

ORDINANCE NO. 983

*Not adopted  
Amended & rewritten  
as No. 988*

AN ORDINANCE OF THE CITY OF REDLANDS, CALIFORNIA, ON THE ACQUISITION OF WATER STOCKS AND RIGHTS BY SAID CITY WITH PARTICULAR REGARD TO NEW DWELLINGS AND SUBDIVISIONS.

The City Council of the City of Redlands, does ordain 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 and assignment, all of the water rights previously used on said land to be improved, and upon failure to deliver water stocks, or well or water rights in the amounts hereinafter set forth, must pay certain charges to be placed in a separate municipal fund for water development, to be used by this City to obtain water stock and water rights and for water development.

Section Two: That within this City, all property owners, subdividers and developers as hereinafter classified, must first deed and assign to this City any and all water rights, which have been used on said land, and shall transfer to this City all water stocks used in connection therewith, and in lieu of being able to deliver the required amount of water stock in a company, whose services are available to this City, or an equivalent interest in an active and producing well, or other <sup>acceptable</sup> water rights, must pay certain charges to this 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 deliver to the City of Redlands Water Department, free and clear with all assessments paid to date of delivery,

days of water per month per acre to be divided. In lot splits of less than one (1) acre, the divider shall deliver said water stock or equivalent water interest at the rate of two and one-half (2 1/2) miners' inch days of water per lot per month. In the case of a fraction of a share, the full share shall be delivered to the said City. If there has not been any water stock or other water rights and interest, previously used on the parcel to be split or divided, to produce the required number of miners' inches, and no such water rights are delivered to the City, the owner or subdivider shall pay to the City Water Department the sum of Seventy Dollars (\$70.00) per lot, with a minimum charge of Two Hundred Eighty Dollars (\$280.00) per acre, so that this City may purchase water stock or rights needed to supply additional water.

(B) **MULTIPLE DWELLINGS.** ~~On scattered single lots previously designated as such and located on streets in areas already built up and~~ *on lot splits on subdivisions* for multiple unit dwellings within the City limits, prior to receiving a water connection, the owner shall deliver to the City of Redlands Water Department water stock, or an equivalent interest in and to other water rights, free and clear of lien or assessment, to insure delivery of one and one-half (1 1/2) miners' inch days of water per unit per month, *but not less than 341D per lot*. If there has not been any water stock, or other water rights and interest, previously used on said lot, to produce the required miners' inches, and no such water rights are delivered to the City, the owner shall pay to the City Water Department the sum of Fifteen Dollars (\$15.00) per unit, but in no event a sum of less than Thirty Dollars (\$30.00) per lot.

(C) **SINGLE FAMILY DWELLINGS.** On scattered single lots previously designated as such and located on streets in areas

City of Redlands Water Department water stock, or an equivalent interest in and to other water rights, free and clear of lien or assessment, to insure delivery of two (2) miners' inches days of water per lot per month, but in no event less than one (1) share of such water stock, and if no such water stocks or water rights are available, and no such water rights are delivered to the City, the owner shall pay to the City Water Department the sum of Twenty-Five Dollars (\$25.00) per lot. In cases pertaining to multiple dwellings on such scattered lots the owner shall deliver such water stock, or equivalent water rights, free and clear of liens or assessments, sufficient to insure delivery of one (1) miners' inch days of water per unit per month, but in no event less than one (1) share, or if unable to do so shall pay to the City Water Department Twelve Dollars and Fifty Cents (\$12.50) per unit, but in no event less than Twenty-Five Dollars (\$25.00).

Section Three: INDUSTRY. In application <sup>for</sup> of new commercial or industrial development for water service, either within or outside the limits of said City, the Water Board, composed of the City Manager, the Superintendent of the City Water Department and the City Engineer, shall estimate and determine the amount of water to be needed by such new business or industry, and the developer shall deliver water stock to said City, free and clear of liens and assessments and available for city use, or equivalent water rights and interest, sufficient to provide delivery of water to the amount as determined by said Board, before receiving a commitment for city water service and prior to obtaining a city water connection.

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

subdividers of such outlying property, approved by said City for water services, and desirous of such water, must first deed and assign to this City any and all water rights, which have been used on said land, and shall transfer to this City all water stocks used in connection therewith, in order to insure an adequate supply of water for the development of such property without depleting the water rights of said City, and upon failure to deliver the required amount of water stock in a company, whose services are available to this City, or an equivalent interest in an active and producing well, or other water rights, as hereinafter set forth, must pay certain charges to this City 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 water stock of a company available for city use, or an equivalent interest in an active and producing well, or other water rights, sufficient to insure four (4) miners' day inches of water per house per month or sixteen (16) miners' inch days per acre per month. If there has not been any water stock, or other water rights and interest used on said lot or parcel to produce the required miners' inches, and no such water rights are delivered to the City, the owner or subdivider shall pay to the City Water Department the sum of One Hundred and Fifty Dollars (\$150.00) per lot, with a minimum of Six Hundred Dollars (\$600.00) per acre, prior to receiving a connection to the water system of said City.

Section Five. And the said City of Redlands reserves the right to all water developed by said subdividers, owners, developers and other persons, described and classified in the foregoing sections of this ordinance, Sections Two to Four, inclusive, and their successors or assigns, in and to artesian or surface wells, or otherwise, together with the right to develop water

in any area served by the City of Redlands, either for domestic or irrigation water, together with a perpetual right to enter and remove said excess water from said land and to convey same therefrom for sale or use on other property or lands.

Section Six. There is hereby created by this ordinance a WATER DEVELOPMENT FUND, and that all funds collected pursuant to this ordinance shall be placed therein, and which fund is to be used exclusively for the purchase of water stock, water rights, and water development, and shall be used solely for the water department of the City of Redlands and shall not accrue in any manner to the general funds of the City of Redlands.

Section Seven. Any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not exceeding Five Hundred Dollars (\$500.00) or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

Section Eight. If any section, sub-section, sentence, clause or phrase of this ordinance is, for any reason held to be unconstitutional, illegal or unlawful, such decision shall not affect the validity of the remaining portion of the ordinance. The City Council hereby declares that it would have adopted this ordinance irrespective of the fact that any one or more section, sub-section, sentence, clause or phrase be declared unconstitutional, illegal or void.

Section Nine. This Ordinance shall be in force and take effect as provided by law.

Section Ten. 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