prior to obtaining a water connection or building permit for such development, the developer shall assign such water rights or unencumbered shares of stock, with all assessments thereon paid to date of assignment, as may be necessary to supply sufficient water to such development for use in the public interest, and make payment to the City of Redlands for deposit in the water stock acquisition fund for the purpose of maintaining the public water supply and providing adequate water service to such development. These requirements shall be complied with before an existing service connection may be enlarged or a building permit issued for any construction causing an increase in water use on the property. Upon assignment of such water stock, or other lawful rights acceptable to the City, the owner or subdivider shall be paid amounts determined to be fair compensation for such rights as fixed

by resolution of the City Council. The requirements of this Ordinance shall not apply to any application for a water connection or building permit for industrial or commercial use in which the estimated use is less than an amount of water stock specified by the City Council.

SECTION FOUR: That inasmuch as all property within the City limits has been assessed a certain amount of taxes for the retirement of water bonds used for the purchase of existing water rights of said City, and whereas property outside the said City has not been assessed such taxes, now therefore owners and subdividers of such outlying property, approved by said City for water services and desirous of such water delivery, must first deed and assign to this City acceptable and exercisable water rights, including water stock and rights which have been used previously on said land and shall transfer to this City certain water stocks used during the past five (5) years in connection therewith, or other water stocks and rights acceptable to said City, in order to insure an adequate supply of water for the development of such property without depleting the water rights of said City and shall pay certain charges to said City, and that such transfers and charges shall be as follows: Before any approved outlying lot or subdivision is connected to the water system of the City of Redlands, the owner or subdivider shall deliver to the said City free and clear with all assessments paid to date of delivery, sufficient water stock, previously used on said land during the past five (5) years to be improved, or other water stock or rights acceptable to said City to insure delivery of an amount of water stock, as specified by the City Council. And no water service shall be furnished to such outlying lot or subdivision unless such water stocks or rights are transferred to the said City as herein set forth. The owner or subdivider shall further pay to the said City Water Department for the said water stock acquisition fund the sum specified by the City Council. That upon delivery of the said required water stock, or water stock and water rights acceptable to said City, the City of Redlands shall pay to the owner or subdivider amounts determined to be fair compensation for such rights as fixed by resolution of the City Council.

8. ORDINANCE NO. 1441, Section 20, paragraph a) subparagraph 2: The applicant shall lay all mains within the tract, contiguous to and the full length of the tract, and such connecting