

ORDINANCE NO. 913

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA AMENDING ORDINANCE NO. 876 CODIFIED AS CHAPTER 13.09 OF THE MUNICIPAL CODE OF THE CITY OF LANCASTER PERTAINING TO SEWER SERVICE CHARGES

WHEREAS, The City Council on May 8, 2007, approved Ordinance No. 876, establishing a Sewer Service Charge to fund the operations, maintenance and replacement program for the Lancaster sewer collections system; and,

WHEREAS, The provisions Ordinance No. 876 codified as Chapter 13.09 do not apply to governmental or public premises which are defined as:

1. Any city, county, town, or city and county, or any of their departments or agencies;
2. Any school district;
3. Any other governmental or public entity other than the United States Government or the State of California; and,

WHEREAS, Article XIII D of the California Constitution provides that governmental entities benefiting from any service shall pay their proportional share of the cost of such service; and,

WHEREAS, The City Council desires to comply with the intent of Article XIII D of the California Constitution.

THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. It is the purpose and intent of the City Council that the changes to Chapter 13.09 attached hereto as **Exhibit "A"** are adopted.

Section 2. That the City finds that these changes are in the public interest of protecting the health, safety and welfare of the citizens of the city.

Section 3. That the City Clerk shall certify to the passage of this Ordinance and will see that it is published and posted in the manner required by law.

I, Geri K. Bryan, CMC, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading on the 9<sup>th</sup> day of December, 2008, and placed upon its second reading and adoption at a regular meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

\_\_\_\_\_  
GERI K. BRYAN, CMC  
City Clerk  
City of Lancaster

\_\_\_\_\_  
R. REX PARRIS  
Mayor  
City of Lancaster

STATE OF CALIFORNIA            }  
COUNTY OF LOS ANGELES    } ss  
CITY OF LANCASTER            }

CERTIFICATION OF ORDINANCE  
CITY COUNCIL

I, \_\_\_\_\_, \_\_\_\_\_ City of Lancaster, California, do hereby certify that this is a true and correct copy of the original Ordinance No. 913, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(seal)

\_\_\_\_\_

Exhibit "A"

The following changes shall be made to Chapter 13.09.

Section 13.09.070 shall be replaced in its entirety with the following:

1. 13.09.070 Government or public entity defined

The provisions of this chapter shall apply to governmental or public premises. As used herein the term "governmental or public premises" means and includes premises which are owned, controlled or used by:

1. Any city, county, or any of their departments or agencies;
2. Any school district;
3. Any other governmental or public entity other than the United States Government or the State of California.

2. Add Section 13.09.085 as follows:

13.09.085 Collection of charges - Alternate manner – Delinquent payment

The alternate manner of collecting the sewer service charges for premises identified in 13.09.080 K above shall be by direct billing. An invoice shall be prepared for each premise (or if multiple premises are under a single ownership a single invoice detailing the multiple premises) and mailed to the owner. The city shall prepare and mail invoices by September 15<sup>th</sup> of the then current year. Upon mailing of the invoice by the city the provisions of 13.09.080 H through J above shall apply, including but not limited to: due dates, delinquency of payment and penalties and liens.

3. Revise 13.09.120 Table A Sewage units for designated land uses as follows:

Change: Schools (private); to: Schools

Change: Colleges, universities (private); to: Colleges, universities