

CITY OF RANCHO CORDOVA



CITY COUNCIL MEETING Tuesday, September 5, 2023

4:00 PM – Special Meeting/Closed Session

5:30 PM – Regular Meeting

David B. Roberts Council Chambers

City Hall

2729 Prospect Park Drive, Rancho Cordova

Join the Meeting Via Zoom Link:

<https://cityofranchocordova.zoom.us/j/81693330392?pwd=Yjk1RW5EREhObGpHQkUk3djINyYhUQT09>

Join the Meeting via the Zoom Phone Number

Zoom Phone Number: +1 669 900 6833, +1 253 215 8782

Webinar ID: 816 9333 0392

Password: 578969

Instructions to Make Public Comment

Submitting Public Comment via Email

Members of the public who wish to provide public comment via email will need to submit written comments to CityClerk@cityofranchocordova.org no later than 2:00 p.m. on Tuesday, September 5, 2023. Written comments received no later than 2:00 p.m. will be distributed to the Council, filed in the record, and will not be read aloud. All comments submitted later than 2:00 p.m. will be distributed to the Council.

Listening to a Zoom Meeting by Zoom Video Conference

To make a public comment using the Zoom platform, please use the “raise hand” feature at the bottom center of the screen. Please make sure to enable audio controls once access has been given by the City Clerk’s office to speak. Please wait to be called upon by the City Clerk.

Listening to a Zoom Meeting by Phone Only

You can join a Zoom meeting via teleconferencing/audio conferencing using a cell phone or traditional landline phone. To request to make a public comment by phone press *9 to raise your hand. Please wait to be called upon by the City Clerk.

All public comments will be limited to three minutes.

If you have questions related to the City Council Meeting or the use of Zoom, please contact the City Clerk's Office at (916) 851-8720 before Tuesday, September 5, 2023, at 2:00 p.m.

AGENDA

1. SPECIAL MEETING - CALL TO ORDER/ROLL CALL

Council Members Garrett Gatewood, Siri Pulipati, David Sander, Donald Terry, and Mayor Linda Budge

2. PUBLIC COMMENT

At a special meeting, citizens wishing to address the Council for any matter on the agenda may do so at the time the matter is discussed. Under the provisions of the California Government Code, the City Council is prohibited from discussing or taking action on any item not on the agenda.

3. ADJOURN TO CLOSED SESSION

Mayor Budge will adjourn the meeting to closed session.

4. CLOSED SESSION - CALL TO ORDER/ROLL CALL

Council Members Garrett Gatewood, Siri Pulipati, David Sander, Donald Terry, and Mayor Linda Budge

5. CLOSED SESSION

Council will meet in closed session to discuss the following item:

5.1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: City Manager: Pursuant to Government Code Section 54957.

6. OPEN SESSION - REPORT FROM CLOSED SESSION

The City Attorney will report on action taken in closed session.

7. ADJOURN TO REGULAR MEETING

Mayor Budge will adjourn closed session to the Regular meeting.

8. REGULAR MEETING - CALL TO ORDER/ROLL CALL

Council Members Garrett Gatewood, Siri Pulipati, David Sander, Donald Terry, and Mayor Linda Budge

9. METRO CABLE TV TELEVISION ANNOUNCEMENT

The Clerk will announce the meetings video recording and playback schedules.

10. PLEDGE OF ALLEGIANCE

The Mayor will call on someone in attendance to lead the Pledge.

11. INVOCATION

There will be a moment of silence in lieu of an invocation.

12. PRESENTATIONS

- 12.1. Proclamation Recognizing September 2023 as Prostate Cancer Awareness Month.
- 12.2. Introduction of New Employees: Khaliq McClean, Assistant Civil Engineer by Quoc Nham, Senior Civil Engineer; April Stevenson, Management Analyst by Russ Ducharme, Neighborhood Services Manager; Lauren Burke, Communications Officer I by Maria Kniestedt, Communications and Public Affairs Director; and Marco Juarez, Senior Accounting Technician by Kim Juran, Administrative Services Director.
- 12.3. Employee Milestone Anniversary Presentation.

13. PUBLIC COMMENT

Citizens wishing to address the Council for any matter not on the agenda may do so at this time via teleconference or by completing and submitting a Speaker Card to the City Clerk.

If you want to make a public comment via teleconference, please use the "raise hand" feature at the bottom center of the screen. If you are participating by telephone and you want to make a public comment, please press *9 to raise your hand. For those participating by Zoom or telephone, please wait to be called upon by the City Clerk.

For items on the agenda, speakers will be called by the Mayor at the point on the agenda when the item will be heard. Speakers are encouraged to keep comments to three minutes or less and to state name and community of residence.

Under the provisions of the California Government Code, the City Council is prohibited from discussing or taking immediate action on any item not on the agenda unless it can be demonstrated to be of an emergency nature or the need to take immediate action arose after the posting of the agenda.

14. COUNCIL REPORTS

15. CITY MANAGER'S REPORT

16. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

- 16.1. **Subject:** Meeting Minutes from the Special Meeting of August 14, 2023, and the Regular City Council Meeting of August 21, 2023.
Recommendation: Adopt the minutes.
- 16.2. **Subject:** A Resolution Declaring the Results of a Mail Ballot Election Relating to the Imposition of the Annual Stormwater Utility Fee for the Logisticenter Project in the City of Rancho Cordova.
Recommendation: Adopt the Resolution declaring the results of the mail ballot election relating to the imposition of the Annual Stormwater Utility Fee for the Logisticenter project.
- 16.3. **Subject:** A Resolution Accepting a Grant from the State of California Department of Alcoholic Beverage Control (ABC) in the Amount of \$99,128 and Authorizing the City Manager or his

Designee to Execute a Grant Agreement.

Recommendation: Adopt the Resolution.

16.4. **Subject:** Treasurer's Report - June 30, 2023

Recommendation: This report is informational only. It is recommended that the City Council receive and file the June 30, 2023, Treasurer's Report.

16.5. **Subject:** A Resolution Authorizing the City Manager to Execute Contract No. 2023-199 with Bio-One of Sacramento for a Three-Year Term in an Amount Not to Exceed \$1,000,000 for Biohazard and Non-Biohazard Clean-Up Services Throughout the City.

Recommendation: Adopt the Resolution.

16.6. **Subject:** A Resolution Authorizing the City Manager to Execute a Grant Agreement with the California Department of Toxic Substances Control for the Equitable Community Revitalization Grant Program (ECRG) for Site-Specific Clean Up Activities at 10153 Folsom Boulevard.

Recommendation: Adopt the Resolution.

17. **CONSENT PUBLIC HEARING ITEMS - ROLL CALL VOTE**

None

18. **PUBLIC HEARING ITEMS**

18.1. **Subject:** Jackson Properties Warehouse Storage Building - Major Design Review (CEQA Exempt Pursuant to Section 15183. Projects Consistent with a Community Plan or Zoning) - Project No. PLND-0622-0044.

Recommendation: Adopt the Resolution.

18.2. **Subject:** Second Reading of an Ordinance Adding Chapter 16.96 Floodplain Management Ordinance; and Amending Title 3 Revenue and Taxation, Chapter 3.60 Purchasing System, Chapter 3.70 Informal Bidding Procedures; Title 6 Health and Sanitation, Chapter 6.20 Solid Waste Management, Chapter 6.21 Business and Multifamily Recycling and Organics Recycling; Title 10 Vehicles and Traffic; Title 12 Streets and Sidewalks; Title 15 Water and Sewers, Chapter 15.10 Storm Drainage Fee, Chapter 15.12 Stormwater Management and Discharge Control; Title 16 Buildings and Construction, Chapter 16.44 Land Grading and Erosion Control, Chapter 16.84 Development Impact Fees to Finance the Cost of Transportation Facilities.

Recommendation: Waive the second reading and adopt the Ordinance.

19. **REGULAR CALENDAR ITEMS**

19.1. **Subject:** Presentation from Cordova Community Council Foundation on Fiscal Year 2022-23 Outcomes and Accomplishments and a Resolution Authorizing the City Manager to Execute the Third Restated Grant Agreement with the Cordova Community Council Foundation

Recommendation: Receive information and adopt the Resolution.

19.2. **Subject:** Presentation of American Rescue Plan Act (ARPA) Community Survey Results and Discussion of Community Project Ideas.

Recommendation: Receive presentation and provide input.

20. **COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS**

21. **ADJOURNMENT**

ADDITIONAL INFORMATION

Special Meetings listed below are subject to change/cancellation without further notice.

Unless the Council adopts a motion to extend the meeting, any item that is not initiated before 11:00 p.m. will be continued to the next day at 5:30 p.m. or scheduled on the next regular meeting agenda of the Council.

Public documents related to items on the open session portion of this agenda, which are distributed to the City Council less than 72 hours prior to the meeting, shall be available for public inspection at the time the documents are distributed to the Council. Documents are available for inspection at the City Clerk's office located in Rancho Cordova City Hall.

The agenda items are accessible on the City's website at www.cityofranhocordova.org on Thursdays or Fridays prior to the Regular City Council Meeting.

UPCOMING MEETINGS

September 18, 2023	5:30 PM Regular Meeting
September 26, 2023	5:30 PM Special Meeting/Work Session
October 2, 2023	5:00 PM Special Meeting/Regular Meeting
October 16, 2023	5:30 PM Regular Meeting
October 24, 2023	5:30 PM Special Meeting/Work Session
November 6, 2023	4:00 PM Special Meeting/Regular Meeting
November 20, 2023	5:30 PM Regular Meeting
November 28, 2023	5:30 PM Special Meeting/Regular Meeting

If you have any technical questions related to the agenda items, please contact City Hall at (916) 851-8700.

The Rancho Cordova City Council meeting will be videotaped in its entirety and will be cablecast without interruption on Metro Cable 14, the Government Affairs Channel on the Comcast, Consolidated Communications and AT&T U-Verse Systems. Closed Captioning will be available on the playback cablecast. A DVD copy is available from the City Clerk's Department and a webcast of this meeting will be available for viewing via video streaming from the City's website within 48 hours of adjournment of this meeting.

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's Office at (916) 851-8720 at least 48 hours prior to the meeting.

CERTIFICATION OF POSTING OF AGENDA

I, Stacy Leitner, City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the September 5, 2023 Regular Meeting of the Rancho Cordova City Council was posted and available for review on August 31, 2023, at City Hall of the City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, California, 95670. The agenda is also available on the city website at www.cityofranhocordova.org.

Signed August 31, 2023, at Rancho Cordova, California.



Stacy Leitner, CMC
City Clerk

CITY OF RANCHO CORDOVA



CITY COUNCIL MEETING

Monday, August 14, 2023

5:30 PM – Special Meeting

David B. Roberts Council Chambers

City Hall

2729 Prospect Park Drive, Rancho Cordova

Auburn City Hall - Rose Room

1225 Lincoln Way,

Auburn, CA 95603

DRAFT MINUTES

1. SPECIAL MEETING - CALL TO ORDER/ROLL CALL

Mayor Budge called the Special meeting to order in the David B. Roberts Council Chambers at 5:41 p.m.

Council Members Present: Garrett Gatewood (arrived at 7:06 p.m.), Siri Pulipati, David Sander, and Mayor Linda Budge

Council Members Absent: Donald Terry

Staff Members Present: Stacy Leitner, Adam Lindgren, Persephonie Riley, and Micah Runner

Michael Yearwood led the pledge.

There was a moment of silence for the people of Maui that are struggling with wildfires.

2. PUBLIC COMMENT

The City Clerk stated that public comment would be taken at the time each matter on the agenda is discussed.

3. PUBLIC HEARING ITEMS

ITEM 16.1.

ATTACHMENT 1

Rancho Cordova City Council - DRAFT MINUTES
Meeting of Monday, August 14, 2023

- 3.1. **Subject:** Public Hearing Requesting Public Input Regarding the Composition of Potential Council Election Districts as the City is Working to Transition from At-large to District-based Elections for City Council Members, and

Possible Continued Discussion With and Direction to Staff and Consultants Regarding the Number of Districts Including Whether or Not to Transition from an Appointed Mayor to a Directly Elected Mayor.

Recommendation: 1. To provide education and to receive public input regarding the composition of potential Council election districts as the City is working to transition from at-large to district-based elections for City Council Members pursuant to the California Voting Rights Act (CVRA).

2. Possible further discussion and direction to staff and consultants about the number of districts including whether or not to transition from an appointed Mayor to a directly elected Mayor.

Mayor Budge opened the public comment period. The following individuals addressed the Council or submitted public comment via email:

1. Joyce Rosenberg
2. Lisa LeGare
3. Fayzah Mughal
4. Joanne Arillones
5. Derald Langwell
6. James Garcia
7. Sue Garcia
8. Scott Rafferty
9. Sam Bhakta
10. Lupe Hernandez
11. Helen Whelan-Bashaw
12. Doniell Cummings
13. Matt Cummings
14. Sara Malone
15. Anil Reddy
16. Jennifer Garcia
17. Andrew Rush
18. James Garcia
19. Jim Garcia
20. Lisa LeGare
21. Sara Malone
22. Marilyn Metzger
23. Belinda Rianda

Mayor Budge closed the public comment period.

ACTION: Input was received regarding the Composition of Potential Council Election Districts as the City is Working to Transition from At-large to District-based Elections for City Council Members.

4. ADJOURN TO CLOSED SESSION

Mayor Budge adjourned the meeting to closed session at 8:04 p.m.

5. CLOSED SESSION - CALL TO ORDER/ROLL CALL

ITEM 16.1.

Rancho Cordova City Council - DRAFT MINUTES
Meeting of Monday, August 14, 2023

ATTACHMENT 1

Mayor Budge called closed session to order at 8:04 p.m.

Council Members Present: Garrett Gatewood, Siri Pulipati, David Sander, and Mayor Linda Budge

Council Members Absent: Donald Terry

Staff Members Present: Stacy Leitner, Adam Lindgren, Persephonie Riley, and Micah Runner

6. CLOSED SESSION

Mayor Budge opened the public comment period. The following individuals addressed the Council or submitted public comment via email:

1. Scott Rafferty
2. James Garcia
3. Fayzah Mughal
4. Matt Cummings
5. Helen Whelan-Bashaw
6. Lupe Hernandez

Mayor Budge closed the public comment period.

Council met in closed session to discuss the following item:

- 6.1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2)(One Case relating to a letter from Scott J. Rafferty on behalf of Neighborhood Elections Now received on June 7, 2023 petitioning the City to comply with the California Voting Rights Act (CVRA) by beginning the process of transitioning from at-large to single-member district City Council elections for the November 2024 Election or potentially be sued under the CVRA).

7. OPEN SESSION - REPORT FROM CLOSED SESSION

City Attorney Adam Lindgren reported that staff was given direction and no reportable action was taken in closed session.

8. ADJOURNMENT

Mayor Budge adjourned the meeting in memory of the people of Maui that are struggling at 8:41 p.m.

Stacy Leitner, CMC
City Clerk

CITY OF RANCHO CORDOVA



CITY COUNCIL MEETING
Monday, August 21, 2023

5:30 PM – Regular Meeting

David B. Roberts Council Chambers

City Hall
2729 Prospect Park Drive, Rancho Cordova

Gaylord Opryland Resort & Convention Center
2800 Opryland Drive, Nashville, TN 37214

DRAFT MINUTES

1. REGULAR MEETING - CALL TO ORDER/ROLL CALL

Mayor Budge called the Regular meeting to order in the David B. Roberts Council Chambers at 5:35 p.m.

Council Members Present: Garrett Gatewood, Siri Pulipati, David Sander, Donald Terry, and Mayor Linda Budge

Council Members Absent: None

Staff Members Present: Stacy Leitner, Adam Lindgren, Persephonie Riley, and Micah Runner

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The City Clerk read the meetings recordings and playback schedule.

3. PLEDGE OF ALLEGIANCE

Marc Sapozonik led the pledge.

4. INVOCATION

Dr. Dan DeShong with River City Christian Church gave the invocation.

5. PRESENTATIONS

- 5.1. Employee Milestone Anniversary Presentation.

ITEM 16.1.

Rancho Cordova City Council – DRAFT MINUTES
Meeting of Monday, August 21, 2023

ATTACHMENT 2

- 5.2. Visit Rancho Cordova Annual Report.

6. PUBLIC COMMENT

Mayor Budge opened the public comment period. The following individuals addressed the Council or submitted public comment via email:

1. Helen Whelan-Bashaw
2. Tera Kolvenbach
3. Larry Ladd
4. James Garcia
5. Fayzah Mughal
6. Priscilla Boyd
7. Nicholas Labedzki
8. Christopher La Combe
9. Brenda Gustin
10. Valerie Knippschild

Mayor Budge closed the public comment period.

7. COUNCIL REPORTS

Council reported on events since the last meeting.

8. CITY MANAGER'S REPORT

City Manager Micah Runner gave his report.

9. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

Mayor Budge opened the public comment period. The following individuals addressed the Council or submitted public comment via email:

1. Angel Ball - Item 9.2
2. James Garcia - Item 9.3

Mayor Budge closed the public comment period.

ACTION: Motion to approve items 9.1 through 9.4 by Terry second by Pulipati;
Motion passed with a 5:0 vote.

- 9.1. **Subject:** Meeting Minutes from the Regular City Council Meeting of August 7, 2023.
Recommendation: Adopt the minutes.
- 9.2. **Subject:** A Resolution Authorizing the City Manager to Execute an Agreement with the California Department of Housing and Community Development to Receive the Prohousing Incentive Pilot Program Funds.
Recommendation: Adopt the Resolution.
- 9.3. **Subject:** Approval of Proposed Update to Council Member Appointments to Regional Boards, Commissions, and Committees.
Recommendation: Staff recommends that the City Council review the current list of City of Rancho Cordova City Council Local Appointments and direct staff to modify any existing appointments including to the Folsom Cordova Unified School District (FCUSD) Ad-hoc Committee. The FCUSD Ad-hoc Committee members are currently Vice Mayor David Sander and Council Member Donald Terry. It is proposed that the FCUSD Ad-hoc

ITEM 16.1.

ATTACHMENT 2

Rancho Cordova City Council – DRAFT MINUTES
Meeting of Monday, August 21, 2023

Committee members be changed to Mayor Linda Budge and Vice Mayor David Sander.

- 9.4. **Subject:** Second Reading of an Ordinance of the City of Rancho Cordova Levying a Special Tax within the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1.

Recommendation: Waive the second reading and adopt the Ordinance.

10. CONSENT PUBLIC HEARING ITEMS - ROLL CALL VOTE

None.

11. PUBLIC HEARING ITEMS

- 11.1. **Subject:** Jackson Properties Major Design Review and Height Exception - Project No. PLND-0622-0044.

Recommendation: Continue to the September 5, 2023 City Council Meeting.

Mayor Budge opened the public comment period. The following individuals addressed the Council or submitted public comment via email:

1. James Garcia
2. James Garcia

Mayor Budge closed the public comment period.

ACTION: Motion to Continue item 11.1 to the September 5, 2023 City Council Meeting by Terry second by Sander;
Motion passed with a 5:0 vote.

- 11.2. **Subject:** Adoption of the Rancho Cordova Climate Action and Adaptation Plan Negative Declaration (CEQA) and the Adoption of the Rancho Cordova Climate Action and Adaptation Plan.

Recommendation: 1. Receive information on completion of the Rancho Cordova Climate Action and Adaptation Plan (CAAP), with amendments incorporated as directed by City Council on May 1, 2023.

2. Receive information on the CAAP environmental review process, resulting in the Initial Study/Negative Declaration (IS/ND), including public review comments.

3. Approve the Resolution Adopting a California Environmental Quality Act (CEQA) Negative Declaration or the Rancho Cordova Climate Action and Adaptation Plan.

4. Approve the Resolution adopting the Rancho Cordova Climate Action and Adaptation Plan.

Mayor Budge opened the public comment period. The following individuals addressed the Council or submitted public comment via email:

1. Brenda Gustin
2. Mark Berry
3. Helen Whelan-Bashaw
4. James Garcia
5. Oscar Balaguer
6. Laura L. Taylor
7. Derek Catron

ITEM 16.1.

Rancho Cordova City Council – DRAFT MINUTES
Meeting of Monday, August 21, 2023

ATTACHMENT 2

8. Jason Holder
9. Oscar Balaguer
10. Laurie Heller
11. Kristi Henricksen Perry
12. Guy Hall
13. Dwight MacCurdy
14. Cynthia Shallit
15. Peter Macklin
16. Kent Lacin
17. Eric Gudz

Mayor Budge closed the public comment period.

ACTION: Motion to approve item 11.2 by Terry second by Pulipati;
Motion passed with a 5:0 vote.

- 11.3. **Subject:** An Ordinance Adding Chapter 16.96 Floodplain Management Ordinance; and Amending Title 3 Revenue and Taxation, Chapter 3.60 Purchasing System, Chapter 3.70 Informal Bidding Procedures; Title 6 Health and Sanitation, Chapter 6.20 Solid Waste Management, Chapter 6.21 Business and Multifamily Recycling and Organics Recycling; Title 10 Vehicles and Traffic; Title 12 Streets and Sidewalks; Title 15 Water and Sewers, Chapter 15.10 Storm Drainage Fee, Chapter 15.12 Stormwater Management and Discharge Control; Title 16 Buildings and Construction, Chapter 16.44 Land Grading and Erosion Control, Chapter 16.84 Development Impact Fees to Finance the Cost of Transportation Facilities.

Recommendation: Waive the first reading and introduce the Ordinance.

Mayor Budge opened the public comment period. The following individuals addressed the Council or submitted public comment via email:

1. Brenda Gustin
2. Mark Berry
3. James Garcia
4. Donald B. Mooney
5. Angel Ball
6. Cathy Birch
7. Charles & Marolyn Olver
8. Lisa Phenix
9. Brenda Gustin
10. Mark Berry

Mayor Budge closed the public comment period.

ACTION: Motion to approve item 11.3 and continue the public hearing to August 29, 2023 by Terry second by Pulipati;
Motion passed with a 4:0 vote.

AYES: Gatewood, Pulipati, Terry, and Budge

NOES: None

ABSENT: None

RECUSED: Sander

12. REGULAR CALENDAR ITEMS

- 12.1. **Subject:** A Resolution Authorizing the Issuance of Special Tax Bonds for and on Behalf

ITEM 16.1.

ATTACHMENT 2

Rancho Cordova City Council – DRAFT MINUTES
Meeting of Monday, August 21, 2023

of the City of Rancho Cordova Arista Del Sol Community Facilities District No. 2022-1, Improvement Area No. 1 Approving and Directing the Execution of a Fiscal Agent Agreement, Approving the Form of Preliminary Official Statement, Approving Sale of Such Bonds, and Approving Other Related Documents and Actions.

Recommendation: Adopt the Resolution.

Mayor Budge opened the public comment period. Seeing no speakers, Mayor Budge closed the public comment period.

ACTION: Motion to approve item 12.1 by Terry second by Pulipati;
Motion passed with a 5:0 vote.

13. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

1. Impacts of Trucks and Industrial on Residents and Monitor of Trucks and Air Quality
2. Discussion Regarding Choosing a City Flower
3. Update on Fiber Network Project

14. ADJOURN TO CLOSED SESSION

Mayor Budge adjourned the meeting to closed session at 8:29 p.m.

15. CLOSED SESSION - CALL TO ORDER/ROLL CALL

Mayor Budge called closed session to order at 8:29 p.m.

Council Members Present: Garrett Gatewood, Siri Pulipati, David Sander, Donald Terry, and Mayor Linda Budge

Council Members Absent: None

Staff Members Present: Adam Lindgren and Micah Runner

16. CLOSED SESSION

Council met in closed session to discuss the following item:

- 16.1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: City Manager: Pursuant to Government Code Section 54957(b)(1).

17. OPEN SESSION - REPORT FROM CLOSED SESSION

City Attorney Adam Lindgren reported that staff was given direction and no reportable action was taken in closed session.

18. ADJOURNMENT

Mayor Budge adjourned the meeting at 9:13 p.m.

Stacy Leitner, CMC
City Clerk

MEMORANDUM



ITEM 16.2.

DATE: September 5, 2023
TO: Honorable Mayor and Council Members
FROM: Dalia Fadl, Principal Engineer
Erin Naderi, Management Analyst
SUBJECT: **A RESOLUTION DECLARING THE RESULTS OF A MAIL BALLOT ELECTION RELATING TO THE IMPOSITION OF THE ANNUAL STORMWATER UTILITY FEE FOR THE LOGISTICENTER PROJECT IN THE CITY OF RANCHO CORDOVA**

RECOMMENDATION

Adopt the Resolution declaring the results of the mail ballot election relating to the imposition of the Annual Stormwater Utility Fee for the Logistcenter project.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution would declare the results of the ballot tabulation in connection with the imposition of the annual Stormwater Utility Fee on the Logistcenter project. Since majority approval exists, the City Council may impose the annual Stormwater Utility Fee on the Logistcenter project pursuant to the Fee Ordinance.

BACKGROUND

The City Council previously adopted a Resolution on June 19, 2023, declaring its intention to impose the annual Stormwater Utility Fee ("Fee") pursuant to Ordinance No. 7-2014 on the Logistcenter project. A protest hearing was conducted on August 7, 2023, at which time no written protest was received from the property owners representing a majority of the parcels subject to the Fee. Council then adopted a Resolution authorizing the mailing of property owner ballots for the purpose of submitting the Fee to a vote of the owners, subject to the Fee.

The Clerk has tabulated the ballots returned by the property owners for the Logistcenter project. The majority vote of the owners of the parcels approved imposing the annual Fee on the Logistcenter project pursuant to the Ordinance. The Council action tonight is to adopt the Resolution declaring the results of the mail ballot election.

FISCAL IMPACT AND FUNDING SOURCE

There is no Fiscal Impact to the City's General Fund.

ATTACHMENT(S)

1. Resolution
2. Exhibit A to the Resolution

3. Exhibit B to the Resolution

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, DECLARING THE RESULTS OF A MAIL BALLOT ELECTION RELATING TO THE IMPOSITION OF THE ANNUAL STORMWATER UTILITY FEE FOR THE LOGISTICENTER PROJECT IN THE CITY OF RANCHO CORDOVA

WHEREAS, on June 19, 2023, the City Council adopted a Resolution declaring its intention to impose the Annual Stormwater Utility Fee ("Fee") for the Logisticenter project; and

WHEREAS, Article XIII D of the California Constitution (Proposition 218) requires the City to follow certain procedural and substantive requirements relating to the imposition of property-related fees and charges (as defined in Proposition 218); and

WHEREAS, the City has determined that the Fee is a property related fee, subject to the provisions of Proposition 218; and

WHEREAS, before imposing the Fee, the City Council is required to hold a noticed public hearing on a written report (the "Written Report") containing a description of each parcel of real property within the City to which the Fee is applicable and the amount of the Fee for each such parcel for Fiscal Year 2023-2024 and to consider protests to the Fee and, if a majority protest is not received at the public hearing, the Council must submit the question of the imposition of the Fee to a vote of the owners of the property subject to the proposed Fee for approval before the proposed Fee may be levied; and

WHEREAS, in accordance with Proposition 218 the City Council held a duly noticed public hearing on the matter of the Written Report and the proposed Fee on August 7, 2023, and took testimony, both written and oral; and

WHEREAS, having determined a written protest was not received from property owners representing a majority of the parcels subject to the Fee, the City Council adopted a Resolution authorizing the mailing of the property owner ballots (the "Ballot Measure") for the purpose of submitting the Fee to a vote of the owners of parcels subject to the Fee, and subject to approval by a majority vote of the owners of parcel subject to the Fee; and

WHEREAS, pursuant to the terms of Ordinance No. 7-2014 and the unanimous consent of the property owner, the Property Owner Balloting was conducted and completed, and the City Clerk has on file a Certificate of the City Clerk as to the Results of the Canvass of the Ballot Return in Connection with the Proposed Stormwater Utility Fee (the "Certificate"), a copy of which is attached hereto as Exhibit B and by this reference incorporated herein.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA as follows:

1. The above recitals are true and correct.
2. The Certificate is hereby accepted into the records of the City.
3. The Ballot Measure is authorized as set forth in Exhibit A attached hereto and by this reference incorporated herein.

4. The results of the Ballot Measure are as set forth in the Certificate on file with the City Clerk and attached to this Resolution as Exhibit B ("Certificate").
5. The City Clerk is authorized to declare the results of the mail ballot election relating to the imposition of the Stormwater Utility fee on the Logisticenter project.
6. Pursuant to said Certificate, the Ballot Measure submitted was approved by a majority vote of the owner of parcels subject to the Fee, the Fee is hereby imposed pursuant to Ordinance No. 7-2014 on the Logisticenter project.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 5th day of September 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Linda Budge, Mayor

Stacy Leitner, CMC
City Clerk

Rancho Cordova Stormwater Utility Fee – Official Property Owner Ballot

The person completing and submitting this Property Owner Ballot must be the owner of the property identified above or the representative of the owner of such property who is legally authorized to complete and submit this ballot for and on behalf of the owner. The enclosed "Summary of Property Owner Ballot Procedures" has been provided to assist you in filling out the ballot. If there are two or more property owners, only one needs to sign and return the ballot. One ballot will be counted per property.

Assessor's Parcel Numbers: 072-2360-036-0000

Property Address: 10765 N Mather Blvd.

Designation: Vacant Land

Total Parcel(s) Area (acres): 11.28

Assessor's Parcel Numbers: 072-236-036-0000

Owner Name: DPML BEAR HOLLOW LLC

Proposed Maximum FY 2023-2024 Annual Fee Amount: \$150.42 per DMU

In order to provide the City of Rancho Cordova with a dedicated funding source to repair, reconstruct and maintain the storm drain system and to protect water quality, shall the City impose an annual Stormwater Utility Fee as shown in the Rate Analysis Report, dated 8/7/2014?

☒ **YES** I support the proposed annual Stormwater Utility Fee

☐ **NO** I oppose the proposed annual Stormwater Utility Fee

I hereby declare, under penalty of perjury under the laws of the State of California, that I am the owner, or the authorized representative of the owner, of the parcel identified above. Your ballot will not be counted if you do not sign below.

8/11/23
Date

C. Douglas Lanning
Chief Financial Officer
Printed Name

Signature

Vote

If approved by a majority of the returned ballots, the proposed maximum annual Storm Drain User Fee rate for FY 2023-2024 will be \$150.42 per DMU. The maximum rate per DMU will increase annually by the amount of the increase of the CPI. However, each year the City Council will hold a public hearing and determine the actual rate per DMU that will be charged. At the annual public hearing, the City Council will set the actual rate for the next year, which would be equal to or less than the annual maximum rate. The Council may decide to reduce the rate or set the rate to \$0 per DMU in any fiscal year.

Please mark your ballot in ink and return the entire page.

Upon completion, fold the ballot, place it in the addressed, return envelope and seal the envelope. Pursuant to the enclosed instructions, mail the ballot to the address shown on the return envelope, or deliver to the City Clerk at City Hall located at 1:30 Monday August 21st, 2023.

Return to:

City of Rancho Cordova
Attn: City Clerk
2729 Prospect Park Drive
Rancho Cordova, CA 95670

EXHIBIT B

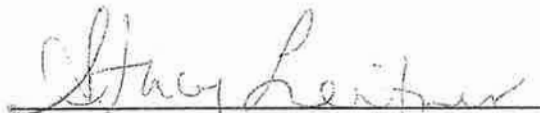
CERTIFICATE OF THE CITY CLERK AS TO
THE RESULTS OF THE CANVASS OF THE ELECTION RETURNS
IN CONNECTION WITH THE PROPOSED STORMWATER UTILITY FEE
IN THE CITY OF RANCHO CORDOVA

I, Stacy Leitner, City Clerk of the City of Rancho Cordova, hereby certify that I canvassed the returns of the election in connection with the imposition of an annual stormwater utility fee that the day for the return of mailed ballot, August 21, 2023. The election was concluded on that date and that the total number of ballots cast in said election and the total number of votes cast for and against the ballot measure, as specified below, are full, true and correct.

Total of Ballots Received: 1

Total "Yes" Ballots: 1

Total "No" Ballots: 0



Stacy Leitner, CMC
City Clerk

MEMORANDUM



ITEM 16.3.

DATE: September 5, 2023
TO: Honorable Mayor and Council Members
FROM: Brandon Luke, Chief of Police
SUBJECT: **A RESOLUTION ACCEPTING A GRANT FROM THE STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (ABC) IN THE AMOUNT OF \$99,128 AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A GRANT AGREEMENT**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution would allow the Rancho Cordova Police Department to accept a grant from the State of California Department of Alcoholic Beverage Control (ABC) in the amount of \$99,128 and authorize the City Manager or his designee to execute the grant agreement.

BACKGROUND

The Rancho Cordova Police Department submitted a grant application to the California Department of Alcoholic Beverage Control (ABC) and was awarded \$99,128. The project will utilize sworn personnel to conduct training to local businesses, participate in youth alcohol prevention programs, and conduct undercover and enforcement operations on an overtime basis.

Patrols will be used to focus on areas where there is a high concentration of liquor establishments that often contribute to increased crimes such as assaults, thefts, robberies and narcotic violations.

The effectiveness of this program will be measured by a decrease in future calls for service at problem establishments, reduction in minors purchasing alcohol, fewer people cited for purchasing/selling alcohol to minors, and a reduction in DUI arrests/collisions.

The goals and objectives for this funding will focus on the following:

- Continue Minor Decoy/Shoulder Tap/Impact operations.
- Implement general enforcement operations around problem areas.
- Provide training to local business owners and employees.

- Team with community-based organizations on education and preventative programs.
- Educate members of the community to reduce the amount of sales and consumption of alcohol to minors.

Deputies Anna Stone and Brian Kraatz will be assigned as the Project Director. They both have coordinated several ABC Operations in the past.

FISCAL IMPACT AND FUNDING SOURCE

There is no Fiscal Impact.

ATTACHMENT(S)

1. Resolution
2. Exhibit A to the Resolution

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, ACCEPTING A GRANT FROM THE STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (ABC) IN THE AMOUNT OF \$99,128 AND AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT

WHEREAS, the Rancho Cordova Police Department desires to undertake education and enforcement of ABC laws with a focus on general enforcement at on-sale and off-sale problem establishments; and

WHEREAS, this education and enforcement will be funded in part from funds in the amount of \$99,128 made available by the Grant Assistance Program (GAP) administered by the Department of Alcoholic Beverage Control (ABC); and

WHEREAS, Brandon Luke, Chief of Police of the Rancho Cordova Police Department, is authorized to execute a grant agreement with the California State Department of Alcoholic Beverage Control for the program as described in Exhibit A; and

WHEREAS, any liability arising out of the performance of this contract, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency; and

WHEREAS, grant funds received hereunder shall not be used to supplant expenditures controlled by the City of Rancho Cordova.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does authorize the City Manager or his designee to accept a grant from the State of California Department of Alcoholic Beverage Control (ABC) in the amount of \$99,128 and execute a grant agreement with ABC.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 5th day of September 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Linda Budge, Mayor

Stacy Leitner, CMC
City Clerk

ITEM 16.3.**SCO ID: 2100-23APP35****ATTACHMENT 2****Exhibit A to the Resolution**

STATE OF CALIFORNIA - DEPARTMENT OF GENERAL SERVICES

STANDARD AGREEMENT

STD 213 (Rev. 04/2020)

AGREEMENT NUMBER

23-APP35

PURCHASING AUTHORITY NUMBER (If Applicable)

ABC-2100

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME

Department of Alcoholic Beverage Control

CONTRACTOR NAME

City of Rancho Cordova through the Rancho Cordova Police Department

2. The term of this Agreement is:

START DATE

July 1, 2023

THROUGH END DATE

June 30, 2024

3. The maximum amount of this Agreement is:

\$99,128.00 Ninety nine thousand one hundred twenty eight dollars and no cents

4. The parties agree to comply with the terms and conditions of the following exhibits, which are by this reference made a part of the Agreement.

Exhibits	Title	Pages
Exhibit A	Scope of Work	2
Exhibit B	Budget Detail and Payment Provisions	3
Exhibit C *	General Terms and Conditions	4
Exhibit D	Special Terms and Conditions	1
Attachment RFP	RFP Scope of Work	8

Items shown with an asterisk (), are hereby incorporated by reference and made part of this agreement as if attached hereto.**These documents can be viewed at <https://www.dgs.ca.gov/OLS/Resources>**IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.***CONTRACTOR**

CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)

City of Rancho Cordova through the Rancho Cordova Police Department

CONTRACTOR BUSINESS ADDRESS

2897 Kilgore Road

CITY

Rancho Cordova

STATE

CA

ZIP

95670

PRINTED NAME OF PERSON SIGNING

Micah Runner

TITLE

City Manager

CONTRACTOR AUTHORIZED SIGNATURE

DATE SIGNED

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

Department of Alcoholic Beverage Control

CONTRACTING AGENCY ADDRESS

3927 Lennane Drive

CITY

Sacramento

STATE

CA

ZIP

95834

PRINTED NAME OF PERSON SIGNING

Patty Baker

TITLE

Chief, Business Management Branch

CONTRACTING AGENCY AUTHORIZED SIGNATURE

DATE SIGNED

CALIFORNIA DEPARTMENT OF GENERAL SERVICES APPROVAL

EXEMPTION (If Applicable)

EXHIBIT A SCOPE OF WORK

I. SCOPE OF WORK

- Contractor agrees to implement the Department of Alcoholic Beverage Control (ABC), Alcohol Policing Partnership program. This program is intended to work with law enforcement agencies to develop an effective, comprehensive and strategic approach to eliminate the crime and public nuisance problems associated with problem alcoholic beverage outlets.
- Contractor agrees to implement ABC's Minor Decoy, Shoulder Tap Programs and conduct Informed Merchants Preventing Alcohol-Related Crime Tendencies (IMPACT) Inspections. These programs target both ABC licensed premises and individuals who furnish alcoholic beverages to the underage operators. The project is targeted to reduce underage drinking and the resultant DUI driving injuries and fatalities, and/or property damages, reduce youth access to alcoholic beverages through the education of licensee(s), enforcement intervention and the impressions of omnipresence of law enforcement. In addition, Contractor agrees to the following goals:
 1. The operation period of the grant is July 1, 2023 through June 30, 2024.
 2. Contractor agrees to raise public awareness that selling, serving and/or furnishing alcoholic beverages to individuals under twenty-one years old is a criminal violation that will be prosecuted by local city and district attorneys.
 3. Minor Decoy operations are designed to educate and deter licensed locations from selling/furnishing alcohol to minors. Contractor agrees to conduct Minor Decoy Operations at both "On-Sale" and "Off-Sale" licensed establishments within the operation period of the grant.
 4. Shoulder Tap operations are used to detect and deter adult furnishers outside of a licensed business. Contractor agrees to conduct Shoulder Tap Operations at "Off-Sale" licensed locations to apprehend adults that are unaffiliated with the licensed businesses and who are purchasing alcohol for minors outside of the stores within the operation period of the grant.
 5. Informed Merchants Preventing Alcohol-Related Crime Tendencies (IMPACT) primary goal is to educate licensee's on alcohol related laws to help reduce alcohol-related crime in and around licensed premises. Contractor agrees to conduct visits and inspections of licensed premises identifying areas of non-compliance at "On-Sale" and "Off-Sale" licensed locations within the operation period of the grant.

II. GOALS AND OBJECTIVES

1. Conduct at least six (6) Minor Decoy operations.
2. Conduct at least three (3) Shoulder Tap operations, including participating in the Statewide operation conducted by ABC.
3. Conduct at least four (4) IMPACT operations.

ITEM 16.3.

4. Conduct at least three (3) Roll call/Patrol briefings.
5. Conduct at least seven (7) General enforcement operations.
6. Conduct at least five (5) Community Outreach meetings.
7. Conduct two (2) Special Event operations, 4th of July and Capital Air Show.
8. Facilitate and coordinate at least one (1) LEAD training.
9. Provide press/social media releases on grant enforcement activities.
 - A. To announce the start of the program;
 - B. At the conclusion of each Minor Decoy Operation has been held (to announce the number of licensed premises who sold to the minor decoy)
 - C. At the conclusion of each Shoulder Tap Operation has been held (to announce the number of adults arrested for purchasing alcoholic beverages for the decoy).
10. Contractor will fax (916) 419-2599 or email each press release to the Department's Public Information Officer (pio@abc.ca.gov) as soon as it is released.
11. Contractor agrees in all press releases, in addition to any credits the agency wishes to give, will include the following statement: "This project is part of the Department of Alcoholic Beverage Control's Alcohol Policing Partnership."

Contractor agrees to complete and submit monthly reports, on a format designed and provided by the Department of Alcoholic Beverage Control due no later than 15th of the following month.

III. PROJECT REPRESENTATIVES

The project representatives during the term of this agreement will be:

Rancho Cordova Police Department
Anna Vo Stone, Deputy Sheriff
2897 Kilgore Road
Rancho Cordova, CA 95670
(916) 875-9636
hstone@sacsheriff.com

Department of Alcoholic Beverage Control
Brandon Shotwell, Supervising Agent in Charge
3927 Lennane Drive, Suite 100
Sacramento, CA 95834
(916) 419-2329
Brandon.shotwell@abc.ca.gov

Direct all fiscal inquiries to:

Rancho Cordova Police Department
Glirea Bell, Budget Coordinator
2897 Kilgore Road
Rancho Cordova, CA 95670
(916) 875-9605
gbell@sacsheriff.com

Department of Alcoholic Beverage Control
Kristine Okino, Grant Coordinator
3927 Lennane Drive, Suite 100
Sacramento, CA 95834
Kristine.okino@abc.ca.gov

EXHIBIT B BUDGET DETAIL AND PAYMENT PROVISIONS

I. INVOICING AND PAYMENT

- For services satisfactorily rendered and upon receipt and approval of the invoice, the Department of Alcoholic Beverage Control agrees to pay a monthly payment of approved reimbursable costs per the Budget Detail of personnel overtime and benefits (actual cost) and/or allowable costs.
- Invoices shall clearly reference this contract number (23-APP35) and must not exceed the contract total authorized amount of \$99,128.00. Invoices are to be submitted by the 15th of every month, on the prescribed form designed by the Department of Alcoholic Beverage Control.

Submit to: Department of Alcoholic Beverage Control
 Attn: Kristine Okino, Grant Coordinator
 3927 Lennane Drive
 Sacramento, California 95834

- Payment shall be made in arrears within 30 days from the receipt of an undisputed invoice. Nothing contained herein shall prohibit advance payments as authorized by Item 2100-101-3036, Budget Act, Statutes of 2023.
- Contractor understands in order to be eligible for reimbursement; cost must be incurred on or after the effective date of the project, July 1, 2023 and on or before the project termination date, June 30, 2024.
- Revisions to the "Scope of Work" and the "Budget Detail" may be requested by a change request letter submitted by the Contractor. If approved, the revised Grant Scope of Work and/or Budget Detail supersedes and replaces the previous grant and will initiate an amendment. No revisions can exceed allotted amount as shown on the Budget Detail. The total amount of the grant must remain unchanged.
- Contractor agrees to refund to the State any amounts claimed for reimbursement and paid to Contractor which are later disallowed by the State after audit or inspection of records maintained by the Contractor.
- Only the costs displayed in the Budget Detail are authorized for reimbursement by the State to Contractor under this agreement. Any other costs incurred by Contractor in the performance of this agreement are the sole responsibility of Contractor.
- Title shall be reserved to the State for any State-furnished or State-financed property authorized by the State which is not fully consumed in the performance of this agreement. Contractor is responsible for the care, maintenance, repair, and protection of any such property. Inventory records shall be maintained by Contractor and submitted to the State upon request. All such property shall be returned to the State upon the expiration of this grant unless the State otherwise directs.
- Prior approval by the State in writing is required for the location, costs, dates, agenda, instructors, instructional materials, and attendees at any reimbursable training seminar, workshop or conference, and over any reimbursable publicity or educational materials to be made available for distribution. Contractor is required to acknowledge the support of the State whenever publicizing the work under this grant in any media.

ITEM 16.3.

II. BUDGET DETAIL

COST CATEGORY	TOTAL COST
A. Personnel Services	
<u>Straight Time</u>	
Sergeant (\$122.25/hour @ 96 hours)	\$11,736.00
Officer (\$105.44/hour @ 96 hours)	\$10,122.00
Officers (2) (\$103.28/hour @ 96 hours)	\$19,830.00
Officers (5) (\$94.68/hours @ 96 hours)	\$45,445.00
Benefits – (7.65%)	\$6,665.00
TOTAL Personnel	\$93,798.00
B. Operating Expenses (receipts required)	
Buy Money	\$330.00
TOTAL Operating	\$330.00
C. Equipment (receipts required, must be purchased by 12/31)	
Apple AirPods	\$1,000.00
Binoculars/Camera	\$1,500.00
TOTAL Equipment	\$2,500.00
D. Travel Costs	
Hotel, per diem, registrations	\$2,500.00
TOTAL Travel	\$2,500.00
GRANT TOTAL	\$99,128.00

III. BUDGET CONTINGENCY CLAUSE

- It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to Contractor or to furnish any other considerations under this Agreement and Contractor shall not be obligated to perform any provisions of this Agreement.
- If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to Contractor to reflect the reduced amount.

IV. PROMPT PAYMENT CLAUSE

- Payment will be made in accordance with, and within the time specified in, Government Code Chapter 4.5, commencing with Section 927.

EXHIBIT C
GENERAL TERMS AND CONDITIONS

1. APPROVAL: This Agreement is of no force or effect until signed by both parties and approved by the Department of General Services, if required. Contractor may not commence performance until such approval has been obtained.
2. AMENDMENT: No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.
3. ASSIGNMENT: This Agreement is not assignable by the Contractor, either in whole or in part, without the consent of the State in the form of a formal written amendment.
4. AUDIT: Contractor agrees that the awarding department, the Department of General Services, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. Contractor agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. Contractor agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, Contractor agrees to include a similar right of the State to audit records and interview staff in any subcontract related to performance of this Agreement. (Gov. Code §8546.7, Pub. Contract Code §10115 et seq., CCR Title 2, Section 1896).
5. INDEMNIFICATION: Contractor agrees to indemnify, defend and save harmless the State, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by Contractor in the performance of this Agreement.
6. DISPUTES: Contractor shall continue with the responsibilities under this Agreement during any dispute.
7. TERMINATION FOR CAUSE: The State may terminate this Agreement and be relieved of any payments should the Contractor fail to perform the requirements of this Agreement at the time and in the manner herein provided. In the event of such termination the State may proceed with the work in any manner deemed proper by the State. All costs to the State shall be deducted from any sum due the Contractor under this Agreement and the balance, if any, shall be paid to the Contractor upon demand.
8. INDEPENDENT CONTRACTOR: Contractor, and the agents and employees of Contractor, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the State.

9. RECYCLING CERTIFICATION: The Contractor shall certify in writing under penalty of perjury, the minimum, if not exact, percentage of post-consumer material as defined in the Public Contract Code Section 12200, in products, materials, goods, or supplies offered or sold to the State regardless of whether the product meets the requirements of Public Contract Code Section 12209. With respect to printer or duplication cartridges that comply with the requirements of Section 12156(e), the certification required by this subdivision shall specify that the cartridges so comply (Pub. Contract Code §12205).

10. NON-DISCRIMINATION CLAUSE: During the performance of this Agreement, Contractor and its subcontractors shall not deny the contract's benefits to any person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status, nor shall they discriminate unlawfully against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. Contractor shall insure that the evaluation and treatment of employees and applicants for employment are free of such discrimination. Contractor and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12900 et seq.), the regulations promulgated thereunder (Cal. Code Regs., tit. 2, §11000 et seq.), the provisions of Article 9.5, Chapter 1, Part 1, Division 3, Title 2 of the Government Code (Gov. Code §§11135-11139.5), and the regulations or standards adopted by the awarding state agency to implement such article. Contractor shall permit access by representatives of the Department of Fair Employment and Housing and the awarding state agency upon reasonable notice at any time during the normal business hours, but in no case less than 24 hours' notice, to such of its books, records, accounts, and all other sources of information and its facilities as said Department or Agency shall require to ascertain compliance with this clause. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement. (See Cal. Code Regs., tit. 2, §11105.)

Contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the Agreement.

11. CERTIFICATION CLAUSES: The CONTRACTOR CERTIFICATION CLAUSES contained in the document CCC 04/2017 are hereby incorporated by reference and made a part of this Agreement by this reference as if attached hereto.

12. TIMELINESS: Time is of the essence in this Agreement.

13. COMPENSATION: The consideration to be paid Contractor, as provided herein, shall be in compensation for all of Contractor's expenses incurred in the performance hereof, including travel, per diem, and taxes, unless otherwise expressly so provided.

14. GOVERNING LAW: This contract is governed by and shall be interpreted in accordance with the laws of the State of California.

15. ANTITRUST CLAIMS: The Contractor by signing this agreement hereby certifies that if these services or goods are obtained by means of a competitive bid, the Contractor shall comply with the requirements of the Government Codes Sections set out below.

- a. The Government Code Chapter on Antitrust claims contains the following definitions:
 - 1) "Public purchase" means a purchase by means of competitive bids of goods, services, or materials by the State or any of its political subdivisions or public agencies on whose behalf the Attorney General may bring an action pursuant to subdivision (c) of Section 16750 of the Business and Professions Code.
 - 2) "Public purchasing body" means the State or the subdivision or agency making a public purchase. Government Code Section 4550.
 - b. In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder. Government Code Section 4552.
 - c. If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the bid price, less the expenses incurred in obtaining that portion of the recovery. Government Code Section 4553.
 - d. Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. See Government Code Section 4554.
16. CHILD SUPPORT COMPLIANCE ACT: For any Agreement in excess of \$100,000, the contractor acknowledges in accordance with Public Contract Code 7110, that:
- a. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and
 - b. The contractor, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.

17. UNENFORCEABLE PROVISION: In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement have force and effect and shall not be affected thereby.
18. PRIORITY HIRING CONSIDERATIONS: If this Contract includes services in excess of \$200,000, the Contractor shall give priority consideration in filling vacancies in positions funded by the Contract to qualified recipients of aid under Welfare and Institutions Code Section 11200 in accordance with Pub. Contract Code §10353.
19. SMALL BUSINESS PARTICIPATION AND DVBE PARTICIPATION REPORTING REQUIREMENTS:
- a. If for this Contract Contractor made a commitment to achieve small business participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) report to the awarding department the actual percentage of small business participation that was achieved. (Govt. Code § 14841.)
 - b. If for this Contract Contractor made a commitment to achieve disabled veteran business enterprise (DVBE) participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) certify in a report to the awarding department: (1) the total amount the prime Contractor received under the Contract; (2) the name and address of the DVBE(s) that participated in the performance of the Contract; (3) the amount each DVBE received from the prime Contractor; (4) that all payments under the Contract have been made to the DVBE; and (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. (Mil. & Vets. Code § 999.5(d); Govt. Code § 14841.)
20. LOSS LEADER: If this contract involves the furnishing of equipment, materials, or supplies then the following statement is incorporated: It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code. (PCC 10344(e).)

EXHIBIT D
SPECIAL TERMS AND CONDITIONS

1. **Disputes:** Any disputes concerning a question of fact arising under this contract which is not disposed of by agreement shall be decided by the Director, Department of Alcoholic Beverage Control, or designee, who shall reduce his decision in writing and mail or otherwise furnish a copy thereof to the Contractor. The decision of the Department shall be final and conclusive unless, within 30 days from the date of receipt of such copy, the Contractor mails or otherwise furnishes to the State a written appeal addressed to the Director of the Department of Alcoholic Beverage Control. The decision of the Director of Alcoholic Beverage Control or his duly authorized representative for the determination of such appeals shall be final and conclusive unless determined by a court of competent jurisdiction to have been fraudulent, capricious, arbitrary, or so grossly erroneous as necessarily to imply bad faith, or not supported by substantial evidence. In connection with any appeal proceeding under this clause, the contractor shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, Contractor shall proceed diligently with the performance of the contract and in accordance with the decision of the State.
2. **Cancellation/Termination:** This agreement may be cancelled or terminated without cause by either party by giving thirty (30) calendar days advance written notice to the other party. Such notification shall state the effective date of termination or cancellation and include any final performance and/or payment/invoicing instructions/requirements. No penalty shall accrue to either party because of contract termination.
3. **Contract Validity:** This contract is valid and enforceable only if adequate funds are appropriated in Item 2100-101-3036, Budget Act of 2023, for the purposes of this program.
4. **Contractor Certifications:** By signing this agreement, Contractor certifies compliance with the provisions of CCC 04/2017, Standard Contractor Certification Clauses. This document may be viewed at: <https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language>
5. If the State determines that the grant project is not achieving its goals and objectives on schedule, funding may be reduced by the State to reflect this lower level of project activity and/or cancel the agreement.



STATE OF CALIFORNIA

Department of Alcoholic Beverage Control

Alcohol Policing Partnership Program

PROPOSAL COVER SHEET

(TO BE COMPLETED BY APPLICANT AGENCY)

1. Name of Applicant Agency: Rancho Cordova Police Department	
2. Description of Applicant Agency: Provide your city or county jurisdiction, and include population data, and relevant demographic and socio-economic characteristics of the community. The City of Rancho Cordova is located in the County of Sacramento. The Rancho Cordova Police Department (RCPD) is a full service agency which fully embraces the concept of community oriented policing. RCPD is contracted through the Sacramento County Sheriff's Office. Under Chief of Police Brandon Luke, the Police Department currently is comprised of one (1) Captain, five (5) Lieutenants, eleven (11) Sergeants, fifty-two (52) sworn Officers. All personnel are assigned to the following: Patrol, Investigations, Problem Oriented Policing Unit (POP), or traffic.	
3. Number of licenses in Project Area: 266	4. Tax ID:
5. Funds Requested: \$100,000 \$99,128	6. Project Period: July 1, 2023–June 30, 2024
7. Acceptance of Conditions: By submitting this proposal, the applicant signifies acceptance of the responsibility to comply with all requirements stated in the Request for Proposals. The applicant understands that ABC is not obligated to fund the project until the applicant submits correctly completed documents required for the contract.	
A. Project Director Person with Day-To-Day Responsibility for the Project	B. Sheriff or Chief of Police Authorizing Official
Name: Anna Vo Stone Address: 2897 Kilgore Rd, Rancho Cordova, CA 95670 Phone: (916) 875-9636 Email Address: hstone@sacsheriff.com Title: Deputy Sheriff	Name: Brandon Luke Address: 2897 Kilgore Rd, Rancho Cordova, CA 95670 Phone: (916) 875-9603 Email Address: bluke@sacsheriff.com Title: Chief of Police
Signature:	Signature:
C. Fiscal or Accounting Official	D. ABC USE ONLY
Name: Glirea Bell Address: 2897 Kilgore Rd, Rancho Cordova, CA 95670 Phone: (916) 875-9605 Email Address: gbell@sacsheriff.com Title: Budget Coordinator	
Signature:	

SCOPE OF WORK**Summary**

The City of Rancho Cordova contracts law enforcement services from the Sacramento County Sheriff's Office. The Rancho Cordova Police Department (RCPD) is a full-service agency which embraces Community Oriented Policing as the manner in which it serves an incorporated community. Under Chief of Police Brandon Luke, the Police Department currently is comprised of one (1) Captain, five (5) Lieutenants, eleven (11) Sergeants, and fifty-two (52) sworn Officers. All personnel is assigned to the following: Patrol, Investigations, Problem Oriented Policing Unit (POP), or traffic.

The Rancho Cordova Police Department will assign the POP Unit to coordinate all ABC Operations, presentations, and training. The POP Unit currently consists of Sergeant R. Garcia, Officers A. Stone, J. Goold, A. Womack, K. Pendley, C. Lopez, M. Watts, B. Kraatz, and S. Woodward.

The City of Rancho Cordova is located in the eastern portion of Sacramento County. According to the United States Census Bureau recorded in 2020, the city's current population was approximately 79,332. Approximately 48.76% of the population is Caucasian, 15.63% Asian, 10.54 % Hispanic or Latino, and 9.31% African-American.

CONTINUED IN "ADDITIONAL INFORMATION."

Project Personnel

The Rancho Cordova Police Department (RCPD) will assign the Problem Oriented Policing Unit (POP) to coordinate all ABC Operations, presentations, and training. The POP Unit currently consists of Sergeant R. Garcia, Officers A. Stone, A. Womack, J. Goold, K. Pendley, C. Lopez, M. Watts, S. Woodward, and B. Kraatz.

Officer Stone and Officer Kraatz will be assigned as the Project Directors. Officer Stone has coordinated and conducted multiple ABC Operations and have done several IMPACT Operations. The current POP team has been involved in numerous ABC funded operations. Officer Stone and Officer Kraatz will attend the alcohol related courses to increase their ability to carry out the project goals and objectives.

RCPD understands the importance of the proactive alcohol enforcement in all its forms along with a great impact of educating our citizens and business owners can have on the quality of life for the citizens in our community. We look forward to continuing our partnership with ABC.

SCOPE OF WORK

Problem Statement

The City of Rancho Cordova currently has 98 Active On-Sale Retail Licenses and 51 Active Off-Sale Retail Licenses for a total of 149 ABC Licensed Retailers. The City of Rancho Cordova is bifurcated by Folsom Boulevard. Folsom Boulevard itself is representative of the majority of licensed ABC establishments within the city. Folsom Boulevard is a 7.5-mile corridor that has historically been an area of high crime rates. The corridor accounts for approximately ten percent of the city's area and 5.8 percent of all reported crimes. In 2022, 373 of the city's 6,372 crime reports were generated in the Folsom Boulevard corridor. RCPD believes there is a nexus between the over-concentration of these licenses and the subsequent concentration of crime within these areas. Additionally, 12 of the 36 schools (33%) are located within a half mile of Folsom Boulevard. Folsom Boulevard is a major thoroughfare that is commonly used by minors who visit the large number of retailers. We believe a measurable reduction of alcohol-related crimes can be achieved through enforcement, inspections, and education.

SCOPE OF WORK

Project Description section 1 of 2

Our goals and objectives are to increase overall safety in areas within 300 feet of an ABC licensed location, a reduction in minors purchasing alcohol, reduction in individuals cited for purchasing/selling alcohol to minors, and a reduction in DUI arrests/collisions involving minors. To accomplish our goals we will engage in the following:

Objectives:

1. Identify and target problem licensed locations.
2. Improve patrol investigative response to the problem licensed premises by forming a working relationship with ABC and direct contact with ABC.
3. Reduce the negative effects on our community and the Rancho Cordova Police Department of problem licensed premises.
4. Reduce the sales of alcoholic beverages to minors.
5. Reduce the availability of alcoholic beverages to minors.
6. Educate licensees and their employees.

Goals:

1. Continue to educate patrol officers to promptly identify and appropriately deal with alcohol licensed premises by attending at least three (3) patrol briefings.
2. Conduct a minimum of two (2)* IMPACT Operations.
3. Facilitate and coordinate one LEAD training.
4. Attend community outreach programs to create an open line of communication between the police department and community groups by meeting with them at least five times.
5. Conduct a minimum of three (3)* Minor Decoy Operations
6. Conduct a minimum of three (3)* Shoulder Tap Operations
7. Conduct a minimum of eight (8)* General Enforcement Operations at on-sale and off-sale establishments at varying times throughout the grant period.
8. Issue Media releases post operations informing the public of our proactive approach with ABC
9. Staff the (2)* two large Rancho Cordova City events; Fourth of July and The Capital Air Show (two day event each)

* Indicates operations requiring overtime.

Rancho Cordova Police Department Problem Oriented Policing Unit (RCPD POP) will collaborate with ABC Personnel, other city/county departments, and other shareholders to provide education and enforcement of ABC laws with a focus on education and general enforcement of off-sale and on-sale problem establishments in the City of Rancho Cordova, Gold River, Mather, and Rosemont areas. Undercover operations will be conducted by RCPD POP officers with experience enforcing ABC law and with assistance from ABC Agents. These surrounding communities share ABC census traits and are in the Rancho Cordova sphere of influence.

The Rancho Cordova Police Department fully supports deterring the illegal sale of alcohol to minors. To combat this, RCPD POP officers will conduct minor decoy operations at ABC licensed retailers. POP officers will be able to identify problematic licensed alcohol retailers by having an underage decoy enter the premises in an attempt to purchase alcohol.

SCOPE OF WORK

Project Description section 2 of 2

RCPD will also conduct shoulder tap operations with the goal of preventing minors from circumventing laws and obtaining alcohol through a person of legal age. Additionally, with the assistance of press releases, shoulder tap operations will raise awareness in the community regarding the seriousness of minors being able to obtain alcohol.

During the course of the grant, POP officers will conduct Informed Merchants Preventing Alcohol-Related Crime Tendencies (IMPACT) inspections at ABC licensed alcohol retailers. POP officers will meet with retail employees and owners in an educational approach, focusing on voluntary compliance. POP officers will build community relationships with the ABC retailers to increase compliance with state and local laws. POP officers will re-contact licensed retailers and conduct follow-up IMPACT inspections to ensure compliance.

The City of Rancho Cordova annually hosts a two day 4th of July Celebration event. This is a large signature event for the community located at Hagan Park in Rancho Cordova and consists of Parades, Carnival rides, Concerts, Cold Beer, and Fireworks. Alcohol is served at this event and no outside alcoholic beverages may be brought into the park. RCPD POP officers will conduct general enforcement for alcohol related crimes including but not limited to ; underage drinking, disorderly conduct, dui, and general security. There will be high visibility of officers in alcohol sales area to prevent alcohol related issues.

The California Capital Airshow is one of the nations largest airshow presented by the Sacramento County in partnership with the City of Rancho Cordova at the Mather Airport. The event is a two-day event that has over 100,000 people in attendance. Alcohol is served at this event and no outside alcoholic beverages may be brought into the event. RCPD POP officers will conduct general enforcement for alcohol related crimes including but not limited to ; underage drinking, disorderly conduct, dui, and general security. There will be high visibility of officers in alcohol sales area to prevent alcohol related issues.

Crime and public nuisance problems are associated with problem alcohol retail outlets. Problem licensed alcohol retailer's outlets can become magnets for crime in our communities that, unless fixed, quickly become the norm and deteriorate the quality of life in our neighborhoods. Through the operations and inspections, POP officers will identify these retailers and enforce the crimes associated with them. The operations will limit a minor's ability to purchase and obtain alcohol, enforcement for disorderly conduct in/around the establishments and the inspections will create partnerships with our licensed alcohol retailers.

RCPD has partnered with the Sacramento County District Attorney's Office for a full-time Community Prosecutor. This prosecutor is dedicated to the Rancho Cordova community and surrounding areas. The RCPD has the support of the Sacramento County District Attorney's office to conduct Shoulder Tap Operations, Minor Decoy Operations, and IMPACT inspections. The DA's office believes these operations will reduce criminal activity and educate businesses, individuals, and juveniles about the dangers of underage alcohol consumption.

PROJECT DESCRIPTION CONTINUED UNDER "ADDITIONAL INFORMATION"

SCOPE OF WORK

Additional Information

SUMMARY CONTINUED...

In addition to the City of Rancho Cordova, the unincorporated areas surrounding the city are served by the Sacramento County Sheriff's Office. These areas include Gold River, Rosemont, Mather, and La Riviera (95670, 95826, 95827, 95655 zip codes)

Number of ABC Licensed Locations:

There are 171 on-sale and 95 off-sale ABC licensed establishments, totaling 266 in our affected area.

81 on-sale and 42 off-sale in the 95670 zip code in the City of Rancho Cordova

28 on-sale and 13 off-sale in the 95742 zip code in the City of Rancho Cordova

1 on-sale in the 95655 zip code in the City of Rancho Cordova and Sheriff's East Division

23 on-sale and 15 off-sale in the 95827 zip code in the City of Rancho Cordova and Sheriff's East District

38 on-sale and 25 off-sale in the 95826 zip code in Sheriff's East District

The Rancho Cordova Police Department is requesting \$100,000 with the approval of the grant to facilitate overtime operations and "Buy Money" directed towards the reduction of alcohol related crimes correlated issues associated with the consumption of alcohol. The POP team will operate solely on paid overtime. The funds will be directed towards minor decoy operations, shoulder tap operations, enforcement during the holidays and city hosted community events, and IMPACT inspections.

PROJECT DESCRIPTION CONTINUED BELOW...

The community prosecutor is very supportive of the ABC program and will ensure violations will be prosecuted. The District Attorney's Office has also implemented a Chronic Offenders Rehabilitation Effort (CORE) program and Serial Inebriate Program (SIP) to deal with chronic alcohol-related problems. The Sacramento County District Attorney's Office has worked closely with the ABC to include alcohol-related charges as qualifying offenses for both CORE and SIP.

The RCPD communication officer will issue press releases on the social media outlets. A press release would show the citizens of Rancho Cordova that RCPD along with ABC are collaboratively working together to deter underage drinking in our community and other alcohol related crimes.

Through the accomplishments of these goals our agency hopes to achieve a measurable reduction in alcohol related offenses. We also desire to achieve full compliance of our ABC licensed establishments with all ABC requirements, in the hopes of helping to facilitate them into becoming more reputable businesses with ethical business practices that are reflective of ABC standards

The Rancho Cordova Police Department is requesting \$100,000 with the approval of the grant to facilitate overtime operations and "Buy Money" directed towards the reduction of alcohol related crimes correlated issues associated with the consumption of alcohol. The POP team will operate solely on paid overtime.

BUDGET DETAIL WORKSHEET

A. Personnel Services

Salaries

Classification/Positions	Computation	Total Cost
1 N/A		
2		
3		
SUBTOTAL		\$ 0

Overtime

Classification/Positions	Computation	Total Cost
1 One (1) Sergeant	96hrs x 122.25	\$ 11,736
2 One (1) Officer	96hrs x 105.44	\$ 10,122
3 Two (2) Officers	96hrs x 103.28	\$ 19,830
4 Five (5) Officers	96hrs x 94.68	\$ 45,445
5		
6		
SUBTOTAL		\$ 87,133

Benefits

Classification/Positions	Computation	Total Cost
1 One (1) Sergeant	96hrs x 9.35	\$ 898
2 One (1) Officer	96hrs x 8.07	\$ 774
3 Two (2) Officers	96hrs x 7.90	\$ 1,518
4 Five (5) Officers	96hrs x 7.24	\$ 3,475
5		
SUBTOTAL		\$ 6,665

B. Operating Expenses and Equipment

Operating Expenses*

Description	Computation	Total Cost
1 Apple Air Pods	5 x 200	\$ 1,000
2 2 Binoculars - 1 Camera	3 x 500	\$ 1,500
*maximum of \$2,500.00		
SUBTOTAL		\$ 2,500

Operating Expenses*

Description	Computation	Total Cost
1 Decoy Ops - "Buy Money"	110 x 3	\$ 330
2		
3		
*maximum of \$2,500.00		
SUBTOTAL		\$ 330

C. Travel Expenses *

Description	Computation	Total Cost
1 Registration Fee for two Officers	500 x 2	\$ 1,000
2 Travel & Hotel for two Officers	750 x 2	\$ 1,500
3		
4		
*APP Conference only. All travel cannot exceed current state rates.		
SUBTOTAL		\$ 2,500

GRANT TOTAL

\$ 99,128

OTHER FUNDING SOURCES

Complete the following to report the total funds available to support the activities related to accomplishing the goals and objectives of the contract. In the "Grant Funds" column, report the ABC funds requested by category. In the "Other Funds" column, report all other funds available to support the project by category (if none, leave blank). Then calculate the totals by category in the "Program Total" column. Total each column down to arrive at the total program funds available.

Note: Round all budget amounts to the nearest dollar—no cents.

Budget Category	Grant Funds	Other Funds	Program Total
A. Personnel Services	\$ 94,670		\$ 94,670
B. Operating Expense	\$ 330		\$ 330
C. Travel/Registration Fees	\$ 2,500		\$ 2,500
D. Equipment	\$ 2,500		\$ 2,500
TOTALS	\$ 100,000	\$ 0	\$ 100,000

This form does not become part of the contract but is **required** in the Request for Proposal package.

*Disclaimer—Please complete only if your department will contribute funds.

MEMORANDUM



ITEM 16.4.

DATE: September 5, 2023
TO: Honorable Mayor and Council Members
FROM: Kim Juran-Karageorgiou,
Administrative Services Director
SUBJECT: Treasurer's Report – June 30, 2023

RECOMMENDATION

This report is informational only. It is recommended that the City Council receive and file the June 30, 2023, Treasurer's Report.

RESULT OF RECOMMENDED ACTION

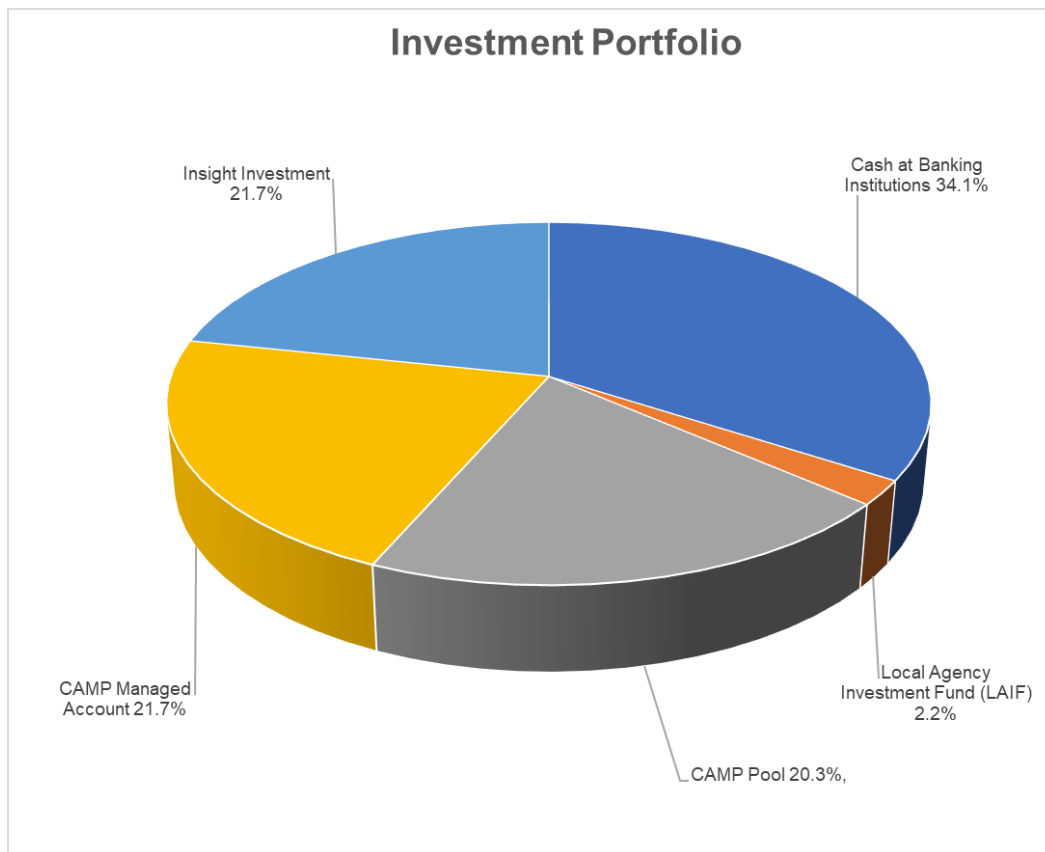
The Treasurer's Report is required to be submitted to the City Council at least quarterly in accordance with California Government Code Section 53600 et. seq. The purpose of the Treasurer's Report is to update the City Council and the public on the status of the City's cash balances and investments and highlight material changes from one period to another. The scope of this report covers the second quarter of the 2023 calendar year ending June 30, 2023, and is in compliance with the State's reporting requirements.

BACKGROUND

Attached is the quarterly Treasurer's Report for the period ending June 30, 2023. Treasurer's Reports are provided to the City Council on a quarterly basis.

On March 31, 2023, the value of the City's total portfolio was \$284.0 million. Since that time, the City's cash balances increased by \$2.5 million with an ending balance of \$286.5 million as of June 30, 2023. The funds are held as follows:

Investment Distribution	Book Value	Market Value
Cash at Banking Institutions	97,684,864	97,684,864
Local Agency Investment Fund (LAIF)	6,312,117	6,312,117
CAMP Pool	58,115,520	58,115,520
CAMP Managed Account	64,927,365	62,255,171
Insight Investment	63,280,924	62,117,784
Total	290,320,789	286,485,456



The Federal Reserve followed up the two 25 basis point increases in Q1 with one additional 25 basis point increase at its May meeting, bringing the overnight rate to a target range of 5% to 5.25% by the end of the second quarter of 2023. While these rising interest rates bring the market value of the City's portfolio down, the City is seeing higher interest earnings on its investments and reinvesting securities that have reached maturity at higher rates, when feasible. U.S. Inflation, as measured by the consumer price index (CPI), showed some signs of easing as CPI fell from 6.5% year-over-year at the beginning of the year to 3% as of June 2023.

The City's cash balance as of June 30, 2023, was allocated by fund type/purpose as follows:

- General Fund: \$37.6 million
- Community Enhancement Fund: \$17.2 million

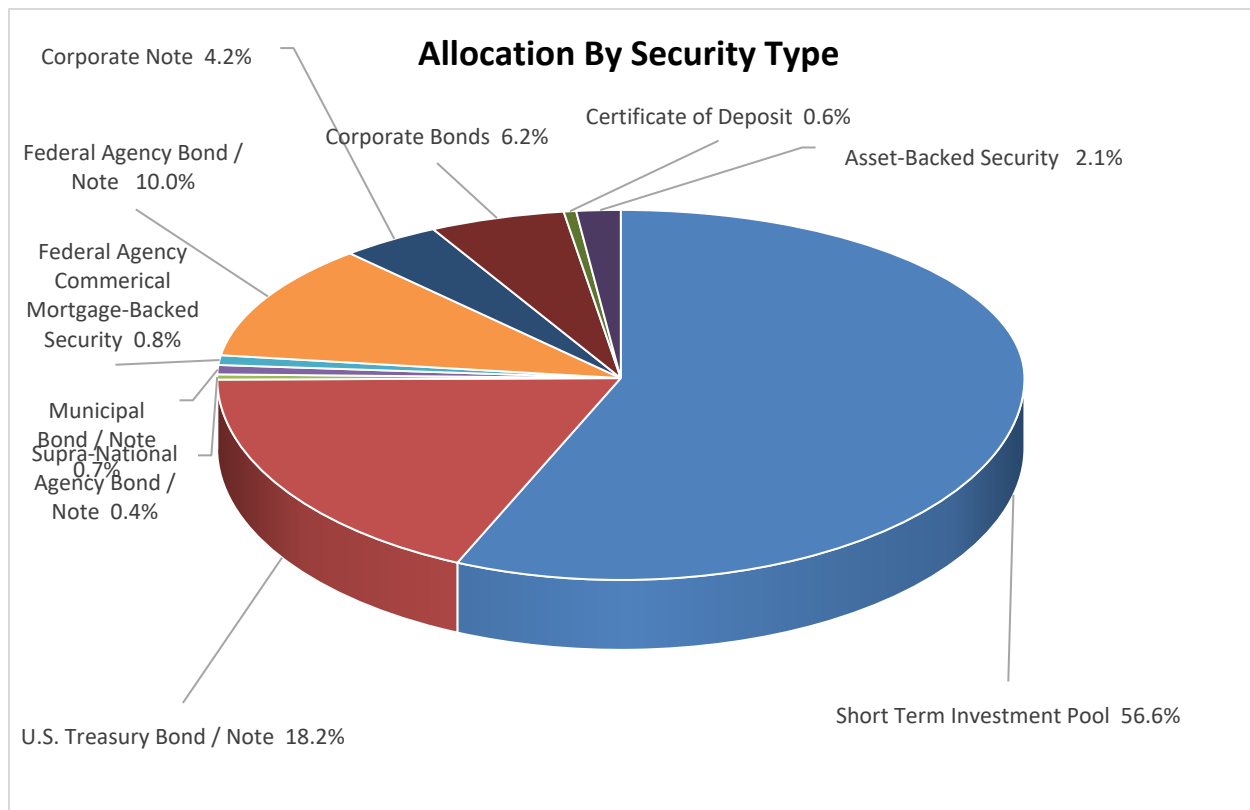
- Measure R Fund: \$535 thousand
- Sunrise Development Impact Fees (restricted for specific improvements needed as a result of development in the area): \$40.5 million
- Transportation Funds: \$81.5 million
- Storm Drain Fund: \$20.4 million
- Capital Projects/Grant/Special Revenue Funds: \$60.5 million
- Agency Funds (funds held for other entities): \$32 million

The overall portfolio is well diversified with \$128.2 million invested in marketable securities, \$64.4 million invested in short-term investments that are considered liquid (LAIF, CAMP, and money markets), and another \$97.7 million on deposit with our banks, which includes \$6.4 million on deposit with two local banks as part of the City's participation in a local banking initiative and COVID-19 Lift Program. Staff, in conjunction with our financial advisors, periodically reviews the mix of liquid and long-term investments and adjusts the portfolio according to the market conditions and our short-term cash needs.

Staff thoroughly reviews investment statements and makes appropriate inquiries of its investment advisors to confirm the existence and viability of the City's assets. The City invests conservatively in investment policy options in accordance with California State Government Code. The long-term assets are in securities that can be held to maturity, thus are less vulnerable to the fluctuations of the market. All securities are in compliance with the City's investment policy. There are sufficient funds to meet the City's expenditure requirements for the next six months.

The distribution of investments is displayed in the following charts:





ATTACHMENT(S)

1. City of Rancho Cordova Treasurer's Report for the quarter ended June 30, 2023.

**CITY OF RANCHO CORDOVA
TREASURER'S REPORT
FOR THE QUARTER ENDED June 30, 2023**

Security Held	Book Value	Market Value
Wells Fargo Bank	91,287,453	91,287,453
5 Star Bank	5,397,396	5,397,396
Tri Counties Bank	1,000,015	1,000,015
Local Agency Investment Fund (LAIF)	6,312,117	6,312,117
CAMP Pool	58,115,520	58,115,520
CAMP Managed Account	64,927,365	62,255,171
Insight Investment	63,280,924	62,117,784
Total	290,320,789	286,485,456



Managed Account Detail of Securities Held

For the Month Ending June 30, 2023

Rancho Cordova - [REDACTED]

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury Bond / Note											
US TREASURY NOTES DTD 10/31/2016 1.625% 10/31/2023	912828T91	100,000.00	AA+	Aaa	10/02/19	10/04/19	100,574.22	1.48	273.78	100,047.08	98,812.50
US TREASURY NOTES DTD 12/15/2020 0.125% 12/15/2023	91282CBA8	25,000.00	AA+	Aaa	05/21/21	05/24/21	24,922.85	0.25	1.37	24,986.22	24,429.69
US TREASURY NOTES DTD 12/15/2020 0.125% 12/15/2023	91282CBA8	4,800,000.00	AA+	Aaa	06/25/21	06/28/21	4,773,375.00	0.35	262.29	4,795,059.58	4,690,500.00
US TREASURY NOTES DTD 06/30/2017 2.000% 06/30/2024	912828XX3	75,000.00	AA+	Aaa	03/02/20	03/06/20	78,653.32	0.85	4.08	75,845.57	72,527.34
US TREASURY NOTES DTD 06/30/2017 2.000% 06/30/2024	912828XX3	3,700,000.00	AA+	Aaa	06/07/21	06/08/21	3,888,179.69	0.33	201.08	3,761,436.12	3,578,015.44
US TREASURY NOTES DTD 06/30/2017 2.000% 06/30/2024	912828XX3	4,000,000.00	AA+	Aaa	06/18/21	06/21/21	4,184,375.00	0.46	217.39	4,060,902.15	3,868,124.80
US TREASURY NOTES DTD 12/31/2019 1.750% 12/31/2024	912828YY0	475,000.00	AA+	Aaa	08/05/20	08/07/20	507,693.36	0.18	22.59	486,169.04	451,546.88
US TREASURY NOTES DTD 12/31/2019 1.750% 12/31/2024	912828YY0	800,000.00	AA+	Aaa	07/01/20	07/06/20	852,250.00	0.28	38.04	817,501.68	760,500.00
US TREASURY NOTES DTD 06/30/2020 0.250% 06/30/2025	912828ZW3	100,000.00	AA+	Aaa	03/01/21	03/04/21	98,589.84	0.58	0.68	99,348.06	91,328.12
US TREASURY NOTES DTD 06/30/2020 0.250% 06/30/2025	912828ZW3	425,000.00	AA+	Aaa	04/01/21	04/05/21	416,765.63	0.72	2.89	421,114.36	388,144.51
US TREASURY NOTES DTD 12/31/2020 0.375% 12/31/2025	91282CBC4	525,000.00	AA+	Aaa	05/04/21	05/06/21	516,120.12	0.75	5.35	520,225.76	473,238.26
US TREASURY N/B NOTES DTD 04/30/2021 0.750% 04/30/2026	91282CBW0	100,000.00	AA+	Aaa	02/10/22	02/14/22	95,277.34	1.92	126.36	96,820.81	90,062.50
US TREASURY N/B NOTES DTD 07/31/2021 0.625% 07/31/2026	91282CCP4	325,000.00	AA+	Aaa	05/03/22	05/05/22	294,125.00	3.03	847.29	302,541.83	289,554.69
US TREASURY N/B NOTES DTD 07/31/2021 0.625% 07/31/2026	91282CCP4	825,000.00	AA+	Aaa	07/05/22	07/08/22	755,229.49	2.84	2,150.81	772,060.92	735,023.44



Managed Account Detail of Securities Held

For the Month Ending June 30, 2023

Rancho Cordova - [REDACTED]

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury Bond / Note											
US TREASURY N/B NOTES DTD 07/31/2021 0.625% 07/31/2026	91282CCP4	825,000.00	AA+	Aaa	08/01/22	08/04/22	759,515.63	2.74	2,150.81	774,392.31	735,023.43
US TREASURY N/B NOTES DTD 07/31/2021 0.625% 07/31/2026	91282CCP4	950,000.00	AA+	Aaa	06/02/22	06/06/22	864,537.11	2.94	2,476.69	886,522.95	846,390.63
US TREASURY N/B NOTES DTD 07/31/2021 0.625% 07/31/2026	91282CCP4	1,300,000.00	AA+	Aaa	08/08/22	08/15/22	1,183,812.50	3.04	3,389.16	1,209,524.81	1,158,218.75
US TREASURY NOTES DTD 11/15/2016 2.000% 11/15/2026	912828U24	1,150,000.00	AA+	Aaa	10/05/22	10/11/22	1,059,886.72	4.10	2,937.50	1,075,728.83	1,063,750.00
US TREASURY NOTES DTD 11/15/2016 2.000% 11/15/2026	912828U24	1,800,000.00	AA+	Aaa	01/04/23	01/06/23	1,674,632.81	3.96	4,597.83	1,690,292.59	1,665,000.00
US TREASURY NOTES DTD 11/15/2016 2.000% 11/15/2026	912828U24	3,200,000.00	AA+	Aaa	12/05/22	12/07/22	2,977,625.00	3.92	8,173.91	3,009,459.09	2,960,000.00
US TREASURY N/B NOTES DTD 04/30/2022 2.750% 04/30/2027	91282CEN7	1,300,000.00	AA+	Aaa	01/31/23	02/03/23	1,251,707.03	3.70	6,023.10	1,256,327.17	1,228,093.75
US TREASURY N/B NOTES DTD 07/31/2022 2.750% 07/31/2027	91282CFB2	1,000,000.00	AA+	Aaa	06/02/23	06/06/23	953,671.88	3.97	11,470.99	954,435.87	942,812.50
US TREASURY N/B NOTES DTD 07/31/2022 2.750% 07/31/2027	91282CFB2	2,100,000.00	AA+	Aaa	03/02/23	03/06/23	1,959,644.53	4.44	24,089.09	1,969,856.96	1,979,906.25
US TREASURY N/B NOTES DTD 07/31/2022 2.750% 07/31/2027	91282CFB2	2,400,000.00	AA+	Aaa	05/01/23	05/05/23	2,318,906.25	3.62	27,530.39	2,321,892.26	2,262,750.00
Security Type Sub-Total		32,300,000.00					31,590,070.32	2.13	96,993.47	31,482,492.02	30,453,753.48
Supra-National Agency Bond / Note											
INTL BK RECON & DEVELOP NOTES DTD 11/24/2020 0.250% 11/24/2023	459058JM6	650,000.00	AAA	Aaa	11/17/20	11/24/20	648,602.50	0.32	167.01	649,813.67	636,992.85
INTER-AMERICAN DEVEL BK NOTES DTD 09/23/2021 0.500% 09/23/2024	4581X0DZ8	585,000.00	AAA	Aaa	09/15/21	09/23/21	584,567.10	0.52	796.25	584,822.26	551,306.93
Security Type Sub-Total		1,235,000.00					1,233,169.60	0.42	963.26	1,234,635.93	1,188,299.78



Managed Account Detail of Securities Held

For the Month Ending June 30, 2023

Rancho Cordova - [REDACTED]

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Municipal Bond / Note											
CT ST TXBL GO BONDS DTD 06/11/2020 1.998% 07/01/2024	20772KJW0	75,000.00	AA-	Aa3	05/29/20	06/11/20	75,000.00	2.00	749.25	75,000.00	72,622.50
CHAFFEY UHSD, CA TXBL GO BONDS DTD 12/05/2019 2.101% 08/01/2024	157411TK5	100,000.00	AA-	Aa1	11/06/19	12/05/19	100,000.00	2.10	875.42	100,000.00	96,663.00
SAN JUAN USD, CA TXBL GO BONDS DTD 10/29/2020 0.702% 08/01/2024	798306WN2	200,000.00	NR	Aa2	10/16/20	10/29/20	200,000.00	0.70	585.00	200,000.00	189,452.00
NY ST URBAN DEV CORP TXBL REV BONDS DTD 12/23/2020 0.870% 03/15/2025	650036DT0	425,000.00	NR	NR	12/16/20	12/23/20	425,000.00	0.87	1,088.71	425,000.00	392,942.25
UNIV OF CAL TXBL REV BONDS DTD 07/16/2020 0.883% 05/15/2025	91412HGE7	100,000.00	AA	Aa2	07/10/20	07/16/20	100,000.00	0.88	112.83	100,000.00	93,144.00
CT ST TXBL GO BONDS DTD 06/04/2021 0.923% 06/01/2025	20772KNW5	275,000.00	AA-	Aa3	05/20/21	06/04/21	275,000.00	0.92	211.52	275,000.00	254,487.75
FL ST BOARD OF ADMIN TXBL REV BONDS DTD 09/16/2020 1.258% 07/01/2025	341271AD6	75,000.00	AA	Aa3	09/03/20	09/16/20	75,530.25	1.11	471.75	75,221.62	69,489.75
FL ST BOARD OF ADMIN TXBL REV BONDS DTD 09/16/2020 1.258% 07/01/2025	341271AD6	100,000.00	AA	Aa3	09/03/20	09/16/20	100,663.00	1.12	629.00	100,277.10	92,653.00
FL ST BOARD OF ADMIN TXBL REV BONDS DTD 09/16/2020 1.258% 07/01/2025	341271AD6	200,000.00	AA	Aa3	09/03/20	09/16/20	200,000.00	1.26	1,258.00	200,000.00	185,306.00
MN ST TXBL GO BONDS DTD 08/25/2020 0.630% 08/01/2025	60412AVJ9	130,000.00	AAA	Aaa	08/11/20	08/25/20	130,000.00	0.63	341.25	130,000.00	119,223.00
LOS ANGELES CCD, CA TXBL GO BONDS DTD 11/10/2020 0.773% 08/01/2025	54438CYK2	175,000.00	AA+	Aaa	10/30/20	11/10/20	175,000.00	0.77	563.65	175,000.00	160,669.25
CA ST UNIV TXBL REV BONDS DTD 07/29/2021 0.862% 11/01/2025	13077DOD7	175,000.00	AA-	Aa2	07/09/21	07/29/21	175,000.00	0.86	251.42	175,000.00	159,628.00
CA ST MUNICIPAL BONDS DTD 03/15/2023 4.846% 03/01/2027	13063D3N6	240,000.00	AA-	Aa2	03/09/23	03/15/23	240,000.00	4.85	3,424.51	240,000.00	240,940.80
Security Type Sub-Total		2,270,000.00					2,271,193.25	1.44	10,562.31	2,270,498.72	2,127,221.30



Managed Account Detail of Securities Held

For the Month Ending June 30, 2023

Rancho Cordova - [REDACTED]

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Federal Agency Commercial Mortgage-Backed Security											
FHMS K043 A2 DTD 03/01/2015 3.062% 12/01/2024	3137BGK24	275,000.00	AA+	Aaa	03/19/20	03/25/20	288,621.09	1.95	701.71	279,129.29	265,829.27
FHMS K054 A2 DTD 04/20/2016 2.745% 01/01/2026	3137BNGT5	325,000.00	AA+	Aaa	04/11/23	04/14/23	311,542.97	4.37	743.44	312,600.02	307,555.90
FHMS K058 A2 DTD 11/09/2016 2.653% 08/01/2026	3137BSP72	650,000.00	AA+	Aaa	04/06/23	04/12/23	622,628.91	4.02	1,437.04	624,443.07	608,748.11
FHMS K061 A2 DTD 01/30/2017 3.347% 11/01/2026	3137BTUM1	450,000.00	AA+	Aaa	05/19/23	05/24/23	436,148.44	4.31	1,255.13	436,567.18	429,694.43
FHLMC MULTIFAMILY STRUCTURED P DTD 07/01/2017 3.243% 04/01/2027	3137F1G44	650,000.00	AA+	Aaa	06/08/23	06/13/23	622,857.42	4.44	1,756.63	623,209.41	616,189.11
Security Type Sub-Total		2,350,000.00					2,281,798.83	3.99	5,893.95	2,275,948.97	2,228,016.82
Federal Agency Bond / Note											
FREDDIE MAC NOTES DTD 08/21/2020 0.250% 08/24/2023	3137EAEV7	1,200,000.00	AA+	Aaa	08/19/20	08/21/20	1,198,776.00	0.28	1,058.33	1,199,939.80	1,191,424.80
FREDDIE MAC NOTES DTD 09/04/2020 0.250% 09/08/2023	3137EAEW5	365,000.00	AA+	Aaa	09/02/20	09/04/20	365,066.65	0.24	286.42	365,004.18	361,639.08
FREDDIE MAC NOTES DTD 09/04/2020 0.250% 09/08/2023	3137EAEW5	485,000.00	AA+	Aaa	09/02/20	09/04/20	484,839.95	0.26	380.59	484,989.95	480,534.12
FREDDIE MAC NOTES DTD 10/16/2020 0.125% 10/16/2023	3137EAEY1	415,000.00	AA+	Aaa	10/14/20	10/16/20	413,452.05	0.25	108.07	414,848.74	408,823.97
FREDDIE MAC NOTES DTD 11/05/2020 0.250% 11/06/2023	3137EAEZ8	450,000.00	AA+	Aaa	11/03/20	11/05/20	449,595.00	0.28	171.88	449,952.70	442,214.10
FANNIE MAE NOTES DTD 11/25/2020 0.250% 11/27/2023	3135G06H1	400,000.00	AA+	Aaa	11/23/20	11/25/20	399,544.00	0.29	94.44	399,938.06	391,908.40
FREDDIE MAC NOTES DTD 12/04/2020 0.250% 12/04/2023	3137EAF2	400,000.00	AA+	Aaa	12/02/20	12/04/20	399,604.00	0.28	75.00	399,943.58	391,368.80
FEDERAL HOME LOAN BANK NOTES DTD 04/16/2020 0.500% 04/14/2025	3130AJHU6	500,000.00	AA+	Aaa	04/15/20	04/16/20	497,520.00	0.60	534.72	499,112.15	461,746.50



Managed Account Detail of Securities Held

For the Month Ending June 30, 2023

Rancho Cordova - [REDACTED]

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Federal Agency Bond / Note											
FANNIE MAE NOTES DTD 04/24/2020 0.625% 04/22/2025	3135G03U5	500,000.00	AA+	Aaa	04/22/20	04/24/20	498,970.00	0.67	598.96	499,626.74	462,434.50
FREDDIE MAC NOTES DTD 07/23/2020 0.375% 07/21/2025	3137EAEU9	500,000.00	AA+	Aaa	07/21/20	07/23/20	497,510.00	0.48	833.33	498,974.79	456,229.50
FANNIE MAE NOTES DTD 08/27/2020 0.375% 08/25/2025	3135G05X7	450,000.00	AA+	Aaa	08/25/20	08/27/20	447,894.00	0.47	590.63	449,092.48	409,139.55
FEDERAL HOME LOAN BANK NOTES DTD 09/11/2020 0.375% 09/04/2025	3130AK5E2	200,000.00	AA+	Aaa	09/10/20	09/11/20	199,400.00	0.44	243.75	199,737.44	181,715.60
FREDDIE MAC NOTES DTD 09/25/2020 0.375% 09/23/2025	3137EAEX3	450,000.00	AA+	Aaa	09/23/20	09/25/20	448,645.50	0.44	459.38	449,394.78	408,087.90
FANNIE MAE NOTES DTD 11/12/2020 0.500% 11/07/2025	3135G06G3	450,000.00	AA+	Aaa	11/09/20	11/12/20	448,389.00	0.57	337.50	449,239.18	407,332.80
Security Type Sub-Total		6,765,000.00					6,749,206.15	0.39	5,773.00	6,759,794.57	6,454,599.62
Corporate Note											
PNC BANK NA CORP NOTES (CALLABLE) DTD 01/23/2019 3.500% 01/23/2024	693475AV7	375,000.00	A-	A3	02/12/19	02/15/19	377,670.00	3.34	5,760.42	375,263.69	370,438.13
CHARLES SCHWAB CORP NOTES (CALLABLE) DTD 03/18/2021 0.750% 03/18/2024	808513BN4	135,000.00	A-	A2	03/16/21	03/18/21	134,932.50	0.77	289.69	134,983.93	130,199.27
MORGAN STANLEY CORP NOTES DTD 04/28/2014 3.875% 04/29/2024	61746BDO6	375,000.00	A-	A1	07/19/19	07/23/19	396,483.75	2.59	2,502.60	378,736.84	369,490.88
AMAZON.COM INC CORPORATE NOTES DTD 05/12/2021 0.450% 05/12/2024	023135BW5	355,000.00	AA	A1	05/10/21	05/12/21	354,481.70	0.50	217.44	354,850.56	339,887.65
AMERICAN HONDA FINANCE CORP NOTE DTD 06/27/2019 2.400% 06/27/2024	02665WCZ2	375,000.00	A-	A3	07/11/19	07/15/19	373,140.00	2.51	100.00	374,627.79	363,579.38
GOLDMAN SACHS GROUP INC (CALLABLE) BONDS DTD 07/08/2014 3.850% 07/08/2024	38141EC23	375,000.00	BBB+	A2	07/08/19	07/11/19	392,467.50	2.84	6,938.02	377,842.37	367,945.50



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For the Month Ending June 30, 2023

Rancho Cordova - [REDACTED]

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note											
BB&T CORPORATION CORP BONDS DTD 07/29/2019 2.500% 08/01/2024	05531FBH5	375,000.00	A-	A3	08/01/19	08/05/19	375,622.50	2.46	3,906.25	375,127.14	361,974.38
PACCAR FINANCIAL CORP CORPORATE NOTES DTD 08/09/2021 0.500% 08/09/2024	69371RR40	235,000.00	A+	A1	08/03/21	08/09/21	234,873.10	0.52	463.47	234,953.11	222,482.49
UNILEVER CAPITAL CORP (CALLABLE) CORPORA DTD 08/12/2021 0.626% 08/12/2024	904764BN6	100,000.00	A+	A1	08/09/21	08/12/21	100,000.00	0.63	241.71	100,000.00	94,588.90
WALT DISNEY COMPANY/THE (CALLABLE) DTD 09/06/2019 1.750% 08/30/2024	254687FK7	375,000.00	A-	A2	09/03/19	09/06/19	373,470.00	1.84	2,205.73	374,641.88	359,664.00
JOHN DEERE CAPITAL CORP CORPORATE NOTES DTD 09/10/2021 0.625% 09/10/2024	24422EVU0	180,000.00	A	A2	09/07/21	09/10/21	179,883.00	0.65	346.88	179,953.35	170,160.84
CATERPILLAR FINL SERVICE CORPORATE NOTES DTD 09/14/2021 0.600% 09/13/2024	14913R2P1	150,000.00	A	A2	09/07/21	09/14/21	149,796.00	0.65	270.00	149,918.03	141,668.40
NATIONAL RURAL UTIL COOP CORPORATE NOTES DTD 02/07/2022 1.875% 02/07/2025	63743HFC1	130,000.00	A-	A2	01/31/22	02/07/22	129,996.10	1.88	975.00	129,997.91	122,783.44
TOYOTA MOTOR CREDIT CORP CORP NOTES DTD 02/13/2020 1.800% 02/13/2025	89236TGT6	50,000.00	A+	A1	05/20/20	05/26/20	50,488.50	1.58	345.00	50,168.03	47,348.65
TOYOTA MOTOR CREDIT CORP CORP NOTES DTD 02/13/2020 1.800% 02/13/2025	89236TGT6	50,000.00	A+	A1	05/21/20	05/26/20	50,696.00	1.49	345.00	50,239.40	47,348.65
TOYOTA MOTOR CREDIT CORP CORP NOTES DTD 02/13/2020 1.800% 02/13/2025	89236TGT6	200,000.00	A+	A1	05/20/20	05/26/20	201,954.00	1.58	1,380.00	200,672.11	189,394.60
AMAZON.COM INC CORPORATE NOTES DTD 04/13/2022 3.000% 04/13/2025	023135CE4	290,000.00	AA	A1	04/11/22	04/13/22	289,538.90	3.06	1,885.00	289,725.70	279,545.21



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For the Month Ending June 30, 2023

Rancho Cordova - [REDACTED]

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note											
HOME DEPOT INC (CALLABLE) CORPORATE NOTE DTD 03/28/2022 2.700% 04/15/2025	437076CM2	45,000.00	A	A2	03/24/22	03/28/22	44,921.25	2.76	256.50	44,953.77	43,074.18
BANK OF AMERICA CORP NOTES (CALLABLE) DTD 04/22/2021 0.976% 04/22/2025	06051GJR1	325,000.00	A-	A1	04/16/21	04/22/21	325,000.00	0.98	607.97	325,000.00	311,210.58
CITIGROUP INC CORP NOTES DTD 04/27/2015 3.300% 04/27/2025	172967JP7	300,000.00	BBB+	A3	08/28/20	09/01/20	332,985.00	0.88	1,760.00	312,929.96	288,568.80
CINTAS CORPORATION NO. 2 CORP NOTE (CALL) DTD 05/03/2022 3.450% 05/01/2025	17252MAP5	130,000.00	A-	A3	04/26/22	05/03/22	129,971.40	3.46	747.50	129,982.48	125,504.34
APPLE INC (CALLABLE) CORP NOTES DTD 05/11/2020 1.125% 05/11/2025	037833DT4	400,000.00	AA+	Aaa	05/11/20	05/13/20	400,804.00	1.08	625.00	400,291.30	372,191.20
APPLE INC CORPORATE NOTES DTD 05/13/2015 3.200% 05/13/2025	037833BG4	500,000.00	AA+	Aaa	11/24/21	11/29/21	530,775.00	1.37	2,133.33	516,644.37	483,679.50
JPMORGAN CHASE & CO (CALLABLE) CORP NOTE DTD 06/01/2021 0.824% 06/01/2025	46647PCH7	580,000.00	A-	A1	05/24/21	06/01/21	580,000.00	0.82	398.27	580,000.00	551,146.16
NATIONAL AUSTRALIA BK/NY CORPORATE NOTES DTD 06/09/2022 3.500% 06/09/2025	63254ABD9	470,000.00	AA-	Aa3	05/31/22	06/09/22	470,000.00	3.50	1,005.28	470,000.00	453,965.01
NATIONAL RURAL UTIL COOP CORPORATE NOTES DTD 05/04/2022 3.450% 06/15/2025	63743HFE7	70,000.00	A-	A2	04/27/22	05/04/22	69,981.10	3.46	107.33	69,988.13	67,348.75
IBM CORP CORPORATE NOTES DTD 07/27/2022 4.000% 07/27/2025	459200KS9	450,000.00	A-	A3	07/20/22	07/27/22	450,000.00	4.00	7,700.00	450,000.00	439,840.80
CITIGROUP INC CORP NOTE (CALLABLE) DTD 11/03/2021 1.281% 11/03/2025	172967ND9	90,000.00	BBB+	A3	10/27/21	11/03/21	90,000.00	1.28	185.75	90,000.00	84,259.62



Managed Account Detail of Securities Held

For the Month Ending June 30, 2023

Rancho Cordova - [REDACTED]

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note											
UNITEDHEALTH GROUP INC (CALLABLE) CORPOR DTD 05/19/2021 1.150% 05/15/2026	91324PEC2	475,000.00	A+	A3	05/17/21	05/19/21	474,173.50	1.19	697.99	474,524.15	429,506.88
ASTRAZENECA FINANCE LLC (CALLABLE) CORP DTD 05/28/2021 1.200% 05/28/2026	04636NAA1	450,000.00	A	A3	07/16/21	07/20/21	450,540.00	1.17	495.00	450,319.72	406,135.35
TOYOTA MOTOR CREDIT CORP CORPORATE NOTES DTD 06/18/2021 1.125% 06/18/2026	89236TJK2	85,000.00	A+	A1	09/08/21	09/13/21	84,811.30	1.17	34.53	84,882.48	75,967.56
BANK OF AMERICA CORP NOTES (CALLABLE) DTD 06/16/2020 1.319% 06/19/2026	06051GJD2	600,000.00	A-	A1	07/23/21	07/27/21	602,754.00	1.22	263.80	601,391.52	549,449.40
AMERICAN EXPRESS CO (CALLABLE) CORPORATE DTD 11/04/2021 1.650% 11/04/2026	025816CM9	450,000.00	BBB+	A2	11/19/21	11/23/21	449,316.00	1.68	1,175.63	449,537.44	400,614.30
JPMORGAN CHASE & CO NOTES (CALLABLE) DTD 11/19/2020 1.045% 11/19/2026	46647PBT2	350,000.00	A-	A1	11/24/21	11/29/21	339,717.00	1.66	426.71	342,995.56	313,009.90
CATERPILLAR FINL SERVICE CORPORATE NOTES DTD 01/10/2022 1.700% 01/08/2027	14913R2U0	450,000.00	A	A2	01/11/22	01/13/22	447,727.50	1.81	3,676.25	448,393.90	406,290.15
TARGET CORP CORP NOTES (CALLABLE) DTD 01/24/2022 1.950% 01/15/2027	87612EBM7	80,000.00	A	A2	01/19/22	01/24/22	79,864.00	1.99	719.33	79,903.15	73,202.08
BANK OF NY MELLON CORP (CALLABLE) CORPOR DTD 01/26/2022 2.050% 01/26/2027	06406RBA4	900,000.00	A	A1	01/26/22	01/28/22	898,002.00	2.10	7,943.75	898,570.51	808,896.60
BERKSHIRE HATHAWAY CORP NOTES (CALLABLE) DTD 03/15/2022 2.300% 03/15/2027	084664CZ2	900,000.00	AA	Aa2	03/15/22	03/17/22	883,116.00	2.70	6,095.00	887,475.85	840,354.30



Managed Account Detail of Securities Held

For the Month Ending June 30, 2023

Rancho Cordova - [REDACTED]

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note											
NATIONAL AUSTRALIA BK/NY CORPORATE NOTES DTD 06/09/2022 3.905% 06/09/2027	63254ABE7	400,000.00	AA-	Aa3	06/09/22	06/13/22	396,424.00	4.10	954.56	397,175.71	381,976.40
TEXAS INSTRUMENTS INC CORP NOTE (CALLABL DTD 11/18/2022 4.600% 02/15/2028	882508BV5	100,000.00	A+	Aa3	05/11/23	05/18/23	102,404.00	4.04	1,737.78	102,341.89	100,119.30
LOCKHEED MARTIN CORP NOTES (CALLABLE) DTD 05/25/2023 4.450% 05/15/2028	539830BZ1	70,000.00	A-	A3	05/23/23	05/25/23	69,874.00	4.49	311.50	69,876.57	68,958.05
Security Type Sub-Total		12,795,000.00					12,868,654.60	2.01	68,230.97	12,808,880.30	12,053,769.58
Certificate of Deposit											
TORONTO DOMINION BANK NY CERT DEPOS DTD 10/31/2022 5.600% 10/27/2025	89115B6K1	850,000.00	A	A1	10/27/22	10/31/22	850,000.00	5.58	32,130.00	850,000.00	849,425.66
NORDEA BANK ABP NEW YORK CERT DEPOS DTD 11/03/2022 5.530% 11/03/2025	65558UYF3	850,000.00	AA-	Aa3	11/02/22	11/03/22	850,000.00	5.53	7,573.03	850,000.00	842,598.20
Security Type Sub-Total		1,700,000.00					1,700,000.00	5.56	39,703.03	1,700,000.00	1,692,023.86
Asset-Backed Security											
BMWLT 2021-1 A4 DTD 03/10/2021 0.370% 07/25/2024	05591RAD6	51,501.03	AAA	Aaa	03/02/21	03/10/21	51,498.99	0.37	3.18	51,500.38	51,262.35
HAROT 2020-3 A3 DTD 09/29/2020 0.370% 10/18/2024	43813KAC6	40,449.40	AAA	NR	09/22/20	09/29/20	40,443.46	0.37	5.40	40,447.49	39,908.58
MBALT 2021-B A3 DTD 06/29/2021 0.400% 11/15/2024	58769KAD6	188,175.70	AAA	NR	06/22/21	06/29/21	188,161.49	0.40	33.45	188,169.91	185,339.84
BMWLT 2021-2 A4 DTD 09/15/2021 0.430% 01/27/2025	09690AAD5	540,000.00	NR	Aaa	09/08/21	09/15/21	539,979.59	0.43	38.70	539,990.44	525,368.81



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Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Asset-Backed Security											
GMALT 2021-2 A4 DTD 05/26/2021 0.410% 05/20/2025	380144AD7	65,000.00	AAA	NR	05/18/21	05/26/21	64,994.53	0.41	8.14	64,997.41	64,341.30
GMALT 2021-3 A4 DTD 08/18/2021 0.500% 07/21/2025	36262XAD6	145,000.00	AAA	NR	08/10/21	08/18/21	144,994.77	0.50	22.15	144,997.26	140,710.32
HAROT 2021-2 A3 DTD 05/26/2021 0.330% 08/15/2025	43811JAC1	139,002.51	AAA	Aaa	05/18/21	05/26/21	138,997.09	0.33	20.39	138,999.78	135,224.28
GMCAR 2020-4 A3 DTD 10/14/2020 0.380% 08/18/2025	36260KAC8	46,139.00	AAA	NR	10/06/20	10/14/20	46,129.14	0.38	7.31	46,134.66	45,219.80
HART 2021-A A3 DTD 04/28/2021 0.380% 09/15/2025	44933LAC7	56,229.65	AAA	NR	04/20/21	04/28/21	56,223.74	0.38	9.50	56,226.67	54,792.50
NAROT 2021-A A3 DTD 06/23/2021 0.330% 10/15/2025	65480BAC1	444,959.99	AAA	Aaa	06/15/21	06/23/21	444,952.47	0.33	65.26	444,955.99	432,148.43
TAOT 2021-B A3 DTD 06/14/2021 0.260% 11/17/2025	89190GAC1	449,217.16	AAA	NR	06/08/21	06/14/21	449,168.78	0.26	51.91	449,191.13	435,235.05
CARMX 2021-1 A3 DTD 01/27/2021 0.340% 12/15/2025	14316NAC3	34,441.07	AAA	NR	01/20/21	01/27/21	34,434.28	0.34	5.20	34,437.65	33,444.29
HART 2021-B A3 DTD 07/28/2021 0.380% 01/15/2026	44934KAC8	318,119.21	AAA	NR	07/20/21	07/28/21	318,049.01	0.39	53.73	318,079.25	307,937.77
HAROT 2021-4 A3 DTD 11/24/2021 0.880% 01/21/2026	43815GAC3	185,000.00	NR	Aaa	11/16/21	11/24/21	184,961.00	0.89	45.22	184,975.99	177,860.57
CARMX 2021-2 A3 DTD 04/21/2021 0.520% 02/17/2026	14314OAC8	95,897.04	AAA	NR	04/13/21	04/21/21	95,876.37	0.52	22.16	95,885.76	92,524.50
HART 2021-C A3 DTD 11/17/2021 0.740% 05/15/2026	44935FAD6	145,000.00	AAA	NR	11/09/21	11/17/21	144,967.64	0.75	47.69	144,979.30	139,368.32
CARMX 2021-3 A3 DTD 07/28/2021 0.550% 06/15/2026	14317DAC4	335,959.21	AAA	Aaa	07/21/21	07/28/21	335,903.95	0.55	82.12	335,925.74	322,255.67
GMCAR 2021-3 A3 DTD 07/21/2021 0.480% 06/16/2026	380140AC7	208,752.06	AAA	NR	07/13/21	07/21/21	208,739.15	0.48	41.75	208,744.27	200,648.87



Managed Account Detail of Securities Held

For the Month Ending June 30, 2023

Rancho Cordova - [REDACTED]

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Asset-Backed Security											
COMET 2021-A1 A1 DTD 07/22/2021 0.550% 07/15/2026	14041NFW6	600,000.00	AAA	NR	07/15/21	07/22/21	599,975.70	0.55	146.67	599,985.17	568,874.82
COPAR 2021-1 A3 DTD 10/27/2021 0.770% 09/15/2026	14044CAC6	185,000.00	AAA	Aaa	10/19/21	10/27/21	184,996.50	0.77	63.31	184,997.70	176,698.70
GMCAR 2021-4 A3 DTD 10/21/2021 0.680% 09/16/2026	362554AC1	155,000.00	AAA	Aaa	10/13/21	10/21/21	154,996.05	0.68	43.92	154,997.41	148,334.72
CARMX 2022-3 A3 DTD 07/20/2022 3.970% 04/15/2027	14318MAD1	420,000.00	AAA	NR	07/12/22	07/20/22	419,990.09	3.97	741.07	419,992.07	409,996.82
FORDO 2023-A A3 DTD 03/31/2023 4.650% 02/15/2028	344928AD8	155,000.00	AAA	NR	03/28/23	03/31/23	154,983.83	4.65	320.33	154,984.66	153,100.91
DCENT 2023-A1 A DTD 04/11/2023 4.310% 03/15/2028	254683CY9	380,000.00	NR	Aaa	04/04/23	04/11/23	379,977.96	4.31	727.91	379,978.95	371,518.51
BACCT 2023-A1 A1 DTD 06/16/2023 4.790% 05/15/2028	05522RDG0	205,000.00	AAA	NR	06/08/23	06/16/23	204,953.59	4.79	409.15	204,953.98	203,370.07
AMXCA 2023-1 A DTD 06/14/2023 4.870% 05/15/2028	02582JJZ4	225,000.00	AAA	NR	06/07/23	06/14/23	224,980.04	4.87	517.44	224,980.23	223,692.93
DCENT 2023-A2 A DTD 06/28/2023 4.930% 06/15/2028	254683CZ6	420,000.00	AAA	Aaa	06/21/23	06/28/23	419,943.26	4.93	172.55	419,943.35	418,308.20
Security Type Sub-Total		6,233,843.03					6,233,272.47	1.67	3,705.61	6,233,452.60	6,057,486.93
Managed Account Sub-Total		65,648,843.03					64,927,365.22	1.98	231,825.60	64,765,703.11	62,255,171.37
Joint Powers Authority											
CAMP Pool		58,115,519.50	AAAm	NR			58,115,519.50		0.00	58,115,519.50	58,115,519.50
Liquid Sub-Total		58,115,519.50					58,115,519.50		0.00	58,115,519.50	58,115,519.50

**Managed Account Detail of Securities Held**For the Month Ending **June 30, 2023**

Rancho Cordova - [REDACTED]

Securities Sub-Total	\$123,764,362.53	\$123,042,884.72	1.98%	\$231,825.60	\$122,881,222.61	\$120,370,690.87
Accrued Interest						\$231,825.60
Total Investments						\$120,602,516.47

ITEM 16.4 SECURITIES HELD

As of June 30, 2023

ATTACHMENT 1
FRANCISCO CORDOVA

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Cash and Cash Equivalents										
	Cash and Cash Equivalents	0.000		136,855.86	136,855.86	136,855.86	136,855.86	0.00	0.00	0.21
Total Cash and Cash Equivalents				136,855.86	136,855.86	136,855.86	136,855.86	0.00	0.00	0.21
Corporate Bonds										
90331HNV1	US BANK NA CINCINNATI 3.4% 24JUL2023 (CALLABLE 14JUL23)	3.400	07/24/2023	650,000.00	682,090.50	650,000.00	649,120.36	(879.64)	9,576.67	1.07
69349LAM0	PNC BANK NA 3.8% 25JUL2023 CALLABLE	3.800	07/25/2023	750,000.00	775,057.50	750,000.00	749,022.14	(977.86)	12,270.83	1.22
89236THA6	TOYOTA MOTOR CREDIT CORP 1.35% 25AUG2023	1.350	08/25/2023	1,000,000.00	1,006,650.00	1,000,620.97	994,747.93	(5,873.04)	4,687.50	1.58
02665WCT6	AMERICAN HONDA FINANCE 3.55% 12JAN2024	3.550	01/12/2024	600,000.00	654,468.00	609,629.70	593,413.72	(16,215.98)	9,940.00	1.03
17325FAS7	CITIBANK NA 3.65% 23JAN2024 (CALLABLE 23DEC23)	3.650	01/23/2024 12/23/2023	1,000,000.00	1,076,820.00	1,014,733.77	988,459.34	(26,274.43)	15,918.06	1.69
459200HU8	IBM CORP 3.625% 12FEB2024	3.625	02/12/2024	600,000.00	652,356.00	611,038.02	591,561.86	(19,476.16)	8,337.50	1.02
037833CU2	APPLE INC 2.85% 11MAY2024 (CALLABLE 11MAR24)	2.850	05/11/2024 03/11/2024	400,000.00	413,260.00	402,128.04	391,374.96	(10,753.08)	1,551.67	0.65
14913R2L0	CATERPILLAR FINL SERVICE 0.45% 17MAY2024	0.450	05/17/2024	1,000,000.00	998,760.00	999,595.18	957,200.20	(42,394.98)	537.50	1.57
06051GHL6	BANK OF AMERICA CORP 3.864% 23JUL2024 (CALLABLE 23JUL23)	3.864	07/23/2024 07/23/2023	800,000.00	856,216.00	801,634.60	799,019.62	(2,614.98)	13,481.07	1.34
931142DV2	WALMART INC 2.65% 15DEC2024 (CALLABLE 15OCT24)	2.650	12/15/2024 10/15/2024	950,000.00	1,009,812.00	975,056.38	915,260.54	(59,795.84)	1,048.96	1.58

ITEM 16.4 SECURITIES HELD

As of June 30, 2023

ATTACHMENT 1
FRANCISCO CORDOVA

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Corporate Bonds										
166764BW9	CHEVRON CORP 1.554% 11MAY2025 (CALLABLE 11APR25)	1.554	05/11/2025 04/11/2025	1,600,000.00	1,525,696.00	1,553,963.08	1,499,238.86	(54,724.22)	3,384.27	2.39
24422ETC3	JOHN DEERE CAPITAL CORP 3.4% 11SEP2025	3.400	09/11/2025	600,000.00	593,280.00	595,132.31	577,236.83	(17,895.48)	6,176.67	0.93
478160BY9	JOHNSON & JOHNSON 2.45% 01MAR2026 (CALLABLE 01DEC25)	2.450	03/01/2026 12/01/2025	1,000,000.00	949,330.00	949,851.83	944,411.35	(5,440.48)	8,098.61	1.49
023135BX3	AMAZON.COM INC 1% 12MAY2026 (CALLABLE 12APR26)	1.000	05/12/2026 04/12/2026	1,000,000.00	902,520.00	903,455.51	899,026.84	(4,428.67)	1,333.33	1.42
46625HRS1	JPMORGAN CHASE & CO 3.2% 15JUN2026 (CALLABLE 15MAR26)	3.200	06/15/2026 03/15/2026	1,000,000.00	949,700.00	960,230.51	952,858.75	(7,371.76)	1,333.33	1.49
24422EWD7	JOHN DEERE CAPITAL CORP 2.35% 08MAR2027	2.350	03/08/2027	600,000.00	553,404.00	553,752.25	549,353.44	(4,398.81)	4,386.67	0.87
437076CA8	HOME DEPOT INC 2.5% 15APR2027 (CALLABLE 15FEB27)	2.500	04/15/2027 02/15/2027	1,500,000.00	1,398,930.00	1,399,737.97	1,391,361.65	(8,376.32)	7,812.50	2.20
194162AN3	COLGATE-PALMOLIVE CO 3.1% 15AUG2027 (CALLABLE 15JUL27)	3.100	08/15/2027 07/15/2027	1,567,000.00	1,501,091.98	1,501,576.60	1,491,389.10	(10,187.50)	18,216.38	2.36
037833DB3	APPLE INC 2.9% 12SEP2027 (CALLABLE 12JUN27)	2.900	09/12/2027 06/12/2027	900,000.00	850,563.00	856,210.46	844,512.93	(11,697.53)	7,830.00	1.33
89236TKL8	TOYOTA MOTOR CREDIT CORP 5.45% 10NOV2027	5.450	11/10/2027	500,000.00	512,655.00	512,630.86	509,983.65	(2,647.21)	3,784.72	0.80
02665WED9	AMERICAN HONDA FINANCE 4.7% 12JAN2028	4.700	01/12/2028	600,000.00	611,328.00	610,984.73	595,039.94	(15,944.79)	13,160.00	0.96
Total Corporate Bonds				18,617,000.00	18,473,987.98	18,211,962.77	17,883,594.01	(328,368.76)	152,866.24	28.99

ITEM 16.4 SECURITIES HELD

As of June 30, 2023

ATTACHMENT 1
FRANCISCO CORDOVA

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Government Agencies										
3135G0U43	FANNIE MAE 2.875% 12SEP2023	2.875	09/12/2023	985,000.00	1,022,617.15	986,800.82	979,943.29	(6,857.53)	8,495.63	1.60
3133EKKU9	FEDERAL FARM CREDIT BANK 2.3% 08NOV2023	2.300	11/08/2023	1,100,000.00	1,122,682.00	1,101,838.69	1,088,170.73	(13,667.96)	3,654.44	1.76
3133EJ2B4	FEDERAL FARM CREDIT BANK 3% 06DEC2023	3.000	12/06/2023	1,250,000.00	1,339,837.50	1,264,492.92	1,236,643.88	(27,849.04)	2,500.00	2.10
3134GVP51	FREDDIE MAC 0.5% 15DEC2023 CALLABLE	0.500	12/15/2023	1,000,000.00	1,000,000.00	1,000,000.00	978,147.99	(21,852.01)	208.33	1.57
3133EKMx1	FEDERAL FARM CREDIT BANK 2.23% 23FEB2024	2.230	02/23/2024	2,100,000.00	2,129,174.84	2,104,134.88	2,057,939.16	(46,195.72)	16,520.58	3.34
3130AMQQ8	FEDERAL HOME LOAN BANK 0.35% 23APR2024 (CALLABLE 23SEP23)	0.350	04/23/2024 09/23/2023	1,000,000.00	999,000.00	999,714.70	958,664.20	(41,050.50)	68.06	1.57
3130A1XJ2	FEDERAL HOME LOAN BANK 2.875% 14JUN2024	2.875	06/14/2024	835,000.00	881,814.28	844,591.49	814,706.39	(29,885.10)	1,066.94	1.38
3135GAC90	FANNIE MAE 0.25% 15JUL2024 (CALLABLE 15OCT23)	0.250	07/15/2024 07/15/2023	500,000.00	500,000.00	500,000.00	473,506.59	(26,493.41)	572.92	0.78
3130AL2A1	FEDERAL HOME LOAN BANK 0.5% 10FEB2025 (CALLABLE 10AUG23)	0.500	02/10/2025 08/10/2023	1,000,000.00	1,002,860.00	1,000,000.00	926,481.68	(73,518.32)	1,944.44	1.57
3133ENP95	FEDERAL FARM CREDIT BANK 4.25% 30SEP2025	4.250	09/30/2025	1,150,000.00	1,151,759.50	1,151,323.30	1,135,887.12	(15,436.18)	12,218.75	1.81
3133EPMB8	FEDERAL FARM CREDIT BANK 4.125% 08DEC2025	4.125	12/08/2025	1,500,000.00	1,484,865.00	1,485,052.27	1,477,582.13	(7,470.14)	3,781.25	2.33
3133EPCF0	FEDERAL FARM CREDIT BANK 4.5% 02MAR2026	4.500	03/02/2026	1,100,000.00	1,120,416.00	1,118,722.78	1,097,293.97	(21,428.81)	16,225.00	1.76

ITEM 16.4 SECURITIES HELD

As of June 30, 2023

ATTACHMENT 1
FRANCISCO CORDOVA

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Government Agencies										
3133EPHH1	FEDERAL FARM CREDIT BANK 4% 28APR2026	4.000	04/28/2026	900,000.00	906,378.30	906,079.69	885,041.09	(21,038.60)	6,200.00	1.42
3130AN4T4	FEDERAL HOME LOAN BANK 0.875% 12JUN2026	0.875	06/12/2026	1,000,000.00	903,900.00	904,796.46	899,715.55	(5,080.91)	437.50	1.42
3133EPNG6	FEDERAL FARM CREDIT BANK 4.375% 23JUN2026	4.375	06/23/2026	1,000,000.00	1,000,360.00	1,000,356.68	996,681.15	(3,675.53)	850.69	1.57
3133ENV72	FEDERAL FARM CREDIT BANK 4.5% 27JUL2026	4.500	07/27/2026	1,000,000.00	998,761.20	998,981.92	996,369.81	(2,612.11)	19,125.00	1.57
3130APJH9	FEDERAL HOME LOAN BANK 1% 28OCT2026 (CALLABLE 28JUL23) #0006	1.000	10/28/2026 07/28/2023	1,300,000.00	1,178,866.00	1,193,451.89	1,180,527.95	(12,923.94)	2,238.89	1.85
3130ATUS4	FEDERAL HOME LOAN BANK 4.25% 10DEC2027	4.250	12/10/2027	1,200,000.00	1,206,438.70	1,205,934.29	1,195,883.21	(10,051.08)	2,833.33	1.89
3133EN5N6	FEDERAL FARM CREDIT BANK 4% 06JAN2028	4.000	01/06/2028	900,000.00	904,194.00	903,850.62	891,171.24	(12,679.38)	17,400.00	1.42
3130ATS57	FEDERAL HOME LOAN BANK 4.5% 10MAR2028	4.500	03/10/2028	1,000,000.00	1,014,989.00	1,014,065.19	1,009,635.46	(4,429.73)	13,750.00	1.59
3130AWC24	FEDERAL HOME LOAN BANK 4% 09JUN2028	4.000	06/09/2028	1,000,000.00	999,822.81	999,823.90	993,774.55	(6,049.35)	3,222.22	1.57
Total Government Agencies				22,820,000.00	22,868,736.28	22,684,012.49	22,273,767.14	(410,245.35)	133,313.97	35.89
Government Bonds										
91282CCN9	USA TREASURY 0.125% 31JUL2023	0.125	07/31/2023	750,000.00	742,795.48	749,605.41	747,092.73	(2,512.68)	388.47	1.17
9128282D1	USA TREASURY 1.375% 31AUG2023	1.375	08/31/2023	1,000,000.00	987,734.38	999,453.69	993,755.64	(5,698.05)	4,558.42	1.55

ITEM 16.4
SECURITIES HELDATTACHMENT 1
GERARDO CORDOVA

As of June 30, 2023

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Government Bonds										
912828T26	USA TREASURY 1.375% 30SEP2023	1.375	09/30/2023	1,000,000.00	985,940.85	999,169.81	990,509.71	(8,660.10)	3,418.72	1.55
912828T91	USA TREASURY 1.625% 31OCT2023	1.625	10/31/2023	500,000.00	512,638.39	502,078.24	494,101.56	(7,976.68)	1,346.81	0.80
91282CDM0	USA TREASURY 0.5% 30NOV2023	0.500	11/30/2023	1,200,000.00	1,191,894.65	1,198,207.92	1,176,375.00	(21,832.92)	491.80	1.87
912828W71	USA TREASURY 2.125% 31MAR2024	2.125	03/31/2024	1,000,000.00	1,019,143.98	1,003,257.79	976,093.75	(27,164.04)	5,283.47	1.60
91282CCG4	USA TREASURY 0.25% 15JUN2024	0.250	06/15/2024	900,000.00	894,413.17	898,197.63	856,933.60	(41,264.03)	92.21	1.40
912828YE4	USA TREASURY 1.25% 31AUG2024	1.250	08/31/2024	1,150,000.00	1,180,999.95	1,161,814.76	1,096,857.42	(64,957.34)	4,765.63	1.85
912828YH7	USA TREASURY 1.5% 30SEP2024	1.500	09/30/2024	900,000.00	929,077.23	911,901.14	858,726.56	(53,174.58)	3,356.56	1.46
912828YY0	USA TREASURY 1.75% 31DEC2024	1.750	12/31/2024	1,000,000.00	1,041,253.35	1,018,829.33	950,703.12	(68,126.21)	0.00	1.63
91282CGU9	USA TREASURY 3.875% 31MAR2025	3.875	03/31/2025	1,000,000.00	984,143.98	984,363.86	980,351.56	(4,012.30)	9,634.56	1.54
9128284M9	USA TREASURY 2.875% 30APR2025	2.875	04/30/2025	1,000,000.00	965,862.73	966,315.21	962,968.75	(3,346.46)	4,765.63	1.52
912828XZ8	USA TREASURY 2.75% 30JUN2025	2.750	06/30/2025	1,100,000.00	1,059,999.78	1,060,804.07	1,055,312.50	(5,491.57)	0.00	1.66
912828Y79	USA TREASURY 2.875% 31JUL2025	2.875	07/31/2025	1,000,000.00	964,534.60	964,948.59	961,367.19	(3,581.40)	11,912.98	1.51

ITEM 16.4
SECURITIES HELD

As of June 30, 2023

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Government Bonds										
91282CAJ0	USA TREASURY 0.25% 31AUG2025	0.250	08/31/2025	1,400,000.00	1,279,250.00	1,317,807.08	1,270,171.87	(47,635.21)	1,160.33	2.01
9128285J5	USA TREASURY 3% 31OCT2025	3.000	10/31/2025	750,000.00	739,660.72	742,375.00	721,347.66	(21,027.34)	3,729.62	1.16
9128285N6	USA TREASURY 2.875% 30NOV2025	2.875	11/30/2025	1,000,000.00	962,347.10	962,726.58	958,437.50	(4,289.08)	2,356.56	1.51
912828YD6	USA TREASURY 1.375% 31AUG2026	1.375	08/31/2026	1,000,000.00	913,909.60	914,573.54	909,921.88	(4,651.66)	4,558.42	1.43
91282CCZ2	USA TREASURY 0.875% 30SEP2026	0.875	09/30/2026	1,000,000.00	899,612.73	900,450.69	894,687.50	(5,763.19)	2,175.55	1.41
91282CDK4	USA TREASURY 1.25% 30NOV2026	1.250	11/30/2026	1,000,000.00	906,487.73	907,230.48	900,976.56	(6,253.92)	1,024.59	1.42
91282CDQ1	USA TREASURY 1.25% 31DEC2026	1.250	12/31/2026	1,000,000.00	904,104.91	904,774.46	900,000.00	(4,774.46)	0.00	1.42
91282CEC1	USA TREASURY 1.875% 28FEB2027	1.875	02/28/2027	1,000,000.00	922,698.66	923,271.69	916,640.62	(6,631.07)	6,216.03	1.45
91282CEW7	USA TREASURY 3.25% 30JUN2027	3.250	06/30/2027	1,300,000.00	1,255,875.45	1,255,935.77	1,250,234.38	(5,701.39)	0.00	1.97
Total Government Bonds				22,950,000.00	22,244,379.42	22,248,092.74	21,823,567.06	(424,525.68)	71,236.36	34.91
Grand total				64,523,855.86	63,723,959.54	63,280,923.86	62,117,784.07	(1,163,139.79)	357,416.57	100.00

MEMORANDUM



ITEM 16.5.

DATE: September 5, 2023
TO: Honorable Mayor and Council Members
FROM: Russell Ducharme, Neighborhood Services Manager
SUBJECT: **A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT NO. 2023-199 WITH BIO-ONE OF SACRAMENTO FOR A THREE-YEAR TERM IN AN AMOUNT NOT TO EXCEED \$1,000,000 FOR BIOHAZARD AND NON-BIOHAZARD CLEAN-UP SERVICES THROUGHOUT THE CITY**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution would authorize the City Manager to execute Contract No. 2023-199 with Bio-One of Sacramento for a three-year term in an amount not to exceed \$1,000,000.

BACKGROUND

Bio-One of Sacramento provides the City of Rancho Cordova with scheduled and on-call biohazard and non-biohazard clean-up services under an existing contract which expires on September 30, 2023. Other duties performed include shopping cart retrieval, trash and debris removal, abatement of illegal dumping, and clearing of brush and vegetation.

The parties have agreed to enter into a new three-year contract for the purpose of providing scheduled and on-call biohazard and non-biohazard clean-up and other requested services throughout the City seven days a week. The new General Services Agreement will go into effect on August 6, 2023, and expire on June 30, 2026, in an amount not to exceed \$1,000,000.

FISCAL IMPACT AND FUNDING SOURCE

Funding from tax Measure R will be used to fund the contract.

ATTACHMENT(S)

1. Resolution
2. Final Bio-One Agreement 8.7.23 - 6.30.26

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT NO. 2023-199 WITH BIO-ONE OF SACRAMENTO FOR A THREE-YEAR TERM IN AN AMOUNT NOT TO EXCEED \$1,000,000 FOR BIOHAZARD AND NON-BIOHAZARD CLEAN-UP SERVICES THROUGHOUT THE CITY

WHEREAS, the City of Rancho Cordova and Bio-One Sacramento ("Parties") entered into General Services Agreement ("GSA") (Contract No. 2022-207) dated October 1, 2022, expiring September 30, 2023, for the purpose of biohazard and non-biohazard clean-up services throughout the City; and

WHEREAS, the GSA provided for a payment to Bio-One in an amount not to exceed \$100,000; and

WHEREAS, an amendment to the GSA (Contract No. 2022-207-1) executed on April 17, 2023, increased the contract amount by \$125,000, totaling \$225,000 to accommodate increased services during weekends; and

WHEREAS, the Parties have agreed to enter into a new three-year contract, starting August 6, 2023, expiring on June 30, 2026, for the purpose of biohazard and non-biohazard clean-up services throughout the City; and

WHEREAS, the new GSA will provide for a payment to Bio-One in an amount not to exceed \$1,000,000.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does hereby authorize the City Manager or his designee to execute Contract No. 2023-199 with Bio-One of Sacramento for a three-year term in an amount not to exceed \$1,000,000 for biohazard and non-biohazard clean-up services throughout the City.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 5th day of September 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ITEM 16.5.

ATTACHMENT 1

ATTEST:

Stacy Leitner, CMC
City Clerk

Linda Budge, Mayor

**ON-CALL GENERAL SERVICES AGREEMENT BETWEEN
THE CITY OF RANCHO CORDOVA AND BIO-ONE**

THIS AGREEMENT (hereinafter referred to as "Agreement") is made by and between the City of Rancho Cordova, a California municipal corporation, (herein "City") and Bio-One, (herein "Contractor"), as of August 06, 2023.

Section 1. SERVICES. Subject to the terms and conditions set forth in this Agreement, Contractor shall provide to City the services described in the Scope of Work attached as Exhibit A ("Services") at the time and place and in the manner as specified therein. In the event of a conflict or inconsistency between the terms of this Agreement and Exhibit A, the Agreement shall prevail.

Section 2. TERM. The term of this Agreement shall begin on the date first noted above and shall end on June 30, 2026, unless the term of this Agreement is otherwise terminated as provided for in Section 10. The time provided to Contractor to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as provided for in Section 10.

Section 3. CONTRACT ADMINISTRATOR. This Agreement shall be administered by Russ Ducharme ("Contract Administrator"). All correspondence shall be directed to or through the Contract Administrator or his or her designee.

Section 4. COMPENSATION OF CONTRACTOR. The Contractor shall be paid not to exceed One Million Dollars (\$1,000,000) for performance of the Services pursuant to this Agreement. The Contractor shall submit invoices to the City Finance Director on a monthly basis detailing the Services performed. In the event of a conflict between this Agreement and Contractor's Exhibit A regarding the amount of compensation, the Agreement shall prevail. Upon receipt and approval of the Contractor's invoices, the City shall remit payment to the Contractor for Services provided within thirty (30) days. Payment to Contractor shall be considered as full compensation for performing the Services.

City's failure to discover or object to any unsatisfactory work or billing prior to payment will not constitute a waiver of City's right to request Contractor to correct such work or billings or seek any other legal remedy.

Section 5. PERFORMANCE STANDARDS.

A. Contractor shall comply with all applicable laws now in force or which may hereafter be in force with regard to the provision of Services and this Agreement.

B. Contractor represents that it has the skills, expertise, licenses and permits necessary to perform the Services. Contractor shall perform all such Services in the manner and according to the standards observed by a competent practitioner of the same profession in which Contractor is engaged and in accordance with applicable industry standards. Permits and/or licenses shall be obtained and maintained by Contractor without additional compensation throughout the term of this Agreement.

Section 6. STATUS OF CONTRACTOR

6.1 INDEPENDENT CONTRACTOR. At all times during the term of this Agreement, Contractor shall be an independent contractor as defined in Labor Code Section 3353, and shall not be an employee of City. Nothing contained in this Agreement shall be construed

to be inconsistent with the foregoing relationship or status. City shall have the right to control Contractor only insofar as the results of Contractor's services rendered pursuant to this Agreement and assignment of personnel; however, otherwise City shall not have the right to control the means and methods by which Contractor accomplishes services rendered pursuant to this Agreement. Contractor shall have no power or authority by this Agreement to bind the City in any respect. All employees and agents hired or retained by Contractor are employees and agents of Contractor and not of the City. The City shall not be obligated in any way to pay any wage claims or other claims made against Contractor by any such employees or agents, or any other person resulting from performance of this Agreement.

Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Contractor and any of its employees, agents, and subcontractors providing services under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in PERS as an employee of City and entitlement to any contribution to be paid by City for employer contributions and/or employee contributions for PERS benefits. Contractor shall not allow any employee, agent or subcontractor to become eligible for a claim for PERS benefits.

- 6.2 Contractor Not an Agent.** Except as City may specify in writing, Contractor shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Contractor shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

Section 7. INSURANCE REQUIREMENTS. Prior to beginning any Service under this Agreement, Contractor, at its own cost and expense, shall procure insurance coverage at such levels of coverage, scope, limits, and/or forms as set forth in Exhibit B ("Insurance Requirements") hereto. Contractor shall provide proof satisfactory to City of such insurance and maintain the insurance throughout the term of this Agreement.

Section 8. INDEMNIFICATION AND CONTRACTOR'S RESPONSIBILITIES.

- 8.1 General Requirement.** Contractor shall indemnify, defend with counsel selected by the City, and hold harmless City, its officers, agents, employees and representatives from and against any and all claims, losses, liabilities or damages, demands and actions, including payment of reasonable attorney's fees, arising out of or resulting from Services performed pursuant to this Agreement caused in whole or in part by any negligent or willful act or omission of Contractor, its officers, agents, employees, or anyone directly or indirectly acting on behalf of Contractor. The foregoing obligation of Contractor shall not apply when (1) the injury, loss of life, damage to property, or violation of law arises wholly from the negligence or willful misconduct of the City or its officers, employees, agents, or volunteers and (2) the actions of Contractor or its employees, subcontractor, or agents have contributed in no part to the injury, loss of life, damage to property, or violation of law. It is understood that the duty of Contractor to indemnify and hold harmless includes the duty to

defend as set forth in Section 2778 of the California Civil Code. Acceptance by City of insurance certificates and endorsements required under this Agreement does not relieve Contractor from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall apply to any damages or claims for damages whether or not such insurance policies shall have been determined to apply. By execution of this Agreement, Contractor acknowledges and agrees to the provisions of this Section and that it is a material element of consideration.

- 8.2 PERS Indemnification.** In the event that Contractor or any employee, agent, or subcontractor of Contractor providing Services under this Agreement is determined by a court of competent jurisdiction of the California Public Employees Retirement System ("PERS") to be eligible for enrollment in PERS as an employee of City, Contractor shall indemnify, defend, and hold harmless City for the payment of any and all employee and/or employer contributions for PERS benefits on behalf of Contractor or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City, and any attorneys' fees and costs incurred by the City to enforce this Section.

Section 9. NONDISCRIMINATION AND EQUAL OPPORTUNITY. Contractor shall not discriminate, on the basis of a person's race, religion, color, national origin, age, physical or mental handicap or disability, medical condition, marital status, sex, or sexual orientation, against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by Contractor under this Agreement. Contractor shall comply with all applicable federal, state, and local laws, policies, rules, and requirements related to equal opportunity and nondiscrimination in employment, contracting, and the provision of any services that are the subject of this Agreement, including but not limited to the satisfaction of any positive obligations required of Contractor thereby. Contractor shall include the provisions of this section in any subcontract approved by the City.

Section 10. AMENDMENTS. No modification or amendment of this Agreement is effective unless made in writing and signed by both the City and Contractor.

Section 11. ASSIGNMENT AND SUBCONTRACTING. Contractor shall not assign or transfer any interest in this Agreement without the prior written consent of the City.

Section 12. TERMINATION. Either party may terminate this Agreement without cause, upon 60 days written notice to the other party. In the event of termination, Contractor shall be entitled to payment for Services then satisfactorily completed. Contractor shall not be entitled to any claim against City for any additional compensation or damages in the event of such termination.

Section 13. NOTICES. All notices that are regarding this Agreement shall be in writing and shall be deemed to have been given if delivered personally or enclosed in a properly addressed envelope and deposited in a United States Post Office for delivery by registered or certified mail addressed to the parties at the following addresses:

City: City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670
ATTN: Finance Director

Contractor: seth@bioonesacramentoca.com

Section 14. GOVERNING LAW AND VENUE. The laws of the State of California shall govern this Agreement. Venue for any action regarding this Agreement shall be in the Superior Court of the County of Sacramento or in the United States District Court for the Eastern District of California.

Section 15. ATTORNEYS' FEES. If a Party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provisions of this Agreement, the prevailing Party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that Party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

Section 16. SEVERABILITY. If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

Section 17. NO IMPLIED WAIVER OF BREACH. The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.

Section 18. SURVIVAL. The obligations of this Agreement, which by their nature would continue beyond the term or expiration of the Agreement, including without limitation obligations regarding indemnification shall survive the term or expiration of this Agreement.

Section 19. IRS Form W-9. Contractor shall complete and submit Internal Revenue Service Form W-9 to the City before execution of this Agreement. The City's Finance Director shall have authority to waive this requirement.

Section 20. ENTIRE AGREEMENT. This Agreement, including the scope of work attached hereto and incorporated herein as Exhibit A, and the insurance requirements attached hereto and incorporated herein as Exhibit B, represents the entire and integrated Agreement between City and Contractor and supersedes all prior negotiations, representations, and Agreements regarding the subject matter of this Agreement, either written or oral.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year set forth above, which date shall be considered the effective date of this Agreement.

ITEM 16.5.

ATTACHMENT 2
CONTRACT NO.: 2023-199

CITY OF RANCHO CORDVA

CONTRACTOR

By: _____
Micah Runner, City Manager

By: _____
Seth Ramey, President

Date: _____

Date: _____

APPROVED AS TO FORM:

By: _____
Adam U. Lindgren, City Attorney

ATTEST:

By: _____
Stacy Leitner, CMC, City Clerk

Scope of Work

Bio-One of Sacramento will provide the City of Rancho Cordova with the following services:

- scheduled and on call services
- biohazard and non-biohazard cleanup
- cleanup of trash and debris throughout the city
- clearing of brush and vegetation
- any other duties assigned to our team by the Neighborhood Services Manager or a representative of the city.



Bio-One of Sacramento

2121 Natomas Crossing Dr., Suite 200-421, Sacramento, CA 95834

916-833-2461 / info@bioonesacramentoca.com / bioonesacramentoca.com

Pricing Guide for Rancho Cordova Neighborhood Services & Public Works

Updated and effective 08/06/2023 – 06/30/2026

- 7 days/week, 7:00am-3:30pm, 52 weeks/year:
 - 2 Dedicated Employees, \$55/hour per employee
 - Pickup truck
 - Dump trailer
 - Gas
 - All associated insurance such as liability, workers compensation, etc.

*The following days are Rancho Cordova holidays, and in turn, our employees will be scheduled off with pay, and Bio-One will invoice Rancho Cordova for these holidays

- New Year's Day
- Martin Luther King Jr. Day
- Washington's Birthday
- Cesar Chavez Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving
- Christmas

ON CALL SERVICES:

- Biohazard Service, billed on a time and material basis:
 - One hour of roundtrip travel: \$150
 - First hour onsite: \$300/hr
 - Each additional hour: \$250/hr
 - Most common material costs:
 - Bio-One proprietary chemicals: \$50/gal billed in ¼ gal increments
 - Biohazard suit: \$40/ea, each lasts approximately 3 hours
 - Respirator filters: \$50/job
 - Gloves: \$5/job
 - HEPA vacuum usage (if indoors for odor): \$100/job
 - Air scrubber (if indoors for odor): \$100/job

- Dump fees: \$200/dump trailer, approximately 12 cubic yards, billed as full trailer
 - Biohazard disposal: \$200/red bin
-
- Non-Biohazard Service, billed on a time and material basis:
 - One hour of roundtrip travel: \$150
 - First hour onsite: \$250/hr
 - Each additional hour: \$200/hr
 - Most common material costs:
 - Bio-One proprietary chemicals: \$50/gal billed in ¼ gal increments
 - Respirator filters: \$50/job
 - Non-respirator masks: \$10/job
 - Gloves: \$5.00/job
 - Dump fees: \$200/dump trailer, approximately 12 cubic yards, billed as full trailer
-
- Patrol Vehicles:
 - Non-biohazard: \$150/each, \$125/each if you have 2 or more onsite
 - Biohazard: \$200/each, \$170/each if you have 2 or more onsite

EXHIBIT B
INSURANCE REQUIREMENTS

Before beginning any work under this Agreement, Contractor, at its own cost and expense, shall procure "occurrence coverage" insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Professional and its agents, representatives, employees, and subcontractors. Contractor shall provide proof satisfactory to City of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects to the City. Professional shall maintain the insurance policies required by this section throughout the term of this Agreement. The cost of such insurance shall be included in the Contractor's bid. Contractor shall not allow any subcontractor to commence work on any subcontract until Contractor has obtained all insurance required herein for the subcontractor(s) and provided evidence thereof to City. Verification of the required insurance shall be submitted and made part of this Agreement prior to execution. Contractor shall maintain all required insurance listed herein for the duration of this Agreement.

1. **Workers' Compensation.** Contractor shall, at its sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Contractor. The Statutory Workers' Compensation Insurance and Employer's Liability Insurance shall be provided with limits of not less than ONE MILLION DOLLARS (\$1,000,000.00) per accident. In the alternative, Contractor may rely on a self-insurance program to meet those requirements, but only if the program of self-insurance complies fully with the provisions of the California Labor Code. Determination of whether a self-insurance program meets the standards of the Labor Code shall be solely in the discretion of the Contract Administrator. The insurer, if insurance is provided, or the Contractor, if a program of self-insurance is provided, shall waive all rights of subrogation against the City and its officers, officials, employees, and volunteers for loss arising from work performed under this Agreement.

An endorsement shall state that coverage shall not be canceled except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City. Contractor shall notify City within fourteen (14) days of notification from Contractor's insurer if such coverage is suspended, voided or reduced in coverage or in limits.

The requirement to maintain Statutory Worker's Compensation and Employer's Liability Insurance insurance may be waived by the City upon written verification that Contractor does not have any employees.

2. **Commercial General and Automobile Liability Insurance.**

- 2.1 **General requirements.** Contractor, at its own cost and expense, shall maintain commercial general liability insurance for the term of this Agreement in an amount not less than TWO MILLION DOLLARS (\$2,000,000.00) and automobile liability insurance for the term of this Agreement in an amount not less than ONE MILLION DOLLARS (\$1,000,000.00). The commercial general liability and automobile liability insurance shall be per occurrence, combined single limit coverage for risks associated with the work contemplated by this Agreement. If a commercial general liability insurance or an automobile liability form or other form with a general

aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit. Such coverage shall include but shall not be limited to, protection against claims arising from bodily and personal injury, including death resulting therefrom, and damage to property resulting from activities contemplated under this Agreement, including the use of owned and non-owned automobiles.

2.2 Minimum scope of coverage. Commercial general liability coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 (most recent edition) covering comprehensive General Liability on an "occurrence" basis. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001 (most recent edition), Code 1 (any auto). No endorsement shall be attached limiting the coverage.

2.3 Additional requirements. Each of the following shall be included in the insurance coverage or added as an endorsement to the policy:

- a. City and its officers, employees, agents, and volunteers shall be covered as additional insureds with respect to each of the following: liability arising out of activities performed by or on behalf of Contractor, including the insured's general supervision of Contractor; products and completed operations of Contractor; premises owned, occupied, or used by Contractor; and automobiles owned, leased, or used by the Contractor. The coverage shall contain no special limitations on the scope of protection afforded to City or its officers, employees, agents, or volunteers.
- b. The insurance shall cover on an occurrence or an accident basis, and not on a claims-made basis.
- c. An endorsement must state that coverage is primary insurance with respect to the City and its officers, officials, employees and volunteers, and that no insurance or self-insurance maintained by the City shall be called upon to contribute to a loss under the coverage.
- d. Any failure of Contractor to comply with reporting provisions of the policy shall not affect coverage provided to City and its officers, employees, agents, and volunteers.
- e. An endorsement shall state that coverage shall not be canceled except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City. Contractor shall notify City within fourteen (14) days of notification from Contractor's insurer if such coverage is suspended, voided or reduced in coverage or in limits.

3. All Policies Requirements.

- 3.1 **Acceptability of insurers.** All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.
- 3.2 **Verification of coverage.** Prior to beginning any work under this Agreement, Contractor shall furnish City with certificates of insurance and with original endorsements effecting coverage required herein. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The City reserves the right to require complete, certified copies of all required insurance policies, at any time.
- 3.3 **Subcontractors.** Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.
- 3.4 **Deductibles and Self-Insured Retentions.** Contractor shall disclose to and obtain the approval of City for the self-insured retentions and deductibles before beginning any of the services or work called for by any term of this Agreement.
- During the period covered by this Agreement, only upon the prior express written authorization of Contract Administrator, Contractor may increase such deductibles or self-insured retentions with respect to City, its officers, employees, agents, and volunteers. The Contract Administrator may condition approval of an increase in deductible or self-insured retention levels with a requirement that Contractor procure a bond, guaranteeing payment of losses and related investigations, claim administration, and defense expenses that is satisfactory in all respects to each of them.
- 3.5 **Waiver of Subrogation.** Contractor hereby agrees to waive subrogation which any insurer or contractor may require from vendor by virtue of the payment of any loss. Consultant agrees to obtain any endorsements that may be necessary to effect this waiver of subrogation. The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the entity for all work performed by the Contractor, its employees, agents, and subcontractors.
- 3.6 **Notice of Reduction in Coverage.** In the event that any coverage required by this section is reduced, limited, or materially affected in any other manner, Contractor shall provide written notice to City at Contractor's earliest possible opportunity and in no case later than five (5) days after Contractor is notified of the change in coverage.

4. **Remedies.** In addition to any other remedies City may have if Contractor fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option exercise any of the following remedies, which are alternatives to other remedies City may have and are not the exclusive remedy for Contractor's breach:
- Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;
 - Order Contractor to stop work under this Agreement or withhold any payment that becomes due to Contractor hereunder, or both stop work and withhold any payment, until Contractor demonstrates compliance with the requirements hereof; and/or
 - Terminate this Agreement.

MEMORANDUM



ITEM 16.6.

DATE: September 5, 2023
TO: Honorable Mayor and Council Members
FROM: Stefan Heisler, Senior Management Analyst I
SUBJECT: **A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL FOR THE EQUITABLE COMMUNITY REVITALIZATION GRANT PROGRAM (ECRG) FOR SITE-SPECIFIC CLEAN UP ACTIVITIES AT 10153 FOLSOM BOULEVARD**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution would authorize the City Manager to execute the Equitable Community Revitalization Grant (ECRG) program Grant Agreement to receive \$3,103,265 in funding for site-specific clean up activities at 10153 Folsom Boulevard from the California Department of Toxic Substances Control (DTSC).

BACKGROUND

City staff applied to the ECRG program in April 2022 for the purpose of removing remaining contaminants from a former dry cleaning business at the City-owned site at 10153 Folsom Boulevard where the future Mills Crossing Project is currently planned. The City received an award letter in May 2023 for the City's application amount of \$3,103,265. There is no local match requirement. A City Council resolution is required to execute the Grant Agreement to receive this funding.

The ECRG program requires all funding to be expended within two years. Staff anticipates the clean up activities will be conducted and the ECRG funding will be fully expended in 2024.

FISCAL IMPACT AND FUNDING SOURCE

Funding for this project will consist of \$3,103,265 from the ECRG program and the remaining of the project funding from the City's General Fund. This project is included in the City's current approved Fiscal Year 2023-2028 Capital Improvement Plan.

ATTACHMENT(S)

1. Resolution

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT
AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES
CONTROL FOR THE EQUITABLE COMMUNITY REVITALIZATION GRANT PROGRAM
(ECRG) FOR SITE-SPECIFIC CLEAN UP ACTIVITIES AT 10153 FOLSOM BOULEVARD**

WHEREAS, the California Department of Toxic Substances Control (DTSC) launched the Full Application for ECRG Round 1 ("Program") on January 31, 2022; and

WHEREAS, the City of Rancho Cordova, a California municipal corporation ("City"), applied for Program grant funds in April 2022 by submitting an application for Program funds ("Application") to the DTSC for review and consideration for site-specific clean up at 10153 Folsom Boulevard; and

WHEREAS, the City was notified on May 17, 2023, by DTSC that the City's Application was awarded in the amount of \$3,103,265; and

WHEREAS, Program funding allocations are subject to the terms and conditions of the ECRG Program Guidelines, the Application, Grant Agreement ("Grant Agreement"), and all other legal requirements of the Program; and

WHEREAS, the City is required to execute the Grant Agreement with the Department to receive Program grant funds.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA as follows:

1. The City Manager, or his designee, of the City of Rancho Cordova is authorized to enter into, execute, and deliver, in a form approved by the City Attorney, a DTSC ECRG Grant Agreement for the amount of \$3,103,265, and any and all other documents required or deemed necessary or appropriate to evidence and secure the ECRG grant, the City's obligations related thereto, and all amendments thereto.
2. The City shall be subject to the terms and conditions as specified in the Program Guidelines and the Grant Agreement provided by the DTSC. The Application and any and all accompanying documents are incorporated in full as part of the Grant Agreement. Any and all activities funded, information provided, and timelines represented in the Application will be enforceable through the executed Grant Agreement. Pursuant to the Program Guidelines and in conjunction with the terms of the Grant Agreement, the City Council hereby agrees to use the funds for eligible uses and allowable expenditures in the manner presented and specifically identified in the approved Application.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 5th day of September 2023 by the following vote:

ITEM 16.6.

ATTACHMENT 1

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Stacy Leitner, CMC
City Clerk

Linda Budge, Mayor

MEMORANDUM



ITEM 18.1.

DATE: September 5, 2023

TO: Honorable Mayor and Council Members

FROM: Nicholas Sosa, Associate Planner

SUBJECT: **JACKSON PROPERTIES WAREHOUSE STORAGE BUILDING – MAJOR DESIGN REVIEW (CEQA EXEMPT PURSUANT TO SECTION 15183. PROJECTS CONSISTENT WITH A COMMUNITY PLAN OR ZONING) – PROJECT NO. PLND-0622-0044**

PROPERTY OWNER:	APPLICANT/DEVELOPER:
JPI XXIX, L.P.	Nacht & Lewis Architects
Vincent Fugina	Mike Smith
155 Cadillac Drive, Suite 100	600 Q Street, Suite 100
Sacramento, CA 95825	Sacramento, CA 95811

PROJECT:	Jackson Properties Warehouse Storage Building – Major Design Review
FILE:	PLND-0622-0044
LOCATION:	10391 Peter A McCuen Boulevard, Mather, CA 95655
APN:	077-0420-001
PLANNER:	Nicholas Sosa, Associate Planner

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Determine the project Exempt per Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) per the CEQA Guidelines and approve the Applicant's request for a Major Design Review for a 118,748 SF industrial building as proposed within the project plans.

PROJECT BACKGROUND

The project is proposed on a 7.8+/- acre parcel located at 10391 Peter A McCuen Boulevard. The project site is within the Commercial/Office Park Subarea of the Campus District within the Mather Field Special Planning Area (MFSPA). The MFSPA was originally approved and implemented by Sacramento County in 1997. The intentions of the MFSPA are to convert the area from a military air base to a mixture of commercial, office, and public areas while also providing a cohesive design and integration into the surrounding community. Because the

MFSPA was approved when the area was under the jurisdiction of the County, any development standards and/or guidelines not listed in the MFSP would defer to the 2003 Sacramento County Code as the appropriate regulating document.

The project is located near the intersection of Peter A McCuen Boulevard and Mather Boulevard, adjacent to the existing airport. The project is surrounded by existing office buildings mostly occupied by the California Office of Emergency Services as shown in **Figure 1** and listed in **Table 1** below.

Figure 1: Project Location



Table 1: Surrounding Designations and Existing Uses

Location	Existing Use	General Plan Designation	Zoning Designation
Subject Site	Undeveloped lot	Office Mixed Use (OMU)	Commercial/Office Park Subarea of the MFSPA
North	Cal OES Main Building	Office Mixed Use (OMU)	Commercial/Office Park Subarea of the MFSPA
South	Cal OES Buildings D & E	Office Mixed Use (OMU)	Commercial/Office Park Subarea of the MFSPA
East	Cal OES Building F	Office Mixed Use (OMU)	Commercial/Office Park Subarea of the MFSPA
West	Central Valley Training & Salvation Army Ranch Cordova	Office Mixed Use (OMU)	Office Industrial Mixed Use (OIMU)

The project is located outside of the Mather Field Approach/Departure safety zones as well as any Mather Field Noise Contours. The project is located within the Mather Field Overflight Zone which encapsulates the surrounding area of the Mather Field runway, however, warehousing and storage is listed as a compatible use within this area.

Under Section 603-16 DESIGN REVIEW subsection (E)(ii) of the MFSPA, the project exceeds 75,000 SF and therefore is considered a Design Review Level II. The City Council (equivalent to the Board of Supervisors) is considered the approval authority for Design Review Level II applications and therefore this project has been brought to City Council for a final determination.

GENERAL PLAN CONSISTENCY

The project site is located within the Office Mixed Use (OMU) designation of the City's General Plan. The General Plan compares the OMU designation to zoning designations such as Office Professional Mixed Use (OPMU) and Office Industrial Mixed Use (OIMU) within the City's Municipal Code. The proposed shell industrial building would be consistent with structures and uses envisioned within the OMU land use designation and compatible with future buildings within the same General Plan designation. The Office Mixed-Use category encourages the integration of commercial and/or residential uses in conjunction with office use of the site. Office uses are the predominant use, but others may be included in a vertical or horizontal configuration. The proposed warehouse building with loading docks does add a light industrial type structure to the area however, this area of the Mather Field Special Planning Area continues to maintain a predominantly office use.

ZONING ORDINANCE

This project is located within the Commercial/Office Park Subarea of the Campus District within the MFSPA and was reviewed for consistency with all applicable standards and guidelines applicable to this area. Any standards not provided within the SPA are to be found within the Sacramento County Code. For permitted uses, the Commercial/Office Park Subarea is comparable to the Industrial Office Park (MP), Business & Professional Office (BP), Shopping Center Commercial (SC), and General Commercial (GC) zones within the Sacramento County Code. The proposed project does not have a designated user at this time, therefore the project has been considered as "wholesaling and warehousing" which is allowed by right in this zoning designation. Any future tenants that are not a warehousing and storage use, will be reviewed for consistency with Sacramento County Code land use tables and any necessary permits will be required to be obtained at that time.

ANALYSIS

Future Uses and Tenants

This project is only for a shell building and does not include specific uses at this time and therefore no use permits have been included with this project. As a shell building, the project has been reviewed as a "wholesaling and warehousing" use which is permitted by right within the BP zoning designation which is one of the comparable underlying zones for the Commercial Office Park Subarea of the MFSPA. Any future tenants that are utilizing the building for a use other than wholesaling and warehousing at this location will be required to obtain the appropriate use permits from the Planning Department and will be subject to additional review at that time.

Major Design Review

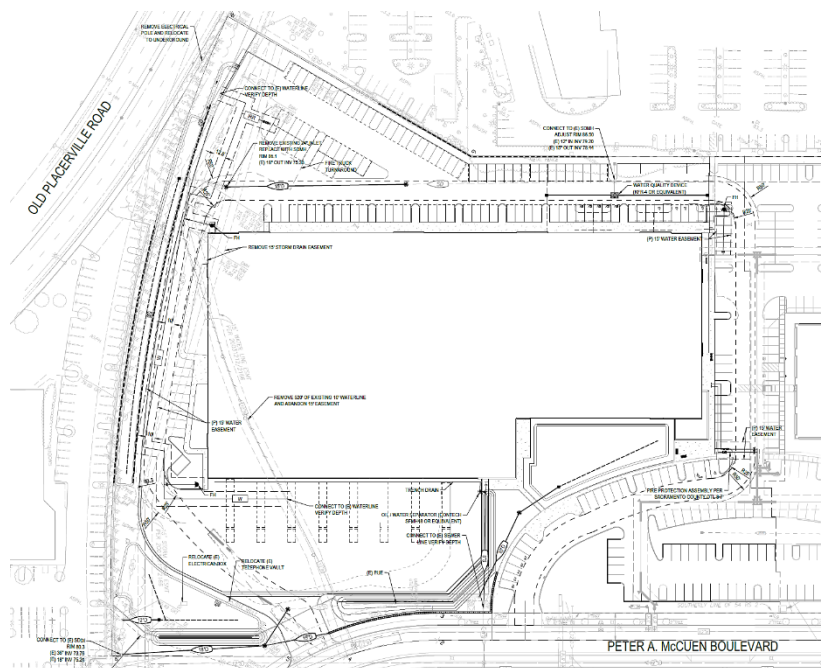
The Applicant submitted an application for a Major Design Review on June 2, 2022, for the construction of a new 118,748 SF warehouse/storage building with accessory office spaces and 9 loading dock areas, as well as required parking and landscaping improvements.

Site Design and Parking

The proposed project includes a 118,748 SF warehouse/storage building located between Peter A McCuen Boulevard and Old Placerville Road. The site plan is integrated directly into the parking area of the adjacent existing Cal OES Building F with shared parking and front landscaping. The site provides a total of 2 access points to Peter A McCuen Boulevard, one for truck traffic and another for passenger vehicles. There are no access points to Old Placerville Road.

The property will have a shared connection with the parking lot of the adjacent building. However, the property is providing more than adequate parking on-site for their facility. At 117,170 SF, the project is mostly warehouse/storage area with 1,578 SF of accessory office space at the lobby entrance. With a parking requirement of 0.5 spaces per 1,000 SF, the facility would require a minimum of 59 parking spaces for their warehouse component. In addition, a parking of 4.5 spaces per 1,000 SF is required for office spaces which would add an additional 7 parking spaces required for a total of 66 spaces required. As proposed the site is providing 166 on-site parking spaces which is more than adequate to serve the project as a shell warehouse/storage use. Future tenants that are outside of a warehouse/storage use would require parking to be re-evaluated to ensure that parking continues to be sufficient.

Figure 2: Project Site Plan



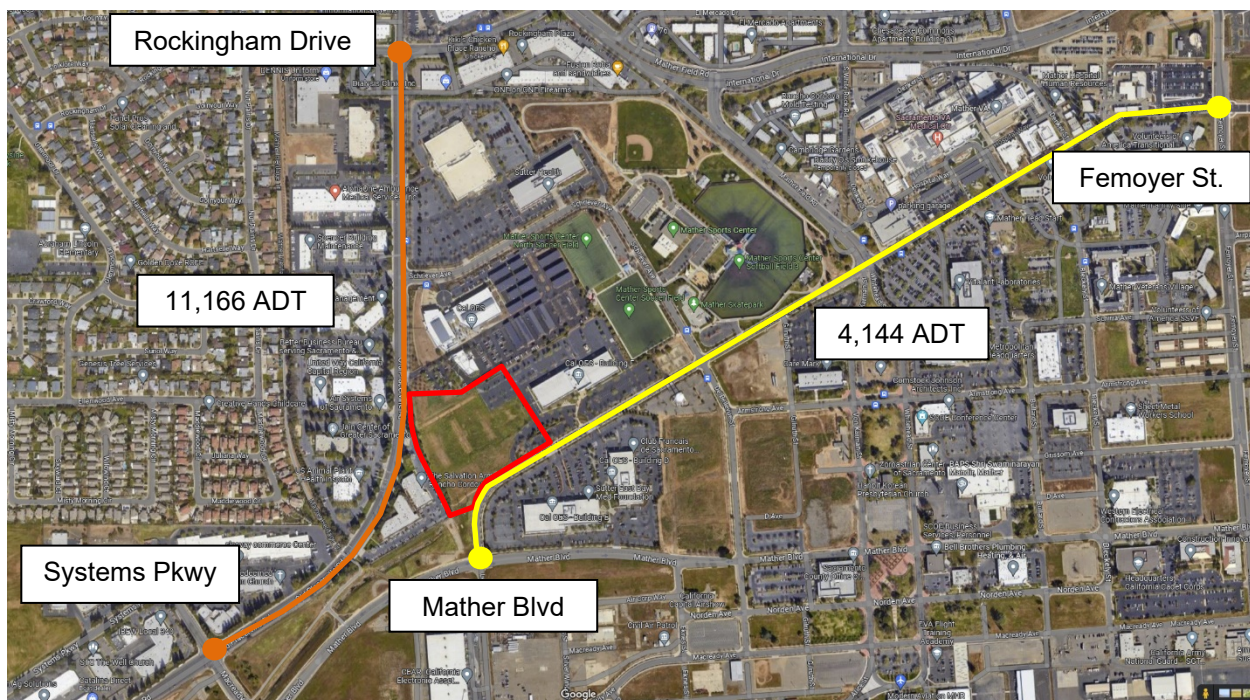
Loading Docks

The project has proposed a total of 9 loading docks oriented along Peter A. McCuen Boulevard, adjacent to the main entrance to the building. The Mather Field Special Planning Area design guidelines for the Campus District encourages loading dock areas to be placed behind the building in the rear when feasible to minimize visibility from the public right-of-way, however both front and rear of the proposed building are visible from either Old Placerville Road or Peter A McCuen Boulevard. Given the shape of the site, providing loading docks in the rear of the building was determined to be less feasible as the project was unable to maintain the proper turning radii for trucks and also the site does not have direct access to Old Placerville Road. Loading docks in the rear for this site, would also be susceptible to higher visibility from pedestrians and motorists along Old Placerville Road. Staff took into consideration the most recent traffic counts available for Old Placerville Road and for Peter A McCuen Boulevard to assess which road is more heavily traveled by vehicles (See **Table 2** and **Figure 3**).

Table 2: Right-of-Way Traffic Counts

Right-of-Way	Date Obtained	Average Daily Traffic (ADT) includes both directions	Roadway Segments
Old Placerville Road	2022	11,166 vehicles	Between Rockingham Dr. & Systems Pkwy
Peter A McCuen Boulevard	2013	4,144 vehicles	Between Mather Blvd. & Femoyer St.

Figure 3: Traffic Count Map

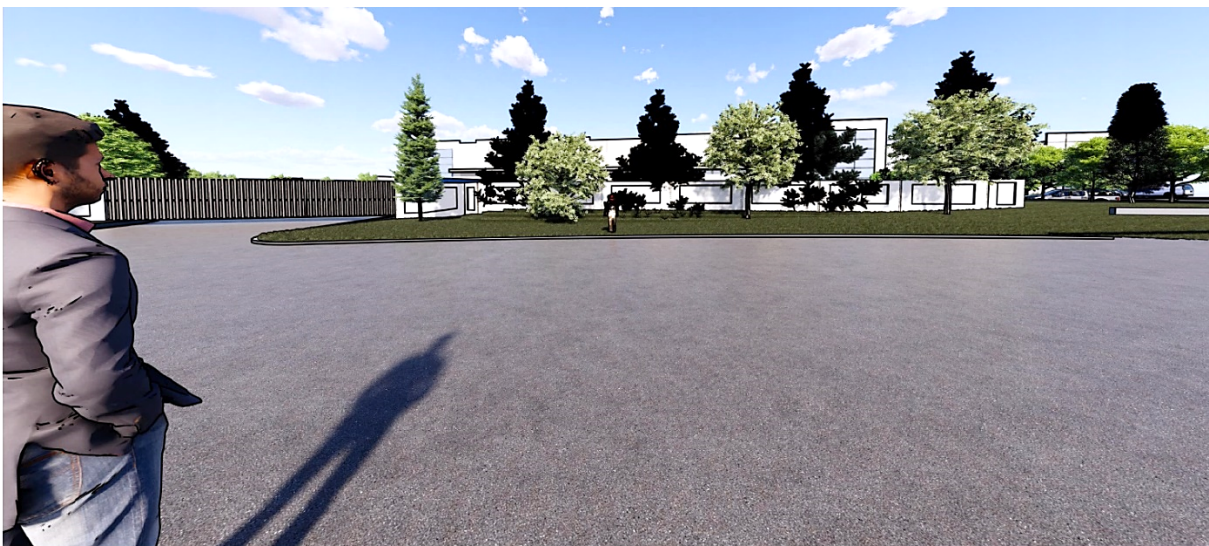


As shown above, the Average Daily Traffic (ADT) counts for Old Placerville Road between Rockingham Drive and Systems Parkway (shown in orange) was 11,166 vehicles in 2022 and

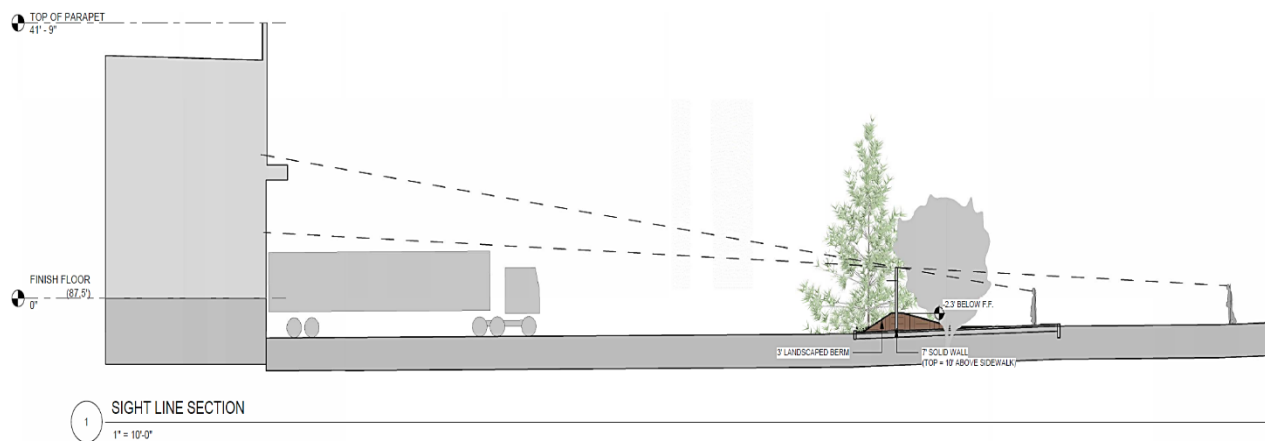
the ADT counts for Peter A McCuen Boulevard between Mather Blvd and Femoyer Street was 4,144 vehicles in 2013. Given the much greater traffic count along Old Placerville, the loading docks were placed along Peter A McCuen to minimize visibility from passersby.

In addition to placing the loading dock area on the less traveled road, the Applicant has also added additional screening mechanisms along Peter A McCuen Boulevard to minimize visibility along this right of way. The Applicant will be providing a 3-foot berm along Peter A McCuen Boulevard along with a 7-foot wall at the peak of the berm for a total screen wall of 10 feet. The 10-foot height is shown to provide adequate screening from both sides of Peter A McCuen Boulevard per the sight line cross-section shown in **Figure 4**. The truck entrance will also include a 10-foot gate that is to remain closed outside of business hours. The wall will screen the loading areas upon installation and the area will be further screened by additional landscape once trees have been established and matured.

Figure 4: Rendering & Sight Line Section



RENDERING VIEW -- MATURE LANDSCAPING, EYE LEVEL FROM SOUTH SIDE OF PETER A McCUEN



Landscaping

The property shares a parking lot with the adjacent building which already has some existing parking lot trees and landscaping at the existing entrance and street trees along Peter A McCuen Boulevard. The site also has existing trees along the west and south side of the property that provide initial screening of the site from Old Placerville Road and Peter A McCuen Boulevard (**See Figure 5**).

Figure 5: Existing Landscaping





Old Placerville

EXISTING MATURE LANDSCAPING, EYE LEVEL FROM ACROSS OLD PLACERVILLE RD.
(THE YELLOW LINE REPRESENTS THE OUTLINE OF THE BUILDING VIEWED FROM THIS
LOCATION).

In addition to the existing landscaping, the project proposes a variety of trees and shrubs throughout the site in combination with required on-site bioretention basins. The project is proposing approximately 102 additional trees on-site to provide added screening and meet the 50% parking lot shade requirements. The Applicant has proposed larger stature 36" box size Afghan Pine trees along the loading dock area to provide additional screening once trees have matured (**See Figure 6**).

Figure 6: Proposed Landscape Plan



All landscaping will be properly irrigated and maintained to continue to meet shading and screening requirements.

Building Design & Height Exception

The project proposes a 118,748 SF warehouse building surrounded by existing office buildings within the Commercial/Office Park Subarea. The Applicant has proposed a variety of brown base colors with a blue accent color on corner tower features and the center of the north façade. The building also includes an aluminum storefront along with metal panels to highlight the main entry into the office area. These colors and architectural features continue to be consistent with the overall design of the Office Park while still providing aspects that are compatible with more modern designs (**See Figures 7 & 8**). The building is proposed at a height of 48 feet and provides roof articulation on all 4 elevations with the integration of accent colors and scoring to help break up monotonous walls.

Figure 7: Color Elevations and Renderings

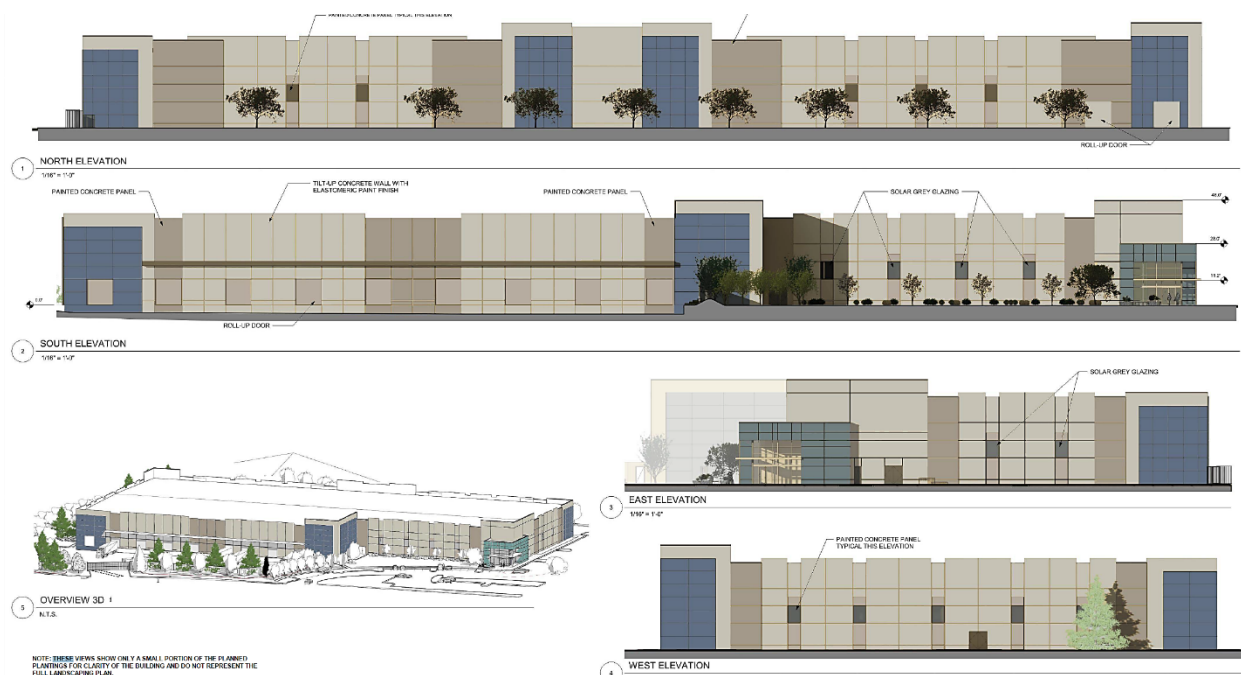
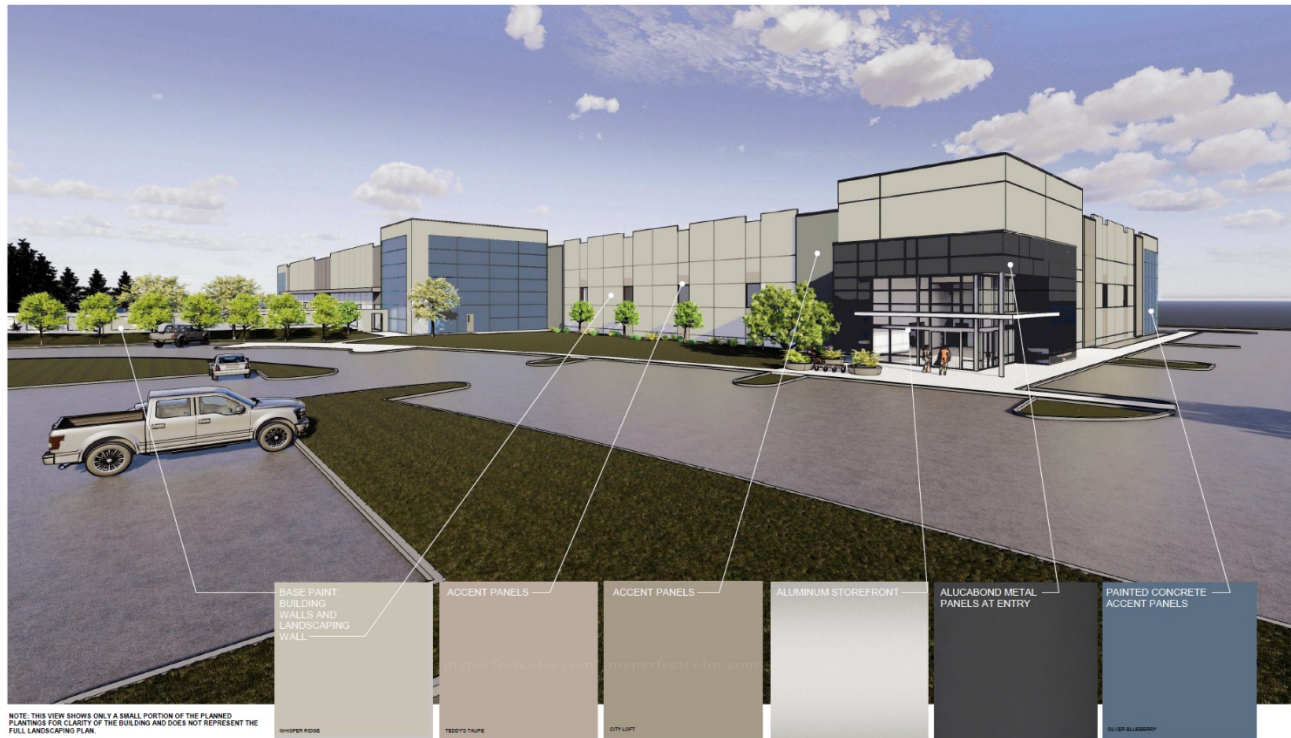
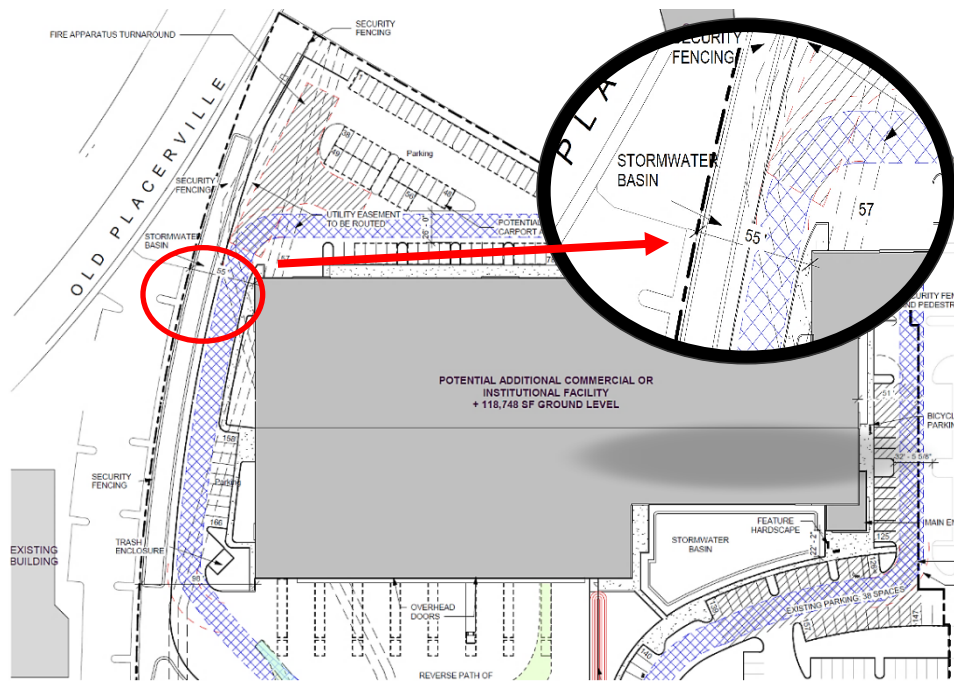


Figure 8 – Project Rendering & Materials Board



The applicant is requesting approval for a height deviation to allow the proposed 48-foot building to exceed the 40-foot maximum height allowed within the Campus District. As mentioned, the Mather Field Special Planning Area (MFSPA) was approved by Sacramento County prior to the City's incorporation and therefore the 2003 version of the Sacramento County Code adopted by the City would be the applicable regulating document when the MFSPA references applicable county code sections. For height requirements, the MFSPA refers to Section 301-22 of the 2003 Sacramento County Code which allows height exceptions with approval from the appropriate authority. Per this section, height limits for commercial or industrial buildings may be increased to a maximum of one-hundred fifty (150) feet in commercial and industrial land zones, provided that all buildings are set back from the ultimate right-of-way line of all abutting streets and freeways a distance at least equal to the height of the building. The Applicant is requesting a height of 48-feet and therefore would require a minimum of 48-feet to the closest right-of-way. In **Figure 9**, the conceptual site plan shows a distance of 55 feet to the property line at the northwest corner of the building which would be the closest point of the building to the nearest right-of-way. Old Placerville Road is located beyond the property line located 55-feet away and therefore exceeds the minimum 48' needed to grant the exception.

Figure 9: Conceptual Site Plan



It is also important to note that the 48-foot height is measured at the tower features located at the main office entrance of the building, corners of the building, and the center tower feature of the north façade. The height of most of the proposed building would be approximately 42-feet. For comparison, the building directly east of this parcel has a peak height of approximately 42-feet measured to the top of their mechanical screening, while 10390 Peter A McCuen Blvd and 10370 Peter A McCuen Blvd located to the south, have peak heights of 42-feet and 37-feet respectively.

FISCAL IMPACT

Staff anticipates that the project will have a positive fiscal impact due to the short term and long-term positions for the construction of the shell building and the future uses of the site. The development of the building and the property from vacant land to a business will also provide an additional positive impact through the increase in property taxes on the site as well as within the surrounding area.

ENVIRONMENTAL

The project applicant is requesting approval of a Major Design Review for the proposed project. Under CEQA, the City lacks the discretion under the Major Design Review approval process to consider environmental effects not related to the design of the project, including, but not limited to, human health impacts from toxic air contaminants, greenhouse gas emissions, and impacts on biological resources.

The Major Design Review associated with the Jackson Properties Warehouse Storage Building would be exempt from CEQA review under CEQA State Guidelines Section 15183. This exempts from CEQA projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact

Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. The Jackson Properties Warehouse Storage Building Major Design Review involves development of a 118,748 square foot warehouse/storage building with parking, landscaping, and utilities. The project site was identified in the Mather Field Special Planning Area EIR. As this Major Design Review is consistent with the Special Planning Area and the environmental documentation prepared for the Special Planning Area, it is exempt from further CEQA review.

RECOMMENDED MOTIONS

Staff recommends that the City Council find the project to be in compliance with the California Environmental Quality Act (CEQA) per Section 15183 Projects Consistent with a Community Plan, General Plan, or Zoning and adopt the resolution approving the Major Design Review for the Jackson Properties Warehouse Storage Project PLND-0062-0044, subject to the findings, Project Plans ([Attachment 2](#)) and Conditions of Approval ([Attachment 3](#)).

ATTACHMENT(S)

1. Resolution
2. Exhibit A to the Resolution - Project Plans
3. Exhibit B to the Resolution - Conditions of Approval
4. Jackson Properties PowerPoint

CITY OF RANCHO CORDOVA

CITY COUNCIL RESOLUTION NO. XX-2023

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
STATE OF CALIFORNIA, APPROVING A MAJOR DESIGN REVIEW AND HEIGHT
EXCEPTION FOR THE JACKSON PROPERTIES WAREHOUSE STORAGE BUILDING
PROJECT NO. PLND-0622-0044**

WHEREAS, Nacht & Lewis Architects & JPI XXIX, L.P., (hereinafter referred to as Applicant) filed an application for a Major Design Review approval for the Jackson Properties Warehouse Storage Building project; and

WHEREAS, the project is located within the Commercial/Office Park Subarea of the Campus District within the Mather Field Special Planning Area (MFSPA); and

WHEREAS, per the MFSPA, the project is considered a Design Review Level II which states that the City Council is the appropriate authority to hear and take action on this project; and

WHEREAS, the project site is located at 10391 Peter A McCuen Boulevard and includes an 118,748 SF warehouse building and site improvements; and

WHEREAS, the City Council of the City of Rancho Cordova has conducted a properly noticed public hearing pursuant to Government Code Section 65090 and has duly considered all written and verbal testimony presented during the hearing.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
HEREBY RESOLVES** as follows:

1. The CEQA exemption found in California Code of Regulation Title 14, Section 15183 (Projects Consistent with a Community Plan, General Plan or Zoning) is an adequate exemption according to the Guidelines of the California Environmental Quality Act.
 - A. **Finding:** The project has been analyzed and is exempt per California Environmental Quality Act Guidelines Section 15183 "Projects Consistent with the Community Plan, General Plan or Zoning."

Evidence: The project applicant is requesting approval of a Major Design Review for the proposed project. Under CEQA, the City lacks the discretion under the Major Design Review approval process to consider environmental effects not related to the design of the project, including, but not limited to, human health impacts from toxic air contaminants, greenhouse gas emissions, and impacts on biological resources.

The Major Design Review associated with the Jackson Properties Warehouse Storage Building would be exempt from CEQA review under CEQA State Guidelines Section 15183. This exempts from CEQA projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. The Jackson Properties Warehouse Storage Building Major Design Review involves development of a 118,748 square foot warehouse/storage

building with parking, landscaping, and utilities. The project site was identified in the Mather Field Special Planning Area EIR. As this Major Design Review is consistent with the Special Planning Area and the environmental documentation prepared for the Special Planning Area, it is exempt from further CEQA review.

2. Approve the Design Review and Height Exception, subject to the Major Design Review Project Plans (Exhibit A) and the Conditions of Approval (Exhibit B); supported by the following Findings and Evidence, as required by the 2003 Sacramento County Code Section 110-87.

- a) **Finding:** The proposed project is consistent with the objectives of the General Plan and Community Plan, complies with applicable Zoning Regulations, Specific Plan provisions, Special Planning Area provisions, and is consistent with the applicable "Guiding Principles" and "Design Concepts" in section 110-84.

Evidence: The proposed project is consistent with the intent of the Mather Field Special Planning Area (MFSPA). The project is located within the Commercial Office/Park Subarea of Mather's Campus District which allows wholesaling and warehousing as a permitted by right use. Future tenants that do not use the building as a warehouse will require an additional review to determine if additional City approvals are required.

The Applicant is requesting an exception to the maximum height allowance from 40-feet to 48-feet to accommodate roof variation and tower features at key sections of the façade. The height increase also allows for a heightened internal clearance which is consistent with the proposed use of the building. For height requirements, the MFSPA refers to Section 301-22 of the 2003 Sacramento County Code which allows height exceptions with approval from the appropriate authority. Per this section, height limits for commercial or industrial buildings may be increased to a maximum of one-hundred fifty (150) feet in commercial and industrial land zones, provided that all buildings are set back from the ultimate right-of-way line of all abutting streets and freeways a distance at least equal to the height of the building. The applicant is requesting a height of 48-feet and therefore would require a minimum of 48-feet to the closest right-of-way. The Applicant is providing 55 feet to the nearest property line and therefore is meeting the required minimum distances.

The project provides infill development that is consistent with applicable portions of Section 110-84 of the 2003 Sacramento County Zoning Code including non-residential site planning and non-residential architecture and also helps facilitate the conversion of Mather Field from a military air base to a mix of public and private uses. As the airport continues to be utilized for commercial uses, the proposed project will provide a supportive use consistent with the functionality of the airport and new services to benefit the surrounding community.

The new warehouse building with loading docks will also add to the variety of uses and activities available within the Mather Field Special Planning Area. The Mather Field Special Planning Area incorporates a majority of uses including office, recreational, and light industrial that both support the existing airport and also provides services to the surrounding community. The proposed project provides a new warehouse building that will be cohesive with the existing identity

of the SPA and also provides an opportunity for new users to be established within the Mather area. The proposed wholesaling and warehousing use is an allowed use and provides an opportunity to add to the existing diversity of the Mather Field Special Planning Area.

- b) **Finding:** The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community.

Evidence: The proposed Jackson Properties warehouse building incorporates a façade consistent with other buildings in the same general area. The Applicant has maintained a cohesive design with adjacent buildings while also adding additional architectural features such as roof articulation and accent colors to highlight the building's main entry and tower features. The architectural design of the building is suitable for the purpose of the building and the project will develop an existing vacant parcel. The project is requesting a height exception to increase the height to 48 feet for additional architectural features. This exception would also allow for a higher internal clearing height which is beneficial for the proposed warehouse use.

Although loading docks are encouraged to be placed in the rear, the project's site design incorporates the loading dock area along the frontage of the building to provide sufficient truck movement on-site and to minimize visibility from more intensive right-of-way in the rear of the building.

The project proposes significant landscaping throughout the property. Denser plantings of larger stature trees along with a 3-foot landscape berm have been proposed along the property frontage to provide additional screening of the loading dock area from Peter A McCuen Boulevard. New trees have also been added along the western property line in conjunction with the existing tree line in that area to provide screening from Old Placerville Road. The project has included their required stormwater bioretention basin as part of their landscape plan and has placed these features along their frontage to utilize as a focal point at the building's main entry along with benched seating and additional plantings. The project will share a parking lot with the adjacent Cal OES office building which already has some existing landscaping and parking lot shading trees. The new parking areas proposed with this project include landscaping that shows a 64% shade calculation, which exceeds the minimum 50 percent shading requirement required for parking areas.

- c) **Finding:** The architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, screening of exterior appurtenances, exterior lighting and signing and similar elements establishes a clear design concept and is compatible with the character of existing or anticipated buildings on adjoining and nearby properties.

Evidence: Although the Mather Field Special Planning Area encourages loading dock areas to be placed behind the building in the rear when feasible, given the sites unique position between two public roadways with Old Placerville Road in the rear and Peter A McCuen Boulevard in the front, the loading docks were oriented toward the roadway less traveled to minimize visibility. Staff took into

consideration the most recent traffic counts available which showed that Old Placerville was the higher traveled road with 11,166 vehicles daily while Peter A McCuen only had 4,144 vehicles daily. Therefore, the dock area was placed along Peter A McCuen Boulevard.

The project proposes screen walls along the front of Peter A McCuen Boulevard to minimize visibility of the loading dock area from passersby. The wall is a combination of a 3-foot berm with 7-feet of visible wall for a total of 10-feet of screening. Although the design guidelines of the MFSPA discourages walls taller than 6-feet, a 6-foot wall would not provide sufficient screening from the nearest public right-of-way and tops of trucks and roll up doors would be visible from the street. Shown in the Line of Site Study included within Exhibit A project plans, the 10-foot height was the minimum height of wall that could be installed and still screen visibility from pedestrians at the opposite side of Peter A McCuen Boulevard. Therefore, the wall height surrounding the loading dock area was allowed to exceed 6 feet. This will provide immediate screening at installation and will also be combined with dense plantings of trees and landscaping to soften the look of the wall from the public right of way.

The Applicant has provided a photometric plan that shows all lighting is positioned to shine internally to the site and any light trespass to adjacent properties or public rights-of-way is kept to a minimum. The project site shares a parking lot with the adjacent Cal OES building which the lighting will blend in cohesively with their existing parking lot. All wall pack lighting is shown to be pointed down to targeted areas to ensure no direct rays of light are pointed to neighboring properties.

- d) **Finding:** The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

Evidence: In addition to the projects parking area added as part of the development, the project will also share a parking lot with the existing Cal OES office building located to the east. A truck entry will be added along Peter A McCuen to provide access for trucks to the loading dock area. This driveway access will cross the existing pedestrian walkway however, clear vision triangles have been maintained at the entrance to ensure visibility when exiting the project site. No other conflicts will result from the construction of this project.

The City Council, based upon the findings herein, hereby approves the Major Design Review and Height Exception for the Jackson Properties Warehouse Storage Building Project No. PLND-0622-0044.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 5th day of September 2023 by the following vote:

AYES:

NOES:

ABSENT:

ITEM 18.1.

ATTACHMENT 1

ABSTAIN:

ATTEST:

Linda Budge, Mayor

Stacy Leitner, CMC
City Clerk



PROJECT DATA:

ASSESSOR'S PARCEL NO.:	077-0420-001
USE ZONE:	MATHER SPA
SITE AREA:	7.8 +/- ACRES / 339,892 S.F.
PROPOSED BUILDING AREA:	118,748 S.F.
OCCUPANCY TYPE:	B / S-1 / S-2
CONSTRUCTION TYPE:	IIA, FULLY SPRINKLERED
ALLOWABLE BUILDING HEIGHT PER CAMPUS DISTRICT ZONING: 40' (potential height increases available with increased setbacks)	
PROPOSED BUILDING HEIGHT: 48'	

NOTE: THIS VIEW SHOWS ONLY A SMALL PORTION OF THE PLANNED PLANTINGS FOR CLARITY OF THE BUILDING AND DOES NOT REPRESENT THE FULL LANDSCAPING PLAN.

SHEET INDEX

Sheet Number	Sheet Name
PA0.0	COVER SHEET
PA0.1	CONCEPTUAL SITE PLAN
PA0.1.1	PRELIMINARY GRADING PLAN
PA0.1.2	PRELIMINARY UTILITY PLAN
PA0.1.3	LANDSCAPING PLAN
PA0.1.4	SITE PHOTOMETRIC PLAN
PA0.2	FLOOR PLAN
PA0.3	EXTERIOR ELEVATIONS
PA0.4	BUILDING SECTION
PA0.5	RENDERING & MATERIALS
PA0.6	LINE OF SIGHT VIEWS

nacht&lewis

600 Q. St. Suite 100,
Sacramento, CA 95811
nachtlewis.com
916.329.4000

JACKSON PROPERTIES, INC.
MATHER COMMERCIAL CENTER TEST FIT

PRELIMINARY DESIGN

PA0.0
COVER SHEET
1/8" = 1'-0"
07/10/2023



PROJECT DATA:

ASSESSOR'S PARCEL NO.:	077-0420-001
USE ZONE:	MATHER SPA
SITE AREA:	7.8 +/- ACRES / 339,892 S.F.
PROPOSED BUILDING AREA:	118,748 S.F.
OCCUPANCY TYPE:	B / S-1 / S-2
CONSTRUCTION TYPE:	IIA, FULLY SPRINKLERED

ALLOWABLE BUILDING HEIGHT PER CAMPUS DISTRICT ZONING: 40'
(potential height increases available with increased setbacks)
PROPOSED BUILDING HEIGHT: 48'

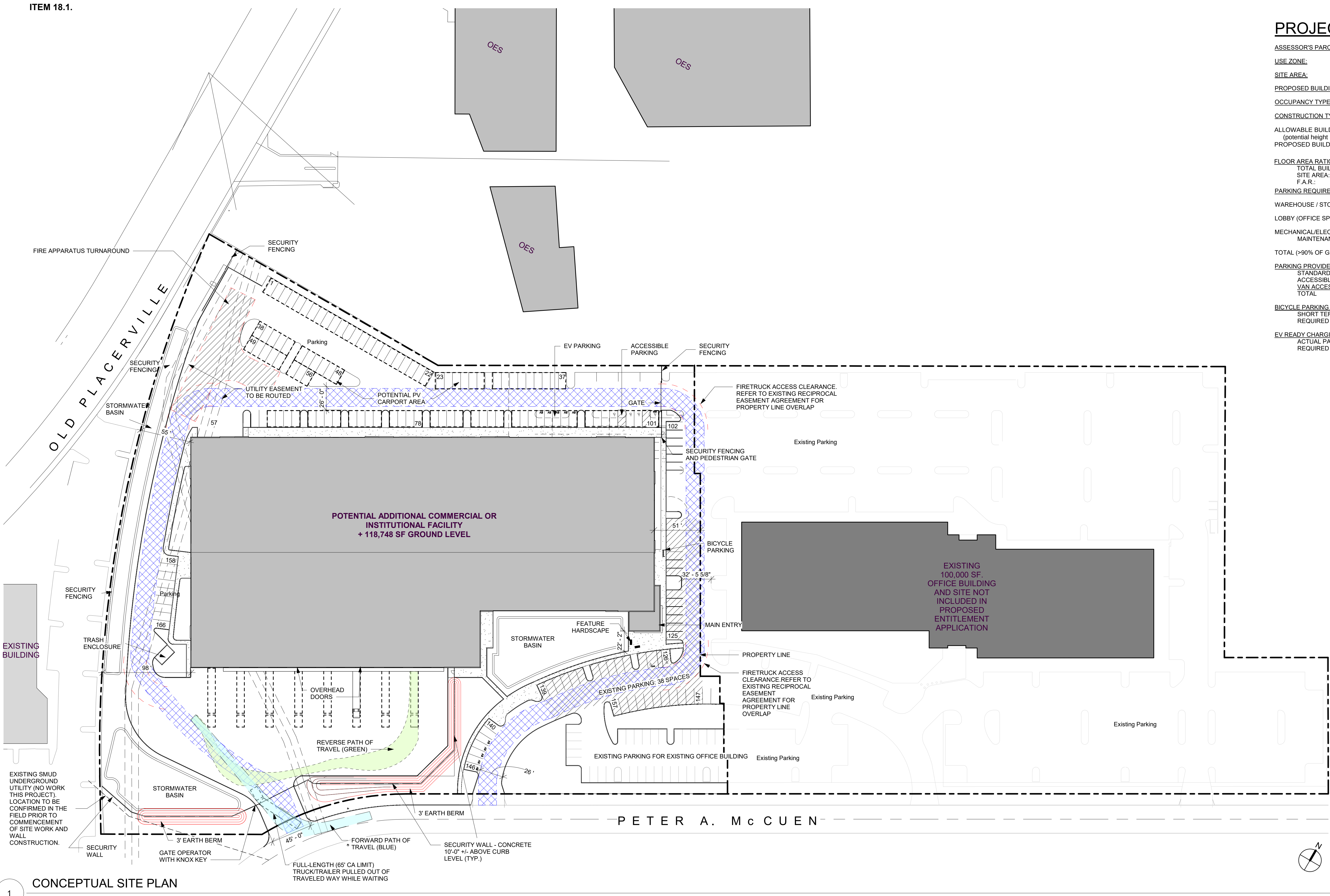
FLOOR AREA RATIO (F.A.R.)			
TOTAL BUILDING AREA:	118,748 S.F.		
SITE AREA:	339,892 S.F.		
F.A.R.:	34.9%		
PARKING REQUIREMENTS	USE AREA	RATIO (SPACES PER S.F.)	REQUIRED SPACES
WAREHOUSE / STORAGE	115,005 U.S.F.	0.5/1,000 S.F.	58 SPACES
LOBBY (OFFICE SPACE)	1,578 U.S.F.	2.7/1,000 S.F.	5 SPACES
MECHANICAL/ELECTRICAL/ MAINTENANCE	2,165 U.S.F.	0.5/1,000 S.F.	2 SPACES
TOTAL (>90% OF GROSS S.F.)	118,748 U.S.F.		65 SPACES
PARKING PROVIDED:			
STANDARD	160 SPACES		
ACCESSIBLE	5 SPACES		
VAN ACCESSIBLE	1 SPACE		
TOTAL	166 SPACES		

BICYCLE PARKING PROVIDED:
SHORT TERM: 10% OF 76
REQUIRED PARKING SPACES 8 SPACES

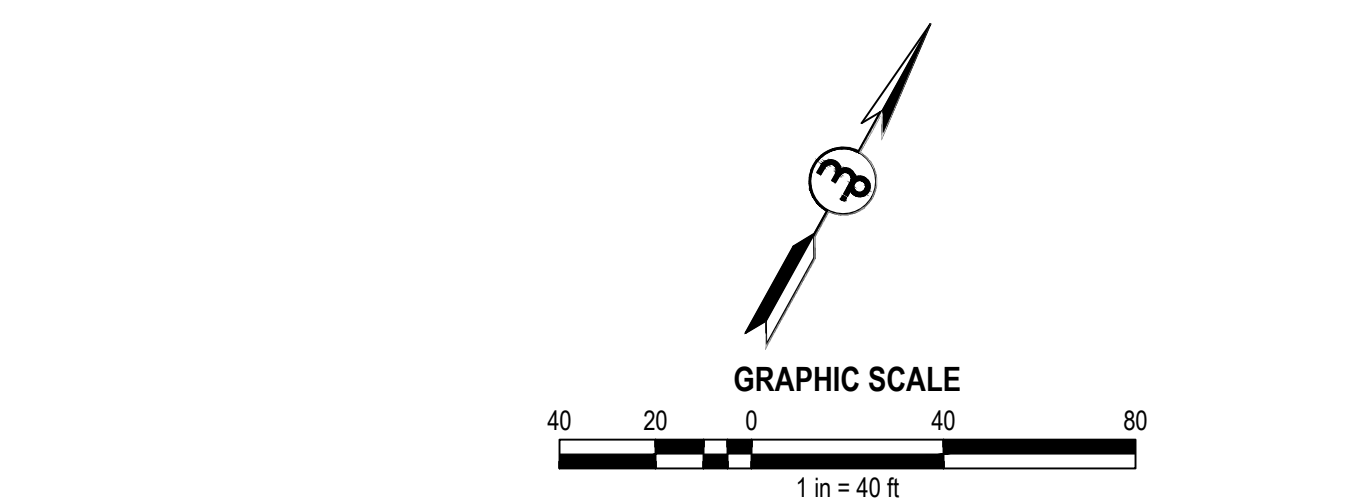
EV READY CHARGING SPACES:
ACTUAL PARKING SPACES: 166 SPACES
REQUIRED FOR 151-200 SPACES: 10 SPACES

LEGEND:

- NOT TO SCALE
- PROPOSED BUILDING FOOT PRINT
 - EXISTING BUILDING FOOT PRINT
 - POTENTIAL COVERED PARKING PHOTOVOLTAIC CANOPY
 - 20' WIDE FIRE ACCESS LANE
 - EXISTING PARKING INCLUDED IN PARKING COUNTS & CALCULATIONS
 - PROPERTY LINE
 - FIRE APPARATUS TURN CLEARANCE
 - FIRE APPARATUS TURNAROUND

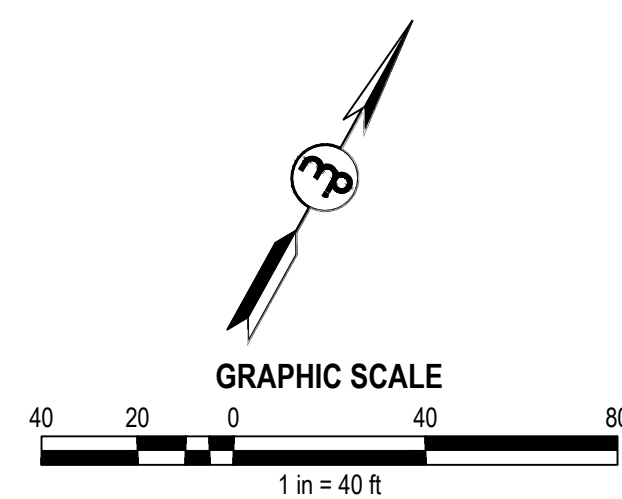


1
CONCEPTUAL SITE PLAN
1" = 50'-0"



mp

Page 103 of 708



REVISIONS	△						SCALE:	BENCH MARK	COMPUTED	 MORTON & PITALO, INC. CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING Folsom * Fresno 600 Coolidge Drive, Suite #140 Folsom, CA 95630 phone: (916) 984-7621 web: www.mpengr.com	MATHER CARGO PARK PRELIMINARY UTILITY PLAN RANCHO CORDOVA, CALIFORNIA	DATE	
	△						HORIZ. 1" = 40'		DESIGNED			JDT	JULY 7, 2023
	△						VERT. 1" = N/A		DRAWN			RC	SHEET
	△								PROJ. ENGR.			JDT	2
	NO.	DESCRIPTION	APPD. ENGR.	DATE	APPD. E.U.	DATE							OF



PARKING LOT
SHADE CALCULATIONS:

TREE TYPE	AREA/ FULL	QUANTITY				SUBTOTAL	TOTAL
		FULL	3/4	1/2	1/4		
25' DIA. TREES							
LAURUS NOBILIS	490 S.F.	0	7	1	0	2818 S.F.	
25' TOTAL:							2818 S.F.
35' DIA. TREES							
PISTACHIA CHINENSIS	962 S.F.	1	3	4	5	6253 S.F.	
QUERCUS ILEX	962 S.F.	0	0	11	0	5291 S.F.	
QUERCUS LOBATA	962 S.F.	0	0	1	0	481 S.F.	
35' TOTAL:							12025 S.F.
PARKING STALL PAVING AREA:							23321 S.F.
SHADE REQUIRED:						50%	11661 S.F.
SHADE PROVIDED:						64%	14843 S.F.

PLANT LIST & LEGEND

SYMBOL	BOTANICAL NAME/COMMON NAME	W.U./C.O.L.B. IV WATER USE	SIZE	QUANTITY	MATURE SIZE (HxW)
	LAGERSTROEMIA X. MUSKOGEE/CRAPE MYRTLE (STANDARD)	LOW	24" BOX	9	25x25
	LAURUS NOBILIS "SARATOGA"/GRECIAN LAUREL	LOW	15 GALLON	8	40x30
	OLEA EUROPEA "MAJESTIC BEAUTY"/FRUITLESS OLIVE	VERY LOW	24" BOX	17	25x25
	PARROTIA PERSICA/PERSIAN PARROTIA	LOW PER CITY LIST	24" BOX	7	30x30
	PINUS ELДАРICA/AFGHAN PINE	LOW	36" BOX	15	50x35
	PISTACHIA CHINENSIS/CHINESE PISTACHE	LOW	15 GALLON	14	40x40
	QUERCUS ILEX/HOLLY OAK	LOW	15 GALLON	20	60x60
	QUERCUS LOBATA/VALLEY OAK	LOW	15 GALLON	4	70x50
	ULMUS PROPINQUA "EMERALD SUNSHINE"/EMERALD SUNSHINE ELM	LOW	24" BOX	8	45x15
	PROTECTIVE FENCING PER CITY STANDARDS AROUND EXISTING TREES TO REMAIN WITHIN THE CONSTRUCTION ZONE. SEE MUNICIPAL CODE 18.12.150 FOR DEVELOPMENT CONTROL MEASURES.				
	SHRUB & GROUNDCOVER AREA:				
	ACACIA REDOLENS "DESERT CARPET"/PROSTRATE ACACIA	LOW	5 GALLON		2x10'
	ARCTOSTAPHYLOS D. "HOWARD McMINN"/MANZANITA"	LOW	5 GALLON		4x8'
	BACCHARIS PILULARIS "PIGEON POINT"/DWF. COYOTE BRUSH"	LOW	1 GALLON		2x8'
	CHONDROPETALUM TECTORUM/DWF. CAPE RUSH"	LOW	5 GALLON		3x5'
	CALLISTEMON V. LITTLE JOHN/DWF. BOTTLE BRUSH	LOW	5 GALLON		3x6'
	CALAMAGROSTIS X. "STRICTA"/FEATHER REED GRASS	LOW	1 GALLON		2x2'
	COTONEASTER D. "LOWFAST"/PROSTRATE COTONEASTER	LOW	5 GALLON		1x8'
	CAREX DIVULSA/EURASIAN GRAY SEDGE"	LOW	1 GALLON		1x3'
	CAREX SPISSA/SAN DIEGO SEDGE"	LOW	1 GALLON		3x3'
	DIETES BICOLOR	LOW	1 GALLON		3x4'
	LOMANDRA LONGIFOLIA 'LOMLON'/LIME TUFF MAT RUSH	LOW	1 GALLON		1x10'
	MYOPORUM PARVIFOLIUM/CREeping BOOBIALLA	LOW	1 GALLON		3x2'
	NANDINA DOMESTICA 'GULF STREAM'/DWF. HEAVENLY BAMBOO	LOW	5 GALLON		1x4'
	PENSTEMON HETEROPHYLLUS 'MARGARITA B.O.P. '/BEARD TONGUE	LOW	1 GALLON		5x8'
	ROSA CALIFORNICA/WILD ROSE"	LOW	5 GALLON		
	ROSA X. HYBRIDA 'MEIRADENA'/CECAP ROSE	LOW	5 GALLON		4x4'
	ROSA X. "MEILOCOS"/PINK DRIFT ROSE	LOW	1 GALLON		2x6'
	BIORETENTION PLANTER: SEE PLANTS MARKED WITH "*" ABOVE. SEE CIVIL PLANS FOR SOIL MIX & CROSS-SECTIONS.				

PROPOSED
IRRIGATION STATEMENT

POTABLE WATER WILL BE UTILIZED FOR THE PROPOSED IRRIGATION SYSTEM. IRRIGATION WATER WILL BE DISTRIBUTED WITH OVERHEAD STREAM ROTOR SPRINKLERS IN MOST AREAS OVER 10' IN WIDTH (75% EFFICIENCY) WHILE A SUBSURFACE DRIP GRID SYSTEM WITH A PROJECTED EFFICIENCY RATE OF 81% WILL BE UTILIZED EVERYWHERE ELSE. THE IRRIGATION SYSTEM WILL BE IN FULL COMPLIANCE WITH THE CITY OF RANCHO CORDOVA'S WATER EFFICIENT LANDSCAPE ORDINANCE.

LANDSCAPE NOTES:

1. ROOT BARRIERS WILL BE PROVIDED FOR ALL TREES PLANTED WITHIN 10' OF PAVING OR HARDSCAPE.
2. PRE-EMERGENT WILL BE APPLIED TO ALL NON-SEEDBED PLANTER AREAS.
3. BARK MULCH WILL BE INSTALLED IN ALL PLANTERS TO A MINIMUM DEPTH OF 3 INCHES.
4. TREES WILL MAINTAIN A MINIMUM 10' CLEARANCE FROM LIGHT POLES & 5' FROM UNDERGROUND UTILITIES.
5. FENCES, SHRUBS, SIGNS AND OTHER OBSTRUCTIONS SHALL NOT EXCEED 30 INCHES IN HEIGHT ABOVE ADJACENT ROADWAY SURFACES WITHIN THE "CLEAR VISION TRIANGLE" AT INTERSECTIONS.
6. TOTAL LANDSCAPE AREA IS 54,478 SQUARE FEET.
7. NO EXISTING TREES ARE PROPOSED FOR REMOVAL.
8. ALL EXISTING TREES SHALL BE PROTECTED DURING CONSTRUCTION PER CITY STANDARDS.
9. 25% OF PROPOSED TREES WILL BE FROM A MINIMUM 24" BOX CONTAINER (25.5% PROVIDED).
10. 32% OF THE PROPOSED TREES ARE REQUIRED TO BE EVERGREEN (25 TREES) WHILE 31 EVERGREEN TREES ARE PROPOSED (44%).

nacht&lewis

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916.329.4000



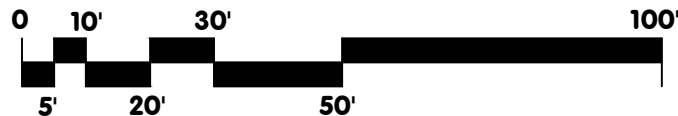
Garth Ruffner
Landscape Architect
(916)797-2576

4120 Douglas Blvd., Suite 306, #301
Roseville, CA 95746-5936

GarthRuffner.com
California R.L.A. #2808

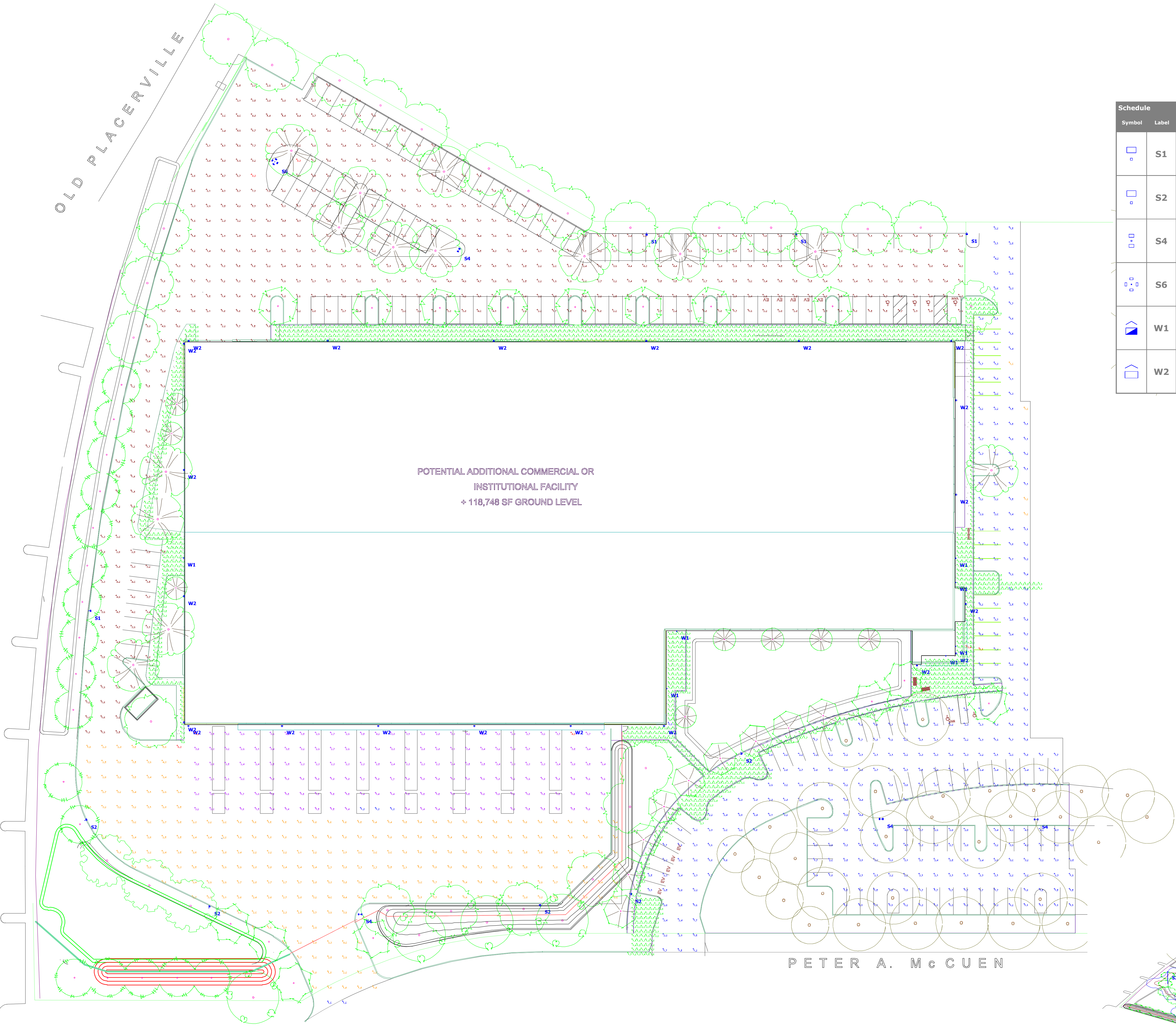
JACKSON PROPERTIES, INC.
MATHER CARGO PARK

PRELIMINARY LANDSCAPE PLAN



PA0.1.3
1" = 30'-0"
7/26/2023

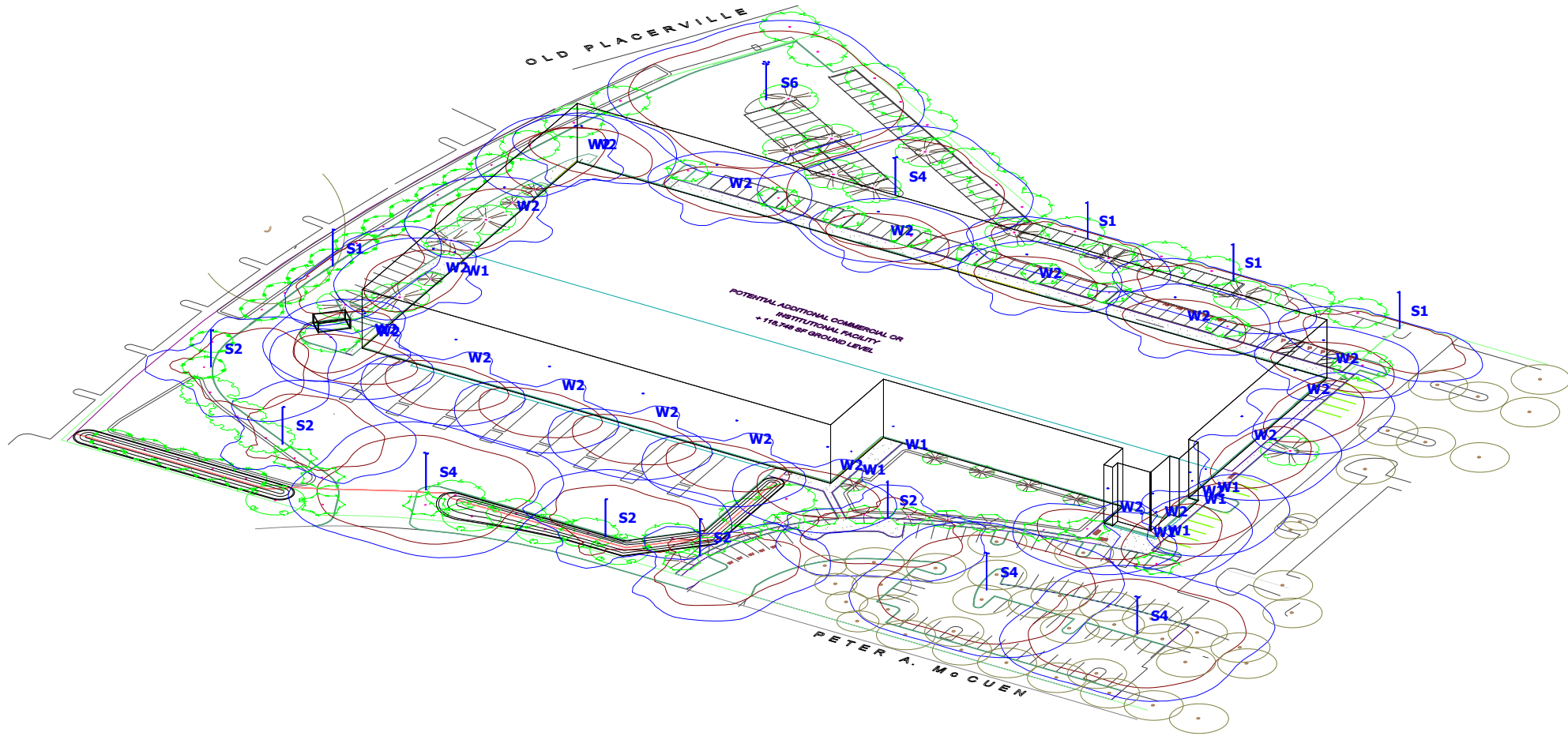




Schedule										
Symbol	Label	Image	Quantity	Manufacturer	Catalog Number	Description	Number Lamps	Lumens Per Lamp	Light Loss Factor	Wattage
	S1		4	Lithonia Lighting	DSX0 LED P7 40K BLC MVOLT	DSX0 LED P7 40K BLC MVOLT	1	15050	0.9	166
	S2		5	Lithonia Lighting	DSX0 LED P7 40K TFTM MVOLT	DSX0 LED P7 40K TFTM MVOLT	1	18356	0.9	166
	S4		4	Lithonia Lighting	DSX0 LED P7 40K TSM MVOLT	DSX0 LED P7 40K TSM MVOLT	1	19058	0.9	332
	S6		1	Lithonia Lighting	DSX0 LED P7 40K TSM MVOLT	DSX0 LED P7 40K TSM MVOLT	1	19058	0.9	664
	W1		7	Lithonia Lighting	WDGE1 LED P2 40K 80CRI VW	WDGE1 LED WITH P2 - PERFORMANCE PACKAGE, 4000K, 80CRI, VISUAL COMFORT WIDE OPTIC, E4WH Emergency battery backup battery	1	1982	0.9	15.0178
	W2		21	Lithonia Lighting	WDGE3 LED P4 70CRI RFT 40K	WDGE3 LED WITH P4 - PERFORMANCE PACKAGE, 4000K, 70CRI, FORWARD THROW OPTIC	1	12277	0.9	87.8914

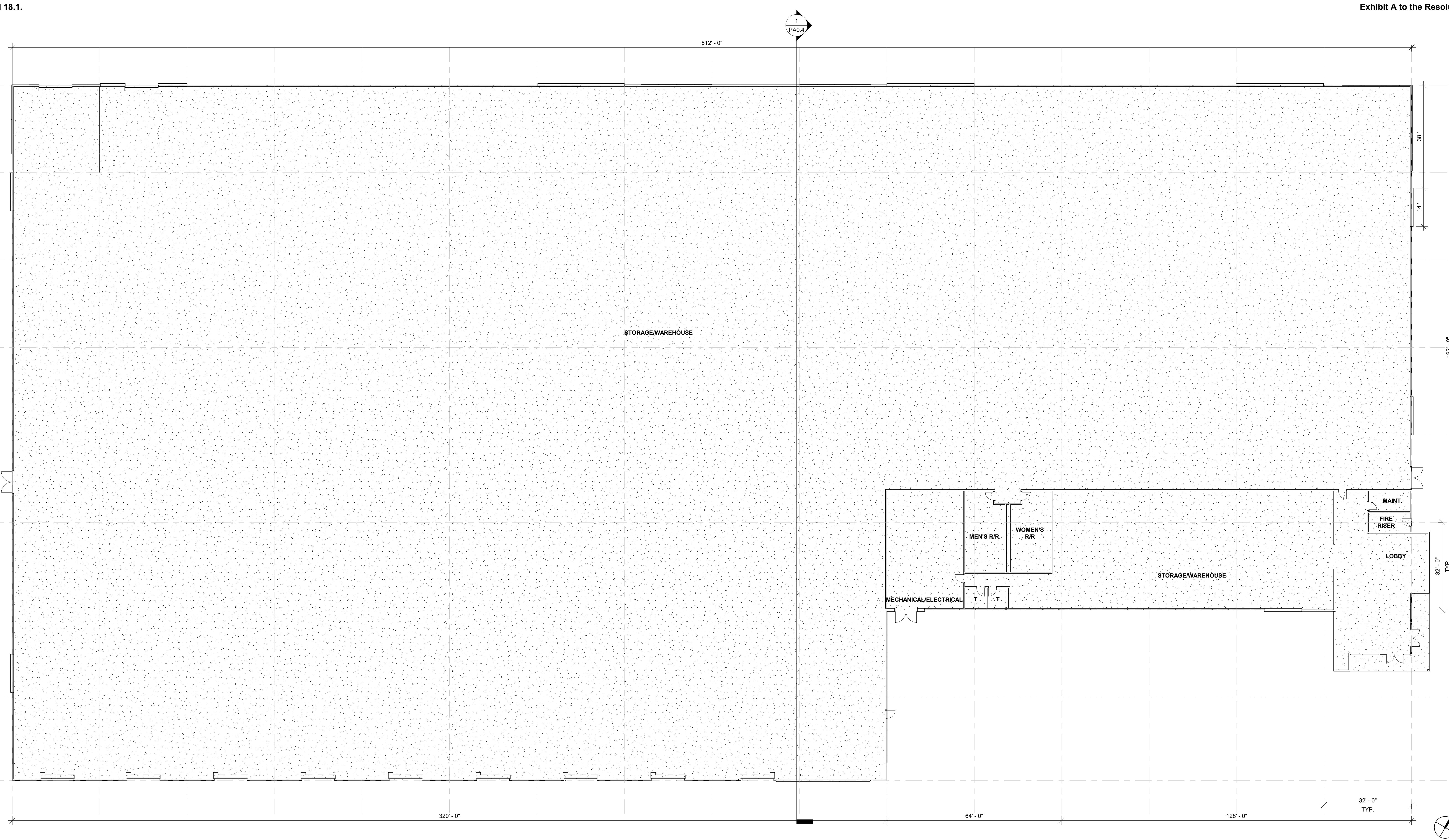
Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
LOADING DOCK	+	2.3 fc	4.3 fc	1.3 fc	3.3:1	1.8:1
SIDEWALK	+	3.0 fc	12.4 fc	0.3 fc	41.3:1	10.0:1
TRUCK DRIVE / PARKING	+	2.4 fc	6.3 fc	1.0 fc	6.3:1	2.4:1
UNSECURED DRIVE / PARKING	+	2.4 fc	5.5 fc	1.0 fc	5.5:1	2.4:1
EMPLOYEE DRIVE / PARKING	+	2.9 fc	8.3 fc	1.0 fc	8.3:1	2.9:1

Luminaire Locations	
Label	MH
S2	25.00
S4	25.00
S6	25.00
W1	10.00
W2	25.00
S1	25.00

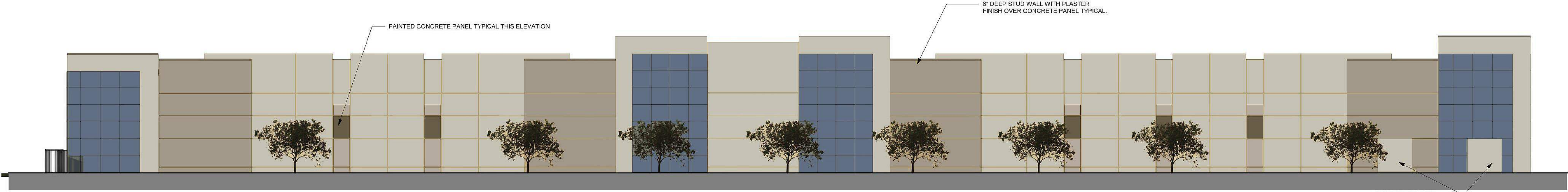


Disclaimer
Photometric analyses performed by CJS Lighting are intended for informational and/or estimation purposes only. Using industry-recognized software, calculations correspond to the information provided to CJS Lighting, and are subject to the limitations of the software and the information received. Assumptions may be made for information that is not provided or available. It is the responsibility of the end-user to consult with a professional engineering advisor to determine whether this design meets the applicable project requirements for lighting performance, safety, suitability and effectiveness for use in a particular application. End-user environments and application can cause field performance to differ from the calculated photometric performance represented in this lighting design. Due to the above considerations, CJS Lighting does not guarantee that actual light levels measured in the field will match initial calculations, and recommend that drawings be submitted to a certified electrical engineer for verification.

Plan View
Scale = 1/32" = 1ft

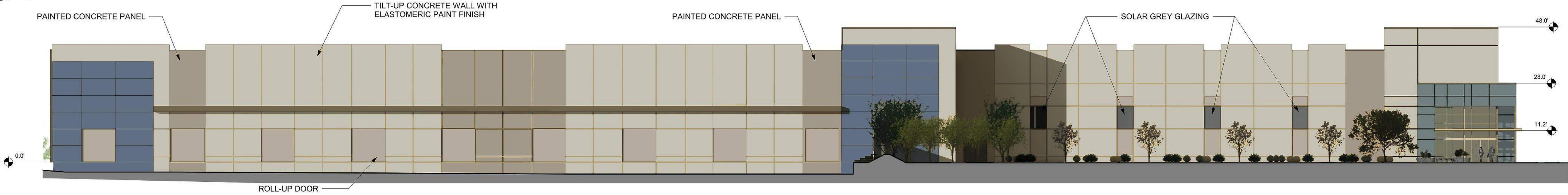


1 FLOOR PLAN
1/16" = 1'-0"



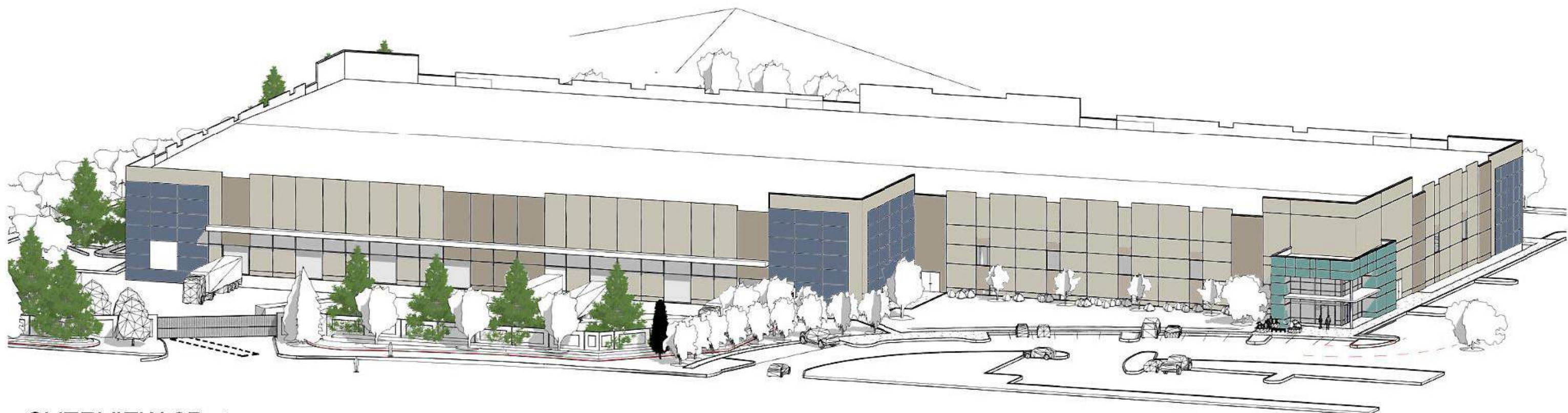
1 NORTH ELEVATION

1/16" = 1'-0"



2 SOUTH ELEVATION

1/16" = 1'-0"



5 OVERVIEW 3D

N.T.S.

NOTE: THESE VIEWS SHOW ONLY A SMALL PORTION OF THE PLANNED PLANTINGS FOR CLARITY OF THE BUILDING AND DO NOT REPRESENT THE FULL LANDSCAPING PLAN.



3 EAST ELEVATION

1/16" = 1'-0"



4 WEST ELEVATION

1/16" = 1'-0"

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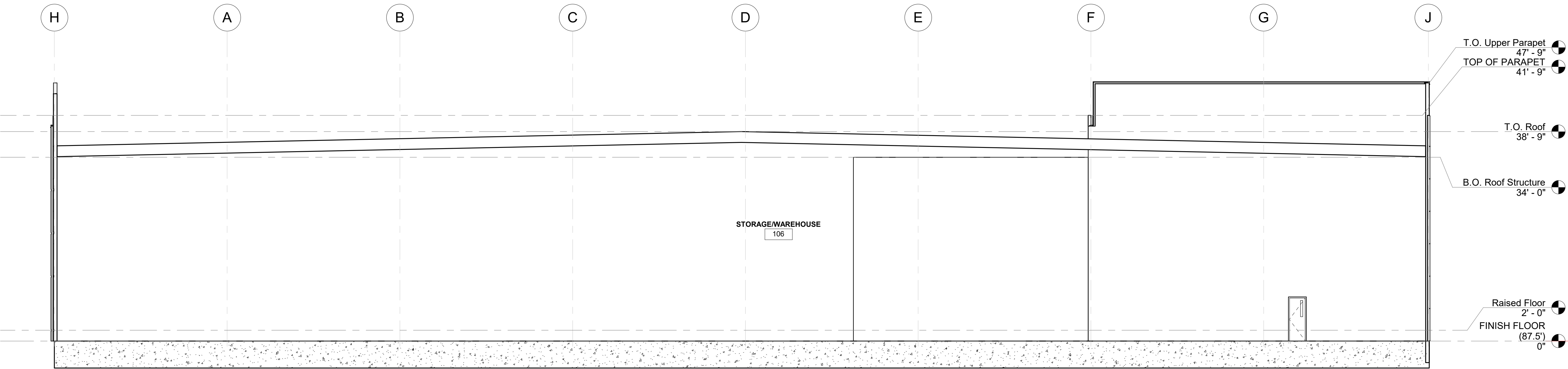
600 Q. St. Suite 100,
Sacramento, CA 95811
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JACKSON PROPERTIES, INC.
MATHER COMMERCIAL CENTER TEST FIT

PRELIMINARY DESIGN

PA0.3
EXTERIOR ELEVATIONS
1/16" = 1'-0"
07/10/2023





1 BUILDING SECTION A
1" = 10'-0"



NOTE: THIS VIEW SHOWS ONLY A SMALL PORTION OF THE PLANNED PLANTINGS FOR CLARITY OF THE BUILDING AND DOES NOT REPRESENT THE FULL LANDSCAPING PLAN.

BASE PAINT:
BUILDING
WALLS AND
LANDSCAPING
WALL

WHISPER RIDGE

ACCENT PANELS

TEDDY'S TAUPE

ACCENT PANELS

CITY LOFT

ALUMINUM STOREFRONT

ALUCABOND METAL
PANELS AT ENTRY

PAINTED CONCRETE
ACCENT PANELS

SILVER BLUEBERRY

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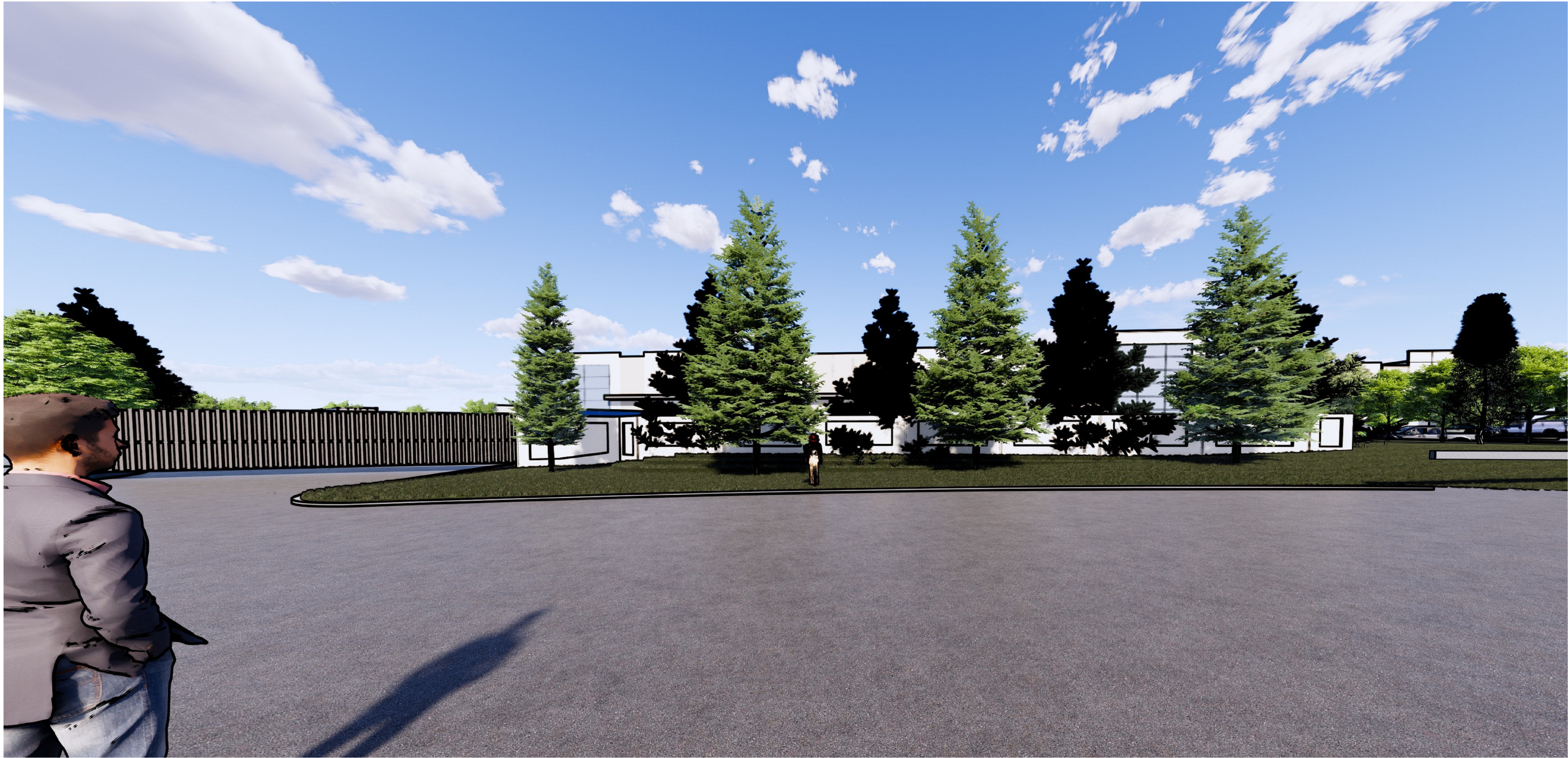
JACKSON PROPERTIES, INC.
MATHER COMMERCIAL CENTER TEST FIT

PRELIMINARY DESIGN

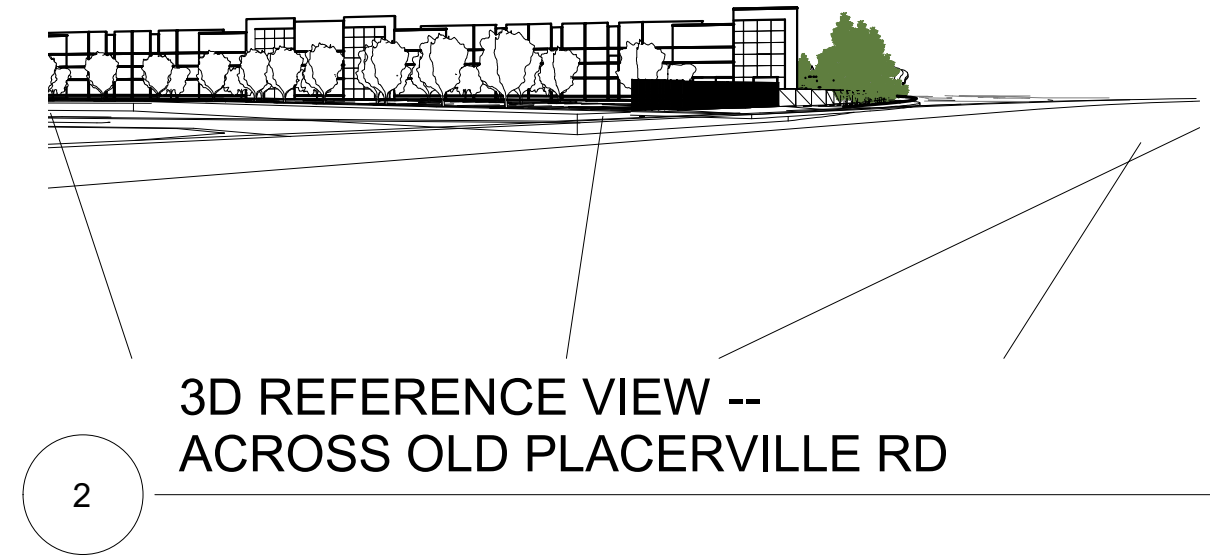
PA0.5
RENDERING & MATERIALS

07/10/2023

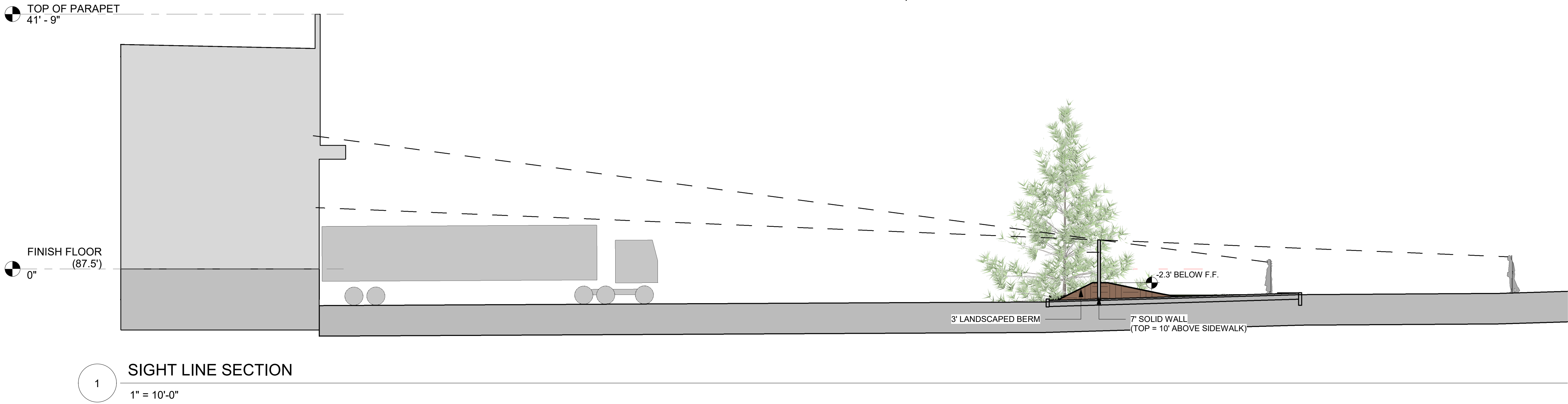




RENDERING VIEW -- MATURE LANDSCAPING, EYE LEVEL FROM SOUTH SIDE OF PETER A MCCUEN



EXISTING MATURE LANDSCAPING, EYE LEVEL FROM ACROSS OLD PLACERVILLE RD. (THE YELLOW LINE REPRESENTS THE OUTLINE OF THE BUILDING VIEWED FROM THIS LOCATION).



ITEM 18.1.**ATTACHMENT 3
Exhibit B to the Resolution****CONDITIONS OF APPROVAL**

		Category	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>
On-Going Conditions				
1.	The proposed entitlement is for a Major Design Review Permit for the Jackson Properties Warehouse Storage Building as described in the City Council staff report dated (August 21, 2023) and attached Project Plans (<u>Exhibit A</u>) with project conditions herein (<u>Exhibit B</u>), for project number PLND-0622-0044.	Project Description	On-Going	Planning
2.	Applicant(s) agree to defend, indemnify and hold harmless with Counsel selected by the City of Rancho Cordova ("City") and its agents, officers, consultants, and employees ("City's Agents") from any and all claims, actions, suits, or proceedings against the City or the City's agents to attack, set aside, void, annul, or modify an approval by the City, or the City's Agents concerning the project (collectively "Claim"). The City shall promptly notify the Applicant of any Claim and the City shall cooperate fully in the defense. Nothing in this condition obligates the City to defend any Claim and the City is not required to pay or perform any settlement arising from any such Claim not defended by the City, unless the settlement is approved in writing by the City.	General	On-Going	Planning
3.	Any future alteration to the buildings, change in use, intensification of the site, or modification to the parking and landscaped area must be reviewed by the City to ensure compliance with all local, state, and federal regulations. Minor modifications that are found to be in substantial conformance with the approved plans such as colors, plant materials, or minor lot line adjustments, may be approved administratively. Major modifications shall be approved by the applicable decision-making body.	General	On-Going	Planning
4.	Applicant/Developer shall not carry a negative account balance with the City for the processing of the project. If	General	On-Going	Planning

ITEM 18.1.**ATTACHMENT 3
Exhibit B to the Resolution****CONDITIONS OF APPROVAL**

		Category	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>
	a negative account balance occurs, it will be the developer's responsibility to pay the balance due, in order to avoid delays in the processing of future permits or recordation of maps. Please email the Finance Department at billings@cityofranchocordova.org for the status of your account with the City.			
5.	The Permit is valid for a period of three (3) years from the date of City Council approval unless an extension is granted by the Community Development Director or substantial construction of the permitted use or project has commenced and is diligently pursued to completion.	Expiration	On-Going	Planning
6.	Noise sources associated with construction, repair, remodeling, demolition, paving and/or grading of any real property must adhere to the development standards in the City's Noise Element, RCMC 6.68 and RCMC 16.18.1407(F).	Noise	On-Going	Code Enforcement /Building
7.	The removal and replanting of landscape not listed on the approved plan set must be consistent with RCMC 23.716.080 through 23.716.090 and reviewed by the Planning Department prior to the removal. All landscape care, maintenance, and tree pruning must adhere to RCMC 23.716.100 through 23.716.110.	Landscaping	On-Going	Planning
8.	Applicant shall be responsible for all damage to City streets associated with construction of the project and shall repair any damage as soon as possible.	Sidewalk Repair	On-Going	Public Works
9.	All storm drain facilities within private lots shall be privately maintained and shall be clearly labeled as "private" in the improvement plans.	Storm Drain Facilities	On-Going	Public Works
10.	Public lower laterals must not be smaller than the upper laterals, sized according to the California Plumbing Code Requirements	Sewer Laterals	On-going	Sacramento Area Sewer District
11.	SASD Design Standards and Specifications require minimum 6-inch lower laterals for commercial and	Design Standards	On-Going	Sacramento Area Sewer District

ITEM 18.1.**ATTACHMENT 3
Exhibit B to the Resolution****CONDITIONS OF APPROVAL**

		Category	Timing/ Implementation	Enforcement/ Monitoring
	industrial buildings.			
12.	SASD prohibits gates that prevent access within sewer easements unless the District standards for accessibility through gates are met.	Access	On-Going	Sacramento Area Sewer District
13.	Construction of a grease trap or a sand oil separator may be required. The Applicant must verify with the applicable jurisdiction's building department.	Grease Trap / Sand Oil Separator	On-Going	Sacramento Area Sewer District
14.	If any proposed garbage enclosure will contain a drain to the sewer, it must be covered.	Trash Enclosure	On-Going	Sacramento Area Sewer District
15.	Any use of SASD sewer easements, which is not compatible or interferes with the construction, reconstruction, operation, maintenance, or repair of SASD sanitary sewer(s), must not be allowed. Each proposed use must be reviewed and approved in writing by the District Engineer prior to the use of the easement by the grantor. This includes landscaping.	Sewer Easements	On-Going	Sacramento Area Sewer District
16.	SMUD has existing underground 12kV facilities along Peter A McCuen Blvd and on-site that will need to remain. The Applicant shall be responsible for maintaining all CalOSHA and State of California Public Utilities Commission General Order No. 128 safety clearances during construction and upon building completion. If the required clearances cannot be maintained, the Applicant shall be responsible for the cost of relocation.	Existing Facilities	On-Going	SMUD
17.	SMUD reserves the right to use any portion of its easements on or adjacent to the subject property that it reasonably needs and shall not be responsible for any damages to the developed property within said easement that unreasonably interferes with those needs.	Easements	On-Going	SMUD
18.	In the event the Applicant requires the relocation or removal of existing SMUD facilities on or adjacent to the subject property, the Applicant shall coordinate with	Relocation or Removal	On-Going	SMUD

ITEM 18.1.**ATTACHMENT 3
Exhibit B to the Resolution****CONDITIONS OF APPROVAL**

		Category	Timing/ <u>Implementation</u>	Enforcement/ <u>Monitoring</u>
	SMUD. The Applicant shall be responsible for the cost of relocation or removal.			
19.	Any necessary future SMUD facilities located on the Applicant's property shall require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the Applicant's property.	Future Facilities	On-Going	SMUD
20.	In the event the City requires an Irrevocable Offer of Dedication (IOD) for future roadway improvements, the Applicant shall dedicate a 12.5-foot public utility easement (PUE) for overhead and/or underground facilities and appurtenances adjacent to the City's IOD.	Irrevocable Offer of Dedication	On-Going	SMUD
21.	The Applicant shall disclose existing or proposed 69kV electrical facilities to future and/or potential owners.	Electrical Facilities Disclosure	On-Going	SMUD
22.	Daily sweeping is required for Peter A McCuen Blvd during construction along with the enforcement of CA fugitive dust requirements for construction sites.	Construction	On-Going Throughout Construction	Planning
23.	Water supply will be provided by the Sacramento County Water Agency.	Water Supply	On-Going	Sacramento County Water Agency
24.	Public Water Service must be supplied to each building	Water Supply	On-Going	Sacramento County Water Agency
25.	During construction, the Project must utilize electric tools and vehicles to the extent feasible, including heavy equipment tools and construction vehicles. Any heavy equipment tools and vehicles not powered by electricity must be limited in the amount of time they are allowed to idle. City may request at any time, all equipment maintenance records and data sheets, including design specifications and emission control tier classifications. City may conduct an on-site inspection to verify compliance with this condition.	Construction Equipment	On-Going Throughout Construction	Planning

ITEM 18.1.

ATTACHMENT 3
Exhibit B to the Resolution

CONDITIONS OF APPROVAL

		Category	Timing/ <u>Implementation</u>	Enforcement/ <u>Monitoring</u>
26.	Parking of trucks (with or without trailers) is not permitted on the public right of way surrounding the property and also not permitted in designated passenger vehicle parking spaces. Trucks shall not inhibit any on-site circulation or access on the property.	Truck Parking	On-Going	Planning
Prior to Approval of Improvement Plans				
27.	Show the design for a fire access roadway of not less than 20-feet of unobstructed width, 13-feet, 6-inches of vertical clearance, and turning radii of 25 feet inside and 50 feet outside dimension on the improvement plans. The access roadway shall extend to within 150 feet of all portions of the exterior walls of the first story of any proposed building. <i>The use of turf-block or grass-crete or similar alternate road surfaces is not approved for installation in fire apparatus access roadways.</i>	Fire Access Roadway	Prior to Approval of Improvement Plans	Sacramento Metropolitan Fire Department
28.	Show the design for a minimum of 2 remote fire access roadways. Remote fire access roadways shall be spaced a distance apart equal to not less than one-half of the maximum diagonal dimension of the property or areas to be served. A minimum 2 remote access roadway shall be provided for in any of the following conditions: a) A single building in excess of 62,000 sq. ft. b) Multiple buildings within a single parcel where the total combined square footage is in excess of 62,000 sq. ft. c) Multi-family dwellings in excess of 39 units.	Fire Access	Prior to Approval of Improvement Plans	Sacramento Metropolitan Fire Department
29.	Show the design for aerial apparatus access for buildings 30 feet or greater. Aerial apparatus access shall be a minimum 26-feet in width, located 15-30 feet from the	Aerial Apparatus Access	Prior to Approval of Improvement Plans	Sacramento Metropolitan Fire Department

ITEM 18.1.**ATTACHMENT 3
Exhibit B to the Resolution****CONDITIONS OF APPROVAL**

		Category	Timing/ <u>Implementation</u>	Enforcement/ <u>Monitoring</u>
	building, and located on no less than 2 sides of the building (as determined by the Fire Code official).			
30.	Show the design for an approved fire apparatus turnaround. The fire apparatus turnaround shall conform to Sacramento Metro Fire Districts, Fire Prevention Standard #3. The fire access turn-around shall be located within 50 feet of the end of the access roadway.	Fire Apparatus Turnaround	Prior to Approval of Improvement Plans	Sacramento Metropolitan Fire Department
31.	Show on the plan how Fire Lanes will be marked. Fire Lane identification shall be provided along the required fire access roadway. Fire Lane identification shall be in accordance with the Sacramento Metro Fire Districts Fire Prevention Standard #3 and the California Vehicle Code. Vehicle parking is prohibited on any street less than 28 feet in width. Vehicle parking is permitted on both sides of streets 36 feet or more in width. Roadway widths shall be measured between the gutter-line or edge of pavement on opposite sides of the road. Identification of fire apparatus access roadways may be required on private roads.	Fire Lanes	Prior to Approval of Improvement Plans	Sacramento Metropolitan Fire Department
32.	Provide a note on the plan that reads, "Fire access roadways shall be built to bear a minimum of 80,000 pounds and meet the Sacramento County Public Works Standards for roadways. A report, prepared by a registered geotechnical engineer, verifying the ability of the road to bear the required minimum weight, shall be submitted with any plan indicating construction of roadway. Verification of constructed roadway shall be provided by a registered geotechnical engineer prior to final of the project."	Fire Apparatus Access	Prior to Approval of Improvement Plans	Sacramento Metropolitan Fire Department
33.	Show the location of the required fire hydrants for this project on the improvement plans. Approved fire hydrants capable of providing the required fire flow for the protection of any and all structures shall be located along	Fire Hydrants	Prior to Approval of Improvement Plans	Sacramento Metropolitan Fire Department

CONDITIONS OF APPROVAL

		Category	Timing/ <u>Implementation</u>	Enforcement/ <u>Monitoring</u>
	the fire apparatus access roadway. The required fire hydrants shall be installed and operational prior to any construction or on-site storage of combustible materials. The minimum required fire flow for the protection of commercial developments is 1,500 gallons per minute (gpm) at a pressure of 20 pounds per square inch (psi) for a two-hour duration.			
34.	Provide Fire Access Agreement between all parcels connected to and served by fire access. Fire Access Agreement shall be recorded with the Public Records Office having jurisdiction.	Fire Access Agreement	Prior to Approval of Improvement Plans	Sacramento Metropolitan Fire Department
35.	Provide Fire Access Roadway Maintenance Agreement (RMA) between all parcels connected to and served by the fire access roadway. The Fire Access Roadway Maintenance Agreement shall be recorded with the Public Records Office having jurisdiction. The roadway maintenance agreement shall include the following: a) Provisions for the necessary repair and maintenance of the roadway surface. b) Removal of vegetation overgrowing the roadway and infringing on the roadway clear vertical height of thirteen feet six inches (13'-6") or width of twenty feet (20') c) Provisions for the maintenance, repair, and/or replacement of NO PARKING-FIRE LANE signage or striping d) Provisions for the necessary repair and maintenance of vehicle and pedestrian access gates and opening systems.	Fire Access Roadway Maintenance Agreement	Prior to Approval of Improvement Plans	Sacramento Metropolitan Fire Department
36.	Drainage Study: Applicant shall prepare and submit a project specific drainage study that includes but is not limited to: a pre- and post-project drainage analysis of the project impacts, identification of offsite project	Drainage Study	Prior to Approval of Improvement Plans	Public Works

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CONDITIONS OF APPROVAL

		Category	Timing/ <u>Implementation</u>	Enforcement/ <u>Monitoring</u>
	impacts or required offsite improvements, and identification of proposed connections to the City's Storm Drainage System with adequate supporting calculations. The drainage study shall conform to the requirements of the Sacramento City/County Drainage Manual (Volume 2), County of Sacramento Improvement Standards (Section 9), and all other applicable City standards. The drainage study must be developed and stamped by a Professional Engineer and determined by the City to be accurate and adequate. The modeling shall extend to the downstream drainage channel owned by Sacramento County.			
37.	Stormwater Quality- Post Construction The improvement plans shall incorporate all applicable post construction stormwater quality measures; including source control (loading docks, waste management areas), treatment control, hydromodification management, low impact development measures (including but not limited to disconnected roof drains, amended soils, depressed landscaping, river friendly landscaping, etc.), and full capture trash control measures into the site improvement plans in conformance with the most recent version of the <i>Stormwater Quality Design Manual for the Sacramento Region</i> . The applicant shall prepare and submit a Post-Construction Stormwater Quality Control Plan that includes details and sizing calculations of all the proposed post construction stormwater quality measures. In addition, a maintenance covenant is required for all proposed post construction stormwater quality measures, as detailed in Appendix B of the <i>Stormwater Quality Design Manual for the Sacramento Region</i> .	Stormwater	Prior to Approval of Improvement Plans	Public Works
38.	Stormwater Quality- During Construction:	Stormwater	Prior to Approval of	Public Works

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		Category	Timing/ <u>Implementation</u>	Enforcement/ <u>Monitoring</u>
	SWPPP – the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) to be executed through all phases of grading and project construction. The SWPPP shall incorporate Best Management Practices (BMPs) to ensure that potential water quality impacts during construction phases are minimized. These measures shall be consistent with the City’s Improvement Standards and Land Grading and Erosion Control Ordinance. During construction, the applicant shall implement BMPs in accordance with the SWPPP and the City’s Improvement Standards. Advisory Condition: Construction General Permit The project applicant shall file a Notice of Intent (NOI) to obtain coverage under the <i>National Pollutant Discharge Elimination System (NPDES) General Permit For Storm Water Discharges Associated With Construction And Land Disturbance Activities</i> (Construction General Permit). Permits are issued by the State Water Resources Control Board.	Quality	Improvement Plans	
39.	The SWPPP for the site shall include a contingency plan for the implementation of a process to remove fine clay sediments prior to discharge to the City of Rancho Cordova’s storm drain system and/or Waters of the State (e.g., creeks, rivers) to the satisfaction of the City of Rancho Cordova. A polymer treatment system or comparable process shall be incorporated in the erosion and sediment control plan as part of the improvement plans submittal. This system shall be implemented by qualified professionals with training and proven experience in this field.	SWPPP	Prior to Approval of Improvement Plans	Public Works
40.	Drainage System Design: The applicant shall submit and obtain City approval of plans and specifications for the construction of public	Drainage System	Prior to Approval of Improvement Plans	Public Works

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Exhibit B to the Resolution****CONDITIONS OF APPROVAL**

		Category	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>
	improvements and all grading. The drainage system shall be designed in accordance with the approved Drainage Study to accommodate runoff from the ultimate development and shall meet the City of Rancho Cordova's Improvement Standards, construction standards, and Floodplain Management Ordinances in effect at the time of improvement plans approval.			
41.	All development within the City must comply with the City of Rancho Cordova's Floodplain Management Ordinance. All new structures shall be protected from the 100-year (1 percent) flood event. Certified pad elevations (certified by a registered Civil Engineer or licensed Land Surveyor) shall be set at least one and two tenths foot (1.2') above all sources of 100-year flooding (see Section 9-1 of improvement standards). The overland release path must be shown on the improvement plans and the hydraulic computation must be provided to estimate the flow depths along the overland release paths. The calculations must be in conformance with Section 9-15 of the Improvement Standards.	Floodplain Management	Prior to Approval of Improvement Plans	Public Works
42.	The applicant must determine if they are required to obtain coverage under the State's "NPDES General Permit for Stormwater Discharges Associated with Industrial Activity". Applicant shall submit the determination to the City for review. The submittal must include the applicable Standard Industrial Classification (SIC) code(s), which describe the business activities that will be occurring at the facility.	Stormwater Permitting	For Industrial Site, Prior to Approval of Improvement Plans	Public Works
43.	Provide a permanent concrete stamp, or other permanently applied message to the satisfaction of the City not including paint, which reads "No Dumping-Flows to Creek" or other approved message at each storm drain inlet.	Concrete Stamp	Prior to Approval of Improvement Plans	Public Works

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		Category	Timing/ Implementation	Enforcement/ Monitoring
44.	Fees: Pay the drainage impact fees to the satisfaction of the City of Rancho Cordova Public Works Department	Drainage Impact Fees	Prior to Approval of Improvement Plans	Public Works
45.	Number, size, and location of driveways are subject to approval by the Public Works Department.	Driveways	Prior to Approval of Improvement Plans	Public Works
46.	All landscape strips, medians, etc. that contain trees shall be designed to include continuous root barriers. Trees shall be appropriately sized for their proposed planters.	Tree Installation	Prior to Approval of Improvement Plans	Public Works
47.	All landscape corridor walls shall be designed of masonry construction using graffiti resistant materials. Wall design and materials shall be subject to City's approval and design standards.	Landscape Corridors	Prior to Approval of Improvement Plans	Public Works
48.	A tree removal permit is required for the removal of 1-maple tree at the proposed driveway location on Peter A McCuen Blvd. Trees shall be replaced or mitigated per Rancho Cordova Municipal Code 19.12.120. Tree replacement is one inch per one inch ratio. In-lieu payment is \$165 per inch.	Tree Removal	Prior to Approval of Improvement Plans	Public Works
49.	Relocate storm and water mains from under building footprint and record new utility easements.	Storm and Water Main Relocation	Prior to Approval of Improvement Plans	Public Works
50.	If there is more than one building in any single parcel and the parcel is not proposed for split, then each building on that parcel must have a separate connection to a private onsite sewer line or a separate connection to the SASD public sewer line. These improvements must be shown on the plans. Field modifications to new or existing precast manhole bases are not allowed.	Sewer Connection	Prior to Approval of Improvement Plans	Sacramento Area Sewer District
51.	Lower Laterals must not directly connect to main lines more than 19 feet deep / directly to trunk lines (lines with flow greater than 1 MGD). Connection to the sewer main line on Peter A McCuen Blvd will not be allowed except at the manhole.	Sewer Connection	Prior to Approval of Improvement Plans	Sacramento Area Sewer District

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		Category	Timing/ Implementation	Enforcement/ Monitoring
52.	All onsite sewer plans and offsite sewer plans must be submitted separately to SASD for review and approval.	Sewer Plan Submittals	Prior to Approval of Improvement Plans	Sacramento Area Sewer District
53.	Permanent structures, walls, signs and footings will not be permitted within the existing SASD easement area unless express written permission is obtained from SASD.	SASD Easement Areas	Prior to Approval of Improvement Plans	Sacramento Area Sewer District
54.	All manholes not within public right of way must be accessible with an all-weather access road.	Access	Prior to Approval of Improvement Plans	Sacramento Area Sewer District
55.	Any landscaping within easement areas is limited to lawn or similar groundcover, or plant species that are not environmentally protected and whose mature growth does not exceed five feet in height. When planting, place a root barrier system, such as trifluralin fabric, between the main lines or laterals and any trees or shrubs planted within the easement area.	Landscaping	Prior to Approval of Improvement Plans	Sacramento Area Sewer District
56.	All water lines shall be located within a public right-of-way or within easements dedicated to SCWA. Easements shall be reviewed and approved by Sacramento County Water Agency prior to Improvement Plan Approval or Final Map Approval	SCWA Easements	Prior to Approval of Improvement Plans	Sacramento County Water Agency
57.	Destroy all abandoned wells on the proposed project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned/destroyed wells on the improvement plans for the project. Prior to abandoning any existing agricultural wells, applicant shall use water from agricultural wells for grading and construction.	On-Site Wells	Prior to Approval of Improvement Plans	Sacramento County Water Agency
58.	Civil Improvement Plans approved by SCWA are required for relocation of the water main. A new water pipeline easement for the relocated portion of the water main shall be dedicated to SCWA.	Civil Plan Submittals	Prior to Approval of Improvement Plans	Sacramento County Water Agency
59.	The water supply sequencing steps shall be: (1) install and cure temporary thrust restraints at locations where	Water Supply Sequencing	Prior to Approval of Improvement Plans	Sacramento County Water

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		Category	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>
	water main will be cut, (2) obtain approval from the Fire Department to shut down the fire loop, (3) request SCWA Operations to shut the isolation valves, (4) cut and remove the existing water main and install the relocated water main except for tie-in's (5) after disinfection, make the tie-in's then (6) after new water system is ready for SCWA acceptance allow two months for SCWA to abandon the portion of the existing water pipeline easement under the proposed building.			Agency
60.	The Applicant shall dedicate a 12.5-foot public utility easement for overhead and/or underground facilities and appurtenances adjacent to all public street rights-of-way.	Easement Dedications	Prior to Approval of Improvement Plans	SMUD
61.	The Applicant shall dedicate any private drive, ingress and egress easement, (and 10-feet adjacent thereto) as a public utility easement for (overhead and) underground facilities and appurtenances. All access roads shall meet minimum SMUD requirements for access roads.	Easement Dedications	Prior to Approval of Improvement Plans	SMUD
62.	The project plans show proposed stormwater retention/detention basins. Please provide details on vegetation management and debris/sedimentation management and long-term maintenance of the stormwater retention/detention basins including but not limited to; all inlets/outfalls, storm drains, storm drain manholes, drain inlets, and bioretention areas. It is the District's goal to have all stormwater conveyances be constructed in such a manner so that it does not breed mosquitos or require mosquito control.	Stormwater Management	Prior to Approval of Improvement Plans	Mosquito and Vector Control District
63.	All stormwater, drainage and water features including but not limited to: storm drains, storm drain manholes, drain inlets, and bioretention areas, and detention/retention basin shall be designed to be in compliance pursuant to the California Health and Safety Code (HSC 2060) to discourage or eliminate mosquito breeding.	Water Feature Requirements	Prior to Approval of Improvement Plans	Mosquito and Vector Control District

CONDITIONS OF APPROVAL

		Category	Timing/ Implementation	Enforcement/ Monitoring
64.	Please ensure that any stormwater drainage features constructed do not hold water for more than 72 hours and vegetation is maintained to prevent mosquito breeding. (Please refer to the District's BMP manual SW-10).	Stormwater Drainage	Prior to Approval of Improvement Plans	Mosquito and Vector Control District
65.	As stated in the designs it indicates that security fencing will be installed. Please note that District Staff will need full access to all proposed stormwater and drainage features including but not limited to: storm drains, storm drain manholes, drain inlets, and bioretention areas, and detention/retention basins to conduct surveillance and treatment of potential mosquito breeding habitats.	District Access	Prior to Approval of Improvement Plans	Mosquito and Vector Control District
Prior to Issuance of Building Permit				
66.	Structural setbacks less than 14-feet shall require the applicant to conduct a pre-engineering meeting with all utilities to ensure property clearances are maintained.	Structural Setbacks	Prior to Issuance of Building Permit	SMUD
67.	The Applicant shall not place any building foundations within 5-feet of any SMUD trench to maintain adequate trench integrity. The Applicant shall verify specific clearance requirements for other utilities (e.g., Gas, Telephone, etc.).	Utility Clearance	Prior to Issuance of Building Permit	SMUD
68.	The Applicant shall comply with SMUD siting requirements (e.g., panel size/location, clearances from SMUD equipment, transformer location, service conductors). Information regarding SMUD siting requirements can be found at: https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services .	Siting Requirements	Prior to Issuance of Building Permit	SMUD
69.	The Applicant shall dedicate and provide all-weather	Vehicular Access	Prior to Issuance of	SMUD

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		Category	Timing/ <u>Implementation</u>	Enforcement/ <u>Monitoring</u>
	vehicular access for service vehicles that are up to 26,000 pounds. At a minimum: (a) the drivable surface shall be 20-feet wide; and (b) all SMUD underground equipment and appurtenances shall be within 15-feet from the drivable surface.		Building Permit	
70.	The applicant shall meet the following: Civil Site Plans and Architectural Plans shall be submitted <u>and</u> approved prior to Final Building Permit being issued. Fire Sprinkler and Fire Alarm plans shall be <u>submitted</u> prior to Final Building Permit being issued. Please note: The Sacramento Metro Fire District <u>does not</u> allow deferred submittals for Fire Sprinkler or Fire Alarm plans.	Plan Submittals	Prior to Issuance of Building Permits	Sacramento Metropolitan Fire Department
71.	Property Owner/Applicant shall participate in or provide a funding mechanism for maintenance services for the project's stormwater drainage and flood protection system. This may be accomplished through annexation to the City's Stormwater Utility Fee District, or other financial mechanism as may be proposed and provided by the Property Owner for the same purpose of providing a funding mechanism to fund the operation and maintenance of the Project's stormwater drainage and flood protection system. Costs associated with the annexation shall be borne by the Property Owner/Applicant through payment of the annexation costs in the amount of \$7,000 per annexation. Contact Dalia Fadi at (916) 851-8718 with regard to the process to satisfy this condition of approval.	Stormwater Utility Fee District Annexation	Prior to Issuance of Building Permit	Public Works
72.	Applicant shall complete improvement plans to the satisfaction of the Public Works Department. Improvement plans shall include, but shall not be limited to: • All onsite civil improvements • Civil plan shall include an ADA access plan	Improvement Plans	Prior to Issuance of Building Permits	Public Works

ITEM 18.1.**ATTACHMENT 3
Exhibit B to the Resolution****CONDITIONS OF APPROVAL**

		Category	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>
	• All facilities, including but not limited to, sidewalk, driveways, etc. shall meet current ADA requirements and City Standards. • Utility laterals • High Visibility Enhanced crosswalks on Peter A. McCuen Boulevard at Schriever Avenue and De Bellevue Street to the satisfaction of Cordova Recreation and Park District and the Public Works Department. • Replacement of damaged sidewalk and curb and gutter along property frontage to the satisfaction of The Public Works Department. Sidewalk panels shall be replaced to the nearest joint • All site fencing shall be decorative. • Public improvement plans shall clearly delineate all transitions to existing improvements • All improvements to be designed and constructed to the satisfaction of the Public Works Department. Complete installation of all improvements shown on the improvement plan to satisfaction of the City prior to occupancy			
73.	The owner must contact Permit Services Unit at PermitServices@sacsewer.com or by phone at (916) 876-6100 to determine if sewer impact fees are due. Fees are to be paid prior to the issuance of building permits.	Sewer Impact Fees	Prior to Issuance of a Building Permit	Sacramento Area Sewer District
74.	A final landscape plan shall be submitted in conjunction with building permit submittals and approved by the planning department prior to issuance of permits and/or any installation of landscape materials RCMC	Landscape Plan	Prior to Issuance of Building Permit	Planning / Public Works

ITEM 18.1.**ATTACHMENT 3
Exhibit B to the Resolution****CONDITIONS OF APPROVAL**

		Category	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>
	23.716.020. The final landscape planting and irrigation plan shall be prepared by a registered licensed landscape architect and include the following items per RCMC 22.180.060: • Planting plan to scale that indicate slope • Irrigation Plan • Soils Test • Water Use Calculations • Irrigation Schedule • Permeability test for LID facilities' locations • Soil media specifications (LID features)			
75.	Applicant shall provide a solid screen wall in conjunction with a landscaping berm along Peter A McCuen Boulevard to properly screen the loading dock area for the building from the public right-of-way. In total screening shall be a minimum of 10 feet (7-foot wall with 3-foot berm) in height. Combination wall and berm shall screen the loading dock areas directly from Peter A McCuen Boulevard as well as vehicles traveling east and westbound along the public right-of-way. A gate of comparable height to the screen wall (10-feet) shall also be installed for screening and shall be closed outside of business hours.	Screening	Prior to Issuance of Building Permit	Planning
76.	Project building will include skylights as well as a roof that is designed to carry solar panels for future installation.	Roof Design	Prior to Issuance of Building Permit	Planning
77.	Facility shall provide adequate infrastructure and electrical capacity to prepare for future zero-emission future goods movement including EV charging for future zero-emission vehicles as well as electrical plugs at every loading dock station prior to usage for refrigerated trucks.	Infrastructure	Prior to Issuance of Building Permits	Planning

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		Category	Timing/ <u>Implementation</u>	Enforcement/ <u>Monitoring</u>
78.	EV Charging infrastructure to be installed upon construction along with designated parking spaces to be provided to ensure the site is EV Ready consistent with California Green Building Code Requirements.	EV Infrastructure	Prior to Issuance of Building Permits	Planning / Building
79.	Signage shall be added to loading dock areas that states trucks parked in loading dock areas shall be shut off to reduce idling and no overnight parking of trucks is permitted.	Truck Idling	Prior to Issuance of Building Permit	Planning
80.	Water intensive commercial and industrial building permit applicants must conduct a water use efficiency review and submit the findings in required environmental documentation for the project.	Water Use Efficiency	Prior to Issuance of Building Permits	Sacramento County Water Agency
81.	The project requires efficient cooling systems, re-circulating pumps for fountains and ponds, and water recycling systems for vehicle washing as a condition of service	Water Efficiency	Prior to Issuance of Building Permits	Sacramento County Water Agency
82.	The project developer/owner shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Title 4 of the Sacramento County Water Agency (SCWA) Code.	Development Fees	Prior to Issuance of Building Permits	Sacramento County Water Agency
83.	The project shall conform to the specific provisions of the City of Rancho Cordova Landscaping Ordinance (Municipal Code Title 23, Chapter 23.716)	Landscaping Efficiency	Prior to Issuance of Building Permits	Sacramento County Water Agency
84.	All projects are subject to Sacramento Metro Air District rules and regulations in effect at the time of construction. Please visit our website to find a list of the most common rules that apply at the construction phase of projects.	Construction Rules and Regulation	Prior to beginning of Construction	Sacramento Metropolitan Air District
85.	The Project shall provide an updated photometric plan showing foot-candle readings every 10 feet within the property and 10 feet beyond the property lines, with the building permit submittal and shall also meet the following applicable requirements for Outdoor Lighting:	Outdoor Lighting	Prior to Issuance of Building Permits	Planning

CONDITIONS OF APPROVAL

	Category	Timing/ <u>Implementation</u>	Enforcement/ <u>Monitoring</u>
	• Nuisance Prevention: All outdoor lighting shall be designed, located, installed, directed downward or toward structures, shielded, and maintained in order to prevent glare, light trespass, and light pollution. • Maintenance: Fixtures and lighting shall be maintained in good working order and in a manner that serves the original design intent. • Shielding: All outdoor lighting shall be constructed with full shielding and/or recessed to reduce light trespass to adjoining properties. Each fixture shall be directed downward and away from adjoining properties and public rights-of-way, so that no light fixture directly illuminates an area outside of the site. • Levels of Illumination: Parking lots, driveways, trash enclosures/areas, public phones, and group mailboxes shall be illuminated with a minimum maintained one foot-candle of light and an average not to exceed four foot-candles of light. • Levels of Illumination: Pedestrian walkways shall be illuminated with a minimum maintained one-half foot-candle of light and an average not to exceed two foot-candles of light. • Levels of Illumination: Entryways and exterior doors of non-residential structures shall be illuminated during the hours of darkness, with a minimum maintained one foot-candle of light, measured within a five-foot radius on each side of the door at ground level. • Maximum Height of Freestanding Outdoor Light Fixtures: The maximum height of		

CONDITIONS OF APPROVAL

		Category	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>
	freestanding outdoor light fixtures shall be 24 feet. Height shall be measured from the finish grade, inclusive of the pedestal, to the top of the fixture. • Energy-Efficient Fixtures Required: Outdoor lighting shall utilize energy-efficient (high pressure sodium, metal halide, low pressure sodium, hard-wired compact fluorescent, or other lighting technology that is of equal or greater efficiency) fixtures and lamps. All new outdoor lighting fixtures shall be energy-efficient with a rated average bulb life of not less than 10,000 hours.			
86.	On-site public PA system or other address systems shall be located in areas that are controlled so that noise levels do not exceed 45 dba at property line	Noise	Prior to Issuance of Building Permit	Planning
87.	Short-Term and Long-Term bicycle parking shall be included on-site as required by the Sacramento County Zoning Code section 330-130. Bicycle parking shall be shown on Building Plans.	Bike Parking	Prior to Issuance of Building Permit	Planning
Prior to Final Inspection				
88.	During and upon completion of the installation of the landscaping for the project, the project landscape architect/designer shall certify that the installed landscape complies with the approved plans. Certification shall be accomplished by completion of site visits at key installation milestones. Key milestones at a minimum shall include: rough grade, soil amendment verification, Plant material inspection, irrigation coverage test underdrain installation (as applicable) and final installation. Certification shall include signed site observation reports, photographs and documentation	Landscaping	Prior to Final Inspection	Public Works

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		Category	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>
	verifying implementation of soil report recommendations. Failure to submit complete and accurate documentation to the Planning Department will delay final approval/occupancy of the project.			
89.	Install public and onsite improvements per the approved Public Works plans and to the satisfaction of the Public Works Department.	On-Site Improvements	Prior to Final Inspection	Public Works
90.	Upon completion of the installation of the landscaping, the designer shall certify that the landscape complies with all city water conserving landscape requirements. Certification shall be accomplished by completion of a certificate of compliance on a form approved by the director of the city public works department. Failure to submit a complete and accurate certificate of compliance will delay final approval of the project and/or discontinue water service per RCMC 22.180.090. Upon receipt of the certificate of compliance and site inspection from City staff, the landscaping performance bond will be released.	Water Conservation Requirements	Prior to Final Building Inspection	Public Works
91.	Record drawings of grading and improvement plans (1 full size and 1 half size hard copy), as well as a compact disc containing said plans in AutoCAD and pdf format, and a GIS shape file, or equivalent to the satisfaction of the City Engineer shall be submitted and approved by the Public Works Department.	Drawing Recordation	Prior to Final Building Inspection	Public Works
92.	Approved numbers or addresses shall be placed on all new or existing buildings in such a position as to be easily read from the street or road fronting the property. The minimum size of the numbers shall not be less than six (6) inches and shall be mounted immediately adjacent to a light source and shall also contrast with their background.	Addresses	Prior to Final Building Inspection	Sacramento Metro Fire

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		Category	Timing/ <u>Implementation</u>	Enforcement/ <u>Monitoring</u>
93.	Applicant/Owner/Developer shall repair and replace all right-of-way damages caused by the construction of the building to the satisfaction of the Public Works Department. Damages include, but are not limited to: pavement, sidewalks, curbs, and gutters.	Right-Of-Way Damages	Prior to Final Inspection/ Occupancy	Public Works

ADVISORY:

- **FIRE:** Any Gates shall be installed in accordance with The County Emergency Access Gates and Barriers Standard. Plan submittal is required prior to installation.

Jackson Properties Warehouse

PLND-0622-0044 Major Design Review & Height Exception

Nicholas Sosa, Associate Planner
September 5, 2023

Project Background

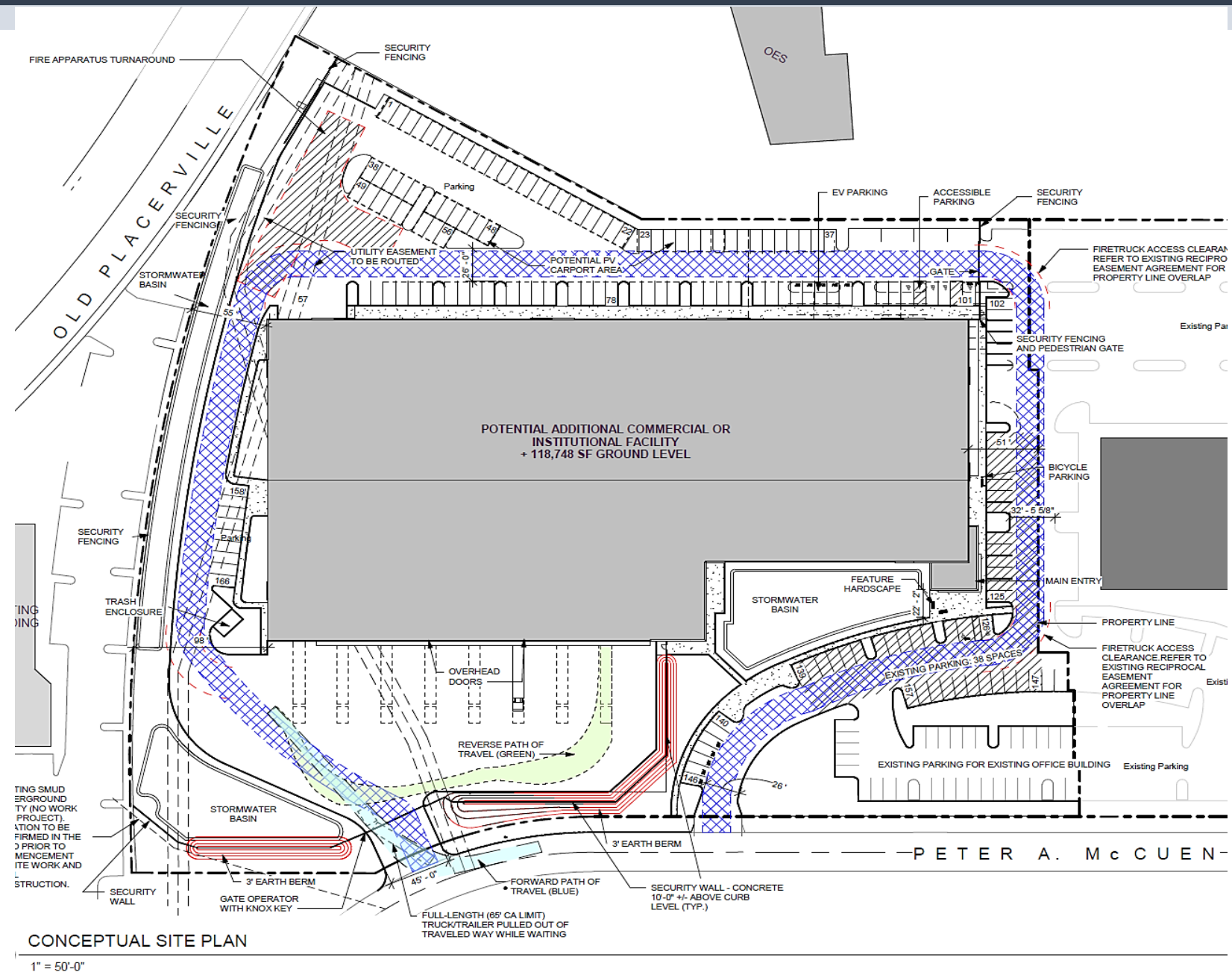
- The Project is located within the Mather Field Special Planning Area (MFSPA).
- Located within the Commercial Office Park Subarea of the Campus District.
- The project is greater than 75,000 SF and therefore is considered a Design Review Level II per the MFSPA.
- The City Council is the appropriate approval authority listed for this project.

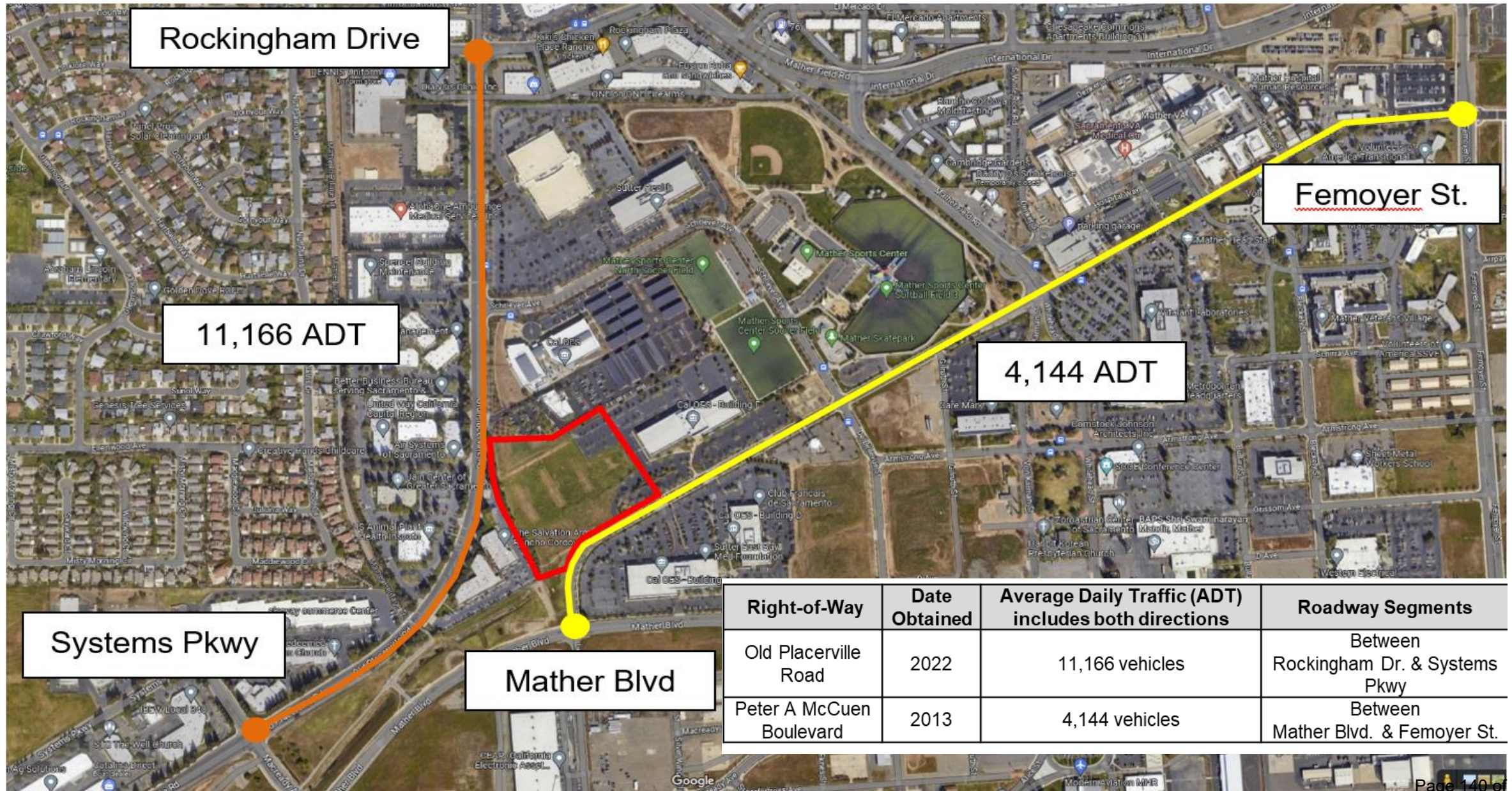
Project Request

- The Applicant is requesting a Major Design Review Entitlement to construct a 118,748 square foot shell industrial building with accessory office area and loading dock area.
- The Applicant is also requesting a height exception to exceed the 40-foot allowed height maximum by 8 additional feet.



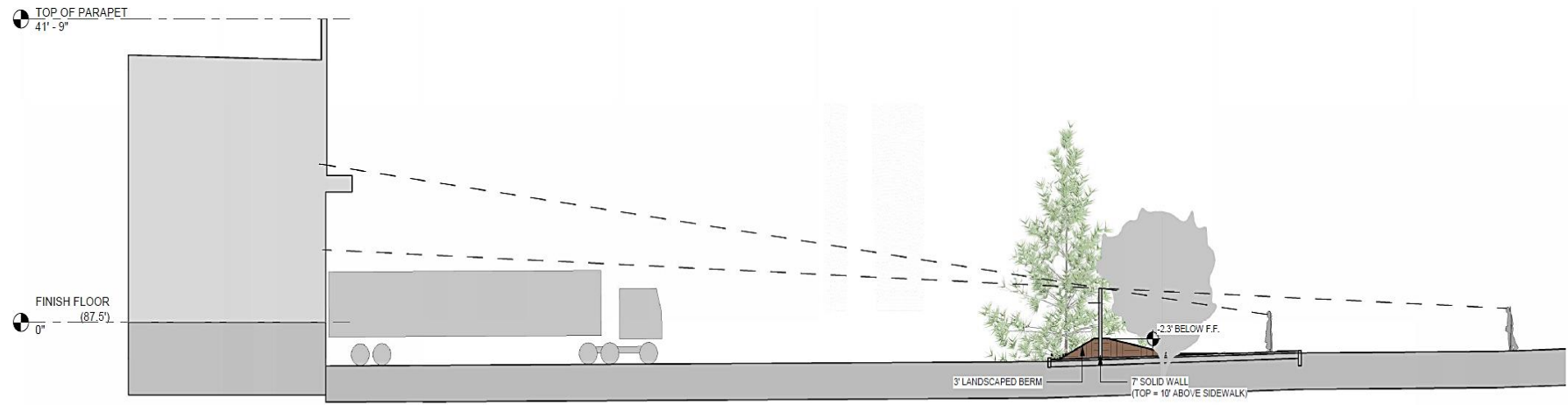
Applicant Presentation







RENDERING VIEW -- MATURE LANDSCAPING, EYE LEVEL FROM SOUTH SIDE OF PETER A MCCUEN



1 SIGHT LINE SECTION
1" = 10'-0"





Peter A McCuen



Old Placerville



Old Placerville

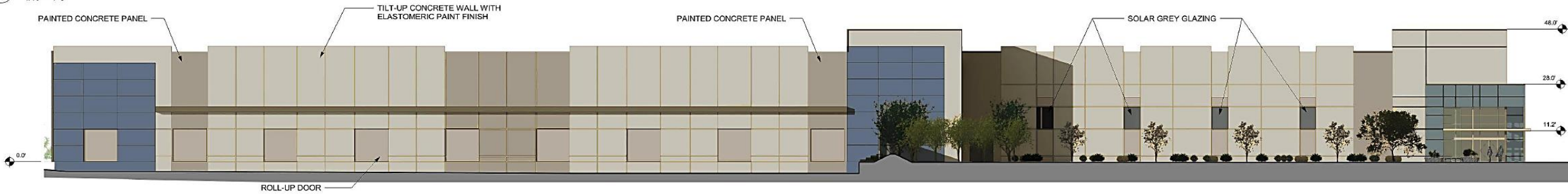


Old Placerville



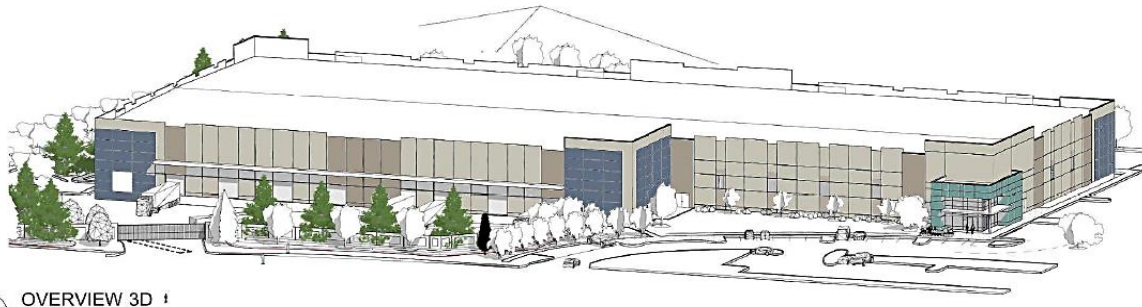
1 NORTH ELEVATION

1/16" = 1'-0"



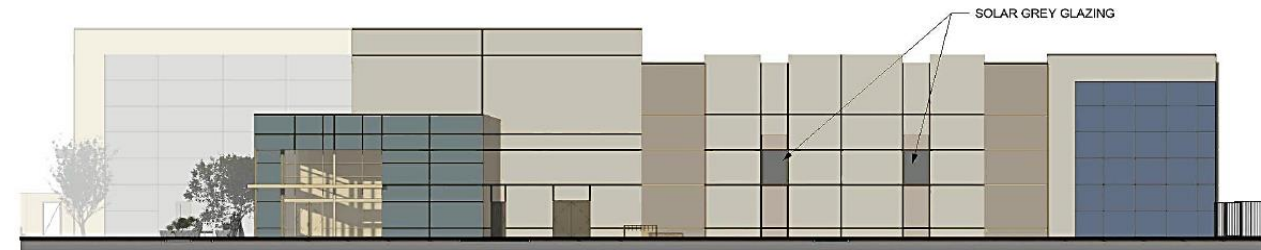
2 SOUTH ELEVATION

1/16" = 1'-0"



5 OVERVIEW 3D

N.T.S.



3 EAST ELEVATION

1/16" = 1'-0"



4 WEST ELEVATION

NOTE: THESE VIEWS SHOW ONLY A SMALL PORTION OF THE PLANNED PLANTINGS FOR CLARITY OF THE BUILDING AND DO NOT REPRESENT THE FULL LANDSCAPING PLAN.



NOTE: THIS VIEW SHOWS ONLY A SMALL PORTION OF THE PLANNED PLANTINGS FOR CLARITY OF THE BUILDING AND DOES NOT REPRESENT THE FULL LANDSCAPING PLAN.

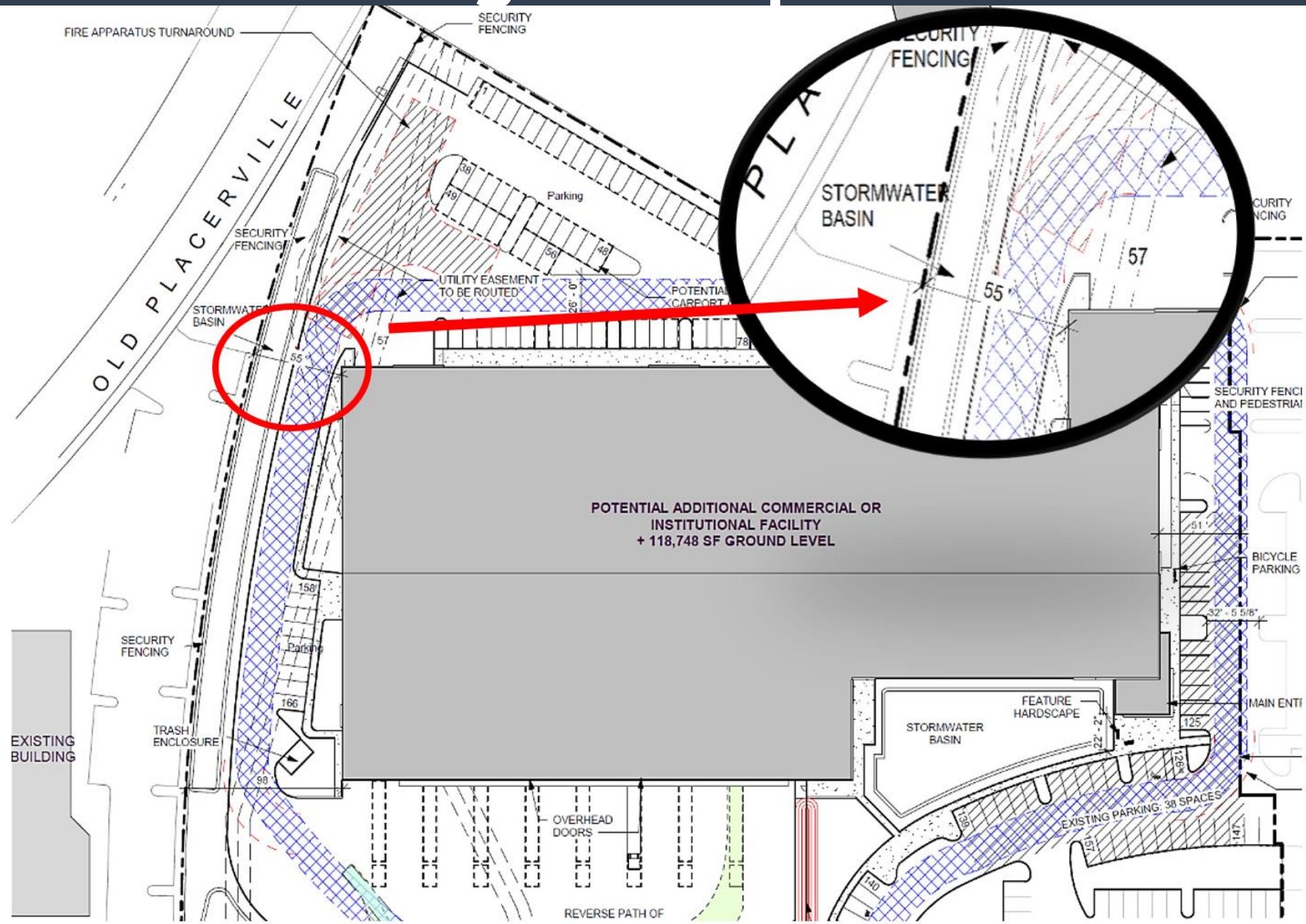
WHISPER ROSE

TEDDY'S TAUPE

CITY LOFT

SILVER BLUEBERRY

- Applicant is requesting a height exception to exceed the maximum allowed height from 40 feet to 48 feet.
- A height exception may be granted by the appropriate authority per the 2003 Sacramento County Code Section 301-22.
- Height limits for commercial and industrial buildings may be increased to a maximum of 150 feet in commercial and industrial land zones, provided that buildings are set back from the right-of way line of all abutting streets a distance equal to the height of the building.
- The Applicant is requesting a 48-foot building height and is showing 55-foot distance from the buildings closest point to the property line with the public right of way beyond that point, which exceeds the minimum 48 feet required for the height exception.



Height Exception



- The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15183, Projects Consistent with a Community Plan, General Plan, or Zoning.
- The proposed project has been reviewed and determined to be in conformity with the existing zoning, community plan, or general plan policies that were reviewed in the original certified EIR for the Mather Field Special Planning Area and no further CEQA review or environmental review is required.

- Determine the project Exempt per Section 15183, Projects Consistent with a Community Plan, General Plan, or Zoning
- Adopt the Resolution for the Jackson Properties Major Design Review and Height Exception project no. PLND-0622-0044 subject to the findings, project plans Exhibit A and Conditions of Approval Exhibit B.

Questions???

MEMORANDUM



ITEM 18.2.

DATE: September 5, 2023

TO: Honorable Mayor and Council Members

FROM: Albert Stricker, Public Works Director
Dalia Fadl, Principal Engineer

SUBJECT: **SECOND READING OF AN ORDINANCE ADDING CHAPTER 16.96 FLOODPLAIN MANAGEMENT ORDINANCE; AND AMENDING TITLE 3 REVENUE AND TAXATION, CHAPTER 3.60 PURCHASING SYSTEM, CHAPTER 3.70 INFORMAL BIDDING PROCEDURES; TITLE 6 HEALTH AND SANITATION, CHAPTER 6.20 SOLID WASTE MANAGEMENT, CHAPTER 6.21 BUSINESS AND MULTIFAMILY RECYCLING AND ORGANICS RECYCLING; TITLE 10 VEHICLES AND TRAFFIC; TITLE 12 STREETS AND SIDEWALKS; TITLE 15 WATER AND SEWERS, CHAPTER 15.10 STORM DRAINAGE FEE, CHAPTER 15.12 STORMWATER MANAGEMENT AND DISCHARGE CONTROL; TITLE 16 BUILDINGS AND CONSTRUCTION, CHAPTER 16.44 LAND GRADING AND EROSION CONTROL, CHAPTER 16.84 DEVELOPMENT IMPACT FEES TO FINANCE THE COST OF TRANSPORTATION FACILITIES**

RECOMMENDATION

Waive the second reading and adopt the Ordinance.

RESULT OF RECOMMENDED ACTION

Approval of the Ordinance would amend Title 3 Revenue and Taxation, Title 6 Health and Sanitation, Title 10 Vehicles and Traffic, Title 12 Streets and Sidewalks, Title 15 Water and Sewer, and Title 16 Building and Construction. The Ordinance would also adopt Chapter 16.96 Floodplain Management Ordinance, which would allow the City to continue participating in the National Flood Insurance Program as required by FEMA and the State Department of Water Resources.

BACKGROUND

Periodically, amendments to the Municipal Code are necessary to provide clarification, to be consistent with customary practice or comply with changes in State and Federal laws. In the past, various titles of the code have routinely been amended for these reasons, and to align with the latest State and Federal regulations.

On August 21, 2023, staff presented revisions of the Ordinance to City Council. On that same date, the City received a letter with questions about the proposed CEQA exemptions. Staff

recommended that the item be continued to allow time to analyze the submitted letter and its relation to the Ordinance. In addition, City Council directed staff to contact the California Department of Water Resources (CADWR) to evaluate options for extension of the Federal Emergency Management Agency (FEMA) August deadline to September 5, 2023. At the August 21, 2023 meeting, City Council waived the first reading of the Ordinance and continued the second reading to August 29, 2023. If the Ordinance were to be adopted on August 29, 2023, it would require an emergency ordinance, and therefore at the August 29, 2023 meeting the adoption of the Ordinance was continued to the September 5, 2023 City Council meeting.

Staff reached out to CADWR to request an extension. CADWR stated that if the Floodplain Ordinance is adopted September 5, 2023 it will still allow Rancho Cordova to meet FEMA's adoption timeline.

ANALYSIS

Attachment 4 includes all draft amendments, shown in track changes. Draft amendments are shown with track changes, with new draft language underlined and language proposed for removal with strikethroughs. Only those chapters and/or sections with proposed changes are included in the attached documents as excerpts from the Rancho Cordova Municipal Code. A summary of the changes is provided below. As a note, Attachment 2 includes all the amendments in a non-track change format. This is provided as an exhibit to the Ordinance. Attachment 3 is the new Floodplain Management Ordinance (Chapter 16.96) required by FEMA to keep the City in compliance with the requirements of the National Flood Insurance Program.

Title 3 Revenues and Taxation

Chapter 3.60 Purchasing System

Currently, the limitation for the purchasing agent (\$100,000) is called out at the beginning of the chapter under 3.60.030(A). In the proposed amendment, subsequent sections addressing purchasing authority within the chapter are referenced to 3.60.030(A) rather than restating the amount.

Chapter 3.70 Informal Bidding Procedures

The City's Informal Bidding Procedures detail informal bidding thresholds for public projects. The updates would clarify and revise language in Chapter 3.70 to align with the latest revisions to the state's informal bidding thresholds.

Title 6 Health and Sanitation

Chapter 6.20 Solid Waste Management

The purpose of this chapter is to provide for the uniform regulation of residential and commercial solid waste collection, removal, and transportation within the geographical area of the city. The revisions would update Chapter 6.20 to align with the requirements of the Statewide mandatory Organic Recycling Program (SB 1383).

Chapter 6.21 Business and Multifamily Recycling and Organics Recycling

The purpose of this chapter is to provide a mechanism to require the implementation of recycling programs and organics recycling programs for covered generators within the City. The revisions would update multiple sections of Chapter 6.21 to align with the requirements of the Statewide mandatory Organic Recycling Program (SB 1383).

Title 10 Vehicles and Traffic

The current language in this chapter sets forth various procedures and standards related to traffic, pedestrian and bike traffic, and speed limits within the City. The revisions would clarify and update language in Title 10. In addition, the list of one-way streets (Section 10.44) is not needed and has been deleted as part of this update.

Title 12 Streets and Sidewalks

The current language in this chapter sets forth various procedures and standards related to street and sidewalk improvements within the City. The revisions would clarify and update language in Title 12.

Title 15 Water and Sewers

Chapter 15.10 Storm Drainage Fee

The current language in this chapter sets forth the provisions and standards for the establishment and administration of fees related to the operation and maintenance of the City's storm drainage system. The revisions would update Chapter 15.10 to replace references to the County of Sacramento, with the City of Rancho Cordova as the lead agency for operating and maintaining the City's storm drainage system.

Chapter 15.12 Stormwater Management and Discharge Control

The current language in this chapter sets forth the provisions for compliance with the City's Municipal Stormwater Permit within the City. The revisions would update Chapter 15.12 to align with the requirements of the latest Municipal Stormwater Permit and the Federal Clean Water Act regulations, as required by the State of California.

Title 16 Buildings and Construction

Chapter 16.44 Land Grading and Erosion Control

The current language in this chapter sets forth the provisions and standards for compliance with the grading and erosion and sediment control requirements within the City. The revisions would update Chapter 16.44 to clarify language and increase the fine for repeat offenders. The proposed fine is \$100 per day for first violation, and \$500 per day for second or subsequent violations.

Chapter 16.84 Development Impact Fees to Finance the Cost of Transportation Facilities

The current language in this chapter sets forth the provisions and standards for the establishment and administration of the Transportation Impact Fee within the City. The revisions would update Chapter 16.84 to reference the latest nexus study and update fee categories.

Chapter 16.96 Floodplain Management (New Chapter)

A floodplain management ordinance is a set of regulations and guidelines implemented to mitigate the impact of flooding by restricting certain activities and requiring mitigation measures in flood-prone areas, aiming to protect public safety and reduce damage during flood events. If development within a floodplain is permitted, the ordinance requires mitigation such as technical studies, demonstration of no-net loss in flood storage, and minimum floor elevations. The proposed floodplain ordinance only applies if a project is approved to be built in the floodplain.

The City of Rancho Cordova currently implements the Sacramento County Floodplain Management Ordinance. In a recent audit by the California Department of Water Resources, the state required that the city adopt its own ordinance to comply with State and Federal guidelines, and to continue to participate in the National Flood Insurance Program, which provides flood insurance within Federal Emergency Management Agency (FEMA) mapped floodplains.

Adoption of this chapter will replace the city's reliance on the County of Sacramento's Floodplain Ordinances and allow the City to continue participating in the National Flood Insurance Program. The ordinance does not significantly change the city's processes in regulating floodplains and will not substantively alter the current city review and approval processes for development in the floodplain, it only changes the agency with jurisdiction to make determinations. The proposed ordinance uses the latest language from California Department of Water Resources and FEMA.

Implementation of the floodplain ordinance will apply to all flood-prone areas in the city, including FEMA floodplain areas. The majority of the FEMA floodplain areas within the city lie along the American River. The current effective FEMA base flood elevations in that area do not incorporate recent US Army Corps of Engineers work to significantly reduce high flows through the addition of a spillway to Folsom Dam.

The addition of the proposed floodplain management ordinance (Chapter 16.96) will meet General Plan Policy S.2.1.2, which requires the City to participate in the National Flood Insurance Program by updating the floodplain management ordinance as necessary to help reduce future flood damage.

The proposed floodplain management ordinance does not supersede more restrictive General Plan policies. The ordinance specifically states in section 16.96.010-9 that "these regulations are not intended to repeal, abrogate or impair any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, general plan policies, stormwater management regulations, or building codes, nor any existing easements, covenants, or deed restrictions. In the event of an overlap or conflict between these regulations and any other ordinance, code, regulation, easement, covenant, or deed restriction, the more restrictive shall govern." This would include, without limitations, other provisions of the General Plan that address development in the floodplain, such as Policy S.2.2 that discusses discouraging and precluding development in the floodplain, unless otherwise approved by the city's floodplain administrator based on site-specific mitigation. General Plan Policy S.2.2, and the subsequent action items are listed below for reference:

- *Policy S.2.2 - Manage the risk of flooding by discouraging new development located in an area that is likely to flood.*
 - *Action S.2.2.1 - Disapprove new projects that would result in new or increased flooding impacts on adjoining parcels or upstream and downstream areas, unless it can be shown that the existing drainage facilities are being improved to mitigate such impacts.*
 - *Action S.2.2.2 - Preclude development within the 100-year floodplain, as determined by the most recent floodplain mapping available from the Federal Emergency Management Agency (FEMA) or other acceptable source, unless otherwise approved by the City floodplain administrator based on site-specific mitigation.*

- *Action S.2.2.3 - On flood-prone parcels, locate development on portions of the site that are not subject to flooding, consistent with other policies of this General Plan or provide an approved grading plan showing no-net-loss of floodplain storage.*
- *Action S.2.2.4 - Require every residential lot to have buildable area sufficient to accommodate a residence and associated structures outside the 100-year and 200- year floodplain. Discourage the use of fill to create buildable area within the 100- year floodplain, except in extreme circumstances consistent with all other applicable policies and regulations, and after review to determine potential impacts on wildlife, habitat, and flooding on other parcels.*
- *Action S.2.2.5 - Require vehicular access to the buildable area of all parcels to be at or above the ten-year floodplain elevation.*
- *Action S.2.2.6 - Preclude the creation of lots whose access will be inundated by flows resulting from a ten-year or greater storm event. Bridges or similar structures may be used to provide access over creeks or inundated areas, subject to applicable local, state, and federal regulations.*
- *Action S.2.2.7 - Discourage additional crossings of natural creeks in order to reduce potential flooding and access problems, except as needed to provide roadway and trail connections and preserve natural resource areas.*
- *Action S.2.2.8 – Regulate new and modified bridge structures that will cause an increase in water surface elevations of the 100-year floodplain and 200-year floodplains.*

Per FEMA, consequences of not adopting the new floodplain management ordinance include:

1. No resident will be able to purchase a flood insurance policy.
2. Existing flood insurance policies will not be renewed.
3. No Federal grants or loans for development may be made in identified flood hazard areas under programs administered by Federal agencies such as HUD, EPA, and SBA.
4. No Federal disaster assistance may be provided to repair insurable buildings located in identified flood hazard areas for damage caused by a flood.
5. No Federal mortgage insurance or loan guarantees may be provided in identified flood hazard areas.

On August 7, 2023, the above information was presented to City Council, at which time staff heard public comments and received Council input. Staff performed additional analysis of CEQA exemptions and confirmed that the proposed ordinance is exempt from CEQA, as detailed therein, including the following reasons:

- Implementation of the ordinance would not differ substantially from implementation of the County ordinance, as currently applied. Therefore, it can be seen with certainty that there is no possibility that adoption of this ordinance will have a significant effect on the environment.
- This ordinance is also exempt from CEQA pursuant to CEQA Guidelines Sections 15307 and 15308. The proposed ordinance regulates development within the floodplain in order to promote public health, safety, and general welfare in conjunction with maintenance, preservation, and restoration of floodplains for local creeks and the American River.

Additional comments were received on August 21, 2023, including a letter from Attorney Donald Moody, raising similar concerns regarding the CEQA analysis and exemption determination. Staff analyzed these comments and confirmed that the proposed ordinance is exempt from CEQA.

In addition, City staff analyzed the proposed ordinance and added clarifications, including:

- Added the following to Chapter 16.96, Section 1 "Recitals": The City, FEMA, and the Central Valley Flood Protection Board have jurisdiction over projects along the American River Parkway. For proposed projects in this area, the most stringent floor elevation requirement applies.
- Revised Section 16.96.030-2 by adding the underlined verbiage: The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by these regulations but that are not required to be prepared by a qualified CA Licensed Land Surveyor or Civil Engineer, such as installation of a water heater, backyard awning, and other minor building improvements or permits, when it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with these regulations.

ENVIRONMENTAL ANALYSIS

CEQA requires analysis of agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." (CEQA Guidelines, § 15378.) As reflected in State CEQA Guideline 15061 (b) (3), an activity is not subject to CEQA, "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment..." The proposed amendments are not a "project" within the meaning of CEQA because the amendments seek to further regulate or clarify uses that are already present in the City or provide consistency with State law and no significant expansion of these activities can reasonably be anticipated to occur. Because no expansion of uses or activities is reasonably anticipated, no possibility exists that the ordinance will result in a significant effect on the environment. Thus, the proposed ordinance is not subject to the requirements of CEQA. However, in the event that adoption of the ordinance is considered a CEQA project, it would nonetheless qualify for categorical exemptions as set forth below.

CEQA Guidelines Section 15061(b)(3) states that a project is exempt from CEQA "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment." The approval of the code amendments set forth in the proposed ordinance does not approve any physical development and it would not result in a direct or indirect physical changes in the environment. Any specific development projects that may result from these changes will be subject to environmental review. The proposed amendments are consistent with the City's General Plan. For these reasons, the proposed amendments would not have the potential to result in individually or cumulatively significant effects on the environment and these Municipal Code amendments are exempt from review under CEQA and no further environmental review is necessary.

In addition, this ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15307

which exempts actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment. The proposed ordinance regulates development within the floodplain in order to promote public health, safety, and general welfare in conjunction with maintenance, preservation, and restoration of floodplains for local creeks and the American River.

This ordinance is also exempt from CEQA pursuant to CEQA Guidelines Section 15308 which exempts actions taken by regulatory agencies as authorized by state or local ordinance to assure the maintenance, restoration, enhancement, or protection of the environment. The proposed ordinance regulates development within the floodplain in order to promote public health, safety, and general welfare in conjunction with maintenance, preservation, and restoration of floodplains for local creeks and the American River.

FISCAL IMPACT AND FUNDING SOURCE

There is no Fiscal Impact to the City's General Fund.

ATTACHMENT(S)

1. Ordinance
2. Exhibit A to the Ordinance - Revised Titles 3, 6, 10, 12, 15, 16
3. Floodplain Management Ordinance
4. Track Changes
5. Public Works Code Updates Presentation

CITY OF RANCHO CORDOVA

ORDINANCE NO. XX-2023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, ADDING CHAPTER 16.96 FLOODPLAIN MANAGEMENT ORDINANCE; AMENDING TITLE 3 REVENUE AND TAXATION, CHAPTER 3.60 PURCHASING SYSTEM, CHAPTER 3.70 INFORMAL BIDDING PROCEDURES; TITLE 6 HEALTH AND SANITATION, CHAPTER 6.20 SOLID WASTE MANAGEMENT, CHAPTER 6.21 BUSINESS AND MULTIFAMILY RECYCLING AND ORGANICS RECYCLING; TITLE 10 VEHICLES AND TRAFFIC; TITLE 12 STREETS AND SIDEWALKS; TITLE 15 WATER AND SEWERS, CHAPTER 15.10 STORM DRAINAGE FEE, CHAPTER 15.12 STORMWATER MANAGEMENT AND DISCHARGE CONTROL; TITLE 16 BUILDINGS AND CONSTRUCTION, CHAPTER 16.44 LAND GRADING AND EROSION CONTROL, CHAPTER 16.84 DEVELOPMENT IMPACT FEES TO FINANCE THE COST OF TRANSPORTATION FACILITIES

THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA DOES ORDAIN AS FOLLOWS:

Section 1. Purpose and Declarations.

WHEREAS, the Legislature of the State of California has, in Government Code Sections 65302, 65560, and 65800, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the City of Rancho Cordova and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare; and

WHEREAS, the City of Rancho Cordova was accepted for participation in the National Flood Insurance Program on 09/15/2004 and the City Council desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Parts 59 and 60, necessary for such participation; and

WHEREAS, the City currently utilizes the County of Sacramento Floodplain Ordinance, which was adopted by reference by Resolution No. 75-2004; and

WHEREAS, the County of Sacramento Floodplain Ordinance regulates uses, procedures for, and standards of development in the floodplain; and

WHEREAS, the proposed ordinance seeks to regulate the same uses, procedures, and standards of development that the County of Sacramento Floodplain Ordinance, therefore only regulates uses that are already present in the City, regardless of their explicit codification in the Rancho Cordova Municipal Code; and

WHEREAS, pursuant to the California Health and Safety Code, Division 13, Part 1.5 and Part 2.5, the City of Rancho Cordova is required to administer and enforce the *California Building*

Standards Code, and such building codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas; and

WHEREAS, the City acknowledges that there are multiple entities holding jurisdiction over the floodplain, including state and federal agencies; and

WHEREAS, the City, by adopting this ordinance, does not intend to supersede or conflict with any existing applicable laws, resolutions, codes and regulations of governmental agencies, including federal, state, municipal and local governing bodies having jurisdiction over the scope of the floodplain; and

WHEREAS, in the event that this ordinance conflicts with any existing applicable laws, resolutions, codes and regulations; the most stringent requirement shall apply; and

WHEREAS, the City, FEMA, and the Central Valley Flood Protection Board have jurisdiction over projects along the American River Parkway. For proposed projects in this area, the most stringent floor elevation requirement applies; and

WHEREAS, the City conducts periodic updates of the provisions of the Rancho Cordova Municipal Code (RCMC) to ensure compliance with current laws, changes in local policy, consistency with adopted plans and programs, clarify ambiguities, address changing market conditions, reflect best practices, and to address issues or concerns with current regulations; and

WHEREAS, Chapter 3.60 Purchasing System of the Municipal Code, sets forth the City's purchasing system requirements. The Ordinance would revise multiple sections of Chapter 3.60. Currently the limitation for the purchasing agent is called out earlier in the chapter under 3.60.030(A). In the proposed amendment, subsequent sections addressing purchasing authority within the chapter are referenced to 3.60.030(A) rather than restating the amount. That will facilitate more efficient updates in the future if the purchasing limit amount is revised; and

WHEREAS, Chapter 3.70 Informal Bidding Procedures of the Municipal Code, sets forth the informal bidding procedures for public projects in the City. The Ordinance would revise language in multiple sections of Chapter 3.70 to align with the latest revisions to the Uniform Public Construction Cost Accounting Act's informal bidding thresholds; and

WHEREAS, Chapter 6.20 Solid Waste Management of the Municipal Code, sets forth residential and commercial solid waste requirements within the City. The Ordinance would revise multiple sections of Chapter 6.20 to align with the requirements of the Statewide mandatory Organic Recycling Program (SB 1383); and

WHEREAS, Chapter 6.21 Business and Multifamily Recycling and Organics Recycling of the Municipal Code, sets forth a mechanism to require the implementation of recycling programs and organics recycling programs for covered generators within the City. The Ordinance would revise multiple sections of Chapter 6.21 to align with the requirements of the Statewide mandatory Organic Recycling Program (SB 1383); and

WHEREAS, Title 10 Vehicles and Traffic of the Municipal Code, sets forth various procedures and standards related to traffic, pedestrian and bike mobility, and speed limits within the City. The Ordinance would clarify and update language in Title 10. In addition, the

list of one-way streets (Section 10.44) is not needed and has been deleted as part of this update; and

WHEREAS, Title 12 Streets and Sidewalks of the Municipal Code, sets forth various procedures and standards related to street and sidewalk improvements within the City. The Ordinance would clarify and update language in Title 12; and

WHEREAS, Chapter 15.10 Storm Drainage Fee of the Municipal Code, sets forth the provisions and standards for establishment and administration of fees related to operation and maintenance of the City's storm drainage system. The Ordinance would revise multiple sections of Chapter 15.10 to replace references to the County of Sacramento, with the City of Rancho Cordova as the lead agency for operating and maintaining the City's storm drainage system; and

WHEREAS, Chapter 15.12 Stormwater Management and Discharge Control of the Municipal Code, sets forth the provisions for compliance with the City's Municipal Stormwater Permit within the City. The Ordinance would revise multiple sections of Chapter 15.12 to align with the requirements of the latest Municipal Stormwater Permit and Clean Water Act regulations, as required by the State of CA; and

WHEREAS, Chapter 16.44 Land Grading and Erosion Control of the Municipal Code, sets forth the provisions and standards for compliance with the grading and erosion and sediment control requirements within the City. The Ordinance would revise multiple sections of Chapter 16.44 to clarify language, emphasize compliance with the County of Sacramento Improvement Standards and Construction Specifications, increase the fine for repeat offenders. The proposed fine is \$100 per day for first violation, and \$500 per day for second or subsequent violations; and

WHEREAS, Chapter 16.84 Development Impact Fees to Finance the Cost of Transportation Facilities of the Municipal Code, sets forth the provisions and standards for establishment and administration of the Transportation Impact Fee within the City. The Ordinance would revise multiple sections of Chapter 16.84 to reference the latest nexus study and update fee categories; and

WHEREAS, on August 21, 2023, the City Council held a properly noticed public hearing for this Ordinance and considered all oral and written testimony.

Section 2: Findings. This Ordinance is adopted pursuant to the following findings:

- A.** To date, the City of Rancho Cordova has relied upon Sacramento County's Floodplain Management Ordinance.
- B.** The City of Rancho Cordova was accepted for participation in the National Flood Insurance Program ("Program"). In consultation with the Federal Emergency Management Agency and the California Department of Water Resources, in order to continue participation in the Program, the City of Rancho Cordova has been advised to adopt its own floodplain management ordinance based upon the identification of certain special flood hazard areas within the boundaries of the City of Rancho Cordova.
- C.** There are certain sections of the California Building Standards Code that apply to the design and construction of buildings and structures in flood hazard areas. For consistency

with administering the California Building Standards Code, the City finds it is in the public interest to adopt floodplain management regulations that are coordinated and consistent with the California Building Standards Code.

- D. This Ordinance repeals and replaces the following ordinance(s) and regulation(s): SCC NO.SZC-2016-0023
- E. **CEQA Compliance.** CEQA requires analysis of agency approvals of discretionary “projects.” A “project,” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” (CEQA Guidelines, § 15378.) As reflected in State CEQA Guideline 15061(b)(3), an activity is not subject to CEQA, “[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment...” The proposed amendments are not a “project” within the meaning of CEQA because the amendments seek to provide clarification of uses, standards and/or enforcement procedures, address inconsistencies between definitions, delete text that is no longer necessary. Because no expansion of uses or activities is reasonably anticipated, no possibility exists that the ordinance will result in a significant effect on the environment. Thus, the proposed ordinance is not subject to the requirements of CEQA. However, in the event that adoption of the ordinance is considered a CEQA project, it would nonetheless qualify for categorical exemptions as set forth below.

CEQA Guidelines Section 15061(b)(3) provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The intent of the proposed Ordinance is to promote public health, safety and welfare and minimize losses from flooding. The City currently relies upon the Sacramento County floodplain management ordinance. The proposed ordinance does not differ substantially from the County ordinance but is tailored for conditions within the City as opposed to County-wide conditions. The proposed ordinance does not change any uses or allow development that would otherwise not currently be allowed. The proposed ordinance is intended to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas. Implementation of the ordinance would not differ substantially from implementation of the County ordinance, as currently applied. Therefore, it can be seen with certainty that there is no possibility that adoption of this ordinance, amending existing sections to the City’s Municipal Code to align with state and federal guidelines, will have a significant effect on the environment. Consequently, adoption of the Floodplain Management Ordinance is exempt from CEQA.

In addition, this ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15307 which exempts actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment. The proposed ordinance regulates development within the floodplain in order to promote public health, safety, and general welfare in conjunction with maintenance, preservation, and restoration of floodplains for local creeks and the American River.

This ordinance is also exempt from CEQA pursuant to CEQA Guidelines Section 15308 which exempts actions taken by regulatory agencies as authorized by state or local ordinance to assure the maintenance, restoration, enhancement, or protection of the environment. The proposed ordinance regulates development within the floodplain in order to promote public health, safety, and general welfare in conjunction with maintenance, preservation, and restoration of floodplains for local creeks and the American River.

- F. The proposed amendment is consistent with the General Plan.** The attached Municipal Code Amendments ("Amendment") are consistent with the General Plan. The amendments would provide standards and/or enforcement procedures, address inconsistencies, delete text that is no longer necessary or provide clarifying language for enforcement.
- G. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.** The attached amendments would provide standards and/or enforcement procedures, address inconsistencies, delete text that is no longer necessary, or provide clarifying language for enforcement. None of these proposed amendments will be detrimental to the public interest, health, safety, convenience, or welfare of the City.
- H. The proposed amendments are internally consistent with other applicable provisions in this Municipal Code.** The Amendments have been reviewed for consistency with the entirety of the Municipal Code and is consistent with other applicable provisions of the Municipal Code.

Section 3. Amendments to Title 3 Revenue and Taxation, Title 6 Health and Sanitation, Title 10 Vehicles and Traffic, Title 12 Streets and Sidewalks , Title 15 Water and Sewer, and Title 16 Building and Construction

The City Council hereby adopts the proposed amendments to Title 3 Revenue and Taxation, Title 6 Health and Sanitation, Title 10 Vehicles and Traffic, Title 12 Streets and Sidewalks , Title 15 Water and Sewer, and Title 16 Building and Construction, as shown and incorporated in Exhibit A to this Ordinance.

The City Council adds the following sections to the Rancho Cordova Municipal Code:
CHAPTER 16.96– FLOODPLAIN MANAGEMENT ORDINANCE

The City Council hereby adopts Chapter 16.96 Floodplain Management Ordinance, as shown and incorporated in Exhibit B to this Ordinance.

Section 4. Severability

If any provision of this Ordinance or the application thereof to any person or circumstance, is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid or unenforceable.

Section 5. Effective Date

Within fifteen (15) days after adoption, a Summary of this Ordinance shall be published once in the Grapevine Independent, or the Sacramento Bee, a newspaper of general circulation printed and published in Sacramento County and circulated in the City of Rancho Cordova, in accordance with Government Code Section 36933. This Ordinance shall take effect and be enforced thirty (30) days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 5th day of September 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Linda Budge, Mayor

ATTEST:

Stacy Leitner, CMC
City Clerk

Chapter 3.60

PURCHASING SYSTEM

Sections:

- 3.60.010 Adoption of purchasing system.
- 3.60.020 Purchasing agent designated.
- 3.60.030 Limitations of purchasing agent.
- 3.60.040 Purchase procedures.
- 3.60.050 Purchase orders.
- 3.60.060 Availability of sufficient funds.
- 3.60.070 Multiyear contracts.
- 3.60.080 Splitting purchase and projects prohibited.
- 3.60.090 Inspection and review.
- 3.60.100 Surplus supplies and equipment.
- 3.60.110 Public projects.
- 3.60.120 Exemptions.

3.60.010 Adoption of purchasing system.

A purchasing system is adopted in order to:

- A. Establish efficient procedures for the purchase of supplies, services and equipment;
- B. Secure supplies, services and equipment at cost commensurate with the level of quality required;
- C. Exercise financial control over purchases; and
- D. Clearly define authority for the purchasing function. [Ord. 9-2012 § 1].

3.60.020 Purchasing agent designated.

The city manager is designated as the city's purchasing agent and shall be responsible for the purchase of all supplies, services and equipment for all departments and divisions of the city. The city manager may delegate all or a portion of the purchasing duties to any city staff member. In accordance with the limitations imposed by RCMC 3.60.030, the purchasing agent shall have the authority to:

- A. Purchase or contract for supplies, services and equipment required by the city in accordance with purchasing procedures outlined in this chapter;
- B. Negotiate and recommend execution of contracts for the purchase of supplies, services and equipment;
- C. Act to procure for the city the necessary quality in supplies, services, and equipment at the lowest cost to the city;
- D. Prepare and recommend to the city council revisions and amendments to the purchasing rules;
- E. Establish and maintain such forms as reasonably necessary to the operation of purchasing guidelines;
- F. Supervise the inspection of all supplies, services, and equipment purchased to ensure conformance with specifications;
- G. Recommend the sale or disposal of all supplies and equipment which cannot be used by the city, or which have become unsuitable for city use;
- H. Maintain records necessary for the efficient acquisition of supplies, equipment and services; and
- I. Award contracts for public projects and approve change orders to contracts for public projects in accordance with the provisions of this chapter. [Ord. 9-2012 § 1].

3.60.030 Limitations of purchasing agent.

A. Unless otherwise directed by the city council, the city manager shall have authority to purchase supplies, services and equipment, and approve and execute payment of all warrants in the amount of \$100,000 or less, on an annual basis; drawn upon the city treasury without presentation to the city council, except as provided for in RCMC 3.60.110 and 3.60.120. The purchase of supplies, services, public contracts, equipment, and payment of warrants in excess of \$100,000, on an annual basis, which have not been authorized pursuant to a specific contract or other instrument previously approved by the city council, shall be presented to the city council for approval.

B. The city manager shall have the authority to extend or renew contracts, previously approved by the city council, for the purchase of supplies, services, and equipment, so long as no other amendments to the terms of the applicable contract are made, without city council approval. [Ord. 1-2014 § 2; Ord. 9-2012 § 1].

3.60.040 Purchase procedures.

A. Except as otherwise provided in RCMC 3.60.110 and 3.60.120, the purchasing agent or designee shall secure favorable pricing for the procurement of supplies, equipment, and nonprofessional services. This shall include obtaining at least three bids based upon identical specifications from different vendors prior to purchasing supplies, equipment and nonprofessional services costing over \$20,000. Bids may be received by informal price checking, in writing, in person, or via the telephone and shall be documented and maintained in a file with the final awarded contract. The competitive bidding procedures as described in Section 20161 et seq. of the Public Contract Code may be utilized when not otherwise required, at the discretion of the purchasing agent or designee. Award shall be made to the vendor offering the lowest acceptable bid. This requirement shall not apply to the purchase of supplies and equipment for which less than three vendors exist.

B. The purchase of professional services, such as architectural, landscape architectural, engineering, environmental, land surveying, legal, financial consultants or construction project management contractors shall be made on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required.

C. Without complying with the bidding requirements contained in this section, the purchasing agent may participate in, sponsor, conduct or administer a cooperative purchasing agreement for the procurement of any supplies, equipment, and services with one or more public entities in accordance with an agreement entered into between the participants. Such cooperative purchasing may include, but is not limited to, joint or multiparty contracts between public entities and open-ended state public procurement unit contracts which are made available to the city. [Ord. 9-2012 § 1].

3.60.050 Purchase orders.

All purchases requiring a contract shall be documented by a purchase order prepared by the purchasing agent or designee. [Ord. 9-2012 § 1].

3.60.060 Availability of sufficient funds.

No purchase order shall be issued until it has been ascertained that there is to the credit of the department of the city for whose benefit such purchase is to be made a sufficient unappropriated balance in excess of all unpaid obligations to defray the amount of the purchase order. [Ord. 9-2012 § 1].

3.60.070 Multiyear contracts.

A contract for equipment, supplies or services may be entered into for any period of time deemed to be in the best interest of the city; provided, that the term of the contract and renewal provisions are included in the contract. Adequate funds must be available to fulfill the first fiscal year's obligation at the time of contract execution. Appropriations for subsequent years are subject to authorization by the city council. The purchasing agent shall have the authority to enter into multiyear contracts pursuant to this section in amounts not to exceed \$100,000 on an annual basis. [Ord. 9-2012 § 1].

3.60.080 Splitting purchase and projects prohibited.

It shall be unlawful to split or separate into smaller purchases or projects any purchase or project for the purpose of evading the provisions of this chapter or the provisions of the Public Contract Code requiring competitive bidding. [Ord. 9-2012 § 1].

3.60.090 Inspection and review.

The purchasing agent or designee shall require the inspection of supplies and equipment delivered, and contractual services performed, to determine their conformance with the specifications and requirements set forth in the order or contract as applicable. [Ord. 9-2012 § 1].

3.60.100 Surplus supplies and equipment.

At such times as determined by the purchasing agent, reports shall be prepared showing all supplies and equipment which are no longer used or which have become obsolete or worn out. The purchasing agent shall have the authority to sell, trade or exchange all said supplies and equipment. Any such sales shall be in accordance with RCMC 3.60.040(A). [Ord. 9-2012 § 1].

3.60.110 Public projects.

A. The provisions contained in Section 20161 et seq. of the Public Contract Code establish contract procedures that the city is required to follow for public projects, where the expenditure required for the public project exceeds the limit set by Section 20162 of the Public Contract Code. The term “public project” is defined by Section 20161 of the Public Contract Code as the following: (1) a project for the erection, improvement, painting, or repair of public buildings and works; (2) work in or about streams, bays, waterfronts, embankments, or other work for protection against overflow; (3) street or sewer work except maintenance or repair; and (4) furnishing supplies or materials for any such project, including maintenance or repair of streets or sewers. The definition of public project contained in Section 20161 of the Public Contract Code provided above may be amended from time to time by the state Legislature and such amendments shall be incorporated herein.

1. Subsection (A) of this section shall not apply in instances where the city elects to follow the alternative procedures established in Chapter 3.70 RCMC under the Uniform Public Construction Cost Accounting Act.

B. The city manager shall have the authority to award contracts for public projects in the amount specified in RCMC 3.60.030 (A) or less. Contracts for public projects in excess of the current amount specified in RCMC 3.60.030 (A) shall be awarded by the city council.

C. The city manager shall have authority to approve change orders for public project contracts up to a cumulative and final contract amount as specified in RCMC 3.60.030 (A). For contracts over the current maximum amount as specified in RCMC 3.60.030 (A), the city manager shall have authority to approve change orders up to a cumulative total of 10 percent of the latest city council approved contract amount. Change orders which exceed these amounts shall be presented to the city council for approval. [Ord. 24-2016 § 2; Ord. 9-2012 § 1].

3.60.120 Exemptions.

A. Emergencies. The bidding requirements for supplies, services and equipment contained in this chapter may be dispensed with when an emergency exists involving a sudden, unexpected occurrence or discovery of a condition or circumstance that poses a clear and imminent danger requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services. In such an emergency the purchasing agent may procure supplies, services and equipment in an amount greater than the current amount specified in RCMC 3.60.030 (A); provided, that any such procurement be reported to the city council at the next city council meeting. The procurement of supplies, services and equipment pursuant to this chapter shall not extend beyond the period of the emergency. Notwithstanding the foregoing, Section 22050 of the Public Contract Code shall apply to expenditures made for public projects in an emergency.

B. Grants. Notwithstanding the foregoing, any contract which is paid with grant monies shall strictly adhere to those purchasing provisions set forth in the applicable grant agreement and pursuant to any applicable state or federal law or regulation. [Ord. 9-2012 § 1].

Chapter 3.70

INFORMAL BIDDING PROCEDURES

Sections:

[3.70.010 Uniform Public Construction Cost Accounting Act.](#)

[3.70.020 Definitions.](#)

[3.70.030 Methods for bidding – Size of project.](#)

[3.70.040 Informal bidding procedures.](#)

[3.70.050 Award of contract.](#)

3.70.010 Uniform Public Construction Cost Accounting Act.

The City Council elects to become subject to the **Uniform Public Construction Cost Accounting Act**, **Public Contract Code Section 22000** et seq., and to establish informal bidding procedures for **public** projects. [Ord. 24-2016 § 3].

3.70.020 Definitions.

A. “Commission” means the California **Uniform Construction Cost Accounting Commission** under **Public Contract Code Section 22010** et seq.

B. “**Public project**” means a project defined in Section **22002** of the **Public Contract Code**, as that section may be amended or renumbered from time to time. Pursuant to Section 22002, “**public project**” means any of the following:

1. Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any **publicly** owned, leased, or operated facility.
2. Painting or repainting of any **publicly** owned, leased, or operated facility.
3. In the case of a **publicly** owned utility system, “**public project**” shall include only the construction, erection, improvement, or repair of dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher.
4. “**Public project**” does not include maintenance work. For purposes of this section, “maintenance work” includes all of the following:
 - a. Routine, recurring, and usual work for the preservation or protection of any **publicly** owned or **publicly** operated facility for its intended purposes.
 - b. Minor repainting.
 - c. Resurfacing of streets and highways at less than one inch.
 - d. Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.

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Exhibit A to the Ordinance

e. Work performed to keep, operate, and maintain **publicly** owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher. [Ord. 24-2016 § 3].

3.70.030 Methods for bidding – Size of project.

A. A **public** project up to the greater of \$60,000 or the amount authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section [22032](#)(a) of the Public Contract Code as amended, may be performed by City force account, by negotiated contract, or by purchase order, or the city may elect to follow the informal bidding procedures prescribed in RCMC [3.70.040](#) and California Contract Code Section 22034.

B. A **public** project greater than \$60,000 (or the amount authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section [22032](#)(a) of the Public Contract Code) and less than or equal to the greater of \$200,000 or maximum amount authorized in Article 3, Chapter 2 of Part 3 of Division 2, Section [22032](#)(b) of the Public Contract Code as amended, the City may elect to follow informal bid procedures, as established in RCMC [3.70.040](#) and California Contract Code Section 22034.

C. A **public** project of more than \$200,000 (or otherwise in amounts authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section [22032](#)(c) of the Public Contract Code as amended) shall, except as otherwise provided in this chapter, be let to contract by formal bidding procedure in accordance with all applicable provisions of the California **Public** Contract Code, and RCMC 3.60.110.

D. Emergencies. In compliance with **Public** Contract Code Sections [22035](#) and [22050](#), in cases of emergency when repair or replacements are necessary, the City Council may proceed at once to replace or repair any **public** facility without adopting plans, specifications, strain sheets, or working details, or by giving notice for bids. [Ord. 24-2016 § 3].

3.70.040 Informal bidding procedures.

A. Mailing of Notice. Where a **public** project of \$200,000 (or otherwise in amounts authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section [22032](#)(b) of the Public Contract Code) or less is to be performed, the City Manager or designee shall mail a written notice inviting informal bids to (1) all contractors for the category of work to be bid as shown on the contractors list developed in accordance with subsection (D) of this section and/or (2) all construction trade journals designated by the Commission under **Public** Contract Code Section [22036](#). Additional contractors and construction trade journals may be notified at the discretion of the City Manager or designee.

B. Timing of Notice. All notices shall be mailed not less than 10 calendar days before bids are due.

C. Contents of Notice. The notice inviting bids shall describe the project in general terms, set forth how to obtain more detailed information about the project, state the time and place for submission of bid, and whether any bonds will be required.

D. Qualified Contractors List - Informal Bidding List. The City Manager or designee(s) shall develop and maintain a list of qualified contractors identified according to categories which comply with Section [22034](#) of the **Public** Contract Code and criteria adopted by the Commission.

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E. No Qualified Contractors. If there is no list of qualified contractors for the particular category of work to be performed, the notice inviting bids shall be sent only to the construction trade journals specified by the Commission.

F. If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting bids may be sent exclusively to such contractor or contractors.

G. It shall be unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of this chapter requiring work to be done by contract after competitive bidding. [Ord. 24-2016 § 3].

3.70.050 Award of contract.

A. The City Manager shall have the authority to award contracts for **public** projects up to the amount authorized in RCMC 3.60.030 (A). Contracts for **public** projects in excess of the amount authorized in RCMC 3.60.030 (A), shall be awarded by the City Council.

B. If all bids received on a **public** project under this procedure set forth in this section are in excess of \$200,000 (or the current maximum amount authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section [2203](#)4(d) of the Public Contract Code), the City Council may award the contract at \$212,500 (or the current maximum amount authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section [2203](#)4(d) of the Public Contract Code) or less to the lowest responsible bidder if the City Council determines by adopting a resolution by at least four-fifths vote that the City's original **cost** estimate was reasonable. [Ord. 24-2016 § 3].

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Chapter 6.20 SOLID WASTE MANAGEMENT

Sections:

- 6.20.010 Purpose and declarations.
- 6.20.020 Definitions.
- 6.20.030 Collection or transportation prohibited.
- 6.20.035 Mandatory service.
- 6.20.040 Public agency exemption.
- 6.20.045 Mandatory service exemption.
- 6.20.050 Franchise requirement.
- 6.20.055 Exempt collection or transportation.
- 6.20.060 City council authority to grant franchise.
- 6.20.070 Franchise terms and conditions.
- 6.20.080 Application for commercial or residential franchise.
- 6.20.090 Commercial franchise application review process.
- 6.20.095 Residential franchise application review process.
- 6.20.100 Appeal upon denial of award.
- 6.20.110 Awarding of franchise.
- 6.20.120 Requirements for franchise effectiveness.
- 6.20.130 Franchise fees.
- 6.20.140 Recycling facility reporting requirements.
- 6.20.150 Restrictions on franchisees.
- 6.20.160 Medical waste.
- 6.20.170 Enforcement.
- 6.20.180 Abatement proceedings.
- 6.20.190 Notices.
- 6.20.200 On-site storage.
- 6.20.210 Solid waste disposal restrictions.
- 6.20.220 Use of containers.
- 6.20.230 Rules and regulations.
- 6.20.240 Vehicle inspection.
- 6.20.250 Vehicle requirements.
- 6.20.260 Covered load requirement.
- 6.20.270 Rights reserved to city.
- 6.20.280 Other franchise provisions.
- 6.20.290 Criminal penalties for violations.
- 6.20.300 Civil penalties for violations.
- 6.20.310 Settlement process.
- 6.20.320 Hearing officer.
- 6.20.330 Appeals.
- 6.20.340 Appeal hearing.

6.20.010 Purpose and declarations.

A. It is hereby declared and determined that the business of collecting and subsequently transporting, transferring, disposing and/or recycling of residential and commercial solid waste generated, kept or accumulated within the incorporated limits of the city of Rancho Cordova affects the health, safety, public welfare and quality of life of the inhabitants of the city. The city further declares that the business of collecting and disposing of residential and commercial solid waste is a public service and should be regulated by the city to ensure reliability and adequacy of service. The use of any public street or public property in connection with such business is of great concern to the city and should be regulated by the city. Therefore, it is the purpose of this chapter to provide such regulation.

The city further declares that residential collection service will be most efficient, and at a lower cost, when collection routes provide door-to-door service uninterrupted by competition in the same area; and that exclusive residential collection services allow for energy conservation in fuel consumed by collection equipment, for the reduction of traffic congestion on roads and streets, and for fewer adverse effects on public streets and rights-of-way due to less truck traffic.

B. It is the further purpose of this chapter to regulate such business in order to ensure its orderly operation and to minimize the adverse effects it may have on the local environment. It is also the purpose of this chapter, aside and apart from regulation, to require compensation for the value of the franchise issued by the city.

C. It is the further purpose of this chapter to provide for the uniform regulation of residential and commercial solid waste collection, removal and transportation within the geographical area of the city.

D. The city hereby elects to have the grant of franchises governed by this chapter, and any ordinances amendatory thereof, and these provisions shall constitute the exclusive procedure applicable to the granting of franchises for the conduct of the business of collecting, transporting or disposing of residential and commercial solid waste. [Ord. 17-2020 § 3 (Exh A)].

6.20.020 Definitions.

Unless the context otherwise requires, the definitions set forth in this section shall govern the interpretation of this chapter.

A. "City" means the city of Rancho Cordova.

B. "City council" means the city council of the city of Rancho Cordova.

C. "City clerk" means the city clerk of the city of Rancho Cordova.

D. "City engineer" means the engineer of the city of Rancho Cordova.

E. "City limits" means the territorial jurisdiction of the city of Rancho Cordova.

F. "Collection" means the act of picking up and removing solid waste or recyclable material at the place of waste generation.

G. "Commercial hauler" means any person who loads, collects, hauls, or transports commercial solid waste for a fee by use of any means, including, but not limited to, a dumpster truck; roll-off truck; a side-load, front-load, or rear-load garbage truck; or a trailer.

H. "Commercial solid waste" means all solid waste, as defined in this chapter, that is generated by and at commercial and industrial sources, multifamily residential property, and construction and demolition activities that is collected by a commercial hauler.

I. "Franchise" or "commercial franchise" means a commercial solid waste and recyclables collection franchise issued under the provisions of this chapter to a commercial hauler within the city.

J. "Franchisee" means a person or entity holding a franchise issued pursuant to this chapter.

"Garbage" means those elements of the Solid Waste stream designated for the "Garbage Container", and excludes hazardous waste, materials designated for the "Organics Container" or "Recycling Container" or materials which have been separated for reuse.

"Garbage Container" has the same meaning as "Gray Container" in 14 CCR Section 18982(a)(28) and shall be used for the purpose of storage and collection of Garbage.

L. "Materials recovery facility" or "MRF" means any facility designed, operated, and legally permitted for the purpose of receiving, sorting, processing, storing, or preparing recyclable materials for sale and which has obtained and maintains a valid permit(s) to accept, process or store recyclable materials. This definition shall apply only within the framework of materials recovery facility services and reporting of this chapter.

M. "Multifamily residential property" means five or more individual living units located on a single parcel of land and any mobile home park located within the city.

Organics Container” has the same meaning as “Green Container” in 14 CCR Section 18982(a)(29) and shall be used for the purpose of storage and collection of Source Separated Organic Waste designated for Compost processing, including Food Waste and landscape and pruning waste accepted in the City’s Organic Waste Collection program, and other organic materials as determined by the City as acceptable for the Organics Container

“Organic Waste” or “Organic Recyclable Material” means Solid Waste containing material originated from living organisms and their metabolic waste products, including but not limited to Food Scraps, food soiled paper, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46). Organic Waste does not include Rigid Compostable Plastic. N. “Person” means an individual, firm, limited liability company, association, partnership, industry, public or private corporation, or any other entity whatsoever.

O. “Police chief” means the chief of police of the city of Rancho Cordova.

P. “Public works director” means the public works director of the city of Rancho Cordova, California.

Q. “Recycling” means the process of collecting, sorting, cleansing, treating and reconstituting materials that would otherwise become solid waste and returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the marketplace. “Recycling” does not include transformation as defined in Section 40201 of the Public Resources Code.

R. “Recycling facilities” means those facilities or operations that receive, process, and transfer to market recyclable materials that have been source separated from the solid waste stream.

S. “Recyclable material” or “recyclables” means materials that have been separated from the solid waste stream prior to disposal for the purpose of returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the marketplace, and that are not landfilled. Recyclable material or recyclables includes those materials that can be placed in the Recycling Container including but not limited to, glass and plastic bottles, aluminum, tin and steel cans, metals, unsoiled paper products, printing and writing paper, and cardboard, and any other items as determined by the City.

“Recycling Container” has the same meaning as “Blue Container” in 14 CCR Section 18982.2(a)(5) and shall be used for the purpose of storage and collection of source separated Recyclable Materials.

T. “Removal” means the act of taking solid wastes or recyclable materials from the place of generation.

U. “Residential dwelling unit” means an individual living unit in a single-family dwelling, condominium, townhouse, mobile home, duplex (two units), triplex (three units), fourplex (four units) or building of four or less total individual living units intended for, or capable of being utilized for, residential living other than a hotel or motel.

V. “Residential hauler” means any person who loads, collects, hauls, or transports residential solid waste for a fee by use of any means, including, but not limited to, a dumpster truck; roll-off truck; a side-load, front-load, or rear-load garbage truck; or a trailer.

W. “Residential solid waste” means all solid waste, as defined in this chapter, that is generated by and at a residential dwelling unit.

X. “Residential franchise” means a residential solid waste collection franchise issued under the provisions of this chapter to a residential hauler within the city.

Y. “Solid waste” means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, construction and demolition debris, discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semi-solid wastes, and other discarded solid and semi-solid wastes. “Solid waste” does not include hazardous waste or low-level radioactive waste regulated under Chapter 7.6 (commencing with Section

25800) of Division 20 of the Health and Safety Code, or medical waste. “Solid waste” includes recyclable materials set out for separate collection for the purposes of recycling, and that are not landfilled.

Z. “Source separate” or “source separated” means the process of removing recyclable materials from solid waste for the purpose of recycling.

AA. “Treated medical waste” means medical waste as defined in subsection (a) of Section 25023.5 of the Health and Safety Code.

BB. “Construction and demolition debris” means used or discarded materials resulting from construction, renovation, remodeling, repair or demolition operations on any pavement, house, commercial building, or other structure and such other materials as may be removed during the normal cleanup process of such construction, renovation, remodeling, repair, or demolition operations. This includes mixed construction and demolition debris and source separated recyclable construction and demolition material. [Ord. 17-2020 § 3 (Exh A)].

6.20.030 Collection or transportation prohibited.

Except as authorized by RCMC 6.20.040 and 6.20.050, it shall be unlawful for any person to engage in the business of collecting, removing or transporting residential or commercial solid waste, or otherwise organizing, directing, sponsoring, brokering or causing the collection, removal or transportation of commercial residential or solid waste within the city without possessing a valid franchise or valid residential franchise granted by the city. [Ord. 17-2020 § 3 (Exh A)].

6.20.035 Mandatory service.

Except as otherwise expressly provided by this chapter, the owner, tenant, or occupant of every improved parcel (parcel with one or more business and/or residential buildings approved for occupancy) located within the city shall subscribe to garbage container, recycling container and organics container collection service from a residential or commercial franchisee operating pursuant to this chapter. Each business (DBA) and/or residential building with a separate address and each separate business unit and each separate residential unit (under separate rental agreement) with a common address located on such parcel shall subscribe to such a three container waste collection service. The owner, tenant or occupant of a parcel with a residential dwelling unit shall subscribe to a collection service from a residential franchisee operating according to this chapter. The owner, tenant, or occupant of a parcel with a commercial or multifamily property shall subscribe to a three container collection service from a commercial franchisee operating according to this chapter. The owner, tenant or occupant shall comply with the relevant sections of this chapter, state law and local ordinances; and pay for the collection and disposal of such containers, unless a Commercial Business Owner receives an exemption or waiver as provided in RCMC 6.21. 140 Subscription to such required service does not preclude Single Family Residents or Commercial Businesses from self-hauling their own waste in their own vehicles if they meet the self-haul requirements of this chapter.

6.20.040 Public agency exemption.

The provisions of RCMC 6.20.035 shall not be applicable to the United States, the state of California, the county, a city, a special district or any other local public agency with respect to the accumulation, collection or transportation of refuse resulting from operations of such agency. [Ord. 17-2020 § 3 (Exh A)].

6.20.050 Franchise requirement.

It is unlawful for any person to engage in the business of collecting, transporting or disposing of residential or commercial solid waste kept, accumulated or generated in the city, or to engage in the business of soliciting accounts or invoicing customers for residential or commercial solid waste service in the city unless:

A. A commercial franchise or residential franchise therefor has first been granted pursuant to the provisions of this chapter and such franchise is in full force and effect and a written franchise agreement therefor has been executed between such person and the city and such agreement is in full force and effect. [Ord. 17-2020 § 3 (Exh A)].

6.20.055 Exempt collection or transportation.

The following persons shall be authorized to organize, direct or sponsor the collection, removal or transportation of residential or commercial solid waste within the city, or collect, remove or transport such solid waste, without a franchise or a residential franchise:

A. The United States, the state of California, a city, a special district or other local public agency, or any employee or member of the Armed Forces thereof, or any individual or employee of such individual who has entered into a contract for solid waste collection with a federal or state agency, when collecting or transporting solid waste produced by operation of the public entity under a system of solid waste collection and transportation operated and maintained by the public agency;

B. The owner, operator or occupant or employee of a farm or ranch consisting of five acres or more, when transporting for off-site disposal solid waste accumulated as a result of operation of the farm or ranch;

C. An owner or occupant of a residential or multifamily residential property, when collecting or transporting recyclable materials and/or organic recyclable materials, not containing garbage, from his or her residential premises to a lawful point of disposal;

D. A residential construction contractor, commercial or residential gardener and those engaged in the business of cleaning residential, commercial and multifamily residential properties and employees thereof, when collecting or transporting solid waste consisting of by-products of the services provided to a lawful disposal location;

E. A person or employee thereof, when collecting or transporting dead animals, bones, meat scraps or food waste resulting from food processing plants for tallow or fertilizer, or other waste material to be used as raw material in manufacturing, or solid waste that is collected without charging a fee to the customer for purposes of salvage; provided, that such persons shall reuse or recycle or cause to be reused or recycled all materials collected, and shall not transport or arrange for the transport of any collected materials to a disposal site;

F. An operator or employee thereof of one or more industrial plants which are under single ownership, when collecting or transporting wastes which cannot be handled by standard solid waste collection equipment or which involve significant health, operating or handling hazards, including but not limited to rice hulls, tomato pulp, chemical residues, explosives, and other toxic, noxious or hazardous substances; provided, that all such wastes shall be deposited at an appropriate disposal area permitted pursuant to California State solid or hazardous waste management standards.

Any transportation of solid waste authorized by this section shall be conducted in strict compliance with any and all requirements of this chapter relating to transportation and any regulations issued hereunder;

G. Any person collecting or transporting hazardous waste, medical waste and designated waste, as defined in law, regardless of its source;

H. Any person collecting or transporting by-products of sewage treatment, including sludge, sludge ash, grit, and screenings;

I. Any person collecting or transporting residue or nonprocessable waste from a solid waste management facility, including material recovery, composting, and transformation facilities;

J. Municipal corporations and other governmental agencies using their own vehicles engaged in the collection, transportation, or disposal of solid waste within the city; and

K. Any commercial edible food recovery organization collecting edible food from commercial establishments resulting in the recovery and redistribution of edible food for consumption. [Ord. 17-2020 § 3 (Exh A)].

6.20.060 City council authority to grant franchise.

A. The city council may and is hereby empowered to grant to a qualified applicant a nonexclusive franchise to engage in the business of collecting, transporting or disposing of commercial solid waste, accumulated or generated in the city, or to delegate the authority, by resolution, to the public works director, and/or his or her designee, to grant the franchise.

B. The city council may and is hereby empowered to grant to a qualified applicant an exclusive residential franchise to engage in the business of collecting, transporting or disposing of residential solid waste and recyclable materials kept, accumulated or generated in the city, or to delegate the authority, by resolution, to the public works director,

and/or his or her designee, to grant the franchise according to the procedures set forth in RCMC 6.20.080 and 6.20.095.

C. The city council may grant a commercial franchise or a residential franchise to an applicant based on compliance with this chapter. Any grant of a commercial franchise or a residential franchise by the city council may be subject to such terms, conditions, rules, regulations, restrictions, and limitations as the city council deems necessary to protect the public health, safety, or welfare.

D. The city council hereby empowers and grants to the public works director, and/or his or her designee, the authority to administer and negotiate nonsubstantive changes to the commercial franchise and residential franchise agreements. The city council may delegate authority by resolution to the public works director, and/or his or her designee, to administer, negotiate and execute franchise agreements. [Ord. 17-2020 § 3 (Exh A)].

6.20.070 Franchise terms and conditions.

A. All franchises and residential franchises shall be subject to the terms and conditions specified in this chapter, in the franchise agreement and in all other applicable federal, state and local laws and regulations.

B. In granting any franchise or residential franchise, the city council may prescribe such other additional terms and conditions, not in conflict with this chapter, as in the judgment of the city council are in the public interest.

C. Each franchisee shall provide residential or commercial solid waste collection, removal, recycling, and transportation services consistent with the provisions of this chapter, the terms and conditions of the franchise issued to the franchisee, and any applicable federal, state, or local statute, ordinance, rule or regulation.

D. Each franchisee shall provide services without undue interruptions caused by mechanical failures or other inadequacies of equipment and shall utilize equipment in quantities and of an age and quality adequate for the provisions of reliable service and to provide preventive and repair maintenance of such equipment sufficient to ensure reliability. [Ord. 17-2020 § 3 (Exh A)].

6.20.080 Application for commercial or residential franchise.

A. All applications for commercial or residential franchises pursuant to this chapter shall be in writing and shall be filed with the public works director, and/or his or her designee.

B. Each application for a commercial or residential franchise from a company that has never held a commercial or residential franchise in the city shall be submitted by the applicant on a form provided by the public works director, and/or his or her designee. The application shall contain all attachments with the following information:

1. Identification.

- a. The name and address of the applicant.
- b. Business address and telephone number of the applicant.
- c. Address where all vehicles and operating equipment used within the city will be kept.
- d. If the applicant is a partnership, the applicant shall include the name and address of each partner, general, limited or otherwise, owning more than 10 percent ownership in the partnership and their percentage of ownership.
- e. If the applicant is a corporation, the application shall state the names and addresses of the corporation's directors, date and place of incorporation, main offices, major stockholders and associates, and the names and addresses of the parent and subsidiary companies.
- f. If the applicant is an affiliate or a franchised operation of another corporation (not to be confused in this instance with a solid waste franchisee of the city), the applicant shall list the names and addresses of the parent or subsidiary companies, together with a description of their business interests and/or ownership.

g. If the applicant is a joint venture or other combination of persons and corporations, identify separately the names and addresses of each member of the joint venture or combined effort, together with their percentage interest.

2. Business Operations. The names of the executive, operational and financial managers to be used in connection with the solid waste collection services, together with documentation that such persons and the applicant have sufficient experience in solid waste handling to perform solid waste collection services in the city.

a. Attestation that books and accounts of all revenue and income arising out of its operations will be kept in a manner that conforms to generally accepted accounting principles.

b. A statement that the applicant shall obtain insurance prior to commencing business subject to the franchise agreement.

c. A statement that the applicant shall maintain and report on a timely basis all operational information and data elements reasonably required by the city to comply with its reporting requirements such as those established under AB 939, and as defined in the franchise agreement.

d. A complete listing and explanation of any civil or criminal rulings or judgments in excess of \$5,000, or convictions against applicant, any of applicant's partners, major stockholders, corporate directors or parent or subsidiary companies, occurring within the last five years. Applicants that are subject to the periodic reporting requirements of Section 13(a) of the Securities Exchange Act may, in lieu of the information required by this subsection, submit the information reported pursuant to 17 CFR 229.103 (Legal proceedings) and 229.403 (Security ownership of certain beneficial owners and management) on the most recent form 10-K filed by the applicant with the Securities and Exchange Commission.

3. Facilities and Equipment.

a. A description of all vehicles and equipment that the applicant owns, has control of, or intends to acquire for the collection, transportation, or disposal of commercial waste in the city and which are subject to the provisions of the franchise agreement. A statement as to whether said vehicles and equipment are self-unloading and equipped with audible automatic backup warning devices. The minimum vehicle description for existing vehicles shall include Vehicle Identification Number (VIN) and license plate number.

b. Evidence demonstrating that the applicant owns or will have access to suitable facilities for keeping vehicles and equipment clean and in good repair, and that the applicant owns or will have access to reasonable office and billing facilities.

c. Evidence demonstrating that the applicant owns or will have the legally enforceable right to use at least two collection vehicles, the bodies of which are closed, leak-resistant, and constructed for the purpose of solid waste collection, transportation, and disposal. In the alternative, for the purposes of this provision, an applicant may demonstrate by the evidence that they service and transport open-top roll-off boxes for the collection, transportation, and disposal of nonputrescible waste and/or roll-off compaction boxes which are closed, leak-resistant, and are constructed for the purpose of solid waste collection, transportation, and disposal.

4. Financial Resources. Applicant shall provide proof satisfactory to the public works director, and/or his or her designee, that the applicant has adequate financial resources to conduct commercial solid waste collection services.

5. Diversion Plans. Each franchisee shall submit a diversion plan with their franchise application. The diversion plan shall provide a detailed description of how the franchisee intends to divert recyclable materials from commercial solid waste in order to assist the city in meeting the city's AB 939 reporting requirements.

6. Application for Police Chief Review.

a. The city may request that the police chief review each franchise application prior to the city issuing a franchise. The public works director, and/or his or her designee, may refer all franchise applications or renewals pursuant to this chapter to the police chief who, in conjunction with city staff, shall make such investigation of the applicant as the police chief deems necessary in order to determine whether the applicant's character or the business responsibility of the firm the applicant represents is satisfactory. The requirements of this section apply to all pending or future applications or proposals for issuance or renewal of such franchise pursuant to this chapter. The police chief's investigation may include, but is not limited to, obtaining the fingerprints and a photograph of the applicant, or any other person connected with the firm which the applicant represents, and the obtaining of reports from the state and federal law enforcement agencies and reports from any other appropriate sources.

b. If requested to review an application, the police chief shall evaluate each franchise application or proposal to determine whether the operation of the business which the applicant or party submitting the proposal represents would involve an unreasonable risk to the health, safety or general welfare of the public. In making such a determination, the police chief shall consider the character of the applicant or party submitting the proposal and each director, officer, manager and other person who exercises policy control over the operations of the applicant or proponent, the business responsibility of the firm which the applicant or party submitting the proposal represents, and the manner in which the firm intends to conduct its business.

c. The police chief shall notify the public works director, and/or his or her designee, of the results of the investigation conducted pursuant to this section. If the police chief recommends disapproval of the application or proposal, the reasons for disapproval shall be specified in writing. The police chief shall forward a copy of the statement of reasons to the public works director, and/or his or her designee, and shall provide a copy to the applicant or party submitting the application.

7. Other.

a. Any other evidence that demonstrates that the applicant is able to render collection and subsequent transportation and/or disposal services in accordance with applicable federal, state and local statutes.

b. Such additional information as may be reasonably requested by the public works director, and/or his or her designee.

c. During the application or proposal period and during the full term of any franchise, all information contained in the franchise application shall be kept up to date by the applicant who shall file a new verified statement within 48 hours of any change indicating in detail the nature of any change in the information.

C. Each application for a commercial or residential franchise from a company holding a valid, current commercial or residential franchise which is set to expire shall be submitted by the applicant on a form provided by the public works director, and/or his or her designee. The application shall include all attachments required by the public works director, and/or his or her designee.

D. The application shall be signed by the person applying for the commercial or residential solid waste and recyclables collection franchise or, in the case of a partnership or corporation, by a person authorized to bind the partnership or corporation. [Ord. 17-2020 § 3 (Exh A)].

6.20.090 Commercial franchise application review process.

A. The city council may award franchises for the collection of commercial solid waste within the city to applicants meeting all of the qualifications of this chapter.

B. Applicants may submit their completed application for a commercial franchise, as provided in RCMC 6.20.080, to the public works director, and/or his or her designee, for review and consideration at any time. The public works director, and/or his or her designee, shall review such submittals and either make a recommendation to the city council to award such franchise or notify applicant of denial within 60 days of receiving a completed application.

C. The public works director, and/or his or her designee, shall take into consideration all components of the completed application, including but not limited to:

1. The ability of the applicant to meet all terms of the agreement;
2. Any history of civil or criminal convictions that may compromise the public's interests; and
3. The completeness, accuracy, and validity of the application.

The public works director, and/or his or her designee, shall also have the authority to verify independently any and all statements made and implied in the application. The public works director, and/or his or her designee, may also request clarification from applicant of any or all elements of the submitted application.

D. After the 60-day review period, the public works director, and/or his or her designee, shall either:

1. Deny an award and notify the applicant in writing of the reasons why the award was denied; or
2. Recommend to the city council that a franchise be awarded.

E. Upon concurrence with a positive recommendation, the city council will award the franchise or will delegate authority to the public works director, and/or his or her designee, to award the franchise within a reasonable period of time. The public works director, and/or his or her designee, will notify applicant in writing of an award. [Ord. 17-2020 § 3 (Exh A)].

6.20.095 Residential franchise application review process.

A. The city council may award an exclusive franchise for the collection of residential solid waste and recyclables within the city to an applicant meeting all of the qualifications of this chapter.

B. Applicants may submit their completed application for a residential franchise, as provided in RCMC 6.20.080, to the public works director, and/or his or her designee, for review and consideration when the city has noticed its desire to receive such applications and according to the deadlines set forth by such notice. The public works director, and/or his or her designee, shall review applications and either make a recommendation to the city council to award such franchise or notify applicant of denial within 60 days of receiving a completed application.

C. The public works director, and/or his or her designee, shall take into consideration all components of the completed application, including but not limited to:

1. The ability of the applicant to meet all terms of the agreement;
2. Any history of civil or criminal convictions that may compromise the public's interests;
3. The completeness, accuracy, and validity of the application; and
4. The applicant's ability to provide the most efficient and cost-effective collection service to city residents while minimizing the adverse effects of such service on the residents, city streets and rights-of-way, and the environment.

The public works director, and/or his or her designee, shall also have the authority to verify independently any and all statements made and implied in the application. The public works director, and/or his or her designee, may also request clarification from applicant of any or all elements of the submitted application.

D. After the 60-day review period, the public works director, and/or his or her designee, shall either:

1. Deny an award and notify the applicant in writing of the reasons why the award was denied; or
2. Recommend to the city council that a franchise be awarded to a particular applicant; or

3. Recommend to the city council a group of finalists from which the city council may select an applicant to award an exclusive franchise to.

E. Upon concurrence with a positive recommendation, the city council will award the franchise or will delegate authority to the public works director, and/or his or her designee, to award the franchise within a reasonable period of time. The public works director, and/or his or her designee, will notify applicant in writing of an award. [Ord. 17-2020 § 3 (Exh A)].

6.20.100 Appeal upon denial of award.

A. Within 30 days of written notification of award denial or within 60 days of the public works director, and/or his or her designee's failure to act on the commercial or residential franchise application, the applicant has the right to meet with the public works director, and/or his or her designee, to review the items cited in the written notice and provide any additional evidence to support an award. Within 15 days of such meeting, the public works director, and/or his or her designee, will make a final, written determination of the application, based on the reviews of additional evidence, together with the original application. The public works director, and/or his or her designee, will send a copy of all final, written determinations, including reasons for denial, if any, to both applicant and the city council.

B. Applicant may, within 10 days after receiving the public works director, and/or his or her designee's final denial, request a public hearing before the city council by submitting to the city clerk a written petition for an appeal hearing. If a public hearing is requested, the city clerk shall set the matter for hearing at the next regularly scheduled city council meeting or any later date as agreed upon by the applicant and clerk of the city council. At such hearing, applicant may present evidence in writing and through testimony of its employees and others relevant to the application. During such hearing, the city council may demand from the applicant such additional information as the city council may deem relevant and necessary. Standard rules of evidence are not in effect at such public hearing, and the applicant shall have the burden of proof to show facts demonstrating that the applicant does in fact meet the requirements of this chapter. Any hearing may be continued or adjourned to a stated time and place without the giving of further notice. The city council will provide applicant with a written explanation of its determination on the application within 30 days of such hearing. The city council's decision is final.

C. If the term of an applicant's existing franchise expires while the application is under city review, the city council or the public works director, and/or his or her designee, may administratively extend the term for such period of time as is required to complete the appeal process. [Ord. 17-2020 § 3 (Exh A)].

6.20.110 Awarding of franchise.

A. A commercial or residential franchise shall become effective only once the applicant and the city have signed a written agreement, and upon applicant's satisfying all of the requirements and conditions set forth in both this chapter and the franchise agreement.

B. The franchisee must provide to the city copies of all required certificates of insurance, and bonds as may be enumerated in the franchise agreement and this chapter. Should franchisee fail to maintain all such insurance and bonding requirements, uninterrupted for the term of the agreement, the city will immediately suspend or terminate the commercial or residential franchise.

C. If the franchisee's description of vehicles and equipment, as required under RCMC 6.20.080, has changed between the application date and the effective date of the franchise agreement, franchisee must submit to the public works director, and/or his or her designee, an amended description, including all identification elements required under RCMC 6.20.080, prior to commencing services authorized in the agreement. [Ord. 17-2020 § 3 (Exh A)].

6.20.120 Requirements for franchise effectiveness.

A franchise granted pursuant to this chapter shall not become effective unless and until all of the following requirements have been satisfied:

A. The ordinance granting the residential or commercial franchise, or the resolution granting the public works director, and/or his or her designee, the authority to grant the franchise, is effective.

B. The applicant and the city have executed a franchise agreement.

C. Within 20 days from the date of adoption of the ordinance granting the commercial or residential franchise, or within 20 days of the date of adoption of the resolution delegating authority to the public works director, and/or his or her designee, to grant the franchise, the applicant to whom a franchise has been granted has filed with the city clerk evidence of compliance with the insurance requirements specified in the franchise agreement. [Ord. 17-2020 § 3 (Exh A)].

6.20.130 Franchise fees.

A. Each person engaging in the business of collecting, transporting or disposing of commercial or residential solid waste accumulated or generated in the city shall pay a franchise fee to the city. The city council shall set the franchise fee by resolution, or shall delegate the authority to set the franchise fee to the city manager.

B. The payment of franchise fees to the city pursuant to this section shall be in addition to any license fee or business tax prescribed by any local jurisdictions for the same period.

C. Commercial and residential solid waste franchise fees shall be payable on all gross collection revenues by a franchisee from its commercial or residential solid waste collection customers located within the city. The franchise fee shall be calculated based on gross collection revenues prior to franchisee imposing the franchise fee on its customers. Nonexclusive franchisees shall also pay franchise fees on revenues received from federal and state government entities within the city.

D. Franchise fees shall be payable by any person providing commercial or residential solid waste services within the city after the effective date of the ordinance codified in this chapter, even where no franchise has been granted. [Ord. 17-2020 § 3 (Exh A)].

6.20.140 Recycling facility reporting requirements.

A. All recycling facilities within the city shall provide bi-annual written reports to the public works director, and/or his or her designee, due 45 days after the close of the six-month reporting period, and including the following information for the previous six months:

1. The total aggregate tonnage of recyclable material received from generators located within the city;
2. The aggregate tonnage of recyclable material received from waste management and recycling operations in the city;
3. The aggregate tonnage of recyclable material received from franchises operating within the city; and
4. The total aggregate amount of residuals generated at the facility and disposed of at a permitted solid waste disposal facility, expressed as a percentage of total tonnage received.

B. To the extent permitted by the California Public Records Act, any report or other information required by this chapter shall be deemed confidential and shall not be subject to public disclosure except for aggregate totals for all facilities.

C. Recycling facilities receiving only scrap metals, agricultural waste, inert materials, and/or discarded, white-coated major appliances that are not normally disposed of and thus cannot be counted towards the state's diversion requirements are exempt from the reporting requirements of this chapter. [Ord. 17-2020 § 3 (Exh A)].

6.20.150 Restrictions on franchisees.

The following restrictions shall be applicable to franchisees:

A. Except to meet the two-truck requirement of RCMC 6.20.080(B)(3)(c), no franchisee shall, by contract, subcontract, or otherwise, share with another franchisee any office space associated with operations under a franchise.

B. No franchisee, by contract, express understanding or indirectly, shall, in cooperation with another franchisee, divide, segregate or apportion any territory within the city for the purpose of restricting competition within a particular territory.

C. No franchisee shall, directly or indirectly, enter into any contract, express understanding or other transaction with another franchisee for the purpose of fixing customer rates or charges or otherwise maintaining rates or charges at a particular level.

D. No franchisee or any director, officer, partner, joint venturer, sole proprietor or corporate owner thereof shall be a controlling shareholder of, be a partner, joint venturer or sole proprietor, owner, have any other interest in or be employed by another franchisee. No franchisee which is owned in whole or in part by a corporation shall be effectively controlled by a person or entity by virtue of that person or entity's ownership of shares in the corporation, if the same person or entity otherwise controls another franchisee. The sole remedy for violation of the provisions of this subsection shall be revocation or refusal to renew a franchise.

E. Each franchisee shall provide to the public works director, and/or his or her designee, such information as the public works director, and/or his or her designee, determines is reasonably necessary to facilitate effective administration of the franchise under the provisions of this chapter. Diversion information may be provided consistent with the framework for materials recovery facility (MRF) services and reporting of RCMC 6.20.140.

F. Notwithstanding any other provisions of this chapter, it shall be allowable for a franchisee having an interest in a materials recovery facility (MRF) to provide a reporting service, a solid waste processing service to another franchisee consistent with the framework for MRF services and reporting of RCMC 6.20.140. [Ord. 17-2020 § 3 (Exh A)].

6.20.160 Medical waste.

A. Commercial franchisees shall not be required to divert treated medical waste.

B. No treated medical waste from commercial or residential solid waste generators shall be delivered by a permittee to a materials recovery facility for the purpose of recycling. [Ord. 17-2020 § 3 (Exh A)].

6.20.170 Enforcement.

Except as otherwise expressly provided, the provisions of this chapter shall be administered and enforced within the city by the public works director, and/or his or her designee, or other staff and enforcement officials designated by the public works director, and/or his or her designee. [Ord. 17-2020 § 3 (Exh A)].

6.20.180 Abatement proceedings.

Any operation or activity contrary to the provisions of this chapter or a franchise agreement, including the terms and conditions of any franchise, is unlawful and shall constitute a public nuisance. The public works director, and/or his or her designee, is authorized to commence in the name of the city actions or proceedings to abate and enjoin any such operation or activity. [Ord. 17-2020 § 3 (Exh A)].

6.20.190 Notices.

A. Whenever a provision of this chapter authorizes or requires a public hearing to be conducted by the city council, notice of the time, date, place and purpose of the hearing shall be published at least once not later than 10 calendar days in advance of the date of such hearing in a newspaper of general circulation which is published within the city, and shall be served upon each franchisee who is affected by such hearing.

B. Any written notice or other communication to a franchisee which is authorized or required by this chapter shall be deemed served and effective for all purposes when deposited in the United States mail, postage prepaid, and addressed to the latest address of the franchisee shown in the city records pertaining to the franchise. [Ord. 17-2020 § 3 (Exh A)].

6.20.200 On-site storage.

Every owner, tenant or occupant of a residential dwelling unit or multifamily residential property and every owner, operator or keeper of any business with a fixed location in the city which generates solid waste shall provide and at all times keep within an enclosure, or conveniently located near an enclosure or building, water-tight containers for garbage and suitable containers for recyclable materials and organic recyclable materials, and shall cause to be deposited in such containers, and not elsewhere, all solid waste which accumulates on the premises. The containers shall have tightly fitted covers and shall not leak or permit the escape of odors. Notwithstanding the requirements of this section, generators shall not be required to set out or store recyclable materials and/or organic recyclable

materials together with garbage and generators shall be allowed to appropriately store recyclable materials and/or organic recyclable materials for collection separate from garbage. It shall be unlawful for any person to fail to comply with the requirements of this section. Containers shall be clearly identified with the name of the franchisee. [Ord. 17-2020 § 3 (Exh A)].

6.20.210 Solid waste disposal restrictions.

A. It shall be unlawful for any franchisee to do any of the following:

1. To operate or have an interest in a solid waste disposal site, other than a transfer, receiving and/or processing station, within the city;
2. To operate a solid waste disposal area in the city; or
3. To dump any solid waste upon, or permit the same to fall upon, any property, road or highway other than the areas designated by this chapter for the disposal or dumping of solid waste.

B. It shall be unlawful for any person to dump, deposit, or release any solid waste in or on any public or private property, including streets, sidewalks, gutters, highways, or easements, except when acting in accordance with the solid waste collection regulations set forth in this chapter. [Ord. 17-2020 § 3 (Exh A)].

6.20.220 Use of containers.

No person other than a customer who has contracted for service with a franchisee, or a person with such customer's consent, shall deposit solid waste into a solid waste bin, drop box or compactor placed in the city by a franchisee for the purpose of receiving solid waste. [Ord. 17-2020 § 3 (Exh A)].

6.20.230 Rules and regulations.

A. The collection and subsequent transportation and disposal of commercial solid waste within the city is under the supervision of the public works director, and/or his or her designee, who shall have the power to promulgate rules and regulations regulating such collection and subsequent transportation and disposal, including but not limited to:

1. Commercial solid waste generation, storage, recycling, recovery, accumulation, collection, removal, transportation and disposal;
2. The manner in which commercial solid waste collection services are provided;
3. Types of commercial solid waste and vehicles used therefor;
4. The operation and maintenance of sanitary methods of commercial solid waste disposal;
5. Reporting requirements for recycling facilities.

B. A copy of said rules and regulations and all amendments thereto shall be sent by registered or certified mail, postage prepaid, to all affected franchisees addressed to their last place of business. To the extent not otherwise provided by law, it shall be unlawful for a franchisee to collect and subsequently transport or dispose of commercial solid waste contrary to any regulation, order, permit or requirement promulgated by the public works director, and/or his or her designee.

C. All such rules and regulations shall be consistent with the provisions of this chapter and shall be effective on the thirtieth day following the filing of any such rules and regulations with the city clerk.

D. Any person who asserts that he or she is aggrieved by the terms or application of a regulation issued pursuant to this section may appeal the issuance of such regulation by filing a written notice of appeal with the city clerk. The notice of appeal shall specifically identify the regulation or regulations from which the appeal is taken and the reasons for the appeal. Upon receipt of such notice, the city clerk shall schedule the appeal for a public hearing by the city council, notice of which shall be given in the manner prescribed by RCMC 6.20.340(A). At the conclusion of the public hearing, the city council shall be vested with jurisdiction to deny the appeal or to rescind or modify the regulation. The city council's determination in this regard shall be final.

E. Any regulation from which an appeal is filed prior to its effective date shall not become effective until the date of a determination by the city council of the appeal. Any regulation from which an appeal is filed on or subsequent to the effective date thereof shall remain in full force and effect during the pendency of the appeal, and any decision that rescinds or modifies the regulation shall apply prospectively.

F. It shall be unlawful and constitute a violation of this chapter for any person to violate or otherwise fail to comply with any rule or regulation issued pursuant to this section. [Ord. 17-2020 § 3 (Exh A)].

6.20.240 Vehicle inspection.

All trucks and containers used in the collection, removal, transportation or storage of commercial solid waste in the city shall be subject to inspection by the city engineer for the purpose of determining whether or not the trucks and containers comply with Title 14, Sections 17341 through 17345 of the California Code of Regulations. [Ord. 17-2020 § 3 (Exh A)].

6.20.250 Vehicle requirements.

The bodies of vehicles used in the collection, removal or transportation of commercial solid waste in the city shall have beds of metal or other impervious material which can be cleaned, and shall otherwise be of a type approved by the city engineer's department adopted pursuant to Title 14, Section 17341.B of the California Code of Regulations. The city engineer shall be authorized to issue administrative regulations pertaining to specifications for vehicles and containers, the cleansing and disinfecting thereof, and other sanitary measures in connection therewith. [Ord. 17-2020 § 3 (Exh A)].

6.20.260 Covered load requirement.

A. All franchisee vehicles and all privately owned or operated vehicles using solid waste disposal facilities in the city shall have their vehicle loads covered, with a tarp or equivalent cover, to ensure protection from littering during transportation from the origin of the trip to any waste disposal facility located in the city.

B. All vehicles hauling materials with the load originating in the city to a waste disposal facility located outside of the city shall have their loads covered while in transit within the city.

C. Every permitted or nonpermitted waste disposal facility located within the city shall post signs notifying the public that it is illegal to haul uncovered loads to the facility. These facilities shall cooperate with the city enforcement staff by providing covered load education and promotion information to their customers to help assure the effectiveness of this chapter. [Ord. 17-2020 § 3 (Exh A)].

6.20.270 Rights reserved to city.

In addition to all other rights reserved to the city under this chapter, the following shall apply:

A. There is hereby reserved to the city every right and power, and the exercise thereof, which is reserved or authorized by any provision of any lawful ordinance or resolution of the city, whether enacted before or after the effective date of the ordinance codified in this chapter.

B. Neither the granting of any franchise nor any provision of any franchise shall constitute a waiver of or a bar to the exercise of any governmental right or power of the city.

C. The franchisee shall have no recourse whatsoever against the city, its officers, employees or agents or any of the city member entities, their officers, employees, or agents for any loss, cost, expense or damage arising out of any provision or requirement of this chapter or of any franchise issued under this chapter or because of the enforcement of this chapter.

D. There is hereby expressly reserved to the city the power and authority to amend any section of this chapter so as to require additional or greater standards on the part of the franchisee and the power and authority to increase the franchise fees to be paid by the franchisee pursuant to RCMC 6.20.130. [Ord. 17-2020 § 3 (Exh A)].

6.20.280 Other franchise provisions.

The city council may expand or contract the scope of franchise agreements over time due to changes in law or interpretations of law. [Ord. 17-2020 § 3 (Exh A)].

6.20.290 Criminal penalties for violations.

The following criminal penalties apply to violations of this chapter:

A. Violation as Misdemeanor. Unless otherwise specified by this chapter, violations of the provisions of this chapter or failure to comply with any of its requirements, including violations of terms and conditions established in connection with franchises issued pursuant to this chapter, shall constitute a misdemeanor.

B. Penalty for Misdemeanor. Unless otherwise specified in this chapter, any person, whether as principal, agent, employee or otherwise, who violates this chapter or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$1,000 or imprisoned for not more than six months in the county jail, or by both such fine and imprisonment. Each day such violation continues shall be considered a separate offense. Such penalties shall be in addition to any late fees, civil penalties, administrative civil penalties, or other charges payable to the city by a franchisee for the same period of time or for the same violations.

C. Violation as Infraction. Unless otherwise specified by this chapter or the franchise agreement, the following violations by a franchisee are infractions:

1. Delinquent Payment of Franchise Fee. A delinquent payment of a franchise fee that is not received by the city before the first day of the month following the due date established under the franchise agreement is a violation and a separate violation for every month the payment remains delinquent thereafter.

2. Delinquent Payment of Franchise Fee Late Charge. A delinquent payment of a late payment charge and/or interest charges for a late franchise fee payment (under the franchise agreement) that is not received by the city before the first day of the month following the due date is a violation and a separate violation for every month the payment remains delinquent thereafter.

3. Delinquent Payment of Late Report Charge. A delinquent payment of a late charge for a delinquent quarterly report of diversion (under the franchise agreement) that is not received before the first day of the month following the due date is a violation and a separate violation for every month the payment remains delinquent thereafter.

4. Delinquent Payment of Audit Fee. A delinquent payment of an audit fee (under the franchise agreement) that is not received by the city before the first day of the month following the due date is a violation and a separate violation for every month the payment remains delinquent thereafter.

5. Delinquent Diversion Report. A delinquent quarterly report of diversion (under the franchise agreement) that is not received by the city before the first day of the third month following the end of the quarter reporting is a violation and a separate violation for every month the report remains delinquent thereafter.

6. Incomplete Diversion Report. If a quarterly report of diversion (under the franchise agreement) that is received by the city is incomplete, the inadequacy must be remedied or corrected by the franchisee before the first day of the third month following the end of the quarter or it is a violation and a separate violation for every month the report remains incomplete thereafter. A complete quarterly report of diversion includes all information as may be required by the public works director, and/or his or her designee. Partial quarterly reports of diversion will be considered incomplete.

D. Penalty for Infraction. Unless otherwise specified by this chapter or in the franchise agreement, an infraction is punishable by a fine not exceeding \$200.00 for a first violation of any offense under subsection (C) of this section within the preceding 12-month period; a fine of \$500.00 for a second violation of the same offense under subsection (C) of this section within the preceding 12-month period; and a fine of \$1,000 for each additional violation of the same offense under subsection (C) of this section within the preceding 12-month period. The public works director, and/or his or her designee, or the city attorney shall also have the discretion to elevate any infraction under subsection (C) of this section to a misdemeanor, punishable under subsection (B) of this section. Such penalties shall

be in addition to any late fees, civil penalties, administrative civil penalties, or other charges payable to the city by a franchisee for the same period of time or for the same violation.

E. Separate Remedies. Each civil, criminal, or administrative civil penalty imposed pursuant to this chapter for any separate violation shall be separate from, and in addition to, any other provision of law and does not supersede or limit any and all other legal remedies and penalties, civil, administrative or criminal, which may be applicable under other laws. [Ord. 17-2020 § 3 (Exh A)].

6.20.300 Civil penalties for violations.

The following administrative civil penalties apply to violations of this chapter:

A. Administrative Civil Penalties. In addition to any other remedies provided by this chapter, any person who violates any provision of this chapter shall be liable for an administrative civil penalty to be imposed by the public works director, and/or his or her designee. The amount of the penalty shall not be more than \$1,000 for each day of violation. Any person who knowingly violates any provision of this chapter, after reasonable notice of the violation, is liable for an administrative civil penalty of not more than \$1,000 for each day of violation. In determining the civil, criminal, and administrative civil penalties imposed pursuant to this chapter, all relevant circumstances shall be considered, including but not limited to the extent of harm or potential harm caused by the violation, the nature of the violation and the period of time over which it occurred, the frequency of past violations, and the corrective action, if any, taken by the violator.

B. Administrative Civil Penalty Procedure.

1. Notice of Violation. The public works director, and/or his or her designee, shall notify the violator in writing of the time within which an alleged violation must be remedied or corrected. The notice shall provide that an administrative civil penalty will be imposed if the continuing violation is not remedied or corrected within the time stated.

2. Notice of Penalty and Opportunity for Hearing. Notice of any administrative civil penalty shall set forth the alleged acts or failures to act that constitute a basis for liability and the amount of the proposed administrative civil penalty. The notice of administrative civil penalty shall be served by personal service or certified mail and shall inform the person so served that the administrative civil penalty imposed may be administratively reviewed by a city-designated hearing officer before it is enforced if a request for hearing is timely filed. The notice shall also specify the procedure for requesting a hearing before the hearing officer.

3. Administrative Review. If a person desires administrative review of the administrative civil penalty imposed by the public works director, and/or his or her designee, he or she shall request a hearing by timely filing a written request pursuant to the provisions of RCMC 6.20.330. The written request for an appeal must be accompanied by an administrative hearing fee, as established by the city council. Any such appeal shall be in writing, shall state the specific reasons therefor and grounds asserted for relief, and shall be filed with the public works director, and/or his or her designee, not later than 15 calendar days after the date of service of any such decision. A hearing shall be conducted by the hearing officer pursuant to RCMC 6.20.340 unless the person has waived the right to a hearing or has entered into a settlement agreement with the public works director, and/or his or her designee. A person waives the right to a hearing by so stating in writing or by failure to file with the public works director, and/or his or her designee, a written request for hearing within 15 days after service of the notice of opportunity for hearing.

4. Effective Date. Where the person has waived the right to a hearing or where the person has entered into a settlement agreement, the administrative civil penalty shall not be subject to review by any court, the hearing authority, or any other agency and shall be effective 15 days after notice of the penalty is served. Where a hearing has been held, the penalty shall be effective 20 days after the decision of the hearing authority becomes final.

5. Judicial Review. The manner of contesting the final order of the hearing officer concerning any administrative civil penalty is governed by Section 53069.4 of the Government Code, or any successor provision thereto. Service of the notice of appeal authorized by Section 53069.4 of the Government Code upon the city shall be by service upon the city clerk.

6. Payment of Costs of Enforcement/Collection. In addition to any penalty, sanction, fine or imprisonment, each person who violates this chapter shall be required to pay any and all expenses of enforcement including costs necessary to bring the person into compliance with this chapter. In addition to all remedies contained herein, the city may pursue all reasonable and legal means in collecting those sums authorized and due.

7. Collection. Payment of the penalty shall be made within 30 days from when the penalty became effective. In addition to all remedies herein contained, the city may pursue all reasonable and legal means in collecting administrative civil penalties. [Ord. 17-2020 § 3 (Exh A)].

6.20.310 Settlement process.

The public works director, and/or his or her designee, may adopt a written settlement agreement process for the settlement of violations of this chapter, which shall take into consideration the penalty factors set forth in RCMC 6.20.300. [Ord. 17-2020 § 3 (Exh A)].

6.20.320 Hearing officer.

Whenever the term “hearing officer” is utilized in this chapter, it shall be deemed to refer to one or more qualified persons assigned the responsibility of conducting a hearing by the city manager. [Ord. 17-2020 § 3 (Exh A)].

6.20.330 Appeals.

Any decision of the public works director, and/or his or her designee, may be appealed to a hearing officer appointed by the city manager. Any such appeal shall be in writing, shall state the specific reasons therefor and grounds asserted for relief, and shall be filed with the public works director, and/or his or her designee, not later than 15 days after the date of service of any such decision. If an appeal is not filed within the time or in the manner prescribed above, the right to review of the action against which complaint is made shall be deemed to have been waived. [Ord. 17-2020 § 3 (Exh A)].

6.20.340 Appeal hearing.

A. Not later than 30 days following the date of filing an appeal within the time and in the manner prescribed by RCMC 6.20.330, the hearing officer shall conduct a hearing for the purpose of determining whether the appeal should be granted. Written notice of the time, date and place of the hearing shall be mailed to the appellant not later than 10 days preceding the date of the hearing.

B. The provisions of the California Administrative Procedure Act (commencing at Section 11500 of the Government Code) shall not be applicable to such hearings; nor shall formal rules of evidence in civil or criminal judicial proceedings be so applicable. Testimony shall be given under oath, and the parties to the hearing shall have the right to cross-examine witnesses. Any relevant evidence shall be admitted if it is the type of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rules which make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this state. Hearsay evidence may be admitted for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions. Irrelevant and unduly repetitious evidence shall be excluded.

1. Record. A record of the entire hearing proceedings shall be made by either a certified court reporter or tape recorder operated by the hearing officer. A transcript of the proceedings shall be made available to all parties upon request and upon payment of the fee prescribed therefor. Such fees may be established and revised from time to time by the city council.

2. Scope. Only those matters or issues specifically raised by the appellant(s) in the written appeal shall be considered in the hearing on appeal.

3. Oaths and Certification. The hearing officer has the power to administer oaths and affirmations and to certify official acts.

4. Oral Evidence. Oral evidence shall only be taken on oath or affirmation.

5. Rights of Parties. Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues of the hearing even though the matter was not raised in the direct examination, to impeach any witness regardless of which party first called him or her to testify, to present rebuttal evidence and to represent himself or herself or to be represented by anyone of his or her choice who is lawfully permitted to do so. No appellant shall be required to testify without his or her consent.

6. At the conclusion of the hearing, the hearing authority shall prepare a written decision that either grants or conditionally grants or denies the appeal, and contains findings of fact and conclusions. Notice of the written decision, including a copy thereof, shall be filed with the public works director, and/or his or her designee, and served not later than 30 days following the date on which the hearing is closed on the appellant and on other persons who appeared at the hearing and requested a copy. Service shall be by personal delivery or certified mail.

C. City and appellant shall jointly pay for the costs of the hearing. [Ord. 17-2020 § 3 (Exh A)].

Chapter 6.21 BUSINESS AND MULTIFAMILY RECYCLING AND ORGANICS RECYCLING

Sections:

- 6.21.010 Purpose and declarations.
- 6.21.020 Definitions.
- 6.21.030 Threshold for covered generators.
- 6.21.040 Requirements for covered generators.
- 6.21.050 Special requirements.
- 6.21.060 Designation of recyclable materials and organic recyclable materials.
- 6.21.070 Ownership of recyclable materials and organic recyclable materials.
- 6.21.080 Requirements for franchised waste haulers.
- 6.21.090 Requirements for service agreements.
- 6.21.100 Process for addressing covered generator noncompliance.
- 6.21.110 Requirements for multifamily residential properties.
- 6.21.120 Requirements for self-hauling.
- 6.21.125 SB 1383 regulatory compliance.
- 6.21.130 Reporting.
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- 6.21.280 Hearing procedure.
- 6.21.290 Form and contents of decision – Finality of decision.
- 6.21.300 Procedures for collection of administrative civil penalty.
- 6.21.310 Actions not prohibited.
- 6.21.320 Penalties.

6.21.010 Purpose and declarations.

A. It is the intent and purpose of this chapter to promote recycling and organics recycling by:

1. Requiring covered generators in the city of Rancho Cordova to keep recyclable materials separate from all other garbage for recycling;
2. Requiring covered generators in the city of Rancho Cordova to keep organic recyclable materials separate from all other garbage for organics recycling;
3. Requiring covered generators to provide city-approved signs and labeled containers for the storage and collection of recyclable materials and organic recyclable materials;
4. Requiring covered generators to self-haul recyclable materials and/or organic recyclable materials with written approval from the public works director, and/or his or her designee, or enter into a written service agreement for the collection and subsequent delivery of recyclable materials and organic recyclable materials to a recycling facility; and

5. Prohibiting the collection of garbage to covered generators that are not subscribed to recyclable material and organic recyclable material collection services with the same franchised waste hauler or who have not received written approval from the public works director, and/or his or her designee, for an exemption or waiver.

B. It is further the purpose of this chapter to provide a mechanism to require the implementation of recycling programs and organics recycling programs for covered generators within the city to thereby enable the city to meet and maintain the 50 percent waste diversion requirements set forth in Section 41780(a)(2) of the California Public Resources Code. [Ord. 17-2020 § 4 (Exh B)].

6.21.020 Definitions.

A. “AB 341” means the California Jobs and Recycling Act of 2011 (Chapter 476, Statutes of 2011 [Chesbro, AB 341]), also commonly referred to as “AB 341,” as amended, supplemented, superseded, and replaced from time to time.

B. “AB 827” means the Solid Waste: Commercial and Organic Waste: Recycling Bins Act of 2019.

C. “AB 1826” means the Organic Waste Recycling Act of 2014 (Chapter 727, Statutes of 2014 modifying Division 30 of the California Public Resources Code), also commonly referred to as “AB 1826,” as amended, supplemented, superseded, and replaced from time to time.

D. “Alternative compliance and exemption form” means the form provided by the public works director, and/or his or her designee, on which a covered generator may request an exemption or waiver from the recycling and organics materials collection requirements.

F. “City” means the city of Rancho Cordova, California.

G. “Collection” means the act of picking up and removing garbage, recyclable materials or organic recyclable materials at the place of generation.

H. “Commercial hauler” or “hauler” means any person who collects, hauls, or transports commercial garbage, recyclables and/or organics for a fee by use of any means, including, but not limited to, a dumpster truck, roll-off truck, a side-load, front-load, or rear-load garbage truck, or a trailer.

I. “Commercial solid waste” means all solid waste as defined in subsection (GG) of this section that is generated by and at commercial and industrial sources, multifamily residential properties, and construction and demolition activities that is collected by a commercial hauler.

“Commercial Business” or “Commercial” means a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a Multi-Family Residential Dwelling, or as otherwise defined in 14 CCR Section 18982(a)(6). A Multi-Family Residential Dwelling that consists of fewer than five (5) units is not a Commercial Business for purposes of implementing this chapter.

“Commercial Edible Food Generator” includes a Tier One or a Tier Two Commercial Edible Food Generator as defined in 14 CCR Section 18982(a)(73) and (a)(74).

J. “Covered generator” means all single family, commercial businesses and multifamily residential properties (which are a type of Commercial Business for the purposes of implementing this chapter). The public works director, and/or his or her designee, shall specify the minimum weekly solid waste collection service threshold that defines covered generators for the purposes of this chapter and shall include such designation in the commercial franchise agreement and shall also be designated in RCMC.

6.21.030, “Threshold for Single Family, Commercial Business and Multifamily Property Generators” . A covered generator may include a single family, business or multifamily residential property owner or generator and is dependent on whomever executes a contract(s) for solid waste, recycling, and organics recycling removal and collection services.

K. “Customer” means a single family, business or multifamily residential property owner or generator who contracts for solid waste removal services and enters into a service agreement with a franchised waste hauler. Where several

businesses or multifamily residential properties share garbage containers and service, “customer” refers only to the party who enters into a contract for garbage, recycling and organic collection services.

L. “Designated green materials” (or “green materials”) means materials that are required to be separated from garbage and designated recyclable materials prior to disposal and returned for use or reuse in the form of raw materials for new, used or reconstituted products. Green materials include, but are not limited to: yard trimmings, grass, weeds, leaves, branches, dead plants, brush, tree trimmings, dead trees, small wood pieces and other types of organic yard waste. Green material excludes food scraps and paper contaminated with food scraps.

M. “Designated organic recyclable materials” (or “organic recyclable materials”) means materials that are required to be separated from garbage and designated recyclable materials prior to disposal and returned for use or reuse in the form of raw materials for new, used or reconstituted products. Organic recyclable materials include, but are not limited to: yard trimmings and food scraps such as green trimmings, grass, weeds, leaves, prunings, branches, dead plants, brush, tree trimmings, dead trees, small wood pieces, other types of organic yard waste, vegetable waste, fruit waste, dairy waste, meat waste, fish waste, paper products and food-soiled paper products and/or as otherwise specified by the public works director and/or his or her designee.

N. “Designated recyclable materials” (or “recyclable materials”) means materials that are required to be separated from garbage and designated organic recyclable materials prior to disposal and returned for use or reuse in the form of raw materials for new, used or reconstituted products. Recyclable materials include, but are not limited to: clean cardboard, paper, plastic, scrap metal, beverage containers, and clean (untreated and unpainted) wood.

O. “Designee” means a person or entity that the City Manager or Public Works Director designates, contracts with, or otherwise arranges to carry out any of the Jurisdiction’s responsibilities of this chapter authorized by 14 CCR Section 18981.2. A Designee may be a government employee or entity, a private entity, a Franchised Collector, or a combination of those entities.

P. “Edible Food” means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this chapter or as otherwise defined in 14 CCR Section 18982(a)(18), “Edible Food” is not Solid Waste if it is recovered and not discarded. Nothing in this chapter or in 14 CCR, Division 7, Chapter 12 requires or authorizes the recovery of Edible Food that does not meet the food safety requirements of the California Retail Food Code.

Q. “Food Recovery Organization” means an entity that engages in the collection or receipt of Edible Food from Commercial Edible Food Generators and distributes that Edible Food to the public for Food Recovery either directly or through other entities or as otherwise defined in 14 CCR Section 18982(a)(25), including, but not limited to:

- A food bank as defined in Section 113783 of the Health and Safety Code;
- A nonprofit charitable organization as defined in Section 113841 of the Health and Safety Code; and,
- A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

R. “Food Recovery Service” means a person or entity that collects and transports Edible Food from a Commercial Edible Food Generator to a Food Recovery Organization or other entities for Food Recovery, or as otherwise defined in 14 CCR Section 18982(a)(26). A Food Recovery Service is not a Commercial Edible Food Generator for the purposes of this chapter and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).

S. “Food Scraps” means all edible or inedible food such as, but not limited to, fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bread, cheese, coffee grounds, and eggshells. Food Scraps excludes fats, oils, and grease when such materials are Source Separated from other Food Scraps.

T. “Food Service Provider” means an entity primarily engaged in providing food services to institutional, governmental, Commercial, or industrial locations of others based on contractual arrangements with these types of organizations, or as otherwise defined in 14 CCR Section 18982(a)(27).

U. “Food Waste” means Food Scraps and food soiled paper.

V. “Franchise” or “commercial franchise” means a commercial garbage, organics and recyclables collection franchise issued to a commercial hauler by the city of Rancho Cordova.

W. “Franchisee” or “franchised waste hauler” means a person or entity holding a commercial or residential franchise issued by the city pursuant to Chapter 6.20 RCMC.

X. “Garbage” means those elements of the Solid Waste stream designated for the “Garbage Container”, and excludes hazardous waste, Excluded Waste, materials designated for the “Organics Container” or “Recycling Container” or materials which have been separated for reuse.

Note: The distinction between garbage and solid waste is that solid waste includes garbage, recyclable materials, and organic recyclable materials while “garbage” does not.

Y. “Garbage Container” has the same meaning as “Gray Container” in 14 CCR Section 18982(a)(28) and shall be used for the purpose of storage and collection of Garbage.

Z. “Generator” means each single family, business or multifamily residential property that is responsible for the initial creation of Garbage, Organic Waste or Recyclable Materials

AA. “Grocery Store” means a store primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments, or as otherwise defined in 14 CCR Section 18982(a)(30).

BB. “Multifamily residential property” means five or more individual living units located on a single parcel of land and any mobile home park located within the city.

CC. “National contracts” means contracts between waste management companies and multi-sited waste-generating companies that operate currently throughout the United States, in more than one state.

DD. “Organics Container” has the same meaning as “Green Container” in 14 CCR Section 18982(a)(29) and shall be used for the purpose of storage and collection of Source Separated Organic Recyclable Material designated for Compost processing, including Food Waste and landscape and pruning waste accepted in the City’s Organic Waste Collection program, and other organic materials as determined by the City as acceptable for the Organics Container

EE. “Organic Waste or Organic Recyclable Material” means Solid Waste containing material originated from living organisms and their metabolic waste products, including but not limited to food, Food Scraps, food soiled paper, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46). Organic Waste does not include Rigid Compostable Plastic.

FF. “Organic Waste Generator” means a person or entity that is responsible for the initial creation of Organic Recyclable Material, or as otherwise defined in 14 CCR Section 18982(a)(48).

GG. “Owner” means the person who owns a business or multifamily residential property. An owner may also be a generator.

HH. “Person” means an individual, firm, limited liability company, association, partnership, industry, public or private corporation, or any other entity whatsoever.

II. “Public works director” means the public works director of the city of Rancho Cordova, California.

JJ. “Recycling” means the process of collecting, sorting, cleansing, treating and reconstituting materials that would otherwise become garbage and returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the marketplace. Recycling does not

include transformation as defined in Section 40201 of the California Public Resources Code. The term “recycling” may be used to include source separated materials.

KK. “Recycling facility” means those facilities or operations that receive, process, and transfer to market recyclable materials or organic recyclable materials that have been source separated from the solid waste stream.

LL. “Recyclable material” or “recyclables” means materials that have been separated from the solid waste stream prior to disposal for the purpose of returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the marketplace, and that are not landfilled. Recyclable material or recyclables includes those materials that can be placed in the Recycling Container including but not limited to, glass and plastic bottles, aluminum, tin and steel cans, metals, unsoiled paper products, printing and writing paper, and cardboard, and any other items as determined by the City.

MM. “Recyclable materials container” or “Recycling Container” has the same meaning as “Blue Container” in 14 CCR Section 18982(a)(5) and shall be used for the purpose of storage and collection of source separated Recyclable Materials.

NN. “Recycling plan” means the plan to be presented to all covered generators by their franchised waste hauler to document understanding of the requirements of this chapter and record the selected compliance option for each designated recyclable material or each designated organic recyclable material.

OO. “Removal” means the act of taking garbage, recyclable materials, or organic recyclable materials from the place of generation.

PP. “SB 1383” means the Short-Lived Climate Pollutants: Methane Emissions: Dairy and Livestock: Organic Waste: Landfills Act of 2016. Article 4 Title 14, Division 4, Chapter 12 of the California Code of Regulations.

QQ. “Single-Family” means, of, from, or pertaining to any residential premises with fewer than five (5) units for the purposes of implementing this chapter.

RR. “Self-haul,” when used in reference to a covered generator, means a covered generator, or employee designated by the covered generator, who collects, transports and hauls recyclable materials and/or organic recyclable materials from the business or multifamily residential property in a vehicle owned by either an employee or the entity to a recycling facility rather than hiring a franchised waste hauler to perform this function. Self-hauler also includes a person who back-hauls waste.

1. “Back-haul” means generating and transporting organic waste to a destination owned and operated by the generator using the generator’s own employees and equipment.

SS. “Service agreement” means a written agreement between a franchised waste hauler and a covered generator concerning the collection of designated recyclable materials and/or designated organic recyclable materials.

TT. “Solid waste” means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes. “Solid waste” does not include hazardous waste or low-level radioactive waste regulated under Chapter 7.6 (commencing with Section 25800) of Division 20 of the California Health and Safety Code, or medical waste. “Solid waste” includes recyclable materials or organic recyclable materials set out for separate collection for the purposes of recycling and that are not landfilled.

WW. “Source separate” or “source separated” means the process of removing recyclable materials and/or organic recyclable materials from garbage for the purpose of recycling and/or organics recycling.

XX. “Subcontract” is a contract assigning some of the obligations of a contract to a third party.

YY. Tier 1 and Tier 2 Commercial Edible Food Covered Generators.

1. “Tier one Commercial Edible Food Generator” means a Commercial Edible Food Generator that is one of the following:

- a. Supermarket. “Supermarket” means a full-line, self-service retail store with gross annual sales of \$2,000,000, or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items.
- b. Grocery Store with a total facility size equal to or greater than 10,000 square feet.
- c. Food Service Provider
- d. Food Distributor. “Food Distributor” means a company that distributes food to entities including, but not limited to, supermarkets and grocery stores.
- e. Wholesale Food Vendor. “Wholesale Food Vendor” means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination.

2. “Tier two Commercial Edible Food Generator” means a Commercial Edible Food Generator that is one of the following:

- a. Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet. “Restaurant” means an establishment primarily engaged in the retail sale of food and drinks for on-premises or immediate consumption.
- b. Hotel with an on-site food facility and 200 or more rooms. “Hotel” has the same meaning as in Section 17210(a) of the Business and Professions code.
- c. Health Facility with an on-site food facility and 100 or more beds. “Health Facility” has the same meaning as in Section 1250 of the Health and Safety Code.
- d. Large Venue. “Large Venue” means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For the purposes of this chapter, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For the purposes of this chapter, a site under common ownership or control that includes more than one large venue that is contiguous with other large venues in the site, is a single large venue.
- e. Large Event. “Large Event” means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event.
- f. A state agency with a cafeteria with 250 or more seats or a total cafeteria facility size equal to or greater than 5,000 square feet.
- g. A Local Education Agency with an on-site food facility. “Local Education Agency” means a school district, charter school, or county office of education that is not subject to the control of city or county regulations related to solid waste. [Ord. 17-2020 § 4 (Exh B)].

6.21.030 Threshold for Single Family, Commercial Business and Multifamily Property Generators.

A. Recycling Requirements. All single family, commercial business and multifamily residential property generators, and any other covered generators as defined in state law, must subscribe to a sufficient number of recyclable material containers to adequately store all source separated recyclable materials generated in connection with the residence or business between the times designated for collection from a franchised waste hauler unless

they receive alternative compliance and exemption from the city as provided for in RCMC 6.21.040. The City shall have the right to review the number and size of such containers to evaluate the adequacy of capacity provided for each type of collection service and to require additional or larger containers (or additional service days) and to review the separation and containment of materials. Generators shall adjust service levels for their collection services as requested by the City in order to meet the standards set forth in this chapter.

B. **Organics Recycling Requirements.** All single family, commercial business and multifamily residential property generators, and any other covered generators as defined in state law, must subscribe to a sufficient number of recyclable material containers to adequately store all source separated organic recyclable materials generated in connection with the residence or business between the times designated for collection and receive an adequate level of organic waste collection services from a franchised waste hauler unless they receive written approval of an alternative compliance and exemption from the city as provided for in RCMC 6.21.040. The City shall have the right to review the number and size of such containers to evaluate the adequacy of capacity provided for each type of collection service and to require additional or larger containers (or additional service days) and to review the separation and containment of materials. Generators shall adjust service levels for their collection services as requested by the City in order to meet the standards set forth in this chapter.

6.21.035 Education and Outreach Requirements for Commercial Business Owners and Multi-family Owners.

All Commercial Business Owners are required to:

- A. Excluding Multi-Family Residential Dwellings, to the extent practical through education, training, inspection, and/or other measures, prohibit employees from placing materials in a container not designated for those materials per the Recycling Container, Organics Container, and Garbage Container collection service.
- B. Excluding Multi-Family Residential Dwellings, periodically inspect Recycling Containers, Organics Containers, and Garbage Containers for contamination and inform employees if containers are contaminated and of the requirements to keep contaminants out of those containers.
- C. Including Multi-Family Residential Dwellings, annually provide information to employees, contractors, tenants, building residents, and customers about Organic Waste Recovery requirements and about proper sorting of Organic Waste and Recyclable Materials. A copy of such instructions shall be provided to the Public Works Director or Designee, upon request.
- D. Including Multi-Family Residential Dwellings, provide information before or within fourteen (14) days of new occupation of the Premises to new tenants and no less than fourteen (14) days before tenants move out of the Premises, unless a tenant does not provide fourteen (14) or more days' notice to before moving out, that describes requirements to keep Organics Container Organic Waste and Recyclable Materials separate from each other and from Garbage, the location of containers, and the rules governing their use at the Premises.
- E. Including Multi-Family Residential Dwellings, prominently post and maintain one or more signs where Recyclable Materials and/or Organic Waste are collected and/or stored that set forth what materials are required to be Source Separated, in addition to collection procedures for such materials.

6.21.040 Additional Requirements for covered generators.

A. Any covered generator that does not subscribe to garbage, recyclable material, and organic waste collection services with the same franchised waste hauler is required to complete an "alternative compliance and exemption form" and have that form approved by the city in writing as a condition of receiving garbage collection service from a franchised waste hauler.

B. Each covered generator shall be responsible for ensuring and demonstrating its compliance with the following requirements:

1. Source separate designated recyclable materials and designated organic recyclable materials from garbage;

2. Provide a basic level of recycling and organics recycling services that includes, at a minimum, the collection of designated recyclable materials and/or designated organic recyclable materials;

3. Enter into a service agreement with the same franchised waste hauler for the collection of designated recyclable materials and designated organic recyclable materials; and

4. Complete and retain, on site, if applicable, the approved alternative compliance and exemption form, certifying that recycling and/or organic collection services are being provided by a franchised waste hauler if that franchised waste hauler is not also providing garbage service or certifying and receiving written approval from the public works director, and/or his or her designee, that all self-hauling activities will be completed in accordance with provisions in RCMC 6.21.120.

C. Multi family property owners shall provide for recyclable materials containers for designated recyclable and organic materials in multifamily residential rental units and in maintenance and work areas where recyclable materials may be collected and/or stored.

D. Each covered generator under AB 827, and all other applicable state law, shall provide recyclable materials containers for designated recyclable and organic materials where customers have access to the business. Each covered generator shall prominently post and maintain one or more signs where designated recyclable materials and/or designated organic recyclable materials are collected and/or stored that set forth what materials are required to be source separated in addition to collection procedures for such materials.

F. Commercial Business Owners and Multifamily Property Owners shall ensure that designated recyclable materials and/or designated organic recyclable materials generated at their site will be taken only to a recycling facility and not to a landfill for disposal by complying with all requirements under this chapter.

G. The service agreement, alternative compliance and exemption form, and/or other documents pertaining to this chapter, shall be available for inspection by the public works director, and/or his or her designee, at the principal location of the covered generator during normal business hours.

H. Nothing in this chapter shall abridge the right of any covered generator, or any other person, to sell or exchange at fair market value its own recyclable materials or organic recyclable materials which are source separated for reuse and recycling or organics recycling.

I. No franchised waste hauler shall be held liable for the failure of its customers to comply with such regulations.

J. No covered generator shall be liable for the failure of their franchised waste hauler to deliver designated recyclable materials or designated organic recyclable materials to a recycling or processing facility. [Ord. 17-2020 § 4 (Exh B)].

6.21.050 Special requirements.

In addition to any and all requirements that apply to the recycling and/or organics recycling of designated recyclable materials and/or designated organic recyclable materials throughout the city above, collection service received or provided in the city shall be subject to the following additional special requirements:

A. No recycling, automatic lift containers or bins within the collection area of the city shall be placed or located in such a manner that blocks or impedes passage through an alley or through any doorway of any building adjoining an alley, notwithstanding that such building may be abandoned or otherwise out of use.

B. Compliance with the above special requirements shall be the sole responsibility of the covered generator. [Ord. 17-2020 § 4 (Exh B)].

6.21.060 Designation of recyclable materials and organic recyclable materials.

Designated recyclable materials and/or designated organic recyclable materials shall be source separated from garbage before collection, removal, transportation or disposal pursuant to this chapter. The public works director, and/or his or her designee, shall specify designated recyclable materials and organic recyclable materials that must be source separated by all covered generators pursuant to RCMC 6.21.040. The specifications for designated

recyclable materials and designated organic recyclable materials shall consider materials market conditions and the availability of a cost-effective system for recycling such materials. [Ord. 17-2020 § 4 (Exh B)].

6.21.070 Ownership of recyclable materials and organic recyclable materials.

A. All designated recyclable materials and designated organic recyclable materials placed in automatic lift containers, bins or roll-off bins shall be considered owned by and be the responsibility of the franchised waste hauler. No person shall collect designated recyclable materials or designated organic recyclable materials placed in automatic lift containers, bins or roll-off bins for recyclable materials or organic recyclable materials by customers without permission from the franchised waste hauler.

B. Except as authorized by RCMC 6.21.120, Requirements for self-hauling, it shall be unlawful for any person to engage in the business of collecting, removing or transporting, or to otherwise organize, direct or sponsor the collection, removal or transportation of designated recyclable materials or designated organic recyclable materials who is not a franchised waste hauler. [Ord. 17-2020 § 4 (Exh B)].

6.21.080 Requirements for franchised waste haulers.

A. Commercial waste haulers shall be franchised pursuant to the provisions of Chapter 6.20 RCMC, and such franchise shall be in full force and effect.

B. Franchised waste haulers shall offer collection service and automatic lift containers, bins or roll-off bins for designated recyclable materials and designated organic recyclable materials sufficient to accommodate the quantity and types of designated recyclable materials and designated organic recyclable materials to all its garbage customers.

C. Franchised waste haulers shall equip and provide automatic lift containers, bins and roll-off bins for designated recyclable materials and designated organic recyclable materials with locks and/or other suitable features to prevent theft of recyclable materials and organic recyclable materials.

D. Franchised waste haulers may subcontract for collection of designated recyclable material and/or designated organic recyclable materials, so long as the subcontractor holds a current franchise.

E. Franchised waste haulers shall conduct all activities in accordance with all applicable state and local laws and best management practices. Vehicles, equipment and containers shall be kept in a clean and well-maintained condition.

F. Franchised waste haulers shall not take a customer's designated recyclable materials or designated organic recyclable materials to a landfill or other disposal site, but to a recycling facility.

G. Franchised waste haulers, upon request, shall provide the public works director, and/or his or her designee, with a copy of a service agreement, recycling plan, alternative compliance and exemption form, or other document (e.g., receipt from a recycling facility) demonstrating that the covered generator's designated recyclable materials and/or designated organic recyclable materials are being taken to a recycling facility. The service agreement, recycling plan, alternative compliance and exemption form, or other documents shall be available for inspection by the public works director, and/or his or her designee, at the franchised waste haulers' place of business during normal business hours.

H. City staff may audit all franchised waste haulers' records.

I. Franchised waste haulers shall not provide garbage collection services to a business or multifamily residential property covered generator unless that business or multifamily property covered generator is also receiving both recyclable material and organics recyclable material collection services from the same franchised waste hauler providing garbage service; or

1. Unless the franchise waste hauler has received a completed alternative compliance and exemption form from the business or multifamily residential covered generator; and

2. The city has received and provided the covered generator with written approval of its alternative compliance and exemption form request and notified the franchised waste hauler in writing of any such approval.

J. Franchised waste haulers are required to submit all completed alternative compliance and exemption forms to the city for review which will be due on the tenth of each month for the previous reporting month.

K. Franchised waste haulers are required to maintain a list of any and all businesses and multifamily properties that the franchised hauler is providing garbage collection services to but is not also providing recycling and organic collection services (non full-service account list). Franchised haulers shall provide a current non full-service account list to the city, which will be due on the tenth of each month for the previous reporting month.

L. Franchised waste hauler shall be required to meet full compliance with requirements pursuant to RCMC 6.21.090 by a date set by the public works director and/or his or her designee. Franchised waste hauler shall receive written notification of such terms. [Ord. 17-2020 § 4 (Exh B)].

M. Franchised hauler shall meet the following requirements and standards in connection with collection of Organic Waste and Recyclables:

1. Through written notice or written report to the City, Franchised hauler shall annually identify the facilities to which they will transport Organic Waste including facilities for Source Separated Recyclable Materials and Source Separated Organic Waste.
2. Transport Source Separated Recyclable Materials to a facility that recycles those materials and transport Source Separated Organic Waste to a facility, operation, activity, or property that recovers Organic Waste as defined in 14 CCR, Division 7, Chapter 12, Article 2.
3. Obtain approval from the City to haul Organic Waste, unless it is transporting Source Separated Organic Waste to a Community Composting site or lawfully transporting C&D in a manner that complies with 14 CCR Section 18989.1.

6.21.090 Requirements for service agreements.

A. Franchised waste haulers shall execute a written service agreement with all covered generators as required in RCMC 6.21.040 before the franchised waste hauler begins to collect garbage and/or designated recyclable materials and/or designated organic recyclable materials.

B. Service agreements shall incorporate, but are not limited to, the following terms and conditions:

1. Be clearly labeled as a service agreement.
2. Describe the garbage and/or recyclable material and/or organics recyclable material collection services to be provided by the franchised waste hauler and the cost for providing such services to the customer.
3. Clearly state the initial term and renewal terms.
4. Include the condition, as applicable, that the franchised waste hauler cannot provide garbage collection services to a covered generator unless:
 - a. The business or multifamily property covered generator is also receiving both recyclable materials and organics recyclable waste collection services from the franchised waste hauler; or
 - b. The city has received and provided the covered generator with written approval of its alternative compliance and exemption form request.
5. May contain automatic renewal for successive periods of no longer than one year, unless either party gives written notice of termination by certified or registered mail at least 60 days prior to the termination date of the current agreement.
6. May be amended as mutually agreed upon by the customer and the franchised waste hauler.

7. Customers are to receive a written notice of price increases not less than 30 days prior to the effective date of such price increase.
8. Franchised waste haulers shall respond to customer inquiries regarding the service agreement within 30 days.
9. Include language stating that collection containers will be removed from the property of a customer within 30 days of final termination of services to the customer.
10. Not require customers to pay over three months' liquidated damages during the renewal term and over six months' liquidated damages during the initial term of the service agreement.
11. Not require a customer to give a franchised waste hauler the exclusive right to provide recycling collection services or the exclusive right to provide organics recyclable material collection services as a condition of a service agreement, unless the customer affirmatively indicates that is its desire.
12. Not require customers to give notice of any offer by a competitor or require customers to give franchised waste haulers the right to respond to such an offer.
13. Franchises must be in full force and effect for the service agreement to be effective.

C. The requirements for service agreements contained in this section shall be incorporated into all new service agreements upon enactment of this chapter. Existing service agreements between a franchised waste hauler and a customer executed before the effective date of the ordinance codified in this chapter shall remain in force for the remainder of the existing contract and shall be governed by the terms and conditions specified in the existing service agreement; provided, that such existing service agreements shall comply, to the extent allowable by law, with the new recycling and organics recycling programs established by this chapter.

D. National contracts or agreements are exempt from the requirements of contract length and renewal terms. [Ord. 17-2020 § 4 (Exh B)].

6.21.100 Process for addressing covered generator noncompliance.

In the event that the franchised waste hauler must stop providing garbage collection service to a covered generator due to the covered generator's noncompliance with this chapter the franchised waste hauler shall take the following steps:

- A. Issue a written "service termination notice" to the noncompliant commercial generator stating that the franchised waste hauler shall terminate garbage collection services within 14 days of providing that service termination notice to the business or multifamily residential property. That "service termination notice" shall clearly state that it is mandatory for the business or multifamily residential property to subscribe to garbage, recyclable material and organic recyclable material collection service as required by RCMC 6.21.040.
- B. Notify the city by email no more than seven business days and no less than two business days before collection service is suspended for all carts, bins and/or containers from the business or multifamily residential property.
- C. Suspend collection service of all carts and/or containers from the business or multifamily residential property that has not complied within 14 days of receiving the service termination notice.
- D. Notify the public works director, and/or his or her designee, in person or by telephone within 24 hours after suspending collection service of all garbage carts and/or containers from the business or multifamily residential property.
- E. Send a follow-up email that has been confirmed by the franchised waste hauler to be received by the public works director, and/or his or her designee, by the end of the next business day the name and address of the covered generator that the franchised waste hauler has suspended collection service of all garbage carts and/or containers to. [Ord. 17-2020 § 4 (Exh B)].

6.21.110 Requirements for multifamily residential properties.

A. Multifamily residential tenants shall be responsible for compliance with the requirement to source separate designated recyclable materials and/or designated organic recyclable materials from garbage pursuant to RCMC 6.21.040(B)(1).

B. No multifamily residential property owner who is a covered generator pursuant to RCMC 6.21.020(J) shall be cited for noncompliance with this chapter as a result of the failure of his or her rental property tenants to source separate designated recyclable materials or designated green materials and/or organic recyclable materials from garbage pursuant to RCMC 6.21.040.

C. Multifamily residential property owners who are covered generators pursuant to RCMC 6.21.020(J) shall be responsible for compliance with RCMC 6.21.030, 6.21.035, and 6.21.040.

D. Every multifamily residential unit shall have a recyclable materials container provided by either the multifamily residential property owner who is a covered generator pursuant to RCMC 6.21.020(J), or by the multifamily tenant as part of their rental agreement. [Ord. 17-2020 § 4 (Exh B)].

6.21.115 Commercial Edible Food Generator Requirements.

A. Tier One Commercial Edible Food Generators must comply with the requirements of this Section commencing January 1, 2022, and Tier Two Commercial Edible Food Generators must comply commencing January 1, 2024, pursuant to 14 CCR Section 18991.3, or such later deadline established by State law or regulations.

B. Large Venue or Large Event operators not providing food services, but allowing for food to be provided by others, shall require Food Facilities, operating at the Large Venue or Large Event to comply with the requirements of this Section, commencing January 1, 2024, or such later deadline established by State law or regulations.

C. Commercial Edible Food Generators shall comply with the following requirements:

- (1) Arrange to safely recover for human consumption the maximum amount of Edible Food that would otherwise be disposed.
- (2) Enter into a contract or other written agreement with Food Recovery Organizations or Food Recovery Services for: (i) the collection for Food Recovery of Edible Food that would otherwise be disposed; or (ii) acceptance of Edible Food that would otherwise be disposed that the Commercial Edible Food Generator self-hauls to the Food Recovery Organization for Food Recovery.
- (3) Use best efforts to abide by all contractual or written agreement requirements specified by the Food Recovery Organization or Food Recovery Service on how Edible Food should be prepared, packaged, labeled, handled, stored, distributed or transported to the Food Recovery Organization or Service.
- (4) Not intentionally donate food that has not been prepared, packaged, handled, stored and/or transported in accordance with the safety requirements of the California Retail Food Code.
- (5) Not intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or a Food Recovery Service.
- (6) Allow the Enforcement Officer to review records upon request, including by providing electronic copies or allowing access to the Premises.
- (7) Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:
 - (a) A list of each Food Recovery Service or Food Recovery Organization that collects or receives its Edible Food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).

- (b) A copy of all contracts and written agreements between the Commercial Edible Food Generator and a Food Recovery Service or organization.
- (c) A record of the following information for each of those Food Recovery Services or Food Recovery Organizations:
 - (i) The name, address and contact information of the Food Recovery Service or Food Recovery Organization.
 - (ii) The types of food that will be collected by or self-hauled to the Food Recovery Service or Food Recovery Organization.
 - (iii) The established frequency that food will be collected or self-hauled.
 - (iv) The quantity of food, measured in pounds recovered per month, collected or self-hauled to a Food Recovery Service or Food Recovery Organization for Food Recovery.
- (8) If it has not entered into a contract or written agreement with Food Recovery Organizations or Food Recovery Service, a record that describes (i) its direct donation of Edible Food to end recipients (including employees) and/or (ii) its food waste prevention practices that result in it generating no surplus Edible Food that it can donate.
- (9) Tier One Commercial Edible Food Generators and Tier Two Commercial Edible Food Generators shall provide, upon request, a Food Recovery report to the Enforcement Officer that includes the information in C(7)(c). Entities shall provide the requested information within sixty (60) days of the request.
- D. Nothing in this chapter shall be construed to limit or conflict with (1) the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017; or (2) otherwise applicable food safety and handling laws and regulations.
- E. Nothing in this chapter prohibits a Commercial Edible Food Generator from donating Edible Food directly to end recipients for consumption, pursuant to Health and Safety Code Section 114432(a).

6.20.116 Food Recovery Organizations and Services Requirements.

- A. Food Recovery Services collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records:
 - (1) The name, address, and contact information for each Commercial Edible Food Generator from which the service collects Edible Food.
 - (2) The quantity in pounds of Edible Food collected from each Commercial Edible Food Generator per month. This may also include the total quantity in pounds of food collected that was spoiled when received from a Commercial Edible Food Generator or otherwise not able to be used to feed people.
 - (3) The quantity in pounds of Edible Food transported to each Food Recovery Organization per month.
 - (4) The name, address, and contact information for each Food Recovery Organization to which the Food Recovery Service transports Edible Food for Food Recovery.

- B. Food Recovery Organizations collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records:
- (1) The name, address, and contact information for each Commercial Edible Food Generator from which the organization receives Edible Food.
 - (2) The quantity in pounds of Edible Food received from each Commercial Edible Food Generator per month. This may also include the total quantity in pounds of food collected that was spoiled when received from a Commercial Edible Food Generator or otherwise not able to be used to feed people.
 - (3) The name, address, and contact information for each Food Recovery Service that the organization receives Edible Food from for Food Recovery.
- C. Food Recovery Organizations and Food Recovery Services that have their primary address physically located in the City and contract with or have written agreements with one or more Commercial Edible Food Generators shall report to the City, or its Enforcement Officer, the total pounds of Edible Food recovered from the Tier One and Tier Two Commercial Edible Food Generators they have established a contract or written agreement with (regardless of whether those Generators are located in the City) according to the following schedule:
- (i) no later than April 31, 2023, and no later than every April 31 thereafter, submit a report covering the period of January 1 to December 31 of the previous calendar year.
- D. In order to support Edible Food Recovery capacity planning assessments and similar studies, Food Recovery Services and Food Recovery Organizations operating in the City shall provide, upon request, information and consultation to the City and/or the County, regarding existing, or proposed new or expanded, Food Recovery capacity in a form that can be provided to or that can be accessed by the County, the City and Commercial Edible Food Generators in the City. A Food Recovery Service or Food Recovery Organization shall respond to such request for information within sixty (60) days, unless a shorter timeframe is otherwise specified.

6.21.120 Requirements for self-hauling.

A. A covered generator may haul or transport designated recyclable materials and/or designated organic recyclable materials generated and collected at its business or multifamily residential property to a recycling facility that diverts material from disposal, rather than hiring a franchised waste hauler, only if an owner, generator or employee of the entity completes this activity by utilizing a vehicle owned by either an employee or the entity has also submitted an alternative compliance form to the city and received written approval for self-hauling activities.

Self haulers must Source Separate their Recyclable Materials and Organic Waste generated on-site from Solid Waste in a manner consistent with this section or haul Organic Waste to a High Diversion Organic Waste Processing Facility.

Self haulers must haul their Source Separated Recyclable Materials to a facility that recovers those materials; and haul their Source Separated Organic Waste to a Solid Waste facility, operation, activity, or property that processes or recovers Source Separated Organic Waste or to a High Diversion Organic Waste Processing Facility; and haul their Garbage to a fully permitted Solid Waste facility.

B. Business and multifamily covered generators pursuant to RCMC 6.21.020(J) that self-haul or transport designated recyclable materials and/or designated organic recyclable materials shall follow established provisions pursuant to RCMC 6.21.040(A) and 14 CCR Section 18988.3.

C. A covered generator that self-hauls or transports designated recyclable materials and/or designated organic recyclable materials collected at its business or multifamily residential property to a recycling facility without the utilization of a franchised waste hauler must complete and retain on site an approved alternative compliance and

exemption form certifying all self-hauling activities will be completed in accordance with the provisions of all applicable laws or regulations of this chapter and 14 CCR Section 18988.3. The alternative compliance and exemption form shall be made available to the public works director, and/or his or her designee, upon request. At a minimum, the covered generator shall provide the following information on the alternative compliance and exemption form and also keep records containing the following information.

1. The name, address and telephone number of the covered generator that is signing the self-haul form.
2. A list of the types of recyclable materials and/or organic recyclable materials being self-hauled.
3. Delivery receipts and weight tickets from the entity accepting the waste.
4. The amount of material in cubic yards or tons transported by the Generator to each entity.
 - (a) If the material is transported to an entity that does not have scales on-site or employs scales incapable of weighing the Self-Hauler's vehicle in a manner that allows it to determine the weight of materials received, the Self-Hauler is not required to record the weight of material but shall keep a record of the entities that received the Organic Waste.
- 5.. For each type of recyclable material and/or organic recyclable material, the amount that is being taken from the business and multifamily residential property to a recycling facility quarterly.
6. The name and address of the recycling facility(ies).
7. A written statement signed by the business or multifamily residential property owner or generator certifying that the owner or generator agrees to comply with the requirements of this chapter.

D. The public works director, and/or his or her designee, may restrict or prohibit self-hauling by a person if the public works director, and/or his or her designee, determines, after providing 30 days' written notice and an opportunity for a hearing, that the person's self-hauling activities violate the provisions of this chapter or any other applicable law or regulation.

E. Self-Haulers, which are Commercial Businesses including Multi-Family Residential Dwellings, shall keep records of the amount of Organic Waste delivered to each Solid Waste facility, operation, activity, or property that processes or recovers Organic Waste for a minimum of five (5) years; this record shall be subject to inspection by the City.

F. Self-Haulers that are Commercial Businesses including Multi-Family Residential Dwellings shall provide these records, upon request, to the Public Works Director or Designee. Self-Haulers shall provide the requested information within sixty (60) days.

G. Landscapers, who self-haul Organic Waste generated at a customer's site, must also meet the requirements in this section.

H. A Single-Family Organic Waste Generator that self-hauls Organic Waste is not required to record or report this information.

I. The public works director, and/or his or her designee, will notify the covered generator that self-hauls if the alternative compliance and exemption form has been approved within 14 days of receiving the submitted request. [Ord. 17-2020 § 4 (Exh B)].

6.21.125 SB 1383 regulatory compliance.

Organic waste generators, franchised waste haulers, and all other entities subject to the requirements of SB 1383 shall fully comply with all applicable SB 1383 regulatory requirements or be subject to the penalties as prescribed in Section 18997.2 of SB 1383 or RCMC 6.21.230 as determined by the public works director and/or his or her designee. [Ord. 17-2020 § 4 (Exh B)].

6.21.130 Reporting.

A. Franchised waste haulers' failure to file the reports required by this chapter or by the franchise agreement shall constitute cause for termination or suspension of its franchise pursuant to Chapter 6.20 RCMC.

B. Unless otherwise required by the franchise agreement, self-haulers shall prepare quarterly reports to be kept on site identifying, at a minimum, the following:

1. The recyclable materials and organic recyclable materials tonnage collected and removed within the city region during the previous quarter.
2. The location of the recycling facility(ies) to which the recyclable materials and organic recyclable materials were taken during the previous quarter.

C. Unless otherwise required by the franchise agreement, franchised waste haulers shall prepare quarterly reports as designated by the public works director and/or his or her designee.

D. Unless otherwise required by the franchise agreement, franchised waste haulers shall prepare monthly reports as required pursuant to RCMC 6.21.080(J) and (K).

E. The public works director, and/or his or her designee, shall provide and establish guidelines, forms and other appropriate materials to assist franchised waste haulers and self-haulers in preparing the reports required by this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.140 Exemptions from recycling standards.

A. Notwithstanding any other provision herein, a covered generator shall not be required to source separate recyclable materials and/or organic recyclable materials if the business or multifamily residential property, owner or generator, demonstrates to the public works director, and/or his or her designee, that there is no collection service or other system available for recycling such material.

B. Notwithstanding any other provision herein, a covered generator shall be exempt from the recycling and/or organics recycling requirements in RCMC 6.21.040 if all of the generators on the owner's business or multifamily residential property are exempt from or not required to comply with the provisions of RCMC 6.21.040, or if designated recyclable materials and/or designated organic recyclable materials are not being generated by any activities occurring on the covered generator's property. Documentation to that effect will be required as described in C.2 and 3.

C. Covered commercial and multi-family generators may be exempted by the public works director, and/or his or her designee, if it is determined through a site visit or other means of verification:

1. That the premises lacks adequate space for any of the recycling or organic waste containers. If the public works director and/or his or her designee determines that it is feasible for recycling and/or organic collection containers to be placed on site or shared with an adjoining generator, the covered generator will be responsible for compliance with this chapter; The commercial or multi-family generator requesting an exemption must provide documentation with the application for an exemption that the premises lacks adequate space for Recycling Containers and/or Organics Containers, which shall include documentation from its licensed contractor, licensed architect, licensed engineer, or other person authorized by the public works director and/or his or her designee.
2. That the covered generator's total solid waste generation is two cubic yards or more per week and organic waste subject to collection in a blue recycling container or green organics container comprises less than 20 gallons per week of the covered generator's solid waste; or
3. That the covered generator's total solid collection service is less than two cubic yards per week and total organic waste generation subject to collection in a blue container or green container is less than 10 gallons per week of the covered generator's total solid waste.

D. Covered generators may be exempted by the public works director, and/or his or her designee, from the regulatory requirements of AB 341, AB 1826 and/or SB 1383, or any other applicable state law; provided, that the

business or multifamily residential property covered generator has submitted an alternative compliance and exemption form with the requested documentation to the city and the city has provided the covered generator with written approval of its exemption request.

E. City-issued exemptions from the regulatory requirements of AB 341, AB 1826 and/or SB 1383, or any other applicable state law, shall be valid for no more than two years unless the city authorizes an extension of that two-year waiver period.

F. The following persons shall automatically be exempt from the requirements of this chapter:

1. The United States, state of California, a city, a county, a special district or other local public agency, or any employee or member of the armed forces thereof, when collecting or transporting designated recyclable materials produced by operation of the public entity under a system of recyclable materials collection and transportation operated and maintained by the public agency within the city region as specified herein and in Chapter 6.20 RCMC.
2. Municipal corporations and other governmental agencies using their own vehicles and employees engaged in the collection, transportation or disposal of designated recyclable materials within the city. [Ord. 17-2020 § 4 (Exh B)].

6.21.150 City rules and regulations.

A. The public works director, and/or his or her designee, is authorized to make and enforce administrative rules and regulations governing recycling and organics recycling at businesses and multifamily residential properties, and all related activities including recycling and commercial solid waste generation, storage, recovery, accumulation, collection, removal, transportation and disposal; the manner in which commercial garbage, recycling and organics recycling services are provided; types of commercial garbage, organics and recycling containers and vehicles used for the operation and maintenance of sanitary methods of commercial garbage, recycling and organics recycling disposal; reporting requirements for franchised waste haulers and self-haulers; and for the effective administration of this chapter. All such rules and regulations shall be consistent with the provisions of the city code and shall be effective on the thirtieth day following the filing of any such rules and regulations with the city clerk.

B. The city council may, and is hereby empowered to, grant to a qualified applicant a nonexclusive franchise to engage in the business of collecting, transporting or disposing of commercial garbage, recyclable materials or organic recyclable materials kept, accumulated or generated in the city region.

C. The city council may grant a franchise based on compliance with this chapter. Any grant of a franchise by the city council may be subject to such terms, conditions, rules, regulations, restrictions, and limitations, as the city council deems necessary to protect the public health, safety, or welfare.

D. The city council hereby empowers and grants to the public works director, and/or his or her designee, the authority to grant commercial nonexclusive collection service agreements (commercial nonexclusive franchisees) to franchised waste haulers, to specify designated recyclable materials and designated organic recyclable materials and make administrative rules and regulations governing covered generators.

E. The city council hereby empowers and grants to the public works director, and/or his or her designee, the authority to administer, implement and enforce this chapter and administrative rules and regulations governing business and multifamily residential property recycling and organics recycling thereafter.

F. It shall be unlawful and constitute a violation of this chapter for any person to violate or otherwise fail to comply with any rule or regulation issued pursuant to this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.160 Rights reserved to city.

In addition to all other rights reserved to the city, the following shall apply:

A. There is hereby reserved to the city every right and power, and the exercise thereof, which is reserved or authorized by any provision of any lawful code, title or resolution of the city, whether enacted before or after the effective date of the ordinance codified in this chapter.

B. Neither the granting of any franchise, nor any provision of any franchise, shall constitute a waiver of or a bar to exercise of any governmental right or power of the city.

C. The grantee receiving any type of franchise agreement shall have no recourse whatsoever against the city, its officers, employees or agents, or any of the city member entities, their officers, employees, or agents for any loss, cost, expense or damage arising out of any provision or requirement of this chapter because of the enforcement of this chapter.

D. There is hereby expressly reserved to the city the power and authority to amend any section of this chapter so as to require additional or greater standards on the part of the franchised waste hauler, commercial hauler or covered generator. [Ord. 17-2020 § 4 (Exh B)].

6.21.170 Administration and costs.

A. The administration of this chapter is the duty of the public works director and/or his or her designee. The public works director, and/or his or her designee, is authorized and directed by the city council to administer this chapter.

B. Commercial franchise fees will fund administration, implementation and enforcement costs. [Ord. 17-2020 § 4 (Exh B)].

6.21.180 Unlawful acts.

A. It shall be unlawful to combine designated recyclable materials and organic recyclable materials with garbage. Failure of covered generators to source separate designated recyclable materials or organic recyclable materials for recycling or organics recycling is a violation of this chapter.

B. It shall be unlawful for franchised waste haulers to commingle materials in garbage bins or carts with materials in recycling bins or carts in one collection vehicle.

C. It shall be the responsibility of the covered generator whose garbage was not removed because it contained designated recyclable materials to properly separate designated recyclable materials from the uncollected solid waste for proper recycling. Allowing such unseparated garbage to accumulate will be considered a violation of this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.190 Implementation and enforcement.

The implementation and enforcement of this chapter is the duty of the public works director, and/or his or her designee, of the city's department of public works. The public works director, and/or his or her designee, is authorized and directed by the city council to implement and enforce this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.200 Posting of notices.

A. The public works director, and/or his or her designee, may post notices on automatic lift containers, bins and roll-off bins that are used for garbage collection and the collection of designated recyclable materials, and the collection of designated organic recyclable materials, within the city if the owner of the automatic lift containers, bins and roll-off bins is in violation of this chapter, including, but not limited to, any regulation, franchise requirement, permit, information request, order, variance, or other requirement that the public works director, and/or his or her designee, is authorized to enforce or implement pursuant to this chapter.

B. A notice shall remain on automatic lift containers, bins and roll-off bins that are used for garbage collection within the city so long as the owner of the automatic lift containers, bins and roll-off bins is in violation of this chapter. The notice shall be posted on the automatic lift container, bin, and/or roll-off bin so as to be clearly visible to the general public and include all of the following information:

1. The date the notice was posted on the container.
2. The address or location of the property, including the identification of any dwelling unit, room number, apartment number, business or multifamily residential property.
3. The name and contact telephone number of the agency posting the notice on the property.
4. The city code section that has been violated.

5. A statement that it is unlawful for any person to engage in the business of collecting, transporting or disposing of commercial garbage kept, accumulated or generated in the city, or to engage in the business of soliciting accounts or invoicing customers for commercial garbage service in the city unless a franchise has first been granted pursuant to the provisions of this chapter and such a franchise is in full force and effect.

C. A statement that a person violating the posted notice is subject to criminal penalties pursuant to city code and administrative civil penalties in an amount of up to \$1,000 per day for each violation.

D. A statement that a person disturbing or destroying the posted notice is subject to administrative civil penalties in an amount of up to \$1,000, in addition to any other remedies provided by this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.210 Notice of violation.

The public works director, and/or his or her designee, may issue a notice of violation to any person found to be in violation of a provision of this chapter, including, but not limited to, any regulation, franchise requirement, permit, information request, order, variance, or other requirement that the public works director and/or his or her designee, is authorized to enforce or implement pursuant to this chapter. Issuance of a notice of violation may also result in the issuance of a notice of administrative enforcement order pursuant to this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.220 Notice of violation – Content.

A. In addition to any other content, a notice of violation shall contain the following elements:

1. A statement of the public works director, and/or his or her designee, that indicates a violation has occurred.
2. A citation of the provisions of this chapter, including any regulation, franchise requirement, permit, information request, order, variance, or other requirement that has been violated.
3. A date by which any person must be in compliance with this chapter including any regulation, franchise requirement, permit, information request, order, variance, or other requirement, or a date by which an action plan must be submitted by the person to propose a means and timeframe by which to correct violations. The public works director, and/or his or her designee, may extend the compliance date when good cause exists for such an extension.
4. Notification that continued noncompliance may result in additional enforcement action being taken against the business, facility, or any responsible persons.
5. Notification that the city may recover any costs incurred by the city as a result of the violation.
6. Notification that a violation of this chapter may result in an administrative civil penalty or in criminal penalties.
7. Notification that the correction of any alleged violation(s) within the specified deadline date(s) will not necessarily prevent the public works director, and/or his or her designee, from issuing an administrative enforcement order and imposing administrative civil penalties relating to the alleged violation(s).

B. In addition to any other content, a notice of violation may establish required corrective actions, including the following:

1. Terms, conditions, and requirements reasonably related to the provisions of this chapter, including the following:
 - a. Cessation of prohibited actions.
 - b. Correction of prohibited conditions.
 - c. A requirement for submittal of a written action plan for achieving and maintaining compliance with this chapter.
 - d. Reporting requirements to demonstrate ongoing compliance.

2. A requirement that the person receiving same shall submit written certification to the public works director, and/or his or her designee, that the necessary corrective actions have been completed. As appropriate for the type of correction action taken, the notice of violation may require documentation that substantiates the certification, including but not limited to receipts, contracts, or photographs.

3. Any other terms or conditions reasonably calculated to prevent additional violations of this chapter.

C. An administrative enforcement order may be issued separately, but only after issuance of a notice of violation, or in combination with a notice and order, for the same violations or set of related violations. [Ord. 17-2020 § 4 (Exh B)].

6.21.230 Administrative enforcement order.

A. If the public works director, and/or his or her designee, determines that a person, covered generator, or franchised waste hauler has committed or is committing a violation of any provision of this chapter, the public works director, and/or his or her designee, may issue an administrative enforcement order, after issuing a notice of violation or, in combination with a notice of violation, requiring that the violation be corrected and imposing an administrative penalty.

B. Pursuant to this chapter, the violator shall be liable for a penalty of not more than \$1,000 for each day on which each violation occurs and/or continues. [Ord. 17-2020 § 4 (Exh B)].

6.21.240 Administrative enforcement order – Content.

A. In addition to any other content, an administrative enforcement order shall contain the following elements:

1. A statement of the public works director, and/or his or her designee, that indicates a violation has occurred.
2. A citation of the provision of this chapter including any regulation, franchise requirement, permit, information request, order, variance, or other requirement that has been violated.
3. A date by which any person must be in compliance with this chapter, or a date by which an action plan must be submitted by the person to propose a means and timeframe by which to correct violations. The public works director, and/or his or her designee, may extend the compliance date when good cause exists for such an extension.
4. Notification that continued noncompliance may result in additional enforcement action being taken against the business, facility, or any responsible persons.
5. Notification that the city may recover any costs incurred by the city as a result of the violation.
6. Notification as to whether an administrative civil penalty is imposed and the terms and conditions of payment, if any. In establishing the penalty amount, the public works director, and/or his or her designee, shall take into consideration:
 - a. The nature, circumstances, extent, and gravity of the violation.
 - b. The violator's past and present efforts towards compliant behavior.
 - c. The violator's ability to pay the penalty.
 - d. The deterrent effect that the imposition of the penalty would have on both the violator and the regulated community.
7. Notification that the correction of any alleged violation(s) within the specified deadline date(s) will not necessarily prevent the public works director, and/or his or her designee, from issuing an administrative enforcement order and imposing administrative civil penalties relating to the alleged violation(s).
8. Notification that the recipient has a right to a hearing on the matter as set forth in RCMC 6.21.280 to appeal any findings or required corrective actions established by the public works director and/or his or her designee.

9. Notification of procedures for requesting a hearing established according to RCMC 6.21.260.

B. In addition to any other content, an administrative enforcement order may establish required corrective actions, including the following:

1. Terms, conditions, and requirements reasonably related to the provisions of this chapter, including the following:
 - a. Cessation of prohibited actions.
 - b. Correction of prohibited conditions.
 - c. A requirement for submittal of a written action plan for achieving and maintaining compliance with this chapter.
 - d. Reporting requirements to demonstrate ongoing compliance.
2. A requirement that the person receiving same shall submit written certification to the public works director, and/or his or her designee, that the necessary corrective actions have been completed. As appropriate for the type of correction action taken, the notice of violation may require documentation that substantiates the certification, including, but not limited to, receipts, contracts, or photographs.
3. Any other terms or conditions reasonably calculated to prevent additional or ongoing violations of this chapter.

C. A notice of violation or an administrative enforcement order may be issued separately or in combination with another notice or order for the same violations or set of related violations. [Ord. 17-2020 § 4 (Exh B)].

6.21.250 Delivery of notice or order.

Any notice of violation, permit revocation, administrative enforcement order or other enforcement action pursuant to the requirements of this chapter shall be subject to the following requirements:

- A. Delivery shall be deemed complete upon either personal delivery to the recipient or by certified mail.
- B. Where the recipient of the notice or order is the owner of the premises, the address for notice or order shall be the address from the most recently issued equalized assessment roll for the premises.
- C. Where the owner or occupant of any premises cannot be located after reasonable efforts of the public works director, and/or his or her designee, the notice or order shall be deemed delivered after posting on the premises for a period of 10 business days. [Ord. 17-2020 § 4 (Exh B)].

6.21.260 Administrative appeals.

- A. Hearing Request. Any person, owner or operator served with a notice of violation or an administrative enforcement order issued pursuant to this chapter may contest the order on the basis that there was no violation of this chapter or that he or she is not the responsible party. To contest the order, the person shall submit a request for hearing form to the city within 15 days from the date of the administrative enforcement order. Directions on how to obtain the request form will be provided on the order.
- B. Filing Fee. The completed request must be submitted together with a filing fee, established and amended from time to time by the public works director, and/or his or her designee, based on actual expense to conduct the hearing by the hearing officer.
- C. Notice of Hearing. The person, owner or operator requesting the hearing shall be notified of the time and place set for the hearing at least 10 days before the date of the hearing.
- D. Additional Reports. If the public works director, and/or his or her designee, submits an additional written report concerning the administrative enforcement order to the hearing officer for consideration at the hearing, then a copy

of this report also shall be provided to the person requesting the hearing at least five days before the date of the hearing. [Ord. 17-2020 § 4 (Exh B)].

6.21.270 Hearing officer.

Pursuant to RCMC 1.05.200, a hearing officer will be assigned the responsibility of conducting a hearing by the city manager. The city manager shall be authorized to assign hearing responsibilities from time to time to any person or persons, qualified by training or experience, whom the city manager may appoint, employ or who are retained by contract to conduct such hearings. [Ord. 17-2020 § 4 (Exh B)].

6.21.280 Hearing procedure.

A. Setting the Hearing. A hearing before the hearing officer shall be set for a date that is not less than 15 days nor more than 60 days from the date that the request for hearing is filed. The person requesting the hearing shall be notified of the time and place set for the hearing as soon as it is set, and at least 10 days before the hearing. If the public works director, and/or his or her designee, submits a written report concerning the notice or order to the hearing officer for consideration at the hearing, then a copy of the report shall be served on the person requesting the hearing at least five days before the hearing. No hearing shall be held unless the filing fee has been paid in advance under RCMC 6.21.260(B).

B. Failure to Appear. The failure of the person requesting the hearing to appear at the hearing shall constitute a forfeiture of the fine and a failure to exhaust his or her administrative remedies.

C. At the Hearing. The administrative enforcement order and any additional report submitted by the public works director, and/or his or her designee, shall constitute prima facie evidence of the respective facts contained in those documents. At the hearing, the party contesting the citation shall be given the opportunity to testify and to present evidence concerning the citation.

D. Continuances. The hearing officer may continue the hearing and may request additional information from the public works director, and/or his or her designee, or the person receiving the administrative enforcement order before issuing the decision. [Ord. 17-2020 § 4 (Exh B)].

6.21.290 Form and contents of decision – Finality of decision.

A. Following the hearing, the hearing officer shall issue an order in writing no later than 30 days from the date of the hearing, unless the time is waived by the parties. The order shall contain findings of fact and rationale appropriate to the violation and result, and a resolution of the essential issues raised, including the following:

1. Confirmation or denial of the occurrence of violations of this chapter that are alleged by the public works director and/or his or her designee.
2. Confirmation or rejection of any administrative civil penalty sought by the public works director, and/or his or her designee, and establishment of the monetary amount of any administrative civil penalty to be enforced.
3. Confirmation, amendment, or rejection of required corrective actions related to compliance with this chapter that are imposed by the public works director, and/or his or her designee, but only if those requirements are appealed by the person.

B. The hearing officer's order shall uphold required corrective actions if the person fails to show clear and convincing evidence that the required corrective actions are unreasonable or unnecessary for achieving or demonstrating ongoing compliance with this chapter. The hearing officer's order may amend or reject required corrective actions; provided, that compliance with this chapter will be achieved.

C. The hearing officer's order shall inform the person that failure to comply with the hearing officer's order shall constitute a misdemeanor and is subject to additional enforcement action, including criminal penalties and additional civil and administrative penalties.

D. The hearing officer's order shall inform the person that the time and manner by which a person may file a challenge to the hearing officer's order is governed by Section 53069.4 of the California Government Code or any successor provision thereto.

E. The order issued by the hearing officer pursuant to this chapter shall be effective upon issuance. The decision of the hearing officer is final and may not be appealed. [Ord. 17-2020 § 4 (Exh B)].

6.21.300 Procedures for collection of administrative civil penalty.

A. Any administrative penalty due shall be paid to the city within 30 days after the hearing officer's decision is issued. If the penalty is not timely paid, the public works director, and/or his or her designee, may pursue all reasonable and legal means in collecting those sums authorized and due.

B. All administrative civil penalties collected from actions brought pursuant to this chapter shall be paid to the public works director, and/or his or her designee, enforcing this chapter, and shall be deposited into a special account that shall be expended to fund the activities of the department to implement the applicable provisions of this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.310 Actions not prohibited.

This chapter does not do any of the following:

A. Otherwise affect the authority of the public works director, and/or his or her designee, to take any other action authorized by any other provision of law.

B. Restrict the power of a city attorney, district attorney, or the Attorney General to bring, in the name of the people of California, any criminal proceeding otherwise authorized by law.

C. Prevent the public works director, and/or his or her designee, from cooperating with, or participating in, proceedings specified in subsection (B) of this section. [Ord. 17-2020 § 4 (Exh B)].

6.21.320 Penalties.

In addition to the administrative penalties imposed by RCMC 6.21.230, the city may seek all other legal remedies available under state law and under this code, including, but not limited to, criminal sanctions. [Ord. 17-2020 § 4 (Exh B)].

Title 10

VEHICLES AND TRAFFIC

Chapters:

- 10.04 Interpretation**
- 10.08 Definitions**
- 10.12 Enforcement**
- 10.16 Signs and Signals**
- 10.20 Pedestrians and Crosswalks**
- 10.24 Parking Regulations**
- 10.25 Preferential Residential Permit Parking Program**
- 10.30 Human Habitation of Vehicles**
- 10.32 Miscellaneous Driving Rules**
- 10.36 Emergency Vehicles**
- 10.40 Truck Routes**
- 10.41 Interstate Truck Terminals and Access Routes**
- 10.44 One-Way Streets**
- 10.48 Speed Zones**
- 10.50 Reduced Speed Limits on Specific Streets**
- 10.58 Off-Road Vehicles**
- 10.62 Transit and School District Loading Zones**
- 10.64 Trip Reduction Programs**
- 10.66 Regulation of Cruising**
- 10.70 Street Racing**

Code reviser's note: The various statutory provisions relating to vehicles and traffic appear in the Vehicle Code.

Chapter 10.04

INTERPRETATION

Sections:

- 10.04.010 Short title.
- 10.04.020 Conviction of violation.
- 10.04.030 Scope.
- 10.04.040 Deputies.
- 10.04.050 Powers of the council.
- 10.04.060 Effect of resolution.
- 10.04.080 Penalty.
- 10.04.090 Minimum penalty.
- 10.04.100 Civil penalties, fines, fees, and charges for parking and related violations.
- 10.04.110 Civil penalty provisions.

10.04.010 Short title.

This title shall be known as, and may be cited as, the traffic ordinance. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 1, 1960].

10.04.020 Conviction of violation.

Any conviction for a misdemeanor under any ordinance repealed by the ordinance codified in this title, which misdemeanor is continued as a public offense by this title, constitutes a conviction under this title for any purpose for which it constituted a conviction under the act repealed. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 3, 1960].

10.04.030 Scope.

Any provision of this title which regulates traffic or delegates the regulation of traffic upon state highways in any way for which the approval of the State Department of Public Works is required by state law shall cease to be operative six months after receipt by the city council of written notice of withdrawal of approval of the State Department of Public Works.

Whenever this title delegates authority to a city officer or authorized action by the city council to regulate traffic upon a state highway in any way which by state law requires the prior approval of the State Department of Public Works, no such officer shall exercise such authority nor shall such action by the city council be effective with respect to any state highway without the prior approval in writing of the State Department of Public Works when and to the extent required by the Vehicle Code. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 725 § 4, 1961; SCC 703 § 4, 1960].

10.04.040 Deputies.

Whenever, by the provisions of this title, a power is granted to a public officer or a duty imposed upon such officer, the power may be exercised or duty performed by a deputy of the officer or by a person authorized pursuant to law by the officer, unless it is expressly otherwise provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 5, 1960].

10.04.050 Powers of the council.

The city council may exercise by resolution any rights, powers or authority granted to it by the provisions of the Vehicle Code where such provisions authorize the council to act by resolution. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 11, 1960].

10.04.060 Effect of resolution.

Any and all resolutions passed and adopted by the council or any administrative order given pursuant to the provisions of this title or pursuant to the provisions of the Vehicle Code affecting any matter covered in this title shall be deemed to be a part of this title and any violations of the provisions of such resolution or order shall be deemed to be a violation of this title to the same extent as if such resolution or order were fully set out herein. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 12, 1960].

10.04.080 Penalty.

Except as provided in RCMC 10.04.100 and 10.04.110, any person violating or failing to comply with any of the provisions of this title shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable for the first offense by a fine of not to exceed \$50.00, or by imprisonment in the county jail for a period not exceeding five days; for a second violation within a period of one year by a fine of not to exceed \$100.00, or by imprisonment in the county jail for a period not exceeding 10 days, or by both such fine and imprisonment; for a third and each additional offense committed within one year by a fine of not exceeding \$500.00, or by imprisonment in the county jail for a period of not to exceed six months, or by both such fine and imprisonment. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0919 § 1, 1993; SCC703 § 14, 1960].

10.04.090 Minimum penalty.

Except as provided in RCMC 10.04.100 and 10.04.110, in any case where a jail sentence is not imposed or where the jail sentence is less than two days, or if the jail sentence is suspended in whole or in part, a fine shall be imposed for a violation of this title in not less than the following amounts:

A. In any case, \$1.00;

B. When it is necessary to issue a notice to the violator, \$2.00;

C. If it is necessary to issue a warrant to bring the violator into court, \$10.00. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0919 § 2, 1993; SCC 703 § 15, 1960].

10.04.100 Civil penalties, fines, fees, and charges for parking and related violations.

A. Purpose. It is the intention of the city council of Rancho Cordova to provide a procedure pursuant to the authority granted the city council in Sections 40200 and 40203.5 of the California Vehicle Code for the establishment of a schedule of parking penalties for parking and related violations, late payment penalties, administrative fees, and other related charges for parking and related violations under the State of California Vehicle Code, the Rancho Cordova Municipal Code, or under any federal statute or regulation.

B. Procedure for Establishment. Subject to any limitations imposed by state law, the city council shall by resolution establish penalties, fines, fees, and related charges for parking and related violations, late payment violations, administrative fees and any other charges related to the administration of the provisions of Section 40200 et seq. of the California Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0919 § 3, 1993].

10.04.110 Civil penalty provisions.

Any person violating or failing to comply with the provisions of RCMC 10.16.050(B), 10.24.010(A), 10.24.010(B), 10.24.010(C), 10.24.010(D), 10.24.010(E), 10.24.030(B), 10.24.040, 10.24.050, 10.24.060, 10.24.070(A), 10.24.070(B), 10.24.070(C), 10.24.070(D), 10.24.070(G), 10.24.070(H), 10.24.080, 10.24.090(D), 10.24.100, 10.24.110, 10.24.120, 10.24.130, 10.24.140, 10.24.160, 10.24.170(B), 10.24.175, 10.24.180, 10.32.050 or 10.32.060 shall be subject to civil penalties, fees, or charges, and procedures as set forth in the resolution adopted by the city council pursuant to RCMC 10.04.100. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0919 § 4, 1993].

Chapter 10.08

DEFINITIONS

Sections:

- 10.08.010 Words defined in chapter.
- 10.08.020 Words defined in Vehicle Code.
- 10.08.030 Alley.
- 10.08.050 Bus loading zone.
- 10.08.055 City council.
- 10.08.060 Commercial vehicle loading zone.
- 10.08.070 Director.
- 10.08.080 Holidays.
- 10.08.090 Official time standards.
- 10.08.100 Park.
- 10.08.110 Parkway.
- 10.08.120 Passenger loading zone.
- 10.08.130 Taxi stands.
- 10.08.140 Vehicle Code.

10.08.010 Words defined in chapter.

Whenever in this title the words or phrases hereinafter defined are used, they shall have the meanings respectively ascribed to them in this chapter unless the context indicates to the contrary. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 16, 1960].

10.08.020 Words defined in Vehicle Code.

Whenever any words or phrases used in this title are not defined herein, but are now defined in the Vehicle Code, such definitions as now existing are incorporated herein and shall be deemed to apply to such words and phrases as used in this title as though set forth here in full. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 17, 1960].

10.08.030 Alley.

"Alley" means any highway as herein defined, unnamed, and having a width of 20 feet or less. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 18, 1960].

10.08.050 Bus loading zone.

"Bus loading zone" means the space adjacent to the curb or edge of a roadway reserved for the exclusive use of buses during the loading or unloading of passengers. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 20, 1960].

10.08.055 City council.

"City Council" means the City Council of the City of Rancho Cordova. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 19, 1960. Formerly 10.08.040].

10.08.060 Commercial vehicle loading zone.

"Commercial vehicle loading zone" means that space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers and materials marked and designated as hereinafter provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 21, 1960].

10.08.070 Director.

"Director" means the City of Rancho Cordova Public Works Director or his or her authorized representative. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 962 § 1, 1967; SCC 703 § 22, 1960].

10.08.080 Highway.

"Highway" is a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. Highway includes street.

10.08.090 Holidays.

For the purposes of this title, holidays shall be those days designated as legal holidays by the Government Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 23, 1960].

10.08.100 Official time standards.

Whenever certain hours are named herein they shall be standard time or daylight saving time as may be in current use in the City. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 24, 1960].

10.08.110 Park.

“Park” means to stop or allow to stand any vehicle, whether occupied or not, otherwise than in obedience to official traffic control devices or by direction of a police officer. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 25, 1960].

10.08.120 Parkway.

“Parkway” means those portions of a Highway other than a roadway or a sidewalk, whether improved or unimproved, primarily intended to serve as the dividing strip between opposing traffic lanes, or between sidewalks and curbs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 26, 1960].

10.08.130 Passenger loading zone.

“Passenger loading zone” means that space adjacent to a curb reserved for the exclusive use of vehicles during loading and unloading of passengers marked and designated as hereinafter provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 27, 1960].

10.08.140 Taxi stands.

“Taxi stands” means that space adjacent to a curb reserved for the exclusive use of taxicab vehicles licensed to operate by transporting people for hire. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 28, 1960].

10.08.150 Vehicle Code.

“Vehicle Code” means the California Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 29, 1960].

Chapter 10.12

ENFORCEMENT

Sections:

- 10.12.010 Persons riding bicycles or animals.
- 10.12.020 Persons directing traffic restricted.
- 10.12.030 Authority of flagmen to direct traffic.
- 10.12.040 Exemptions.
- 10.12.050 Signs required.
- 10.12.060 Obedience to official traffic control devices.

10.12.010 Persons riding bicycles or animals.

A. Every person riding a bicycle or riding or driving an animal upon a highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this title, except those provisions which by their very nature can have no application.

B. Notwithstanding the provisions of subsection (A) of this section, any person may ride a bicycle on a sidewalk which is designated by the director as a part of the city bike route system and which is identified for such use by appropriate signs giving notice thereof. A bicyclist using a sidewalk as authorized by this subsection shall yield the right-of-way to any pedestrian using the sidewalk. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 139 § 1, 1973; SCC 703 § 31, 1960].

10.12.020 Persons directing traffic restricted.

No persons other than traffic officers or persons authorized by law shall direct traffic by voice, hand or other signal, except that a person may operate, when and/or as herein provided, a pushbutton signal erected by the provisions of this title. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 31, 1960].

10.12.030 Authority of flagmen to direct traffic.

A person designated as a flagman by a contractor working on the city streets under a permit issued by the City or a City employee designated as a flagman by the director or his representative, during construction or repair of, or in, streets, may direct traffic by use of hand signals or warning flags if the operation of special highway construction equipment, trucks, concrete mixers, mobile cranes or other construction equipment might interfere with the safe movement of traffic. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 32, 1960].

10.12.040 Exemptions.

The provisions of this title regulating the parking and standing of vehicles shall not apply to any vehicle of the police or fire departments, any public or private ambulance or any public utility vehicle which is qualified as an authorized emergency vehicle, when such vehicle mentioned in this section operates in the manner specified in the Vehicle Code in response to emergency calls. The provisions of this title regulating parking or standing vehicles shall not apply to any vehicle belonging to the government or a public utility or its agent while necessarily in use on construction or repair work on or in the public right-of-way. The foregoing exemption shall not, however, protect the driver of any such vehicle from the consequences of his willful disregard of safety of others. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 33, 1960].

10.12.050 Signs required.

The provisions of this title where signs giving notice of the provision are required shall not be effective until such signs are actually placed by the Director. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 34, 1960].

10.12.060 Obedience to official traffic control devices.

Every person driving a vehicle and every pedestrian shall comply with and obey any indication as set forth in the Vehicle Code presented by any official traffic control device upon any Highway placed under the authority of this title. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 35, 1960].

Chapter 10.16

SIGNS AND SIGNALS

Sections:

- 10.16.010 Authority to install.
- 10.16.020 Traffic signals.
- 10.16.030 Roadway markings.
- 10.16.040 Hours of operation.
- 10.16.050 Parking space markings.
- 10.16.060 Turning markers.
- 10.16.070 Restrictive turn signs.
- 10.16.080 Stop at through street or stop signs.
- 10.16.090 Yield signs.
- 10.16.100 Stop or yield signs removed.
- 10.16.110 Closing streets to vehicular traffic.
- 10.16.120 Temporary suspension of markings.
- 10.16.130 Temporary suspension of weight limits.
- 10.16.140 Obedience to traffic signs.
- 10.16.150 Removal of traffic controls.
- 10.16.160 Removal of unauthorized signs, signals and lights.
- 10.16.170 Regulation of speed by traffic signals.
- 10.16.180 Bicycles on sidewalks.

10.16.010 Authority to install.

The Director is authorized to place and maintain, or cause to be placed and maintained, official traffic control devices when they are required or authorized by state law or ordinances or resolutions of this City. No provisions of the Vehicle Code or this chapter for which signs or markings are required shall be enforced against an alleged violator unless appropriate signs or markings are in place giving notice of such provisions. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 36, 1960].

10.16.020 Traffic signals.

The Director is authorized to install and maintain official traffic signals at those intersections and at other places where conditions are such as to require that the flow of traffic be alternatively interrupted and released in order to prevent or relieve traffic congestion, or to protect life or property from exceptional hazard in accordance with engineering studies. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 37, 1960].

10.16.030 Roadway markings.

A. The Director is authorized to place and maintain distinctive roadway markings as described in the Vehicle Code on those Highways, or parts of Highways, where the volume of traffic or the vertical or other curvature of such the roadway renders it hazardous to drive on the left side of such markings or signs and markings.

B. The Director is authorized to mark centerlines and lane lines upon the surface of the roadway to indicate the course to be traveled by vehicles, and may place signs temporarily indicating lanes to be used by traffic moving in a particular direction, regardless of the centerline of the highway. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 38, 1960].

10.16.040 Hours of operation.

The Director is authorized to determine the hours in which any traffic control device shall be in operation or be in effect except in cases where such hours or days are specified by ordinance or resolution. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 39, 1960].

10.16.050 Parking space markings.

A. The Director is authorized to install and maintain parking space markings to indicate parking space adjacent to the curb where authorized parking is permitted.

B. When such parking space markings are placed in the Highway, subject to other and more restrictive limitations, no vehicle shall be stopped or left standing other than within a single space unless the size or shape of such vehicle makes compliance impossible. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 40, 1960].

10.16.060 Turning markers.

A. The Director is authorized to allocate and indicate more than one lane of traffic from which the driver of vehicles may make right- and/or left-hand turns, and the course to be traveled as so indicated may conform to or be other than as prescribed by statute or ordinance. The director shall place markers, buttons or signs within or adjacent to intersections, indicating the course to be traveled by vehicles turning at such intersections.

B. When authorized markers, buttons or other indications are so placed within or adjacent to an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 41, 1960].

10.16.070 Restrictive turn signs.

A. The Director is authorized to determine those intersections at which drivers of vehicles shall not make right, left or U turns and those intersections controlled by official traffic control signals where drivers of vehicles may make U turns. The making of such turns may be prohibited between certain hours of any day and permitted at other hours. The Director shall place proper signs at such intersections to indicate the restrictions in force. The signs shall plainly indicate the restrictions in force and the hours in which they are in force, or the signs may be removed when such turns are permitted.

B. The Director is authorized to determine those intersections at which drivers of vehicles shall not make a right or left turn against a stop or red signal, and shall erect proper signs giving notice of the prohibition.

C. The Director is authorized to establish special traffic islands or roadways at intersections where the driver of a vehicle is required to make a left or right turn. The Director shall place markers, buttons or signs within or adjacent to the roadway indicating the course to be traveled by vehicles turning at the intersection.

D. Whenever authorized signs are erected indicating that right, left or U turns are prohibited or are prohibited during certain hours, no driver of a vehicle shall disobey such signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 42, 1960].

10.16.080 Stop at through street or stop signs.

A. The Director is authorized to designate certain Highways to be through streets and certain intersections to be stop intersections and any railway grade crossing to be a stop intersection.

B. The Director shall erect and maintain stop signs as provided in the Vehicle Code, whenever he designates and describes any street or portion thereof as a through Highway, or any intersection at which vehicles are required to stop, at one or more entrances thereto, or any railroad grade crossing at which vehicles are required to stop. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 43, 1960].

10.16.090 Yield signs.

A. The director is authorized to designate any intersection to be controlled by yield right-of-way signs.

B. The Director shall erect and maintain yield right-of-way signs as described in the Vehicle Code at such intersections he designates to be controlled by yield right-of-way signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 44, 1960].

10.16.100 Stop or yield signs removed.

The Director is authorized to remove stop signs and yield signs on any Highway where the volume of traffic or other engineering study shows that the conditions which require such control no longer exist or where the signs are in conflict with this title notwithstanding any previous resolutions authorizing the signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 45, 1960].

10.16.110 Closing streets to vehicular traffic.

A. Whenever the Director finds that any portion of any Highway is no longer needed for vehicular traffic, either permanently or at certain times during the day, or as an emergency measure, he shall place or cause to be placed appropriate signs or barricades, or both, specifying that such portion of the Highway is closed to vehicular traffic at such times, or permanently, as the case may be, pursuant to the provisions of Paragraph (b) of Section 21101 of the Vehicle Code. All signs giving notice of such closing shall conform to provisions of the Vehicle Code.

B. A person shall not operate any vehicle on any portion of the Highway closed to traffic pursuant to this section.

C. The Director is hereby authorized to prohibit or restrict the use of any Highway or portion of any Highway by bicycles or other nonmotorized traffic or by any person operating a motor-driven cycle or motorcycle when that Highway or that portion of Highway has been designated as a riding or hiking trail by the City Council or the Director. The Director shall erect appropriate signs giving notice thereof upon the Highway or riding and hiking trail and approaches thereto. The Director shall determine the location of appropriate signs. It is unlawful for any persons to violate any prohibition or restriction which is established as provided in this subsection. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 931 § 1, 1966; SCC 703 § 46, 1960].

10.16.120 Temporary suspension of markings.

Whenever because of the construction, alteration, repair, or improvement of any Highway or temporary detours or because of other emergency compliance with any provision of this title, including a provision pursuant to any action of the City Council pursuant to this title, a traffic hazard will be created and the Director so finds, he shall either remove or cover up any sign or other traffic marking which informs persons of such provision. While such sign or other marking is removed or covered the effect of such provision is suspended. At the end of such emergency, unless otherwise determined by the City Council, the Director shall replace or uncover such sign or other markings. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 725 § 1, 1961; SCC 703 § 47, 1960].

10.16.130 Temporary suspension of weight limits.

If a weight limit is suspended pursuant to RCMC 10.16.120 and a different weight limit is necessary, the Director shall erect and maintain appropriate signs during the emergency. At the end of the emergency the Director shall remove such temporary signs and uncover and restore the original signs unless the City Council otherwise determines. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 48, 1960].

10.16.140 Obedience to traffic signs.

Every operator and pedestrian shall comply with and obey every instruction appearing on any traffic sign or other marking, which sign or marking has been erected or placed by authority of the City Council or Director. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 49, 1960].

10.16.150 Removal of traffic controls.

The Director is authorized to remove, relocate or discontinue the operation of any traffic control device or curb marking not specifically authorized by state law or ordinance, whenever engineering studies show that the conditions which warrant or require such control no longer exist or where such device is in conflict with the provisions of this title. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 50, 1960].

10.16.160 Removal of unauthorized signs, signals and lights.

The Director shall remove every unofficial sign, signal or device which purports to be or is an imitation of or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic, or which hides from view any official traffic sign or signal, or which in any other respect violates the provisions of Sections 21465 and 21466 of the Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 51, 1960].

10.16.170 Regulation of speed by traffic signals.

The Director is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner, at speeds or at variance from the speeds otherwise applicable within the City or at intersections, and may erect appropriate signs giving notice thereof. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 52, 1960].

10.16.180 Bicycles on sidewalks.

The director is authorized to designate sidewalks which may be used by bicyclists as a part of the city bike route system and shall identify such sidewalks with appropriate signs giving notice thereof. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 139 § 2, 1973].

Chapter 10.20

PEDESTRIANS AND CROSSWALKS

Sections:

- 10.20.010 Crosswalks established.
- 10.20.020 Safety zones.
- 10.20.030 Pedestrians prohibited when.
- 10.20.040 Crossing at right angles.
- 10.20.050 Standing in roadway.

10.20.010 Crosswalks established.

A. The Director is authorized to determine the location of midblock crosswalks, maintain such crosswalks and designate them by appropriate devices or painted marks or signs upon the surface of the roadway.

B. The Director may maintain such other crosswalks and designate them by appropriate devices, painted marks or signs upon the surface of the roadway. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 53, 1960].

10.20.020 Safety zones.

The Director is authorized to install and maintain safety zones at all locations where there is particular danger to pedestrians and may locate and designate the same upon the surface of the roadway by appropriate devices, signs, or marks. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 54, 1960].

10.20.030 Pedestrians prohibited when.

A. The Director may determine when any crosswalk shall not be used by pedestrians and upon making such determination shall cause to be placed and maintained appropriate official traffic control devices. No person shall thereafter walk in any such crosswalk unless indicated otherwise.

B. The Director may determine when any part of a roadway between intersections shall not be crossed by pedestrians and upon making such determination shall cause to be placed and maintained appropriate official traffic control devices. No person shall thereafter cross any part of such roadway, unless indicated otherwise.

C. No person shall stand on any sidewalk in such a manner as to hinder or impede the movement of other pedestrian traffic. No person shall remain on any bridge or overcrossing or approach thereto which is reserved exclusively for pedestrians for a period longer than necessary to walk across the bridge or overcrossing. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 854 § 1, 1964; SCC 725 § 5, 1961; SCC 703 § 55, 1960].

10.20.040 Crossing at right angles.

No pedestrian shall cross a roadway at any place other than by a route at a right angle to the curb or by the shortest route to the opposite curb except in a marked crosswalk. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 56, 1960].

10.20.050 Standing in roadway.

No person shall stand in any roadway other than a safety zone or in a crosswalk if such action interferes with the lawful movement of traffic. This section shall not apply to any public officer, construction worker or employee of a public utility or its agent when necessarily upon a street in line of duty. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 57, 1960].

Chapter 10.24

PARKING REGULATIONS

Sections:

- 10.24.010 Signs and curb markings.
- 10.24.020 Application of regulations.
- 10.24.030 No parking zones.
- 10.24.040 Parking on narrow streets and at special places.
- 10.24.050 Emergency parking signs.
- 10.24.060 Alleys – Parkways.
- 10.24.070 Parking prohibited when.
- 10.24.075 Prohibition of parking commercial and recreational vehicles on public roadways.
- 10.24.080 One-way streets.
- 10.24.090 Loading zones.
- 10.24.100 Limited-time parking.
- 10.24.110 Continuing violations – Additional offenses.
- 10.24.120 Curb parking – Right-of-way.
- 10.24.130 Parking in intersections.
- 10.24.140 Angle parking.
- 10.24.150 Removal of illegally parked vehicles.
- 10.24.160 Removal of ignition key when parking.
- 10.24.170 Parking on city property.
- 10.24.175 Parking in city parking areas.
- 10.24.180 Parking on private property.

10.24.010 Signs and curb markings.

The Director is authorized, subject to the provisions and limitations of this title, to place and maintain and, when required herein, shall place the following curb markings or signs to indicate parking, standing or stopping regulations, and the curb markings or signs shall have the meanings as herein set forth.

A. Red curb marking means no stopping, standing or parking at any time of any day except as permitted by the Vehicle Code;

B. Yellow curb marking means no stopping, standing or parking between 7:00 a.m. and 6:00 p.m. of any day except holidays and Sundays for any purpose other than the loading or unloading of passengers or materials; provided, that the loading or unloading of passengers shall not consume more than one minute, nor the unloading of materials more than 20 minutes, and such loading or unloading shall be actively carried on during all of that time;

C. White curb marking means no stopping, standing or parking at any time of any day for any purpose other than loading or unloading of passengers and baggage, and shall not exceed five minutes;

D. Green curb marking means no stopping, standing or parking for a period of time longer than 12 or 24 minutes, as designated by signs, at any time between 7:00 a.m. and 6:00 p.m. of any day except holidays and Sundays;

E. Blue curb marking means parking limited exclusively to public agency-owned vehicles specifically used for transportation of physically handicapped persons and for vehicles of physically handicapped persons, which vehicle bears an appropriate identification identifying the vehicle as that of a physically handicapped person. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 400 § 1, 1979; SCC 970 § 1, 1968; SCC 703 § 58, 1960].

10.24.020 Application of regulations.

The provisions of this title imposing regulations on stopping or parking shall not relieve any person from the compliance with other or more restrictive provisions of the Vehicle Code or any City ordinances regulating the standing or parking of vehicles at specified places or at specified times. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 59, 1960].

10.24.030 No parking zones.

A. The Director is authorized to prohibit stopping, standing or parking on any Highway or may prohibit stopping, standing or parking during certain hours of the day on any Highway.

B. When signs authorized by the provisions of this section are in place, giving notice of the provisions thereof, no person shall stop, stand or park any vehicle contrary to the directions and provisions of such signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 60, 1960].

10.24.040 Parking on narrow streets and at special places.

A. The Director is authorized to place signs and marking indicating no parking upon any two-way roadway, when the width of the roadway does not exceed 30 feet.

B. The Director is authorized to sign or mark the following places and, when so signed or marked, no person shall stop, stand or park a vehicle in any of the following places:

1. At any place within 20 feet of a point on the curb immediately opposite a midblock end of a safety zone;
2. At any place within 20 feet of any crosswalk;
3. Within 20 feet of the approach to any traffic signal, boulevard stop sign, or official electric flashing device;
4. At any place where traffic and engineering studies have been made and the director determines that it is necessary in order to eliminate dangerous traffic hazards or to provide for the orderly movement of traffic.

C. When signs authorized by provisions of this section are in place, giving notice of the provisions thereof, no person shall stop, stand or park any vehicle contrary to the directions and provisions of such signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 61, 1960].

10.24.050 Emergency parking signs.

A. Whenever the Director shall determine that, in a special situation, traffic congestion is likely to result on any Highway or alley from holding public or private assemblages, gatherings or functions, street construction, maintenance or repair work, or for any other reason, he is authorized to order temporary signs to be erected or posted indicating that the operation, parking or standing of vehicles is prohibited on such streets and alleys. The signs shall remain in place only during the existence of the special situation, and the Director shall cause the signs to be moved promptly thereafter.

B. When signs authorized by provisions of this section are in place, giving notice of the provisions thereof, no person shall stop, stand or park any vehicle contrary to the directions and provisions of such signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 62, 1960].

10.24.060 Alleys – Parkways.

A. No person shall park any vehicle in any alley in the City except while actively engaged in loading or unloading passengers, freight or merchandise.

B. No person shall stop, stand or park a vehicle within any parkway. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 63, 1960].

10.24.070 Parking prohibited when.

A. No person shall park a vehicle upon any roadway for the principal purpose of displaying such vehicle for sale.

B. No person who owns or has custody or control of any vehicle shall park or store such vehicle upon any Highway or alley for more than a consecutive period of 72 hours, or move and repark such vehicle on any Highway within 300 feet of the original parking site, unless such vehicle is maintained in an operable condition and driven within the 72 consecutive hours mentioned above.

C. In the event the Highway includes two or more separate roadways and traffic is restricted to one direction upon each roadway, no person shall stop, stand or park a vehicle upon the left-hand side of such one-way roadways.

D. It is unlawful for any person to have, erect, place, stand or park, wholly or partly within the right-of-way of any City road or Highway, any vehicle, motor vehicle, trailer, semitrailer, wagon, pushcart, stand, structure, or building for the purpose of selling the same or of selling, vending, displaying for sale, or offering for sale, therefrom or therein, any goods, wares, or merchandise, fruit, vegetables, produce, or any other article or thing of value.

E. Any such vehicle, motor vehicle, trailer, semitrailer, wagon, pushcart, stand, structure, or building so had, erected, placed, stood or parked for any such purpose or purposes is hereby declared to be a public nuisance and the removal thereof forthwith from within the right-of-way of any such road or highway by the Director, his engineers or employees is hereby authorized.

F. This title does not prohibit a seller from taking orders or delivering any commodity from any vehicle from that City road or Highway immediately adjacent to the premises of the purchaser.

G. It is unlawful for any person to park, stop or abandon any vehicle within 1,000 feet of any authorized emergency vehicle when such authorized emergency vehicle is actively engaged at the scene of any bombing, act of sabotage, accident, explosion, flood, riot, earthquake, fire or any emergency.

H. No person shall park any motor truck (excepting therefrom any truck commonly known as and referred to as a "pickup truck"), trailer other than a camping trailer or boat trailer, semitrailer, truck tractor or commercial vehicle for more than one hour on any Highway in a residential district or move and repark such vehicle on any Highway in a residential district within 300 feet of the original parking site within any 24-hour period except while loading or unloading property or in connection with and in the aid of the performance of a service to or on a property adjacent to the block in which such vehicle is parked and only for such time in addition to one hour that is reasonably necessary to complete such loading, unloading or service.

I. No person shall park any motor home, trailer coach, travel trailer, truck camper, camping trailer or boat trailer for more than 72 hours on any Highway in a residential district or move and repark such vehicle on any Highway in a residential district within 300 feet of the original parking site within any 72-hour period. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1118 § 1, 1998; SCC 1045 § 1, 1996; SCC 383 § 1, 1979; SCC 838 § 1, 1964; SCC 825 § 2, 1963; SCC 746 § 1, 1961; SCC 703 § 64, 1960].

10.24.075 Prohibition of parking commercial and recreational vehicles on public roadways.

A. No person who owns or has custody or control of any commercial or recreational vehicle shall park or store such vehicle on any public street, Highway or right-of-way within the city limits of the City of Rancho Cordova that is not within a designated heavy industrial zone (M-2 classification), or other areas specifically posted to permit parking or unless otherwise authorized by RCMC 10.24.070(H) or (I).

B. "Commercial or recreational vehicle" includes, but is not limited to, all motorized and nonmotorized tractors, trailers, semi-trailers, vans, trucks, open bed or flat bed pickups, mobile equipment, machinery, motor homes, campers, or other vehicles which meet one or more of the following criteria:

1. Vehicle or load height exceeds seven feet; or
2. Vehicle or load width exceeds seven and one-half feet, as measured from the widest portion of the vehicle or load, but not including mirrors; or
3. Vehicle or load length exceeds 20 feet (in combination with any attached trailers); or
4. Manufacturer's gross vehicle weight rating exceeds 10,000 pounds; or
5. Any nonmotorized vehicle regardless of its height, width, length or weight when it has been detached from a motor vehicle that is capable of towing such vehicle.

C. This section shall not prohibit the parking of commercial and recreational vehicles if they are at the time engaged in any of the following activities:

1. Loading or unloading of persons and/or property; or

2. Parked in connection with or in the aid of the immediate performance of a service to or on a property in the immediate proximity in which such vehicle is parked; or
3. Parked or left standing to allow the operator respite in the immediate proximity in which such vehicle is parked for a period of not to exceed 30 minutes; or
4. Parked or left standing as a result of a mechanical breakdown so as to allow for the performance of emergency repairs on the vehicle, or while waiting for a tow operator for a period not to exceed two hours; or
5. Parked or left standing as allowed by a permit issued by the city pursuant to established procedures; or
6. Emergency vehicles of any political subdivision of the state of California or of a public utility, while the driver of any such vehicle is engaged in the necessary performance of public emergency duties; or
7. Parking of motor homes, trailer coaches, recreational trailers, truck campers, camping trailers, or boat trailers designed for personal use for less than 72 hours in a residential district.

D. The traffic engineer shall place appropriate signs on all streets, roads or highways, as the traffic engineer may determine will best serve to give notice of this section, indicating the affected residential and commercial streets, roads or highways where commercial vehicle parking is prohibited.

E. Any person violating any of the provisions of this section is guilty of an infraction and upon conviction thereof shall be punished by:

1. A fine not exceeding \$100.00 for a first violation;
2. A fine not exceeding \$200.00 for a second violation within one year;
3. A fine not exceeding \$500.00 for each additional violation within one year. [Ord. 12-2006 § 1].

10.24.080 One-way streets.*

Subject to other and more restrictive limitations, a vehicle may be stopped or parked parallel to and within 18 inches of the left-hand curb, facing in the direction of the traffic movement upon any one-way street, unless signs are in place prohibiting such stopping or standing. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 65, 1960].

* Code reviser's note: See also Chapter 10.44 RCMC.

10.24.090 Loading zones.

A. The Director is authorized to establish bus zones, opposite red curb space, for the loading and unloading of buses, common carriers of passengers and to determine the location and length thereof.

B. The Director is authorized to establish loading zones.

C. The Director is authorized to establish taxi stands.

D. No person shall park and leave standing any vehicle, whether attended or unattended, in any loading zone for a period of time longer than is permitted for such loading zone except as otherwise provided in this title or in a taxi stand except the operator of the taxi. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 66, 1960].

10.24.100 Limited-time parking.

A. The Director is authorized to restrict or prohibit parking in excess of 12 minutes, 24 minutes, one hour or two hours, between 7:00 a.m. and 6:00 p.m. of any day on any Highway.

B. When signs have been posted to give notice of such restriction or prohibition, no person shall park any vehicle and leave the same parked, whether attended or unattended, for a period of time longer than set out on the signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 725 § 2, 1961; SCC 703 § 67, 1960].

10.24.110 Continuing violations – Additional offenses.

Every person violating the provisions of RCMC 10.24.090 is guilty of a separate and further violation for each period of time that the vehicle is left so parked, equal to the maximum legal parking time for the particular time zone or parking space as designated in RCMC 10.24.090 or by ordinance adopted setting the maximum legal time. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 68, 1960].

10.24.120 Curb parking – Right-of-way.

For the purpose of this section, a curb parking space shall be an area open for lawful parking alongside or adjacent to a curb, which area is not of sufficient length to permit two or more vehicles to freely move for parking therein at the same time. Any person seeking to park his vehicle in a curb space, whose vehicle arrives at the parking space prior to any vehicle other than his, and who proceeds beyond the space a distance not to exceed 10 feet, measured at the rear bumper, for the purpose of backing his vehicle therein, shall have the right-of-way over any person driving, or attempting to drive, any other vehicle directly into such curb parking space, or who, in any manner, obstructs such curb parking space; and the driver of such other vehicle shall yield the right-of-way to the driver first arrived at the parking space. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 69, 1960].

10.24.130 Parking in intersections.

A person may park a vehicle adjacent to the curb within an intersection if the Director marks the roadway with appropriate signs, markers or buttons as described in RCMC 10.16.050. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 70, 1960].

10.24.140 Angle parking.

At no time shall any person park a vehicle on a Highway at an angle to the roadway except to comply with the directions of a traffic officer. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 71, 1960].

10.24.150 Removal of illegally parked vehicles.

If any person parks a vehicle contrary to the provisions of RCMC 10.24.030 through 10.24.070, 10.24.100 or 10.24.120, the vehicle is determined to be an obstruction to the normal flow of traffic as defined in Section 22651(b) of the Vehicle Code and may be removed from the Highway as provided in Chapter 10 of the Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 37 § 1, 1971; SCC 703 § 72, 1960].

10.24.160 Removal of ignition key when parking.

Every person who parks a motor vehicle upon any highway shall first lock the ignition, remove the key therefrom and take such key with him unless a licensed operator remains in such motor vehicle, in which case such licensed operator, before leaving the vehicle, shall first lock the ignition, remove the key therefrom, and take the key with him. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 73, 1960].

10.24.170 Parking on City property.

A. Whenever the Director determines that parking or standing of vehicles on City property is prohibited, limited or restricted, the Director shall have the power and authority to order signs to be erected or posted indicating that the parking of vehicles is thus prohibited, limited or restricted.

B. When signs authorized by the provisions of this section are in place, giving notice thereof, no person shall park or stand a vehicle contrary to the directions of the signs, and any vehicle parked in violation of the signs may be towed to the public storage garage at the expense of the owner of the vehicle as provided in Division 11, Chapter 10 of the Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 240 § 2, 1975; SCC 703 § 74, 1960].

10.24.175 Parking in City parking areas.

A. Notwithstanding any other provision in this code, whenever the Director determines that parking or standing of vehicles in City parking areas under his jurisdiction is prohibited, limited or restricted, the Director shall have the power and authority to order signs to be erected or posted indicating that the parking of vehicles is thus prohibited, limited or restricted.

B. When signs authorized by the provisions of this section are in place, giving notice thereof, no person shall park or stand a vehicle contrary to the directions of the signs, and any vehicle parked in violation of the signs may be towed to the public storage garage at the expense of the owner of the vehicle as provided in Division 11, Chapter 10 of the Vehicle Code, and/or the Director, his or her designees, or a peace officer may issue a citation for illegal parking.

ITEM 18.2.**Exhibit A to the Ordinance**

The Director, his designee or a peace officer shall record on the citation the location the offense was committed, the nature of the violation, the state vehicle license number of the vehicle, the make and year of the vehicle and the time and date of such violation. He shall then issue in writing a citation for illegal parking in the same form and subject to the same procedure provided for by the laws of the state applicable to the traffic violations within the City. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

10.24.180 Parking on private property.

It is unlawful for any person to drive upon or across, to leave standing or cause to be left standing any vehicle upon any privately owned property within the City without the implied or express consent of the owner or person in lawful possession of the property. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 75, 1960].

Chapter 10.25

PREFERENTIAL RESIDENTIAL PERMIT PARKING PROGRAM

Sections:

- 10.25.005 Title.
- 10.25.010 Purpose.
- 10.25.020 Definitions.
- 10.25.030 Designation of residential permit parking areas.
- 10.25.040 Designation criteria.
- 10.25.050 Designation process.
- 10.25.060 Recommendation of the public works director.
- 10.25.070 Issuance of permits.
- 10.25.080 Visitor permits.
- 10.25.090 Posting of residential permit parking area.
- 10.25.100 Display of permit.
- 10.25.110 Permit parking exemption.
- 10.25.120 Permit term – Application and renewal.
- 10.25.130 Permit fees.
- 10.25.140 Penalty provisions.
- 10.25.150 Applicability to parking control vehicles.
- 10.25.160 Annexation of residential streets to residential permit parking areas.
- 10.25.170 Modifications of restrictions.
- 10.25.180 Deletion of residential streets from residential permit parking areas.

10.25.005 Title.

This chapter shall be known and cited as the “preferential residential permit parking program.” [Ord. 12-2015 § 2].

10.25.010 Purpose.

The purpose of this chapter is to establish a preferential residential permit parking program within the City to assist residents in securing parking in residential areas regularly adversely affected by nonresident parked vehicles. [Ord. 12-2015 § 2].

10.25.020 Definitions.

For the purposes of this chapter, the following definitions shall apply, unless the context clearly indicates otherwise:

“Dwelling unit” means a house, apartment or other residence with an assigned address as used by the U.S. Postal Service or as listed in the county directory.

“Lease” means that a person pays rent or other remuneration for use of a parcel of real property as his or her residence or place of business.

“Motor vehicle” includes an automobile, truck, motorcycle, or other motor-driven form of transportation not in excess of 10,000 pounds gross weight.

“Parking restrictions” means the days, times, and hour limitations imposed on motor vehicles parked in a residential permit parking area pursuant to this chapter.

“Public Works Director” means the Public Works Director of the City of Rancho Cordova with the powers and duties as provided in this title.

“Resident” means a person who dwells in the residential area on a permanent basis.

“Resident permit” means a permit issued by the City of Rancho Cordova for use on a resident vehicle while parked in a residential permit parking area.

“Resident vehicle” means a motor vehicle owned or under the control of a resident and regularly parked in the residential area in which the resident resides.

“Residential area” means a contiguous or nearly contiguous area where residents dwell and which contains public streets and highways.

“Residential permit parking area” means a residential area designated as herein provided wherein motor vehicles displaying a valid permit as described herein shall be exempt from the parking restrictions or prohibitions established pursuant to this chapter. [Ord. 12-2015 § 2].

10.25.030 Designation of residential permit parking areas.

The City Council may, in its discretion, designate by resolution any residential area as a residential permit parking area in which motor vehicles displaying a valid parking permit may stand or be parked without limitation. Said resolution shall also state the applicable parking restrictions and the fees to be charged upon permit issuance. [Ord. 12-2015 § 2].

10.25.040 Designation criteria.

A. A residential area shall be deemed eligible for consideration as a residential permit parking area if the residential area is adversely affected by nonresident parked vehicles for any extended period during the day or night, on weekends, or during holidays.

B. In determining whether a residential area may be designated as a residential permit parking area, pursuant to RCMC 10.25.050 and 10.25.060, the Public Works Director and the City Council shall take into account factors which include, but are not limited to, the following:

1. The extent of the desire and need of the residents for residential permit parking;
2. The extent to which on-street parking is occupied by motor vehicles during the period proposed for parking restrictions;
3. The extent to which vehicles parking in the area during the period proposed for parking restrictions are commuter vehicles rather than resident vehicles. [Ord. 12-2015 § 2].

10.25.050 Designation process.

A. Persons desiring a residential permit parking program in a residential area shall consult with the Public Works Director to tentatively establish the boundaries of the area proposed for designation.

B. Upon receipt of a petition from a group of neighborhood residents or appropriate neighborhood association indicating that at least 60 percent of the residents are in favor of permit parking in the residential area proposed for designation, the Public Works Director shall evaluate the proposal to determine the appropriate residential permit parking restrictions for the area.

C. Within 30 days of the completion of the Public Works Director’s evaluation to determine appropriate residential permit parking restrictions for the area, the Public Works Director shall notice, as herein provided, a public hearing or hearings on the subject of the proposed residential permit parking area. Said hearing or hearings shall be conducted for the purpose of ascertaining boundaries for the proposed residential permit parking area as well as the appropriate restrictions on parking.

D. Notice of the public hearing or hearings provided for herein shall be mailed generally in the neighborhood, and to those institutions generating a significant volume of nonresident parking in the neighborhood. The notice shall clearly state the purpose of the hearing, the location and boundaries tentatively considered for the proposed residential permit parking area and, if applicable, the approximate permit fee to be charged. During such hearing or hearings, any interested person shall be entitled to appear and be heard.

E. Within 30 days after completion of the public hearing(s) the Public Works Director shall mail out notices to the residents of the proposed residential permit parking area. Said notices shall provide information on the proposed location and boundaries of the area and the proposed residential permit parking restrictions therein. Residents of the

proposed residential permit parking area may return the notices indicating their support or opposition to the area. [Ord. 12-2015 § 2].

10.25.060 Recommendation of the Public Works Director.

A. Following the designation process described in RCMC 10.25.050, the Public Works Director shall issue a written recommendation to the City Council whether to designate the residential area under consideration as a residential permit parking area within 60 days after the close of public hearings pursuant to RCMC 10.25.050(D). Such recommendation shall be based upon the record of the hearing or hearings, the evaluation performed, the petition submitted, and the returned notices received from the residents indicating support for or opposition to the program.

B. The recommendation of the Public Works Director shall set forth the significant subjects and concerns raised at the public hearing or hearings conducted, the proposed boundaries of the residential permit parking area, the proposed parking restrictions, and the support for the program shown by the returned notices from the residents.

C. If the City Council desires, it will adopt a resolution establishing the program for the area including the boundaries, parking restrictions, fees, if any, and any other applicable provisions.

D. The designation process and designation criteria set forth in this chapter shall also be utilized by the Public Works Director in determining whether to recommend removal of designation as a residential permit parking area from a particular residential area. [Ord. 12-2015 § 2].

10.25.070 Issuance of permits.

A. Parking permits shall be issued by the Public Works Director. Each such permit shall state or reflect the particular residential permit parking area, the license number of the motor vehicle for which it is issued, and any additional information required by the Public Works Director to enforce the provisions of this chapter. No more than one parking permit shall be issued to each motor vehicle for which application is made. The requirements governing the manner in which persons shall qualify for parking permits in each residential permit parking area shall be as established by this chapter.

B. Parking permits may be issued for motor vehicles only upon application of the following persons:

1. A resident of the residential permit parking area who owns a motor vehicle registered with the California Department of Motor Vehicles at the address where the resident lives;
2. A resident of the residential permit parking area who has a leased or possesses a company-owned vehicle which is regularly parked in the area;
3. A person who owns or leases commercial property located in the residential permit parking area and actively engages in business activity within a residential permit parking area. However, no more than one parking permit may be issued for each motor vehicle registered to the business establishment at the address in the designated area;
4. An owner of residential property that is located within the residential permit parking area. [Ord. 12-2015 § 2].

10.25.080 Visitor permits.

The Public Works Director is authorized, upon application, to issue visitor permits to residents and owners or lessees of commercial property located within a residential permit parking area for use by bona fide visitors therein. Such a visitor permit shall have all the rights and privileges of a regular permit, except as provided in RCMC 10.25.130 and 10.25.140. The requirements governing the manner in which persons shall qualify for visitor permits in each residential permit parking area shall be established by this chapter. [Ord. 12-2015 § 2].

10.25.090 Posting of residential permit parking area.

Upon the adoption of the City Council of a resolution designating a residential permit parking area, the Public Works Director shall cause appropriate signs and markings to be erected in the area, indicating prominently thereon the parking and restrictions, prohibitions, and conditions under which permit parking shall be exempt. [Ord. 12-2015 § 2].

10.25.100 Display of permit.

Residential parking permits shall be affixed to the left rear bumper of the resident's vehicle, hung from an inside rear view mirror or lying flat and clearly visible on the dashboard of the vehicle to which it is assigned.

Visitor parking permit shall be hung from an inside rear view mirror or lying flat and clearly visible on the dashboard of the visitor's vehicle.

Failure to display a current, valid permit shall be prima facie evidence that the citation is valid. [Ord. 12-2015 § 2].

10.25.110 Permit parking exemption.

A resident motor vehicle or nonresident motor vehicle on which is displayed a valid parking permit as provided for herein shall be permitted to park in the residential permit parking area for which the permit has been issued without being limited by parking restrictions established pursuant to this chapter.

Said motor vehicle shall not be exempt, however, from other parking regulations or prohibitions established pursuant to other relevant portions of the Rancho Cordova Municipal Code or Vehicle Code. All other motor vehicles parked within a residential permit parking area shall be subject to the parking restrictions adopted as provided in this chapter as well as the penalties provided for herein.

A residential parking permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated residential permit parking area. [Ord. 12-2015 § 2].

10.25.120 Permit term – Application and renewal.

Except as provided otherwise herein, each parking permit issued shall be valid for one year or such other period of time as designated by the Public Works Director from the date of issuance. Permits may be renewed annually or for some other period of time as designated by the Public Works Director upon reapplication in the manner required by the Public Works Director. Each application or reapplication for a parking permit shall contain information sufficient to identify the applicant, his or her residence address or address of real property owned or leased within residential permit parking area, the license number of the motor vehicle for which application is made, and such other information that may be deemed relevant by the Public Works Director. [Ord. 12-2015 § 2].

10.25.130 Permit fees.

The fee, if any, for eligible residents within the residential parking permit area for a residential parking permit or a visitor permit shall be established by resolution of the City Council. [Ord. 12-2015 § 2].

10.25.140 Penalty provisions.

A. It is a violation of this chapter, unless expressly provided to the contrary herein, for any person to park a motor vehicle contrary to the parking restrictions established pursuant hereto. Said violation shall be subject to civil penalty as specified in the resolution by the City Council pursuant to RCMC 10.24.020.

B. It is unlawful and a violation of this chapter for a person to falsely represent himself or herself as eligible for a parking permit or to furnish false information in order to obtain a permit. Said violation shall be punishable by a fine not to exceed \$500.00 or by imprisonment for a period not exceeding six months, or both.

C. It is a violation of this chapter, unless expressly provided to the contrary herein, for a person holding a valid parking permit issued pursuant to this chapter, to permit the use or display of such permit on a motor vehicle other than that for which the permit is issued. Such conduct shall constitute a violation of this chapter both by the person holding the valid parking permit and the person who so uses or displays the permit on a motor vehicle other than that for which it is issued. Said violation shall be subject to civil penalty as specified in the resolution adopted by the City Council pursuant to RCMC 10.24.020.

D. It is a violation of this chapter to use, or allow to be used, a visitor permit for a nonresident commuter who desires to park in the residential parking permit area. Said use of a visitor permit for commuter parking shall constitute a violation of this chapter both by the person to whom the visitor permit was issued and by the registered owner of the vehicle upon which the visitor permit is displayed. Said violation shall be subject to civil penalty as specified in the resolution adopted by the City Council pursuant to RCMC 10.24.020.

E. It is unlawful and a violation of this chapter for a person to copy, produce or otherwise bring into existence a facsimile or counterfeit parking permit in order to evade parking restrictions applicable in a residential permit parking area. It is also a violation to sell, transfer, exchange or assign any residential, visitor or temporary permit. Upon conviction thereof, the person shall be punishable by a fine not exceeding \$500.00 or be imprisoned for a period not exceeding six months, or both. [Ord. 12-2015 § 2].

10.25.150 Applicability to parking control vehicles.

The provisions of this chapter shall not be construed to prohibit the stopping, standing or parking of parking control vehicles while such vehicles are being used in parking control enforcement; provided, however, that this section shall not supersede provisions of this title which expressly refer to or regulate parking control vehicles.

As used in this section the term “parking control vehicles” means any vehicle used by an authorized official of the City during the enforcement of parking and registration regulations pursuant to the chapters of this code and the California Vehicle Code. [Ord. 12-2015 § 2].

10.25.160 Annexation of residential streets to residential permit parking areas.

Whenever the City Council finds that residential streets adjacent to a residential permit parking area have all-day, on-street parking congestion, then upon recommendation by the Public Works Director, such residential streets may be added by resolution to said residential permit parking area. A petition of 60 percent or more of the residents of said streets with affirmative responses seeking permit parking shall be required prior to implementation of residential permit parking restrictions. [Ord. 12-2015 § 2].

10.25.170 Modifications of restrictions.

On-street parking restrictions within a residential permit parking area may be changed by resolution of the City Council based on recommendation by the Public Works Director. [Ord. 12-2015 § 2].

10.25.180 Deletion of residential streets from residential permit parking areas.

A. The City Council may initiate a proceeding to delete a street from a designated residential permit parking area by adopting a resolution of intention to delete.

B. The resolution shall include:

1. A declaration of intention by the City Council to delete;
2. A description of the street or streets to be deleted; and
3. The date, time and place of a public hearing to consider the proposed deletion.

C. At least 10 days before the hearing, notice of the hearing shall be published in a newspaper of general circulation, posted not more than 200 feet apart along the street or streets proposed for deletion, and mailed to all persons who testified before the City Council at public hearings in which the establishment of the residential parking permit area was considered.

D. At the hearing, the City Council shall take into account the factors specified in RCMC 10.25.040(B). The City Council may adopt a resolution deleting the street or streets described in the resolution of intention. [Ord. 12-2015 § 2].

Chapter 10.30

HUMAN HABITATION OF VEHICLES

Sections:

- 10.30.010 Purpose.
- 10.30.020 Definitions.
- 10.30.030 Use of vehicles for human habitation prohibited on public property.
- 10.30.040 Use of vehicles for human habitation prohibited on private property – Exception.
- 10.30.050 Penalty.

10.30.010 Purpose.

This chapter is enacted for the purpose of addressing issues of blight, crime, security, disorder and health and sanitation, including the disposal of noxious and harmful matter on city streets and parking areas open to the public. These conditions are principally caused by ongoing, repeated habitation of motor homes, recreational vehicles and other vehicles modified or used for human habitation, as defined in RCMC 10.30.020, without authorized connection to utility services, periodically resulting in the creation of an encampment-like situation. These conditions occur primarily in private commercial parking areas and on public streets within the City, but can also occur in other areas of the City including, but not limited to, private residential lots. [Ord. 13-2004 § 1].

10.30.020 Definitions.

For purposes of this chapter, the following definitions will apply:

“Camper” means a structure designed to be mounted upon a motor vehicle and to provide facilities for human habitation or camping purposes. “Camper” shall include those campers defined as slide-in campers or truck campers under the California Health and Safety Code.

“House car” means a motor vehicle originally designed or permanently or temporarily altered and equipped for human habitation, or to which a camper has been permanently or temporarily attached.

“Human habitation” shall mean the use of a vehicle for dwelling. Evidence of human habitation shall include activities such as sleeping, setting up housekeeping or cooking, and/or any other activity where it reasonably appears, in light of all the circumstances, that a person or persons is using the vehicle as a living accommodation. The use of a vehicle for six or more consecutive hours for eating, resting, recreating and/or sleeping shall per se constitute “human habitation” for purposes of this chapter.

“Recreational vehicle” shall mean a motor home, travel trailer, trailer coach, truck camper, camping trailer or park trailer, as those vehicles are defined in Sections 18010 and 18009.3 of the California Health and Safety Code or other applicable sections of the California Health and Safety Code or California Vehicle Code, and which are designed for human habitation for recreational, emergency, or other occupancy.

“Vehicle” shall mean any device by which any person or property may be propelled, moved, or drawn upon a highway including, but not limited to, a recreational vehicle or house car. [Ord. 13-2004 § 1].

10.30.030 Use of vehicles for human habitation prohibited on public property.

It is unlawful for any person or persons to use a vehicle for human habitation on or in any public street, right-of-way, alleyway, parking area or any other public property, except in a designated public campground, recreational park, or licensed mobile home park. [Ord. 13-2004 § 1].

10.30.040 Use of vehicles for human habitation prohibited on private property – Exception.

A. It is unlawful for any person or persons to use a vehicle for human habitation on any private property within the city limits of Rancho Cordova except for a lawfully operated mobile home trailer park, or other licensed private camping facility.

B. Notwithstanding subsection (A) of this section, a person shall not be prohibited from occupying, for sleeping purposes only, a recreational vehicle or house car on private residential property within the City limits provided all of the following criteria are satisfied:

1. The person is a bona fide guest of a resident of the City;
2. The person has the written consent of the resident; and
3. The location and use of the recreational vehicle or house car for sleeping purposes is not otherwise in violation of the Rancho Cordova zoning code or other applicable law.

The use of a recreational vehicle or house car under authority of this subsection (B) shall be limited to no more than five days and/or nights, either consecutive or nonconsecutive, within any 90-day period. [Ord. 13-2004 § 1].

10.30.050 Penalty.

A. A violation of this chapter shall be deemed an infraction for a first violation; second and subsequent violations of the same section within a 12-month period may be prosecuted as an infraction or misdemeanor.

B. Any person convicted of an infraction for violating this chapter may be punished by:

1. A fine of not more than \$100.00 for a first violation;
2. A fine of not more than \$200.00 for a second violation of the same section within a 12-month period;
3. A fine of not more than \$500.00 for a third (or subsequent) violation of the same section by the same person within a 12-month period.

C. Any person convicted of a misdemeanor for violating this chapter may be punished by a fine of not more than \$1,000 or by imprisonment in jail for a period of not more than six months or by both fine and imprisonment. [Ord. 13-2004 § 1].

Chapter 10.32

MISCELLANEOUS DRIVING RULES

Sections:

- 10.32.010 Prohibited acts.
- 10.32.020 Parade permit required.
- 10.32.030 Bus stop in front of driveway.
- 10.32.040 Molesting of traffic-counting devices prohibited.
- 10.32.050 Washing vehicles on highway.
- 10.32.060 Repairing vehicles on highways.
- 10.32.070 Railway gates.
- 10.32.080 Trains not to block crossings.

10.32.010 Prohibited acts.

No person shall drive any vehicle or animal, or do any act, in violation of the following:

A. Drive through vehicles comprising a funeral procession while they are in motion and when the vehicles in such a procession are specifically designated;

B. No person riding any bicycle, motorcycle, coaster, roller skates, or any toys or toy vehicles shall attach the same or himself to any moving vehicle upon any roadway and no person driving any vehicle shall permit the same to be done;

C. Drive within or over any sidewalk area or any parkway except at a driveway;

D. Drive over or across any new pavement or freshly painted marking when any street barrier, sign or marking is in place warning persons not to drive over or across the same, or when a sign is in place stating that the street, or any portion thereof, is closed;

E. Drive or operate a vehicle contrary to the directions or provisions of any barrier or sign erected pursuant to the provisions of any ordinance of the City or by any other utility, or by any department of the City or by any public person pursuant to law or contract with the City and no unauthorized person shall move or alter the position of any such barrier or sign;

F. Drive a vehicle onto or from any freeway except at such entrances and exits as are established by public authority;

G. Drive a vehicle into an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians in such intersection or crosswalks, notwithstanding any official traffic control device or signal indication to proceed;

H. No tire on any vehicle upon any City street or highway shall have on its periphery any block, stud, flange, cleat, ridge, bead, or any other protuberance of metal or wood which projects beyond the tread of the traction surface of the tire. This subsection does not apply to the following:

1. Tire chains of reasonable size used to prevent skidding when upon wet surfaces or when upon ice or snow.
2. Pneumatic tires which have embedded therein wire not to exceed 0.075 inches in diameter and which are so constructed that under no conditions will the percentage of metal in contact with the roadway exceed five percent of the total tire area in contact with the roadway, except that during the first 1,000 miles of use or operation of any such tire, the metal in contact with the roadway may exceed five percent of the tire area in contact with the roadway, but shall in no event exceed 20 percent of such area.
3. Vehicles operated upon unimproved roadways when necessary in the construction or repair of highways.

4. Traction engines or tractors when operated under the conditions of a permit first obtained from the Rancho Cordova Department of Public Works. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 972 § 1, 1968; SCC 703 § 76, 1960].

10.32.020 Parade permit required.

No person shall operate a vehicle, or join in, or be a member of any procession, parade or assemblage on any public highway without a permit first having been issued by the Director. No permit shall be valid on an arterial or through highway during the hours of 4:00 p.m. to 6:00 p.m. or during the hours of darkness or between December 10th and December 26th in any year. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 77, 1960].

10.32.030 Bus stop in front of driveway.

A bus engaged as a common carrier may stop to load or unload passengers in front of a driveway. At no time shall the bus so stop for a period longer than is necessary to load or unload passengers. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 78, 1960].

10.32.040 Molesting of traffic-counting devices prohibited.

Unless authorized by the Director, a person shall not move, molest, tamper with, or damage in any way any traffic-counting device which has been located within a highway or adjacent thereto by authority of the Director. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 79, 1960].

10.32.050 Washing vehicles on highway.

A person shall not dust, wipe, wash or otherwise clean, use, or employ any method of dusting, wiping, washing or otherwise cleaning any vehicle or portion thereof while on any highway unless the vehicle is owned by or under the direct control or supervision, for purposes other than such wiping, washing, cleaning, or dusting, of the person doing any of the acts herein enumerated. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 80, 1960].

10.32.060 Repairing vehicles on highways.

A person shall not repair, or make any repairs, or add or install any part or accessory to or on any vehicle while the same is upon any public highway or alley.

The provisions of this section do not prohibit the operator of any vehicle which is disabled while upon any public highway or alley to such extent that it is impossible to avoid stopping from making or causing to be made the repairs necessary to enable the vehicle to be removed from the public highway or alley. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 81, 1960].

10.32.070 Railway gates.

No person shall drive any vehicle around or under any crossing gate or barrier at a railroad grade crossing while the gate or barrier is closed or is being opened or closed. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 82, 1960].

10.32.080 Trains not to block crossings.

It is unlawful for any person to cause or permit any railway train or railway cars, or similar vehicle on rails, to operate or to be operated in such a manner as to prevent the use of any highway for the purpose of travel for a period of time longer than 10 minutes, except that this provision does not apply to railway trains, cars or similar vehicles on rails while blocking or obstructing a crossing because of an accident which requires the operator of a train, car or similar vehicle on rails to stop at or near the scene of the accident. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 972 § 1, 1968; SCC 703 § 83, 1960].

Chapter 10.36

EMERGENCY VEHICLES

Sections:

- 10.36.010 Definitions.
- 10.36.040 Approaching scene of emergency.
- 10.36.050 Parking near scene of emergency.
- 10.36.060 Assembling near scene of emergency.
- 10.36.070 Exemptions.
- 10.36.080 Penalty for violation.

10.36.010 Definitions.

As used in this chapter, the following words and phrases have the meanings herein set forth:

“Authorized emergency vehicle” means all authorized emergency vehicles as defined in Division 1 of the Vehicle Code.

“Private road or driveway” means a private road or driveway as defined in Section 490 of the Vehicle Code.

“Public highway” means any highway, road, street, way or place open to the use of the public for purposes of vehicular travel.

“Vehicle” means a device in, upon or by which any person or property is or may be propelled, moved or drawn upon a public highway, including a bicycle or such other vehicle of propulsion moved by human power. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 1, 1951].

10.36.040 Approaching scene of emergency.

It is unlawful for any person to operate any vehicle upon the public highways or any private road or driveway so as to approach within 1,000 feet of any authorized emergency vehicle when such authorized emergency vehicle is engaged in extinguishing fire or when the authorized emergency vehicle is actively engaged at the scene of any bombing, act of sabotage, accident, explosion, flood, riot, earthquake or any emergency. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 4, 1951].

10.36.050 Parking near scene of emergency.

It is unlawful for any person to park, stop or abandon any vehicle within 1,000 feet of any authorized emergency vehicle when the authorized emergency vehicle is actively engaged at the scene of any bombing, act of sabotage, accident, explosion, flood, riot, earthquake or any emergency. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 5, 1951].

10.36.060 Assembling near scene of emergency.

It is unlawful for any person or persons to gather, collect, assemble or congregate within 1,000 feet of the scene of any fire, bombing, act of sabotage, accident, explosion, flood, riot, earthquake or any emergency when any authorized emergency vehicle is actively engaged thereat. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 6, 1951].

10.36.070 Exemptions.

The provisions of this chapter do not apply to the following persons:

A. All authorized emergency vehicles, as defined herein, and persons operating the same;

B. Any person or persons lawfully ordered to do otherwise by any public officer or fireman. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 7, 1951].

10.36.080 Penalty for violation.

Any person who violates any provisions of this chapter is guilty of a misdemeanor and upon conviction thereof shall be punished by fine of not exceeding \$300.00 or by imprisonment in the county jail, not exceeding three months, or by both such fine or imprisonment. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 8, 1951].

Chapter 10.40

TRUCK ROUTES

Sections:

- 10.40.010 Establishing weight limits.
- 10.40.020 Exceptions.
- 10.40.030 Designation.

10.40.010 Establishing weight limits.

The Director is authorized to designate certain highways or parts thereof upon which the operation of commercial vehicles shall be prohibited as follows:

A. On a highway that is unimproved as the word “unimproved” is used in Section 35706 of the Vehicle Code and the nature of the pavement or surface is such that it will be injured if vehicles of over a certain gross weight are permitted to operate thereon; the director shall erect signs specifying the weight which the Director finds should be prohibited;

B. Whenever the Director finds that the use of any street, road, or highway located in the City of Rancho Cordova by any commercial vehicle exceeding a gross weight of 14,000 pounds would not be in the best public interest or would be unsafe, and such street, road, or highway may be limited as to use in accordance with Section 35701 of the Vehicle Code, the Director shall erect appropriate signs;

C. Whenever any structure of a bridge on a highway on which no weight limit has been imposed is such that it is unsafe for the vehicles over a certain weight to use the bridge, and whenever the Director finds that the structure of a bridge on a highway on which a weight limit has been imposed is such that the use of vehicles over a certain weight which is less than the weight limit on such highway would be unsafe, the Director shall erect appropriate weight limit signs at both entrances to such bridges as provided in this title;

D. Wherever the Director finds that the use of any highway by a commercial vehicle exceeding a gross weight of three tons would not be in the best public interest or would be unsafe or would create undue hazards to local traffic, the Director may erect appropriate signs prohibiting commercial vehicles as provided in Section 21100 of the Vehicle Code;

E. The Director may issue a permit for the operation of vehicles on City highways that are in excess of the maximum load or size as specified in the Vehicle Code. The permit shall specify the description of the vehicle and shall be subject to such conditions as are deemed advisable in accordance with prevailing traffic conditions on the highway to be used;

F. When signs are in place giving notice of any of the provisions of this section, no person shall disobey the directions or provisions posted on the sign. [Ord. 38-2007 § 1 (Exh. 1(A), (G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 84, 1960].

10.40.020 Exceptions.

Nothing in this chapter shall prohibit the operator of any vehicle exceeding the maximum gross weight of three tons coming from a truck route having ingress and egress by direct route to and from restricted streets, when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets, or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted streets for which a building permit has been previously obtained. The provisions of this chapter do not apply to a passenger bus under the jurisdiction of the public utilities commission, or owned by a bus company licensed by the City, or to any vehicle owned by a public utility while necessarily in use in the construction, installation or repair of any public utility or any vehicle owned by the City while necessarily in use in the construction, installation or repair of a City utility or street. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 85, 1960].

10.40.030 Designation.

The Director is authorized to designate any highway by appropriate signs as a truck route for the movement of vehicles exceeding a maximum gross weight limit of three tons, where in his opinion such designation is required. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 86, 1960].

Chapter 10.41

INTERSTATE TRUCK TERMINALS AND ACCESS ROUTES

Sections:

- 10.41.010 Authority and application.
- 10.41.020 Fees and costs.
- 10.41.030 Reconstruction.
- 10.41.040 Revocation of route.
- 10.41.050 Prohibition.

10.41.010 Authority and application.

The Director is authorized to designate certain trucking terminals as interstate truck terminals and certain City highways or parts thereof as terminal access routes for interstate trucks, in accordance with Section 35401.5 of the Vehicle Code, as follows:

A. As used in this chapter, “interstate truck” shall mean a combination of vehicles as described in Section 35401.5 of the Vehicle Code and not exceeding the lengths set forth therein, and “terminal” shall have the meaning specified in Section 35401.5 of the Vehicle Code.

B. Any interested person desiring an access route to an interstate truck terminal facility from the federally designated highway system shall submit to the Director an application, on a form as provided by the Director, together with such information as may be required by the Director and appropriate fees.

C. The Director will cause an investigation to be made to ascertain whether or not the proposed terminal facility meets the requirements for an interstate truck terminal. Upon his approval of that designation, he will then determine the capability of the route requested and alternate routes, whether requested or not. Determination of route capability will include, without limitation, a review of adequate turning radius and lane widths of ramps, intersections and highways and general traffic conditions such as sight distance, speed and traffic volumes. No access off a federally designated highway system will be approved without the approval of the State of California Department of Transportation.

D. Should the requested route pass through the City of Rancho Cordova to a terminal located in another jurisdiction, the applicant shall submit proof of compliance with that jurisdiction’s application process. Coordination of the approval of the route through the City will be the responsibility of the entity which controls the terminal’s land use. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

10.41.020 Fees and costs.

A. The applicant shall pay a nonrefundable application fee, as established by the City Council by resolution, sufficient to pay the cost of the review of the interstate truck terminal designation and the review of the proposed and alternate routes.

B. Upon the approval of the terminal designation and route by the City, the applicant shall deposit with the City sufficient funds as estimated by the Director to pay for the purchase and installation of terminal trailblazer signs. Trailblazer signs shall be required at every decision point in the City on the route to the terminal and at intermediate points not closer than one-half mile apart as determined by the Director. Upon completion of the installation of the signs, the actual cost shall be computed and any difference between the actual and the estimated cost shall be billed or refunded to the applicant, whichever the case may be. Any excess due to the City shall be due and payable 30 days after billing and thereafter shall bear interest at the maximum rate permitted by law. No interstate truck terminal or access route may be used for such purpose until such signs as may be required are in place. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

10.41.030 Reconstruction.

A. If all feasible routes to a requested interstate truck terminal are found unsatisfactory by the Director, the applicant may request reconstruction to correct the deficiencies identified by the Director. All costs of engineering, construction and inspection will be the responsibility of the applicant. Except when the reconstruction of

deficiencies is within the jurisdiction of the state of California, the actual construction will be the responsibility of the applicant. When the work is within the jurisdiction of the state of California, it will be under the direction of the state of California.

B. If at any time within five years from the date of completion of the reconstruction by the applicant, should any applicant seek approval of an interstate truck terminal which would use the route upon which such reconstruction was accomplished, any such applicant's fee may be required by the Director to include that applicant's proportionate share of the reconstruction, as determined by the Director, which fee shall be disbursed by the City of Rancho Cordova to the applicant who paid for the reconstruction as well as to any applicant who contributed to the cost of reconstruction under this section. Nothing herein shall require the payment of a proportionate fee if the applicant doing the work failed to file with the director a report documenting the actual cost of the reconstruction work, subject to the approval of the Director. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

10.41.040 Revocation of route.

The Director may revoke any approved interstate truck terminal or access route if the terminal or route becomes hazardous for vehicular traffic. Such a hazard includes, but is not limited to, the inability of interstate trucks to negotiate the route or said vehicles causing unsafe driving conditions for other vehicular traffic or pedestrians. If the route designation is revoked within three years after establishment, the City will reimburse the applicant for his actual costs of signing and reconstruction. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

10.41.050 Prohibition.

Except as expressly permitted by law, no person shall drive an interstate truck upon any City highway not designated for such purpose. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

Chapter 10.44

ONE-WAY STREETS

Sections:

10.44.010 Signs to be placed.

10.44.020 Violation prohibited.

10.44.010 Signs to be placed.

The director shall place and maintain appropriate signs giving notice of the one-way highway system, and no such regulations shall be effective until the signs are in place. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 88, 1960].

10.44.020 Violation prohibited.

No person shall operate a vehicle in violation of the signs designating one-way streets as herein provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 89, 1960].

Chapter 10.48

SPEED ZONES

Sections:

10.48.010 Speed zones.

10.48.010 Speed zones.

A. The City Council has determined, on the basis of engineering and traffic surveys, that the speed permitted by the Vehicle Code upon certain highways is not in conformance with the safe and efficient operation of vehicles thereon. The prima facie speed limits on such highways or parts of such highways shall be as specified by ordinance when signs are erected giving notice of such limits.

B. All speed zones shall continue in effect as established by SCC Ordinance No. 703, as adopted and amended prior to the adoption of this code. All provisions of SCC Ordinance No. 703 and amendments thereto relating to speed zones shall continue in effect notwithstanding the adoption of this code. The speed zone provisions of SCC Ordinance No. 703 which continue in effect as provided in this section shall be subject to revision by ordinance from time to time pursuant to the Vehicle Code in the same manner as prior to the adoption of this code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 90, 1960].

Chapter 10.50

REDUCED SPEED LIMITS ON SPECIFIC STREETS

Sections:

10.50.010 Determination and declaration of prima facie speed limits.

10.50.020 Prima facie speed limits declared.

10.50.010 Determination and declaration of prima facie speed limits.

The City Council approves and adopts the engineering and traffic surveys dated November 9, 2020, prepared by the City, for the streets and portions thereof set forth therein, copies of which are on file and available for public inspection in the offices of the City Clerk. The city council finds and determines that the surveys were conducted in accordance with the Vehicle Code and methods of conducting engineering and traffic surveys prescribed in the California Department of Transportation and that the survey justifies the speed limits recommended for the streets and portions of streets therein described. The City Council declares these speed limits as prima facie speed limits for the streets or portions thereof, which limits shall be effective when appropriate signs giving notice thereof are erected upon the streets or portions thereof. [Ord. 20-2020 § 2; Ord. 1-2018 § 2; Ord. 13-2015 § 2; Ord. 3-2004 § 1].

10.50.020 Prima facie speed limits declared.

The following prima facie speed limits are established based on prevailing speeds and according to traffic and engineering studies.

A. Baroque Drive:

1. Between Zinfandel Drive and Zinfandel Drive, 35 mph;

B. Bear Hollow Drive:

1. Between Zinfandel Drive and North Mather Boulevard, 35 mph;

C. Business Park Drive:

1. Between Horn Road and Bradshaw Road, 35 mph;

D. Capital Center Drive:

1. Between White Rock Road and International Drive, 35 mph;

E. Chase Drive:

1. Between Coloma Road and Hagan Park, 25 mph;

F. Chrysanthy Boulevard:

1. Between Sunrise Boulevard and eastern terminus of street, 35 mph;

G. Coloma Road:

1. Between Folsom Boulevard and Sunrise Boulevard, 40 mph;

H. Data Drive:

1. Between International Drive and White Rock Road, 35 mph;

I. Disk Drive:

1. Between Data Drive and Prospect Park Drive, 35 mph;

J. Douglas Road:

1. Between Sunrise Boulevard and Rancho Cordova Parkway, 55 mph;
2. Between Rancho Cordova Parkway and Americanos Boulevard, 50 mph;

K. Explorer Drive:

1. Between Lincoln Village Drive to Lincoln Village Drive, 25 mph;

L. Femoyer Street:

1. Between Mather Boulevard and International Drive, 40 mph;

M. Fitzgerald Road:

1. Between White Rock Road and Recycle Road, 35 mph;

N. Folsom Boulevard:

1. Between Horn Road and Routier Road, 45 mph;
2. Between Routier Road and Cordova Lane, 40 mph;
3. Between Cordova Lane and Sunrise Boulevard, 45 mph;
4. Between Sunrise Boulevard and Hazel Avenue, 45 mph;

O. Georgetown Drive:

1. Between Coloma Road and McGregor Drive, 25 mph;

P. Gold Camp Drive:

1. Between Sun Center Drive and Prospect Park Drive, 35 mph;

Q. Gold Canal Drive:

1. Between Sun Center Drive and White Rock Road, 35 mph;

R. Gold Center Drive:

1. Between Zinfandel Drive and Prospect Park Drive, 30 mph;
2. Between Prospect Park Drive (west) and Prospect Park Drive (east), 35 mph;

S. Horn Road:

1. Between Folsom Boulevard and Routier Road, 35 mph;

T. International Drive:

1. Between Mather Field Road and Sunrise Boulevard, 45 mph;

U. Kiefer Boulevard:

1. Between Sunrise Boulevard and Rancho Cordova Parkway, 45 mph;

V. Kilgore Road:

1. Between Folsom Boulevard and White Rock Road, 35 mph;
2. Between White Rock Road and Baroque Way, 40 mph;

W. Lincoln Village:

1. Between Bradshaw Road and Draco Drive, 35 mph;
2. Between Draco Drive and Routier Road, 25 mph;

X. Luyung Drive:

1. Between White Rock Road and Mechanical Drive, 35 mph;

Y. Mather Field Road:

1. Between Peter A McCuen Boulevard and Folsom Boulevard, 45 mph;

Z. McGregor Drive:

1. Between Folsom Boulevard and Coloma Road, 25 mph;

AA. Mills Park Drive:

1. Between Routier Road and Mather Field Road, 35 mph;
2. Between Mather Field Road and White Rock Road, 25 mph;

BB. Mills Station Road:

1. Between Peter A McCuen Boulevard and Folsom Boulevard, 45 mph;
2. Between Mather Field Road and White Rock Road, 25 mph;

CC. Monier Circle:

1. Between Sunrise Boulevard and Sunrise Boulevard, 30 mph;

DD. Old Placerville Road:

1. Between Systems Parkway and Rockingham Drive, 45 mph;

EE. Olson Drive:

1. Between Mills Park Drive and Zinfandel Drive, 25 mph;
2. Between Zinfandel Drive and Folsom Boulevard, 35 mph;

FF. Paseo Drive:

1. Between Folsom Boulevard and Las Casas Way, 25 mph;

GG. Peter A McCuen Boulevard:

1. Mather Boulevard and Femoyer Street, 30 mph;

HH. Prospect Park Drive:

1. Between White Rock Road and White Rock Road, 35 mph;

2. Between White Rock Road and Baroque Way, 35 mph;

II. Quality Drive:

1. Between International Drive and White Rock Road, 35 mph;

JJ. Rancho Cordova Parkway:

1. Between Kiefer Boulevard and Douglas Road, 45 mph;

KK. Recycle Road:

1. Between Sunrise Boulevard and Elks Circle, 30 mph;

LL. Reserve Drive:

1. Between Data Drive and International Drive, 35 mph;

MM. Rockingham Drive:

1. Between Mather Field Road and S. White Rock Road, 25 mph;
2. Between Mather Field Road and Old Placerville Road, 35 mph;

NN. Routier Road:

1. Between Old Placerville Road and Folsom Boulevard, 40 mph;

OO. S. White Rock Road:

1. Between International Drive and White Rock Road, 25 mph;

PP. Sun Center Drive:

1. Between Prospect Park Drive and Sunrise Boulevard, 35 mph;

QQ. Sunrise Boulevard:

1. Between Kiefer Boulevard and Herodian Drive, 50 mph;
2. Between Herodian Drive and White Rock Road, 45 mph;
3. Between White Rock Road and Folsom Boulevard, 45 mph;
4. Between Folsom Boulevard and Coloma Road, 45 mph;
5. Between Coloma Road and city limits, southbound, 45 mph;

RR. Systems Parkway:

1. Between Routier Road and Old Placerville Road, 35 mph;

SS. Trade Center Drive:

1. Between Sun Center Road and Mercantile Road, 30 mph;

TT. Trinity River Drive:

1. Between Coloma Road and Sunrise Boulevard, 30 mph;

UU. Vanguard Drive:

1. Between Explorer Drive and Routier Road, 25 mph;

VV. White Rock Road:

1. Between Mills Station Road and Mills Park Drive, 25 mph;
2. Between S. White Rock Road and Zinfandel Drive, 40 mph;

3. Between Zinfandel Drive and Sunrise Boulevard, 45 mph; WW. Zinfandel Drive:

1. Between Sunrise Boulevard and Folsom Boulevard, 30 mph;
2. Between Folsom Boulevard and White Rock Road, 35 mph;
3. Between White Rock Road and International Drive, 40 mph;
4. Between International Drive and city limits, 45 mph. [Ord. 20-2020 § 3; Ord. 1-2018 § 3; Ord. 13-2015 § 3; Ord. 3-2004 § 2].

Chapter 10.58

OFF-ROAD VEHICLES

Sections:

- 10.58.010 Permit required.
- 10.58.020 Motor vehicle – Definition.
- 10.58.030 Exemption – Commercially operated facilities.
- 10.58.040 Exemption – Public facilities.
- 10.58.050 Exemption – Sanctioned events.
- 10.58.060 Exemption – Parking areas.
- 10.58.070 Exemptions – Miscellaneous.
- 10.58.080 Operation by permit.
- 10.58.090 Application for permit.
- 10.58.100 Permits – Grounds for denial.
- 10.58.120 Permit conditions.
- 10.58.130 Copies of permit – Possession required.
- 10.58.140 Revocation of permit.
- 10.58.150 Fees – Expiration and renewal.
- 10.58.160 Appeal.
- 10.58.170 Public nuisance prohibited.

10.58.010 Permit required.

No person shall operate or cause to be operated a motor vehicle except upon the streets, highways and thoroughfares specifically established and provided for the operation of such vehicles except when authorized by a permit issued pursuant to this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.020 Motor vehicle – Definition.

As used in this chapter, “motor vehicle” means any self-propelled device in or upon which any person or property may be moved, excepting a device moved by human power or used exclusively upon stationary rails or tracks. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.030 Exemption – Commercially operated facilities.

This chapter does not apply to any area commercially operated for the purpose of providing facilities wherein motor vehicles can be operated for recreational purposes, if said facilities are duly licensed and permitted under the applicable laws pertaining thereto. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.040 Exemption – Public facilities.

This chapter does not apply to any area which is specifically established by the City or other governmental body or agency for the purpose of allowing motor vehicles to be operated thereon for recreational purposes. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.050 Exemption – Sanctioned events.

This chapter does not apply to any organized racing or competitive event upon a closed course which is conducted under the auspices of a recognized sanctioning body under permit issued by the City. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.060 Exemption – Parking areas.

This chapter does not apply to any area, either publicly or privately owned, designated for the parking or storage of motor vehicles, when the operation of a vehicle on such area is solely for the purposes of ingress thereto and egress therefrom. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.070 Exemptions – Miscellaneous.

This chapter does not apply to any motor vehicle which is:

- A. An implement of husbandry;

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Exhibit A to the Ordinance

- B. A wheelchair;
- C. A golf cart, when used on a golf course;
- D. Used for any purpose relating to the conduct of a business where said business is conducted;
- E. Owned by the City or other governmental body or agency, and is operated by an employee of the City or other governmental body or agency who is acting within the scope of his employment;
- F. Operated by or under contract with a utility, whether privately or publicly owned;
- G. Used in connection with construction activities for the purposes for which it was designed. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.080 Operation by permit.

Any person possessing a valid permit issued pursuant to this chapter may operate a motor vehicle other than upon the streets, highways and thoroughfares specifically established and provided therefor, provided such operation is in conformance with the terms and conditions of such permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.090 Application for permit.

The owner or lessee of any real property within the City, or the agent of either, may apply for a permit to operate one or more motor vehicles on said property when the operation of such vehicles would otherwise be in violation of RCMC 10.58.010 by filing an application with the chief of police. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.100 Permits – Grounds for denial.

Upon receipt of the application for permit, the chief of police shall grant or deny the permit and shall notify the applicant by mail of such action. A permit may be denied when it appears to the satisfaction of the chief of police that the issuance of the permit would:

- A. Create a condition annoying to adjacent residents;
- B. Create law enforcement problems;
- C. Endanger the health, safety or welfare of persons in the area. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.120 Permit conditions.

A permit may be issued subject to conditions regulating one or more of the following:

- A. Hours of operation of motor vehicles;
- B. Maximum number of motor vehicles which may be operated at any one time;
- C. Type of motor vehicles which may be operated;
- D. Any other reasonable condition required under the circumstances. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.130 Copies of permit – Possession required.

A. When a permit is issued, the chief of police shall issue in connection therewith a number of copies of such permit to the applicant, who shall give a copy of such permit to each person operating a motor vehicle on the premises for which the permit is issued.

B. The maximum number of copies of the permit given the applicant shall not exceed the maximum number of motor vehicles which may be operated on the premises at any one time, if such number has been determined pursuant to RCMC 10.58.120.

C. No person shall operate a motor vehicle on the premises for which the permit is issued unless he has in his immediate possession a copy of such permit and shall display the same upon demand to any duly authorized law enforcement officer. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.140 Revocation of permit.

A permit issued pursuant to this chapter may be revoked when it appears to the satisfaction of the chief of police that one or more of the following conditions exist:

A. The person to whom the permit was issued has failed to abide by the conditions of such permit;

B. A person operating a motor vehicle by permission of the person to whom the permit was issued has failed to abide by the conditions of such permit;

C. False or misleading statements were made by the applicant in securing the permit;

D. Circumstances surrounding the premises for which the permit was issued have changed and the continued operation of motor vehicles on the premises would violate one or more provisions of RCMC 10.58.100. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.150 Fees – Expiration and renewal.

A. The fee for an initial permit shall be set by resolution of the City Council. The permit shall be nontransferable and shall expire one year after the date of issuance.

B. A permit may be renewed from year to year upon payment of a fee set by resolution of the City Council; provided, however, that the renewal may be granted, conditioned or denied in accordance with the provisions of RCMC 10.58.100 and 10.58.120. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

10.58.160 Appeal.

A. Any applicant for a permit or a permit holder aggrieved by the action of the chief of police pursuant to this chapter may, within 10 days of being notified of such action, appeal the same to the City Council by filing a notice of appeal with the City Clerk.

B. The clerk shall calendar a hearing on the appeal and notify the person filing the appeal of the date, time and place of such hearing.

C. The City Council shall hear such testimony from the concerned parties as may be necessary and shall take such action with regard to the action of the chief of police as it may deem proper. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.170 Public nuisance prohibited.

Nothing in this chapter is intended to authorize the maintenance of a public nuisance. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

Chapter 10.62**TRANSIT AND SCHOOL DISTRICT LOADING ZONES**

Sections:

10.62.010 Purpose.

10.62.020 Use of transit loading zones.

10.62.010 Purpose.

Section 22500.5 of the California Vehicle Code authorizes the adoption of a local ordinance to permit an agreement between a transit system operating buses engaged as common carriers and a public school district to permit school buses owned by, or operated for, the said school district to load or unload passengers in spaces designated for the loading or unloading of passengers of the transit system buses. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 569 § 1, 1983].

10.62.020 Use of transit loading zones.

Upon agreement between Regional Transit or other transit system authorized according to law to operate as a common carrier within the City of Rancho Cordova and a public school district, school buses owned by or operated under contract for such public school district may stop for the loading or unloading of passengers alongside any or all curb spaces designated for the loading or unloading of passengers of the transit system buses as provided in Section 22500.5 of the Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 569 § 1, 1983].

Chapter 10.64

TRIP REDUCTION PROGRAMS

Sections:

- 10.64.010 Findings.
- 10.64.020 Purpose.
- 10.64.030 Definitions.
- 10.64.040 Permit required.
- 10.64.050 Exceptions.
- 10.64.060 Authority to issue permit.
- 10.64.070 Permit fee.
- 10.64.080 Notification of requirements.
- 10.64.090 Application filing.
- 10.64.100 Application contents.
- 10.64.110 Investigation.
- 10.64.120 Issuance of permit.
- 10.64.130 Term of permit.
- 10.64.140 Trip reduction requirements.
- 10.64.150 Compliance schedule.
- 10.64.160 Appeals.
- 10.64.170 Failure to obtain permit.
- 10.64.180 Violations.

10.64.010 Findings.

The City Council of the City of Rancho Cordova hereby finds and determines that:

- A. The City of Rancho Cordova is projected to experience a significant increase in employment and population growth over the next 20 years, which will result in a projected increase of existing peak hour traffic volumes.
- B. Home-to-work employee commuting generates a significant level of vehicle trips, thereby contributing to traffic congestion, air pollution, and energy consumption problems.
- C. The conventional response to relieving traffic congestion by expanding the capacity of the roadway system is no longer appropriate as the sole solution due to increasing construction and maintenance costs and decreasing revenues for such expenditures.
- D. Ridesharing, transit, and bicycle usage among employees for home-to-work trips are simple and inexpensive alternative means of reducing peak-hour, single-occupant motor vehicle trips. A reduction in such trips can be expected to result in a reduction in traffic congestion, air pollution, and energy consumption impacts related to employment in the City.
- E. While employers have traditionally provided parking facilities to accommodate employee vehicle trips, such employers should also be required to provide programs and incentives to encourage and accommodate ridesharing, transit, bicycle and pedestrian commuting by employees. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.020 Purpose.

The purpose of this chapter is to establish requirements and procedures whereby major employers located in City of Rancho Cordova will develop and implement programs designed to reduce the number of employee vehicle commute trips as part of a broad City of Rancho Cordova program to achieve the following objectives:

- A. Reduce peak-hour traffic circulation and congestion by reducing the number of single-occupant motor vehicle trips associated with home-to-work commuting.

B. Reduce or delay the need for major transportation facility improvements by making more efficient use of existing facilities.

C. Reduce future air pollution concentrations and strive towards meeting federal ambient air pollution standards by reducing the number of single-occupant motor vehicle trips associated with home-to-work commuting.

D. Reduce the consumption of energy for transportation uses and thereby contribute to the national policy to increase energy self-sufficiency. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.030 Definitions.

Unless the context indicates otherwise, the following definitions shall govern the meaning of those terms used in this chapter:

“Common business location” means a single building, group of buildings, or group of work stations at a single site or contiguous sites.

“Commuter matching service” means any system, whether by computer, manual, or mapping methods, which matches commuters residing in one common area, working in another common area, and having approximately the same work starting and stopping times.

“Director” means the director of the public works department.

“Employee transportation coordinator” means an employee, tenant, property manager, property owner, or other appropriate person who has been designated to perform various duties related to meeting the transportation needs of employees of a firm, common work location, or other geographic employment area.

“Person” means a sole proprietor, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district or other individual or entity, either public or private, carrying on an enterprise or conducting any other activity, whether or not for profit.

“Preferential parking” means a program of selecting, assigning or designating vehicle parking spaces in which priority in the selection, assignment, or designation is given to specific classes of vehicles such that vehicles in that class may be parked in locations considered by the vehicle operator to be the best or most desirable location.

“Regular employee” means any employee who works for a business, firm, agency, or other person for three or more days per week and four or more hours per day. [Ord. 15-2022 § 4 (Exh. A); revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0748 § 1, 1988; SCC 567 § 1, 1983].

10.64.040 Permit required.

Except as provided in RCMC 10.64.050, no person shall employ 100 or more persons at a common business location within the City of Rancho Cordova without first applying for and obtaining a trip reduction permit. Said permit must be obtained within 180 days of notification, as described in RCMC 10.64.080.

When a particular person has more than one common business location within the City of Rancho Cordova, each location employing 100 or more persons, that person may apply for and, subject to satisfactorily meeting the requirements of RCMC 10.64.140, may be granted a single trip reduction permit applicable to all business locations described in the approved permit. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.050 Exceptions.

Notwithstanding any other provisions of this chapter, the following uses and activities shall be specifically exempt from the provisions of this chapter:

A. Persons who employ fewer than 100 persons in the City of Rancho Cordova.

B. Temporary construction activities, including activities performed by engineers, architects, contractors, subcontractors, and construction workers, when such activities are related to the construction, development, or other improvement of real property.

C. Emergency activities in which persons are employed to render aid or other services in the event of an emergency or natural disaster.

D. Other temporary activities which employ persons for a period of less than 90 days. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.060 Authority to issue permit.

The Director shall be authorized to issue a trip reduction permit based on satisfactory compliance with the requirements of RCMC 10.64.140. The Director shall be authorized to establish reasonable administrative procedures to implement the provisions of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0748 § 2, 1988; SCC 567 § 1, 1983].

10.64.070 Permit fee.

The City Council may, by resolution, and from time to time, prescribe fees for the issuance and renewal of trip reduction permits. Such fees shall be for the sole purpose of defraying costs incurred in the administration of this chapter.

All fees for the issuance and renewal of permits shall be paid at the time of and with the filing of the application with the Director. No application shall be deemed valid or complete until all prescribed fees have been paid. Unless otherwise prescribed, fees shall not be refundable in whole or in part whether or not the permit is issued or approval granted. Nor shall any such fee be refundable in whole or in part if a permittee ceases operating under the permit in advance of expiration of the term thereof. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.080 Notification of requirements.

The Director shall notify, in writing, all persons required by this chapter to obtain a trip reduction permit. Such notification shall be made in a timely manner based on the compliance schedule contained in RCMC 10.64.150 and shall contain at least the following information:

A. A statement that the recipient is required by this chapter to obtain a trip reduction permit.

B. A description of the requirements which the applicant must satisfy to obtain the permit.

C. A description of the procedures to apply for and obtain the permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.090 Application filing.

All applications for a trip reduction permit shall be filed with the environmental management department. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0748 § 3, 1988; SCC 567 § 1, 1983].

10.64.100 Application contents.

The application for a trip reduction permit shall be filed on a form and contain such information as prescribed by the Director. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.110 Investigation.

The Director shall examine the application to determine whether the applicant complies with the requirements contained in RCMC 10.64.140. Inspection of the business location shall be conducted as necessary to determine compliance with said requirements. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.120 Issuance of permit.

The Director shall act upon the application not later than 30 days after the date it is validly filed, unless the applicant has filed a written request with the Director to extend the time in order that the applicant may submit additional information prior to action by the Director.

The Director shall issue the permit unless (s)he finds, in writing, that the requirements contained in RCMC 10.64.140 have not been met. The Director shall notify the applicant, in writing, of his/her decision to issue or not issue the permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.130 Term of permit.

Except as provided herein, all trip reduction permits shall be valid for a period of one year from the date of issuance by the Director. The Director may issue a trip reduction permit which is valid for three years to any person who has continuously maintained a valid trip reduction permit for a period of two years or more. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.140 Trip reduction requirements.

The granting of a trip reduction permit shall be based on satisfactory compliance with the following requirements:

A. Provide all employees on an annual basis, and all new employees upon hiring, with written information on alternative commute modes, including carpooling, vanpooling, public transit, bicycling, and walking to work. Such material shall include information on the benefits of these alternate modes and details regarding their availability to employees in commuting to the work site.

B. Provide all employees on an annual basis, and all new employees upon hiring, with commuter matching services. This service may be provided by the employer or any agency, firm, consultant, or other person.

C. Provide all employees with the services of an on-site employee transportation coordinator.

D. Provide and administer a program of preferential parking for carpool and vanpool vehicles at each work location. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.150 Compliance schedule.

The requirements of this chapter shall be implemented according to the following schedule:

A. Any person who files an application with the City of Rancho Cordova for a new general business license on or after January 1, 1984, shall be required to comply with the provisions of this chapter.

B. Any person who, on or after January 1, 1985, employs 500 or more persons at a common business location shall be required to comply with the provisions of this chapter.

C. Any person who, on or after January 1, 1986, employs 250 or more persons at a common business location shall be required to comply with the provisions of this chapter.

D. Any person who, on or after January 1, 1987, employs 100 or more persons at a common business location shall be required to comply with the provisions of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 623 § 1, 1985; SCC 567 § 1, 1983].

10.64.160 Appeals.

Any person may appeal the decision of the Director regarding the issuance of a trip reduction permit to the Rancho Cordova City Council. Such appeal must be made in writing no later than 30 days from the date of written notification by the Director of his/her decision to issue or not to issue the permit pursuant to RCMC 10.64.120. Procedures, hearings, and final action by the City Council shall be as provided in RCMC Title 23, Zoning Code. [Revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.170 Failure to obtain permit.

Any person who, after proper notification as required herein, fails to apply for a trip reduction permit, and any person who, after making application for a trip reduction permit, employs 100 or more persons without obtaining a trip reduction permit, as required in RCMC 10.64.040, shall be in violation of this chapter. The Director shall notify any such person, in writing, that he/she is in violation of this chapter. The Director shall also notify the City Attorney and request that appropriate legal action be initiated. [Revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.180 Violations.

Violation of any of the provisions of this chapter constitutes a misdemeanor. Any person, firm, or corporation, whether as principal, agent, employee, or otherwise, who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500.00 or imprisoned for not more than six months in the county jail, or both. Each day such violation continues shall be considered a separate offense. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

Chapter 10.66

REGULATION OF CRUISING

Sections:

- 10.66.010 Cruising prohibited.
- 10.66.020 Cruising defined.
- 10.66.030 Congested traffic defined.
- 10.66.040 Green light cycle defined.
- 10.66.050 Traffic-control point defined.
- 10.66.060 Warning against cruising.
- 10.66.070 Violation of this chapter.
- 10.66.080 Posting of no-cruising zones.

10.66.010 Cruising prohibited.

No person shall engage in the activity known as “cruising,” as defined in this chapter, on the public streets or highways of the City of Rancho Cordova in any area which has been posted as a no-cruising zone. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.020 Cruising defined.

For purposes of this chapter, “cruising” shall be defined as the repetitive driving of any motor vehicle past a traffic-control point in congested traffic at or near the traffic-control point. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.030 Congested traffic defined.

For the purposes of this chapter, “congested traffic” means traffic on any public street or highway which is delayed to the point that:

A. Motor vehicles cannot move through a 100-yard approach corridor to an intersection controlled by a traffic light within two complete green light cycles where the delay in forward movement is due to the position of other motor vehicles; or

B. Motor vehicles cannot move through a 100-yard approach corridor to an intersection controlled by a traffic light within a five-minute period of time where the delay in forward movement is due to the position of other motor vehicles; or

C. Motor vehicles cannot readily move forward on portions of public streets or highways between intersections because traffic speed has slowed to less than five miles per hour, and the delay in movement is due to the position of other motor vehicles.

The determination that a street or highway is congested shall be made by the ranking peace officer on duty in the affected area. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.040 Green light cycle defined.

For purposes of this chapter, a “green light cycle” shall mean the period commencing upon the switching of a red light to a green light through to the return of a red light. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.050 Traffic-control point defined.

For purposes of this chapter, “traffic-control point” shall mean a location along a public street or highway utilized by a peace officer on duty in the affected area as an observation point in order to monitor traffic conditions for potential violations of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.060 Warning against cruising.

A peace officer may issue a written notice to any person driving any motor vehicle passing a traffic-control point that any subsequent passage past that traffic-control point within the next succeeding four hours shall be a violation of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.070 Violation of this chapter.

Any person who, after having received a written notice as described in RCMC 10.66.060, subsequently drives past the same traffic-control point within a four-hour period shall be in violation of this chapter.

The minimum penalty for a first conviction of cruising is a \$100.00 fine; for a second conviction within one year, a \$200.00 fine; for a third or subsequent conviction within one year, a \$250.00 fine. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.080 Posting of no-cruising zones.

A. This chapter will be enforced in any area which has been posted as a no-cruising zone.

B. No-cruising signs shall be posted at the beginning and end of any public street or highway which is a no-cruising zone. The signs shall reference Section 21100(k) of the California Vehicle Code and this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

Chapter 10.70

STREET RACING

Sections:

- 10.70.010 Definitions.
- 10.70.020 Violation.
- 10.70.030 Relevant circumstances to prove a violation.
- 10.70.040 Nonapplicability.
- 10.70.050 Penalty for violation.

10.70.010 Definitions.

For purposes of this chapter, the following definitions shall apply:

“Preparations” for any street race or reckless driving exhibition include, but are not limited to, any of the following acts done for the purpose of the street race or reckless driving exhibition:

1. One or more motor vehicles or persons have arrived at a predetermined location;
2. One or more persons have gathered on, or adjacent to, a public street or highway, or gathered in an off-street parking facility;
3. One or more persons have impeded the free public use of a public street or highway or offstreet parking facility by acts, words or physical barriers;
4. One or more vehicles have lined up with engines running;
5. One or more drivers is revving his or her engine or spinning his or her tires; and/or
6. A person is acting as a race starter.

“Present” means a person is within 200 feet of the site of a street race or reckless driving exhibition, or within 200 feet of the site of the preparations for either of these activities.

“Reckless driving exhibition” means any exhibition of reckless driving described in Section 23103 of the California Vehicle Code.

“Spectator” means a person who is present at a street race or reckless driving exhibition, or the site of the preparations for either of these activities, for the purpose of viewing, observing, watching or witnessing either of these activities without regard to the means by which the person arrived.

“Street race” means any motor vehicle speed contest or motor vehicle exhibition of speed defined or described in Section 23109 of the California Vehicle Code. [Ord. 17-2005 § 1].

10.70.020 Violation.

A. It shall be unlawful for any person to be a spectator at a street race or reckless driving exhibition conducted on a public street or highway or offstreet parking facility.

B. It shall be unlawful for any person to be a spectator at the location of preparations for a street race or reckless driving exhibition conducted on a public street or highway or off-street parking facility.

C. Nothing in this section prohibits law enforcement officers or their agents who are acting in the course of their official duties from being spectators at a street race or reckless driving exhibition or spectators at the location of preparations for either of these activities. [Ord. 17-2005 § 1].

10.70.030 Relevant circumstances to prove a violation.

To prove a violation of this chapter, admissible evidence may include, but is not limited to, any of the following:

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- A. The time of day;
- B. The nature and description of the scene;
- C. The number of people gathered at the scene;
- D. The location of the person charged in relation to any person or group present at the scene;
- E. The number and description of motor vehicles at the scene;
- F. Whether vehicles gathered at the scene are engaged in vehicular stunts and maneuvers; and/or
- G. Whether the individual charged has previously participated in or aided and abetted in a street race. [Ord. 17-2005 § 1].

10.70.040 Nonapplicability.

This chapter does not prohibit members of law enforcement, the medical profession or any other legitimate service provider from being present at a street race or a reckless driving exhibition while in the course of their official duties. [Ord. 17-2005 § 1].

10.70.050 Penalty for violation.

A violation of this chapter shall constitute a misdemeanor. The penalty for a first violation is a \$500.00 fine or imprisonment not to exceed six months, or both. The penalty for each additional violation within one year is a \$1,000 fine or imprisonment not to exceed six months, or both. [Ord. 17-2005 § 1].

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Title 12

STREETS AND SIDEWALKS

Chapters:

- 12.01 Definitions**
- 12.03 Street Improvements**
- 12.08 Construction in Streets**
- 12.09 Street Trench Fee**
- 12.12 Obstruction of Corners**
- 12.16 House Numbers on Curbs**
- 12.20 Underground Utility Districts**
- 12.24 Street Numbering System**

Chapter 12.01

DEFINITIONS

Sections:

12.01.010	Generally.
12.01.020	Arterial.
12.01.030	City.
12.01.040	Department.
12.01.050	Director.
12.01.060	Expressway.
12.01.070	Freeway.
12.01.080	Frontage road.
12.01.090	Major addition.
12.01.100	Street, city.
12.01.110	Street improvement.
12.01.120	Thoroughfare.

12.01.010 Generally.

All words used in the singular include the plural, and the plural the singular; each gender includes the other and any tense includes the other tenses unless the context requires otherwise. “Shall” is mandatory and “may” is permissive. The word “includes” shall not limit a term to the specific examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.020 Arterial.

“Arterial” means a highway as shown on the general plan of the City constructed consistent with City Standards for street design. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 225 § 1, 1975; SCC 192 § 4 (part), 1975].

12.01.030 City.

“City” means the city of Rancho Cordova. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.040 Department.

“Department” means the Department of Public Works of the City. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.050 Director.

“Director” means the Director of the Department of Public Works or his designated representative. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.060 Expressway.

“Expressway” means a highway in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands or in respect to which such owners have only limited or restricted right or easement of access. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § (part), 1975].

12.01.070 Freeway.

“Freeway” means a highway as established pursuant to Section 23.5 of the Streets and Highways Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § (part), 1975].

12.01.080 Frontage road.

“Frontage road” means a street which is approximately parallel to and adjacent to a major thoroughfare, expressway, freeway, or other important traffic facility to which access is limited and which provides access to abutting properties and separation from through and fast traffic. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.090 Major addition.

“Major addition” includes any of the following: (A) any addition to a residential building or a structure when said addition exceeds 50 percent of the floor area of the existing building; (B) any addition to a commercial or industrial building or structure when said addition exceeds 10 percent of the floor area of the existing building or where any remodeling within such a building or structure will, in the opinion of the Director, result in increased traffic upon the public streets; or (C) where remodeling is undertaken to convert a structure from a residential use to any commercial or industrial use. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 1, 1996; SCC 311 § 1, 1977; SCC 192 § 4 (part), 1975].

12.01.100 Street, city.

A street, highway, thoroughfare, road, avenue, boulevard, alley, lane, court, circle, drive or way shall not be a City street until and unless said street has been accepted into a street or road system maintained by the City. Streets and roads in public parks, public airports, public schools and similar public grounds shall not be construed to be City streets for the purpose of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.110 Street improvement.

“Street improvement” refers to such street work and utilities to be installed or agreed to be installed by a developer on land to be used for public or private streets, highways, ways and easements as are necessary for the general use of the property owners and local neighborhood traffic and drainage needs as condition precedent to the approval and acceptance of the project.

“Street improvement” also refers to such other specific improvements or type of improvements, the installation of which, either by the developer, by public agencies, by private utilities, by any other entity approved by the local agency or by a combination thereof, is necessary or convenient to ensure conformity to or implementation of the general plan of the City. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.120 Thoroughfare.

“Thoroughfare” means a highway as shown on the general plan of the City which has a normal right-of-way width of 110 feet. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

Chapter 12.03

STREET IMPROVEMENTS

Sections:

12.03.010	Definitions.
12.03.020	Requirements.
12.03.030	Building permits.
12.03.040	Appeals.
12.03.050	Time deferments.
12.03.060	Notice to install.
12.03.070	Security for frontage improvements.
12.03.080	Frontage improvement security.
12.03.090	Release of improvement security.
12.03.095	Calling of security.
12.03.110	Filing of plans.
12.03.210	Fee structure.
12.03.220	Payment.
12.03.230	Interest.

12.03.010 Definitions.

“Administrator” means the Public Works Director.

“Chief” means the chief of the building and safety department.

“Commercial property” means all property which is not residential.

“Residential property” means single-family residences and duplexes.

“Street improvement” includes, but is not limited to, streets, curbs, gutters, sidewalks, sanitary sewer facilities, storm drain facilities, water supply facilities, street lighting, and landscaping. [Ord. 38-2007 § 1 (Exh. 1(A), (H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0939 § 1, 1993; SCC 192 § 5 (part), 1975; SCC 504 § 1, 1982].

12.03.020 Requirements.

A. Street improvements shall be required in conjunction with any construction, grading, or related work, including the construction of structures, buildings, or major additions thereto, on property located adjacent to any City street or on property utilizing any City street for ingress and egress, except that such improvements shall be deferred as described in RCMC 12.03.050 for residential property unless:

1. Street improvements are, in the opinion of the Administrator, necessary for public safety; or
2. Street improvements would complete the extension of improvements already existing on either side of the subject property.

B. The design, location and specifications of necessary street improvements shall conform to the City of Rancho Cordova improvement standards and standard construction specifications, as adopted by the City Council, and as amended from time to time. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 192 § 5 (part), 1975; SCC 504 § 2, 1982].

12.03.030 Building permits.

No building permit for any structure or building or major addition to a building or structure shall be issued until a site plan has been approved by the Administrator which shows all street improvements. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0731 § 1, 1988; SCC 192 § 5 (part), 1975].

12.03.040 Appeals.

A. The applicant or any interested person adversely affected by any action relating to the provisions of this title may appeal the action by submitting a written notice of appeal with the City Manager within 15 days of the date of the decision. The City Manager or his or her designee shall conduct an informal hearing on the appeal within 15 days of receipt of the notice of appeal.

B. The applicant or any interested person may appeal the decision of the City Manager by filing a notice of appeal with the City Council within 15 days of the date of the decision. Any such notice shall be in writing, signed by the appellant under penalty of perjury. The notice shall include the following information:

1. A complete description of the factual basis for the appeal;
2. The legal basis for the appeal; and
3. The remedy sought by the appellant.

If the appeal is not filed within such time or manner, the right to a review of the action against which complaint is made shall be deemed to have been waived.

C. Not later than 30 days following the date of filing an appeal, the City Council shall conduct a hearing to determine whether street improvements are required. Notice of the date set for hearing shall be mailed to the parties at least 10 calendar days prior to the hearing date.

D. At the hearing, the City Council may hear any oral or documentary evidence that the appellant may offer in addition to the information in the notice of appeal, together with any oral or written information that may be submitted by City representatives in support of the determination that is the subject of the appeal. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.03.050 Time deferments.

A. The Administrator may defer the requirement of concurrent construction of improvements for commercial properties, or may accept a cash payment in an amount determined by the Administrator in lieu of improvements, if the Administrator determines that the character of the surrounding neighborhood and the present development thereof does not require the immediate installation and construction of the improvements required by this chapter, as of the time of the construction of the building or structures authorized by the building permit.

B. The Administrator may defer the requirement of concurrent construction of improvements for residential properties if the Administrator determines that immediate installation and construction of the improvements required by this chapter are not required due to the following:

1. A street design has not been defined for the street on which the subject property is situated;
2. Improvements are installed on less than 50 percent of the public street frontage within a one-quarter mile radius of the proposed new structure(s) or major addition(s); or
3. The cost to install street improvements (including but not limited to grading improvements, landscaping and public utility relocation) would be equal to or greater than 20 percent of the fair market value of the proposed new structure(s) or major addition(s). The property owner has the burden of proof as to the cost of installation.

C. For both commercial and residential properties, the deferral shall not be effective until such time as the owner of the property enters into a deferred improvement agreement with the City. The Administrator shall be authorized to execute the agreement on behalf of the City and shall be the agent of the City to perform all acts required of the City respecting the agreement, or its performance, completion or release. The agreement shall be in a form approved by the City Attorney and shall provide all of the following:

1. That the owner install the improvements at his or her own cost;

2. That installation shall occur at such time as the Administrator determines at his or her sole discretion that the character of the surrounding neighborhood and the development thereof require the installation of the improvements;
3. That if the City is required to install the improvements, all costs thereof shall be borne by the owner, shall be paid immediately and shall be a lien upon the property; except that, in cases of undue hardship as determined by the Administrator, the Administrator shall accept a promissory note and deed of trust in lieu of immediate payment; and
4. Such other provisions as in the opinion of the Administrator and City Attorney are administratively necessary or convenient to carry out the purpose and intent of this chapter. [Revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0796 § 1, 1990].

12.03.060 Notice to install.

When the Administrator determines pursuant to RCMC 12.03.050 that the installation of the improvements is required, he or she shall give 30 days' notice in writing to the owner or his or her successor in interest to install the required improvements. When the Administrator requires the installation of the improvements, the owner or his or her successor in interest shall comply with the provisions of this chapter relating to the approval of improvement plans for the required improvements. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.070 Security for frontage improvements.

This chapter applies to frontage improvements which are required on the approved plans and which are not covered by the Subdivision Map Act (Division 2, Title 7 of the Government Code) and RCMC Title 22. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.080 Frontage improvement security.

A security in the amount of 100 percent of the total estimated costs of the frontage improvements will be required for all projects to guarantee and warranty that the frontage improvements are completed in a timely manner and in accordance with the approved plans and the City's improvement standards. The security shall guarantee and warranty the work for one year following its completion and acceptance against defective work, labor or materials. The estimate of frontage improvement costs will be approved by the Administrator. The security shall be implemented by means of a frontage improvement agreement between the owner and the City. This agreement shall be executed in behalf of the City by the Administrator. The security shall be in the form of a performance bond or other security acceptable to the Administrator. The security and agreement shall be provided to the City prior to improvement plan approval. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.090 Release of improvement security.

The security furnished by the owner shall be released by the administrator upon satisfactory completion of the frontage improvement work. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.095 Calling of security.

In the event that the frontage improvements are not completed in a timely manner, or if the facilities are occupied before the improvements are complete, or if the project is suspended, or if the facilities are left in a condition that is detrimental to the public health and safety, the city may take action to complete the project or to collect unpaid fees and costs by calling the security. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.110 Filing of plans.

Plans for all required improvements, as well as for all additional improvements to be installed in, over or under any existing or proposed right-of-way, easement or parcel, shall be filed with the Administrator for review.

A. Plans shall be subject to approval by the Administrator prior to the issuance of a building permit for subdivisions and developments not requiring submission of a final subdivision map in accordance with the provisions of RCMC Title 22.

B. The construction of all such improvements as may be approved by the Administrator are subject to his or her inspection to assure compliance with City requirements. The Administrator shall have full jurisdiction over the

inspection of all such construction. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 192 § 5 (part), 1975].

12.03.210 Fee structure.

A fee shall be paid to the City for plan checking, inspection, material testing services and other services performed, or authorized to be performed, by the Administrator. The fee for all on-site and off-site improvement plans shall be the direct cost incurred by the City based on the hourly rate of personnel. This hourly rate shall include all overhead costs. The fee shall include a processing fee equal to one hour's time of appropriate personnel involved, as well as one-year follow-up inspection fee equal to five hours' time of the appropriate personnel involved, rounded to the nearest dollar. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1147 § 1, 1999; SCC 1049 § 3, 1996; SCC 0792 § 2, 1990; SCC 361 § 1, 1978; SCC 192 § 5 (part), 1975; SCC 464 § 1, 1981].

12.03.220 Payment.

A minimum deposit of \$750.00 shall be paid by the applicant upon submittal of the improvement plans. The balance of the fees charged under RCMC 12.03.210 shall be paid prior to final acceptance of the construction by the Administrator. In the event the actual total charges do not exceed the minimum deposit amount, the City shall reimburse the payer the difference between the deposit amount and the actual total charges. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0827 § 1, 1991; SCC 0792 § 3, 1990; SCC 361 § 2, 1978; SCC 329 § 1, 1978; SCC 192 § 5 (part), 1975; SCC 464 § 2, 1981].

12.03.230 Interest.

Interest of one and one-half percent per accounting period (28-day cycle) compounded each accounting period shall be added to the unpaid balance due to any account payable under RCMC 12.03.220 for any unpaid balance on the account which was not paid within 28 days of the date it was billed. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0792 § 4, 1990; SCC 329 § 2, 1978].

Chapter 12.08

CONSTRUCTION IN STREETS

Sections:

12.08.005	Title.
12.08.010	Definitions.
12.08.020	Permit required.
12.08.030	Permit fees.
12.08.040	Filing of plan.
12.08.050	Compliance with permits.
12.08.060	Refilling upon completion.
12.08.070	Deposit.
12.08.080	Waiver of deposit.
12.08.090	General deposit.
12.08.100	Refusal to refill excavation.
12.08.110	Exemptions.
12.08.120	Permit nontransferable.
12.08.130	Emergency excavation.
12.08.140	City liability.
12.08.150	Abatement proceedings.
12.08.160	Penalty and cost of enforcement.

12.08.005 Title.

This chapter shall be known as the construction in streets ordinance. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998].

12.08.010 Definitions.

For purposes of this chapter, “obstruction” shall be defined as any activity or structure, temporary or permanent, encroaching into the road right-of-way excepting utility poles or pole lines placed upon the unimproved portion of the highway.

For purposes of this chapter, “person” includes any individual, firm, partnership, association, corporation, public district or other political subdivision.

For purposes of this chapter, “Road Commissioner” means the Public Works Director. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 1, 1952].

12.08.020 Permit required.

It is unlawful for any person to lay, construct or maintain any pipes, drain, or conduit across, along or on any street, road or highway in the City, or to make any excavation or cut or obstruction therein for such purposes without first obtaining a permit from the Road Commissioner to do so in the manner herein provided. Every applicant shall state in detail the following information:

A. The location, dimension, purpose, extent and nature thereof;

B. The time during which it is estimated that the excavation or obstruction will exist;

C. Such other information as may be required by the Road Commissioner. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 2, 1952].

12.08.030 Permit fees.

A minimum processing fee of \$75.00 or such other amount as may be established by resolution of the City Council shall be paid for permits prior to permit issuance, except where a continuous billing account has been established. Additional costs incurred by the Rancho Cordova Public Works Department for processing and inspection shall be billed to the permittee on a time and material basis, based upon the prevailing Public Works Department rates in

effect at the time of permit processing. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 3, 1952].

12.08.040 Filing of plan.

Every applicant for a permit hereunder shall file with the application a plan showing the street or highway in which the proposed excavation will be made, together with the approximate locations and dimensions of the proposed excavations or obstructions. When excavations are made for service connections or for the repair of trouble in conduits or other pipes, or for culverts or drainage pipes under driveways, the Road Commissioner may waive the filing of a plan. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 4, 1952].

12.08.050 Compliance with permits.

Any act done under the authority of a written permit issued pursuant to the provisions of this chapter shall be done in accordance with the terms and conditions of such permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 5, 1952].

12.08.060 Refilling upon completion.

Immediately upon completion of the work necessitating the excavation or obstruction permitted by the permit issued hereunder, the permittee shall, at his or her own cost and expense, promptly and in a workmanlike manner refill the excavation or remove the obstruction. All excavations shall be refilled in a manner consistent with then-applicable City standard specifications and the specific terms and conditions contained in the permit. Upon completion of the refilling of the excavation, the Road Commissioner shall require the permittee to resurface that portion of the street or highway damaged by the permittee's excavation or obstruction. The resurfacing shall be done in accordance with the standard specifications prescribed by the City Council for the repair and resurfacing of City streets. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 6, 1952].

12.08.070 Deposit.

Except as hereinafter provided, the Road Commissioner shall require the applicant to deposit a sum of money sufficient in the opinion of the Road Commissioner to cover the total cost of refilling any excavation and proper restoration of the highway as required hereunder. If the work of refilling the excavation is in accordance with the requirements of RCMC 12.08.060 and the restoration of the highway is completed in accordance with the standards herein prescribed, the deposit shall be returned to the permittee at the expiration of 180 days from the completion of work. If during such time the refilled excavation settles, or if the resurfacing or restoration of the highway disintegrates or develops ruts or holes, the Road Commissioner shall require the permittee to repair or resurface the highway to eliminate all ruts and holes therein. If the permittee fails or refuses to do such work, the Road Commissioner shall do the work required, and pay the cost thereof out of the deposit. If the deposit is insufficient for this purpose the deficiency shall be charged to the permittee. If the permittee fails or refuses to pay such a deficiency upon demand, the City may recover the same by an action in any court of competent jurisdiction. Until the deficiency is paid in full no new permits shall be issued to such permittee. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 7, 1952].

12.08.080 Waiver of deposit.

The Road Commissioner may waive a special deposit whenever in his or her opinion the proposed excavation or obstruction is of a minor nature or other suitable security is provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 8, 1952].

12.08.090 General deposit.

In lieu of making a special deposit required by RCMC 12.08.070, the applicant may make and maintain with the Road Commissioner a general deposit in an amount estimated by the Road Commissioner to be sufficient to pay for the cost of any expected repairs occasioned by any excavation or obstruction authorized by any permit issued hereunder to the applicant, but not to exceed \$25,000. The general deposit shall be held and used for the same purposes as the special deposit required herein. The deposit shall be a corporate surety bond or other corporate bond acceptable to the road commissioner, cash, certified check or cashier's check payable to the City; provided, however, the maintenance of a general deposit does not relieve an applicant from making application for every proposed excavation or obstruction, but more than one proposed excavation or obstruction may be included in one application. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 9, 1952].

12.08.100 Refusal to refill excavation.

If the permittee fails or refuses to refill any excavation as required by RCMC 12.08.060 or remove any obstruction which he or she has placed upon the highway or fails and refuses to restore or resurface that portion of the surface of the highway damaged by him or her in accordance with the standards herein prescribed, the Road Commissioner may do such refilling and resurfacing and pay the cost thereof out of the deposit made by the permittee. The deposit shall also be used to maintain the work for a period of 180 days after completion thereof. If the amount of the deposit is not sufficient to cover the cost of the work and the maintenance thereof, the deficiency shall be charged to the permittee. If the permittee fails or refuses to pay the deficiency upon demand, the City may recover the same by an action in any court of competent jurisdiction. Until the deficiency is paid in full no new permits shall be issued to such permittee. In lieu of such deductions the Road Commissioner may bill such person for the amount owed by him or her to the City. If such amount is not paid within 15 days of the rendition of the bill, the Road Commissioner may deduct the amount from the general deposit as herein provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 10, 1952].

12.08.110 Exemptions.

No deposit shall be required of any public district, public utility, or political subdivision (as provided in Section 1468 of the California Streets and Highways Code) which is authorized by law to establish or maintain works or facilities in, under or over any public highway, nor shall the application of any such governmental unit be denied except as hereinafter provided. Every such applicant shall be entitled as a matter of right to a permit but shall otherwise be subject to the provisions of this chapter. The Road Commissioner shall have the right to deny a permit to such applicant where the applicant has failed to comply with the provisions of this chapter relating to the refilling of excavations, removing or relocating obstructions or the resurfacing or restoration of any highway, and the maintenance thereof, under any previous permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 11, 1952].

12.08.120 Permit nontransferable.

All permits issued hereunder shall be nontransferable and the work authorized by the permit must commence within 30 days of issuance thereof, and must be completed within the time estimated in the application. The Road Commissioner may grant a reasonable extension when the work has been unavoidably delayed without fault of the permittee. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 12, 1952].

12.08.130 Emergency excavation.

Nothing herein contained shall prohibit any person from making such excavation as may be necessary for the preservation of life or property when such necessity arises if the person making the excavation promptly notifies the Road Commissioner of any such action. Any person making such excavation shall refill the excavation in accordance with the standards prescribed by this chapter that would be applicable if a permit was received. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 13, 1952].

12.08.140 City liability.

The issuance of a permit hereunder shall not be construed as imposing any liability upon the City or upon any of its officers or employees by reason of damage or injury to persons or property resulting from any excavation or obstruction authorized by the permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998].

12.08.150 Abatement proceedings.

Any activity contrary to the provisions of this chapter or contrary to an encroachment permit or the terms or conditions imposed therein is unlawful and a public nuisance, and the Road Commissioner is authorized to commence in the name of the city actions or proceedings for the abatement and removal and enjoining thereof in the manner provided by law, and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate and remove such operation and restrain and enjoin any person, firm or corporation from so operating. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998].

12.08.160 Penalty and cost of enforcement.

A. Any person violating the provisions of this chapter or any encroachment permit issued pursuant to this chapter is guilty of a misdemeanor.

B. In addition to any other remedies available at law, any person violating the provisions of this chapter or any encroachment permit issued pursuant to this chapter shall be liable to the City for all expenses and damages caused by any such violation.

C. 1. In addition to any other remedies provided by this chapter or state law, there are hereby imposed the following administrative civil penalties for each violation of this chapter or the terms and conditions of any encroachment permit issued pursuant to this chapter:

a. Any person initiating work within the public road right-of-way without obtaining an encroachment permit shall be subject to and responsible for a fine in the amount of \$2,500 for a first violation, \$5,000 for a second violation, or \$10,000 for a third or subsequent violation.

b. Any person in possession of a valid encroachment permit that initiates work within the public road right-of-way, but fails to provide notification for inspection as required by the permit, shall be subject to and responsible for a fine in the amount of \$1,000 for a first violation, \$2,500 for a second violation, or \$5,000 for a third or subsequent violation.

2. Whenever the Road Commissioner determines that an encroachment violates the provisions of this chapter, or the terms and conditions of any encroachment permit issued pursuant to this chapter, the road commissioner shall give written notice of such violation to the alleged violator. The notice shall include the following information:

a. The street address, legal description or other description sufficient to identify the affected property.

b. The penalty imposed as a result of such violation.

c. A statement that the party affected may file a written request for hearing with the Road Commissioner if it objects to imposition of the penalty.

d. A statement that the penalty imposed shall be enforced if the party fails to file a timely written request for a hearing.

3. Notice of any administrative civil penalty shall be served either personally or by mailing a copy of such notice by certified mail, postage prepaid, return receipt requested, to the alleged violator. Service shall be effective for all purposes upon receipt if personally served, or within five days of mailing as herein provided. Proof of service of the notice shall be certified at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring the time, date, and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to the copy of the notice retained by the Road Commissioner. The failure of a party to receive such notice shall not affect in any manner the validity of any proceedings taken pursuant to this chapter.

4. a. A written request for a hearing must be received by the Road Commissioner within seven days of the effective date of service of the notice. The Road Commissioner shall set a time and date for the hearing and notify the party requesting the hearing in writing of the time, date and place of the hearing. The hearing shall be before a hearing officer designated by the Road Commissioner.

b. The hearing shall be held at the earliest administratively convenient date, taking into consideration the availability of counsel and witnesses. Notice of the date set for hearing shall be mailed to the parties at least 10 calendar days prior to the hearing date. The alleged violator shall be entitled to appear personally, produce evidence, and be represented by counsel. At the hearing, the county shall have the burden of going forward first with evidence in support of the allegations contained in the order imposing penalties and shall have the burden of establishing the facts by a preponderance of the evidence. The hearing officer may administer oaths and take official notice of facts as authorized by law.

c. Oral evidence shall be taken only on oath or affirmation.

d. Each party shall have the following rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not

covered in the direct examination; to impeach any witness regardless of which party first called him or her to testify; and to rebut the evidence against it.

e. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the extent that they are otherwise required by statute to be recognized at the hearing, and irrelevant and unduly repetitious evidence shall be excluded.

f. The order of the hearing officer shall be in writing resolving the essential issues raised and confirming, amending or rejecting the administrative civil penalty imposed by the Road Commissioner. Procedures concerning notice and service thereof shall be as provided herein.

5. The manner of contesting the final order of the hearing officer concerning any administrative civil penalty is governed by Section 53069.4 of the Government Code, or any successor provision thereto. A copy of the notice of appeal authorized by Section 53069.4 of the Government Code shall be served upon the City Clerk.

D. Each party violating any provision of this chapter or any encroachment permit issued pursuant to this chapter shall be guilty of a separate offense for each and every day on which any such violation is committed, continued, or permitted by any such person.

E. In addition to any penalty, sanction, fine or imprisonment, any person violating the provisions of this chapter or any encroachment permit issued pursuant to this chapter shall be required to pay any and all expenses of enforcement, including those costs necessary to inspect, remove and/or correct the violation. In addition to all remedies herein contained, the City may pursue all reasonable and legal means in collecting those sums authorized and due. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998].

Chapter 12.09

STREET TRENCH FEE

Sections:

- 12.09.010 Title.
- 12.09.020 Definitions.
- 12.09.030 Trench restoration fee.
- 12.09.040 Establishment of fund.
- 12.09.050 Relocation of utilities required by city.
- 12.09.060 Permit violations.
- 12.09.070 Pavement condition index ratings.
- 12.09.080 Pavement life performance warranty.
- 12.09.090 Repair of sunken pavement over excavation.
- 12.09.100 Publicly bid city plans, field changes and blanket permits.
- 12.09.110 Coordination of excavations.
- 12.09.120 Moratorium.
- 12.09.130 Excavation within moratorium period.
- 12.09.140 Joint excavation.
- 12.09.150 Nontransferability of pavement life warranty.
- 12.09.160 Appeal.
- 12.09.170 Severability.

12.09.010 Title.

This chapter shall be known as the street trench fee ordinance. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.020 Definitions.

For purposes of this chapter, the following definitions apply:

“Applicant” shall mean any owner who has submitted an application for a permit to excavate.

“Chapter” shall mean Chapter 12.09 RCMC.

“City” shall mean the City of Rancho Cordova.

“City street” shall mean any public highway, road, street, avenue, alley, lane, drive, way, place, court or trail which has been accepted, or is hereafter accepted, by the City of Rancho Cordova into the city road system pursuant to Section 1806 of the California Streets and Highways Code.

“Department” shall mean the Public Works Department.

“Director” shall mean the Public Works Director or his or her designee.

“Excavation” shall mean any opening in the paved surface or subsurface of the public right-of-way.

“Facility” or “facilities” shall mean any and all cables, cabinets, ducts, conduits, converters, equipment, drains, handholds, manholes, pipes, pipelines, splice boxes, surface location markers, tunnels, utilities, vaults, wells, and other appurtenances or tangible things that are located or are proposed to be located in the public right-of-way.

“Owner” shall mean any person, including any agency, department, or subdivision of the City, who owns any facility or facilities that are or are proposed to be installed or maintained in the public right-of-way.

“Permit” or “permit to excavate” shall mean a permit to perform an excavation as it has been approved or may be amended or renewed by the Department.

“Person” shall mean any natural person, corporation, partnership, or any governmental agency, department, or subdivision of the county, or the state of California, or the United States of America.

“Public right-of-way” shall mean the paved area across, along, beneath, in, on, over, under, upon, and within the City streets, as they now exist or hereafter will exist and which are or will be under the permitting jurisdiction of the Public Works Department.

“Resurfacing” shall mean any repaving, overlay, seal or reconstruction which constructs a new pavement surface of greater than one inch thickness over the entire width of the street, excluding crack seals, not including micropaving, Class 1 to 3 slurry seals, cape seals, and chip seals.

“Trench influence area” shall mean an area three feet adjacent to the trench where the excavation occurs for trenches with four feet or greater of cover over the utility facility from the paved surface, and one and one-half feet adjacent to the trench where the excavation occurs for trenches with less than four feet of cover over the utility facility from the paved surface. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.030 Trench restoration fee.

At the time any permit is issued, improvement plan approved, or work performed that causes an excavation of a paved city street, the applicant shall pay a trench restoration fee in addition to the fee required by the encroachment permit or other administrative fees. The fee shall be in the amount set forth on the trench cut fee schedule established by resolution of the City Council. A trench restoration fee shall not be required for the following excavations:

A. In a City street that the City has scheduled for resurfacing either during the fiscal year (July 1st through June 30th) when the excavation permit is issued or during the immediately following fiscal year;

B. In a City street where the pavement condition index (PCI), as defined by the City’s pavement management system, is less than 25 on the date the excavation permit is issued;

C. For work performed by and for the City Public Works Department;

D. For potholing to verify utility depth or location;

E. Where work will include resurfacing of all or a significant portion of the City street where the excavation is made; provided, that the Director approves the resurfacing;

F. Made for a utility relocation required by the City to accommodate a proper governmental use of a City street;

G. For owners possessing a valid pavement life performance warranty agreement with the City as set forth in RCMC 12.09.080;

H. Trenchless excavations greater than three feet in depth of cover over the utility facility not requiring a significant surface incision greater than industry bore pit standards may be excluded at the discretion of the Director. [Ord. 6-2010 § 7; Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.040 Establishment of fund.

All monies paid to the City pursuant to RCMC 12.09.030 shall be deposited in a special fund or funds and shall be expended only for the resurfacing, maintenance, administration, and protection of City streets where excavation has occurred after the effective date of adoption of the ordinance codified in this chapter. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.050 Relocation of utilities required by City.

No fee or requirement authorized or imposed pursuant to this chapter shall be construed to affect or alter in any way any obligation of public and private utilities with facilities installed in any City street to relocate the facilities at no cost to the City, in the event that relocation is required by the City to accommodate a proper governmental use of the City street. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.060 Permit violations.

No person who has violated any provision of this chapter shall be issued an excavation permit, nor shall any contractor or agent apply for or be issued an excavation permit on such person's behalf, until the outstanding violation is corrected or a plan for correction is approved by the director. The foregoing requirement is in addition to any penalty or remedy for violation that may be imposed or sought by the City at law or equity. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.070 Pavement condition index ratings.

The City shall perform periodic pavement condition surveys of all City streets and determine the pavement condition index (PCI) rating for each street. A PCI rating shall be assigned to discrete blocks of a street. The PCI report shall be made available for public review at the permit counter. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.080 Pavement life performance warranty.

In lieu of paying a trench restoration fee required by RCMC 12.09.030, an owner who has a valid franchise agreement with the City or is statutorily exempt from franchise requirements shall provide a written pavement life performance warranty in a form acceptable to the City. The warranty shall provide that in the event that subsurface material or pavement over or within the trench influence area becomes depressed, broken, or otherwise fails at any time after the excavation has been completed until such time as the street surface is completely resurfaced with a structural overlay, the owner who performed the trench cut shall repair or restore such condition pursuant to the procedure set forth in RCMC 12.09.090. In the event that an owner who has a valid franchise agreement with the City or is statutorily exempt from franchise requirements fails or refuses to provide a written pavement life performance warranty, such owner shall pay the trench restoration fee set forth in the fee schedule adopted by resolution of City Council. [Ord. 6-2010 § 8; Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.090 Repair of sunken pavement over excavation.

If the subsurface material or pavement over or within the trench influence area becomes depressed or broken at any time within two years after the excavation has been completed and accepted and before resurfacing of the City street, where the owner has paid a trench restoration fee pursuant to RCMC 12.09.030, or at any time prior to such time as the street surface is completely resurfaced with a structural overlay, where the owner has provided a pavement life performance warranty pursuant to RCMC 12.09.080, the owner shall, upon written notice from the director, immediately inspect the depressed or broken area to ascertain the cause of the failure. The owner shall make repairs to the installation or backfill and have the pavement restored in the manner and within the time period specified by the Director. Additional inspection permit fees may be imposed as appropriate. A trench restoration fee shall not be charged for work performed under this section. If the pavement is not restored as specified by the Director, unless delayed by conditions beyond the owner's control, the Director may cause the work to be done after giving the owner 24 hours' final notice. The cost thereof, including any inspection costs and administrative overhead incurred by the City, shall be assessed against the owner. The owner shall remain responsible for any future repairs of that portion of pavement over the excavation that was repaired by the City for a period of two years, where the owner has paid a trench restoration fee pursuant to RCMC 12.09.030, or at any time prior to such time as the street surface is completely resurfaced with a structural overlay, where the owner has provided a pavement life performance warranty pursuant to RCMC 12.09.080. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.100 Publicly bid city plans, field changes and blanket permits.

Publicly bid city plans, field changes that alter the square footage of the trench surface area and blanket permits issued by the Director to any owner to make excavations for utility service connections, for the location of trouble in utility conduits or pipes and for making repairs thereto, or for emergency purposes shall be subject to all fees and requirements of this chapter. The owner shall report the amount of excavation to the permit counter and pay the required fees. Failure to report the excavation and pay the required fees shall be considered a permit violation pursuant to RCMC 12.09.060. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.110 Coordination of excavations.

Any owner installing facilities providing water, sewer, storm water drainage, gas, electric, communication, video or other utility services in city streets shall participate in the American Public Works Association ("APWA") Utility Committee and prepare a utility master plan, in a format specified by the APWA Utility Committee, that shows all of the owner's planned major utility work in city streets for the upcoming year. Prior to applying for an excavation

permit, any owner planning to excavate in City streets shall coordinate, to the extent practicable, with other owners to minimize damage to, and avoid undue disruption and interference with, the public use of City streets. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.120 Moratorium.

Excavation in newly renovated City streets is prohibited for five years after filing of a notice of completion or acceptance of a new street or structural overlay of an entire street except as follows:

- A. Emergency which endangers life or property.
- B. Repair or modification to prevent interruption of essential utility service.
- C. Relocation work that is mandated by City, county, state or federal legislation.
- D. Service for buildings where no other reasonable means of providing service exists, as determined by the Director.
- E. In a City street that the City has scheduled for resurfacing either during the fiscal year (July 1st through June 30th) when the excavation permit is issued or during the immediately following fiscal year and the work takes place prior to the resurfacing.
- F. For potholing to verify utility depth or location.
- G. Trenchless excavations greater than three feet in depth of cover over the utility facility not requiring a significant surface incision greater than industry bore pit standards may be allowed at the discretion of the Director.
- H. Other situations deemed by the Director to be in the best interest of the general public. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.130 Excavation within moratorium period.

Where a permit is issued to excavate during the five-year period after filing of a notice of completion or acceptance of a new street or structural overlay of an entire street, payment of the trench restoration fee in the fee schedule adopted by resolution of the City Council will be required regardless of whether the owner has executed a pavement life performance warranty. [Ord. 6-2010 § 9; Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.140 Joint excavation.

Whenever applicants propose major work in the same block, the department shall condition permits for such work in a manner that maximizes coordination and minimizes the total period of construction. Such work may be conditioned to require the applicants to participate in a single excavation and pay their pro rata share of the work. Applicants may seek a waiver of the joint excavation requirements with respect to a particular excavation. Within 30 calendar days of receipt of a written request for a waiver, the Director shall render a decision upon such a request, taking into account the impact of the proposed excavation on the neighborhood, the applicant's need to provide services to a property or area, facilitating the deployment of new technology as directed pursuant to official City policy, and the public health, safety, welfare, and convenience. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.150 Nontransferability of pavement life warranty.

Pavement life warranty agreements are not transferable or assignable. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.160 Appeal.

A person directly and adversely affected by a decision made by the Director pursuant to the provisions of this chapter may appeal the Director's decision by filing a written notice of appeal with the City Manager no later than 10 working days after receiving notice of the Director's decision. The notice of appeal shall set forth the name, mailing address, and telephone number of the person appealing. The notice of appeal shall include or attach a statement describing the action being appealed, setting forth the grounds for the appeal, and describing the action requested of the City Manager. The scope of the appeal shall be limited to the grounds specified in the notice of appeal. No later than 30 days after the filing of a timely notice of appeal, the City Manager shall render a decision on the appeal. The City Manager's decision may affirm, reverse or modify the decision appealed. A copy of the City

Manager's decision shall be provided to the person appealing at the address shown on the notice of appeal. The City Manager's decision shall be final. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.170 Severability.

Should any part of this chapter be declared invalid by a court of competent jurisdiction, the remaining provisions of this chapter shall remain in force and effect. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

Chapter 12.12

OBSTRUCTION OF CORNERS

Sections:

- 12.12.010 Obstructions at public street intersections and intersection elbows.
- 12.12.020 Obstructions at private driveways and public streets.
- 12.12.030 Street right-of-way line defined.
- 12.12.040 Exceptions.
- 12.12.050 Enforcement.
- 12.12.060 Scope.

12.12.010 Obstructions at public street intersections and intersection elbows.

It is unlawful to install, set out or maintain or to allow the installation, setting out or maintenance on property at any corner formed by intersecting streets or intersection elbows within the City of Rancho Cordova any sign, hedge, shrubbery, natural growth, fence or other obstruction to the view, higher than two feet, six inches above either the nearest pavement surface or the nearest traveled roadway (where there is no pavement) within that triangular area between the street right-of-way lines and a diagonal line joining points on the street right-of-way lines 20 feet from the point of their intersection or, in the case of rounded corners, the triangular area between the tangents to the curve and a diagonal line joining points on the tangent 20 feet from the point of their intersection. In the case of intersection elbows, 40-foot lengths instead of 20-foot lengths are applicable. The tangents referred to are those at the beginning and at the end of the curve at the corner. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0777 § 1, 1989, SCC 399 § 1, 1979; SCC 785 § 1, 1962].

12.12.020 Obstructions at private driveways and public streets.

It is unlawful to set out, install or maintain, or to allow the setting out, installation, or maintenance of any sign, hedge, structure, natural growth, fence, or other obstruction to the view higher than two feet, six inches above the nearest pavement surface (or traveled area where no pavement exists) on property adjacent to any private road or driveway intersecting a public street, within a triangular area formed by the edge of the driveway, the street right-of-way line, and a line connecting two points, one of which is on the right-of-way line 10 feet from the edge of the driveway, and the other of which is on the edge of the driveway 10 feet back of the right-of-way line measured perpendicular to the right-of-way line in a direction away from the street. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 399 § 2, 1979; SCC 1045 § 1, 1969; SCC 785 § 2, 1962].

12.12.030 Street right-of-way line defined.

Where the street right-of-way line is nearer to the centerline of the street than any existing sidewalk, the street right-of-way line shall be assumed to be coincidental with the back edge of the sidewalk for determining the triangular area for which this chapter controls obstructions to visibility. Where there is no sidewalk but the street right-of-way line is nearer to the centerline of the highway than any existing curb and gutter, the street right-of-way line shall be assumed to be coincidental with the back edge of the curb and gutter for determining the triangular area for which this chapter controls obstructions to visibility. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 785 § 3, 1962].

12.12.040 Exceptions.

The foregoing provisions shall not apply to the following:

- A. Permanent buildings;
- B. Public utility poles;
- C. Trees trimmed to the trunk so as to provide a clear open space between pavement grade and a plane six feet higher, pavement grade being defined as either:
 - 1. The nearest pavement surface; or
 - 2. The nearest traveled roadway (where there is no pavement);

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Exhibit A to the Ordinance

D. Saplings;

E. Fences of a type which in no way obstruct vision;

F. Supporting members of appurtenances to permanent buildings existing on October 31, 1962;

G. Official signs or signals;

H. Places where the contour of the ground is such that there can be no cross-visibility at the intersection;

I. Signs mounted so as to provide a clear, open space (except for supporting members) of 10 feet or more above the ground and whose supports do not constitute an obstruction as defined in RCMC 12.12.020;

J. Fences as may be required by the Federal Housing Administration or other home mortgage lending agency within subdivision corner lots as defined in RCMC Title 22, which have rear yards contiguous to a highway designated by the Department of Public Works as a major highway with 100 feet of right-of-way, or designated by the Department of Public Works as a major arterial with 80 feet of right-of-way or a frontage road;

K. Any passenger motor vehicle not to exceed six feet in height parked either temporarily or on display for sale on property zoned other than residential single-family, residential multiple-family or on other residential property. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 811 § 1 (part), 1963; SCC 785 § 4, 1962].

12.12.050 Enforcement.

A. This chapter shall be enforced by the Department of Public Works of the City. The Director of the Department of Public Works or his authorized representative may investigate violations of this chapter, give such notices as may be required to carry out this chapter, and perform such other duties in connection with the enforcement of this chapter as may be appropriate.

B. Remedies. Any obstruction maintained in violation of this chapter may be deemed a public nuisance, and upon failure to abate the same within 15 days after posting upon the premises of a notice to abate the nuisance signed by the public works director, or his authorized representative, and after sending a copy of the notice to abate by registered mail addressed to the owner of record, as shown on the most recent assessment roll of the County of Sacramento, to the address as shown on the assessment roll, the director, or his authorized representative, may enter upon the premises and remove or eliminate the obstruction. In such event, the cost to the City of the abatement of the nuisance shall be a lien upon the premises. The cost of such abatement shall, in addition, be a personal obligation against the owner of the premises upon which the nuisance was maintained, recoverable by the City in an action before any court of competent jurisdiction. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0777 § 2, 1989; SCC 785 § 5, 1962].

12.12.060 Scope.

No obstruction to cross-visibility shall be deemed to be excepted from the application of this chapter because of its being in existence at the time of the adoption hereof, unless expressly exempted by the terms of RCMC 12.12.040. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 785 § 7, 1962].

Chapter 12.16

HOUSE NUMBERS ON CURBS

Sections:

- 12.16.010 Permit required.
- 12.16.020 Other requirements.
- 12.16.030 Applications.
- 12.16.040 Prior approval required.
- 12.16.050 Standards.
- 12.16.060 Liability.
- 12.16.070 Conditions.
- 12.16.080 Employee list.
- 12.16.090 Cancellation.
- 12.16.100 Appeal.
- 12.16.110 Penalty.

12.16.010 Permit required.

It is unlawful for any person to paint or cause to be painted any house numbers on street curbs within the City of Rancho Cordova without a valid permit issued as provided in this chapter. As used in this section, the words “paint” or “cause to be painted” include any means by which house numbers are affixed or applied to a street curb, including but not limited to paint of any kind applied in any manner and decals of any type which are designed to adhere to a street curb. As used in this chapter, “person” means any natural person, firm, association, joint venture, joint stock company, partnership, club, company, corporation, business trust, or organization of any kind. [Revised during 2008 codification; Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.020 Other requirements.

No permit shall be issued to any person intending to charge a fee or solicit contributions until he has obtained either a business license or a charitable solicitations permit, or both, in accordance with the requirements of this code, depending upon whether a business license or charitable solicitations permit, or both, are required. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.030 Applications.

To obtain a permit pursuant to the requirements of this chapter, an application shall be filed with the Department of Public Works containing the following information:

- A. The location or area in which the applicant intends to paint house numbers on curbs;
- B. The specific days on which the applicant intends to paint curbs;
- C. Such other relevant information as is determined to be necessary by the Department of Public Works. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.040 Prior approval required.

Prior to painting house numbers, the permit holder shall obtain the written consent of an adult occupant of the abutting property. The form used for obtaining consent shall also specify the exact fee or donation which is expected to be paid. The silence of the occupant or the failure or omission of any occupant to complete or sign the form or to in any other manner indicate consent or refusal to have house numbers painted on the curb shall not constitute consent or in any way be relied on by the permit holder as indicating consent. No person other than an adult occupant who has consented in writing shall have any responsibility for payment of the fee or donation. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.050 Standards.

The Department of Public Works shall establish standards which shall govern the appearance of house numbers on curbs and the manner in which they may be applied, including but not limited to standards relating to the size, color and location of the numbers and the materials used to apply the numbers. The standards shall be provided in writing

to every person to whom a permit is issued and the permit holder shall sign a copy of the standards which includes a statement indicating that the permit holder has read and understands the standards and will follow them in applying curb numbers. The signed copy shall be retained in the department's files relating to the applicant. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.060 Liability.

The issuance of a permit hereunder shall not be construed as imposing any responsibility or liability on the City or any of its officers or employees for claims for property damage or personal injury in any way arising out of, or relating to, the house number painting activities of the permit holder. It is unlawful for the permit holder to in any way represent or imply to anyone that the permit holder is a representative, or is acting for or on behalf of, the City or any other public agency in offering to paint house numbers on curbs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.070 Conditions.

The issuance of a permit pursuant to this chapter shall be conditioned on compliance by the applicant with all of the provisions of this chapter and shall be subject to any special conditions which the Department of Public Works determines to be necessary for the purpose of protecting the condition and use of City rights-of-way and the public improvements located thereon and the health, safety and general welfare of the property owners abutting on the rights-of-way on which the applicant intends to paint house numbers. Such special conditions may include, but are not limited to, limits on the hours during which the permit holder may solicit orders and the hours during which the house number painting activity may take place and a permit expiration date which shall be not later than the sixtieth day following the date on which the permit is issued. It is unlawful for the permit holder or any employee or representative of the permit holder to solicit orders or engage in house number painting activities in violation of any such special conditions. Special conditions applicable to a permit shall be specified in writing on the permit or in a written attachment thereto. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.080 Employee list.

Before issuance of any permit, the applicant shall file with the Department of Public Works a list of the names and addresses of all persons who will be in the employ of, or act as representatives of, the permit holder for the purpose of carrying on the activities authorized by the permit. The permit holder shall notify the Department of Public Works in writing of any additions to the list within 72 hours following the addition of any new employee or representative. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.090 Cancellation.

A permit may be cancelled by the Department of Public Works if it is determined that the permit holder, his employees or his representatives have violated any of the requirements of this chapter or have engaged in any other conduct or activity on the basis of which it is determined that the permit should be cancelled for the protection of the public health, safety or general welfare. Notice of cancellation shall be in writing and shall specify the reasons for cancellation. The cancellation shall be effective immediately upon personal delivery to the permit holder or his authorized representative. If reasonable efforts to effect personal delivery are unsuccessful, cancellation shall be effective upon the mailing of the required notice to the permit holder's address as specified in his application. Such mailed notice shall be effective, notwithstanding any change in the permit holder's address, unless the permit holder has notified the Department of Public Works in writing of any such change of address. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.100 Appeal.

The cancellation of a permit as provided in RCMC 12.16.090 shall be final on the expiration of 10 days following the effective date of the revocation unless the permit holder files a written notice of appeal with the Department of Public Works within the 10-day period. The Department of Public Works shall set a time at the earliest administratively convenient date for an appeal conference which shall be attended by the Director of Public Works or his designee at which the permit holder shall be afforded an opportunity to discuss the reasons for the cancellation. The permit holder shall be afforded an opportunity to present information on his behalf in writing or oral form. Not later than the fifth day following the conclusion of such conference, the Department of Public Works shall notify the permit holder of its decision, which shall either be that the cancellation is permanent or modified in some appropriate manner. The decision of the Department of Public Works shall be final. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.110 Penalty.

Violation of any requirement or prohibition in this chapter is a misdemeanor and is punishable as provided in RCMC 1.01.190. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

Chapter 12.20

UNDERGROUND UTILITY DISTRICTS

Sections:

- 12.20.010 Definitions.
- 12.20.020 Public hearing by city council.
- 12.20.030 City council may designate underground utility districts by resolution.
- 12.20.040 Unlawful acts.
- 12.20.050 Exception, emergency or unusual circumstances.
- 12.20.060 Other exceptions.
- 12.20.070 Notice to property owners and utility companies.
- 12.20.080 Responsibility of utility companies.
- 12.20.090 Responsibility of property owners.
- 12.20.100 Responsibility of city.
- 12.20.110 Extension of time.

12.20.010 Definitions.

Whenever in this chapter the words or phrases hereinafter in this section defined are used, they shall have the respective meanings assigned to them in the following definitions:

“City Council” shall mean the City Council of the City of Rancho Cordova;

“Clerk” shall mean the duly appointed and acting clerk of the City;

“Director of Public Works” shall mean the duly appointed and acting director of public works of the City;

“Person” shall mean and include individuals, firms, corporations, partnerships, and their agents and employees;

“Poles, overhead wires and associated overhead structures” shall mean poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments and appurtenances located aboveground within a district and used or useful in supplying electric, communication or similar or associated service;

“Underground Utility District” or “District” shall mean that area in the City within which poles, overhead wires, and associated overhead structures are prohibited as such area is described in a resolution adopted pursuant to the provisions of RCMC 12.02.030;

“Utility” shall include all persons or entities supplying electric, communication or similar or associated service by means of electrical materials or devices. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.020 Public hearing by city council.

The City Council may from time to time call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the City and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service. The Clerk shall notify all affected property owners as shown on the last equalized assessment roll and utilities concerned by mail of the time and place of such hearings at least 10 days prior to the date thereof. Each such hearing shall be open to the public and may be continued from time to time. At each such hearing all persons interested shall be given an opportunity to be heard. The decision of the City Council shall be final and conclusive. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.030 City council may designate underground utility districts by resolution.

If, after any such public hearing, the City Council finds that the public necessity, health, safety or welfare requires such removal and such underground installation within a designated area, the City Council shall, by resolution, declare such designated area an Underground Utility District and order such removal and underground installation. Such resolution shall include a description of the area comprising such District and shall fix the time within which

such removal and underground installation shall be accomplished and within which affected property owners must be ready to receive underground service. A reasonable time shall be allowed for such removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for such removal and for the installation of such underground facilities as may be occasioned thereby. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.040 Unlawful acts.

Whenever the City Council creates an Underground Utility District and orders the removal of poles, overhead wires and associated overhead structures therein as provided in RCMC 12.20.030, it shall be unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the district after the date when said overhead facilities are required to be removed by such resolution, except as said overhead facilities may be required to furnish service to an owner or occupant of property prior to the performance by such owner or occupant of the underground work necessary for such owner or occupant to continue to receive utility service as provided in RCMC 12.20.090, and for such reasonable time required to remove said facilities after said work has been performed, and except as otherwise provided in this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.050 Exception, emergency or unusual circumstances.

Notwithstanding the provisions of this chapter, overhead facilities may be installed and maintained for a period, not to exceed 90 days, without authority of the City Council in order to provide emergency service. The City Council may grant special permission, on such terms as the City Council may deem appropriate, in cases of unusual circumstances, without discrimination as to any person or utility, to erect, construct, install, maintain, use or operate poles, overhead wires and associated overhead structures. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.060 Other exceptions.

This chapter and any resolution adopted pursuant to RCMC 12.20.030 shall, unless otherwise provided in such resolution, not apply to the following types of facilities:

- A. Any City facilities or equipment installed under the supervision and to the satisfaction of the Director of Public Works;
- B. Poles or electroliers used exclusively for street lighting;
- C. Overhead wires (exclusive of supporting structures) crossing any portion of a District within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a District, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited;
- D. Poles, overhead wires and associated overhead structures used for the transmission of electric energy at nominal voltages in excess of 34,500 volts;
- E. Overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location on the building to another location on the same building or to an adjacent building without crossing any public street;
- F. Antennas, associated equipment and supporting structures used by a utility for furnishing communication services;
- G. Equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, switching cubicles, and concealed ducts;
- H. Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.070 Notice to property owners and utility companies.

Within 10 days after the effective date of a resolution adopted pursuant to RCMC 12.20.030, the Clerk shall notify all affected utilities and all persons owning real property within the District created by said resolution of the

adoption thereof. Said Clerk shall further notify such affected property owners of the necessity that, if they or any person occupying such property desire to continue to receive electric, communication, or similar or associated service, they or such occupant shall provide all necessary facility changes on their premises and rights-of-way so as to receive such service from the lines of the supplying utility or utilities at a new location, subject to applicable rules, regulations and tariffs of the respective utility or utilities.

Notification by the Clerk shall be made by mailing a copy of the resolution adopted pursuant to RCMC 12.20.030, together with a copy of this chapter, to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.080 Responsibility of utility companies.

If underground construction is necessary to provide utility service within a District created by any resolution adopted pursuant to RCMC 12.20.030, the supplying utility shall furnish that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.090 Responsibility of property owners.

Every person owning, operating, leasing, occupying or renting a building or structure within a District shall perform construction and provide that portion of the service connection on his property between the facilities referred to in RCMC 12.20.080 and the termination facility on or within said building or structure being served, all in accordance with applicable rules, regulations and tariffs of the respective utility or utilities. If any property owner, after due notice, refuses to comply within a reasonable time to effect the removal or preparation in accordance with the applicable rules of the utility involved, the City may cause the work to be done and assess the costs of the work against the property, and the assessment shall become a lien against the property. The assessment may be collected at the same time and in the same manner as ordinary county ad valorem taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for these taxes. All laws applicable to the levy, collection, and enforcement of county ad valorem taxes shall be applicable to the assessment. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0886 § 1, 1992; SCC 542 § 1, 1983].

12.20.100 Responsibility of City.

The City shall remove, at its own expense, all City-owned equipment from all poles required to be removed hereunder in ample time to enable the owner or user of such poles to remove the same within the time specified in the resolution enacted pursuant to RCMC 12.20.030. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.110 Extension of time.

In the event that any act required by this chapter or by a resolution adopted pursuant to RCMC 12.20.030 cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, civil disobedience, or any other circumstances beyond the control of the actor, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitation. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

Chapter 12.24

STREET NUMBERING SYSTEM

Sections:

- 12.24.010 Purpose.
- 12.24.020 Designating authority.
- 12.24.030 Names.
- 12.24.040 Numbering.
- 12.24.050 Specifications.
- 12.24.060 Application.
- 12.24.070 Penalty.

12.24.010 Purpose.

It is hereby found that the public interest, safety, welfare and convenience require the establishment of a numbering system of street addresses under a uniform plan within the City of Rancho Cordova. For the accomplishment of this objective, there is hereby established a uniform numbering system in order to promote more effective law enforcement, facilitate rapid response to emergency calls for fire suppression, medical, and other purposes, improve the delivery of goods and services, and otherwise promote the economic improvement of the community. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.020 Designating authority.

Streets within the City of Rancho Cordova shall be named by, and properties abutting such streets and roads shall be assigned numbers by, the Public Works Director pursuant to the standards contained in RCMC 12.24.030 and 12.24.040. [Ord. 38-2007 § 1 (Exh. 1(A), (H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.030 Names.

The Director shall assign the following name designations within the City of Rancho Cordova:

A. Except as hereinafter provided, the term “street” shall be applied to streets which generally extend in a northerly and southerly direction, regardless of width.

B. Except as otherwise provided, the term “avenue” shall be applied to streets which generally extend in an easterly and westerly direction, regardless of width.

C. Except as hereinafter provided, the term “drive” shall be applied to streets which are 50 feet or greater in width, and are not designated as streets or avenues.

D. The term “way” shall be applied to streets which are 40 feet in width, and are not designated as streets or avenues.

E. The term “road” shall be applied to streets which are 60 feet or greater in width, and are situated in an agricultural zone established pursuant to the city’s zoning code.

F. The terms “court” or “place” shall be applied to streets which terminate in a cul-de-sac, with no intermediate access.

G. The term “circle” shall be applied to streets which begin and terminate in the same street, with no intermediate access.

H. The term “boulevard” shall be applied to streets which are major traffic thoroughfares. [Ord. 38-2007 § 1 (Exh. 1(A), (H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.040 Numbering.

The Director of Public Works shall assign numbers to properties abutting streets within the City of Rancho Cordova in accordance with the following criteria:

There is hereby established a baseline for assigning such numbers for the north-south grid, which is the American River. Numbers shall increase in magnitude from the American River in both northerly and southerly directions generally in accordance with the distance from the river.

There is hereby established a baseline for assigning such numbers south of the American River, for an east-west grid, which is the projection of a line that lies 1,320 feet west of the section line common to Sections 4 and 5, Township 5 North, Range 4 East, Mount Diablo Base and Meridian. Numbers shall increase in magnitude from that baseline in both easterly and westerly directions generally in accordance with the distance from the baseline. Numbers lying west of the baseline shall be ascribed a letter "W" as a suffix to the property number.

There is hereby established a baseline for assigning such numbers north of the American River, for an east-west grid, which is the projection of a line that lies 800 feet east of the section line common to Sections 19 and 20, Township 10 North, Range 5 East, Mount Diablo Base and Meridian. Numbers shall increase in magnitude from that baseline in both easterly and westerly directions generally in accordance with the distance from the baseline. Numbers lying west of that baseline shall be ascribed a letter "W" as a suffix to the property number. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.050 Specifications.

The Director of Public Works shall be authorized to formulate, promulgate and enforce specifications pertaining to the size, color and type of numbers placed upon properties abutting streets within the City of Rancho Cordova, together with standards regulating the numbering of multiple structures upon the same property. Such specifications and standards shall be formulated for the purpose of facilitating the identification and location of structures and land uses by persons searching for same from the streets, eliminating or reducing the necessity for entry of property by persons conducting such searches. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.060 Application.

Except as hereinafter provided, the standards contained in this chapter shall govern assignment by the Director of Public Works for street designations and numbers pursuant to RCMC 12.24.030 and 12.24.040 for all parcels, lots and streets within the City of Rancho Cordova, including, but not limited to, those established after the date on which the ordinance codified in this chapter becomes effective.

All street designations and property numbers in existence preceding the effective date of the ordinance codified in this chapter which are consistent with the standards prescribed by RCMC 12.24.030 and 12.24.040 shall be deemed to have been designated by the Director of Public Works pursuant to the provisions of this chapter.

The standards for designating streets and assigning numbers established by RCMC 12.24.030 and 12.24.040 shall not be applicable to a particular lot or parcel of land which is not numbered or is numbered in a manner inconsistent with the standards contained in RCMC 12.24.030 and 12.24.040 until 30 days after:

A. The Director of Public Works designates such streets or numbers to such property in accordance with such standards; and

B. The Director of Public Works has mailed written notice of such designation or numbering, postage prepaid, to the record owner and occupant of the property so numbered or which abuts each street so designated. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.070 Penalty.

It shall be the responsibility of both owners and occupants of property abutting roads within the City of Rancho Cordova to post numbers upon such property in accordance with those designated by the Director of Public Works.

Pursuant to the provisions of Section 36900 of the Government Code, an owner or occupant of property abutting a street within the City of Rancho Cordova who fails, within 10 calendar days following mailing of written notice to do so, to post a number upon such property corresponding to the number designated by the Director of Public Works shall be guilty of an infraction and subject to a fine of \$50.00 for each day or any portion thereof such violation continues. [Ord. 38-2007 § 1 (Exh. 1(A), (H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

Table A:
Special Tax Ordinances

13-2003	Sunridge Anatolia Community Facilities District No. 2003-1 special tax (Special)
16-2003	Special tax for police protection for Sunrise Anatolia III Subdivision (Special)
2-2004	Special tax for police protection for Mather East Subdivision (Special)
14-2004	Special tax for police protection for Sunridge Anatolia III Subdivision (Special)
21-2004	Special tax for police protection for Ellenwood Court Unit No. 2 Subdivision (Special)
23-2004	Special tax for police protection for Quick Fit Tire Subdivision (Special)
27-2004	Special tax for police protection for Stone Creek Subdivision (Special)
28-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 2A and 5A and a portion of Unit A (Repealed by 1-2019)
29-2004	Special tax for police protection for Sunridge Park Subdivision, Unit A (Repealed by 1-2019)
30-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 9A and 10A and a portion of Unit A (Repealed by 1-2019)
31-2004	Special tax for police protection for Villages of Zinfandel, Village No. 7 Subdivision (Special)
32-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 1A, 4A, 6, 7, 8A and 11A and a portion of Unit A (Repealed by 1-2019)
33-2004	Special tax for police protection for Sunridge Park Subdivision, Village No. 3 (Repealed by 1-2019)
34-2004	Special tax for police protection for Anatolia I and II Subdivisions (Special)
35-2004	Special tax for police protection for Anatolia I and II Subdivisions (Special)
39-2004	Sunridge Park Area Community Facilities District No. 2004-1 special tax (Special)
40-2004	Special tax area Zone 9 for police protection for North Douglas I and II Subdivision (Repealed by 1-2019)
52-2004	Special tax for police protection for Luyung Drive Phase 4 Subdivision (Special)
57-2004	Special tax for police protection for Anatolia I, Village 2 Subdivision (Special)
58-2004	Special tax for police protection for Anatolia I, Village 5 Subdivision (Special)
59-2004	Special tax for police protection for Anatolia I, Village 6 Subdivision (Special)
60-2004	Special tax for police protection for Anatolia II, Village 10 Subdivision (Special)
61-2004	Special tax for police protection for Anatolia II, Village 11 Subdivision (Special)
62-2004	Special tax for police protection for Anatolia II, Village 13 Subdivision (Special)
63-2004	Special tax for police protection for Anatolia II, Village 14 Subdivision (Special)
64-2004	Special tax for police protection for Anatolia II, Village 16 Subdivision (Special)
65-2004	Special tax for police protection for Kennedy/Mills Station Road Subdivision (Special)

1-2005	Special tax for police protection for Anatolia II, Lot 8 Subdivision (Special)
10-2005	Special tax for police protection for Capital Village Subdivision (Special)
26-2005	Sunridge North Douglas Community Facilities District No. 2005-1 special tax (Repealed by 6-2015)
31-2005	Special tax for transit-related services for Capital Village Subdivision (Special)
5-2006	Community Facilities District No. 2005-2 special tax (Special)
24-2006	Special tax for police protection for Montelena Subdivision (Repealed by 11-2013)
25-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Lots D, E, F, G and 11 (Repealed by 1-2019)
26-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 1B, 4C, 4D, 8C and 11B (Repealed by 1-2019)
27-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 2B, 5C and 5D (Repealed by 1-2019)
28-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 9B and 10B (Repealed by 1-2019)
29-2006	Special tax for police protection for Anatolia IV Subdivision (Repealed by 16-2018)
30-2006	Special tax for police protection for Arista Del Sol Subdivision (Special)
31-2006	Special tax for police protection for Cresleigh Sunridge Subdivision (Repealed by 1-2019)
32-2006	Special tax for police protection for Douglas 98 Subdivision (Repealed by 1-2019)
33-2006	Special tax for police protection for Douglas 103 Subdivision (Special)
37-2006	Special tax for police protection for Tax Zone 2A, Sundance Subdivision (Special)
38-2006	Special tax for police protection for Grant Line 208 Subdivision (Repealed by 1-2019)
3-2007	Special tax for police protection for Gold Flake Court Subdivision (Special)
17-2007	Special tax for police protection for Ellenwood Commons Subdivision (Special)
19-2007	Special tax for transit-related services for Ed Fund office buildings (Special)
21-2007	Special tax for transit-related services for Old Placerville Road Project (Special)
2-2008	Special tax for transit-related services for the Bloodsource Laboratory building (Special)
7-2008	Special tax for transit-related services for the department of Mather office complex buildings (Special)
8-2008	Special tax for transit-related services for the department of environmental management office complex buildings (Special)
17-2008	Special tax for transit-related services for the Sunrise Palms Plaza project (Special)
22-2008	Special tax for transit-related services, for the 3581 Mather Field Road project (Special)
23-2008	Community Facilities District No. 2008-1 special tax (Special)
25-2008	Special tax for transit-related services for the Zinfandel and Sunrise project (Special)
14-2009	Special tax for transit-related services for the Cordova Casino and Restaurant (Special)

15-2009	Amends Ords. 24-2006, 25-2006, 26-2006, 27-2006, 28-2006, 29-2006, 30-2006, 31-2006, 32-2006, 33-2006, 37-2006, 38-2006 and 3-2007, police tax area zones (Special)
19-2009	Special tax for transit-related services for 11301 Dismantle Court project (Special)
2-2013	Community Facilities District No. 2013-2 special tax (Special)
14-2014	Community Facilities District No. 2014-1 special tax (Special)
15-2014	Community Facilities District No. 2014-2 special tax (Special)
19-2014	Special tax for transit-related services for 3500 Fitzgerald Road Industrial Building project (Special)
6-2015	Sunridge North Douglas Community Facilities District No. 2005-1 special tax; rescinds Ord. 26-2005 (Special)
8-2016	Special tax for transit-related services, APG warehouse project (Special)
23-2016	Special tax for transit-related services, Monier Circle warehouse project (Special)
6-2018	Special tax for transit-related services, Homewood Suites project (Special)
8-2018	Special tax for transit-related services, Superior Self-Storage project (Special)
18-2018	Community Facilities District No. 2018-2 special tax (Special)
19-2018	Community Facilities District No. 2018-1 special tax (Special)
21-2018	Special tax for transit-related services, European Parts Depot project (Special)
2-2019	Special tax for transit-related services, Gold Valley Center project (Special)
10-2019	Special tax for transit-related services, Bradshaw Village project (Special)
12-2020	Community Facilities District No. 2020-1 special tax (Special)
16-2020	Special tax for transit-related services, White Rock Center project (Special)
6-2021	Special tax for transit-related services, Rio del Oro project (Special)
9-2021	Special tax for transit-related services, High Class Motors project (Special)
19-2021	Special tax for transit-related services, Falconer commercial building project (Special)
20-2021	Special tax for transit-related services, express sewer and drain project (Special)
21-2021	Special tax for transit-related services, Ranch project (Special)
23-2021	Ranch Community Facilities District No. 2021-1 special tax (Special)
5-2022	Special tax for transit-related services, Grantline 220 project (Special)
8-2022	Community Facilities District No. 2022-1 special tax (Special)
14-2022	Special tax for transit-related services, Ranch project (Special)

Table B:
Ordinance Table

This table lists all ordinances. If an ordinance is codified, its location in the code is cited by chapter number at the end of the ordinance description. Ordinance numbers in the text of the code preceded by “SCC” indicate ordinances incorporated in the Sacramento County Code and adopted by the City. Ordinances are codified if they are general, permanent, and/or include penalty provisions for noncompliance. “Not codified” indicates that the ordinance could have been codified but was not for some reason (e.g., superseded by a later ordinance, codified in a separate publication). “Special” means the ordinance was special in nature or for a specific period of time (e.g., budget, annexation, tax levy, street vacation).

1-2003	Adopts all Sacramento County ordinances for a period of 120 days (Expired)
2-2003	Creates city manager position and form of government (2.04)
3-2003	Sales and use tax (3.04)
4-2003	Continues existing Sacramento County Code Chapter 3.08, transient occupancy tax (3.08)
5-2003	Continues one-half of existing Sacramento County documentary transfer tax (3.12)
6-2003	Special gas tax street improvement fund (3.50)
7-2003	Purchasing system (Repealed by 9-2012)
8-2003	Council reimbursement for expenses (2.08)
9-2003	City council member salaries (2.08)
10-2003	Claims against the city (2.38)
11-2003	Consolidates general municipal election with statewide general election (2.42)
12-2003	Sacramento County fees, rates and charges to remain temporarily in effect (Special)
13-2003	Sunridge Anatolia Community Facilities District No. 2003-1 special tax (Tables)
14-2003	Repeals and replaces zoning code Article 7, design review (Zoning Code)
15-2003	Solid waste collection, transportation and disposal (Repealed by 22-2013)
16-2003	Special tax for police protection for Sunrise Anatolia III Subdivision (Tables)
17-2003	Adds zoning code § 101-801; approves RC-03-003 development agreement (Zoning Code)
18-2003	Amends Ch. 2.30, planning commission (2.30)
19-2003	Adopts roadway and transit development fees, park and recreation fee, housing trust fee and Mather Field public facilities financing plan development fee (16.84, 16.87, 16.89, 22.40)
20-2003	Adopts §§ 1.1.110 – 1.1.190, Chs. 3.40, 3.44, 4.02, 4.06, 4.10, 4.14, 4.18, 4.22, 4.23, 4.26, 4.28, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60 and 4.61, Title 5, Chs. 6.04, 6.08, 6.12, 6.16, 6.20, 6.24, 6.28, 6.29, 6.30, 6.32, 6.34, 6.36, 6.50, 6.56, 6.60, 6.64, 6.68, 6.80, 6.82, 6.84, 6.86, 6.87, 6.96, 6.99, 6.110 and 6.120, Title 8, Chs. 9.04, 9.08, 9.12, 9.16, 9.20, 9.28, 9.36, 9.38, 9.40, 9.41, 9.42, 9.44, 9.48, 9.70, 9.74, 9.76, 9.78, 9.80, 9.82, 9.83, 9.92, 9.93, 9.94, 9.96, 9.98 and 9.100, Title 10, Chs. 12.01, 12.03, 12.08, 12.09, 12.12, 12.16, 12.20 and 12.24, Titles 14 and 15, Chs. 16.02, 16.04, 16.08, 16.16, 16.18, 16.20, 16.21, 16.22, 16.23, 16.24, 16.28, 16.32, 16.36, 16.40 and 16.44, Titles 17, 19 and 21, Chs. 22.05, 22.10, 22.15, 22.20, 22.24, 22.25,

	22.30, 22.50, 22.60, 22.70, 22.80, 22.90, 22.100, 22.110, 22.120, 22.130, 22.140, 22.150, 22.300 and 22.400 of the Sacramento County Code and Titles 1, 2 and 3 of the Sacramento Zoning Code; substitutes city references for Sacramento County references (1.01, 4.14, 4.18, 4.22, 4.23, 4.26, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60, 4.61, 5.04, 5.50, 5.60, 5.64, 5.75, 6.16, 6.24, 6.28, 6.30, 6.32, 6.56, 6.60, 6.64, 6.68, 6.80, 6.84, 6.87, 9.04, 9.08, 9.12, 9.16, 9.20, 9.28, 9.36, 9.38, 9.40, 9.41, 9.44, 9.48, 9.74, 9.78, 9.80, 9.82, 9.83, 9.92, 9.93, 9.94, 9.96, 9.98, 9.100, 10.04, 10.08, 10.12, 10.16, 10.20, 10.24, 10.32, 10.36, 10.40, 10.41, 10.44, 10.48, 10.58, 10.62, 10.64, 10.66, 12.01, 12.03, 12.08, 12.09, 12.12, 12.16, 12.20, 12.24, 14.05, 15.04, 15.05, 15.10, 16.08, 16.16, 16.18, 16.20, 16.22, 16.23, 16.44, 17.12, 19.08, 21.12, 22.05, 22.10, 22.15, 22.20, 22.24, 22.25, 22.30, 22.50, 22.60, 22.70, 22.80, 22.90, 22.100, 22.110, 22.120, 22.130, 22.140, 22.150, 22.160, 22.170, 22.180, 22.300, Zoning Code)
21-2003	Adopts §§ 1.1.110 – 1.1.190, Chs. 3.40, 3.44, 4.02, 4.06, 4.10, 4.14, 4.18, 4.22, 4.23, 4.26, 4.28, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60 and 4.61, Title 5, Chs. 6.04, 6.08, 6.12, 6.16, 6.20, 6.24, 6.28, 6.29, 6.30, 6.32, 6.34, 6.36, 6.50, 6.56, 6.60, 6.64, 6.68, 6.80, 6.82, 6.84, 6.86, 6.87, 6.96, 6.99, 6.110 and 6.120, Title 8, Chs. 9.04, 9.08, 9.12, 9.16, 9.20, 9.28, 9.36, 9.38, 9.40, 9.41, 9.42, 9.44, 9.48, 9.70, 9.74, 9.76, 9.78, 9.80, 9.82, 9.83, 9.92, 9.93, 9.94, 9.96, 9.98 and 9.100, Title 10, Chs. 12.01, 12.03, 12.08, 12.09, 12.12, 12.16, 12.20 and 12.24, Titles 14 and 15, Chs. 16.02, 16.04, 16.08, 16.16, 16.18, 16.20, 16.21, 16.22, 16.23, 16.24, 16.28, 16.32, 16.36, 16.40 and 16.44, Titles 17, 19 and 21, Chs. 22.05, 22.10, 22.15, 22.20, 22.24, 22.25, 22.30, 22.50, 22.60, 22.70, 22.80, 22.90, 22.100, 22.110, 22.120, 22.130, 22.140, 22.150, 22.300 and 22.400 of the Sacramento County Code and Titles 1, 2 and 3 of the Sacramento Zoning Code; substitutes city references for Sacramento County references (1.01, 4.14, 4.18, 4.22, 4.23, 4.26, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60, 4.61, 5.04, 5.50, 5.60, 5.64, 5.75, 6.16, 6.24, 6.28, 6.30, 6.32, 6.56, 6.60, 6.64, 6.68, 6.80, 6.84, 6.87, 9.04, 9.08, 9.12, 9.16, 9.20, 9.28, 9.36, 9.38, 9.40, 9.41, 9.44, 9.48, 9.74, 9.78, 9.80, 9.82, 9.83, 9.92, 9.93, 9.94, 9.96, 9.98, 9.100, 10.04, 10.08, 10.12, 10.16, 10.20, 10.24, 10.32, 10.36, 10.40, 10.41, 10.44, 10.48, 10.58, 10.62, 10.64, 10.66, 12.01, 12.03, 12.08, 12.09, 12.12, 12.16, 12.20, 12.24, 14.05, 15.04, 15.05, 15.10, 16.08, 16.16, 16.18, 16.20, 16.22, 16.23, 16.44, 17.12, 19.08, 21.12, 22.05, 22.10, 22.15, 22.20, 22.24, 22.25, 22.30, 22.50, 22.60, 22.70, 22.80, 22.90, 22.100, 22.110, 22.120, 22.130, 22.140, 22.150, 22.160, 22.170, 22.180, 22.300, Zoning Code)
22-2003	Amends zoning code §§ 301-04.7 and 301-04.8 (Zoning Code)
23-2003	Continues Sacramento County roadway and transit development impact fees (16.87)
24-2003	Amends Ord. 07-2003, purchasing system (Repealed by 9-2012)
25-2003	Continues Sacramento County park and recreation development impact fee (22.40)
26-2003	Continues Sacramento County housing trust development impact fee (16.89)
27-2003	Continues Sacramento County Mather Field public facilities financing plan development impact fee (16.84)
28-2003	Adds Ch. 16.81, off-site roadway mitigation and library facilities development fees (16.81)
29-2003	Rezone (Special)
30-2003	Amends zoning code § 325-51 (Zoning Code)
1-2004	Rezone (Special)
2-2004	Special tax for police protection for Mather East Subdivision (Tables)

3-2004	Establishes reduced speed limits for specific streets (10.50)
4-2004	Moratorium on sexually oriented businesses; amends zoning code § 325-51 (Zoning Code)
5-2004	Amends § 16.90.030, construction permit fee schedule (Repealed by 6-2010)
6-2004	Adds zoning code § 101-802; approves RC-03-001 development agreement (Zoning Code)
7-2004	Amends Ch. 4.22, cardrooms (4.22)
8-2004	Adds § 1.05.200; amends §§ 4.02.095, 16.18.204 and 16.22.205, hearings (1.05, 16.18, 16.22)
9-2004	(Number not used)
10-2004	Contract with California Public Employees' Retirement System (Special)
11-2004	Adds zoning code Title I, Chapter 10, Art. 11 and Title II, Chapter 35, Art. 11; repeals zoning code Ch. 21.14 (Zoning Code)
12-2004	Amends Ord. 4-2003, transient occupancy tax (3.08)
13-2004	Adds Ch. 10.30, human habitation of vehicles (10.30)
14-2004	Special tax for police protection for Sunridge Anatolia III Subdivision (Tables)
15-2004	Amends Ch. 16.02, administrative code (Repealed by 12-2019)
16-2004	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
17-2004	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
18-2004	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
19-2004	Amends Ch. 16.04, building code (Repealed by 13-2019)
20-2004	Amends §§ 16.36.130, 16.36.210, 16.36.220, 16.36.230, 16.36.240, 16.36.250 and 16.36.310, swimming pools (Repealed by 21-2019)
21-2004	Special tax for police protection for Ellenwood Court Unit No. 2 Subdivision (Tables)
22-2004	Repeals and replaces Ch. 20.04, surface mining and reclamation (20.04)
23-2004	Special tax for police protection for Quick Fit Tire Subdivision (Tables)
24-2004	Adds Ch. 16.83, Sunrise Douglas Community Plan Area public facilities development impact fees (16.83)
25-2004	(Number not used)
26-2004	Rezone (Special)
27-2004	Special tax for police protection for Stone Creek Subdivision (Tables)
28-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 2A and 5A and a portion of Unit A (Repealed by 1-2019)
29-2004	Special tax for police protection for Sunridge Park Subdivision, Unit A (Repealed by 1-2019)
30-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 9A and 10A and a portion of Unit A (Repealed by 1-2019)
31-2004	Special tax for police protection for Villages of Zinfandel, Village No. 7 Subdivision (Tables)
32-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 1A, 4A,

	6, 7, 8A and 11A and a portion of Unit A (Repealed by 1-2019)
33-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 3 (Repealed by 1-2019)
34-2004	Special tax for police protection for Anatolia I and II Subdivisions (Tables)
35-2004	Special tax for police protection for Anatolia I and II Subdivisions (Tables)
36-2004	Extends moratorium on sexually oriented businesses; amends zoning code § 325-51 (Zoning Code)
37-2004	Adds Ch. 16.18, Art. XV, shopping carts (16.18)
38-2004	Adds zoning code §§ 101-803, 101-804, 101-805, 101-806, 101-807, 101-808 and 101-809; approves development agreement with Sunridge and Villages of Zinfandel (Zoning Code)
39-2004	Sunridge Park Area Community Facilities District No. 2004-1 special tax (Tables)
40-2004	Special tax area Zone 9 for police protection for North Douglas I and II Subdivision (Repealed by 1-2019)
41-2004	Repeals and replaces Ch. 15.12, stormwater management and discharge control (15.12)
42-2004	Repeals and replaces Chs. 4.02, 4.06 and 4.10, business licenses (Repealed by 45-2004)
43-2004	(Number not used)
44-2004	Temporary moratorium on medical marijuana dispensaries (Special)
45-2004	Repeals and replaces Chs. 4.02, 4.06 and 4.10, business licenses (4.02, 4.06, 4.10)
46-2004	Amends Ch. 17.12, weed control (17.12)
47-2004	Amends zoning code §§ 110-83 and 110-86(e) (Zoning Code)
48-2004	Extends moratorium on medical marijuana dispensaries (Special)
49-2004	Rezone (Special)
50-2004	Amends §§ 16.18.102, 16.18.201, 16.18.202, 16.18.203, 16.18.204, 16.18.205, 16.18.301, 16.18.401, 16.18.501, 16.18.503, 16.18.512, 16.18.901, 16.18.902, 16.18.903, and 16.18.1001 and substitutes references (16.18)
51-2004	Amends zoning code (Zoning Code)
52-2004	Special tax for police protection for Luyung Drive Phase 4 Subdivision (Tables)
53-2004	Amends §§ 22.40.035 and 22.40.040; repeals and replaces § 22.40.045, park dedication and in-lieu fees (22.40)
54-2004	Adds zoning code § 101-810; approves development agreement for RC-03-002, North Douglas Project (Zoning Code)
55-2004	Redevelopment agency (Repealed by 15-2022)
56-2004	Amends Ch. 2.30, planning commission (2.30)
57-2004	Special tax for police protection for Anatolia I, Village 2 Subdivision (Tables)
58-2004	Special tax for police protection for Anatolia I, Village 5 Subdivision (Tables)
59-2004	Special tax for police protection for Anatolia I, Village 6 Subdivision (Tables)
60-2004	Special tax for police protection for Anatolia II, Village 10 Subdivision (Tables)

61-2004	Special tax for police protection for Anatolia II, Village 11 Subdivision (Tables)
62-2004	Special tax for police protection for Anatolia II, Village 13 Subdivision (Tables)
63-2004	Special tax for police protection for Anatolia II, Village 14 Subdivision (Tables)
64-2004	Special tax for police protection for Anatolia II, Village 16 Subdivision (Tables)
65-2004	Special tax for police protection for Kennedy/Mills Station Road Subdivision (Tables)
66-2004	Adds zoning code § 101-811; approves development agreement for Anatolia Commons, Project No. RC-04-070 (Zoning Code)
67-2004	Amends Ord. 2-2003, city manager position and form of government, and Ord. 24-2003, purchasing system (2.04)
1-2005	Special tax for police protection for Anatolia II, Lot 8 Subdivision (Tables)
2-2005	(Number not used or adopted)
3-2005	Adds Ch. 4.07, tobacco retailer license (4.07)
4-2005	Amends Ch. 4.54, fireworks (4.54)
5-2005	Amends zoning code § 325-51; temporary moratorium on sexually oriented businesses (Zoning Code)
6-2005	Adds zoning code Ch. 40; rezone (Zoning Code)
7-2005	Adds zoning code § 101-812; approves development agreement for Capital Village Project (Zoning Code)
8-2005	Amends zoning code § 325-51(A); temporary moratorium on sexually oriented businesses (Zoning Code)
9-2005	Rezone (Special)
10-2005	Special tax for police protection for Capital Village Subdivision (Tables)
11-2005	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
12-2005	Rezone (Special)
13-2005	Rezone (Special)
14-2005	Extends moratorium on medical marijuana dispensaries (Special)
15-2005	Rezone (Special)
16-2005	Amends zoning code Title 2, Chapter 15 and Title 3, Chapter 5 (Zoning Code)
17-2005	Adds Ch. 10.70, street racing (10.70)
18-2005	Amends Ch. 9.28, curfew (9.28)
19-2005	Adds zoning code § 101-812; approves development agreement for Capital Village Project (Zoning Code)
20-2005	Amends contract with California Public Employees' Retirement System (Special)
21-2005	Adds § 2.30.130, planning commission compensation (Repealed by 5-2011)
22-2005	Solid waste collection, transportation and disposal (Repealed by 23-2009)
23-2005	(Number not used or adopted)
24-2005	Adds Ch. 16.84, establishment of development impact fees to finance the cost of transportation facilities (16.84)

25-2005	Amends § 16.18.401, public nuisances (16.18)
26-2005	Sunridge North Douglas Community Facilities District No. 2005-1 special tax (Repealed by 6-2015)
27-2005	Amends zoning code §§ 305-09.6, 305-13.1 and 305-13.2 (Zoning Code)
28-2005	(Number not used or adopted)
29-2005	Amends zoning code § 101-14 (Zoning Code)
30-2005	Adds zoning code § 101-813; approves development agreement for RC-04-096, Sunridge Park Phase II Project (Zoning Code)
31-2005	Special tax for transit-related services for Capital Village Subdivision (Tables)
32-2005	Extends authorization for development impact fees for transportation improvements (16.84)
33-2005	Adds [amends] Ch. 16.84, establishment of development impact fees to finance the cost of transportation facilities (16.84)
34-2005	(Number not used or adopted)
35-2005	Extends authorization for development impact fees for transportation improvements (16.84)
1-2006	Amends zoning code §§ 110-03, 110-06, 115-30, 120-52, 201-04(36), 225-1, 230-13(19), 301-02.1, 301-54, 301-55, 301-55.5, 301-62.5, 301-63, 301-64, 305-09.5, 305-82, 305-221, 315-02, 315-05, 330-07, 335-04, 335-09.5 and 335-11.1; repeals §§ 305-223 and 330-92.5 (Zoning Code)
2-2006	Amends zoning code § 325-51; extends moratorium on sexually oriented businesses (Zoning Code)
3-2006	(Number not used or adopted)
4-2006	(Number not used or adopted)
5-2006	Community Facilities District No. 2005-2 special tax (Tables)
6-2006	Adds [amends] Ch. 16.84, establishment of development impact fees to finance the cost of transportation facilities (16.84)
7-2006	Adds zoning code §§ 101-813, 101-814, 101-815, 101-816 and 101-817; approves development agreement for Sunridge East Projects (Zoning Code)
8-2006	Rezone (Special)
9-2006	Rezone (Special)
10-2006	Adds zoning code § 101-822; approves development agreement for Montelena (Zoning Code)
11-2006	(Number not used or adopted)
12-2006	Adds § 10.24.075, prohibition of parking commercial and recreational vehicles on public roadways (10.24)
13-2006	Amends zoning code § 607-15(45), (46), (47), (48) and (49) (Zoning Code)
14-2006	Amends conditions of approval relating to traffic phasing requirements attached to land use rezoning ordinance SZC 2002-0014 (Special)
15-2006	Amends zoning code §§ 101-801, 101-803, 101-804, 101-805, 101-806, 101-810 and 101-813 (Zoning Code)
16-2006	(Number not used or adopted)

17-2006	Amends Ch. 12.09, street trench fee (12.09)
18-2006	Rezone (Special)
19-2006	Adds zoning code § 101-818; approves development agreement for Anatolia IV RC 03-023 (Zoning Code)
20-2006	Rezone (Special)
21-2006	Adds zoning code § 101-819; approves development agreement for Cresleigh Homes RC-03-027 (Zoning Code)
22-2006	Adds zoning code § 101-814; approves development agreement for Sundance Project RC-04-122 (Zoning Code)
23-2006	(Number not used or adopted)
24-2006	Special tax for police protection for Montelena Subdivision (Repealed by 11-2013)
25-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Lots D, E, F, G and 11 (Repealed by 1-2019)
26-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 1B, 4C, 4D, 8C and 11B (Repealed by 1-2019)
27-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 2B, 5C and 5D (Repealed by 1-2019)
28-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 9B and 10B (Repealed by 1-2019)
29-2006	Special tax for police protection for Anatolia IV Subdivision (Repealed by 16-2018)
30-2006	Special tax for police protection for Arista Del Sol Subdivision (Tables)
31-2006	Special tax for police protection for Cresleigh Sunridge Subdivision (Repealed by 1-2019)
32-2006	Special tax for police protection for Douglas 98 Subdivision (Repealed by 1-2019)
33-2006	Special tax for police protection for Douglas 103 Subdivision (Tables)
34-2006	Adds zoning code § 101-816; approves development agreement for Pulte Homes Corporation, Grant Line 208 Project (Zoning Code)
35-2006	Rezone (Special)
36-2006	Amends zoning code for the Capital Village Special Planning Area (Zoning Code)
37-2006	Special tax for police protection for Tax Zone 2A, Sundance Subdivision (Tables)
38-2006	Special tax for police protection for Grant Line 208 Subdivision (Repealed by 1-2019)
39-2006	Adds zoning code § 101-820; approves development agreement for Anthology at Anatolia, RC-04-157 (Zoning Code)
40-2006	Rezone (Special)
41-2006	Adds zoning code § 101-822; approves development agreement for Preserve at Sunridge, RC-03-052 (Zoning Code)
42-2006	Amends Ord. 4-2003, Section 2 (3.08)
43-2006	Adopts redevelopment plan (Special)
44-2006	Rezone (Special)
45-2006	Adds zoning code § 101-821; approves development agreement for RC-05-190,

	Trinity Garden Estates (Zoning Code)
46-2006	Amends zoning code relating to the Capital Village Special Planning Area (Zoning Code)
47-2006	Adds Ch. 6.130, protection of children from sexual offenders (Repealed by 16-2014)
48-2006	Adds zoning code § 101-820; approves development agreement for RC-05-148, Ellenwood Condominium Project (Zoning Code)
49-2006	Amends contract with California Public Employees' Retirement System (Special)
50-2006	Rezone (Special)
51-2006	Adds zoning code § 101-825; approves development agreement for RC-05-183, Old Placerville Road Project (Zoning Code)
52-2006	Franchise grant (Special)
53-2006	Franchise grant (Special)
54-2006	Amends § 16.18.205(d), nuisance violations and penalties (16.18)
55-2006	Amends § 6.130.040(a), protection of children from sexual offenders (Repealed by 16-2014)
56-2006	Amends §§ 4.22.015, 4.22.020 and 4.22.145, cardrooms (4.22)
57-2006	Adds zoning code Title 2, Chapter 40, and adopts Folsom Boulevard specific plan (Zoning Code)
58-2006	Temporary moratorium on establishment of new cardrooms (Special)
59-2006	(Number not used or adopted)
60-2006	Amends § 16.18.205(f), nuisance violations and penalties (16.18)
61-2006	(Number not used or adopted)
62-2006	Extends moratorium on establishment of new cardrooms (Special)
1-2007	Temporary moratorium on establishment of new recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops and tattoo parlors (Special)
2-2007	Approves development agreement amendment for Anatolia III, Village 23 Project (Special)
3-2007	Special tax for police protection for Gold Flake Court Subdivision (Tables)
4-2007	Repeals and replaces Title 8, animals (8.01, 8.02, 8.03, 8.04, 8.05, 8.08, 8.10)
5-2007	Amends zoning code § 325-51; moratorium on sexually oriented businesses (Zoning Code)
6-2007	Extends moratorium on establishment of new recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops and tattoo parlors (Special)
7-2007	Amends § 16.90.030, residential photovoltaic solar system permit fees (Repealed by 6-2010)
8-2007	Amends zoning code § 325-51; extends moratorium on sexually oriented businesses (Zoning Code)
9-2007	Adds Ch. 6.135, cemetery operation and maintenance (6.135)
10-2007	Amends § 3.40.060(e), telephone user tax (Repealed by 9-2010)
11-2007	Adds Ch. 16.19, maintenance of boarded and vacant buildings (16.19)

12-2007	Prezone (Special)
13-2007	Adopts program for use of eminent domain (Special)
14-2007	Extends moratorium on establishment of new cardrooms (Special)
15-2007	Amends zoning code Title II, Chapter 40 (Zoning Code)
16-2007	Temporary moratorium on new and existing massage establishments (Special)
17-2007	Special tax for police protection for Ellenwood Commons Subdivision (Tables)
18-2007	(Not adopted)
19-2007	Special tax for transit-related services for Ed Fund office buildings (Tables)
20-2007	Extends moratorium on new and existing massage establishments (Special)
21-2007	Special tax for transit-related services for Old Placerville Road Project (Tables)
22-2007	Amends § 5.50.112(2)(a) and (9), cable television (5.50)
23-2007	Amends Ch. 9.28, curfew (9.28)
24-2007	(Not adopted)
25-2007	Amends development agreement for Montelena (Special)
26-2007	Adds § 16.20.915 and Art. 12, §§ 16.20.1200 – 16.20.1220; amends §§ 16.20.010, 16.20.015, 16.20.100, 16.20.400, 16.20.560, 16.20.600(a) and (b), 16.20.900, 16.20.905 and 16.20.950; repeals §§ 16.20.430 – 16.20.480, housing code (16.20)
27-2007	Extends moratorium on establishment of new recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops and tattoo parlors (Special)
28-2007	Amends § 4.54.375(b), fireworks general provisions (4.54)
29-2007	Amends Ch. 16.02, administrative code (Repealed by 12-2019)
30-2007	Amends Ch. 16.04, building code (Repealed by 13-2019)
31-2007	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
32-2007	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
33-2007	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
34-2007	Amends §§ 16.36.130, 16.36.210, 16.36.220, 16.36.230, 16.36.240, 16.36.250 and 16.36.310, and renames Article III of Ch. 16.36, swimming pools (Repealed by 21-2019)
35-2007	Amends Ch. 17.04, fire code (Repealed by 20-2018)
36-2007	Rezone (Special)
37-2007	Approves development agreement for North Douglas II (Special)
38-2007	Amends §§ 3.40.040(l), 4.02.100, 4.06.085, 4.06.115, 4.26.000, 4.32.005, 4.34.055(e), 4.34.220, 4.38.055, 4.38.090, 4.50.110, 4.50.150, 4.60.020, 5.04.030(c), 5.04.070, 5.04.090, 5.04.100, 5.04.110, 5.04.120, 5.04.390, 5.04.400, 5.04.510, 5.04.640, 5.04.650, 5.64.010, 5.64.040, 5.64.060, 5.64.130, 5.64.170, 5.64.180, 5.75.802, 6.16.010, 6.16.040, 6.56.210, 6.56.220(b)(iii), 6.56.270, 6.56.320, 6.56.370, 6.60.020, 6.64.060, 6.68.090(i), 6.68.145, 9.36.010, 9.36.030, 9.36.057.5, 9.36.059, 9.36.080, 9.36.081, 9.82.060, 9.92.020(b), 9.98.075, 9.100.020, 10.04.030, 10.24.175, 10.36.010, 10.40.010, 10.44.010, 10.58.150, 12.03.010(a), 12.03.030, 12.03.040, 12.03.210, 12.08.010, 12.08.030, 12.08.060, 12.12.050(b), 12.24.020, 12.24.030(e), 12.24.070, 14.05.010, 14.05.410, 16.16.040, 16.18.1002, 16.18.1007, 16.20.100(e),

(i) and (j), 16.20.220(f), 16.20.560(d)(1), 16.20.750(a), 16.20.755, 16.20.760, 16.22.300(c), 16.22.500(a), 16.22.501, 16.22.502, 16.40.130, 16.44.020(1), 16.44.130, 16.44.360, 19.04.030(13), 19.04.040, 19.04.050(b), 19.04.060(c), 19.04.070, 19.04.090, 19.04.100(7), 19.04.140, 19.08.020(b), 19.08.040, 19.08.100, 19.08.150, 19.08.160, 19.08.170, 19.08.180, 19.12.040, 19.12.060, 19.12.065, 19.12.070(c), 19.12.160(d), 19.12.200, 19.12.210, 19.12.220, 21.12.070, 22.10.130, 22.10.141, 22.20.017, 22.20.025, 22.20.032, 22.20.045, 22.120.020, 22.120.025, 22.120.030, 22.130.010, 22.130.015, 22.140.010, 22.140.015, and 22.150.010(e); renumbers Chs. 9.70 to be 22.170, 14.10 to be 22.180 and 21.15 to be 22.160; repeals and replaces § 14.05.430; repeals Ch. 3.44, §§ 4.02.120, 4.50.010, 4.50.060, 4.50.135(d) and 5.64.020(h) and (i), Chs. 6.04, 6.08, 6.12, 6.29, 6.34, 6.36 and 6.50, §§ 6.64.010(d), (e), (f) and (g), 6.64.030, 6.64.040, 6.64.050, 6.64.080, 6.64.090, 6.64.100, 6.64.130 and 6.68.100, Chs. 6.82, 6.96, 6.99, 6.110, 9.42 and 9.76, §§ 10.04.070, 10.04.110, 10.08.070, 10.36.020, 10.36.030, 10.40.040 and 10.58.180, Chs. 10.22, 10.28, 10.42, 10.52 and 10.60, §§ 14.05.300, 14.05.420 and 14.05.440, Ch. 16.21, §§ 19.04.030(3) and (7) and 19.08.020(a), Chs. 21.05 and 21.10, §§ 22.20.030, 22.20.032(b) and (c), 22.20.035, 22.20.038, 22.20.040, 22.20.050, 22.20.055, 22.20.080, and 22.20.085 and Ch. 22.400; updates references in code, specifically Chs. 4.38, 4.50, 5.04, 5.64, 6.16, 6.64, 6.80, 9.36, 10.24, 10.30, 14.05, 16.20, 16.40, 19.12, 21.15 and Title 22 (4.02, 4.06, 4.14, 4.18, 4.23, 4.26, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60, 4.61, 5.04, 5.64, 5.75, 6.16, 6.28, 6.32, 6.56, 6.60, 6.64, 6.68, 6.80, 9.16, 9.36, 9.40, 9.82, 9.83, 9.92, 9.94, 9.96, 9.98, 9.100, 10.04, 10.08, 10.12, 10.24, 10.36, 10.40, 10.41, 10.44, 10.58, 10.64, 10.66, 12.03, 12.08, 12.12, 12.16, 12.24, 14.05, 16.08, 16.16, 16.18, 16.20, 16.22, 16.23, 16.44, 19.08, 21.12, 22.05, 22.10, 22.20, 22.24, 22.30, 22.40, 22.90, 22.110, 22.120, 22.130, 22.140, 22.150, 22.160, 22.170, 22.180, 22.300)

39-2007	(Not adopted)
40-2007	(Not adopted)
41-2007	Amends Ord. 22-2005 § 14, termination or suspension of franchise (Repealed by 23-2009)
42-2007	(Not adopted)
1-2008	Adds Ch. 9.91, social host ordinance (9.91)
2-2008	Special tax for transit-related services for the Bloodsource Laboratory building (Tables)
3-2008	(Not used or adopted)
4-2008	Amends zoning code § 325-51; extends moratorium on sexually oriented businesses (Zoning Code)
5-2008	(Not used or adopted)
6-2008	(Not used or adopted)
7-2008	Special tax for transit-related services for the department of Mather office complex buildings (Tables)
8-2008	Special tax for transit-related services for the department of environmental management office complex buildings (Tables)
9-2008	Amends zoning code Title II, Chs. 25 and 40 and Folsom Boulevard specific plan (Zoning Code)
10-2008	Amends Ch. 4.22, cardrooms (4.22)
11-2008	(Not used or adopted)

12-2008	(Not used or adopted)
13-2008	Amends Folsom Boulevard specific plan for Folsom Boulevard corridor (Special)
14-2008	Adds §§ 16.83.105 and 16.84.065, temporary deferral of development and impact fee payments (16.83, 16.84)
15-2008	Temporary moratorium on new and existing massage establishments (Special)
16-2008	(Not adopted)
17-2008	Special tax for transit-related services for the Sunrise Palms Plaza project (Tables)
18-2008	(Not adopted)
19-2008	(Not used or adopted)
20-2008	Adds Ch. 6.21, business and multifamily recycling (Repealed by 2-2016)
21-2008	(Not adopted)
22-2008	Special tax for transit-related services for the 3581 Mather Field Road project (Tables)
23-2008	Community Facilities District No. 2008-1 special tax (Tables)
24-2008	Adds Ch. 6.21 [6.22], prohibition against unauthorized entry into waste containers (6.22)
25-2008	Special tax for transit-related services for the Zinfandel and Sunrise project (Special)
26-2008	Adds Ch. 16.17, maintenance of foreclosed property (16.17)
27-2008	Adopts zoning code (23.101, 23.104, 23.107, 23.110, 23.113, 23.116, 23.119, 23.122, 23.125, 23.128, 23.131, 23.134, 23.141, 23.143, 23.146, 23.149, 23.152, 23.155, 23.158, 23.170, 23.173, 23.301, 23.304, 23.307, 23.310, 23.313, 23.316, 23.319, 23.325, 23.501, 23.504, 23.507, 23.510, 23.513, 23.701, 23.704, 23.710, 23.713, 23.716, 23.719, 23.722, 23.725, 23.728, 23.731, 23.734, 23.737, 23.740, 23.743, 23.901, 23.904, 23.907, 23.910, 23.913, 23.916, 23.919, 23.922, 23.1104)
28-2008	Extends moratorium on establishment of new recycling businesses and resale shops (Special)
1-2009	Adds Ch. 16.85, establishment of development impact fees for Measure A transportation improvements (16.85)
2-2009	Adds Art. Vd to Ch. 5.50; amends § 5.50.108, Digital Infrastructure and Video Competition Act (5.50)
3-2009	(Number not used)
4-2009	(Number not used)
5-2009	Amends § 16.81.140, program fee adjustment for Villages of Zinfandel special plan area (16.81)
6-2009	Amends § 16.83.200, program fee adjustment for Sunrise Douglas community plan area (16.83)
7-2009	Amends § 16.84.130, program fee adjustment for transportation impact fees (16.84)
8-2009	Adds §§ 8.01.011, 8.01.012, 8.01.013, 8.01.015, 8.01.016, 8.01.017, 8.01.018, 8.01.019, 8.01.071, 8.01.101, 8.01.110, 8.01.120, 8.01.130, 8.01.140 and 8.03.005; amends § 8.03.060; repeals and replaces Chs. 8.06, 8.07 and 8.09; replaces references in Title 8, animals (8.01, 8.02, 8.03, 8.04, 8.06, 8.07, 8.09)
9-2009	Adds Ch. 4.33; amends §§ 4.06.005, 4.06.065, 4.34.000, 4.34.010, 4.34.055, 4.34.070, 4.34.205, 4.34.210, 4.34.215 and 4.34.220; repeals §§ 4.34.030, 4.34.080,

	4.34.085, 4.34.095, 4.34.100 and 4.34.105, massage establishments and massage technicians (4.06, 4.34)
10-2009	Amends §§ 16.83.105 and 16.84.065, deferral of development impact fees (16.83, 16.84)
11-2009	Repeals § 16.85.140 (Repealer)
12-2009	Amends Folsom Boulevard specific plan (Special)
13-2009	Amends §§ 4.02.100 and 4.02.105, violations and enforcement (4.02)
14-2009	Special tax for transit-related services for Cordova Casino and Restaurant (Special)
15-2009	Amends Ords. 24-2006, 25-2006, 26-2006, 27-2006, 28-2006, 29-2006, 30-2006, 31-2006, 32-2006, 33-2006, 37-2006, 38-2006 and 3-2007, police tax area zones (Special)
16-2009	(Not adopted)
17-2009	Adds Ch. 9.81, aggressive, intrusive, and unsafe panhandling (9.81)
18-2009	(Not adopted)
19-2009	Special tax for transit-related services for 11301 Dismantle Court project (Special)
20-2009	Resale shop moratorium (Special)
21-2009	(Not adopted)
22-2009	Extends resale shop moratorium (Special)
23-2009	Solid waste regulations; repeals Ords. 22-2005 and 41-2007 (Repealed by 22-2013)
24-2009	Amends Folsom Boulevard specific plan (Special)
25-2009	Amends development agreement, Villages of Zinfandel (Special)
1-2010	Amends § 4.22.115(A), cardrooms (4.22)
2-2010	Amends § 16.90.030(N), construction permit fees (Repealed by 6-2010)
3-2010	Amends § 16.81.140, program fee adjustment for Villages of Zinfandel special plan area (16.81)
4-2010	Amends § 16.83.200, program fee adjustment for Sunrise Douglas community plan area (16.83)
5-2010	Amends § 16.84.130, program fee adjustment for transportation impact fees (16.84)
6-2010	Amends §§ 4.02.100, 4.07.080, 4.07.110, 12.09.030, 12.09.080, 12.09.130, 16.90.010 and 16.90.020; repeals § 16.90.030, fees (4.02, 4.07, 12.09, 16.90)
7-2010	Adds Ch. 23.328; amends Ch. 23.316 and §§ 23.919.060(C)(2)(a) and (f) and 23.1101.020, zoning (23.316, 23.328, 23.919, 23.1104)
8-2010	(Not adopted)
9-2010	Repeals and replaces Ch. 3.40, utility users' tax (3.40)
10-2010	(Not adopted)
11-2010	(Not adopted)
12-2010	(Not adopted)
13-2010	Amends §§ 3.08.020, 3.08.070 and 3.08.160, transient occupancy tax (3.08)
14-2010	Adopts Rio del Oro specific plan (Special)

15-2010	Amends § 23.322.030(C)(4) and zoning map, Rio del Oro project area (Repealed by 6-2011)
16-2010	Approves development agreement, Rio del Oro project (Special)
17-2010	Adds Ch. 6.90, marijuana cultivation (Repealed by 10-2017)
18-2010	Adds Ch. 3.80, cannabis business tax (3.80)
19-2010	Adds Ch. 3.85, personal cannabis cultivation tax (3.85)
20-2010	Amends Table 23.316-1, industrial zoning (23.316)
21-2010	Adds Ch. 6.140, unattended donation boxes (6.140)
22-2010	Amends Ch. 16.02, administrative code (Repealed by 12-2019)
23-2010	Amends Ch. 16.04, building code (Repealed by 13-2019)
24-2010	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
25-2010	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
26-2010	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
27-2010	Amends Ch. 16.36, swimming pool, spa and hot tub code (Repealed by 21-2019)
28-2010	Amends Ch. 17.04, fire code (Repealed by 20-2018)
29-2010	Adds Ch. 16.06, residential code (Repealed by 15-2019)
30-2010	Adds Ch. 16.26, energy code (16.26)
31-2010	Adds Ch. 16.38, green building code (Repealed by 22-2019)
32-2010	Amends §§ 16.83.105 and 16.84.065, development impact fee deferral (16.83, 16.84)
33-2010	Reapproves development agreement, Rio del Oro project (Special)
34-2010	Amends § 3.08.040, transient occupancy tax (3.08)
1-2011	Amends § 16.81.140, program fee adjustment for Villages of Zinfandel special plan area (16.81)
2-2011	Amends § 16.83.200, program fee adjustment for Sunrise Douglas community plan area (16.83)
3-2011	Amends § 16.84.130, program fee adjustment for transportation impact fees (16.84)
4-2011	Amends § 23.313.020(B), commercial mixed-use zoning district (23.313)
5-2011	Amends § 2.30.010; repeals §§ 2.30.020 through 2.30.130, planning commission (2.30)
6-2011	Adds Chs. 23.1000 and 23.1005, special purpose zones and special planning areas; repeals Ch. 23.322 (23.1000, 23.1005)
7-2011	Moratorium on medical marijuana dispensaries (Special)
8-2011	Amends § 4.02.060, business license fees (4.02)
9-2011	Moratorium on medical marijuana dispensaries (Special)
10-2011	(Not adopted)
11-2011	Adopts amendment to Folsom Boulevard specific plan (Special)
12-2011	Amends Title 23, zoning code, and adopts zoning map amendments (23.101, 23.104, 23.107, 23.110, 23.113, 23.116, 23.119, 23.122, 23.125, 23.128, 23.131, 23.134, 23.140, 23.141, 23.143, 23.146, 23.149, 23.152, 23.155, 23.158, 23.170, 23.173,

	23.301, 23.304, 23.307, 23.310, 23.313, 23.316, 23.319, 23.325, 23.328, 23.701, 23.704, 23.710, 23.713, 23.716, 23.719, 23.722, 23.725, 23.728, 23.731, 23.734, 23.737, 23.740, 23.743, 23.901, 23.904, 23.907, 23.910, 23.913, 23.916, 23.919, 23.922, 23.1104)
13-2011	Rezone (Special)
1-2012	Amends Folsom Boulevard specific plan (Special)
2-2012	Amends Folsom Boulevard specific plan (Special)
3-2012	Amends § 16.81.140, annual program fee adjustment (16.81)
4-2012	Amends § 16.83.200, annual program fee adjustment (16.83)
5-2012	Amends § 16.84.130, annual program fee adjustment (16.84)
6-2012	Adds [amends] §§ 4.22.005, 4.22.105, 4.22.110, 4.22.115, 4.22.125 and 4.22.145; repeals §§ 4.22.165 and 16.17.060, cardrooms (4.22)
7-2012	Adopts amended development agreement for Montelena Project (Repealed by 12-2012)
8-2012	(Not adopted)
9-2012	Amends § 2.04.110; repeals and replaces Ch. 3.60, purchasing system (2.04, 3.60)
10-2012	Moratorium on medical marijuana dispensaries (Special)
11-2012	Repeals and replaces Ch. 6.120; repeals § 16.18.903, abatement of graffiti (6.120)
12-2012	Adopts amended development agreement for Montelena Project; repeals Ord. 7-2012 (Special)
13-2012	(Not adopted)
14-2012	Adds Ch. 3.90, cardroom tax (3.90)
15-2012	Repeals §§ 4.22.020(C) and 4.22.115(B), cardrooms (4.22)
16-2012	Amends Ch. 23.743, signs (23.743)
17-2012	(Not adopted)
18-2012	Adds § 23.731.080(I), electric fences (23.731)
19-2012	Adds § 16.20.221; amends §§ 16.20.015(B), 16.20.1100, 16.20.1115, 16.20.1120, 16.20.1130, 16.20.1135, 16.20.1200(A) and 16.20.1205, and footnote to Art. XI title; repeals §§ 16.20.1105 and 16.20.1150, housing code (16.20)
20-2012	Franchise grant (Special)
21-2012	(Not adopted)
22-2012	Amends §§ 6.21.010, 6.21.020, 6.21.030(A), 6.21.140 and 6.21.150(A); repeals and replaces Ch. 6.20, solid waste management and recycling (Repealed by 17-2020)
23-2012	Amends § 23.743.150, digital freeway signs overlay (23.743)
1-2013	(Not adopted)
2-2013	Community Facilities District No. 2013-2 special tax (Tables)
3-2013	Amends Ch. 16.84, development impact fees to finance the cost of transportation facilities (16.84)
4-2013	Amends § 4.22.115, cardrooms (4.22)
5-2013	Moratorium on computer gaming and Internet access businesses (Special)

6-2013	Amends Folsom Boulevard specific plan (Special)
7-2013	Amends §§ 16.83.065, 16.83.105 and 16.83.120(C); repeals § 16.83.140(G), public facilities development fees (16.83)
8-2013	Amends §§ 16.81.050 and 16.81.090; repeals § 16.81.110(A), off-site roadway mitigation and library facilities development fees (16.81)
9-2013	Adds Ch. 16.92, construction and demolition debris (Repealed by 3-2016)
10-2013	Extends moratorium on computer gaming and Internet access businesses (Special)
11-2013	Repeals Ord. 24-2006, special tax for police protection for Montelena Subdivision (Repealer)
12-2013	Amends § 9.36.061, park regulations (9.36)
13-2013	Amends §§ 6.20.130, 6.20.150, 6.20.230, 6.20.270, 6.20.290, 6.20.300, 6.20.310 and 6.20.340, solid waste management; adds §§ 23.113.040 and 23.113.050; amends §§ 23.104.030, 23.110.020, 23.110.040, 23.110.150, 23.113.020, 23.113.030, 23.116.010, 23.119.030, 23.131.040, 23.134.060, 23.140.030, 23.140.050, 23.141.030, 23.152.060, 23.164.040, 23.167.020, 23.167.050, 23.170.040, 23.173.080, 23.301.020, 23.301.030, 23.325.050, 23.325.080, 23.704.040, 23.713.080, 23.716.060, 23.719.110, 23.719.120, 23.722.050, 23.725.040, 23.731.030, 23.731.050, 23.731.060, 23.731.070, 23.731.080, 23.734.030, 23.734.050, 23.901.030, 23.904.020, 23.907.020, 23.907.030, 23.913.030, 23.919.060, 23.1101.020 and 23.1104.020, zoning (23.104, 23.110, 23.113, 23.116, 23.119, 23.131, 23.134, 23.140, 23.141, 23.152, 23.170, 23.173, 23.301, 23.325, 23.704, 23.713, 23.716, 23.719, 23.722, 23.725, 23.731, 23.734, 23.901, 23.904, 23.907, 23.913, 23.919, 23.1104)
14-2013	Amends § 23.1000.030(C)(6), Mather Field special planning area (23.1000)
15-2013	Adds Chs. 9.102 and 23.925; amends §§ 4.06.085 and 23.1101.020, medical marijuana dispensaries (4.06, 9.102, 23.925, 23.1104)
16-2013	Adds Ch. 9.102; amends § 4.06.085, medical marijuana dispensaries (4.06, 9.102)
17-2013	Adds Ch. 23.925; amends § 23.1101.020, medical marijuana dispensaries (23.925, 23.1104)
18-2013	Amends § 23.325.020, convention overlay district (23.325)
19-2013	Amends § 23.325.020, convention overlay district; amends Folsom Boulevard specific plan (23.325)
20-2013	Adds Ch. 16.03, safety assessment placards (16.03)
21-2013	Moratorium on medical marijuana dispensaries (Special)
22-2013	Amends Ch. 16.02, uniform administrative code (Repealed by 12-2019)
23-2013	Amends development agreement for Montelena (Special)
24-2013	Approves development agreement amendment for Anatolia III project (Special)
25-2013	Amends §§ 23.158.030(A) and (D), development agreements (23.158)
26-2013	Approves development agreement amendment for Douglas 98 Project (Special)
27-2013	(Number not used)
28-2013	Approves development agreement amendment for Anatolia III project (Special)
29-2013	Rezones parcels within Sunridge planning area (Special)
30-2013	Adds Ch. 8.11; amends Table 23.310-1, keeping of backyard hens (8.11, 23.310)

31-2013	Amends Ch. 16.02, uniform administrative code (Repealed by 12-2019)
32-2013	Amends Ch. 16.04, building code (Repealed by 13-2019)
33-2013	Amends Ch. 16.06, residential code (Repealed by 15-2019)
34-2013	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
35-2013	Amends Ch. 16.26, energy code (16.26)
36-2013	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
37-2013	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
38-2013	Amends Ch. 16.36, swimming pools (Repealed by 21-2019)
39-2013	Amends Ch. 16.38, green building code (Repealed by 22-2019)
40-2013	Amends Title 17, fire prevention (17.12)
41-2013	Adopts SunCreek specific plan (Special)
42-2013	Approves development agreements for SunCreek project (Special)
43-2013	Amends §§ 1.01.190, 6.60.020, 6.90.070, 6.120.020(H) and 8.04.050, title of Ch. 9.80 and §§ 9.80.010, 9.80.040 and 16.18.205(D), code enforcement (1.01, 6.60, 6.120, 8.04, 9.80, 16.18)
44-2013	Amends Folsom Boulevard specific plan and zoning map (Special)
1-2014	Adds § 2.04.115; amends § 2.38.020; repeals § 3.60.030(C), authority to settle third party disputes (2.04, 2.38, 3.60)
2-2014	Amends Sacramento County Zoning Code Ordinance 2002-0014, collection of fees for Sunridge Specific Plan Area (Special)
3-2014	Amends Sacramento County Zoning Code Ordinance 2002-0015 to eliminate certain fee requirements for Sunridge Specific Plan Area (Special)
4-2014	Amends § 16.81.140, annual program fee adjustment (16.81)
5-2014	Amends § 16.83.200, annual program fee adjustment (16.83)
6-2014	Moratorium on computer gaming and Internet access businesses (Special)
7-2014	Adds Ch. 15.11, annual storm water utility fee (15.11)
8-2014	Moratorium on private smokers' lounges, e-cigarette lounges, vapor bars and hookah bars (Special)
9-2014	Adds §§ 6.84.024 and 6.84.041; amends §§ 6.84.045 and 6.86.040, electronic cigarettes and smoking devices (6.84)
10-2014	Approves development agreement for Sunridge Lot J project (Special)
11-2014	Extends moratorium on private smokers' lounges, e-cigarette lounges, vapor bars and hookah bars (Special)
12-2014	Amends Chs. 23.119 and 23.743, signs (23.119, 23.743)
13-2014	Amends § 4.07.030, Ch. 6.84 and § 23.1101.020, smoking (4.07, 6.84, 23.1104)
14-2014	Community Facilities District No. 2014-1 special tax (Tables)
15-2014	Community Facilities District No. 2014-2 special tax (Tables)
16-2014	Repeals Ch. 6.130, protection of children from sexual offenders (Repealer)
17-2014	Adds §§ 9.81.030(D) – (H) and 9.81.050; amends §§ 9.81.010(C) – (E), 9.81.020 and

	9.81.040, prohibition against aggressive, intrusive and unsafe panhandling (9.81)
18-2014	Approves development agreement amendment for Sunridge North Douglas project (Special)
19-2014	Special tax for transit-related services for 3500 Fitzgerald Road Industrial Building project (Tables)
20-2014	Adds §§ 8.08.050, 8.08.060, 8.08.070, 8.08.080 and 8.08.090; amends §§ 8.01.110, 8.03.010, 8.04.030, 8.06.030(M)(3), 8.07.015, 8.07.040, 8.07.045, 8.07.060(D), 8.09.020, 8.09.030, 8.09.050(A) and 8.09.130(F)(1), (H), (I) and (J)(1), animals (8.01, 8.03, 8.04, 8.06, 8.07, 8.08, 8.09)
21-2014	Adds Ch. 3.05, transactions and use tax (3.05)
22-2014	Adds Art. XVI to Ch. 16.18, repeat nuisance service calls (16.18)
23-2014	Adds § 23.325.090, overlay zoning districts (23.325)
24-2014	Approves development agreement amendment for Arista del Sol project (Special)
25-2014	Moratorium on establishments serving alcohol for on-site consumption within 500 feet of adult businesses (Special)
26-2014	Extends moratorium on establishments serving alcohol for on-site consumption within 500 feet of adult businesses (Special)
27-2014	Adds § 1.01.200; amends §§ 16.18.1001, 16.18.1424, 16.19.100(B), 16.20.700(D), 16.20.750, 16.22.419(B), 16.22.500 and 23.173.100; repeals §§ 16.18.1002 – 16.18.1007, 16.20.755 and 16.22.501 – 16.22.505, special assessments and liens (1.01, 16.18, 16.19, 16.20, 16.22, 23.173)
28-2014	Approves development agreement amendment for Anatolia IV project (Special)
29-2014	Amends Folsom Boulevard specific plan (Special)
1-2015	Amends Ch. 6.90 and Table 23.310-1, marijuana cultivation (23.310)
2-2015	Approves rezone and development agreement amendment (Special)
3-2015	Amends § 16.84.065, temporary deferral for payments of transportation impact fees (16.84)
4-2015	Extends moratorium on private smokers' lounges, e-cigarette lounges, vapor bars and hookah bars (Special)
5-2015	Adopts development agreement amendment for Capital Village special planning area (Special)
6-2015	Sunridge North Douglas Community Facilities District No. 2005-1 special tax; rescinds Ord. 26-2005 (Tables)
7-2015	Rezone and Douglas 103 development agreement amendment (Special)
8-2015	Amends Tables 23.313-1 and 23.316-1 and § 23.1101.020, zoning; amends Folsom Boulevard specific plan (23.313, 23.316, 23.1104)
9-2015	Approves development agreement amendment for Rio Del Oro project (Special)
10-2015	Adds Ch. 16.07, expedited permit process for small residential rooftop solar energy systems (16.07)
11-2015	Amends Table 23.325-1, grocery stores in convention overlay zone (23.325)
12-2015	Adds Ch. 10.25, preferential residential permit parking program (10.25)
13-2015	Amends §§ 10.50.010 and 10.50.020, reduced speed limits on specific streets (10.50)

14-2015	(Not adopted)
15-2015	Amends Tables 23.313-1 and 23.316-1 and § 23.919.060(C), zoning (23.313, 23.316, 23.919)
16-2015	Amends Capital Village special planning area handbooks (Special)
17-2015	Approves development agreement amendment for Capital Village special planning area (Special)
1-2016	Adds §§ 6.84.040(B) [6.84.030(B)] and 23.919.100; amends Tables 23.313-1 and 23.316-1 and §§ 23.919.010(A) and 23.1101.020, zoning (6.84, 23.313, 23.316, 23.919, 23.1104)
2-2016	Repeals and replaces Ch. 6.21, business and multifamily recycling and organics recycling (Repealed by 17-2020)
3-2016	Repeals and replaces Ch. 16.92, construction and demolition debris reduction, reuse and recycling (16.92)
4-2016	Amends §§ 16.83.105 and 16.84.065, deferral of development impact fees (16.83, 16.84)
5-2016	Rezone, Villages of Zinfandel special planning area (Special)
6-2016	Amends development agreement, Villages of Zinfandel (Special)
7-2016	Adds §§ 22.10.111, 22.10.112, 22.10.141.1; amends §§ 19.12.050, 22.25.010, 22.110.070, 23.158.040, 23.158.050 and 23.325.040, 200-year floodplain (22.10, 22.25, 22.110, 23.158, 23.325)
8-2016	Special tax for transit-related services for APG warehouse project (Tables)
9-2016	Adopts amended Rio Del Oro specific plan (Special)
10-2016	Approves amended Rio Del Oro development agreements (Special)
11-2016	Repeals and replaces Ch. 4.33, massage/massage businesses (4.33)
12-2016	Amends Ch. 16.02, uniform administrative code (Repealed by 12-2019)
13-2016	Amends Ch. 16.04, building code (Repealed by 13-2019)
14-2016	Amends Ch. 16.06, residential code (Repealed by 15-2019)
15-2016	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
16-2016	Amends Ch. 16.26, energy code (16.26)
17-2016	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
18-2016	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
19-2016	Amends Ch. 16.36, swimming pools (Repealed by 21-2019)
20-2016	Amends Ch. 16.38, green building code (Repealed by 22-2019)
21-2016	Amends Ch. 16.40, moving buildings (Repealed by 23-2019)
22-2016	(Not adopted)
23-2016	Special tax for transit-related services for Monier Circle warehouse project (Tables)
24-2016	Adds Ch. 3.70; amends § 3.60.110(A), public projects (3.60, 3.70)
1-2017	Amends Table 23.325-1 in § 23.325.020, card rooms (23.325)
2-2017	Amends Folsom Boulevard specific plan (Special)

3-2017	Amends Ch. 23.313, mixed-use zoning districts (23.313)
4-2017	Adds Ch. 8.12; amends Articles 1, 3, 5, 7, 9 and 11 of Title 23, beekeeping, zoning (8.12, 23.101, 23.104, 23.107, 23.110, 23.113, 23.116, 23.119, 23.122, 23.125, 23.128, 23.131, 23.134, 23.140, 23.141, 23.143, 23.146, 23.149, 23.152, 23.155, 23.158, 23.170, 23.173, 23.301, 23.304, 23.307, 23.310, 23.313, 23.316, 23.319, 23.325, 23.328, 23.501, 23.504, 23.507, 23.510, 23.513, 23.701, 23.704, 23.710, 23.713, 23.716, 23.719, 23.722, 23.725, 23.728, 23.731, 23.734, 23.737, 23.740, 23.743, 23.901, 23.904, 23.907, 23.910, 23.913, 23.915, 23.916, 23.919, 23.922, 23.925, 23.1104)
5-2017	Amends §§ 4.33.040, 4.33.060 and Tables 23.313-1 and 23.316-1, massage establishments (4.33, 23.313, 23.316)
6-2017	(Not adopted)
7-2017	Adds Ch. 16.09, expedited permit process for electric vehicle charging stations (16.09)
8-2017	Amends § 6.120.140, graffiti abatement (6.120)
9-2017	Adds Art. XVII to Ch. 16.18, property maintenance code (16.18)
10-2017	Amends Table 23.310-1; repeals and replaces Ch. 6.90, cannabis cultivation (6.90, 23.310)
11-2017	Approves development agreement amendment for Sundance project (Special)
12-2017	Repeals and replaces Chs. 19.04 and 19.12, tree preservation and protection (19.04, 19.12)
1-2018	Amends §§ 10.50.010 and 10.50.020, reduced speed limits on specific streets (10.50)
2-2018	Approves development agreement amendment for Douglas 98 project (Special)
3-2018	Amends zoning map (Special)
4-2018	Adds Figure 23.716-3 [23.716-2a] and § 23.913.050; amends § 23.107.020(A), Tables 23.313-1, 23.316-1, 23.316-2, 23.325-1, § 23.704.030, Table 23.719-1, § 23.719.130(C), Ch. 23.728, §§ 23.743.050, 23.743.065(B), 23.1104.040 and 23.1104.050, zoning (23.107, 23.313, 23.316, 23.325, 23.704, 23.716, 23.719, 23.728, 23.743, 23.913, 23.1104)
5-2018	Adds Ch. 16.86; amends § 16.87.010(A), transit development impact fees for transit improvements (16.86, 16.87)
6-2018	Special tax for transit-related services for Homewood Suites project (Tables)
7-2018	Amends § 23.719.130, off-street RV, trailer and vessel parking for private residences (23.719)
8-2018	Special tax for transit-related services for Superior Self-Storage project (Tables)
9-2018	Amends §§ 20.04.060(I) and 23.325.040(F)(1), FEMA flood insurance map effective date (20.04, 23.325)
10-2018	Amends § 23.901.080, family day care (large) (Repealed by 1-2020)
11-2018	Amends Ch. 23.907, utility, transportation, and communication uses (23.907)
12-2018	Adopts fourth amendment to development agreement for Montelena project (Special)
13-2018	Adopts third amendment to development agreement for Douglas 98 project (Special)
14-2018	Adopts second amendment to development agreement for Grantline 208 project (Special)

15-2018	Amends §§ 6.56.130, 6.56.160, 23.140.020, Tables 23.313-1, 23.316-1, §§ 23.719.130 and 23.1104.040, zoning (6.56, 23.140, 23.313, 23.316, 23.719, 23.1104)
16-2018	Repeals Ord. 29-2006, special tax for police protection for Anatolia IV Subdivision (Repealer)
17-2018	Amends Ch. 4.26, Table 23.313-1 and Folsom Boulevard specific plan; repeals Ch. 4.28, bingo (4.26, 23.313)
18-2018	Community Facilities District No. 2018-2 special tax (Tables)
19-2018	Community Facilities District No. 2018-1 special tax (Tables)
20-2018	Repeals and replaces Ch. 17.04, fire code (Repealed by 24-2019)
21-2018	Special tax for transit-related services for European Parts Depot project (Tables)
22-2018	Adopts first amendment to development agreement for Anthology at Anatolia project (Special)
23-2018	Adds Ch. 16.94, aquatic resources protection (16.94)
24-2018	Adds Ch. 22.45, South Sacramento Habitat Conservation Plan mitigation fees (22.45)
1-2019	Repeals Ords. 28-2004, 29-2004, 30-2004, 32-2004, 33-2004, 40-2004, 25-2006, 26-2006, 27-2006, 28-2006, 31-2006, 32-2006 and 38-2006, special police tax areas (Repealer)
2-2019	Special tax for transit-related services for Gold Valley Center project (Tables)
3-2019	Amends §§ 4.29.030, Tables 23.313-1 [23.310-1] 23.313-1, 23.316-1, 23.719-1, §§ 23.728.020, 23.734.030, 23.922.030(B) and 23.1104.040; amends and rennumbers §§ 6.68.230 as 6.68.190 and 6.68.240 as 6.68.200; repeals §§ 6.68.190 through 6.68.220, bingo suppliers, noise control, zoning (4.29, 6.68, 23.310, 23.313, 23.316, 23.719, 23.728, 23.734, 23.922, 23.1104)
4-2019	Amends §§ 4.54.000 – 4.54.020, street businesses (4.54)
5-2019	Amends Tables 23.313-1, 23.316-1, 23.319-1, §§ 23.716.070(C)(4), 23.731.050 and 23.922.030(B), zoning (23.313, 23.316, 23.319, 23.716, 23.731, 23.922)
6-2019	Amends Villages of Zinfandel special planning area (Special)
7-2019	Approves development agreement, Bradshaw Village subdivision (Special)
8-2019	Amends §§ 16.83.105 and 16.84.065, deferral of development impact fees (16.83, 16.84)
9-2019	Adds Ch. 9.84, personal property storage on public property (9.84)
10-2019	Special tax for transit-related services for Bradshaw Village project (Tables)
11-2019	Reapproves amended development agreement, Rio Del Oro project (Special)
12-2019	Repeals and replaces Ch. 16.02, administrative code (Repealed by 16-2022)
13-2019	Repeals and replaces Ch. 16.04, building code (Repealed by 17-2022)
14-2019	Adds Ch. 16.05, historical building code (16.05)
15-2019	Repeals and replaces Ch. 16.06, residential building code (Repealed by 19-2022)
16-2019	Adds Ch. 16.10, existing building code (16.10)
17-2019	Repeals and replaces Ch. 16.24, plumbing code (Repealed by 21-2022)
18-2019	Adds [amends] Ch. 16.26, energy code (16.26)
19-2019	Repeals and replaces Ch. 16.28, electrical code (Repealed by 23-2022)

20-2019	Repeals and replaces Ch. 16.32, mechanical code (Repealed by 24-2022)
21-2019	Repeals and replaces Ch. 16.36, swimming pool and spa code (Repealed by 25-2022)
22-2019	Repeals and replaces Ch. 16.38, green building code (Repealed by 26-2022)
23-2019	Repeals and replaces Ch. 16.40, moving buildings (Repealed by 27-2022)
24-2019	Repeals and replaces Ch. 17.04, fire code (Repealed by 28-2022)
25-2019	Adds Ch. 23.930, tenant protection (Expired)
1-2020	Amends Tables 23.310-1, 23.313-1, §§ 23.728.030(C) and 23.731.070; repeals § 23.901.080, zoning (23.310, 23.313, 23.728, 23.731)
2-2020	Amends §§ 22.40.035(B) and (C), calculating area of land dedication (22.40)
3-2020	Rezone (Special)
4-2020	Approves development agreement, ranch special planning area project (Special)
5-2020	Adds § 16.18.1703(Y), boats, recreational vehicles and trailers (16.18)
6-2020	Urgency ordinance adding Ch. 16.21, temporary moratorium on eviction of residential tenants (Not codified)
7-2020	Urgency ordinance adding Ch. 4.56, temporary moratorium on eviction of commercial tenants (Not codified)
8-2020	Adds Ch. 16.21, temporary moratorium on eviction of residential tenants (16.21)
9-2020	Adds Ch. 4.56, temporary moratorium on eviction of commercial tenants (4.56)
10-2020	Amends Arts. XI and XII of Ch. 16.20; repeals Art. VIII of Ch. 16.20, housing code (16.20)
11-2020	Amends §§ 6.56.130, 16.18.1702(I) – (R), 16.18.1703, 16.18.1704, Table 23.316-1, §§ 23.325.070, 23.719.130, 23.731.060 and 23.901.030, abandoned vehicles, nuisance, zoning (6.56, 16.18, 23.316, 23.325, 23.719, 23.731, 23.901)
12-2020	Community Facilities District No. 2020-1 special tax (Tables)
13-2020	Amends Suncreek specific plan (Special)
14-2020	Amends §§ 6.84.020 and 6.84.040, regulation of smoking (6.84)
15-2020	Adds Ch. 16.95, storm drainage impact fee program (16.95)
16-2020	Special tax for transit-related services, White Rock Center project (Tables)
17-2020	Repeals and replaces Chs. 6.20 and 6.21, solid waste management, business and multifamily recycling and organics recycling (6.20, 6.21)
18-2020	Adds Ch. 3.06, Rancho Cordova relief and recovery 2020 transactions and use tax (3.06)
19-2020	Repeals § 6.86.110, purchase of tobacco products by minors prohibited (Repealer)
20-2020	Amends §§ 10.50.010 and 10.50.020, reduced speed limits on specific streets (10.50)
1-2021	Amends §§ 23.313.030, 23.743.150(A) and (B) and 23.1104.040, zoning (23.313, 23.743, 23.1104)
2-2021	Amends development agreement for Montelena (Special)
3-2021	Amends the Ranch special planning area (Special)
4-2021	Amends development agreement, the Ranch (Special)

5-2021	Urgency ordinance establishing temporary limit on third-party delivery service fees (Not codified)
6-2021	Special tax for transit-related services, Rio del Oro project (Tables)
7-2021	Adds § 8.07.065; amends §§ 8.01.110, 8.01.120, 8.07.040, 8.07.055 and 8.07.060, potentially dangerous and vicious animals (8.01, 8.07)
8-2021	Adds Ch. 23.902; amends §§ 23.316.030 and 23.1104.040, zoning (23.316, 23.902, 23.1104)
9-2021	Special tax for transit-related services, High Class Motors project (Tables)
10-2021	Amends §§ 16.83.040 and 16.83.070, Sunrise Douglas community plan funds (16.83)
11-2021	Amends §§ 23.313.030 and 23.325.020, zoning (23.313, 23.325)
12-2021	Amends SunCreek specific plan (Special)
13-2021	Adds § 4.54.305, fireworks host liability (4.54)
14-2021	Amends development agreement for Montelena Villages (Special)
15-2021	Adds §§ 16.81.010(E), 16.81.120(E) and 16.81.130(E); amends §§ 16.81.020 through 16.81.040 and 16.81.070; repeals §§ 16.81.080 through 16.81.100, 16.81.110(B) and 16.81.140, development fees to finance cost of off-site roadway mitigation and library facilities (16.81)
16-2021	Amends development agreement, Rio Del Oro project (Special)
17-2021	Adds Chs. 23.137 and 23.707; amends Chs. 23.104, 23.110, 23.141, 23.710 and § 23.901.060, zoning (23.104, 23.110, 23.137, 23.141, 23.707, 23.710, 23.901)
18-2021	Cancels development agreement, Preserve at Sunridge project (Special)
19-2021	Special tax for transit-related services, Falconer commercial building project (Tables)
20-2021	Special tax for transit-related services, express sewer and drain project (Tables)
21-2021	Special tax for transit-related services, The Ranch project (Tables)
22-2021	Amends Chs. 2.30, 23.104 and 23.110, planning commission (2.30, 23.104, 23.110)
23-2021	Community Facilities District No. 2021-1 special tax (Tables)
1-2022	Amends Chs. 23.128, 23.307, 23.310, 23.313, 23.316, 23.719, § 23.743.085, Ch. 23.901 and § 23.1104.040, zoning (23.128, 23.307, 23.310, 23.313, 23.316, 23.719, 23.743, 23.901, 23.1104)
2-2022	Amends Ch. 2.30, planning commission (2.30)
3-2022	Moratorium on electronic cigarette retailers, electronic cigarette lounges and vapor bars (Special)
4-2022	Extends moratorium on electronic cigarette retailers, electronic cigarette lounges and vapor bars (Special)
5-2022	Special tax for transit-related services, Grantline 220 project (Tables)
6-2022	Rezone (Special)
7-2022	Approves development agreement (Special)
8-2022	Community Facilities District No. 2022-1 special tax (Tables)
9-2022	Adds Ch. 16.82, SunCreek specific plan development impact fees (16.82)
10-2022	Amends Ch. 4.07, §§ 6.84.020 and 23.919.100; repeals Ch. 6.86, tobacco sales and use (4.07, 6.84, 23.919)

11-2022	Approves amendments to development agreements and reapproves development agreement for SunCreek project (Special)
12-2022	Amends §§ 16.18.205, 16.18.503, 17.12.020, 23.313.030, Ch. 23.325, 23.1104.040 and Folsom Boulevard specific plan, nuisance, weed control, zoning (16.18, 17.12, 23.313, 23.1104)
13-2022	Adds Ch. 9.85, protection of critical infrastructure and wildfire risk areas (9.85)
14-2022	Special tax for transit-related services, Ranch project (Special)
15-2022	Amends §§ 2.30.010, 4.10.155, Ch. 6.90, §§ 10.64.030, 16.95.070(A), 21.12.010, 21.12.020(A) and (B), 21.12.025, 21.12.030, 21.12.040, 21.12.045, 21.12.050, 21.12.055, 21.12.075, 22.10.060, 22.10.075, 22.20.076, 22.25.010, 22.30.015, 22.40.005, 22.50.010, 22.110.035, 22.110.065 and Ch. 23.104; repeals Ch. 2.34, housekeeping ordinance (2.30, 4.10, 6.90, 10.64, 16.95, 21.12, 22.10, 22.20, 22.25, 22.30, 22.40, 22.50, 22.110, 23.104)
16-2022	Repeals and replaces Ch. 16.02, administrative code (16.02)
17-2022	Repeals and replaces Ch. 16.04, building code (16.04)
18-2022	Adds [amends] Ch. 16.05, historical building code (16.05)
19-2022	Repeals and replaces Ch. 16.06, residential building code (16.06)
20-2022	Adds [amends] Ch. 16.10, existing building code (16.10)
21-2022	Repeals and replaces Ch. 16.24, plumbing code (16.24)
22-2022	Adds [amends] Ch. 16.26, energy code (16.26)
23-2022	Repeals and replaces Ch. 16.28, electrical code (16.28)
24-2022	Repeals and replaces Ch. 16.32, mechanical code (16.32)
25-2022	Repeals and replaces Ch. 16.36, swimming pool and spa code (16.36)
26-2022	Repeals and replaces Ch. 16.38, green building code (16.38)
27-2022	Repeals and replaces Ch. 16.40, moving buildings (16.40)
28-2022	Repeals and replaces Ch. 17.04, fire code (17.04)
29-2022	Amends §§ 5.50.104 and 5.50.112, cable television commission (5.50)

ITEM 18.2.

**Chapter 15.10 STORM
DRAINAGE FEE**

Sections:

- 15.10.010 Purpose.**
- 15.10.020 Findings.**
- 15.10.030 Definitions.**
- 15.10.040 Levy of charge for storm drainage services.**
- 15.10.050 Reduction in charge.**
- 15.10.060 Billing procedure.**
- 15.10.070 Lien.**
- 15.10.080 Collection of fees with general taxes.**
- 15.10.090 Administration and enforcement.**
- 15.10.100 Administrative appeal.**
- 15.10.110 Deposit of collections.**
- 15.10.120 Operative date.**
- 15.10.130 Severability.**

15.10.010 Purpose.

The purpose of this chapter is to establish a mechanism for funding the operation and maintenance of the City storm drainage system in order that storm and surface waters may be properly drained and controlled so that the health, safety and welfare of the city and its inhabitants may be safeguarded and protected. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.020 Findings.

The City Council hereby finds as follows:

Exhibit A to the Ordinance**ITEM 18.2.**

- A. The City maintains a system of storm and surface water management facilities within the City, including but not limited to inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basins, infiltration facilities, overland release corridors, pump stations, and other components as well as natural waterways.
- B. Those elements of the City's storm and surface water management system that provide for the collection, storage, treatment, and conveyance of storm drainage are of benefit and provide services to all developed property within the City.
- C. The cost of operating and maintaining the storm drainage management system, including necessary repairs, should, to the extent practicable, be allocated in relationship to the benefits enjoyed and services received therefrom.
- D. Erosion and the discharge of nutrients, metals, oil, grease, and other substances into and through the storm drainage system results in a degradation in water quality if not properly managed.
- E. The public health, safety and welfare are adversely affected by poor water quality and flooding resulting from inadequate storm drainage management practices.
- F. The storm drainage management practices necessary to protect water quality are largely established by federal and state statutes, regulations and permitting requirements.
- G. Real property either uses or benefits from the presence and operation of the storm drainage management system.
- H. The use of the storm drainage system is dependent on factors that influence runoff, including land use and impervious area.
- I. The City has the authority under Section [5471](#) of the Health and Safety Code to prescribe, revise and collect fees, tolls, rates, rentals and other charges for facilities and services furnished by it in connection with its storm drainage system.
- J. The Legislature, through the adoption of Section [5471](#) of the Health and Safety Code, has specifically authorized the City to provide storm drainage services as a utility function for which service charges may be levied.
- K. Storm drainage services are currently provided by the City and funded through a combination of property tax revenue and benefit assessments.

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L. Benefit assessments are an undesirable revenue mechanism because of the significant lag-time between the time that the assessments are approved and the time that they are received as part of the real property tax collection and allocation process. This lag-time creates the need to include a component in the assessment to provide a reserve for dry period financing purposes.

M. A fee to fund storm drainage services offers a reliable and consistent source of revenue that is locally controlled and independent of the vagaries of the state of California's budget process. [Ord. 212003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.030 Definitions.

The meanings ascribed to the terms set forth in this section shall govern the interpretation of this chapter.

"Administrative charge" means the charge imposed by the City's consolidated utility billing service for the actual cost of billing for, and collection of, storm drainage service fees.

"City" means the City of Rancho Cordova.

"City storm drainage system" means the system of storm and surface water management facilities, including but not limited to inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basins, infiltration facilities, overland release corridors, pump stations and other components as well as natural waterways within the City that are either owned or operated by the City.

"Commercial/office use" means the use of any developed parcel for any of the following or similar purposes: offices, wholesale or retail sales, establishments, or the provision of personal, professional or business services, including, but not limited to, retail stores, shopping centers, restaurants, service stations, car washes, vehicle, boat and trailer sales lots, parking lots, automobile repair and service facilities, auction yards, advertising offices, nurseries, general offices, financial service facilities, medical and dental offices, clinics and laboratories, and veterinary offices, clinics and hospitals.

"Developed parcel" means any parcel of land altered from its natural state by the construction, creation, or addition of impervious area.

"Engineer" means the City's Public Works Director or their designee.

"Equivalent contributing parcel area" means the calculated area which, when multiplied by the impervious factor for the parcel's use classification, yields the parcel's measured impervious area.

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“Exempt use” means the use of any public or undeveloped property and the use of any other parcel for any of the following purposes: agricultural land used for crops or pasture, aquatic farms, orchards, City-maintained drainage ditches, property within a floodplain recognized by the City on which improvements are prohibited, and levees.

“Fiscal year” means the annual period beginning July 1st and ending June 30th.

“Impervious area” means the total area of a parcel of property covered by an impervious surface.

“Impervious factor (IF)” means a factor which represents the percentage of impervious area on a parcel which consists of a numerical value that is calculated on the basis of generally accepted engineering standards, review and application of such standards to local conditions, and statistics compiled by measuring impervious areas depicted on aerial photographs of real property.

“Impervious surface” means a surface covering or pavement of a developed parcel of land that prevents the land's natural ability to absorb and infiltrate rainfall/stormwater. Impervious surfaces include, but are not limited to: roof tops, walkways, patios, driveways, parking lots, storage areas, impervious concrete and asphalt, and any other continuous watertight pavement or covering. Landscaped soil and pervious pavement, including pavers with pervious openings and seams, underlain with pervious soil or pervious storage material, such as a gravel layer sufficient to hold the specified volume of rainfall runoff are not impervious surfaces.

“Industrial use” means the use of any developed parcel for any of the following or similar purposes: to manufacture, fabricate, process or package products, to process or store food or chemical products, or for storage or warehousing purposes, including, but not limited to, processing, fabrication and assembly plants, warehouses, wrecking yards, aerospace facilities, truck and other transportation terminals, building materials storage, bakeries, canneries, wineries, creameries, meat and frozen food processing facilities, meat packing plants, slaughter yards, inspection and weighing stations, airports, railroads and railroad spurs, wells, electrical substations, water or sewage treatment plants, and ministorage facilities.

“Institutional use” means the use of any developed parcel for any of the following or similar purposes: hospitals, nursing facilities, residential care facilities, retirement homes, day nurseries, mortuaries, churches, and schools.

“Low impervious development use” means the use of any developed parcel for any of the following or similar purposes: golf courses, surface mines, cemeteries, marinas, and sports fields.

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“Multifamily residential use” means the use of any developed parcel for any of the following or similar purposes: triplexes, fourplexes, apartments, mobile home parks, hotels, boarding and rooming houses, fraternity and sorority houses, motels, the common areas of condominiums and planned unit developments, and bed and breakfast inns.

“Parcel” means the smallest separately segregated lot, unit or plot of real property having an identified owner, boundaries, and surface area which is documented for property tax purposes and given a tax lot number by the county assessor.

“Parcel area” means the square footage of a parcel measured or estimated using the outside boundary dimensions in feet in order to obtain the total square footage without regard for any topographic features of the enclosed surface.

“Person” means any individual, firm, company, association, society, partnership, corporation, organization, group or public agency.

“Public agency” means the United States or any department or agency thereof, the state of California or any department or agency thereof, a city, a county, and any district or other local authority or public body of or within this state.

“Public property” means any property owned by a public agency.

“Residential dwelling unit” means any residential premises designed to house a single family.

“Single-family residential use” means the use of any developed parcel for any of the following or similar purposes: single-family residences, condominiums and planned unit developments, row houses, halfplexes, duplexes, and mobile homes located on individually owned parcels.

“Street” means any public highway, road, street, avenue, way, alley or right-of-way.

“Undeveloped use” means any parcel that has not been altered from its natural state, as evidenced by a complete lack of impervious surface.

“Unit service charge (USC)” means the cost of storm drainage services attributable to storm drainage from one square foot of impervious area.

“Use code” means the six-digit alphanumeric code assigned by the County Assessor’s Office to every parcel within the City.

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“User” means the owner of a parcel of real property that is charged for storm drainage services.

15.10.040 Levy of charge for storm drainage services.

- A. There is hereby levied by the City on all parcels in the Stormwater Utility Zone 1 and Stormwater Utility Zone 2 areas, other than those classified as an exempt use, a storm drainage service fee to be calculated as set forth in this section.
- B. Any parcel classified as a single-family residential use shall pay a monthly charge which shall be calculated as follows: the administrative charge + (USC x 3,500 x phase-in multiplier x each residential dwelling unit) = monthly charge.
- C. All parcels other than those parcels classified as an exempt or single-family residential use shall pay a monthly charge that shall be calculated as follows: the administrative charge + (parcel area x USC x IF x phase-in multiplier) = monthly charge.
- D. The impervious factors (IF) to be used in the calculation set forth in subsection (C) of this section shall be based on the following table:

Bill Category	Impervious Factor
Commercial/office	0.80
Industrial	0.70
Multifamily residential	0.60
Institutional	0.50
Low impervious development	0.10

- E. The phase-in multiplier for all parcels to be used in the calculations in subsections (B) and (C) of this section shall be:

Phase-In Multiplier, Effective:

Oct. 1, 1996	Oct. 1, 1997	Oct. 1, 1998
0.50	0.75	1.0

- F. The unit service charge (USC) to be used in the calculation set forth in subsections (B) and (C) of this section shall be as follows: effective October 1, 1996, it shall be \$0.001583 per square foot of

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impervious area. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1046 § 1, 1996; SCC 1026 § 1, 1996; SCC 0985 § 1, 1995].

15.10.050 Reduction in charge.

A. The owner of any parcel subject to the storm drainage fee, other than parcels classified as a single-family residential use, may file an application with the Public Works Director to have the fee levied on such parcel reduced by means of one of the following mechanisms:

1. By designing, constructing and maintaining at the owner's expense storm drainage detention facilities approved by the Public Works Director; or
2. Demonstrating to the satisfaction of the Public Works Director that less than five percent of the parcel area drains into a City storm drainage system.

B. After receipt and review of the application, the Public Works Director shall either deny any reduction in the fee or approve a reduced fee calculated pursuant to subsection (C) of this section. The Public Works Director, in approving any reduction in the otherwise applicable fee, may attach reasonable conditions to any such approval. If the applicant is dissatisfied with the action of the Public Works Director, he may file a petition pursuant to RCMC [15.10.100](#).

C. Any storm drainage facilities constructed by a parcel owner pursuant to this section shall meet the standards set forth in the City's improvement standards. Upon approval of any reduction in the otherwise applicable fee pursuant to this section, the revised fee shall be calculated on the basis of the equivalent contributing parcel area. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.060 Billing procedure.

A. The storm drainage fee shall be billed to all users no less frequently than a bimonthly basis. The bill is due and payable on presentation and shall become delinquent 45 days after for a bimonthly billing, or 21 days after for a monthly billing after the date of billing. The storm drainage fee shall be billed as part of the City's consolidated utility billing service.

B. The storm drainage service fee billing shall be based on the use of the parcel as determined by the Public Works Director. For each parcel of property there shall be only one unit for purposes of billing for storm drainage services. In no case shall a parcel be divided into smaller units for billing purposes.

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- C. The storm drainage service fee shall be billed to the owner of record of the parcel, to the successor in interest of such person, or to such person's single designee if approved by the Public Works Director. All requests to bill a party other than the owner of record must be made in writing to the Public Works Director by both the owner of record and the party to be billed. The Public Works Director may approve or deny such requests at his sole discretion. The Public Works Director shall notify the owner of record if the billing is changed to comply with such a request and the owner of record shall remain liable for any delinquent fees.
- D. The opening bills shall be based on current parcel numbers, square footage and use codes on record in the county assessor's office, unless the Public Works Director determines that the actual use of the parcel is different than the use reflected in the use codes in which case the billing shall be based on the actual use of the parcel.
- E. Any adjustment of charges may be initiated by either the Public Works Director or by the owner of a parcel subject to the storm drainage service fee. If the Public Works Director denies any adjustment proposed by an owner or an owner objects to an adjustment proposed by the Public Works Director, any adjustment shall be made pursuant to the procedure set forth in RCMC [15.10.100](#). Any debit adjustments shall be added to the charge in the succeeding billing period. Any credit adjustments shall first be credited against the previous balance and then any remaining credit shall be applied to subsequent bimonthly charges. No debits or credits shall be made for any period more than three years prior to the date that an adjustment is proposed by the Public Works Director or requested by the owner of record pursuant to RCMC [15.10.100](#).
- F. Any delinquent storm drainage fee shall incur an added penalty charge of 10 percent of the amount that is delinquent. The delinquent amount, including the 10 percent penalty charge, shall thereafter incur an added penalty charge of one and one-half percent per month until paid or placed on the annual property tax bill. If collected with property taxes, the total amount delinquent, plus all penalties, shall incur an additional 10 percent lien penalty. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1214 § 1, 2002; SCC 0985 § 1, 1995].

15.10.070 Lien.

- A. The City shall notify the assessee shown on the latest equalized assessment roll whenever delinquent and unpaid fees which would become a lien on the parcel pursuant to subsection (B) of this section remain delinquent and unpaid for 60 days.
- B. The storm drainage service fee and any penalties levied pursuant to this chapter shall constitute a lien upon the parcel subject to the fee, as provided for in Section [5473.11](#) of the Health

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and Safety Code, if the fee remains delinquent for a period of 60 days and the City has notified the assessee of the parcel shown on the latest equalized assessment roll of the delinquent fees and the lien provided by this section.

C. The lien provided herein shall have no force or effect until a certificate specifying the amount of the unpaid fees is recorded with the county recorder. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.080 Collection of fee with general taxes.

Any delinquent storm drainage service fees and penalties may be collected on the tax roll in the same manner and at the same time as the county's ad valorem property taxes. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.090 Administration and enforcement.

The engineer shall be responsible for the administration and enforcement of the provisions of this chapter. The engineer shall have the authority to adopt rules and regulations not inconsistent with the provisions of this chapter for purposes of carrying out and enforcing the payment, collection and remittance of the fee herein levied. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.100 Administrative appeal.

A. Any owner who disputes the amount of the storm drainage service fee charged to his parcel, the classification of the property in terms of its use, any adjustment proposed by the Public Works Director, or any other determination affecting the property made by or on behalf of the City pursuant to this chapter may petition the engineer for a hearing with regard to any such issue. The engineer may conduct such hearing himself or may designate an employee of the Public Works agency to conduct such hearing on his behalf. Any such petition may only be filed once in connection with the issue or issues presented in the petition, except upon a showing of changed circumstances sufficient to justify the filing of such additional petition.

B. Any such petition shall be in writing, signed by the owner under penalty of perjury and filed with the engineer. The petition shall include the following information:

1. A complete description of the factual basis for the appeal;
2. The legal basis for the appeal; and
3. The remedy sought by the appellant.

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Within 10 days after receipt of the petition, the engineer shall mail written notice to the appellant of the date, time and place of the scheduled hearing.

C. At the hearing, the engineer or designated hearing officer may hear any oral or documentary evidence that the appellant may offer in addition to the information in the petition, together with any oral or written information that may be submitted by City representatives in support of the determination that is the subject of the appeal. Within 30 days after the conclusion of the hearing, the engineer or the designated hearing officer shall make and serve by mail written findings of fact based upon all relevant information presented in the petition or at the hearing, shall make a determination of issues based upon such findings and, if appropriate, an order setting forth an appropriate remedy subject to the limitations set forth in RCMC [15.10.060](#)(E). The determination of the engineer or designated hearing officer shall be final. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.110 Deposit of collections.

There is hereby created in the City treasury a special revenue fund to be known as the “City Storm Drainage Service Fee Fund.” All storm drainage service fee revenue collected by the City shall be deposited in such fund. The revenue deposited in such fund shall be used only for the acquisition, construction, reconstruction, maintenance, permitting, and operation of City storm drainage facilities. [Ord. 212003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.120 Operative date.

Notwithstanding the effective date of this chapter, the storm drainage service fee levied in RCMC [15.10.040](#) shall be operative as of July 1, 1995. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.130 Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this chapter or any part thereof is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portion of this chapter or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

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Disclaimer: The City Clerk's Office has the official version of the Rancho Cordova Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://www.cityofranchocordova.org/>

City Telephone: (916) 851-8720

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Chapter 15.12
STORMWATER MANAGEMENT AND DISCHARGE CONTROL

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Article I. General Provisions**15.12.010 Findings.**

A. The Federal Clean Water Act provides for the regulation and reduction of pollutants discharged into the waters of the United States by extending National Pollutant Discharge Elimination System (NPDES) requirements to stormwater and urban runoff discharges into the City's municipal separate storm sewer system (MS4).

B. The State Water Resources Control Board ("State Water Board") is the state water pollution control agency for all purposes of the Federal Clean Water Act pursuant to Section 13160 of the California Water Code. The State Water Board is authorized by the United States Environmental Protection Agency (EPA) to administer the NPDES program within the state. The Porter-Cologne Water Quality Control Act (Water Code section 13000 et seq.) provides authority for the State NPDES program, including provisions to issue NPDES permits and Waste Discharge Requirements (WDR's) to regulate discharges of stormwater to the waters of the state.

C. Stormwater flows from individual properties to the City's MS4 and then ultimately to the Waters of the United States.

D. The City of Rancho Cordova, the County of Sacramento and the cities of Citrus Heights, Elk Grove, Folsom, Galt, and Sacramento are subject to the waste discharge requirements of the National Pollutant Discharge Elimination System (NPDES) Permit And Waste Discharge Requirements General Permit For Discharges From Municipal Separate Storm Sewer Systems (Order R5-2016-0040, NPDES No. CA0085324) (Municipal Stormwater Permit), under which the City and Sacramento County are co-permittees. As co-permittee with Sacramento County, the City is required to possess the necessary legal authority, and to implement appropriate procedures, to regulate the entry of pollutants and non-stormwater discharges into the City's MS4.

E. The City's Municipal Stormwater Permit requires the City effectively prohibit non-stormwater discharges into the MS4 except as otherwise allowed by the permit or permitted by federal law. The Municipal Stormwater Permit and this chapter require regular compliance inspections and enforcement at certain commercial and industrial facilities, as defined by the permit.

F. The City Council finds in this regard that the provisions of this chapter are necessary to provide the City with the legal authority necessary to implement and otherwise comply with the requirements of its Municipal Stormwater Permit and to protect the waters of the state for the benefit of its people and the environment. [Ord. 41-2004 § 2].

15.12.020 Purpose and intent.

A. This chapter is adopted pursuant to Article XI, Section [7](#) of the California Constitution, which authorizes the City to exercise its police power to protect and promote the public health, safety, and general welfare. While stormwater runoff is one step in the natural cycle of water, human activities, including, but not limited to, agriculture, construction, and the operation of an urban infrastructure, may result in undesirable discharges of pollutants and certain sediments. Such discharges may accumulate in local drainage channels and waterways may eventually be deposited in the waters of the United States. The purpose of this chapter is to protect and enhance the water quality of watercourses, water bodies and wetlands within the City in a manner consistent with the Federal Clean Water Act, the Porter-Cologne Water Quality Control Act, and Municipal Discharge Permit No.CAS0085324, Order R5-2016-0040, together with all subsequent amendments and renewals, by controlling the contribution of urban pollutants to stormwater runoff which enters the City's stormwater conveyance system.

B. It is the intent of the City Council in adopting this chapter to provide the City with the legal authority to accomplish the following goals:

1. To benefit the people and environment of the City of Rancho Cordova by protecting water quality in Waters of the United States and Waters of the State;
2. To reduce the discharge of pollutants in stormwater to the maximum extent practicable;
3. To effectively prohibit non-stormwater discharges into the City's stormwater conveyance system;
4. To comply with the requirements of the Federal Clean Water Act, the Porter-Cologne Water Quality Control Act and NPDES Municipal Stormwater Discharge Permit No.CAS0085324, and Order R5-2016-0040, together with all subsequent amendments and renewals as they apply to the discharge of pollutants into and from the City's MS4;
5. To fully implement the City's comprehensive annual Work Plans as approved by the Regional Water Quality Control Board (Regional Water Board);
6. To protect the physical integrity and function of the City's MS4 from the effects of pollutants and materials other than stormwater;
7. To prevent the contamination of groundwater as a result of urban stormwater runoff;

8. To protect the health and safety of maintenance personnel and the public who may be exposed to pollutants in the city's MS4;
9. To provide for the recovery of regulatory costs incurred by the City in the implementation of its comprehensive Stormwater Quality Improvement Program, including, but not limited to, enforcement activities, compliance assistance, inspections, investigations, sampling, and monitoring; and
10. To establish appropriate enforcement procedures and penalties for violations of the provisions of this chapter. [Ord. 41-2004 § 2].

15.12.030 Definitions.

Any term(s) defined in the Federal Clean Water Act, as amended, and/or defined in the regulations for the stormwater discharge permitting program issued by the Environmental Protection Agency, as amended, and which are not specifically defined in this chapter shall, when used in the chapter, have the same meaning as set forth in said act or regulation.

As used in this chapter, the following words and phrases shall have the meanings set forth below unless the context clearly indicates otherwise:

"Administrator" means the City's Public Works Director or another City official designated by the City Manager to administer the City's Stormwater Program.

"Best management practices (BMP)" means schedules of activities, prohibition of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce to the maximum extent practicable, the discharge of pollutants directly or indirectly to waters of the United States. BMPs shall also be defined to include structural controls, treatment controls, training requirements, operating procedures, and practices to control site runoff, spillage, leaks, sludge or waste disposal, and drainage from raw materials storage.

"City Council" or "Council" means the City Council of the City of Rancho Cordova.

"City" means the City of Rancho Cordova.

"City stormwater conveyance system" means those public and natural facilities within the City, which are operated, maintained or controlled by the City, by which stormwater may be conveyed to Waters of the United States or Waters of the State, including, but not limited to, any roads with drainage systems, municipal streets,

catch basins, water quality basins, detention basins, constructed wetlands, natural and artificial channels, stream beds, gullies, curbs, gutters, ditches, sumps, pumping stations, and storm drains. The City's stormwater conveyance system includes natural creeks and small streams which are also defined as receiving waters by the Municipal Stormwater Permit, but does not include the American River.

"County" means County of Sacramento.

"Discharge" means the release or placement of any material into the City's stormwater conveyance system, including, but not limited to, stormwater, wastewater, solid materials, liquids, hazardous waste, raw materials, debris, litter, or any other substance.

"Discharger" means any person, business, construction project, or entity that discharges, or causes to discharge, either directly or indirectly, stormwater or any other material into the City's MS4.

"Hydromodification" means the changes in the natural watershed hydrologic processes and runoff characteristics (e.g., interception, infiltration, overland flow, and groundwater flow) caused by urbanization or other land use changes that result in increased stream flows and sediment transport. In addition, alteration of stream and river channels, such as stream channelization, concrete lining, installation of dams and water impoundments, and excessive streambank and shoreline erosion are also considered hydromodification, due to their disruption of natural watershed hydrologic processes. For the purposes of this Chapter, "hydromodification" refers to ecologically significant modification of a watershed's natural hydrograph, characterized by increased volume, velocity, rate, duration, and/or overall energy.

"Hydromodification control" means measures to mitigate artificial acceleration of natural erosion and sedimentation processes within the receiving waters through attenuation, infiltration, and dispersion of additional runoff created by impervious surfaces and earthwork compaction to prevent or reduce to the maximum extent practicable the discharge of pollutants directly or indirectly to waters of the United States.

"Illicit connection" means any physical connection to the City's stormwater conveyance system which is not permitted pursuant to a valid NPDES permit and/or expressly authorized by the City.

"Illicit Discharge" means any discharge to the MS4 that is not composed entirely of stormwater, except discharges pursuant to a NPDES permit and non-storm water discharges, such as those resulting from firefighting activities [40 CFR 122.26(b)(2)].

“Implementing agency” means the agency or department designated by the City Manager to enforce the provisions of this chapter with respect to a particular program, site, facility, or industry category.

“Industry or industrial activity” means any service, business, enterprise, or any other activity conducted by any person or entity for monetary gain or other compensation or in support of or promotion of such activity. This term shall also mean any similar activity conducted by a non-profit corporation as defined by the State of California.

“Low impact development” (LID) means a stormwater management and land development strategy that emphasizes conservation and the use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely reflect pre-project hydrologic functions. LID includes land development strategies that emphasize conservation and the use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely reflect pre-project hydrologic functions.

“LID Strategies” include retention practices that do not allow runoff, such as infiltration, rainwater harvesting and use, and evapotranspiration.

“Material” means any substance, including, but not limited to, raw materials, finished products, garbage and debris, lawn clippings, leaves and other vegetation, biological and fecal waste, sediment and sludge, oil and grease, gasoline, paints, solvents, cleaners and any fluid or solid containing chemicals.

“Municipal Stormwater Permit” means NPDES Permit No. CAS0085324, together with all subsequent amendments and renewal, issued by the Regional Water Board to Sacramento County and the cities of Rancho Cordova, Citrus Heights, Elk Grove, Folsom, Galt, and Sacramento.

“National Pollution Discharge Elimination System permit” or “NPDES permit” means a permit issued by either the Regional Water Board or the State Water Resources Control Board pursuant to Chapter 5.5 (commencing with Section [13370](#)) of Division 7 of the California Water Code or the United States Environmental Protection Agency to control discharges from point sources to Waters of the United States.

“Non-stormwater discharge” means any discharge to the City’s MS4 or directly to the natural surface waters which did not originate from storm events and snow melt, but essentially resulted from human activities, or materials or processes under a person’s control. Non-stormwater discharges include but are not limited to discharges of: (1) water that has been used by a person or entity for any purpose such as cleaning, rinsing, cooling, irrigation, aquaculture, recreation, cooking, and industrial processes; (2) water or wastewater that

originates or flows from equipment, valves, piping, hoses, containers, tanks, or other man-made apparatus; or
(3) any discharge of materials or wastes other than water.

“Person” means any individual, firm, company, society, organization, partnership, public agency, trust, estate, cooperative association, joint venture, business entity or other similar entity, or the agent, employee, or representative of any of the above.

“Pollutant” means any contaminant or other substance which, as determined by the Administrator, is discharged or has a reasonable potential to be discharged in sufficient quantities or concentrations to cause exceedance of receiving water limitations defined in the Municipal Stormwater Permit, or any successor section, or otherwise cause a violation of the Municipal Stormwater Permit. Pollutant may include, but is not limited to, solid waste, sewage, garbage, medical waste, wrecked or discarded equipment, radioactive material, dredged soil, rock, sand, industrial waste, feces, fecal coliform, fecal streptococcus, enterococcus, volatile organic carbon, surfactants, oil and grease, petroleum hydrocarbon, organic solvents, metals, phenols, pesticides, nutrients, suspended or settleable solids, materials causing an increase in biochemical or chemical oxygen or total organic carbon, substances which alter pH, and those pollutants defined in Section 1362(6) of the Federal Clean Water Act.

“Potential user” means any person or entity who by nature of the enterprise, activity, or industry in which such person or entity is engaged, or by the use, possession, or ownership of specified types of equipment, is determined by the administrator to generate or have the capacity to generate wastes or wastewater which have significant potential to be discharged to the City MS4.

“Premises” means any building, lot, parcel or land, or portion thereof, whether improved or unimproved.

“Prohibited discharge” means any non-stormwater discharge to the City MS4 or directly to receiving waters, which is not otherwise specifically authorized by this chapter, the Regional Water Quality Control Board, state, or federal law, or an NPDES permit.

“Receiving water limitations” means those restrictions defined and listed in Section IV. of the City’s Municipal Stormwater Permit (NPDES Permit No. CAS0085324) or any successor permit.

“Receiving waters” means surface bodies of water, as defined by the Municipal Stormwater Permit, including, but not limited to, creeks and rivers, which serve as discharge points for the City’s MS4.

“Regional Water Board” means the California Regional Water Quality Control Board, Central Valley Region.

“Significant redevelopment” means the creation or addition of at least 5,000 square feet of impervious surfaces on an already developed site. Significant redevelopment includes, but is not limited to, expansion of a building footprint, or replacement of a structure; replacement of impervious surface that is not part of a routine maintenance activity and land-disturbing activities related to structural or impervious surfaces.

“Specific performance requirements” means standards adopted by the City that define required conditions or results regarding the elimination of non-stormwater discharges or the control of pollutants in stormwater from specified sources.

“State Construction General Permit” means the State Water Resources Control Board’s Order No. 99-08-DWQ superseded by Order No. 2010-2014 National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000021 Waste Discharge Requirements (WDRS) for Discharges of Stormwater Runoff Associated with Construction Activity, and any successor documents.

“State Industrial General Permit” means the State Water Resources Control Board’s Order No. 97-03-DWQ and Order No. 2014-0057 National Pollutant Discharge Elimination System General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Stormwater Associated with Industrial Activities Excluding Construction Activities, and any successor documents.

“Stormwater” means surface runoff and drainage resulting from storm events and snow melt.

“Subject activity” means any industrial activity which is determined by the Administrator to discharge or have the potential to discharge pollutants into stormwater or non-stormwater in quantities or concentrations which may cause exceedance of receiving water limitations.

“Threatened prohibited non-stormwater discharge” means any condition or activity which does not currently result in a prohibited discharge but is nevertheless determined by the Administrator to be a condition which results in a substantial likelihood of a future prohibited non-stormwater discharge.

“User” means any person who discharges, or causes to discharge, either directly or indirectly, stormwater or any other material into the City’s MS4.

“Waters of the United States” means any surface water or groundwater, including saline waters within the boundaries of the State. [40 CFR 120.2(a)].

15.12.035 Construction.

The provisions of this chapter shall be construed to assure consistency with the requirements of the Federal Clean Water Act and any acts amendatory thereof or supplementary thereto, applicable implementing regulations, and NPDES Municipal Stormwater Discharge Permit No.CAS0085324, and Order R5-2016-0040, together with all subsequent amendments and renewals. In the event of a conflict between this chapter and any federal or state law, regulation, order or permit, the requirement which establishes the higher standard for public health and safety shall govern. [Ord. 41-2004 § 2].

15.12.040 Applicability.

The provisions of this chapter shall be applicable to all dischargers and potential dischargers located within the City and all users that discharge either directly or indirectly into the City's MS4. This chapter shall also apply, within the City, to non-stormwater discharges made directly to American River or local creeks and channels. This chapter shall not be applicable to entities located outside of the City if their stormwater or non-stormwater discharge enters a stormwater conveyance facility owned or operated by another public agency which is subject to a valid NPDES permit for discharges from a municipal separate storm sewer system prior to entering the downstream conveyance system.

This chapter shall apply to facilities subject to and in compliance with the State General Construction Activity Storm Water Permit and/or the City's Erosion and Sediment Control Ordinance, City Grading Permit, Building Permit, or any other instrument of the City that establishes pollutant control provisions for construction sites.

This chapter shall not apply to activities conducted by or facilities operated by the state of California or by agencies of the federal government. [Ord. 41-2004 § 2].

15.12.050 Regulatory consistency.

The provisions of this chapter shall take precedence over and are controlling with respect to any conflicting or inconsistent provisions in this code. [Ord. 41-2004 § 2].

15.12.060 Compliance disclaimer.

Compliance by any person or entity with the provisions of this chapter shall not preclude the need to comply with other local, state, or federal statutory or regulatory requirements relating to the control of pollutant discharges or protection of stormwater quality, or both. [Ord. 41-2004 § 2].

15.12.070 Severability.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases of this chapter. The Council hereby declares that it would have adopted this chapter and each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof without regard to whether any other section, subsection, subdivision, paragraph, sentence, clause, or phrase of this chapter would subsequently be declared to be invalid or unconstitutional. [Ord. 41-2004 § 2].

15.12.080 Administration.

Except as otherwise provided herein, the Administrator shall be responsible for the administration, implementation, and enforcement of the provisions of this chapter. Any powers granted to, or duties imposed upon the Administrator may be delegated by the Administrator to other City employees or, upon the approval of the Council, to employees of other public agencies. [Ord. 41-2004 § 2].

15.12.090 Disclaimer of liability.

The degree of protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific, engineering, and other relevant technical considerations. The standards set forth herein are minimum standards and this chapter does not imply that compliance will ensure that there will be no unauthorized discharge of pollutants into the Waters of the United States. This chapter shall not create liability on the part of the City or any officer or employee thereof for any damages that result from reliance on this chapter, or any administrative decision lawfully made thereunder. [Ord. 41-2004 § 2].

Article II. Prohibited Non-Stormwater Discharges

15.12.100 Prohibited non-stormwater discharge.

Except as provided in RCMC 15.12.110, it shall be unlawful for any person to make or cause to be made any non-stormwater discharge indirectly or directly to the City receiving waters. [Ord. 41-2004 § 2]

15.12.110 Exceptions to non-stormwater discharge prohibition.

The following discharges to the MS4 are exempt from the otherwise applicable discharge prohibition set forth in RCMC [15.12.100](#):

A. Any discharge regulated under an NPDES permit issued to the discharger and administered by the state pursuant to Chapter 5.5 of Division 7 of the California Water Code; provided, that any such discharge is in compliance with all requirements of the NPDES permit and all other applicable laws and regulations.

B. Any discharge from any of the following activities; provided, that any such discharge does not cause or contribute to the violation of any receiving water limitation as determined by the Administrator:

1. Water line flushing;
2. Landscape irrigation;
3. Diverted stream flows;
4. Rising ground waters;
5. Uncontaminated groundwater infiltration (as defined in 40 CFR 35.2005(b)(20)) to separate storm sewers;
6. Uncontaminated pumped groundwater;
7. Discharges from potable water sources;
8. Foundation drains;
9. Air conditioning condensate;
10. Irrigation water;
11. Springs;
12. Water from crawlspace pumps;
13. Footing drains;
14. Lawn watering;
15. Individual residential car washing;
16. Flows from riparian habitats and wetlands;
17. Dechlorinated/dibrominated swimming pool/spa discharges;
18. Street wash water; and

19. Essential Non-Emergency and Emergency Firefighting Activities.

C. Any discharges which the Administrator, the City Public Works Director, or the Regional Water Board determines in writing are necessary for the protection of public health or safety.

D. Additional categories of non-stormwater discharges which do not cause or contribute to the violation of any receiving water limitation may be excepted from the otherwise applicable prohibition by the Administrator upon approval of the executive officer of the Regional Water Board, as provided in the Municipal Stormwater Permit, and all subsequent amendments and renewals. [Ord. 41-2004 § 2].

15.12.120 Exception to otherwise applicable exemptions.

Notwithstanding the exemptions provided for in RCMC [15.12.110](#), if the Regional Water Board or the Administrator determines that a discharge which is otherwise exempt from the prohibition on discharges causes or significantly contributes to the violation of any receiving water limitation or results in the conveyance of significant quantities of pollutants to surface waters, or is otherwise a danger to public health or safety, the administrator may give written notice to the owner or operator of the facility that the discharge exception shall not apply to the discharge at issue following expiration of the 30-day period commencing upon delivery of the notice. Upon expiration of such 30-day period, any such discharge shall be unlawful. Upon finding that any continuance of the discharge poses an immediate significant threat to the environment or to public health and safety, the Administrator may waive the 30-day waiting period and require immediate cessation of the discharge. [Ord. 41-2004 § 2].

15.12.130 General discharge prohibition.

It shall be unlawful for any person to discharge, or cause to be discharged, any material to the City's stormwater conveyance system which results in, or contributes to, a violation of the Municipal Stormwater Permit. [Ord. 41-2004 § 2].

15.12.140 Threatened prohibited non-stormwater discharge.

It shall be unlawful for any person to maintain, or cause to be maintained, a threatened prohibited non-stormwater discharge after having received notice of the administrator's determination as to the existence of a threatened prohibited non-stormwater discharge. This section may be enforced pursuant to Article V of this chapter. [Ord. 41-2004 § 2].

15.12.150 Illicit connections prohibited.

A. It shall be unlawful for any person or entity to establish, use or maintain, or cause to establish, use or maintain, any illicit connection. Illicit connections shall be subject to removal and abatement by the City pursuant to Chapter [16.02](#) RCMC.

B. The prohibition set forth in subsection (A) of this section shall apply to illicit connections in existence at the time that the ordinance codified in this chapter becomes effective. Upon the effective date of the ordinance codified in this chapter, any person or entity who maintains an illicit connection shall have 30 days from the effective date of the ordinance codified in this chapter to disconnect and discontinue use of such connection. Notwithstanding the provisions of this section, any person who maintains an illicit connection, as defined in RCMC [15.12.030](#), may apply to the Administrator to continue the connection subject to applicable City standards. [Ord. 41-2004 § 2].

15.12.160 Negligence or intent not required.

A violation of the provisions of this article shall occur irrespective of the negligence or intent of the violator to construct, maintain, operate, or utilize an illicit connection or to cause, allow or facilitate any prohibited discharge. [Ord. 41-2004 § 2].

Article III. Reduction of Pollutants in Stormwater**15.12.200 General requirements.**

A. The Administrator may designate as subject activities those industrial activities which are identified as potential sources of discharges of pollutants to the City MS4.

B. Any person whom the Administrator determines is conducting any subject activity shall reduce the discharge of pollutants from those activities through the implementation of BMPs in accordance with RCMC [15.12.260](#).

C. The Administrator shall conduct a notification and comment process for designations or determinations made pursuant to subsection (A) of this section.

D. Any determination made by the Administrator pursuant to subsection (B) of this section shall be subject to the provisions for the adoption of regulations set forth in RCMC [15.12.250](#). [Ord. 41-2004 § 2].

15.12.210 Containment and notification of spills.

A. Any person or entity owning or occupying a premise, or conducting any activity, that has knowledge of any stormwater discharge or threatened prohibited non-stormwater discharge from the premises or activity to the City's stormwater conveyance system shall immediately take all reasonable actions to contain and otherwise minimize any such discharge.

B. The Administrator may designate types of industries where the owner or operator of the industry shall be required to notify the Administrator or the implementing agency within 24 hours of the discovery of an actual discharge into the City's stormwater conveyance system.

C. For any discharge subject to the reporting requirements of Sections [13271](#) and [13272](#) of the California Water Code, notification in compliance therewith shall constitute sufficient notification for the purposes of this section. [Ord. 41-2004 § 2].

15.12.220 Reduction of trash discharge.

New development and significant redevelopment projects in the City are required to incorporate trash capture measures. The Amendments to the Water Quality Control Plan for the Ocean Waters of California to Control Trash and Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (Trash Amendments) were adopted on April 7, 2015. The Trash Amendments established a statewide water quality objective for trash to control trash down to 5 mm, and implementation provisions using a land-use based compliance approach that targets high trash generating areas.

The Trash Amendments focus on structural and institutional program controls at high trash generating areas within municipalities. The Trash Amendments identified five priority land use (PLU) areas for trash control:

- High density residential (10 units or more);
- Industrial;
- Commercial;
- Mixed urban; and
- Public transportation stations.

New development and redevelopment projects classified as priority land uses are required to incorporate Full Capture Systems. The Trash Amendments define these systems as:

“A treatment control, or series of treatment controls, including but not limited to, a multi-benefit project or a low-impact development control that traps all particles that are 5 mm or greater, and has a design treatment capacity that is either:

- Not less than the peak flow rate, Q, resulting from a one-year, one-hour, storm in the subdrainage area, or*
- Appropriately sized to, and designed to carry at least the same flows as, the corresponding storm drain.”*

15.12.230 Construction sites with building permits.

Any person or entity owning or operating a construction site for which a building permit has been issued shall implement BMPs to control the discharge of pollutants to the maximum extent practicable and eliminate non-stormwater discharges that are not in compliance with an NPDES Permit. See RCMC Chapter 16 for more details. (SCC 1280 § 2, 2004)

15.12.240 Post construction requirements for new development and significant redevelopment.

A. The Administrator shall be authorized to establish specified performance requirements and requirements for BMPs as appropriate to minimize the long-term, post construction discharge of stormwater pollutants from new development or significant redevelopment, to implement the development standards plan, and to comply with the requirements associated with the development standards in the Municipal Stormwater Permit. The requirements for new development or redevelopment may include but are not limited to performance standards, source control measures, treatment control measures, hydromodification management measures, low impact development measures, operational BMPs, building material specifications or limitations, site design requirements, signage and marking, and associated maintenance programs or schedules.

B. Requirements established pursuant to subsection (A) of this section may be included in development standards, building codes, building permits, conditions of development, or any other appropriate instrument administered by the City. (SCC 1280 § 2, 2004).

15.12.250 Best management practices.

A. The Administrator may adopt regulations for specified subject activities. Such regulations shall describe best management practices which, if implemented by persons or entities conducting such specified activities, shall satisfy the requirements of RCMC [15.12.200](#).

B. Persons or entities conducting subject activities may implement BMPs not contained in the adopted regulations to satisfy the requirement of RCMC [15.12.200](#) through either of the following mechanisms:

1. By submitting and receiving prior written approval for the alternative BMPs from the administrator if he or she determines that the proposed alternative BMPs provide a level of protection from stormwater discharges equivalent to the BMPs contained in the regulations adopted pursuant to subsection (A) of this section; or
2. By implementing alternative BMPs which provide a level of protection from stormwater discharges equivalent to the BMPs contained in the regulations adopted pursuant to subsection (A) of this section.

C. Any alternative BMPs implemented pursuant to subsection (B)(2) of this section shall be subject to review and approval by the administrator as part of the inspection procedures set forth in Article IV of this chapter. If a person or entity conducting subject activities implements alternative BMPs without the prior written approval of the administrator and subsequently receives written notice from the administrator that the alternatives BMPs do not provide the required equivalent level of protection from stormwater discharges, the continued implementation of such alternative BMPs shall be deemed to be a violation of the requirements of RCMC [15.12.200](#)(B) as of the date of delivery of such notice unless it is ultimately determined pursuant to an administrative appeal pursuant to RCMC [15.12.440](#) that the alternative BMPs provide the required equivalent level of protection from stormwater discharges.

D. Any facility that it is in compliance with its state or federal NPDES permit for stormwater discharges for that facility shall be deemed to have met the requirements of RCMC [15.12.200](#)(B).

E. The Administrator shall develop regulations for determining when BMPs have been successfully implemented. [Ord. 41-2004 § 2].

15.12.260 Best management practice maintenance requirements.

The Administrator may require a property owner to execute a maintenance agreement for any post construction stormwater quality measure to ensure continued compliance with specified performance requirements. This requirement will apply to measures required by the City or measures that were voluntarily installed. A

maintenance agreement may be required when the Administrator determines that proper maintenance is necessary to protect public safety, health, infrastructure, or the environment, or to otherwise meet the purposes of this chapter. Maintenance requirements established pursuant to this subsection must be appropriate for the site conditions and design of the proposed measures. (SCC 1295 § 6, 2005; SCC 1280 § 2, 2004)

15.12.270 Administrative rules and regulations.

A. The Administrator shall have the authority to promulgate regulations for the implementation of this chapter. Prior to the Administrator's initiation of any proposed regulations, the Administrator shall submit such proposal to the City Council for its approval.

B. All regulations promulgated by the Administrator shall be consistent with the provisions of this chapter. Any such regulations, or amendments thereof, shall be filed with the City Clerk. The clerk shall cause announcement of said rules or regulations to be published in a newspaper of general circulation within 10 calendar days. Such announcements shall provide a reasonable summary of the content of the rule. In addition, the administrator shall make a reasonable effort to identify, notify, and provide copies to any industries which are specifically designated by the Administrator as subject to a rule or regulation. However, neither the failure of the Administrator to provide such notice nor the failure to receive individual notice shall exempt an industry from that rule or regulation. No regulations promulgated by the Administrator, or amendments thereto, shall be enforced or become effective until 30 calendar days following the date on which notification of the regulations is published.

C. Any person or entity who asserts that they are aggrieved by the terms or application of a regulation issued pursuant to this section may appeal the issuance of such regulation by filing a written notice of appeal with the City Clerk. The notice of appeal shall specifically identify the regulation or regulations from which the appeal is taken and the reasons for the appeal. Upon receipt of such notice, the City Clerk shall schedule the appeal for a public hearing by the council. At the conclusion of the public hearing the council shall be vested with jurisdiction to deny the appeal or to rescind or modify the regulation. The Council's determination of this matter shall be final.

D. Any regulation from which an appeal is filed prior to its effective date shall not become effective until the date of a determination by the council of the appeal. Any regulation from which an appeal is filed on or subsequent to the effective date thereof shall remain in full force and effect during the pendency of the appeal, and any decision which rescinds or modifies the regulation shall apply prospectively. [Ord. 41-2004 § 2].

Article IV. Inspection and Monitoring**15.12.300 Scope of inspections.**

A. Prior to commencing any inspection authorized pursuant to this section, the Administrator shall obtain the consent of the owner or occupant of the premises, or an administrative inspection warrant. Routine or area inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this chapter, including, but not limited to, random sampling, sampling in areas with evidence of stormwater contamination, illicit connections, discharge of non-stormwater to the City MS4 or similar factors.

B. The Administrator may enter upon private property to investigate the source of any discharge to any public street, inlet, gutter, storm drain or the City's stormwater conveyance system. Routine or area inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this chapter, including, but not limited to, random sampling, sampling in areas with evidence of stormwater contamination, illicit connections, discharge of non-stormwater to the City MS4 or similar factors.

C. The Administrator may enter upon private property for the purpose of verifying compliance with the provisions of this chapter, including, but not limited to, the following:

1. Identifying products produced, processes conducted, chemicals used, and materials stored on or contained within the property;
2. Identifying point(s) of discharge of all wastewater, process water systems, pollutants, and other discharges from the property;
3. Investigating the natural slope of the premises, including drainage patterns and artificial conveyance systems;
4. Establishing the location of all points of discharge from the property, whether by surface runoff or through a storm drain;
5. Locating any illicit connection or the source of any prohibited non-stormwater discharge; and
6. Evaluating implementation of BMPs.

D. For purposes of verifying compliance with the provisions of this chapter, the Administrator may inspect any vehicle, truck, trailer, tank truck or other mobile equipment, or any stationary equipment, which may reasonably

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be believed to be used by the business for business-related activities and to be associated with industrial sources of pollutants or with non-stormwater discharges.

E. The Administrator may inspect all records of the owner or occupant of any premises relating to chemicals or processes presently or previously occurring on site, including materials and/or chemical inventories, facilities maps or schematics or diagrams, material safety data sheets, hazardous waste manifests, business plans, pollution prevention plans, state general permits, monitoring program plans or any other records relating to illicit connections, prohibited discharges or the potential discharge of pollutants to the City MS4. In addition, the Administrator may require the owner or occupant to furnish within a reasonable time period, copies of all such records listed in this section.

F. The Administrator may inspect, sample, and test any area runoff, soils area (including any groundwater testing), process discharge, materials within any waste storage area (including any container contents), and/or treatment system discharge for the purpose of determining the potential for the contribution of pollutants to the City MS4. The Administrator may investigate the integrity and layout of all storm drain and sanitary sewer systems or other pipelines on the premises using appropriate tests, including, but not limited to, smoke and dye tests or video surveys. The Administrator may take photographs or videotape, make measurements or drawings, and create any other record reasonably necessary to document conditions on the premises.

G. The Administrator may erect and maintain monitoring and sampling devices for measuring any discharge or potential source of discharge to the City MS4. [Ord. 41-2004 § 2].

15.12.310 Fees.

The administrator shall collect such fees as may be authorized by the City Council, to provide for the recovery of regulatory costs, including routine inspections and other regulatory functions associated with this chapter. Failure of any person or entity to pay required fees within the time period set in the policy established by the Administrator shall be a violation of this chapter. There shall be no fee assessed to appeal the determination that a person or entity conducts any subject activity. Any such fees shall be established by resolution of the City Council and shall be in accordance with all other applicable legal requirements. [Ord. 41-2004 § 2].

Article V. Enforcement**15.12.400 Notice of noncompliance.**

A. The Administrator may issue a Notice and Order to any of the following:

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1. The owner or occupant of any premises, or to any premises requiring abatement of conditions on the premises that cause or may cause a prohibited discharge in violation of this chapter;
2. Any person or entity who fails to implement BMP's in accordance with RCMC 15.12.200 (B);
3. Any person or entity responsible for a prohibited discharge or maintenance of a threatened prohibited non-stormwater discharge;
4. Any person or entity who fails to comply with the Trash Amendment requirements;
5. Any person or entity who fails to comply with the Post Construction Stormwater Control Measures;
6. Any or entity person responsible for an illicit connection; and
7. Any person or entity responsible for any other violation of this chapter.

B. The notice and order shall be delivered in accordance with RCMC [15.12.430](#).

C. The notice of noncompliance shall identify the provision of this chapter that has been violated. The notice of noncompliance shall state that continued noncompliance may result in additional enforcement actions, including the recovery of any costs incurred by the city or, where applicable, the county.

15.12.410 Administrative compliance orders.

A. The Administrator may issue an administrative compliance order. The administrative compliance order shall be delivered in accordance with RCMC [15.12.430](#). The administrative compliance order may be issued to any of the following:

1. The owner or occupant of any premises requiring abatement of conditions on the premises that cause or may cause a prohibited discharge in violation of this chapter.
2. A person or entity who fails to implement BMPs in accordance with RCMC [15.12.200](#)(B).
3. Any person or entity responsible for a prohibited discharge or maintenance of a threatened prohibited discharge.

B. An administrative compliance order may include the following terms and conditions:

1. Specific steps and time schedules for compliance as reasonably necessary to prevent threatened or future unauthorized discharges, including, but not limited to, the threat of any prohibited discharge from any pond, pit, well, surface impoundment, holding or storage area.

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2. Specific requirements for containment, cleanup, removal, storage, or proper disposal of any material having the potential to contribute pollutants to stormwater runoff.
3. Specific requirements for the installation of overhead covering.
4. Any terms or conditions reasonably calculated to prevent continued or threatened violations of this chapter.
5. Any other measures necessary or appropriate to fully implement BMPs in accordance with RCMC [15.12.200](#)(B). [Ord. 41-2004 § 2].

15.12.420 Cease and desist orders.

- A. The Administrator may issue a cease and desist order, delivered in accordance with RCMC 15.12.430 if he or she determines that a violation in this chapter constitutes an immediate threat to public health or safety, including by way of illustration and not limitation, significant harm to human or aquatic life or to the City stormwater conveyance system or natural surface waters, may result in an order to immediately cease and desist all activities causing such immediate threat. The Administrator may issue a cease and desist order to any person or entity to immediately cease any activity that may lead to a violation of receiving water limitations.
- B. A cease and desist order shall direct the owner or occupant of any premises subject to this chapter, or any person or entity named therein which is subject to this chapter: (1) to immediately discontinue all or specified prohibited conditions or discharges to the City stormwater conveyance system, natural surface waters, or otherwise, until such time as abatement actions sufficient in the determination of the Administrator have been satisfactorily effected and so confirmed by written amendment to said cease and desist order; (2) immediately discontinue any other violation of this chapter; and (3) clean up the area affected by the violation.
- C. Any cease and desist order may be appealed pursuant to the administrative appeals process of this chapter;(Section 15.12.440) provided, however, the cease and desist order shall remain in effect pending final determination thereof. Nothing shall limit the Administrator's authority to continue enforcement actions under a pending cease and desist order, including modifying a cease and desist order consistent with the purpose and intent of this chapter.
- D. Any cease and desist order shall be cumulative and not exclusive of any other remedies in this chapter and as provided by law.

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E. A cease and desist order shall inform the discharger of the Administrator's authority and intent to conduct abatement of the violation or threatened violation according to Section [15.12.450](#), if the discharger fails to comply with the requirements of the cease and desist order within the specified time frame.

F. If the discharger fails to comply with a cease-and-desist order within the time specified in the order, the Administrator may conduct abatement of the violation according to Section [15.12.450](#).

G. Nothing in this section requires the Administrator to issue a cease and desist order before conducting summary abatement as provided under Section [15.12.450](#). (SCC 1295 § 12, 2005; SCC 1280 § 2, 2004).

15.12.430 Delivery of notice.

Any notice of noncompliance, administrative compliance order, cease and desist order, or other enforcement order pursuant to the requirements of this chapter shall be subject to the following requirements:

A. The notice shall state that the recipient has a right to appeal the matter as set forth in RCMC [15.12.440](#).

B. The notice shall state that the recipient or the property owner, or both, may be liable for all enforcement costs incurred by the City or, where applicable, the county, in correcting the violation.

C. Delivery shall be deemed complete upon either personal delivery to the recipient or deposit in the U.S. Mail, postage prepaid, for first class delivery.

D. Where the recipient of the notice is the owner of the property, the address for notice shall be the address from the most recently issued equalized assessment roll for the property.

E. Where the owner or occupant of any premises cannot be located after reasonable efforts of the administrator, the notice shall be deemed delivered after posting on the premises for a period of 10 business days. [Ord. 41-2004 § 2].

15.12.440 Enforcement Actions

A. In addition to any other content, a notice and order, or a cease and desist order shall contain the following elements:

1. The street address and assessor's parcel number or such other legal description sufficient for identification of the premises responsible for the violation.
2. A statement of the Administrator's findings that indicates a violation has occurred.

3. A citation of the provision of this chapter that has been violated.
4. A date by which any person or entity must be in compliance with this chapter, or a date by which an action plan must be submitted by the person or entity to propose a means and time frame by which to correct violations. The Administrator may extend the compliance date when good cause exists for such an extension.
5. Notification that continued non-compliance may result in additional enforcement action being taken against the business, facility, or any responsible persons or entities.
6. Notification that the City may recover any costs incurred by the City as a result of the violation.
7. Notification that a violation of this chapter may result in an administrative civil penalty of up to five thousand dollars (\$5,000.00) per violation for each day that the violation occurs, or in a criminal penalties.
8. Notification that the recipient has a right to a hearing on the matter as set forth in Section [15.12.540](#) of this chapter, to determine the enforcement of any administrative civil penalty sought by the Administrator, or to appeal any findings or required corrective actions established by the Administrator.
9. Notification of hearing dates, appeal deadlines, and procedures for requesting a hearing established according to Section [15.12.540](#) of this chapter.

B. In addition to any other content, a notice and order or a cease-and-desist order, or a notice of administrative civil penalty may establish required corrective actions, including the following:

1. Terms, conditions, and requirements reasonably related to the provisions of this chapter, including the following:

- a. Cessation of illicit discharges.
- b. Correction of prohibited conditions.
- c. Requirement for submittal of a written action plan for achieving and maintaining compliance with this chapter. The Administrator may require the action plan to address specific items, including the following:
 - I. Specific time schedules for compliance.
 - II. Description of BMPs that will be implemented for containment, cleanup, removal, storage, or proper disposal of any material having the potential to contribute pollutants to stormwater runoff.
 - III. Identification of persons or entities responsible for compliance with this chapter.
- d. Reporting requirements to demonstrate ongoing compliance.

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2. A requirement that the person or entity receiving any notice pursuant to this section shall submit written certification to the administrator that the necessary corrective actions have been completed. As appropriate for the type of correction action taken, the notice of violation may require documentation that substantiates the certification, including but not limited to receipts, contracts, or photographs.

3. Any other terms or conditions reasonably necessary to prevent additional or on-going violations of this chapter.

C. A notice and order, a cease-and-desist order, or a notice of administrative civil penalty may be issued separately or in combination with another notice or order for the same violations or set of related violations. (SCC 1295 § 13, 2005; SCC 1280 § 2, 2004)

15.12.450 Administrative appeals.

A. Except as set forth in subsection (C) of this section, any person or entity receiving: (1) a designation as a person or entity who conducts subject activities; (2) a notice and order; or (3) who is otherwise subject to an adverse determination pursuant to this chapter may appeal the matter by requesting an administrative hearing before a hearing officer appointed by the council.

B. Any person or entity appealing a notice and order, designation as a person or entity who conducts subject activities or other adverse determination shall file, within 30 days of receipt of notice thereof, a written request for an administrative hearing, accompanied by an administrative hearing fee as established by resolution of the city council, with the Administrator. A hearing on the matter shall thereafter be held before a hearing officer within 45 days of the filing of the written request unless, in the reasonable discretion of the hearing officer and pursuant to a request by the appealing party, a continuance of the hearing is granted.

C. An administrative hearing on the issuance of a cease and desist order or following an emergency abatement action shall be held within five (5) business days following the issuance of the order or the action of abatement, unless the hearing or the time requirement for the hearing is waived in writing by the party subject to the cease-and-desist order or the emergency abatement. A request for an administrative hearing shall not be required from the person or entity subject to the cease-and-desist order or the emergency abatement.

D. The Administrator shall appear in support of the notice, order, designation, determination or emergency abatement action and the appealing party shall appear in support of the withdrawal of the notice, order, designation, determination or in opposition to the emergency abatement action. The City shall have the burden of supporting any enforcement or other action by a preponderance of the evidence. Each party shall have the

right to present testimony and other documentary evidence as necessary for the appropriate presentation of the case.

E. Except in the case of a proceeding to determine the validity of a cease-and-desist order or a hearing following an emergency abatement, the final decision of the hearing officer shall be issued within 10 business days of the conclusion of the hearing and shall be delivered by first class mail, postage prepaid, to the appealing party. In the case of a proceeding to determine the validity of a cease-and-desist order or a hearing following an emergency abatement, the final decision of the hearing officer shall be issued within five business days following the conclusion of the hearing. The final decision shall include notice that any legal challenge to the final decision shall be made pursuant to the provisions of Sections [1094.5](#) and [1094.6](#) of the California Code of Civil Procedure and shall be commenced within 90 days following the final decision. Any administrative hearing fee paid by a prevailing party shall be refunded. [Ord. 41-2004 § 2].

15.12.460 Nuisance and abatement.

A. Any condition in violation of the provisions of this chapter, including, but not limited to, the maintenance or use of any illicit connection or the occurrence of any prohibited discharge, shall constitute a threat to the public health, safety and welfare and is declared and deemed to be a public nuisance.

B. At the request of the Administrator, the City may seek a court order to enjoin or abate the nuisance, or both. Prior to seeking any court order to enjoin or abate a nuisance or threatened nuisance, the Administrator shall provide notice of the proposed injunction or abatement to the owner and occupant, if any, of the premises where the nuisance or threatened nuisance is occurring.

C. At the request of the Administrator, the City may seek an abatement warrant or other appropriate judicial authorization to enter the premises where any nuisance or threatened nuisance is occurring and to abate the condition and restore the area.

D. In the event the nuisance constitutes an imminent danger to public safety or the environment, the administrator may enter the premises from which the nuisance emanates, abate the nuisance and restore any property affected by the nuisance without prior notice to or consent from the owner or occupant thereof and without judicial warrant.

1. An imminent danger shall include, but is not limited to, exigent circumstances created by the dispersal of pollutants, where such pollutants present a significant and immediate threat to the public safety or the environment.

2. Notwithstanding the authority of the City to conduct an emergency abatement action, an administrative hearing pursuant to RCMC [15.12.440](#) shall follow the emergency abatement action. [Ord. 41-2004 § 2].

15.12.470 Administrative civil penalties.

A. In addition to any other remedies provided by this chapter, there is hereby imposed an administrative civil penalty of up to \$5,000 for each violation of this chapter. Notice of any administrative civil penalty shall be served and proof of service shall be made in the same manner as provided in RCMC [15.12.430](#).

The notice shall provide that any administrative civil penalty imposed shall be administratively reviewed by a hearing officer before it is enforced. When violation of this chapter pertains to a continuing violation that does not create an immediate danger to health or safety, as determined by the Administrator, the violator shall be provided with a reasonable time to correct or otherwise remedy the violation prior to imposition of the penalty. The administrator shall determine and notify the violator of the time within which the violator must correct or remedy the violation. The notice shall provide that an administrative civil penalty will be imposed if the continuing violation is not remedied or corrected within the time stated.

B. Enforcement of the administrative civil penalty imposed by the Administrator shall be by written order issued by the hearing officer following notice and an opportunity for hearing.

Procedures concerning notice, conduct of the hearing, and service shall be as provided in RCMC [15.12.440](#).

The order of the hearing officer concerning the administrative civil penalty shall be in writing, resolving the essential issues raised and confirming, amending, or rejecting the administrative civil penalty imposed by the Administrator. In reaching a decision concerning any administrative civil penalty, the hearing officer shall be guided by factors including, but not limited to, the danger to public health, safety and welfare represented by the violation, recidivism, and any economic benefit associated with noncompliance.

C. The manner of contesting the final order of the hearing officer concerning any administrative civil penalty is governed by Section [53069.4](#) of the California Government Code, or any successor provision thereto. Service of the notice of appeal authorized by Section [53069.4](#) of the Government Code on the City shall be served upon the City Clerk. [Ord. 41-2004 § 2].

15.12.480 Criminal penalties.

A. Any person who negligently or knowingly violates any provision of this chapter, undertakes to conceal any violation of this chapter, continues any violation of this chapter after notice thereof, fails to implement BMPs in accordance with RCMC [15.12.200](#)(B) or fails to comply with a specified requirement or a provision of a City stormwater permit shall be guilty of a misdemeanor and upon conviction thereof be fined not more than \$1,000 or imprisoned for not more than six months in the county jail, or both.

B. Each day in which a violation occurs and each separate failure to comply with either a separate provision of this chapter, an administrative compliance order, a cease and desist order, or failure to implement BMPs in accordance with RCMC [15.12.200](#)(B) shall constitute a separate violation of this chapter punishable by fines or sentences in accordance herewith.

C. The Administrator may authorize specifically designated City employees to issue citations for misdemeanor violations of this chapter pursuant to Section [836.5](#) of the Penal Code. [Ord. 41-2004 § 2].

15.12.490 Miscellaneous enforcement provisions.

A. Each and every remedy available for the enforcement of this chapter shall be nonexclusive and it is within the discretion of the Administrator to seek cumulative remedies. The remedies available to the City pursuant to the provisions of this chapter shall not limit the right of the City or any law enforcement agency to seek any other legal or equitable remedy that may be available to it.

B. The Administrator may request the City to file a civil action in a court of competent jurisdiction seeking an injunction against any threatened or continuing noncompliance with the provisions of this chapter. Any temporary, preliminary or permanent injunction issued pursuant to this subsection may include an order for reimbursement to the City of all costs incurred in enforcing this chapter, including, but not limited to, costs of inspection, investigation and monitoring, the costs of abatement undertaken at the expense of the City, costs relating to the restoration of the environment, and any other costs or expenses authorized by law.

C. The Administrator may request the City to file an action for civil damages in a court of competent jurisdiction seeking recovery of any of the following:

1. All costs incurred in the enforcement of this chapter, including, but not limited to, costs relating to investigation, sampling, monitoring, inspection, administrative expenses, all other expenses authorized by law and consequential damages.

2. All costs incurred in mitigating harm to the environment or reducing the threat to human health.

3. Damages for irreparable harm to the environment.

D. The City is authorized to file actions for civil damages resulting from any trespass or nuisance occurring on public property or to the City stormwater conveyance system from any violation of this chapter where such violation has caused damage, contamination or harm to the environment, public property, or the City stormwater conveyance system.

E. Each day in which a violation occurs and each separate failure to implement BMPs in accordance with RCMC [15.12.200](#)(B) or to comply with either a separate provision of this chapter, an administrative compliance order, or a cease and desist order shall constitute a separate violation of this chapter punishable by administrative penalties in accordance with this chapter. [Ord. 41-2004 § 2].

Article VI. Recovery of Costs of Abatement

15.12.500 Costs of abatement – Confirmation.

A. When proceedings under this chapter result in the correction of a violation of this chapter or in a final determination that a violation exists after the date specified in any notice issued pursuant to the provisions of this chapter, the costs of such proceedings incurred by the City may be assessed against the property. Such costs may include, but are not limited to, those incurred in inspecting property, publication, mailing and posting of notices, conducting hearings, processing appeals and pursuing any judicial action. It is the purpose of this section to allow the assessment against property of costs of proceedings if a violation is corrected in any manner.

B. The Administrator shall keep an account of the administrative and other costs of abatement and clean up and shall submit to the council for confirmation an itemized written report showing such costs and their proposed assessment to the respective properties. The report shall be filed with the City Clerk no later than 15 calendar days in advance of the confirmation hearing required below.

C. Upon receipt of the report, the City Clerk shall schedule a public hearing to receive protests and confirm the report. A statement of the proposed assessment and notice of the time, date, and place of the hearing, together with reference to the report on file with the clerk, shall be mailed to the owner or owners of each parcel of property proposed to be assessed shown on the last equalized assessment roll available on the date of mailing of the notice or any other address or addresses ascertained to be more accurate. Such notice shall be mailed

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no later than 15 calendar days in advance of the hearing. Notice of the time, date, and place of the public hearing by the council shall be published once in a newspaper of general circulation published within the City.

With respect to each property proposed to be assessed for which the name of the owner or owners is not shown on the last equalized assessment roll or no address for an owner is shown on the last equalized assessment roll, the notice shall show the name or names of the owner or owners, if such name or names are shown on the last equalized assessment roll, the assessor's parcel number, the street address of the property, if the property has an address and the address is known to the Administrator, the name of the street or road upon which such property abuts, if the property abuts upon a street or road, the amount of the proposed assessment and reference to the report on file with the clerk. Such publication shall be made not later than 15 calendar days in advance of the hearing.

D. At the time fixed for receiving and considering the report, the City Council shall conduct a public hearing and shall receive and consider any objections from members of the general public or property owners liable to be assessed for the abatement. Written protests or objections shall specify the date, hour, and description of the subject property under hearing. The Council may continue the hearing and delegate to the City Manager or his designee the responsibility of hearing individual protests and submitting a recommendation with respect thereto; provided, that the Council provides an opportunity for individual consideration of each project upon receipt of the recommendation by the City Manager or their designee. The Council may modify the report if it is deemed necessary. The council shall then confirm the report by motion or resolution. [Ord. 41-2004 § 2].

15.12.510 Costs – Assessments.

A. If the costs as confirmed are not paid within 30 days of the date of mailing of the notice or date of publication pursuant to RCMC [15.12.500](#), such costs shall be assessed against the parcel of land pursuant to Section [25845](#) of the California Government Code, and shall be transmitted to the tax collector for collection and shall be subject to the same penalties and the same procedures and sale in case of delinquency as provided for ad valorem taxes.

B. If, subsequent to the mailing of the notice of noncompliance and prior to transmittal of the notice of unpaid costs to the tax collector for collection as set forth in subsection (A) of this section, the property subject to the notice of noncompliance is sold or title otherwise transferred to a bona fide purchaser, said costs shall be the responsibility of the owner of record as of the date the said notice of noncompliance was placed in the United States Postal System or posted on the property.

ITEM 18.2.**Exhibit A to the Ordinance**

C. In addition to assessing the unpaid costs as provided in subsection (A) of this section, the tax collector or his designated representative may pursue any remedy provided by law for collection of the unpaid costs. [Ord. 41-2004 § 2].

15.12.520 Treble costs.

Pursuant to Section [25845.5](#) of the California Government Code, upon entry of a second or subsequent civil or criminal judgment within a two-year period finding that an owner is responsible for a condition in violation of this chapter that may be abated pursuant to Section [25845](#) of the Government Code, a court may order the owner to pay treble the costs of abatement. [Ord. 41-2004 § 2].

15.12.530 Hearing of protests.

Upon the day and hour fixed for the hearing, the City Council shall hear and pass upon the report of the Administrator together with any such protests or objections. The Council may make such revision, correction or modification of the report or the charge as it may deem just, and in the event the Council is satisfied with correctness of the charge, the report of the Administrator (as submitted or as revised, corrected or modified) together with the charge, shall be confirmed or rejected. The decision of the Council on the report and the charge and on all objections or protests shall be final and conclusive. [Ord. 41-2004 § 2].

15.12.540 Assessment for summary abatement.

Where the charge to be made is the result of summary abatement pursuant to RCMC [15.12.460](#)(C), the City Council may determine whether or not the action to abate was proper, and may confirm the charge or not as it may deem proper. [Ord. 41-2004 § 2].

15.12.550 Time for contest of assessment.

The validity of any assessment made under the provisions of this chapter shall not be contested in any action or proceeding unless the same is commenced within 30 days after the assessment is ordered to be placed upon the assessment roll as provided herein. [Ord. 41-2004 § 2].

15.12.560 Filing copy of report with City Clerk.

A certified copy of the assessment shall be filed with the City Clerk on or before August 1st of each fiscal year. The descriptions of the parcels reported shall be those used for the same parcels on the map books of the county assessor for the current fiscal year. [Ord. 41-2004 § 2].

Article VII. Commercial and Industrial Facilities**15.12.600 Purpose and intent.**

The purpose of this article is to provide for tracking, inspection, and enforcement of the City's stormwater ordinance with respect to commercial and industrial facilities within the City as required by the Mermit. [Ord. 17-2016 §5, eff. 9-23-2016; Ord. 7-2009 §3, eff. 5-1-2009; Ord. 26-2004 §3, eff. 8-18-2004]

15.12.610 Delegation of authority to County Environmental Management Department (EMD).

A. Subject to an agreement approved by the City Council under which the County of Sacramento shall assume responsibility for tracking, inspecting, and enforcing the City's stormwater ordinance at certain commercial and industrial facilities specified in the municipal stormwater permit, the City hereby authorizes and delegates to the County of Sacramento the authority to enforce the city's stormwater ordinance at certain commercial and industrial facilities specified in the municipal stormwater permit, and the term "Administrator," as used in this chapter, shall also mean the Director of the Sacramento County Environmental Management Department and his or her designees.

B. Any administrative or civil enforcement by the Director of the Sacramento County EMD or his or her designees of any provision of this chapter under this article shall be governed by and conducted pursuant to Chapter 15.12 of the RCMC.

C. Sacramento County may establish and collect from commercial and industrial facilities located within the city such fees as may be necessary to cover the actual costs incurred by Sacramento County to include these facilities in its commercial and industrial compliance program; provided, that the fees are established and collected in accordance with the provisions of the agreement and all applicable legal requirements.

D. The authority delegated to Sacramento County under this article is limited to that necessary to allow the Director of the County EMD to track, inspect, and ensure compliance with the city's stormwater ordinance at commercial and industrial facilities as required under the municipal stormwater permit and in accordance with any agreement between the City of Rancho Cordova and Sacramento County EMD. [Ord. 17-2016 §6, eff. 9-23-2016; Ord. 7-2009 §3, eff. 5-1-2009; Ord. 26-2004 §3, eff. 8-18-2004]

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Chapter 16.44

LAND GRADING AND EROSION CONTROL

Sections:

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16.44.010 Purpose. SHARE

It is the intent of the City Council in enacting this chapter to minimize damage to surrounding properties and public rights-of-way, the degradation of the water quality of watercourses, and the disruption of natural or City-authorized drainage flows caused by the activities of clearing and grubbing, grading, filling and excavating of land, and sediment and pollutant runoff from other construction-related activities, and to comply with the provisions of the City's National Pollutant

Discharge Elimination System (NPDES) permit No. CA0082597, issued by the California Regional Water Quality Control Board (Regional Board).

These goals will be achieved by establishing administrative procedures, minimum standards of review, and implementation and enforcement procedures for controlling erosion, sedimentation and other pollutant runoff, including construction debris and hazardous substances used on construction sites, and the disruption of existing drainage and related environmental damage caused by the aforementioned activities. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.020 Definitions.



As used in this chapter, the following words and phrases shall have the meanings given in this section:

“Administrator” means the City’s Public Works Director or his or her designated representative(s).

“Applicant” means any person or entity who submits an application for a permit pursuant to this chapter.

“City” means the city of Rancho Cordova.

“City specifications” means the City improvement standards, City standard construction specifications and other standards included in applicable City ordinances, regulations and manuals, as amended from time to time.

“Civil engineer” means a professional engineer in the branch of civil engineering holding a valid certificate of registration issued by the state of California.

“Clearing and grubbing” means moving or removing by manual or mechanical means trees, vegetation and/or the top four inches or greater of soil.

“Compaction” means the act of compacting or consolidating soil and rock material to a specified density, and the resulting compacted state of the material.

“Construction site” means any land area on which the activity of clearing and grubbing, grading, excavating, or filling is occurring.

“Engineering geology” means the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.

“Environmental coordinator” means the City official designated by the City Manager to prepare and process environmental documents.

“Erosion” means the transport of the ground surface or soil as a result of the movement of wind or water.

“Erosion control measures” means seeding, mulching, vegetative buffer strips, sod, plastic covering, burlap covering, watering and other measures which control the movement of the ground surface or soil.

“Grade” means the elevation of the ground surface as measured from a known vertical control.

“Grading” includes the act or result of digging, excavating, transporting, spreading, depositing, filling, compacting, settling, or shaping of land surfaces and slopes, and other operations performed by or controlled by human activity involving the physical movement of rock or soil.

“Hazardous substances” means those materials listed in Title [40](#) of the Code of Federal Regulations ([40](#) CFR) Part 117 and/or [40](#) CFR Part [302](#).

“National Pollutant Discharge Elimination System (NPDES)” means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements under Sections 307, 402, 318, and 405 of the Clean Water Act.

“Permittee” means the applicant in whose name a valid permit is issued pursuant to this chapter and the applicant’s agents, employees and designated representative(s).

“Person” means any individual, corporation, partnership, association of any type, public agency or any other legal entity.

“Pollutants” is as defined in Title [40](#) CFR § [122.2](#).

“Runoff” means surface runoff and drainage related to storm events, snow melt, street washwaters related to street cleaning or maintenance and other waters associated with construction activity which are or may be introduced into the municipal separate storm sewer system.

“Sediment” means soil or earth material deposited by water.

“Sediment control measures” means dikes, sediment detention traps, sediment detention basins, filters, fences, barriers, swales, berms, drains, check dams, and other measures which control the deposit of soil or earth material.

“Site” means a parcel or parcels of real property owned by one or more than one person on which activity regulated by this chapter is occurring or is proposed to occur.

“Slope” means an inclined ground surface the inclination of which is expressed as a percent.

“Structure” means anything constructed or erected which requires location on the ground or attached to something having location on the ground.

“Watercourse” means a river, stream, creek, basin, lake, pond, waterway, or channel, natural or manmade, having a defined bed and banks. Whenever a watercourse consists of an ordinary channel, and in addition thereto, an overflow channel, the watercourse shall be deemed to include all property lying between the banks of the overflow channel.

“Wetlands” means those areas that are inundated or saturated by surface or groundwater at a frequency sufficient to support, and that under normal circumstances do support, a prevalence of

vegetation typically adapted for life in saturated soil conditions, such as swamps, bogs and marshes. [Ord. 38-2007 § 1 (Exh. 1(A), (J)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.030 Delegation. SHARE

Whenever in this chapter an authority or power is vested in or a duty is imposed upon an officer or official, an employee subordinate to the officer or official to whom an appropriate delegation has been made shall be entitled to exercise the power or authority and perform the duty. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.040 Administration. SHARE

Except as otherwise provided, the Administrator is responsible for administering this chapter and grading and erosion control permits, and is authorized from time to time to promulgate and enforce rules or regulations consistent with and necessary to implement the purposes, intent and express terms of this chapter.

Any rules or regulations promulgated by the Administrator, or amendments thereof, shall be filed with the City Clerk. The clerk shall cause said rules or regulations to be published in a newspaper of general circulation within 10 calendar days. No rules or regulations promulgated by the Administrator, or amendments thereof, shall be enforced or become effective until 30 calendar days following the date on which the rules or regulations are published. Any Person shall have 15 days after the date of publication in which to file an appeal in accordance with the provisions of RCMC [16.44.300](#). [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.050 Permits required. SHARE

Except as provided by RCMC [16.44.060](#), [16.44.065](#) or [16.44.070](#), a grading and erosion control permit shall be required to (A) grade, fill, excavate, store or dispose of 350 cubic yards or more of soil or earthly material or (B) clear and grub one acre or greater of land within the City. A separate permit is required for work on each site unless sites are contiguous, have the same ownership, and are included in the approved plan. Any determination by the Administrator as to whether a permit is required may be appealed pursuant to the provisions of RCMC [16.44.300](#). [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.060 Permits not required. SHARE

A. A grading and erosion control permit shall not be required to:

1. Grade, fill, excavate, store or dispose of less than 350 cubic yards of soil or earthly material; or
2. Clear and grub less than one acre of land within the City; or
3. For the grading, filling, excavating, storing, disposing, or clearing and grubbing for:

- a. Swimming pools, basements, or footings of structures if authorized by a valid building permit;
- b. Underground utilities;
- c. Mining or quarry operations, if a use permit has been granted by the City;
- d. Refuse disposal sites operated by a governmental agency;
- e. The production of planted agricultural crops.

B. Notwithstanding the provisions of subsection (A) of this section exempting specified activities from the otherwise applicable permit requirements, the activities described in subsection (A) of this section shall be subject to the standards and requirements of this chapter. Any building permit issued in connection with the activities described in subsection (A) of this section or in connection with any building permit issued for a single-family residence on an individual lot may be conditioned on compliance with the standards and requirements of this chapter. Any inspections required pursuant to this chapter or any other chapter of this title shall include a determination of compliance with the purposes of this chapter. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.065 Exemptions. SHARE

A grading and erosion control permit shall not be required for, and the provisions of this chapter shall not apply to, grading, filling, excavating, storing, disposing, or clearing and grubbing for situations where, in the determination of the Administrator, there is a clear and imminent danger to life or property, or threat of loss of services for which there is an overriding public concern. The Administrator may, at the time of granting such exemption, impose conditions in accordance with RCMC [16.44.170](#), including, but not limited to, the requirement for the posting of security. Such exemption must be requested from the Administrator and approved in writing prior to the commencement of any activity regulated by this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995].

16.44.070 Improvement plans. SHARE

Where an improvement plan is being processed in conjunction with either an approved tentative, parcel, or final map, or a development plan is being processed in accordance with the provisions of RCMC Title [12](#), such plan shall also be considered as a request to undertake those activities regulated by this chapter. Such plans shall be reviewed and approved, conditionally approved or denied in accordance with the applicable City and county standards and requirements set forth in this chapter and other applicable City and county improvement standards and specifications. For an approved tentative, parcel, or final map, or development plan, any submitted improvement plans shall include provisions to require compliance with the City and county improvement standards, and requirements of this chapter. If an improvement plan is approved, then a grading and erosion control permit shall not be required. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.080 Application contents. SHARE

The application for a grading and erosion control permit shall be filed in the office of the Administrator, and submitted on a form with information prescribed by the Administrator, including the following:

- A. The name, address and telephone number of the applicant and the applicant's engineer;
- B. The address and parcel number of the location for which the permit is sought;
- C. A copy of all entitlements granted for the property by the City, including conditions of approval and the environmental documentation;
- D. A copy of all required state and federal permits;
- E. Plans conforming with the requirements of RCMC [16.44.090](#);
- F. Specifications conforming with the requirements of RCMC [16.44.100](#), if required by the Administrator;
- G. Security conforming with the requirements of RCMC [16.44.110](#);
- H. Right of entry conforming with the requirements of RCMC [16.44.120](#);
- I. Fees conforming with the requirements of RCMC [16.44.130](#);
- J. Other information as may be required by the Administrator. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.090 Plans. SHARE

Plans shall be prepared by a civil engineer in conformance with City and county specifications and shall include the following:

- A. A vicinity map indicating the site location and significant geographic features;
- B. A site delineation map indicating boundary lines of the property and each lot or parcel into which the site is proposed to be divided;
- C. The location of on-site and surrounding watercourses and wetlands, existing and proposed drainage systems, and drainage area boundaries and acreages. Additional hydrologic analysis shall be provided as required by the Administrator;
- D. The location of existing and proposed roads and structures on the site and on adjacent property;
- E. Accurate contours at two-foot intervals for slopes up to 10 percent and five-foot intervals for slopes over 10 percent showing topography of existing ground and locations of existing vegetation, including all oak trees, all other trees over six inches in diameter measured at four and one-half feet above the ground, groves of trees, and natural features such as rock outcroppings. Spot elevations will be required where relatively flat conditions exist. The spot elevations or contour lines shall be extended off site for a minimum distance of 50 feet, or 100 feet in flat terrain;

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F. Elevations, location, extent and slope of all proposed grading shown by contours, cross-sections or other means, and location of any disposal areas, fills or other special features to be included in the work;

G. A statement of the quantity of material to be excavated, the quantity of material to be filled, whether such excavation or fill is permanent or temporary, and the amount of such material to be imported to or exported from the site;

H. A delineation of the area to be cleared and grubbed;

I. A statement of the estimated starting date, grading completion date, and when site improvements will be completed;

J. The location, implementation schedule, and maintenance schedule of all erosion control measures and sediment control measures to be implemented or constructed prior to, during or after the proposed activity;

K. A description of measures designed to control dust and stabilize the construction site road and entrance;

L. A description of the location and methods of storage and disposal of construction materials;

M. Any additional plans required by the administrator. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.100 Specifications.

When required by the Administrator, the following information shall be prepared and signed by a civil engineer, and submitted with the application for a grading and erosion control permit:

A. Preparation of natural ground to occur prior to placement of fill, including provisions for removal of organic or deleterious materials;

B. Quality control of native or imported fill material;

C. Degree of compaction;

D. Gradient of cut and fill slopes;

E. Geotechnical engineering or engineering geology reports used in the development of the above information. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.110 Security.

A. Prior to issuance of the permit, the applicant shall provide security in an amount estimated by the Administrator to be the cost for stabilizing the activity site if the site is abandoned or work is stopped during the performance of the activity described in the permit. The security shall be one of the following, subject to the approval of the Administrator:

ITEM 18.2.

Exhibit A to the Ordinance

1. Bond or bonds by one or more duly authorized corporate sureties.
2. A deposit, either with the City or a responsible escrow agent or trust company, at the option of the City, of money or negotiable bonds of the kind approved for securing deposits of public monies.
3. An instrument of credit from an agency of the state, federal or local government when an agency of the state, federal, or local government provides at least 20 percent of the financing for the project, or from one or more financial institutions subject to regulation by the state or federal government and pledging that the funds necessary are on deposit and guaranteed for payment, or a letter of credit by such financial institution.

B. The security shall be released to the permittee upon either:

1. Issuance of a certificate of completion, provided no administrative or legal action against such security has been commenced prior to that date and the permittee has complied with the provisions of RCMC [16.44.260](#); or
2. Voluntary relinquishment of the permit by the holder thereof to the City, provided no administrative or legal action against such security has been commenced prior to that date and the permittee has complied with the provisions of RCMC [16.44.250](#). [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.120 Right of entry. SHARE

Whenever any portion of the work requires entry onto adjacent property for any reason, the applicant shall obtain the written consent of the adjacent property owner or his authorized representative, and shall file a copy of said consent with the administrator before a permit for such work may be issued. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.130 Permit fees. SHARE

A fee shall be paid by the applicant to the City for plan checking and review, materials testing, site inspections, processing, issuance and other services performed by the administrator in connection with the investigation of an application for, and administration of, a grading and erosion control permit. The fees for these services shall be in the amount of the actual costs incurred by the City based on the hourly rate of the personnel performing the services, including all overhead costs, and as determined by the Administrator.

A minimum deposit of \$750.00 shall be paid by the applicant at the time of and with the filing of the application with the Administrator. In the event the accrued costs exceed the initial deposit, the City shall submit a monthly bill to the applicant for the amount owing as of the date on the bill. Interest of one and one-half percent per billing period (28-day cycle) compounded each billing period shall be added to the unpaid balance due to any amount which has not been paid in full within 28 days from the date on the bill.

The administrator shall not perform any services for an applicant if an amount owing is not paid within 28 days, until such time that all amounts owing and interest thereon are paid in full. The balance of fees owing shall be paid in full prior to final inspection. In the event the actual costs do not exceed the minimum deposit amount, the City shall reimburse the applicant the difference between

the deposit amount and the actual total charges. [Ord. 38-2007 § 1 (Exh. 1(J)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.140 Environmental review.

Grading and erosion control permits, and amendments thereto, are subject to the requirements of the California Environmental Quality Act (CEQA). The applicant shall furnish a copy of the application to the environmental coordinator for preparation and processing of the appropriate environmental documents. The Administrator is authorized to hold public hearings on negative declarations, draft environmental impact reports and final environmental impact reports prepared on applications for grading and erosion control permits, for the purposes of receiving comments from the public. The administrator shall not approve a grading and erosion control permit prior to considering the applicable environmental document and complying with the requirements of CEQA and the City procedures for preparation and processing of environmental documents. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.150 Application review.

The Administrator shall review and approve, conditionally approve or deny grading and erosion control permit applications and improvement plans in accordance with the provisions of this chapter. Grading and erosion control permit applications and improvement plans shall be issued or approved unless the Administrator finds in writing that:

- A. The applicant has failed to provide sufficient or adequate plans, information or other data necessary to allow determinations respecting compliance with the provisions of this chapter or City specifications;
- B. The environmental review has not been completed, other provisions of this code or of state law pertaining to environmental review have not been satisfied, or the activity will have significant adverse environmental impacts which cannot be substantially mitigated. Where the activity will have significant adverse impacts, the Administrator may approve the permit in accordance with the provisions of this chapter, RCMC Title [20](#), and the California Environmental Quality Act of 1970;
- C. The proposed activity will violate provisions of this chapter, City specifications, or state or federal laws, and such violation cannot be resolved by the imposition of conditions pursuant to RCMC [16.44.170](#);
- D. The proposed activity will adversely affect surrounding properties and public rights-of-way, the water quality of watercourses, and existing drainage. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.160 Contents of permit.

The grading and erosion control permit shall include but not be limited to a complete description of the activity for which it is issued, the property for which it is issued, the date of issuance and the date of expiration, and a description of any and all conditions upon which the permit has been issued. The permit shall be kept at the site during the activity for which the permit was issued. A grading and erosion control permit authorizes the permittee to undertake only that activity described in the permit and only on the property for which the permit is issued. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.170 Conditions.

The Administrator may at the time of issuance of the grading and erosion control permit impose such conditions as are necessary to ensure compliance with this chapter, City and county improvement standards and specifications, City floodplain ordinance, or state or federal laws. Such conditions shall be reasonably related to the public needs created by the proposed activity. Conditions to mitigate environmental impacts of the activity may also be imposed by the Administrator. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.180 Procedure for imposition.

Any condition imposed pursuant to the provisions of RCMC [16.44.170](#) shall be embodied, together with the reasons therefor, in the permit and served upon the applicant or permittee. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.190 Term.

A grading and erosion control permit shall be effective on the date of issuance, and shall remain in force for one year, unless suspended or revoked by the Administrator, or voluntarily relinquished by the permittee. Before the expiration of a permit, a permittee may apply for an extension of time in which to complete the activity. One extension of not more than one year may be granted by the Administrator. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.200 Transferability.

A grading and erosion control permit shall not be transferable or assignable from one person to another, unless approved by the Administrator and the person to whom the permit is to be transferred agrees to comply with the requirements of the original permit and to any conditions imposed therein. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.210 Denial of permit.

The Administrator shall deny an application for a grading and erosion control permit if any of the findings in RCMC [16.44.150](#) are made. Notice shall be served on the applicant, in writing, with the reasons stated therefor, pursuant to the provisions of RCMC [16.44.340](#). [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.220 Amendment of permit.

Any proposed changes in the activity authorized by the permit shall be submitted to the Administrator for review. The permittee shall not undertake or allow activity to occur which does not conform with the plans or conditions of the original permit, unless approved by the Administrator. The Administrator shall review any proposed changes in the same manner and pursuant to the same standards as the original application. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.230 Request for inspection.

ITEM 18.2.

Exhibit A to the Ordinance

A. Requests for inspection of any site subject to the provisions of this chapter shall be made to the Administrator within at least two full business days in advance of the desired day of inspection at the following phases of activity.

1. When the site has been cleared of vegetation and unapproved fill, and scarified, benched, or otherwise prepared and before any fill is placed; and the erosion control and sediment control measures to be implemented in this phase have been placed;
2. When approximate final elevations have been established; drainage terraces, swales and other drainage devices have been graded and are ready for paving; berms have been installed at the top of slopes; and the erosion control and sediment control measures to be implemented in this phase have been placed;
3. When work has been completed; slope planting established and irrigation systems installed, if required; and the erosion control and sediment control measures to be implemented in this phase have been placed.

B. The Administrator, upon inspection of the site, shall notify the person or permittee:

1. That the phase of work inspected is approved; or
2. What deficiencies, corrections or other work needs to be completed before approval of that phase. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.240 Reports. SHARE

Notification to the Administrator shall be required within 24 hours following the failure of authorized measures to prevent erosion or sediment from leaving the construction site, the deposit of debris or material on adjoining property or public rights-of-way, or the interference with any existing watercourses or drainage facilities. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.250 Cessation of work. SHARE

If activity is ceased on site for any reason for a period in excess of 15 calendar days, and before the activity being conducted under the permit is completed, all necessary steps shall be taken to prevent damage through erosion or sedimentation to adjoining properties or to the public rights-of-way or to any natural or artificial drainage facilities or watercourses. The premises shall also be graded to blend into the adjacent terrain. The Administrator shall be notified as soon as possible, but no later than 15 calendar days after the cessation of work. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.260 Completion of work. SHARE

After completion of work in accordance with and conforming with an approved permit and delivery to the City of record plans and a grading plan as finally implemented, and payment of all fees, the Administrator shall issue a certificate of completion. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.270 Inspection. SHARE

The administrator may enter and inspect property for which a grading and erosion control permit has been applied to determine applicability or compliance with this chapter, City and county improvement standards or specifications. The Administrator may also inspect any and all property on which grading, filling, clearing and grubbing or excavating activities are occurring. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.280 Grounds for suspension and revocation. SHARE

A grading and erosion control permit may be suspended if:

- A. The physical state of the property differs from the descriptions, plans or information furnished to the Administrator in the permit application;
- B. The activity does not conform to the approved plans, grades, conditions or terms of the permit;
- C. The activity is in violation of this chapter, City specifications, or state or federal laws;
- D. Any reports required to be submitted to the Administrator have not been submitted; or
- E. Any of the information contained in reports submitted to the Administrator is in error. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.290 Method of suspension or revocation. SHARE

The Administrator may suspend or revoke a grading and erosion control permit by issuing a notice of suspension or revocation, stating the reasons therefor, and serving same upon the permittee. Upon suspension or revocation of a permit, in accordance with the provisions of this section, the permittee shall immediately cause all grading, filling, excavating, storing, disposing or clearing and grubbing to cease until written authorization is received from the administrator to proceed with the activity.

The permittee shall have 15 calendar days after the date of service of the suspension or revocation in which to file an appeal in accordance with the provisions of RCMC [16.44.300](#). If such an appeal is filed, the suspension or revocation shall remain in force and be effective until a final decision on the appeal is issued by the City Council.

If the Administrator suspends a permit, such permit may either be reinstated or revoked by the Administrator, depending upon whether the permittee corrects the grounds stated for the suspension in the notice issued by the Administrator. If the permittee fails to remedy the grounds for suspension within a time period specified by the Administrator, but in no event later than 60 calendar days, the Administrator shall revoke the permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.300 Appeals. SHARE

If the applicant for a grading and erosion control permit, the permittee, or other person whose property rights may be affected is dissatisfied with any determination made by the Administrator, such person may appeal to the City Council. Any such appeal shall be in writing, shall state the

specific reasons therefor and grounds asserted for relief, and shall be filed with the City Clerk not later than 15 calendar days after the date of the action being appealed. If an appeal is not filed within the time or in the manner prescribed above, the right to review of the action against which the complaint is made shall be deemed to have been waived. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.310 Appeal fee. SHARE

The City Council shall by resolution adopt and, from time to time, amend a fee for the filing of appeals. Such fee shall be for the sole purpose of defraying costs incurred for the administration of appeals. The fee for an appeal shall be paid at the time of and with the filing of an appeal. No appeal shall be deemed valid unless the prescribed fee has been paid. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.320 Appeal hearings. SHARE

After the filing of an appeal within the time and in the manner prescribed by RCMC [16.44.300](#), the City Council shall conduct a hearing for the purpose of determining whether the appeal should be granted. Written notice of the time, date and place of the hearing shall be served upon the administrator and the appellant not later than 10 days preceding the date of the hearing. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.330 Actions on appeals. SHARE

The City Council shall review the entire proceeding or proceedings relating to the act or decision being appealed, de novo, and may make any order it deems just and equitable, including the granting of a grading and erosion control permit. Any hearing may be continued from time to time.

At the conclusion of the hearing, the City Council shall prepare a written decision which either grants or denies the appeal, and contains findings of fact and conclusions. The written decision, including a copy thereof, shall be filed with the City Clerk. The clerk shall serve such decision on the applicant or permittee and the Administrator. The decision of the City Council shall become final upon the date of filing and service with respect to any appeal. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.340 Notices. SHARE

Any notice authorized or required by this chapter shall be deemed to have been filed, served and effective for all purposes on the date when it is personally delivered in writing to the party to whom it is directed or deposited in the United States Mail, first class, postage prepaid, and addressed to the party to whom it is directed.

Whenever a provision in this chapter requires a public hearing to be conducted, notice of the time, date, place and purpose of the hearing shall be published at least once not later than 10 calendar days in advance of the date of commencement of the hearing in a newspaper of general circulation which is published within the city. The same type of notice shall also be served on each permittee whose permit may be affected by the action taken at the conclusion of the hearing. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.350 Action against and release of security. SHARE

A. The Administrator may commence action against the security provided by a permittee if:

1. The permittee ceases activities on site prior to completion of work without complying with the provisions of RCMC [16.44.250](#);
2. The permittee fails to comply with the terms of the permit;
3. The activity has caused or is threatening to cause damage or injury to persons, property or the environment.

B. The monies so obtained shall be used solely to finance remedial work undertaken by the City or a private contractor under contract to the City, and to reimburse the City for any administrative costs and expenses incurred in remedying the situation, including attorneys' fees and legal costs incurred in any necessary action to obtain the security. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.360 Violations. SHARE

Except as otherwise specifically provided, pursuant to the provisions of Section 36900 of the Government Code, violation of any of the provisions contained in this chapter shall constitute an infraction subject to a fine of \$100.00 for each day (first violation), \$500.00 for each day (second or subsequent violations), or any portion thereof if a violation continues.

Violation of any of the provisions of this chapter following notice to the permittee by the Administrator advising of the violation and ordering a cessation thereof shall, pursuant to the provisions of RCMC [1.01.190](#), constitute a misdemeanor.

Violation of any of the provisions of this chapter may be remedied by injunction or other civil proceeding commenced in the name of the City pursuant to direction by the City Council. [Ord. 38-2007 § 1 (Exh. 1(J)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.370 Laws not enforced. SHARE

There are many ordinances and other laws applicable to activities permitted under this chapter which are not sought to be enforced under this permitting process. Such laws include, but are not limited to, building, floodplain management, and land development measures. The issuance of a grading and erosion control permit shall not be deemed to constitute a representation that the activity so permitted or the property upon which such activity is occurring complies with such other ordinances or other laws. Nor shall the existence of such an unrevoked permit be deemed to preclude any criminal or civil remedy for violation of such other ordinances or laws. The possession of a grading and erosion control permit shall not be deemed to relieve the holder of the requirement to apply for or obtain any other license or permit required by ordinance or statute. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

Chapter 16.84

DEVELOPMENT IMPACT FEES TO FINANCE THE COST OF TRANSPORTATION FACILITIES

Sections:

- 16.84.010 Purpose.
- 16.84.020 Definitions.
- 16.84.030 Establishment and administration of the City of Rancho Cordova transportation fund.
- 16.84.040 Establishment and administration of the City of Rancho Cordova transportation administration fund.
- 16.84.050 Imposition of transportation impact fee.
- 16.84.060 Payment of transportation impact fees.
- 16.84.065 Payment of transportation impact fee – Deferral.
- 16.84.070 Adoption of the transportation system capital improvement plan and compliance with priority list of City of Rancho Cordova transportation impact fee program.
- 16.84.080 Establishment of transportation impact fees and creation of areas.
- 16.84.090 Calculation of transportation impact fee.
- 16.84.100 Establishment of costs per unit for land uses within the City of Rancho Cordova.
- 16.84.110 Credit for construction of transportation facilities.
- 16.84.120 Reimbursement for construction of transportation projects in advance of the transportation system development impact fee program priority list schedule.
- 16.84.130 Annual program fee adjustment.
- 16.84.140 Alternative method and compliance with other laws.

Prior legislation: Ords. 19-2003, 27-2003, 32-2005 and 35-2005.

16.84.010 Purpose.

A. The general plan of the City of Rancho Cordova requires that areas chosen for urban expansion shall be capable of being provided, within a reasonable period of time, with an adequate level of public facilities including, but not limited to, roadway facilities and transit facilities.

B. The general plan further requires the preparation of a plan that identifies a mechanism for financing those facilities necessary to serve urban development in areas designated for urban expansion. The general plan also contains additional policies for supporting funding and use of developer dedications, development fees, and other means to pay for an acceptable level of transportation facilities.

C. The purpose of this chapter is to implement the general plan requirements set forth in subsections (A) and (B) of this section and to use the authority in Article XI, Section 7 of the California Constitution by imposing development fees to fund the cost of certain transportation facilities, the need for which is directly or indirectly generated by the type and extent of development proposed in the City of Rancho Cordova on which the fees will be imposed.

D. It is the further purpose of this chapter to require that adequate provision is made for developer-financed public facilities within the City of Rancho Cordova as a condition to any rezoning and prior to approval of certain permits within the City. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.020 Definitions.

“Areas” means those geographic areas established for public facilities financing purposes within the City of Rancho Cordova as depicted in the nexus study for the transportation development impact fee program. A detailed map of each area is depicted in the nexus study and is on file with the City Public Works Department, and such maps are incorporated by reference herein.

“Building permit” means the permit issued or required for residential development, nonresidential development, commercial development, or other development within the City, pursuant to and as further defined by the City of Rancho Cordova building code.

“City” means the City of Rancho Cordova.

“City of Rancho Cordova transportation administration fund” means that special interest-bearing trust fund established pursuant to RCMC 16.84.040.

“City of Rancho Cordova transportation fund” means that special interest-bearing trust fund established pursuant to RCMC 16.84.030.

“Commercial development” means buildings constructed for the purpose of occupancy by retail, services, and other principally nonoffice businesses located on sites zoned SC shopping center, LC limited commercial, TC travel commercial, AC auto commercial, or GC general commercial in accord with the City of Rancho Cordova zoning code or designated commercial or commercial mixed use (CMU). For purposes of this chapter, residential dwellings constructed on sites designated CMU or another commercial zone pursuant to the zoning code are residential development rather than commercial development.

“Costs” means amounts spent, or authorized to be spent, in connection with the planning, financing, acquisition and development of a public facility or infrastructure including, without limitation, the costs of land, construction and inspection, engineering, administration, and consulting fees.

“Council” or “City Council” means the City Council of the City of Rancho Cordova.

“Department” means the City of Rancho Cordova Public Works Department.

“Development impact fee” or “transportation development impact fee” or “transportation impact fee” means the fee levied by this chapter and due upon the approval of one or more building permits.

“Development unit” means a dwelling unit, for residential development, or square foot of building floor area, for nonresidential development.

“Director” means the Director of the Rancho Cordova Public Works Department.

“Facilities” means those public facilities designated in the Rancho Cordova transportation capital improvement plan and transportation development impact fee program.

“Fee resolution” means the resolution and fee schedule adopted by the City Council, as may be amended from time to time, that approves the amount of the transportation development impact fees.

“Improvement plan” means the site plan of property proposed for development showing all required improvements that must be approved by the Rancho Cordova Public Works Department pursuant to Chapter 12.03 RCMC prior to the issuance of a building permit for the property.

“Land use category” means detached dwelling units, attached dwelling units, multifamily, commercial, office, or industrial/manufacturing uses as further defined in the fee resolution.

“Multifamily residential units” means all units within a structure that have five or more units, all of which are offered for rent to the general public, or all units within a structure that have five or more attached units that (1) are available for sale to individual owners, and (2) have living areas less than or equal to 1,200 square feet.

“Nonresidential development” means a subdivision map, parcel map, or permit for the original construction, grading or installation of buildings other than single-family detached homes, single-family attached homes, duplexes, townhomes, condominiums, apartments, manufactured homes and mobile homes, or improvements thereto. Nonresidential development includes commercial development. Typically, nonresidential development consists of buildings to be occupied by retail, service, or other commercial businesses or by offices as regulated by the City of Rancho Cordova zoning code, but may also include buildings for use by churches, day care centers, private schools, and other institutional uses. Mixed-use buildings consisting of both dwelling units and commercial and/or office areas will have the respective building areas treated as either residential development or nonresidential development for purposes of this chapter.

“Office development” means buildings constructed for the purpose of occupancy by principally business and professional office uses located on sites zoned BP business and professional office in accord with the City of Rancho Cordova zoning code or designated commercial or CMU commercial mixed use.

“Planning Director” means the Planning Director of the City of Rancho Cordova.

“Priority list” means those facilities included in the transportation capital improvement plan and transportation development impact fee program, as identified in order of priority by the Director, to avoid substantial congestion levels on key roadways.

“Program fee per development unit” means the development impact fee per development unit for a particular category of facilities. Such program fees, identified in the fee resolution, were established using an allocation of transportation system costs, as identified in the transportation capital improvement plan and development impact fee program, and dwelling unit equivalents (DUEs) based on land use categories identified in the nexus study developed for the transportation development impact fee program.

“Programmed cost” means the estimated cost of constructing a facility based upon the unit costs for each construction item plus fixed percentages for engineering, permits and construction contingency as set forth in the city of Rancho Cordova transportation development impact fee program and its public facilities project cost estimates, as periodically updated and adopted by resolution of the Council.

“Residential development” means a subdivision map, parcel map, or permit for the original construction, grading or installation of dwelling units for residential use including detached and attached housing for owner or rental occupancy. For purposes of this chapter, residential development includes construction of or improvements to buildings or portions of buildings consisting of dwelling units constructed on sites designated CMU or another commercial zone. Institutional uses or other nonhousing development allowed by special use permit to be constructed on sites zoned for residential use are nonresidential development for purposes of this chapter.

“Single-family attached residential development” means all units within a structure that have two to four attached units, whether such units are offered for rent or for sale to individual owners, and all units within a structure that has five or more attached units that (1) are available for sale to individual owners, and (2) have a living area greater than 1,200 square feet.

“Single-family detached residential development” includes all single-family detached residential units.

“Transportation capital improvement plan” means the projects identified and the cost estimates prepared, and as may be updated, for the transportation system facilities identified in the general plan circulation element and on the roadway sizing diagram within the City limits that are needed to meet traffic demands as identified in the nexus study.

“Transportation development impact fee program” or “transportation impact fee” means the fee schedule, including any amendments thereto, adopted by resolution by the council for financing of designated public facilities to serve the City of Rancho Cordova, including, but not limited to, a designation of those facilities to be constructed with the development impact fees collected pursuant to this chapter, the priority list (“priority list”) for commencement of construction, the estimated cost of construction of the facilities and the total number of dwelling unit equivalents within each area of the City of Rancho Cordova as established. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.030 Establishment and administration of the City of Rancho Cordova transportation fund.

A. There is hereby created by the department of finance in the City treasury a special interest-bearing trust fund entitled the City of Rancho Cordova transportation fund. All amounts collected from transportation impact fees from Area 1 and Area 2 pursuant to this chapter shall be placed in said fund and shall be expended by the City of Rancho Cordova or its successor agency solely to pay the costs identified in the transportation capital improvement plan and/or development impact fee program and nexus study.

B. The transportation fund shall be administered by the Director. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.040 Establishment and administration of the City of Rancho Cordova transportation administration fund.

A. There is hereby created by the department of finance in the city treasury a special interest-bearing trust fund entitled the city of Rancho Cordova transportation administration fund. All administration fees collected from Area 1 and Area 2 pursuant to this chapter shall be placed in said fund and shall be expended by the City of Rancho Cordova or its successor agency solely to pay the costs associated with administering the City of Rancho Cordova transportation impact fee program.

B. Commencing with the updated nexus study adopted February 7, 2022, administrative costs are incorporated into the transportation development impact fee. The administrative portion of the transportation development impact fee shall be expended by the City of Rancho Cordova or its successor agency solely to pay the costs associated with administering the transportation development impact fee program.

C. The transportation administration fund shall be administered by the Director. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.050 Imposition of transportation impact fee.

No change in a land use zoning designation shall be approved within the City of Rancho Cordova unless payment of the transportation impact fees established by this chapter is required of the property owner as a condition of such approval. No building permit shall be approved for property within the City of Rancho Cordova unless the development fees for that property are paid as required by this chapter. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.060 Payment of transportation impact fees.

The transportation impact fees imposed pursuant to this chapter shall be paid by the property owner to the department, in an amount calculated pursuant to RCMC 16.84.100. The fees shall be calculated upon the approval of subdivision maps and shall be paid upon issuance of building permits. For projects that are subject to building permits, but not subdivision map approval, the fees shall be both calculated and paid upon issuance of the building permits. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.065 Payment of transportation impact fee – Deferral.

Notwithstanding any other requirement in RCMC 16.84.060, due to the continued effects of the nationwide slowdown in the housing market and the city's desire to encourage quality development, the city manager, or his/her designee, shall have the authority to consider and approve requests to defer payment of development impact fees imposed pursuant to this chapter to the earlier of 24 hours prior to scheduling a final inspection, issuance of a temporary or final certificate of occupancy, or one year from the date the deferral is approved. [Ord. 8-2019 § 2; Ord. 4-2016 § 2; Ord. 3-2015 § 2; Ord. 3-2013 § 1; Ord. 32-2010 § 3; Ord. 10-2009 § 3; Ord. 14-2008 § 2].

16.84.070 Adoption of the transportation system capital improvement plan and compliance with priority list of City of Rancho Cordova transportation impact fee program.

A. The Council shall by resolution adopt the City of Rancho Cordova transportation capital improvement plan of the City of Rancho Cordova transportation system development impact fee program. The Council shall review the transportation capital improvement plan not less than annually and may amend it by resolution at its discretion.

B. With the exception of facilities approved by the Director for construction by a property owner pursuant to RCMC 16.84.120, all facilities shall be funded in accordance with the Priority List established for the City of Rancho Cordova transportation development impact fee program. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.080 Establishment of transportation impact fees and creation of areas.

A. A separate transportation impact fee is hereby established for each of the following categories:

1. New development area transportation fee;
2. Infill area transportation fee;

B. There are hereby created two initial areas of the City of Rancho Cordova, as shown in the nexus study for the transportation development impact fee program and incorporated herein by reference.

C. Future areas of the transportation development impact fee program may be created as additional public facilities financing plans are implemented for remaining undeveloped areas outside of the City of Rancho Cordova that may be annexed to the City in the future. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.090 Establishment of costs per unit for land uses within the City of Rancho Cordova.

A. Fees per unit for various land uses identified in the fee resolution were established using an allocation of transportation system costs as identified in the transportation system capital improvement plan and total additional trip miles based on land use categories identified in the nexus study developed for the transportation impact fee program.

B. For specific land uses not identified in the fee resolution, the cost per dwelling unit equivalent established by the nexus study and the trip generation rates established by the Institute of Traffic Engineers or equivalent method shall be used to calculate the fee per dwelling unit. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.100 Calculation of transportation impact fee.

A. For residential development, the transportation impact fee shall be calculated by multiplying the number of units per land use category by a per unit cost as identified in the transportation impact fee program and fee resolution.

B. For nonresidential development, the transportation impact fee shall be calculated by multiplying the number of building square feet per land use category by a per square foot cost as identified in the transportation development impact fee program and fee resolution.

C. For the purpose of calculating the transportation impact fee for land use categories not specifically named in the transportation impact fee program and fee resolution, the planning director is hereby authorized to determine the land use category that corresponds most directly to the land use in question. Alternatively, the Planning Director can determine that no land use category adequately corresponds, and request the Public Works Director to determine the transportation impact fee. Said transportation impact fee will be determined using the applicable trip generation factors as found in the Institute of Transportation Engineers Trip Generation Manual or equivalent method.

D. For the purpose of calculating the regional fee, the regional fee shall be calculated as the difference between the transportation impact fee for Area 1 or Area 2 (depending on the location of the property at issue) and the transportation component of the specific plan fee, if any. If no specific plan fee exists, then the regional fee and the transportation impact fee are equivalent.

E. The transportation impact fees shall be paid by the property owner in the amount as calculated pursuant to subsections (A), (B), (C) and (D) of this section for the categories of facilities established by RCMC 16.84.080, and shall include an additional administrative fee per building permit which will be calculated as provided in the transportation development impact fee program nexus study.

F. For the purpose of calculating transportation impact fees pursuant to subsections (A), (B), (C), and (D) of this section for properties with an approved use permit which significantly changes the underlying use of the site or properties within a special planning area, the director is hereby authorized to determine the per-unit or per-square-foot costs for each fee category that corresponds most directly to the use and density.

G. For the purpose of calculating transportation impact fees pursuant to subsections (A), (B), (C), and (D) of this section for building permits for land use categories not specifically named in this chapter or the transportation development impact fee program, the Director is hereby authorized to determine the per-unit or per-square-foot costs for each fee category that corresponds most directly to the use and density. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.110 Credit for construction of transportation facilities.

A. Upon application by the property owner or his authorized agent, the Director may authorize the construction of any transportation facilities, or portions thereof, in order of priority as designated on the priority list for the

transportation development impact fee program in lieu of all, or a portion of, the transportation impact fee required by this chapter. If so authorized, the credit toward transportation impact fees, excluding the administrative fee, to be provided to the property owner for such in-lieu construction shall be equal to 80 percent of the programmed cost of the facility, as set forth in the transportation system development impact fee program in effect at the time when the in-lieu construction is so authorized, including, but not limited to, unit prices, quantities and project descriptions. Prior to credit being given and/or issuance of any of the approvals set forth in RCMC 16.84.060 (e.g., approvals of building permits, subdivisions or zoning amendments), the construction of any facility authorized by this section must either be accepted by the Department, or the property owner must post security for the complete performance of the construction in a form acceptable to the Director and the City Attorney.

B. Upon acceptance of the completed facility and after reconciliation of the final facility costs, the remaining 20 percent of the programmed cost as designated in the transportation system development impact fee program may be issued as a credit balance to the property owner that may be utilized within the City of Rancho Cordova as determined by the Director.

C. Where the amount of the credit is less than the amount of the transportation impact fee otherwise applicable to the development in question, the property owner must pay to the City the difference in accordance with RCMC 16.84.060.

D. Where the amount of the credit is greater than the amount of the transportation impact fee, the property owner shall be paid the difference only from the applicable transportation fund within a reasonable time after the project is accepted by the Department pursuant to RCMC 16.84.120 in order of priority on the priority list in the transportation system development impact fee program when funds are available.

E. Where a facility is proposed for construction by the property owner, the Director at his discretion may either (1) provide the property owner with a credit pursuant to this section, or (2) enter into a reimbursement agreement with the property owner pursuant to RCMC 16.84.120. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.120 Reimbursement for construction of transportation projects in advance of the transportation system development impact fee program priority list schedule.

A. Upon application by the property owner or his authorized agent, the Director may enter into a reimbursement agreement authorizing the construction of any transportation facilities, or portions thereof, designated in the transportation system development impact fee program. In addition to the requirements of subsection (D) of this section, the agreement shall set forth the amount to be reimbursed, the time and manner in which payments are to be made, and shall state that reimbursement by the City will only be made from the applicable transportation fund when funds are available.

B. The amount of reimbursement shall be the actual cost of the facility up to the programmed cost of the facility as set forth in the transportation system development impact fee program in effect at the time the construction contract is awarded for that specific facility. The time of reimbursement shall be the end of the fiscal year in which the facility is scheduled for construction, based on the priority list in the transportation system development impact fee program, or as different timing is otherwise authorized by the Director.

C. By entering into a reimbursement agreement, a property owner is not relieved of the obligation to pay the transportation impact fees in the manner and amount specified by this chapter.

D. If the Director enters into an agreement authorized by subsection (A) of this section, or credit agreement as authorized by RCMC 16.84.110(C), the agreement shall provide that:

1. The general fund of the City is not liable for payment of any obligations arising from the agreement;
2. The credit or taxing power of the City is not pledged for the payment of any obligations arising from the agreement;
3. The landowner shall not compel the exercise of the City taxing power or the forfeiture of any of its property to satisfy any obligations arising from the agreement; and

4. The obligation arising from the agreement is not a debt of the city, nor a legal or equitable pledge, charge, lien, or encumbrance, upon any of its property, or upon any of its income, receipts, or revenues, and is payable only from the transportation impact fees deposited in the applicable transportation fund.

E. The property owner or his authorized agent shall apply for reimbursement as set forth in subsections (A), (B), (C) and (D) of this section no later than four years after the transportation project is constructed and accepted. The property owner shall waive the right of reimbursement for construction costs payable under this section when the reimbursement is not applied for within said four-year limitation. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.130 Annual program fee adjustment.

Commencing January 1, 2014, and thereafter each year no later than January 15th, the finance director, or his or her designee, shall authorize the adjustment of the program fee per development unit for each type of development in each fee category, which shall be adjusted according to the methodology described in the transportation development impact fee program nexus study.

The estimated cost of the facilities used in the transportation system capital improvement program and for calculating credits and reimbursements pursuant to RCMC 16.84.110 and 16.84.120 shall be adjusted annually using the same adjustment factor. [Ord. 3-2013 § 1; Ord. 5-2012 § 1; Ord. 3-2011 § 1; Ord. 5-2010 § 1; Ord. 7-2009 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.140 Alternative method and compliance with other laws.

A. This chapter is intended to establish a supplemental method for funding the cost of certain facilities the need for which is expected to be generated by the level and type of development proposed in the City. Except as provided in Section 4 of the ordinance codified in this chapter (continuance in effect of roadway and transit development fees established by Sacramento County), the provisions of this chapter shall not be construed to limit the power of the Council to impose any other fees or exactions or to continue to impose existing ones on development within the City, but shall be in addition to any other fees, exactions or other requirements that the City is authorized to impose, or has previously imposed, as a condition of approving plans, rezonings or other entitlements within the City pursuant to state and local laws. In particular, individual property owners shall remain obligated to fund, construct, and/or dedicate the improvements, public facilities and/or pay other exactions authorized or required by, but not limited to: (1) the City Public Works Department improvement standards; (2) the Sacramento County municipal services agency improvement standards; (3) the Quimby Act (Section 66477 et seq. of the Government Code) and implementing ordinances (Chapter 22.40 RCMC); (4) school impact fees (Section 65970 et seq. of the Government Code) and implementing ordinances; and (5) Sacramento County drainage fees (county water agency Ordinance No. 1). Any credits or repayments pursuant to RCMC 16.84.110 and 16.84.120 shall not include credits or repayment for the funding, construction or dedications described in this section.

B. The construction of facilities by a private owner pursuant to RCMC 16.84.110 and 16.84.120 shall be performed and contracted for only as required by law, including, but not limited to, compliance with the Department's improvement standards and requirements for public works, if applicable to the particular facility. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

ORDINANCE NO. XX-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, CALIFORNIA, AMENDING TITLE 16 OF THE RANCHO CORDOVA MUNICIPAL CODE TO REPEAL SACRAMENTO COUNTY CODE (SCC) FLOODPLAIN MANAGEMENT ORDINANCE NO.SZC-2016-0023; TO ADOPT CHAPTER 16.96; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND FLOODPLAIN MANAGEMENT REQUIREMENTS FOR CITY OF RANCHO CORDOVA.

THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA DOES ORDAIN
AS FOLLOWS:

SECTION 1. Recitals.

WHEREAS, the Legislature of the State of California has, in Government Code Sections 65302, 65560, and 65800, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of **the City of Rancho Cordova** and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare; and

WHEREAS, the **City of Rancho Cordova** was accepted for participation in the National Flood Insurance Program on 09/15/2004 **and** the **City Council** desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Parts 59 and 60, necessary for such participation; and

WHEREAS, the City currently utilizes the County of Sacramento Floodplain Ordinance, which was adopted by reference by Resolution No. 75-2004; and

WHEREAS, the County of Sacramento Floodplain Ordinance regulates uses, procedures for, and standards of development in the floodplain; and

WHEREAS, the proposed ordinance seeks to regulate the same uses, procedures, and standards of development that the County of Sacramento Floodplain Ordinance, therefore only regulates uses that are already present in the City, regardless of their explicit codification in the Rancho Cordova Municipal Code; and

WHEREAS, pursuant to the California Health and Safety Code, Division 13, Part 1.5 and Part 2.5, the City of Rancho Cordova is required to administer and enforce the *California Building Standards Code*, and such building codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas.

WHEREAS, the City acknowledges that there are multiple entities holding jurisdiction over the floodplain, including state and federal agencies; and

WHEREAS, the City, by adopting this ordinance, does not intend to supersede or conflict with any existing applicable laws, resolutions, codes and regulations of governmental agencies, including federal, state, municipal and local governing bodies having jurisdiction over the scope of the floodplain; and

WHEREAS, in the event that this ordinance conflicts with any existing applicable laws, resolutions, codes and regulations; the most stringent requirement shall apply; and

WHEREAS, the City, FEMA, and the Central Valley Flood Protection Board have jurisdiction over projects along the American River Parkway. For proposed projects in this area, the most stringent floor elevation requirement applies.

SECTION 2. Findings.

This Ordinance is adopted pursuant to the following findings:

- A. To date, the City of Rancho Cordova has relied upon Sacramento County's Floodplain Management Ordinance.
- B. The City of Rancho Cordova was accepted for participation in the National Flood Insurance Program ("Program"). In consultation with the Federal Emergency Management Agency and the California Department of Water Resources, in order to continue participation in the Program, the City of Rancho Cordova has been advised to adopt its own floodplain management ordinance based upon the identification of certain special flood hazard areas within the boundaries of the City of Rancho Cordova.
- C. There are certain sections of the California Building Standards Code that apply to the design and construction of buildings and structures in flood hazard areas. For consistency with administering the California Building Standards Code, the City finds it is in the public interest to adopt floodplain management regulations that are coordinated and consistent with the California Building Standards Code.
- D. This Ordinance repeals and replaces the following ordinance(s) and regulation(s): SCC NO.SZC-2016-0023
- E. **CEQA Compliance.** CEQA requires analysis of agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." (CEQA Guidelines, § 15378.) As reflected in State CEQA Guideline 15061 (b) (3), an activity is not subject to CEQA, "[where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment..." The proposed amendments are not a "project" within the meaning of CEQA because the amendments seek to provide clarification of uses, standards and/or enforcement procedures, address inconsistencies between definitions, delete text that is no longer necessary. Because no expansion of uses or activities is reasonably anticipated, no possibility exists that the ordinance will result in a significant effect on the environment. Thus, the proposed ordinance is not subject to the requirements of CEQA. However, in the event that adoption of the ordinance is considered a CEQA project, it would nonetheless qualify for categorical exemptions as set forth below.

CEQA Guidelines Section 15061(b)(3) provides that CEQA only applies to projects that have

the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The intent of the proposed Ordinance is to promote public health, safety and welfare and minimize losses from flooding. The City currently relies upon the Sacramento County floodplain management ordinance. The proposed ordinance does not differ substantially from the County ordinance but is tailored for conditions within the City as opposed to County-wide conditions. The proposed ordinance does not change any uses or allow development that would otherwise not currently be allowed. The proposed ordinance is intended to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas. Implementation of the ordinance would not differ substantially from implementation of the County ordinance, as currently applied. Therefore, it can be seen with certainty that there is no possibility that adoption of this ordinance, amending existing sections to the City's Municipal Code to align with state and federal guidelines, will have a significant effect on the environment. Consequently, adoption of the Floodplain Management Ordinance is exempt from CEQA.

In addition, this ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15307 which exempts actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment. The proposed ordinance regulates development within the floodplain in order to promote public health, safety, and general welfare in conjunction with maintenance, preservation, and restoration of floodplains for local creeks and the American River.

This ordinance is also exempt from CEQA pursuant to CEQA Guidelines Section 15308 which exempts actions taken by regulatory agencies as authorized by state or local ordinance to assure the maintenance, restoration, enhancement, or protection of the environment. The proposed ordinance regulates development within the floodplain in order to promote public health, safety, and general welfare in conjunction with maintenance, preservation, and restoration of floodplains for local creeks and the American River.

F. The proposed amendment is consistent with the General Plan. The attached Municipal Code Amendments ("Amendment") are consistent with the General Plan. The amendments would provide standards and/or enforcement procedures, address inconsistencies, delete text that is no longer necessary or provide clarifying language for enforcement.

G. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City. The attached amendments would provide standards and/or enforcement procedures, address inconsistencies, delete text that is no longer necessary, or provide clarifying language for enforcement. None of these proposed amendments will be detrimental to the public interest, health, safety, convenience, or welfare of the City.

H. The proposed amendments are internally consistent with other applicable provisions in this Municipal Code. The Amendments have been reviewed for consistency with the entirety of the Municipal Code and is consistent with other applicable provisions of the Municipal Code.

SECTION 3. Repeal of SCC NO. SZC-2016-0023 and insert RCMC Chapter 16.96.

The City Council amends the Rancho Cordova Municipal Code by repealing Rancho Cordova Municipal Code Sections and Ordinance No. 75-2004 that adopted SCC NO. SZC-206-0023.

SECTION 4. Adoption of Floodplain Management Ordinance.

The City Council adds the following sections to the Rancho Cordova Municipal Code:

CHAPTER 16.96– FLOODPLAIN MANAGEMENT

PART I. – SCOPE AND ADMINISTRATION

ARTICLE 16.96.010 GENERAL PROVISIONS

Sec. 16.96.010-1. - Title. These regulations, in combination with the flood provisions of California Code of Regulations Title 24, the *California Building Standards Code* (hereinafter “building codes,” consisting of the Part 2 (building), Part 2.5 (residential), Part 10 (existing building), and related codes, shall be known as the *Floodplain Management Regulations of the City of Rancho Cordova* (hereinafter “these regulations”).

Sec. 16.96.010-2. - Statutory authority. The legislature of the State of California has, in Government Code Sections 65302, 65560, and 65800, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

Sec. 16.96.010-3. - Scope. The provisions of these regulations, in combination with the flood provisions of the building codes, shall apply to all proposed development entirely or partially in flood hazard areas established in Section 16.96.020-2 of these regulations.

Sec. 16.96.010-4. – Purposes and objectives. The purposes and objectives of these regulations and the flood load and flood resistant construction requirements of the building codes are to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas through the establishment of comprehensive regulations for management of flood hazard areas, designed to:

- (1) Minimize unnecessary disruption of commerce, access and public service during times of flooding.
- (2) Require the use of appropriate construction practices in order to prevent or minimize future flood damage.
- (3) Manage the alteration of natural floodplains, stream channels and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain.
- (4) Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential.
- (5) Prevent or regulate the construction of flood barriers which will divert floodwater or increase flood hazards.
- (6) Contribute to improved construction techniques in the floodplain.

- (7) Minimize damage to public and private facilities and utilities.
- (8) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas.
- (9) Minimize the need for rescue and relief efforts associated with flooding.
- (10) Ensure that property owners, occupants, and potential owners are aware of property located in flood hazard areas.
- (11) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events.
- (12) Meet the requirements of the National Flood Insurance Program for community participation as set forth in Title 44 Code of Federal Regulations, Section 59.22.

Sec. 16.96.010-5. - Coordination with California Building Standards Code. Pursuant to the requirement established in California Health and Safety Code, Division 13, Part 1.5 and Part 2.5 that **the City of Rancho Cordova** administer and enforce the California Building Standards Code, the **City Council of the City of Rancho Cordova** hereby acknowledges that the building codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas. Therefore, these regulations are intended to be administered and enforced in conjunction with the building codes.

Sec. 16.96.010-6. - Warning. The degree of flood protection required by these regulations and the building codes is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. Enforcement of these regulations and the building codes does not imply that land outside the special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps ([Flood Maps | FEMA.gov](#)) and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring the City of Rancho Cordova to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with these regulations.

Sec. 16.96.010-7. - Disclaimer of liability. These regulations shall not create liability on the part of **the City Council**, any officer, employee, or agent thereof, the State of California, or the Federal Emergency Management Agency, for any flood damage that results from reliance on these regulations or any administrative decision lawfully made hereunder. The Public Works Director of the City of Rancho Cordova or his/her designee charged with the enforcement of these regulations, while acting in his or her capacity for the City of Rancho Cordova, in good faith and without malice in the discharge of the duties required by these regulations or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer, employee, or agent, because of an act performed by that officer, employee, or agent in the lawful discharge of duties and under the provisions of these regulations shall be defended by counsel selected by the City until the final termination of the proceedings. The Public Works Director or his/her designee charged with the enforcement of these regulations shall not be

liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of these regulations.

Sec. 16.96.010-8. - Other laws. The provisions of these regulations shall not be deemed to nullify any provisions of local, State or federal law.

Sec. 16.96.010-9. - Abrogation and greater restrictions. These regulations supersede any ordinance in effect in flood hazard areas. However, these regulations are not intended to repeal, abrogate or impair any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, general plan policies, stormwater management regulations, or building codes, nor any existing easements, covenants, or deed restrictions. In the event of an overlap or conflict between these regulations and any other ordinance, code, regulation, easement, covenant, or deed restriction, the more restrictive shall govern.

ARTICLE 16.96.020 APPLICABILITY

Sec. 16.96.020-1. - General applicability. These regulations, in conjunction with the building codes, provide minimum requirements for development located in flood hazard areas, including the subdivision of land; filling, grading and other site improvements; installation of utilities; installation, placement and replacement of manufactured homes; placement of recreational vehicles; installation of tanks; temporary structures and temporary or permanent storage; utility and miscellaneous Group U buildings and structures; certain building work exempt from permit under the building codes; and flood control projects.

Sec. 16.96.020-2. - Establishment of flood hazard areas. The Flood Insurance Study (FIS) for **Sacramento County**, California and Incorporated Areas dated August 16, 2012, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are hereby adopted by reference as a part of these regulations and serve as the basis for establishing flood hazard areas. Where the building code establishes flood hazard areas, such areas are established by this section. Additional maps and studies, when specifically adopted, supplement the FIS and FIRMs to establish additional flood hazard areas. Maps and studies that establish flood hazard areas are on file at the **FEMA Flood Map Service Center**, <https://msc.fema.gov/portal/home>.

Sec. 16.96.020-3. - Interpretation. In the interpretation and application of these regulations, all provisions shall be:

- (1) Considered as minimum requirements.
- (2) Liberally construed in favor of the governing body.
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

ARTICLE 16.96.030 DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

Sec. 16.96.030-1. - Designation. The City of Rancho Cordova Public Works Director is designated the Floodplain Administrator. The Floodplain Administrator shall have the authority to delegate performance of certain duties to other employees.

Sec. 16.96.030-2. - General authority. The Floodplain Administrator is authorized and directed to administer and enforce these regulations. The Floodplain Administrator shall have the

authority to render interpretations of these regulations and to establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be consistent with the intent and purpose of these regulations and the flood provisions of the building code and shall not have the effect of waiving specific requirements without the granting of a variance pursuant to Article 16.96.070 of these regulations. The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by these regulations but that are not required to be prepared by a qualified California (CA) Licensed Land Surveyor or Civil Engineer, such as installation of a water heater, backyard awning, and other minor building improvements or permits, when it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with these regulations.

Sec. 16.96.030-3. - Coordination. The Floodplain Administrator shall coordinate with and provide comments to the City's Chief Building Official to administer and enforce the flood provisions of the building code and to ensure compliance with the applicable provisions of these regulations. The Floodplain Administrator and the Chief Building Official have the authority to establish written procedures for reviewing applications and conducting inspections for buildings and for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 16.96.030-5 of these regulations.

Sec. 16.96.030-4. - Duties. The Floodplain Administrator, in coordination with other pertinent City departments, shall:

- (1) Review all permit applications and plans to determine whether proposed development is located in flood hazard areas.
- (2) Review all applications and plans for development in flood hazard areas for compliance with these regulations.
- (3) Review, in coordination with the Chief Building Official, required design certifications and documentation of elevations specified by the building code to determine that such certifications and documentations are complete.
- (4) Review applications and plans for modification of any existing development in flood hazard areas for compliance with these regulations.
- (5) Require development in flood hazard areas to be reasonably safe from flooding and to be designed and constructed with methods, practices and materials that minimize flood damage.
- (6) Interpret flood hazard area boundaries and provide available flood elevation and flood hazard information.
- (7) Determine whether additional flood hazard data shall be obtained from other sources or developed by the applicant.
- (8) Complete the appropriate section of the Department of Housing and Community Development Floodplain Ordinance Compliance Certification for Manufactured Home/Mobil home Installations when submitted by applicants.
- (9) Review requests submitted to the Chief Building Official seeking approval to modify the

strict application of the flood load and flood resistant construction requirements of the building code, to determine whether such requests require consideration as a variance pursuant to Article 16.96.070 of these regulations.

- (10) Coordinate with the Chief Building Official and others to identify and investigate damaged buildings located in flood hazard areas and inform owners of the requirement to obtain permits for repairs.
- (11) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps when the analyses indicate changes in base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available.
- (12) Require applicants who propose alteration of a watercourse to notify adjacent communities and the NFIP State Coordinating Agency, and to submit copies of such notifications to the Federal Emergency Management Agency (FEMA).
- (13) Inspect development in accordance with Article 16.96.060 of these regulations and inspect flood hazard areas to determine when development is undertaken without issuance of permits.
- (14) Prepare comments and recommendations for consideration when applicants seek variances for development other than buildings in accordance with Article 16.96.070 of these regulations.
- (15) Cite violations in accordance with Article 16.96.080 of these regulations.
- (16) Notify FEMA when the corporate boundaries of the **City of Rancho Cordova** have been modified and provide a map and legal description of the changes in the corporate boundaries.

Sec. 16.96.030-5. - Substantial improvement and substantial damage determinations. For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Chief Building Official, shall:

- (1) Estimate the market value or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.
- (2) Compare the cost to perform the improvement, the cost to repair the damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, when applicable, to the market value of the building or structure.
- (3) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage.

- (4) Notify the applicant when it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the building code is required and notify the applicant when it is determined that work does not constitute substantial improvement or repair of substantial damage.

Sec. 16.96.030-6. - Department records. In addition to the requirements of the building code and these regulations, and regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of these regulations and the flood provisions of the building codes, including Flood Insurance Studies and Flood Insurance Rate Maps; documents from FEMA that amend or revise FIRMs; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required certifications and documentation specified by the building codes and these regulations; notifications to adjacent communities, FEMA, and the State related to alterations of watercourses; assurance that the flood carrying capacity of altered waterways will be maintained; documentation related to variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to these regulations and the flood resistant provisions of the building codes.

ARTICLE 16.96.040 PERMITS FOR FLOODPLAIN DEVELOPMENT

Sec. 16.96.040-1. - Permits required. Any person, owner or authorized agent who intends to conduct any development in a flood hazard area shall first make an application to the Floodplain Administrator and shall obtain the required permit for floodplain development. No permit shall be issued until compliance with the requirements of these regulations and all other applicable codes and regulations has been satisfied. No building permit shall be issued based on Conditional Letters of Map Revision issued by FEMA. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine a permit for floodplain development is required in addition to a building permit.

Sec. 16.96.040-2. - Application for permit. The applicant shall file an application in writing on a form furnished by the Floodplain Administrator. The information provided shall:

- (1) Identify and describe the development to be covered by the permit.
- (2) Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitely locate the site.
- (3) Indicate the use and occupancy for which the proposed development is intended.
- (4) Be accompanied by a site plan and construction documents as specified in Article 16.96.050 of these regulations, including grading, excavation and filling plans and other information deemed appropriate by the Floodplain Administrator.
- (5) State the valuation of the proposed work.
- (6) Be signed by the applicant or the applicant's authorized agent.
- (7) Include such other data and information required by the Floodplain Administrator to

demonstrate compliance with these regulations.

A fee shall be paid by the applicant to the City of Rancho Cordova for plan checking and review, site inspections, processing, issuance and other services performed by the Floodplain Administrator in connection with the review of an application for a Floodplain Management Permit. The fees for these services shall be in the amount of the actual costs incurred by the City of Rancho Cordova based on the hourly rate of the personnel performing the services, including all overhead costs, and as determined by the Building and Safety Division and adopted by resolution of the City Council. The permit fees shall be paid in advance at the time the floodplain management activity is requested and those fees will be adjusted each January. No services(s) will be performed for an applicant until the applicant has paid the estimated fees attributable to such service(s). If the service(s) are greater than the estimated fee, the applicant shall pay the balance of any fees and interest owed prior to issuance of a permit.

Sec. 16.96.040-3. - Validity of permit. The issuance of a permit for floodplain development under these regulations or the building codes shall not be construed to be a permit for, or approval of, any violation of these regulations, the building code, or any other ordinance of the community. The issuance of a permit for floodplain development based on submitted documents and information shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions. The Floodplain Administrator is authorized to prevent occupancy or use of a structure or site which is in violation of these regulations.

Sec. 16.96.040-4. - Other permits required. The applicant shall obtain all other required state and federal permits prior to initiating work authorized by these regulations and shall provide documentation of such permits to the Floodplain Administrator. Such permits include but are not limited to the California State Water Resources Control Board for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.

Sec. 16.96.040-5. - Expiration. A permit for floodplain development shall become invalid when the proposed development is not commenced within 180 days after its issuance, or when the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions shall be requested in writing and justifiable cause demonstrated. The Floodplain Administrator is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each unless FEMA has issued notification of revision to the Flood Insurance Rate Study and Flood Insurance Rate Maps that alter the flood hazard area or floodway boundaries, flood zones, or base flood elevations, in which case the permit is invalid.

Sec. 16.96.040-6. - Suspension or revocation. The Floodplain Administrator is authorized to suspend or revoke a permit for floodplain development issued under these regulations wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of these regulations or any ordinance or code of this community.

Sec. 16.96.040-7. - Appeals of decisions. When it is alleged there is an error in any decision or determination made by the Floodplain Administrator in the interpretation or enforcement of these regulations, such decision or determination may be appealed to the City Manager, and/or the City Council by filing a written appeal setting forth the reasons of the appeal. Any appeal shall follow the procedures set forth in Rancho Cordova Municipal Code Section 16.44.300.

ARTICLE 16.96.050 SITE PLANS AND CONSTRUCTION DOCUMENTS

Sec. 16.96.050-1. - Information for development in flood hazard areas. The site plan or construction documents for any development subject to the requirements of these regulations shall be drawn to scale and shall include, as applicable to the proposed development:

- (1) Delineation of flood hazard areas; floodway boundaries and flood zone(s); base flood elevation(s); ground elevations; proposed filling, grading, and excavation; and drainage patterns and facilities when necessary for review of the proposed development.
- (2) Where base flood elevations or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 16.96.050-2 or Section 16.96.050-3 of these regulations.
- (3) Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 16.96.050-2 of these regulations.
- (4) Location of the proposed activity and proposed structures; locations of water supply, sanitary sewer, and other utilities; and locations of existing buildings and structures.
- (5) Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
- (6) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose. If a site is filled above the base flood elevation, then buildings constructed within special or local flood hazard areas must be constructed on compacted fill in accordance with the Construction Specifications or at least 90% density per ASTM-01557 (known as Modified Proctor) and extending at least five feet beyond the building foundation walls before dropping below the base flood elevation and shall include appropriate protection from erosion and scour.
- (7) Existing and proposed alignment of any proposed alteration of a watercourse.

Sec. 16.96.050-2. - Information in flood hazard areas without base flood elevations (approximate Zone A). Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator is authorized to:

- (1) Require the applicant to include base flood elevation data prepared by a qualified CA Licensed Civil Engineer in accordance with currently accepted engineering practices. Such analyses shall be performed and sealed by a qualified CA Licensed Civil Engineer. Studies, analyses and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator. The accuracy of data submitted for such determination shall be the responsibility of the applicant.
- (2) Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.

- (3) Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:

(a) Require the applicant to include base flood elevation data in accordance with Section 16.96.050-2(1) of these regulations; or

(b) Specify that the base flood elevation is 1.5 feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) feet.

- (4) Where the base flood elevation data are to be used to support a request for a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a qualified CA Licensed Civil Engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

Sec. 16.96.050-3. - Additional analyses and certifications. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of these regulations, the applicant shall have the following analyses signed and sealed by a qualified CA Licensed Civil Engineer for submission with the site plan and construction documents:

- (1) For development activities proposed to be located in a floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 16.96.050-4 of these regulations and shall submit the Conditional Letter of Map Revision, when issued by FEMA, with the site plan and construction documents.
- (2) For development activities proposed to be located in a riverine flood hazard area where base flood elevations are included in the Flood Insurance Study or on the FIRM but floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
- (3) For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices that demonstrates the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity. The applicant shall submit the analysis to FEMA as specified in Section 16.96.050-4 of these regulations. The applicant shall notify the chief executive officer of adjacent communities and the California Department of Water Resources. The Floodplain Administrator shall maintain a copy of the notification in the permit records and shall submit a copy to FEMA.
- (4) Provide a drainage system report in accordance with the Sacramento County

Improvement Standards with a narrative describing the existing and proposed stormwater management system, including all discharge points, collection, conveyance, overland flow path and stormwater storage facilities.

- (5) Provide a drainage system map including, but not limited to, sub-watershed boundaries and the property's location within the larger watershed, predevelopment, and post-development terrain at 1-foot contour intervals and the location of all existing and proposed drainage features. Applicant shall include a plan of the parcel showing applicable proposed revisions to pre-development and post development surface drainage flows.

Sec. 16.96.050-4. - Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a qualified CA Licensed Civil Engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant. Provided FEMA issues a Conditional Letter of Map Revision, construction of proposed flood control projects and land preparation for development are permitted, including clearing, excavation, grading, and filling. Permits for construction of buildings shall not be issued until the applicant satisfies the FEMA requirements for issuance of a Letter of Map Revision.

ARTICLE 16.96.060 INSPECTIONS

Sec. 16.96.060-1. - Inspections, in general. Development for which a permit for floodplain development is required shall be subject to inspection. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of these regulations or the building code. Inspections presuming to give authority to violate or cancel the provisions of these regulations or the building code or other ordinances shall not be valid.

Sec. 16.96.060-2. - Inspections of development other than buildings and structures. The Floodplain Administrator shall make or cause to be made, inspections of all development other than buildings and structures that is authorized by issuance of a permit for floodplain development under these regulations. The Floodplain Administrator shall inspect flood hazard areas from time to time to determine when development is undertaken without issuance of a permit.

Sec. 16.96.060-3. - Inspections of manufactured homes installations. The Floodplain Administrator shall make or cause to be made, inspections of installation and replacement of manufactured homes in flood hazard areas authorized by issuance of a permit for floodplain development under these regulations. Upon installation of a manufactured home and receipt of the elevation certification, the Floodplain Administrator shall inspect the installation or have the installation inspected.

Sec. 16.96.060-4. - Buildings and structures. The Chief Building Official shall make or cause to be made, inspections for buildings and structures in flood hazard areas authorized by permit, in accordance with the building code:

- (1) **Lowest floor elevation.** Upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in the

building code shall be prepared by a CA Licensed Land Surveyor or Civil Engineer and submitted to the Chief Building Official.

- (2) **Final inspection.** Prior to the final inspection, certification of the elevation required in the building code shall be prepared by a CA Licensed Land Surveyor or Civil Engineer and submitted to the Chief Building Official.

ARTICLE 16.96.070 VARIANCES

Sec. 16.96.070-1. - Nature of variances. The considerations and conditions for variances set forth in this article are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be issued for a parcel of property with physical characteristics so unusual that complying with the requirements of these regulations would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners. The issuance of a variance is for floodplain management purposes only. Federal flood insurance premium rates are determined by the National Flood Insurance Program according to actuarial risk and will not be modified by the granting of a variance.

It is the duty of the **City Council** to promote public health, safety and welfare and minimize losses from flooding. This duty is so compelling and the implications of property damage and the cost of insuring a structure built below flood level are so serious that variances from the elevation or other requirements in the building codes should be quite rare. The long-term goal of preventing and reducing flood loss and damage, and minimizing recovery costs, inconvenience, danger, and suffering, can only be met when variances are strictly limited. Therefore, the variance requirements in these regulations are detailed and contain multiple provisions that must be met before a variance can be properly issued. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

Sec. 16.96.070-2. – Variances; general. The **Planning Commission** shall hear and decide requests for variances from the strict application of these regulations. The standards for variances from these regulations in this Article shall be the only standards for variances applied to floodplain management matters and supersede any other standards for variances found in the Rancho Cordova Municipal Code.

Sec. 16.96.070-3. - Limitations on authority. The **Planning Commission** shall base its determination on technical justifications submitted by applicants, the considerations and conditions set forth in this article, the comments and recommendations of the Floodplain Administrator and Chief Building Official, as applicable, and has the right to attach such conditions to variances as it deems necessary to further the purposes and objectives of these regulations and the building code.

Sec. 16.96.070-4. - Records. The Floodplain Administrator shall maintain a permanent record of all variance actions, including justification for issuance.

Sec. 16.96.070-5. - Historic structures. A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic structure upon determination that the proposed repair, improvement, or rehabilitation will not preclude the structure's continued designation as a historic structure, and the variance is the minimum necessary to preserve the historic character

and design of the structure. When the proposed work precludes the structure's continued designation as a historic building, a variance shall not be granted and the structure and any repair, improvement, and rehabilitation shall be subject to the requirements of the building code.

Sec. 16.96.070-6. - Restrictions in floodways. A variance shall not be issued for any proposed development in a floodway when any increase in flood levels would result during the base flood discharge, as evidenced by the applicable analyses required in Section 16.96.050-3(1) of these regulations.

Sec. 16.96.070-7. - Functionally dependent uses. A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use provided the criteria in Section 1612 of the building code (CCR Title 24 Part 2) or Section R322 of the residential code (CCR Title 24 Part 2.5) are met, as applicable, and the variance is the minimum necessary to allow the construction or substantial improvement, and that all due consideration has been given to use of methods and materials that minimize flood damages during the base flood and create no additional threats to public safety.

Sec. 16.96.070-8. - Agricultural structures. A variance is authorized to be issued for the construction or substantial improvement of agricultural structures that are not elevated or dry floodproofed, provided the requirements of this section are satisfied and:

- (1) A determination has been made that the proposed agricultural structure:
 - (a) Is used exclusively in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock, or storage of tools or equipment used in connection with these purposes or uses, and will be restricted to such exclusive uses.
 - (b) Has low damage potential.
 - (c) Does not increase risks and pose a danger to public health, safety, and welfare if flooded and contents are released, including but not limited to the effects of flooding on manure storage, livestock confinement operations, liquified natural gas terminals, and production and storage of highly volatile, toxic, or water-reactive materials.
 - (d) Complies with the wet floodproofing construction requirements of Section 16.96.070-8(2), below.
- (2) Wet floodproofing construction requirements.
 - (a) Anchored to resist flotation, collapse, and lateral movement.
 - (b) When enclosed by walls, walls have flood openings that comply with the flood opening requirements of ASCE 24, Chapter 2.
 - (c) Flood damage-resistant materials are used below the base flood elevation.
 - (d) Mechanical, electrical, and utility equipment are elevated above the base flood elevation.

Sec. 16.96.070-9. - Considerations for issuance of variances. In reviewing applications for

variances, all technical evaluations, all relevant factors, all other requirements of these regulations and the building code, as applicable, and the following shall be considered:

- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage.
- (2) The danger to life and property due to flooding or erosion damage.
- (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners.
- (4) The importance of the services provided by the proposed development to the community.
- (5) The availability of alternate locations for the proposed development that are not subject to flooding or erosion and the necessity of a waterfront location, where applicable.
- (6) The compatibility of the proposed development with existing and anticipated development.
- (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for that area.
- (8) The safety of access to the property in times of flood for ordinary and emergency vehicles.
- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwater and the effects of wave action, if applicable, expected at the site.
- (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

Sec. 16.96.070-10. - Conditions for issuance of variances. Variances shall only be issued upon:

- (1) Submission by the applicant of a showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site limit compliance with any provision of these regulations or renders the elevation standards of the building code inappropriate.
- (2) A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable.
- (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or future property owners, or conflict with existing local laws or ordinances.
- (4) A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

- (5) When the request is to allow construction of the lowest floor of a new building or substantial improvement of a building below the base flood elevation, notification to the applicant in writing over the signature of the Floodplain Administrator specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that issuance of a variance to construct below the elevation required in the building code will result in increased premium rates for federal flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and that such construction below the required elevation increases risks to life and property.

ARTICLE 16.96.080 VIOLATIONS

Sec. 16.96.080-1. - Violations. Any development in any flood hazard area that is being performed without an issued permit or that is in conflict with an issued permit shall be deemed a violation. A building or structure without the documentation of the elevation of the lowest floor, other required design certifications, or other evidence of compliance required by these regulations or the building code, is presumed to be a violation until such time as required documentation is submitted. Violation of the requirements shall constitute a misdemeanor.

Sec. 16.96.080-2. - Authority. The Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of property involved, to the owner's agent, or to the person or persons doing the work, for development that is not within the scope of the building codes, but is regulated by these regulations and that is determined to be a violation.

Sec. 16.96.080-3. - Unlawful continuance. Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

PART II. – DEFINITIONS

ARTICLE 16.96.100 DEFINITIONS

Sec. 16.96.100-1. - General. The following words and terms shall, for the purposes of these regulations, have the meanings shown herein. Where terms are not defined in these regulations and are defined in the building code (CCR Title 24 Part 2) and used in the residential code (CCR Title 24 Part 2.5), such terms shall have the meanings ascribed to them in those codes. Where terms are not defined in these regulations or the building code, such terms shall have ordinarily accepted meanings such as the context implies.

Sec. 16.96.100-2. - Definitions

“Accessory Structure” means a structure on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For floodplain management purposes, the term includes only accessory structures used for parking and storage.

“Agricultural Structure” means a walled and roofed structure used exclusively for agricultural purposes or uses in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock, including aquatic organisms. Structures that house tools or equipment used in connection with these purposes or uses are also considered to have agricultural purposes or uses.

“Alteration of a watercourse” means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

“ASCE 24” means the standard *Flood Resistant Design and Construction*, referenced by the building code, developed and published by the American Society of Civil Engineers, Reston, VA. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the building code.

“Base flood” means the flood having a 1-percent chance of being equaled or exceeded in any given year. [Also defined in CCR Title 24 Part 2.]

“Base flood elevation” means the elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in CCR Title 24 Part 2.] **The base flood elevation shall be defined using the National Geodetic Survey Vertical Datum North American Vertical Datum 1988 (NAVD88) used in Sacramento County for floodplain mapping.**

“Basement” means, for the purpose of floodplain management, the portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in CCR Title 24 Part 2.]

“Building code” means California Code of Regulations Title 24, the *California Building Standards Code*, the family of building codes specifically adopted by the State of California and composed of:

- (1) Part 2, applicable to buildings and structures other than dwellings within the scope of this part.
- (2) Part 2.5, applicable to one- and two-family dwellings and townhouses not more than three stories, and accessory structures.
- (3) Part 10, applicable to existing buildings (as defined in that code).
- (4) Other specified codes.

“Design flood” means the flood associated with the greater of the following two areas: [Also defined in CCR Title 24 Part 2.]

- (1) Area with a floodplain subject to a 1-percent or greater chance of flooding in any year.
- (2) Area designated as a flood hazard area on a community’s flood hazard map, or otherwise legally designated.

“Design flood elevation” means the elevation of the “design flood,” including wave height, relative to the datum specified on the community’s legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building’s perimeter plus the depth number (in feet) specified on the flood hazard map.

“Development” means any manmade change to improved or unimproved real estate, including but not limited to, buildings or other structures, temporary structures, temporary or permanent storage of materials, mining, dredging, filling, grading, paving, excavations, drilling operations, flood control projects, and other land-disturbing activities.

“Encroachment” means the placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

“Exceptional hardship” means, for the purpose of variances from these regulations or the building code, the exceptional difficulty that would result from a failure to grant a requested variance. Mere economic or financial hardship is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors do not, as a rule, qualify as exceptional hardships. All of these circumstances can be resolved through other means without granting variances, even when the alternatives are more expensive or require the property owner to build elsewhere or put the parcel to a different use than originally intended.

“Existing manufactured home park or subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before August 16, 2012.

“Expansion to an existing manufactured home park or subdivision” means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

“Flood or flooding” means a general and temporary condition of partial or complete inundation of normally dry land from:

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.
- (3) Mudslides (i.e., mudflows) which are proximately caused by flooding.

“Flood control project” means a dam or barrier designed and constructed to keep water away from or out of a specified area, including but not limited to levees, floodwalls, and channelization.

“Flood damage-resistant materials” means any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in CCR Title 24 Part 2.]

“Flood hazard area” means the greater of the following two areas: [Also defined in CCR Title 24 Part 2.]

- (1) The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.

- (2) The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

"Flood Insurance Rate Map (FIRM)" means an official map of a community on which the Federal Emergency Management Agency (FEMA) has delineated both the special flood hazard areas and the risk premium zones applicable to the community. [Also defined in CCR Title 24 Part 2.]

"Flood Insurance Study" means the official report provided by the Federal Emergency Management Agency containing the Flood Insurance Rate Map (FIRM), the Flood Boundary and Floodway Map (FBFM), the water surface elevation of the base flood and supporting technical data. [Also defined in CCR Title 24 Part 2.]

"Floodplain Administrator" means the Public Works Director of the City of Rancho Cordova, or his/her designee.

"Floodway" means the channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Also defined in CCR Title 24 Part 2.]

"Fraud or victimization" means, for the purpose of variances from these regulations or the building code, the intentional use of deceit to deprive another of rights or property, making a victim of the deprived person or the public. As it pertains to buildings granted variances to be constructed below the elevation required by the building code, future owners or tenants of such buildings and the community as a whole may bear the burden of increased risk of damage from floods, increased cost of flood insurance, and increased recovery costs, inconvenience, danger, and suffering.

"Functionally dependent use" means a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities necessary for the loading or unloading of cargo or passengers, and shipbuilding or ship repair facilities. The term does not include long-term storage, manufacture, sales or service facilities.

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

"Historic structure" means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on the inventory of historic places maintained by the California Office of Historic Preservation; or

- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by the California Office of Historic Preservation.

“Letter of Map Change (LOMC)” means an official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

- (1) Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.
- (2) Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.
- (3) Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with these regulations.
- (4) Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

“Light-duty truck” means, as defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of forty-five (45) square feet or less, which is:

- (1) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle; or
- (2) Designed primarily for transportation of persons and has a capacity of more than twelve (12) persons; or
- (3) Available with special features enabling off-street or off-highway operation and use.

“Lowest floor” means the lowest floor of the lowest enclosed area, including basement, but excluding any unfinished or flood-resistant enclosure, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the building codes. [Also defined in CCR Title 24 Part 2.]

“Manufactured home” means a structure that is transportable in one or more sections, built on

a permanent chassis, designed for use as a single-family dwelling with or without a permanent foundation when connected to the required utilities, and constructed to the Manufactured Home Construction and Safety Standards promulgated by the U.S. Department of Housing and Urban Development. Also see definitions in Health and Safety Code sections 18000.(a)(2) and 18001.(a). For the purposes of floodplain management, the term also includes mobile homes and recreational vehicles, park trailers, travel trailers and similar transportable structures that are placed on a site for 180 consecutive days or longer.

“Manufactured home park or subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

“Market value” means the price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in these regulations, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by one of the following methods: (1) Actual Cash Value (replacement cost depreciated for age and quality of construction), (2) tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser, or (3) a qualified independent appraiser.

“New manufactured home park or subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed on or after August 16, 2012.

“Nuisance” means that which is injurious to safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

“Permit for floodplain development” means an official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specified development activities that are located in flood hazard areas and that are determined to be compliant with these regulations. A grading permit, or approval of improvement plans meet the intent of this definition.

“Recreational vehicle” means a vehicle that is built on a single chassis, 400 square feet (37.16 m²) or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck, and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. A recreational vehicle is ready for highway use when it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions. Also see definitions in Health and Safety Code section 18010.

“Riverine” means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

“Special flood hazard area (SFHA)” means the land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE, or V1-30. [Also defined in CCR Title 24 Part 2.]

“Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. [Also defined in CCR Title 24 Part 2.]

“Substantial improvement” means any repair, reconstruction, rehabilitation, alteration, addition or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. When the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in CCR Title 24 Part 2.]

- (1) Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
- (2) Any alteration of a historic structure provided that the alteration will not preclude the structure’s continued designation as a historic structure.

“Utility and Miscellaneous Group U” means buildings and structures of an accessory character and miscellaneous structure not classified in any special occupancy, as described in the building code.

“Variance” means a grant of relief from the requirements of these regulations which permits construction in a manner otherwise prohibited and where specific enforcement would result in exceptional hardship.

“Violation” means a development that is not fully compliant with these regulations or the flood provisions of the building code, as applicable.

“Watercourse” means a river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

PART III. – FLOOD RESISTANT DEVELOPMENT

ARTICLE 16.96.200 BUILDINGS AND STRUCTURES

Sec. 16.96.200-1. - Requirements for buildings and structures in flood hazard areas.

Applications for building and structures within the scope of the building code that are proposed in flood hazard areas shall comply with the applicable requirements of the CCR Title 24, Part 2 building code, and local amendments to the building code specified in the City of Rancho Cordova Municipal Code Title 16, Chapter 2, Section 5.

Sec. 16.96.200-2. - Local Technical Amendments to CCR Title 24 Part 2.

CCR Title 24, Part 2, Section 1612.2 is adopted by reference, in addition to adding a new section 1612.2.1 as follows:

1612.2.1 Modification of ASCE 24: Non-Residential Elevation requirements. The minimum floor elevation requirements for new or substantially improved non-residential structures shall be as specified in ASCE 24, the base flood elevation plus 1.5 feet, or

together with attendant utility and sanitary facilities be dry flood-proofed in accordance with FEMA technical bulletin(s) and the following:

- a. Watertight below 1.5 ft above the base flood elevation so that the building walls are substantially impermeable to the passage of water;
- b. Have structural components capable of resisting hydrostatic and hydrodynamic loads including the effects of buoyance; and
- c. Be certified by a registered professional engineer or architect that the standards of this section are satisfied. Such certification shall be provided to the Floodplain Administrator.

CCR Title 24, Part 2.5, Section R322.2.1 is adopted by reference, in addition to the following:

R322.2.1 Residential Elevation requirements.

1. Buildings and structures in flood hazard areas shall have the lowest floors (including basement) elevated to or above the base flood elevation plus **1.5 feet** or the design flood elevation, whichever is higher.
 - a. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated at least as high above the highest adjacent grade as the depth number specified in feet on the FIRM plus 1.5 feet, or not less than 3 feet, if a depth number is not specified.
 - b. In Zone A where there is no BFE or depth on the FIRM, elevate at least 1.5 feet above the highest value determined by: the historic high water data interpreted by the Floodplain Administrator; the elevation shown on a City study; the elevation of the floodplain is plotted on the topography map; or the elevation determined using the detailed method from the FEMA publication, FEMA 265, "Managing Floodplain Development in Approximate Zone A Areas – A guide for Obtaining and Developing Base (100-year) Flood Elevations" dated July 1995.
 - c. In Zone AE, Zone AH, and in local flood hazard areas, building pads for slab-on-grade construction shall be at least 1.5 feet above the BFE.
 - d. In Zone AR as established by the effective Flood Insurance Rate Map, the BFE shall be the elevation shown on the FIRM or 3 feet above the highest adjacent grade (before grading occurred), whichever is lower. In areas not designated as developed areas where the AR flood depth is equal to or less than 5 feet above the highest adjacent grade, use the lower of either the AR BFE or the elevation that is 3 feet above the highest adjacent grade; or where the AR flood depth is greater than 5 feet above the highest adjacent grade, use AR BFE.
 - e. In areas affected by dual zones, such as AE or local flood hazard, A-99 regulations or the BFE for the underlying zone, whichever is higher, shall apply.
2. Attached garages for residential buildings shall be constructed at least 1.5 feet above the base flood elevation and all building materials below the residential building floor elevation shall be flood resistant per ASCE 24. Garage space under a house must be elevated at least 1 foot above the base flood elevation.

Sec. 16.96.200-3. – Detached garages and accessory storage structures. Detached garages and accessory storage structures used only for parking or storage must be constructed per the amended CCR Title 24, Part 2.5, Section 101. At the discretion of the Floodplain Administrator, minor detached structures not meeting these requirements may be allowed with

proper venting and an executed and recorded declaration of land use restriction in a form approved by Public Works Director or his/her designee, provided they are constructed at or above the base flood elevation.

Sec. 16.96.200-4. - Utility and Miscellaneous Group U. Utility and miscellaneous Group U includes buildings that are accessory in character and miscellaneous structures not classified in any specific occupancy in the building code, including, but not limited to, agricultural buildings, aircraft hangars (accessory to a one- or two-family residence), carports, fences more than 6 feet (1829 mm) high, grain silos (accessory to a residential occupancy), greenhouses, livestock shelters, private garages, retaining walls, sheds, stables, and towers. In addition to the building code requirements for fire and life safety, the following shall apply to utility and miscellaneous Group U buildings and structures in flood hazard areas:

- (1) New construction and substantial improvement of such buildings and structures shall be anchored to prevent flotation, collapse or lateral movement resulting from flood loads, including the effects of buoyancy, during conditions of the design flood.
- (2) New construction and substantial improvement of such buildings and structures, when fully enclosed by walls, shall be elevated such that the lowest floor, including basement, is elevated to or above the design flood elevation in accordance with ASCE 24 or shall be dry floodproofed in accordance with ASCE 24.
- (3) Unless dry floodproofed, fully enclosed areas below the design flood elevation shall be constructed in accordance with ASCE 24 and limited to parking, storage, and building access.
- (4) When fully enclosed by walls, flood openings shall be installed in accordance with ASCE 24.
- (5) Flood damage-resistant materials shall be used below the design flood elevation.
- (6) Mechanical, plumbing and electrical systems, including plumbing fixtures, shall be located or installed in accordance with ASCE 24.

Sec. 16.96.200-5. – Non-Structural Elevation and Flood-Proofing.

- (1) Any new built-in swimming pool deck, filter, and pump equipment must be elevated at least 1.5-feet above the base flood elevation unless the property owners execute and record a declaration of land use restriction in a form acceptable to.
- (2) For new or substantially improved structures, heating, plumbing fixtures, air conditioning equipment, furnaces, ductwork, electrical panels, solar panels, outlets, switches, fixtures serving new or substantially improved structures shall be at least 1.5-feet above the base flood elevation or the finished floor, whichever is lower or may be flood-proofed to 1.5-feet above the base flood elevation.
- (3) New solar panels and appurtenances, except as described in (2) above, shall be elevated or flood-proofed safely above the base flood elevation.

ARTICLE 16.96.210 SUBDIVISIONS

Sec. 16.96.210-1. - Minimum requirements. Subdivision proposals in flood hazard areas, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

- (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding.
- (2) All public utilities and facilities, such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage in accordance with Section 16.96.220-2 and Section 16.96.220-3 of these regulations, as applicable, and appropriate codes.
- (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from proposed structures.

Sec. 16.96.210-2. - Subdivision requirements. In addition to the requirements of Section 16.96.220-1 of these regulations, where any portion of proposed subdivisions, including proposals for manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- (1) The flood hazard area, including floodways, as appropriate, shall be delineated on preliminary subdivision plats.
- (2) Where the subdivision has more than 50 lots or is larger than 5 acres, and base flood elevations are not included in the FIRM, the base flood elevation shall be determined in accordance with Section 16.96.050-2(1) of these regulations.
- (3) When, as part of a proposed subdivision, fill will be placed to support buildings, the fill shall be placed in accordance with the building code and approval of the subdivision shall require submission of as-built elevations for each filled pad certified by a licensed land surveyor or registered civil engineer.

ARTICLE 16.96.220 SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS

Sec. 16.96.220-1. - Minimum requirements. All proposed development in flood hazard areas shall be reviewed to determine that:

- (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding.
- (2) Where the proposed development has more than 50 lots or is larger than 5 acres, and base flood elevations are not included in the FIRM, the base flood elevation shall be determined in accordance with Section 16.96.050-2(1) of these regulations.
- (3) All public utilities and facilities, such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage.
- (4) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from proposed structures.

Sec. 16.96.220-2. - Sanitary sewer facilities. All new and replaced sanitary sewer facilities, private sewage treatment plants (including all pumping stations and collector systems) and on-site waste disposal systems shall be designed in accordance with Chapter 7, ASCE 24, to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

Sec. 16.96.220-3. - Water supply facilities. All new and replaced water supply facilities shall be designed in accordance with the provisions of Chapter 7, ASCE 24, to minimize or eliminate infiltration of floodwaters into the systems.

Sec. 16.96.220-4. - Development in floodways. Development, site improvements and land disturbing activity involving fill or regrading shall not be authorized in the floodway unless the floodway encroachment analysis required in Section 16.96.050-3(1) of these regulations demonstrates the proposed work will not result in any increase in the base flood level during occurrence of the base flood discharge.

Sec. 16.96.220-5. - Limitations on placement of fill. Subject to the limitations of these regulations, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, when intended to support buildings and structures, fill shall comply with the requirements of the building code. The placement of fill intended to change base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs shall be subject to the requirements of Section 16.96.050-4 of these regulations.

ARTICLE 16.96.230 INSTALLATION OF MANUFACTURED HOMES

Sec. 16.96.230-1. - Installation. All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to the Business and Professions Code and shall comply with the requirements of the Department of Housing and Community Development (HCD) if they are located in a mobile home park. Permits from the HCD are required where the HCD is the enforcement agency for installation of manufactured homes. Upon completion of installation and prior to the final inspection by the Floodplain Administrator, the installer shall submit certification of the elevation of the manufactured home, prepared by a licensed land surveyor or registered civil engineer, to the Floodplain Administrator.

Sec. 16.96.230-2. - Foundations. All new and replacement manufactured homes, that are not part of a mobile home park, including substantial improvement of manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that are designed in accordance with the foundation requirements of Section R322.2 of the residential code (CCR Title 24 Part 2.5) and these regulations.

Sec. 16.96.230-3. - Anchoring. All new and replacement manufactured homes (that are not part of a mobile home park) to be placed or substantially improved in a flood hazard area shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. Methods of anchoring are authorized to include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind loads and seismic loads.

Sec. 16.96.230-4. - General elevation requirement. All manufactured homes that are placed,

replaced, or substantially improved on sites located outside of a manufactured home park or subdivision; shall be elevated such that the lowest floor, or bottom of the lowest horizontal member of the lowest floor, as applicable to the flood hazard area, is 1.5 feet above the base flood elevation.

Sec. 16.96.230-5. - Flood damage-resistant materials. Materials below elevated manufactured homes shall comply with the flood-damage resistant materials requirements of Section R322 of the residential code (CCR Title 24 Part 2.5).

Sec. 16.96.230-6. - Enclosures. Fully enclosed areas below elevated manufactured homes shall comply with the enclosed area requirements of Section R322 of the residential code (CCR Title 24 Part 2.5).

Sec. 16.96.230-7. - Protection of mechanical equipment and outside appliances. Mechanical equipment and outside appliances shall be elevated to or above the lowest floor or bottom of the lowest horizontal structural member of the manufactured home, as applicable to the flood hazard area.

Exception. Where such equipment and appliances are designed and installed to prevent water from entering or accumulating within their components and the systems are constructed to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding up to the elevation required by Section 16.96.230, the systems and equipment shall be permitted to be located below that elevation. Electrical wiring systems shall be permitted below the design flood elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

ARTICLE 16.96.240 RECREATIONAL VEHICLES

Sec. 16.96.240-1. - Temporary placement. Recreational vehicles in flood hazard areas, shall be placed on a site for less than 180 consecutive days or shall be fully licensed and ready for highway use. Ready for highway use means the recreational vehicle is on wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions, such as rooms, stairs, decks and porches.

Sec. 16.96.240-2. - Permanent placement. Recreational vehicles that do not meet the limitations in Section 16.96.240-1 for temporary placement shall meet the requirements of Article 16.96.230 for manufactured homes.

ARTICLE 16.96.250 OTHER DEVELOPMENT

Sec. 16.96.250-1. - General requirements for other development. All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in these regulations or the building code, shall:

- (1) Be located and constructed to minimize flood damage.
- (2) Meet the limitations of Section 16.96.220-4 of these regulations when located in a regulated floodway.
- (3) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

- (4) Be constructed of flood damage-resistant materials.
- (5) Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of the building code for wet locations.

Sec. 16.96.250-2. - Tanks. Tanks that serve buildings shall comply with the requirements of the building code. Underground and above-ground tanks that serve other purposes shall be designed, constructed, installed and anchored in accordance with ASCE 24. Tank inlets, fill openings, outlets, and vents shall be installed 1-foot above the base flood elevation or fitted with covers designed to prevent the inflow of floodwater and outflow of the contents of the tank during the base flood. Water tanks for agricultural operations may be exempted from this elevated venting requirement per the Floodplain Administrator.

Sec. 16.96.250-3. - Requirements for temporary structures and temporary storage in flood hazard areas. Temporary structures shall be erected for a period of less than 180 days and temporary storage of goods and materials shall be permitted for a period of less than 180 days. Extensions may be granted in accordance with Section 16.96.040-5 of these regulations. In addition, the following apply:

- (1) Temporary structures shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood. Fully enclosed temporary structures shall have flood openings that are in accordance with ASCE 24 to allow for the automatic entry and exit of flood waters.
- (2) Temporary stored materials shall not include hazardous materials.
- (3) The requirements of Section 16.96.220-4 of these regulations, when located in floodways.

Sec. 16.96.250-4. - Fences in floodways. Fences in floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Section 16.96.220-4 of these regulations.

Sec. 16.96.250-5. - Oil derricks. Oil derricks located in flood hazard areas shall be designed in conformance with flood loads required by the building code.

Sec. 16.96.250-6. - Retaining walls, sidewalks and driveways in floodways. Retaining walls and sidewalks and driveways that involve placement of fill in floodways shall meet the limitations of Section 16.96.220-4 of these regulations and the requirements for site grading in Chapter 18 of the building code.

Sec. 16.96.250-7. - Roads and watercourse crossings in floodways. Roads and watercourse crossings that encroach into floodways or riverine waterways with base flood elevations where floodways have not been designated, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side shall meet the limitations of Section 16.96.220-4 of these regulations. Alteration of a watercourse that is part of work proposed for a road or watercourse

crossing shall meet the requirements of Section 16.96.050-3(3) of these regulations.

Sec. 16.96.250-8. - Swimming pools. Above-ground swimming pools, on-ground swimming pools, and in-ground swimming pools that involve placement of fill in floodways shall meet the requirement of Section 16.96.220-4 of these regulations.

ARTICLE 16.96.260 FLOOD CONTROL PROJECTS

Sec. 16.96.260-1. - Flood control projects; general. In addition to applicable Federal, State and other local permits, a permit for floodplain development is required for construction of flood control projects. The purpose for the permit is to examine the impact on flood hazard areas, floodways, and base flood elevations shown on the FIRM. Unless otherwise authorized by separate regulations, issuance of this permit does not address the sufficiency of the structural elements of the proposed flood control project. Permits for floodplain development and building permits in areas affected by proposed flood control projects shall not be issued based on Conditional Letters of Map Revision issued by FEMA.

Sec. 16.96.260-2. - Flood control projects; applications. Applications for permits for flood control projects shall include documentation including but not limited to:

- (1) Site plan or document showing the existing topography and the boundaries of the flood hazard areas, floodway boundaries, and base flood elevations shown on the FIRM.
- (2) Site plan or document showing the proposed topography and the proposed changes to the boundaries of the flood hazard areas, floodway boundaries, and base flood elevations.
- (3) The documentation submitted to FEMA for a Conditional Letter of Map Revision (CLOMR) and, if issued, the Conditional Letter of Map Revision. Submittal requirements and processing fees shall be the responsibility of the applicant. A CLOMR is required when a proposed flood control project alters a floodway and results in any increase in the base flood elevations greater than 0.00 feet (vertical), or alters a watercourse, a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated and increases base flood elevations more than 1.0 foot.

SECTION 5. APPLICABILITY.

For the purposes of jurisdictional applicability, this ordinance shall apply in the City of Rancho Cordova. This Ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date of this Ordinance.

SECTION 6. CEQA COMPLIANCE.

Adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that adoption of this ordinance, amending existing sections to the City's Municipal Code to align with state and federal guidelines, will have a significant effect on the environment. Therefore, adoption of this Ordinance is not subject to

ITEM 18.2.

ATTACHMENT 3 Exhibit B to the Ordinance

CEQA.

SECTION 7. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

SECTION 8. EFFECTIVE DATE.

Within fifteen (15) days after adoption, a Summary of this Ordinance shall be published once in the Grapevine Independent, or the Sacramento Bee, a newspaper of general circulation printed and published in Sacramento County and circulated in the City of Rancho Cordova, in accordance with Government Code Section 36933. This Ordinance shall take effect and be enforced thirty (30) days after its adoption. **PASSED and ADOPTED** by the City Council of the City of Rancho Cordova on the _____ day of _____ 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Linda Budge, Mayor

ATTEST:

Stacy Leitner, CMC
City Clerk

5409476.1

Chapter 3.60

PURCHASING SYSTEM

Sections:

- 3.60.010 Adoption of purchasing system.
- 3.60.020 Purchasing agent designated.
- 3.60.030 Limitations of purchasing agent.
- 3.60.040 Purchase procedures.
- 3.60.050 Purchase orders.
- 3.60.060 Availability of sufficient funds.
- 3.60.070 Multiyear contracts.
- 3.60.080 Splitting purchase and projects prohibited.
- 3.60.090 Inspection and review.
- 3.60.100 Surplus supplies and equipment.
- 3.60.110 Public projects.
- 3.60.120 Exemptions.

3.60.010 Adoption of purchasing system.

A purchasing system is adopted in order to:

- A. Establish efficient procedures for the purchase of supplies, services and equipment;
- B. Secure supplies, services and equipment at cost commensurate with the level of quality required;
- C. Exercise financial control over purchases; and
- D. Clearly define authority for the purchasing function. [Ord. 9-2012 § 1].

3.60.020 Purchasing agent designated.

The city manager is designated as the city's purchasing agent and shall be responsible for the purchase of all supplies, services and equipment for all departments and divisions of the city. The city manager may delegate all or a portion of the purchasing duties to any city staff member. In accordance with the limitations imposed by RCMC 3.60.030, the purchasing agent shall have the authority to:

- A. Purchase or contract for supplies, services and equipment required by the city in accordance with purchasing procedures outlined in this chapter;
- B. Negotiate and recommend execution of contracts for the purchase of supplies, services and equipment;
- C. Act to procure for the city the necessary quality in supplies, services, and equipment at the lowest cost to the city;
- D. Prepare and recommend to the city council revisions and amendments to the purchasing rules;
- E. Establish and maintain such forms as reasonably necessary to the operation of purchasing guidelines;
- F. Supervise the inspection of all supplies, services, and equipment purchased to ensure conformance with specifications;
- G. Recommend the sale or disposal of all supplies and equipment which cannot be used by the city, or which have become unsuitable for city use;
- H. Maintain records necessary for the efficient acquisition of supplies, equipment and services; and
- I. Award contracts for public projects and approve change orders to contracts for public projects in accordance with the provisions of this chapter. [Ord. 9-2012 § 1].

3.60.030 Limitations of purchasing agent.

A. Unless otherwise directed by the city council, the city manager shall have authority to purchase supplies, services and equipment, and approve and execute payment of all warrants in the amount of \$100,000 or less, on an annual basis; drawn upon the city treasury without presentation to the city council, except as provided for in RCMC 3.60.110 and 3.60.120. The purchase of supplies, services, ~~public contracts and~~, equipment, and payment of warrants in excess of \$100,000, on an annual basis, which have not been authorized pursuant to a specific contract or other instrument previously approved by the city council, shall be presented to the city council for approval.

B. The city manager shall have the authority to extend or renew contracts, previously approved by the city council, for the purchase of supplies, services, and equipment, so long as no other amendments to the terms of the applicable contract are made, without city council approval. [Ord. 1-2014 § 2; Ord. 9-2012 § 1].

3.60.040 Purchase procedures.

A. Except as otherwise provided in RCMC 3.60.110 and 3.60.120, the purchasing agent or designee shall secure favorable pricing for the procurement of supplies, equipment, and nonprofessional services. This shall include obtaining at least three bids based upon identical specifications from different vendors prior to purchasing supplies, equipment and nonprofessional services costing over \$20,000. Bids may be received by informal price checking, in writing, in person, or via the telephone and shall be documented and maintained in a file with the final awarded contract. The competitive bidding procedures as described in Section 20161 et seq. of the Public Contract Code may be utilized when not otherwise required, at the discretion of the purchasing agent or designee. Award shall be made to the vendor offering the lowest acceptable bid. This requirement shall not apply to the purchase of supplies and equipment for which less than three vendors exist.

B. The purchase of professional services, such as architectural, landscape architectural, engineering, environmental, land surveying, legal, financial consultants or construction project management contractors shall be made on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required.

C. Without complying with the bidding requirements contained in this section, the purchasing agent may participate in, sponsor, conduct or administer a cooperative purchasing agreement for the procurement of any supplies, equipment, and services with one or more public entities in accordance with an agreement entered into between the participants. Such cooperative purchasing may include, but is not limited to, joint or multiparty contracts between public entities and open-ended state public procurement unit contracts which are made available to the city. [Ord. 9-2012 § 1].

3.60.050 Purchase orders.

All purchases requiring a contract shall be documented by a purchase order prepared by the purchasing agent or designee. [Ord. 9-2012 § 1].

3.60.060 Availability of sufficient funds.

No purchase order shall be issued until it has been ascertained that there is to the credit of the department of the city for whose benefit such purchase is to be made a sufficient unappropriated balance in excess of all unpaid obligations to defray the amount of the purchase order. [Ord. 9-2012 § 1].

3.60.070 Multiyear contracts.

A contract for equipment, supplies or services may be entered into for any period of time deemed to be in the best interest of the city; provided, that the term of the contract and renewal provisions are included in the contract. Adequate funds must be available to fulfill the first fiscal year's obligation at the time of contract execution. Appropriations for subsequent years are subject to authorization by the city council. The purchasing agent shall have the authority to enter into multiyear contracts pursuant to this section in amounts not to exceed \$100,000 on an annual basis. [Ord. 9-2012 § 1].

3.60.080 Splitting purchase and projects prohibited.

It shall be unlawful to split or separate into smaller purchases or projects any purchase or project for the purpose of evading the provisions of this chapter or the provisions of the Public Contract Code requiring competitive bidding. [Ord. 9-2012 § 1].

3.60.090 Inspection and review.

The purchasing agent or designee shall require the inspection of supplies and equipment delivered, and contractual services performed, to determine their conformance with the specifications and requirements set forth in the order or contract as applicable. [Ord. 9-2012 § 1].

3.60.100 Surplus supplies and equipment.

At such times as determined by the purchasing agent, reports shall be prepared showing all supplies and equipment which are no longer used or which have become obsolete or worn out. The purchasing agent shall have the authority to sell, trade or exchange all said supplies and equipment. Any such sales shall be in accordance with RCMC 3.60.040(A). [Ord. 9-2012 § 1].

3.60.110 Public projects.

A. The provisions contained in Section 20161 et seq. of the Public Contract Code establish contract procedures that the city is required to follow for public projects, where the expenditure required for the public project exceeds the limit set by Section 20162 of the Public Contract Code. The term "public project" is defined by Section 20161 of the Public Contract Code as the following: (1) a project for the erection, improvement, painting, or repair of public buildings and works; (2) work in or about streams, bays, waterfronts, embankments, or other work for protection against overflow; (3) street or sewer work except maintenance or repair; and (4) furnishing supplies or materials for any such project, including maintenance or repair of streets or sewers. The definition of public project contained in Section 20161 of the Public Contract Code provided above may be amended from time to time by the state Legislature and such amendments shall be incorporated herein.

1. Subsection (A) of this section shall not apply in instances where the city elects to follow the alternative procedures established in Chapter 3.70 RCMC under the Uniform Public Construction Cost Accounting Act.

B. The city manager shall have the authority to award contracts for public projects in the amount specified in RCMC 3.60.030 (A) ~~of \$100,000~~ or less. Contracts for public projects in excess of ~~\$100,000~~ the current amount specified in RCMC 3.60.030 (A) shall be awarded by the city council.

C. The city manager shall have authority to approve change orders for public project contracts up to a cumulative and final contract amount ~~of up to \$100,000 as specified in RCMC 3.60.030 (A).~~ ~~For contracts over originally totaling \$100,000 the current maximum amount as specified in RCMC 3.60.030 (A), or less, the city manager shall have authority to approve change orders and up to a cumulative total of 10 percent of the latest city council approved contract amount for contracts of over \$100,000.~~ Change orders which exceed these amounts shall be presented to the city council for approval. [Ord. 24-2016 § 2; Ord. 9-2012 § 1].

3.60.120 Exemptions.

A. Emergencies. The bidding requirements for supplies, services and equipment contained in this chapter may be dispensed with when an emergency exists involving a sudden, unexpected occurrence or discovery of a condition or circumstance that poses a clear and imminent danger requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services. In such an emergency the purchasing agent may procure supplies, services and equipment in an amount greater than the current amount as specified in RCMC 3.60.030 (Aa) ~~\$100,000~~; provided, that any such procurement be reported to the city council at the next city council meeting. The procurement of supplies, services and equipment pursuant to this chapter shall not extend beyond the period of the emergency. Notwithstanding the foregoing, Section 22050 of the Public Contract Code shall apply to expenditures made for public projects in an emergency.

B. Grants. Notwithstanding the foregoing, any contract which is paid with grant monies shall strictly adhere to those purchasing provisions set forth in the applicable grant agreement and pursuant to any applicable state or federal law or regulation. [Ord. 9-2012 § 1].

Chapter 3.70

INFORMAL BIDDING PROCEDURES

Sections:

[3.70.010 Uniform Public Construction Cost Accounting Act.](#)

[3.70.020 Definitions.](#)

[3.70.030 Methods for bidding – Size of project.](#)

[3.70.040 Informal bidding procedures.](#)

[3.70.050 Award of contract.](#)

3.70.010 Uniform Public Construction Cost Accounting Act.

The ~~C~~city ~~C~~ouncil elects to become subject to the **Uniform Public Construction Cost Accounting Act**, **Public Contract Code** Section [22000](#) et seq., and to establish informal bidding procedures for **public** projects. [Ord. 24-2016 § 3].

3.70.020 Definitions.

A. “Commission” means the California **Uniform Construction Cost Accounting Commission** under **Public Contract Code** Section [22010](#) et seq.

B. “**Public project**” means a project defined in Section [22002](#) of the **Public Contract Code**, as that section may be amended or renumbered from time to time. Pursuant to Section 22002, “**public project**” means any of the following:

1. Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any **publicly** owned, leased, or operated facility.
2. Painting or repainting of any **publicly** owned, leased, or operated facility.
3. In the case of a **publicly** owned utility system, “**public project**” shall include only the construction, erection, improvement, or repair of dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher.
4. “**Public project**” does not include maintenance work. For purposes of this section, “maintenance work” includes all of the following:
 - a. Routine, recurring, and usual work for the preservation or protection of any **publicly** owned or **publicly** operated facility for its intended purposes.
 - b. Minor repainting.
 - c. Resurfacing of streets and highways at less than one inch.
 - d. Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.

e. Work performed to keep, operate, and maintain **publicly** owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher. [Ord. 24-2016 § 3].

3.70.030 Methods for bidding – Size of project.

A. A **public** project ~~up to or less than~~ up to or the greater of \$4560,000 (or the amount authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section 22032(a) of the Public Contract Code as amended,) ~~or less~~ may be performed by Ceity force account, by negotiated contract, or by purchase order, or the city may elect to follow the informal bidding procedures prescribed in RCMC 3.70.040 ~~and California Contract Code Section 22034~~.

B. A **public** project greater than \$4560,000 (or the amounts authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section 22032(a) of the Public Contract Code) and less than or equal to the greater of \$175200,000 (or the current maximum amount authorized as specified in Article 3, Chapter 2 of Part 3 of Division 2, Section 22032(b) of the Public Contract Code as amended,) ~~the City may elect to follow may be let to contract by~~ informal bid procedures, as established in RCMC 3.70.040 and California Contract Code Section 22034.

C. A **public** project of more than \$175200,000 (or otherwise in amounts authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section 22032(c) of the Public Contract Code as amended) shall, except as otherwise provided in this chapter, be let to contract by formal bidding procedure in accordance with all applicable provisions of the California **Public** Contract Code, and RCMC 3.60.110 ~~particularly Section 22034~~.

D. Emergencies. In compliance with **Public** Contract Code Sections 22035 and 22050, in cases of emergency when repair or replacements are necessary, the Ceity Ceouncil may proceed at once to replace or repair any **public** facility without adopting plans, specifications, strain sheets, or working details, or by giving notice for bids. [Ord. 24-2016 § 3].

3.70.040 Informal bidding procedures.

A. Mailing of Notice. Where a **public** project of \$200175,000 (or otherwise in amounts authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section 22032(b) of the Public Contract Code) or less is to be performed, the Ceity Manager or designee shall mail a written notice inviting informal bids to (1) all contractors for the category of work to be bid as shown on the contractors list developed in accordance with subsection (D) of this section and/or (2) all construction trade journals designated by the Commission under **Public** Contract Code Section 22036. Additional contractors and construction trade journals may be notified at the discretion of the Ceity Manager or designee.

B. Timing of Notice. All notices shall be mailed not less than 10 calendar days before bids are due.

C. Contents of Notice. The notice inviting bids shall describe the project in general terms, set forth how to obtain more detailed information about the project, state the time and place for submission of bid, and whether any bonds will be required.

D. Qualified Contractors List - Informal Bidding List ~~Contractors List~~. The Ceity Manager or designee(s) shall develop and maintain a list of qualified contractors identified according to categories which comply with Section 22034 of the **Public** Contract Code and criteria adopted by the Commission.

E. No Qualified Contractors. If there is no list of qualified contractors for the particular category of work to be performed, the notice inviting bids shall be sent only to the construction trade journals specified by the Commission.

F. If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting bids may be sent exclusively to such contractor or contractors.

G. It shall be unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of this chapter requiring work to be done by contract after competitive bidding. [Ord. 24-2016 § 3].

3.70.050 Award of contract.

A. The Ccity Manager shall have the authority to award contracts for **public** projects ~~up to in the amount of \$100,000 (or up to the amount authorized in RCMC 3.60.030 (A).) or less.~~ Contracts for **public** projects in excess of the amount authorized in RCMC 3.60.030 (A), shall be awarded by the Ccity Council.

B. If all bids received on a **public** project under this procedure set forth in this section are in excess of \$175200,000 (or the current maximum amount authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section 22034(d) of the Public Contract Code), the Ccity Council may award the contract at \$187212,500 (or the current maximum amount authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section 22034(d) of the Public Contract Code) or less to the lowest responsible bidder if the City Council determines by adopting a resolution by at least four-fifths vote that the Ccity's original **cost** estimate was reasonable. [Ord. 24-2016 § 3].

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Chapter 6.20 SOLID WASTE MANAGEMENT

Sections:

- 6.20.010 Purpose and declarations.
- 6.20.020 Definitions.
- 6.20.030 Collection or transportation prohibited.
- 6.20.035 Mandatory service.
- 6.20.040 Public agency exemption.
- 6.20.045 Mandatory service exemption.
- 6.20.050 Franchise requirement.
- 6.20.055 Exempt collection or transportation.
- 6.20.060 City council authority to grant franchise.
- 6.20.070 Franchise terms and conditions.
- 6.20.080 Application for commercial or residential franchise.
- 6.20.090 Commercial franchise application review process.
- 6.20.095 Residential franchise application review process.
- 6.20.100 Appeal upon denial of award.
- 6.20.110 Awarding of franchise.
- 6.20.120 Requirements for franchise effectiveness.
- 6.20.130 Franchise fees.
- 6.20.140 Recycling facility reporting requirements.
- 6.20.150 Restrictions on franchisees.
- 6.20.160 Medical waste.
- 6.20.170 Enforcement.
- 6.20.180 Abatement proceedings.
- 6.20.190 Notices.
- 6.20.200 On-site storage.
- 6.20.210 Solid waste disposal restrictions.
- 6.20.220 Use of containers.
- 6.20.230 Rules and regulations.
- 6.20.240 Vehicle inspection.
- 6.20.250 Vehicle requirements.
- 6.20.260 Covered load requirement.
- 6.20.270 Rights reserved to city.
- 6.20.280 Other franchise provisions.
- 6.20.290 Criminal penalties for violations.
- 6.20.300 Civil penalties for violations.
- 6.20.310 Settlement process.
- 6.20.320 Hearing officer.
- 6.20.330 Appeals.
- 6.20.340 Appeal hearing.

6.20.010 Purpose and declarations.

A. It is hereby declared and determined that the business of collecting and subsequently transporting, transferring, disposing and/or recycling of residential and commercial solid waste generated, kept or accumulated within the incorporated limits of the city of Rancho Cordova affects the health, safety, public welfare and quality of life of the inhabitants of the city. The city further declares that the business of collecting and disposing of residential and commercial solid waste is a public service and should be regulated by the city to ensure reliability and adequacy of service. The use of any public street or public property in connection with such business is of great concern to the city and should be regulated by the city. Therefore, it is the purpose of this chapter to provide such regulation.

The city further declares that residential collection service will be most efficient, and at a lower cost, when collection routes provide door-to-door service uninterrupted by competition in the same area; and that exclusive residential collection services allow for energy conservation in fuel consumed by collection equipment, for the reduction of traffic congestion on roads and streets, and for fewer adverse effects on public streets and rights-of-way due to less truck traffic.

B. It is the further purpose of this chapter to regulate such business in order to ensure its orderly operation and to minimize the adverse effects it may have on the local environment. It is also the purpose of this chapter, aside and apart from regulation, to require compensation for the value of the franchise issued by the city.

C. It is the further purpose of this chapter to provide for the uniform regulation of residential and commercial solid waste collection, removal and transportation within the geographical area of the city.

D. The city hereby elects to have the grant of franchises governed by this chapter, and any ordinances amendatory thereof, and these provisions shall constitute the exclusive procedure applicable to the granting of franchises for the conduct of the business of collecting, transporting or disposing of residential and commercial solid waste. [Ord. 17-2020 § 3 (Exh A)].

6.20.020 Definitions.

Unless the context otherwise requires, the definitions set forth in this section shall govern the interpretation of this chapter.

A. "City" means the city of Rancho Cordova.

B. "City council" means the city council of the city of Rancho Cordova.

C. "City clerk" means the city clerk of the city of Rancho Cordova.

D. "City engineer" means the engineer of the city of Rancho Cordova.

E. "City limits" means the territorial jurisdiction of the city of Rancho Cordova.

F. "Collection" means the act of picking up and removing solid waste or recyclable material at the place of waste generation.

G. "Commercial hauler" means any person who loads, collects, hauls, or transports commercial solid waste for a fee by use of any means, including, but not limited to, a dumpster truck; roll-off truck; a side-load, front-load, or rear-load garbage truck; or a trailer.

H. "Commercial solid waste" means all solid waste, as defined in this chapter, that is generated by and at commercial and industrial sources, multifamily residential property, and construction and demolition activities that is collected by a commercial hauler.

I. "Franchise" or "commercial franchise" means a commercial solid waste and recyclables collection franchise issued under the provisions of this chapter to a commercial hauler within the city.

J. "Franchisee" means a person or entity holding a franchise issued pursuant to this chapter.

"Garbage" means those elements of the Solid Waste stream designated for the "Garbage Container", and excludes hazardous waste, materials designated for the "Organics Container" or "Recycling Container" or materials which have been separated for reuse.

"Garbage Container" has the same meaning as "Gray Container" in 14 CCR Section 18982(a)(28) and shall be used for the purpose of storage and collection of Garbage.

K. "Garbage" means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes. "Garbage" does not include hazardous waste or low level radioactive waste regulated under Chapter 7.6 (commencing with Section 25800) of Division 20 of the California Health and Safety Code or medical waste. "Garbage" does not include recyclable materials or organic recyclable materials set out for separate collection for the purposes of recycling and that are not landfilled.

~~Note: The distinction between garbage and solid waste is that solid waste includes garbage, recyclable materials, and organic recyclable materials while “garbage” does not.~~

L. “Materials recovery facility” or “MRF” means any facility designed, operated, and legally permitted for the purpose of receiving, sorting, processing, storing, or preparing recyclable materials for sale and which has obtained and maintains a valid permit(s) to accept, process or store recyclable materials. This definition shall apply only within the framework of materials recovery facility services and reporting of this chapter.

M. “Multifamily residential property” means five or more individual living units located on a single parcel of land and any mobile home park located within the city.

Organics Container” has the same meaning as “Green Container” in 14 CCR Section 18982(a)(29) and shall be used for the purpose of storage and collection of Source Separated Organic Waste designated for Compost processing, including Food Waste and landscape and pruning waste accepted in the City’s Organic Waste Collection program, and other organic materials as determined by the City as acceptable for the Organics Container

“Organic Waste” or “Organic Recyclable Material” means Solid Waste containing material originated from living organisms and their metabolic waste products, including but not limited to Food Scraps, food soiled paper, green material, landscape and pruning waste, organic textiles and organic carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46). Organic Waste does not include Rigid Compostable Plastic.

N. “Person” means an individual, firm, limited liability company, association, partnership, industry, public or private corporation, or any other entity whatsoever.

O. “Police chief” means the chief of police of the city of Rancho Cordova.

P. “Public works director” means the public works director of the city of Rancho Cordova, California.

Q. “Recycling” means the process of collecting, sorting, cleansing, treating and reconstituting materials that would otherwise become solid waste and returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the marketplace. “Recycling” does not include transformation as defined in Section 40201 of the Public Resources Code.

R. “Recycling facilities” means those facilities or operations that receive, process, and transfer to market recyclable materials that have been source separated from the solid waste stream.

S. “Recyclable material” or “recyclables” means materials that have been separated from the solid waste stream prior to disposal for the purpose of returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the marketplace, and that are not landfilled. This Recyclable material or recyclables- includes those materials that can be placed in the Recycling Container including but not limited to, glass and plastic bottles, aluminum, tin and steel cans, metals, unsoiled paper products, printing and writing paper, and cardboard, and any other items as determined by the City.

“Recycling Container” has the same meaning as “Blue Container” in 14 CCR Section 18982.2(a)(5) and shall be used for the purpose of storage and collection of source separated Recyclable Materials.

T. “Removal” means the act of taking solid wastes or recyclable materials from the place of generation.

U. “Residential dwelling unit” means an individual living unit in a single-family dwelling, condominium, townhouse, mobile home, duplex (two units), triplex (three units), fourplex (four units) or building of four or less total individual living units intended for, or capable of being utilized for, residential living other than a hotel or motel.

V. “Residential hauler” means any person who loads, collects, hauls, or transports residential solid waste for a fee by use of any means, including, but not limited to, a dumpster truck; roll-off truck; a side-load, front-load, or rear-load garbage truck; or a trailer.

W. “Residential solid waste” means all solid waste, as defined in this chapter, that is generated by and at a residential dwelling unit.

X. “Residential franchise” means a residential solid waste collection franchise issued under the provisions of this chapter to a residential hauler within the city.

Y. “Solid waste” means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, construction and demolition debris, discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semi-solid wastes, and other discarded solid and semi-solid wastes. “Solid waste” does not include hazardous waste or low-level radioactive waste regulated under Chapter 7.6 (commencing with Section 25800) of Division 20 of the Health and Safety Code, or medical waste. “Solid waste” includes recyclable materials set out for separate collection for the purposes of recycling, and that are not landfilled.

Z. “Source separate” or “source separated” means the process of removing recyclable materials from solid waste for the purpose of recycling.

AA. “Treated medical waste” means medical waste as defined in subsection (a) of Section 25023.5 of the Health and Safety Code.

BB. “Construction and demolition debris” means used or discarded materials resulting from construction, renovation, remodeling, repair or demolition operations on any pavement, house, commercial building, or other structure and such other materials as may be removed during the normal cleanup process of such construction, renovation, remodeling, repair, or demolition operations. This includes mixed construction and demolition debris and source separated recyclable construction and demolition material. [Ord. 17-2020 § 3 (Exh A)].

6.20.030 Collection or transportation prohibited.

Except as authorized by RCMC 6.20.040 and 6.20.050, it shall be unlawful for any person to engage in the business of collecting, removing or transporting residential or commercial solid waste, or otherwise organizing, directing, sponsoring, brokering or causing the collection, removal or transportation of commercial residential or solid waste within the city without possessing a valid franchise or valid residential franchise granted by the city. [Ord. 17-2020 § 3 (Exh A)].

6.20.035 Mandatory service.

Except as otherwise expressly provided by this chapter, the owner, tenant, or occupant of every improved parcel (parcel with one or more business and/or residential buildings approved for occupancy) located within the city shall subscribe to ~~a garbage container, recycling container and organics container solid waste~~ collection service from a residential or commercial franchisee operating pursuant to this chapter. Each business (DBA) and/or residential building with a separate address and each separate business unit and each separate residential unit (under separate rental agreement) with a common address located on such parcel shall subscribe to such ~~a three container waste collection~~ service. The owner, tenant or occupant of a parcel with a residential dwelling unit shall subscribe to a collection service from a residential franchisee operating according to this chapter. The owner, tenant, or occupant of a parcel with a commercial or multifamily property shall subscribe to a ~~three container~~ collection service from a commercial franchisee operating according to this chapter. The owner, tenant or occupant shall comply with the relevant sections of this chapter, state law and local ordinances; and pay for the collection and disposal of such containers, unless a Commercial Business Owner receives an exemption or waiver as provided in RCMC 6.21. 140 Subscription to such required service does not preclude Single Family Residents or Commercial Businesses from self-hauling their own waste in their own vehicles if they meet the self-haul requirements noted in of this chapter.

6.20.040 Public agency exemption.

The provisions of RCMC 6.20.035 shall not be applicable to the United States, the state of California, the county, a city, a special district or any other local public agency with respect to the accumulation, collection or transportation of refuse resulting from operations of such agency. [Ord. 17-2020 § 3 (Exh A)].

~~6.20.045 Mandatory service exemption.~~

~~The public works director, and/or his or her designee shall, upon application, grant a written exemption from the mandatory collection service requirements established by RCMC 6.20.035 for any property utilized for commercial purposes which does not generate solid waste, and may grant such an exemption for any residential dwelling unit (but not multifamily residential properties) if it determines that the occupant has made adequate and appropriate arrangements for the disposal of solid waste and required subscription to collection service would constitute an unreasonable hardship or impractical burden. [Ord. 17 2020 § 3 (Exh A)].~~

6.20.050 Franchise requirement.

It is unlawful for any person to engage in the business of collecting, transporting or disposing of residential or commercial solid waste kept, accumulated or generated in the city, or to engage in the business of soliciting accounts or invoicing customers for residential or commercial solid waste service in the city unless:

A. A commercial franchise or residential franchise therefor has first been granted pursuant to the provisions of this chapter and such franchise is in full force and effect and a written franchise agreement therefor has been executed between such person and the city and such agreement is in full force and effect. [Ord. 17-2020 § 3 (Exh A)].

6.20.055 Exempt collection or transportation.

The following persons shall be authorized to organize, direct or sponsor the collection, removal or transportation of residential or commercial solid waste within the city, or collect, remove or transport such solid waste, without a franchise or a residential franchise:

A. The United States, the state of California, a city, a special district or other local public agency, or any employee or member of the Armed Forces thereof, or any individual or employee of such individual who has entered into a contract for solid waste collection with a federal or state agency, when collecting or transporting solid waste produced by operation of the public entity under a system of solid waste collection and transportation operated and maintained by the public agency;

B. The owner, operator or occupant or employee of a farm or ranch consisting of five acres or more, when transporting for off-site disposal solid waste accumulated as a result of operation of the farm or ranch;

C. An owner or occupant of a residential or multifamily residential property, when collecting or transporting recyclable materials and/or organic recyclable materials, not containing garbage, from his or her residential premises to a lawful point of disposal;

D. A residential construction contractor, commercial or residential gardener and those engaged in the business of cleaning residential, commercial and multifamily residential properties and employees thereof, when collecting or transporting solid waste consisting of by-products of the services provided to a lawful disposal location;

E. A person or employee thereof, when collecting or transporting dead animals, bones, meat scraps or food waste resulting from food processing plants for tallow or fertilizer, or other waste material to be used as raw material in manufacturing, or solid waste that is collected without charging a fee to the customer for purposes of salvage; provided, that such persons shall reuse or recycle or cause to be reused or recycled all materials collected, and shall not transport or arrange for the transport of any collected materials to a disposal site;

F. An operator or employee thereof of one or more industrial plants which are under single ownership, when collecting or transporting wastes which cannot be handled by standard solid waste collection equipment or which involve significant health, operating or handling hazards, including but not limited to rice hulls, tomato pulp, chemical residues, explosives, and other toxic, noxious or hazardous substances; provided, that all such wastes shall be deposited at an appropriate disposal area permitted pursuant to California State solid or hazardous waste management standards.

Any transportation of solid waste authorized by this section shall be conducted in strict compliance with any and all requirements of this chapter relating to transportation and any regulations issued hereunder;

G. Any person collecting or transporting hazardous waste, medical waste and designated waste, as defined in law, regardless of its source;

H. Any person collecting or transporting by-products of sewage treatment, including sludge, sludge ash, grit, and screenings;

I. Any person collecting or transporting residue or nonprocessable waste from a solid waste management facility, including material recovery, composting, and transformation facilities;

J. Municipal corporations and other governmental agencies using their own vehicles engaged in the collection, transportation, or disposal of solid waste within the city; and

K. Any commercial edible food recovery organization collecting edible food from commercial establishments resulting in the recovery and redistribution of edible food for consumption. [Ord. 17-2020 § 3 (Exh A)].

6.20.060 City council authority to grant franchise.

A. The city council may and is hereby empowered to grant to a qualified applicant a nonexclusive franchise to engage in the business of collecting, transporting or disposing of commercial solid waste, accumulated or generated in the city, or to delegate the authority, by resolution, to the public works director, and/or his or her designee, to grant the franchise.

B. The city council may and is hereby empowered to grant to a qualified applicant an exclusive residential franchise to engage in the business of collecting, transporting or disposing of residential solid waste and recyclable materials kept, accumulated or generated in the city, or to delegate the authority, by resolution, to the public works director, and/or his or her designee, to grant the franchise according to the procedures set forth in RCMC 6.20.080 and 6.20.095.

C. The city council may grant a commercial franchise or a residential franchise to an applicant based on compliance with this chapter. Any grant of a commercial franchise or a residential franchise by the city council may be subject to such terms, conditions, rules, regulations, restrictions, and limitations as the city council deems necessary to protect the public health, safety, or welfare.

D. The city council hereby empowers and grants to the public works director, and/or his or her designee, the authority to administer and negotiate nonsubstantive changes to the commercial franchise and residential franchise agreements. The city council may delegate authority by resolution to the public works director, and/or his or her designee, to administer, negotiate and execute franchise agreements. [Ord. 17-2020 § 3 (Exh A)].

6.20.070 Franchise terms and conditions.

A. All franchises and residential franchises shall be subject to the terms and conditions specified in this chapter, in the franchise agreement and in all other applicable federal, state and local laws and regulations.

B. In granting any franchise or residential franchise, the city council may prescribe such other additional terms and conditions, not in conflict with this chapter, as in the judgment of the city council are in the public interest.

C. Each franchisee shall provide residential or commercial solid waste collection, removal, recycling, and transportation services consistent with the provisions of this chapter, the terms and conditions of the franchise issued to the franchisee, and any applicable federal, state, or local statute, ordinance, rule or regulation.

D. Each franchisee shall provide services without undue interruptions caused by mechanical failures or other inadequacies of equipment and shall utilize equipment in quantities and of an age and quality adequate for the provisions of reliable service and to provide preventive and repair maintenance of such equipment sufficient to ensure reliability. [Ord. 17-2020 § 3 (Exh A)].

6.20.080 Application for commercial or residential franchise.

A. All applications for commercial or residential franchises pursuant to this chapter shall be in writing and shall be filed with the public works director, and/or his or her designee.

B. Each application for a commercial or residential franchise from a company that has never held a commercial or residential franchise in the city shall be submitted by the applicant on a form provided by the public works director, and/or his or her designee. The application shall contain all attachments with the following information:

1. Identification.

- a. The name and address of the applicant.
- b. Business address and telephone number of the applicant.
- c. Address where all vehicles and operating equipment used within the city will be kept.
- d. If the applicant is a partnership, the applicant shall include the name and address of each partner, general, limited or otherwise, owning more than 10 percent ownership in the partnership and their percentage of ownership.
- e. If the applicant is a corporation, the application shall state the names and addresses of the corporation's directors, date and place of incorporation, main offices, major stockholders and associates, and the names and addresses of the parent and subsidiary companies.
- f. If the applicant is an affiliate or a franchised operation of another corporation (not to be confused in this instance with a solid waste franchisee of the city), the applicant shall list the names and addresses of the parent or subsidiary companies, together with a description of their business interests and/or ownership.
- g. If the applicant is a joint venture or other combination of persons and corporations, identify separately the names and addresses of each member of the joint venture or combined effort, together with their percentage interest.

2. Business Operations. The names of the executive, operational and financial managers to be used in connection with the solid waste collection services, together with documentation that such persons and the applicant have sufficient experience in solid waste handling to perform solid waste collection services in the city.

- a. Attestation that books and accounts of all revenue and income arising out of its operations will be kept in a manner that conforms to generally accepted accounting principles.
- b. A statement that the applicant shall obtain insurance prior to commencing business subject to the franchise agreement.
- c. A statement that the applicant shall maintain and report on a timely basis all operational information and data elements reasonably required by the city to comply with its reporting requirements such as those established under AB 939, and as defined in the franchise agreement.
- d. A complete listing and explanation of any civil or criminal rulings or judgments in excess of \$5,000, or convictions against applicant, any of applicant's partners, major stockholders, corporate directors or parent or subsidiary companies, occurring within the last five years. Applicants that are subject to the periodic reporting requirements of Section 13(a) of the Securities Exchange Act may, in lieu of the information required by this subsection, submit the information reported pursuant to 17 CFR 229.103 (Legal proceedings) and 229.403 (Security ownership of certain beneficial owners and management) on the most recent form 10-K filed by the applicant with the Securities and Exchange Commission.

3. Facilities and Equipment.

- a. A description of all vehicles and equipment that the applicant owns, has control of, or intends to acquire for the collection, transportation, or disposal of commercial waste in the city and which are subject to the provisions of the franchise agreement. A statement as to whether said vehicles and equipment are self-unloading and equipped with audible automatic backup warning devices. The minimum vehicle

description for existing vehicles shall include Vehicle Identification Number (VIN) and license plate number.

b. Evidence demonstrating that the applicant owns or will have access to suitable facilities for keeping vehicles and equipment clean and in good repair, and that the applicant owns or will have access to reasonable office and billing facilities.

c. Evidence demonstrating that the applicant owns or will have the legally enforceable right to use at least two collection vehicles, the bodies of which are closed, leak-resistant, and constructed for the purpose of solid waste collection, transportation, and disposal. In the alternative, for the purposes of this provision, an applicant may demonstrate by the evidence that they service and transport open-top roll-off boxes for the collection, transportation, and disposal of nonputrescible waste and/or roll-off compaction boxes which are closed, leak-resistant, and are constructed for the purpose of solid waste collection, transportation, and disposal.

4. Financial Resources. Applicant shall provide proof satisfactory to the public works director, and/or his or her designee, that the applicant has adequate financial resources to conduct commercial solid waste collection services.

5. Diversion Plans. Each franchisee shall submit a diversion plan with their franchise application. The diversion plan shall provide a detailed description of how the franchisee intends to divert recyclable materials from commercial solid waste in order to assist the city in meeting the city's AB 939 reporting requirements.

6. Application for Police Chief Review.

a. The city may request that the police chief review each franchise application prior to the city issuing a franchise. The public works director, and/or his or her designee, may refer all franchise applications or renewals pursuant to this chapter to the police chief who, in conjunction with city staff, shall make such investigation of the applicant as the police chief deems necessary in order to determine whether the applicant's character or the business responsibility of the firm the applicant represents is satisfactory. The requirements of this section apply to all pending or future applications or proposals for issuance or renewal of such franchise pursuant to this chapter. The police chief's investigation may include, but is not limited to, obtaining the fingerprints and a photograph of the applicant, or any other person connected with the firm which the applicant represents, and the obtaining of reports from the state and federal law enforcement agencies and reports from any other appropriate sources.

b. If requested to review an application, the police chief shall evaluate each franchise application or proposal to determine whether the operation of the business which the applicant or party submitting the proposal represents would involve an unreasonable risk to the health, safety or general welfare of the public. In making such a determination, the police chief shall consider the character of the applicant or party submitting the proposal and each director, officer, manager and other person who exercises policy control over the operations of the applicant or proponent, the business responsibility of the firm which the applicant or party submitting the proposal represents, and the manner in which the firm intends to conduct its business.

c. The police chief shall notify the public works director, and/or his or her designee, of the results of the investigation conducted pursuant to this section. If the police chief recommends disapproval of the application or proposal, the reasons for disapproval shall be specified in writing. The police chief shall forward a copy of the statement of reasons to the public works director, and/or his or her designee, and shall provide a copy to the applicant or party submitting the application.

7. Other.

a. Any other evidence that demonstrates that the applicant is able to render collection and subsequent transportation and/or disposal services in accordance with applicable federal, state and local statutes.

b. Such additional information as may be reasonably requested by the public works director, and/or his or her designee.

c. During the application or proposal period and during the full term of any franchise, all information contained in the franchise application shall be kept up to date by the applicant who shall file a new verified statement within 48 hours of any change indicating in detail the nature of any change in the information.

C. Each application for a commercial or residential franchise from a company holding a valid, current commercial or residential franchise which is set to expire shall be submitted by the applicant on a form provided by the public works director, and/or his or her designee. The application shall include all attachments required by the public works director, and/or his or her designee.

D. The application shall be signed by the person applying for the commercial or residential solid waste and recyclables collection franchise or, in the case of a partnership or corporation, by a person authorized to bind the partnership or corporation. [Ord. 17-2020 § 3 (Exh A)].

6.20.090 Commercial franchise application review process.

A. The city council may award franchises for the collection of commercial solid waste within the city to applicants meeting all of the qualifications of this chapter.

B. Applicants may submit their completed application for a commercial franchise, as provided in RCMC 6.20.080, to the public works director, and/or his or her designee, for review and consideration at any time. The public works director, and/or his or her designee, shall review such submittals and either make a recommendation to the city council to award such franchise or notify applicant of denial within 60 days of receiving a completed application.

C. The public works director, and/or his or her designee, shall take into consideration all components of the completed application, including but not limited to:

1. The ability of the applicant to meet all terms of the agreement;
2. Any history of civil or criminal convictions that may compromise the public's interests; and
3. The completeness, accuracy, and validity of the application.

The public works director, and/or his or her designee, shall also have the authority to verify independently any and all statements made and implied in the application. The public works director, and/or his or her designee, may also request clarification from applicant of any or all elements of the submitted application.

D. After the 60-day review period, the public works director, and/or his or her designee, shall either:

1. Deny an award and notify the applicant in writing of the reasons why the award was denied; or
2. Recommend to the city council that a franchise be awarded.

E. Upon concurrence with a positive recommendation, the city council will award the franchise or will delegate authority to the public works director, and/or his or her designee, to award the franchise within a reasonable period of time. The public works director, and/or his or her designee, will notify applicant in writing of an award. [Ord. 17-2020 § 3 (Exh A)].

6.20.095 Residential franchise application review process.

A. The city council may award an exclusive franchise for the collection of residential solid waste and recyclables within the city to an applicant meeting all of the qualifications of this chapter.

B. Applicants may submit their completed application for a residential franchise, as provided in RCMC 6.20.080, to the public works director, and/or his or her designee, for review and consideration when the city has noticed its desire to receive such applications and according to the deadlines set forth by such notice. The public works director, and/or his or her designee, shall review applications and either make a recommendation to the city council to award such franchise or notify applicant of denial within 60 days of receiving a completed application.

C. The public works director, and/or his or her designee, shall take into consideration all components of the completed application, including but not limited to:

1. The ability of the applicant to meet all terms of the agreement;
2. Any history of civil or criminal convictions that may compromise the public's interests;
3. The completeness, accuracy, and validity of the application; and
4. The applicant's ability to provide the most efficient and cost-effective collection service to city residents while minimizing the adverse effects of such service on the residents, city streets and rights-of-way, and the environment.

The public works director, and/or his or her designee, shall also have the authority to verify independently any and all statements made and implied in the application. The public works director, and/or his or her designee, may also request clarification from applicant of any or all elements of the submitted application.

D. After the 60-day review period, the public works director, and/or his or her designee, shall either:

1. Deny an award and notify the applicant in writing of the reasons why the award was denied; or
2. Recommend to the city council that a franchise be awarded to a particular applicant; or
3. Recommend to the city council a group of finalists from which the city council may select an applicant to award an exclusive franchise to.

E. Upon concurrence with a positive recommendation, the city council will award the franchise or will delegate authority to the public works director, and/or his or her designee, to award the franchise within a reasonable period of time. The public works director, and/or his or her designee, will notify applicant in writing of an award. [Ord. 17-2020 § 3 (Exh A)].

6.20.100 Appeal upon denial of award.

A. Within 30 days of written notification of award denial or within 60 days of the public works director, and/or his or her designee's failure to act on the commercial or residential franchise application, the applicant has the right to meet with the public works director, and/or his or her designee, to review the items cited in the written notice and provide any additional evidence to support an award. Within 15 days of such meeting, the public works director, and/or his or her designee, will make a final, written determination of the application, based on the reviews of additional evidence, together with the original application. The public works director, and/or his or her designee, will send a copy of all final, written determinations, including reasons for denial, if any, to both applicant and the city council.

B. Applicant may, within 10 days after receiving the public works director, and/or his or her designee's final denial, request a public hearing before the city council by submitting to the city clerk a written petition for an appeal hearing. If a public hearing is requested, the city clerk shall set the matter for hearing at the next regularly scheduled city council meeting or any later date as agreed upon by the applicant and clerk of the city council. At such hearing, applicant may present evidence in writing and through testimony of its employees and others relevant to the application. During such hearing, the city council may demand from the applicant such additional information as the city council may deem relevant and necessary. Standard rules of evidence are not in effect at such public hearing, and the applicant shall have the burden of proof to show facts demonstrating that the applicant does in fact meet the requirements of this chapter. Any hearing may be continued or adjourned to a stated time and place without the giving of further notice. The city council will provide applicant with a written explanation of its determination on the application within 30 days of such hearing. The city council's decision is final.

C. If the term of an applicant's existing franchise expires while the application is under city review, the city council or the public works director, and/or his or her designee, may administratively extend the term for such period of time as is required to complete the appeal process. [Ord. 17-2020 § 3 (Exh A)].

6.20.110 Awarding of franchise.

A. A commercial or residential franchise shall become effective only once the applicant and the city have signed a written agreement, and upon applicant's satisfying all of the requirements and conditions set forth in both this chapter and the franchise agreement.

B. The franchisee must provide to the city copies of all required certificates of insurance, and bonds as may be enumerated in the franchise agreement and this chapter. Should franchisee fail to maintain all such insurance and bonding requirements, uninterrupted for the term of the agreement, the city will immediately suspend or terminate the commercial or residential franchise.

C. If the franchisee's description of vehicles and equipment, as required under RCMC 6.20.080, has changed between the application date and the effective date of the franchise agreement, franchisee must submit to the public works director, and/or his or her designee, an amended description, including all identification elements required under RCMC 6.20.080, prior to commencing services authorized in the agreement. [Ord. 17-2020 § 3 (Exh A)].

6.20.120 Requirements for franchise effectiveness.

A franchise granted pursuant to this chapter shall not become effective unless and until all of the following requirements have been satisfied:

A. The ordinance granting the residential or commercial franchise, or the resolution granting the public works director, and/or his or her designee, the authority to grant the franchise, is effective.

B. The applicant and the city have executed a franchise agreement.

C. Within 20 days from the date of adoption of the ordinance granting the commercial or residential franchise, or within 20 days of the date of adoption of the resolution delegating authority to the public works director, and/or his or her designee, to grant the franchise, the applicant to whom a franchise has been granted has filed with the city clerk evidence of compliance with the insurance requirements specified in the franchise agreement. [Ord. 17-2020 § 3 (Exh A)].

6.20.130 Franchise fees.

A. Each person engaging in the business of collecting, transporting or disposing of commercial or residential solid waste accumulated or generated in the city shall pay a franchise fee to the city. The city council shall set the franchise fee by resolution, or shall delegate the authority to set the franchise fee to the city manager.

B. The payment of franchise fees to the city pursuant to this section shall be in addition to any license fee or business tax prescribed by any local jurisdictions for the same period.

C. Commercial and residential solid waste franchise fees shall be payable on all gross collection revenues by a franchisee from its commercial or residential solid waste collection customers located within the city. The franchise fee shall be calculated based on gross collection revenues prior to franchisee imposing the franchise fee on its customers. Nonexclusive franchisees shall also pay franchise fees on revenues received from federal and state government entities within the city.

D. Franchise fees shall be payable by any person providing commercial or residential solid waste services within the city after the effective date of the ordinance codified in this chapter, even where no franchise has been granted. [Ord. 17-2020 § 3 (Exh A)].

6.20.140 Recycling facility reporting requirements.

A. All recycling facilities within the city shall provide bi-annual written reports to the public works director, and/or his or her designee, due 45 days after the close of the six-month reporting period, and including the following information for the previous six months:

1. The total aggregate tonnage of recyclable material received from generators located within the city;
2. The aggregate tonnage of recyclable material received from waste management and recycling operations in the city;
3. The aggregate tonnage of recyclable material received from franchises operating within the city; and

4. The total aggregate amount of residuals generated at the facility and disposed of at a permitted solid waste disposal facility, expressed as a percentage of total tonnage received.

B. To the extent permitted by the California Public Records Act, any report or other information required by this chapter shall be deemed confidential and shall not be subject to public disclosure except for aggregate totals for all facilities.

C. Recycling facilities receiving only scrap metals, agricultural waste, inert materials, and/or discarded, white-coated major appliances that are not normally disposed of and thus cannot be counted towards the state's diversion requirements are exempt from the reporting requirements of this chapter. [Ord. 17-2020 § 3 (Exh A)].

6.20.150 Restrictions on franchisees.

The following restrictions shall be applicable to franchisees:

A. Except to meet the two-truck requirement of RCMC 6.20.080(B)(3)(c), no franchisee shall, by contract, subcontract, or otherwise, share with another franchisee any office space associated with operations under a franchise.

B. No franchisee, by contract, express understanding or indirectly, shall, in cooperation with another franchisee, divide, segregate or apportion any territory within the city for the purpose of restricting competition within a particular territory.

C. No franchisee shall, directly or indirectly, enter into any contract, express understanding or other transaction with another franchisee for the purpose of fixing customer rates or charges or otherwise maintaining rates or charges at a particular level.

D. No franchisee or any director, officer, partner, joint venturer, sole proprietor or corporate owner thereof shall be a controlling shareholder of, be a partner, joint venturer or sole proprietor, owner, have any other interest in or be employed by another franchisee. No franchisee which is owned in whole or in part by a corporation shall be effectively controlled by a person or entity by virtue of that person or entity's ownership of shares in the corporation, if the same person or entity otherwise controls another franchisee. The sole remedy for violation of the provisions of this subsection shall be revocation or refusal to renew a franchise.

E. Each franchisee shall provide to the public works director, and/or his or her designee, such information as the public works director, and/or his or her designee, determines is reasonably necessary to facilitate effective administration of the franchise under the provisions of this chapter. Diversion information may be provided consistent with the framework for materials recovery facility (MRF) services and reporting of RCMC 6.20.140.

F. Notwithstanding any other provisions of this chapter, it shall be allowable for a franchisee having an interest in a materials recovery facility (MRF) to provide a reporting service, a solid waste processing service to another franchisee consistent with the framework for MRF services and reporting of RCMC 6.20.140. [Ord. 17-2020 § 3 (Exh A)].

6.20.160 Medical waste.

A. Commercial franchisees shall not be required to divert treated medical waste.

B. No treated medical waste from commercial or residential solid waste generators shall be delivered by a permittee to a materials recovery facility for the purpose of recycling. [Ord. 17-2020 § 3 (Exh A)].

6.20.170 Enforcement.

Except as otherwise expressly provided, the provisions of this chapter shall be administered and enforced within the city by the public works director, and/or his or her designee, or other staff and enforcement officials designated by the public works director, and/or his or her designee. [Ord. 17-2020 § 3 (Exh A)].

6.20.180 Abatement proceedings.

Any operation or activity contrary to the provisions of this chapter or a franchise agreement, including the terms and conditions of any franchise, is unlawful and shall constitute a public nuisance. The public works director, and/or his

or her designee, is authorized to commence in the name of the city actions or proceedings to abate and enjoin any such operation or activity. [Ord. 17-2020 § 3 (Exh A)].

6.20.190 Notices.

A. Whenever a provision of this chapter authorizes or requires a public hearing to be conducted by the city council, notice of the time, date, place and purpose of the hearing shall be published at least once not later than 10 calendar days in advance of the date of such hearing in a newspaper of general circulation which is published within the city, and shall be served upon each franchisee who is affected by such hearing.

B. Any written notice or other communication to a franchisee which is authorized or required by this chapter shall be deemed served and effective for all purposes when deposited in the United States mail, postage prepaid, and addressed to the latest address of the franchisee shown in the city records pertaining to the franchise. [Ord. 17-2020 § 3 (Exh A)].

6.20.200 On-site storage.

Every owner, tenant or occupant of a residential dwelling unit or multifamily residential property and every owner, operator or keeper of any business with a fixed location in the city which generates solid waste shall provide and at all times keep within an enclosure, or conveniently located near an enclosure or building, water-tight containers for garbage and suitable containers for recyclable materials and organic recyclable materials, and shall cause to be deposited in such containers, and not elsewhere, all solid waste which accumulates on the premises. The containers shall have tightly fitted covers and shall not leak or permit the escape of odors. Notwithstanding the requirements of this section, generators shall not be required to set out or store recyclable materials and/or organic recyclable materials together with garbage and generators shall be allowed to appropriately store recyclable materials and/or organic recyclable materials for collection separate from garbage. It shall be unlawful for any person to fail to comply with the requirements of this section. Containers shall be clearly identified with the name of the franchisee. [Ord. 17-2020 § 3 (Exh A)].

6.20.210 Solid waste disposal restrictions.

A. It shall be unlawful for any franchisee to do any of the following:

1. To operate or have an interest in a solid waste disposal site, other than a transfer, receiving and/or processing station, within the city;
2. To operate a solid waste disposal area in the city; or
3. To dump any solid waste upon, or permit the same to fall upon, any property, road or highway other than the areas designated by this chapter for the disposal or dumping of solid waste.

B. It shall be unlawful for any person to dump, deposit, or release any solid waste in or on any public or private property, including streets, sidewalks, gutters, highways, or easements, except when acting in accordance with the solid waste collection regulations set forth in this chapter. [Ord. 17-2020 § 3 (Exh A)].

6.20.220 Use of containers.

No person other than a customer who has contracted for service with a franchisee, or a person with such customer's consent, shall deposit solid waste into a solid waste bin, drop box or compactor placed in the city by a franchisee for the purpose of receiving solid waste. [Ord. 17-2020 § 3 (Exh A)].

6.20.230 Rules and regulations.

A. The collection and subsequent transportation and disposal of commercial solid waste within the city is under the supervision of the public works director, and/or his or her designee, who shall have the power to promulgate rules and regulations regulating such collection and subsequent transportation and disposal, including but not limited to:

1. Commercial solid waste generation, storage, recycling, recovery, accumulation, collection, removal, transportation and disposal;
2. The manner in which commercial solid waste collection services are provided;
3. Types of commercial solid waste and vehicles used therefor;

4. The operation and maintenance of sanitary methods of commercial solid waste disposal;
5. Reporting requirements for recycling facilities.

B. A copy of said rules and regulations and all amendments thereto shall be sent by registered or certified mail, postage prepaid, to all affected franchisees addressed to their last place of business. To the extent not otherwise provided by law, it shall be unlawful for a franchisee to collect and subsequently transport or dispose of commercial solid waste contrary to any regulation, order, permit or requirement promulgated by the public works director, and/or his or her designee.

C. All such rules and regulations shall be consistent with the provisions of this chapter and shall be effective on the thirtieth day following the filing of any such rules and regulations with the city clerk.

D. Any person who asserts that he or she is aggrieved by the terms or application of a regulation issued pursuant to this section may appeal the issuance of such regulation by filing a written notice of appeal with the city clerk. The notice of appeal shall specifically identify the regulation or regulations from which the appeal is taken and the reasons for the appeal. Upon receipt of such notice, the city clerk shall schedule the appeal for a public hearing by the city council, notice of which shall be given in the manner prescribed by RCMC 6.20.340(A). At the conclusion of the public hearing, the city council shall be vested with jurisdiction to deny the appeal or to rescind or modify the regulation. The city council's determination in this regard shall be final.

E. Any regulation from which an appeal is filed prior to its effective date shall not become effective until the date of a determination by the city council of the appeal. Any regulation from which an appeal is filed on or subsequent to the effective date thereof shall remain in full force and effect during the pendency of the appeal, and any decision that rescinds or modifies the regulation shall apply prospectively.

F. It shall be unlawful and constitute a violation of this chapter for any person to violate or otherwise fail to comply with any rule or regulation issued pursuant to this section. [Ord. 17-2020 § 3 (Exh A)].

6.20.240 Vehicle inspection.

All trucks and containers used in the collection, removal, transportation or storage of commercial solid waste in the city shall be subject to inspection by the city engineer for the purpose of determining whether or not the trucks and containers comply with Title 14, Sections 17341 through 17345 of the California Code of Regulations. [Ord. 17-2020 § 3 (Exh A)].

6.20.250 Vehicle requirements.

The bodies of vehicles used in the collection, removal or transportation of commercial solid waste in the city shall have beds of metal or other impervious material which can be cleaned, and shall otherwise be of a type approved by the city engineer's department adopted pursuant to Title 14, Section 17341.B of the California Code of Regulations. The city engineer shall be authorized to issue administrative regulations pertaining to specifications for vehicles and containers, the cleansing and disinfecting thereof, and other sanitary measures in connection therewith. [Ord. 17-2020 § 3 (Exh A)].

6.20.260 Covered load requirement.

A. All franchisee vehicles and all privately owned or operated vehicles using solid waste disposal facilities in the city shall have their vehicle loads covered, with a tarp or equivalent cover, to ensure protection from littering during transportation from the origin of the trip to any waste disposal facility located in the city.

B. All vehicles hauling materials with the load originating in the city to a waste disposal facility located outside of the city shall have their loads covered while in transit within the city.

C. Every permitted or nonpermitted waste disposal facility located within the city shall post signs notifying the public that it is illegal to haul uncovered loads to the facility. These facilities shall cooperate with the city enforcement staff by providing covered load education and promotion information to their customers to help assure the effectiveness of this chapter. [Ord. 17-2020 § 3 (Exh A)].

6.20.270 Rights reserved to city.

In addition to all other rights reserved to the city under this chapter, the following shall apply:

- A. There is hereby reserved to the city every right and power, and the exercise thereof, which is reserved or authorized by any provision of any lawful ordinance or resolution of the city, whether enacted before or after the effective date of the ordinance codified in this chapter.
- B. Neither the granting of any franchise nor any provision of any franchise shall constitute a waiver of or a bar to the exercise of any governmental right or power of the city.
- C. The franchisee shall have no recourse whatsoever against the city, its officers, employees or agents or any of the city member entities, their officers, employees, or agents for any loss, cost, expense or damage arising out of any provision or requirement of this chapter or of any franchise issued under this chapter or because of the enforcement of this chapter.
- D. There is hereby expressly reserved to the city the power and authority to amend any section of this chapter so as to require additional or greater standards on the part of the franchisee and the power and authority to increase the franchise fees to be paid by the franchisee pursuant to RCMC 6.20.130. [Ord. 17-2020 § 3 (Exh A)].

6.20.280 Other franchise provisions.

The city council may expand or contract the scope of franchise agreements over time due to changes in law or interpretations of law. [Ord. 17-2020 § 3 (Exh A)].

6.20.290 Criminal penalties for violations.

The following criminal penalties apply to violations of this chapter:

- A. Violation as Misdemeanor. Unless otherwise specified by this chapter, violations of the provisions of this chapter or failure to comply with any of its requirements, including violations of terms and conditions established in connection with franchises issued pursuant to this chapter, shall constitute a misdemeanor.
- B. Penalty for Misdemeanor. Unless otherwise specified in this chapter, any person, whether as principal, agent, employee or otherwise, who violates this chapter or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$1,000 or imprisoned for not more than six months in the county jail, or by both such fine and imprisonment. Each day such violation continues shall be considered a separate offense. Such penalties shall be in addition to any late fees, civil penalties, administrative civil penalties, or other charges payable to the city by a franchisee for the same period of time or for the same violations.
- C. Violation as Infraction. Unless otherwise specified by this chapter or the franchise agreement, the following violations by a franchisee are infractions:
 1. Delinquent Payment of Franchise Fee. A delinquent payment of a franchise fee that is not received by the city before the first day of the month following the due date established under the franchise agreement is a violation and a separate violation for every month the payment remains delinquent thereafter.
 2. Delinquent Payment of Franchise Fee Late Charge. A delinquent payment of a late payment charge and/or interest charges for a late franchise fee payment (under the franchise agreement) that is not received by the city before the first day of the month following the due date is a violation and a separate violation for every month the payment remains delinquent thereafter.
 3. Delinquent Payment of Late Report Charge. A delinquent payment of a late charge for a delinquent quarterly report of diversion (under the franchise agreement) that is not received before the first day of the month following the due date is a violation and a separate violation for every month the payment remains delinquent thereafter.
 4. Delinquent Payment of Audit Fee. A delinquent payment of an audit fee (under the franchise agreement) that is not received by the city before the first day of the month following the due date is a violation and a separate violation for every month the payment remains delinquent thereafter.

5. Delinquent Diversion Report. A delinquent quarterly report of diversion (under the franchise agreement) that is not received by the city before the first day of the third month following the end of the quarter reporting is a violation and a separate violation for every month the report remains delinquent thereafter.

6. Incomplete Diversion Report. If a quarterly report of diversion (under the franchise agreement) that is received by the city is incomplete, the inadequacy must be remedied or corrected by the franchisee before the first day of the third month following the end of the quarter or it is a violation and a separate violation for every month the report remains incomplete thereafter. A complete quarterly report of diversion includes all information as may be required by the public works director, and/or his or her designee. Partial quarterly reports of diversion will be considered incomplete.

D. Penalty for Infraction. Unless otherwise specified by this chapter or in the franchise agreement, an infraction is punishable by a fine not exceeding \$200.00 for a first violation of any offense under subsection (C) of this section within the preceding 12-month period; a fine of \$500.00 for a second violation of the same offense under subsection (C) of this section within the preceding 12-month period; and a fine of \$1,000 for each additional violation of the same offense under subsection (C) of this section within the preceding 12-month period. The public works director, and/or his or her designee, or the city attorney shall also have the discretion to elevate any infraction under subsection (C) of this section to a misdemeanor, punishable under subsection (B) of this section. Such penalties shall be in addition to any late fees, civil penalties, administrative civil penalties, or other charges payable to the city by a franchisee for the same period of time or for the same violation.

E. Separate Remedies. Each civil, criminal, or administrative civil penalty imposed pursuant to this chapter for any separate violation shall be separate from, and in addition to, any other provision of law and does not supersede or limit any and all other legal remedies and penalties, civil, administrative or criminal, which may be applicable under other laws. [Ord. 17-2020 § 3 (Exh A)].

6.20.300 Civil penalties for violations.

The following administrative civil penalties apply to violations of this chapter:

A. Administrative Civil Penalties. In addition to any other remedies provided by this chapter, any person who violates any provision of this chapter shall be liable for an administrative civil penalty to be imposed by the public works director, and/or his or her designee. The amount of the penalty shall not be more than \$1,000 for each day of violation. Any person who knowingly violates any provision of this chapter, after reasonable notice of the violation, is liable for an administrative civil penalty of not more than \$1,000 for each day of violation. In determining the civil, criminal, and administrative civil penalties imposed pursuant to this chapter, all relevant circumstances shall be considered, including but not limited to the extent of harm or potential harm caused by the violation, the nature of the violation and the period of time over which it occurred, the frequency of past violations, and the corrective action, if any, taken by the violator.

B. Administrative Civil Penalty Procedure.

1. Notice of Violation. The public works director, and/or his or her designee, shall notify the violator in writing of the time within which an alleged violation must be remedied or corrected. The notice shall provide that an administrative civil penalty will be imposed if the continuing violation is not remedied or corrected within the time stated.

2. Notice of Penalty and Opportunity for Hearing. Notice of any administrative civil penalty shall set forth the alleged acts or failures to act that constitute a basis for liability and the amount of the proposed administrative civil penalty. The notice of administrative civil penalty shall be served by personal service or certified mail and shall inform the person so served that the administrative civil penalty imposed may be administratively reviewed by a city-designated hearing officer before it is enforced if a request for hearing is timely filed. The notice shall also specify the procedure for requesting a hearing before the hearing officer.

3. Administrative Review. If a person desires administrative review of the administrative civil penalty imposed by the public works director, and/or his or her designee, he or she shall request a hearing by timely filing a written request pursuant to the provisions of RCMC 6.20.330. The written request for an appeal must be accompanied by an administrative hearing fee, as established by the city council. Any such appeal shall be in

writing, shall state the specific reasons therefor and grounds asserted for relief, and shall be filed with the public works director, and/or his or her designee, not later than 15 calendar days after the date of service of any such decision. A hearing shall be conducted by the hearing officer pursuant to RCMC 6.20.340 unless the person has waived the right to a hearing or has entered into a settlement agreement with the public works director, and/or his or her designee. A person waives the right to a hearing by so stating in writing or by failure to file with the public works director, and/or his or her designee, a written request for hearing within 15 days after service of the notice of opportunity for hearing.

4. **Effective Date.** Where the person has waived the right to a hearing or where the person has entered into a settlement agreement, the administrative civil penalty shall not be subject to review by any court, the hearing authority, or any other agency and shall be effective 15 days after notice of the penalty is served. Where a hearing has been held, the penalty shall be effective 20 days after the decision of the hearing authority becomes final.

5. **Judicial Review.** The manner of contesting the final order of the hearing officer concerning any administrative civil penalty is governed by Section 53069.4 of the Government Code, or any successor provision thereto. Service of the notice of appeal authorized by Section 53069.4 of the Government Code upon the city shall be by service upon the city clerk.

6. **Payment of Costs of Enforcement/Collection.** In addition to any penalty, sanction, fine or imprisonment, each person who violates this chapter shall be required to pay any and all expenses of enforcement including costs necessary to bring the person into compliance with this chapter. In addition to all remedies contained herein, the city may pursue all reasonable and legal means in collecting those sums authorized and due.

7. **Collection.** Payment of the penalty shall be made within 30 days from when the penalty became effective. In addition to all remedies herein contained, the city may pursue all reasonable and legal means in collecting administrative civil penalties. [Ord. 17-2020 § 3 (Exh A)].

6.20.310 Settlement process.

The public works director, and/or his or her designee, may adopt a written settlement agreement process for the settlement of violations of this chapter, which shall take into consideration the penalty factors set forth in RCMC 6.20.300. [Ord. 17-2020 § 3 (Exh A)].

6.20.320 Hearing officer.

Whenever the term “hearing officer” is utilized in this chapter, it shall be deemed to refer to one or more qualified persons assigned the responsibility of conducting a hearing by the city manager. [Ord. 17-2020 § 3 (Exh A)].

6.20.330 Appeals.

Any decision of the public works director, and/or his or her designee, may be appealed to a hearing officer appointed by the city manager. Any such appeal shall be in writing, shall state the specific reasons therefor and grounds asserted for relief, and shall be filed with the public works director, and/or his or her designee, not later than 15 days after the date of service of any such decision. If an appeal is not filed within the time or in the manner prescribed above, the right to review of the action against which complaint is made shall be deemed to have been waived. [Ord. 17-2020 § 3 (Exh A)].

6.20.340 Appeal hearing.

A. Not later than 30 days following the date of filing an appeal within the time and in the manner prescribed by RCMC 6.20.330, the hearing officer shall conduct a hearing for the purpose of determining whether the appeal should be granted. Written notice of the time, date and place of the hearing shall be mailed to the appellant not later than 10 days preceding the date of the hearing.

B. The provisions of the California Administrative Procedure Act (commencing at Section 11500 of the Government Code) shall not be applicable to such hearings; nor shall formal rules of evidence in civil or criminal judicial proceedings be so applicable. Testimony shall be given under oath, and the parties to the hearing shall have the right to cross-examine witnesses. Any relevant evidence shall be admitted if it is the type of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rules which make improper the admission of such evidence over objection in civil actions

in courts of competent jurisdiction in this state. Hearsay evidence may be admitted for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions. Irrelevant and unduly repetitious evidence shall be excluded.

1. Record. A record of the entire hearing proceedings shall be made by either a certified court reporter or tape recorder operated by the hearing officer. A transcript of the proceedings shall be made available to all parties upon request and upon payment of the fee prescribed therefor. Such fees may be established and revised from time to time by the city council.

2. Scope. Only those matters or issues specifically raised by the appellant(s) in the written appeal shall be considered in the hearing on appeal.

3. Oaths and Certification. The hearing officer has the power to administer oaths and affirmations and to certify official acts.

4. Oral Evidence. Oral evidence shall only be taken on oath or affirmation.

5. Rights of Parties. Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues of the hearing even though the matter was not raised in the direct examination, to impeach any witness regardless of which party first called him or her to testify, to present rebuttal evidence and to represent himself or herself or to be represented by anyone of his or her choice who is lawfully permitted to do so. No appellant shall be required to testify without his or her consent.

6. At the conclusion of the hearing, the hearing authority shall prepare a written decision that either grants or conditionally grants or denies the appeal, and contains findings of fact and conclusions. Notice of the written decision, including a copy thereof, shall be filed with the public works director, and/or his or her designee, and served not later than 30 days following the date on which the hearing is closed on the appellant and on other persons who appeared at the hearing and requested a copy. Service shall be by personal delivery or certified mail.

C. City and appellant shall jointly pay for the costs of the hearing. [Ord. 17-2020 § 3 (Exh A)].

Chapter 6.21 BUSINESS AND MULTIFAMILY RECYCLING AND ORGANICS RECYCLING

Sections:

- 6.21.010 Purpose and declarations.
- 6.21.020 Definitions.
- 6.21.030 Threshold for covered generators.
- 6.21.040 Requirements for covered generators.
- 6.21.050 Special requirements.
- 6.21.060 Designation of recyclable materials and organic recyclable materials.
- 6.21.070 Ownership of recyclable materials and organic recyclable materials.
- 6.21.080 Requirements for franchised waste haulers.
- 6.21.090 Requirements for service agreements.
- 6.21.100 Process for addressing covered generator noncompliance.
- 6.21.110 Requirements for multifamily residential properties.
- 6.21.120 Requirements for self-hauling.
- 6.21.125 SB 1383 regulatory compliance.
- 6.21.130 Reporting.
- 6.21.140 Exemptions from recycling standards.
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- 6.21.190 Implementation and enforcement.
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- 6.21.250 Delivery of notice or order.
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- 6.21.270 Hearing officer.
- 6.21.280 Hearing procedure.
- 6.21.290 Form and contents of decision – Finality of decision.
- 6.21.300 Procedures for collection of administrative civil penalty.
- 6.21.310 Actions not prohibited.

6.21.320 Penalties.

6.21.010 Purpose and declarations.

A. It is the intent and purpose of this chapter to promote recycling and organics recycling by:

1. Requiring covered generators in the city of Rancho Cordova to keep recyclable materials separate from all other garbage for recycling;
2. Requiring covered generators in the city of Rancho Cordova to keep organic recyclable materials separate from all other garbage for organics recycling;
3. Requiring covered generators to provide city-approved signs and labeled containers for the storage and collection of recyclable materials and organic recyclable materials;
4. Requiring covered generators to self-haul recyclable materials and/or organic recyclable materials with written approval from the public works director, and/or his or her designee, or enter into a written service agreement for the collection and subsequent delivery of recyclable materials and organic recyclable materials to a recycling facility; and
5. Prohibiting the collection of garbage to covered generators that are not subscribed to recyclable material and organic recyclable material collection services with the same franchised waste hauler or who have not received written approval from the public works director, and/or his or her designee, for an exemption or waiver.

B. It is further the purpose of this chapter to provide a mechanism to require the implementation of recycling programs and organics recycling programs for covered generators within the city to thereby enable the city to meet and maintain the 50 percent waste diversion requirements set forth in Section 41780(a)(2) of the California Public Resources Code. [Ord. 17-2020 § 4 (Exh B)].

6.21.020 Definitions.

A. "AB 341" means the California Jobs and Recycling Act of 2011 (Chapter 476, Statutes of 2011 [Chesbro, AB 341]), also commonly referred to as "AB 341," as amended, supplemented, superseded, and replaced from time to time.

B. "AB 827" means the Solid Waste: Commercial and Organic Waste: Recycling Bins Act of 2019.

C. "AB 1826" means the Organic Waste Recycling Act of 2014 (Chapter 727, Statutes of 2014 modifying Division 30 of the California Public Resources Code), also commonly referred to as "AB 1826," as amended, supplemented, superseded, and replaced from time to time.

D. "Alternative compliance and exemption form" means the form provided by the public works director, and/or his or her designee, on which a covered generator may request an exemption or waiver from the recycling and organics materials collection requirements.

~~E. "Business" means:~~

~~1. A commercial entity, proprietorship, firm, partnership, person in representative or fiduciary capacity, association, venture, trust, or corporation that is organized for financial gain or profit, including, but not limited to, offices, retail stores, markets, manufacturing facilities, warehouse and distribution facilities, restaurants, motels and hotels, theaters, medical offices, and gas stations and automotive facilities; and~~

~~2. Not for profit organizations, including, but not limited to, churches, hospitals, and social service organizations.~~

F. "City" means the city of Rancho Cordova, California.

G. "Collection" means the act of picking up and removing garbage, recyclable materials or organic recyclable materials at the place of generation.

H. “Commercial hauler” or “hauler” means any person who collects, hauls, or transports commercial garbage, recyclables and/or organics for a fee by use of any means, including, but not limited to, a dumpster truck, roll-off truck, a side-load, front-load, or rear-load garbage truck, or a trailer.

I. “Commercial solid waste” means all solid waste as defined in subsection (GG) of this section that is generated by and at commercial and industrial sources, multifamily residential properties, and construction and demolition activities that is collected by a commercial hauler.

“Commercial Business” or “Commercial” means a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a Multi-Family Residential Dwelling, or as otherwise defined in 14 CCR Section 18982(a)(6). A Multi-Family Residential Dwelling that consists of fewer than five (5) units is not a Commercial Business for purposes of implementing this chapter.

“Commercial Edible Food Generator” includes a Tier One or a Tier Two Commercial Edible Food Generator as defined in 14 CCR Section 18982(a)(73) and (a)(74).

J. “Covered generator” means all single family, commercial businesses and multifamily residential properties (which are a type of Commercial Business for the purposes of implementing this chapter)~~that are subject to the requirements of this chapter~~. The public works director, and/or his or her designee, shall specify the minimum weekly solid waste collection service threshold that defines covered generators for the purposes of this chapter and shall include such designation in the commercial franchise agreement and shall also be designated in RCMC.

6.21.030, “Threshold for Single Family, Commercial Business and Multifamily Property Generators” covered generators. A covered generator may include a single family, business or multifamily residential property owner or generator and is dependent on who ever executes a contract(s) for solid waste, recycling, and organics recycling removal and collection services.

K. “Customer” means a single family, business or multifamily residential property owner or generator who contracts for solid waste removal services and enters into a service agreement with a franchised waste hauler. Where several businesses or multifamily residential properties share garbage containers and service, “customer” refers only to the party who enters into a contract for garbage, recycling and organic collection services.

L. “Designated green materials” (or “green materials”) means materials that are required to be separated from garbage and designated recyclable materials prior to disposal and returned for use or reuse in the form of raw materials for new, used or reconstituted products. Green materials include, but are not limited to: yard trimmings, grass, weeds, leaves, branches, dead plants, brush, tree trimmings, dead trees, small wood pieces and other types of organic yard waste. Green material excludes food scraps and paper contaminated with food scraps.

M. “Designated organic recyclable materials” (or “organic recyclable materials”) means materials that are required to be separated from garbage and designated recyclable materials prior to disposal and returned for use or reuse in the form of raw materials for new, used or reconstituted products. Organic recyclable materials include, but are not limited to: yard trimmings and food scraps such as green trimmings, grass, weeds, leaves, prunings, branches, dead plants, brush, tree trimmings, dead trees, small wood pieces, other types of organic yard waste, vegetable waste, fruit waste, dairy waste, meat waste, fish waste, paper products and food-soiled paper products and/or as otherwise specified by the public works director and/or his or her designee.

N. “Designated recyclable materials” (or “recyclable materials”) means materials that are required to be separated from garbage and designated organic recyclable materials prior to disposal and returned for use or reuse in the form of raw materials for new, used or reconstituted products. Recyclable materials include, but are not limited to: clean cardboard, paper, plastic, scrap metal, beverage containers, and clean (untreated and unpainted) wood.

O. “Designee” means a person or entity that the City Manager or Public Works Director designates, contracts with, or otherwise arranges to carry out any of the Jurisdiction’s responsibilities of this chapter authorized by 14 CCR Section 18981.2. A Designee may be a government employee or entity, a private entity, a Franchised Collector, or a combination of those entities.

P. “Edible Food” means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this chapter or as otherwise defined in 14 CCR Section 18982(a)(18), “Edible Food” is not Solid Waste if it is recovered and not discarded. Nothing in this chapter or in 14 CCR, Division 7, Chapter 12 requires or authorizes the recovery of Edible Food that does not meet the food safety requirements of the California Retail Food Code.

Q. “Food Recovery Organization” means an entity that engages in the collection or receipt of Edible Food from Commercial Edible Food Generators and distributes that Edible Food to the public for Food Recovery either directly or through other entities or as otherwise defined in 14 CCR Section 18982(a)(25), including, but not limited to:

- A food bank as defined in Section 113783 of the Health and Safety Code;
- A nonprofit charitable organization as defined in Section 113841 of the Health and Safety Code;
- and,
- A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

R. “Food Recovery Service” means a person or entity that collects and transports Edible Food from a Commercial Edible Food Generator to a Food Recovery Organization or other entities for Food Recovery, or as otherwise defined in 14 CCR Section 18982(a)(26). A Food Recovery Service is not a Commercial Edible Food Generator for the purposes of this chapter and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).

S. “Food Scraps” means all edible or inedible food such as, but not limited to, fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bread, cheese, coffee grounds, and eggshells. Food Scraps excludes fats, oils, and grease when such materials are Source Separated from other Food Scraps.

T. “Food Service Provider” is a Tier 1 Commercial Edible Food Generator and means an entity primarily engaged in providing food services to institutional, governmental, Commercial, or industrial locations of others based on contractual arrangements with these types of organizations, or as otherwise defined in 14 CCR Section 18982(a)(27).

U. “Food Waste” means Food Scraps and food soiled paper.

OV. “Franchise” or “commercial franchise” means a commercial garbage, organics and recyclables collection franchise issued to a commercial hauler by the city of Rancho Cordova.

PW. “Franchisee” or “franchised waste hauler” means a person or entity holding a commercial or residential franchise issued by the city pursuant to Chapter 6.20 RCMC.

Q. “Garbage” means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes. “Garbage” does not include hazardous waste or low level radioactive waste regulated under Chapter 7.6 (commencing with Section 25800) of Division 20 of the California Health and Safety Code, or medical waste. “Garbage” does not include recyclable materials or organic recyclable materials set out for separate collection for the purposes of recycling and that are not landfilled.

X. “Garbage” means those elements of the Solid Waste stream designated for the “Garbage Container”, and excludes hazardous waste, Excluded Waste, materials designated for the “Organics Container” or “Recycling Container” or materials which have been separated for reuse.

Note: The distinction between garbage and solid waste is that solid waste includes garbage, recyclable materials, and organic recyclable materials while “garbage” does not.

Y. “Garbage Container” has the same meaning as “Gray Container” in 14 CCR Section 18982(a)(28) and shall be used for the purpose of storage and collection of Garbage.

ZR. “Generator” means each single family, business or multifamily residential property that is responsible for the initial creation of Garbage, Organic Waste or Recyclable Materials ~~generates one or more designated recyclable materials or one or more designated organic recyclable materials as a result of its business activities or multifamily residential property activities.~~

AA. “Grocery Store” ~~is a Tier 1 Commercial Edible Food Generator and~~ means a store primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments, or as otherwise defined in 14 CCR Section 18982(a)(30).

BBS. “Multifamily residential property” means five or more individual living units located on a single parcel of land and any mobile home park located within the city.

CCF. “National contracts” means contracts between waste management companies and multi-sited waste-generating companies that operate currently throughout the United States, in more than one state.

U. ~~“Organics recycling” means the process of collecting, sorting and treating designated organic recyclable materials and/or designated green materials that would have otherwise become garbage and returning them to a safe, nuisance free compost product by treating the materials to a controlled biological decomposition.~~

DD. “Organics Container” has the same meaning as “Green Container” in 14 CCR Section 18982(a)(29) and shall be used for the purpose of storage and collection of Source Separated Organic Recyclable Material designated for Compost processing, including Food Waste and landscape and pruning waste accepted in the City’s Organic Waste Collection program, and other organic materials as determined by the City as acceptable for the Organics Container

EE. “Organic Waste or Organic Recyclable Material” means Solid Waste containing material originated from living organisms and their metabolic waste products, including but not limited to food, Food Scraps, food soiled paper, green material, landscape and pruning waste, organic textiles and ~~organic~~ carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46). Organic Waste does not include Rigid Compostable Plastic.

FF. “Organic Waste Generator” means a person or entity that is responsible for the initial creation of Organic Recyclable Material, or as otherwise defined in 14 CCR Section 18982(a)(48).

GGV. “Owner” means the person who owns a business or multifamily residential property. An owner may also be a generator.

HHW. “Person” means an individual, firm, limited liability company, association, partnership, industry, public or private corporation, or any other entity whatsoever.

IIX. “Public works director” means the public works director of the city of Rancho Cordova, California.

JJY. “Recycling” means the process of collecting, sorting, cleansing, treating and reconstituting materials that would otherwise become garbage and returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the marketplace. Recycling does not include transformation as defined in Section 40201 of the California Public Resources Code. The term “recycling” may be used to include source separated materials.

KKZ. “Recycling facility” means those facilities or operations that receive, process, and transfer to market recyclable materials or organic recyclable materials that have been source separated from the solid waste stream.

LL. “Recyclable material” or “recyclables” means materials that have been separated from the solid waste stream prior to disposal for the purpose of returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the marketplace, and that are not landfilled. Recyclable material or recyclables This includes those materials that can be placed in the Recycling Container including but not limited to, glass and plastic bottles, aluminum, tin and steel cans, metals, unsoiled paper products, printing and writing paper, and cardboard, and any other items as determined by the City.

MM. “Recyclable materials container” or “Recycling Container” has the same meaning as “Blue Container” in 14 CCR Section 18982.2(a)(5) and shall be used for the purpose of storage and collection of source separated Recyclable Materials.

~~means any box, tub, cart, or other container placed inside each individual multifamily residential unit and in maintenance or work areas on the premises of covered generators that is made of metal, hard plastic or other similar material and is suitable for the collection of designated recyclable materials and designated organic recyclable materials pursuant to this chapter. Recycling materials containers must be approved by the city.~~

NNBB. “Recycling plan” means the plan to be presented to all covered generators by their franchised waste hauler to document understanding of the requirements of this chapter and record the selected compliance option for each designated recyclable material or each designated organic recyclable material.

~~OO. “Removal” means the act of taking garbage, recyclable materials, or organic recyclable materials from the place of generation.~~

~~PP. “SB 1383” means the Short-Lived Climate Pollutants: Methane Emissions: Dairy and Livestock: Organic Waste: Landfills Act of 2016. Article 4 Title 14, Division 4, Chapter 12 of the California Code of Regulations.~~

QQ. “Single-Family” means, of, from, or pertaining to any residential premises with fewer than five (5) units for the purposes of implementing this chapter.

~~RR. “Self-haul,” when used in reference to a covered generator, means a covered generator, or employee designated by the covered generator, who collects, transports and hauls recyclable materials and/or organic recyclable materials from the business or multifamily residential property in a vehicle owned by either an employee or the entity to a recycling facility rather than hiring a franchised waste hauler to perform this function. Self-hauler also includes a person who back-hauls waste.~~

1. “Back-haul” means generating and transporting organic waste to a destination owned and operated by the generator using the generator’s own employees and equipment.

~~SS. “Service agreement” means a written agreement between a franchised waste hauler and a covered generator concerning the collection of designated recyclable materials and/or designated organic recyclable materials.~~

~~TT. “Solid waste” means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes. “Solid waste” does not include hazardous waste or low-level radioactive waste regulated under Chapter 7.6 (commencing with Section 25800) of Division 20 of the California Health and Safety Code, or medical waste. “Solid waste” includes recyclable materials or organic recyclable materials set out for separate collection for the purposes of recycling and that are not landfilled.~~

~~WW. “Source separate” or “source separated” means the process of removing recyclable materials and/or organic recyclable materials from garbage for the purpose of recycling and/or organics recycling.~~

~~XX. “Subcontract” is a contract assigning some of the obligations of a contract to a third party.~~

~~YYY~~. Tier 1 and Tier 2 Commercial Edible Food Covered Generators.

1. “Tier one Commercial Eedible Ffood Generator” means a Commercial Eedible Ffood Generator that is one of the following:

a. Supermarket. “Supermarket” means a full-line, self-service retail store with gross annual sales of \$2,000,000, or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items.

b. Grocery Sstore with a total facility size equal to or greater than 10,000 square feet. ~~“Grocery store” means a store primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments.~~

c. Food Service Pprovider. ~~“Food service provider” means an entity primarily engaged in providing food services to institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations.~~

d. Food Distributor. “Food Distributor” means a company that distributes food to entities including, but not limited to, supermarkets and grocery stores.

e. Wholesale Ffood Vendor. “Wholesale Ffood Vendor” means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination.

2. “Tier two Commercial Eedible Ffood Generator” means a Commercial Eedible Ffood Generator that is one of the following:

a. Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet. “Restaurant” means an establishment primarily engaged in the retail sale of food and drinks for on-premises or immediate consumption.

b. Hotel with an on-site food facility and 200 or more rooms. “Hotel” has the same meaning as in Section 17210(a) of the Business and Professions code.

c. Health Ffacility with an on-site food facility and 100 or more beds. “Health Ffacility” has the same meaning as in Section 1250 of the Health and Safety Code.

d. Large Vvenue. “Large Vvenue” means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For the purposes of this chapter, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For the purposes of this chapter, a site under common ownership or control that includes more than one large venue that is contiguous with other large venues in the site, is a single large venue.

e. Large Eevent. “Large Eevent” means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event.

f. A state agency with a cafeteria with 250 or more seats or a total cafeteria facility size equal to or greater than 5,000 square feet.

g. A Local Education Agency with an on-site food facility. “Local Education Agency” means a school district, charter school, or county office of education that is not subject to the control of city or county regulations related to solid waste. [Ord. 17-2020 § 4 (Exh B)].

6.21.030 Threshold for Single Family, Commercial Business and Multifamily Property Generator~~covered generators~~.

A. Recycling Requirements. All AB 341 single family, commercial business and multifamily residential property ~~covered~~ generators, and any other covered generators as defined in state law, must subscribe to ~~and receive recyclable~~ a sufficient number of recyclable material containers to adequately store all source separated recyclable materials generated in connection with the residence or business between the times designated for collection material collection services from a franchised waste hauler unless they receive alternative compliance and exemption from the city as provided for in RCMC 6.21.040. The City shall have the right to review the number and size of such containers to evaluate the adequacy of capacity provided for each type of collection service and to require additional or larger containers (or additional service days) and to review the separation and containment of materials. Generators shall adjust service levels for their collection services as requested by the City in order to meet the standards set forth in this chapter.

B. Business Organics Recycling Requirements. All single family, commercial business and multifamily residential property generators~~AB 1826 and/or SB 1383 business covered generators~~, and any other covered generators as defined in state law, must subscribe to a sufficient number of recyclable material containers to adequately store all source separated organic recyclable materials generated in connection with the residence or business between the times designated for collection and receive an adequate level of organic waste collection services from a franchised waste hauler unless they receive written approval of an alternative compliance and exemption from the city as provided for in RCMC 6.21.040. The City shall have the right to review the number and size of such containers to evaluate the adequacy of capacity provided for each type of collection service and to require additional or larger containers (or additional service days) and to review the separation and containment of materials. Generators shall adjust service levels for their collection services as requested by the City in order to meet the standards set forth in this chapter.

C. Multifamily Residential Property Organics Recycling Requirements. All AB 1826 and SB 1383 multifamily covered generators, and any other covered generators as defined in state law, must subscribe to and receive organic waste collection services from a franchised waste hauler unless they received written approval of an alternative compliance and exemption from the city as provided for in RCMC 6.21.040. [Ord. 17-2020 § 4 (Exh B)].

6.21.035 Education and Outreach Requirements for Commercial Business Owners and Multi-family Owners.

All Commercial Business Owners are required to:

- A. Excluding Multi-Family Residential Dwellings, to the extent practical through education, training, inspection, and/or other measures, prohibit employees from placing materials in a container not designated for those materials per the Recycling Container, Organics Container, and Garbage Container collection service.
- B. Excluding Multi-Family Residential Dwellings, periodically inspect Recycling Containers, Organics Containers, and Garbage Containers for contamination and inform employees if containers are contaminated and of the requirements to keep contaminants out of those containers.
- C. Including Multi-Family Residential Dwellings, annually provide information to employees, contractors, tenants, building residents, and customers about Organic Waste Recovery requirements and about proper sorting of Organic Waste and Recyclable Materials. A copy of such instructions shall be provided to the Public Works Director or Designee, upon request.
- D. Including Multi-Family Residential Dwellings, provide information before or within fourteen (14) days of new occupation of the Premises to new tenants and no less than fourteen (14) days before tenants move out of the Premises, unless a tenant does not provide fourteen (14) or more days' notice to before moving out.

that describes requirements to keep Organics Container Organic Waste and Recyclable Materials separate from each other and from Garbage, the location of containers, and the rules governing their use at the Premises.

E. Including Multi-Family Residential Dwellings, prominently post and maintain one or more signs where Recyclable Materials and/or Organic Waste are collected and/or stored that set forth what materials are required to be Source Separated, in addition to collection procedures for such materials.

6.21.040 Additional Requirements for covered generators.

A. Any covered generator that does not subscribe to garbage, recyclable material, and organic waste collection services with the same franchised waste hauler is required to complete an “alternative compliance and exemption form” and have that form approved by the city in writing as a condition of receiving garbage collection service from a franchised waste hauler.

B. Each covered generator shall be responsible for ensuring and demonstrating its compliance with the following requirements:

1. Source separate designated recyclable materials and designated organic recyclable materials from garbage;
2. Provide a basic level of recycling and organics recycling services that includes, at a minimum, the collection of designated recyclable materials and/or designated organic recyclable materials;
3. Enter into a service agreement with the same franchised waste hauler for the collection of designated recyclable materials and designated organic recyclable materials; and
4. Complete and retain, on site, if applicable, the approved alternative compliance and exemption form, certifying that recycling and/or organic collection services are being provided by a franchised waste hauler if that franchised waste hauler is not also providing garbage service or certifying and receiving written approval from the public works director, and/or his or her designee, that all self-hauling activities will be completed in accordance with provisions in RCMC 6.21.120.

C. Multi family property owners ~~Each covered generator~~ shall provide for recyclable materials containers for designated recyclable and organic materials in multifamily residential rental units and in maintenance and work areas where recyclable materials may be collected and/or stored.

D. Each covered generator under AB 827, and all other applicable state law, shall provide recyclable materials containers for designated recyclable and organic materials where customers have access to the business. Each covered generator shall prominently post and maintain one or more signs where designated recyclable materials and/or designated organic recyclable materials are collected and/or stored that set forth what materials are required to be source separated in addition to collection procedures for such materials.

~~E. Each covered generator shall notify and instruct employees and tenants in writing of applicable source separation requirements, including a list of designated recyclable materials and/or designated organic recyclable materials that are required to be source separated for recycling or organics recycling. A copy of such instructions shall be provided to the public works director, and/or his or her designee, upon request.~~

F. Commercial Business Owners and Multifamily Property Owners ~~Each covered generator~~ shall ensure that designated recyclable materials and/or designated organic recyclable materials generated at their site will be taken only to a recycling facility and not to a landfill for disposal by complying with all requirements under this chapter.

G. The service agreement, alternative compliance and exemption form, and/or other documents pertaining to this chapter, shall be available for inspection by the public works director, and/or his or her designee, at the principal location of the covered generator during normal business hours.

H. Nothing in this chapter shall abridge the right of any covered generator, or any other person, to sell or exchange at fair market value its own recyclable materials or organic recyclable materials which are source separated for reuse and recycling or organics recycling.

I. No franchised waste hauler shall be held liable for the failure of its customers to comply with such regulations.

J. No covered generator shall be liable for the failure of their franchised waste hauler to deliver designated recyclable materials or designated organic recyclable materials to a recycling or processing facility. [Ord. 17-2020 § 4 (Exh B)].

6.21.050 Special requirements.

In addition to any and all requirements that apply to the recycling and/or organics recycling of designated recyclable materials and/or designated organic recyclable materials throughout the city above, collection service received or provided in the city shall be subject to the following additional special requirements:

A. No recycling, automatic lift containers or bins within the collection area of the city shall be placed or located in such a manner that blocks or impedes passage through an alley or through any doorway of any building adjoining an alley, notwithstanding that such building may be abandoned or otherwise out of use.

B. Compliance with the above special requirements shall be the sole responsibility of the covered generator. [Ord. 17-2020 § 4 (Exh B)].

6.21.060 Designation of recyclable materials and organic recyclable materials.

Designated recyclable materials and/or designated organic recyclable materials shall be source separated from garbage before collection, removal, transportation or disposal pursuant to this chapter. The public works director, and/or his or her designee, shall specify designated recyclable materials and organic recyclable materials that must be source separated by all covered generators pursuant to RCMC 6.21.040. The specifications for designated recyclable materials and designated organic recyclable materials shall consider materials market conditions and the availability of a cost-effective system for recycling such materials. [Ord. 17-2020 § 4 (Exh B)].

6.21.070 Ownership of recyclable materials and organic recyclable materials.

A. All designated recyclable materials and designated organic recyclable materials placed in automatic lift containers, bins or roll-off bins shall be considered owned by and be the responsibility of the franchised waste hauler. No person shall collect designated recyclable materials or designated organic recyclable materials placed in automatic lift containers, bins or roll-off bins for recyclable materials or organic recyclable materials by customers without permission from the franchised waste hauler.

B. Except as authorized by RCMC 6.21.120, Requirements for self-hauling, it shall be unlawful for any person to engage in the business of collecting, removing or transporting, or to otherwise organize, direct or sponsor the collection, removal or transportation of designated recyclable materials or designated organic recyclable materials who is not a franchised waste hauler. [Ord. 17-2020 § 4 (Exh B)].

6.21.080 Requirements for franchised waste haulers.

A. Commercial waste haulers shall be franchised pursuant to the provisions of Chapter 6.20 RCMC, and such franchise shall be in full force and effect.

B. Franchised waste haulers shall offer collection service and automatic lift containers, bins or roll-off bins for designated recyclable materials and designated organic recyclable materials sufficient to accommodate the quantity and types of designated recyclable materials and designated organic recyclable materials to all its garbage customers.

C. Franchised waste haulers shall equip and provide automatic lift containers, bins and roll-off bins for designated recyclable materials and designated organic recyclable materials with locks and/or other suitable features to prevent theft of recyclable materials and organic recyclable materials.

D. Franchised waste haulers may subcontract for collection of designated recyclable material and/or designated organic recyclable materials, so long as the subcontractor holds a current franchise.

E. Franchised waste haulers shall conduct all activities in accordance with all applicable state and local laws and best management practices. Vehicles, equipment and containers shall be kept in a clean and well-maintained condition.

F. Franchised waste haulers shall not take a customer's designated recyclable materials or designated organic recyclable materials to a landfill or other disposal site, but to a recycling facility.

G. Franchised waste haulers, upon request, shall provide the public works director, and/or his or her designee, with a copy of a service agreement, recycling plan, alternative compliance and exemption form, or other document (e.g., receipt from a recycling facility) demonstrating that the covered generator's designated recyclable materials and/or designated organic recyclable materials are being taken to a recycling facility. The service agreement, recycling plan, alternative compliance and exemption form, or other documents shall be available for inspection by the public works director, and/or his or her designee, at the franchised waste haulers' place of business during normal business hours.

H. City staff may audit all franchised waste haulers' records.

I. Franchised waste haulers shall not provide garbage collection services to a business or multifamily residential property covered generator unless that business or multifamily property covered generator is also receiving both recyclable material and organics recyclable material collection services from the same franchised waste hauler providing garbage service; or

1. Unless the franchise waste hauler has received a completed alternative compliance and exemption form from the business or multifamily residential covered generator; and
2. The city has received and provided the covered generator with written approval of its alternative compliance and exemption form request and notified the franchised waste hauler in writing of any such approval.

J. Franchised waste haulers are required to submit all completed alternative compliance and exemption forms to the city for review which will be due on the tenth of each month for the previous reporting month.

K. Franchised waste haulers are required to maintain a list of any and all businesses and multifamily properties that the franchised hauler is providing garbage collection services to but is not also providing recycling and organic collection services (non full-service account list). Franchised haulers shall provide a current non full-service account list to the city, which will be due on the tenth of each month for the previous reporting month.

L. Franchised waste hauler shall be required to meet full compliance with requirements pursuant to RCMC 6.21.090 by a date set by the public works director and/or his or her designee. Franchised waste hauler shall receive written notification of such terms. [Ord. 17-2020 § 4 (Exh B)].

M. Franchised hauler shall meet the following requirements and standards in connection with collection of Organic Waste and Recyclables:

1. Through written notice or written report to the City, Franchised hauler shall annually identify the facilities to which they will transport Organic Waste including facilities for Source Separated Recyclable Materials and Source Separated Organic Waste.
2. Transport Source Separated Recyclable Materials to a facility that recycles those materials and transport Source Separated Organic Waste to a facility, operation, activity, or property that recovers Organic Waste as defined in 14 CCR, Division 7, Chapter 12, Article 2.
3. Obtain approval from the City to haul Organic Waste, unless it is transporting Source Separated Organic Waste to a Community Composting site or lawfully transporting C&D in a manner that complies with 14 CCR Section 18989.1.

6.21.090 Requirements for service agreements.

A. Franchised waste haulers shall execute a written service agreement with all covered generators as required in RCMC 6.21.040 before the franchised waste hauler begins to collect garbage and/or designated recyclable materials and/or designated organic recyclable materials.

B. Service agreements shall incorporate, but are not limited to, the following terms and conditions:

1. Be clearly labeled as a service agreement.
2. Describe the garbage and/or recyclable material and/or organics recyclable material collection services to be provided by the franchised waste hauler and the cost for providing such services to the customer.
3. Clearly state the initial term and renewal terms.
4. Include the condition, as applicable, that the franchised waste hauler cannot provide garbage collection services to a covered generator unless:
 - a. The business or multifamily property covered generator is also receiving both recyclable materials and organics recyclable waste collection services from the franchised waste hauler; or
 - b. The city has received and provided the covered generator with written approval of its alternative compliance and exemption form request.
5. May contain automatic renewal for successive periods of no longer than one year, unless either party gives written notice of termination by certified or registered mail at least 60 days prior to the termination date of the current agreement.
6. May be amended as mutually agreed upon by the customer and the franchised waste hauler.
7. Customers are to receive a written notice of price increases not less than 30 days prior to the effective date of such price increase.
8. Franchised waste haulers shall respond to customer inquiries regarding the service agreement within 30 days.
9. Include language stating that collection containers will be removed from the property of a customer within 30 days of final termination of services to the customer.
10. Not require customers to pay over three months' liquidated damages during the renewal term and over six months' liquidated damages during the initial term of the service agreement.
11. Not require a customer to give a franchised waste hauler the exclusive right to provide recycling collection services or the exclusive right to provide organics recyclable material collection services as a condition of a service agreement, unless the customer affirmatively indicates that is its desire.
12. Not require customers to give notice of any offer by a competitor or require customers to give franchised waste haulers the right to respond to such an offer.
13. Franchises must be in full force and effect for the service agreement to be effective.

C. The requirements for service agreements contained in this section shall be incorporated into all new service agreements upon enactment of this chapter. Existing service agreements between a franchised waste hauler and a customer executed before the effective date of the ordinance codified in this chapter shall remain in force for the remainder of the existing contract and shall be governed by the terms and conditions specified in the existing service agreement; provided, that such existing service agreements shall comply, to the extent allowable by law, with the new recycling and organics recycling programs established by this chapter.

D. National contracts or agreements are exempt from the requirements of contract length and renewal terms. [Ord. 17-2020 § 4 (Exh B)].

6.21.100 Process for addressing covered generator noncompliance.

In the event that the franchised waste hauler must stop providing garbage collection service to a covered generator due to the covered generator's noncompliance with this chapter the franchised waste hauler shall take the following steps:

A. Issue a written "service termination notice" to the noncompliant commercial generator stating that the franchised waste hauler shall terminate garbage collection services within 14 days of providing that service termination notice to the business or multifamily residential property. That "service termination notice" shall clearly state that it is mandatory for the business or multifamily residential property to subscribe to garbage, recyclable material and organic recyclable material collection service as required by RCMC 6.21.040.

B. Notify the city by email no more than seven business days and no less than two business days before collection service is suspended for all carts, bins and/or containers from the business or multifamily residential property.

C. Suspend collection service of all carts and/or containers from the business or multifamily residential property that has not complied within 14 days of receiving the service termination notice.

D. Notify the public works director, and/or his or her designee, in person or by telephone within 24 hours after suspending collection service of all garbage carts and/or containers from the business or multifamily residential property.

E. Send a follow-up email that has been confirmed by the franchised waste hauler to be received by the public works director, and/or his or her designee, by the end of the next business day the name and address of the covered generator that the franchised waste hauler has suspended collection service of all garbage carts and/or containers to. [Ord. 17-2020 § 4 (Exh B)].

6.21.110 Requirements for multifamily residential properties.

A. Multifamily residential tenants shall be responsible for compliance with the requirement to source separate designated recyclable materials and/or designated organic recyclable materials from garbage pursuant to RCMC 6.21.040(B)(1).

B. No multifamily residential property owner who is a covered generator pursuant to RCMC 6.21.020(J) shall be cited for noncompliance with this chapter as a result of the failure of his or her rental property tenants to source separate designated recyclable materials or designated green materials and/or organic recyclable materials from garbage pursuant to RCMC 6.21.040.

C. Multifamily residential property owners who are covered generators pursuant to RCMC 6.21.020(J) shall be responsible for compliance with RCMC [6.21.030](#), [6.21.035](#), and [6.21.040](#).

D. Every multifamily residential unit shall have a recyclable materials container provided by either the multifamily residential property owner who is a covered generator pursuant to RCMC 6.21.020(J), or by the multifamily tenant as part of their rental agreement. [Ord. 17-2020 § 4 (Exh B)].

[6.21.115 -Commercial Edible Food Generator Requirements.](#)

[A. Tier One Commercial Edible Food Generators must comply with the requirements of this Section commencing January 1, 2022, and Tier Two Commercial Edible Food Generators must comply commencing January 1, 2024, pursuant to 14 CCR Section 18991.3, or such later deadline established by State law or regulations.](#)

- B. Large Venue or Large Event operators not providing food services, but allowing for food to be provided by others, shall require Food Facilities, operating at the Large Venue or Large Event to comply with the requirements of this Section, commencing January 1, 2024, or such later deadline established by State law or regulations.
- C. Commercial Edible Food Generators shall comply with the following requirements:
- (1) Arrange to safely recover for human consumption the maximum amount of Edible Food that would otherwise be disposed.
 - (2) Enter into a contract or other written agreement with Food Recovery Organizations or Food Recovery Services for: (i) the collection for Food Recovery of Edible Food that would otherwise be disposed; or (ii) acceptance of Edible Food that would otherwise be disposed that the Commercial Edible Food Generator self-hauls to the Food Recovery Organization for Food Recovery.
 - (3) Use best efforts to abide by all contractual or written agreement requirements specified by the Food Recovery Organization or Food Recovery Service on how Edible Food should be prepared, packaged, labeled, handled, stored, distributed or transported to the Food Recovery Organization or Service.
 - (4) Not intentionally donate food that has not been prepared, packaged, handled, stored and/or transported in accordance with the safety requirements of the California Retail Food Code.
 - (5) Not intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or a Food Recovery Service.
 - (6) Allow the Enforcement Officer to review records upon request, including by providing electronic copies or allowing access to the Premises.
 - (7) Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:
 - (a) A list of each Food Recovery Service or Food Recovery Organization that collects or receives its Edible Food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).
 - (b) A copy of all contracts and written agreements ~~established under 14 CCR Section 18991.3(b) and/or this chapter~~ between the Commercial Edible Food Generator and a Food Recovery Service or organization.
 - (c) A record of the following information for each of those Food Recovery Services or Food Recovery Organizations:
 - (i) The name, address and contact information of the Food Recovery Service or Food Recovery Organization.
 - (ii) The types of food that will be collected by or self-hauled to the Food Recovery Service or Food Recovery Organization.
 - (iii) The established frequency that food will be collected or self-hauled.
 - (iv) The quantity of food, measured in pounds recovered per month, collected or self-hauled to a Food Recovery Service or Food Recovery Organization for Food Recovery.

- (8) If it has not entered into a contract or written agreement with Food Recovery Organizations or Food Recovery Service, a record that describes (i) its direct donation of Edible Food to end recipients (including employees) and/or (ii) its food waste prevention practices that result in it generating no surplus Edible Food that it can donate.
- (9) Tier One Commercial Edible Food Generators and Tier Two Commercial Edible Food Generators shall provide, upon request, a Food Recovery report to the Enforcement Officer that includes the information in C(7)(c). Entities shall provide the requested information within sixty (60) days of the request.
- D. Nothing in this chapter shall be construed to limit or conflict with (1) the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017; or (2) otherwise applicable food safety and handling laws and regulations.
- E. Nothing in this chapter prohibits a Commercial Edible Food Generator from donating Edible Food directly to end recipients for consumption, pursuant to Health and Safety Code Section 114432(a).

6.20.116 Food Recovery Organizations and Services Requirements.

- A. Food Recovery Services collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records:
 - (1) The name, address, and contact information for each Commercial Edible Food Generator from which the service collects Edible Food.
 - (2) The quantity in pounds of Edible Food collected from each Commercial Edible Food Generator per month. This may also include the total quantity in pounds of food collected that was spoiled when received from a Commercial Edible Food Generator or otherwise not able to be used to feed people.
 - (3) The quantity in pounds of Edible Food transported to each Food Recovery Organization per month.
 - (4) The name, address, and contact information for each Food Recovery Organization to which the Food Recovery Service transports Edible Food for Food Recovery.
- B. Food Recovery Organizations collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records:
 - (1) The name, address, and contact information for each Commercial Edible Food Generator from which the organization receives Edible Food.
 - (2) The quantity in pounds of Edible Food received from each Commercial Edible Food Generator per month. This may also include the total quantity in pounds of food collected that was spoiled when received from a Commercial Edible Food Generator or otherwise not able to be used to feed people.
 - (3) The name, address, and contact information for each Food Recovery Service that the organization receives Edible Food from for Food Recovery.
- C. Food Recovery Organizations and Food Recovery Services that have their primary address physically located in the City and contract with or have written agreements with one or more Commercial Edible Food Generators shall report to the City, or its Enforcement Officer, the total pounds of Edible Food recovered

from the Tier One and Tier Two Commercial Edible Food Generators they have established a contract or written agreement with (regardless of whether those Generators are located in the City) according to the following schedule:

(i) no later than April 31, 2023, and no later than every April 31 thereafter, submit a report covering the period of January 1 to December 31 of the previous calendar year.

D. In order to support Edible Food Recovery capacity planning assessments and similar studies, Food Recovery Services and Food Recovery Organizations operating in the City shall provide, upon request, information and consultation to the City and/or the County, regarding existing, or proposed new or expanded, Food Recovery capacity in a form that can be provided to or that can be accessed by the County, the City and Commercial Edible Food Generators in the City. A Food Recovery Service or Food Recovery Organization shall respond to such request for information within sixty (60) days, unless a shorter timeframe is otherwise specified.

6.21.120 Requirements for self-hauling.

A. A covered generator may haul or transport designated recyclable materials and/or designated organic recyclable materials generated and collected at its business or multifamily residential property to a recycling facility that diverts material from disposal, rather than hiring a franchised waste hauler, only if an owner, generator or employee of the entity completes this activity by utilizing a vehicle owned by either an employee or the entity has also submitted an alternative compliance form to the city and received written approval for self-hauling activities.

Self haulers must Source Separate their Recyclable Materials and Organic Waste generated on-site from Solid Waste in a manner consistent with this section or haul Organic Waste to a High Diversion Organic Waste Processing Facility.

Self haulers must haul their Source Separated Recyclable Materials to a facility that recovers those materials; and haul their Source Separated Organic Waste to a Solid Waste facility, operation, activity, or property that processes or recovers Source Separated Organic Waste or to a High Diversion Organic Waste Processing Facility; and haul their Garbage to a fully permitted Solid Waste facility.

B. Business and multifamily covered generators pursuant to RCMC 6.21.020(J) that self-haul or transport designated recyclable materials and/or designated organic recyclable materials shall follow established provisions pursuant to RCMC 6.21.040(A) and 14 CCR Section 18988.3.

C. A covered generator that self-hauls or transports designated recyclable materials and/or designated organic recyclable materials collected at its business or multifamily residential property to a recycling facility without the utilization of a franchised waste hauler must complete and retain on site an approved alternative compliance and exemption form certifying all self-hauling activities will be completed in accordance with the provisions of all applicable laws or regulations of this chapter and 14 CCR Section 18988.3. The alternative compliance and exemption form shall be made available to the public works director, and/or his or her designee, upon request. At a minimum, the covered generator shall provide the following information on the alternative compliance and exemption form and also keep records containing the following information.

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1. The name, address and telephone number of the covered generator that is signing the self-haul form.
2. A list of the types of recyclable materials and/or organic recyclable materials being self-hauled.
3. Delivery receipts and weight tickets from the entity accepting the waste.
4. The amount of material in cubic yards or tons transported by the Generator to each entity.

(a) If the material is transported to an entity that does not have scales on-site or employs scales incapable of weighing the Self-Hauler's vehicle in a manner that allows it to determine the weight of materials received, the Self-Hauler is not required to record the weight of material but shall keep a record of the entities that received the Organic Waste.

5.3. For each type of recyclable material and/or organic recyclable material, the amount that is being taken from the business and multifamily residential property to a recycling facility quarterly.

64. The name and address of the recycling facility(ies).

75. A written statement signed by the business or multifamily residential property owner or generator certifying that the owner or generator agrees to comply with the requirements of this chapter.

D. The public works director, and/or his or her designee, may restrict or prohibit self-hauling by a person if the public works director, and/or his or her designee, determines, after providing 30 days' written notice and an opportunity for a hearing, that the person's self-hauling activities violate the provisions of this chapter or any other applicable law or regulation.

E. Self-Haulers, which are Commercial Businesses including Multi-Family Residential Dwellings, shall keep these records of the amount of Organic Waste delivered to each Solid Waste facility, operation, activity, or property that processes or recovers Organic Waste for a minimum of five (5) years; this record shall be subject to inspection by the City.

F. Self-Haulers that are Commercial Businesses including Multi-Family Residential Dwellings shall provide these records, upon request, to the Public Works Director or Designee. Self-Haulers shall provide the requested information within sixty (60) days.

G. Landscapers, who self-haul Organic Waste generated at a customer's site, must also meet the requirements in this section.

H. A Single-Family Organic Waste Generator that self-hauls Organic Waste is not required to record or report this information.

I. The public works director, and/or his or her designee, will notify the covered generator that self-hauls if the alternative compliance and exemption form has been approved within 14 days of receiving the submitted request. [Ord. 17-2020 § 4 (Exh B)].

6.21.125 SB 1383 regulatory compliance.

Organic waste generators, franchised waste haulers, and all other entities subject to the requirements of SB 1383 shall fully comply with all applicable SB 1383 regulatory requirements or be subject to the penalties as prescribed in Section 18997.2 of SB 1383 or RCMC 6.21.230 as determined by the public works director and/or his or her designee. [Ord. 17-2020 § 4 (Exh B)].

6.21.130 Reporting.

A. Franchised waste haulers' failure to file the reports required by this chapter or by the franchise agreement shall constitute cause for termination or suspension of its franchise pursuant to Chapter 6.20 RCMC.

B. Unless otherwise required by the franchise agreement, self-haulers shall prepare quarterly reports to be kept on site identifying, at a minimum, the following:

1. The recyclable materials and organic recyclable materials tonnage collected and removed within the city region during the previous quarter.
2. The location of the recycling facility(ies) to which the recyclable materials and organic recyclable materials were taken during the previous quarter.

C. Unless otherwise required by the franchise agreement, franchised waste haulers shall prepare quarterly reports as designated by the public works director and/or his or her designee.

D. Unless otherwise required by the franchise agreement, franchised waste haulers shall prepare monthly reports as required pursuant to RCMC 6.21.080(J) and (K).

E. The public works director, and/or his or her designee, shall provide and establish guidelines, forms and other appropriate materials to assist franchised waste haulers and self-haulers in preparing the reports required by this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.140 Exemptions from recycling standards.

A. Notwithstanding any other provision herein, a covered generator shall not be required to source separate recyclable materials and/or organic recyclable materials if the business or multifamily residential property, owner or generator, demonstrates to the public works director, and/or his or her designee, that there is no collection service or other system available for recycling such material.

B. Notwithstanding any other provision herein, a covered generator shall be exempt from the recycling and/or organics recycling requirements in RCMC 6.21.040 if all of the generators on the owner's business or multifamily residential property are exempt from or not required to comply with the provisions of RCMC 6.21.040, or if designated recyclable materials and/or designated organic recyclable materials are not being generated by any activities occurring on the covered generator's property. [Documentation to that effect will be required as described in C.2 and 3.](#)

C. Covered [commercial and multi-family](#) generators may be exempted by the public works director, and/or his or her designee, if it is determined through a site visit or other means of verification:

1. That the premises lacks adequate space for any of the recycling or organic waste containers. If the public works director and/or his or her designee determines that it is feasible for recycling and/or organic collection containers to be placed on site or shared with an adjoining generator, the covered generator will be responsible for compliance with this chapter; [The commercial or multi-family generator requesting an exemption must provide documentation with the application for an exemption that the premises lacks adequate space for Recycling Containers and/or Organics Containers, which shall include documentation from its licensed contractor, licensed architect, licensed engineer, or other person authorized by the public works director and/or his or her designee.](#)

- ~~2. That compliance with this chapter results in a violation of the city's zoning code, including city zoning regulations for minimum parking spaces;~~

- ~~23.~~ That the covered generator's total solid waste generation is two cubic yards or more per week and organic waste subject to collection in a blue [recycling](#) container or green [organics](#) container comprises less than 20 gallons per week of the covered generator's solid waste; or

- ~~34.~~ That the covered generator's total solid collection service is less than two cubic yards per week and total organic waste generation subject to collection in a blue container or green container is less than 10 gallons per week of the covered generator's total solid waste.

D. Covered generators may be exempted by the public works director, and/or his or her designee, from the regulatory requirements of AB 341, AB 1826 and/or SB 1383, or any other applicable state law; provided, that the business or multifamily residential property covered generator has submitted an alternative compliance and exemption form [with the requested documentation](#) to the city and the city has provided the covered generator with written approval of its exemption request.

E. City-issued exemptions from the regulatory requirements of AB 341, AB 1826 and/or SB 1383, or any other applicable state law, shall be valid for no more than two years unless the city authorizes an extension of that two-year waiver period.

F. The following persons shall automatically be exempt from the requirements of this chapter:

1. The United States, state of California, a city, a county, a special district or other local public agency, or any employee or member of the armed forces thereof, when collecting or transporting designated recyclable materials produced by operation of the public entity under a system of recyclable materials collection and transportation operated and maintained by the public agency within the city region as specified herein and in Chapter 6.20 RCMC.
2. Municipal corporations and other governmental agencies using their own vehicles and employees engaged in the collection, transportation or disposal of designated recyclable materials within the city. [Ord. 17-2020 § 4 (Exh B)].

6.21.150 City rules and regulations.

A. The public works director, and/or his or her designee, is authorized to make and enforce administrative rules and regulations governing recycling and organics recycling at businesses and multifamily residential properties, and all related activities including recycling and commercial solid waste generation, storage, recovery, accumulation, collection, removal, transportation and disposal; the manner in which commercial garbage, recycling and organics recycling services are provided; types of commercial garbage, organics and recycling containers and vehicles used for the operation and maintenance of sanitary methods of commercial garbage, recycling and organics recycling disposal; reporting requirements for franchised waste haulers and self-haulers; and for the effective administration of this chapter. All such rules and regulations shall be consistent with the provisions of the city code and shall be effective on the thirtieth day following the filing of any such rules and regulations with the city clerk.

B. The city council may, and is hereby empowered to, grant to a qualified applicant a nonexclusive franchise to engage in the business of collecting, transporting or disposing of commercial garbage, recyclable materials or organic recyclable materials kept, accumulated or generated in the city region.

C. The city council may grant a franchise based on compliance with this chapter. Any grant of a franchise by the city council may be subject to such terms, conditions, rules, regulations, restrictions, and limitations, as the city council deems necessary to protect the public health, safety, or welfare.

D. The city council hereby empowers and grants to the public works director, and/or his or her designee, the authority to grant commercial nonexclusive collection service agreements (commercial nonexclusive franchisees) to franchised waste haulers, to specify designated recyclable materials and designated organic recyclable materials and make administrative rules and regulations governing covered generators.

E. The city council hereby empowers and grants to the public works director, and/or his or her designee, the authority to administer, implement and enforce this chapter and administrative rules and regulations governing business and multifamily residential property recycling and organics recycling thereafter.

F. It shall be unlawful and constitute a violation of this chapter for any person to violate or otherwise fail to comply with any rule or regulation issued pursuant to this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.160 Rights reserved to city.

In addition to all other rights reserved to the city, the following shall apply:

A. There is hereby reserved to the city every right and power, and the exercise thereof, which is reserved or authorized by any provision of any lawful code, title or resolution of the city, whether enacted before or after the effective date of the ordinance codified in this chapter.

B. Neither the granting of any franchise, nor any provision of any franchise, shall constitute a waiver of or a bar to exercise of any governmental right or power of the city.

C. The grantee receiving any type of franchise agreement shall have no recourse whatsoever against the city, its officers, employees or agents, or any of the city member entities, their officers, employees, or agents for any loss, cost, expense or damage arising out of any provision or requirement of this chapter because of the enforcement of this chapter.

D. There is hereby expressly reserved to the city the power and authority to amend any section of this chapter so as to require additional or greater standards on the part of the franchised waste hauler, commercial hauler or covered generator. [Ord. 17-2020 § 4 (Exh B)].

6.21.170 Administration and costs.

A. The administration of this chapter is the duty of the public works director and/or his or her designee. The public works director, and/or his or her designee, is authorized and directed by the city council to administer this chapter.

B. Commercial franchise fees will fund administration, implementation and enforcement costs. [Ord. 17-2020 § 4 (Exh B)].

6.21.180 Unlawful acts.

A. It shall be unlawful to combine designated recyclable materials and organic recyclable materials with garbage. Failure of covered generators to source separate designated recyclable materials or organic recyclable materials for recycling or organics recycling is a violation of this chapter.

B. It shall be unlawful for franchised waste haulers to commingle materials in garbage bins or carts with materials in recycling bins or carts in one collection vehicle.

C. It shall be the responsibility of the covered generator whose garbage was not removed because it contained designated recyclable materials to properly separate designated recyclable materials from the uncollected solid waste for proper recycling. Allowing such unseparated garbage to accumulate will be considered a violation of this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.190 Implementation and enforcement.

The implementation and enforcement of this chapter is the duty of the public works director, and/or his or her designee, of the city's department of public works. The public works director, and/or his or her designee, is authorized and directed by the city council to implement and enforce this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.200 Posting of notices.

A. The public works director, and/or his or her designee, may post notices on automatic lift containers, bins and roll-off bins that are used for garbage collection and the collection of designated recyclable materials, and the collection of designated organic recyclable materials, within the city if the owner of the automatic lift containers, bins and roll-off bins is in violation of this chapter, including, but not limited to, any regulation, franchise requirement, permit, information request, order, variance, or other requirement that the public works director, and/or his or her designee, is authorized to enforce or implement pursuant to this chapter.

B. A notice shall remain on automatic lift containers, bins and roll-off bins that are used for garbage collection within the city so long as the owner of the automatic lift containers, bins and roll-off bins is in violation of this chapter. The notice shall be posted on the automatic lift container, bin, and/or roll-off bin so as to be clearly visible to the general public and include all of the following information:

1. The date the notice was posted on the container.
2. The address or location of the property, including the identification of any dwelling unit, room number, apartment number, business or multifamily residential property.
3. The name and contact telephone number of the agency posting the notice on the property.
4. The city code section that has been violated.
5. A statement that it is unlawful for any person to engage in the business of collecting, transporting or disposing of commercial garbage kept, accumulated or generated in the city, or to engage in the business of

soliciting accounts or invoicing customers for commercial garbage service in the city unless a franchise has first been granted pursuant to the provisions of this chapter and such a franchise is in full force and effect.

C. A statement that a person violating the posted notice is subject to criminal penalties pursuant to city code and administrative civil penalties in an amount of up to \$1,000 per day for each violation.

D. A statement that a person disturbing or destroying the posted notice is subject to administrative civil penalties in an amount of up to \$1,000, in addition to any other remedies provided by this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.210 Notice of violation.

The public works director, and/or his or her designee, may issue a notice of violation to any person found to be in violation of a provision of this chapter, including, but not limited to, any regulation, franchise requirement, permit, information request, order, variance, or other requirement that the public works director and/or his or her designee, is authorized to enforce or implement pursuant to this chapter. Issuance of a notice of violation may also result in the issuance of a notice of administrative enforcement order pursuant to this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.220 Notice of violation – Content.

A. In addition to any other content, a notice of violation shall contain the following elements:

1. A statement of the public works director, and/or his or her designee, that indicates a violation has occurred.
2. A citation of the provisions of this chapter, including any regulation, franchise requirement, permit, information request, order, variance, or other requirement that has been violated.
3. A date by which any person must be in compliance with this chapter including any regulation, franchise requirement, permit, information request, order, variance, or other requirement, or a date by which an action plan must be submitted by the person to propose a means and timeframe by which to correct violations. The public works director, and/or his or her designee, may extend the compliance date when good cause exists for such an extension.
4. Notification that continued noncompliance may result in additional enforcement action being taken against the business, facility, or any responsible persons.
5. Notification that the city may recover any costs incurred by the city as a result of the violation.
6. Notification that a violation of this chapter may result in an administrative civil penalty or in criminal penalties.
7. Notification that the correction of any alleged violation(s) within the specified deadline date(s) will not necessarily prevent the public works director, and/or his or her designee, from issuing an administrative enforcement order and imposing administrative civil penalties relating to the alleged violation(s).

B. In addition to any other content, a notice of violation may establish required corrective actions, including the following:

1. Terms, conditions, and requirements reasonably related to the provisions of this chapter, including the following:
 - a. Cessation of prohibited actions.
 - b. Correction of prohibited conditions.
 - c. A requirement for submittal of a written action plan for achieving and maintaining compliance with this chapter.
 - d. Reporting requirements to demonstrate ongoing compliance.

2. A requirement that the person receiving same shall submit written certification to the public works director, and/or his or her designee, that the necessary corrective actions have been completed. As appropriate for the type of correction action taken, the notice of violation may require documentation that substantiates the certification, including but not limited to receipts, contracts, or photographs.

3. Any other terms or conditions reasonably calculated to prevent additional violations of this chapter.

C. An administrative enforcement order may be issued separately, but only after issuance of a notice of violation, or in combination with a notice and order, for the same violations or set of related violations. [Ord. 17-2020 § 4 (Exh B)].

6.21.230 Administrative enforcement order.

A. If the public works director, and/or his or her designee, determines that a person, covered generator, or franchised waste hauler has committed or is committing a violation of any provision of this chapter, the public works director, and/or his or her designee, may issue an administrative enforcement order, after issuing a notice of violation or, in combination with a notice of violation, requiring that the violation be corrected and imposing an administrative penalty.

B. Pursuant to this chapter, the violator shall be liable for a penalty of not more than \$1,000 for each day on which each violation occurs and/or continues. [Ord. 17-2020 § 4 (Exh B)].

6.21.240 Administrative enforcement order – Content.

A. In addition to any other content, an administrative enforcement order shall contain the following elements:

1. A statement of the public works director, and/or his or her designee, that indicates a violation has occurred.
2. A citation of the provision of this chapter including any regulation, franchise requirement, permit, information request, order, variance, or other requirement that has been violated.
3. A date by which any person must be in compliance with this chapter, or a date by which an action plan must be submitted by the person to propose a means and timeframe by which to correct violations. The public works director, and/or his or her designee, may extend the compliance date when good cause exists for such an extension.
4. Notification that continued noncompliance may result in additional enforcement action being taken against the business, facility, or any responsible persons.
5. Notification that the city may recover any costs incurred by the city as a result of the violation.
6. Notification as to whether an administrative civil penalty is imposed and the terms and conditions of payment, if any. In establishing the penalty amount, the public works director, and/or his or her designee, shall take into consideration:
 - a. The nature, circumstances, extent, and gravity of the violation.
 - b. The violator's past and present efforts towards compliant behavior.
 - c. The violator's ability to pay the penalty.
 - d. The deterrent effect that the imposition of the penalty would have on both the violator and the regulated community.
7. Notification that the correction of any alleged violation(s) within the specified deadline date(s) will not necessarily prevent the public works director, and/or his or her designee, from issuing an administrative enforcement order and imposing administrative civil penalties relating to the alleged violation(s).
8. Notification that the recipient has a right to a hearing on the matter as set forth in RCMC 6.21.280 to appeal any findings or required corrective actions established by the public works director and/or his or her designee.

9. Notification of procedures for requesting a hearing established according to RCMC 6.21.260.

B. In addition to any other content, an administrative enforcement order may establish required corrective actions, including the following:

1. Terms, conditions, and requirements reasonably related to the provisions of this chapter, including the following:
 - a. Cessation of prohibited actions.
 - b. Correction of prohibited conditions.
 - c. A requirement for submittal of a written action plan for achieving and maintaining compliance with this chapter.
 - d. Reporting requirements to demonstrate ongoing compliance.
2. A requirement that the person receiving same shall submit written certification to the public works director, and/or his or her designee, that the necessary corrective actions have been completed. As appropriate for the type of correction action taken, the notice of violation may require documentation that substantiates the certification, including, but not limited to, receipts, contracts, or photographs.
3. Any other terms or conditions reasonably calculated to prevent additional or ongoing violations of this chapter.

C. A notice of violation or an administrative enforcement order may be issued separately or in combination with another notice or order for the same violations or set of related violations. [Ord. 17-2020 § 4 (Exh B)].

6.21.250 Delivery of notice or order.

Any notice of violation, permit revocation, administrative enforcement order or other enforcement action pursuant to the requirements of this chapter shall be subject to the following requirements:

- A. Delivery shall be deemed complete upon either personal delivery to the recipient or by certified mail.
- B. Where the recipient of the notice or order is the owner of the premises, the address for notice or order shall be the address from the most recently issued equalized assessment roll for the premises.
- C. Where the owner or occupant of any premises cannot be located after reasonable efforts of the public works director, and/or his or her designee, the notice or order shall be deemed delivered after posting on the premises for a period of 10 business days. [Ord. 17-2020 § 4 (Exh B)].

6.21.260 Administrative appeals.

- A. Hearing Request. Any person, owner or operator served with a notice of violation or an administrative enforcement order issued pursuant to this chapter may contest the order on the basis that there was no violation of this chapter or that he or she is not the responsible party. To contest the order, the person shall submit a request for hearing form to the city within 15 days from the date of the administrative enforcement order. Directions on how to obtain the request form will be provided on the order.
- B. Filing Fee. The completed request must be submitted together with a filing fee, established and amended from time to time by the public works director, and/or his or her designee, based on actual expense to conduct the hearing by the hearing officer.
- C. Notice of Hearing. The person, owner or operator requesting the hearing shall be notified of the time and place set for the hearing at least 10 days before the date of the hearing.
- D. Additional Reports. If the public works director, and/or his or her designee, submits an additional written report concerning the administrative enforcement order to the hearing officer for consideration at the hearing, then a copy

of this report also shall be provided to the person requesting the hearing at least five days before the date of the hearing. [Ord. 17-2020 § 4 (Exh B)].

6.21.270 Hearing officer.

Pursuant to RCMC 1.05.200, a hearing officer will be assigned the responsibility of conducting a hearing by the city manager. The city manager shall be authorized to assign hearing responsibilities from time to time to any person or persons, qualified by training or experience, whom the city manager may appoint, employ or who are retained by contract to conduct such hearings. [Ord. 17-2020 § 4 (Exh B)].

6.21.280 Hearing procedure.

A. Setting the Hearing. A hearing before the hearing officer shall be set for a date that is not less than 15 days nor more than 60 days from the date that the request for hearing is filed. The person requesting the hearing shall be notified of the time and place set for the hearing as soon as it is set, and at least 10 days before the hearing. If the public works director, and/or his or her designee, submits a written report concerning the notice or order to the hearing officer for consideration at the hearing, then a copy of the report shall be served on the person requesting the hearing at least five days before the hearing. No hearing shall be held unless the filing fee has been paid in advance under RCMC 6.21.260(B).

B. Failure to Appear. The failure of the person requesting the hearing to appear at the hearing shall constitute a forfeiture of the fine and a failure to exhaust his or her administrative remedies.

C. At the Hearing. The administrative enforcement order and any additional report submitted by the public works director, and/or his or her designee, shall constitute prima facie evidence of the respective facts contained in those documents. At the hearing, the party contesting the citation shall be given the opportunity to testify and to present evidence concerning the citation.

D. Continuances. The hearing officer may continue the hearing and may request additional information from the public works director, and/or his or her designee, or the person receiving the administrative enforcement order before issuing the decision. [Ord. 17-2020 § 4 (Exh B)].

6.21.290 Form and contents of decision – Finality of decision.

A. Following the hearing, the hearing officer shall issue an order in writing no later than 30 days from the date of the hearing, unless the time is waived by the parties. The order shall contain findings of fact and rationale appropriate to the violation and result, and a resolution of the essential issues raised, including the following:

1. Confirmation or denial of the occurrence of violations of this chapter that are alleged by the public works director and/or his or her designee.
2. Confirmation or rejection of any administrative civil penalty sought by the public works director, and/or his or her designee, and establishment of the monetary amount of any administrative civil penalty to be enforced.
3. Confirmation, amendment, or rejection of required corrective actions related to compliance with this chapter that are imposed by the public works director, and/or his or her designee, but only if those requirements are appealed by the person.

B. The hearing officer's order shall uphold required corrective actions if the person fails to show clear and convincing evidence that the required corrective actions are unreasonable or unnecessary for achieving or demonstrating ongoing compliance with this chapter. The hearing officer's order may amend or reject required corrective actions; provided, that compliance with this chapter will be achieved.

C. The hearing officer's order shall inform the person that failure to comply with the hearing officer's order shall constitute a misdemeanor and is subject to additional enforcement action, including criminal penalties and additional civil and administrative penalties.

D. The hearing officer's order shall inform the person that the time and manner by which a person may file a challenge to the hearing officer's order is governed by Section 53069.4 of the California Government Code or any successor provision thereto.

E. The order issued by the hearing officer pursuant to this chapter shall be effective upon issuance. The decision of the hearing officer is final and may not be appealed. [Ord. 17-2020 § 4 (Exh B)].

6.21.300 Procedures for collection of administrative civil penalty.

A. Any administrative penalty due shall be paid to the city within 30 days after the hearing officer's decision is issued. If the penalty is not timely paid, the public works director, and/or his or her designee, may pursue all reasonable and legal means in collecting those sums authorized and due.

B. All administrative civil penalties collected from actions brought pursuant to this chapter shall be paid to the public works director, and/or his or her designee, enforcing this chapter, and shall be deposited into a special account that shall be expended to fund the activities of the department to implement the applicable provisions of this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.310 Actions not prohibited.

This chapter does not do any of the following:

A. Otherwise affect the authority of the public works director, and/or his or her designee, to take any other action authorized by any other provision of law.

B. Restrict the power of a city attorney, district attorney, or the Attorney General to bring, in the name of the people of California, any criminal proceeding otherwise authorized by law.

C. Prevent the public works director, and/or his or her designee, from cooperating with, or participating in, proceedings specified in subsection (B) of this section. [Ord. 17-2020 § 4 (Exh B)].

6.21.320 Penalties.

In addition to the administrative penalties imposed by RCMC 6.21.230, the city may seek all other legal remedies available under state law and under this code, including, but not limited to, criminal sanctions. [Ord. 17-2020 § 4 (Exh B)].

Title 10**VEHICLES AND TRAFFIC****Chapters:**

- 10.04 Interpretation**
- 10.08 Definitions**
- 10.12 Enforcement**
- 10.16 Signs and Signals**
- 10.20 Pedestrians and Crosswalks**
- 10.24 Parking Regulations**
- 10.25 Preferential Residential Permit Parking Program**
- 10.30 Human Habitation of Vehicles**
- 10.32 Miscellaneous Driving Rules**
- 10.36 Emergency Vehicles**
- 10.40 Truck Routes**
- 10.41 Interstate Truck Terminals and Access Routes**
- 10.44 One-Way Streets**
- 10.48 Speed Zones**
- 10.50 Reduced Speed Limits on Specific Streets**
- 10.58 Off-Road Vehicles**
- 10.62 Transit and School District Loading Zones**
- 10.64 Trip Reduction Programs**
- 10.66 Regulation of Cruising**
- 10.70 Street Racing**

Code reviser's note: The various statutory provisions relating to vehicles and traffic appear in the Vehicle Code.

Chapter 10.04

INTERPRETATION

Sections:

- 10.04.010 Short title.
- 10.04.020 Conviction of violation.
- 10.04.030 Scope.
- 10.04.040 Deputies.
- 10.04.050 Powers of the council.
- 10.04.060 Effect of resolution.
- 10.04.080 Penalty.
- 10.04.090 Minimum penalty.
- 10.04.100 Civil penalties, fines, fees, and charges for parking and related violations.
- 10.04.110 Civil penalty provisions.

10.04.010 Short title.

This title shall be known as, and may be cited as, the traffic ordinance. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 1, 1960].

10.04.020 Conviction of violation.

Any conviction for a misdemeanor under any ordinance repealed by the ordinance codified in this title, which misdemeanor is continued as a public offense by this title, constitutes a conviction under this title for any purpose for which it constituted a conviction under the act repealed. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 3, 1960].

10.04.030 Scope.

Any provision of this title which regulates traffic or delegates the regulation of traffic upon state highways in any way for which the approval of the State Department of Public Works is required by state law shall cease to be operative six months after receipt by the city council of written notice of withdrawal of approval of the State Department of Public Works.

Whenever this title delegates authority to a city officer or authorized action by the city council to regulate traffic upon a state highway in any way which by state law requires the prior approval of the State Department of Public Works, no such officer shall exercise such authority nor shall such action by the city council be effective with respect to any state highway without the prior approval in writing of the State Department of Public Works when and to the extent required by the Vehicle Code. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 725 § 4, 1961; SCC 703 § 4, 1960].

10.04.040 Deputies.

Whenever, by the provisions of this title, a power is granted to a public officer or a duty imposed upon such officer, the power may be exercised or duty performed by a deputy of the officer or by a person authorized pursuant to law by the officer, unless it is expressly otherwise provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 5, 1960].

10.04.050 Powers of the council.

The city council may exercise by resolution any rights, powers or authority granted to it by the provisions of the Vehicle Code where such provisions authorize the council to act by resolution. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 11, 1960].

10.04.060 Effect of resolution.

Any and all resolutions passed and adopted by the council or any administrative order given pursuant to the provisions of this title or pursuant to the provisions of the Vehicle Code affecting any matter covered in this title shall be deemed to be a part of this title and any violations of the provisions of such resolution or order shall be deemed to be a violation of this title to the same extent as if such resolution or order were fully set out herein. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 12, 1960].

10.04.080 Penalty.

Except as provided in RCMC 10.04.100 and 10.04.110, any person violating or failing to comply with any of the provisions of this title shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable for the first offense by a fine of not to exceed \$50.00, or by imprisonment in the county jail for a period not exceeding five days; for a second violation within a period of one year by a fine of not to exceed \$100.00, or by imprisonment in the county jail for a period not exceeding 10 days, or by both such fine and imprisonment; for a third and each additional offense committed within one year by a fine of not exceeding \$500.00, or by imprisonment in the county jail for a period of not to exceed six months, or by both such fine and imprisonment. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0919 § 1, 1993; SCC703 § 14, 1960].

10.04.090 Minimum penalty.

Except as provided in RCMC 10.04.100 and 10.04.110, in any case where a jail sentence is not imposed or where the jail sentence is less than two days, or if the jail sentence is suspended in whole or in part, a fine shall be imposed for a violation of this title in not less than the following amounts:

A. In any case, \$1.00;

B. When it is necessary to issue a notice to the violator, \$2.00;

C. If it is necessary to issue a warrant to bring the violator into court, \$10.00. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0919 § 2, 1993; SCC 703 § 15, 1960].

10.04.100 Civil penalties, fines, fees, and charges for parking and related violations.

A. Purpose. It is the intention of the city council of Rancho Cordova to provide a procedure pursuant to the authority granted the city council in Sections 40200 and 40203.5 of the California Vehicle Code for the establishment of a schedule of parking penalties for parking and related violations, late payment penalties, administrative fees, and other related charges for parking and related violations under the State of California Vehicle Code, the Rancho Cordova Municipal Code, or under any federal statute or regulation.

B. Procedure for Establishment. Subject to any limitations imposed by state law, the city council shall by resolution establish penalties, fines, fees, and related charges for parking and related violations, late payment violations, administrative fees and any other charges related to the administration of the provisions of Section 40200 et seq. of the California Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0919 § 3, 1993].

10.04.110 Civil penalty provisions.

Any person violating or failing to comply with the provisions of RCMC 10.16.050(B), 10.24.010(A), 10.24.010(B), 10.24.010(C), 10.24.010(D), 10.24.010(E), 10.24.030(B), 10.24.040, 10.24.050, 10.24.060, 10.24.070(A), 10.24.070(B), 10.24.070(C), 10.24.070(D), 10.24.070(G), 10.24.070(H), 10.24.080, 10.24.090(D), 10.24.100, 10.24.110, 10.24.120, 10.24.130, 10.24.140, 10.24.160, 10.24.170(B), 10.24.175, 10.24.180, 10.32.050 or 10.32.060 shall be subject to civil penalties, fees, or charges, and procedures as set forth in the resolution adopted by the city council pursuant to RCMC 10.04.100. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0919 § 4, 1993].

Chapter 10.08

DEFINITIONS

Sections:

- 10.08.010 Words defined in chapter.
- 10.08.020 Words defined in Vehicle Code.
- 10.08.030 Alley.
- 10.08.050 Bus loading zone.
- 10.08.055 City council.
- 10.08.060 Commercial vehicle loading zone.
- 10.08.070 Director.
- 10.08.080 Holidays.
- 10.08.090 Official time standards.
- 10.08.100 Park.
- 10.08.110 Parkway.
- 10.08.120 Passenger loading zone.
- 10.08.130 Taxi stands.
- 10.08.140 Vehicle Code.

10.08.010 Words defined in chapter.

Whenever in this title the words or phrases hereinafter defined are used, they shall have the meanings respectively ascribed to them in this chapter unless the context indicates to the contrary. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 16, 1960].

10.08.020 Words defined in Vehicle Code.

Whenever any words or phrases used in this title are not defined herein, but are now defined in the Vehicle Code, such definitions as now existing are incorporated herein and shall be deemed to apply to such words and phrases as used in this title as though set forth here in full. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 17, 1960].

10.08.030 Alley.

"Alley" means any highway as herein defined, unnamed, and having a width of 20 feet or less. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 18, 1960].

10.08.050 Bus loading zone.

"Bus loading zone" means the space adjacent to the curb or edge of a roadway reserved for the exclusive use of buses during the loading or unloading of passengers. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 20, 1960].

10.08.055 City council.

"City Council" means the City Council of the City of Rancho Cordova. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 19, 1960. Formerly 10.08.040].

10.08.060 Commercial vehicle loading zone.

"Commercial vehicle loading zone" means that space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers and materials marked and designated as hereinafter provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 21, 1960].

10.08.070 Director.

"Director" means the City of Rancho Cordova Public Works Director or his or her authorized representative. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 962 § 1, 1967; SCC 703 § 22, 1960].

10.08.080 Highway.

"Highway" is a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. Highway includes street.

10.08.0980 Holidays.

For the purposes of this title, holidays shall be those days designated as legal holidays by the Government Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 23, 1960].

10.08.10090 Official time standards.

Whenever certain hours are named herein they shall be standard time or daylight saving time as may be in current use in the Ceity. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 24, 1960].

10.08.1190 Park.

“Park” means to stop or allow to stand any vehicle, whether occupied or not, otherwise than in obedience to official traffic control devices or by direction of a police officer. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 25, 1960].

10.08.1240 Parkway.

“Parkway” means those portions of a Highway other than a roadway or a sidewalk, whether improved or unimproved, primarily intended to serve as the dividing strip between opposing traffic lanes, or between sidewalks and curbs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 26, 1960].

10.08.1320 Passenger loading zone.

“Passenger loading zone” means that space adjacent to a curb reserved for the exclusive use of vehicles during loading and unloading of passengers marked and designated as hereinafter provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 27, 1960].

10.08.1430 Taxi stands.

“Taxi stands” means that space adjacent to a curb reserved for the exclusive use of taxicab vehicles licensed to operate by transporting people for hire. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 28, 1960].

10.08.1540 Vehicle Code.

“Vehicle Code” means the California Vehicle Code ~~of the state~~. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 29, 1960].

Chapter 10.12

ENFORCEMENT

Sections:

- 10.12.010 Persons riding bicycles or animals.
- 10.12.020 Persons directing traffic restricted.
- 10.12.030 Authority of flagmen to direct traffic.
- 10.12.040 Exemptions.
- 10.12.050 Signs required.
- 10.12.060 Obedience to official traffic control devices.

10.12.010 Persons riding bicycles or animals.

A. Every person riding a bicycle or riding or driving an animal upon a highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this title, except those provisions which by their very nature can have no application.

B. Notwithstanding the provisions of subsection (A) of this section, any person may ride a bicycle on a sidewalk which is designated by the director as a part of the city bike route system and which is identified for such use by appropriate signs giving notice thereof. A bicyclist using a sidewalk as authorized by this subsection shall yield the right-of-way to any pedestrian using the sidewalk. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 139 § 1, 1973; SCC 703 § 31, 1960].

10.12.020 Persons directing traffic restricted.

No persons other than traffic officers or persons authorized by law shall direct traffic by voice, hand or other signal, except that a person may operate, when and/or as herein provided, a pushbutton signal erected by the provisions of this title. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 31, 1960].

10.12.030 Authority of flagmen to direct traffic.

A person designated as a flagman by a contractor working on the city streets under a permit issued by the Ceity or a Ceity employee designated as a flagman by the director or his representative, during construction or repair of, or in, streets, may direct traffic by use of hand signals or warning flags if the operation of special highway construction equipment, trucks, concrete mixers, mobile cranes or other construction equipment might interfere with the safe movement of traffic. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 32, 1960].

10.12.040 Exemptions.

The provisions of this title regulating the parking and standing of vehicles shall not apply to any vehicle of the police or fire departments, any public or private ambulance or any public utility vehicle which is qualified as an authorized emergency vehicle, when such vehicle mentioned in this section operates in the manner specified in the Vehicle Code in response to emergency calls. The provisions of this title regulating parking or standing vehicles shall not apply to any vehicle belonging to the government or a public utility or its agent while necessarily in use on construction or repair work on or in the public right-of-way. The foregoing exemption shall not, however, protect the driver of any such vehicle from the consequences of his willful disregard of safety of others. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 33, 1960].

10.12.050 Signs required.

The provisions of this title where signs giving notice of the provision are required shall not be effective until such signs are actually placed by the Director. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 34, 1960].

10.12.060 Obedience to official traffic control devices.

Every person driving a vehicle and every pedestrian shall comply with and obey any indication as set forth in the Vehicle Code presented by any official traffic control device upon any Highway placed under the authority of this title. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 35, 1960].

Chapter 10.16

SIGNS AND SIGNALS

Sections:

- 10.16.010 Authority to install.
- 10.16.020 Traffic signals.
- 10.16.030 Roadway markings.
- 10.16.040 Hours of operation.
- 10.16.050 Parking space markings.
- 10.16.060 Turning markers.
- 10.16.070 Restrictive turn signs.
- 10.16.080 Stop at through street or stop signs.
- 10.16.090 Yield signs.
- 10.16.100 Stop or yield signs removed.
- 10.16.110 Closing streets to vehicular traffic.
- 10.16.120 Temporary suspension of markings.
- 10.16.130 Temporary suspension of weight limits.
- 10.16.140 Obedience to traffic signs.
- 10.16.150 Removal of traffic controls.
- 10.16.160 Removal of unauthorized signs, signals and lights.
- 10.16.170 Regulation of speed by traffic signals.
- 10.16.180 Bicycles on sidewalks.

10.16.010 Authority to install.

The Director is authorized to place and maintain, or cause to be placed and maintained, official traffic control devices when they are required or authorized by state law or ordinances or resolutions of this City. No provisions of the Vehicle Code or this chapter for which signs or markings are required shall be enforced against an alleged violator unless appropriate signs or markings are in place giving notice of such provisions. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 36, 1960].

10.16.020 Traffic signals.

The Director is authorized to install and maintain official traffic signals at those intersections and at other places where conditions are such as to require that the flow of traffic be alternatively interrupted and released in order to prevent or relieve traffic congestion, or to protect life or property from exceptional hazard in accordance with engineering studies. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 37, 1960].

10.16.030 Roadway markings.

A. The Director is authorized to place and maintain distinctive roadway markings as described in the Vehicle Code on those Highways, or parts of Highways, where the volume of traffic or the vertical or other curvature of such the roadway renders it hazardous to drive on the left side of such markings or signs and markings.

B. The Director is authorized to mark centerlines and lane lines upon the surface of the roadway to indicate the course to be traveled by vehicles, and may place signs temporarily indicating lanes to be used by traffic moving in a particular direction, regardless of the centerline of the highway. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 38, 1960].

10.16.040 Hours of operation.

The Director is authorized to determine the hours in which any traffic control device shall be in operation or be in effect except in cases where such hours or days are specified by ordinance or resolution. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 39, 1960].

10.16.050 Parking space markings.

A. The Director is authorized to install and maintain parking space markings to indicate parking space adjacent to the curb where authorized parking is permitted.

B. When such parking space markings are placed in the Highway, subject to other and more restrictive limitations, no vehicle shall be stopped or left standing other than within a single space unless the size or shape of such vehicle makes compliance impossible. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 40, 1960].

10.16.060 Turning markers.

A. The Director is authorized to allocate and indicate more than one lane of traffic from which the driver of vehicles may make right- and/or left-hand turns, and the course to be traveled as so indicated may conform to or be other than as prescribed by statute or ordinance. The director shall place markers, buttons or signs within or adjacent to intersections, indicating the course to be traveled by vehicles turning at such intersections.

B. When authorized markers, buttons or other indications are so placed within or adjacent to an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 41, 1960].

10.16.070 Restrictive turn signs.

A. The Director is authorized to determine those intersections at which drivers of vehicles shall not make right, left or U turns and those intersections controlled by official traffic control signals where drivers of vehicles may make U turns. The making of such turns may be prohibited between certain hours of any day and permitted at other hours.

The Director shall place proper signs at such intersections to indicate the restrictions in force. The signs shall plainly indicate the restrictions in force and the hours in which they are in force, or the signs may be removed when such turns are permitted.

B. The Director is authorized to determine those intersections at which drivers of vehicles shall not make a right or left turn against a stop or red signal, and shall erect proper signs giving notice of the prohibition.

C. The Director is authorized to establish special traffic islands or roadways at intersections where the driver of a vehicle is required to make a left or right turn. The Director shall place markers, buttons or signs within or adjacent to the roadway indicating the course to be traveled by vehicles turning at the intersection.

D. Whenever authorized signs are erected indicating that right, left or U turns are prohibited or are prohibited during certain hours, no driver of a vehicle shall disobey such signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 42, 1960].

10.16.080 Stop at through street or stop signs.

A. The Director is authorized to designate certain Highways to be through streets and certain intersections to be stop intersections and any railway grade crossing to be a stop intersection.

B. The Director shall erect and maintain stop signs as provided in the Vehicle Code, whenever he designates and describes any street or portion thereof as a through Highway, or any intersection at which vehicles are required to stop, at one or more entrances thereto, or any railroad grade crossing at which vehicles are required to stop. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 43, 1960].

10.16.090 Yield signs.

A. The director is authorized to designate any intersection to be controlled by yield right-of-way signs.

B. The Director shall erect and maintain yield right-of-way signs as described in the Vehicle Code at such intersections he designates to be controlled by yield right-of-way signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 44, 1960].

10.16.100 Stop or yield signs removed.

The Director is authorized to remove stop signs and yield signs on any Highway where the volume of traffic or other engineering study shows that the conditions which require such control no longer exist or where the signs are in conflict with this title notwithstanding any previous resolutions authorizing the signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 45, 1960].

10.16.110 Closing streets to vehicular traffic.

A. Whenever the Director finds that any portion of any Highway is no longer needed for vehicular traffic, either permanently or at certain times during the day, or as an emergency measure, he shall place or cause to be placed appropriate signs or barricades, or both, specifying that such portion of the Highway is closed to vehicular traffic at such times, or permanently, as the case may be, pursuant to the provisions of Paragraph (b) of Section 21101 of the Vehicle Code. All signs giving notice of such closing shall conform to provisions of the Vehicle Code.

B. A person shall not operate any vehicle on any portion of the Highway closed to traffic pursuant to this section.

C. The Director is hereby authorized to prohibit or restrict the use of any Highway or portion of any Highway by bicycles or other nonmotorized traffic or by any person operating a motor-driven cycle or motorcycle when that Highway or that portion of Highway has been designated as a riding or hiking trail by the City Council or the Director. The Director shall erect appropriate signs giving notice thereof upon the Highway or riding and hiking trail and approaches thereto. The Director shall determine the location of appropriate signs. It is unlawful for any persons to violate any prohibition or restriction which is established as provided in this subsection. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 931 § 1, 1966; SCC 703 § 46, 1960].

10.16.120 Temporary suspension of markings.

Whenever because of the construction, alteration, repair, or improvement of any Highway or temporary detours or because of other emergency compliance with any provision of this title, including a provision pursuant to any action of the City Council pursuant to this title, a traffic hazard will be created and the Director so finds, he shall either remove or cover up any sign or other traffic marking which informs persons of such provision. While such sign or other marking is removed or covered the effect of such provision is suspended. At the end of such emergency, unless otherwise determined by the City Council, the Director shall replace or uncover such sign or other markings. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 725 § 1, 1961; SCC 703 § 47, 1960].

10.16.130 Temporary suspension of weight limits.

If a weight limit is suspended pursuant to RCMC 10.16.120 and a different weight limit is necessary, the Director shall erect and maintain appropriate signs during the emergency appropriate signs. At the end of the emergency the Director shall remove such temporary signs and uncover and restore the original signs unless the City Council otherwise determines. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 48, 1960].

10.16.140 Obedience to traffic signs.

Every operator and every pedestrian shall comply with and obey every instruction appearing on any traffic sign or other marking, which sign or marking has been erected or placed by authority of the City Council or Director of this title. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 49, 1960].

10.16.150 Removal of traffic controls.

The Director is authorized to remove, relocate or discontinue the operation of any traffic control device or curb marking not specifically authorized by state law or ordinance, whenever engineering studies show that the conditions which warrant or require such control no longer exist or where such device is in conflict with the provisions of this title. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 50, 1960].

10.16.160 Removal of unauthorized signs, signals and lights.

The Director shall remove every unofficial sign, signal or device which purports to be or is an imitation of or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic, or which hides from view any official traffic sign or signal, or which in any other respect violates the provisions of Sections 21465 and 21466 of the Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 51, 1960].

10.16.170 Regulation of speed by traffic signals.

The Director is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner, at speeds or at variance from the speeds otherwise applicable within the distriet-City or at intersections, and may erect appropriate signs giving notice thereof. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 52, 1960].

10.16.180 Bicycles on sidewalks.

The director is authorized to designate sidewalks which may be used by bicyclists as a part of the city bike route system and shall identify such sidewalks with appropriate signs giving notice thereof. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 139 § 2, 1973].

Chapter 10.20

PEDESTRIANS AND CROSSWALKS

Sections:

- 10.20.010 Crosswalks established.
- 10.20.020 Safety zones.
- 10.20.030 Pedestrians prohibited when.
- 10.20.040 Crossing at right angles.
- 10.20.050 Standing in roadway.

10.20.010 Crosswalks established.

A. The Director is authorized to determine the location of midblock crosswalks, maintain such crosswalks and designate them by appropriate devices or painted marks or signs upon the surface of the roadway.

B. The Director may maintain such other crosswalks and designate them by appropriate devices, painted marks or signs upon the surface of the roadway. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 53, 1960].

10.20.020 Safety zones.

The Director is authorized to install and maintain safety zones at all locations where there is particular danger to pedestrians and may locate and designate the same upon the surface of the roadway by appropriate devices, signs, or marks. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 54, 1960].

10.20.030 Pedestrians prohibited when.

A. The Director may determine when any crosswalk shall not be used by pedestrians and upon making such determination shall cause to be placed and maintained appropriate official traffic control devices. No person shall thereafter walk in any such crosswalk unless indicated otherwise.

B. The Director may determine when any part of a roadway between intersections shall not be crossed by pedestrians and upon making such determination shall cause to be placed and maintained appropriate official traffic control devices. No person shall thereafter cross any part of such roadway, unless indicated otherwise.

C. No person shall stand on any sidewalk in such a manner as to hinder or impede the movement of other pedestrian traffic. No person shall remain on any bridge or overcrossing or approach thereto which is reserved exclusively for pedestrians for a period longer than necessary to walk across the bridge or overcrossing. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 854 § 1, 1964; SCC 725 § 5, 1961; SCC 703 § 55, 1960].

10.20.040 Crossing at right angles.

No pedestrian shall cross a roadway at any place other than by a route at a right angle to the curb or by the shortest route to the opposite curb except in a marked crosswalk. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 56, 1960].

10.20.050 Standing in roadway.

No person shall stand in any roadway other than a safety zone or in a crosswalk if such action interferes with the lawful movement of traffic. This section shall not apply to any public officer, construction worker or employee of a public utility or its agent when necessarily upon a street in line of duty. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 57, 1960].

Chapter 10.24

PARKING REGULATIONS

Sections:

- 10.24.010 Signs and curb markings.
- 10.24.020 Application of regulations.
- 10.24.030 No parking zones.
- 10.24.040 Parking on narrow streets and at special places.
- 10.24.050 Emergency parking signs.
- 10.24.060 Alleys – Parkways.
- 10.24.070 Parking prohibited when.
- 10.24.075 Prohibition of parking commercial and recreational vehicles on public roadways.
- 10.24.080 One-way streets.
- 10.24.090 Loading zones.
- 10.24.100 Limited-time parking.
- 10.24.110 Continuing violations – Additional offenses.
- 10.24.120 Curb parking – Right-of-way.
- 10.24.130 Parking in intersections.
- 10.24.140 Angle parking.
- 10.24.150 Removal of illegally parked vehicles.
- 10.24.160 Removal of ignition key when parking.
- 10.24.170 Parking on city property.
- 10.24.175 Parking in city parking areas.
- 10.24.180 Parking on private property.

10.24.010 Signs and curb markings.

The ~~D~~director is authorized, subject to the provisions and limitations of this title, to place and maintain and, when required herein, shall place the following curb markings or signs to indicate parking, standing or stopping regulations, and the curb markings or signs shall have the meanings as herein set forth.

A. Red curb marking means no stopping, standing or parking at any time of any day except as permitted by the Vehicle Code;

B. Yellow curb marking means no stopping, standing or parking between 7:00 a.m. and 6:00 p.m. of any day except holidays and Sundays for any purpose other than the loading or unloading of passengers or materials; provided, that the loading or unloading of passengers shall not consume more than one minute, nor the unloading of materials more than 20 minutes, and such loading or unloading shall be actively carried on during all of that time;

C. White curb marking means no stopping, standing or parking at any time of any day for any purpose other than loading or unloading of passengers and baggage, and shall not exceed five minutes;

D. Green curb marking means no stopping, standing or parking for a period of time longer than 12 or 24 minutes, as designated by signs, at any time between 7:00 a.m. and 6:00 p.m. of any day except holidays and Sundays;

E. Blue curb marking means parking limited exclusively to public agency-owned vehicles specifically used for transportation of physically handicapped persons and for vehicles of physically handicapped persons, which vehicle bears an appropriate identification identifying the vehicle as that of a physically handicapped person. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 400 § 1, 1979; SCC 970 § 1, 1968; SCC 703 § 58, 1960].

10.24.020 Application of regulations.

The provisions of this title imposing regulations on stopping or parking shall not relieve any person from the compliance with other or more restrictive provisions of the Vehicle Code or ~~the any City ordinances of this city~~ regulating the standing or parking of vehicles at specified places or at specified times. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 59, 1960].

10.24.030 No parking zones.

A. The Director is authorized to prohibit stopping, standing or parking on any Highway or may prohibit stopping, standing or parking during certain hours of the day on any Highway.

B. When signs authorized by the provisions of this section are in place, giving notice of the provisions thereof, no person shall stop, stand or park any vehicle contrary to the directions and provisions of such signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 60, 1960].

10.24.040 Parking on narrow streets and at special places.

A. The Director is authorized to place signs and marking indicating no parking upon any two-way roadway, when the width of the roadway does not exceed 30 feet.

B. The Director is authorized to sign or mark the following places and, when so signed or marked, no person shall stop, stand or park a vehicle in any of the following places:

1. At any place within 20 feet of a point on the curb immediately opposite a midblock end of a safety zone;
2. At any place within 20 feet of any crosswalk;
3. Within 20 feet of the approach to any traffic signal, boulevard stop sign, or official electric flashing device;
4. At any place where traffic and engineering studies have been made and the director determines that it is necessary in order to eliminate dangerous traffic hazards or to provide for the orderly movement of traffic.

C. When signs authorized by provisions of this section are in place, giving notice of the provisions thereof, no person shall stop, stand or park any vehicle contrary to the directions and provisions of such signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 61, 1960].

10.24.050 Emergency parking signs.

A. Whenever the Director shall determine that, in a special situation, traffic congestion is likely to result on any Highway or alley from holding public or private assemblages, gatherings or functions, street construction, maintenance or repair work, or for any other reason, he is authorized to order temporary signs to be erected or posted indicating that the operation, parking or standing of vehicles is prohibited on such streets and alleys. The signs shall remain in place only during the existence of the special situation, and the Director shall cause the signs to be moved promptly thereafter.

B. When signs authorized by provisions of this section are in place, giving notice of the provisions thereof, no person shall stop, stand or park any vehicle contrary to the directions and provisions of such signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 62, 1960].

10.24.060 Alleys – Parkways.

A. No person shall park any vehicle in any alley in the Ceity except while actively engaged in loading or unloading passengers, freight or merchandise.

B. No person shall stop, stand or park a vehicle within any parkway. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 63, 1960].

10.24.070 Parking prohibited when.

A. No person shall park a vehicle upon any roadway for the principal purpose of displaying such vehicle for sale.

B. No person who owns or has custody or control of any vehicle shall park or store such vehicle upon any Highway or alley for more than a consecutive period of 72 hours, or move and repark such vehicle on any Highway within 300 feet of the original parking site, unless such vehicle is maintained in an operable condition and driven within the 72 consecutive hours mentioned above.

C. In the event the Highway includes two or more separate roadways and traffic is restricted to one direction upon each roadway, no person shall stop, stand or park a vehicle upon the left-hand side of such one-way roadways.

D. It is unlawful for any person to have, erect, place, stand or park, wholly or partly within the right-of-way of any Ceity road or Highway, any vehicle, motor vehicle, trailer, semitrailer, wagon, pushcart, stand, structure, or building for the purpose of selling the same or of selling, vending, displaying for sale, or offering for sale, therefrom or therein, any goods, wares, or merchandise, fruit, vegetables, produce, or any other article or thing of value.

E. Any such vehicle, motor vehicle, trailer, semitrailer, wagon, pushcart, stand, structure, or building so had, erected, placed, stood or parked for any such purpose or purposes is hereby declared to be a public nuisance and the removal thereof forthwith from within the right-of-way of any such road or highway by the Director, his engineers or employees is hereby authorized.

F. This title does not prohibit a seller from taking orders or delivering any commodity from any vehicle from that Ceity road or Highway immediately adjacent to the premises of the purchaser.

G. It is unlawful for any person to park, stop or abandon any vehicle within 1,000 feet of any authorized emergency vehicle when such authorized emergency vehicle is actively engaged at the scene of any bombing, act of sabotage, accident, explosion, flood, riot, earthquake, fire or any emergency.

H. No person shall park any motor truck (excepting therefrom any truck commonly known as and referred to as a "pickup truck"), trailer other than a camping trailer or boat trailer, semitrailer, truck tractor or commercial vehicle for more than one hour on any Highway in a residential district or move and repark such vehicle on any Highway in a residential district within 300 feet of the original parking site within any 24-hour period except while loading or unloading property or in connection with and in the aid of the performance of a service to or on a property adjacent to the block in which such vehicle is parked and only for such time in addition to one hour that is reasonably necessary to complete such loading, unloading or service.

I. No person shall park any motor home, trailer coach, travel trailer, truck camper, camping trailer or boat trailer for more than 72 hours on any Highway in a residential district or move and repark such vehicle on any Highway in a residential district within 300 feet of the original parking site within any 72-hour period. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1118 § 1, 1998; SCC 1045 § 1, 1996; SCC 383 § 1, 1979; SCC 838 § 1, 1964; SCC 825 § 2, 1963; SCC 746 § 1, 1961; SCC 703 § 64, 1960].

10.24.075 Prohibition of parking commercial and recreational vehicles on public roadways.

A. No person who owns or has custody or control of any commercial or recreational vehicle shall park or store such vehicle on any public street, Highway or right-of-way within the city limits of the Ceity of Rancho Cordova that is not within a designated heavy industrial zone (M-2 classification), or other areas specifically posted to permit parking or unless otherwise authorized by RCMC 10.24.070(H) or (I).

B. "Commercial or recreational vehicle" includes, but is not limited to, all motorized and nonmotorized tractors, trailers, semi-trailers, vans, trucks, open bed or flat bed pickups, mobile equipment, machinery, motor homes, campers, or other vehicles which meet one or more of the following criteria:

1. Vehicle or load height exceeds seven feet; or
2. Vehicle or load width exceeds seven and one-half feet, as measured from the widest portion of the vehicle or load, but not including mirrors; or
3. Vehicle or load length exceeds 20 feet (in combination with any attached trailers); or
4. Manufacturer's gross vehicle weight rating exceeds 10,000 pounds; or
5. Any nonmotorized vehicle regardless of its height, width, length or weight when it has been detached from a motor vehicle that is capable of towing such vehicle.

C. This section shall not prohibit the parking of commercial and recreational vehicles if they are at the time engaged in any of the following activities:

1. Loading or unloading of persons and/or property; or

2. Parked in connection with or in the aid of the immediate performance of a service to or on a property in the immediate proximity in which such vehicle is parked; or
3. Parked or left standing to allow the operator respite in the immediate proximity in which such vehicle is parked for a period of not to exceed 30 minutes; or
4. Parked or left standing as a result of a mechanical breakdown so as to allow for the performance of emergency repairs on the vehicle, or while waiting for a tow operator for a period not to exceed two hours; or
5. Parked or left standing as allowed by a permit issued by the city pursuant to established procedures; or
6. Emergency vehicles of any political subdivision of the state of California or of a public utility, while the driver of any such vehicle is engaged in the necessary performance of public emergency duties; or
7. Parking of motor homes, trailer coaches, recreational trailers, truck campers, camping trailers, or boat trailers designed for personal use for less than 72 hours in a residential district.

D. The traffic engineer shall place appropriate signs on all streets, roads or highways, as the traffic engineer may determine will best serve to give notice of this section, indicating the affected residential and commercial streets, roads or highways where commercial vehicle parking is prohibited.

E. Any person violating any of the provisions of this section is guilty of an infraction and upon conviction thereof shall be punished by:

1. A fine not exceeding \$100.00 for a first violation;
2. A fine not exceeding \$200.00 for a second violation within one year;
3. A fine not exceeding \$500.00 for each additional violation within one year. [Ord. 12-2006 § 1].

10.24.080 One-way streets.*

Subject to other and more restrictive limitations, a vehicle may be stopped or parked parallel to and within 18 inches of the left-hand curb, facing in the direction of the traffic movement upon any one-way street, unless signs are in place prohibiting such stopping or standing. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 65, 1960].

* Code reviser's note: See also Chapter 10.44 RCMC.

10.24.090 Loading zones.

A. The Director is authorized to establish bus zones, opposite red curb space, for the loading and unloading of buses, common carriers of passengers and to determine the location and length thereof.

B. The Director is authorized to establish loading zones.

C. The Director is authorized to establish taxi stands.

D. No person shall park and leave standing any vehicle, whether attended or unattended, in any loading zone for a period of time longer than is permitted for such loading zone except as otherwise provided in this title or in a taxi stand except the operator of the taxi. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 66, 1960].

10.24.100 Limited-time parking.

A. The Director is authorized to restrict or prohibit parking in excess of 12 minutes, 24 minutes, one hour or two hours, between 7:00 a.m. and 6:00 p.m. of any day on any Highway.

B. When signs have been posted to give notice of such restriction or prohibition, no person shall park any vehicle and leave the same parked, whether attended or unattended, for a period of time longer than set out on the signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 725 § 2, 1961; SCC 703 § 67, 1960].

10.24.110 Continuing violations – Additional offenses.

Every person violating the provisions of RCMC 10.24.090 is guilty of a separate and further violation for each period of time that the vehicle is left so parked, equal to the maximum legal parking time for the particular time zone or parking space as designated in RCMC 10.24.090 or by ordinance adopted setting the maximum legal time. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 68, 1960].

10.24.120 Curb parking – Right-of-way.

For the purpose of this section, a curb parking space shall be an area open for lawful parking alongside or adjacent to a curb, which area is not of sufficient length to permit two or more vehicles to freely move for parking therein at the same time. Any person seeking to park his vehicle in a curb space, whose vehicle arrives at the parking space prior to any vehicle other than his, and who proceeds beyond the space a distance not to exceed 10 feet, measured at the rear bumper, for the purpose of backing his vehicle therein, shall have the right-of-way over any person driving, or attempting to drive, any other vehicle directly into such curb parking space, or who, in any manner, obstructs such curb parking space; and the driver of such other vehicle shall yield the right-of-way to the driver first arrived at the parking space. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 69, 1960].

10.24.130 Parking in intersections.

A person may park a vehicle adjacent to the curb within an intersection if the ~~D~~irector marks the roadway with appropriate signs, markers or buttons as described in RCMC 10.16.050. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 70, 1960].

10.24.140 Angle parking.

At no time shall any person park a vehicle on a ~~H~~ighway at an angle to the roadway except to comply with the directions of a traffic officer. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 71, 1960].

10.24.150 Removal of illegally parked vehicles.

If any person parks a vehicle contrary to the provisions of RCMC 10.24.030 through 10.24.070, 10.24.100 or 10.24.120, the vehicle is determined to be an obstruction to the normal flow of traffic as defined in Section 22651(b) of the Vehicle Code and may be removed from the ~~H~~ighway as provided in Chapter 10 of the Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 37 § 1, 1971; SCC 703 § 72, 1960].

10.24.160 Removal of ignition key when parking.

Every person who parks a motor vehicle upon any highway shall first lock the ignition, remove the key therefrom and take such key with him unless a licensed operator remains in such motor vehicle, in which case such licensed operator, before leaving the vehicle, shall first lock the ignition, remove the key therefrom, and take the key with him. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 73, 1960].

10.24.170 Parking on ~~C~~eity property.

A. Whenever the ~~D~~irector determines that parking or standing of vehicles on ~~C~~eity property is prohibited, limited or restricted, the ~~D~~irector shall have the power and authority to order signs to be erected or posted indicating that the parking of vehicles is thus prohibited, limited or restricted.

B. When signs authorized by the provisions of this section are in place, giving notice thereof, no person shall park or stand a vehicle contrary to the directions of the signs, and any vehicle parked in violation of the signs may be towed to the public storage garage at the expense of the owner of the vehicle as provided in Division 11, Chapter 10 of the Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 240 § 2, 1975; SCC 703 § 74, 1960].

10.24.175 Parking in ~~C~~eity parking areas.

A. Notwithstanding any other provision in this code, whenever the ~~public works d~~~~D~~irector determines that parking or standing of vehicles in ~~C~~eity parking areas under his jurisdiction is prohibited, limited or restricted, the ~~D~~irector shall have the power and authority to order signs to be erected or posted indicating that the parking of vehicles is thus prohibited, limited or restricted.

B. When signs authorized by the provisions of this section are in place, giving notice thereof, no person shall park or stand a vehicle contrary to the directions of the signs, and any vehicle parked in violation of the signs may be towed to the public storage garage at the expense of the owner of the vehicle as provided in Division 11, Chapter 10 of the Vehicle Code, and/or the ~~public works d~~~~D~~irector, his or her designees, or a peace officer may issue a citation for

illegal parking. The ~~public works~~ Director, his designee or a peace officer shall record on the citation the location the offense was committed, the nature of the violation, the state vehicle license number of the vehicle, the make and year of the vehicle and the time and date of such violation. He shall then issue in writing a citation for illegal parking in the same form and subject to the same procedure provided for by the laws of the state applicable to the traffic violations within the Ceity. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

10.24.180 Parking on private property.

It is unlawful for any person to drive upon or across, to leave standing or cause to be left standing any vehicle upon any privately owned property within the ~~city of Rancho Cordova~~ City without the implied or express consent of the owner or person in lawful possession of the property. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 75, 1960].

Chapter 10.25

PREFERENTIAL RESIDENTIAL PERMIT PARKING PROGRAM

Sections:

- 10.25.005 Title.
- 10.25.010 Purpose.
- 10.25.020 Definitions.
- 10.25.030 Designation of residential permit parking areas.
- 10.25.040 Designation criteria.
- 10.25.050 Designation process.
- 10.25.060 Recommendation of the public works director.
- 10.25.070 Issuance of permits.
- 10.25.080 Visitor permits.
- 10.25.090 Posting of residential permit parking area.
- 10.25.100 Display of permit.
- 10.25.110 Permit parking exemption.
- 10.25.120 Permit term – Application and renewal.
- 10.25.130 Permit fees.
- 10.25.140 Penalty provisions.
- 10.25.150 Applicability to parking control vehicles.
- 10.25.160 Annexation of residential streets to residential permit parking areas.
- 10.25.170 Modifications of restrictions.
- 10.25.180 Deletion of residential streets from residential permit parking areas.

10.25.005 Title.

This chapter shall be known and cited as the “preferential residential permit parking program.” [Ord. 12-2015 § 2].

10.25.010 Purpose.

The purpose of this chapter is to establish a preferential residential permit parking program within the Ceity to assist residents in securing parking in residential areas regularly adversely affected by nonresident parked vehicles. [Ord. 12-2015 § 2].

10.25.020 Definitions.

For the purposes of this chapter, the following definitions shall apply, unless the context clearly indicates otherwise:

“Dwelling unit” means a house, apartment or other residence with an assigned address as used by the U.S. Postal Service or as listed in the county directory.

“Lease” means that a person pays rent or other remuneration for use of a parcel of real property as his or her residence or place of business.

“Motor vehicle” includes an automobile, truck, motorcycle, or other motor-driven form of transportation not in excess of 10,000 pounds gross weight.

“Parking restrictions” means the days, times, and hour limitations imposed on motor vehicles parked in a residential permit parking area pursuant to this chapter.

“Public Works Director” means the Public Works Director of the City of Rancho Cordova ~~manager of the public works department~~ with the powers and duties as provided in this title.

“Resident” means a person who dwells in the residential area on a permanent basis.

“Resident permit” means a permit issued by the Ceity of Rancho Cordova for use on a resident vehicle while parked in a residential permit parking area.

“Resident vehicle” means a motor vehicle owned or under the control of a resident and regularly parked in the residential area in which the resident resides.

“Residential area” means a contiguous or nearly contiguous area where residents dwell and which contains public streets and highways.

“Residential permit parking area” means a residential area designated as herein provided wherein motor vehicles displaying a valid permit as described herein shall be exempt from the parking restrictions or prohibitions established pursuant to this chapter. [Ord. 12-2015 § 2].

10.25.030 Designation of residential permit parking areas.

The ~~C~~city ~~C~~council may, in its discretion, designate by resolution any residential area as a residential permit parking area in which motor vehicles displaying a valid parking permit may stand or be parked without limitation. Said resolution shall also state the applicable parking restrictions and the fees to be charged upon permit issuance. [Ord. 12-2015 § 2].

10.25.040 Designation criteria.

A. A residential area shall be deemed eligible for consideration as a residential permit parking area if the residential area is adversely affected by nonresident parked vehicles for any extended period during the day or night, on weekends, or during holidays.

B. In determining whether a residential area may be designated as a residential permit parking area, pursuant to RCMC 10.25.050 and 10.25.060, the ~~P~~public ~~W~~works ~~D~~irector and the ~~C~~city ~~C~~council shall take into account factors which include, but are not limited to, the following:

1. The extent of the desire and need of the residents for residential permit parking;
2. The extent to which on-street parking is occupied by motor vehicles during the period proposed for parking restrictions;
3. The extent to which vehicles parking in the area during the period proposed for parking restrictions are commuter vehicles rather than resident vehicles. [Ord. 12-2015 § 2].

10.25.050 Designation process.

A. Persons desiring a residential permit parking program in a residential area shall consult with the ~~P~~public ~~W~~works ~~D~~irector to tentatively establish the boundaries of the area proposed for designation.

B. Upon receipt of a petition from a group of neighborhood residents or appropriate neighborhood association indicating that at least 60 percent of the residents are in favor of permit parking in the residential area proposed for designation, the ~~P~~public ~~W~~works ~~D~~irector shall evaluate the proposal to determine the appropriate residential permit parking restrictions for the area.

C. Within 30 days of the completion of the ~~P~~public ~~W~~works ~~D~~irector’s evaluation to determine appropriate residential permit parking restrictions for the area, the ~~P~~public ~~W~~works ~~D~~irector shall notice, as herein provided, a public hearing or hearings on the subject of the proposed residential permit parking area. Said hearing or hearings shall be conducted for the purpose of ascertaining boundaries for the proposed residential permit parking area as well as the appropriate restrictions on parking.

D. Notice of the public hearing or hearings provided for herein shall be mailed generally in the neighborhood, and to those institutions generating a significant volume of nonresident parking in the neighborhood. The notice shall clearly state the purpose of the hearing, the location and boundaries tentatively considered for the proposed residential permit parking area and, if applicable, the approximate permit fee to be charged. During such hearing or hearings, any interested person shall be entitled to appear and be heard.

E. Within 30 days after completion of the public hearing(s) the ~~P~~public ~~W~~works ~~D~~irector shall mail out notices to the residents of the proposed residential permit parking area. Said notices shall provide information on the proposed location and boundaries of the area and the proposed residential permit parking restrictions therein. Residents of the

proposed residential permit parking area may return the notices indicating their support or opposition to the area. [Ord. 12-2015 § 2].

10.25.060 Recommendation of the Ppublic Wworks Ddirector.

A. Following the designation process described in RCMC 10.25.050, the Ppublic Wworks Ddirector shall issue a written recommendation to the Ceity Ceouncil whether to designate the residential area under consideration as a residential permit parking area within 60 days after the close of public hearings pursuant to RCMC 10.25.050(D). Such recommendation shall be based upon the record of the hearing or hearings, the evaluation performed, the petition submitted, and the returned notices received from the residents indicating support for or opposition to the program.

B. The recommendation of the Ppublic Wworks Ddirector shall set forth the significant subjects and concerns raised at the public hearing or hearings conducted, the proposed boundaries of the residential permit parking area, the proposed parking restrictions, and the support for the program shown by the returned notices from the residents.

C. If the Ceity Ceouncil desires, it will adopt a resolution establishing the program for the area including the boundaries, parking restrictions, fees, if any, and any other applicable provisions.

D. The designation process and designation criteria set forth in this chapter shall also be utilized by the Ppublic Wworks Ddirector in determining whether to recommend removal of designation as a residential permit parking area from a particular residential area. [Ord. 12-2015 § 2].

10.25.070 Issuance of permits.

A. Parking permits shall be issued by the Ppublic Wworks Ddirector. Each such permit shall state or reflect the particular residential permit parking area, the license number of the motor vehicle for which it is issued, and any additional information required by the Ppublic Wworks Ddirector to enforce the provisions of this chapter. No more than one parking permit shall be issued to each motor vehicle for which application is made. The requirements governing the manner in which persons shall qualify for parking permits in each residential permit parking area shall be as established by this chapter.

B. Parking permits may be issued for motor vehicles only upon application of the following persons:

1. A resident of the residential permit parking area who owns a motor vehicle registered with the California Department of Motor Vehicles at the address where the resident lives;
2. A resident of the residential permit parking area who has a leased or possesses a company-owned vehicle which is regularly parked in the area;
3. A person who owns or leases commercial property located in the residential permit parking area and actively engages in business activity within a residential permit parking area. However, no more than one parking permit may be issued for each motor vehicle registered to the business establishment at the address in the designated area;
4. An owner of residential property that is located within the residential permit parking area. [Ord. 12-2015 § 2].

10.25.080 Visitor permits.

The Ppublic Wworks Ddirector is authorized, upon application, to issue visitor permits to residents and owners or lessees of commercial property located within a residential permit parking area for use by bona fide visitors therein. Such a visitor permit shall have all the rights and privileges of a regular permit, except as provided in RCMC 10.25.130 and 10.25.140. The requirements governing the manner in which persons shall qualify for visitor permits in each residential permit parking area shall be established by this chapter. [Ord. 12-2015 § 2].

10.25.090 Posting of residential permit parking area.

Upon the adoption of the Ceity Ceouncil of a resolution designating a residential permit parking area, the Ppublic Wworks Ddirector shall cause appropriate signs and markings to be erected in the area, indicating prominently

thereon the parking and restrictions, prohibitions, and conditions under which permit parking shall be exempt. [Ord. 12-2015 § 2].

10.25.100 Display of permit.

Residential parking permits shall be affixed to the left rear bumper of the resident's vehicle, hung from an inside rear view mirror or lying flat and clearly visible on the dashboard of the vehicle to which it is assigned.

Visitor parking permit shall be hung from an inside rear view mirror or lying flat and clearly visible on the dashboard of the visitor's vehicle.

Failure to display a current, valid permit shall be prima facie evidence that the citation is valid. [Ord. 12-2015 § 2].

10.25.110 Permit parking exemption.

A resident motor vehicle or nonresident motor vehicle on which is displayed a valid parking permit as provided for herein shall be permitted to park in the residential permit parking area for which the permit has been issued without being limited by parking restrictions established pursuant to this chapter.

Said motor vehicle shall not be exempt, however, from other parking regulations or prohibitions established pursuant to other relevant portions of the Rancho Cordova Municipal Code or Vehicle Code. All other motor vehicles parked within a residential permit parking area shall be subject to the parking restrictions adopted as provided in this chapter as well as the penalties provided for herein.

A residential parking permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated residential permit parking area. [Ord. 12-2015 § 2].

10.25.120 Permit term – Application and renewal.

Except as provided otherwise herein, each parking permit issued shall be valid for one year or such other period of time as designated by the Public Works Director from the date of issuance. Permits may be renewed annually or for some other period of time as designated by the Public Works Director upon reapplication in the manner required by the Public Works Director. Each application or reapplication for a parking permit shall contain information sufficient to identify the applicant, his or her residence address or address of real property owned or leased within residential permit parking area, the license number of the motor vehicle for which application is made, and such other information that may be deemed relevant by the Public Works Director. [Ord. 12-2015 § 2].

10.25.130 Permit fees.

The fee, if any, for eligible residents within the residential parking permit area for a residential parking permit or a visitor permit shall be established by resolution of the City Council. [Ord. 12-2015 § 2].

10.25.140 Penalty provisions.

A. It is a violation of this chapter, unless expressly provided to the contrary herein, for any person to park a motor vehicle contrary to the parking restrictions established pursuant hereto. Said violation shall be subject to civil penalty as specified in the resolution by the City Council pursuant to RCMC 10.24.020.

B. It is unlawful and a violation of this chapter for a person to falsely represent himself or herself as eligible for a parking permit or to furnish false information in order to obtain a permit. Said violation shall be punishable by a fine not to exceed \$500.00 or by imprisonment for a period not exceeding six months, or both.

C. It is a violation of this chapter, unless expressly provided to the contrary herein, for a person holding a valid parking permit issued pursuant to this chapter, to permit the use or display of such permit on a motor vehicle other than that for which the permit is issued. Such conduct shall constitute a violation of this chapter both by the person holding the valid parking permit and the person who so uses or displays the permit on a motor vehicle other than that for which it is issued. Said violation shall be subject to civil penalty as specified in the resolution adopted by the City Council pursuant to RCMC 10.24.020.

D. It is a violation of this chapter to use, or allow to be used, a visitor permit for a nonresident commuter who desires to park in the residential parking permit area. Said use of a visitor permit for commuter parking shall constitute a violation of this chapter both by the person to whom the visitor permit was issued and by the registered

owner of the vehicle upon which the visitor permit is displayed. Said violation shall be subject to civil penalty as specified in the resolution adopted by the Ceity Council pursuant to RCMC 10.24.020.

E. It is unlawful and a violation of this chapter for a person to copy, produce or otherwise bring into existence a facsimile or counterfeit parking permit in order to evade parking restrictions applicable in a residential permit parking area. It is also a violation to sell, transfer, exchange or assign any residential, visitor or temporary permit. Upon conviction thereof, the person shall be punishable by a fine not exceeding \$500.00 or be imprisoned for a period not exceeding six months, or both. [Ord. 12-2015 § 2].

10.25.150 Applicability to parking control vehicles.

The provisions of this chapter shall not be construed to prohibit the stopping, standing or parking of parking control vehicles while such vehicles are being used in parking control enforcement; provided, however, that this section shall not supersede provisions of this title which expressly refer to or regulate parking control vehicles.

As used in this section the term “parking control vehicles” means any vehicle used by an authorized official of the Ceity during the enforcement of parking and registration regulations pursuant to the chapters of this code and the California Vehicle Code. [Ord. 12-2015 § 2].

10.25.160 Annexation of residential streets to residential permit parking areas.

Whenever the Ceity Council finds that residential streets adjacent to a residential permit parking area have all-day, on-street parking congestion, then upon recommendation by the Public Works Director, such residential streets may be added by resolution to said residential permit parking area. A petition of 60 percent or more of the residents of said streets with affirmative responses seeking permit parking shall be required prior to implementation of residential permit parking restrictions. [Ord. 12-2015 § 2].

10.25.170 Modifications of restrictions.

On-street parking restrictions within a residential permit parking area may be changed by resolution of the Ceity Council based on recommendation by the Public Works Director. [Ord. 12-2015 § 2].

10.25.180 Deletion of residential streets from residential permit parking areas.

A. The Ceity Council may initiate a proceeding to delete a street from a designated residential permit parking area by adopting a resolution of intention to delete.

B. The resolution shall include:

1. A declaration of intention by the Ceity Council to delete;
2. A description of the street or streets to be deleted; and
3. The date, time and place of a public hearing to consider the proposed deletion.

C. At least 10 days before the hearing, notice of the hearing shall be published in a newspaper of general circulation, posted not more than 200 feet apart along the street or streets proposed for deletion, and mailed to all persons who testified before the Ceity Council at public hearings in which the establishment of the residential parking permit area was considered.

D. At the hearing, the Ceity Council shall take into account the factors specified in RCMC 10.25.040(B). The Ceity Council may adopt a resolution deleting the street or streets described in the resolution of intention. [Ord. 12-2015 § 2].

Chapter 10.30

HUMAN HABITATION OF VEHICLES

Sections:

- 10.30.010 Purpose.
- 10.30.020 Definitions.
- 10.30.030 Use of vehicles for human habitation prohibited on public property.
- 10.30.040 Use of vehicles for human habitation prohibited on private property – Exception.
- 10.30.050 Penalty.

10.30.010 Purpose.

This chapter is enacted for the purpose of addressing issues of blight, crime, security, disorder and health and sanitation, including the disposal of noxious and harmful matter on city streets and parking areas open to the public. These conditions are principally caused by ongoing, repeated habitation of motor homes, recreational vehicles and other vehicles modified or used for human habitation, as defined in RCMC 10.30.020, without authorized connection to utility services, periodically resulting in the creation of an encampment-like situation. These conditions occur primarily in private commercial parking areas and on public streets within the City, but can also occur in other areas of the City including, but not limited to, private residential lots. [Ord. 13-2004 § 1].

10.30.020 Definitions.

For purposes of this chapter, the following definitions will apply:

“Camper” means a structure designed to be mounted upon a motor vehicle and to provide facilities for human habitation or camping purposes. “Camper” shall include those campers defined as slide-in campers or truck campers under the California Health and Safety Code.

“House car” means a motor vehicle originally designed or permanently or temporarily altered and equipped for human habitation, or to which a camper has been permanently or temporarily attached.

“Human habitation” shall mean the use of a vehicle for dwelling. Evidence of human habitation shall include activities such as sleeping, setting up housekeeping or cooking, and/or any other activity where it reasonably appears, in light of all the circumstances, that a person or persons is using the vehicle as a living accommodation. The use of a vehicle for six or more consecutive hours for eating, resting, recreating and/or sleeping shall per se constitute “human habitation” for purposes of this chapter.

“Recreational vehicle” shall mean a motor home, travel trailer, trailer coach, truck camper, camping trailer or park trailer, as those vehicles are defined in Sections 18010 and 18009.3 of the California Health and Safety Code or other applicable sections of the California Health and Safety Code or California Vehicle Code, and which are designed for human habitation for recreational, emergency, or other occupancy.

“Vehicle” shall mean any device by which any person or property may be propelled, moved, or drawn upon a highway including, but not limited to, a recreational vehicle or house car. [Ord. 13-2004 § 1].

10.30.030 Use of vehicles for human habitation prohibited on public property.

It is unlawful for any person or persons to use a vehicle for human habitation on or in any public street, right-of-way, alleyway, parking area or any other public property, except in a designated public campground, recreational park, or licensed mobile home park. [Ord. 13-2004 § 1].

10.30.040 Use of vehicles for human habitation prohibited on private property – Exception.

A. It is unlawful for any person or persons to use a vehicle for human habitation on any private property within the city limits of Rancho Cordova except for a lawfully operated mobile home trailer park, or other licensed private camping facility.

B. Notwithstanding subsection (A) of this section, a person shall not be prohibited from occupying, for sleeping purposes only, a recreational vehicle or house car on private residential property within the Ceity limits provided all of the following criteria are satisfied:

1. The person is a bona fide guest of a resident of the Ceity;
2. The person has the written consent of the resident; and
3. The location and use of the recreational vehicle or house car for sleeping purposes is not otherwise in violation of the Rancho Cordova zoning code or other applicable law.

The use of a recreational vehicle or house car under authority of this subsection (B) shall be limited to no more than five days and/or nights, either consecutive or nonconsecutive, within any 90-day period. [Ord. 13-2004 § 1].

10.30.050 Penalty.

A. A violation of this chapter shall be deemed an infraction for a first violation; second and subsequent violations of the same section within a 12-month period may be prosecuted as an infraction or misdemeanor.

B. Any person convicted of an infraction for violating this chapter may be punished by:

1. A fine of not more than \$100.00 for a first violation;
2. A fine of not more than \$200.00 for a second violation of the same section within a 12-month period;
3. A fine of not more than \$500.00 for a third (or subsequent) violation of the same section by the same person within a 12-month period.

C. Any person convicted of a misdemeanor for violating this chapter may be punished by a fine of not more than \$1,000 or by imprisonment in jail for a period of not more than six months or by both fine and imprisonment. [Ord. 13-2004 § 1].

Chapter 10.32

MISCELLANEOUS DRIVING RULES

Sections:

- 10.32.010 Prohibited acts.
- 10.32.020 Parade permit required.
- 10.32.030 Bus stop in front of driveway.
- 10.32.040 Molesting of traffic-counting devices prohibited.
- 10.32.050 Washing vehicles on highway.
- 10.32.060 Repairing vehicles on highways.
- 10.32.070 Railway gates.
- 10.32.080 Trains not to block crossings.

10.32.010 Prohibited acts.

No person shall drive any vehicle or animal, or do any act, in violation of the following:

A. Drive through vehicles comprising a funeral procession while they are in motion and when the vehicles in such a procession are specifically designated;

B. No person riding any bicycle, motorcycle, coaster, roller skates, or any toys or toy vehicles shall attach the same or himself to any moving vehicle upon any roadway and no person driving any vehicle shall permit the same to be done;

C. Drive within or over any sidewalk area or any parkway except at a driveway;

D. Drive over or across any new pavement or freshly painted marking when any street barrier, sign or marking is in place warning persons not to drive over or across the same, or when a sign is in place stating that the street, or any portion thereof, is closed;

E. Drive or operate a vehicle contrary to the directions or provisions of any barrier or sign erected pursuant to the provisions of any ordinance of the Ceity or by any other utility, or by any department of the Ceity or by any public person pursuant to law or contract with the Ceity and no unauthorized person shall move or alter the position of any such barrier or sign;

F. Drive a vehicle onto or from any freeway except at such entrances and exits as are established by public authority;

G. Drive a vehicle into an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians in such intersection or crosswalks, notwithstanding any official traffic control device or signal indication to proceed;

H. No tire on any vehicle upon any Ceity street or highway shall have on its periphery any block, stud, flange, cleat, ridge, bead, or any other protuberance of metal or wood which projects beyond the tread of the traction surface of the tire. This subsection does not apply to the following:

1. Tire chains of reasonable size used to prevent skidding when upon wet surfaces or when upon ice or snow.
2. Pneumatic tires which have embedded therein wire not to exceed 0.075 inches in diameter and which are so constructed that under no conditions will the percentage of metal in contact with the roadway exceed five percent of the total tire area in contact with the roadway, except that during the first 1,000 miles of use or operation of any such tire, the metal in contact with the roadway may exceed five percent of the tire area in contact with the roadway, but shall in no event exceed 20 percent of such area.
3. Vehicles operated upon unimproved roadways when necessary in the construction or repair of highways.

4. Traction engines or tractors when operated under the conditions of a permit first obtained from the Rancho Cordova Department of Public Works. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 972 § 1, 1968; SCC 703 § 76, 1960].

10.32.020 Parade permit required.

No person shall operate a vehicle, or join in, or be a member of any procession, parade or assemblage on any public highway without a permit first having been issued by the Director. No permit shall be valid on an arterial or through highway during the hours of 4:00 p.m. to 6:00 p.m. or during the hours of darkness or between December 10th and December 26th in any year. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 77, 1960].

10.32.030 Bus stop in front of driveway.

A bus engaged as a common carrier may stop to load or unload passengers in front of a driveway. At no time shall the bus so stop for a period longer than is necessary to load or unload passengers. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 78, 1960].

10.32.040 Molesting of traffic-counting devices prohibited.

Unless authorized by the Director, a person shall not move, molest, tamper with, or damage in any way any traffic-counting device which has been located within a highway or adjacent thereto by authority of the Director. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 79, 1960].

10.32.050 Washing vehicles on highway.

A person shall not dust, wipe, wash or otherwise clean, use, or employ any method of dusting, wiping, washing or otherwise cleaning any vehicle or portion thereof while on any highway unless the vehicle is owned by or under the direct control or supervision, for purposes other than such wiping, washing, cleaning, or dusting, of the person doing any of the acts herein enumerated. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 80, 1960].

10.32.060 Repairing vehicles on highways.

A person shall not repair, or make any repairs, or add or install any part or accessory to or on any vehicle while the same is upon any public highway or alley.

The provisions of this section do not prohibit the operator of any vehicle which is disabled while upon any public highway or alley to such extent that it is impossible to avoid stopping from making or causing to be made the repairs necessary to enable the vehicle to be removed from the public highway or alley. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 81, 1960].

10.32.070 Railway gates.

No person shall drive any vehicle around or under any crossing gate or barrier at a railroad grade crossing while the gate or barrier is closed or is being opened or closed. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 82, 1960].

10.32.080 Trains not to block crossings.

It is unlawful for any person to cause or permit any railway train or railway cars, or similar vehicle on rails, to operate or to be operated in such a manner as to prevent the use of any highway for the purpose of travel for a period of time longer than 10 minutes, except that this provision does not apply to railway trains, cars or similar vehicles on rails while blocking or obstructing a crossing because of an accident which requires the operator of a train, car or similar vehicle on rails to stop at or near the scene of the accident. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 972 § 1, 1968; SCC 703 § 83, 1960].

Chapter 10.36

EMERGENCY VEHICLES

Sections:

- 10.36.010 Definitions.
- 10.36.040 Approaching scene of emergency.
- 10.36.050 Parking near scene of emergency.
- 10.36.060 Assembling near scene of emergency.
- 10.36.070 Exemptions.
- 10.36.080 Penalty for violation.

10.36.010 Definitions.

As used in this chapter, the following words and phrases have the meanings herein set forth:

“Authorized emergency vehicle” means all authorized emergency vehicles as defined in Division 1 of the Vehicle Code.

“Private road or driveway” means a private road or driveway as defined in Section 490 of the Vehicle Code.

“Public highway” means any highway, road, street, way or place open to the use of the public for purposes of vehicular travel.

“Vehicle” means a device in, upon or by which any person or property is or may be propelled, moved or drawn upon a public highway, including a bicycle or such other vehicle of propulsion moved by human power. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 1, 1951].

10.36.040 Approaching scene of emergency.

It is unlawful for any person to operate any vehicle upon the public highways or any private road or driveway so as to approach within 1,000 feet of any authorized emergency vehicle when such authorized emergency vehicle is engaged in extinguishing fire or when the authorized emergency vehicle is actively engaged at the scene of any bombing, act of sabotage, accident, explosion, flood, riot, earthquake or any emergency. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 4, 1951].

10.36.050 Parking near scene of emergency.

It is unlawful for any person to park, stop or abandon any vehicle within 1,000 feet of any authorized emergency vehicle when the authorized emergency vehicle is actively engaged at the scene of any bombing, act of sabotage, accident, explosion, flood, riot, earthquake or any emergency. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 5, 1951].

10.36.060 Assembling near scene of emergency.

It is unlawful for any person or persons to gather, collect, assemble or congregate within 1,000 feet of the scene of any fire, bombing, act of sabotage, accident, explosion, flood, riot, earthquake or any emergency when any authorized emergency vehicle is actively engaged thereat. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 6, 1951].

10.36.070 Exemptions.

The provisions of this chapter do not apply to the following persons:

A. All authorized emergency vehicles, as defined herein, and persons operating the same;

B. Any person or persons lawfully ordered to do otherwise by any public officer or fireman. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 7, 1951].

10.36.080 Penalty for violation.

Any person who violates any provisions of this chapter is guilty of a misdemeanor and upon conviction thereof shall be punished by fine of not exceeding \$300.00 or by imprisonment in the county jail, not exceeding three months, or by both such fine or imprisonment. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 8, 1951].

Chapter 10.40

TRUCK ROUTES

Sections:

- 10.40.010 Establishing weight limits.
- 10.40.020 Exceptions.
- 10.40.030 Designation.

10.40.010 Establishing weight limits.

The ~~D~~irector is authorized to designate certain highways or parts thereof upon which the operation of commercial vehicles shall be prohibited as follows:

- A. On a highway that is unimproved as the word “unimproved” is used in Section 35706 of the Vehicle Code and the nature of the pavement or surface is such that it will be injured if vehicles of over a certain gross weight are permitted to operate thereon; the director shall erect signs specifying the weight which the ~~D~~irector finds should be prohibited;
- B. Whenever the ~~D~~irector finds that the use of any street, road, or highway located in the ~~C~~eity of Rancho Cordova by any commercial vehicle exceeding a gross weight of 14,000 pounds would not be in the best public interest or would be unsafe, and such street, road, or highway may be limited as to use in accordance with Section 35701 of the Vehicle Code, the ~~D~~irector shall erect appropriate signs;
- C. Whenever any structure of a bridge on a highway on which no weight limit has been imposed is such that it is unsafe for the vehicles over a certain weight to use the bridge, and whenever the ~~D~~irector finds that the structure of a bridge on a highway on which a weight limit has been imposed is such that the use of vehicles over a certain weight which is less than the weight limit on such highway would be unsafe, the ~~D~~irector shall erect appropriate weight limit signs at both entrances to such bridges as provided in this title;
- D. Wherever the ~~D~~irector finds that the use of any highway by a commercial vehicle exceeding a gross weight of three tons would not be in the best public interest or would be unsafe or would create undue hazards to local traffic, the ~~D~~irector may erect appropriate signs prohibiting commercial vehicles as provided in Section 21100 of the Vehicle Code;
- E. The ~~Director~~~~director of public works~~ may issue a permit for the operation of vehicles on ~~C~~eity highways that are in excess of the maximum load or size as specified in the Vehicle Code. The permit shall specify the description of the vehicle and shall be subject to such conditions as are deemed advisable in accordance with prevailing traffic conditions on the highway to be used;
- F. When signs are in place giving notice of any of the provisions of this section, no person shall disobey the directions or provisions posted on the sign. [Ord. 38-2007 § 1 (Exh. 1(A), (G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 84, 1960].

10.40.020 Exceptions.

Nothing in this chapter shall prohibit the operator of any vehicle exceeding the maximum gross weight of three tons coming from a truck route having ingress and egress by direct route to and from restricted streets, when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets, or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted streets for which a building permit has been previously obtained. The provisions of this chapter do not apply to a passenger bus under the jurisdiction of the public utilities commission, or owned by a bus company licensed by the ~~C~~eity, or to any vehicle owned by a public utility while necessarily in use in the construction, installation or repair of any public utility or any vehicle owned by the ~~C~~eity while necessarily in use in the construction, installation or repair of a ~~C~~eity utility or street. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 85, 1960].

10.40.030 Designation.

The ~~D~~irector is authorized to designate any highway by appropriate signs as a truck route for the movement of vehicles exceeding a maximum gross weight limit of three tons, where in his opinion such designation is required. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 86, 1960].

Chapter 10.41

INTERSTATE TRUCK TERMINALS AND ACCESS ROUTES

Sections:

- 10.41.010 Authority and application.
- 10.41.020 Fees and costs.
- 10.41.030 Reconstruction.
- 10.41.040 Revocation of route.
- 10.41.050 Prohibition.

10.41.010 Authority and application.

The Director is authorized to designate certain trucking terminals as interstate truck terminals and certain Ceity highways or parts thereof as terminal access routes for interstate trucks, in accordance with Section 35401.5 of the Vehicle Code, as follows:

A. As used in this chapter, “interstate truck” shall mean a combination of vehicles as described in Section 35401.5 of the Vehicle Code and not exceeding the lengths set forth therein, and “terminal” shall have the meaning specified in Section 35401.5 of the Vehicle Code.

B. Any interested person desiring an access route to an interstate truck terminal facility from the federally designated highway system shall submit to the Director an application, on a form as provided by the Director, together with such information as may be required by the Director and appropriate fees.

C. The Director will cause an investigation to be made to ascertain whether or not the proposed terminal facility meets the requirements for an interstate truck terminal. Upon his approval of that designation, he will then determine the capability of the route requested and alternate routes, whether requested or not. Determination of route capability will include, without limitation, a review of adequate turning radius and lane widths of ramps, intersections and highways and general traffic conditions such as sight distance, speed and traffic volumes. No access off a federally designated highway system will be approved without the approval of the State of California Department of Transportation.

D. Should the requested route pass through the Ceity of Rancho Cordova to a terminal located in another jurisdiction, the applicant shall submit proof of compliance with that jurisdiction’s application process. Coordination of the approval of the route through the Ceity will be the responsibility of the entity which controls the terminal’s land use. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

10.41.020 Fees and costs.

A. The applicant shall pay a nonrefundable application fee, as established by the Ceity Council by resolution, sufficient to pay the cost of the review of the interstate truck terminal designation and the review of the proposed and alternate routes.

B. Upon the approval of the terminal designation and route by the Ceity, the applicant shall deposit with the Ceity sufficient funds as estimated by the Director to pay for the purchase and installation of terminal trailblazer signs. Trailblazer signs shall be required at every decision point in the Ceity on the route to the terminal and at intermediate points not closer than one-half mile apart as determined by the Director. Upon completion of the installation of the signs, the actual cost shall be computed and any difference between the actual and the estimated cost shall be billed or refunded to the applicant, whichever the case may be. Any excess due to the Ceity shall be due and payable 30 days after billing and thereafter shall bear interest at the maximum rate permitted by law. No interstate truck terminal or access route may be used for such purpose until such signs as may be required are in place. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

10.41.030 Reconstruction.

A. If all feasible routes to a requested interstate truck terminal are found unsatisfactory by the Director, the applicant may request reconstruction to correct the deficiencies identified by the Director. All costs of engineering, construction and inspection will be the responsibility of the applicant. Except when the reconstruction of

deficiencies is within the jurisdiction of the state of California, the actual construction will be the responsibility of the applicant. When the work is within the jurisdiction of the state of California, it will be under the direction of the state of California.

B. If at any time within five years from the date of completion of the reconstruction by the applicant, should any applicant seek approval of an interstate truck terminal which would use the route upon which such reconstruction was accomplished, any such applicant's fee may be required by the Director to include that applicant's proportionate share of the reconstruction, as determined by the Director, which fee shall be disbursed by the City of Rancho Cordova to the applicant who paid for the reconstruction as well as to any applicant who contributed to the cost of reconstruction under this section. Nothing herein shall require the payment of a proportionate fee if the applicant doing the work failed to file with the director a report documenting the actual cost of the reconstruction work, subject to the approval of the Director. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

10.41.040 Revocation of route.

The Director may revoke any approved interstate truck terminal or access route if the terminal or route becomes hazardous for vehicular traffic. Such a hazard includes, but is not limited to, the inability of interstate trucks to negotiate the route or said vehicles causing unsafe driving conditions for other vehicular traffic or pedestrians. If the route designation is revoked within three years after establishment, the City will reimburse the applicant for his actual costs of signing and reconstruction. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

10.41.050 Prohibition.

Except as expressly permitted by law, no person shall drive an interstate truck upon any City highway not designated for such purpose. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

Chapter 10.44

ONE-WAY STREETS

Sections:

~~10.44.010 System established.~~

10.44.0120 Signs to be placed.

10.44.0230 Violation prohibited.

~~10.44.010 System established.~~

~~There is hereby established the following system of one-way highways:~~

~~A. Von Karman Street traffic shall move southerly only.~~

~~B. Whitehead Street traffic shall move northerly only.~~

~~C. Norden Avenue traffic shall move easterly only.~~

~~D. On Mather Boulevard, between Bleckley Street and Eknes Street, traffic shall move westerly only.~~

~~E. On Bleckley Street, between Norden Avenue and Mather Boulevard, traffic shall move northerly only.~~

~~F. On Superfortress Avenue, between Von Karman Street and Whitehead Street, traffic shall move easterly only.~~

~~G. On Eknes Street, between Mather Boulevard and Norden Avenue, traffic shall move southerly only. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].~~

10.44.0120 Signs to be placed.

The director shall place and maintain appropriate signs giving notice of the one-way highway system, and no such regulations shall be effective until the signs are in place. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 88, 1960].

10.44.0230 Violation prohibited.

No person shall operate a vehicle in violation of the signs designating one-way streets as herein provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 89, 1960].

Chapter 10.48**SPEED ZONES**

Sections:

10.48.010 Speed zones.

10.48.010 Speed zones.

A. The Ccity Council has determined, on the basis of engineering and traffic surveys, that the speed permitted by the Vehicle Code upon certain highways is not in conformance with the safe and efficient operation of vehicles thereon. The prima facie speed limits on such highways or parts of such highways shall be as specified by ordinance when signs are erected giving notice of such limits.

B. All speed zones shall continue in effect as established by SCC Ordinance No. 703, as adopted and amended prior to the adoption of this code. All provisions of SCC Ordinance No. 703 and amendments thereto relating to speed zones shall continue in effect notwithstanding the adoption of this code. The speed zone provisions of SCC Ordinance No. 703 which continue in effect as provided in this section shall be subject to revision by ordinance from time to time pursuant to the Vehicle Code in the same manner as prior to the adoption of this code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 90, 1960].

Chapter 10.50

REDUCED SPEED LIMITS ON SPECIFIC STREETS

Sections:

10.50.010 Determination and declaration of prima facie speed limits.

10.50.020 Prima facie speed limits declared.

10.50.010 Determination and declaration of prima facie speed limits.

The City Council approves and adopts the engineering and traffic surveys dated November 9, 2020, prepared by the City, for the streets and portions thereof set forth therein, copies of which are on file and available for public inspection in the offices of the City Clerk. The city council finds and determines that the surveys were conducted in accordance with the Vehicle Code and methods of conducting engineering and traffic surveys prescribed in the California Department of Transportation and that the survey justifies the speed limits recommended for the streets and portions of streets therein described. The City Council declares these speed limits as prima facie speed limits for the streets or portions thereof, which limits shall be effective when appropriate signs giving notice thereof are erected upon the streets or portions thereof. [Ord. 20-2020 § 2; Ord. 1-2018 § 2; Ord. 13-2015 § 2; Ord. 3-2004 § 1].

10.50.020 Prima facie speed limits declared.

The following prima facie speed limits are established based on prevailing speeds and according to traffic and engineering studies.

A. Baroque Drive:

1. Between Zinfandel Drive and Zinfandel Drive, 35 mph;

B. Bear Hollow Drive:

1. Between Zinfandel Drive and North Mather Boulevard, 35 mph;

C. Business Park Drive:

1. Between Horn Road and Bradshaw Road, 35 mph;

D. Capital Center Drive:

1. Between White Rock Road and International Drive, 35 mph;

E. Chase Drive:

1. Between Coloma Road and Hagan Park, 25 mph;

F. Chrysanthy Boulevard:

1. Between Sunrise Boulevard and eastern terminus of street, 35 mph;

G. Coloma Road:

1. Between Folsom Boulevard and Sunrise Boulevard, 40 mph;

H. Data Drive:

1. Between International Drive and White Rock Road, 35 mph;

I. Disk Drive:

1. Between Data Drive and Prospect Park Drive, 35 mph;

J. Douglas Road:

1. Between Sunrise Boulevard and Rancho Cordova Parkway, 55 mph;
2. Between Rancho Cordova Parkway and Americanos Boulevard, 50 mph;

K. Explorer Drive:

1. Between Lincoln Village Drive to Lincoln Village Drive, 25 mph;

L. Femoyer Street:

1. Between Mather Boulevard and International Drive, 40 mph;

M. Fitzgerald Road:

1. Between White Rock Road and Recycle Road, 35 mph;

N. Folsom Boulevard:

1. Between Horn Road and Routier Road, 45 mph;
2. Between Routier Road and Cordova Lane, 40 mph;
3. Between Cordova Lane and Sunrise Boulevard, 45 mph;
4. Between Sunrise Boulevard and Hazel Avenue, 45 mph;

O. Georgetown Drive:

1. Between Coloma Road and McGregor Drive, 25 mph;

P. Gold Camp Drive:

1. Between Sun Center Drive and Prospect Park Drive, 35 mph;

Q. Gold Canal Drive:

1. Between Sun Center Drive and White Rock Road, 35 mph;

R. Gold Center Drive:

1. Between Zinfandel Drive and Prospect Park Drive, 30 mph;
2. Between Prospect Park Drive (west) and Prospect Park Drive (east), 35 mph;

S. Horn Road:

1. Between Folsom Boulevard and Routier Road, 35 mph;

T. International Drive:

1. Between Mather Field Road and Sunrise Boulevard, 45 mph;

U. Kiefer Boulevard:

1. Between Sunrise Boulevard and Rancho Cordova Parkway, 45 mph;

V. Kilgore Road:

1. Between Folsom Boulevard and White Rock Road, 35 mph;
2. Between White Rock Road and Baroque Way, 40 mph;

W. Lincoln Village:

1. Between Bradshaw Road and Draco Drive, 35 mph;
2. Between Draco Drive and Routier Road, 25 mph;

X. Luyung Drive:

1. Between White Rock Road and Mechanical Drive, 35 mph;

Y. Mather Field Road:

1. Between Peter A McCuen Boulevard and Folsom Boulevard, 45 mph;

Z. McGregor Drive:

1. Between Folsom Boulevard and Coloma Road, 25 mph;

AA. Mills Park Drive:

1. Between Routier Road and Mather Field Road, 35 mph;
2. Between Mather Field Road and White Rock Road, 25 mph;

BB. Mills Station Road:

1. Between Peter A McCuen Boulevard and Folsom Boulevard, 45 mph;
2. Between Mather Field Road and White Rock Road, 25 mph;

CC. Monier Circle:

1. Between Sunrise Boulevard and Sunrise Boulevard, 30 mph;

DD. Old Placerville Road:

1. Between Systems Parkway and Rockingham Drive, 45 mph;

EE. Olson Drive:

1. Between Mills Park Drive and Zinfandel Drive, 25 mph;
2. Between Zinfandel Drive and Folsom Boulevard, 35 mph;

FF. Paseo Drive:

1. Between Folsom Boulevard and Las Casas Way, 25 mph;

GG. Peter A McCuen Boulevard:

1. Mather Boulevard and Femoyer Street, 30 mph;

HH. Prospect Park Drive:

1. Between White Rock Road and White Rock Road, 35 mph;

2. Between White Rock Road and Baroque Way, 35 mph;

II. Quality Drive:

1. Between International Drive and White Rock Road, 35 mph;

JJ. Rancho Cordova Parkway:

1. Between Kiefer Boulevard and Douglas Road, 45 mph;

KK. Recycle Road:

1. Between Sunrise Boulevard and Elks Circle, 30 mph;

LL. Reserve Drive:

1. Between Data Drive and International Drive, 35 mph;

MM. Rockingham Drive:

1. Between Mather Field Road and S. White Rock Road, 25 mph;
2. Between Mather Field Road and Old Placerville Road, 35 mph;

NN. Routier Road:

1. Between Old Placerville Road and Folsom Boulevard, 40 mph;

OO. S. White Rock Road:

1. Between International Drive and White Rock Road, 25 mph;

PP. Sun Center Drive:

1. Between Prospect Park Drive and Sunrise Boulevard, 35 mph;

QQ. Sunrise Boulevard:

1. Between Kiefer Boulevard and Herodian Drive, 50 mph;
2. Between Herodian Drive and White Rock Road, 45 mph;
3. Between White Rock Road and Folsom Boulevard, 45 mph;
4. Between Folsom Boulevard and Coloma Road, 45 mph;
5. Between Coloma Road and city limits, southbound, 45 mph;

RR. Systems Parkway:

1. Between Routier Road and Old Placerville Road, 35 mph;

SS. Trade Center Drive:

1. Between Sun Center Road and Mercantile Road, 30 mph;

TT. Trinity River Drive:

1. Between Coloma Road and Sunrise Boulevard, 30 mph;

UU. Vanguard Drive:

1. Between Explorer Drive and Routier Road, 25 mph;

VV. White Rock Road:

1. Between Mills Station Road and Mills Park Drive, 25 mph;
2. Between S. White Rock Road and Zinfandel Drive, 40 mph;
3. Between Zinfandel Drive and Sunrise Boulevard, 45 mph;

WW. Zinfandel Drive:

1. Between Sunrise Boulevard and Folsom Boulevard, 30 mph;
2. Between Folsom Boulevard and White Rock Road, 35 mph;
3. Between White Rock Road and International Drive, 40 mph;
4. Between International Drive and city limits, 45 mph. [Ord. 20-2020 § 3; Ord. 1-2018 § 3; Ord. 13-2015 § 3; Ord. 3-2004 § 2].

Chapter 10.58

OFF-ROAD VEHICLES

Sections:

- 10.58.010 Permit required.
- 10.58.020 Motor vehicle – Definition.
- 10.58.030 Exemption – Commercially operated facilities.
- 10.58.040 Exemption – Public facilities.
- 10.58.050 Exemption – Sanctioned events.
- 10.58.060 Exemption – Parking areas.
- 10.58.070 Exemptions – Miscellaneous.
- 10.58.080 Operation by permit.
- 10.58.090 Application for permit.
- 10.58.100 Permits – Grounds for denial.
- 10.58.120 Permit conditions.
- 10.58.130 Copies of permit – Possession required.
- 10.58.140 Revocation of permit.
- 10.58.150 Fees – Expiration and renewal.
- 10.58.160 Appeal.
- 10.58.170 Public nuisance prohibited.

10.58.010 Permit required.

No person shall operate or cause to be operated a motor vehicle except upon the streets, highways and thoroughfares specifically established and provided for the operation of such vehicles except when authorized by a permit issued pursuant to this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.020 Motor vehicle – Definition.

As used in this chapter, “motor vehicle” means any self-propelled device in or upon which any person or property may be moved, excepting a device moved by human power or used exclusively upon stationary rails or tracks. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.030 Exemption – Commercially operated facilities.

This chapter does not apply to any area commercially operated for the purpose of providing facilities wherein motor vehicles can be operated for recreational purposes, if said facilities are duly licensed and permitted under the applicable laws pertaining thereto. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.040 Exemption – Public facilities.

This chapter does not apply to any area which is specifically established by the Ceity or other governmental body or agency for the purpose of allowing motor vehicles to be operated thereon for recreational purposes. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.050 Exemption – Sanctioned events.

This chapter does not apply to any organized racing or competitive event upon a closed course which is conducted under the auspices of a recognized sanctioning body under permit issued by the Ceity. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.060 Exemption – Parking areas.

This chapter does not apply to any area, either publicly or privately owned, designated for the parking or storage of motor vehicles, when the operation of a vehicle on such area is solely for the purposes of ingress thereto and egress therefrom. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.070 Exemptions – Miscellaneous.

This chapter does not apply to any motor vehicle which is:

- A. An implement of husbandry;

- B. A wheelchair;
- C. A golf cart, when used on a golf course;
- D. Used for any purpose relating to the conduct of a business where said business is conducted;
- E. Owned by the Ceity or other governmental body or agency, and is operated by an employee of the Ceity or other governmental body or agency who is acting within the scope of his employment;
- F. Operated by or under contract with a utility, whether privately or publicly owned;
- G. Used in connection with construction activities for the purposes for which it was designed. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.080 Operation by permit.

Any person possessing a valid permit issued pursuant to this chapter may operate a motor vehicle other than upon the streets, highways and thoroughfares specifically established and provided therefor, provided such operation is in conformance with the terms and conditions of such permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.090 Application for permit.

The owner or lessee of any real property within the Ceity, or the agent of either, may apply for a permit to operate one or more motor vehicles on said property when the operation of such vehicles would otherwise be in violation of RCMC 10.58.010 by filing an application with the chief of police. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.100 Permits – Grounds for denial.

Upon receipt of the application for permit, the chief of police shall grant or deny the permit and shall notify the applicant by mail of such action. A permit may be denied when it appears to the satisfaction of the chief of police that the issuance of the permit would:

- A. Create a condition annoying to adjacent residents;
- B. Create law enforcement problems;
- C. Endanger the health, safety or welfare of persons in the area. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.120 Permit conditions.

A permit may be issued subject to conditions regulating one or more of the following:

- A. Hours of operation of motor vehicles;
- B. Maximum number of motor vehicles which may be operated at any one time;
- C. Type of motor vehicles which may be operated;
- D. Any other reasonable condition required under the circumstances. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.130 Copies of permit – Possession required.

A. When a permit is issued, the chief of police shall issue in connection therewith a number of copies of such permit to the applicant, who shall give a copy of such permit to each person operating a motor vehicle on the premises for which the permit is issued.

B. The maximum number of copies of the permit given the applicant shall not exceed the maximum number of motor vehicles which may be operated on the premises at any one time, if such number has been determined pursuant to RCMC 10.58.120.

C. No person shall operate a motor vehicle on the premises for which the permit is issued unless he has in his immediate possession a copy of such permit and shall display the same upon demand to any duly authorized law enforcement officer. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.140 Revocation of permit.

A permit issued pursuant to this chapter may be revoked when it appears to the satisfaction of the chief of police that one or more of the following conditions exist:

A. The person to whom the permit was issued has failed to abide by the conditions of such permit;

B. A person operating a motor vehicle by permission of the person to whom the permit was issued has failed to abide by the conditions of such permit;

C. False or misleading statements were made by the applicant in securing the permit;

D. Circumstances surrounding the premises for which the permit was issued have changed and the continued operation of motor vehicles on the premises would violate one or more provisions of RCMC 10.58.100. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.150 Fees – Expiration and renewal.

A. The fee for an initial permit shall be set by resolution of the Ceity Ceouncil. The permit shall be nontransferable and shall expire one year after the date of issuance.

B. A permit may be renewed from year to year upon payment of a fee set by resolution of the Ceity Ceouncil; provided, however, that the renewal may be granted, conditioned or denied in accordance with the provisions of RCMC 10.58.100 and 10.58.120. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

10.58.160 Appeal.

A. Any applicant for a permit or a permit holder aggrieved by the action of the chief of police pursuant to this chapter may, within 10 days of being notified of such action, appeal the same to the Ceity Ceouncil by filing a notice of appeal with the ~~clerk of the council~~City Clerk.

B. The clerk shall calendar a hearing on the appeal and notify the person filing the appeal of the date, time and place of such hearing.

C. The City Ceouncil shall hear such testimony from the concerned parties as may be necessary and shall take such action with regard to the action of the chief of police as it may deem proper. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.170 Public nuisance prohibited.

Nothing in this chapter is intended to authorize the maintenance of a public nuisance. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

Chapter 10.62

TRANSIT AND SCHOOL DISTRICT LOADING ZONES

Sections:

10.62.010 Purpose.

10.62.020 Use of transit loading zones.

10.62.010 Purpose.

Section 22500.5 of the California Vehicle Code authorizes the adoption of a local ordinance to permit an agreement between a transit system operating buses engaged as common carriers and a public school district to permit school buses owned by, or operated for, the said school district to load or unload passengers in spaces designated for the loading or unloading of passengers of the transit system buses. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 569 § 1, 1983].

10.62.020 Use of transit loading zones.

Upon agreement between Regional Transit or other transit system authorized according to law to operate as a common carrier within the Ccity of Rancho Cordova and a public school district, school buses owned by or operated under contract for such public school district may stop for the loading or unloading of passengers alongside any or all curb spaces designated for the loading or unloading of passengers of the transit system buses as provided in Section 22500.5 of the Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 569 § 1, 1983].

Chapter 10.64

TRIP REDUCTION PROGRAMS

Sections:

- 10.64.010 Findings.
- 10.64.020 Purpose.
- 10.64.030 Definitions.
- 10.64.040 Permit required.
- 10.64.050 Exceptions.
- 10.64.060 Authority to issue permit.
- 10.64.070 Permit fee.
- 10.64.080 Notification of requirements.
- 10.64.090 Application filing.
- 10.64.100 Application contents.
- 10.64.110 Investigation.
- 10.64.120 Issuance of permit.
- 10.64.130 Term of permit.
- 10.64.140 Trip reduction requirements.
- 10.64.150 Compliance schedule.
- 10.64.160 Appeals.
- 10.64.170 Failure to obtain permit.
- 10.64.180 Violations.

10.64.010 Findings.

The Ceity Ceouncil of the Ceity of Rancho Cordova hereby finds and determines that:

- A. The Ceity of Rancho Cordova is projected to experience a significant increase in employment and population growth over the next 20 years, which will result in a projected increased~~doubling~~ of existing peak hour traffic volumes.
- B. Home-to-work employee commuting generates a significant level of vehicle trips, thereby contributing to traffic congestion, air pollution, and energy consumption problems.
- C. The conventional response to relieving traffic congestion by expanding the capacity of the roadway system is no longer appropriate as the sole solution due to increasing construction and maintenance costs and decreasing revenues for such expenditures.
- D. Ridesharing, transit, and bicycle usage among employees for home-to-work trips are simple and inexpensive alternative means of reducing peak-hour, single-occupant motor vehicle trips. A reduction in such trips can be expected to result in a reduction in traffic congestion, air pollution, and energy consumption impacts related to employment in the Ceity.
- E. While employers have traditionally provided parking facilities to accommodate employee vehicle trips, such employers should also be required to provide programs and incentives to encourage and accommodate ridesharing, transit, bicycle and pedestrian commuting by employees. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.020 Purpose.

The purpose of this chapter is to establish requirements and procedures whereby major employers located in Ceity of Rancho Cordova will develop and implement programs designed to reduce the number of employee vehicle commute trips as part of a broad Ceity of Rancho Cordova program to achieve the following objectives:

- A. Reduce peak-hour traffic circulation and congestion by reducing the number of single-occupant motor vehicle trips associated with home-to-work commuting.

B. Reduce or delay the need for major transportation facility improvements by making more efficient use of existing facilities.

C. Reduce future air pollution concentrations and strive towards meeting federal ambient air pollution standards by reducing the number of single-occupant motor vehicle trips associated with home-to-work commuting.

D. Reduce the consumption of energy for transportation uses and thereby contribute to the national policy to increase energy self-sufficiency. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.030 Definitions.

Unless the context indicates otherwise, the following definitions shall govern the meaning of those terms used in this chapter:

“Common business location” means a single building, group of buildings, or group of work stations at a single site or contiguous sites.

“Commuter matching service” means any system, whether by computer, manual, or mapping methods, which matches commuters residing in one common area, working in another common area, and having approximately the same work starting and stopping times.

“Director” means the director of the public works department.

“Employee transportation coordinator” means an employee, tenant, property manager, property owner, or other appropriate person who has been designated to perform various duties related to meeting the transportation needs of employees of a firm, common work location, or other geographic employment area.

“Person” means a sole proprietor, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district or other individual or entity, either public or private, carrying on an enterprise or conducting any other activity, whether or not for profit.

“Preferential parking” means a program of selecting, assigning or designating vehicle parking spaces in which priority in the selection, assignment, or designation is given to specific classes of vehicles such that vehicles in that class may be parked in locations considered by the vehicle operator to be the best or most desirable location.

“Regular employee” means any employee who works for a business, firm, agency, or other person for three or more days per week and four or more hours per day. [Ord. 15-2022 § 4 (Exh. A); revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0748 § 1, 1988; SCC 567 § 1, 1983].

10.64.040 Permit required.

Except as provided in RCMC 10.64.050, no person shall employ 100 or more persons at a common business location within the Ceity of Rancho Cordova without first applying for and obtaining a trip reduction permit. Said permit must be obtained within 180 days of notification, as described in RCMC 10.64.080.

When a particular person has more than one common business location within the Ceity of Rancho Cordova, each location employing 100 or more persons, that person may apply for and, subject to satisfactorily meeting the requirements of RCMC 10.64.140, may be granted a single trip reduction permit applicable to all business locations described in the approved permit. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.050 Exceptions.

Notwithstanding any other provisions of this chapter, the following uses and activities shall be specifically exempt from the provisions of this chapter:

A. Persons who employ fewer than 100 persons in the Ceity of Rancho Cordova.

B. Temporary construction activities, including activities performed by engineers, architects, contractors, subcontractors, and construction workers, when such activities are related to the construction, development, or other improvement of real property.

C. Emergency activities in which persons are employed to render aid or other services in the event of an emergency or natural disaster.

D. Other temporary activities which employ persons for a period of less than 90 days. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.060 Authority to issue permit.

The ~~D~~irector of the environmental management department, hereinafter the director, shall be authorized to issue a trip reduction permit based on satisfactory compliance with the requirements of RCMC 10.64.140. The ~~D~~irector shall be authorized to establish reasonable administrative procedures to implement the provisions of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0748 § 2, 1988; SCC 567 § 1, 1983].

10.64.070 Permit fee.

The ~~C~~eity ~~C~~eouncil may, by resolution, and from time to time, prescribe fees for the issuance and renewal of trip reduction permits. Such fees shall be for the sole purpose of defraying costs incurred in the administration of this chapter.

All fees for the issuance and renewal of permits shall be paid at the time of and with the filing of the application with the ~~D~~irector. No application shall be deemed valid or complete until all prescribed fees have been paid. Unless otherwise prescribed, fees shall not be refundable in whole or in part whether or not the permit is issued or approval granted. Nor shall any such fee be refundable in whole or in part if a permittee ceases operating under the permit in advance of expiration of the term thereof. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.080 Notification of requirements.

The ~~D~~irector shall notify, in writing, all persons required by this chapter to obtain a trip reduction permit. Such notification shall be made in a timely manner based on the compliance schedule contained in RCMC 10.64.150 and shall contain at least the following information:

A. A statement that the recipient is required by this chapter to obtain a trip reduction permit.

B. A description of the requirements which the applicant must satisfy to obtain the permit.

C. A description of the procedures to apply for and obtain the permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.090 Application filing.

All applications for a trip reduction permit shall be filed with the environmental management department. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0748 § 3, 1988; SCC 567 § 1, 1983].

10.64.100 Application contents.

The application for a trip reduction permit shall be filed on a form and contain such information as prescribed by the ~~d~~irector. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.110 Investigation.

The ~~D~~irector shall examine the application to determine whether the applicant complies with the requirements contained in RCMC 10.64.140. Inspection of the business location shall be conducted as necessary to determine compliance with said requirements. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.120 Issuance of permit.

The ~~d~~irector shall act upon the application not later than 30 days after the date it is validly filed, unless the applicant has filed a written request with the ~~d~~irector to extend the time in order that the applicant may submit additional information prior to action by the ~~d~~irector.

The ~~D~~irector shall issue the permit unless (s)he finds, in writing, that the requirements contained in RCMC 10.64.140 have not been met. The ~~D~~irector shall notify the applicant, in writing, of his/her decision to issue or not issue the permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.130 Term of permit.

Except as provided herein, all trip reduction permits shall be valid for a period of one year from the date of issuance by the ~~D~~irector. The ~~d~~irector may issue a trip reduction permit which is valid for three years to any person who has continuously maintained a valid trip reduction permit for a period of two years or more. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.140 Trip reduction requirements.

The granting of a trip reduction permit shall be based on satisfactory compliance with the following requirements:

A. Provide all employees on an annual basis, and all new employees upon hiring, with written information on alternative commute modes, including carpooling, vanpooling, public transit, bicycling, and walking to work. Such material shall include information on the benefits of these alternate modes and details regarding their availability to employees in commuting to the work site.

B. Provide all employees on an annual basis, and all new employees upon hiring, with commuter matching services. This service may be provided by the employer or any agency, firm, consultant, or other person.

C. Provide all employees with the services of an on-site employee transportation coordinator.

D. Provide and administer a program of preferential parking for carpool and vanpool vehicles at each work location. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.150 Compliance schedule.

The requirements of this chapter shall be implemented according to the following schedule:

A. Any person who files an application with the ~~C~~eity of Rancho Cordova for a new general business license on or after January 1, 1984, shall be required to comply with the provisions of this chapter.

B. Any person who, on or after January 1, 1985, employs 500 or more persons at a common business location shall be required to comply with the provisions of this chapter.

C. Any person who, on or after January 1, 1986, employs 250 or more persons at a common business location shall be required to comply with the provisions of this chapter.

D. Any person who, on or after January 1, 1987, employs 100 or more persons at a common business location shall be required to comply with the provisions of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 623 § 1, 1985; SCC 567 § 1, 1983].

10.64.160 Appeals.

Any person may appeal the decision of the ~~d~~irector regarding the issuance of a trip reduction permit to the Rancho Cordova ~~P~~lanning ~~C~~ommission~~City Council~~. Such appeal must be made in writing no later than 30 days from the date of written notification by the ~~d~~irector of his/her decision to issue or not to issue the permit pursuant to RCMC 10.64.120. Procedures, hearings, and final action by the ~~P~~lanning ~~C~~ommission~~City Council~~ shall be as provided in RCMC Title 23, Zoning Code. [Revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.170 Failure to obtain permit.

Any person who, after proper notification as required herein, fails to apply for a trip reduction permit, and any person who, after making application for a trip reduction permit, employs 100 or more persons without obtaining a trip reduction permit, as required in RCMC 10.64.040, shall be in violation of this chapter. The ~~D~~irector shall notify any such person, in writing, that he/she is in violation of this chapter. The ~~D~~irector shall also notify the ~~C~~eity ~~A~~ttorney and request that appropriate legal action be initiated. [Revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.180 Violations.

Violation of any of the provisions of this chapter constitutes a misdemeanor. Any person, firm, or corporation, whether as principal, agent, employee, or otherwise, who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500.00 or imprisoned for not more than six months in the county jail, or both. Each day such violation continues shall be considered a separate offense. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

Chapter 10.66

REGULATION OF CRUISING

Sections:

- 10.66.010 Cruising prohibited.
- 10.66.020 Cruising defined.
- 10.66.030 Congested traffic defined.
- 10.66.040 Green light cycle defined.
- 10.66.050 Traffic-control point defined.
- 10.66.060 Warning against cruising.
- 10.66.070 Violation of this chapter.
- 10.66.080 Posting of no-cruising zones.

10.66.010 Cruising prohibited.

No person shall engage in the activity known as “cruising,” as defined in this chapter, on the public streets or highways of the City of Rancho Cordova in any area which has been posted as a no-cruising zone. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.020 Cruising defined.

For purposes of this chapter, “cruising” shall be defined as the repetitive driving of any motor vehicle past a traffic-control point in congested traffic at or near the traffic-control point. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.030 Congested traffic defined.

For the purposes of this chapter, “congested traffic” means traffic on any public street or highway which is delayed to the point that:

A. Motor vehicles cannot move through a 100-yard approach corridor to an intersection controlled by a traffic light within two complete green light cycles where the delay in forward movement is due to the position of other motor vehicles; or

B. Motor vehicles cannot move through a 100-yard approach corridor to an intersection controlled by a traffic light within a five-minute period of time where the delay in forward movement is due to the position of other motor vehicles; or

C. Motor vehicles cannot readily move forward on portions of public streets or highways between intersections because traffic speed has slowed to less than five miles per hour, and the delay in movement is due to the position of other motor vehicles.

The determination that a street or highway is congested shall be made by the ranking peace officer on duty in the affected area. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.040 Green light cycle defined.

For purposes of this chapter, a “green light cycle” shall mean the period commencing upon the switching of a red light to a green light through to the return of a red light. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.050 Traffic-control point defined.

For purposes of this chapter, “traffic-control point” shall mean a location along a public street or highway utilized by a peace officer on duty in the affected area as an observation point in order to monitor traffic conditions for potential violations of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.060 Warning against cruising.

A peace officer may issue a written notice to any person driving any motor vehicle passing a traffic-control point that any subsequent passage past that traffic-control point within the next succeeding four hours shall be a violation of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.070 Violation of this chapter.

Any person who, after having received a written notice as described in RCMC 10.66.060, subsequently drives past the same traffic-control point within a four-hour period shall be in violation of this chapter.

The minimum penalty for a first conviction of cruising is a \$100.00 fine; for a second conviction within one year, a \$200.00 fine; for a third or subsequent conviction within one year, a \$250.00 fine. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.080 Posting of no-cruising zones.

A. This chapter will be enforced in any area which has been posted as a no-cruising zone.

B. No-cruising signs shall be posted at the beginning and end of any public street or highway which is a no-cruising zone. The signs shall reference Section 21100(k) of the California Vehicle Code and this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

Chapter 10.70

STREET RACING

Sections:

- 10.70.010 Definitions.
- 10.70.020 Violation.
- 10.70.030 Relevant circumstances to prove a violation.
- 10.70.040 Nonapplicability.
- 10.70.050 Penalty for violation.

10.70.010 Definitions.

For purposes of this chapter, the following definitions shall apply:

“Preparations” for any street race or reckless driving exhibition include, but are not limited to, any of the following acts done for the purpose of the street race or reckless driving exhibition:

1. One or more motor vehicles or persons have arrived at a predetermined location;
2. One or more persons have gathered on, or adjacent to, a public street or highway, or gathered in an off-street parking facility;
3. One or more persons have impeded the free public use of a public street or highway or offstreet parking facility by acts, words or physical barriers;
4. One or more vehicles have lined up with engines running;
5. One or more drivers is revving his or her engine or spinning his or her tires; and/or
6. A person is acting as a race starter.

“Present” means a person is within 200 feet of the site of a street race or reckless driving exhibition, or within 200 feet of the site of the preparations for either of these activities.

“Reckless driving exhibition” means any exhibition of reckless driving described in Section 23103 of the California Vehicle Code.

“Spectator” means a person who is present at a street race or reckless driving exhibition, or the site of the preparations for either of these activities, for the purpose of viewing, observing, watching or witnessing either of these activities without regard to the means by which the person arrived.

“Street race” means any motor vehicle speed contest or motor vehicle exhibition of speed defined or described in Section 23109 of the California Vehicle Code. [Ord. 17-2005 § 1].

10.70.020 Violation.

A. It shall be unlawful for any person to be a spectator at a street race or reckless driving exhibition conducted on a public street or highway or offstreet parking facility.

B. It shall be unlawful for any person to be a spectator at the location of preparations for a street race or reckless driving exhibition conducted on a public street or highway or off-street parking facility.

C. Nothing in this section prohibits law enforcement officers or their agents who are acting in the course of their official duties from being spectators at a street race or reckless driving exhibition or spectators at the location of preparations for either of these activities. [Ord. 17-2005 § 1].

10.70.030 Relevant circumstances to prove a violation.

To prove a violation of this chapter, admissible evidence may include, but is not limited to, any of the following:

- A. The time of day;
- B. The nature and description of the scene;
- C. The number of people gathered at the scene;
- D. The location of the person charged in relation to any person or group present at the scene;
- E. The number and description of motor vehicles at the scene;
- F. Whether vehicles gathered at the scene are engaged in vehicular stunts and maneuvers; and/or
- G. Whether the individual charged has previously participated in or aided and abetted in a street race. [Ord. 17-2005 § 1].

10.70.040 Nonapplicability.

This chapter does not prohibit members of law enforcement, the medical profession or any other legitimate service provider from being present at a street race or a reckless driving exhibition while in the course of their official duties. [Ord. 17-2005 § 1].

10.70.050 Penalty for violation.

A violation of this chapter shall constitute a misdemeanor. The penalty for a first violation is a \$500.00 fine or imprisonment not to exceed six months, or both. The penalty for each additional violation within one year is a \$1,000 fine or imprisonment not to exceed six months, or both. [Ord. 17-2005 § 1].

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Title 12

STREETS AND SIDEWALKS

Chapters:

- 12.01 Definitions**
- 12.03 Street Improvements**
- 12.08 Construction in Streets**
- 12.09 Street Trench Fee**
- 12.12 Obstruction of Corners**
- 12.16 House Numbers on Curbs**
- 12.20 Underground Utility Districts**
- 12.24 Street Numbering System**

Chapter 12.01

DEFINITIONS

Sections:

12.01.010	Generally.
12.01.020	Arterial.
12.01.030	City.
12.01.040	Department.
12.01.050	Director.
12.01.060	Expressway.
12.01.070	Freeway.
12.01.080	Frontage road.
12.01.090	Major addition.
12.01.100	Street, city.
12.01.110	Street improvement.
12.01.120	Thoroughfare.

12.01.010 Generally.

All words used in the singular include the plural, and the plural the singular; each gender includes the other and any tense includes the other tenses unless the context requires otherwise. “Shall” is mandatory and “may” is permissive. The word “includes” shall not limit a term to the specific examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.020 Arterial.

“Arterial” means a highway as shown on the general plan of the City having a normal right of way width of 84 feet constructed consistent with City Standards for street design. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 225 § 1, 1975; SCC 192 § 4 (part), 1975].

12.01.030 City.

“City” means the city of Rancho Cordova. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.040 Department.

“Department” means the Department of Public Works of the City. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.050 Director.

“Director” means the Director of the Department of Public Works or his designated representative. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.060 Expressway.

“Expressway” means a highway in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands or in respect to which such owners have only limited or restricted right or easement of access. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § (part), 1975].

12.01.070 Freeway.

“Freeway” means a highway as established pursuant to Section 23.5 of the Streets and Highways Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § (part), 1975].

12.01.080 Frontage road.

“Frontage road” means a street which is approximately parallel to and adjacent to a major thoroughfare, expressway, freeway, or other important traffic facility to which access is limited and which provides access to abutting properties and separation from through and fast traffic. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.090 Major addition.

“Major addition” includes any of the following: (A) any addition to a residential building or a structure when said addition exceeds 50 percent of the floor area of the existing building; (B) any addition to a commercial or industrial building or structure when said addition exceeds 10 percent of the floor area of the existing building or where any remodeling within such a building or structure will, in the opinion of the Director, result in increased traffic upon the public streets; or (C) where remodeling is undertaken to convert a structure from a residential use to any commercial or industrial use. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 1, 1996; SCC 311 § 1, 1977; SCC 192 § 4 (part), 1975].

12.01.100 Street, city.

A street, highway, thoroughfare, road, avenue, boulevard, alley, lane, court, circle, drive or way shall not be a City street until and unless said street has been accepted into a street or road system maintained by the City. Streets and roads in public parks, public airports, public schools and similar public grounds shall not be construed to be City streets for the purpose of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.110 Street improvement.

“Street improvement” refers to such street work and utilities to be installed or agreed to be installed by a developer on land to be used for public or private streets, highways, ways and easements as are necessary for the general use of the property owners and local neighborhood traffic and drainage needs as condition precedent to the approval and acceptance of the project.

“Street improvement” also refers to such other specific improvements or type of improvements, the installation of which, either by the developer, by public agencies, by private utilities, by any other entity approved by the local agency or by a combination thereof, is necessary or convenient to ensure conformity to or implementation of the general plan of the City. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.120 Thoroughfare.

“Thoroughfare” means a highway as shown on the general plan of the City which has a normal right-of-way width of 110 feet. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

Chapter 12.03

STREET IMPROVEMENTS

Sections:

12.03.010	Definitions.
12.03.020	Requirements.
12.03.030	Building permits.
12.03.040	Appeals.
12.03.050	Time deferments.
12.03.060	Notice to install.
12.03.070	Security for frontage improvements.
12.03.080	Frontage improvement security.
12.03.090	Release of improvement security.
12.03.095	Calling of security.
12.03.110	Filing of plans.
12.03.210	Fee structure.
12.03.220	Payment.
12.03.230	Interest.

12.03.010 Definitions.

“Administrator” means the Public Works Director.

“Chief” means the chief of the building and safety department.

“Commercial property” means all property which is not residential.

“Residential property” means single-family residences and duplexes.

“Street improvement” includes, but is not limited to, streets, curbs, gutters, sidewalks, sanitary sewer facilities, storm drain facilities, water supply facilities, street lighting, and landscaping. [Ord. 38-2007 § 1 (Exh. 1(A), (H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0939 § 1, 1993; SCC 192 § 5 (part), 1975; SCC 504 § 1, 1982].

12.03.020 Requirements.

A. Street improvements shall be required in conjunction with any construction, grading, or related work, including the construction of structures, buildings, or major additions thereto, on property located adjacent to any Ceity street or on property utilizing any Ceity street for ingress and egress, except that such improvements shall be deferred as described in RCMC 12.03.050 for residential property unless:

1. Street improvements are, in the opinion of the Aadministrator, necessary for public safety; or
2. Street improvements would complete the extension of improvements already existing on either side of the subject property.

B. The design, location and specifications of necessary street improvements shall conform to the Ceity of Rancho Cordova improvement standards and standard construction specifications, as adopted by the Ceity Ceouncil, and as amended from time to time. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 192 § 5 (part), 1975; SCC 504 § 2, 1982].

12.03.030 Building permits.

No building permit for any structure or building or major addition to a building or structure shall be issued until a site plan has been approved by the Aadministrator which shows all street improvements. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0731 § 1, 1988; SCC 192 § 5 (part), 1975].

12.03.040 Appeals.

A. The applicant or any interested person adversely affected by any action relating to the provisions of this title may appeal the action by submitting a written notice of appeal with the Ceity Mmanager within 15 days of the date of the decision. The Ceity Mmanager or his or her designee shall conduct an informal hearing on the appeal within 15 days of receipt of the notice of appeal.

B. The applicant or any interested person may appeal the decision of the Ceity Mmanager by filing a notice of appeal with the Ceity Ceouncil within 15 days of the date of the decision. Any such notice shall be in writing, signed by the appellant under penalty of perjury. The notice shall include the following information:

1. A complete description of the factual basis for the appeal;
2. The legal basis for the appeal; and
3. The remedy sought by the appellant.

If the appeal is not filed within such time or manner, the right to a review of the action against which complaint is made shall be deemed to have been waived.

C. Not later than 30 days following the date of filing an appeal, the Ceity Ceouncil shall conduct a hearing to determine whether street improvements are required. Notice of the date set for hearing shall be mailed to the parties at least 10 calendar days prior to the hearing date.

D. At the hearing, the Ceity Ceouncil may hear any oral or documentary evidence that the appellant may offer in addition to the information in the notice of appeal, together with any oral or written information that may be submitted by Ceity representatives in support of the determination that is the subject of the appeal. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.03.050 Time deferments.

A. The Aadministrator may defer the requirement of concurrent construction of improvements for commercial properties, or may accept a cash payment in an amount determined by the Aadministrator in lieu of improvements, if the Aadministrator determines that the character of the surrounding neighborhood and the present development thereof does not require the immediate installation and construction of the improvements required by this chapter, as of the time of the construction of the building or structures authorized by the building permit.

B. The Aadministrator may defer the requirement of concurrent construction of improvements for residential properties if the Aadministrator determines that immediate installation and construction of the improvements required by this chapter are not required due to the following:

1. A street design has not been defined for the street on which the subject property is situated;
2. Improvements are installed on less than 50 percent of the public street frontage within a one-quarter mile radius of the proposed new structure(s) or major addition(s); or
3. The cost to install street improvements (including but not limited to grading improvements, landscaping and public utility relocation) would be equal to or greater than 20 percent of the fair market value of the proposed new structure(s) or major addition(s). The property owner has the burden of proof as to the cost of installation.

C. For both commercial and residential properties, the deferral shall not be effective until such time as the owner of the property enters into a deferred improvement agreement with the Ceity. The Aadministrator shall be authorized to execute the agreement on behalf of the Ceity and shall be the agent of the Ceity to perform all acts required of the Ceity respecting the agreement, or its performance, completion or release. The agreement shall be in a form approved by the Ceity Attorney and shall provide all of the following:

1. That the owner install the improvements at his or her own cost;

2. That installation shall occur at such time as the Administrator determines at his or her sole discretion that the character of the surrounding neighborhood and the development thereof require the installation of the improvements;
3. That if the City is required to install the improvements, all costs thereof shall be borne by the owner, shall be paid immediately and shall be a lien upon the property; except that, in cases of undue hardship as determined by the Administrator, the Administrator shall accept a promissory note and deed of trust in lieu of immediate payment; and
4. Such other provisions as in the opinion of the Administrator and City Attorney are administratively necessary or convenient to carry out the purpose and intent of this chapter. [Revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0796 § 1, 1990].

12.03.060 Notice to install.

When the Administrator determines pursuant to RCMC 12.03.050 that the installation of the improvements is required, he or she shall give 30 days' notice in writing to the owner or his or her successor in interest to install the required improvements. When the Administrator requires the installation of the improvements, the owner or his or her successor in interest shall comply with the provisions of this chapter relating to the approval of improvement plans for the required improvements. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.070 Security for frontage improvements.

This chapter applies to frontage improvements which are required on the approved plans and which are not covered by the Subdivision Map Act (Division 2, Title 7 of the Government Code) and RCMC Title 22. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.080 Frontage improvement security.

A security in the amount of 100 percent of the total estimated costs of the frontage improvements will be required for all projects to guarantee and warranty that the frontage improvements are completed in a timely manner and in accordance with the approved plans and the City's improvement standards. The security shall guarantee and warranty the work for one year following its completion and acceptance against defective work, labor or materials. The estimate of frontage improvement costs will be approved by the Administrator. The security shall be implemented by means of a frontage improvement agreement between the owner and the City. This agreement shall be executed in behalf of the City by the Administrator. The security shall be in the form of a performance bond or other security acceptable to the Administrator. The security and agreement shall be provided to the City prior to improvement plan approval. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.090 Release of improvement security.

The security furnished by the owner shall be released by the administrator upon satisfactory completion of the frontage improvement work. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.095 Calling of security.

In the event that the frontage improvements are not completed in a timely manner, or if the facilities are occupied before the improvements are complete, or if the project is suspended, or if the facilities are left in a condition that is detrimental to the public health and safety, the city may take action to complete the project or to collect unpaid fees and costs by calling the security. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.110 Filing of plans.

Plans for all required improvements, as well as for all additional improvements to be installed in, over or under any existing or proposed right-of-way, easement or parcel, shall be filed with the Administrator for ~~checking~~review.

A. Plans shall be subject to approval by the Administrator prior to the issuance of a building permit for subdivisions and developments not requiring submission of a final subdivision map in accordance with the provisions of RCMC Title 22.

B. The construction of all such improvements as may be approved by the Administrator are subject to his or her inspection to assure compliance with City requirements. The Administrator shall have full jurisdiction over the

inspection of all such construction. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 192 § 5 (part), 1975].

12.03.210 Fee structure.

A fee shall be paid to the Ceity for plan checking, inspection, material testing services and other services performed, or authorized to be performed, by the Aadministrator. The fee for all on-site and off-site improvement plans shall be the direct cost incurred by the Ceity based on the hourly rate of personnel. This hourly rate shall include all overhead costs. The fee shall include a processing fee equal to one hour's time of appropriate personnel involved, as well as one-year follow-up inspection fee equal to five hours' time of the appropriate personnel involved, rounded to the nearest dollar. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1147 § 1, 1999; SCC 1049 § 3, 1996; SCC 0792 § 2, 1990; SCC 361 § 1, 1978; SCC 192 § 5 (part), 1975; SCC 464 § 1, 1981].

12.03.220 Payment.

A minimum deposit of \$750.00 shall be paid by the applicant upon submittal of the improvement plans. The balance of the fees charged under RCMC 12.03.210 shall be paid prior to final acceptance of the construction by the Aadministrator. In the event the actual total charges do not exceed the minimum deposit amount, the Ceity shall reimburse the payer the difference between the deposit amount and the actual total charges. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0827 § 1, 1991; SCC 0792 § 3, 1990; SCC 361 § 2, 1978; SCC 329 § 1, 1978; SCC 192 § 5 (part), 1975; SCC 464 § 2, 1981].

12.03.230 Interest.

Interest of one and one-half percent per accounting period (28-day cycle) compounded each accounting period shall be added to the unpaid balance due to any account payable under RCMC 12.03.220 for any unpaid balance on the account which was not paid within 28 days of the date it was billed. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0792 § 4, 1990; SCC 329 § 2, 1978].

Chapter 12.08

CONSTRUCTION IN STREETS

Sections:

12.08.005	Title.
12.08.010	Definitions.
12.08.020	Permit required.
12.08.030	Permit fees.
12.08.040	Filing of plan.
12.08.050	Compliance with permits.
12.08.060	Refilling upon completion.
12.08.070	Deposit.
12.08.080	Waiver of deposit.
12.08.090	General deposit.
12.08.100	Refusal to refill excavation.
12.08.110	Exemptions.
12.08.120	Permit nontransferable.
12.08.130	Emergency excavation.
12.08.140	City liability.
12.08.150	Abatement proceedings.
12.08.160	Penalty and cost of enforcement.

12.08.005 Title.

This chapter shall be known as the construction in streets ordinance. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998].

12.08.010 Definitions.

For purposes of this chapter, “obstruction” shall be defined as any activity or structure, temporary or permanent, encroaching into the road right-of-way excepting utility poles or pole lines placed upon the unimproved portion of the highway.

For purposes of this chapter, “person” includes any individual, firm, partnership, association, corporation, public district or other political subdivision.

For purposes of this chapter, “Road Commissioner” means the Public Works Director. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 1, 1952].

12.08.020 Permit required.

It is unlawful for any person to lay, construct or maintain any pipes, drain, or conduit across, along or on any street, road or highway in the City, or to make any excavation or cut or obstruction therein for such purposes without first obtaining a permit from the Road Commissioner to do so in the manner herein provided. Every applicant shall state in detail the following information:

A. The location, dimension, purpose, extent and nature thereof;

B. The time during which it is estimated that the excavation or obstruction will exist;

C. Such other information as may be required by the Road Commissioner. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 2, 1952].

12.08.030 Permit fees.

A minimum processing fee of \$75.00 or such other amount as may be established by resolution of the City Council shall be paid for permits prior to permit issuance, except where a continuous billing account has been established. Additional costs incurred by the Rancho Cordova Public Works Department for processing and inspection shall be billed to the permittee on a time and material basis, based upon the prevailing Public Works

Department rates in effect at the time of permit processing. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 3, 1952].

12.08.040 Filing of plan.

Every applicant for a permit hereunder shall file with the application a plan showing the street or highway in which the proposed excavation will be made, together with the approximate locations and dimensions of the proposed excavations or obstructions. When excavations are made for service connections or for the repair of trouble in conduits or other pipes, or for culverts or drainage pipes under driveways, the Road Commissioner may waive the filing of a plan. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 4, 1952].

12.08.050 Compliance with permits.

Any act done under the authority of a written permit issued pursuant to the provisions of this chapter shall be done in accordance with the terms and conditions of such permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 5, 1952].

12.08.060 Refilling upon completion.

Immediately upon completion of the work necessitating the excavation or obstruction permitted by the permit issued hereunder, the permittee shall, at his or her own cost and expense, promptly and in a workmanlike manner refill the excavation or remove the obstruction. All excavations shall be refilled in a manner consistent with then-applicable City standard specifications and the specific terms and conditions contained in the permit. Upon completion of the refilling of the excavation, the Road Commissioner shall require the permittee to resurface that portion of the street or highway damaged by the permittee's excavation or obstruction. The resurfacing shall be done in accordance with the standard specifications prescribed by the City Council for the repair and resurfacing of City streets. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 6, 1952].

12.08.070 Deposit.

Except as hereinafter provided, the Road Commissioner shall require the applicant to deposit a sum of money sufficient in the opinion of the Road Commissioner to cover the total cost of refilling any excavation and proper restoration of the highway as required hereunder. If the work of refilling the excavation is in accordance with the requirements of RCMC 12.08.060 and the restoration of the highway is completed in accordance with the standards herein prescribed, the deposit shall be returned to the permittee at the expiration of 180 days from the completion of work. If during such time the refilled excavation settles, or if the resurfacing or restoration of the highway disintegrates or develops ruts or holes, the Road Commissioner shall require the permittee to repair or resurface the highway to eliminate all ruts and holes therein. If the permittee fails or refuses to do such work, the Road Commissioner shall do the work required, and pay the cost thereof out of the deposit. If the deposit is insufficient for this purpose the deficiency shall be charged to the permittee. If the permittee fails or refuses to pay such a deficiency upon demand, the City may recover the same by an action in any court of competent jurisdiction. Until the deficiency is paid in full no new permits shall be issued to such permittee. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 7, 1952].

12.08.080 Waiver of deposit.

The Road Commissioner may waive a special deposit whenever in his or her opinion the proposed excavation or obstruction is of a minor nature or other suitable security is provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 8, 1952].

12.08.090 General deposit.

In lieu of making a special deposit required by RCMC 12.08.070, the applicant may make and maintain with the Road Commissioner a general deposit in an amount estimated by the Road Commissioner to be sufficient to pay for the cost of any expected repairs occasioned by any excavation or obstruction authorized by any permit issued hereunder to the applicant, but not to exceed \$25,000. The general deposit shall be held and used for the same purposes as the special deposit required herein. The deposit shall be a corporate surety bond or other corporate bond acceptable to the road commissioner, cash, certified check or cashier's check payable to the City; provided, however, the maintenance of a general deposit does not relieve an applicant from making application for every proposed excavation or obstruction, but more than one proposed excavation or obstruction may be included in one application. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 9, 1952].

12.08.100 Refusal to refill excavation.

If the permittee fails or refuses to refill any excavation as required by RCMC 12.08.060 or remove any obstruction which he or she has placed upon the highway or fails and refuses to restore or resurface that portion of the surface of the highway damaged by him or her in accordance with the standards herein prescribed, the Road Commissioner may do such refilling and resurfacing and pay the cost thereof out of the deposit made by the permittee. The deposit shall also be used to maintain the work for a period of 180 days after completion thereof. If the amount of the deposit is not sufficient to cover the cost of the work and the maintenance thereof, the deficiency shall be charged to the permittee. If the permittee fails or refuses to pay the deficiency upon demand, the City may recover the same by an action in any court of competent jurisdiction. Until the deficiency is paid in full no new permits shall be issued to such permittee. In lieu of such deductions the Road Commissioner may bill such person for the amount owed by him or her to the City. If such amount is not paid within 15 days of the rendition of the bill, the Road Commissioner may deduct the amount from the general deposit as herein provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 10, 1952].

12.08.110 Exemptions.

No deposit shall be required of any public district, public utility, or political subdivision (as provided in Section 1468 of the California Streets and Highways Code) which is authorized by law to establish or maintain works or facilities in, under or over any public highway, nor shall the application of any such governmental unit be denied except as hereinafter provided. Every such applicant shall be entitled as a matter of right to a permit but shall otherwise be subject to the provisions of this chapter. The Road Commissioner shall have the right to deny a permit to such applicant where the applicant has failed to comply with the provisions of this chapter relating to the refilling of excavations, removing or relocating obstructions or the resurfacing or restoration of any highway, and the maintenance thereof, under any previous permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 11, 1952].

12.08.120 Permit nontransferable.

All permits issued hereunder shall be nontransferable and the work authorized by the permit must commence within 30 days of issuance thereof, and must be completed within the time estimated in the application. The Road Commissioner may grant a reasonable extension when the work has been unavoidably delayed without fault of the permittee. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 12, 1952].

12.08.130 Emergency excavation.

Nothing herein contained shall prohibit any person from making such excavation as may be necessary for the preservation of life or property when such necessity arises if the person making the excavation promptly notifies the Road Commissioner of any such action. Any person making such excavation shall refill the excavation in accordance with the standards prescribed by this chapter that would be applicable if a permit was received. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 13, 1952].

12.08.140 City liability.

The issuance of a permit hereunder shall not be construed as imposing any liability upon the City or upon any of its officers or employees by reason of damage or injury to persons or property resulting from any excavation or obstruction authorized by the permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998].

12.08.150 Abatement proceedings.

Any activity contrary to the provisions of this chapter or contrary to an encroachment permit or the terms or conditions imposed therein is unlawful and a public nuisance, and the Road Commissioner is authorized to commence in the name of the city actions or proceedings for the abatement and removal and enjoining thereof in the manner provided by law, and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate and remove such operation and restrain and enjoin any person, firm or corporation from so operating. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998].

12.08.160 Penalty and cost of enforcement.

A. Any person violating the provisions of this chapter or any encroachment permit issued pursuant to this chapter is guilty of a misdemeanor.

B. In addition to any other remedies available at law, any person violating the provisions of this chapter or any encroachment permit issued pursuant to this chapter shall be liable to the Ceity for all expenses and damages caused by any such violation.

C. 1. In addition to any other remedies provided by this chapter or state law, there are hereby imposed the following administrative civil penalties for each violation of this chapter or the terms and conditions of any encroachment permit issued pursuant to this chapter:

a. Any person initiating work within the public road right-of-way without obtaining an encroachment permit shall be subject to and responsible for a fine in the amount of \$2,500 for a first violation, \$5,000 for a second violation, or \$10,000 for a third or subsequent violation.

b. Any person in possession of a valid encroachment permit that initiates work within the public road right-of-way, but fails to provide notification for inspection as required by the permit, shall be subject to and responsible for a fine in the amount of \$1,000 for a first violation, \$2,500 for a second violation, or \$5,000 for a third or subsequent violation.

2. Whenever the Road Commissioner determines that an encroachment violates the provisions of this chapter, or the terms and conditions of any encroachment permit issued pursuant to this chapter, the road commissioner shall give written notice of such violation to the alleged violator. The notice shall include the following information:

a. The street address, legal description or other description sufficient to identify the affected property.

b. The penalty imposed as a result of such violation.

c. A statement that the party affected may file a written request for hearing with the Road Commissioner if it objects to imposition of the penalty.

d. A statement that the penalty imposed shall be enforced if the party fails to file a timely written request for a hearing.

3. Notice of any administrative civil penalty shall be served either personally or by mailing a copy of such notice by certified mail, postage prepaid, return receipt requested, to the alleged violator. Service shall be effective for all purposes upon receipt if personally served, or within five days of mailing as herein provided. Proof of service of the notice shall be certified at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring the time, date, and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to the copy of the notice retained by the Road Commissioner. The failure of a party to receive such notice shall not affect in any manner the validity of any proceedings taken pursuant to this chapter.

4. a. A written request for a hearing must be received by the Road Commissioner within seven days of the effective date of service of the notice. The Road Commissioner shall set a time and date for the hearing and notify the party requesting the hearing in writing of the time, date and place of the hearing. The hearing shall be before a hearing officer designated by the Road Commissioner.

b. The hearing shall be held at the earliest administratively convenient date, taking into consideration the availability of counsel and witnesses. Notice of the date set for hearing shall be mailed to the parties at least 10 calendar days prior to the hearing date. The alleged violator shall be entitled to appear personally, produce evidence, and be represented by counsel. At the hearing, the county shall have the burden of going forward first with evidence in support of the allegations contained in the order imposing penalties and shall have the burden of establishing the facts by a preponderance of the evidence. The hearing officer may administer oaths and take official notice of facts as authorized by law.

c. Oral evidence shall be taken only on oath or affirmation.

d. Each party shall have the following rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not

covered in the direct examination; to impeach any witness regardless of which party first called him or her to testify; and to rebut the evidence against it.

e. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the extent that they are otherwise required by statute to be recognized at the hearing, and irrelevant and unduly repetitious evidence shall be excluded.

f. The order of the hearing officer shall be in writing resolving the essential issues raised and confirming, amending or rejecting the administrative civil penalty imposed by the ~~R~~oad ~~C~~ommissioner. Procedures concerning notice and service thereof shall be as provided herein.

5. The manner of contesting the final order of the hearing officer concerning any administrative civil penalty is governed by Section 53069.4 of the Government Code, or any successor provision thereto. A copy of the notice of appeal authorized by Section 53069.4 of the Government Code shall be served upon the ~~clerk of the city-~~
~~council~~City Clerk.

D. Each party violating any provision of this chapter or any encroachment permit issued pursuant to this chapter shall be guilty of a separate offense for each and every day on which any such violation is committed, continued, or permitted by any such person.

E. In addition to any penalty, sanction, fine or imprisonment, any person violating the provisions of this chapter or any encroachment permit issued pursuant to this chapter shall be required to pay any and all expenses of enforcement, including those costs necessary to inspect, remove and/or correct the violation. In addition to all remedies herein contained, the ~~C~~eity may pursue all reasonable and legal means in collecting those sums authorized and due. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998].

Chapter 12.09

STREET TRENCH FEE

Sections:

12.09.010	Title.
12.09.020	Definitions.
12.09.030	Trench restoration fee.
12.09.040	Establishment of fund.
12.09.050	Relocation of utilities required by city.
12.09.060	Permit violations.
12.09.070	Pavement condition index ratings.
12.09.080	Pavement life performance warranty.
12.09.090	Repair of sunken pavement over excavation.
12.09.100	Publicly bid city plans, field changes and blanket permits.
12.09.110	Coordination of excavations.
12.09.120	Moratorium.
12.09.130	Excavation within moratorium period.
12.09.140	Joint excavation.
12.09.150	Nontransferability of pavement life warranty.
12.09.160	Appeal.
12.09.170	Severability.

12.09.010 Title.

This chapter shall be known as the street trench fee ordinance. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.020 Definitions.

For purposes of this chapter, the following definitions apply:

“Applicant” shall mean any owner who has submitted an application for a permit to excavate.

“Chapter” shall mean Chapter 12.09 RCMC.

“City” shall mean the Ceity of Rancho Cordova.

“City street” shall mean any public highway, road, street, avenue, alley, lane, drive, way, place, court or trail which has been accepted, or is hereafter accepted, by the Ceity of Rancho Cordova into the city road system pursuant to Section 1806 of the California Streets and Highways Code.

“Department” shall mean the Public Works Department.

“Director” shall mean the Public Works Director or his or her designee.

“Excavation” shall mean any opening in the paved surface or subsurface of the public right-of-way.

“Facility” or “facilities” shall mean any and all cables, cabinets, ducts, conduits, converters, equipment, drains, handholds, manholes, pipes, pipelines, splice boxes, surface location markers, tunnels, utilities, vaults, wells, and other appurtenances or tangible things that are located or are proposed to be located in the public right-of-way.

“Owner” shall mean any person, including any agency, department, or subdivision of the Ceity, who owns any facility or facilities that are or are proposed to be installed or maintained in the public right-of-way.

“Permit” or “permit to excavate” shall mean a permit to perform an excavation as it has been approved or may be amended or renewed by the Department.

“Person” shall mean any natural person, corporation, partnership, or any governmental agency, department, or subdivision of the county, or the state of California, or the United States of America.

“Public right-of-way” shall mean the paved area across, along, beneath, in, on, over, under, upon, and within the Ceity streets, as they now exist or hereafter will exist and which are or will be under the permitting jurisdiction of the Public Works Department.

“Resurfacing” shall mean any repaving, overlay, seal or reconstruction which constructs a new pavement surface of greater than one inch thickness over the entire width of the street, excluding crack seals, not including micropaving, Class 1 to 3 slurry seals, cape seals, and chip seals.

“Trench influence area” shall mean an area three feet adjacent to the trench where the excavation occurs for trenches with four feet or greater of cover over the utility facility from the paved surface, and one and one-half feet adjacent to the trench where the excavation occurs for trenches with less than four feet of cover over the utility facility from the paved surface. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.030 Trench restoration fee.

At the time any permit is issued, improvement plan approved, or work performed that causes an excavation of a paved city street, the applicant shall pay a trench restoration fee in addition to the fee required by the encroachment permit or other administrative fees. The fee shall be in the amount set forth on the trench cut fee schedule established by resolution of the Ceity Council. A trench restoration fee shall not be required for the following excavations:

A. In a Ceity street that the Ceity has scheduled for resurfacing either during the fiscal year (July 1st through June 30th) when the excavation permit is issued or during the immediately following fiscal year;

B. In a Ceity street where the pavement condition index (PCI), as defined by the Ceity’s pavement management system, is less than 25 on the date the excavation permit is issued;

C. For work performed by and for the Ceity Public Works Department;

D. For potholing to verify utility depth or location;

E. Where work will include resurfacing of all or a significant portion of the Ceity street where the excavation is made; provided, that the Director approves the resurfacing;

F. Made for a utility relocation required by the Ceity to accommodate a proper governmental use of a Ceity street;

G. For owners possessing a valid pavement life performance warranty agreement with the Ceity as set forth in RCMC 12.09.080;

H. Trenchless excavations greater than three feet in depth of cover over the utility facility not requiring a significant surface incision greater than industry bore pit standards may be excluded at the discretion of the Director. [Ord. 6-2010 § 7; Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.040 Establishment of fund.

All monies paid to the Ceity pursuant to RCMC 12.09.030 shall be deposited in a special fund or funds and shall be expended only for the resurfacing, maintenance, administration, and protection of Ceity streets where excavation has occurred after the effective date of adoption of the ordinance codified in this chapter. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.050 Relocation of utilities required by Ceity.

No fee or requirement authorized or imposed pursuant to this chapter shall be construed to affect or alter in any way any obligation of public and private utilities with facilities installed in any Ceity street to relocate the facilities at no cost to the Ceity, in the event that relocation is required by the Ceity to accommodate a proper governmental use of the Ceity street. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.060 Permit violations.

No person who has violated any provision of this chapter shall be issued an excavation permit, nor shall any contractor or agent apply for or be issued an excavation permit on such person's behalf, until the outstanding violation is corrected or a plan for correction is approved by the director. The foregoing requirement is in addition to any penalty or remedy for violation that may be imposed or sought by the Ceity at law or equity. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.070 Pavement condition index ratings.

The Ceity shall perform periodic pavement condition surveys of all Ceity streets and determine the pavement condition index (PCI) rating for each street. A PCI rating shall be assigned to discrete blocks of a street. The PCI report shall be made available for public review at the permit counter. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.080 Pavement life performance warranty.

In lieu of paying a trench restoration fee required by RCMC 12.09.030, an owner who has a valid franchise agreement with the Ceity or is statutorily exempt from franchise requirements shall provide a written pavement life performance warranty in a form acceptable to the Ceity. The warranty shall provide that in the event that subsurface material or pavement over or within the trench influence area becomes depressed, broken, or otherwise fails at any time after the excavation has been completed until such time as the street surface is completely resurfaced with a structural overlay, the owner who performed the trench cut shall repair or restore such condition pursuant to the procedure set forth in RCMC 12.09.090. In the event that an owner who has a valid franchise agreement with the Ceity or is statutorily exempt from franchise requirements fails or refuses to provide a written pavement life performance warranty, such owner shall pay the trench restoration fee set forth in the fee schedule adopted by resolution of Ceity Council. [Ord. 6-2010 § 8; Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.090 Repair of sunken pavement over excavation.

If the subsurface material or pavement over or within the trench influence area becomes depressed or broken at any time within two years after the excavation has been completed and accepted and before resurfacing of the Ceity street, where the owner has paid a trench restoration fee pursuant to RCMC 12.09.030, or at any time prior to such time as the street surface is completely resurfaced with a structural overlay, where the owner has provided a pavement life performance warranty pursuant to RCMC 12.09.080, the owner shall, upon written notice from the director, immediately inspect the depressed or broken area to ascertain the cause of the failure. The owner shall make repairs to the installation or backfill and have the pavement restored in the manner and within the time period specified by the Director. Additional inspection permit fees may be imposed as appropriate. A trench restoration fee shall not be charged for work performed under this section. If the pavement is not restored as specified by the Director, unless delayed by conditions beyond the owner's control, the Director may cause the work to be done after giving the owner 24 hours' final notice. The cost thereof, including any inspection costs and administrative overhead incurred by the Ceity, shall be assessed against the owner. The owner shall remain responsible for any future repairs of that portion of pavement over the excavation that was repaired by the Ceity for a period of two years, where the owner has paid a trench restoration fee pursuant to RCMC 12.09.030, or at any time prior to such time as the street surface is completely resurfaced with a structural overlay, where the owner has provided a pavement life performance warranty pursuant to RCMC 12.09.080. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.100 Publicly bid city plans, field changes and blanket permits.

Publicly bid city plans, field changes that alter the square footage of the trench surface area and blanket permits issued by the Director to any owner to make excavations for utility service connections, for the location of trouble in utility conduits or pipes and for making repairs thereto, or for emergency purposes shall be subject to all fees and requirements of this chapter. The owner shall report the amount of excavation to the permit counter and pay the required fees. Failure to report the excavation and pay the required fees shall be considered a permit violation pursuant to RCMC 12.09.060. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.110 Coordination of excavations.

Any owner installing facilities providing water, sewer, storm water drainage, gas, electric, communication, video or other utility services in city streets shall participate in the American Public Works Association ("APWA") Utility Committee and prepare a utility master plan, in a format specified by the APWA Utility Committee, that shows all of the owner's planned major utility work in city streets for the upcoming year. Prior to applying for an excavation

permit, any owner planning to excavate in Ccity streets shall coordinate, to the extent practicable, with other owners to minimize damage to, and avoid undue disruption and interference with, the public use of Ccity streets. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.120 Moratorium.

Excavation in newly renovated Ccity streets is prohibited for five years after filing of a notice of completion or acceptance of a new street or structural overlay of an entire street except as follows:

A. Emergency which endangers life or property.

B. Repair or modification to prevent interruption of essential utility service.

C. Relocation work that is mandated by Ccity, county, state or federal legislation.

D. Service for buildings where no other reasonable means of providing service exists, as determined by the Director.

E. In a Ccity street that the Ccity has scheduled for resurfacing either during the fiscal year (July 1st through June 30th) when the excavation permit is issued or during the immediately following fiscal year and the work takes place prior to the resurfacing.

F. For potholing to verify utility depth or location.

G. Trenchless excavations greater than three feet in depth of cover over the utility facility not requiring a significant surface incision greater than industry bore pit standards may be allowed at the discretion of the Director.

H. Other situations deemed by the Director to be in the best interest of the general public. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.130 Excavation within moratorium period.

Where a permit is issued to excavate during the five-year period after filing of a notice of completion or acceptance of a new street or structural overlay of an entire street, payment of the trench restoration fee in the fee schedule adopted by resolution of the Ccity Council will be required regardless of whether the owner has executed a pavement life performance warranty. [Ord. 6-2010 § 9; Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.140 Joint excavation.

Whenever applicants propose major work in the same block, the department shall condition permits for such work in a manner that maximizes coordination and minimizes the total period of construction. Such work may be conditioned to require the applicants to participate in a single excavation and pay their pro rata share of the work. Applicants may seek a waiver of the joint excavation requirements with respect to a particular excavation. Within 30 calendar days of receipt of a written request for a waiver, the Director shall render a decision upon such a request, taking into account the impact of the proposed excavation on the neighborhood, the applicant's need to provide services to a property or area, facilitating the deployment of new technology as directed pursuant to official Ccity policy, and the public health, safety, welfare, and convenience. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.150 Nontransferability of pavement life warranty.

Pavement life warranty agreements are not transferable or assignable. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.160 Appeal.

A person directly and adversely affected by a decision made by the Director pursuant to the provisions of this chapter may appeal the Director's decision by filing a written notice of appeal with the Ccity Manager no later than 10 working days after receiving notice of the Director's decision. The notice of appeal shall set forth the name, mailing address, and telephone number of the person appealing. The notice of appeal shall include or attach a statement describing the action being appealed, setting forth the grounds for the appeal, and describing the action requested of the Ccity Manager. The scope of the appeal shall be limited to the grounds specified in the notice of

appeal. No later than 30 days after the filing of a timely notice of appeal, the Ceity Manager shall render a decision on the appeal. The Ceity Manager's decision may affirm, reverse or modify the decision appealed. A copy of the Ceity Manager's decision shall be provided to the person appealing at the address shown on the notice of appeal. The Ceity Manager's decision shall be final. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.170 Severability.

Should any part of this chapter be declared invalid by a court of competent jurisdiction, the remaining provisions of this chapter shall remain in force and effect. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

Chapter 12.12

OBSTRUCTION OF CORNERS

Sections:

- 12.12.010 Obstructions at public street intersections and intersection elbows.
- 12.12.020 Obstructions at private driveways and public streets.
- 12.12.030 Street right-of-way line defined.
- 12.12.040 Exceptions.
- 12.12.050 Enforcement.
- 12.12.060 Scope.

12.12.010 Obstructions at public street intersections and intersection elbows.

It is unlawful to install, set out or maintain or to allow the installation, setting out or maintenance on property at any corner formed by intersecting streets or intersection elbows within the City of Rancho Cordova any sign, hedge, shrubbery, natural growth, fence or other obstruction to the view, higher than two feet, six inches above either the nearest pavement surface or the nearest traveled roadway (where there is no pavement) within that triangular area between the street right-of-way lines and a diagonal line joining points on the street right-of-way lines 20 feet from the point of their intersection or, in the case of rounded corners, the triangular area between the tangents to the curve and a diagonal line joining points on the tangent 20 feet from the point of their intersection. In the case of intersection elbows, 40-foot lengths instead of 20-foot lengths are applicable. The tangents referred to are those at the beginning and at the end of the curve at the corner. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0777 § 1, 1989, SCC 399 § 1, 1979; SCC 785 § 1, 1962].

12.12.020 Obstructions at private driveways and public streets.

It is unlawful to set out, install or maintain, or to allow the setting out, installation, or maintenance of any sign, hedge, structure, natural growth, fence, or other obstruction to the view higher than two feet, six inches above the nearest pavement surface (or traveled area where no pavement exists) on property adjacent to any private road or driveway intersecting a public street, within a triangular area formed by the edge of the driveway, the street right-of-way line, and a line connecting two points, one of which is on the right-of-way line 10 feet from the edge of the driveway, and the other of which is on the edge of the driveway 10 feet back of the right-of-way line measured perpendicular to the right-of-way line in a direction away from the street. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 399 § 2, 1979; SCC 1045 § 1, 1969; SCC 785 § 2, 1962].

12.12.030 Street right-of-way line defined.

Where the street right-of-way line is nearer to the centerline of the street than any existing sidewalk, the street right-of-way line shall be assumed to be coincidental with the back edge of the sidewalk for determining the triangular area for which this chapter controls obstructions to visibility. Where there is no sidewalk but the street right-of-way line is nearer to the centerline of the highway than any existing curb and gutter, the street right-of-way line shall be assumed to be coincidental with the back edge of the curb and gutter for determining the triangular area for which this chapter controls obstructions to visibility. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 785 § 3, 1962].

12.12.040 Exceptions.

The foregoing provisions shall not apply to the following:

- A. Permanent buildings;
- B. Public utility poles;
- C. Trees trimmed to the trunk so as to provide a clear open space between pavement grade and a plane six feet higher, pavement grade being defined as either:
 - 1. The nearest pavement surface; or

2. The nearest traveled roadway (where there is no pavement);

D. Saplings;

E. Fences of a type which in no way obstruct vision;

F. Supporting members of appurtenances to permanent buildings existing on October 31, 1962;

G. Official signs or signals;

H. Places where the contour of the ground is such that there can be no cross-visibility at the intersection;

I. Signs mounted so as to provide a clear, open space (except for supporting members) of 10 feet or more above the ground and whose supports do not constitute an obstruction as defined in RCMC 12.12.020;

J. Fences as may be required by the Federal Housing Administration or other home mortgage lending agency within subdivision corner lots as defined in RCMC Title 22, which have rear yards contiguous to a highway designated by the ~~D~~epartment of ~~public~~Public ~~W~~orks as a major highway with 100 feet of right-of-way, or designated by the ~~D~~epartment of Public Works as a major arterial with 80 feet of right-of-way or a frontage road;

K. Any passenger motor vehicle not to exceed six feet in height parked either temporarily or on display for sale on property zoned other than residential single-family, residential multiple-family or on other residential property. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 811 § 1 (part), 1963; SCC 785 § 4, 1962].

12.12.050 Enforcement.

A. This chapter shall be enforced by the ~~D~~epartment of ~~P~~ublic ~~W~~orks of the ~~C~~eity. The ~~D~~irector of the ~~D~~epartment of ~~P~~ublic ~~W~~orks or his authorized representative may investigate violations of this chapter, give such notices as may be required to carry out this chapter, and perform such other duties in connection with the enforcement of this chapter as may be appropriate.

B. Remedies. Any obstruction maintained in violation of this chapter may be deemed a public nuisance, and upon failure to abate the same within 15 days after posting upon the premises of a notice to abate the nuisance signed by the public works director, or his authorized representative, and after sending a copy of the notice to abate by registered mail addressed to the owner of record, as shown on the most recent assessment roll of the ~~C~~eounty of Sacramento, to the address as shown on the assessment roll, the director, or his authorized representative, may enter upon the premises and remove or eliminate the obstruction. In such event, the cost to the ~~C~~eity of the abatement of the nuisance shall be a lien upon the premises. The cost of such abatement shall, in addition, be a personal obligation against the owner of the premises upon which the nuisance was maintained, recoverable by the ~~C~~eity in an action before any court of competent jurisdiction. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0777 § 2, 1989; SCC 785 § 5, 1962].

12.12.060 Scope.

No obstruction to cross-visibility shall be deemed to be excepted from the application of this chapter because of its being in existence at the time of the adoption hereof, unless expressly exempted by the terms of RCMC 12.12.040. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 785 § 7, 1962].

Chapter 12.16

HOUSE NUMBERS ON CURBS

Sections:

- 12.16.010 Permit required.
- 12.16.020 Other requirements.
- 12.16.030 Applications.
- 12.16.040 Prior approval required.
- 12.16.050 Standards.
- 12.16.060 Liability.
- 12.16.070 Conditions.
- 12.16.080 Employee list.
- 12.16.090 Cancellation.
- 12.16.100 Appeal.
- 12.16.110 Penalty.

12.16.010 Permit required.

It is unlawful for any person to paint or cause to be painted any house numbers on street curbs within the City of Rancho Cordova without a valid permit issued as provided in this chapter. As used in this section, the words “paint” or “cause to be painted” include any means by which house numbers are affixed or applied to a street curb, including but not limited to paint of any kind applied in any manner and decals of any type which are designed to adhere to a street curb. As used in this chapter, “person” means any natural person, firm, association, joint venture, joint stock company, partnership, club, company, corporation, business trust, or organization of any kind. [Revised during 2008 codification; Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.020 Other requirements.

No permit shall be issued to any person intending to charge a fee or solicit contributions until he has obtained either a business license or a charitable solicitations permit, or both, in accordance with the requirements of this code, depending upon whether a business license or charitable solicitations permit, or both, are required. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.030 Applications.

To obtain a permit pursuant to the requirements of this chapter, an application shall be filed with the Department of Public Works containing the following information:

A. The location or area in which the applicant intends to paint house numbers on curbs;

B. The specific days on which the applicant intends to paint curbs;

C. Such other relevant information as is determined to be necessary by the Department of Public Works. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.040 Prior approval required.

Prior to painting house numbers, the permit holder shall obtain the written consent of an adult occupant of the abutting property. The form used for obtaining consent shall also specify the exact fee or donation which is expected to be paid. The silence of the occupant or the failure or omission of any occupant to complete or sign the form or to in any other manner indicate consent or refusal to have house numbers painted on the curb shall not constitute consent or in any way be relied on by the permit holder as indicating consent. No person other than an adult occupant who has consented in writing shall have any responsibility for payment of the fee or donation. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.050 Standards.

The Department of Public Works shall establish standards which shall govern the appearance of house numbers on curbs and the manner in which they may be applied, including but not limited to standards relating to the size, color and location of the numbers and the materials used to apply the numbers. The standards shall be provided in

writing to every person to whom a permit is issued and the permit holder shall sign a copy of the standards which includes a statement indicating that the permit holder has read and understands the standards and will follow them in applying curb numbers. The signed copy shall be retained in the department's files relating to the applicant. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.060 Liability.

The issuance of a permit hereunder shall not be construed as imposing any responsibility or liability on the Ceity or any of its officers or employees for claims for property damage or personal injury in any way arising out of, or relating to, the house number painting activities of the permit holder. It is unlawful for the permit holder to in any way represent or imply to anyone that the permit holder is a representative, or is acting for or on behalf of, the Ceity or any other public agency in offering to paint house numbers on curbs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.070 Conditions.

The issuance of a permit pursuant to this chapter shall be conditioned on compliance by the applicant with all of the provisions of this chapter and shall be subject to any special conditions which the Ddepartment of Ppublic Wworks determines to be necessary for the purpose of protecting the condition and use of Ceity rights-of-way and the public improvements located thereon and the health, safety and general welfare of the property owners abutting on the rights-of-way on which the applicant intends to paint house numbers. Such special conditions may include, but are not limited to, limits on the hours during which the permit holder may solicit orders and the hours during which the house number painting activity may take place and a permit expiration date which shall be not later than the sixtieth day following the date on which the permit is issued. It is unlawful for the permit holder or any employee or representative of the permit holder to solicit orders or engage in house number painting activities in violation of any such special conditions. Special conditions applicable to a permit shall be specified in writing on the permit or in a written attachment thereto. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.080 Employee list.

Before issuance of any permit, the applicant shall file with the Ddepartment of Ppublic Wworks a list of the names and addresses of all persons who will be in the employ of, or act as representatives of, the permit holder for the purpose of carrying on the activities authorized by the permit. The permit holder shall notify the Ddepartment of Ppublic Wworks in writing of any additions to the list within 72 hours following the addition of any new employee or representative. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.090 Cancellation.

A permit may be cancelled by the Ddepartment of Ppublic Wworks if it is determined that the permit holder, his employees or his representatives have violated any of the requirements of this chapter or have engaged in any other conduct or activity on the basis of which it is determined that the permit should be cancelled for the protection of the public health, safety or general welfare. Notice of cancellation shall be in writing and shall specify the reasons for cancellation. The cancellation shall be effective immediately upon personal delivery to the permit holder or his authorized representative. If reasonable efforts to effect personal delivery are unsuccessful, cancellation shall be effective upon the mailing of the required notice to the permit holder's address as specified in his application. Such mailed notice shall be effective, notwithstanding any change in the permit holder's address, unless the permit holder has notified the Ddepartment of Ppublic Wworks in writing of any such change of address. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.100 Appeal.

The cancellation of a permit as provided in RCMC 12.16.090 shall be final on the expiration of 10 days following the effective date of the revocation unless the permit holder files a written notice of appeal with the Ddepartment of Ppublic Wworks within the 10-day period. The Ddepartment of Ppublic Wworks shall set a time at the earliest administratively convenient date for an appeal conference which shall be attended by the Ddirector of Ppublic Wworks or his designee at which the permit holder shall be afforded an opportunity to discuss the reasons for the cancellation. The permit holder shall be afforded an opportunity to present information on his behalf in writing or oral form. Not later than the fifth day following the conclusion of such conference, the Ddepartment of Public Works shall notify the permit holder of its decision, which shall either be that the cancellation is permanent or modified in some appropriate manner. The decision of the Ddepartment of Public Works shall be final. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.110 Penalty.

Violation of any requirement or prohibition in this chapter is a misdemeanor and is punishable as provided in RCMC 1.01.190. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

Chapter 12.20

UNDERGROUND UTILITY DISTRICTS

Sections:

- 12.20.010 Definitions.
- 12.20.020 Public hearing by city council.
- 12.20.030 City council may designate underground utility districts by resolution.
- 12.20.040 Unlawful acts.
- 12.20.050 Exception, emergency or unusual circumstances.
- 12.20.060 Other exceptions.
- 12.20.070 Notice to property owners and utility companies.
- 12.20.080 Responsibility of utility companies.
- 12.20.090 Responsibility of property owners.
- 12.20.100 Responsibility of city.
- 12.20.110 Extension of time.

12.20.010 Definitions.

Whenever in this chapter the words or phrases hereinafter in this section defined are used, they shall have the respective meanings assigned to them in the following definitions:

“City Ceouncil” shall mean the Ceity Ceouncil of the Ceity of Rancho Cordova;

“Clerk” shall mean the duly appointed and acting clerk of the eity councilCity;

“Director of Public Works” shall mean the duly appointed and acting director of public works of the Ceity;

“Person” shall mean and include individuals, firms, corporations, partnerships, and their agents and employees;

“Poles, overhead wires and associated overhead structures” shall mean poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments and appurtenances located aboveground within a district and used or useful in supplying electric, communication or similar or associated service;

“Underground Utility District” or “District” shall mean that area in the Ceity within which poles, overhead wires, and associated overhead structures are prohibited as such area is described in a resolution adopted pursuant to the provisions of RCMC 12.02.030;

“Utility” shall include all persons or entities supplying electric, communication or similar or associated service by means of electrical materials or devices. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.020 Public hearing by city council.

The Ceity Ceouncil may from time to time call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the Ceity and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service. The Clerk of the city council shall notify all affected property owners as shown on the last equalized assessment roll and utilities concerned by mail of the time and place of such hearings at least 10 days prior to the date thereof. Each such hearing shall be open to the public and may be continued from time to time. At each such hearing all persons interested shall be given an opportunity to be heard. The decision of the Ceity Ceouncil shall be final and conclusive. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.030 City council may designate underground utility districts by resolution.

If, after any such public hearing, the Ceity Ceouncil finds that the public necessity, health, safety or welfare requires such removal and such underground installation within a designated area, the Ceity Ceouncil shall, by resolution, declare such designated area an Underground Utility District and order such removal and underground installation. Such resolution shall include a description of the area comprising such District and shall fix the time

within which such removal and underground installation shall be accomplished and within which affected property owners must be ready to receive underground service. A reasonable time shall be allowed for such removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for such removal and for the installation of such underground facilities as may be occasioned thereby. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.040 Unlawful acts.

Whenever the ~~C~~city ~~C~~ouncil creates an ~~U~~nderground ~~U~~tility ~~D~~istrict and orders the removal of poles, overhead wires and associated overhead structures therein as provided in RCMC 12.20.030, it shall be unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the district after the date when said overhead facilities are required to be removed by such resolution, except as said overhead facilities may be required to furnish service to an owner or occupant of property prior to the performance by such owner or occupant of the underground work necessary for such owner or occupant to continue to receive utility service as provided in RCMC 12.20.090, and for such reasonable time required to remove said facilities after said work has been performed, and except as otherwise provided in this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.050 Exception, emergency or unusual circumstances.

Notwithstanding the provisions of this chapter, overhead facilities may be installed and maintained for a period, not to exceed 90 days, without authority of the ~~C~~city ~~C~~ouncil in order to provide emergency service. The ~~C~~city ~~C~~ouncil may grant special permission, on such terms as the ~~C~~city ~~C~~ouncil may deem appropriate, in cases of unusual circumstances, without discrimination as to any person or utility, to erect, construct, install, maintain, use or operate poles, overhead wires and associated overhead structures. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.060 Other exceptions.

This chapter and any resolution adopted pursuant to RCMC 12.20.030 shall, unless otherwise provided in such resolution, not apply to the following types of facilities:

- A. Any ~~C~~city facilities or equipment installed under the supervision and to the satisfaction of the ~~D~~irector of ~~P~~ublic ~~W~~orks;
- B. Poles or electroliers used exclusively for street lighting;
- C. Overhead wires (exclusive of supporting structures) crossing any portion of a ~~D~~istrict within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a ~~D~~istrict, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited;
- D. Poles, overhead wires and associated overhead structures used for the transmission of electric energy at nominal voltages in excess of 34,500 volts;
- E. Overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location on the building to another location on the same building or to an adjacent building without crossing any public street;
- F. Antennas, associated equipment and supporting structures used by a utility for furnishing communication services;
- G. Equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, switching cubicles, and concealed ducts;
- H. Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.070 Notice to property owners and utility companies.

Within 10 days after the effective date of a resolution adopted pursuant to RCMC 12.20.030, the ~~C~~lerk of the ~~c~~ity ~~c~~ouncil shall notify all affected utilities and all persons owning real property within the ~~D~~istrict created by said

resolution of the adoption thereof. Said Celrk shall further notify such affected property owners of the necessity that, if they or any person occupying such property desire to continue to receive electric, communication, or similar or associated service, they or such occupant shall provide all necessary facility changes on their premises and rights-of-way so as to receive such service from the lines of the supplying utility or utilities at a new location, subject to applicable rules, regulations and tariffs of the respective utility or utilities.

Notification by the Celrk shall be made by mailing a copy of the resolution adopted pursuant to RCMC 12.20.030, together with a copy of this chapter, to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.080 Responsibility of utility companies.

If underground construction is necessary to provide utility service within a District created by any resolution adopted pursuant to RCMC 12.20.030, the supplying utility shall furnish that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.090 Responsibility of property owners.

Every person owning, operating, leasing, occupying or renting a building or structure within a District shall perform construction and provide that portion of the service connection on his property between the facilities referred to in RCMC 12.20.080 and the termination facility on or within said building or structure being served, all in accordance with applicable rules, regulations and tariffs of the respective utility or utilities. If any property owner, after due notice, refuses to comply within a reasonable time to effect the removal or preparation in accordance with the applicable rules of the utility involved, the Ceity may cause the work to be done and assess the costs of the work against the property, and the assessment shall become a lien against the property. The assessment may be collected at the same time and in the same manner as ordinary county ad valorem taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for these taxes. All laws applicable to the levy, collection, and enforcement of county ad valorem taxes shall be applicable to the assessment. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0886 § 1, 1992; SCC 542 § 1, 1983].

12.20.100 Responsibility of Ceity.

The Ceity shall remove, at its own expense, all Ceity-owned equipment from all poles required to be removed hereunder in ample time to enable the owner or user of such poles to remove the same within the time specified in the resolution enacted pursuant to RCMC 12.20.030. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.110 Extension of time.

In the event that any act required by this chapter or by a resolution adopted pursuant to RCMC 12.20.030 cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, civil disobedience, or any other circumstances beyond the control of the actor, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitation. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

Chapter 12.24

STREET NUMBERING SYSTEM

Sections:

- 12.24.010 Purpose.
- 12.24.020 Designating authority.
- 12.24.030 Names.
- 12.24.040 Numbering.
- 12.24.050 Specifications.
- 12.24.060 Application.
- 12.24.070 Penalty.

12.24.010 Purpose.

It is hereby found that the public interest, safety, welfare and convenience require the establishment of a numbering system of street addresses under a uniform plan within the Ccity of Rancho Cordova. For the accomplishment of this objective, there is hereby established a uniform numbering system in order to promote more effective law enforcement, facilitate rapid response to emergency calls for fire suppression, medical, and other purposes, improve the delivery of goods and services, and otherwise promote the economic improvement of the community. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.020 Designating authority.

Streets within the Ccity of Rancho Cordova shall be named by, and properties abutting such streets and roads shall be assigned numbers by, the Public Works Director pursuant to the standards contained in RCMC 12.24.030 and 12.24.040. [Ord. 38-2007 § 1 (Exh. 1(A), (H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.030 Names.

The Director shall assign the following name designations within the Ccity of Rancho Cordova:

- A. Except as hereinafter provided, the term “street” shall be applied to streets which generally extend in a northerly and southerly direction, regardless of width.
- B. Except as otherwise provided, the term “avenue” shall be applied to streets which generally extend in an easterly and westerly direction, regardless of width.
- C. Except as hereinafter provided, the term “drive” shall be applied to streets which are 50 feet or greater in width, and are not designated as streets or avenues.
- D. The term “way” shall be applied to streets which are 40 feet in width, and are not designated as streets or avenues.
- E. The term “road” shall be applied to streets which are 60 feet or greater in width, and are situated in an agricultural zone established pursuant to the city’s zoning code.
- F. The terms “court” or “place” shall be applied to streets which terminate in a cul-de-sac, with no intermediate access.
- G. The term “circle” shall be applied to streets which begin and terminate in the same street, with no intermediate access.
- H. The term “boulevard” shall be applied to streets which are major traffic thoroughfares. [Ord. 38-2007 § 1 (Exh. 1(A), (H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.040 Numbering.

The Director of Public Works shall assign numbers to properties abutting streets within the Ccity of Rancho Cordova in accordance with the following criteria:

There is hereby established a baseline for assigning such numbers for the north-south grid, which is the American River. Numbers shall increase in magnitude from the American River in both northerly and southerly directions generally in accordance with the distance from the river.

There is hereby established a baseline for assigning such numbers south of the American River, for an east-west grid, which is the projection of a line that lies 1,320 feet west of the section line common to Sections 4 and 5, Township 5 North, Range 4 East, Mount Diablo Base and Meridian. Numbers shall increase in magnitude from that baseline in both easterly and westerly directions generally in accordance with the distance from the baseline. Numbers lying west of the baseline shall be ascribed a letter "W" as a suffix to the property number.

There is hereby established a baseline for assigning such numbers north of the American River, for an east-west grid, which is the projection of a line that lies 800 feet east of the section line common to Sections 19 and 20, Township 10 North, Range 5 East, Mount Diablo Base and Meridian. Numbers shall increase in magnitude from that baseline in both easterly and westerly directions generally in accordance with the distance from the baseline. Numbers lying west of that baseline shall be ascribed a letter "W" as a suffix to the property number. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.050 Specifications.

The ~~D~~irector of Public Works shall be authorized to formulate, promulgate and enforce specifications pertaining to the size, color and type of numbers placed upon properties abutting streets within the ~~C~~ity of Rancho Cordova, together with standards regulating the numbering of multiple structures upon the same property. Such specifications and standards shall be formulated for the purpose of facilitating the identification and location of structures and land uses by persons searching for same from the streets, eliminating or reducing the necessity for entry of property by persons conducting such searches. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.060 Application.

Except as hereinafter provided, the standards contained in this chapter shall govern assignment by the ~~D~~irector of Public Works ~~for~~ street designations and numbers pursuant to RCMC 12.24.030 and 12.24.040 for all parcels, lots and streets within the ~~C~~ity of Rancho Cordova, including, but not limited to, those established after the date on which the ordinance codified in this chapter becomes effective.

All street designations and property numbers in existence preceding the effective date of the ordinance codified in this chapter which are consistent with the standards prescribed by RCMC 12.24.030 and 12.24.040 shall be deemed to have been designated by the ~~D~~irector of Public Works pursuant to the provisions of this chapter.

The standards for designating streets and assigning numbers established by RCMC 12.24.030 and 12.24.040 shall not be applicable to a particular lot or parcel of land which is not numbered or is numbered in a manner inconsistent with the standards contained in RCMC 12.24.030 and 12.24.040 until 30 days after:

A. The ~~D~~irector of Public Works designates such streets or numbers to such property in accordance with such standards; and

B. The ~~D~~irector of Public Works has mailed written notice of such designation or numbering, postage prepaid, to the record owner and occupant of the property so numbered or which abuts each street so designated. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.070 Penalty.

It shall be the responsibility of both owners and occupants of property abutting roads within the ~~C~~ity of Rancho Cordova to post numbers upon such property in accordance with those designated by the ~~city director~~ Director of Public Works.

Pursuant to the provisions of Section 36900 of the Government Code, an owner or occupant of property abutting a street within the ~~C~~ity of Rancho Cordova who fails, within 10 calendar days following mailing of written notice to do so, to post a number upon such property corresponding to the number designated by the ~~D~~irector of Public Works shall be guilty of an infraction and subject to a fine of \$50.00 for each day or any portion thereof such

violation continues. [Ord. 38-2007 § 1 (Exh. 1(A), (H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

Table A:
Special Tax Ordinances

13-2003	Sunridge Anatolia Community Facilities District No. 2003-1 special tax (Special)
16-2003	Special tax for police protection for Sunrise Anatolia III Subdivision (Special)
2-2004	Special tax for police protection for Mather East Subdivision (Special)
14-2004	Special tax for police protection for Sunridge Anatolia III Subdivision (Special)
21-2004	Special tax for police protection for Ellenwood Court Unit No. 2 Subdivision (Special)
23-2004	Special tax for police protection for Quick Fit Tire Subdivision (Special)
27-2004	Special tax for police protection for Stone Creek Subdivision (Special)
28-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 2A and 5A and a portion of Unit A (Repealed by 1-2019)
29-2004	Special tax for police protection for Sunridge Park Subdivision, Unit A (Repealed by 1-2019)
30-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 9A and 10A and a portion of Unit A (Repealed by 1-2019)
31-2004	Special tax for police protection for Villages of Zinfandel, Village No. 7 Subdivision (Special)
32-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 1A, 4A, 6, 7, 8A and 11A and a portion of Unit A (Repealed by 1-2019)
33-2004	Special tax for police protection for Sunridge Park Subdivision, Village No. 3 (Repealed by 1-2019)
34-2004	Special tax for police protection for Anatolia I and II Subdivisions (Special)
35-2004	Special tax for police protection for Anatolia I and II Subdivisions (Special)
39-2004	Sunridge Park Area Community Facilities District No. 2004-1 special tax (Special)
40-2004	Special tax area Zone 9 for police protection for North Douglas I and II Subdivision (Repealed by 1-2019)
52-2004	Special tax for police protection for Luyung Drive Phase 4 Subdivision (Special)
57-2004	Special tax for police protection for Anatolia I, Village 2 Subdivision (Special)
58-2004	Special tax for police protection for Anatolia I, Village 5 Subdivision (Special)
59-2004	Special tax for police protection for Anatolia I, Village 6 Subdivision (Special)
60-2004	Special tax for police protection for Anatolia II, Village 10 Subdivision (Special)
61-2004	Special tax for police protection for Anatolia II, Village 11 Subdivision (Special)
62-2004	Special tax for police protection for Anatolia II, Village 13 Subdivision (Special)
63-2004	Special tax for police protection for Anatolia II, Village 14 Subdivision (Special)
64-2004	Special tax for police protection for Anatolia II, Village 16 Subdivision (Special)
65-2004	Special tax for police protection for Kennedy/Mills Station Road Subdivision (Special)

1-2005	Special tax for police protection for Anatolia II, Lot 8 Subdivision (Special)
10-2005	Special tax for police protection for Capital Village Subdivision (Special)
26-2005	Sunridge North Douglas Community Facilities District No. 2005-1 special tax (Repealed by 6-2015)
31-2005	Special tax for transit-related services for Capital Village Subdivision (Special)
5-2006	Community Facilities District No. 2005-2 special tax (Special)
24-2006	Special tax for police protection for Montelena Subdivision (Repealed by 11-2013)
25-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Lots D, E, F, G and 11 (Repealed by 1-2019)
26-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 1B, 4C, 4D, 8C and 11B (Repealed by 1-2019)
27-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 2B, 5C and 5D (Repealed by 1-2019)
28-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 9B and 10B (Repealed by 1-2019)
29-2006	Special tax for police protection for Anatolia IV Subdivision (Repealed by 16-2018)
30-2006	Special tax for police protection for Arista Del Sol Subdivision (Special)
31-2006	Special tax for police protection for Cresleigh Sunridge Subdivision (Repealed by 1-2019)
32-2006	Special tax for police protection for Douglas 98 Subdivision (Repealed by 1-2019)
33-2006	Special tax for police protection for Douglas 103 Subdivision (Special)
37-2006	Special tax for police protection for Tax Zone 2A, Sundance Subdivision (Special)
38-2006	Special tax for police protection for Grant Line 208 Subdivision (Repealed by 1-2019)
3-2007	Special tax for police protection for Gold Flake Court Subdivision (Special)
17-2007	Special tax for police protection for Ellenwood Commons Subdivision (Special)
19-2007	Special tax for transit-related services for Ed Fund office buildings (Special)
21-2007	Special tax for transit-related services for Old Placerville Road Project (Special)
2-2008	Special tax for transit-related services for the Bloodsource Laboratory building (Special)
7-2008	Special tax for transit-related services for the department of Mather office complex buildings (Special)
8-2008	Special tax for transit-related services for the department of environmental management office complex buildings (Special)
17-2008	Special tax for transit-related services for the Sunrise Palms Plaza project (Special)
22-2008	Special tax for transit-related services, for the 3581 Mather Field Road project (Special)
23-2008	Community Facilities District No. 2008-1 special tax (Special)
25-2008	Special tax for transit-related services for the Zinfandel and Sunrise project (Special)
14-2009	Special tax for transit-related services for the Cordova Casino and Restaurant (Special)

15-2009	Amends Ords. 24-2006, 25-2006, 26-2006, 27-2006, 28-2006, 29-2006, 30-2006, 31-2006, 32-2006, 33-2006, 37-2006, 38-2006 and 3-2007, police tax area zones (Special)
19-2009	Special tax for transit-related services for 11301 Dismantle Court project (Special)
2-2013	Community Facilities District No. 2013-2 special tax (Special)
14-2014	Community Facilities District No. 2014-1 special tax (Special)
15-2014	Community Facilities District No. 2014-2 special tax (Special)
19-2014	Special tax for transit-related services for 3500 Fitzgerald Road Industrial Building project (Special)
6-2015	Sunridge North Douglas Community Facilities District No. 2005-1 special tax; rescinds Ord. 26-2005 (Special)
8-2016	Special tax for transit-related services, APG warehouse project (Special)
23-2016	Special tax for transit-related services, Monier Circle warehouse project (Special)
6-2018	Special tax for transit-related services, Homewood Suites project (Special)
8-2018	Special tax for transit-related services, Superior Self-Storage project (Special)
18-2018	Community Facilities District No. 2018-2 special tax (Special)
19-2018	Community Facilities District No. 2018-1 special tax (Special)
21-2018	Special tax for transit-related services, European Parts Depot project (Special)
2-2019	Special tax for transit-related services, Gold Valley Center project (Special)
10-2019	Special tax for transit-related services, Bradshaw Village project (Special)
12-2020	Community Facilities District No. 2020-1 special tax (Special)
16-2020	Special tax for transit-related services, White Rock Center project (Special)
6-2021	Special tax for transit-related services, Rio del Oro project (Special)
9-2021	Special tax for transit-related services, High Class Motors project (Special)
19-2021	Special tax for transit-related services, Falconer commercial building project (Special)
20-2021	Special tax for transit-related services, express sewer and drain project (Special)
21-2021	Special tax for transit-related services, Ranch project (Special)
23-2021	Ranch Community Facilities District No. 2021-1 special tax (Special)
5-2022	Special tax for transit-related services, Grantline 220 project (Special)
8-2022	Community Facilities District No. 2022-1 special tax (Special)
14-2022	Special tax for transit-related services, Ranch project (Special)

Table B:
Ordinance Table

This table lists all ordinances. If an ordinance is codified, its location in the code is cited by chapter number at the end of the ordinance description. Ordinance numbers in the text of the code preceded by “SCC” indicate ordinances incorporated in the Sacramento County Code and adopted by the City. Ordinances are codified if they are general, permanent, and/or include penalty provisions for noncompliance. “Not codified” indicates that the ordinance could have been codified but was not for some reason (e.g., superseded by a later ordinance, codified in a separate publication). “Special” means the ordinance was special in nature or for a specific period of time (e.g., budget, annexation, tax levy, street vacation).

1-2003	Adopts all Sacramento County ordinances for a period of 120 days (Expired)
2-2003	Creates city manager position and form of government (2.04)
3-2003	Sales and use tax (3.04)
4-2003	Continues existing Sacramento County Code Chapter 3.08, transient occupancy tax (3.08)
5-2003	Continues one-half of existing Sacramento County documentary transfer tax (3.12)
6-2003	Special gas tax street improvement fund (3.50)
7-2003	Purchasing system (Repealed by 9-2012)
8-2003	Council reimbursement for expenses (2.08)
9-2003	City council member salaries (2.08)
10-2003	Claims against the city (2.38)
11-2003	Consolidates general municipal election with statewide general election (2.42)
12-2003	Sacramento County fees, rates and charges to remain temporarily in effect (Special)
13-2003	Sunridge Anatolia Community Facilities District No. 2003-1 special tax (Tables)
14-2003	Repeals and replaces zoning code Article 7, design review (Zoning Code)
15-2003	Solid waste collection, transportation and disposal (Repealed by 22-2013)
16-2003	Special tax for police protection for Sunrise Anatolia III Subdivision (Tables)
17-2003	Adds zoning code § 101-801; approves RC-03-003 development agreement (Zoning Code)
18-2003	Amends Ch. 2.30, planning commission (2.30)
19-2003	Adopts roadway and transit development fees, park and recreation fee, housing trust fee and Mather Field public facilities financing plan development fee (16.84, 16.87, 16.89, 22.40)
20-2003	Adopts §§ 1.1.110 – 1.1.190, Chs. 3.40, 3.44, 4.02, 4.06, 4.10, 4.14, 4.18, 4.22, 4.23, 4.26, 4.28, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60 and 4.61, Title 5, Chs. 6.04, 6.08, 6.12, 6.16, 6.20, 6.24, 6.28, 6.29, 6.30, 6.32, 6.34, 6.36, 6.50, 6.56, 6.60, 6.64, 6.68, 6.80, 6.82, 6.84, 6.86, 6.87, 6.96, 6.99, 6.110 and 6.120, Title 8, Chs. 9.04, 9.08, 9.12, 9.16, 9.20, 9.28, 9.36, 9.38, 9.40, 9.41, 9.42, 9.44, 9.48, 9.70, 9.74, 9.76, 9.78, 9.80, 9.82, 9.83, 9.92, 9.93, 9.94, 9.96, 9.98 and 9.100, Title 10, Chs. 12.01, 12.03, 12.08, 12.09, 12.12, 12.16, 12.20 and 12.24, Titles 14 and 15, Chs. 16.02, 16.04, 16.08, 16.16, 16.18, 16.20, 16.21, 16.22, 16.23, 16.24, 16.28, 16.32, 16.36, 16.40 and 16.44, Titles 17, 19 and 21, Chs. 22.05, 22.10, 22.15, 22.20, 22.24, 22.25,

- 22.30, 22.50, 22.60, 22.70, 22.80, 22.90, 22.100, 22.110, 22.120, 22.130, 22.140, 22.150, 22.300 and 22.400 of the Sacramento County Code and Titles 1, 2 and 3 of the Sacramento Zoning Code; substitutes city references for Sacramento County references (1.01, 4.14, 4.18, 4.22, 4.23, 4.26, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60, 4.61, 5.04, 5.50, 5.60, 5.64, 5.75, 6.16, 6.24, 6.28, 6.30, 6.32, 6.56, 6.60, 6.64, 6.68, 6.80, 6.84, 6.87, 9.04, 9.08, 9.12, 9.16, 9.20, 9.28, 9.36, 9.38, 9.40, 9.41, 9.44, 9.48, 9.74, 9.78, 9.80, 9.82, 9.83, 9.92, 9.93, 9.94, 9.96, 9.98, 9.100, 10.04, 10.08, 10.12, 10.16, 10.20, 10.24, 10.32, 10.36, 10.40, 10.41, 10.44, 10.48, 10.58, 10.62, 10.64, 10.66, 12.01, 12.03, 12.08, 12.09, 12.12, 12.16, 12.20, 12.24, 14.05, 15.04, 15.05, 15.10, 16.08, 16.16, 16.18, 16.20, 16.22, 16.23, 16.44, 17.12, 19.08, 21.12, 22.05, 22.10, 22.15, 22.20, 22.24, 22.25, 22.30, 22.50, 22.60, 22.70, 22.80, 22.90, 22.100, 22.110, 22.120, 22.130, 22.140, 22.150, 22.160, 22.170, 22.180, 22.300, Zoning Code)
- 21-2003 Adopts §§ 1.1.110 – 1.1.190, Chs. 3.40, 3.44, 4.02, 4.06, 4.10, 4.14, 4.18, 4.22, 4.23, 4.26, 4.28, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60 and 4.61, Title 5, Chs. 6.04, 6.08, 6.12, 6.16, 6.20, 6.24, 6.28, 6.29, 6.30, 6.32, 6.34, 6.36, 6.50, 6.56, 6.60, 6.64, 6.68, 6.80, 6.82, 6.84, 6.86, 6.87, 6.96, 6.99, 6.110 and 6.120, Title 8, Chs. 9.04, 9.08, 9.12, 9.16, 9.20, 9.28, 9.36, 9.38, 9.40, 9.41, 9.42, 9.44, 9.48, 9.70, 9.74, 9.76, 9.78, 9.80, 9.82, 9.83, 9.92, 9.93, 9.94, 9.96, 9.98 and 9.100, Title 10, Chs. 12.01, 12.03, 12.08, 12.09, 12.12, 12.16, 12.20 and 12.24, Titles 14 and 15, Chs. 16.02, 16.04, 16.08, 16.16, 16.18, 16.20, 16.21, 16.22, 16.23, 16.24, 16.28, 16.32, 16.36, 16.40 and 16.44, Titles 17, 19 and 21, Chs. 22.05, 22.10, 22.15, 22.20, 22.24, 22.25, 22.30, 22.50, 22.60, 22.70, 22.80, 22.90, 22.100, 22.110, 22.120, 22.130, 22.140, 22.150, 22.300 and 22.400 of the Sacramento County Code and Titles 1, 2 and 3 of the Sacramento Zoning Code; substitutes city references for Sacramento County references (1.01, 4.14, 4.18, 4.22, 4.23, 4.26, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60, 4.61, 5.04, 5.50, 5.60, 5.64, 5.75, 6.16, 6.24, 6.28, 6.30, 6.32, 6.56, 6.60, 6.64, 6.68, 6.80, 6.84, 6.87, 9.04, 9.08, 9.12, 9.16, 9.20, 9.28, 9.36, 9.38, 9.40, 9.41, 9.44, 9.48, 9.74, 9.78, 9.80, 9.82, 9.83, 9.92, 9.93, 9.94, 9.96, 9.98, 9.100, 10.04, 10.08, 10.12, 10.16, 10.20, 10.24, 10.32, 10.36, 10.40, 10.41, 10.44, 10.48, 10.58, 10.62, 10.64, 10.66, 12.01, 12.03, 12.08, 12.09, 12.12, 12.16, 12.20, 12.24, 14.05, 15.04, 15.05, 15.10, 16.08, 16.16, 16.18, 16.20, 16.22, 16.23, 16.44, 17.12, 19.08, 21.12, 22.05, 22.10, 22.15, 22.20, 22.24, 22.25, 22.30, 22.50, 22.60, 22.70, 22.80, 22.90, 22.100, 22.110, 22.120, 22.130, 22.140, 22.150, 22.160, 22.170, 22.180, 22.300, Zoning Code)
- 22-2003 Amends zoning code §§ 301-04.7 and 301-04.8 (Zoning Code)
- 23-2003 Continues Sacramento County roadway and transit development impact fees (16.87)
- 24-2003 Amends Ord. 07-2003, purchasing system (Repealed by 9-2012)
- 25-2003 Continues Sacramento County park and recreation development impact fee (22.40)
- 26-2003 Continues Sacramento County housing trust development impact fee (16.89)
- 27-2003 Continues Sacramento County Mather Field public facilities financing plan development impact fee (16.84)
- 28-2003 Adds Ch. 16.81, off-site roadway mitigation and library facilities development fees (16.81)
- 29-2003 Rezone (Special)
- 30-2003 Amends zoning code § 325-51 (Zoning Code)
- 1-2004 Rezone (Special)
- 2-2004 Special tax for police protection for Mather East Subdivision (Tables)

3-2004	Establishes reduced speed limits for specific streets (10.50)
4-2004	Moratorium on sexually oriented businesses; amends zoning code § 325-51 (Zoning Code)
5-2004	Amends § 16.90.030, construction permit fee schedule (Repealed by 6-2010)
6-2004	Adds zoning code § 101-802; approves RC-03-001 development agreement (Zoning Code)
7-2004	Amends Ch. 4.22, cardrooms (4.22)
8-2004	Adds § 1.05.200; amends §§ 4.02.095, 16.18.204 and 16.22.205, hearings (1.05, 16.18, 16.22)
9-2004	(Number not used)
10-2004	Contract with California Public Employees' Retirement System (Special)
11-2004	Adds zoning code Title I, Chapter 10, Art. 11 and Title II, Chapter 35, Art. 11; repeals zoning code Ch. 21.14 (Zoning Code)
12-2004	Amends Ord. 4-2003, transient occupancy tax (3.08)
13-2004	Adds Ch. 10.30, human habitation of vehicles (10.30)
14-2004	Special tax for police protection for Sunridge Anatolia III Subdivision (Tables)
15-2004	Amends Ch. 16.02, administrative code (Repealed by 12-2019)
16-2004	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
17-2004	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
18-2004	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
19-2004	Amends Ch. 16.04, building code (Repealed by 13-2019)
20-2004	Amends §§ 16.36.130, 16.36.210, 16.36.220, 16.36.230, 16.36.240, 16.36.250 and 16.36.310, swimming pools (Repealed by 21-2019)
21-2004	Special tax for police protection for Ellenwood Court Unit No. 2 Subdivision (Tables)
22-2004	Repeals and replaces Ch. 20.04, surface mining and reclamation (20.04)
23-2004	Special tax for police protection for Quick Fit Tire Subdivision (Tables)
24-2004	Adds Ch. 16.83, Sunrise Douglas Community Plan Area public facilities development impact fees (16.83)
25-2004	(Number not used)
26-2004	Rezone (Special)
27-2004	Special tax for police protection for Stone Creek Subdivision (Tables)
28-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 2A and 5A and a portion of Unit A (Repealed by 1-2019)
29-2004	Special tax for police protection for Sunridge Park Subdivision, Unit A (Repealed by 1-2019)
30-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 9A and 10A and a portion of Unit A (Repealed by 1-2019)
31-2004	Special tax for police protection for Villages of Zinfandel, Village No. 7 Subdivision (Tables)
32-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 1A, 4A,

	6, 7, 8A and 11A and a portion of Unit A (Repealed by 1-2019)
33-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 3 (Repealed by 1-2019)
34-2004	Special tax for police protection for Anatolia I and II Subdivisions (Tables)
35-2004	Special tax for police protection for Anatolia I and II Subdivisions (Tables)
36-2004	Extends moratorium on sexually oriented businesses; amends zoning code § 325-51 (Zoning Code)
37-2004	Adds Ch. 16.18, Art. XV, shopping carts (16.18)
38-2004	Adds zoning code §§ 101-803, 101-804, 101-805, 101-806, 101-807, 101-808 and 101-809; approves development agreement with Sunridge and Villages of Zinfandel (Zoning Code)
39-2004	Sunridge Park Area Community Facilities District No. 2004-1 special tax (Tables)
40-2004	Special tax area Zone 9 for police protection for North Douglas I and II Subdivision (Repealed by 1-2019)
41-2004	Repeals and replaces Ch. 15.12, stormwater management and discharge control (15.12)
42-2004	Repeals and replaces Chs. 4.02, 4.06 and 4.10, business licenses (Repealed by 45-2004)
43-2004	(Number not used)
44-2004	Temporary moratorium on medical marijuana dispensaries (Special)
45-2004	Repeals and replaces Chs. 4.02, 4.06 and 4.10, business licenses (4.02, 4.06, 4.10)
46-2004	Amends Ch. 17.12, weed control (17.12)
47-2004	Amends zoning code §§ 110-83 and 110-86(e) (Zoning Code)
48-2004	Extends moratorium on medical marijuana dispensaries (Special)
49-2004	Rezone (Special)
50-2004	Amends §§ 16.18.102, 16.18.201, 16.18.202, 16.18.203, 16.18.204, 16.18.205, 16.18.301, 16.18.401, 16.18.501, 16.18.503, 16.18.512, 16.18.901, 16.18.902, 16.18.903, and 16.18.1001 and substitutes references (16.18)
51-2004	Amends zoning code (Zoning Code)
52-2004	Special tax for police protection for Luyung Drive Phase 4 Subdivision (Tables)
53-2004	Amends §§ 22.40.035 and 22.40.040; repeals and replaces § 22.40.045, park dedication and in-lieu fees (22.40)
54-2004	Adds zoning code § 101-810; approves development agreement for RC-03-002, North Douglas Project (Zoning Code)
55-2004	Redevelopment agency (Repealed by 15-2022)
56-2004	Amends Ch. 2.30, planning commission (2.30)
57-2004	Special tax for police protection for Anatolia I, Village 2 Subdivision (Tables)
58-2004	Special tax for police protection for Anatolia I, Village 5 Subdivision (Tables)
59-2004	Special tax for police protection for Anatolia I, Village 6 Subdivision (Tables)
60-2004	Special tax for police protection for Anatolia II, Village 10 Subdivision (Tables)

61-2004	Special tax for police protection for Anatolia II, Village 11 Subdivision (Tables)
62-2004	Special tax for police protection for Anatolia II, Village 13 Subdivision (Tables)
63-2004	Special tax for police protection for Anatolia II, Village 14 Subdivision (Tables)
64-2004	Special tax for police protection for Anatolia II, Village 16 Subdivision (Tables)
65-2004	Special tax for police protection for Kennedy/Mills Station Road Subdivision (Tables)
66-2004	Adds zoning code § 101-811; approves development agreement for Anatolia Commons, Project No. RC-04-070 (Zoning Code)
67-2004	Amends Ord. 2-2003, city manager position and form of government, and Ord. 24-2003, purchasing system (2.04)
1-2005	Special tax for police protection for Anatolia II, Lot 8 Subdivision (Tables)
2-2005	(Number not used or adopted)
3-2005	Adds Ch. 4.07, tobacco retailer license (4.07)
4-2005	Amends Ch. 4.54, fireworks (4.54)
5-2005	Amends zoning code § 325-51; temporary moratorium on sexually oriented businesses (Zoning Code)
6-2005	Adds zoning code Ch. 40; rezone (Zoning Code)
7-2005	Adds zoning code § 101-812; approves development agreement for Capital Village Project (Zoning Code)
8-2005	Amends zoning code § 325-51(A); temporary moratorium on sexually oriented businesses (Zoning Code)
9-2005	Rezone (Special)
10-2005	Special tax for police protection for Capital Village Subdivision (Tables)
11-2005	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
12-2005	Rezone (Special)
13-2005	Rezone (Special)
14-2005	Extends moratorium on medical marijuana dispensaries (Special)
15-2005	Rezone (Special)
16-2005	Amends zoning code Title 2, Chapter 15 and Title 3, Chapter 5 (Zoning Code)
17-2005	Adds Ch. 10.70, street racing (10.70)
18-2005	Amends Ch. 9.28, curfew (9.28)
19-2005	Adds zoning code § 101-812; approves development agreement for Capital Village Project (Zoning Code)
20-2005	Amends contract with California Public Employees' Retirement System (Special)
21-2005	Adds § 2.30.130, planning commission compensation (Repealed by 5-2011)
22-2005	Solid waste collection, transportation and disposal (Repealed by 23-2009)
23-2005	(Number not used or adopted)
24-2005	Adds Ch. 16.84, establishment of development impact fees to finance the cost of transportation facilities (16.84)

25-2005	Amends § 16.18.401, public nuisances (16.18)
26-2005	Sunridge North Douglas Community Facilities District No. 2005-1 special tax (Repealed by 6-2015)
27-2005	Amends zoning code §§ 305-09.6, 305-13.1 and 305-13.2 (Zoning Code)
28-2005	(Number not used or adopted)
29-2005	Amends zoning code § 101-14 (Zoning Code)
30-2005	Adds zoning code § 101-813; approves development agreement for RC-04-096, Sunridge Park Phase II Project (Zoning Code)
31-2005	Special tax for transit-related services for Capital Village Subdivision (Tables)
32-2005	Extends authorization for development impact fees for transportation improvements (16.84)
33-2005	Adds [amends] Ch. 16.84, establishment of development impact fees to finance the cost of transportation facilities (16.84)
34-2005	(Number not used or adopted)
35-2005	Extends authorization for development impact fees for transportation improvements (16.84)
1-2006	Amends zoning code §§ 110-03, 110-06, 115-30, 120-52, 201-04(36), 225-1, 230-13(19), 301-02.1, 301-54, 301-55, 301-55.5, 301-62.5, 301-63, 301-64, 305-09.5, 305-82, 305-221, 315-02, 315-05, 330-07, 335-04, 335-09.5 and 335-11.1; repeals §§ 305-223 and 330-92.5 (Zoning Code)
2-2006	Amends zoning code § 325-51; extends moratorium on sexually oriented businesses (Zoning Code)
3-2006	(Number not used or adopted)
4-2006	(Number not used or adopted)
5-2006	Community Facilities District No. 2005-2 special tax (Tables)
6-2006	Adds [amends] Ch. 16.84, establishment of development impact fees to finance the cost of transportation facilities (16.84)
7-2006	Adds zoning code §§ 101-813, 101-814, 101-815, 101-816 and 101-817; approves development agreement for Sunridge East Projects (Zoning Code)
8-2006	Rezone (Special)
9-2006	Rezone (Special)
10-2006	Adds zoning code § 101-822; approves development agreement for Montelena (Zoning Code)
11-2006	(Number not used or adopted)
12-2006	Adds § 10.24.075, prohibition of parking commercial and recreational vehicles on public roadways (10.24)
13-2006	Amends zoning code § 607-15(45), (46), (47), (48) and (49) (Zoning Code)
14-2006	Amends conditions of approval relating to traffic phasing requirements attached to land use rezoning ordinance SZC 2002-0014 (Special)
15-2006	Amends zoning code §§ 101-801, 101-803, 101-804, 101-805, 101-806, 101-810 and 101-813 (Zoning Code)
16-2006	(Number not used or adopted)

17-2006	Amends Ch. 12.09, street trench fee (12.09)
18-2006	Rezone (Special)
19-2006	Adds zoning code § 101-818; approves development agreement for Anatolia IV RC 03-023 (Zoning Code)
20-2006	Rezone (Special)
21-2006	Adds zoning code § 101-819; approves development agreement for Cresleigh Homes RC-03-027 (Zoning Code)
22-2006	Adds zoning code § 101-814; approves development agreement for Sundance Project RC-04-122 (Zoning Code)
23-2006	(Number not used or adopted)
24-2006	Special tax for police protection for Montelena Subdivision (Repealed by 11-2013)
25-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Lots D, E, F, G and 11 (Repealed by 1-2019)
26-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 1B, 4C, 4D, 8C and 11B (Repealed by 1-2019)
27-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 2B, 5C and 5D (Repealed by 1-2019)
28-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 9B and 10B (Repealed by 1-2019)
29-2006	Special tax for police protection for Anatolia IV Subdivision (Repealed by 16-2018)
30-2006	Special tax for police protection for Arista Del Sol Subdivision (Tables)
31-2006	Special tax for police protection for Cresleigh Sunridge Subdivision (Repealed by 1-2019)
32-2006	Special tax for police protection for Douglas 98 Subdivision (Repealed by 1-2019)
33-2006	Special tax for police protection for Douglas 103 Subdivision (Tables)
34-2006	Adds zoning code § 101-816; approves development agreement for Pulte Homes Corporation, Grant Line 208 Project (Zoning Code)
35-2006	Rezone (Special)
36-2006	Amends zoning code for the Capital Village Special Planning Area (Zoning Code)
37-2006	Special tax for police protection for Tax Zone 2A, Sundance Subdivision (Tables)
38-2006	Special tax for police protection for Grant Line 208 Subdivision (Repealed by 1-2019)
39-2006	Adds zoning code § 101-820; approves development agreement for Anthology at Anatolia, RC-04-157 (Zoning Code)
40-2006	Rezone (Special)
41-2006	Adds zoning code § 101-822; approves development agreement for Preserve at Sunridge, RC-03-052 (Zoning Code)
42-2006	Amends Ord. 4-2003, Section 2 (3.08)
43-2006	Adopts redevelopment plan (Special)
44-2006	Rezone (Special)
45-2006	Adds zoning code § 101-821; approves development agreement for RC-05-190,

	Trinity Garden Estates (Zoning Code)
46-2006	Amends zoning code relating to the Capital Village Special Planning Area (Zoning Code)
47-2006	Adds Ch. 6.130, protection of children from sexual offenders (Repealed by 16-2014)
48-2006	Adds zoning code § 101-820; approves development agreement for RC-05-148, Ellenwood Condominium Project (Zoning Code)
49-2006	Amends contract with California Public Employees' Retirement System (Special)
50-2006	Rezone (Special)
51-2006	Adds zoning code § 101-825; approves development agreement for RC-05-183, Old Placerville Road Project (Zoning Code)
52-2006	Franchise grant (Special)
53-2006	Franchise grant (Special)
54-2006	Amends § 16.18.205(d), nuisance violations and penalties (16.18)
55-2006	Amends § 6.130.040(a), protection of children from sexual offenders (Repealed by 16-2014)
56-2006	Amends §§ 4.22.015, 4.22.020 and 4.22.145, cardrooms (4.22)
57-2006	Adds zoning code Title 2, Chapter 40, and adopts Folsom Boulevard specific plan (Zoning Code)
58-2006	Temporary moratorium on establishment of new cardrooms (Special)
59-2006	(Number not used or adopted)
60-2006	Amends § 16.18.205(f), nuisance violations and penalties (16.18)
61-2006	(Number not used or adopted)
62-2006	Extends moratorium on establishment of new cardrooms (Special)
1-2007	Temporary moratorium on establishment of new recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops and tattoo parlors (Special)
2-2007	Approves development agreement amendment for Anatolia III, Village 23 Project (Special)
3-2007	Special tax for police protection for Gold Flake Court Subdivision (Tables)
4-2007	Repeals and replaces Title 8, animals (8.01, 8.02, 8.03, 8.04, 8.05, 8.08, 8.10)
5-2007	Amends zoning code § 325-51; moratorium on sexually oriented businesses (Zoning Code)
6-2007	Extends moratorium on establishment of new recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops and tattoo parlors (Special)
7-2007	Amends § 16.90.030, residential photovoltaic solar system permit fees (Repealed by 6-2010)
8-2007	Amends zoning code § 325-51; extends moratorium on sexually oriented businesses (Zoning Code)
9-2007	Adds Ch. 6.135, cemetery operation and maintenance (6.135)
10-2007	Amends § 3.40.060(e), telephone user tax (Repealed by 9-2010)
11-2007	Adds Ch. 16.19, maintenance of boarded and vacant buildings (16.19)

12-2007	Prezone (Special)
13-2007	Adopts program for use of eminent domain (Special)
14-2007	Extends moratorium on establishment of new cardrooms (Special)
15-2007	Amends zoning code Title II, Chapter 40 (Zoning Code)
16-2007	Temporary moratorium on new and existing massage establishments (Special)
17-2007	Special tax for police protection for Ellenwood Commons Subdivision (Tables)
18-2007	(Not adopted)
19-2007	Special tax for transit-related services for Ed Fund office buildings (Tables)
20-2007	Extends moratorium on new and existing massage establishments (Special)
21-2007	Special tax for transit-related services for Old Placerville Road Project (Tables)
22-2007	Amends § 5.50.112(2)(a) and (9), cable television (5.50)
23-2007	Amends Ch. 9.28, curfew (9.28)
24-2007	(Not adopted)
25-2007	Amends development agreement for Montelena (Special)
26-2007	Adds § 16.20.915 and Art. 12, §§ 16.20.1200 – 16.20.1220; amends §§ 16.20.010, 16.20.015, 16.20.100, 16.20.400, 16.20.560, 16.20.600(a) and (b), 16.20.900, 16.20.905 and 16.20.950; repeals §§ 16.20.430 – 16.20.480, housing code (16.20)
27-2007	Extends moratorium on establishment of new recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops and tattoo parlors (Special)
28-2007	Amends § 4.54.375(b), fireworks general provisions (4.54)
29-2007	Amends Ch. 16.02, administrative code (Repealed by 12-2019)
30-2007	Amends Ch. 16.04, building code (Repealed by 13-2019)
31-2007	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
32-2007	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
33-2007	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
34-2007	Amends §§ 16.36.130, 16.36.210, 16.36.220, 16.36.230, 16.36.240, 16.36.250 and 16.36.310, and renames Article III of Ch. 16.36, swimming pools (Repealed by 21-2019)
35-2007	Amends Ch. 17.04, fire code (Repealed by 20-2018)
36-2007	Rezone (Special)
37-2007	Approves development agreement for North Douglas II (Special)
38-2007	Amends §§ 3.40.040(l), 4.02.100, 4.06.085, 4.06.115, 4.26.000, 4.32.005, 4.34.055(e), 4.34.220, 4.38.055, 4.38.090, 4.50.110, 4.50.150, 4.60.020, 5.04.030(c), 5.04.070, 5.04.090, 5.04.100, 5.04.110, 5.04.120, 5.04.390, 5.04.400, 5.04.510, 5.04.640, 5.04.650, 5.64.010, 5.64.040, 5.64.060, 5.64.130, 5.64.170, 5.64.180, 5.75.802, 6.16.010, 6.16.040, 6.56.210, 6.56.220(b)(iii), 6.56.270, 6.56.320, 6.56.370, 6.60.020, 6.64.060, 6.68.090(i), 6.68.145, 9.36.010, 9.36.030, 9.36.057.5, 9.36.059, 9.36.080, 9.36.081, 9.82.060, 9.92.020(b), 9.98.075, 9.100.020, 10.04.030, 10.24.175, 10.36.010, 10.40.010, 10.44.010, 10.58.150, 12.03.010(a), 12.03.030, 12.03.040, 12.03.210, 12.08.010, 12.08.030, 12.08.060, 12.12.050(b), 12.24.020, 12.24.030(e), 12.24.070, 14.05.010, 14.05.410, 16.16.040, 16.18.1002, 16.18.1007, 16.20.100(e),

(i) and (j), 16.20.220(f), 16.20.560(d)(1), 16.20.750(a), 16.20.755, 16.20.760, 16.22.300(c), 16.22.500(a), 16.22.501, 16.22.502, 16.40.130, 16.44.020(1), 16.44.130, 16.44.360, 19.04.030(13), 19.04.040, 19.04.050(b), 19.04.060(c), 19.04.070, 19.04.090, 19.04.100(7), 19.04.140, 19.08.020(b), 19.08.040, 19.08.100, 19.08.150, 19.08.160, 19.08.170, 19.08.180, 19.12.040, 19.12.060, 19.12.065, 19.12.070(c), 19.12.160(d), 19.12.200, 19.12.210, 19.12.220, 21.12.070, 22.10.130, 22.10.141, 22.20.017, 22.20.025, 22.20.032, 22.20.045, 22.120.020, 22.120.025, 22.120.030, 22.130.010, 22.130.015, 22.140.010, 22.140.015, and 22.150.010(e); renumbers Chs. 9.70 to be 22.170, 14.10 to be 22.180 and 21.15 to be 22.160; repeals and replaces § 14.05.430; repeals Ch. 3.44, §§ 4.02.120, 4.50.010, 4.50.060, 4.50.135(d) and 5.64.020(h) and (i), Chs. 6.04, 6.08, 6.12, 6.29, 6.34, 6.36 and 6.50, §§ 6.64.010(d), (e), (f) and (g), 6.64.030, 6.64.040, 6.64.050, 6.64.080, 6.64.090, 6.64.100, 6.64.130 and 6.68.100, Chs. 6.82, 6.96, 6.99, 6.110, 9.42 and 9.76, §§ 10.04.070, 10.04.110, 10.08.070, 10.36.020, 10.36.030, 10.40.040 and 10.58.180, Chs. 10.22, 10.28, 10.42, 10.52 and 10.60, §§ 14.05.300, 14.05.420 and 14.05.440, Ch. 16.21, §§ 19.04.030(3) and (7) and 19.08.020(a), Chs. 21.05 and 21.10, §§ 22.20.030, 22.20.032(b) and (c), 22.20.035, 22.20.038, 22.20.040, 22.20.050, 22.20.055, 22.20.080, and 22.20.085 and Ch. 22.400; updates references in code, specifically Chs. 4.38, 4.50, 5.04, 5.64, 6.16, 6.64, 6.80, 9.36, 10.24, 10.30, 14.05, 16.20, 16.40, 19.12, 21.15 and Title 22 (4.02, 4.06, 4.14, 4.18, 4.23, 4.26, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60, 4.61, 5.04, 5.64, 5.75, 6.16, 6.28, 6.32, 6.56, 6.60, 6.64, 6.68, 6.80, 9.16, 9.36, 9.40, 9.82, 9.83, 9.92, 9.94, 9.96, 9.98, 9.100, 10.04, 10.08, 10.12, 10.24, 10.36, 10.40, 10.41, 10.44, 10.58, 10.64, 10.66, 12.03, 12.08, 12.12, 12.16, 12.24, 14.05, 16.08, 16.16, 16.18, 16.20, 16.22, 16.23, 16.44, 19.08, 21.12, 22.05, 22.10, 22.20, 22.24, 22.30, 22.40, 22.90, 22.110, 22.120, 22.130, 22.140, 22.150, 22.160, 22.170, 22.180, 22.300)

39-2007	(Not adopted)
40-2007	(Not adopted)
41-2007	Amends Ord. 22-2005 § 14, termination or suspension of franchise (Repealed by 23-2009)
42-2007	(Not adopted)
1-2008	Adds Ch. 9.91, social host ordinance (9.91)
2-2008	Special tax for transit-related services for the Bloodsource Laboratory building (Tables)
3-2008	(Not used or adopted)
4-2008	Amends zoning code § 325-51; extends moratorium on sexually oriented businesses (Zoning Code)
5-2008	(Not used or adopted)
6-2008	(Not used or adopted)
7-2008	Special tax for transit-related services for the department of Mather office complex buildings (Tables)
8-2008	Special tax for transit-related services for the department of environmental management office complex buildings (Tables)
9-2008	Amends zoning code Title II, Chs. 25 and 40 and Folsom Boulevard specific plan (Zoning Code)
10-2008	Amends Ch. 4.22, cardrooms (4.22)
11-2008	(Not used or adopted)

12-2008	(Not used or adopted)
13-2008	Amends Folsom Boulevard specific plan for Folsom Boulevard corridor (Special)
14-2008	Adds §§ 16.83.105 and 16.84.065, temporary deferral of development and impact fee payments (16.83, 16.84)
15-2008	Temporary moratorium on new and existing massage establishments (Special)
16-2008	(Not adopted)
17-2008	Special tax for transit-related services for the Sunrise Palms Plaza project (Tables)
18-2008	(Not adopted)
19-2008	(Not used or adopted)
20-2008	Adds Ch. 6.21, business and multifamily recycling (Repealed by 2-2016)
21-2008	(Not adopted)
22-2008	Special tax for transit-related services for the 3581 Mather Field Road project (Tables)
23-2008	Community Facilities District No. 2008-1 special tax (Tables)
24-2008	Adds Ch. 6.21 [6.22], prohibition against unauthorized entry into waste containers (6.22)
25-2008	Special tax for transit-related services for the Zinfandel and Sunrise project (Special)
26-2008	Adds Ch. 16.17, maintenance of foreclosed property (16.17)
27-2008	Adopts zoning code (23.101, 23.104, 23.107, 23.110, 23.113, 23.116, 23.119, 23.122, 23.125, 23.128, 23.131, 23.134, 23.141, 23.143, 23.146, 23.149, 23.152, 23.155, 23.158, 23.170, 23.173, 23.301, 23.304, 23.307, 23.310, 23.313, 23.316, 23.319, 23.325, 23.501, 23.504, 23.507, 23.510, 23.513, 23.701, 23.704, 23.710, 23.713, 23.716, 23.719, 23.722, 23.725, 23.728, 23.731, 23.734, 23.737, 23.740, 23.743, 23.901, 23.904, 23.907, 23.910, 23.913, 23.916, 23.919, 23.922, 23.1104)
28-2008	Extends moratorium on establishment of new recycling businesses and resale shops (Special)
1-2009	Adds Ch. 16.85, establishment of development impact fees for Measure A transportation improvements (16.85)
2-2009	Adds Art. Vd to Ch. 5.50; amends § 5.50.108, Digital Infrastructure and Video Competition Act (5.50)
3-2009	(Number not used)
4-2009	(Number not used)
5-2009	Amends § 16.81.140, program fee adjustment for Villages of Zinfandel special plan area (16.81)
6-2009	Amends § 16.83.200, program fee adjustment for Sunrise Douglas community plan area (16.83)
7-2009	Amends § 16.84.130, program fee adjustment for transportation impact fees (16.84)
8-2009	Adds §§ 8.01.011, 8.01.012, 8.01.013, 8.01.015, 8.01.016, 8.01.017, 8.01.018, 8.01.019, 8.01.071, 8.01.101, 8.01.110, 8.01.120, 8.01.130, 8.01.140 and 8.03.005; amends § 8.03.060; repeals and replaces Chs. 8.06, 8.07 and 8.09; replaces references in Title 8, animals (8.01, 8.02, 8.03, 8.04, 8.06, 8.07, 8.09)
9-2009	Adds Ch. 4.33; amends §§ 4.06.005, 4.06.065, 4.34.000, 4.34.010, 4.34.055, 4.34.070, 4.34.205, 4.34.210, 4.34.215 and 4.34.220; repeals §§ 4.34.030, 4.34.080,

	4.34.085, 4.34.095, 4.34.100 and 4.34.105, massage establishments and massage technicians (4.06, 4.34)
10-2009	Amends §§ 16.83.105 and 16.84.065, deferral of development impact fees (16.83, 16.84)
11-2009	Repeals § 16.85.140 (Repealer)
12-2009	Amends Folsom Boulevard specific plan (Special)
13-2009	Amends §§ 4.02.100 and 4.02.105, violations and enforcement (4.02)
14-2009	Special tax for transit-related services for Cordova Casino and Restaurant (Special)
15-2009	Amends Ords. 24-2006, 25-2006, 26-2006, 27-2006, 28-2006, 29-2006, 30-2006, 31-2006, 32-2006, 33-2006, 37-2006, 38-2006 and 3-2007, police tax area zones (Special)
16-2009	(Not adopted)
17-2009	Adds Ch. 9.81, aggressive, intrusive, and unsafe panhandling (9.81)
18-2009	(Not adopted)
19-2009	Special tax for transit-related services for 11301 Dismantle Court project (Special)
20-2009	Resale shop moratorium (Special)
21-2009	(Not adopted)
22-2009	Extends resale shop moratorium (Special)
23-2009	Solid waste regulations; repeals Ords. 22-2005 and 41-2007 (Repealed by 22-2013)
24-2009	Amends Folsom Boulevard specific plan (Special)
25-2009	Amends development agreement, Villages of Zinfandel (Special)
1-2010	Amends § 4.22.115(A), cardrooms (4.22)
2-2010	Amends § 16.90.030(N), construction permit fees (Repealed by 6-2010)
3-2010	Amends § 16.81.140, program fee adjustment for Villages of Zinfandel special plan area (16.81)
4-2010	Amends § 16.83.200, program fee adjustment for Sunrise Douglas community plan area (16.83)
5-2010	Amends § 16.84.130, program fee adjustment for transportation impact fees (16.84)
6-2010	Amends §§ 4.02.100, 4.07.080, 4.07.110, 12.09.030, 12.09.080, 12.09.130, 16.90.010 and 16.90.020; repeals § 16.90.030, fees (4.02, 4.07, 12.09, 16.90)
7-2010	Adds Ch. 23.328; amends Ch. 23.316 and §§ 23.919.060(C)(2)(a) and (f) and 23.1101.020, zoning (23.316, 23.328, 23.919, 23.1104)
8-2010	(Not adopted)
9-2010	Repeals and replaces Ch. 3.40, utility users' tax (3.40)
10-2010	(Not adopted)
11-2010	(Not adopted)
12-2010	(Not adopted)
13-2010	Amends §§ 3.08.020, 3.08.070 and 3.08.160, transient occupancy tax (3.08)
14-2010	Adopts Rio del Oro specific plan (Special)

15-2010	Amends § 23.322.030(C)(4) and zoning map, Rio del Oro project area (Repealed by 6-2011)
16-2010	Approves development agreement, Rio del Oro project (Special)
17-2010	Adds Ch. 6.90, marijuana cultivation (Repealed by 10-2017)
18-2010	Adds Ch. 3.80, cannabis business tax (3.80)
19-2010	Adds Ch. 3.85, personal cannabis cultivation tax (3.85)
20-2010	Amends Table 23.316-1, industrial zoning (23.316)
21-2010	Adds Ch. 6.140, unattended donation boxes (6.140)
22-2010	Amends Ch. 16.02, administrative code (Repealed by 12-2019)
23-2010	Amends Ch. 16.04, building code (Repealed by 13-2019)
24-2010	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
25-2010	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
26-2010	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
27-2010	Amends Ch. 16.36, swimming pool, spa and hot tub code (Repealed by 21-2019)
28-2010	Amends Ch. 17.04, fire code (Repealed by 20-2018)
29-2010	Adds Ch. 16.06, residential code (Repealed by 15-2019)
30-2010	Adds Ch. 16.26, energy code (16.26)
31-2010	Adds Ch. 16.38, green building code (Repealed by 22-2019)
32-2010	Amends §§ 16.83.105 and 16.84.065, development impact fee deferral (16.83, 16.84)
33-2010	Reapproves development agreement, Rio del Oro project (Special)
34-2010	Amends § 3.08.040, transient occupancy tax (3.08)
1-2011	Amends § 16.81.140, program fee adjustment for Villages of Zinfandel special plan area (16.81)
2-2011	Amends § 16.83.200, program fee adjustment for Sunrise Douglas community plan area (16.83)
3-2011	Amends § 16.84.130, program fee adjustment for transportation impact fees (16.84)
4-2011	Amends § 23.313.020(B), commercial mixed-use zoning district (23.313)
5-2011	Amends § 2.30.010; repeals §§ 2.30.020 through 2.30.130, planning commission (2.30)
6-2011	Adds Chs. 23.1000 and 23.1005, special purpose zones and special planning areas; repeals Ch. 23.322 (23.1000, 23.1005)
7-2011	Moratorium on medical marijuana dispensaries (Special)
8-2011	Amends § 4.02.060, business license fees (4.02)
9-2011	Moratorium on medical marijuana dispensaries (Special)
10-2011	(Not adopted)
11-2011	Adopts amendment to Folsom Boulevard specific plan (Special)
12-2011	Amends Title 23, zoning code, and adopts zoning map amendments (23.101, 23.104, 23.107, 23.110, 23.113, 23.116, 23.119, 23.122, 23.125, 23.128, 23.131, 23.134, 23.140, 23.141, 23.143, 23.146, 23.149, 23.152, 23.155, 23.158, 23.170, 23.173,

	23.301, 23.304, 23.307, 23.310, 23.313, 23.316, 23.319, 23.325, 23.328, 23.701, 23.704, 23.710, 23.713, 23.716, 23.719, 23.722, 23.725, 23.728, 23.731, 23.734, 23.737, 23.740, 23.743, 23.901, 23.904, 23.907, 23.910, 23.913, 23.916, 23.919, 23.922, 23.1104)
13-2011	Rezone (Special)
1-2012	Amends Folsom Boulevard specific plan (Special)
2-2012	Amends Folsom Boulevard specific plan (Special)
3-2012	Amends § 16.81.140, annual program fee adjustment (16.81)
4-2012	Amends § 16.83.200, annual program fee adjustment (16.83)
5-2012	Amends § 16.84.130, annual program fee adjustment (16.84)
6-2012	Adds [amends] §§ 4.22.005, 4.22.105, 4.22.110, 4.22.115, 4.22.125 and 4.22.145; repeals §§ 4.22.165 and 16.17.060, cardrooms (4.22)
7-2012	Adopts amended development agreement for Montelena Project (Repealed by 12-2012)
8-2012	(Not adopted)
9-2012	Amends § 2.04.110; repeals and replaces Ch. 3.60, purchasing system (2.04, 3.60)
10-2012	Moratorium on medical marijuana dispensaries (Special)
11-2012	Repeals and replaces Ch. 6.120; repeals § 16.18.903, abatement of graffiti (6.120)
12-2012	Adopts amended development agreement for Montelena Project; repeals Ord. 7-2012 (Special)
13-2012	(Not adopted)
14-2012	Adds Ch. 3.90, cardroom tax (3.90)
15-2012	Repeals §§ 4.22.020(C) and 4.22.115(B), cardrooms (4.22)
16-2012	Amends Ch. 23.743, signs (23.743)
17-2012	(Not adopted)
18-2012	Adds § 23.731.080(I), electric fences (23.731)
19-2012	Adds § 16.20.221; amends §§ 16.20.015(B), 16.20.1100, 16.20.1115, 16.20.1120, 16.20.1130, 16.20.1135, 16.20.1200(A) and 16.20.1205, and footnote to Art. XI title; repeals §§ 16.20.1105 and 16.20.1150, housing code (16.20)
20-2012	Franchise grant (Special)
21-2012	(Not adopted)
22-2012	Amends §§ 6.21.010, 6.21.020, 6.21.030(A), 6.21.140 and 6.21.150(A); repeals and replaces Ch. 6.20, solid waste management and recycling (Repealed by 17-2020)
23-2012	Amends § 23.743.150, digital freeway signs overlay (23.743)
1-2013	(Not adopted)
2-2013	Community Facilities District No. 2013-2 special tax (Tables)
3-2013	Amends Ch. 16.84, development impact fees to finance the cost of transportation facilities (16.84)
4-2013	Amends § 4.22.115, cardrooms (4.22)
5-2013	Moratorium on computer gaming and Internet access businesses (Special)

6-2013	Amends Folsom Boulevard specific plan (Special)
7-2013	Amends §§ 16.83.065, 16.83.105 and 16.83.120(C); repeals § 16.83.140(G), public facilities development fees (16.83)
8-2013	Amends §§ 16.81.050 and 16.81.090; repeals § 16.81.110(A), off-site roadway mitigation and library facilities development fees (16.81)
9-2013	Adds Ch. 16.92, construction and demolition debris (Repealed by 3-2016)
10-2013	Extends moratorium on computer gaming and Internet access businesses (Special)
11-2013	Repeals Ord. 24-2006, special tax for police protection for Montelena Subdivision (Repealer)
12-2013	Amends § 9.36.061, park regulations (9.36)
13-2013	Amends §§ 6.20.130, 6.20.150, 6.20.230, 6.20.270, 6.20.290, 6.20.300, 6.20.310 and 6.20.340, solid waste management; adds §§ 23.113.040 and 23.113.050; amends §§ 23.104.030, 23.110.020, 23.110.040, 23.110.150, 23.113.020, 23.113.030, 23.116.010, 23.119.030, 23.131.040, 23.134.060, 23.140.030, 23.140.050, 23.141.030, 23.152.060, 23.164.040, 23.167.020, 23.167.050, 23.170.040, 23.173.080, 23.301.020, 23.301.030, 23.325.050, 23.325.080, 23.704.040, 23.713.080, 23.716.060, 23.719.110, 23.719.120, 23.722.050, 23.725.040, 23.731.030, 23.731.050, 23.731.060, 23.731.070, 23.731.080, 23.734.030, 23.734.050, 23.901.030, 23.904.020, 23.907.020, 23.907.030, 23.913.030, 23.919.060, 23.1101.020 and 23.1104.020, zoning (23.104, 23.110, 23.113, 23.116, 23.119, 23.131, 23.134, 23.140, 23.141, 23.152, 23.170, 23.173, 23.301, 23.325, 23.704, 23.713, 23.716, 23.719, 23.722, 23.725, 23.731, 23.734, 23.901, 23.904, 23.907, 23.913, 23.919, 23.1104)
14-2013	Amends § 23.1000.030(C)(6), Mather Field special planning area (23.1000)
15-2013	Adds Chs. 9.102 and 23.925; amends §§ 4.06.085 and 23.1101.020, medical marijuana dispensaries (4.06, 9.102, 23.925, 23.1104)
16-2013	Adds Ch. 9.102; amends § 4.06.085, medical marijuana dispensaries (4.06, 9.102)
17-2013	Adds Ch. 23.925; amends § 23.1101.020, medical marijuana dispensaries (23.925, 23.1104)
18-2013	Amends § 23.325.020, convention overlay district (23.325)
19-2013	Amends § 23.325.020, convention overlay district; amends Folsom Boulevard specific plan (23.325)
20-2013	Adds Ch. 16.03, safety assessment placards (16.03)
21-2013	Moratorium on medical marijuana dispensaries (Special)
22-2013	Amends Ch. 16.02, uniform administrative code (Repealed by 12-2019)
23-2013	Amends development agreement for Montelena (Special)
24-2013	Approves development agreement amendment for Anatolia III project (Special)
25-2013	Amends §§ 23.158.030(A) and (D), development agreements (23.158)
26-2013	Approves development agreement amendment for Douglas 98 Project (Special)
27-2013	(Number not used)
28-2013	Approves development agreement amendment for Anatolia III project (Special)
29-2013	Rezones parcels within Sunridge planning area (Special)
30-2013	Adds Ch. 8.11; amends Table 23.310-1, keeping of backyard hens (8.11, 23.310)

31-2013	Amends Ch. 16.02, uniform administrative code (Repealed by 12-2019)
32-2013	Amends Ch. 16.04, building code (Repealed by 13-2019)
33-2013	Amends Ch. 16.06, residential code (Repealed by 15-2019)
34-2013	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
35-2013	Amends Ch. 16.26, energy code (16.26)
36-2013	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
37-2013	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
38-2013	Amends Ch. 16.36, swimming pools (Repealed by 21-2019)
39-2013	Amends Ch. 16.38, green building code (Repealed by 22-2019)
40-2013	Amends Title 17, fire prevention (17.12)
41-2013	Adopts SunCreek specific plan (Special)
42-2013	Approves development agreements for SunCreek project (Special)
43-2013	Amends §§ 1.01.190, 6.60.020, 6.90.070, 6.120.020(H) and 8.04.050, title of Ch. 9.80 and §§ 9.80.010, 9.80.040 and 16.18.205(D), code enforcement (1.01, 6.60, 6.120, 8.04, 9.80, 16.18)
44-2013	Amends Folsom Boulevard specific plan and zoning map (Special)
1-2014	Adds § 2.04.115; amends § 2.38.020; repeals § 3.60.030(C), authority to settle third party disputes (2.04, 2.38, 3.60)
2-2014	Amends Sacramento County Zoning Code Ordinance 2002-0014, collection of fees for Sunridge Specific Plan Area (Special)
3-2014	Amends Sacramento County Zoning Code Ordinance 2002-0015 to eliminate certain fee requirements for Sunridge Specific Plan Area (Special)
4-2014	Amends § 16.81.140, annual program fee adjustment (16.81)
5-2014	Amends § 16.83.200, annual program fee adjustment (16.83)
6-2014	Moratorium on computer gaming and Internet access businesses (Special)
7-2014	Adds Ch. 15.11, annual storm water utility fee (15.11)
8-2014	Moratorium on private smokers' lounges, e-cigarette lounges, vapor bars and hookah bars (Special)
9-2014	Adds §§ 6.84.024 and 6.84.041; amends §§ 6.84.045 and 6.86.040, electronic cigarettes and smoking devices (6.84)
10-2014	Approves development agreement for Sunridge Lot J project (Special)
11-2014	Extends moratorium on private smokers' lounges, e-cigarette lounges, vapor bars and hookah bars (Special)
12-2014	Amends Chs. 23.119 and 23.743, signs (23.119, 23.743)
13-2014	Amends § 4.07.030, Ch. 6.84 and § 23.1101.020, smoking (4.07, 6.84, 23.1104)
14-2014	Community Facilities District No. 2014-1 special tax (Tables)
15-2014	Community Facilities District No. 2014-2 special tax (Tables)
16-2014	Repeals Ch. 6.130, protection of children from sexual offenders (Repealer)
17-2014	Adds §§ 9.81.030(D) – (H) and 9.81.050; amends §§ 9.81.010(C) – (E), 9.81.020 and

	9.81.040, prohibition against aggressive, intrusive and unsafe panhandling (9.81)
18-2014	Approves development agreement amendment for Sunridge North Douglas project (Special)
19-2014	Special tax for transit-related services for 3500 Fitzgerald Road Industrial Building project (Tables)
20-2014	Adds §§ 8.08.050, 8.08.060, 8.08.070, 8.08.080 and 8.08.090; amends §§ 8.01.110, 8.03.010, 8.04.030, 8.06.030(M)(3), 8.07.015, 8.07.040, 8.07.045, 8.07.060(D), 8.09.020, 8.09.030, 8.09.050(A) and 8.09.130(F)(1), (H), (I) and (J)(1), animals (8.01, 8.03, 8.04, 8.06, 8.07, 8.08, 8.09)
21-2014	Adds Ch. 3.05, transactions and use tax (3.05)
22-2014	Adds Art. XVI to Ch. 16.18, repeat nuisance service calls (16.18)
23-2014	Adds § 23.325.090, overlay zoning districts (23.325)
24-2014	Approves development agreement amendment for Arista del Sol project (Special)
25-2014	Moratorium on establishments serving alcohol for on-site consumption within 500 feet of adult businesses (Special)
26-2014	Extends moratorium on establishments serving alcohol for on-site consumption within 500 feet of adult businesses (Special)
27-2014	Adds § 1.01.200; amends §§ 16.18.1001, 16.18.1424, 16.19.100(B), 16.20.700(D), 16.20.750, 16.22.419(B), 16.22.500 and 23.173.100; repeals §§ 16.18.1002 – 16.18.1007, 16.20.755 and 16.22.501 – 16.22.505, special assessments and liens (1.01, 16.18, 16.19, 16.20, 16.22, 23.173)
28-2014	Approves development agreement amendment for Anatolia IV project (Special)
29-2014	Amends Folsom Boulevard specific plan (Special)
1-2015	Amends Ch. 6.90 and Table 23.310-1, marijuana cultivation (23.310)
2-2015	Approves rezone and development agreement amendment (Special)
3-2015	Amends § 16.84.065, temporary deferral for payments of transportation impact fees (16.84)
4-2015	Extends moratorium on private smokers' lounges, e-cigarette lounges, vapor bars and hookah bars (Special)
5-2015	Adopts development agreement amendment for Capital Village special planning area (Special)
6-2015	Sunridge North Douglas Community Facilities District No. 2005-1 special tax; rescinds Ord. 26-2005 (Tables)
7-2015	Rezone and Douglas 103 development agreement amendment (Special)
8-2015	Amends Tables 23.313-1 and 23.316-1 and § 23.1101.020, zoning; amends Folsom Boulevard specific plan (23.313, 23.316, 23.1104)
9-2015	Approves development agreement amendment for Rio Del Oro project (Special)
10-2015	Adds Ch. 16.07, expedited permit process for small residential rooftop solar energy systems (16.07)
11-2015	Amends Table 23.325-1, grocery stores in convention overlay zone (23.325)
12-2015	Adds Ch. 10.25, preferential residential permit parking program (10.25)
13-2015	Amends §§ 10.50.010 and 10.50.020, reduced speed limits on specific streets (10.50)

14-2015	(Not adopted)
15-2015	Amends Tables 23.313-1 and 23.316-1 and § 23.919.060(C), zoning (23.313, 23.316, 23.919)
16-2015	Amends Capital Village special planning area handbooks (Special)
17-2015	Approves development agreement amendment for Capital Village special planning area (Special)
1-2016	Adds §§ 6.84.040(B) [6.84.030(B)] and 23.919.100; amends Tables 23.313-1 and 23.316-1 and §§ 23.919.010(A) and 23.1101.020, zoning (6.84, 23.313, 23.316, 23.919, 23.1104)
2-2016	Repeals and replaces Ch. 6.21, business and multifamily recycling and organics recycling (Repealed by 17-2020)
3-2016	Repeals and replaces Ch. 16.92, construction and demolition debris reduction, reuse and recycling (16.92)
4-2016	Amends §§ 16.83.105 and 16.84.065, deferral of development impact fees (16.83, 16.84)
5-2016	Rezone, Villages of Zinfandel special planning area (Special)
6-2016	Amends development agreement, Villages of Zinfandel (Special)
7-2016	Adds §§ 22.10.111, 22.10.112, 22.10.141.1; amends §§ 19.12.050, 22.25.010, 22.110.070, 23.158.040, 23.158.050 and 23.325.040, 200-year floodplain (22.10, 22.25, 22.110, 23.158, 23.325)
8-2016	Special tax for transit-related services for APG warehouse project (Tables)
9-2016	Adopts amended Rio Del Oro specific plan (Special)
10-2016	Approves amended Rio Del Oro development agreements (Special)
11-2016	Repeals and replaces Ch. 4.33, massage/massage businesses (4.33)
12-2016	Amends Ch. 16.02, uniform administrative code (Repealed by 12-2019)
13-2016	Amends Ch. 16.04, building code (Repealed by 13-2019)
14-2016	Amends Ch. 16.06, residential code (Repealed by 15-2019)
15-2016	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
16-2016	Amends Ch. 16.26, energy code (16.26)
17-2016	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
18-2016	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
19-2016	Amends Ch. 16.36, swimming pools (Repealed by 21-2019)
20-2016	Amends Ch. 16.38, green building code (Repealed by 22-2019)
21-2016	Amends Ch. 16.40, moving buildings (Repealed by 23-2019)
22-2016	(Not adopted)
23-2016	Special tax for transit-related services for Monier Circle warehouse project (Tables)
24-2016	Adds Ch. 3.70; amends § 3.60.110(A), public projects (3.60, 3.70)
1-2017	Amends Table 23.325-1 in § 23.325.020, card rooms (23.325)
2-2017	Amends Folsom Boulevard specific plan (Special)

3-2017	Amends Ch. 23.313, mixed-use zoning districts (23.313)
4-2017	Adds Ch. 8.12; amends Articles 1, 3, 5, 7, 9 and 11 of Title 23, beekeeping, zoning (8.12, 23.101, 23.104, 23.107, 23.110, 23.113, 23.116, 23.119, 23.122, 23.125, 23.128, 23.131, 23.134, 23.140, 23.141, 23.143, 23.146, 23.149, 23.152, 23.155, 23.158, 23.170, 23.173, 23.301, 23.304, 23.307, 23.310, 23.313, 23.316, 23.319, 23.325, 23.328, 23.501, 23.504, 23.507, 23.510, 23.513, 23.701, 23.704, 23.710, 23.713, 23.716, 23.719, 23.722, 23.725, 23.728, 23.731, 23.734, 23.737, 23.740, 23.743, 23.901, 23.904, 23.907, 23.910, 23.913, 23.915, 23.916, 23.919, 23.922, 23.925, 23.1104)
5-2017	Amends §§ 4.33.040, 4.33.060 and Tables 23.313-1 and 23.316-1, massage establishments (4.33, 23.313, 23.316)
6-2017	(Not adopted)
7-2017	Adds Ch. 16.09, expedited permit process for electric vehicle charging stations (16.09)
8-2017	Amends § 6.120.140, graffiti abatement (6.120)
9-2017	Adds Art. XVII to Ch. 16.18, property maintenance code (16.18)
10-2017	Amends Table 23.310-1; repeals and replaces Ch. 6.90, cannabis cultivation (6.90, 23.310)
11-2017	Approves development agreement amendment for Sundance project (Special)
12-2017	Repeals and replaces Chs. 19.04 and 19.12, tree preservation and protection (19.04, 19.12)
1-2018	Amends §§ 10.50.010 and 10.50.020, reduced speed limits on specific streets (10.50)
2-2018	Approves development agreement amendment for Douglas 98 project (Special)
3-2018	Amends zoning map (Special)
4-2018	Adds Figure 23.716-3 [23.716-2a] and § 23.913.050; amends § 23.107.020(A), Tables 23.313-1, 23.316-1, 23.316-2, 23.325-1, § 23.704.030, Table 23.719-1, § 23.719.130(C), Ch. 23.728, §§ 23.743.050, 23.743.065(B), 23.1104.040 and 23.1104.050, zoning (23.107, 23.313, 23.316, 23.325, 23.704, 23.716, 23.719, 23.728, 23.743, 23.913, 23.1104)
5-2018	Adds Ch. 16.86; amends § 16.87.010(A), transit development impact fees for transit improvements (16.86, 16.87)
6-2018	Special tax for transit-related services for Homewood Suites project (Tables)
7-2018	Amends § 23.719.130, off-street RV, trailer and vessel parking for private residences (23.719)
8-2018	Special tax for transit-related services for Superior Self-Storage project (Tables)
9-2018	Amends §§ 20.04.060(I) and 23.325.040(F)(1), FEMA flood insurance map effective date (20.04, 23.325)
10-2018	Amends § 23.901.080, family day care (large) (Repealed by 1-2020)
11-2018	Amends Ch. 23.907, utility, transportation, and communication uses (23.907)
12-2018	Adopts fourth amendment to development agreement for Montelena project (Special)
13-2018	Adopts third amendment to development agreement for Douglas 98 project (Special)
14-2018	Adopts second amendment to development agreement for Grantline 208 project (Special)

15-2018	Amends §§ 6.56.130, 6.56.160, 23.140.020, Tables 23.313-1, 23.316-1, §§ 23.719.130 and 23.1104.040, zoning (6.56, 23.140, 23.313, 23.316, 23.719, 23.1104)
16-2018	Repeals Ord. 29-2006, special tax for police protection for Anatolia IV Subdivision (Repealer)
17-2018	Amends Ch. 4.26, Table 23.313-1 and Folsom Boulevard specific plan; repeals Ch. 4.28, bingo (4.26, 23.313)
18-2018	Community Facilities District No. 2018-2 special tax (Tables)
19-2018	Community Facilities District No. 2018-1 special tax (Tables)
20-2018	Repeals and replaces Ch. 17.04, fire code (Repealed by 24-2019)
21-2018	Special tax for transit-related services for European Parts Depot project (Tables)
22-2018	Adopts first amendment to development agreement for Anthology at Anatolia project (Special)
23-2018	Adds Ch. 16.94, aquatic resources protection (16.94)
24-2018	Adds Ch. 22.45, South Sacramento Habitat Conservation Plan mitigation fees (22.45)
1-2019	Repeals Ords. 28-2004, 29-2004, 30-2004, 32-2004, 33-2004, 40-2004, 25-2006, 26-2006, 27-2006, 28-2006, 31-2006, 32-2006 and 38-2006, special police tax areas (Repealer)
2-2019	Special tax for transit-related services for Gold Valley Center project (Tables)
3-2019	Amends §§ 4.29.030, Tables 23.313-1 [23.310-1] 23.313-1, 23.316-1, 23.719-1, §§ 23.728.020, 23.734.030, 23.922.030(B) and 23.1104.040; amends and rennumbers §§ 6.68.230 as 6.68.190 and 6.68.240 as 6.68.200; repeals §§ 6.68.190 through 6.68.220, bingo suppliers, noise control, zoning (4.29, 6.68, 23.310, 23.313, 23.316, 23.719, 23.728, 23.734, 23.922, 23.1104)
4-2019	Amends §§ 4.54.000 – 4.54.020, street businesses (4.54)
5-2019	Amends Tables 23.313-1, 23.316-1, 23.319-1, §§ 23.716.070(C)(4), 23.731.050 and 23.922.030(B), zoning (23.313, 23.316, 23.319, 23.716, 23.731, 23.922)
6-2019	Amends Villages of Zinfandel special planning area (Special)
7-2019	Approves development agreement, Bradshaw Village subdivision (Special)
8-2019	Amends §§ 16.83.105 and 16.84.065, deferral of development impact fees (16.83, 16.84)
9-2019	Adds Ch. 9.84, personal property storage on public property (9.84)
10-2019	Special tax for transit-related services for Bradshaw Village project (Tables)
11-2019	Reapproves amended development agreement, Rio Del Oro project (Special)
12-2019	Repeals and replaces Ch. 16.02, administrative code (Repealed by 16-2022)
13-2019	Repeals and replaces Ch. 16.04, building code (Repealed by 17-2022)
14-2019	Adds Ch. 16.05, historical building code (16.05)
15-2019	Repeals and replaces Ch. 16.06, residential building code (Repealed by 19-2022)
16-2019	Adds Ch. 16.10, existing building code (16.10)
17-2019	Repeals and replaces Ch. 16.24, plumbing code (Repealed by 21-2022)
18-2019	Adds [amends] Ch. 16.26, energy code (16.26)
19-2019	Repeals and replaces Ch. 16.28, electrical code (Repealed by 23-2022)

20-2019	Repeals and replaces Ch. 16.32, mechanical code (Repealed by 24-2022)
21-2019	Repeals and replaces Ch. 16.36, swimming pool and spa code (Repealed by 25-2022)
22-2019	Repeals and replaces Ch. 16.38, green building code (Repealed by 26-2022)
23-2019	Repeals and replaces Ch. 16.40, moving buildings (Repealed by 27-2022)
24-2019	Repeals and replaces Ch. 17.04, fire code (Repealed by 28-2022)
25-2019	Adds Ch. 23.930, tenant protection (Expired)
1-2020	Amends Tables 23.310-1, 23.313-1, §§ 23.728.030(C) and 23.731.070; repeals § 23.901.080, zoning (23.310, 23.313, 23.728, 23.731)
2-2020	Amends §§ 22.40.035(B) and (C), calculating area of land dedication (22.40)
3-2020	Rezone (Special)
4-2020	Approves development agreement, ranch special planning area project (Special)
5-2020	Adds § 16.18.1703(Y), boats, recreational vehicles and trailers (16.18)
6-2020	Urgency ordinance adding Ch. 16.21, temporary moratorium on eviction of residential tenants (Not codified)
7-2020	Urgency ordinance adding Ch. 4.56, temporary moratorium on eviction of commercial tenants (Not codified)
8-2020	Adds Ch. 16.21, temporary moratorium on eviction of residential tenants (16.21)
9-2020	Adds Ch. 4.56, temporary moratorium on eviction of commercial tenants (4.56)
10-2020	Amends Arts. XI and XII of Ch. 16.20; repeals Art. VIII of Ch. 16.20, housing code (16.20)
11-2020	Amends §§ 6.56.130, 16.18.1702(I) – (R), 16.18.1703, 16.18.1704, Table 23.316-1, §§ 23.325.070, 23.719.130, 23.731.060 and 23.901.030, abandoned vehicles, nuisance, zoning (6.56, 16.18, 23.316, 23.325, 23.719, 23.731, 23.901)
12-2020	Community Facilities District No. 2020-1 special tax (Tables)
13-2020	Amends Suncreek specific plan (Special)
14-2020	Amends §§ 6.84.020 and 6.84.040, regulation of smoking (6.84)
15-2020	Adds Ch. 16.95, storm drainage impact fee program (16.95)
16-2020	Special tax for transit-related services, White Rock Center project (Tables)
17-2020	Repeals and replaces Chs. 6.20 and 6.21, solid waste management, business and multifamily recycling and organics recycling (6.20, 6.21)
18-2020	Adds Ch. 3.06, Rancho Cordova relief and recovery 2020 transactions and use tax (3.06)
19-2020	Repeals § 6.86.110, purchase of tobacco products by minors prohibited (Repealer)
20-2020	Amends §§ 10.50.010 and 10.50.020, reduced speed limits on specific streets (10.50)
1-2021	Amends §§ 23.313.030, 23.743.150(A) and (B) and 23.1104.040, zoning (23.313, 23.743, 23.1104)
2-2021	Amends development agreement for Montelena (Special)
3-2021	Amends the Ranch special planning area (Special)
4-2021	Amends development agreement, the Ranch (Special)

5-2021	Urgency ordinance establishing temporary limit on third-party delivery service fees (Not codified)
6-2021	Special tax for transit-related services, Rio del Oro project (Tables)
7-2021	Adds § 8.07.065; amends §§ 8.01.110, 8.01.120, 8.07.040, 8.07.055 and 8.07.060, potentially dangerous and vicious animals (8.01, 8.07)
8-2021	Adds Ch. 23.902; amends §§ 23.316.030 and 23.1104.040, zoning (23.316, 23.902, 23.1104)
9-2021	Special tax for transit-related services, High Class Motors project (Tables)
10-2021	Amends §§ 16.83.040 and 16.83.070, Sunrise Douglas community plan funds (16.83)
11-2021	Amends §§ 23.313.030 and 23.325.020, zoning (23.313, 23.325)
12-2021	Amends SunCreek specific plan (Special)
13-2021	Adds § 4.54.305, fireworks host liability (4.54)
14-2021	Amends development agreement for Montelena Villages (Special)
15-2021	Adds §§ 16.81.010(E), 16.81.120(E) and 16.81.130(E); amends §§ 16.81.020 through 16.81.040 and 16.81.070; repeals §§ 16.81.080 through 16.81.100, 16.81.110(B) and 16.81.140, development fees to finance cost of off-site roadway mitigation and library facilities (16.81)
16-2021	Amends development agreement, Rio Del Oro project (Special)
17-2021	Adds Chs. 23.137 and 23.707; amends Chs. 23.104, 23.110, 23.141, 23.710 and § 23.901.060, zoning (23.104, 23.110, 23.137, 23.141, 23.707, 23.710, 23.901)
18-2021	Cancels development agreement, Preserve at Sunridge project (Special)
19-2021	Special tax for transit-related services, Falconer commercial building project (Tables)
20-2021	Special tax for transit-related services, express sewer and drain project (Tables)
21-2021	Special tax for transit-related services, The Ranch project (Tables)
22-2021	Amends Chs. 2.30, 23.104 and 23.110, planning commission (2.30, 23.104, 23.110)
23-2021	Community Facilities District No. 2021-1 special tax (Tables)
1-2022	Amends Chs. 23.128, 23.307, 23.310, 23.313, 23.316, 23.719, § 23.743.085, Ch. 23.901 and § 23.1104.040, zoning (23.128, 23.307, 23.310, 23.313, 23.316, 23.719, 23.743, 23.901, 23.1104)
2-2022	Amends Ch. 2.30, planning commission (2.30)
3-2022	Moratorium on electronic cigarette retailers, electronic cigarette lounges and vapor bars (Special)
4-2022	Extends moratorium on electronic cigarette retailers, electronic cigarette lounges and vapor bars (Special)
5-2022	Special tax for transit-related services, Grantline 220 project (Tables)
6-2022	Rezone (Special)
7-2022	Approves development agreement (Special)
8-2022	Community Facilities District No. 2022-1 special tax (Tables)
9-2022	Adds Ch. 16.82, SunCreek specific plan development impact fees (16.82)
10-2022	Amends Ch. 4.07, §§ 6.84.020 and 23.919.100; repeals Ch. 6.86, tobacco sales and use (4.07, 6.84, 23.919)

11-2022	Approves amendments to development agreements and reapproves development agreement for SunCreek project (Special)
12-2022	Amends §§ 16.18.205, 16.18.503, 17.12.020, 23.313.030, Ch. 23.325, 23.1104.040 and Folsom Boulevard specific plan, nuisance, weed control, zoning (16.18, 17.12, 23.313, 23.1104)
13-2022	Adds Ch. 9.85, protection of critical infrastructure and wildfire risk areas (9.85)
14-2022	Special tax for transit-related services, Ranch project (Special)
15-2022	Amends §§ 2.30.010, 4.10.155, Ch. 6.90, §§ 10.64.030, 16.95.070(A), 21.12.010, 21.12.020(A) and (B), 21.12.025, 21.12.030, 21.12.040, 21.12.045, 21.12.050, 21.12.055, 21.12.075, 22.10.060, 22.10.075, 22.20.076, 22.25.010, 22.30.015, 22.40.005, 22.50.010, 22.110.035, 22.110.065 and Ch. 23.104; repeals Ch. 2.34, housekeeping ordinance (2.30, 4.10, 6.90, 10.64, 16.95, 21.12, 22.10, 22.20, 22.25, 22.30, 22.40, 22.50, 22.110, 23.104)
16-2022	Repeals and replaces Ch. 16.02, administrative code (16.02)
17-2022	Repeals and replaces Ch. 16.04, building code (16.04)
18-2022	Adds [amends] Ch. 16.05, historical building code (16.05)
19-2022	Repeals and replaces Ch. 16.06, residential building code (16.06)
20-2022	Adds [amends] Ch. 16.10, existing building code (16.10)
21-2022	Repeals and replaces Ch. 16.24, plumbing code (16.24)
22-2022	Adds [amends] Ch. 16.26, energy code (16.26)
23-2022	Repeals and replaces Ch. 16.28, electrical code (16.28)
24-2022	Repeals and replaces Ch. 16.32, mechanical code (16.32)
25-2022	Repeals and replaces Ch. 16.36, swimming pool and spa code (16.36)
26-2022	Repeals and replaces Ch. 16.38, green building code (16.38)
27-2022	Repeals and replaces Ch. 16.40, moving buildings (16.40)
28-2022	Repeals and replaces Ch. 17.04, fire code (17.04)
29-2022	Amends §§ 5.50.104 and 5.50.112, cable television commission (5.50)

Chapter 15.10 STORM DRAINAGE FEE

Sections:

- 15.10.010 Purpose.
- 15.10.020 Findings.
- 15.10.030 Definitions.
- 15.10.040 Levy of charge for storm drainage services.
- 15.10.050 Reduction in charge.
- 15.10.060 Billing procedure.
- 15.10.070 Lien.
- 15.10.080 Collection of fees with general taxes.
- 15.10.090 Administration and enforcement.
- 15.10.100 Administrative appeal.
- 15.10.110 Deposit of collections.
- 15.10.120 Operative date.
- 15.10.130 Severability.

15.10.010 Purpose.

The purpose of this chapter is to establish a mechanism for funding the operation and maintenance of the Ccity storm drainage system in order that storm and surface waters may be properly drained and controlled so that the health, safety and welfare of the city and its inhabitants may be safeguarded and protected. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.020 Findings.

The Ccity Council hereby finds as follows:

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- A. The Ceity maintains a system of storm and surface water management facilities within ~~the unincorporated area of the~~ Ceity, including but not limited to inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basins, infiltration facilities, overland release corridors, pump stations, and other components as well as natural waterways.
- B. Those elements of the Ceity's storm and surface water management system that provide for the collection, storage, treatment, and conveyance of storm drainage are of benefit and provide services to all developed property within ~~the unincorporated area of the~~ Ceity.
- C. The cost of operating and maintaining the storm drainage management system, including necessary repairs, should, to the extent practicable, be allocated in relationship to the benefits enjoyed and services received therefrom.
- D. Erosion and the discharge of nutrients, metals, oil, grease, and other substances into and through the storm drainage system ~~is resultsing~~ in a degradation in water quality if not properly managed.
- E. The public health, safety and welfare are adversely affected by poor water quality and flooding resulting from inadequate storm drainage management practices.
- F. The storm drainage management practices necessary to protect water quality are largely established by federal and state statutes, regulations and permitting requirements.
- G. Real property either uses or benefits from the presence and operation of the storm drainage management system.
- H. The use of the storm drainage system is dependent on factors that influence runoff, including land use and impervious area.
- I. The Ceity has the authority under Section 5471 of the Health and Safety Code to prescribe, revise and collect fees, tolls, rates, rentals and other charges for facilities and services furnished by it in connection with its storm drainage system.
- J. The Legislature, through the adoption of Section 5471 of the Health and Safety Code, has specifically authorized the Ceity to provide storm drainage services as a utility function for which service charges may be levied.

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K. Storm drainage services are currently provided ~~in the unincorporated area of the city~~ by both the ~~Ceity and the water agency~~ and funded through a combination of property tax revenue and benefit assessments.

~~L. Property taxes have proven to be an unreliable source of revenue due to the state of California's recent proclivity for shifting local property tax revenue from the city and special districts to schools.~~

~~M.L.~~ Benefit assessments are an undesirable revenue mechanism because of the significant lag-time between the time that the assessments are approved and the time that they are received as part of the real property tax collection and allocation process. This lag-time creates the need to include a component in the assessment to provide a reserve for dry period financing purposes.

~~N.M.~~ A fee to fund storm drainage services offers a reliable and consistent source of revenue that is locally controlled and independent of the vagaries of the state of California's budget process. [Ord. 212003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.030 Definitions.

The meanings ascribed to the terms set forth in this section shall govern the interpretation of this chapter.

"Administrative charge" means the charge imposed by the ~~Ceity's~~ consolidated utility billing service for the actual cost of billing for, and collection of, storm drainage service fees.

~~"Chief of water resources" means the chief of the water resources division of the department of district engineering or his designee.~~

"City" means the ~~Ceity~~ of Rancho Cordova.

"City storm drainage system" means the system of storm and surface water management facilities, including but not limited to inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basins, infiltration facilities, overland release corridors, pump stations and other components as well as natural waterways; within the ~~unincorporated area of the Ceity~~ that ~~is~~ are either owned or operated by the ~~Ceity or the water agency~~.

"Commercial/office use" means the use of any developed parcel for any of the following or similar purposes: offices, wholesale or retail sales, establishments, or the provision of personal, professional or business services, including, but not limited to, retail stores, shopping centers, restaurants, service stations, car washes, vehicle, boat and trailer sales lots, parking lots, automobile repair and service

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facilities, auction yards, advertising offices, nurseries, general offices, financial service facilities, medical and dental offices, clinics and laboratories, and veterinary offices, clinics and hospitals.

“Developed parcel” means any parcel of land altered from its natural state by the construction, ~~creation~~creation, or addition of impervious area.

“Engineer” means the ~~administrator of the Ceity’s Ppublic Wworks agency-Director~~ or ~~their~~his designee.

“Equivalent contributing parcel area” means the calculated area which, when multiplied by the impervious factor for the parcel’s use classification, yields the parcel’s measured impervious area.

“Exempt use” means the use of any public or undeveloped property and the use of any other parcel for any of the following purposes: agricultural land used for crops or pasture, aquatic farms, orchards, Ceity-maintained drainage ditches, property within a floodplain recognized by the Ceity on which improvements are prohibited, and levees.

“Fiscal year” means the annual period beginning July 1st ~~-~~and ending June 30th.

“Impervious area” means the total area of a parcel of property covered by an impervious surface.

“Impervious factor (IF)” means a factor which represents the percentage of impervious area on a parcel which consists of a numerical value that is calculated on the basis of generally accepted engineering standards, review and application of such standards to local conditions, and statistics compiled by measuring impervious areas depicted on aerial photographs of real property.

“Impervious surface” means ~~any surface on or in any parcel which reduces the rate of infiltration of storm water into the soil.~~ aA surface covering or pavement of a developed parcel of land that prevents the land's natural ability to absorb and infiltrate rainfall/storm-water. Impervious surfaces include, but are not limited to: roof tops, walkways, patios, driveways, parking lots, storage areas, impervious concrete and asphalt, and any other continuous watertight pavement or covering. Landscaped soil and pervious pavement, including pavers with pervious openings and seams, underlain with pervious soil or pervious storage material, such as a gravel layer sufficient to hold the specified volume of rainfall runoff are not impervious surfaces.

“Industrial use” means the use of any developed parcel for any of the following or similar purposes: ~~to~~ manufacture, fabricate, process or package products, to process or store food or chemical products, or for storage or warehousing purposes, including, but not limited to, processing, fabrication and assembly plants, warehouses, wrecking yards, aerospace facilities, truck and other transportation

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terminals, building materials storage, bakeries, canneries, wineries, creameries, meat and frozen food processing facilities, meat packing plants, slaughter yards, inspection and weighing stations, airports, railroads and railroad spurs, wells, electrical substations, water or sewage treatment plants, and ministorage facilities.

“Institutional use” means the use of any developed parcel for any of the following or similar purposes: hospitals, nursing facilities, residential care facilities, retirement homes, day nurseries, mortuaries, churches, and schools.

“Low impervious development use” means the use of any developed parcel for any of the following or similar purposes: golf courses, surface mines, cemeteries, marinas, and sports fields.

“Multifamily residential use” means the use of any developed parcel for any of the following or similar purposes: triplexes, fourplexes, apartments, mobile home parks, hotels, boarding and rooming houses, fraternity and sorority houses, motels, the common areas of condominiums and planned unit developments, and bed and breakfast inns.

“Parcel” means the smallest separately segregated lot, unit or plot of real property having an identified owner, boundaries, and surface area which is documented for property tax purposes and given a tax lot number by the county assessor.

“Parcel area” means the square footage of a parcel measured or estimated using the outside boundary dimensions in feet in order to obtain the total square footage without regard for any topographic features of the enclosed surface.

“Person” means any individual, firm, company, association, society, partnership, corporation, organization, group or public agency.

“Public agency” means the United States or any department or agency thereof, the state of California or any department or agency thereof, a city, a county, and any district or other local authority or public body of or within this state.

“Public property” means any property owned by a public agency.

“Residential dwelling unit” means any residential premises designed to house a single family.

“Single-family residential use” means the use of any developed parcel for any of the following or similar purposes: single-family residences, condominiums and planned unit developments, row houses, halfplexes, duplexes, and mobile homes located on individually owned parcels.

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“Street” means any public highway, road, street, avenue, way, alley or right-of-way.

“Undeveloped use” means any parcel that has not been altered from its natural state, as evidenced by a complete lack of impervious surface.

“Unit service charge (USC)” means the cost of storm drainage services attributable to storm drainage from one square foot of impervious area.

“Use code” means the six-digit alphanumeric code assigned by the County Assessor’s Office to every parcel within the Ceity.

“User” means the owner of a parcel of real property that is charged for storm drainage services.

~~“Water agency” means the Sacramento County water agency. [Revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].~~

15.10.040 Levy of charge for storm drainage services.

A. There is hereby levied by the Ceity on all parcels in the Stormwater Utility Zone 1 and Stormwater Utility Zone 2 areas ~~within the boundaries of Zone 12 of the water agency,~~ other than those classified as an exempt use, ~~a~~ a storm drainage service fee to be calculated as set forth in this section.

B. Any parcel classified as a single-family residential use shall pay a monthly charge which shall be calculated as follows: the administrative charge + (USC x 3,500 x phase-in multiplier x each residential dwelling unit) = monthly charge.

C. All parcels other than those parcels classified as an exempt or single-family residential use shall pay a monthly charge that shall be calculated as follows: the administrative charge + (parcel area x USC x IF x phase-in multiplier) = monthly charge.

D. The impervious factors (IF) to be used in the calculation set forth in subsection (C) of this section shall be based on the following table:

Bill Category	Impervious Factor
Commercial/office	0.80
Industrial	0.70
Multifamily residential	0.60
Institutional	0.50

E. The phase-in multiplier for all parcels to be used in the calculations in subsections (B) and (C) of this section shall be:

Phase-In Multiplier, Effective:

Oct. 1, 1996	Oct. 1, 1997	Oct. 1, 1998
0.50	0.75	1.0

F. The unit service charge (USC) to be used in the calculation set forth in subsections (B) and (C) of this section shall be as follows: effective October 1, 1996, it shall be \$0.001583 per square foot of impervious area. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1046 § 1, 1996; SCC 1026 § 1, 1996; SCC 0985 § 1, 1995].

15.10.050 Reduction in charge.

A. The owner of any parcel subject to the storm drainage fee, other than parcels classified as a single-family residential use, may file an application with the ~~chief of water resources~~Public Works Director to have the fee levied on such parcel reduced by means of one of the following mechanisms:

1. By designing, constructing and maintaining at the owner's expense storm drainage detention facilities approved by the ~~chief of water resources~~Public Works Director; or
2. Demonstrating to the satisfaction of the ~~chief of water resources~~Public Works Director that less than five percent of the parcel area drains into a ~~C~~eity storm drainage system; ~~or~~
- ~~3. Demonstrating to the satisfaction of the chief of water resources that the actual impervious area of the parcel is at least 10 percent less than that calculated using the impervious factor for the parcel's use classification.~~

B. After receipt and review of the application, the ~~chief of water resources~~Public Works Director shall either deny any reduction in the fee or approve a reduced fee calculated pursuant to subsection (C) of this section. The ~~chief of water resources~~Public Works Director, in approving any reduction in the otherwise applicable fee, may attach reasonable conditions to any such approval. If the applicant is dissatisfied with the action of the ~~chief of water resources~~Public Works Director, he may file a petition pursuant to RCMC 15.10.100.

C. Any storm drainage facilities constructed by a parcel owner pursuant to this section shall meet the standards set forth in the ~~C~~eity's improvements standards. Upon approval of any reduction in the

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otherwise applicable fee pursuant to this section, the revised fee shall be calculated on the basis of the equivalent contributing parcel area. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.060 Billing procedure.

A. The storm drainage fee shall be billed to all users no less frequently than a bimonthly basis. The bill is due and payable on presentation and shall become delinquent 45 days after for a bimonthly billing, or 21 days after for a monthly billing after the date of billing. The storm drainage fee shall be billed as part of the Ceity's consolidated utility billing service.

B. The storm drainage service fee billing shall be based on the use of the parcel as determined by the chief of water resourcesPublic Works Director. For each parcel of property there shall be only one unit for purposes of billing for storm drainage services. In no case shall a parcel be divided into smaller units for billing purposes.

C. The storm drainage service fee shall be billed to the owner of record of the parcel, to the successor in interest of such person, or to such person's single designee if approved by the chief of water resourcesPublic Works Director. All requests to bill a party other than the owner of record must be made in writing to the chief of water resourcesPublic Works Director by both the owner of record and the party to be billed. The chief of water resourcesPublic Works Director may approve or deny such requests at his sole discretion. The chief of water resourcesPublic Works Director shall notify the owner of record if the billing is changed to comply with such a request and the owner of record shall remain liable for any delinquent fees.

D. The opening bills shall be based on current parcel numbers, square footage and use codes on record in the county assessor's office, unless the chief of water resourcesPublic Works Director determines that the actual use of the parcel is different than the use reflected in the use codes in which case the billing shall be based on the actual use of the parcel.

E. Any adjustment of charges may be initiated by either the chief of water resourcesPublic Works Director or by the owner of a parcel subject to the storm drainage service fee. If the chief of water resourcesPublic Works Director denies any adjustment proposed by an owner or an owner objects to an adjustment proposed by the chief of water resourcesPublic Works Director, any adjustment shall be made pursuant to the procedure set forth in RCMC

15.10.100. Any debit adjustments shall be added to the charge in the succeeding billing period. Any credit adjustments shall first be credited against the previous balance and then any remaining credit shall be applied to subsequent bimonthly charges. No debits or credits shall be made for any period

more than three years prior to the date that an adjustment is proposed by the ~~chief of water resources~~Public Works Director or requested by the owner of record pursuant to RCMC 15.10.100.

F. Any delinquent storm drainage fee shall incur an added penalty charge of 10 percent of the amount that is delinquent. The delinquent amount, including the 10 percent penalty charge, shall thereafter incur an added penalty charge of one and one-half percent per month until paid or placed on the annual property tax bill. If collected with property taxes, the total amount delinquent, plus all penalties, shall incur an additional 10 percent lien penalty. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1214 § 1, 2002; SCC 0985 § 1, 1995].

15.10.070 Lien.

A. The ~~C~~eity shall notify the assessee shown on the latest equalized assessment roll whenever delinquent and unpaid fees which would become a lien on the parcel pursuant to subsection (B) of this section remain delinquent and unpaid for 60 days.

B. The storm drainage service fee and any penalties levied pursuant to this chapter shall constitute alien upon the parcel subject to the fee, as provided for in Section 5473.11 of the Health and Safety Code, if the fee remains delinquent for a period of 60 days and the ~~C~~eity has notified the assessee of the parcel shown on the latest equalized assessment roll of the delinquent fees and the lien provided by this section.

C. The lien provided herein shall have no force or effect until a certificate specifying the amount of the unpaid fees is recorded with the county recorder. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.080 Collection of fee with general taxes.

Any delinquent storm drainage service fees and penalties may be collected on the tax roll in the same manner and at the same time as the county's ad valorem property taxes. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.090 Administration and enforcement.

The engineer shall be responsible for the administration and enforcement of the provisions of this chapter. The engineer shall have the authority to adopt rules and regulations not inconsistent with the provisions of this chapter for purposes of carrying out and enforcing the payment, collection and remittance of the fee herein levied. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.100 Administrative appeal.

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- A. Any owner who disputes the amount of the storm drainage service fee charged to his parcel, the classification of the property in terms of its use, any adjustment proposed by the ~~chief of water resources~~Public Works Director, or any other determination affecting the property made by or on behalf of the Ceity pursuant to this chapter may petition the engineer for a hearing with regard to any such issue. The engineer may conduct such hearing himself or may designate an employee of the Public Works agency to conduct such hearing on his behalf. Any such petition may only be filed once in connection with the issue or issues presented in the petition, except upon a showing of changed circumstances sufficient to justify the filing of such additional petition.
- B. Any such petition shall be in writing, signed by the owner under penalty of perjury and filed with the engineer. The petition shall include the following information:
1. A complete description of the factual basis for the appeal;
 2. The legal basis for the appeal; and
 3. The remedy sought by the appellant.

Within 10 days after receipt of the petition, the engineer shall mail written notice to the appellant of the date, time and place of the scheduled hearing.

C. At the hearing, the engineer or designated hearing officer may hear any oral or documentary evidence that the appellant may offer in addition to the information in the petition, together with any oral or written information that may be submitted by Ceity representatives in support of the determination that is the subject of the appeal. Within 30 days after the conclusion of the hearing, the engineer or the designated hearing officer shall make and serve by mail written findings of fact based upon all relevant information presented in the petition or at the hearing, shall make a determination of issues based upon such findings and, if appropriate, an order setting forth an appropriate remedy subject to the limitations set forth in RCMC 15.10.060(E). The determination of the engineer or designated hearing officer shall be final. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.110 Deposit of collections.

There is hereby created in the Ceity ~~t~~reasury a special revenue fund to be known as the "Ceity Sstorm Drainage Service Fee Fund." All storm drainage service fee revenue collected by the Ceity shall be deposited in such fund. The revenue deposited in such fund shall be used only for the acquisition, construction, reconstruction, maintenance, permitting, and operation of Ceity storm drainage facilities. [Ord. 212003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

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15.10.120 Operative date.

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Notwithstanding the effective date of this chapter, the storm drainage service fee levied in RCMC [15.10.040](#) shall be operative as of July 1, 1995. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.130 Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this chapter or any part thereof is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portion of this chapter or any part thereof. The Ccity Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

The Rancho Cordova Municipal Code is current through Ordinance 29-2022, passed November 7, 2022.

Disclaimer: The Ccity Clerk's Office has the official version of the Rancho Cordova Municipal Code. Users should contact the Ccity Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://www.cityofranchocordova.org/>

City Telephone: (916) 851-8720

[Code Publishing Company](#)

Chapter 15.12
~~STORM WATER~~STORMWATER MANAGEMENT AND DISCHARGE CONTROL

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Article VI. Recovery of Costs of Abatement

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Article I. General Provisions

15.12.010 Findings.

A. The Federal Clean Water Act provides for the regulation and reduction of pollutants discharged into the waters of the United States by extending National Pollutant Discharge Elimination System (NPDES) requirements to ~~storm water~~stormwater and urban runoff discharges into the City's municipal separate storm sewer system (MS4) ~~of which the city's storm sewer system is a designated part~~.

~~(hereinafter collectively referred to as the "county storm water conveyance system").~~

B. The State Water Resources Control Board ("State Water Board") is the state water pollution control agency for all purposes of the Federal Clean Water Act pursuant to Section 13160 of the California Water Code. ~~The State Water Board is authorized by the United States Environmental Protection Agency (EPA) to administer the NPDES program within the state.~~ The Porter-Cologne Water Quality Control Act (Water Code section 13000 et seq.) provides authority for the State NPDES program, including provisions to issue NPDES permits and Waste Discharge Requirements (WDR's) to regulate discharges of stormwater to the waters of the state.

~~C. Storm water~~Stormwater flows from individual properties to the ~~County's MS4~~county storm water conveyance system and then ultimately to the ~~W~~waters of the United States.

~~D.~~ The ~~City of Rancho Cordova, the County of Sacramento and the cities of Citrus Heights, Elk Grove, and Folsom, Galt, and Sacramento and the county of Sacramento~~ are subject to the waste discharge requirements ~~of the for the county of Sacramento, cities of Sacramento, Folsom, and Galt Area-Wide Storm Water Discharges from Municipal Separate Storm Sewer Systems, Sacramento County Order No. 96105, dated May 3, 1996, which also serves as the~~ National Pollutant Discharge Elimination System (NPDES) Permit ~~And Waste Discharge Requirements General Permit For Discharges From Municipal Separate Storm Sewer Systems (Order R5-2016-0040, NPDES No. CA0085324) (Municipal Stormwater Permit) 2597 under the Federal Clean Water Act, under which NPDES permit the~~ City and Sacramento County are co-permittees. As co-permittee ~~with Sacramento County,~~ the ~~City and county are~~ required to possess the necessary legal authority, and to

implement appropriate procedures, to regulate the entry of pollutants and non-~~storm water~~stormwater discharges into the Ceity's MS4 county storm water conveyance system.

~~ED~~. The Ceity's county's Mmunicipal ~~storm water~~stormwater ~~P~~permit requires the ~~eCeity ounty and city~~ effectively ~~to prohibit non-~~storm waterstormwater discharges ~~from the incorporated area of the city~~ into the MS4 storm water conveyance system, except as otherwise allowed by the permit or permitted by federal law. The Municipal Stormwater Ppermit and this chapter require regular compliance inspections and enforcement at certain commercial and industrial facilities, as defined by the permit.

~~FE~~. The Ceity Cecouncil finds in this regard that the provisions of this chapter are necessary to provide the county Ceity with the legal authority necessary to implement and otherwise comply with the requirements of its Mmunicipal ~~storm water~~stormwater ~~P~~permit and to protect the waters of the state for the benefit of its people and the environment. [Ord. 41-2004 § 2].

15.12.020 Purpose and intent.

A. This chapter is adopted pursuant to Article XI, Section 7 of the California Constitution, which authorizes the Ceity to exercise its police power to protect and promote the public health, safety, and general welfare. While ~~storm water~~stormwater runoff is one step in the natural cycle of water, human activities, including, but not limited to, agriculture, construction, and the operation of an urban infrastructure, may result in undesirable discharges of pollutants and certain sediments. Such discharges may accumulate in local drainage channels and waterways ~~and eventually~~ may eventually be deposited in the ~~ww~~waters of the United States. The purpose of this chapter is to protect and enhance the water quality of watercourses, water bodies and wetlands within the Ceity unincorporated area of the county in a manner consistent with the Federal Clean Water Act, the Porter-Cologne Water Quality Control Act, and Municipal Discharge Permit No. CA0082597 and No. CAS0085324, Order R5-2016-0040, together with all subsequent amendments and renewals, by controlling the contribution of urban pollutants to ~~storm water~~stormwater runoff which enters the Ceity's county storm waterstormwater conveyance system.

B. It is the intent of the Ceity Cecouncil in adopting this chapter to provide the Ceity with the legal authority to accomplish the following goals:

1. To benefit the people and environment of the Ceity of Rancho Cordova by protecting water quality in Waters of the United States and Waters of the sState~~e~~;
2. ~~To~~ reduce the discharge of pollutants in stormwater to the maximum extent practicable~~;~~

3. To effectively prohibit non-stormwater discharges into the Ceity's stormwater conveyance system~~;~~

4. To comply with the requirements of the Federal Clean Water Act, the Porter-Cologne Water Quality Control Act and NPDES Municipal Stormwater Discharge Permit No. CA0082597 and No.CAS0085324, and Order R5-2016-0040, together with all subsequent amendments and renewals as they apply to the discharge of pollutants into and from the Ceity's MS4~~;~~

5. To fully implement the Ceity's comprehensive annual WorkStormwater Quality Improvement Plans (SQIP) as approved by the Regional Water Quality Control Board (Regional Water Board);

6. To protect the physical integrity and function of the Ceity's MS4 from the effects of pollutants and materials other than stormwater;

7. To prevent the contamination of groundwater as a result of pollution migration from the cityurban stormwater runoff~~;~~

~~8. To promote cost effective management and beneficial use of sediments in the city stormwater conveyance system;~~

~~89.~~ To protect the health and safety of maintenance personnel and the public who may be exposed to pollutants in the city's MS4;

~~940.~~ To provide for the recovery of regulatory costs incurred by the Ceity in the implementation of its comprehensive Stormwater Quality Improvement PlanProgram, including, but not limited to, enforcement activities, compliance assistance, inspections, investigations, sampling, and monitoring; and

~~101.~~ ~~To~~ establish appropriate enforcement procedures and penalties for violations of the provisions of this chapter. [Ord. 41-2004 § 2].

~~15.12.025 Authorization for Sacramento County to perform city's storm water management and discharge control responsibilities.~~

~~A. Pursuant to Article XI, Section 8 of the California Constitution, the city and county may enter into agreements whereby the county assumes and discharges specified municipal functions within the city, such as storm water management and discharge control functions described in this chapter.~~

~~B. The city council, pursuant to city Resolution No. 78-2004, and the county board of supervisors, pursuant to the Sacramento County Charter, may agree that the county act as the regulatory body authorized to administer~~

~~and enforce the provisions of this chapter, with respect to commercial and industrial facilities located within the city, and to ensure compliance with NPDES permit No. CA0082597. If the city and county so agree, the county is hereby authorized to administer and enforce this chapter, as described herein, and may do so as part of the county's own commercial and industrial storm water compliance program.~~

~~C. If the city and county enter into an agreement or agreements described in subsection (B) of this section:~~

~~1. The county and its authorized official(s) and employee(s) may, on behalf of the city, enforce the provisions of this chapter as they apply to commercial and industrial facilities located within the city, in accordance with the provisions of this chapter and such agreement(s); and~~

~~2. The county and its authorized official(s) and employee(s) may, on behalf of the city, take any action permitted by this chapter and such agreement(s).~~

~~D. If the city and county enter into an agreement or agreements described in subsection (B) of this section, any administrative or civil enforcement by the county of any provision of this chapter shall be governed by, and conducted pursuant to, Chapter 15.12SCC, as it may be amended from time to time; provided, that no amendments shall take effect until the city has adopted such amendments in accordance with all applicable laws, and the administrative or civil enforcement provisions of this chapter (i.e., Article V. Enforcement) shall not apply to such administrative or civil enforcement by the county. [Ord. 41-2004 § 2].~~

15.12.030 Definitions.

Any term(s) defined in the Federal Clean Water Act, as amended, and/or defined in the regulations for the stormwater discharge permitting program issued by the Environmental Protection Agency, as amended, and which are not specifically defined in this chapter shall, when used in the chapter, have the same meaning as set forth in said act or regulation.

As used in this chapter, the following words and phrases shall have the meanings set forth below unless the context clearly indicates otherwise:

"Administrator" means the ~~Ceity's~~ engineer-Public Works Director or another ~~Ceity~~ official designated by the City Manager to administer the Ceity's Sstormwater Pprogram.

~~_or other city official administering the city's industrial and commercial facilities storm water program or, where the city and county have entered into an agreement pursuant to RCMC 15.12.025, whereby the county is~~

~~authorized to assume and discharge on behalf of the city the requirements of this chapter, the administrator of the county's public works agency, and his or her designees.~~

"Best management practices (BMP)" means schedules of activities, prohibition of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce to the maximum extent practicable, the discharge of pollutants directly or indirectly to waters of the United States. BMPs shall also be defined to include structural controls, treatment controls, training requirements, operating procedures, and practices to control ~~plant~~ site runoff, spillage, ~~or~~ leaks, sludge or waste disposal, and drainage from raw materials storage.

~~"Board" means the board of supervisors of the county of Sacramento.~~

"City ~~C~~ouncil" or "~~e~~Council" means the ~~C~~eity ~~C~~ouncil of the ~~C~~eity of Rancho Cordova.

"~~C~~ity~~ounty~~" means the ~~e~~Ceity of Rancho Cordova ~~ounty~~ of Sacramento.

"~~C~~ity ~~ounty~~ storm-water conveyance system" means those public and natural facilities within the ~~incorporated area of the~~ ~~C~~ity, which are operated, maintained or controlled by the ~~C~~ity~~ounty~~, by which ~~storm water~~ ~~stormwater~~ may be conveyed to ~~waters~~ ~~Waters~~ of the United States ~~or Waters of the State~~, including, but not limited to, any roads with drainage systems, municipal streets, catch basins, water quality basins, detention basins, constructed wetlands, natural and artificial channels, ~~aqueducts, canyons,~~ stream beds, gullies, curbs, gutters, ditches, sumps, pumping stations, and storm drains. The ~~county~~ ~~C~~ity's storm-water conveyance system includes natural creeks and small streams which are also defined as receiving waters by the ~~M~~municipal ~~storm water~~ ~~s~~Stormwater ~~P~~permit, but does not include the ~~Sacramento River, American River,~~ ~~Cosumnes River,~~ ~~Mokelumne River,~~ or navigable waterways of the delta. ~~For purposes of this chapter, the county storm water conveyance system also includes the portion of the system designated as the city's storm sewer system.~~

~~"County" means County of Sacramento.~~

"Discharge" means the release or placement of any material into the ~~county~~ ~~C~~ity's stormwater conveyance system, including, but not limited to, storm-water, wastewater, solid materials, liquids, hazardous waste, raw materials, debris, litter, or any other substance.

"Discharger" means any person, ~~business, construction project, or entity~~ ~~whethat~~ discharges, or causes to discharge, either directly or indirectly, stormwater or any other material into the ~~C~~eity's MS4.

“Hydromodification” means the changes in the natural watershed hydrologic processes and runoff characteristics (e.g., interception, infiltration, overland flow, and groundwater flow) caused by urbanization or other land use changes that result in increased stream flows and sediment transport. In addition, alteration of stream and river channels, such as stream channelization, concrete lining, installation of dams and water impoundments, and excessive streambank and shoreline erosion are also considered hydromodification, due to their disruption of natural watershed hydrologic processes. For the purposes of this Chapter,
“hydromodification” refers to ecologically significant modification of a watershed’s natural hydrograph, characterized by increased volume, velocity, rate, duration, and/or overall energy~~(collectively, “flow”).~~

“Hydromodification control” means measures to mitigate artificial acceleration of natural erosion and sedimentation processes within the receiving waters through attenuation, infiltration, and dispersion of additional runoff created by impervious surfaces and earthwork compaction to prevent or reduce to the maximum extent practicable the discharge of pollutants directly or indirectly to waters of the United States.

“Illicit connection” means any physical connection to the ~~county~~ City’s storm-water conveyance system which is not permitted pursuant to a valid NPDES permit and/or expressly authorized by the ~~administrator~~ City.

“Illicit Discharge” ~~—means any~~ discharge to the MS4 that is not composed entirely of stormwater, except discharges pursuant to a NPDES permit and non-storm water discharges, such as those resulting from firefighting activities [40 CFR 122.26(b)(2)].

“Implementing agency” means the agency or department designated by the City Manager ~~administrator~~ to enforce the provisions of this chapter with respect to a particular program, site, facility, or industry category.

“Industry or industrial activity” means any service, business, enterprise, or any other activity conducted by any person or entity for the purpose of monetary gain or other compensation or in support of or promotion of such activity. ~~— This term shall also mean any similar activity conducted by a non-profit corporation as defined by the State of California.~~

“Low impact development” (LID) means a stormwater management and land development strategy that emphasizes conservation and the use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely reflect pre-project hydrologic functions. LID includes land development strategies that emphasize conservation and the use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely reflect pre-project hydrologic functions.

“LID Strategies” include retention practices that do not allow runoff, such as infiltration, rainwater harvesting and use, and evapotranspiration.

“Material” means any substance, including, but not limited to, raw materials, finished products, garbage and debris, lawn clippings, leaves and other vegetation, biological and fecal waste, sediment and sludge, oil and grease, gasoline, paints, solvents, cleaners and any fluid or solid containing chemicals.

“Municipal ~~storm water~~ Stormwater ~~P~~ermit” means NPDES Permit No. ~~CA0082597~~ CAS0085324, together with all subsequent amendments and renewal, issued by the Regional Water Board to ~~the county~~ Sacramento County and the cities of Rancho Cordova, Citrus Heights, Elk Grove, Folsom, Galt, and Sacramento.

“National Pollution Discharge Elimination System permit” or “NPDES permit” means a permit issued by either the Regional Water Board or the State Water Resources Control Board pursuant to Chapter 5.5 (commencing with Section 13370) of Division 7 of the California Water Code or the United States Environmental Protection Agency to control discharges from point sources to Waters of the United States.

“Non-stormwater discharge” means any discharge to the Ceity’s MS4— or directly to the natural surface waters which did not originate from storm events and snow melt, but essentially resulted from human activities, or materials or processes under a person’s control.— Non-stormwater discharges include but are not limited to discharges of: (1) water that has been used by a person or entity for any purpose such as cleaning, rinsing, cooling, irrigation, aquaculture, recreation, cooking, and industrial processes; (2) water or wastewater that originates or flows from equipment, valves, piping, hoses, containers, tanks, or other man-made apparatus; or (3) any discharge of materials or wastes other than water.

“Person” means any ~~natural person as well as any corporation~~ individual, firm, company, society, organization, partnership, public agency, trust, estate, cooperative association, joint venture, business entity or other similar entity, or the agent, employee, or representative of any of the above.

“Pollutant” means any contaminant or other substance which, as determined by the Administrator, is discharged or has a reasonable potential to be discharged in sufficient quantities or concentrations to cause exceedance of receiving water limitations defined in the ~~M~~municipal ~~storm water~~ Stormwater ~~P~~ermit, or any successor section, or otherwise cause a violation of the ~~M~~municipal ~~storm water~~ Stormwater ~~P~~ermit.

Pollutant may include, but is not limited to, solid waste, sewage, garbage, medical waste, wrecked or discarded equipment, radioactive material, dredged soil, rock, sand, industrial waste, feces, fecal coliform, fecal streptococcus, enterococcus, volatile organic carbon, surfactants, oil and grease, petroleum hydrocarbon, organic solvents, metals, phenols, pesticides, nutrients, suspended or settleable solids, materials causing an

increase in biochemical or chemical oxygen or total organic carbon, substances which alter pH, and those pollutants defined in Section 1362(6) of the Federal Clean Water Act.

“Potential user” means any person or entity who by nature of the enterprise, activity, or industry in which such person or entity is engaged, or by the use, possession, or ownership of specified types of equipment, is determined by the administrator to generate or have the capacity to generate wastes or wastewater which have significant potential to be discharged to the City MS4-county-storm water conveyance system.

“Premises” means any building, lot, parcel or land, or portion thereof, whether improved or unimproved.

“Prohibited discharge” means any ~~non-storm~~non-stormwater ~~water~~ discharge to the City MS4-county-storm water conveyance system or directly to receiving waters, to the Sacramento River, the Cosumnes River, the Mokelumne River, navigable waters of the delta, or the American River, which is not otherwise specifically authorized by this chapter, the Regional Water Quality Control Board, state, or federal law, or an NPDES permit.

“Receiving water limitations” means those restrictions defined and listed in Section IV. of the City’s Municipal storm water ~~stormwater~~ Permit (NPDES Permit No. CAS0085324) or any successor permit section.

“Receiving waters” means surface bodies of water, as defined by the ~~Municipal~~ stormwater ~~Permit~~, including, but not limited to, creeks and rivers, which serve as discharge points for the City’s MS4-county-storm water conveyance system.

“Regional Water Board” means the California Regional Water Quality Control Board, Central Valley Region.

~~“Significant redevelopment”~~ means the creation or addition of at least 5,000 square feet of impervious surfaces on an already developed site. ~~Significant redevelopment~~ includes, but is not limited to, expansion of a building footprint, or replacement of a structure; replacement of impervious surface that is not part of a routine maintenance activity and land-disturbing activities related to structural or impervious surfaces.

“Specific performance requirements” means standards adopted by the ~~City~~ that define required conditions or results regarding the elimination of non-stormwater discharges or the control of pollutants in stormwater from specified sources.

“State ~~Cgeneral~~ construction General ~~P~~permit” means the State Water Resources Control Board’s Order No. 99-08-DWQ superseded by Order No. 2010-2014 ~~-National~~ Pollutant Discharge Elimination System (NPDES)

General Permit No. CAS000021 Waste Discharge Requirements (WDRS) for Discharges of Stormwater Runoff Associated with Construction Activity, and any successor documents.

"State Industrial General Permit" means the ~~S~~state Water Resources Control Board's Order No. 97-03-DWQ and Order No. 2014-0057 National Pollutant Discharge Elimination System General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Stormwater Associated with Industrial Activities Excluding Construction Activities, ~~and any successor documents.~~

"Stormwater" means surface runoff and drainage resulting from storm events and snow melt, ~~including surface runoff and drainage that contains pollutants as a result of contact with man-made or natural sources.~~

"Subject activity" means any industrial activity which is determined by the ~~A~~Administrator to discharge or have the potential to discharge pollutants into ~~storm water~~ stormwater or non-~~stormwater~~ stormwater in quantities or concentrations which may cause exceedance of receiving water limitations.

"Threatened prohibited non-~~storm water~~stormwater discharge" means any condition or activity which does not currently result in a prohibited discharge but is nevertheless determined by the ~~A~~Administrator to be a condition which results in a substantial likelihood of a future prohibited non-~~storm water~~stormwater discharge.

"User" means any person who discharges, or causes to discharge, either directly or indirectly, ~~storm water~~ stormwater or any other material into the ~~county storm water conveyance system~~ Ceity's MS4.

"Waters of the United States" ~~means any surface water or groundwater, including saline waters within the boundaries of the State. [40 CFR 120.2(a)].~~ has the same meaning as set forth in Part ~~122.2~~ of Title ~~40~~ of the Code of Federal Regulations or any successor provision. [Ord. 41-2004 § 2].

15.12.035 Construction.

The provisions of this chapter shall be construed to assure consistency with the requirements of the Federal Clean Water Act and any acts amendatory thereof or supplementary thereto, applicable implementing regulations, and NPDES Municipal Stormwater Discharge Permit ~~No. CA0082597 and CAS0085324.~~ ~~No. CAS0085324, and Order R5-2016-0040, and any amendment, revision, or reissuance thereof, and together with all subsequent amendments and renewals.~~ In the event of a conflict between this chapter and any

federal or state law, regulation, order or permit, the requirement which establishes the higher standard for public health and safety shall govern. [Ord. 41-2004 § 2].

15.12.040 Applicability.

The provisions of this chapter shall be applicable to all ~~users and potential users~~ dischargers and potential dischargers located within the ~~incorporated area of the City~~ and all users that discharge either directly or indirectly into the ~~county storm water system~~ ~~City's MS4~~. This chapter shall also apply, within the ~~incorporated area of the City~~, to non-stormwater discharges made directly to ~~the Sacramento, American River, Cosumnes River, Mokelumne River, or local creeks and channels~~ ~~navigable waters of the delta~~. This chapter shall not be applicable to ~~persons/entities~~ located outside ~~of the incorporated area of the City~~ if their ~~stormwater~~ ~~storm water~~ or non-~~storm water~~ ~~stormwater~~ discharge enters a storm-water conveyance facility owned or operated by another public agency which is subject to a valid NPDES permit for discharges from a municipal separate storm sewer system prior to entering the ~~county storm water~~ ~~downstream~~ conveyance system.

This chapter shall ~~not~~ apply to facilities subject to and in compliance with the State General Construction Activity Storm Water Permit and/or the ~~county City's E~~rosion and ~~S~~ediment ~~C~~ontrol ~~O~~rdinance, ~~City Grading Permit, Building Permit, or any other instrument of the County City that establishes p~~Pollutant control ~~provisions for construction sites. Non-storm water discharges at construction sites between one and five acres in size, and which the Administrator determines are in accordance with the non-storm water discharge standards of the State General Permit for Construction Activity, are in compliance with this chapter.~~

This chapter shall not apply to ~~activities conducted by or~~ facilities operated by the state of California or by agencies of the federal government. [Ord. 41-2004 § 2].

15.12.050 Regulatory consistency.

The provisions of this chapter shall take precedence over and are controlling with respect to any conflicting or inconsistent provisions in this code. [Ord. 41-2004 § 2].

15.12.060 Compliance disclaimer.

Compliance by any person ~~or entity~~ with the provisions of this chapter shall not preclude the need to comply with other local, state, or federal statutory or regulatory requirements relating to the control of pollutant discharges or protection of stormwater quality, or both. [Ord. 41-2004 § 2].

15.12.070 Severability.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases of this chapter. The Ccouncil hereby declares that it would have adopted this chapter and each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof without regard to whether any other section, subsection, subdivision, paragraph, sentence, clause, or phrase of this chapter would subsequently be declared to be invalid or unconstitutional. [Ord. 41-2004 § 2].

15.12.080 Administration.

Except as otherwise provided herein, the Aadministrator shall be responsible for the administration, implementation, and enforcement of the provisions of this chapter. Any powers granted to a or duties imposed upon the aAadministrator may be delegated by the Aadministrator to other Ccity employees or, upon the approval of the Ccouncil, to employees of other public agencies. [Ord. 41-2004 § 2].

15.12.090 Disclaimer of liability.

The degree of protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific, engineering, and other relevant technical considerations. The standards set forth herein are minimum standards and this chapter does not imply that compliance will ensure that there will be no unauthorized discharge of pollutants into the Wwaters of the United States. This chapter shall not create liability on the part of the Ccity or any officer or employee thereof for any damages that result from reliance on this chapter, or any administrative decision lawfully made thereunder. [Ord. 41-2004 § 2].

Article II. Prohibited Non-Stormwater Discharges

15.12.100 Prohibited non-stormwater discharge.

Except as provided in RCMC 15.12.110, it shall be unlawful for any person to make or cause to be made any non-~~storm water~~stormwater discharge ~~into indirectly or directly to~~ the Ccity ~~or directly to natural surface receiving~~ waters. [Ord. 41-2004 § 2]

15.12.110 Exceptions to non-stormwater discharge prohibition.

The following discharges to the ~~county storm water conveyance system~~ MS4 are exempt from the otherwise applicable discharge prohibition set forth in RCMC 15.12.100:

A. Any discharge regulated under an NPDES permit issued to the discharger and administered by the state pursuant to Chapter 5.5 of Division 7 of the California Water Code; provided, that any such discharge is in compliance with all requirements of the NPDES permit and all other applicable laws and regulations.

B. Any discharge from any of the following activities; provided, that any such discharge does not cause or contribute to the violation of any receiving water limitation as determined by the [Administrator](#):

1. Water line flushing;
2. Landscape irrigation;
3. Diverted stream flows;
4. Rising ground waters;
5. Uncontaminated groundwater infiltration (as defined in 40 CFR 35.2005(b)(20)) to separate storm sewers;
6. Uncontaminated pumped groundwater;
7. Discharges from potable water sources;
8. Foundation drains;
9. Air conditioning condensate;
10. Irrigation water;
11. Springs;
12. Water from crawlspace pumps;
13. Footing drains;
14. Lawn watering;
15. Individual residential car washing;
16. Flows from riparian habitats and wetlands;

17. Dechlorinated dibrominated swimming pool/spa discharges;

18. Street wash water; and or

19. ~~8. Essential Non-Emergency and Emergency Firefighting Activities.~~

~~Discharges or flows from emergency fire-fighting activities.~~

C. Any discharges which the Aadministrator, the Ccity Public Works Director, or the Regional Water Board determines in writing are necessary for the protection of public health or safety.

D. Additional categories of non-stormwater discharges which do not cause or contribute to the violation of any receiving water limitation may be excepted from the otherwise applicable prohibition by the Aadministrator upon approval of the executive officer of the Regional Water Board, as provided in the Mmunicipal Sstormwater Ppermit, and all subsequent amendments and renewals. or any successor sections. [Ord. 41-2004 § 2].

15.12.120 Exception to otherwise applicable exemptions.

Notwithstanding the exemptions provided for in RCMC 15.12.110, if the Regional Water Board or the Aadministrator determines that a discharge which is otherwise exempt from the prohibition on discharges causes or significantly contributes to the violation of any receiving water limitation or results in the conveyance of significant quantities of pollutants to surface waters, or is otherwise a danger to public health or safety, the administrator may give written notice to the owner or operator of the facility that the discharge exception shall not apply to the discharge at issue following expiration of the 30-day period commencing upon delivery of the notice. Upon expiration of such 30-day period, any such discharge shall be unlawful. Upon finding that any continuance of the discharge poses an immediate significant threat to the environment or to public health and safety, the Aadministrator may waive the 30-day waiting period and require immediate cessation of the discharge. [Ord. 41-2004 § 2].

15.12.130 General discharge prohibition.

It shall be unlawful for any person to discharge, or cause to be discharged, any material to the county-Ceity's storm-water conveyance system which results in, or contributes to, a violation of the Mmunicipal Sstorm-water Ppermit. [Ord. 41-2004 § 2].

15.12.140 Threatened prohibited non-stormwater discharge.

It shall be unlawful for any person to maintain, or cause to be maintained, a threatened prohibited non-~~storm water~~stormwater discharge after having received notice of the administrator's determination as to the existence of a threatened prohibited non-~~storm water~~stormwater discharge. This section may be enforced pursuant to Article V of this chapter. [Ord. 41-2004 § 2].

15.12.150 Illicit connections prohibited.

A. It shall be unlawful for any person or entity to establish, use or maintain, or cause to establish, use or maintain, any illicit connection. Illicit connections shall be subject to removal and abatement by the Ceity pursuant to Chapter 16.02 RCMC.

B. The prohibition set forth in subsection (A) of this section shall apply to illicit connections in existence at the time that the ordinance codified in this chapter becomes effective. Upon the effective date of the ordinance codified in this chapter, any person or entity who maintains an illicit connection shall have 30 days from the effective date of the ordinance codified in this chapter to disconnect and discontinue use of such connection. Notwithstanding the provisions of this section, any person who maintains an illicit connection, as defined in RCMC 15.12.030, may apply to the Aadministrator to continue the connection subject to applicable Ceity standards. [Ord. 41-2004 § 2].

15.12.160 Negligence or intent not required.

A violation of the provisions of this article shall occur irrespective of the negligence or intent of the violator to construct, maintain, operate, or utilize an illicit connection or to cause, allow or facilitate any prohibited discharge. [Ord. 41-2004 § 2].

Article III. Reduction of Pollutants in ~~Storm Water~~Stormwater

15.12.200 General requirements.

A. The Aadministrator may designate as subject activities those industrial activities which are identified as potential sources of discharges of pollutants to the Ceity MS4.

B. Any person whom the Aadministrator determines is conducting any subject activity shall reduce the discharge of pollutants from those activities through the implementation of BMPs in accordance with RCMC 15.12.260.

C. The [Administrator](#) shall conduct a notification and comment process for designations or determinations made pursuant to subsection (A) of this section.

D. Any determination made by the [Administrator](#) pursuant to subsection (B) of this section shall be subject to the provisions for the adoption of regulations set forth in RCMC [15.12.250](#). [Ord. 41-2004 § 2].

15.12.210 Containment and notification of spills.

A. Any person [or entity](#) owning or occupying a premise, or conducting any activity, that has knowledge of any [non-storm-water-stormwater](#) discharge or threatened prohibited non-[storm-waterstormwater](#) discharge from the premises or activity to the [Ceity'sounty](#) storm-water conveyance system shall immediately take all reasonable actions to contain and otherwise minimize any such discharge.

B. The [Administrator](#) may designate types of industries where the owner or operator of the industry shall be required to notify the [Administrator](#) or the implementing agency within 24 hours of the discovery of an actual discharge into the [Ceity'sounty](#) storm-water conveyance system.

C. For any discharge subject to the reporting requirements of Sections [13271](#) and [13272](#) of the California Water Code, notification in compliance therewith shall constitute sufficient notification for the purposes of this section. [Ord. 41-2004 § 2].

15.12.220 Reduction of trash discharge.

[New development and significant redevelopment projects in the Ceity are required to incorporate trash capture measures. The Amendments to the Water Quality Control Plan for the Ocean Waters of California to Control Trash and Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California \(Trash Amendments\) were adopted on April 7, 2015. The Trash Amendments established a statewide water quality objective for trash to control trash down to 5 mm, and implementation provisions using a land-use based compliance approach that targets high trash generating areas.](#)

[The Trash Amendments focus on structural and institutional program controls at high trash generating areas within municipalities. The Trash Amendments identified five priority land use \(PLU\) areas for trash control:](#)

- ~~▲~~ High density residential (10 units or more);
- ~~▲~~ Industrial;
- ~~▲~~ Commercial;
- ~~▲~~ Mixed urban; and
- ~~▲~~ Public transportation stations.

New development and redevelopment projects classified as priority land uses are required to incorporate Full Capture Systems. The Trash Amendments define these systems as:

“A treatment control, or series of treatment controls, including but not limited to, a multi-benefit project or a low-impact development control that traps all particles that are 5 mm or greater, and has a design treatment capacity that is either:

- Not less than the peak flow rate, Q, resulting from a one-year, one-hour, storm in the subdrainage area, or
- ~~▲~~ Appropriately sized to, and designed to carry at least the same flows as, the corresponding storm drain.”
-

15.12.230 Construction sites with building permits.

Any person or entity owning or operating a construction site for which a building permit has been issued shall implement BMPs to control the discharge of pollutants to the maximum extent practicable and eliminate non-stormwater discharges that are not in compliance with an NPDES Permit. See RCMC Chapter 16 for more details. (SCC 1280 § 2, 2004)

15.12.240 Post construction requirements for new development and significant redevelopment.

A. – The ~~AA~~ administrator shall be authorized to establish specified performance requirements and requirements for BMPs as appropriate to minimize the long-term, post construction discharge of stormwater pollutants from

new development or significant redevelopment, to implement the development standards plan, and to comply with the requirements associated with the development standards in the Municipal Stormwater Permit. The requirements for new development or redevelopment may include but are not limited to performance standards, source control measures, treatment control measures, hydromodification management measures, low impact development measures, operational BMPs, building material specifications or limitations, site design requirements, signage and marking, and associated maintenance programs or schedules.

B. Requirements established pursuant to subsection (A) of this section may be included in development standards, building codes, building permits, conditions of development, or any other appropriate instrument administered by the Ceity. (SCC 1280 § 2, 2004).

15.12.250 Best management practices.

A. The Aadministrator may adopt regulations for specified subject activities. Such regulations shall describe best management practices which, if implemented by persons or entities conducting such specified activities, shall satisfy the requirements of RCMC 15.12.200.

B. Persons or entities conducting subject activities may implement BMPs not contained in the adopted regulations to satisfy the requirement of RCMC 15.12.200 (B) through either of the following mechanisms:

1. By submitting and receiving prior written approval for the alternative BMPs from the administrator if he or she determines that the proposed alternative BMPs provide a level of protection from storm-water stormwater discharges equivalent to the BMPs contained in the regulations adopted pursuant to subsection (A) of this section; or
2. By implementing alternative BMPs which provide a level of protection from storm-water stormwater discharges equivalent to the BMPs contained in the regulations adopted pursuant to subsection (A) of this section.

C. Any alternative BMPs implemented pursuant to subsection (B)(2) of this section shall be subject to review and approval by the administrator as part of the inspection procedures set forth in Article IV of this chapter. If a person or entity conducting subject activities implements alternative BMPs without the prior written approval of the administrator and subsequently receives written notice from the administrator that the alternatives BMPs do

not provide the required equivalent level of protection from stormwater discharges, the continued implementation of such alternative BMPs shall be deemed to be a violation of the requirements of RCMC [15.12.200](#)(B) as of the date of delivery of such notice unless it is ultimately determined pursuant to an administrative appeal pursuant to RCMC [15.12.440](#) that the alternative BMPs provide the required equivalent level of protection from ~~storm water~~ [stormwater](#) discharges.

D. Any facility that it is in compliance with its state or federal NPDES permit for ~~storm water~~ [stormwater](#) discharges for that facility shall be deemed to have met the requirements of RCMC [15.12.200](#)(B).

E. The [A](#)administrator shall develop regulations for determining when BMPs have been successfully implemented. [Ord. 41-2004 § 2].

15.12.260 Best management practice maintenance requirements.

[The A](#)administrator may require a property owner to execute a maintenance agreement for any post construction stormwater quality measure- to ensure continued compliance with specified performance requirements. This requirement will apply to measures required by the City or measures -that were voluntarily installed. A maintenance agreement -may be required when the [A](#)administrator determines that proper maintenance is necessary to protect public safety, health, infrastructure, or the environment, or to otherwise meet the purposes of this chapter. Maintenance requirements established pursuant to this subsection must be appropriate for the site conditions and design of the proposed measures. (SCC 1295 § 6, 2005; SCC 1280 § 2, 2004)

15.12.270 Administrative rules and regulations.

A. The [A](#)administrator shall have the authority to promulgate regulations for the implementation of this chapter. Prior to the [A](#)administrator's initiation of any proposed regulations, the [A](#)administrator shall submit such proposal to the [C](#)city [C](#)ouncil for its approval.

B. All regulations promulgated by the [A](#)administrator shall be consistent with the provisions of this chapter. Any such regulations, or amendments thereof, shall be filed with the [C](#)city [C](#)lerk. The clerk shall cause announcement of said rules or regulations to be published in a newspaper of general circulation within 10 calendar days. Such announcements shall provide a reasonable summary of the content of the rule. In addition, the administrator shall make a reasonable effort to identify, notify, and provide copies to any industries which are specifically designated by the [A](#)administrator as subject to a rule or regulation. However, neither the failure of the [A](#)administrator to provide such notice nor the failure to receive individual notice shall exempt an industry from that rule or regulation. No regulations promulgated by the [A](#)administrator, or amendments

there~~toof~~, shall be enforced or become effective until 30 calendar days following the date on which notification of the regulations is published.

C. Any person or entity who asserts that ~~he or she is~~they are aggrieved by the terms or application of a regulation issued pursuant to this section may appeal the issuance of such regulation by filing a written notice of appeal with the Ceity Clerk. The notice of appeal shall specifically identify the regulation or regulations from which the appeal is taken and the reasons for the appeal. Upon receipt of such notice, the Ceity Clerk shall schedule the appeal for a public hearing by the council. At the conclusion of the public hearing the council shall be vested with jurisdiction to deny the appeal or to rescind or modify the regulation. The Council's determination ofin this ~~regard-matter~~ shall be final.

D. Any regulation from which an appeal is filed prior to its effective date shall not become effective until the date of a determination by the council of the appeal. Any regulation from which an appeal is filed on or subsequent to the effective date thereof shall remain in full force and effect during the pendency of the appeal, and any decision which rescinds or modifies the regulation shall apply prospectively. [Ord. 41-2004 § 2].

Article IV. Inspection and Monitoring

15.12.300 Scope of inspections.

A. Prior to commencing any inspection authorized pursuant to this section, the Aadministrator shall obtain the consent of the owner or occupant of the premises, or an administrative inspection warrant, ~~or a criminal search warrant~~. Routine or area inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this chapter, including, but not limited to, random sampling, sampling in areas with evidence of storm-water contamination, illicit connections, discharge of non-storm-water to the ~~county-City storm water conveyance system~~ MS4 or similar factors.

B. The ~~a~~AAdministrator may enter upon private property to investigate the source of any discharge to any public street, inlet, gutter, storm drain or the ~~county stormwater conveyance system~~ Ceity's stormwater conveyance system. Routine or area inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this chapter, including, but not limited to, random sampling, sampling in areas with evidence of stormwater contamination, illicit connections, discharge of non-stormwater to the Ceity MS4 or similar factors.

C. The Aadministrator may enter upon private property for the purpose of verifying compliance with the provisions of this chapter, including, but not limited to, the following:

1. Identifying products produced, processes conducted, chemicals used, and materials stored on or contained within the property;
2. Identifying point(s) of discharge of all wastewater, process water systems, pollutants, and other discharges from the property;
3. Investigating the natural slope of the premises, including drainage patterns and artificial conveyance systems;
4. Establishing the location of all points of discharge from the property, whether by surface runoff or through a storm drain~~:-~~;
5. Locating any illicit connection or the source of any prohibited non-~~storm water~~ stormwater discharge; and
6. Evaluating implementation of BMPs.

D. For purposes of verifying compliance with the provisions of this chapter, the Aadministrator may inspect any vehicle, truck, trailer, tank truck or other mobile equipment, or any stationary equipment, which may reasonably be believed to be used by the business for business-related activities and to be associated with industrial sources of pollutants or with non-~~storm water~~ stormwater discharges.

E. The Aadministrator may inspect all records of the owner or occupant of any premises relating to chemicals or processes presently or previously occurring on site, including materials and/or chemical inventories, facilities maps or schematics or diagrams, material safety data sheets, hazardous waste manifests, business plans, pollution prevention plans, state general permits, monitoring program plans or any other records relating to illicit connections, prohibited discharges or the potential discharge of pollutants to the county stormwater conveyance system~~Ceity MS4~~. In addition, the Aadministrator may require the owner or occupant to furnish within a reasonable time period, copies of all such records listed in this section.

F. The Aadministrator may inspect, sample, and test any area runoff, soils area (including any groundwater testing), process discharge, materials within any waste storage area (including any container contents), and/or treatment system discharge for the purpose of determining the potential for the contribution of pollutants to the Ceity MS4eounty storm water conveyance system. The Aadministrator may investigate the integrity and layout of

all storm ~~_~~drain and sanitary sewer systems or other pipelines on the premises using appropriate tests, including, but not limited to, smoke and dye tests or video surveys. The Aadministrator may take photographs or videotape, make measurements or drawings, and create any other record ~~reasonable~~reasonably necessary to document conditions on the premises.

G. The Aadministrator may erect and maintain monitoring and sampling devices for ~~the purpose of for~~ measuring any discharge or potential source of discharge to the Ceity MS4~~ounty storm water conveyance system~~. [Ord. 41-2004 § 2].

15.12.310 Fees.

The a~~A~~administrator shall collect such fees as may be authorized by the Ceity Ce~~ouncil or, where the city and county have entered into an agreement pursuant to RCMC 15.12.025 whereby the county is authorized to assume and discharge on behalf of the city the requirements of this chapter, as authorized by the county board of supervisors~~, to provide for the recovery of regulatory costs, including routine inspections and other regulatory functions associated with this chapter. Failure of any person or entity to pay required fees within the time period set in the policy established by the Aadministrator shall be a violation of this chapter.~~—~~ There shall be no fee assessed to appeal the determination that a person or entity conducts any subject activity. Any such fees shall be established by resolution of the Ceity Ce~~ouncil or, where applicable, the county board of supervisors~~, and shall be in accordance with all other applicable legal requirements. [Ord. 41-2004 § 2].

Article V. Enforcement

15.12.400 Notice of noncompliance.

A. The Aadministrator may issue ~~deliver a Notice and Order to any of the following:~~

1. to T~~he~~ owner or occupant of any premises, or to any premises requiring abatement of conditions on the premises that cause or may cause a prohibited discharge in violation of this chapter;~~;~~
2. Any person or entity who fails to implement BMP's in accordance with RCMC 15.12.200 (B);~~;~~
3. Any person or entity responsible for a prohibited discharge or maintenance of a threatened prohibited non-stormwater discharge;~~;~~
4. Any person or entity who fails to comply with the Trash Amendment requirements;~~;~~
5. Any person or entity who fails to comply with the HydromodificationPost Construction Stormwater Control Measures;~~;~~
6. Any or entity person responsible for an illicit connection; and;~~;~~

~~7. prohibited discharge, maintenance of a threatened prohibited discharge, failure to implement BMPs in accordance with RCMC 15.12.200(B), or Any person or entity responsible for a~~any other violation of this chapter, ~~a notice of noncompliance.~~

~~B.~~ The notice ~~and order of noncompliance~~ shall be delivered in accordance with RCMC 15.12.430.

~~C.B.~~ The notice of noncompliance shall identify the provision of this chapter that has been violated. ~~The notice of noncompliance shall identify a compliance date that must be met; provided, however, that the compliance date may not exceed 90 days unless the administrator extends the compliance deadline an additional period not exceeding 90 days when good cause exists for the extension. [Ord. 41-2004 § 2]~~ The notice of noncompliance shall state that continued noncompliance may result in additional enforcement actions, including the recovery of any costs incurred by the city or, where applicable, the county.

~~C.~~ ~~The notice of noncompliance shall identify a compliance date that must be met; provided, however, that the compliance date may not exceed 90 days unless the administrator extends the compliance deadline an additional period not exceeding 90 days when good cause exists for the extension. [Ord. 41-2004 § 2]~~

15.12.410 Administrative compliance orders.

A. The ~~a~~Administrator may issue an administrative compliance order. The administrative compliance order shall be delivered in accordance with RCMC 15.12.430. The administrative compliance order may be issued to any of the following:

1. The owner or occupant of any premises requiring abatement of conditions on the premises that cause or may cause a prohibited discharge in violation of this chapter.
2. A person or entity who fails to implement BMPs in accordance with RCMC 15.12.200(B).
3. Any person or entity responsible for a prohibited discharge or maintenance of a threatened prohibited discharge.

B. ~~The An~~ administrative compliance order may include the following terms and conditions:

1. Specific steps and time schedules for compliance as reasonably necessary to prevent threatened or future unauthorized discharges, including, but not limited to, the threat of any prohibited discharge from any pond, pit, well, surface impoundment, holding or storage area.

2. Specific requirements for containment, cleanup, removal, storage, or proper disposal of any material having the potential to contribute pollutants to storm-water runoff.
3. Specific requirements for the installation of overhead covering.
4. Any terms or conditions reasonably calculated to prevent continued or threatened violations of this chapter.
5. Any other measures necessary or appropriate to fully implement BMPs in accordance with RCMC [15.12.200](#)(B). [Ord. 41-2004 § 2].

15.12.420 Cease and desist orders.

- A. ~~Any violation of this chapter in which~~ The Administrator may issue a cease and desist order, delivered in accordance with RCMC 15.12.430 if he or she determines that a violation ~~in this chapter also determines that the violation constitutes an immediate threat to public health or safety, including by way of illustration and not limitation, significant harm to human or aquatic life or to the Ceity stormwater conveyance system or natural surface waters, may result in an order to immediately cease and desist all activities causing such immediate threat.~~ The Administrator may issue a cease and desist order to any person or entity to immediately cease any activity that may lead to a violation of receiving water limitations.
- B. A cease and desist order shall ~~direct the owner or occupant of any premises subject to this chapter, or any person or entity named therein which is subject to this chapter: (1), to immediately discontinue all or specified prohibited conditions or discharges to the Ceity stormwater conveyance system, natural surface waters, or otherwise, until such time as abatement actions sufficient in the determination of the Aadministrator have been satisfactorily effected and so confirmed by written amendment to said cease and desist order; (2) i~~ immediately discontinue any other violation of this chapter; ~~and (3) clean up the area affected by the violation.~~
- C. Any cease and desist order may be appealed pursuant to the administrative appeals process of this chapter; ~~(Section 15.12.440) provided, however, the cease and desist order shall remain in effect pending final determination thereof. Nothing shall limit the Aadministrator's authority to continue enforcement actions under a pending cease and desist order, including modifying a~~ cease ~~-and -desist~~ order consistent with the purpose and intent of this chapter.
- D. Any ~~cease -and -desist~~ order shall be cumulative and not exclusive of any other ~~with all the remedies in this chapter and as provided by law.~~

E. A cease and desist order shall inform the discharger of the Administrator's authority and intent to conduct abatement of the violation or threatened violation according to Section 15.12.4550, if the discharger fails to comply with the requirements of the cease and desist order within the specified time frame.

F. If the discharger fails to comply with a cease-and-desist order within the time specified in the order, the Administrator may conduct abatement of the violation according to Section 15.12.4550.

G. Nothing in this section requires the Administrator to issue a cease and desist order before conducting summary abatement as provided under Section 15.12.4550. (SCC 1295 § 12, 2005; SCC 1280 § 2, 2004).

H. The administrator may issue a cease and desist order. A cease and desist order shall be delivered in accordance with RCMC 15.12.430. A cease and desist order may direct the owner or occupant of any premises, or any other person responsible for any violation of this chapter, to take any of the following actions:

1. Immediately discontinue any prohibited discharge to the city/county storm water/stormwater conveyance system.
2. Immediately discontinue any other violation of this chapter.
3. Clean up the area affected by the violation.

B. The administrator may direct by a cease and desist order that any person immediately cease any activity that may lead to a violation of receiving water limitations

15.12.430 Delivery of notice.

Any notice of noncompliance, administrative compliance order, cease and/or desist order, or other enforcement order pursuant to the requirements of this chapter shall be subject to the following requirements:

A. The notice shall state that the recipient has a right to appeal the matter as set forth in RCMC 15.12.440.

B. The notice shall state that the recipient or the property owner, or both, may be liable for all enforcement costs incurred by the Ccity or, where applicable, the county, in correcting the violation.

C. Delivery shall be deemed complete upon either personal delivery to the recipient or deposit in the U.S. Mail, postage prepaid, for first class delivery.

D. Where the recipient of the notice is the owner of the property, the address for notice shall be the address from the most recently issued equalized assessment roll for the property.

E. Where the owner or occupant of any premises cannot be located after reasonable efforts of the administrator, the notice shall be deemed delivered after posting on the premises for a period of 10 business days. [Ord. 41-2004 § 2].

15.12.440 Enforcement Actions

A. In addition to any other content, a notice and order, or a cease and desist order shall contain the following elements:

1. The street address and assessor's parcel number or such other legal description sufficient for identification of the premises responsible for the violation.
2. A statement of the Administrator's findings that indicates a violation has occurred.
3. A citation of the provision of this chapter that has been violated.
4. A date by which any person or entity must be in compliance with this chapter, or a date by which an action plan must be submitted by the person or entity to propose a means and time frame by which to correct violations. The Administrator may extend the compliance date when good cause exists for such an extension.
5. Notification that continued non-compliance may result in additional enforcement action being taken against the business, facility, or any responsible persons or entities.
6. Notification that the City may recover any costs incurred by the City as a result of the violation.
7. Notification that a violation of this chapter may result in an administrative civil penalty of up to five thousand dollars (\$5,000.00) per violation for each day that the violation occurs, or in a criminal penalties.
8. Notification that the recipient has a right to a hearing on the matter as set forth in Section 15.12.540 of this chapter, to determine the enforcement of any administrative civil penalty sought by the

Administrator, or to appeal any findings or required corrective actions established by the Administrator.

9. Notification of hearing dates, appeal deadlines, and procedures for requesting a hearing established according to Section 15.12.540 of this chapter.

B. In addition to any other content, a notice and order or a ~~cease-and-desist~~ order, or a notice of administrative civil penalty may establish required corrective actions, including the following:

1. Terms, conditions, and requirements reasonably related to the provisions of this chapter, including the following:

- a. Cessation of illicit discharges.
- b. Correction of prohibited conditions.
- c. Requirement for submittal of a written action plan for achieving and maintaining compliance with this chapter. The Administrator may require the action plan to address specific items, including the following:
 - I. Specific time schedules for compliance.
 - II. Description of BMPs that will be implemented for containment, cleanup, removal, storage, or proper disposal of any material having the potential to contribute pollutants to stormwater runoff.;
 - III. Identification of persons or entities responsible for compliance with this chapter.
- d. Reporting requirements to demonstrate ongoing compliance.

2. A requirement that the person or entity receiving any notice pursuant to this section shall submit written certification to the administrator that the necessary corrective actions have been completed. As appropriate for the type of correction action taken, the notice of violation may require documentation that substantiates the certification, including but not limited to receipts, contracts, or photographs.

3. Any other terms or conditions reasonably necessary to prevent additional or on-going violations of this chapter.

C. A notice and order, a ~~cease-and-desist~~ order, or a notice of administrative civil penalty may be issued separately or in combination with another notice or order for the same violations or set of related violations. (SCC 1295 § 13, 2005; SCC 1280 § 2, 2004)

15.12.450 Administrative appeals.

A. Except as set forth in subsection (C) of this section, any person or entity receiving: ~~a notice of noncompliance (1)~~, a designation as a person or entity who conducts subject activities; ~~(2)~~, a notice and order: n-administrative compliance order or ~~(3)~~ who is otherwise subject to an adverse determination pursuant to this chapter may appeal the matter by requesting an administrative hearing before a hearing officer appointed by the council.

B. Any person or entity appealing a ~~notice of noncompliance, notice and order~~administrative compliance order, designation as a person or entity who conducts subject activities or other adverse determination shall file, within 30 days of receipt of notice thereof, a written request for an administrative hearing, accompanied by an administrative hearing fee as established by resolution of the city council, with the Aadministrator. A hearing on the matter shall thereafter be held before a hearing officer within 45 days of the filing of the written request unless, in the reasonable discretion of the hearing officer and pursuant to a request by the appealing party, a continuance of the hearing is granted.

C. An administrative hearing on the issuance of a cease and desist - order or following an emergency abatement action shall be held within five (5) business days following the issuance of the order or the action of abatement, unless the hearing or the time requirement for the hearing is waived in writing by the party subject to the cease-and-desist order or the emergency abatement. A request for an administrative hearing shall not be required from the person or entity subject to the cease-and-desist order or the emergency abatement.

D. The Aadministrator shall appear in support of the notice, order, designation, determination or emergency abatement action and the appealing party shall appear in support of the withdrawal of the notice, order, designation, determination or in opposition to the emergency abatement action. The Ccity shall have the burden of supporting any enforcement or other action by a preponderance of the evidence. Each party shall have the right to present testimony and other documentary evidence as necessary for the appropriate presentation of the case.

E. Except in the case of a proceeding to determine the validity of a ~~cease-and-desist~~cease-and-desist order or a hearing following an emergency abatement, the final decision of the hearing officer shall be issued within 10 business days of the conclusion of the hearing and shall be delivered by first class mail, postage prepaid, to the appealing party. In the case of a proceeding to determine the validity of a ~~cease-and-desist~~cease-and-desist order or a hearing following an emergency abatement, the final decision of the hearing officer shall be issued within five business days following the conclusion of the hearing. The final decision shall include notice that any legal challenge to the final decision shall be made pursuant to the provisions of Sections 1094.5 and 1094.6 of

the California Code of Civil Procedure and shall be commenced within 90 days following the final decision. Any administrative hearing fee paid by a prevailing party shall be refunded. [Ord. 41-2004 § 2].

15.12.460 Nuisance and abatement.

A. Any condition in violation of the provisions of this chapter, including, but not limited to, the maintenance or use of any illicit connection or the occurrence of any prohibited discharge, shall constitute a threat to the public health, safety and welfare and is declared and deemed to be a public nuisance.

B. At the request of the [Administrator](#), the [City](#) may seek a court order to enjoin or abate the nuisance, or both. Prior to seeking any court order to enjoin or abate a nuisance or threatened nuisance, the [Administrator](#) shall provide notice of the proposed injunction or abatement to the owner and occupant, if any, of the premises where the nuisance or threatened nuisance is occurring.

C. At the request of the [Administrator](#), the [City](#) may seek an abatement warrant or other appropriate judicial authorization to enter the premises where any nuisance or threatened nuisance is occurring and to abate the condition and restore the area.

D. In the event the nuisance constitutes an imminent danger to public safety or the environment, the administrator may enter the premises from which the nuisance emanates, abate the nuisance and restore any property affected by the nuisance without prior notice to or consent from the owner or occupant thereof and without judicial warrant.

1. An imminent danger shall include, but is not limited to, exigent circumstances created by the dispersal of pollutants, where such pollutants present a significant and immediate threat to the public safety or the environment.

2. Notwithstanding the authority of the [City](#) to conduct an emergency abatement action, an administrative hearing pursuant to RCMC [15.12.440](#) shall follow the emergency abatement action. [Ord. 41-2004 § 2].

15.12.470 Administrative civil penalties.

A. In addition to any other remedies provided by this chapter, there is hereby imposed an administrative civil penalty of up to \$5,000 for each violation of this chapter. Notice of any administrative civil penalty shall be served and proof of service shall be made in the same manner as provided in RCMC [15.12.430](#).

The notice shall provide that any administrative civil penalty imposed shall be administratively reviewed by a hearing officer before it is enforced. When violation of this chapter pertains to a continuing violation that does not create an immediate danger to health or safety, as determined by the Aadministrator, the violator shall be provided with a reasonable time to correct or otherwise remedy the violation prior to imposition of the penalty. The aAadministrator shall determine and notify the violator of the time within which the violator must correct or remedy the violation. The notice shall provide that an administrative civil penalty will be imposed if the continuing violation is not remedied or corrected within the time stated.

B. Enforcement of the administrative civil penalty imposed by the Aadministrator shall be by written order issued by the hearing officer following notice and an opportunity for hearing.

Procedures concerning notice, conduct of the hearing, and service shall be as provided in RCMC 15.12.440.

The order of the hearing officer concerning the administrative civil penalty shall be in writing, resolving the essential issues raised and confirming, amending, or rejecting the administrative civil penalty imposed by the Aadministrator. In reaching a decision concerning any administrative civil penalty, the hearing officer shall be guided by factors including, but not limited to, ~~the following~~ the danger to public health, safety and welfare represented by the violation, recidivism, and any economic benefit associated with noncompliance.

C. The manner of contesting the final order of the hearing officer concerning any administrative civil penalty is governed by Section 53069.4 of the California Government Code, or any successor provision thereto. Service of the notice of appeal authorized by Section 53069.4 of the Government Code on the Ceity shall be served upon the Ceity Clerk. [Ord. 41-2004 § 2].

15.12.480 Criminal penalties.

A. Any person who negligently or knowingly violates any provision of this chapter, undertakes to conceal any violation of this chapter, continues any violation of this chapter after notice thereof, ~~or~~ fails to implement BMPs

in accordance with RCMC [15.12.200\(B\)](#) or fails to comply with a specified requirement or a provision of a Ceity stormwater permit shall be guilty of a misdemeanor and upon conviction thereof be fined not more than \$1,000 or imprisoned for not more than six months in the county jail, or both.

B. Each day in which a violation occurs and each separate failure to comply with either a separate provision of this chapter, an administrative compliance order, a cease ~~and~~ ~~desist~~ order, or failure to implement BMPs in accordance with RCMC [15.12.200\(B\)](#) shall constitute a separate violation of this chapter punishable by fines or sentences in accordance herewith.

C. The ~~A~~administrator may authorize specifically designated ~~C~~city employees to issue citations for misdemeanor violations of this chapter pursuant to Section [836.5](#) of the Penal Code. [Ord. 41-2004 § 2].

15.12.490 Miscellaneous enforcement provisions.

A. Each and every remedy available for the enforcement of this chapter shall be nonexclusive and it is within the discretion of the ~~A~~administrator to seek cumulative remedies. ~~The remedies available to the City pursuant to the provisions of this chapter shall not limit the right of the Ceity or any law enforcement agency to seek any other legal or equitable remedy that may be available to it.~~

B. The ~~A~~administrator may request the ~~C~~city to file a civil action in a court of competent jurisdiction seeking an injunction against any threatened or continuing noncompliance with the provisions of this chapter. Any temporary, preliminary or permanent injunction issued pursuant to this subsection may include an order for reimbursement to the ~~C~~city of all costs incurred in enforcing this chapter, including, but not limited to, costs of inspection, investigation and monitoring, the costs of abatement undertaken at the expense of the ~~C~~city, costs relating to the restoration of the environment, ~~and~~ any other costs or expenses authorized by law.

C. The ~~A~~administrator may request the ~~C~~city to file an action for civil damages in a court of competent jurisdiction seeking recovery of any of the following:

1. All costs incurred in the enforcement of this chapter, including, but not limited to, costs relating to investigation, sampling, monitoring, inspection, administrative expenses, all other expenses authorized by law and consequential damages.
2. All costs incurred in mitigating harm to the environment or reducing the threat to human health.

3. Damages for irreparable harm to the environment.

D. The Ceity is authorized to file actions for civil damages resulting from any trespass or nuisance occurring on public property or to the Ceity eunty storm waterstormwater conveyance system from any violation of this chapter where such violation has caused damage, contamination or harm to the environment, public property, or the Ceity eunty storm waterstormwater conveyance system.

~~E. The remedies available to the Ceity pursuant to the provisions of this chapter shall not limit the right of the city or any law enforcement agency to seek any other legal or equitable remedy that may be available to it.~~

EF. Each day in which a violation occurs and each separate failure to implement BMPs in accordance with RCMC 15.12.200(B) or to comply with either a separate provision of this chapter, an administrative compliance order, or a cease -and -desist order shall constitute a separate violation of this chapter punishable by administrative penalties in accordance with this chapter. [Ord. 41-2004 § 2].

Article VI. Recovery of Costs of Abatement

15.12.500 Costs of abatement – Confirmation.

A. When proceedings under this chapter result in the correction of a violation of this chapter or in a final determination that a violation exists after the date specified in any notice issued pursuant to the provisions of this chapter, the costs of such proceedings incurred by the Ceityeunty may be assessed against the property. Such costs may include, but are not limited to, those incurred in inspecting property, publication, mailing and posting of notices, conducting hearings, processing appeals and pursuing any judicial action. It is the purpose of this section to allow the assessment against property of costs of proceedings if a violation is corrected in any manner.

B. The Aadministrator shall keep an account of the administrative and other costs of abatement and clean up and shall submit to the council for confirmation an itemized written report showing such costs and their proposed assessment to the respective properties. The report shall be filed with the Ceity Clerk not later than 15 calendar days in advance of the confirmation hearing required below.

C. Upon receipt of the report, the Ceity Clerk shall schedule a public hearing to receive protests and confirm the report. A statement of the proposed assessment and notice of the time, date, and place of the hearing, together with reference to the report on file with the clerk, shall be mailed to the owner or owners of each parcel of property proposed to be assessed shown on the last equalized assessment roll available on the date of mailing of the notice or any other address or addresses ascertained to be more accurate. Such notice shall be

mailed not later than 15 calendar days in advance of the hearing. Notice of the time, date, and place of the public hearing by the council shall be published once in a newspaper of general circulation published within the ~~Ceity. county.~~

With respect to each property proposed to be assessed for which the name of the owner or owners is not shown on the last equalized assessment roll or no address for an owner is shown on the last equalized assessment roll, the notice shall show the name or names of the owner or owners, if such name or names are shown on the last equalized assessment roll, the assessor's parcel number, the street address of the property, if the property has an address and the address is known to the Administrator, the name of the street or road upon which such property abuts, if the property abuts upon a street or road, the amount of the proposed assessment and reference to the report on file with the clerk. Such publication shall be made not later than 15 calendar days in advance of the hearing.

D. At the time fixed for receiving and considering the report, the ~~Ceity~~ Council shall conduct a public hearing and shall receive and consider any objections from members of the general public or property owners liable to be assessed for the abatement. Written protests or objections shall specify the date, hour, and description of the subject property under hearing. The Council may continue the hearing and delegate to the ~~Ceity Mmanager ounty executive~~ or his designee the responsibility of hearing individual protests and submitting a recommendation with respect thereto; provided, that the Council provides an opportunity for individual consideration of each project upon receipt of the recommendation by the ~~Ceity Mmanager county executive~~ or ~~his-their~~ designee. The Council may modify the report if it is deemed necessary. The council shall then confirm the report by motion or resolution. [Ord. 41-2004 § 2].

15.12.510 Costs – Assessments.

A. If the costs as confirmed are not paid within 30 days of the date of mailing of the notice or date of publication pursuant to RCMC [15.12.500](#), such costs shall be assessed against the parcel of land pursuant to Section [25845](#) of the California Government Code, and shall be transmitted to the tax collector for collection and shall be subject to the same penalties and the same procedures and sale in case of delinquency as provided for ad valorem taxes.

B. If, subsequent to the mailing of the notice of noncompliance and prior to transmittal of the notice of unpaid costs to the tax collector for collection as set forth in subsection (A) of this section, the property subject to the notice of noncompliance is sold or title otherwise transferred to a bona fide purchaser, said costs shall be the responsibility of the owner of record as of the date ~~the~~ said notice of noncompliance was placed in the United States Postal System or posted on the property.

C. In addition to assessing the unpaid costs as provided in subsection (A) of this section, the tax collector or his designated representative may pursue any remedy provided by law for collection of the unpaid costs. [Ord. 41-2004 § 2].

15.12.520 Treble costs.

Pursuant to Section [25845.5](#) of the California Government Code, upon entry of a second or subsequent civil or criminal judgment within a two-year period finding that an owner is responsible for a condition in violation of this chapter that may be abated pursuant to Section [25845](#) of the Government Code, a court may order the owner to pay treble the costs of abatement. [Ord. 41-2004 § 2].

15.12.530 Hearing of protests.

Upon the day and hour fixed for the hearing, the [City Council](#) shall hear and pass upon the report of the [Administrator](#) together with any such protests or objections. The [Council](#) may make such revision, correction or modification of the report or the charge as it may deem just, and in the event the [Council](#) is satisfied with correctness of the charge, the report of the [Administrator](#) (as submitted or as revised, corrected or modified) together with the charge, shall be confirmed or rejected. The decision of the [Council](#) on the report and the charge and on all objections or protests shall be final and conclusive. [Ord. 41-2004 § 2].

15.12.540 Assessment for summary abatement.

Where the charge to be made is the result of summary abatement pursuant to RCMC [15.12.460](#)(C), the [City Council](#) may determine whether or not the action to abate was proper, and may confirm the charge or not as it may deem proper. [Ord. 41-2004 § 2].

15.12.550 Time for contest of assessment.

The validity of any assessment made under the provisions of this chapter shall not be contested in any action or proceeding unless the same is commenced within 30 days after the assessment is ordered to be placed upon the assessment roll as provided herein. [Ord. 41-2004 § 2].

15.12.560 Filing copy of report with ~~county auditor~~City Clerk.

A certified copy of the assessment shall be filed with the ~~county auditor~~City Clerk on or before August 1st of each fiscal year. The descriptions of the parcels reported shall be those used for the same parcels on the map books of the county assessor for the current fiscal year. [Ord. 41-2004 § 2].

Article VII. Commercial and Industrial Facilities

15.12.600 Purpose and intent.

The purpose of this article is to provide for tracking, inspection, and enforcement of the Ceity's stormwater ordinance with respect to commercial and industrial facilities within the City as required by the ~~Municipal Stormwater Permit~~. [Ord. 17-2016 §5, eff. 9-23-2016; Ord. 7-2009 §3, eff. 5-1-2009; Ord. 26-2004 §3, eff. 8-18-2004]

15.12.610 Delegation of authority to County Environmental Management Department (EMD).

A. Subject to an agreement approved by the City Council under which the County of Sacramento shall assume responsibility for tracking, inspecting, and enforcing the City's stormwater ordinance at certain commercial and industrial facilities specified in the municipal stormwater permit, the City hereby authorizes and delegates to the County of Sacramento the authority to enforce the city's stormwater ordinance at certain commercial and industrial facilities specified in the municipal stormwater permit, and the term "Administrator," as used in this chapter, shall also mean the Director of the Sacramento County Environmental Management Department and his or her designees.

B. Any administrative or civil enforcement by the Director of the Sacramento County EMD or his or her designees of any provision of this chapter under this article shall be governed by and conducted pursuant to Chapter 15.12 of the RCMC.

C. Sacramento County may establish and collect from commercial and industrial facilities located within the city such fees as may be necessary to cover the actual costs incurred by Sacramento County to include these facilities in its commercial and industrial compliance program; provided, that the fees are established and collected in accordance with the provisions of the agreement and all applicable legal requirements.

D. The authority delegated to Sacramento County under this article is limited to that necessary to allow the Director of the County EMD to track, inspect, and ensure compliance with the city's stormwater ordinance at commercial and industrial facilities as required under the municipal stormwater permit and in accordance with

[any agreement between the City of Rancho Cordova and Sacramento County EMD. \[Ord. 17-2016 §6, eff. 9-23-2016; Ord. 7-2009 §3, eff. 5-1-2009; Ord. 26-2004 §3, eff. 8-18-2004\]](#)

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Chapter 16.44

LAND GRADING AND EROSION CONTROL

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16.44.010 Purpose. SHARE

It is the intent of the [City Council](#) in enacting this chapter to minimize damage to surrounding properties and public rights-of-way, the degradation of the water quality of watercourses, and the disruption of natural or [City-authorized](#) drainage flows caused by the activities of clearing and grubbing, grading, filling and excavating of land, and sediment and pollutant runoff from other construction-related activities, and to comply with the provisions of the [City's](#) National Pollutant

Discharge Elimination System (NPDES) permit No. CA0082597, issued by the California Regional Water Quality Control Board (Regional Board).

These goals will be achieved by establishing administrative procedures, minimum standards of review, and implementation and enforcement procedures for controlling erosion, sedimentation and other pollutant runoff, including construction debris and hazardous substances used on construction sites, and the disruption of existing drainage and related environmental damage caused by the aforementioned activities. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.020 Definitions.

 SHARE

As used in this chapter, the following words and phrases shall have the meanings given in this section:

“Administrator” means the [City’s Public Works Director](#) ~~of the city~~ or his or her designated representative(s).

“Applicant” means any person [or entity](#) who submits an application for a permit pursuant to this chapter.

“City” means the city of Rancho Cordova.

“City specifications” means the [City](#) improvement standards, [City](#) standard construction specifications and other standards included in applicable [City](#) ordinances, regulations and manuals, as amended from time to time.

“Civil engineer” means a professional engineer in the branch of civil engineering holding a valid certificate of registration issued by the state of California.

“Clearing and grubbing” means moving or removing by manual or mechanical means trees, vegetation and/or the top four inches or greater of soil.

“Compaction” means the act of compacting or consolidating soil and rock material to a specified density, and the resulting compacted state of the material.

“Construction site” means any land area on which the activity of clearing and grubbing, grading, excavating, or filling is occurring.

“Engineering geology” means the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.

“Environmental coordinator” means the [City](#) official designated by the [City Manager](#) to prepare and process environmental documents.

“Erosion” means the transport of the ground surface or soil as a result of the movement of wind or water.

“Erosion control measures” means seeding, mulching, vegetative buffer strips, sod, plastic covering, burlap covering, watering and other measures which control the movement of the ground surface or soil.

“Grade” means the elevation of the ground surface as measured from a known vertical control.

“Grading” includes the act or result of digging, excavating, transporting, spreading, depositing, filling, compacting, settling, or shaping of land surfaces and slopes, and other operations performed by or controlled by human activity involving the physical movement of rock or soil.

“Hazardous substances” means those materials listed in Title [40](#) of the Code of Federal Regulations ([40](#) CFR) Part 117 and/or [40](#) CFR Part [302](#).

“National Pollutant Discharge Elimination System (NPDES)” means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements under Sections 307, 402, 318, and 405 of the Clean Water Act.

“Permittee” means the applicant in whose name a valid permit is issued pursuant to this chapter and the applicant’s agents, employees and designated representative(s).

“Person” means any individual, corporation, partnership, association of any type, public agency or any other legal entity.

“Pollutants” is as defined in Title [40](#) CFR [§Part 122.2](#).

“Runoff” means surface runoff and drainage related to storm events, snow melt, street washwaters related to street cleaning or maintenance and other waters associated with construction activity which are or may be introduced into the municipal separate storm sewer system.

“Sediment” means soil or earth material deposited by water.

“Sediment control measures” means dikes, sediment detention traps, sediment detention basins, filters, fences, barriers, swales, berms, drains, check dams, and other measures which control the deposit of soil or earth material.

“Site” means a parcel or parcels of real property owned by one or more than one person on which activity regulated by this chapter is occurring or is proposed to occur.

“Slope” means an inclined ground surface the inclination of which is expressed as a percent.

“Structure” means anything constructed or erected which requires location on the ground or attached to something having location on the ground.

“Watercourse” means a river, stream, creek, basin, lake, pond, waterway, or channel, natural or manmade, having a defined bed and banks. Whenever a watercourse consists of an ordinary channel, and in addition thereto, an overflow channel, the watercourse shall be deemed to include all property lying between the banks of the overflow channel.

“Wetlands” means those areas that are inundated or saturated by surface or groundwater at a frequency sufficient to support, and that under normal circumstances do support, a prevalence of

vegetation typically adapted for life in saturated soil conditions, such as swamps, bogs and marshes. [Ord. 38-2007 § 1 (Exh. 1(A), (J)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.030 Delegation. SHARE

Whenever in this chapter an authority or power is vested in or a duty is imposed upon an officer or official, an employee subordinate to the officer or official to whom an appropriate delegation has been made shall be entitled to exercise the power or authority and perform the duty. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.040 Administration. SHARE

Except as otherwise provided, the [Administrator](#) is responsible for administering this chapter and grading and erosion control permits, and is authorized from time to time to promulgate and enforce rules or regulations consistent with and necessary to implement the purposes, intent and express terms of this chapter.

Any rules or regulations promulgated by the [Administrator](#), or amendments thereof, shall be filed with the [City Clerk](#) ~~of the city council~~. The clerk shall cause said rules or regulations to be published in a newspaper of general circulation within 10 calendar days. No rules or regulations promulgated by the [Administrator](#), or amendments thereof, shall be enforced or become effective until 30 calendar days following the date on which the rules or regulations are published. Any [Person](#) shall have 15 days after the date of publication in which to file an appeal in accordance with the provisions of RCMC [16.44.300](#). [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.050 Permits required. SHARE

Except as provided by RCMC [16.44.060](#), [16.44.065](#) or [16.44.070](#), a grading and erosion control permit shall be required to (A) grade, fill, excavate, store or dispose of 350 cubic yards or more of soil or earthy material or (B) clear and grub one acre or greater of land within the [City of Rancho Cordova](#). A separate permit is required for work on each site unless sites are contiguous, have the same ownership, and are included in the approved plan. Any determination by the [Administrator](#) as to whether a permit is required may be appealed pursuant to the provisions of RCMC [16.44.300](#). [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.060 Permits not required. SHARE

A. A grading and erosion control permit shall not be required to:

1. Grade, fill, excavate, store or dispose of less than 350 cubic yards of soil or earthy material; or
2. Clear and grub less than one acre of land within the [city of Rancho Cordova](#) ~~City~~; or
3. For the grading, filling, excavating, storing, disposing, or clearing and grubbing for:

- a. Swimming pools, basements, or footings of structures if authorized by a valid building permit;
- b. Underground utilities;
- c. Mining or quarry operations, if a use permit has been granted by the [Ceity](#);
- d. Refuse disposal sites operated by a governmental agency;
- e. The production of planted agricultural crops.

B. Notwithstanding the provisions of subsection (A) of this section exempting specified activities from the otherwise applicable permit requirements, the activities described in subsection (A) of this section shall be subject to the standards and requirements of this chapter. Any building permit issued in connection with the activities described in subsection (A) of this section or in connection with any building permit issued for a single-family residence on an individual lot may be conditioned on compliance with the standards and requirements of this chapter. Any inspections required pursuant to this chapter or any other chapter of this title shall include a determination of compliance with the purposes of this chapter. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.065 Exemptions. SHARE

A grading and erosion control permit shall not be required for, and the provisions of this chapter shall not apply to, grading, filling, excavating, storing, disposing, or clearing and grubbing for situations where, in the determination of the [Administrator](#), there is a clear and imminent danger to life or property, or threat of loss of services for which there is an overriding public concern. The [Administrator](#) may, at the time of granting such exemption, impose conditions in accordance with RCMC [16.44.170](#), including, but not limited to, the requirement for the posting of security. Such exemption must be requested from the [Administrator](#) and approved in writing prior to the commencement of any activity regulated by this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995].

16.44.070 Improvement plans. SHARE

Where an improvement plan is being processed in conjunction with either an approved tentative, parcel, or final map, or a development plan is being processed in accordance with the provisions of RCMC Title [12](#), such plan shall also be considered as a request to undertake those activities regulated by this chapter. Such plans shall be reviewed and approved, conditionally approved or denied in accordance with the [applicable Ceity and county](#) standards and requirements set forth in this chapter and other applicable [Ceity and county improvement standards and](#) specifications. For an approved tentative, parcel, or final map, or development plan, any submitted improvement plans shall include provisions to require compliance with the [Ceity and county improvement](#) standards, and requirements of this chapter. If an improvement plan is approved, then a grading and erosion control permit shall not be required. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.080 Application contents. SHARE

The application for a grading and erosion control permit shall be filed in the office of the ~~A~~administrator, and submitted on a form ~~and submitted with such~~ information ~~as is~~ prescribed by the ~~A~~administrator, including the following:

- A. The name, address and telephone number of the applicant and the applicant's engineer;
- B. The address and parcel number of the location for which the permit is sought;
- C. A copy of all entitlements granted for the property by the Ceity, including conditions of approval and the environmental documentation;
- D. A copy of all required state and federal permits;
- E. Plans conforming with the requirements of RCMC 16.44.090;
- F. Specifications conforming with the requirements of RCMC 16.44.100, if ~~the administrator expressly required by the Administrators this information~~;
- G. Security conforming with the requirements of RCMC 16.44.110;
- H. Right of entry conforming with the requirements of RCMC 16.44.120;
- I. Fees conforming with the requirements of RCMC 16.44.130;
- J. Other information as may be required by the ~~A~~administrator. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.090 Plans. SHARE

Plans shall be prepared by a civil engineer in conformance with Ceity and county specifications and shall include the following:

- A. A vicinity map indicating the site location and significant geographic features;
- B. A site delineation map indicating boundary lines of the property and each lot or parcel into which the site is proposed to be divided;
- C. The location of on-site and surrounding watercourses and wetlands, existing and proposed drainage systems, and drainage area boundaries and acreages. Additional hydrologic analysis shall be provided as required by the ~~A~~administrator;
- D. The location of existing and proposed roads and structures on the site and on adjacent property;
- E. Accurate contours at two-foot intervals for slopes up to 10 percent and five-foot intervals for slopes over 10 percent showing topography of existing ground and locations of existing vegetation, including all oak trees, all other trees over six inches in diameter measured at four and one-half feet above the ground, groves of trees, and natural features such as rock outcroppings. Spot elevations will be required where relatively flat conditions exist. The spot elevations or contour lines shall be extended off site for a minimum distance of 50 feet, or 100 feet in flat terrain;

F. Elevations, location, extent and slope of all proposed grading shown by contours, cross-sections or other means, and location of any disposal areas, fills or other special features to be included in the work;

G. A statement of the quantity of material to be excavated, the quantity of material to be filled, whether such excavation or fill is permanent or temporary, and the amount of such material to be imported to or exported from the site;

H. A delineation of the area to be cleared and grubbed;

I. A statement of the estimated starting date, grading completion date, and when site improvements will be completed;

J. The location, implementation schedule, and maintenance schedule of all erosion control measures and sediment control measures to be implemented or constructed prior to, during or after the proposed activity;

K. A description of measures designed to control dust and stabilize the construction site road and entrance;

L. A description of the location and methods of storage and disposal of construction materials;

M. Any additional plans required by the administrator. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.100 Specifications. SHARE

When required by the [Administrator](#), the following information shall be prepared and signed by a civil engineer, and submitted with the application for a grading and erosion control permit:

A. Preparation of natural ground to occur prior to placement of fill, including provisions for removal of organic or deleterious materials;

B. Quality control of native or imported fill material;

C. Degree of compaction;

D. Gradient of cut and fill slopes;

E. Geotechnical engineering or engineering geology reports used in the development of the above information. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.110 Security. SHARE

A. Prior to issuance of the permit, the applicant shall provide security in an amount estimated by the [Administrator](#) to be the cost for stabilizing the activity site if the site is abandoned or work is stopped during the performance of the activity described in the permit. The security shall be one of the following, subject to the approval of the [Administrator](#):

1. Bond or bonds by one or more duly authorized corporate sureties.
2. A deposit, either with the [Ceity](#) or a responsible escrow agent or trust company, at the option of the [Ceity](#), of money or negotiable bonds of the kind approved for securing deposits of public monies.
3. An instrument of credit from an agency of the state, federal or local government when an agency of the state, federal, or local government provides at least 20 percent of the financing for the project, or from one or more financial institutions subject to regulation by the state or federal government and pledging that the funds necessary are on deposit and guaranteed for payment, or a letter of credit by such financial institution.

B. The security shall be released to the permittee upon either:

1. Issuance of a certificate of completion, provided no administrative or legal action against such security has been commenced prior to that date and the permittee has complied with the provisions of RCMC [16.44.260](#); or
2. Voluntary relinquishment of the permit by the holder thereof to the [Ceity](#), provided no administrative or legal action against such security has been commenced prior to that date and the permittee has complied with the provisions of RCMC [16.44.250](#). [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.120 Right of entry. SHARE

Whenever any portion of the work requires entry onto adjacent property for any reason, the applicant shall obtain the written consent of the adjacent property owner or his authorized representative, and shall file a copy of said consent with the administrator before a permit for such work may be issued. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.130 Permit fees. SHARE

A fee shall be paid by the applicant to the [Ceity](#) for plan checking and review, materials testing, site inspections, processing, issuance and other services performed by the administrator in connection with the investigation of an application for, and administration of, a grading and erosion control permit. The fees for these services shall be in the amount of the actual costs incurred by the [Ceity](#) based on the hourly rate of the personnel performing the services, including all overhead costs, and as determined by the [Administrator](#).

A minimum deposit of \$750.00 shall be paid by the applicant at the time of and with the filing of the application with the [Administrator](#). In the event the accrued costs exceed the initial deposit, the [Ceity](#) shall submit a monthly bill to the applicant for the amount owing as of the date on the bill. Interest of one and one-half percent per billing period (28-day cycle) compounded each billing period shall be added to the unpaid balance due to any amount which has not been paid in full within 28 days from the date on the bill.

The administrator shall not perform any services for an applicant if an amount owing is not paid within 28 days, until such time that all amounts owing and interest thereon are paid in full. The balance of fees owing shall be paid in full prior to final inspection. In the event the actual costs do not exceed the minimum deposit amount, the [Ceity](#) shall reimburse the applicant the difference between

the deposit amount and the actual total charges. [Ord. 38-2007 § 1 (Exh. 1(J)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.140 Environmental review.

Grading and erosion control permits, and amendments thereto, are subject to the requirements of the California Environmental Quality Act (CEQA). The applicant shall furnish a copy of the application to the environmental coordinator for preparation and processing of the appropriate environmental documents. The [Administrator](#) is authorized to hold public hearings on negative declarations, draft environmental impact reports and final environmental impact reports prepared on applications for [grading](#) and erosion control permits, for the purposes of receiving comments from the public. The administrator shall not approve a grading and erosion control permit prior to considering the applicable environmental document and complying with the requirements of CEQA and the [City](#) procedures for preparation and processing of environmental documents. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.150 Application review.

The [Administrator](#) shall review and approve, conditionally approve or deny grading and erosion control permit applications and improvement plans in accordance with the provisions of this chapter. Grading and erosion control permit applications and improvement plans shall be issued or approved unless the [Administrator](#) finds in writing that:

A. The applicant has failed to provide sufficient or adequate plans, information or other data necessary to allow determinations respecting compliance with the provisions of this chapter or [City](#) specifications;

B. The environmental review has not been completed, other provisions of this code or of state law pertaining to environmental review have not been satisfied, or the activity will have significant adverse environmental impacts which cannot be substantially mitigated. Where the activity will have significant adverse impacts, the [Administrator](#) may approve the permit in accordance with the provisions of this chapter, RCMC Title [20](#), and the California Environmental Quality Act of 1970;

C. The proposed activity will violate provisions of this chapter, [City](#) specifications, or state or federal laws, and such violation cannot be resolved by the imposition of conditions pursuant to RCMC [16.44.170](#);

D. The proposed activity will adversely affect surrounding properties and public rights-of-way, the water quality of watercourses, and existing drainage. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.160 Contents of permit.

The grading and erosion control permit shall include but not be limited to a complete description of the activity for which it is issued, the property for which it is issued, the date of issuance and the date of expiration, and a description of any and all conditions upon which the permit has been issued. The permit shall be kept at the site during the activity for which the permit was issued. A grading and erosion control permit authorizes the permittee to undertake only that activity described in the permit and only on the property for which the permit is issued. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.170 Conditions.

The [Administrator](#) may at the time of issuance of the grading and erosion control permit impose such conditions as are necessary to ensure compliance with this chapter, [Ceity and county improvement standards and specifications](#), [Ceity floodplain ordinance](#), or state or federal laws. Such conditions shall be reasonably related to the public needs created by the proposed activity. Conditions to mitigate environmental impacts of the activity may also be imposed by the [Administrator](#). [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.180 Procedure for imposition.

Any condition imposed pursuant to the provisions of RCMC [16.44.170](#) shall be embodied, together with the reasons therefor, in the permit and served upon the applicant or permittee. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.190 Term.

A grading and erosion control permit shall be effective on the date of issuance, and shall remain in force for one year, unless suspended or revoked by the [Administrator](#), or voluntarily relinquished by the permittee. Before the expiration of a permit, a permittee may apply for an extension of time in which to complete the activity. One extension of not more than one year may be granted by the [Administrator](#). [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.200 Transferability.

A grading and erosion control permit shall not be transferable or assignable from one person to another, unless approved by the [Administrator](#) and the person to whom the permit is to be transferred agrees to comply with the requirements of the original permit and to any conditions imposed therein. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.210 Denial of permit.

The [Administrator](#) shall deny an application for a grading and erosion control permit if any of the findings in RCMC [16.44.150](#) are made. Notice shall be served on the applicant, in writing, with the reasons stated therefor, pursuant to the provisions of RCMC [16.44.340](#). [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.220 Amendment of permit.

Any proposed changes in the activity authorized by the permit shall be submitted to the [Administrator](#) for review. The permittee shall not undertake or allow activity to occur which does not conform with the plans or conditions of the original permit, unless approved by the [Administrator](#). The [Administrator](#) shall review any proposed changes in the same manner and pursuant to the same standards as the original application. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.230 Request for inspection. SHARE

A. Requests for inspection of any site subject to the provisions of this chapter shall be made to the [Administrator](#) within at least two full business days in advance of the desired day of inspection at the following phases of activity. ~~Such a request shall be made at least two full business days in advance of the desired day of inspection.~~

1. When the site has been cleared of vegetation and unapproved fill, and scarified, benched, or otherwise prepared and before any fill is placed; and the erosion control and sediment control measures to be implemented in this phase have been placed;
2. When approximate final elevations have been established; drainage terraces, swales and other drainage devices have been graded and are ready for paving; berms have been installed at the top of slopes; and the erosion control and sediment control measures to be implemented in this phase have been placed;
3. When work has been completed; slope planting established and irrigation systems installed, if required; and the erosion control and sediment control measures to be implemented in this phase have been placed.

B. The [Administrator](#), upon inspection of the site, shall notify the person or permittee:

1. That the phase of work inspected is approved; or
2. What deficiencies, corrections or other work needs to be completed before approval of that phase. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.240 Reports. SHARE

Notification to the [Administrator](#) shall be required within 24 hours following the failure of authorized measures to prevent erosion or sediment from leaving the construction site, the deposit of debris or material on adjoining property or public rights-of-way, or the interference with any existing watercourses or drainage facilities. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.250 Cessation of work. SHARE

If activity is ceased on site for any reason for a period in excess of 15 calendar days, and before the activity being conducted under the permit is completed, all necessary steps shall be taken to prevent damage through erosion or sedimentation to adjoining properties or to the public rights-of-way or to any natural or artificial drainage facilities or watercourses. The premises shall also be graded to blend into the adjacent terrain. The [Administrator](#) shall be notified as soon as possible, but no later than 15 calendar days after the cessation of work. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.260 Completion of work. SHARE

After completion of work in accordance with and conforming with an approved permit and delivery to the [Ceity](#) of record plans and a grading plan as finally implemented, and payment of all fees, the [Aadministrator](#) shall issue a certificate of completion. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.270 Inspection. SHARE

The administrator may enter and inspect property for which a grading and erosion control permit has been applied to determine applicability or compliance with this chapter ~~and~~, [Ceity and county improvement standards or](#) specifications. The [Aadministrator](#) may also inspect any and all property on which grading, filling, clearing and grubbing or excavating activities are occurring. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.280 Grounds for suspension and revocation. SHARE

A grading and erosion control permit may be suspended if:

- A. The physical state of the property differs from the descriptions, plans or information furnished to the [Aadministrator](#) in the permit application;
- B. The activity does not conform to the approved plans, grades, conditions or terms of the permit;
- C. The activity is in violation of this chapter, [Ceity](#) specifications, or state or federal laws;
- D. Any reports required to be submitted to the [Aadministrator](#) have not been submitted; or
- E. Any of the information contained in reports submitted to the [Aadministrator](#) is in error. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.290 Method of suspension or revocation. SHARE

The [Aadministrator](#) may suspend or revoke a grading and erosion control permit by issuing a notice of suspension or revocation, stating the reasons therefor, and serving same upon the permittee. Upon suspension or revocation of a permit, in accordance with the provisions of this section, the permittee shall immediately cause all grading, filling, excavating, storing, disposing or clearing and grubbing to cease until written authorization is received from the administrator to proceed with the activity.

The permittee shall have 15 calendar days after the date of service of the suspension or revocation in which to file an appeal in accordance with the provisions of RCMC [16.44.300](#). If such an appeal is filed, the suspension or revocation shall remain in force and be effective until a final decision on the appeal is issued by the [Ceity Ceouncil](#).

If the [Aadministrator](#) suspends a permit, such permit may either be reinstated or revoked by the [Aadministrator](#), depending upon whether the permittee corrects the grounds stated for the suspension in the notice issued by the [Aadministrator](#). If the permittee fails to remedy the grounds for suspension within a time period specified by the [Aadministrator](#), but in no event later than 60 calendar days, the [Aadministrator](#) shall revoke the permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.300 Appeals. SHARE

If the applicant for a grading and erosion control permit, the permittee, or other person whose property rights may be affected is dissatisfied with any determination made by the [Administrator](#), such person may appeal to the [City Council](#). Any such appeal shall be in writing, shall state the specific reasons therefor and grounds asserted for relief, and shall be filed with the ~~clerk of the city council~~ [City Clerk](#) not later than 15 calendar days after the date of the action being appealed. If an appeal is not filed within the time or in the manner prescribed above, the right to review of the action against which the complaint is made shall be deemed to have been waived. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.310 Appeal fee. SHARE

The [City Council](#) shall by resolution adopt and, from time to time, amend a fee for the filing of appeals. Such fee shall be for the sole purpose of defraying costs incurred for the administration of appeals. The fee for an appeal shall be paid at the time of and with the filing of an appeal. No appeal shall be deemed valid unless the prescribed fee has been paid. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.320 Appeal hearings. SHARE

After the filing of an appeal within the time and in the manner prescribed by RCMC [16.44.300](#), the [City Council](#) shall conduct a hearing for the purpose of determining whether the appeal should be granted. Written notice of the time, date and place of the hearing shall be served upon the administrator and the appellant not later than 10 days preceding the date of the hearing. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.330 Actions on appeals. SHARE

The [City Council](#) shall review the entire proceeding or proceedings relating to the act or decision being appealed, de novo, and may make any order it deems just and equitable, including the granting of a grading and erosion control permit. Any hearing may be continued from time to time.

At the conclusion of the hearing, the [City Council](#) shall prepare a written decision which either grants or denies the appeal, and contains findings of fact and conclusions. The written decision, including a copy thereof, shall be filed with the ~~clerk of the city council~~ [City Clerk](#). The clerk shall serve such decision on the applicant or permittee and the [Administrator](#). The decision of the [City Council](#) shall become final upon the date of filing and service with respect to any appeal. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.340 Notices. SHARE

Any notice authorized or required by this chapter shall be deemed to have been filed, served and effective for all purposes on the date when it is personally delivered in writing to the party to whom it is directed or deposited in the United States Mail, first class, postage prepaid, and addressed to the party to whom it is directed.

Whenever a provision in this chapter requires a public hearing to be conducted, notice of the time, date, place and purpose of the hearing shall be published at least once not later than 10 calendar days in advance of the date of commencement of the hearing in a newspaper of general circulation

which is published within the city. The same type of notice shall also be served on each permittee whose permit may be affected by the action taken at the conclusion of the hearing. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.350 Action against and release of security.

A. The [Administrator](#) may commence action against the security provided by a permittee if:

1. The permittee ceases activities on site prior to completion of work without complying with the provisions of RCMC [16.44.250](#);
2. The permittee fails to comply with the terms of the permit;
3. The activity has caused or is threatening to cause damage or injury to persons, property or the environment.

B. The monies so obtained shall be used solely to finance remedial work undertaken by the [City](#) or a private contractor under contract to the [City](#), and to reimburse the [City](#) for any administrative costs and expenses incurred in remedying the situation, including attorneys' fees and legal costs incurred in any necessary action to obtain the security. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.360 Violations.

Except as otherwise specifically provided, pursuant to the provisions of Section 36900 of the Government Code, violation of any of the provisions contained in this chapter shall constitute an infraction subject to a fine of \$100.00 for each day (~~1st time offender first violation~~), ~~\$500.00 for each day (second or subsequent two or more violations)~~, or any portion thereof ~~if~~ a violation continues.

Violation of any of the provisions of this chapter following notice to the permittee by the [Administrator](#) advising of the violation and ordering a cessation thereof shall, pursuant to the provisions of RCMC [1.01.190](#), constitute a misdemeanor.

Violation of any of the provisions of this chapter may be remedied by injunction or other civil proceeding commenced in the name of the [City](#) pursuant to direction by the [City Council](#). [Ord. 38-2007 § 1 (Exh. 1(J)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.370 Laws not enforced.

There are many ordinances and other laws applicable to activities permitted under this chapter which are not sought to be enforced under this permitting process. Such laws include, but are not limited to, building, floodplain management, and land development measures. The issuance of a grading and erosion control permit shall not be deemed to constitute a representation that the activity so permitted or the property upon which such activity is occurring complies with such other ordinances or other laws. Nor shall the existence of such an unrevoked permit be deemed to preclude any criminal or civil remedy for violation of such other ordinances or laws. The possession of a grading and erosion control permit shall not be deemed to relieve the holder of the requirement to apply for or obtain any other license or permit required by ordinance or statute. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

Chapter 16.84

DEVELOPMENT IMPACT FEES TO FINANCE THE COST OF TRANSPORTATION FACILITIES

Sections:

- 16.84.010 Purpose.
- 16.84.020 Definitions.
- 16.84.030 Establishment and administration of the [City](#) of Rancho Cordova transportation fund.
- 16.84.040 Establishment and administration of the [City](#) of Rancho Cordova transportation administration fund.
- 16.84.050 Imposition of transportation impact fee.
- 16.84.060 Payment of transportation impact fees.
- 16.84.065 Payment of transportation impact fee – Deferral.
- 16.84.070 Adoption of the transportation system capital improvement plan and compliance with priority list of [City](#) of Rancho Cordova transportation impact fee program.
- 16.84.080 Establishment of transportation impact fees and creation of areas.
- 16.84.090 Calculation of transportation impact fee.
- 16.84.100 Establishment of costs per unit for land uses within the [City](#) of Rancho Cordova.
- 16.84.110 Credit for construction of transportation facilities.
- 16.84.120 Reimbursement for construction of transportation projects in advance of the transportation system development impact fee program priority list schedule.
- 16.84.130 Annual program fee adjustment.
- 16.84.140 Alternative method and compliance with other laws.

Prior legislation: Ords. 19-2003, 27-2003, 32-2005 and 35-2005.

16.84.010 Purpose.

A. The general plan of the [City](#) of Rancho Cordova requires that areas chosen for urban expansion shall be capable of being provided, within a reasonable period of time, with an adequate level of public facilities including, but not limited to, roadway facilities and transit facilities.

B. The general plan further requires the preparation of a plan that identifies a mechanism for financing those facilities necessary to serve urban development in areas designated for urban expansion. The general plan also contains additional policies for supporting funding and use of developer dedications, development fees, and other means to pay for an acceptable level of transportation facilities.

C. The purpose of this chapter is to implement the general plan requirements set forth in subsections (A) and (B) of this section and to use the authority in Article XI, Section 7 of the California Constitution by imposing development fees to fund the cost of certain transportation facilities, the need for which is directly or indirectly generated by the type and extent of development proposed in the [City](#) of Rancho Cordova on which the fees will be imposed.

D. It is the further purpose of this chapter to require that adequate provision is made for developer-financed public facilities within the [City](#) of Rancho Cordova as a condition to any rezoning and prior to approval of certain permits within the [City](#). [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.020 Definitions.

“Areas” means those geographic areas established for public facilities financing purposes within the [City](#) of Rancho Cordova as depicted in the nexus study for the transportation development impact fee program. A detailed map of each area is depicted in the nexus study and on Figure 21 is on file with the [City](#) [Public Works Department](#), and such maps are incorporated by reference herein.

“Building permit” means the permit issued or required for residential development, nonresidential development, commercial development, or other development within the [City](#), pursuant to and as further defined by the [City](#) of Rancho Cordova building code.

“City” means the [City](#) of Rancho Cordova.

“City of Rancho Cordova transportation administration fund” means that special interest-bearing trust fund established pursuant to RCMC 16.84.040.

“City of Rancho Cordova transportation fund” means that special interest-bearing trust fund established pursuant to RCMC 16.84.030.

“Commercial development” means buildings constructed for the purpose of occupancy by retail, services, and other principally nonoffice businesses located on sites zoned SC shopping center, LC limited commercial, TC travel commercial, AC auto commercial, or GC general commercial in accord with the City of Rancho Cordova zoning code or designated commercial or commercial mixed use (CMU). For purposes of this chapter, residential dwellings constructed on sites designated CMU or another commercial zone pursuant to the zoning code are residential development rather than commercial development.

“Costs” means amounts spent, or authorized to be spent, in connection with the planning, financing, acquisition and development of a public facility or infrastructure including, without limitation, the costs of land, construction and inspection, engineering, administration, and consulting fees.

“Council” or “City Council” means the City Council of the City of Rancho Cordova.

“Department” means the City of Rancho Cordova Public Works Department.

“Development impact fee” or “transportation development impact fee” or “transportation impact fee” means the fee levied by this chapter and due upon the approval of one or more building permits.

“Development unit” means a dwelling unit, for residential development, or square foot of building floor area, for nonresidential development.

“Director” means the Director of the Rancho Cordova Public Works Department.

“Facilities” means those public facilities designated in the Rancho Cordova transportation capital improvement plan and transportation development impact fee program.

“Fee resolution” means the resolution and fee schedule adopted by the City Council, as may be amended from time to time, that approves the amount of the transportation development impact fees.

“Improvement plan” means the site plan of property proposed for development showing all required improvements that must be approved by the Rancho Cordova Public Works Department pursuant to Chapter 12.03 RCMC prior to the issuance of a building permit for the property.

“Land use category” means detached dwelling units, attached dwelling units, multifamily, commercial, office, or industrial/manufacturing uses as further defined in the fee resolution.

“Multifamily residential units” means all units within a structure that have five or more units, all of which are offered for rent to the general public, or all units within a structure that have five or more attached units that (1) are available for sale to individual owners, and (2) have living areas less than or equal to 1,200 square feet.

“Nonresidential development” means a subdivision map, parcel map, or permit for the original construction, grading or installation of buildings other than single-family detached homes, single-family attached homes, duplexes, townhomes, condominiums, apartments, manufactured homes and mobile homes, or improvements thereto. Nonresidential development includes commercial development. Typically, nonresidential development consists of buildings to be occupied by retail, service, or other commercial businesses or by offices as regulated by the City of Rancho Cordova zoning code, but may also include buildings for use by churches, day care centers, private schools, and other institutional uses. Mixed-use buildings consisting of both dwelling units and commercial and/or office areas will have the respective building areas treated as either residential development or nonresidential development for purposes of this chapter.

“Office development” means buildings constructed for the purpose of occupancy by principally business and professional office uses located on sites zoned BP business and professional office in accord with the Ceity of Rancho Cordova zoning code or designated commercial or CMU commercial mixed use.

“Planning Director” means the Planning Director of the Ceity of Rancho Cordova.

“Priority list” means those facilities included in the transportation capital improvement plan and transportation development impact fee program, as identified in order of priority by the Director, to avoid substantial congestion levels on key roadways.

“Program fee per development unit” means the development impact fee per development unit for a particular category of facilities. Such program fees, identified in the fee resolution, were established using an allocation of transportation system costs, as identified in the transportation capital improvement plan and development impact fee program, and dwelling unit equivalents (DUEs) based on land use categories identified in the nexus study developed for the transportation development impact fee program.

“Programmed cost” means the estimated cost of constructing a facility based upon the unit costs for each construction item plus fixed percentages for engineering, permits and construction contingency as set forth in the city of Rancho Cordova transportation development impact fee program and its public facilities project cost estimates, as periodically updated and adopted by resolution of the Council.

“Residential development” means a subdivision map, parcel map, or permit for the original construction, grading or installation of dwelling units for residential use including detached and attached housing for owner or rental occupancy. For purposes of this chapter, residential development includes construction of or improvements to buildings or portions of buildings consisting of dwelling units constructed on sites designated CMU or another commercial zone. Institutional uses or other nonhousing development allowed by special use permit to be constructed on sites zoned for residential use are nonresidential development for purposes of this chapter.

“Single-family attached residential development” means all units within a structure that have two to four attached units, whether such units are offered for rent or for sale to individual owners, and all units within a structure that has five or more attached units that (1) are available for sale to individual owners, and (2) have a living area greater than 1,200 square feet.

“Single-family detached residential development” includes all single-family detached residential units.

“Transportation capital improvement plan” means the projects identified and the cost estimates prepared, and as may be updated, for the transportation system facilities identified in the general plan circulation element and on the roadway sizing diagram within the Ceity limits that are needed to meet traffic demands as identified in the nexus study.

“Transportation development impact fee program” or “transportation impact fee” means the fee schedule, including any amendments thereto, adopted by resolution by the council for financing of designated public facilities to serve the Ceity of Rancho Cordova, including, but not limited to, a designation of those facilities to be constructed with the development impact fees collected pursuant to this chapter, the priority list (“priority list”) for commencement of construction, the estimated cost of construction of the facilities and the total number of dwelling unit equivalents within each area of the Ceity of Rancho Cordova as established. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.030 Establishment and administration of the Ceity of Rancho Cordova transportation fund.

A. There is hereby created by the department of finance in the Ceity treasury a special interest-bearing trust fund entitled the Ceity of Rancho Cordova transportation fund. All amounts collected from transportation impact fees from Area 1 and Area 2 pursuant to this chapter shall be placed in said fund and shall be expended by the Ceity of Rancho Cordova or its successor agency solely to pay the costs identified in the transportation capital improvement plan and/or development impact fee program and nexus study.

B. The transportation fund shall be administered by the Director. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.040 Establishment and administration of the Ceity of Rancho Cordova transportation administration fund.

A. There is hereby created by the department of finance in the city treasury a special interest-bearing trust fund entitled the city of Rancho Cordova transportation administration fund. All administration fees collected from Area 1 and Area 2 pursuant to this chapter shall be placed in said fund and shall be expended by the Ceity of Rancho Cordova or its successor agency solely to pay the costs associated with administering the Ceity of Rancho Cordova transportation impact fee program.

B. Commencing with the updated nexus study adopted ~~January 22, 2013~~February 7, 2022, administrative costs are incorporated into the transportation development impact fee. The administrative portion of the transportation development impact fee shall be expended by the Ceity of Rancho Cordova or its successor agency solely to pay the costs associated with administering the transportation development impact fee program.

C. The transportation administration fund shall be administered by the Director. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.050 Imposition of transportation impact fee.

No change in a land use zoning designation shall be approved within the Ceity of Rancho Cordova unless payment of the transportation impact fees established by this chapter is required of the property owner as a condition of such approval. No building permit shall be approved for property within the Ceity of Rancho Cordova unless the development fees for that property are paid as required by this chapter. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.060 Payment of transportation impact fees.

The transportation impact fees imposed pursuant to this chapter shall be paid by the property owner to the department, in an amount calculated pursuant to RCMC 16.84.100~~990~~. The fees shall be calculated upon the approval of subdivision maps and shall be paid upon issuance of building permits. For projects that are subject to building permits, but not subdivision map approval, the fees shall be both calculated and paid upon issuance of the building permits. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.065 Payment of transportation impact fee – Deferral.

Notwithstanding any other requirement in RCMC 16.84.060, due to the continued effects of the nationwide slowdown in the housing market and the city's desire to encourage quality development, the city manager, or his/her designee, shall have the authority to consider and approve requests to defer payment of development impact fees imposed pursuant to this chapter to the earlier of 24 hours prior to scheduling a final inspection, issuance of a temporary or final certificate of occupancy, or one year from the date the deferral is approved. [Ord. 8-2019 § 2; Ord. 4-2016 § 2; Ord. 3-2015 § 2; Ord. 3-2013 § 1; Ord. 32-2010 § 3; Ord. 10-2009 § 3; Ord. 14-2008 § 2].

16.84.070 Adoption of the transportation system capital improvement plan and compliance with priority list of Ceity of Rancho Cordova transportation impact fee program.

A. The Council shall by resolution adopt the Ceity of Rancho Cordova transportation capital improvement plan of the Ceity of Rancho Cordova transportation system development impact fee program. The Council shall review the transportation capital improvement plan not less than annually and may amend it by resolution at its discretion.

B. With the exception of facilities approved by the Director for construction by a property owner pursuant to RCMC 16.84.120, all facilities shall be funded in accordance with the Priority List established for the Ceity of Rancho Cordova transportation development impact fee program. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.080 Establishment of transportation impact fees and creation of areas.

A. A separate transportation impact fee is hereby established for each of the following categories:

1. New development area transportation ~~Specific plan transportation impact~~ fee;
2. Infill ~~transportation impact~~area transportation fee;
- ~~3. Regional transportation impact fee;~~

B. There are hereby created two initial areas of the Ceity of Rancho Cordova, as shown in Figure 2 of the nexus study for the transportation development impact fee program~~1, attached to the ordinance codified in this chapter~~ and incorporated herein by reference.

~~C. The specific plan transportation impact fee shall apply to property within Area 2. The infill transportation impact fee shall apply to property within Area 1. The regional transportation impact fee shall apply to the Sunridge specific plan area and the Villages of Zinfandel special planning area within Area 2 and Area 1, respectively.~~

~~C~~D. Future areas of the transportation development impact fee program may be created as additional public facilities financing plans are implemented for remaining undeveloped areas outside of the Ceity of Rancho Cordova that may be annexed to the Ceity in the future. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.090 Establishment of costs per unit for land uses within the City of Rancho Cordova.

A. Fees per unit for various land uses identified in the fee resolution were established using an allocation of transportation system costs as identified in the transportation system capital improvement plan and total additional trip miles based on land use categories identified in the nexus study developed for the transportation impact fee program.

B. For specific land uses not identified in the fee resolution, the cost per dwelling unit equivalent established by the nexus study and the trip generation rates established by the Institute of Traffic Engineers or equivalent method shall be used to calculate the fee per dwelling unit. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.100090 Calculation of transportation impact fee.

A. For residential development, the transportation impact fee shall be calculated by multiplying the number of units per land use category by a per unit cost as identified in the transportation impact fee program and fee resolution.

B. For nonresidential development, the transportation impact fee shall be calculated by multiplying the number of building square feet per land use category by a per square foot cost as identified in the transportation development impact fee program and fee resolution.

C. For the purpose of calculating the transportation impact fee for land use categories not specifically named in the transportation impact fee program and fee resolution, the planning director is hereby authorized to determine the land use category that corresponds most directly to the land use in question. Alternatively, the Planning Director can determine that no land use category adequately corresponds, and request the Public Works Director to determine the transportation impact fee. Said transportation impact fee will be determined using the applicable trip generation factors as found in the Institute of Transportation Engineers Trip Generation Manual or equivalent method.

D. For the purpose of calculating the regional fee, the regional fee shall be calculated as the difference between the transportation impact fee for Area 1 or Area 2 (depending on the location of the property at issue) and the transportation component of the specific plan fee, if any. If no specific plan fee exists, then the regional fee and the transportation impact fee are equivalent.

E. The transportation impact fees shall be paid by the property owner in the amount as calculated pursuant to subsections (A), (B), (C) and (D) of this section for the categories of facilities established by RCMC 16.84.080, and shall include an additional administrative fee per building permit which will be calculated as provided in the transportation development impact fee program nexus study.

F. For the purpose of calculating transportation impact fees pursuant to subsections (A), (B), (C), and (D) of this section for properties with an approved use permit which significantly changes the underlying use of the site or properties within a special planning area, the director is hereby authorized to determine the per-unit or per-square-foot costs for each fee category that corresponds most directly to the use and density.

G. For the purpose of calculating transportation impact fees pursuant to subsections (A), (B), (C), and (D) of this section for building permits for land use categories not specifically named in this chapter or the transportation development impact fee program, the Director is hereby authorized to determine the per-unit or per-square-foot

costs for each fee category that corresponds most directly to the use and density. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

~~16.84.100 — Establishment of costs per unit for land uses within the City of Rancho Cordova.~~

~~A. Fees per unit for various land uses identified in the fee resolution were established using an allocation of transportation system costs as identified in the transportation system capital improvement plan and total additional trip miles based on land use categories identified in the nexus study developed for the transportation impact fee program.~~

~~B. For specific land uses not identified in the fee resolution, the cost per dwelling unit equivalent established by the nexus study and the trip generation rates established by the Institute of Traffic Engineers or equivalent method shall be used to calculate the fee per dwelling unit. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].~~

16.84.110 Credit for construction of transportation facilities.

A. Upon application by the property owner or his authorized agent, the Director may authorize the construction of any transportation facilities, or portions thereof, in order of priority as designated on the priority list for the transportation development impact fee program in lieu of all, or a portion of, the transportation impact fee required by this chapter. If so authorized, the credit toward transportation impact fees, excluding the administrative fee, to be provided to the property owner for such in-lieu construction shall be equal to 80 percent of the programmed cost of the facility, as set forth in the transportation system development impact fee program in effect at the time when the in-lieu construction is so authorized, including, but not limited to, unit prices, quantities and project descriptions. Prior to credit being given and/or issuance of any of the approvals set forth in RCMC 16.84.060 (e.g., approvals of building permits, subdivisions or zoning amendments), the construction of any facility authorized by this section must either be accepted by the Department, or the property owner must post security for the complete performance of the construction in a form acceptable to the Director and the City Attorney.

B. Upon acceptance of the completed facility and after reconciliation of the final facility costs, the remaining 20 percent of the programmed cost as designated in the transportation system development impact fee program may be issued as a credit balance to the property owner that may be utilized within the City of Rancho Cordova as determined by the Director.

C. Where the amount of the credit is less than the amount of the transportation impact fee otherwise applicable to the development in question, the property owner must pay to the City the difference in accordance with RCMC 16.84.060.

D. Where the amount of the credit is greater than the amount of the transportation impact fee, the property owner shall be paid the difference only from the applicable transportation fund within a reasonable time after the project is accepted by the Department pursuant to RCMC 16.84.120 in order of priority on the priority list in the transportation system development impact fee program when funds are available.

E. Where a facility is proposed for construction by the property owner, the Director at his discretion may either (1) provide the property owner with a credit pursuant to this section, or (2) enter into a reimbursement agreement with the property owner pursuant to RCMC 16.84.120. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.120 Reimbursement for construction of transportation projects in advance of the transportation system development impact fee program priority list schedule.

A. Upon application by the property owner or his authorized agent, the Director may enter into a reimbursement agreement authorizing the construction of any transportation facilities, or portions thereof, designated in the transportation system development impact fee program. In addition to the requirements of subsection (D) of this section, the agreement shall set forth the amount to be reimbursed, the time and manner in which payments are to be made, and shall state that reimbursement by the City will only be made from the applicable transportation fund when funds are available.

B. The amount of reimbursement shall be the actual cost of the facility up to the programmed cost of the facility as set forth in the transportation system development impact fee program in effect at the time the construction contract

is awarded for that specific facility. The time of reimbursement shall be the end of the fiscal year in which the facility is scheduled for construction, based on the priority list in the transportation system development impact fee program, or as different timing is otherwise authorized by the Director.

C. By entering into a reimbursement agreement, a property owner is not relieved of the obligation to pay the transportation impact fees in the manner and amount specified by this chapter.

D. If the Director enters into an agreement authorized by subsection (A) of this section, or credit agreement as authorized by RCMC 16.84.110(C), the agreement shall provide that:

1. The general fund of the Ceity is not liable for payment of any obligations arising from the agreement;
2. The credit or taxing power of the Ceity is not pledged for the payment of any obligations arising from the agreement;
3. The landowner shall not compel the exercise of the Ceity taxing power or the forfeiture of any of its property to satisfy any obligations arising from the agreement; and
4. The obligation arising from the agreement is not a debt of the city, nor a legal or equitable pledge, charge, lien, or encumbrance, upon any of its property, or upon any of its income, receipts, or revenues, and is payable only from the transportation impact fees deposited in the applicable transportation fund.

E. The property owner or his authorized agent shall apply for reimbursement as set forth in subsections (A), (B), (C) and (D) of this section no later than four years after the transportation project is constructed and accepted. The property owner shall waive the right of reimbursement for construction costs payable under this section when the reimbursement is not applied for within said four-year limitation. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.130 Annual program fee adjustment.

Commencing January 1, 2014, and thereafter each year no later than January 15th, the finance director, or his or her designee, shall authorize the adjustment of the program fee per development unit for each type of development in each fee category, which shall be adjusted according to the methodology described in the transportation development impact fee program nexus study.

The estimated cost of the facilities used in the transportation system capital improvement program and for calculating credits and reimbursements pursuant to RCMC 16.84.110 and 16.84.120 shall be adjusted annually using the same adjustment factor. [Ord. 3-2013 § 1; Ord. 5-2012 § 1; Ord. 3-2011 § 1; Ord. 5-2010 § 1; Ord. 7-2009 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.140 Alternative method and compliance with other laws.

A. This chapter is intended to establish a supplemental method for funding the cost of certain facilities the need for which is expected to be generated by the level and type of development proposed in the Ceity ~~of Rancho Cordova~~. Except as provided in Section 4 of the ordinance codified in this chapter (continuance in effect of roadway and transit development fees established by Sacramento County), the provisions of this chapter shall not be construed to limit the power of the Ceouncil to impose any other fees or exactions or to continue to impose existing ones on development within the Ceity ~~of Rancho Cordova~~, but shall be in addition to any other fees, exactions or other requirements that the Ceity is authorized to impose, or has previously imposed, as a condition of approving plans, rezonings or other entitlements within the Ceity ~~of Rancho Cordova~~ pursuant to state and local laws. In particular, individual property owners shall remain obligated to fund, construct, and/or dedicate the improvements, public facilities and/or pay other exactions authorized or required by, but not limited to: (1) the Ceity ~~of Rancho Cordova~~ Public Works Development improvement standards; (2) the Sacramento County municipal services agency improvement standards; (3) the Quimby Act (Section 66477 et seq. of the Government Code) and implementing ordinances (Chapter 22.40 RCMC); (4) school impact fees (Section 65970 et seq. of the Government Code) and implementing ordinances; and (5) Sacramento County drainage fees (county water agency Ordinance No. 1). Any credits or repayments pursuant to RCMC 16.84.110 and 16.84.120 shall not include credits or repayment for the funding, construction or dedications described in this section.

| B. The construction of facilities by a private owner pursuant to RCMC 16.84.110 and 16.84.120 shall be performed and contracted for only as required by law, including, but not limited to, compliance with the Department's improvement standards and requirements for public works, if applicable to the particular facility. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

Public Works Code Updates

Dalia Fadl, Principal Engineer
September 5, 2023



Goals

- Inform City Council of proposed updates to the Rancho Cordova Municipal Code including:
 - Make minor revisions for clarity.
 - Updates and additions to comply with latest State and Federal regulations.

- The following titles are included in the update:
 - Titles: 3, 6, 10, 12, 15, 16

Public Works Code Updates

- Titles Discussed at the August 7, 2023, City Council Meeting:
 - Title 3: 3.60, 3.70
 - Title 6: 6.20, 6.21
 - Title 10
 - Title 12
 - Title 15: 15.10, 15.12
 - Title 16: 16.44, 16.84

Title 16-Buildings and Construction

Chapter 16.96- Floodplain Management Ordinance

- A floodplain management ordinance is a set of regulations and guidelines implemented to mitigate the impact of flooding by restricting certain activities and requiring mitigation measures in flood-prone areas, aiming to protect public safety and reduce damage during flood events.
- In a recent audit by the CA Department of Water Resources, the state required that the city adopt its own ordinance to continue to participate in the National Flood Insurance Program, which provides flood insurance within FEMA mapped floodplains.

Title 16-Buildings and Construction

Chapter 16.96- Floodplain Management Ordinance

- The City of Rancho Cordova currently implements the Sacramento County Floodplain Management Ordinance. Chapter 16.96 Floodplain Management Ordinance replaces the City's reliance on County code with a new City Ordinance as required by FEMA and State Department of Water Resources.
- Chapter 16.96 uses the latest ordinance language required by FEMA and will regulate floodplain management within the City.
- The ordinance does not significantly change the City's processes in regulating floodplains.
- The new ordinance shall be approved by the end of August (FEMA deadline).

Title 16-Buildings and Construction

Chapter 16.96- Floodplain Management Ordinance

- The proposed floodplain management ordinance (chapter 16.96) will meet General Plan Policy S.2.1.2, which requires the city to participate in the National Flood Insurance Program by updating the floodplain management ordinance as necessary to help reduce future flood damage.
- The proposed floodplain management ordinance does not supersede more restrictive General Plan policies.
- Per FEMA, consequences of not adopting the new floodplain management ordinance include:
 - No resident will be able to purchase a flood insurance policy.
 - Existing flood insurance policies will not be renewed.
 - No Federal grants or loans for development may be made in identified flood hazard areas under programs administered by Federal agencies.
 - No Federal disaster assistance may be provided to repair insurable buildings located in identified flood hazard areas for damage caused by a flood.
 - No Federal mortgage insurance or loan guarantees may be provided in identified flood hazard areas.

Chapter 16.96- Floodplain Management Ordinance

Additional Analysis & Updates

- Staff performed additional analysis of CEQA exemptions and confirmed that the proposed ordinance is exempt from CEQA for the following reasons:
 - Implementation of the ordinance would not differ substantially from implementation of the County ordinance, as currently applied. Therefore, it can be seen with certainty that there is no possibility that adoption of this ordinance will have a significant effect on the environment.
 - This ordinance is also exempt from CEQA pursuant to CEQA Guidelines Sections 15307 and 15308. The proposed ordinance regulates development within the floodplain in order to promote public health, safety, and general welfare in conjunction with maintenance, preservation, and restoration of floodplains for local creeks and the American River.

Chapter 16.96- Floodplain Management Ordinance Additional Analysis & Updates

- City staff analyzed the proposed ordinance and added updates and clarifications:
 - The City, FEMA, and the Central Valley Flood Protection Board have jurisdiction over projects along the American River Parkway. For proposed projects in this area, the most stringent floor elevation requirement applies. Central Valley Flood Protection Board is referenced in the Ordinance and is inclusive of Title 23 of the California Code of Regulations.
 - The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by these regulations but that are not required to be prepared by a qualified CA Licensed Land Surveyor or Civil Engineer, such as installation of a water heater, backyard awning, and other minor building improvements or permits, when it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with these regulations.

Recommendation: Waive the second reading and adopt the ordinance adding Chapter 16.96 and amending Titles 3,6,10,12,15,16

Next Step- post the Code updates and submit a copy of Chapter 16.96 to FEMA.

MEMORANDUM



ITEM 19.1.

DATE: September 5, 2023
TO: Honorable Mayor and Council Members
FROM: Kim Juran, Administrative Services Director
SUBJECT: **PRESENTATION FROM CORDOVA COMMUNITY COUNCIL FOUNDATION ON FISCAL YEAR 2022-23 OUTCOMES AND ACCOMPLISHMENTS AND A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE THIRD RESTATED GRANT AGREEMENT WITH THE CORDOVA COMMUNITY COUNCIL FOUNDATION**

RECOMMENDATION

Receive information and adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution would enable the City to enter into the Third Restated Grant Agreement with the Cordova Community Council through June 30, 2025.

BACKGROUND

Since 2007, the City has given grant funds to the Cordova Community Council Foundation (CCCF) for the purpose of creating a professionally managed umbrella organization for Rancho Cordova non-profit organizations. This support for the CCCF has been given in a series of three-year grants, with the last one concluding June 30, 2023. The goal for strengthening the 60+ year-old CCCF has always been to build capacity for volunteer management, fundraising and community event support, all of which creates a sense of community for Rancho Cordova residents. In recent years, the CCCF's role has expanded beyond the previously mentioned community building activities to include the advancement and availability of the arts in Rancho Cordova and partnership with the Rancho Cordova Athletic Association (RCAA) to increase the participation and caliber of youth sports in the City.

City staff began meeting with the CCCF several months ago to discuss the next grant agreement. These discussions focused on capacity building within CCCF to begin succession planning and ensure that there was an adequate number of staff to manage the various activities CCCF is supporting. The outcome of these discussions included a recommendation to add several new positions to CCCF ranks, including an Assistant Director, Operations/Event Coordinator, Event Engineer, and an additional Event Specialist. This would bring the total number of positions within the CCCF to nine. The proposed grant agreement also includes a catch-up on hard costs associated with putting on key city events including Fourth of July, IFest, and Kids Day in the Park, which have experienced significant cost escalations in recent years.

Without the financial support of the City, CCCF would be unable to sustain these and the many other community events it offers, including the annual Christmas tree lighting and summer event series.

The proposed Third Restated Grant Agreement includes several significant changes from the previous grant agreements. The Third Restated Grant Agreement transitions from a three-year agreement to a two-year agreement that coincides with the City's bi-annual budget process. The proposed agreement also incorporates several ongoing Measure H programs into it including:

- **Arts in Rancho Cordova:** The MACC, Rehearsal Space and support for the Rancho Cordova River City Concert Band and Symphony d'Oro Rancho Cordova, the Art Ark (in partnership with Crocker Art Museum) for schools, and general support for Rancho Cordova Arts
- **Youth Sports in Rancho Cordova:** RCAA Coordinator staff position, RCAA Facility Improvement Fund, Positive Coaching Alliance, Youth Sports Fee Assistance, and Youth Sports Promotion Campaign

These programs will continue to be funded through Measure H but are recommended for incorporation into the two-year agreement to allow for longer term planning for these activities.

The proposed Third Restated Grant Agreement will cover the time period of July 1, 2023, through June 30, 2025, in an amount not to exceed \$1,545,000 in Fiscal Year 2023-24 and \$1,600,000 in Fiscal Year 2024-25. The newly proposed grant agreement will only fund allocated positions, if filled. CCCF will submit a quarterly report to the City demonstrating how grants are being utilized and will report back to the City Council annually. All funds received under the terms of this agreement will be available for operational purposes.

FISCAL IMPACT AND FUNDING SOURCE

Funding for the Third Restated Grant Agreement will come from the City's General Fund and Measure H Community Enhancement & Investment Fund, as follows:

Fiscal Year 2023-24:

- General Fund: \$1,033,200
- Measure H: \$511,800

Fiscal Year 2024-25:

- General Fund: \$1,070,000
- Measure H: \$530,000

Sufficient funds have been incorporated into the City's Fiscal Year 2023-25 Adopted Budget.

ATTACHMENT(S)

1. Resolution
2. Third Restated Grant Agreement Cordova Community Council
3. Third Restated Grant Agreement Presentation

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE THIRD
RESTATED GRANT AGREEMENT BETWEEN THE CITY OF RANCHO CORDOVA AND THE
CORDOVA COMMUNITY COUNCIL FOUNDATION**

WHEREAS, the Parties entered into a Grant Agreement dated July 1, 2007, a First Amendment to that Grant Agreement on September 17, 2007, a First Restated Grant Agreement on July 1, 2008, a First Amendment to the First Restated Grant Agreement on July 1, 2010, a Second Amendment to the First Restated Grant Agreement on July 1, 2012, and a Third Amendment to the First Restated Grant Agreement on July 1, 2013, a Second Restated Grant Agreement on July 1, 2017, a First Amendment to the Second Restated Grant Agreement on December 16, 2019, and a Second Amendment to the Second Restated Grant Agreement on December 19, 2022 for the purpose of providing community capacity-building services; and

WHEREAS, the Parties entered into a Third Restated Grant Agreement which will allow a continuation of civic engagement, community events, volunteer management, and the stewardship of other community non-profits that will enable the professionally managed organization to focus on maintaining the events and programs that create a sense of community and support that Rancho Cordovans have come to enjoy and the City desires to continue; and

WHEREAS, the Third Restated Grant Agreement also incorporates the desire for Cordova Community Council Foundation to partner with the Rancho Cordova Athletic Association to increase participation and caliber of youth sports in Rancho Cordova and continue the advancement and availability of arts by finding creative ways to expand and evolve the Rancho Cordova arts community; and

WHEREAS, the City Council has approved sufficient funds in the Fiscal Year 2023-24 and Fiscal Year 2024-25 Operating Budget for the support of the Cordova Community Council Foundation; and

WHEREAS, the Parties agree this Third Restated Grant Agreement is necessary in order for the City to continue receiving services by Grantee and to increase the capacity of the Cordova Community Council Foundation for the purposes of ensuring continuity of the many community benefits that are made possible through the City's support.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA authorizes the City Manager to execute the Third Restated Grant Agreement between the City of Rancho Cordova and the Cordova Community Council Foundation.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 5th day of September 2023 by the following vote:

AYES:

NOES:

ITEM 19.1.

ATTACHMENT 1

ABSENT:

ABSTAIN:

ATTEST:

Stacy Leitner, CMC
City Clerk

Linda Budge, Mayor

THIRD RESTATED GRANT AGREEMENT

This Third Restated Grant Agreement (“Third Restated Agreement” or “Agreement”) between the City of Rancho Cordova, a California municipal corporation (“City”) and the Cordova Community Council Foundation, a California public benefit corporation, (“Grantee”) entered into on this 1st day of July, 2023, replaces and supersedes in its entirety the Grant Agreement effective July 1, 2017 and the two (2) subsequent amendments thereto dated December 16, 2019 and December 19, 2022.

RECITALS

WHEREAS, the Parties entered into a Grant Agreement dated July 1, 2007, a First Amendment to that Grant Agreement on September 17, 2007, a First Restated Grant Agreement on July 1, 2008, a First Amendment to the First Restated Grant Agreement on July 1, 2010, a Second Amendment to the First Restated Grant Agreement on July 1, 2012, and a Third Amendment to the First Restated Grant Agreement on July 1, 2013, a Second Restated Grant Agreement on July 1, 2017, a First Amendment to the Second Restated Grant Agreement on December 16, 2019, and a Second Amendment to the Second Restated Grant Agreement on December 19, 2022 for the purpose of providing community capacity-building services; and

WHEREAS, the Parties desire to enter into a Third Restated Grant Agreement which will allow a continuation of civic engagement, community events, volunteer management, and the stewardship of other community non-profits that will enable the professionally managed organization to focus on maintaining the events and programs that create a sense of community and support that Rancho Cordovans have come to enjoy and the City desires to continue; and

WHEREAS, the Third Restated Grant Agreement also incorporates the desire for Cordova Community Council Foundation to partner with the Rancho Cordova Athletic Association to increase participation and caliber of youth sports in Rancho Cordova and continue the advancement and availability of arts by finding creative ways to expand and evolve the Rancho Cordova arts community; and

WHEREAS, the City Council has approved sufficient funds in the Fiscal Year 2023-24 and Fiscal Year 2024-25 Operating Budget for the support of the Cordova Community Council Foundation; and

WHEREAS, the Parties desire to clarify expectations with this Third Restated Agreement, including those within the “Outcomes” section of the Agreement related to Grantee’s performance and reporting requirements; and

WHEREAS, the Parties agree this Third Restated Grant Agreement is necessary in order for the City to continue receiving services by Grantee and to increase the capacity of the Cordova Community Council Foundation for the purposes of ensuring continuity of the many community benefits that are made possible through the City’s support.

In reliance upon and in consideration of the mutual representations and obligations hereunder, the City and the Grantee agree as follows:

AGREEMENT

ARTICLE I. City Requirements.

The Grantee agrees to comply with the following requirements:

- A. The Grantee will only use grant funds for outcomes described in Article V of this Third Restated Agreement. A work program to deliver outcomes shall be presented to the City Manager for review, comment, and possible modification and approval before payments are authorized. By October 31st of each fiscal year, Grantee shall provide a complete budget to the City regarding how all funds will be spent for that fiscal year.
- B. To address the City's fiduciary responsibility regarding the grant funds, Grantee will continue to maintain tax-exempt status and operate using appropriate internal controls and generally accepted accounting principles ("GAAP"). Grantee shall give City access to financial records for examination purposes on an as-needed basis.
- C. Within one hundred twenty (120) days of the end of the Grantee's fiscal year, Grantee will provide an annual financial report (unaudited is acceptable), to the City's Chief Financial Officer, for the Cordova Community Council Foundation. The City shall use this financial report as the basis of its annual audit process, to be completed within one hundred eighty (180) days of the end of the Grantee's fiscal year, to ensure grants funds were spent in accordance with the approved budget.
- D. Grantee is entitled to use the Community Board Room and the American River Rooms (both located on the first floor of Rancho Cordova City Hall) at no additional cost for twelve (12) hours per month. The rooms will be scheduled in advance according to City's scheduling policies. For use of the Community Board Room or American River Rooms in excess of twelve (12) hours per month, Grantee shall be charged City's customary rates for a nonprofit/community-based organization. Grantee shall provide City with a schedule indicating the dates and times of Grantee's standing meetings; however, Grantee acknowledges that the needs of the City shall take precedence in the scheduling of the rooms.
- E. Grantee will provide one (1) seat on the Grantee's Board of Directors to be filled or vacated at the direction of the City Manager. This Board member shall exercise his/her own judgment and discretion as a volunteer in serving the Community Council Foundation, and shall not perform his/her services to the Cordova Community Council Foundation under the direction of the City Manager as an employee of the City.
- F. Grantee is also entitled to continue to occupy as a sub-lessee with free rent in City Hall's leasable space occupied by the Rancho Cordova Chamber of Commerce. The in-kind

value of that space at the current lease rate is approximately Thirty-Six Thousand Dollars (\$36,000) annually.

- G. Grantee will annually provide City with unlimited complimentary seats at the monthly Rancho Cordova Luncheon.

ARTICLE II. Payment of Grant Funds

- A. Grant funds will be paid quarterly upon submission and approval by the City of Grantee's Progress Reports described in Article III. Except as otherwise specified in this Section, the City shall pay the Provider for all actual costs incurred by the Grantee in providing the services set forth in this Agreement. A specific breakdown of the budgeted cost of the various components of this grant agreement is set forth in the Grantee budget submitted before the start of each fiscal year. Compliance with all other provisions of this Third Restated Agreement is also required in order for Grantee to receive payment of Grant funds.

ARTICLE III. Progress Reports.

- A. The Grantee shall submit to the City Manager a progress report every three (3) months after the effective date of the Third Restated Agreement. Progress reports will be due by the last day of the month following the end of each quarter, i.e. progress report for work and expenses July through September will be due by October 31, October through December will be due by January 31, etc.
- B. Progress reports shall consist of (1) a one-page narrative of work accomplished during the reporting period in the three primary focus areas; Community Events & Support, Arts in Rancho Cordova, and Youth Sports in Rancho Cordova, and (2) a completed Financial Status Report in a format determined by the City Manager or Chief Financial Officer. City may require additional information or increased frequency of reporting to address the conditions and deliverables as described in Article V.
- C. Progress reports must include a comparison of actual accomplishments to the objectives indicated in this restated Agreement, including measurement against agreed-upon metrics and outcomes, as well as the work program to be approved by the City Manager. Reports must include reasons for slippage if established objectives were not met. A goal of this agreement is to foster civic engagement among additional groups in the community, including newcomer groups, continue the advancement of arts and culture in the community, and increase the participation, caliber, and accessibility of youth sports. All progress reports should reflect efforts in this area.
- D. Before the City pays grant draw downs, the Grantee will submit progress reports. The City retains the authorization and discretion to delay or deny payment if progress reports are incomplete, do not reflect substantial progress toward delivery of outcomes, or demonstrate that funds were used for activities other than those covered in Article V.

ARTICLE IV. Default

A default under this Grant Agreement shall consist of using grant funds for a purpose other than as authorized by this Agreement, noncompliance with legislative, regulatory, or other requirements applicable to this Agreement, any other breach of this Agreement, or any misrepresentation in the proposal submission.

ARTICLE V. Additional Provisions

- **Project Description.** This is a community capacity-building project characterized by the expected outcomes listed in Section C below.
- **Changes or Clarification to the Proposal Related to Participating Parties:**

The Grantee may elect to sub-contract a portion of this grant in order to accomplish the goals of the grant and deliver services or products.

- **Outcomes.** Grantee's activities will deliver the following outcomes during the two years of the Agreement:
 - Provide leadership and assist with ad-hoc community pride and outreach partnerships as appropriate and timely for community projects championed by the City;
 - Provide advice and support to local nonprofit organizations, i.e., fiscal agent services under certain mutually agreeable circumstances; grant application consultation; meeting room space when available; professional assistance and advice on nonprofit operations;
 - Volunteers play a critical role in the success of the community events hosted and organized by the Cordova Community Council Foundation. From Kids Day to the Christmas Tree Lighting and everything in between, volunteers support nearly every event. Assist in the formation and maintenance of volunteer councils as appropriate in order to facilitate communication between the community and the City and grow the capacity of volunteer activity;
 - Support and grow the rich and diverse culture of the community through activities which support the appreciation of history, arts and culture;
 - Support and provide leadership for collaborative approaches to event presentation in the community;
 - Be responsible for scheduling a diverse representation of leaders from the faith community to offer the invocation at City Council meetings;
 - Provide leadership, implementation and organize volunteer participation to nurture and sustain current citywide events, including but not limited to:

- Memorial Day Observance honoring those who served the nation in time of war and peace. Memorial Day includes a musical tribute and recognition ceremony.
- Veterans Day will be honored with an installation of American flags posted along Folsom Blvd. or other mutually acceptable location. On Veterans Day, a blood drive is organized and held at City Hall.
- MACC features exhibits by local artists, workshops, history displays, cultural demonstrations, musical performances and more (9-10 exhibits a year).
- Community Volunteers Awards is a public event celebrating and inspiring volunteerism in the community while raising the profile of outstanding volunteer efforts (attendance is approximately 180 people).
- Kids Day in the Park is a festival geared to families of small children. It is also a health and resource fair with providers on hand (attendance exceeds 5,000 kids and adults).
- iFest is a festival celebrating the ethnic diversity of the community and reaching out to newcomer groups by offering to showcase their cultural heritage. More than a dozen international cultures are represented by just the performing groups (attendance is approximately 3,000).
- Fourth of July is a two-day festival and parade celebrating the local community and our American heritage (attendance is approximately 25,000 for the festival and fireworks and 10,000 for the number who watch or participate in the parade).
- Moonlight Movies is a series of free Friday nights out for the whole family to enjoy in the month of June (approximately 300 movie goers attend).
- Summer Concerts is a series of free Friday nights out for the whole family to enjoy in the month of August (approximately 1,000 visitors during the free summer concerts).
- State of the City is a civic gathering during which the Mayor of Rancho Cordova delivers a “State of the City Address” (attendance is approximately 250).
- Christmas Tree Lighting is a public event inspiring community unity. The holiday celebration attracts more than 5,000.
- Sports Hall of Fame is a gala event in which Rancho Cordova sports legends receive their honor (attendance is approximately 400).
- Rancho Cordova Luncheon is a monthly event that attracts approximately 100 people each third Friday. It’s the longest-running regular public event of its kind in Rancho Cordova.
- Partner with the Rancho Cordova Athletic Association to increase participation and caliber of youth sports in Rancho Cordova, where the motto “Where all kids play” is applied; and
 - Grow the Rancho Cordova Athletic Association with more leagues and more athletes (increase league registration by 5% in calendar year 2024 and 5% in 2025) thereby strengthening league stability.

- Improve and expand traditional forms of outreach, including signage programs, flyer distributions and improved special event profiles (using year-to-year enrollment data to measure effectiveness).
- Improve playing conditions to retain Rancho Cordova youth athletes.
- Achieve citywide consistency in creating a positive and elevated youth sports culture.
- Create an elevated youth sports culture that will encourage parents to participate in Rancho Cordova offerings.
- Create equitable access to youth sports by clearing away financial barriers.
- Increase volunteer support and introduce children of all income groups to the benefits of youth sports competition;
- Improve general physical and mental health of children in the community gained through participation in recreational sports, where children get exercise, make friends, and learn teamwork.
- Continue the advancement and availability of arts in the city by finding creative ways to expand and evolve the Rancho Cordova arts community.
 - Hold thought-provoking displays and events in addition to providing high-quality art experiences and entertainment for all to enjoy, including visual and performing art experiences.
 - Continue to elevate The MACC by being a place for art and artists.
 - Strive to create a city that is a “place for art and artists.”
 - Ignite a passion for the arts in children at an early age.
 - Reach the broadest possible population.
 - Recruit, train, and manage volunteer curators, docents, and offer hands-on participation.
 - Search for ways to extend offerings for school field trips.
 - Build new partnerships in the community for the long-term sustainability of arts and cultural offerings.
 - Provide a place for Rancho Cordova artists to develop artistic skills and display their art.
 - Use art as a tool to move the community culture forward by providing artistic and cultural exhibits which are sensitive to community cultural challenges.

ARTICLE VI: Term and Funding.

The term of this Agreement is from July 1, 2023 through June 30, 2025, in order to accomplish continuity and stability of year-round community events. Subject to the provisions of the Agreement and City Council approval during the budget approval process, the City will make grant funds available to Grantee for operational expenses for the purpose of delivering outcomes in the form of services and products as follows:

ITEM 19.1.

Contract #XX-2023

ATTACHMENT 2

Page 7 of 8

A. Year 1 (FY 2023-24): \$1,545,000 (One million five hundred forty-five thousand dollars) in grant funds will be made available to the Grantee from July 1, 2023 through June 30, 2024.

B. Year 2 (FY 2024-2025): \$1.600,000 (One million six hundred thousand dollars) in grant funds will be made available to the Grantee from July 1, 2024 through June 30, 2025.

The above amounts are subject to the City's budget approval process and as such, may be amended by a majority of the Council during the budget approval and amendments process.

In witness whereof, the Parties have executed this restated Grant Agreement as of the effective date first written above.

**CORDOVA COMMUNITY COUNCIL
FOUNDATION (GRANTEE)**, a California
public benefit corporation

By:
Its:

CITY OF RANCHO CORDOVA, a
California municipal corporation

By: Micah Runner
Its: City Manager

ATTEST:

By: Stacy Leitner
Its: City Clerk

APPROVED AS TO FORM:

July 1, 2023

ITEM 19.1.

Contract #XX-2023

ATTACHMENT 2

Page 8 of 8

By: Adam U. Lindgren
Its: City Attorney

July 1, 2023

Third Restated Grant Agreement with Cordova Community Council

September 5, 2023



Overview

- City of Rancho Cordova has given grant funds to Cordova Community Council since 2007 to create a professionally managed umbrella organization for Rancho Cordova non-profits with a focus on:
 - Community Events that create a sense of community for residents
 - Volunteer management and fundraising
 - Arts and Culture in Rancho Cordova
 - Youth Sports in Rancho Cordova
- Third Restated Grant Agreement will cover the time period of July 1, 2023 – June 30, 2025
 - Focus on adding capacity and leadership succession
 - Incorporates ongoing Measure H programs into the grant agreement to allow for longer-term planning
 - Not to exceed grant amount of \$1,545,000 in FY 23/24 and \$1,600,600 in FY 24/25





Kids Day
In the Park



iFest
International Fest



Memorial Day
Observances



Christmas Tree
Lighting

ITEM 19.1.



Rancho Cordova
Sports Hall of Fame



4th July Parade



Community Volunteer
Awards

ATTACHMENT 3

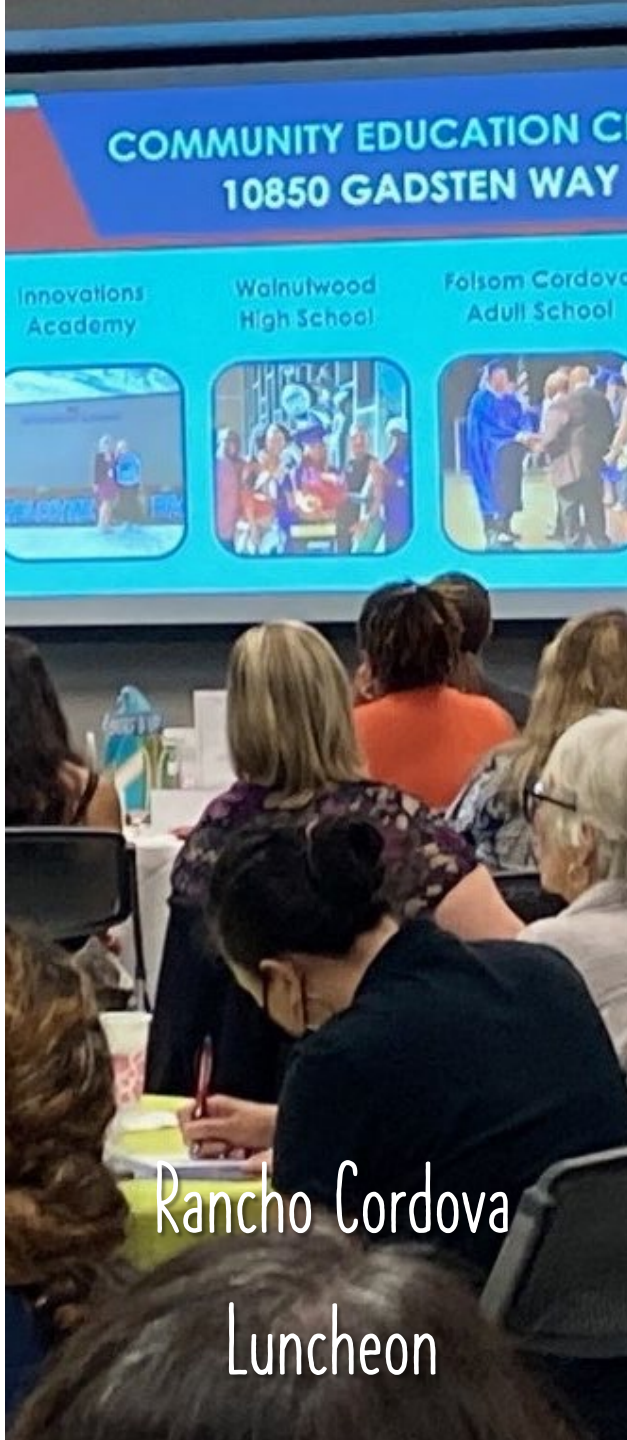


Heartstoppers
Haunted House

ITEM 19.1.



Friday Night
Concerts



Rancho Cordova
Luncheon



State of the City



Fireworks on the
Fourth of July

**Arts
and
Culture**





ITEM 19.1.

Cultural Exhibits
Righting a Wrong



Symphony
D'Oro



The MACC



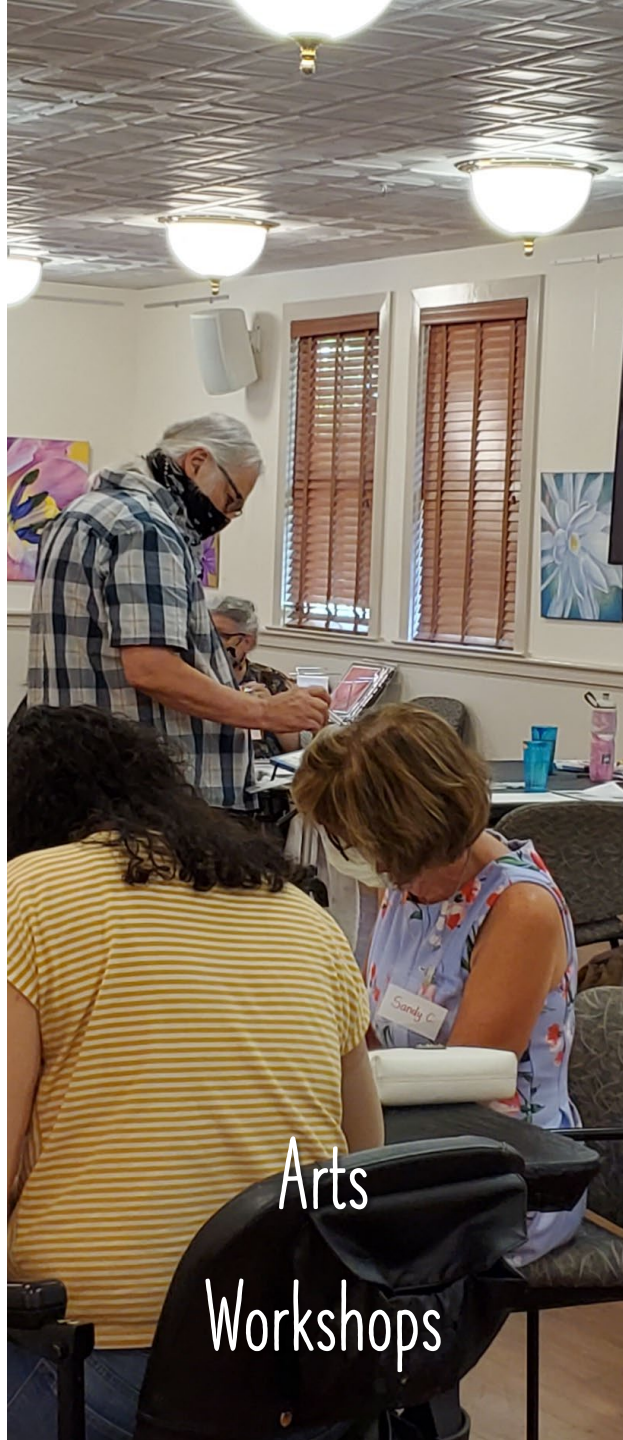
ATTACHMENT 3

Rancho Cordova
River City Concert Band

ITEM 19.1.



Cultural
Arts



Arts
Workshops



Home for the
Arts

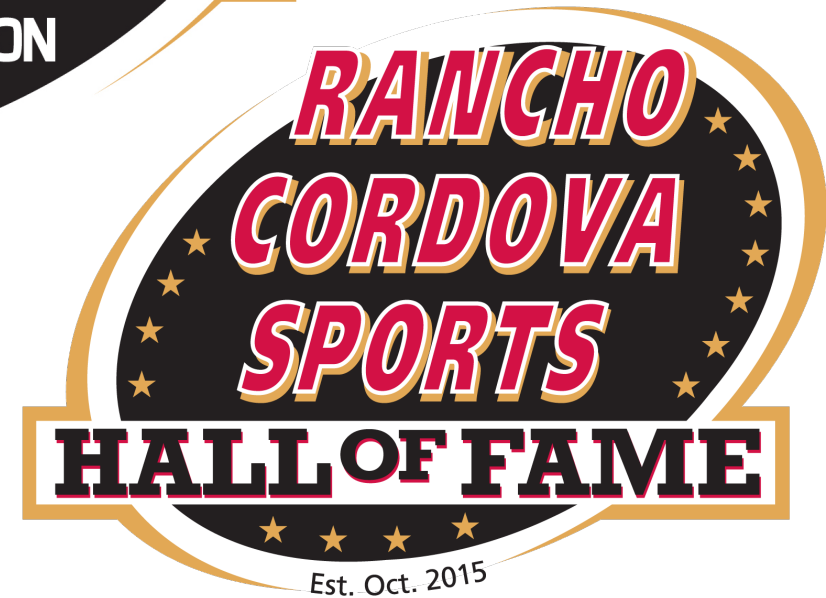


Incubator
of the Arts

Youth Sports Leagues



*Where all
kids play*





RC Soccer Club



Rancho Cordova
Jr. Lancers Cheer



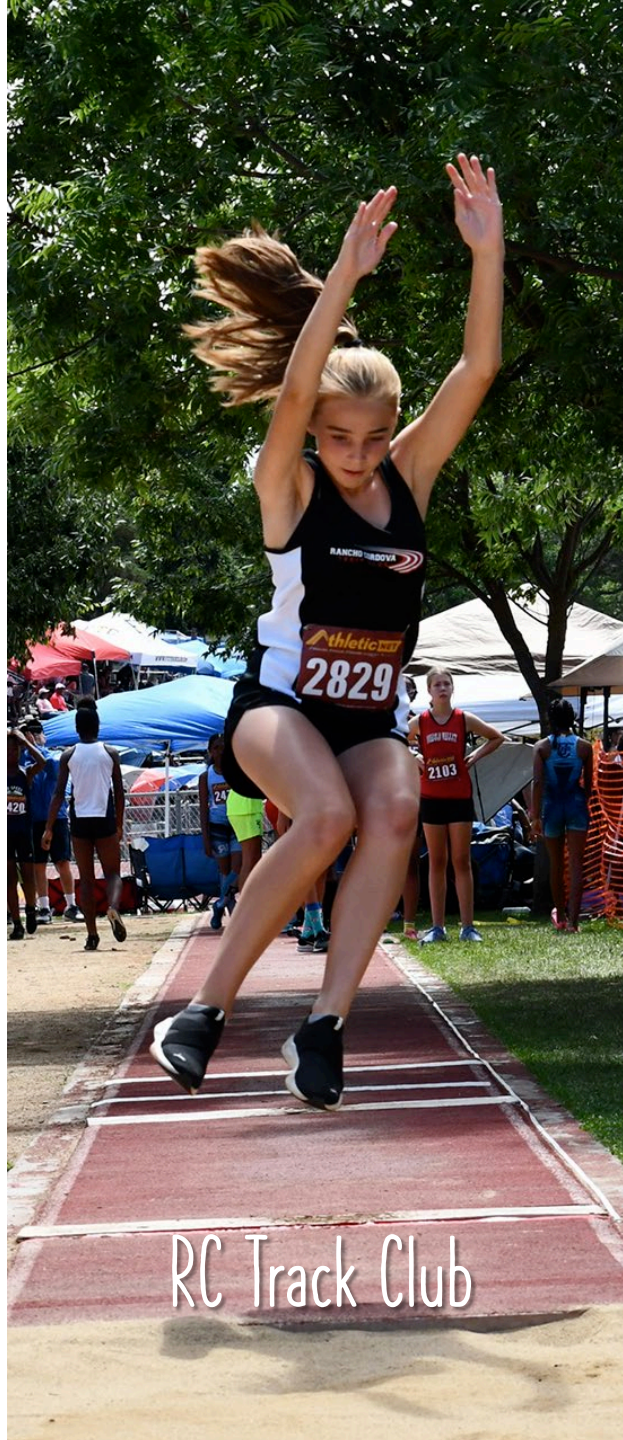
Rancho Cordova
Little League



Cordova Girls
Softball



Cordova
Blue Marlins



RC Track Club



Cordova
Cordettes



Jr. Lancers
Football

We do events. And more.

Daily Email to 16,000

Provide advice and support to fellow Rancho Cordova non-profits

Utility player for the City of Rancho Cordova

All America City Competitions

20th Anniversary Celebration



20 Years Making
Magic Exhibit
Millions Dreams
Musical
Paint the Town
Civic Events Day
Hagan Park
Anniversary Show
Fourth of July
Parade
Fourth of July
Fireworks and
Drone Show



The Million Dreams Musical

The Million Dreams Musical • Part 2

Celebration.....Ar. Jan van Kraaydonck
Sword of the Titans.....Rosano Galante
In 2019 RCRCB Performed the World Coast Premiere
with Guest Composer Q & A

River City.....Jacobs de Haan
In 2015 RCRCB Commissioned/Performed the World Premiere
for the 37th Annual Association of Concert Bands Convention
held in Rancho Cordova

We Built This City.....Ar. Tim Waters
Embark.....Carol Britten Chambers
RCRCB Welcomes the student performers from the
2023 Mendota Music Academy Summer Camp of Rancho Cordova

Proudly They Served.....Jerry Brubaker
In 2020 RCRCB Commissioned/Performed the World Premiere
with Travis APB band members virtually on our YouTube platform

Intergalactic Star Tours.....Scott Hosner
World Premiere Performance for this Rancho Cordova
20th Anniversary Celebration composed by our RCRCB Member

A Million Dreams.....Ar. Michael Brown

Flute
Melanie Foeer
Stephan Phillip
Sandy Walker
Julie Steinbach
Steven Hagaman
Nancy Williams

Oboe
Kathy Gormican

Clarinet
Barbara Patterson
Christina Nordin
Marion Lewis
Barbara Frawling
Patty Salanski
Charlotte Barne
Barbara Tyson
Kim Haggenbart
Doreen Meyer
Vicki Carlson
Janelle Tyson
Maya Schulz

Bass Clarinet
Ann Garcia
Chance Rosales
Abby Koppel

Alto Sax
Phil Lyons
Jeanette Hase
Adam Johnson
Selena Alvarez

Tenor Sax
Rene Johnson
Susan Boring

Bari Sax
Sue Coddington Allen

Trombone
Walter Benjamin
Nick Lowe
Ken Myrick
Kajilee Barnett
Mike Seymour
Roy Wallingford
Tom Wildemann

Horn
Lori May Miller

Trumpet
Gary Johnson
Tom Funk
Mike Goss
Scott Hosner
Chase Dean
Gary Black

Euphonium
Paul Allen
Tom Parkman

Tuba
Craig Vreeland

Percussion
Matt Brown
Chris Kemp
Vee Williamson

Announcer
Larry Thomas

Conductor
Tom Seaton

**LOVE MUSIC.
SHARE MUSIC.
MAKE MUSIC.**

The band's motto says it all.
Our love of music is what brings us together and it is our band family's desire to share music before audiences of diverse backgrounds, foster musical interest among children, and provide performance opportunities for skilled community musicians. We strive to provide a rich social environment to those seeking life enrichment through making music with other adult musicians and the community.

Rancho Cordova
20th Anniversary
20 YEARS
A MILLION DREAMS

rccconcertband.org





Record Setting Fourth of July



Attendance:
27,543

Parking:
3,904 cars

Marching Band
Units: 10

Parade
Entries: 81

Government
Permits: 9

Largest Aerial
Shell: 8"

Aerial Drones:
100

Temp Fencing:
1.1 miles

Beer sales:
\$34,668

Golf Carts: 18

Trash Carts:
158

Website visits:
90,000

**Special
Events**

**Arts &
Culture**

**Youth
Sports**

Preparing for the next 20 years

Capacity Building

Leadership Succession

Attract and retain best employees

New reality costs of doing business

Build on the power of volunteerism

Support fellow non-profits

*Bring people and
organizations together
to build a vibrant
Rancho Cordova*

*Make Rancho
Cordova the envy
of the region*



Recommendation

Adopt the Resolution Authorizing the City Manager to Execute the Third Restated Grant Agreement with the Cordova Community Council Foundation

MEMORANDUM



ITEM 19.2.

DATE: September 5, 2023
TO: Honorable Mayor and Council Members
FROM: Kim Juran, Administrative Services Director
SUBJECT: **PRESENTATION OF AMERICAN RESCUE PLAN ACT (ARPA)
COMMUNITY SURVEY RESULTS AND DISCUSSION OF
COMMUNITY PROJECT IDEAS**

RECOMMENDATION

Receive presentation and provide input.

RESULT OF RECOMMENDED ACTION

Receiving the presentation would inform the City Council on the results of the ARPA community survey conducted in May 2023 and provide an opportunity for feedback on some of the proposed project ideas.

BACKGROUND

On May 10, 2021, the U.S. Department of the Treasury announced the launch of the Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021 (ARPA), to provide \$350 billion in emergency funding for state, local, territorial, and Tribal governments. The Treasury also released guidance on the ways funds can be used to respond to acute pandemic-response needs, fill revenue shortfalls among state and local governments, and support the communities and populations hit hardest by the COVID-19 crisis.

The City of Rancho Cordova's total allocation is \$15,588,333. These funds can be used for costs incurred beginning March 3, 2021. Plans for the use of the ARPA funds must be finalized by the end of 2024 and all funds must be expended by the end of 2026.

The City Council approved an initial allocation of ARPA funds in June 2022. Of this allocation, \$2.5 million was set aside for investment in neighborhoods disproportionately impacted by the COVID-19 pandemic (defined to be neighborhoods in the Qualified Census Tract) to promote improved health outcomes based on a community input process. In May 2023, the City initiated a survey conducted via text message to residents residing in the City's Qualified Census Tract requesting their input on identifying needs in the neighborhood and soliciting potential project ideas. The City received 298 responses to the survey (7% response rate), a response rate that is higher than the 4% average that is typically seen with similar surveys. Attachment 1 to the staff report lists the four questions asked in the survey and the responses received. Questions one and two were multiple choice/ranking and were able to be further categorized by neighborhood of residence, while questions three and four were open-ended and solicited

unfiltered responses.

Since receiving the survey results, a cross-departmental working group of City staff met to review the results and develop a list of project ideas that address some of the issues/concerns and project ideas provided in the survey. The survey questions and responses are included as Attachment 1 to the staff report. The presentation included as Attachment 2 walks through the ARPA survey results and some of the project ideas developed by the internal working group. Staff is interested in receiving input and feedback on the projects ideas and next steps in the process.

FISCAL IMPACT AND FUNDING SOURCE

No Fiscal Impact. This will be a discussion only on the survey results and potential project ideas for the use of \$2.5 million in ARPA funds.

ATTACHMENT(S)

1. ARPA Community Survey Results
2. ARPA Survey Results Presentation

ITEM 19.2.

ATTACHMENT 1

Question 1

The City of Rancho Cordova has set aside \$2.5 million from its Federal American Rescue Plan Act (ARPA) grant for COVID-19 Economic Relief to be used to improve health outcomes in certain local neighborhoods, including yours. Your input will help the City decide how to use the money.

Which of the following are the biggest needs in your neighborhood, if any? (You can choose up to FOUR, if any)

Options	CORDOVA MEADOWS 50	SOUTH WHITE ROCK 112	WHITE ROCK / CORDOVA TOWNE 104
Better streets	40.0% (20)	42.9% (48)	47.1% (49)
Better sidewalks	12.0% (6)	24.1% (27)	25.0% (26)
More street lighting	58.0% (29)	50.0% (56)	41.3% (43)
Nicer landscaping	22.0% (11)	24.1% (27)	25.0% (26)
More safety and security	68.0% (34)	57.1% (64)	66.3% (69)
More nearby businesses and services	32.0% (16)	42.9% (48)	32.7% (34)
Other:	48.0% (24)	25.0% (28)	34.6% (36)

Question 1 "Other" Responses Summary by Category/Theme

Row Labels**Code Enforcement**

Code enforcement really needs help. They are double standard.
Help homeowners fix up their houses who can't do it on their own

Less cars parked on the streets in residential neighborhoods

Spend the money and have them and force cleanup people front yards and backyards.
Stop allowing homes that look like dumps

Stop harassing renters

General Maintenance

I live off Mather- the area needs a lot of clean up!
Making sure there will be no graffiti on public areas or residential areas.

Homeless

Clean up the homelessness
Do something about the homeless population

Get rid of homeless

Help get rid of the homeless
Helping homeless get support. Build some housing to help. We are all human beings...help each other
Homeless drug addict in ml
Homeless shelter with services to help the homeless out of their situation

Homelessness, freeway pedestrian crossings need to be better
More efforts to deal with homelessness and drug addiction.
Permanently help keep the homeless from camping on the sidewalks! Is challenging to walk around.
Removal of transients!!
Services for the homeless
Transient Removal Services

Low income housing

Build public housing for the unfortunate protect the minority
Do something about slum landlords raising rent while providing less services.
Help fix housing for apartments, duplexes homes etc. owners were effected greatly.
Income contingent housing.
Lower rent

More affordable housing/rentals

Nice and low price rentals for seniors
Rent help so landlords can't price us out of our homes

Neighborhood amenities

A park with a neighborhood swimming pool

Community events 4th of July
More kids play areas desperately needed
More parks/ nature walks
Park in the cordova Villa neighborhood

Parks and trails

Soccer complex

Other

Free meals for elderly

Row Labels

I am pleased with my neighborhood just the way it is
Improving access to public transportation

Landscape the Mather field ramp across highway 50th its a ugly first impression
More attention should be given to the Meadows Area of RC. All the improvements are done across tow

raise light rail over roads

Revamp Folsom Blvd east of Coloma
Rule all bills

Public Safety

Better police response on 07/04. The illegal fireworks are awful here.

Camera(s) and corner of Olson and Calle del Sol. Cars frequently run the stop sign.

Cameras need cameras find people that shoot that people around more in Rancho

I don't feel safe going to the local convenience stores, too much rift raft, and distractions.

Keeping the parkway safe.
More police
More sure shot cameras

Officer patrol
Panhandling is illegal and should not be tolerated.
police

Shopping & Entertainment

A small homeless shelter; a movie theatre
eliminate half of the liquor stores long Folsom Blvd

Trader Joe's

Sidewalk maintenance

Better maintenance of overgrowth on sidewalks
Handicap ramps some blocks only have 1 on the entire block (white rock st)

Street Lighting

Any street lighting
My neighborhood has no street lights! Cordova Meadows El Lujo Way and area. Thanks!
Street lighting is basically my top 4. And lights that compliment the neighborhood

Street lighting would take care of the safety and security aspect

Street Maintenance

Fixing of excessive potholes

You really need to repave Mather Field Road. I think it's the worst Road in Rancho Cordova.

Traffic

Better traffic lights

Improved traffic signal timing to improve traffic flow

Limited access to neighborhood
More Code enforcement, more Officers around schools for speeding & parking

Row Labels

More Speed bumps near houses
More speedbumps
Night crews to discourage hot car drivers from intersection wheelies & straight street drag burnout

Speed bump
Speed bumps
Speed bumps needed badly .. speedy is horrible

Speed humps in residential
Speed undulations on Portsmouth Drive, people speed excessively on this street.

Street bumps to slow the speeders down on bravada

Traffic calming, vehicle noise abatement & enforcement

Beautification

neighborhood trees programs
Nicer landscape

Question 2

Which of the following projects to make your neighborhood better and healthier would be most meaningful to you?

(You can choose up to FOUR, if any)

Options	CORDOVA MEADOWS 48	SOUTH WHITE ROCK 114	WHITE ROCK / CORDOVA TOWNE 101
Creating neighborhood green park areas or community gardens	29.2% (14)	45.6% (52)	36.6% (37)
Street and sidewalk improvements to make walking/biking easier	31.3% (15)	46.5% (53)	40.6% (41)
Buying neglected or vacant lots/homes and improving them	47.9% (23)	44.7% (51)	48.5% (49)
Incentivizing more businesses to locate in your neighborhood	50.0% (24)	36.8% (42)	33.7% (34)
Adding more streetlights	58.3% (28)	37.7% (43)	32.7% (33)
Projects that improve physical safety and security	52.1% (25)	54.4% (62)	58.4% (59)
None of these	0.0% (0)	1.8% (2)	4.0% (4)
Other:	12.5% (6)	12.3% (14)	8.9% (9)

Question 2 "Other" Responses Summary by Category/Theme

Row Labels**Beautification**

Landscaping fund to help homeowners that can't afford it

Code Enforcement

Stop harassing renters

Homeless

Build housing or use vacant lots to help homeless

Cleaning up homelessness

Concentrate on homeless agenda.

Do something about the homeless population

Getting the homeless housed. Not just pushing them out of the community but helping them.

Making homes for the homeless

Reducing the homeless population

Low Income Housing

Build public housing business streets landscaping is fine the majority must protect the minority

Buying neglected or vacant lots/homes without gentrifying

Lower income housing opportunities

Lower rent

These are all for people who have stable housing and aren't worried about losing it due to fixed in

Other

Clean up the White Rock area. It's a ghetto.

Fire the mayor if necessary to get the trash company off his butt and go to work for the residence

Government corruption

Have a Veteran's Hall.

Protect the American River from encroachment of development and spend more money to keep it

Sidewalk maintenance

Sidewalks rough for handicap & need kids play area.

Traffic

Speed humps, traffic abatement, traffic light coordination, vehicle noise enforcement

Youth Services

More options for teens

Question 3

Can you think of a smaller project the City or Rancho Cordova could do, maybe \$10,000 or less, that would be very valuable to you and others in your neighborhood? (Please be specific enough that the City could actually do the project)

Responses summarized by Category/Theme**Alternative Transportation**

Put in bicycle rentals at the light rail Station & Colleges. i.e. near Folsom & Mather Field Rd. & near Prospect Park Dr. near the Hall

Beautification

Add flags or banners to street lights and poles.

Allowing homeowners in need to apply for funds to improve their landscaping which improves the overall neighborhood

Approach homeowners for assistance with yard maintenance. Most do not know about other programs

I would like for the City to have an incentive program for residential property owners that would motivate them to clean up, prune, or remove unwanted trees in our neighborhoods. Specifically rental homes that are neglected and that become eyesores.

Paint murals on older buildings. Use Cordova High School talent.

Replace unused pavement with plants.

Code Enforcement

An actually fair and balanced blight patrol focused on important issues

Clean up White Rock rd.

Keep blank lots groomed more

Please help clean up the SHRA (I think) apartments and duplex's. They look so trashy. Landscaping, lighting, and increasing code enforcement would be amazing

Stop harassing renters

General Maintenance

Cleaning the gutters along the streets.

Fire the management who is involved with trash service. An attitude typical of City RC - no one is EVER available for resident who have issues. Thanks for asking!

Question 3

Can you think of a smaller project the City or Rancho Cordova could do, maybe \$10,000 or less, that would be very valuable to you and others in your neighborhood? (Please be specific enough that the City could actually do the project)

Responses summarized by Category/Theme

Trash removal and general cleanup at light rail stations, empty lots, store fronts, etc

Trash should be picked up at least weekly between Zinfandel Drive and Mather Field Road on Hwy 50. The trash is disgusting and looks like we live in the slums.

Homeless

Clean up the homeless trash left in shopping centers, parks and bus stops

Get rid of the homeless

Help homeless be out in the streets sleeping

Homeless camp cleanup

Move homeless and return them to their Republican families who abandoned them.

Remove the transients!

Shelter for the homeless

Tiny homes for some homeless persons. Maybe the lot by RCPD, will keep it in check and safe.

Use that money to provide fresh water and/or weekly mobile shower and laundry stations for the homeless people.

Low income housing

Create a program to help provide housing and medication for homeless people

Create more safe and useable spaces for the unhoused.

Improve neglected housing

Lower rent

Neighborhood amenities

Question 3

Can you think of a smaller project the City or Rancho Cordova could do, maybe \$10,000 or less, that would be very valuable to you and others in your neighborhood? (Please be specific enough that the City could actually do the project)

Responses summarized by Category/Theme

A designated dog park near Data/International

A small addition of swings or other small play structures

Add another park.

botanical gardens with flowers, butterflies, waterfalls and ponds with fishes

Build a community garden

Create a large community garden for residents to grow their own food, that's empowering your people!

Create community gardens.

Dog park

Fix broken playground equipment at White Rock park

Food forest garden with walking paths that would allow residents to pick fresh fruit and vegetables. It could start small and grow over time. You could plant only drought resistant varieties to make it easy to maintain. Street art to beautify the area. When there is more art, there is less graffiti and vandalism. I'm sure some good artists would volunteer their time. You would only need to buy paint.

I love the neighborhood garden idea!

I think it would be wonderful to put in a community garden

More biking and walking trails

More dog parks

More parks

Neighborhood gardens

Plant more drought tolerant, native plants

Question 3

Can you think of a smaller project the City or Rancho Cordova could do, maybe \$10,000 or less, that would be very valuable to you and others in your neighborhood? (Please be specific enough that the City could actually do the project)

Responses summarized by Category/Theme

Play area for kids. Walking trail. Community garden.

Replacing current landscaping with native plants.

Small dog park ...

Start a community garden with fresh fruits and vegetables and can teach people how to do this at home as well

Neighborhood engagement

Do a meet the community night with pizza, jump houses, maybe movie in the park.

Other

Do something great at the 4th of July event that expresses gratitude to our police. Make Rancho the place cops want to serve.

Get rid of the scumbags

Help in home Daycares that rent properties to improve their homes to improve their businesses.

Help me open WOOF! For daycare and boarding of pups in our area

I am not sure Rancho has a Library or not , but I would like to see a Libray in Rancho Cordova!

Maybe build a boys and girls club,or help apartment owners (Stu Fretz) fix his roofs,he lost over 100k from Covid and storms. At Mills Tower apartments 916-910-8983

Nothing specific.

Pay public transportation workers more! They provide a very valuable service.

Sun covers for play areas in parks

Utilize existing incentives for solar panels and pay the difference for seniors. This would free up money for their basic needs.

What project costs under ten thousand these days?

Question 3

Can you think of a smaller project the City or Rancho Cordova could do, maybe \$10,000 or less, that would be very valuable to you and others in your neighborhood? (Please be specific enough that the City could actually do the project)

Responses summarized by Category/Theme**Public Safety**

Clean up the McDonald's parking lot and Shell gas parking lot. Lots of drug dealing. Zinfandel and White Rock Road.

I love Rancho Cordova and I would love to see more visible police presence in the residential areas. Thanks.

Make our bike trail safe for the residents of Rancho Cordova

Mobile police camera stand, whatever the white thing with wheels and blue beeping/ multiple mounted cameras. Or \$10k of police patrol. There has been 4 shootings in my neighborhood in the past 2.5 years I've lived here.

More officers visible so petty theft doesn't fall by the wayside

near schools put police to write tickets to all the jay walking parents and students cutting between cars.

Porch pirates are a major problems in RC. Have Fed Ex deliver dummy packages with GPS inside of computer, or whatever so you can find the merchandise and prosecute the thieves. The more merchandise they have the longer they stay in jail.

Replace traffic cameras with police officers

Stop porch priates. Maybe drones that follow amazon drivers incognito in different areas just like the crooks do on a rotation.

Shopping & Entertainment

1.all year Attraction park for kids. 2.Zip line park 3.botanical gardens with flowers, butterflies, waterfalls and ponds with fishes

all year Attraction park for kids

Community farmers market

Have a farmers market. Create or introduce more remote jobs that are a good fit with people who have a hard time finding work without enough experience.

Provide a location where street vendors can sell their products. This benefits community's as well propaganda for the businesses. Host once a month or I. The weekend something similar to the farmers market on sunrise and Folsom blvd

RC needs more family fun stuff, like a bowling alley like we had decades ago. Also upgrade the Drive Inn movie

Question 3

Can you think of a smaller project the City or Rancho Cordova could do, maybe \$10,000 or less, that would be very valuable to you and others in your neighborhood? (Please be specific enough that the City could actually do the project)

Responses summarized by Category/Theme

small grocery store closer to light rail maybe a Dog park

We need a Bowling alley with kids game and adult games and sports bar.

Zip line park

Sidewalk Maintenance

Add trash cans along sidewalk so people don't throw their trash and dog poop bags everywhere.

Buy a street sweeper for sidewalks on Folsom Blvd and Olson Dr. Routinely lists of broken glass bottles. Recurring.

They could repair the damage sidewalks

Street Lighting

1. Install street lights in the Meadows area because we have NONE currently. 2. Install speed bumps in the intersections which would deter late night drivers who want to "do donuts " while citizens try to sleep. 3. Trash should be picked up at least weekly between Zinfandel Drive and Mather Field Road on Hwy 50. The trash is disgusting and looks like we live in the slums. 4. I love Rancho Cordova and I would love to see more visible police presence in the residential areas. Thanks.

I live on Laurelhurst Dr. In a duplex going towards white rock we need more lights on our block it's pitch black I can't water my grass with just my porch light or when I park on the street can't see if someone is walking up on me

Install street lights in the Meadows area because we have NONE currently.

Street cleaning of litters and more street lights and improve traffic intersections.

Switch out inefficient lightbulbs on street lights, and place bike racks in more places.

Street Maintenance

Fix potholes

Fix the potholes

Question 3

Can you think of a smaller project the City or Rancho Cordova could do, maybe \$10,000 or less, that would be very valuable to you and others in your neighborhood? (Please be specific enough that the City could actually do the project)

Responses summarized by Category/Theme

fix the potholes you [RESTRICTED] slumlords

Plant trees and repair the sidewalks and potholes

Research how to better improve roadway surfaces(so new pot holes don't appear each month) and update street sweeping schedules so that they can be swept weekly. or add a light near costco entrance relocate the meat processing plant (it stinks bad)

Street sweeping. There is so much glass everywhere.

Traffic

2 more stop signs on Mills Park drive so residents can safely cross the street and cars from side streets can safely enter Mills Park Drive.

Add cameras to the Matter Field Rd exit intersections, which commonly have people running red lights and causing accidents.

Add physical separation for bike lines with bollards on Zinfandel

Add speed undulations on Portsmouth Drive to cut down on the speeding.

Adding more speed tables in neighborhoods specifically (White Rock/ Portsmouth Drive)

better yet install cameras to monitor activities like near apartments n local shopping areas in public areas to deter crime. Breaking into cars n apartments as we know does happen sadly terrifying

Enforce traffic laws in neighborhoods and around schools when classes are getting out

Install speed bumps in the intersections which would deter late night drivers who want to "do donuts " while citizens try to sleep.

More speed bumps. We are next to a 25 mile turn and cars are constantly coming around the corners at high speed. There has been several accidents. Not safe and children walk this way to get to the nearby school

put in speed bumps

Red light cameras cause people driving are crazy

Speed bump on White Rock road or Evadna dr close to White Rock elementary school!

Speed bumps and lighting

Question 3

Can you think of a smaller project the City or Rancho Cordova could do, maybe \$10,000 or less, that would be very valuable to you and others in your neighborhood? (Please be specific enough that the City could actually do the project)

Responses summarized by Category/Theme

Update speed bumps on Laurelhurst to slow speed drivers

Youth Services

A youth center.

Educate adolescent males on how to respect women, their parents, and our community.

Youth involvement activities that they engage with the elderly

Question 4

Any other comments or suggestions about how the City of Rancho Cordova could help make your neighborhood better for you and other residents?

Responses summarized by Category/Theme**Beautification**

Clean up litter!

Clean up the areas around/close to Folsom boulevard. Do something to address the homeless that camp in parks and near Highway 50.

Clean up the streets and encourage people to do the same n

Continue to improve Folsom Blvd

Create low cost studio spaces for artists and other creatives. Have community mural projects.

Grants to owners of 30 yr old houses to provide updates/improvements to prevent slums from forming

Help homeowners make outside home improvements. Landscaping, painting, repairs.

I have lived in cordova villa 40 years it's came a long ways that ramp across HY 50 On Mather field rd Has been the same for years neglect is more like it up grade that and then you will see other improvements you should make. I like Rancho thank you Vietnam Vet

Code Enforcement

Better enforcement by code enforcement of parking codes. Almost daily I see people out and about with vehicles with tags well over a year expired. Also, commercial trucks keep parking in residential areas on the weekends when they know they will not be ticketed.

Code enforcement on the streets

Excessive noise from modified vehicles is seriously impacting the quality of life in Rancho Cordova. Dozens of times my neighbors and I have expressed concerns about this, but the city refuses to do anything meaningful.

Focus effort on the Folsom/Sunrise corridor

Keeping residents lawns cut more to make the niebor more presided

Limits on noise.

Maybe be more proactive with code enforcement. I see run down cars and crap on the streets all the time. But nothing is ever done.

More code unforced

Quit allowing residents to park on their lawns and work on cars and blocking fire hydrants

Homeless

Question 4

Any other comments or suggestions about how the City of Rancho Cordova could help make your neighborhood better for you and other residents?

Responses summarized by Category/Theme

Address the homeless issues. Our city is becoming undesirable. There are tents in our community parks where the children go to play. It may be unsafe due to possible mental illness

Clean out the homeless & more police to deal with the vagrants, vandals, and criminals.

Clean up the homelessness. We are better than this. It's not safe for the homeless, other residents of the city. And, we all deserve better. ♥♥♥

Cleaning up the homelessness

Enforce the existing laws.. no homeless people living in the parks ..better restrooms in our parks , better maintenance . Thank You

Fix lights/potholes. Lot of homeless people as well, so should probably figure that out.

get rid of the homeless one by one

Get rid of the homeless.

Get the homeless campers off the parkway and out of the parking lots of local businesses.

Have affordable housing for the homeless. Landlords should not be able to raise the rent without improvements to our homes put a cap on how much they can raise it

Helping homeless out of the streets

Homeless camps and crime rates have gotten worse since Covid

Homeless services. Lots of service referrals but NO actual permanent assistance, esp for shelters and housing.

Homeless situation,need more mental health treatment facilities

Homelessness and drug addiction had been major issues as of late. I had to quit working at Amtrak because it became a homeless camp. California's economy needs to stop forcing people to fall off like that. We all need to be better.

Housing the homeless

I think you all do a wonderful job but we do have a homeless problem that needs more work.

Need to help the homeless

Remove homeless next to 99 cent store

Remove the transients!

Shelter to house the homeless... Closer bus stops.

Question 4

Any other comments or suggestions about how the City of Rancho Cordova could help make your neighborhood better for you and other residents?

Responses summarized by Category/Theme

Stop worrying about people's dead lawn and focus on homeless mental health issues

Tired of the homeless having more freedoms than normal citizens.

Too many homeless people staying in the car in rancho streets and they leave their trash in the street ! Find a solution for that please

Low Income Housing

Lower rent

Purchasing and rehabilitating homes to get people off the streets and out of our neighborhoods and business areas

There's a big project in rancho Cordova make competition for land barons and what the United States did to combat the great depression build public housing for the minority that is our duty as U. S. Americans to fight for the minority . Our children witness what a lousy job we're doing to see people poor living on the streets yes we give them food but they can freeze the death in the dirt it's disgusting it's exactly what the Nazi party did in Germany and they paid for it in the Nuremberg trials straighten up City fathers I might be the one prosecuting you for the improper procedure of public authority and for per verification to your oath as a fiduciary duty in federal court violation of due process is 7 years in prison

Neighborhood Amenities

"More security" is not needed. There's already a ton of police/security in Rancho and they do not reduce crime or increase safety. Focus on implementing projects that create safer neighborhoods that is used by all, rather than installing cameras/police beacons or funding that doesn't not actually improve the community. Public funds need to be used on public amenities, safety, and health.

Keep doing what you've been doing Consider starting some neighborhood gardens to help educate children, provide healthy food for participants, clean up vacant lots, and bring the community together by working together. What a wonderful idea!

More dog parks

More parks toddler friendly

More trees!

Native plants in parks and landscaping

No car areas with parks attached.

Plant fruit trees all around town!

Question 4

Any other comments or suggestions about how the City of Rancho Cordova could help make your neighborhood better for you and other residents?

Responses summarized by Category/Theme**Other**

A hospitol kaiser in rancho near the kaiser on international

All lives matter. Stop focusing on mostly one skin color.

Develop bike paths from populated areas into business districts that insure bikers can have a safe commute

Do not build the community center ariss from the Mather station. We already have people setting up camp at FLC. It will happen there too. My house value will decrease. There has to be something better.

Do something about the people at residential hotels

Don't let people abuse government aid. ie-don't give money to people for having babies and let them spend it on drugs and alcohol

Don't know at this time.

Easy DI transportation for wheelchairs. Paratransit needs 1 day notice. It's harder to travel at night. Hard to see. No Uber etc to pick you up.

Everything you listed are cosmetic changes, we need to think deeper and give help to the families and individuals who are most in need. Nicer sidewalks are not going to improve lives much. Help those who are really struggling.

Firebudge

Food, clothes & shelter voucher for those in need. Thank you

Get rid of section 8 apartments

government totally sucks

Help those in need. Support community...all of it...housed, lgbt, asain, black, unhoused, dog owners, cat owners... instead of taking away people's things and making them "move" help them... where can they live peacefully?

I feel the city is doing a very good job!

I live in the Lincoln Village Neighborhood, and it's very nice. Quiet, very little crime I'm aware of. We could use a fire hydrant on my street, as I don't see any around me.

Improve our school systems and give our children an education they can be proud of.

Increase medical care options in Rancho Cordova.

Question 4

Any other comments or suggestions about how the City of Rancho Cordova could help make your neighborhood better for you and other residents?

Responses summarized by Category/Theme

Keep up the good work! I have been happy with the improvements made since becoming a city.

More bike paths

N/A

No comment!

offer more housing to veterans. help get the homeless off the streets and properly cared for. bring in a trader joes and whole foods. remove 5g towers. supply school district with buses to pickup kids.

Please keep us informed of decisions

please do something about upholding laws....police hands are tied

Provide a Saturday free paddle boat ride at Hagen Park. Big pond area.

Revitalizing business centers and residential areas without gentrifying

Stop harassing renters

Thank you :)

Thank you!

Too many liquor stores in neighborhoods. is it really necessary to have a liquor store every 1000 ft? I realize many of them are probably grandfathered in, but in my opinion, that is the biggest blight of Rancho Cordova.

WE LOVE LIVING IN RANCHO! Best city EVER!!!

You are doing a good job.

Public Safety

"More security" is not needed. There's already a ton of police/security in Rancho and they do not reduce crime or increase safety. Focus on implementing projects that create safer neighborhoods that is used by all, rather than installing cameras/police beacons or funding that doesn't not actually improve the community. Public funds need to be used on public amenities, safety, and health.

Assist with doing away with community mailboxes that are being broken into and the PO will not assist residents at all.

Better police response time. Recently had an issue of someone sitting in front of the house and drinking. Response time was ridiculous and the person left, putting other people at risk.

Question 4

Any other comments or suggestions about how the City of Rancho Cordova could help make your neighborhood better for you and other residents?

Responses summarized by Category/Theme

Have a small police neighborhood station so that will weed out the people trying to do criminal activities or more churches

Have the police actually do there jobs and show up in a timely manner instead of never coming.

I love how our police department responds to crime. Lets keep keeping our police officers visible to send msg "follow the law" or get out.

Improve response time for police calls (emergency and non-emergency).

Improve training for RCPD

Make bike lanes safe, add security cameras and security personnel to drive through once in a while

More cops, more cops, and more cops

More officers so petty crimes fall through the cracks. Hard working families deserve to have their assets protected from lowlives stealing!

More park safety

More police

More police sightings

More security

Provide local security for businesses in high theft areas

Stop the illegal fireworks. We don't know if it's gun shots or not. Cops don't issue any citations on the 4th at west LA Loma and Folsom. I'm a Vietnam veteran it brings back really bad memories and my service dog  does crazy. All my neighbors have dogs are upset but the police do care.

Take care of the people on drugs in the shopping centers near the light rail. They do drugs in the parking lots in broad daylight

We need more policing, and Rancho needs to do something about the homeless people hanging around businesses. I can't even put air in my tires, because there is always a homeless person, or several, hanging around the gas stations. I don't feel safe doing basic things in my own city.

Yeah, reduce crime. This place is a hot bed for it. Second, get the community involved in ways to make a difference. That's how it starts...

Shopping & Entertainment

A concert venue would be sick

Bring in a Trader Joe's store to Rancho

Question 4

Any other comments or suggestions about how the City of Rancho Cordova could help make your neighborhood better for you and other residents?

Responses summarized by Category/Theme

Community Center. Thanks for asking for my suggestions. Kim GOLDSWORTHY.

I always wished we had better coffee shops in town, something besides Starbucks. Excited that Sprouts came to Rancho, wish we had a Trader Joe's as well. We always prefer spending money at small shops instead of big box stores.

Improve the maintenance of parks and encourage a Trader Joe's to move into the area.

We need more restaurants like Citrus Heights and Folsom.

Street Lighting

Better lighting,better streets,nicer parks

Install street lights Speed bumps More police presence

Just need more street lights

Lights, lights and lights

Our neighborhood is pretty nice and people keep it that way. There are a few that don't care and it would be nice to find incentive for them to change that. Street lighting would help improve safety and add character. Having some smaller businesses and working with existing ones to appeal more would be great. We don't need another Starbucks or Dutch bros., places people can just go and be together would be great. Really focus on community!

Seriously though, street lights are something that make the community of available in the evenings and nights. So many people walk and bike to work, so many kids play outside, having working street lights in our neighborhoods would mean safety and comfort for everyone. I don't feel comfortable with the cameras watching our streets, police cameras are up there and we're spending so much money on keeping them going while we sit in the dark. Unbelievable!

Street Lights

Traffic

1. Change the lights on Coloma so you can drive through intersections without having to stop at every one of them. 2. Change the light on Mather (by 7/11) so more than 3 cars may turn on the arrow. 3. Ticket parents and children who don't cross at crosswalks or corners near the schools. 4. Remove the stop light for an apartment building on Folsom. There is a corner and light nearby. 5 Ticket or confiscate the bikes of those who drive against traffic. 6. Lower speed bumps so drivers can safely drive the speed limit.

1. Evaluate current traffic patterns in high-use areas. It's become very difficult to safely get in and out of Target shopping area and traffic is often backed up for several blocks. 2. Be more aware of likely residential considerations when approving large industrial-heavy construction projects, such as the air and environmental impacts it will have on current and future residents. I'm especially thinking of the area near the new Sprouts.

Controlling speed limits in neighborhoods. People are driving too fast around children.

Question 4

Any other comments or suggestions about how the City of Rancho Cordova could help make your neighborhood better for you and other residents?

Responses summarized by Category/Theme

Do not move forward on the project next to the community College until traffic flow has been improved by a mass transit overpass over Mather Field Rd. Plus installing sound barriers to prevent concert noise and large events noise from invading our neighborhood. We will also need to have gated access to our community to keep our neighborhood from becoming a through fare as the congestion expands.

I live on El mercado drive and we do not have a traffic barrier even though all the other streets around here do, be nice we can have one here

Just the speed bump. Croydon just off Mather, people speed down this road. Especially rush hour

lower the speed bumps so it you don't ruin the alignment of everyone's car even

More police to address speeding cars and cars that don't stop at stop signs.

More speedbumps near Cordova Meadows and the whole surrounding neighborhood

Please add more speed bumps. We are tired of people speeding down our streets when kids are out playing

Speed bumps and lighting to feel safer and safer to cross the street

Speed bumps needed on La Loma next to the school. There are no street lamps in the area either

Speed bumps to protect dogs. and maybe deter late night street racers.more cops. Scavengers are going through my trash cans late at night on Olsen drive.

Speed humps that actually slow traffic. The one on Olson Dr between Hunt and Grayson does not slow down cars and is a danger

We @ California Jazz, need speed bumps placed on Reserve drive to stop cars racing, donuts, it's just a matter of time before they go into someone's home possibility injuring or killing people inside.

Street Maintenance

Better lighting,better streets,nicer parks

Just maintain the roads better. Thank you

More frequent street sweeps

Streets need cleaned weekly.

Tell us the days our particular street will be swept.

The roads are in dire need of fixing/major face lift

Yes repave Mather Field Road. It's terrible

ARPA Community Survey

September 5, 2023

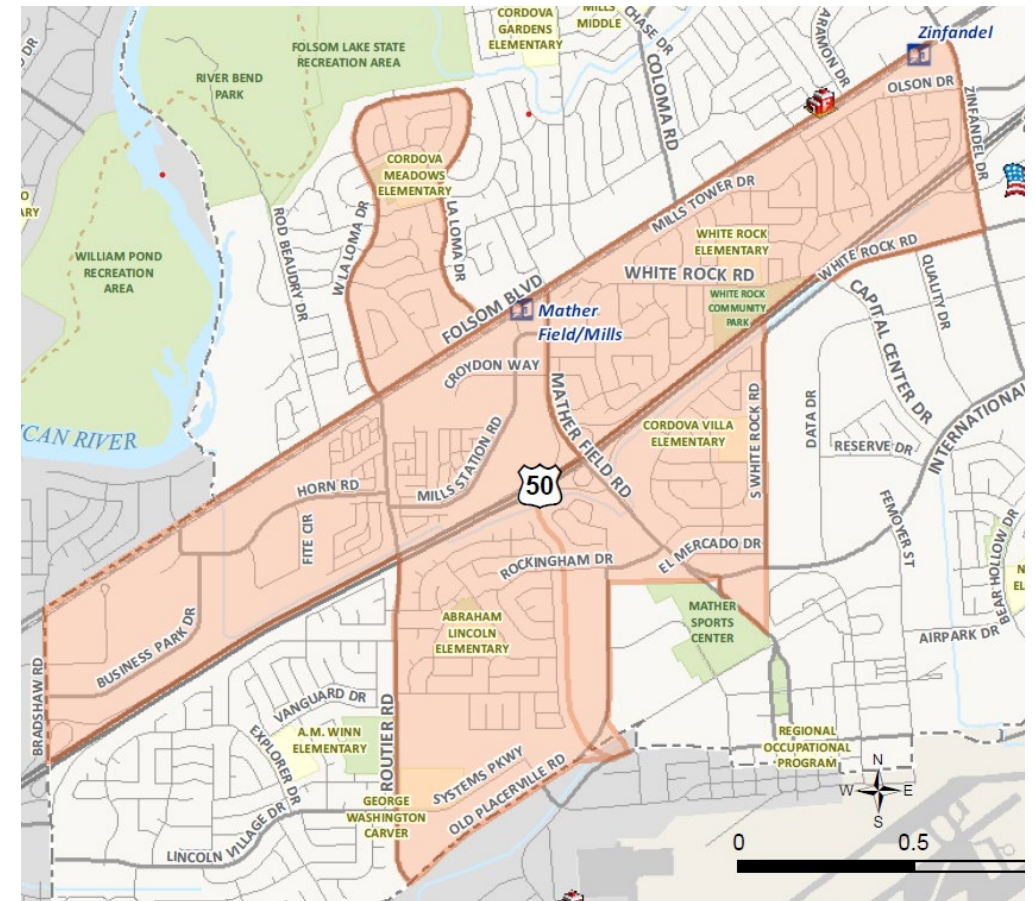


ARPA Allocation

Category	Proposed Projects/Programs	American Rescue Plan Act
COVID-19 Response & Recovery Economic Development Community Development	Workforce Development/Community Support	1,000,000
	Business Support	3,000,000
	Food Locker Capacity Building	350,000
	Non Profit COVID-19 Recovery & Support	500,000
		4,850,000
Affordable Housing Homelessness Assistance to Households	Neighborhood Services Homeless Enhancements	152,000
	Mather Veteran's Village Phase IV (\$2M of matching funds from Sac County ARPA)	2,000,000
	Crossings at Woodberry Phase II	1,000,000
	Small Site Homeless Housing Program	300,000
	Childcare support & assistance	250,000
		3,702,000
Public Works Infrastructure/Maintenance	Stormdrain improvements to Monier Circle to provide relief to local businesses	2,000,000
	Broadband and Public Wifi	500,000
	Mather Field Road Corridor Enhancements	500,000
	Pedestrian improvements in Cordova Towne	619,333
	Pedestrian improvements in Countryside Neighborhood	917,000
		4,536,333
Assistance to Disproportionately Impacted Households & Communities	Investment in neighborhoods to promote improved health outcomes (based on community input process)	2,500,000
		2,500,000
Total		\$ 15,588,333

Community Survey

- Survey Launched Friday, May 5, 2023 and ended on May 12, 2023
- Survey was sent via text to residents in the City's Qualified Census Tract area
- 298 respondents (7% response rate)
 - South White Rock 42%
 - White Rock/Cordova Towne 39%
 - Cordova Meadows 18%
 - Mather Business Park 1%



Survey Results – Question 1

The City of Rancho Cordova has set aside \$2.5 million from its Federal American Rescue Plan Act (ARPA) grant for COVID-19 Economic Relief to be used to improve health outcomes in certain local neighborhoods, including yours. Your input will help the City decide how to use the money.

Which of the following are the biggest needs in your neighborhood, if any? (You can choose up to FOUR, if any)

Options	CORDOVA MEADOWS 50	SOUTH WHITE ROCK 112	WHITE ROCK / CORDOVA TOWNE 104
Better streets	40.0% (20)	42.9% (48)	47.1% (49)
Better sidewalks	12.0% (6)	24.1% (27)	25.0% (26)
More street lighting	58.0% (29)	50.0% (56)	41.3% (43)
Nicer landscaping	22.0% (11)	24.1% (27)	25.0% (26)
More safety and security	68.0% (34)	57.1% (64)	66.3% (69)
More nearby businesses and services	32.0% (16)	42.9% (48)	32.7% (34)
Other:	48.0% (24)	25.0% (28)	34.6% (36)

Survey Results – Question 2

Which of the following projects to make your neighborhood better and healthier would be most meaningful to you?

(You can choose up to FOUR, if any)

Options	CORDOVA MEADOWS 48	SOUTH WHITE ROCK 114	WHITE ROCK / CORDOVA TOWNE 101
Creating neighborhood green park areas or community gardens	29.2% (14)	45.6% (52)	36.6% (37)
Street and sidewalk improvements to make walking/biking easier	31.3% (15)	46.5% (53)	40.6% (41)
Buying neglected or vacant lots/homes and improving them	47.9% (23)	44.7% (51)	48.5% (49)
Incentivizing more businesses to locate in your neighborhood	50.0% (24)	36.8% (42)	33.7% (34)
Adding more streetlights	58.3% (28)	37.7% (43)	32.7% (33)
Projects that improve physical safety and security	52.1% (25)	54.4% (62)	58.4% (59)
None of these	0.0% (0)	1.8% (2)	4.0% (4)
Other:	12.5% (6)	12.3% (14)	8.9% (9)

Survey Results – Question 3

Can you think of a smaller project the City or Rancho Cordova could do, maybe \$10,000 or less, that would be very valuable to you and others in your neighborhood? (Please be specific enough that the City could actually do the project)

Top Categories/Themes

- Neighborhood Amenities (23)
 - Community Garden (10)
 - Dog park (4)
- Traffic (14)
 - Speed concerns (8)
- Public Safety (9)
- Homeless (9)
- Shopping & Entertainment (9)
- Beautification (6)

Survey Results – Question 4

Last question - Any other comments or suggestions about how the City of Rancho Cordova could help make your neighborhood better for you and other residents?

Top Themes

- Homeless (24)
- Public Safety (20)
- Traffic (15)
- Code Enforcement (9)
- Beautification (8)

Brainstorming – Project Ideas

- Targeted CEPTED analysis for interested businesses or neighborhoods – grant funding for identified improvements
- Grant program to install street lighting @ private residences
- Dog park(s) – potential location in existing parks or available vacant lots
- Community Gardens (potential partnership with Soil Born Farms) – available vacant lots or existing parks
- Address speeding/traffic safety concerns with NTMP projects in Cordova Meadows and South White Rock
- Parklets (in the Right Of Way)



Council Feedback

- Any project ideas or concepts that you do not want staff to pursue?
- Other project ideas?
- Provide direction on how you would like staff to proceed