

ORDINANCE NUMBER O- 19440 (NEW SERIES)

ADOPTED ON NOV 14 2005

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 2,
DIVISION 12, OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 62.1210 RELATING TO
EXCAVATION FEES.

WHEREAS, the City Council adopted San Diego Municipal Code sections 62.1201 through 62.1211 for the purpose of providing policies and procedures for excavating in the public right-of-way; and

WHEREAS, the City Council has determined that Excavation Fees collected pursuant to San Diego Municipal Code section 62.1210 should be retained for a two-year period in order to ensure that monies are available to repair or restore a street where excavation work was done and for which an Excavation Fee was paid; NOW, THEREFORE,

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

Section 1. That Chapter 6, Article 2, Division 12 of the San Diego Municipal Code is amended by amending Section 62.1210 to read as follows:

§ 62.1210 Establishment of Fund

- (a) All Excavation Fees collected pursuant to this Division shall be deposited into a designated fund and utilized only to repair a Pavement problem associated with the Excavation Influence Area for which the Excavation Fee was paid. If, after two years, additional restoration work in the Excavation Influence Area has not been necessary then the Excavation Fee collected for that Excavation Influence Area may be expended solely for

all administration, investigation, inspection, monitoring, maintenance, repair, reconstruction, Slurrying, or Resurfacing, of the Public Rights-of-Way.

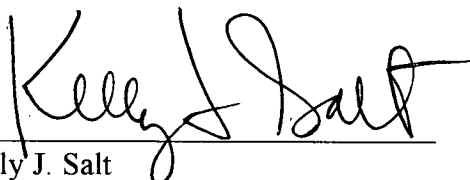
(b) [No change in text.]

Section 2. This activity is excluded from the definition of "project" by CEQA Guidelines section 15378(b)(4), as this activity is a governmental fiscal activity, which is not committed to a specific project that may have a significant impact on the environment, and therefore CEQA does not apply.

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Kelly J. Salt
Deputy City Attorney

KJS:pev
10/04/05
Or.Dept:Water
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