

ORDINANCE NO. 2400

AN ORDINANCE OF THE CITY OF REDLANDS AMENDING CHAPTER 3.48
AND 13.40 OF THE REDLANDS MUNICIPAL CODE RELATING TO WATER
CAPITAL IMPROVEMENT AND WATER SOURCE ACQUISITION CHARGES

The City Council of the City of Redlands does ordain as follows:

Section 1. Section 3.48.030 of the Redlands Municipal Code relating to Water Capital Improvement Charges is hereby amended to read as follows:

"3.48.030 Charges.

A. Except as otherwise provided for in this Section, the water capital improvement charge shall be paid as a condition of approval of an application for a new water connection or, for any property or use having an existing water connection and which is increasing its water demand on the City's utilities system, as a condition of issuance of any building permit, business license, or other entitlement from the City associated with the change in the property or use that is causing such increased demand. The charge due, shall be that charge in effect on the date the application for a connection is approved or on the date the entitlement authorizing the increased demand is issued. All water capital improvement charges shall be deposited into the City's Water Capital Improvement Fund. The amounts of charges shall be established as provided for in Section 3.48.032.

1.
2.
3.

Notwithstanding the foregoing, for those unusual or unique properties or uses for which the City cannot reasonably estimate the demand the property or use will have on the City's water system, the City and the applicant may agree to defer payment of the charges imposed under this Section for a period of time sufficient to permit the City and the applicant to more reasonably ascertain the property's or use's capacity demand on the City's system based upon various factors, including the actual water usage for such property or use. Any decision to defer payment of charges under this Section shall be made by the City Council. The agreement to defer any payment, and the conditions imposed for such deferment, shall be evidenced in the entitlement associated with the property or use and/or in an agreement entered into by the City and the applicant."

Section 2. Section 13.40.010 of the Redlands Municipal Code relating to water source acquisition charges is hereby amended to read as follows:

"13.40.010 Purpose.

In order to provide an adequate water supply for new dwellings, subdivisions, other land developments within the City, approved developments outside the City, and to conserve the water supply, land owners, subdividers, and developers, before receiving final approval or securing water service, shall first pay to the City certain fees. The fees received by the City are to be utilized for the purpose of obtaining approved water stock and water rights."

Section 3: Section 13.40.030 of the Redlands Municipal Code relating to water source acquisition charges is hereby amended to read as follows:

"13.40.030 Developer requirements.

A. For any development project that will require water service or incremental water demand from the City, a water source acquisition charge shall be paid as a condition of final approval of that development. The charge due shall be that amount in effect on the date approval of the development is given by the City. The amount of the charge shall be as established in Section 13.40.090.

1. Single-family dwelling units: pay an amount per dwelling unit ;
2. Multiple-family dwelling units and mobile home dwelling units: pay an amount per dwelling unit;
3. Nonresidential developments or improvements: pay an amount per one hundred cubic feet per month of City estimated average monthly water consumption for development .

Notwithstanding the foregoing, for those unusual or unique properties or uses for which the City cannot reasonably estimate the demand the property or use will have on the City's water system, the City and the applicant may agree to defer payment of the charge imposed under this Section for a period of time sufficient to permit the City and the applicant to more reasonably ascertain the property's or use's capacity demand on the City's system based upon various factors, including the actual water usage for such property or use. Any decision to defer payment of the charge established under this Section shall be made by the City Council. The agreement to defer any payment, and the conditions imposed for such deferment, shall be evidenced in the entitlement associated with the property or use and/or in an agreement entered into by the City and the applicant."

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 4. Sections 13.40.040, 13.40.050, 13.40.060, 13.40.070, and 13.40.080 of the Redlands Municipal Code relating to Water Source charges are hereby deleted in its entirety.

Section 5. Section 13.40.090 of the Redlands Municipal Code shall be renumbered and is hereby amended to read as follows:

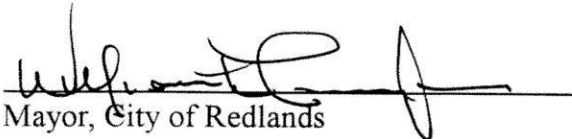
"13.40.040 Amounts of cash requirements.

A. Amounts of cash requirements for land development defined in Section 13.40.030 shall be set as specified by subsection B of this section. The cash requirement shall be called the water source acquisition charge.

B. Water Source Acquisition Charge Amounts.

	<u>Through</u> <u>March 18, 1996</u>	<u>Beginning</u> <u>March 19, 1996</u>
Residential Development		
Single-family dwelling unit unit	\$360.00/dwelling unit	\$720.00/dwelling
Multiple-family and mobile unit home dwelling units	180.00/dwelling unit	360.00/dwelling
Nonresidential Development	15.00/100 cubic feet per month estimated monthly demand	30.00/100 cubic feet per month estimated monthly demand"

Section 6. The Mayor shall sign this ordinance and the City Clerk shall certify to the adoption of this ordinance and shall cause it, or a summary of it, to be published once in the Redlands Daily Facts, a newspaper of general circulation within the City, and thereafter, this ordinance shall take effect in accordance with law.


Mayor, City of Redlands

ATTEST:


City Clerk

I, Lorrie Poyzer, City Clerk of the City of Redlands, hereby certify that the foregoing ordinance was duly adopted by the City Council at a regular meeting thereof held on the 4th day of May __, 1999, by the following vote:

AYES: Councilmembers Banda, Gilbreath, George, Freedman

NOES: None

ABSTAIN: Mayor Cunningham

ABSENT: None


City Clerk