

## REPORT TO CITY COUNCIL

**DATE:** MAY 26, 2009

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** GREG RAMIREZ, CITY MANAGER

**BY:** RAMIRO ADEVA, CITY ENGINEER

**SUBJECT:** REPEAL ORDINANCE NO. 167 OF THE AGOURA HILLS MUNICIPAL CODE, AND ADOPT ORDINANCE NO. 09-363, THEREBY ADOPTING BY REFERENCE TITLE 20, UTILITIES, DIVISION 2, SANITARY SEWERS AND INDUSTRIAL WASTE, OF THE LOS ANGELES COUNTY CODE, AND ANY SUBSEQUENT AMENDMENTS OR MODIFICATIONS THERETO.

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On February 14, 1990, the City Council adopted Ordinance No. 167, which adopted the Los Angeles County Code section relating to sanitary sewer and industrial waste inspections. The City currently contracts with the County's Environmental Programs Division to conduct these inspections on behalf of the City. Unfortunately, Ordinance No. 167 did not include language that accounted for increases in the cost to produce the service over the years, since its adoption in 1990. As a result, the cost to produce the service has increased over time, but the fee collected by the City to cover the cost of the service has remained unchanged.

Therefore, proposed Ordinance No. 09-363, is a minor modification of Ordinance No. 167, in that it includes specific language allowing for the ability of the City to automatically increase the fees necessary to cover any increases in inspection costs over time.

### RECOMMENDATION

Staff respectfully recommends the City Council:

1. Repeal Ordinance No. 167 of the Agoura Hills Municipal Code, and
2. Adopt Ordinance No. 09-363, adopting by reference Title 20, Utilities, Division 2, Sanitary Sewers and Industrial Waste, of the Los Angeles County Code, and any subsequent amendments or modifications thereto.

Attachment: Ordinance No. 09-363

**ORDINANCE NO. 09-363**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, REPEALING ORDINANCE NO. 167 OF THE AGOURA HILLS MUNICIPAL CODE, AND ADOPTING ORDINANCE NO. 09-363, THEREBY ADOPTING BY REFERENCE TITLE 20, UTILITIES, DIVISION 2, SANITARY SEWERS AND INDUSTRIAL WASTE, OF THE LOS ANGELES COUNTY CODE, AND ANY SUBSEQUENT AMENDMENTS OR MODIFICATIONS THERETO**

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES ORDAIN AS FOLLOWS:

Section 1. Section 5200 of Chapter 2, Article V of the Agoura Hills Municipal Code is hereby amended to read:

**5200. Adoption of Sanitary Sewer and Industrial Waste Ordinance**

Title 20, Utilities, Division 2, Sanitary Sewers and Industrial Waste, of the Los Angeles County Code, as amended and in effect on January 2, 1990, one copy of which is on file in the Office of the City Clerk for public record and inspection, is hereby adopted by reference, along with any subsequent amendments or modifications thereto. Said title shall be known as the Sanitary Sewers and Industrial Waste Ordinance of the City.

Section 2. **Violations – Penalties.** Every person, firm, or corporation violating any provision of the Sanitary Sewers and Industrial Waste Ordinance, or any condition or limitation of any permit issued pursuant thereto is guilty of a misdemeanor, and upon conviction is punishable by fine not exceeding one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period not exceeding six (6) months, or by both such fine and imprisonment.

Each day, during which any violation described in this ordinance as willful continues, shall constitute a separate offense punishable as provided by this chapter.

PASSED, APPROVED, and ADOPTED this 26<sup>th</sup> day of May, 2009, by the following vote to wit:

AYES: ( )  
NOES: ( )  
ABSTAIN: ( )  
ABSENT: ( )

BY:

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Denis Weber, Mayor

ATTEST:

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Kimberly M. Rodrigues, City Clerk

APPROVED AS TO FORM:

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Craig A. Steele, City Attorney