

ORDINANCE NO. 1639

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI AMENDING CHAPTER 13.12 OF THE LODI MUNICIPAL CODE BY REPEALING AND REENACTING SECTION 13.12.195, RELATING TO DOWNTOWN BUSINESS DISTRICT CAPACITY FEES; AND AMENDING CHAPTER 15.04 OF THE LODI MUNICIPAL CODE BY REPEALING AND REENACTING SECTION 15.04.55 SPECIAL INSPECTIONS-DOWNTOWNBUSINESS DISTRICT

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. Chapter 13.12- Sewer Service - is hereby amended as follows:

Section 13.12.195 -Downtown Business District **Capacity** Fees is hereby repealed and reenacted to read as follows:

13.12.195 Downtown Business District Capacity Fees

- A. The City Council finds and declares that the central area of Lodi as defined in this chapter, which is the traditional center of the City's business community, is presently in danger of losing economic viability. The purpose of this section is to protect a crucial part of Lodi's economy and preserve a portion of the City's heritage by offering incentives for location, relocation or expansion within this area.
- B. For purposes of this section, the "Central Business District" shall mean an area whose boundaries are the same as those for the area subject to the City of Lodi bond issue, Series 1995-1, dated July 22, 1996, more particularly described in the bond documents and map on file with the City Clerks Office.
- C. Wastewater **capacity** fees for **any** permitted use which locates, relocates or expands within the central business district as defined shall be discounted as determined by the City Council by Resolution.
- D. Notwithstanding any discount granted under this section, the monthly or annual sewage fees set by City Council from time to time for any use locating, relocating or expanding within the central business district, shall be calculated on the full number of sewage service units which the use would have otherwise been responsible for under Section 13.12.180 of this code if such use was located outside the central business district.

SECTION 2. Chapter 15.04 - Building Code - is hereby amended as follows:

Section 15.04.55 - Special inspections-Downtown Business District is hereby repealed and reenacted to read as follows:

**15.04.55** Central City Revitalization Incentive Program

- A. Notwithstanding paragraph 5 of Section 15.04.050 above, special inspection fees required to determine compliance with the building code for all buildings and structures located within the area designated by Section ~~13.12.195B~~ as the central business district shall be waived.
- B. An implementation measure of the Central City Revitalization Incentive Program includes the above referenced waiver as well as a reduction in building permit fees. The reduction shall encompass the fees shown in Table No. I-A. The amount of reduction shall be discounted as determined by the City Council by Resolution.
- C. This section shall expire and shall be of further force or effect after January 1, 2000. The City Council finds and declares that this action is taken to protect and preserve a crucial part of Lodi's economy and to preserve a portion of the City's heritage by offering incentives for permitted uses to locate, relocate or expand existing commercial uses within this area.

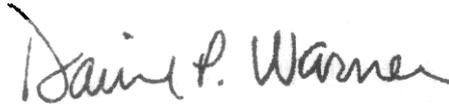
SECTION 3 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 4 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 5. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 6. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this 2nd day of October, 1996



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DAVID P. WARNER  
Mayor

Attest:



JENNIFER M. PERRIN  
City Clerk

State of California  
County of San Joaquin. ss

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1639 was introduced at a regular meeting of the City Council of the City of Lodi held September 18, 1996 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held October 2, 1996 by the following vote:

Ayes: Council Members - Davenport, Mann, Pennino, Sieglock  
and Warner (Mayor)

Noes; Council Members - None

Absent: Council Members - None

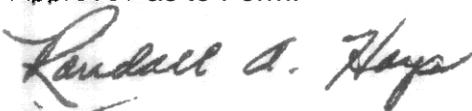
Abstain: Council Members - None

I further certify that Ordinance No. 1639 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.



JENNIFER M. PERRIN  
City Clerk

Approved as to Form:



RANDALL A. HAYS  
City Attorney