

ORDINANCE NO. ORD-06-0029

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY AMENDING SECTIONS 15.48.010
AND 15.48.090 RELATING TO UNDERGROUND UTILITY
DISTRICTS

WHEREAS, the Public Utilities Commission has ruled that electrical
utilities in the State of California may use funds set aside under a program known as
"Rule 20A" to assist consumers in completion of the conversion of overhead electrical
service to underground facilities, and

WHEREAS, it will be beneficial to residents and businesses located within
active and future underground utility districts in the City of Long Beach to amend the
Municipal Code to utilize this funding,

NOW, THEREFORE, the City Council of the City of Long Beach does
hereby ordain as follows:

Section 1. Section 15.48.010 is amended to add Subsection F as follows:
15.48.010 Definitions.

F. "Facility changes" means improvements constructed or installed
on private property necessary to receive service from the underground
facilities of the utility including, but not limited to, meter panel conversions.

Sec. 2. Section 15.48.090 is amended in its entirety to read as follows:
15.48.090 Persons responsible.

A. Every person owning, operating, leasing, occupying or renting a

1 building or structure within a district, and every person owning, leasing or
2 renting property within a district who receives electrical service to that
3 property in any manner, shall construct and provide on his property all
4 facility changes on the premises necessary to receive service from the
5 underground facilities of the utility within ninety (90) days following the
6 mailing to the property address of notice that underground service is
7 available for connection.

8 B. Notwithstanding requirements of the foregoing Subsection A,
9 and in accordance with the utility's rules for underground service as
10 approved by the Public Utilities Commission, financial assistance may be
11 provided to a person described in Subsection A for facility changes if:

12 1. The City Engineer determines that the completion of the work
13 within a district would be facilitated by providing such assistance, and

14 2. Funds are available for such assistance, and

15 3. The plans, specifications and cost estimates for the
16 replacement of the facility changes have received the prior approval of
17 the City Engineer.

18 4. The district is numbered 39 or greater, or was formed on or after
19 September 1, 2006.

20 Facility changes eligible for financial assistance are limited to the
21 replacement of a meter panel with equipment which is compatible with the
22 new underground service and which is similar in size and function to the
23 existing equipment. Facility changes which the City Engineer determines
24 constitute upgrades or improvements are not eligible for financial
25 assistance.

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1 Sec. 3. If any portion of this ordinance is held to be invalid, illegal, or
2 unconstitutional by a court of competent jurisdiction, such decision shall not affect the
3 validity of the remaining portions of this ordinance.

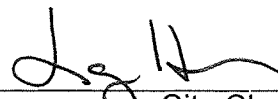
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5 Sec. 4. The City Clerk shall certify to the passage of this ordinance by
6 the City Council of the City of Long Beach and cause it to be posted in three
7 conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first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

9 I hereby certify that the foregoing ordinance was adopted by the City
10 Council of the City of Long Beach at its meeting of August 22, 2006, by
11 the following vote:

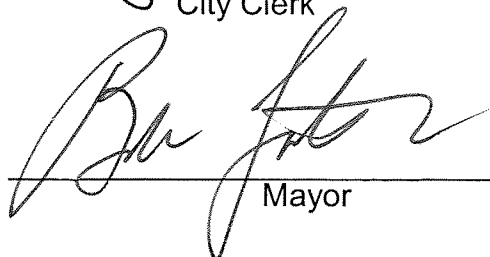
12 Ayes: Councilmembers: B. Lowenthal, S. Lowenthal, DeLong,
13 O'Donnell, Schipske, Richardson,
14 Reyes Uranga, Lerch.

15
16 Noes: Councilmembers: None.

17
18 Absent: Councilmembers: Gabelich.

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20
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22 
23 City Clerk

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25 Approved: 8-24-06
26 (Date)

27 
28 Mayor