

ORDINANCE NO. 16-14 N.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND
AMENDING CHAPTER 12.17 OF ARTICLE XII OF THE RICHMOND MUNICIPAL
CODE RELATING TO THE PRIVATE SEWER LATERAL CONNECTIONS**

The Council of the City of Richmond does ordain as follows:

Section I.

Amendment of Chapter 12.17 Chapter 12.17 of the Richmond Municipal Code is hereby amended to read as follows:

Chapter 12.17 –PRIVATE SEWER LATERAL ORDINANCE

Sections:

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12.17.010 Short Title

This Ordinance shall be known as the “Private Sewer Lateral Ordinance” and may be cited accordingly.

12.17.020 Purpose

This Private Sewer Lateral Ordinance establishes regulations for the inspection, testing, repair, replacement, and ongoing maintenance of Private Sewer Laterals (PSLs), resulting in the issuance of a Certification of Lateral Compliance (COLC)

The purpose of this Ordinance is to provide for the operation and maintenance of the City’s wastewater conveyance and treatment facilities in a reliable and serviceable manner and to reduce infiltration and inflow into the sanitary sewer system.

12.17.030 Applicability of Ordinance

This Ordinance applies only within the sewer service areas of the Richmond Municipal Sewer District Number No.1 (RMSD)

12.17.040 Definitions

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this ordinance, shall have the meanings hereinafter designated. The following definitions apply to this Ordinance. Terms not defined in this section shall have their ordinary and common meaning or, if applicable, the meaning set forth in the Uniform Building and Plumbing Codes:

- A. **ASTM** means the **American Society for Testing and Materials International**, formerly known as the American Society for Testing and Materials, a globally recognized leader in the development and delivery of international voluntary consensus standards
- B. **Backflow Device** means a valve that is opened by the flow of wastewater exiting a structure but closes when the flow reverses, preventing wastewater from backing into the structure. All backflow valves shall conform to the specifications set forth in the Uniform Building and Plumbing Codes and all guidelines and policies established by the City Manager to implement this Ordinance
- C. **Certification of Lateral Compliance** see the definition for COLC set forth below.
- D. **City Authorized Representative** means the City Manager or his or her designee.
- E. **City Council** means the City Council of the City of Richmond.
- F. **City Manager** means the City Manager of City of Richmond or his or her designee.
- G. **City of Richmond** or **City** means the City of Richmond, California, and shall include the Richmond Municipal Sewer District Number 1.
- H. **City's Fee and Rate Schedule** means a list of all City of Richmond service, penalty, interest, and permit fees, and hourly personnel and equipment rates, as published in the City’s Master Fee

Schedule.

- I. **Cleanout** means a segment of pipe connected to a PSL and rising to the surface, providing access to the PSL for purposes of inspection and removal of obstructions. (See also "two-way cleanout," defined below)
- J. **COLC or Certification of Lateral Compliance** (both used interchangeably) means the certification issued by the City Manager certifying that a PSL complies with the standards set forth in this Ordinance. A fee for a COLC shall be charged in accordance with the City's Master Fee Schedule. A COLC is valid only for the PSL at the address specified in the COLC and for a period of not to exceed fifteen (15) years.
- K. **Common Interest Development** means a development managed or governed by a Homeowners' Association. Examples of Common Interest Developments may include condominium projects, planned unit developments, community apartment projects (in which the individual units are owned), and stock cooperatives.
- L. **Home Owners' Association or (HOA), both used interchangeably**, means a nonprofit corporation or unincorporated association created for the purpose of managing or governing a Common Interest Development and that operates in accordance with governing documents, whether or not the corporation or association is formally designated or commonly referred to as a Homeowners' Association.
- M. **Lineal Consanguinity Relationship** means a person is in a Lineal Consanguinity Relationship with another person if, and only if, one person is a direct descendent of the other person. The following are examples of Lineal Consanguinity Relationships: parent and child, grandparent and grandchild, and great-grandparent and great-grandchild. Persons are not in a Lineal Consanguinity Relationship if neither person is directly descended from the other, even if both persons are descended from a common ancestor. The following are not Lineal Consanguinity Relationships: aunt and niece, uncle and nephew, siblings, and cousins of any degree.
- N. **Main or Sewer Main** means any sewer pipe within a public or private street or right-of-way receiving or intended to receive the discharges of one or more PSLs). No sewer main constructed after the effective date of this Ordinance shall be less than eight inches (8") in diameter nor be laid or constructed in any City street, easement or right-of-way under the control of the City, except to the lines, grades, and specifications approved by the City Manager.
- O. **Maintenance** means the routine flushing, rodding, and removal of grease, roots and debris of a sewer to maintain a free flowing condition.
- P. **Non-Sanitary Sewer Connection** means anything that directly or indirectly conveys storm water, surface water, roof runoff, intercepted groundwater or subsurface drainage into the Sanitary Sewer, including, but not limited to, down spouts, yard drains, sump pumps, or other sources of storm water, run-off or groundwater.
- Q. **Ordinance** means this Private Sewer Lateral Ordinance
- R. **Overflow device** means a device designed to relieve the pressure created when a gravity sewer is

flowing full. All overflow devices require the approval of the City Manager for proper application before their installation

- S. **Parcel Group** means two or more contiguous or directly adjacent parcels of real property under common ownership.
- T. **Person** means an individual, trust, corporation, nonprofit organization, Homeowners' Association, partnership, firm, joint venture, Limited Liability Company, association, city, county, special district, or other public agency, including the State of California and the United States of America and the political subdivisions thereof. The masculine gender shall include the feminine, the singular shall include the plural where indicated by context.
- U. **Private Sewer Lateral** or **PSL** means a pipe or pipes and appurtenances that carry wastewater and liquid waste from the Structure(s) served to the sewer main regardless of whether the Structure(s) is [are] publicly or privately owned. A PSL is associated with a parcel, if it, or any portion of it, is located upon the parcel or conveys wastewater and liquid waste from any Structure located on that parcel. More than one PSL may be associated with an individual parcel. The property owner is also responsible for the connection to the sewer main.
- V. **Plumbing fixtures** means sinks, baths, showers, toilets, bidets, and all fixtures and appliances, such as dishwashers and washing machines, from which water or wastewater are discharged.
- W. **Property Owner** means a person that owns a parcel of real property, or that person's authorized representative including a tenant or contractor. As used in this paragraph, "person" means an individual, trust, corporation, nonprofit organization, Homeowners' Association, partnership, firm, joint venture, Limited Liability Company, association, city, county, special district, or other public agency, including the State of California and the United States of America and the political subdivisions thereof. The masculine gender shall include the feminine, the singular shall include the plural where indicated by context.
- X. **POTW or Publicly Owned Treatment Works** both used interchangeably, means a treatment works, as defined by Section 212 of the Clean Water Act (33 USC Section 1292), which is owned by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of wastewater or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant. In this ordinance, the POTW is the Richmond Municipal Sewer District Water Pollution Control Plant and its collection system.
- Y. **PSL (Private Sewer Lateral)** see the definition for Private Sewer Lateral set forth above.
- Z. **Publicly Owned Treatment Works** see the definition for POTW set forth above.
- AA. **Remodeling** means any significant improvement, addition, construction, reconstruction, remodeling, modification or alteration of or to an existing or previously existing structure.
- BB. **Repair** means construction activities performed to bring a part of the PSL (commonly referred to as a "point repair") into compliance with this Ordinance consisting of the correction of less than the entire PSL.

- CC. **Replacement** means construction activities performed to bring a PSL into compliance with this Ordinance consisting of the replacement or lining of the complete length of the PSL. "Replaced" has the same meaning as "Replacement" where used in this Ordinance.
- DD. **Sanitary Sewer** means sewer pipes that convey wastewater from a Structure and to which storm water, groundwater or surface water is not intentionally admitted. The Sanitary Sewer includes Sewer Mains and PSLs.
- EE. **Sanitary Sewer Overflow** or **SSO** means a condition whereby untreated sewage is discharged into the environment prior to reaching sewage treatment facilities.
- FF. **Sanitary Sewer Standard Specification for Design and Construction** means the City of Richmond document which governs sewer design and construction work by private individuals, public agencies and businesses within the boundaries of the City of Richmond. The jurisdiction of the City of Richmond includes the entire sewerage system and its appurtenances from the point of connection with each building's plumbing to the discharge terminus of the treatment plant outfall. The City of Richmond Municipal Code and all uncodified ordinances of the City of Richmond shall be considered a part of these Specifications and all Plans, profiles, cut sheets, right-of-way documents, and specifications shall conform to the standards and requirements herein established.
- GG. **Sanitary Sewer System** shall have the same meaning as **Publicly Owned Treatment Works** as defined above.
- HH. **Section** means a section of this Ordinance unless otherwise specified
- II. **Sewer Lateral Compliance Plan** means a plan establishing fair and consistent policies and procedures for the testing, repair, and replacement of all defective PSLs and the issuance of a "Certificate of Lateral Compliance."
- JJ. **Sewer Main** means a publicly owned Sanitary Sewer that receives flows from PSLs. The Sewer Main does not include any portion of a PSL.
- KK. **Structure** means any building or facility that is required to be provided with public sewer service or that is actually provided with public sewer service, or that is served by a PSL.
- LL. **Subdivided** means to cause land to be divided into separate developed or developable lots that are or may be owned by different persons. "Time Extension Certification" means a Certification issued by the City Manager in connection with a Title Transfer transaction to a Property Owner, or to a transferee, that extends the deadline to obtain a Certification not to exceed 180 days from the date the Time Extension Certification is issued.
- MM. **Title Transfer** means the sale or transfer of an entire real property estate or the fee interest in that real property estate, excluding the sale or transfer of partial interest such as leasehold. The following are not Title Transfers for purposes of this Ordinance:
- (1) A transfer from one co-owner to one or more other co-owners, or from one or more co-owners into or from a revocable trust, if the trust is for the benefit of the grantor or grantors;

- (2) A transfer made by a trustee to fund an inter vivos trust;
 - (3) A transfer made to a spouse, or to a registered domestic partner as defined in Section 297 of the California Family Code, or to a person or persons in a Lineal Consanguinity Relationship with one or more of the transferors;
 - (4) A transfer between spouses or registered domestic partners resulting from a decree of dissolution of marriage or domestic partnership, or resulting from a decree of legal separation or from a property settlement agreement incidental to a decree; and
 - (5) A transfer from a Property Owner to a financial institution as a result of a foreclosure or similar process. A transfer from a financial institution to a new Property Owner is a Title Transfer for purposes of this Ordinance.
- NN. **Two-way cleanout** means a "Y" or "V"-shaped segment of pipe connected to a PSL and rising to the surface, providing access to the PSL in both directions for purposes of inspection and removal of obstructions.
- OO. **Uniform Building and Plumbing Codes** means the most recent edition of the Uniform Building Code and Plumbing Codes, published by the International Conference of Building Officials as adopted by the City.
- PP. **Verification Test** means a test witnessed by the City Manager to verify that all PSLs associated with the parcel comply with this Ordinance.
- QQ. **Wastewater** means liquid and water-carried industrial wastes and wastewater from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

12.17.050 Responsibilities and Standards for Maintenance of a Private Sewer Laterals (PSLs)

- A. Property Owners shall maintain all PSLs associated with their parcels to the extent necessary to ensure the PSLs meet the standards of this Section and comply with all other requirements of this Ordinance. Property Owners shall perform any Repair or Replacement necessary to ensure the PSL meets those standards and requirements. The Property Owner is also responsible for the connection of the PSL to the sewer main.
- B. All PSLs must meet the following standards:
 - (1) The PSL shall be kept free from roots, grease deposits, and other solids which may impede or obstruct the flow.
 - (2) All joints shall be tight and all pipes shall be sound and free from structural defects, cracks, breaks, openings, and missing portions to prevent ex-filtration by waste or infiltration by ground water or storm water.
 - (3) The grade of every PSL shall be uniform without sags or offsets
 - (4) The PSL shall have a two-way cleanout located at or near the structure. All cleanouts shall be

securely capped at all times.

- (5) The PSL shall be equipped with a backflow device /overflow device.
 - (6) In conjunction with a PSL serving a structure in which there are plumbing fixtures at an elevation too low to permit drainage by gravity from the fixtures to the sewer main, the property owner shall install and maintain a pump or other appropriate device or devices to lift the contents of the PSL to the City's sanitary sewer system. Such devices shall be installed and maintained in accordance with the Uniform Building and Plumbing Codes and all applicable provisions of the Richmond Municipal Code, and shall be subject to testing, repair and replacement under the provisions of this Ordinance governing PSLs
 - (7) There shall be no Non-Sanitary Sewer Connections to the PSL plumbing that connects thereto.
- C. Property Owners shall provide connections to the sanitary sewer system in accordance with all Sections of the Richmond Municipal Code.
 - D. Property Owners shall report to the City Manager wastewater that is released from a PSL to the surface resulting in a sanitary sewer overflow or spill.

12.17.060 Certificate of Lateral Compliance Requirements

- A. All Property Owners must obtain a COLC at the time and in the manner required by this Section, Common Interest Developments shall also be governed by Section 12.17.110.
- B. Before completing a Title Transfer associated with a parcel containing any structure, either the transferor or the transferee, as negotiated between them, shall obtain a COLC in accordance with Section 12.17.070. The requirement to obtain a COLC before Title Transfer in no way affects the legality of the transfer of title in the underlying property transaction. This subsection shall not apply to transfer of title to:
 - (1) A property for which there is a valid COLC; or
 - (2) A property located in the City of Richmond but served by a sanitary sewer service provider that has a PSL maintenance, inspection and repair program in place.
- C. Whenever property located in the City of Richmond and containing one or more structures is subdivided, the PSLs serving the property shall be tested. Before the subdivision is approved, all repairs or replacements necessary to bring a PSL into compliance shall be performed. If the subdivision of land causes structures served by a single PSL to be separated onto different lots, PSLs for each lot on which there is a structure shall be constructed in accordance with the Uniform Building and Plumbing Codes and all applicable provisions of the Richmond Municipal Code.
- D. Whenever property located in the City of Richmond is remodeled to include the addition of two or more plumbing fixtures that discharge into a sanitary sewer system, the PSL(s) to the property shall be tested. Before final building inspection, all repairs or replacements necessary to bring a PSL into compliance shall be performed.

- E. Where the PSL was installed more than fifteen (15) years ago and does not have a COLC, the property owner shall comply with the standards set forth in Section 12.17.070.
- F. Where the PSL was installed without a permit and does not have a COLC, the property owner shall comply with the standards set forth in Section 12.17.070.
- G. The City Manager may require a property owner for any property for which there is not a valid COLC on file to conduct a verification test of the PSL in accordance with Section 12.17.070. The City Manager shall notify the property owner of and require the property owner to correct any conditions that do not comply with the standards set forth in Section 12.17.050.
- H. If the City Manager receives notice that a PSL does not meet the standards set forth in 12.17.050 and the property owner has not agreed in writing to perform the repairs or replacements necessary to bring the PSL into compliance, then the City Manager shall give written notice to the property owner of any conditions that violate this Ordinance. Such notice shall specify the repair or replacement necessary to correct the condition and the time in which to make the correction, and shall advise the property owner of the enforcement provisions of the section

12.17.070 Obtaining a Certification of Lateral Compliance (COLC)

- A. Whenever a COLC is required under this Ordinance, a Property Owner who does not hold a valid COLC shall do the following at the Property Owner's expense:
 - (1) If the PSLs are not in compliance, the Property Owner shall obtain any required permits and perform all work needed to bring the PSLs into compliance
 - (2) In the event a Property Owner believes the PSL is in compliance and does not require repair/replacement, the City Manager may require the Property Owner to perform a Verification Test in accordance with the City's policies and procedures. The City Manager shall issue a COLC if it has been determined that the Verification Test confirms that all PSLs associated with the parcel are in compliance with this Ordinance.
 - (3) The Property Owner shall take steps to assess the condition of all PSLs associated with the parcel to determine whether the PSLs comply with the standards set forth in Section 12.17.050 and all other requirements of this Ordinance.
 - (a) For all single and multi-family dwellings, if it is determined that the lateral does not meet the standards as set forth in this Ordinance, it shall be the policy of the City Manager to require the Property Owner to replace the lateral in its entirety from the house to the main.
 - (b) For all industrial and commercial facilities, if it is determined that the lateral does not meet the standards as set forth in this Ordinance, the City Manager may allow partial repairs and/or replacement to the extent that the condition of the PSL meets the requirements of Section 12.17.050.

- B. In the event the PSL associated with a particular parcel has passed the testing procedure, and upon payment of the appropriate fee as published in the City's fee and rate schedule, the City Manager shall issue a signed COLC to the property owner specifying the address of the property served by the subject PSL. A COLC shall be valid for a period not to exceed fifteen (15) years and shall be valid only for the PSL at the address specified in the COLC. The City Manager shall maintain records of all COLCs issued.
- C. Procedures for Verification Testing of PSLs. All testing procedures must be approved by the City Manager and performed in accordance with approved procedures. For air and water pressure testing the City is using standards developed by American Society for Testing and Materials International (ASTM). The City Manager will maintain written procedures for Verification Testing. These procedures shall be made available upon request to the City Manager.

12.17.080 Person authorized to repair or replace PSLs

Contractors must meet all state and local licensing requirements prior to performing any work on private sewer laterals.

12.17.090 Certification of Lateral Compliance (COLC) Term Limits

- A. Where the PSL is totally replaced, the COLC shall be valid for a period not to exceed 15 years from the date of issuance.
- B. Where the City approves a partial replacement or repaired PSL, the COLC shall be valid for a period to be determined by the City Manager.

12.17.100 Time Extension Request

In the event, repairs cannot be completed before the close of escrow, Property Owners may request a Time Extension from the City Manager. Extensions may be granted at the discretion of the City Manager.

12.17.110 Common Interest Development

- A. COLC Requirement. A COLC must be obtained with respect to Common Interest Developments as described in this Section.
- B. Responsibility of Homeowners' Associations and Individual Unit Owners.
 - (1) The Homeowners' Association and the Property Owner of an individual unit within the Common Interest Development are each responsible to obtain a COLC to the same extent each party is responsible to maintain PSLs within the Common Interest Development. The division of responsibility for PSL maintenance between the Homeowners' Association and the Property Owners of individual units may be described in any document but is typically described in the Covenants, Conditions and Restrictions applicable to Common Interest Developments or the parcels in them. In some Common Interest Developments, the Homeowners' Association has assumed responsibility to maintain all PSLs. In other Common Interest Developments, the owner of each individual unit is responsible to maintain

the PSLs associated with the unit he or she owns, and the Homeowners' Association is responsible to maintain the remaining PSLs within the Common Interest Development.

- (2) If the Homeowners' Association has assumed responsibility to maintain all PSLs within the Common Interest Development, the Homeowners' Association must obtain COLC in accordance with Section 12.17.070.
 - (3) If the Property Owners of individual units and the Homeowners' Association share responsibility to maintain PSLs within the Common Interest Development, the parties' respective responsibility to obtain COLC s is as follows:
 - (a) The Property Owner of the individual unit must obtain a COLC in accordance with Section 12.17.070 and notwithstanding paragraph A(2) of that Section, provided that the City Manager shall require Verification Testing only of those PSLs or portions of PSLs that are the responsibility of the Property Owner of the individual unit before issuing a COLC.
 - (b) The Homeowners' Association must obtain a COLC in accordance with Section 12.17.070 on for all parcels associated with any PSL that is the Homeowners' Association's responsibility to maintain, provided that the City Manager shall require Verification Testing only of those PSLs or portions of PSLs that are the responsibility of the Homeowners' Association before issuing a COLC.
 - (c) The issuance of a COLC under paragraph B(3) of this Section to either a Property Owner of an individual unit or to a Homeowners' Association, with respect to a specific parcel within a Common Interest Development, does not relieve another party that shares responsibility to maintain PSLs associated with the same parcel of its obligation under paragraph B(3) of this Section to obtain a COLC for that parcel.
- C. A COLC issued to a Homeowners' Association under this Section shall be valid for a period not to exceed 15 years from the date it is issued. The Homeowners' Association must obtain a new COLC in accordance with Section 12.17.070 upon the expiration of the previously issued COLC.
- D. Developments where no Homeowners' Association exists. For the purposes of this Ordinance, any development without a Homeowners' Association is not a Common Interest Development, even if the development is classified in county records as condominiums, residential planned unit developments, or similar. This Section does not apply to such developments. Individual unit owners within such developments must obtain a COLC that is compliant with the standards set forth in Section 12.17.070.

12.17.120 Right of entry

The City Manager, may enter, inspect, collect water/wastewater samples, and test any buildings, structures, or premises to secure compliance or prevent a violation of any portion of this Ordinance. Unless there is an emergency threatening the public health, safety or welfare, the City Manager shall provide at least ten (10) business days' notice to the property owner of intent to enter upon the property. The City Manager may also request that a property owner provide all written records of PSL inspection,

maintenance, repair and replacement at the time of inspection or within ten (10) or more business days after receipt of the request.

12.17.130 Enforcement

- A. The City Manager shall enforce this Ordinance.
- B. Violations of this Ordinance include, but are not limited to:
 - (1) Failure to obtain a COLC when one is required, including after the expiration of a Time Extension Certification;
 - (2) Failure to obtain a Time Extension Certification if a COLC is not obtained or to timely perform all required work after receiving a Time Extension Certification ;
 - (3) Failure to comply with the City Manager's requirements for Repair, Replacement and Verification Testing;
 - (4) Falsifying facts to obtain a COLC ;
 - (5) Failure to perform work without appropriate licensing.
 - (6) Failure to obtain a City encroachment permit prior to commencing work on the PSL; and/or
 - (7) Presenting a false COLC or false documentation (videos, testing results, maps etc.)
 - (8) All PSLs or sewer clean-outs which contain leaks or breaks; uncapped or improperly capped sewer clean-outs; sump pumps; down spouts or yard drains which discharge into the City's sanitary sewer system; and all other sources of accidental, negligent or intended introduction of storm water runoff or similar waters into the sanitary sewer system are hereby declared to be a public nuisance, subject to abatement in accordance with Richmond Municipal Code Chapter 9.22 if, after being notified of the nuisance condition, the property owner fails to correct the condition. If the City of Richmond abates a sewer-related public nuisance, the costs of such abatement shall be assessed against the subject property owner and may result in a lien against the subject property in accordance with Richmond Municipal Code Sections 12.16.050 and 12.16.060.
- C. When the City Manager finds that a person violates or threatens to violate this Ordinance, the City Manager may notify the person in writing. Within 30 days of the mailing of that notification, the notified person must submit for approval by the City Manager a detailed time schedule of specific actions the person shall take in order to correct or prevent a violation of this Ordinance. The person must take the actions within 90 days of the mailing date of the City Manager's notification.
- D. Cancellation of a Certification. The City Manager reserves the right to issue a notice of Sewer Lateral Compliance Cancellation. Such findings by the City Manager include but are not limited to the following:
 - (1) Street subsidence at the connection of the PSL to the sewer main;

- (2) Private sanitary sewer overflows from the PSL of the Property Owner; or
 - (3) Any condition related to the PSL that creates a nuisance or a violation of the Uniform Building and Plumbing Codes or this Ordinance.
- E. The City Manager may take enforcement action against a person who violates the provisions of this Ordinance or fails to perform any act required by this Ordinance, including but not limited to initiating court action to obtain an injunction requiring the work to be done and/or terminating service to the POTW. The City Manager may recover from any person in violation of this Ordinance the costs the City incurs in connection with enforcing this Ordinance, including staff time, and may seek attorneys' fees in any court action or proceeding.
- F. Citation penalties. In addition to, or in lieu of, the remedies set forth in this Ordinance, any violation of this Ordinance may result in the issuance of an administrative citation pursuant to Richmond Municipal Code Chapter 2.62.

12.17.140 Fees and Policies

- A. The City Manager is hereby delegated the authority and directed to adopt and adjust fees and charges to recover the percentage of costs reasonably borne for the purpose of compliance with this Ordinance. These fees are adopted by the City Council as part of the annual Master Fee Schedule.
- B. The City Manager may develop and maintain written regulations, procedures and guidance materials for administration of this Ordinance and shall make them available on the City's website and upon request.

12.17.150 Developing Policies and Procedures

The City Manager shall develop, implement and maintain written policies, procedures and guidance materials for the administration of this Ordinance and shall them available on the City's website and upon request.

12.17.160 Emergencies

During a State of Emergency, the City Manager may temporarily suspend any or all provisions of this Ordinance until the next regular or special meeting of the City Council. At the regular or special meeting a report shall be made and the Board may consider whether to authorize continued suspension of this Ordinance for the full duration of the State of Emergency, or for any shorter time period the Board finds appropriate.

Section II.

Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would

have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section III.

Effective Date. This Ordinance becomes effective thirty (30) days after its final passage and adoption.

First read at a regular meeting of the City Council of the City of Richmond held on September 16, 2014, and finally passed and adopted at a joint meeting thereof held on October 7, 2014, by the following vote:

YES: Councilmembers Boozé, Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin.
NOES: None.
ABSTENTIONS: None.
ABSENT: Councilmember Bates.

DIANE HOLMES
CLERK OF THE CITY OF RICHMOND

(SEAL)

Approved:

GAYLE McLAUGHLIN
Mayor

Approved as to form:

BRUCE GOODMILLER
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Ordinance No. 16-14 N.S.**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on October 7, 2014.