

ORDINANCE NO. 962-2019

AN ORDINANCE OF THE CITY OF BARSTOW AMENDING AND UPDATING VARIOUS SECTIONS OF TITLE 13 ("PUBLIC UTILITIES"), INCLUDING SECTIONS 13.08.050 (PRIVATE DISPOSAL SYSTEM CONNECTION) AND 13.08.070 (PRIVATE DISPOSAL SYSTEM CRITERIA) OF CHAPTER 13.08 (CONNECTION—PRIVATE DISPOSAL SYSTEM); SECTIONS 13.16.010 (PERMIT REQUIRED), 13.16.020 (PERMIT APPLICATION), 13.16.030 (INSTALLATION COSTS AND CONNECTION TO SEWER) AND 13.16.070 (STREET EXCAVATION: PERMIT REQUIRED) OF CHAPTER 13.16 (BUILDING LATERALS); SECTIONS 13.20.010 (RIGHT OF ENTRY) AND 13.20.020 (COMPANY INDEMNIFIED BY CITY) OF CHAPTER 13.20 (INSPECTIONS); SECTIONS 13.22.020 (USER FEES) AND 13.22.080 (CONNECTION FEES) OF CHAPTER 13.22 (SEWER USE CHARGES), AND REPEALING SECTIONS 13.24.050 (CONNECTION CHARGES, MAPS) AND 13.24.060 (DISPOSITION OF FUNDS) OF CHAPTER 13.24 (REIMBURSEMENT DISTRICTS) OF THE BARSTOW MUNICIPAL CODE

SECTION 1. Section 13.08.050 (Private disposal system connection) of Chapter 13.08 (Connection—Private Disposal System) of the Barstow Municipal Code is hereby amended to read as follows:

"Sec. 13.08.050. - Private disposal system connection.

Where a public sanitary sewer is not available under the provisions of section 13.08.040, the building sewer lateral shall be connected to a private sewage disposal system complying with the building and plumbing code and the current edition of the city's "Local Agency Management Plan" (LAMP), subject to compliance with section 13.08.070. Where the sewer lateral is for nonresidential and/or employment purposes, a waiver from the public sanitary sewer requirement shall be first approved by the city manager or his designee prior to a private sewage disposal system can be allowed."

SECTION 2. Section 13.08.070 (Private disposal system criteria) of Chapter 13.08 (Connection—Private Disposal System) of the Barstow Municipal Code is hereby amended to read as follows:

"Sec. 13.08.070. - Private disposal system criteria.

No building permit shall be issued for the erection or construction of any building or structure on any parcel of real property from which sewage would be discharged into a private sewage disposal system provided for under section 13.08.050 unless:

- (1) The applicant for said permit or other responsible persons have made provisions satisfactory to the city engineer for the future connection to public sanitary sewer to serve said parcel when it becomes available; and

- (2) Said parcel is determined by the city engineer to be adequate and suitable for a private disposal system. In making this determination, the city engineer shall utilize the current Local Agency Management Plan (LAMP). For construction of a nonresidential and/or employment-related use on a parcel qualifying under this subsection, a waiver from the city manager or his designee shall first be applied for and granted before use of a private disposal system will be permitted."

SECTION 3. Sections 13.16.010 (Permit required), 3.16.020 (Permit application) and 13.16.030 (Installation costs and connection to sewer) of Chapter 13.16 (Building Laterals) of the Barstow Municipal Code are hereby amended to read as follows:

"Sec. 13.16.010. - Permit required.

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the city building department.

Sec. 13.16.020. - Permit application.

(a) There shall be two classes of building lateral permits:

- (1) For residential and commercial service; and
- (2) For service to establishments producing industrial wastes.

(b) In either case, the owner or his agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the city building department.

Sec. 13.16.030. - Installation costs and Connection to sewer.

All costs and expenses incident to the installation and connection of the building lateral shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may be directly or indirectly occasioned by the installation of the building lateral. The owner is solely responsible for the sewer lateral from the building to the point of connection with the City's sewer collection system. Per established standards this would be referred as the upper lateral (from building to property line) and lower lateral (property line to point of connection)."

SECTION 4. Section 13.16.070 (Street excavation; permit required) of Chapter 13.16 (Building Laterals) of the Barstow Municipal Code is hereby amended to read as follows:

“Sec. 13.16.070. - Street excavation; permit required.

All excavations for building laterals in public streets and easements requires a permit from the city engineering services division pursuant to chapter 12.08 in addition to the permit prescribed by this chapter.”

SECTION 5. Sections 13.20.010 (Right of entry) and 13.20.020 (Company indemnified by city) of Chapter 13.20 (Inspections) of the Barstow Municipal Code are hereby amended to read as follows:

“Sec. 13.20.010. - Right of entry.

The city engineering services division and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of chapters 13.08 through 13.24.

Sec. 13.20.020. - Company indemnified by city.

While performing the necessary work on private properties referred to in section 13.20.010, the city engineering services division or fully authorized employees of the city shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the city employees. The city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as may be caused by the company's negligence or failure to maintain safe conditions as required in BMC chapter 13.12.”

SECTION 6. Sections 13.22.020 (User fees) and 13.22.080 (Connection Fees) of Chapter 13.22 (Sewer Use Charges) of the Barstow Municipal Code are hereby amended to read as follows:

“Sec. 13.22.020. –User fees.

(1) *Sewer user fee.*

(a) Pursuant to section 13.22.020 of this Code, the city council hereby establishes the monthly user fee per sewer service unit (SU) to be:

i.	Effective December 1, 2011:	\$22.00
ii.	Effective July 1, 2012:	\$25.00
iii.	Effective July 1, 2013:	\$28.00
iv.	Effective July 1, 2014:	\$31.00

- (b) Residential sewer users shall be charged for one SU per dwelling unit per month.
- (c) Low income discount. To apply for a sewer fee reduction for a single family owner occupied home the owner must provide a utility bill (i.e. gas, water, electric) which shows the owner is currently receiving a discount under the California Alternate Rate for Energy guidelines.
 - i. The documentation must be provided to the billing agent for the city and will be applied on the next billing cycle. It is the responsibility of the owner to update annually and notify the billing agent of any changes which may impact their eligibility.

(2) *Non-residential user fee.*

- (a) Pursuant to section 13.22.020 of this Code, the city council hereby establishes the following user fee formula for determining the monthly sewer service units that will be charged to non-residential sewer users (excluding colleges / private schools / public schools and religious facilities) at the rate set forth in subsection (1) of this section:
 - i. $SU = Q/225 \times [0.457 + (BOD/200 \times 0.255) + (SS/200 \times 0.288)]$

• S.U.	=	Service Units
• Q	=	Average user water flow in gallons per day
• BOD	=	Average user Biochemical Oxygen Demand concentration in mg/L
• SS	=	Average user Suspended Solids concentration In mg/L

- ii. In order to determine the BOD and SS figures to be used in calculating the number of sewer service units to charge non-residential sewer use fees (excluding Educational Institutions - Land Use Code 55 & 56; Religious Facilities - Land Use Code 54; and any user identified as a Significant Industrial User - See subsection (5) of this section), city staff shall utilize the following land-use category classification table:

LAND USE CATEGORY NUMBER	LAND USE CATEGORY DESCRIPTION	BOD (mg/l)	SS (mg/l)
1	Residential	200	200
51	Office	130	80
52	Wholesale / Retail	150	150
53	Markets	800	800
54	Religious Facility / Church / Club / Lodge	200	200

55	Elementary School	130	100
56	Secondary School and College	130	100
60	Motel / Hotel w/o Dining	310	120
61	Motel / Hotel w/ Dining	500	600
62	Restaurant	1000	600
63	Bar w/o Dining	200	200
70	Car / Vehicle Wash	20	150
71	Truck Wash / Auto Steam Cleaning	1150	1250
72	Service Station	180	280
75	Water Softening	3	55
80	Laundromat	150	110
81	Dry Cleaner / Commercial Laundry	450	240
82	Industrial Laundry	670	680
85	Hospital	250	200
86	Mortuary	800	800

1. In the event that a dispute arises between a non-residential user and city staff with regard to the land use category that the non-residential user should be classified for the purposes of determining BOD and SS, the following appeals procedure shall be used:
 - a. The non-residential user shall file a notice with the city manager seeking a review of city staff's decision. The city manager or his / her designee shall then meet with the non-residential user to review city staff's land use classification decision.
 - b. After considering all of the facts in the matter, the city manager or his / her designee shall make a final decision regarding the land use classification. The decision of the city manager or his / her designee shall be final.
- iii. Actual water usage by each non-residential user shall be utilized for the purposes of calculating the average user water flow in gallons per day (the "Q" in the non-residential sewer service unit determination formula outlined in subsection (2)(a)(i) of this section). However, except for subsection (2)(a) and subsection (2)(a)(iii)(7), these provisions shall not apply to educational institutions (see subsection (3) of this section), religious facilities (see subsection (4) of this section) and significant industrial users (see subsection (5) of this section).

1. Before June 1 of each year, the city will obtain data from the water service provider for every non-residential user which identifies the actual amount of water used by each non-residential user during the prior calendar year from January 1 of the prior year through December 31 of the prior year.
2. Based on the data obtained from the water service provider for every non-residential user, the actual amount of water used by each non-residential user during the prior year will be converted in order to determine the average number of gallons of water used per day by each non-residential user.
3. The city will utilize the average number of gallons of water used per day during the prior year by each non-residential user as the "Q" in calculating the number of sewer service units to charge non-residential sewer users.
4. The city shall recalculate the number of sewer service units to charge each non-residential user utilizing the updated average number of gallons of water used per day (or the "Q") prior to June 1 of each year. In addition, the city shall inform each non-residential user in writing prior to June 1 of each year regarding how many sewer service units they will be charged in the upcoming year between July 1 and June 30.
5. Effective July 1 of each year, the city shall begin charging each non-residential user an updated number of sewer service units based on a recalculation of the average number of gallons of water used per day (or "Q") as described in subsection (2)(a) of this section.
6. In the event that a dispute arises between a non-residential user and city staff with regard to the amount of water the non-residential user is utilizing per day (or "Q"), the following appeals procedure shall be used:
 - a. The non-residential user shall file a notice with the city manager seeking a review of city staff's decision. The city manager or his / her designee shall then meet with the non-residential user to review how city staff determined the amount of water (or "Q") being used by the non-residential user.
 - b. After considering all of the facts in the matter, the city manager or his / her designee shall make a final decision regarding the amount of water (or "Q") being used by the non-residential user. The decision of the city manager or his / her designee shall be final.
7. The implementation of utilizing actual water use to determine the sewer service costs for non-residential users (including educational institutions, religious facilities, and significant industrial users) shall take effect on January 1, 2014. Each non-residential user shall have their sewer service costs for the period between January 1, 2014 through June 30, 2014,

calculated based on the amount of water (or "Q") that was used during calendar year 2012. After this initial implementation period, the provisions of subsection (2)(iv) of this section shall apply as it relates to the annual recalculation of non-residential sewer service costs.

- a. Any non-residential user (including educational institutions, religious facilities, and significant industrial users) that experiences an increase of 25 or more sewer units assessed per month as a result of transitioning to the actual water use methodology shall be eligible to have the increased rate phased in over a three year period, with the full actual water use rate required to be paid beginning in the fourth year. The phased in rate calculation shall be recalculated each year based on the non-residential users actual water use per the formulas as outlined below:
 - i. First Year Rate: the first year rate shall be determined by the following formula:
 - $\text{Current Rate} + [(1/4) * (\text{New Rate 1} - \text{Current Rate})]$
 - ii. Second Year Rate: the second year rate shall be determined by the following formula:
 - $\text{Current Rate} + [(2/4) * (\text{New Rate 2} - \text{Current Rate})]$
 - iii. Third Year Rate: the third year rate shall be determined by the following formula:
 - $\text{Current Rate} + [(3/4) * (\text{New Rate 3} - \text{Current Rate})]$
 - iv. Fourth Year Rate: the fourth year rate shall be the full rate as determined by the actual water use methodology.
1. In subsection (2)(iii)(7)(a)(i) through subsection (2)(iii)(7)(a)(iv) above, the following definitions shall apply:
 - "Current Rate" means the number of sewer units assessed for the month of December 2013.
 - "New Rate 1" means the number of sewer units that would be assessed each month of the First Year Rate based on actual usage.
 - "New Rate 2" means the number of sewer units that would be assessed each month of the Second Year Rate based on actual usage.

- "New Rate 3" means the number of sewer units that would be assessed each month of the Third Year Rate based on actual usage.
- b. Any non-residential user (including educational institutions, religious facilities, and significant industrial users) that experiences an increase of 10 to 24 sewer units assessed per month as a result of transitioning to the actual water use methodology shall be eligible to have the increased rate phased in over a two year period, with the full actual water use rate required to be paid beginning in the third year. The phased in rate calculation shall be recalculated each year based on the non-residential users actual water use per the formulas as outlined below:
 - i. First Year Rate: the first year rate shall be determined by the following formula:
 - $\text{Current Rate} + [(1/3) * (\text{New Rate 1} - \text{Current Rate})]$
 - ii. Second Year Rate: the second year rate shall be determined by the following formula:
 - $\text{Current Rate} + [(2/3) * (\text{New Rate 2} - \text{Current Rate})]$
 - iii. Third Year Rate: the third year rate shall be the full rate as determined by the actual water use methodology.
1. In subsection (2)(iii)(7)(b)i. through subsection (2)(iii)(7)(b)(iii). above, the following definitions shall apply:
 - "Current Rate" means the number of sewer units assessed for the month of December 2013.
 - "New Rate 1" means the number of sewer units that would be assessed each month of the First Year Rate based on actual usage.
 - "New Rate 2" means the number of sewer units that would be assessed each month of the Second Year Rate based on actual usage.

7. Shopping Centers (Center) that have only one water meter will be assessed a minimum of one (1) sewer unit per number of spaces within the Center and the property owner will be charged as fully occupied, unless the City Building Official deems the space uninhabitable. If a Center has more than one water meter then the calculation will be done as outlined above, a sewer unit total for each specific meter will be conducted. A total sewer number will be issued to the property owner for each water meter. It will be the responsibility of the owner to determine how to distribute those sewer costs amongst the tenants.

(3) *Educational institutions.*

(a) Pursuant to section 13.22.020 of this Code, the city council hereby establishes that any non-residential sewer service user designated under Land Use Code 55 or 56 (Educational Institution) as defined in subsection (2)(ii) of this chapter shall be assessed a monthly user fee based on the number of students enrolled at the start of the prior school year per the following schedule:

i.	Effective December 1, 2011:	\$0.27 / student
ii.	Effective July 1, 2012:	\$0.31 / student
iii.	Effective January 1, 2014:	\$0.34 / student
iv.	Effective July 1, 2014:	\$0.38 / student

(4) *Religious institutions.*

(a) Pursuant to section 13.22.020 of this Code, the city council hereby establishes that any non-residential sewer service account designated under Land Use Code 54 (religious institution / church / club / lodge) as defined in subsection (2)(a)(ii) of this section shall be assessed a monthly user fee based on actual water use per the following schedule:

Gallons Per Day (GPD) of Water Used	Sewer Units Assessed Per Month
0 GPD.225 GPD	1
226 GPD.675 GPD	3
676 GPD.1125 GPD	5
1128 GPD.1575 GPD	7
1576 GPD.2025 GPD	9
2026 GPD.2475 GPD	11
2476 GPD.2925 GPD	13
2926 or more GPD	15

(5) *Significant industrial users.*

(a) Significant Industrial User (SIU) shall mean any sewer service user that meets any of the following conditions:

- i. Any non-residential user that discharges industrial wastewater at an average rate of at least 25,000 gallons per day (gpd) to the Barstow Wastewater Treatment Plant (excluding sanitary, noncontact cooling, and boiler blowdown wastewater).

- ii. Any non-residential user designated as a truck wash facility.
 - iii. Any non-residential user that contributes a process waste stream discharge which makes up five percent or more of the average dry weather hydraulic or organic capacity of the Barstow Wastewater Treatment Plant.
 - iv. Any non-residential user that is designated by the city manager or his / her designee that on the basis that the user has a reasonable potential for adversely affecting the Barstow Wastewater Treatment Plant or for violating any pretreatment standard or requirement.
- (b) SIUs shall pay a monthly sewer service fee based on the formula established in subsection (2)(a) of this section. The sewer rate for SIUs shall be based upon the formula established in subsection (2)(a) of this section per the following guidelines as outlined below.
- i. BOD and SS shall be measured and updated on a monthly basis per the following guideline:
 - 1. In order to calculate actual measurements of BOD and SS, wastewater sampling shall be required on a monthly basis and all sampling activity shall occur on days when the discharge from the SIU is representative of normal and typical operations.
 - 2. The SIU will be required to collect a composite sample over a 24-hour period each month using a portable refrigerated Isco sampler (or comparable equipment). In addition, the SIU will be required to provide the city with a split sample for both grab and composite samples collected.
 - 3. Each SIU will be required to have the collected samples analyzed by a certified ELAP and / or NELAP laboratory.
 - 4. Each SIU will be required to submit a report of all analyses performed on samples collected during a given month no later than the tenth (10th) day of the month following sample collection, If the 10th day of the month falls on a weekend or national holiday, the report of sample analyses shall be submitted on the first business day following the 10th of the month.
 - 5. The BOD and SS values from the samples collected will be utilized for billing purposes.
 - 6. If laboratory samples differ by +/- 5% on either the BOD or SS values between the SIU sample results and city sample results, the results will be averaged to determine the monthly BOD and SS values that will be used to calculate the monthly bill. If the results are within +/- 5%, the lowest sample results between the two laboratories will determine the BOD and SS values

that will be utilized.

- ii. In order to determine the average number of gallons of water used per day for each month (or "Q") by each SIU, the following guidelines shall be used:
 1. The city shall obtain the actual amount of water used by each SIU every month (or "Q") for the purposes of determining the sewer bill.
 2. To determine the amount of water used by each SIU every month (or "Q"), the city will either obtain the data in one of the following two ways:
 - a. From the SIUs water service provider. Either the SIU can provide or the city will obtain the actual metered water usage from the SIUs water service provider in order to determine the Q.
 - b. From a flow monitoring device. The SIU can install a flow monitoring device to determine the Q. If this option is elected, the flow monitoring device shall be installed and maintained by the SIU in the wastewater stream located at the discharge monitoring station. Prior to installation, both the installation location and the flow monitoring device must be approved by the city. The flow monitoring device must be capable of +/- 5% accuracy throughout the flow range and shall be calibrated by a certified technician on at least a quarterly basis. Copies of calibration reports shall be submitted to the city for review. Records of instantaneous wastewater flows (in gallons per minute) and daily totalized flows (in gallons) shall be provided to the city on a monthly basis, at the same time as monthly sample laboratory analyses are reported. The records of flows to be submitted to the city shall include copies of all instantaneous flow charts, as well as daily readings of the totalized discharge flow.
- iii. In the event that a dispute arises between an SIU and city staff with regard to the either the BOD / SS values or amount of water the SIU is utilizing per day (or "Q"), the following appeals procedure shall be used:
 - a. The SIU shall file a notice with the city manager seeking a review of city staff's decision. The city manager or his / her designee shall then meet with the SIU to review how city staff determined the BOD / SS values and / or the amount of water (or "Q") being used by the SIU.
 - b. After considering all of the facts in the matter, the city manager or his / her designee shall make a final decision regarding the BOD / SS values and / or the amount of water (or "Q") being used by the SIU. The decision of the city manager or his / her designee shall be final.

Sec. 13.22.080. - Connection fees.

(a) Any person connecting premises to the wastewater collection system of the city shall first pay a connection fee in accordance with the schedule of charges, as may be set from time to time by the city council, in addition to any other fees or charges required by the building and plumbing codes of the city and by this chapter. Any person who has previously paid for construction of sewer facilities (excluding local street sewers or lateral connections) for premises located within a special sewer assessment district or reimbursement district shall not be required to pay an additional connection fee for connecting such premises to the city's wastewater collection system.

(b) The city council hereby establishes the amount of the connection fee for connection to the city's wastewater collection system as \$1,500.00 per service unit.

(c) The number of service units attributable to any individual user shall be calculated using the following formula:

$$\text{S.U.} = Q/225 \times [0.457 + (\text{BOD}/200 \times 0.255) + (\text{SS}/200 \times 0.288)].$$

Where:

S.U. = Service units.

SS = Average user suspended solids value in mg/l.

Q = Average flow in gallons per day.

BOD = Average user biochemical oxygen demand value in mg/l.

The average flow (Q) for a residential unit shall be 225 gallons per day. Average flow (Q) for all other users shall be based on typical water usage, as determined by the city, for that user's land use category, development, or activity. A user may request that their fee be based on actual water usage during the previous 12 months of water billings for the user, so long as:

- (1) The user has been in operation for at least 12 months; and
- (2) At least 12 months of usage data is made available to the city by the sewer customer's water supplier.
 - (a) No user shall be assigned less than one service unit.

(d) For purposes of calculating the number of service units pursuant to subsection (c) of this section, the average user biochemical oxygen demand (BOD) and average user suspended solids (SS) values for various land uses are assumed to be as follows:

Land Use Categories	BOD (mg/l)	SS (mg/l)
Residential, per dwelling unit	200	200
Office	130	80
Wholesale/retail	150	150
Markets with garbage disposal	800	800
Church, club, lodge	200	200
Elementary school	130	100
Secondary and college	130	100
Motel/hotel without dining	310	120
Motel/hotel with dining	500	600
Restaurant	1,000	600
Bar without dining	200	200
Car/vehicle wash	20	150
Truck wash/auto steam cleaning	1,150	1,250
Service station	180	280
Water softening	3	55
Septic	N/A	N/A
Laundromat	150	110
Dry cleaner/commercial laundry	450	240
Industrial laundry	670	680
Hospital	250	100
Mortuary	800	800

EXPAND

- (1) Other wastewater characteristics, such as chemical oxygen demand (COD), total dissolved solids (TDS), and total solids (TS), may be utilized in lieu of BOD and SS if the city determines that these characteristics are more representative of a user's wastewater. TS is the sum of TDS and SS.
- (2) For users which do not fall into any of the above categories, a fee shall be determined by the city manager based on the best information available as to quality and quantity of wastewater discharged into the collection system. The city manager's fee determination shall be approved by the city council.
- (3) The city council shall review the sewer connection fees annually and consider any increase in accordance with the consumer price index (CPI) for Riverside San Bernardino Ontario Standard Metropolitan Statistical Area (U.S. Department of Labor) or higher in subject to applicable law.

SECTION 7. Sections 13.24.050 (Connection charges, maps) and 13.24.060 (Disposition of funds) of Chapter 13.24 (Reimbursement districts) of the Barstow Municipal Code are hereby repealed and reflected as "Reserved," to read as follows:

"Sec. 13.24.050 – RESERVED.

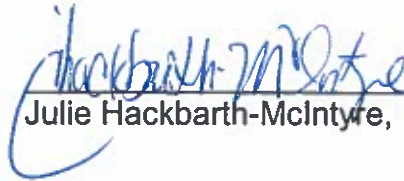
Sec. 13.24.060 – RESERVED."

SECTION 8. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this chapter is declared by a court competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this chapter. The City Council declares that it would have adopted this chapter, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases or portions be declared invalid or unconstitutional.

SECTION 9. CEQA. This Ordinance is statutorily and categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080(b)(8) and CEQA Guidelines § 150273(a), 15301, 15307, 15308 and 15309.

SECTION 10. Effective Date. This Ordinance is adopted by the City Council and shall take effect on November 4, 2019. This Ordinance and the City Clerk's certification together with proof of publication, shall be entered in the Book or Ordinances of the City Council.

PASSED, APPROVED AND ADOPTED, this 4th day of November, 2019.


Julie Hackbarth-McIntyre, Mayor

ATTEST:


JoAnne V. Cousino, City Clerk

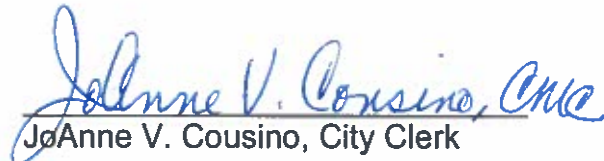
I, JoAnne V. Cousino, City Clerk for the City of Barstow, California and ex-officio Clerk of the City Council, do hereby certify, UNDER PENALTY OF PERJURY, that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Barstow, held on the 21st day of October, 2019, and was adopted at the regular meeting of the City Council of the City of Barstow on the 4th day of November, 2019, by the following vote:

AYES: COUNCILMEMBERS NOBLE, SILVA, MAYOR PRO TEM
HERNANDEZ AND MAYOR HACKBARTH-MCINTYRE

NOES: NONE

ABSENT: COUNCILMEMBER HARPOLE

ABSTAINED: NONE


JoAnne V. Cousino, City Clerk



PROOF OF PUBLICATION

(2015.5 C.C.P.)

**STATE OF CALIFORNIA,
County of San Bernardino**

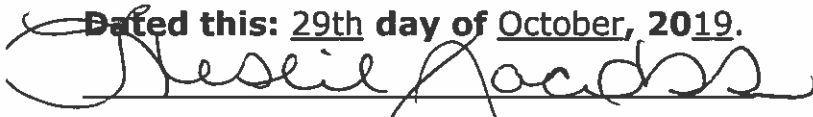
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the publisher of the DESERT DISPATCH, a newspaper of general circulation, published in the City of Barstow, County of San Bernardino, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Bernardino, State of California, under the date of February 27, 1996, Case Number BVC 02359, that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

October 29

All in the year 2019.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated this: 29th day of October, 2019.


Signature
Leslie Jacobs

This space is the County Clerk's Filing Stamp

Proof of Publication of SUMMARY OF ORDINANCE NO. 962-2019

SUMMARY OF ORDINANCE NO. 962-2019

AN ORDINANCE OF THE CITY OF BARSTOW AMENDING AND UPDATING VARIOUS SECTIONS OF TITLE 13 ("PUBLIC UTILITIES"), INCLUDING SECTIONS 13.08.050 (PRIVATE DISPOSAL SYSTEM CONNECTION) AND 13.08.070 (PRIVATE DISPOSAL SYSTEM CRITERIA) OF CHAPTER 13.08 (CONNECTION-PRIVATE DISPOSAL SYSTEM); SECTIONS 13.16.010 (PERMIT REQUIRED), 13.16.020 (PERMIT APPLICATION), 13.16.030 (INSTALLATION COSTS AND CONNECTION TO SEWER), 13.16.070 (STREET EXCAVATION: PERMIT REQUIRED) OF CHAPTER 13.16 (BUILDING LATERALS); SECTIONS 13.20.010 (RIGHT OF ENTRY), 13.20.02 (COMPANY INDEMNIFIED BY CITY) OF CHAPTER 13.20 (INSPECTIONS); SECTIONS 13.22.020 (USER FEES) AND 13.22.080 (CONNECTION FEES) OF CHAPTER 13.22 (SEWER USE CHARGES), AND REPEALING SECTIONS 13.24.050 (CONNECTION CHARGES, MAPS) AND 13.24.060 (DISPOSITION OF FUNDS) OF CHAPTER 13.24 (REIMBURSEMENT DISTRICTS) OF THE BARSTOW MUNICIPAL CODE

SECTION 1.
Sec. 13.08.050. - Private disposal system connection.

SECTION 2.
Sec. 13.08.070. - Private disposal system criteria.

SECTION 3.
Sec. 13.16.010. - Permit required, Sec. 13.16.020. - Permit

application, and Sec. 13.16.030. - Installation costs and Connection to sewer.

SECTION 4.
Sec. 13.16.070. - Street excavation; permit required.

SECTION 5.
Sec. 13.20.010. - Right of entry and Sec. 13.20.020. - Company indemnified by city.

SECTION 6.
Sec. 13.22.020. - User fees and Sec. 13.22.080. - Connection fees.

SECTION 7.
Sec. 13.24.050. - RESERVED and Sec. 13.24.060. - RESERVED.

SECTION 8.
Severability.

SECTION 9.
CEQA.

SECTION 10.
Effective Date.

I, JoAnne V. Cousino, City Clerk of the City of Barstow and Ex Officio Clerk of the City Council, do hereby certify under penalty of perjury that the foregoing is a true and correct summary of Ordinance No. 962-2019 of said City which was introduced at the regular meeting of such Council held on the 21st day of October 2019 and is scheduled for adoption at the next regular meeting to be held on November 4, 2019.

This ordinance as well as all ordinances of the City of Barstow are available for viewing during regular business hours in the City Clerk's Office.

/s/ JoAnne V. Cousino,
City Clerk

Published in the
Desert Dispatch
October 29, 2019
(Tu-85)