

(O-89-82)

ORDINANCE NUMBER O- 17206 (NEW SERIES)

ADOPTED ON JAN 9 1989

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 4, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 64.0410 RELATING TO CAPACITY CHARGES.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter VI, Article 4, Division 4, of the San Diego Municipal Code be and the same is hereby amended by amending Section 64.0410, to read as follows:

SEC. 64.0410 CAPACITY CHARGE

When any person, firm, corporation or other entity shall request a new sewer connection, an additional connection, a larger connection or in any other way increase the flow into the sewer by the addition of an equivalent family unit or units, a minimum capacity charge as established from time to time by a resolution of the City Council shall be paid; provided, however, that prior to considering any change in said sewer service charge by resolution as aforesaid, a notice of the proposed change shall be posted by the City Clerk at least ten (10) days prior to consideration of such a resolution by the City Council. This charge shall be due and payable at the time the building permit fees are paid, or if a building permit is not required, at the

time the sewer connection fees must be paid. In any case, this sewer capacity charge must be paid before the sewage flow increase is accomplished. This section shall not be construed to pertain to agreements between participating agencies in the Metropolitan Sewerage System and the City.

Any person, firm, corporation, or other entity pumping groundwater to the sewerage system, under the guidelines established by Division 5, Industrial Wastewater, shall be eligible for an industrial users wastewater discharge permit issued by the City Water Utilities Department Industrial Waste Program, and a waiver of capacity charges, for a period of one (1) year. Upon expiration of the discharge permit issued by the City and the original waiver of capacity charges, an extension of the waiver of capacity charges for an additional one (1) year period may be granted if the individual, firm, corporation, or other entity has applied for a National Pollutant Discharge Elimination System (NPDES) Permit from the Regional Water Quality Control Board. These waivers shall run with the land to prevent subsequent waivers upon the sale or exchange of the property by the permit holder. If, upon expiration of the original permit issued by the City and the waiver of capacity charges (including a one (1) year extension if applicable), the discharge continues, capacity charges will be levied at the then current rates.

Additional extensions of capacity charge waivers are not allowed. Capacity charges are not refundable.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: John W. Witt, City Attorney

By Ted Bromfield
Ted Bromfield
Chief Deputy City Attorney

TB:js
10/13/88
Or.Dept:W.Util.
O-89-82
Form=o.none

STRIKE OUT VERSION

OLD LANGUAGE -- ~~Crossed Out~~

NEW LANGUAGE -- Underlined

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RECEIVED

88 DEC -2 AM 9:09

CITY CLERKS OFFICE
SAN DIEGO, CA

[The following text is extremely faint and largely illegible. It appears to be a multi-paragraph document, possibly a letter or official communication, containing various lines of text. The content is too light to transcribe accurately.]

34

Passed and adopted by the Council of The City of San Diego on JAN 9 1989,
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Rhonda K. Barnes, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

DEC 12 1988

JAN 9 1989

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Rhonda K. Barnes, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17206

JAN 9 1989

Adopted

CERTIFICATE OF PUBLICATION 89

RECEIVED
CITY CLERK'S OFFICE
MAR 10 AM 9:38
SAN DIEGO, CALIF.

CITY OF SAN DIEGO
202 C ST., 2ND FLOOR
SAN DIEGO, CA 92101
ATTN: RHONDA R. BARNES

IN THE MATTER OF
AN ORDINANCE AMENDING, CHAPTER VI, ARTICLE 4, DIVISION 4,
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION
64.0410 RELATING TO CAPACITY CHARGES.

NO.

ORDINANCE NUMBER 0-17206 (NEW SERIES)
AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 4, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 64.0410 RELATING TO CAPACITY CHARGES.
This amendment permits a waiver of capacity charges for up to two (2) years for holders of permits issued for groundwater discharge into the sewerage system. At the expiration of the waiver, capacity charges will be collected at the then current rate.
A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.
INTRODUCED ON December 12, 1988.
Passed and Adopted by the Council of The City of San Diego on January 9, 1989.
AUTHENTICATED BY: MAUREEN O'CONNOR
Mayor of The City of San Diego, CA
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, CA
(SEAL)
By RHONDA R. BARNES, Deputy
Pub. January 23 128248

I, THOMAS D. KELLEHER, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NUMBER 0-17206 (NEW SERIES)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

JAN. 23

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 23 day of JAN., 19 89.

Thomas D. Kelleher

(Signature)

2 1/8" x 2 x 24.08 = \$47.38

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
89 JAN 30 PM 12:22
SAN DIEGO, CALIF. *Ⓟ*

CITY OF SAN DIEGO
202 C ST., 2ND FLOOR
SAN DIEGO, CA 92101
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(Signature)

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