

ORDINANCE NO. 1424

AN URGENCY INTERIM ORDINANCE OF THE LODI CITY COUNCIL
AMENDING TITLE 17 ZONING AND CHAPTER 13.12
OF THE LODI MUNICIPAL CODE

SECTION 1. Pursuant to Government Code § 65858(c), the Lodi City Council has made the following findings regarding a current and immediate threat to the public health, safety, or welfare, regarding the approval of any general plan amendments, rezonings, or tentative maps for any areas not presently within the corporate limits of the City of Lodi, which the City would be required to serve from its White Slough Water Pollution Control Facility (WSWPCF), and for which there is not present domestic sewerage capacity:

FINDINGS :

1. WSWPCF is presently receiving approximately 6.0 million gallons per day (MGD) .
2. On October 21, 1987, the City Council pursuant to Resolution No. 87-138 awarded a contract for the WSWPCF interim aeration improvements .
3. The new design capacity of WSWPCF with the interim aeration improvements which were just completed, is 6.2 MGD. This new capacity will only permit the City of Lodi to serve the areas presently in the corporate limits of the City of Lodi.
4. The attached Exhibit A Capacity Evaluation of the WSWPCF shows that at the present development rate of the existing residential lots

and acreage already within the City limits, the WSWPCF with its recent improvement will again be at capacity around January 1990. Any attempt to serve areas outside the present corporate limits of the City of Lodi could result in danger to the health, safety and welfare, in that the WSWPCF could not then handle the sewage from areas already within the existing City Limits.

5. On February 18, 1987, the City Council approved the master agreement and preliminary engineering agreement for wastewater consulting services related to the WSWPCF plant expansion which will increase the capacity from 6.2 MGD to 8.5 MGD. This plant expansion is not scheduled for completion until January 1991.

NOW, THEREFORE, BE IT ORDAINED BY THE LODI CITY COUNCIL as follows:

SECTION 2. Lodi Municipal Code Title 17 Zoning and Lodi Municipal Code Chapter 13.12 are hereby amended, effective on the date of the adoption of this ordinance, as follows:

1. Until the date that the White Slough Water Pollution Control Facility (WSWPCF) expansion project is completed and operational, the City of Lodi shall not permit any new residential sewer connection to the domestic sewer system for any areas currently lying outside of the City of Lodi corporate limits. Except that the City Council may approve on a case-by-case basis, a sewer connection to the domestic sewer system for a commercial or industrial project upon the annexation of said project.

2. Until eighteen months before the date that the WSWPCF expansion project is expected to be completed and operational, because of the lack of domestic sewage capacity at WSWPCF, the City of Lodi shall not approve any general plan amendments, rezonings, or tentative maps for any parcel which is not presently within the corporate limits of the City of Lodi. Except that the City Council may approve on a case-by-case basis, a general plan amendment, rezoning or tentative map for any commercial or industrial project, which project is not presently within the corporate limits of the City of Lodi.

SECTION 3. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 4. This urgency interim 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 immediately upon its passage.

Approved this 6th day of April, 1988



EVELYN M. OLSON
Mayor

Attest :



Alice M. Reimche
ALICE M. REIMCHE
City Clerk

State of California
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1424 was adopted as an urgency interim ordinance at a regular meeting of the City Council of the City of Lodi held April 6, 1988 and was thereafter passed, adopted and ordered to print by the following vote:

Ayes :	Council Members - Hinchman, Pinkerton, Reid, Snider and Olson (Mayor)
Noes:	Council Members - None
Absent:	Council Members - None
Abstain:	Council Members - None

I further certify that Ordinance No. 1424 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.


ALICE M. REIMCHE
City Clerk

Approved as to Form

RONALD M. STEIN
City Attorney