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ORDINANCE NO. ORD-06-0054

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

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	<b>Pipe Size</b>	<b>Base Rate</b>
7	<b>(internal diameter)</b>	<b>(Per Lineal Foot)</b>
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

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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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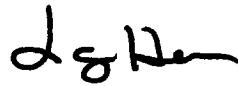
1 Long Beach at its meeting on November 21, 2006, by the following vote:

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Ayes: Councilmembers: B. Lowenthal, S. Lowenthal, DeLong,  
O'Donnell, Richardson, Reyes Uranga,  
Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: Schipske, Gabelich.



City Clerk

Approved: 11/28/06  
(Date)



Mayor