

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BEAUMONT AMENDING SECTION 12.08.010 OF THE BEAUMONT MUNICIPAL CODE CONCERNING SCADA DESIGNS AND WET WEATHER FLOW CALCULATIONS FOR PUBLIC SEWER SYSTEMS WITHIN THE CITY**

WHEREAS, Section 12.08.010 of the Beaumont Municipal Code provides, in pertinent part, that the Eastern Municipal Water District's ("EMWD") standards apply to the construction of sanitary sewer facilities.

WHEREAS, the City Council wishes to amend Section 12.08.010 of the Beaumont Municipal Code to provide that the Supervisory Control and Data Acquisition (SCADA) system shall meet City provided guidelines;

WHEREAS, the City Council wishes to amend Section 12.08.010 of the Beaumont Municipal Code to provide for more conservative wet weather design flow criteria utilizing the factors established in the East Valley Water District's (EVWD) master plan.

NOW, THEREFORE, be it ordained by the City Council of the City of Beaumont as follows:

**SECTION 1. CEQA.** The City Council finds that the actions contemplated by this Ordinance are exempt from the California Environmental Quality Act ("CEQA") pursuant to, 15060(c)(2), 15061(b)(2), 15061(b)(3) CEQA review is not required because there is no possibility that this Ordinance may have a significant effect upon the environment and the proposed text amendments constitute a minor alteration in a land use limitation under CEQA Guidelines 15305, and 15301 (Existing Facilities), 15321, (Enforcement Actions by Regulatory Agencies).

**SECTION 2. Severability.** The City Council hereby declares that if any provision, section, paragraph, sentence, or word of this Ordinance is rendered or declared to be invalid or unconstitutional by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, such invalidity shall not affect the other provisions, sections, paragraphs, sentences, or words of this Ordinance, and to this end the provisions of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed, and the balance of the Ordinance enforced.

**SECTION 3. Prosecution of Prior Ordinances.** Neither the adoption of this Ordinance nor the repeal of any other ordinance of this City shall in any manner affect the prosecution of any violation of any City ordinance or provision of the City of Beaumont Municipal Code, committed prior to the effective date hereof, nor be

construed as a waiver of any penalty or the penal provisions applicable to any violation thereof.

1. Sections 12.08.010 of the Beaumont Municipal Code is hereby amended in its entirety to read as provided in **Exhibit "A"** attached hereto and made a part hereof by this reference.

2. **SECTION 6. Effective Date and Publication.** The Mayor shall sign and the City Clerk shall certify to the passage of this Ordinance and cause the same or a summary thereof to be published within 15 days after adoption in accordance with Government Code Section 36933. This Ordinance shall take effect 30 days after adoption in accordance with Government Code Section 36937.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Beaumont, California, approves an amendment to the City Code.

**INTRODUCED AND READ** for the first time and ordered posted at a regular meeting of the City Council of the City of Beaumont, California, held on the 16<sup>th</sup> day of March, 2021, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Beaumont, California, held on the 6<sup>th</sup> day of April, 2021.

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Lara, Mayor

Attest: \_\_\_\_\_  
Steven Mehlman, City Clerk

Approved as to form:

\_\_\_\_\_  
John O. Pinkney, City Attorney

**EXHIBIT "A"**

## **12.08.010 - Adoption of standard specifications and submission of improvement plans and technical studies.**

The most current editions of the following specifications are hereby adopted as the standard specifications for all public works within the City:

- A. *For Streets:* Riverside County Ordinance No. 461;
- B. *For Flood Control Facilities:* The Riverside County Flood Control and Water Conservation District's Standards for Flood Control Facilities.
- C. *For Sanitary Sewer Facilities:* The Eastern Municipal Water District's Standards for Sanitary Sewer Facilities. Notwithstanding anything to the contrary in this subsection "C", the Supervisory Control and Data Acquisition (SCADA) system design criteria shall be per City provided guidelines. Notwithstanding anything to the contrary in this subsection "C", the wet weather design flow criteria shall utilize the factors established in the East Valley Water District's (EVWD) master plan.
- D. *For All Other Public Works:* The Standard Specifications for Public Works Construction, edited by the Southern California Chapter of the American Public Works Association and the Associated General Contractors of America;

Each and all of the regulations, provisions, penalties, conditions and terms of the above-listed standard specifications, most current editions thereof, are hereby referred to, adopted and made part of this Chapter, as though fully set forth herein.

Improvement Plans and Technical Studies for Public Works shall be subject to the following expiration terms:

- A. *Street Improvement Plans:* If a permit for street improvement plans is not secured within 12 months of plan approval by the City, such plans shall expire, and no permit shall be issued based on such expired plans. Once street improvement plans so expire, new or revised plans shall be submitted by the applicant which shall, notwithstanding anything to the contrary, strictly comply with all of the requirements applicable to new street improvement plan applications under the Beaumont Municipal Code at the time of resubmission including, but not limited, specifications, design guidelines and criteria, plan check and approval by the City and payment of all application and other fees.
- B. *Storm Drain Improvement Plans:* If a permit for storm drain improvement plans is not secured within 12 months of plan approval by the City, such plans shall expire, and no permit shall be issued based on such expired plans. Once storm drain improvement plans so expire, new or revised plans shall be submitted by the applicant which shall, notwithstanding anything to the contrary, strictly comply with all of the requirements applicable to new storm drain improvement plan applications under the Beaumont Municipal Code at the time of resubmission including, but not limited to, specifications, design guidelines and criteria, plan check and approval by the City and payment of all application and other fees.

C. *Sewer Improvement Plans:* Expiration of sewer improvement plans shall be as provided in the Eastern Municipal Water District's Standards for Sanitary Sewer Facilities. Once sewer improvement plans so expire, new or revised plans shall be submitted by the applicant which shall, notwithstanding anything to the contrary, strictly comply with all of the requirements applicable to sewer improvement plans applications under the Beaumont Municipal Code and Eastern Municipal Water District Standards for Sanitary Sewer Facilities in effect at the time of resubmission including, but not limited to, specifications, design guidelines and criteria, plan check and approval by the City and payment of all application and other fees.

D. *Technical Studies:* Hydrologic and hydraulic studies, sewer studies, traffic studies, and estimates of probable cost shall be valid for a period of one year from the date of approval of the same by the City after which they shall expire and no entitlement, permit or approval shall be issued based on such an expired study or estimate. Once hydrologic and hydraulic studies, sewer studies, traffic studies, and estimates of probable cost so expire, new or revised studies or estimates shall be submitted by the applicant which shall, notwithstanding anything to the contrary, strictly comply with all of the requirements applicable to the same under the Beaumont Municipal Code in effect at the time of resubmission including, but not limited to, design guidelines and criteria, review and approval by the City and payment of all application and other fees.