

ORDINANCE NO. 2079

AN ORDINANCE OF THE CITY OF REDLANDS AMENDING CHAPTERS 3.44, 3.48, 13.12, 13.40, AND 13.44 OF THE REDLANDS MUNICIPAL CODE RELATING TO SEWER AND WATER CAPITAL IMPROVEMENT CHARGES, SEWER AND WATER FRONTAGE CHARGES, AND WATER SOURCE ACQUISITION CHARGES.

WHEREAS, the General Plan of the City of Redlands requires that public services and facilities be constructed, provided and made available concurrent with the community's needs for such services and facilities; and

WHEREAS, the City Council of the City of Redlands ("this City Council") has found and determined that despite previous Council actions, the demand placed upon the City's water and wastewater facilities will outpace the City's ability to adequately serve new development which will be required to obtain water and sewer service from the City; and

WHEREAS, the City's Municipal Utilities Department staff has prepared comprehensive water and wastewater facilities master plans which identify the facilities and improvements required to be constructed to serve future projected new development within the City and the County of San Bernardino; and

WHEREAS, the Water and Wastewater Capital Improvement Programs, the Water and Wastewater Rate Study Update - 1989, and a budget for the financing of such water and wastewater facilities and improvements have been prepared by the City which take into account the anticipated need for such facilities and improvements based upon regulatory requirements, and the anticipated pace of new development; and

WHEREAS, because new development impacts the City's water and wastewater system by requiring facilities to provide increased capacity to adequately serve new development within the City and County, this City Council further finds and determines that unless fees are imposed on new development to finance needed water and wastewater facilities and improvements, such new development will adversely affect the public health, safety and welfare of the citizens of Redlands; and

WHEREAS, the fees collected pursuant to this ordinance shall be used to finance only those public facilities described or identified or referred to in the City's Water and Wastewater Rate Study Update - 1989; and

WHEREAS, the cost estimates set forth in the Water and Wastewater Rate Study Update - 1989 are reasonable cost estimates for constructing those public facilities, and the fees expected to be generated by new development will not exceed the total of these costs; and

WHEREAS, the facts and evidence presented to this Council establish that there is a reasonable relationship between the need for the water and wastewater facilities described and referred to in the Water and Wastewater Rate Study Update - 1989 and the impacts from the types of development for which the corresponding fee is charged, and, also between the fee's use and the type of development for which the fee is charged, as these reasonable relationships are in more detail described in the Water and Wastewater Rate Study Update - 1989;

THE CITY COUNCIL OF THE CITY OF REDLANDS DOES ORDAIN AS FOLLOWS:

SECTION ONE:

Section 3.44.010 of the Redlands Municipal Code is hereby amended to read as follows:

"3.44.010 Establishment

The Sewer Capital Improvement Fund is established to implement the Redlands General Plan and finance the construction of wastewater capital facilities to provide new capacity required to serve development requiring sewer service from the City. Included are wastewater treatment plant facilities, sewer trunk lines, sewage disposal facilities, outfall sewers, interceptor sewers, and other capital facilities and appurtenances over and above the eight-inch collection mains and appurtenances used to serve property frontage, except as otherwise provided in Chapter 13.44.

The City Council finds that the construction of wastewater capital facilities benefits all development which is required to obtain sewer service from the City. This Chapter shall establish the method of collecting fees for financing the construction of the wastewater capital facilities other than those facilities which are provided through the approval of subdivision or parcel maps, or other developments conditioned under Title 18 (Zoning) of this Code. All interest on the cash balance of the Fund shall accrue to the Sewer Capital Improvement Fund."

SECTION TWO:

Subsections K. & L. are hereby added to Section 3.44.020 of the Redlands Municipal Code as follows:

"K. "Wastewater Capital Facilities" means the wastewater facilities identified or referred to in the "Water and Wastewater Rate Study Update - 1989" as prepared by the Municipal Utilities Department and approved by the City which identified facilities and improvements required to serve development required to obtain City sewer service.

L. "Development" means any use to which land is put, building or other alteration of land and construction incidental thereto."

SECTION THREE:

Section 3.44.030A of the Redlands Municipal Code is hereby amended to read as follows:

"A. The sewer capital improvement charge for the following categories shall be paid as a condition of issuance of building permits for buildings containing plumbing fixtures and required to have new sewer services tapping into the City's sewage system or increasing flow into the City's sewer system as estimated by the City. The charges shall be those in effect on the date the permit is issued. Amounts of charges shall be as provided in Section 3.44.036.

1. Single-family Dwelling Units. The charge for this category shall be per dwelling or unit.

2. Multiple-family Dwelling Units, Apartments, and Mobile Home Park Lots or Space. The charge for this category shall be per dwelling unit or mobile home space.

3. Nonresidential Development. The charge for this category shall be a charge per 100 gallons per day estimated sewage flow as estimated by the Municipal Utilities Department.

4. All sewer capital improvement charges shall be credited to the Sewer Capital Improvement Fund.

SECTION FOUR:

Section 3.44.032 is hereby added to the Redlands Municipal Code as follows:

3.44.032 Amounts of Charges.

SEWER CAPITAL IMPROVEMENT CHARGE

Residential	\$2700/Residential Unit \$350/Residential Unit if building permit issued prior to November 1, 1961.
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Non-Residential	\$1300/100 gpd estimated flow
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SECTION FIVE:

Section 3.48.010 of the Redlands Municipal Code is hereby amended to read as follows:

"3.48.010 Establishment

The Water Capital Improvement Fund is established to implement the Redlands General Plan and finance the construction of water capital facilities and improvements to provide new capacity required to serve new development requiring water service from the City. Included are development of water resources, water production, transmission, storage, and other capital facilities and appurtenances over and above the eight-inch distribution mains and appurtenances used to serve property frontage. The City Council finds that the completion of water capital facilities benefits all development which is required to obtain water service from the City. This Chapter shall establish the method of collecting fees for financing construction of the water capital facilities other than those facilities which are provided through the approval of sub-divisions, parcel maps, or other developments conditioned under Title 18 (Zoning) of this Code. All interest on the cash balance of the Fund shall accrue to the Water Capital Improvement Fund."

SECTION SIX:

Section 3.48.020 is hereby added to the Redlands Municipal Code as follows:

"3.48.020 Definitions

A. "Water Capital Facilities" means the water capital facilities identified or referred to in the "Water and Wastewater Rate Study Update - 1989" as prepared by the Municipal Utilities Department and approved by the City which identifies facilities and improvements required to serve development required to obtain City water service.

B. "Development" means any use to which land is put, building or other alteration of land and construction incidental thereto."

SECTION SEVEN:

Section 3.48.030 of the Redlands Municipal Code is hereby amended to read as follows:

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"3.48.030 Charges

A. The water capital improvement charge for the following categories shall be paid as a condition of issuance of all building permits for existing services and as a condition of approval of applications for new water services. The charges due shall be those in effect on the date the permit is issued. All water capital improvement charges shall be credited to the Water Capital Improvement Fund. Amounts of charges shall be established as provided in Section 3.48.032.

1. Single-family Dwelling Units. The charge for this category shall be per dwelling unit.

2. Multiple-family Dwelling Units, Apartments and Mobile Home Park Lots or Spaces. The charge for this category shall be per dwelling unit or mobile home space.

3. Nonresidential Development (Water services not exclusively serving dwelling units). The charge for this category shall be a charge per 100 cubic feet per month estimated water demand as estimated by the Municipal Utilities Department.

B. The owner of the property shall pay to the City the difference in the Water Capital Improvement Charges calculated on the basis of currently established charges;

1. If a building or the use of a building on a parcel of property which building had been connected to the water system is changed in a way that would make the Water Capital Improvement Charge greater, or,

2. If a building is replaced on a parcel of property, which building had been connected to the water system, and the replacement building would have a greater Water Capital Improvement Charge than the building replaced.

Said difference in charges shall be due prior to final approval of a conditional use permit or business license, if applicable, or if not, prior to building permit issuance. If not collectable in this manner, said difference shall be invoiced with the next billing for water service and collectable in the same manner as the billing for water service."

SECTION EIGHT:

Section 3.48.032 is hereby added to Chapter 3.48 of the Redlands Municipal Code as follows:

"3.48.032 Amounts of Charges

WATER CAPITAL IMPROVEMENT CHARGE

Residential Development

Single Family Dwelling Unit	\$2200/Dwelling
Multiple Family & Mobile Home Dwelling Unit	\$1100/Dwelling Unit

Non-Residential Development	\$91.70/100 cubic feet per month estimated demand."
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SECTION NINE:

Subsection 13.12.010A, of the Redlands Municipal Code is hereby amended to read as follows:

"The watermain frontage charge is established to implement the Redlands General Plan and to finance the construction of local water distribution mains and main extensions, by providing for more equitable sharing of costs of those mains. Included are eight-inch minimum size watermain or twelve-inch minimum size watermain if required for fire flow, required within the development and/or along the frontage of the development and watermain extensions from the development to a point where the new mains can tie into two existing watermain.

The frontage charge shall be equal to the frontage charge per foot, as specified by Subsection 13.12.010.0, multiplied by the total length of all property lines contiguous to street right-of-way or easement wherein there are watermain accessible to the property."

SECTION TEN:

Subsection 13.12.010.D. is hereby added to the Redlands Municipal Code as follows:

"D. Frontage Charge Per Foot - Water Main \$17"

SECTION ELEVEN:

Subsection 13.44.120.A. of the Redlands Municipal Code is hereby amended to read as follows:

"The sewermain frontage charge is established to implement the Redlands General Plan and finance the construction of local sewer collection mains and main extensions, by providing for more equitable sharing of costs of those mains. Included are eight-inch minimum size sewermain required within the development, and sewermain extensions from the development to a point where the new main can tie into an existing main or if an existing sewer is not available at that point, then to a point a distance from the development as defined in Section 13.44.080.

The frontage charge shall be equal to the frontage charge per foot, as specified by Subsection 13.44.120.D., multiplied by the total length of all property lines contiguous to street right-of-way or easements wherein there are sewer mains accessible to the property."

SECTION TWELVE:

Subsection 13.44.120.D. is hereby added to the Redlands Municipal Code as follows:

"D. Frontage Charge Per Foot - Sewer Main \$17"

SECTION THIRTEEN:

Section 13.40.020 of the Redlands Municipal Code is amended to read as follows:

"13.40.020 Water Source Acquisition Fund

The "Water Source Acquisition Fund shall is established to implement the Redlands General Plan and finance acquisition of approved water stock and water rights to assist the City in maintaining an adequate supply of water to meet the needs of development requiring water service from the City. All revenue collected in accordance with this Chapter shall be deposited into the Water Source Acquisition Fund.

All interest on the cash balance of the Fund shall accrue to the Water Source Acquisition Fund."

SECTION FOURTEEN:

Section 13.40.022 is hereby added to the Redlands Municipal Code as follows:

"13.40.022 Definitions

For the purpose of carrying out the intent of this Chapter, the following definitions shall apply:

A. "Water Stock & Water Rights" means the water stock and water rights identified and referred to in the "Water and Wastewater Rate Study Update - 1989" as prepared by the Municipal Utilities Department and approved by the City which identifies water stock and water rights needed to serve development required to obtain City water service.

B. "Development" means any use to which land is put, building or other alteration of land and construction incidental thereto."

SECTION FIFTEEN:

Section 13.40.030 of the Redlands Municipal Code is amended to read as follows:

"13.40.030 Developer requirements.

A. For any land subdivision, land development, or development that will require water service or incremental water demand from the City the Water Source Acquisition Charge shall be paid as a condition of Final Approval or the development shall convey to the City, free and clear with all

assessments paid to the date of conveyance, sufficient City-approved water stock or other lawful water rights acceptable to the City in accordance with this Chapter. The charges due shall be those in effect on the date the Final Approval is given by the approving authority. The amounts of charges shall be as established in Section 13.40.090.

1. Single-Family Dwelling Units: Pay an amount per dwelling unit or convey acceptable water stock or water rights.

2. Multiple-family Dwelling Units and Mobile Home Dwelling Units: Pay an amount per dwelling unit or convey acceptable water stock or water rights.

3. Nonresidential Developments or Improvements: Pay an amount per 100 cubic feet per month of City estimated average monthly water consumption for development or convey acceptable water stock or water rights.

B. The owner of the property shall pay to the City the difference in the Water Source Acquisition Charge calculated on the basis of currently established charges.

1. If a building or the use of a building on a parcel of property which building had been connected to the water system is changed in a way that would make the Water Source Acquisition Charge greater, or,

2. If a building is replaced on a parcel of property, which building had been connected to the water system, and the replacement building would have a greater Water Source Acquisition Charge than the building replaced.

Said difference in charges shall be due prior to final approval of a conditional use permit or business license, if applicable, or, if not, prior to building permit issuance. If not collectable in this manner, said difference shall be invoiced with the next billing for water service and collectable in the same manner as the billing for water service.

If a building or the use of a building on a parcel of property is changed in a way that would make the Water Source Acquisition Charge less, no refund shall be made but the property shall retain the amount of credit established for its previous use.

SECTION SIXTEEN:

Section 13.40.090 of the Redlands Municipal Code is hereby amended to read as follows:

A. Amounts of cash requirements for land development defined in Section 13.40.030 shall be set as specified by Subsection 13.40.090. The cash requirement shall be called the water source acquisition charge. The cash credit amounts shall be set by the Water Board.

B. Water Source Acquisition Charge Amounts.

Residential Development

Single Family Dwelling Unit	\$640/dwelling unit
Multiple Family & Mobile Home Dwelling Units	\$320/dwelling unit

Non-residential Development

\$26.80/100 cubic
feet per month
estimated monthly
demand.

SECTION SEVENTEEN: EFFECTIVE DATE

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

SECTION EIGHTEEN: CERTIFICATION

The City Clerk shall certify to the adoption of this
Ordinance and cause it, or a summary of it, to be
published once in the Redlands Daily Facts, a newspaper
of general circulation printed and published in this
City.

Carol Beswick
Mayor of the City of Redlands

ATTEST:

Beatrice Sanchez
Deputy City Clerk

I, Beatrice Sanchez, Deputy City Clerk, City of Redlands,
hereby certify that the foregoing Ordinance was duly adopted
by the City Council at the regular meeting thereof held on
the 23rd day of May, 1989, by the following vote:

AYES: Councilmembers Wormser, Cunningham, Larson;
Mayor Beswick
NOES None

ABSENT: Councilmember DeMirjyn

Beatrice Sanchez
Deputy City Clerk