

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING SUBSECTION 15.44.010(D), BY AMENDING SUBSECTION 15.44.060, AND BY AMENDING SUBSECTION 15.44.100(A)(1), ALL RELATING TO PIPELINES

The City Council of the City of Long Beach ordains as follows:

Section 1. Section 15.44.010(D) of the Long Beach Municipal Code is amended to read as follows:

15.44.010(D)

D. "Facilities" means pipes, pipelines, conduits, ducts, tunnels, poles, pole lines, cables, wires, vaults, traps, manholes, appliances, attachments and appurtenances used in connection therewith, for the purpose of the transmission, transportation or conveyance of any liquid or gaseous substance or substances, steam air, electrical energy, or for communication purposes, or for the purpose of providing housing or protection for interior lines used, intended to be, or capable of being used for such purpose or purposes, excepting, however: (1) sewers owned or operated by the Los Angeles County Sanitation District or successor, the County of Los Angeles, the City of Signal Hill and the City of Lakewood; (2) public utility service connections; (3) water sprinkler systems; (4) storm drain pipes; (5) reclaimed water lines; (6) any subsurface installation required to be installed by a subdivider; (7) water lines owned or operated by the Metropolitan Water District of Southern California, the City of Signal Hill and the City of

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1 Lakewood; and (8) as to a public utility holding a valid and effective franchise
2 form the City, any of the aforementioned facilities set forth in its franchise,
3 whether the franchise authorizes construction, maintenance or operation of
4 the facilities only in public streets and ways or both in public streets and ways
5 in other public property.

6
7 Sec. 2. Section 15.44.060 of the Long Beach Municipal Code is amended
8 to read as follows:

9 15.44.060 Permit-Issuance.

10 On receipt of an application for a permit or permit supplement, the City
11 Council or the Director of Public Works, as described below, shall determine
12 whether or not the granting of a permit as sought or a modification thereof
13 will not be contrary to the public interest, after which the City shall issue a
14 written permit or permit supplement which sets forth any special conditions
15 imposed by the City Council on the permittee or the facilities. Except as
16 described elsewhere in this Section, the City Council shall have the power
17 to determine when the granting of a permit or permit supplement will or will
18 not be in the public interest and its determination shall be final. With respect
19 to groundwater monitoring wells, water lines, and sewer lines, the
20 determination whether or not granting a permit is in the public interest may
21 be made at the discretion of the City's director of public works, who may
22 issue a permit or permit supplement.

23
24 Sec. 3. Section 15.44.100(A)(1) of the Long Beach Municipal Code is
25 amended to read as follows:

26 15.44.100 Permit Fees.

27 A. Each permit and permit supplement issued pursuant to this
28 Chapter shall be subject to the condition and shall provide that the permittee,

1 as and for compensation for use of City property, shall pay to the City
2 annually in advance, on a calendar year basis except as otherwise stated
3 herein, fees as follows:

4 1. Water, Wastewater, Oil, Gas, Sewer, Gasoline, Electrical
5 Energy, Communications, and Liquefied Petroleum Gas Pipelines.

6 Pipe Size	6 Base Rate
7 (internal diameter)	7 (Per Lineal Foot)
8 0-4"	\$0.232
9 6"	0.352
10 8"	0.471
11 10"	0.584
12 12"	0.703
13 14"	0.823
14 16"	0.935
15 18"	1.055
16 20"	1.174
17 22"	1.287
18 24"	1.406
19 26"	1.526
20 28"	1.638
21 30"	1.758

22 For pipelines with an internal diameter not listed herein, the
23 fees shall be in the same proportion to the fees of a twelve-inch-diameter
24 pipe as the diameter of the unlisted pipe is to twelve inches.

25 The annual payment for each lineal foot of pipeline shall be
26 computed and revised each calendar year as follows:

27 a. The applicable base rate shall be multiplied by the
28 Consumer Price Index for owner's equivalent rent of primary residence in Los
Angeles, California published by the United States Department of Labor,
Office of Information, for the month of September immediately preceding the
month of January in which payment shall be due and payable, and divided
by the Consumer Price Index for owner's equivalent rent of primary

1 residence in Los Angeles, California, 1984 which is 100.0. Under no
2 circumstances shall the multiplying factor be less than one.

3 b. If the United States Department of Labor, Office of
4 Information, discontinues the preparation and publication of a Consumer
5 Price Index for owners' equivalent rent of primary residence in Los Angeles,
6 California, and if no transposition table prepared by the Department of Labor
7 is available so as to make those statistics which are then available applicable
8 to the Index of December, 1984, then the city council shall prescribe a rate
9 of payment which shall, in its judgment, vary from the rates specified in this
10 subsection in approximate proportion as commodity consumer prices then
11 current vary from commodity consumer prices current in December, 1984.
12 Upon this point the determination by the City Council shall be final and
13 conclusive.

14
15 Sec. 4. The City Clerk shall certify to the passage of this ordinance by the
16 City Council and cause it to be posted in three conspicuous places in the City of Long
17 Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.

18 I certify that this ordinance was adopted by the City Council of the City of

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1 Long Beach at its meeting on _____, 2006, by the following vote:

2

3 Ayes: Councilmembers: _____

4 _____

5 _____

6 _____

7 Noes: Councilmembers: _____

8 _____

9 Absent: Councilmembers: _____

10 _____

11 _____

12 _____

13 _____ City Clerk

14 _____

15 _____

16 Approved: _____

17 (Date) _____ Mayor

18 _____

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25 _____

26 DFG:10-18-06(ORD Sec 15.44.010 SewerPipe)06-05405

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