

1 A. Method Determined by Cost Estimate. The procedure to be followed in awarding
2 contracts for public projects is determined initially by the estimated cost as determined by
3 the city engineer or public works director (provided they are a registered Professional
4 Engineer in California).

5 **2.48.200 - Purchasing process.**

6 A. Bidding Thresholds. The process applicable for the procurement of public projects shall
7 be established in accordance with the following bidding thresholds dependent upon the city
8 engineer's estimated cost of the public project, as follows. The estimated cost of the public
9 project may be prepared by the public works director, provided they are a registered
10 Professional Engineer in California. ...

11 **2.48.210 - Informal public project bidding procedure.**

12 ...

13 A. Adoption of Plans and Specifications; Authorization to Bid. The city engineer or public
14 works director (provided they are a registered Professional Engineer in California), or
15 designee, is authorized to review and approve engineering plans for purposes of design
16 immunity pursuant to Government Code Section 830.6 for all public projects with an
17 estimated cost less than the amount identified by Public Contract Code Section 22032(b).
18 This shall include review and approval of the working details, drawings, plans and
19 specifications prepared for the public project, including emergency and change order
20 work, which may affect the design or operation of public improvements and which may
21 bring into question the city's liability for dangerous conditions of public property.

22 **2.48.250 - Field orders.**

23 A. Policy.

24 1. ...

25 2. Field orders shall be limited to minor adjustments to the scope of work directly related
26 to the public project, and shall identify the description of the scope of work and the
27 cost therefore, with such documentation justifying the price as deemed necessary by
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1 the city engineer or public works director (provided they are a registered Professional
2 Engineer in California).

3 3. The city engineer or public works director (provided they are a registered Professional
4 Engineer in California) shall maintain an accounting of all field orders approved and
5 the balance remaining in the allowance specified therefore in the bid. Approval of
6 field orders shall not increase the maximum price of the bid for the public project, and
7 a reduction of the bid shall be made through a change order when the total cumulative
8 price of field orders approved by the city engineer or public works director (provided
9 they are a registered Professional Engineer in California) is less than the total
10 allowance therefore specified in the bid.

11 4. The specifications issued for the public project may contain further regulations
12 regarding the use of field orders as may be deemed necessary by the city engineer or
13 public works director.

14 B. Approval Authority. The city engineer or public works director (provided they are a
15 registered Professional Engineer in California) shall have authority to approve field orders
16 related to contracts for construction of public projects previously awarded by the city
17 manager or city council, as the case may be, provided the specifications for the public
18 project and the bid therefore incorporate an allowance for field orders that is included in
19 the maximum price of the bid for the public project so awarded.

20 **2.48.260 - Acceptance of public projects; notices of completion.**

21 The city manager, or designee, upon a recommendation of the city engineer or public works
22 director (provided they are a registered Professional Engineer in California), is authorized to
23 accept the work completed by contractors associated with a public project on behalf of the city
24 council, and is authorized to execute and cause to be recorded notices of completion where
25 required or authorized by law. Upon acceptance of the work by the city manager or designee, the
26 city clerk is authorized to release bonds and security instruments filed with the city associated
27 with the public project as otherwise required in the specifications issued by the city for the public
28 project.

1 **3.33.030 - Definitions.**

2 The definitions set forth in this section shall govern the construction of this chapter:

3 "Construction and credit agreement" means an agreement between the city and a
4 developer that obligates the developer of a development project to construct a designated
5 public facility, or portion thereof, and that entitles the developer to a credit toward the
6 development project's obligation to pay development impact fees imposed hereunder in an
7 amount not to exceed the cost to construct the public facility, or portion thereof, as
8 determined by the building official, city engineer, or public works director based upon
9 proof of the developer's actual construction costs.

10 **3.33.100 - Fee credits.**

11 A. If as a condition of approval of a development project or in accordance with a construction
12 and credit agreement or development agreement, a developer constructs a public facility
13 identified in a Nexus Report for which a development impact fee is imposed, then the
14 developer shall be eligible to receive a fee credit toward the development impact fee
15 imposed on the development project for the same type of public facility so constructed.
16 However, the fee credit toward any development impact fee will be granted to a developer
17 only where: (1) the public facility is constructed in accordance with plans approved by the
18 building official, city engineer, or public works director and for which a building permit
19 has been issued, (2) the public facility is inspected and approved by the building official,
20 city engineer, or public works director, (3) the developer and city enter into a construction
21 and credit agreement or development agreement and (4) the developer submits a written
22 request for credit toward a particular development impact fee together with evidence of
23 the cost to construct the public facility to the building official, city engineer, or public
24 works director no later than three months from the date of the inspection and approval of
25 the public facility. The amount of the fee credit shall be determined, in the sole discretion,
26 of the building official, the city engineer, or public works director based upon the
27 evidence of the costs to construct the public facility. However, the amount of the fee credit
28 shall not exceed the amount of the development impact fee imposed for the same type of

1 public facility as the one constructed by the developer. The developer shall not be entitled
2 to reimbursement for any excess in the costs to construct the public facility over the
3 amount of the developer's obligation to pay the development impact fee for the type of
4 public facility constructed, unless a separate reimbursement agreement is approved by the
5 city council.

6 **3.33.110 - Construction and credit agreements.**

7 A. The city administrator may require a construction and credit agreement with a developer
8 or may negotiate a construction and credit agreement requested by a developer, subject to
9 city council approval, where the need to construct a particular public facility for which a
10 development impact fee has been established is necessary or desirable prior to the
11 construction of the development project. The construction and credit agreement shall
12 describe the public facility to be constructed, the plans and specifications for its
13 construction, the time of completion of the public facility, the permits and inspections
14 required by the building official, or city engineer, or public works director and such other
15 terms deemed necessary by the city administrator. Upon notice of completion of such
16 facility by the developer, the building official, the city engineer, or public works
17 director shall inspect the public facility and determine whether it conforms to the plans
18 and specifications and building codes. From the date of written notice of acceptance of the
19 public facility to the developer from the building official, city engineer or public works
20 director, the developer may submit proof of its construction costs to the building official,
21 city engineer, or public works director no later than three months from the date of the
22 written notice of acceptance; and the developer's failure to submit such costs within said
23 period shall constitute a waiver of the developer's right to seek a fee credit hereunder. The
24 amount of the fee credit shall be determined, in the sole discretion, of the city building
25 official, the city engineer, or public works director based upon the evidence of the costs to
26 construct the public facility submitted by the developer. However, the amount of the fee
27 credit shall not exceed the amount of the development impact fee imposed for the same
28 type of public facility as that constructed by the developer. The developer shall not be

1 entitled to reimbursement for any excess in the costs to construct the public facility over
2 the amount of the developer's obligation to pay the development impact fee for the type of
3 public facility constructed.

4 **3.33.120 - Appeal to city administrator.**

5 A developer may appeal to the city administrator the decision of the building official, city
6 engineer, or public works director about the amount of credit granted toward a developer's
7 obligation to pay a development impact fee arising from the developer's construction of a public
8 facility. The developer shall file its appeal by submitting a written statement to the city clerk
9 within ten days of the date of written notice of the decision of the building official, city engineer,
10 or public works director. The written appeal shall contain the developer's grounds for appeal. The
11 developer's failure to raise any ground in the written appeal shall constitute a waiver of any
12 ground not stated in the written appeal. Within fifteen days of the filing of a timely and
13 substantive appeal, the city administrator shall set a hearing on the appeal no later than fifteen
14 days from the date of the filing of the appeal with the city clerk. Within fifteen days following the
15 completion of the hearing on the appeal, the city administrator shall issue a written decision on
16 the appeal and mail it to the developer. The decision of the city administrator shall be final at the
17 time it is mailed to the developer.

18 **5.44.027 - System construction.**

19 D. Any changes in or extensions of any poles, anchors, wires, cables, conduits, vaults,
20 laterals or other fixtures and equipment (herein referred to as "structures"), or the
21 construction of any additional structures, in, upon, along, across, under or over the streets,
22 alleys and public ways shall be made under the direction of grantor's city engineer or
23 public works director (provided they are a registered Professional Engineer in
24 California), or their designee, who shall, if the proposed change, extension or construction
25 conforms to the provisions hereof, issue written permits therefor. The height above public
26 thoroughfares of all aerial wires shall conform to the requirements of the California
27 regulatory body having jurisdiction thereof.

28 **9.02.010 - Prohibited.**

1 It is unlawful for any person to break, destroy, deface, mar, change the appearance of, or move
2 any permanent survey mark, post or pipe placed in any street or park space within the city by
3 the city engineer or public works director (provided they are a registered Professional Engineer in
4 California), upon which has been placed the following inscription: "City of Rialto, Survey Mark."

5 **10.12.010 - Installation authority.**

- 6 A. The city engineer or public works director (provided they are a registered Professional
7 Engineer in California) has the power and duty to place and maintain or cause to be placed
8 and maintained official traffic control devices when and as required to make effective the
9 provisions of this title.
- 10 B. Whenever the Vehicle Code requires for the effectiveness of any provision thereof that
11 traffic control devices be installed to give notice to the public of the application of such
12 law the city engineer or public works director (provided they are a registered Professional
13 Engineer in California) is authorized to install or cause to be installed the necessary
14 devices subject to any limitations or restrictions set forth in the law applicable thereto.
- 15 C. The city engineer or public works director (provided they are a registered Professional
16 Engineer in California) may also place and maintain or cause to place and maintain such
17 additional traffic control devices as he/she deems necessary or proper to regulate traffic or
18 to guide or warn traffic, but he/she shall make such determination only upon the basis of
19 traffic engineering principles and traffic investigations and in accordance with such
20 standards, limitations, and rules as may be set forth in this title or as may be determined
21 by ordinance or resolution of the council.

22 **10.12.030 - Signal installation.**

- 23 A. The city engineer or public works director (provided they are a registered Professional
24 Engineer in California) is directed to install and maintain official traffic signals at those
25 intersections and other places where traffic conditions are such as to require that the flow
26 of traffic be alternately interrupted and released in order to prevent or relieve traffic
27 congestion or to protect life or property from exceptional hazard.

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1 B. The city engineer or public works director (provided they are a registered Professional
2 Engineer in California) shall ascertain and determine the locations where such signals are
3 required by field investigation, traffic counts and other traffic information as may be
4 pertinent and his/her determinations therefrom shall be made in accordance with those
5 traffic engineering and safety standards and instructions set forth in the California Traffic
6 Manual issued by the Division of Highways of the State Department of Public Works.

7 C. When the city engineer or public works director (provided they are a registered
8 Professional Engineer in California) installs and maintains an official traffic signal at any
9 intersection, he/she shall likewise erect and maintain at such intersection street name signs
10 clearly visible to traffic approaching from all directions unless such street name signs have
11 previously been placed and are maintained at any such intersection.

12 **10.12.040 - Lane marking.**

13 The city engineer or public works director (provided they are a registered Professional Engineer
14 in California) is authorized to mark centerlines and lane lines upon the surface of the roadway to
15 indicate the course to be traveled by vehicles and may place signs temporarily designating lanes
16 to be used by traffic moving in a particular direction, regardless of the centerline of the highway.

17 **10.12.050 - Distinctive roadway markings.**

18 The city engineer or public works director (provided they are a registered Professional Engineer
19 in California) is authorized to place and maintain distinctive roadway markings as described in
20 the Vehicle Code on those streets or parts of streets where the volume of traffic or the vertical or
21 other curvature of the roadway renders it hazardous to drive on the left side of such marking or
22 signs and markings. Such marking or signs and marking have the same effect as similar markings
23 placed by the State Department of Public Works pursuant to provisions of the Vehicle Code.

24 **10.12.060 - Removal, relocation authority.**

25 The city engineer or public works director (provided they are a registered Professional Engineer
26 in California) is authorized to remove, relocate or discontinue the operation of any traffic control
27 device not specifically required by the Vehicle Code or this title whenever he/she determines in
28

1 any particular case that the conditions which warranted or required the installation no longer exist
2 or obtain.

3 **10.12.070 - Hours of operation.**

4 The city engineer, public works director, and chief of police determine the hours and days during
5 which any traffic control device shall be in operation or in effect, except in those cases where
6 such hours or days are specified in this title.

7 **10.16.010 - Turner, multiple lane and intersection markers.**

8 The city engineer or public works director(provided they are a registered Professional Engineer in
9 California) is authorized to place official traffic control devices within or adjacent to intersections
10 and indicating the course to be traveled by vehicles turning at such intersections, and the city
11 engineer or public works director (provided they are a registered Professional Engineer in
12 California) is authorized to locate and indicate more than one lane of traffic from which drivers of
13 vehicles may make right or left hand turns and the course to be traveled as so indicated may
14 conform to or be other than as prescribed by law or ordinance.

15 **10.16.020 - Restricted turn signs.**

16 The city engineer or public works director (provided they are a registered Professional Engineer
17 in California) is authorized to determine those intersections at which drivers of vehicles shall not
18 make a right, left or U-turn, and shall place proper signs at such intersections. The making of such
19 turns may be prohibited between certain hours of any day and permitted at other hours, in which
20 event the same shall be plainly indicated on the signs or they may be removed when such turns
21 are permitted.

22 **10.16.030 - Signal controlled intersections—Right turns.**

23 A. The city engineer or public works director (provided they are a registered Professional
24 Engineer in California) shall post appropriate signs giving effect to this section where
25 he/she determines that the making of right turns against traffic signal "stop" indication
26 would seriously interfere with the safe and orderly flow of traffic.

27 **10.20.010 - Posting authority.**

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1 Whenever any city ordinance or resolution designates any one-way street or alley, the city
2 engineer or public works director (provided they are a registered Professional Engineer in
3 California) shall place and maintain signs giving notice thereof, and no such regulations are
4 effective unless such signs are in place. Signs indicating the direction of lawful traffic movement
5 shall be placed at every intersection where movement of traffic in the opposite direction is
6 prohibited.

7 **10.24.010 - Sign erection authority.**

8 Whenever any city ordinance or resolution designates and describes any street or portion thereof
9 as a through street, or any intersection at which vehicles are required to stop at one or more
10 entrances thereto, or any railroad grade crossing at which vehicles are required to stop, the city
11 engineer or public works director (provided they are a registered Professional Engineer in
12 California) shall erect and maintain stop signs as follows: ...

13 **10.28.030 - Maintenance of no stopping zones and no parking areas.**

14 The city engineer or public works director (provided they are a registered Professional Engineer
15 in California) is authorized to maintain, by appropriate signs or by paint upon the curb surface, all
16 no stopping zones, no parking areas, and restricted parking areas, as defined and described in this
17 title.

18 **10.28.040 - No parking areas.**

19 No operator of any vehicle shall stop, stand, park, or leave standing such vehicle in any of the
20 following places, except when necessary to avoid conflict with other traffic or in compliance with
21 the direction of a police officer or other authorized officer, or traffic sign or signal:

- 22 C. In any area where the city engineer or public works director (provided they are a
23 registered Professional Engineer in California) determines that the parking or
24 stopping of a vehicle constitutes a traffic hazard or endangers life or property,
25 when such area is indicated by appropriate signs or by red paint upon the curb
26 surface;

27 **10.28.090 - Adjacent to schools.**

28

1 A. The city engineer or public works director (provided they are a registered Professional
2 Engineer in California) is authorized to erect signs indicating no parking upon that side of
3 any street adjacent to any school property when such parking would, in his/her opinion,
4 interfere with traffic or create a hazardous situation.

5 **10.28.100 - Narrow streets.**

6 A. The city engineer or public works director (provided they are a registered Professional
7 Engineer in California) is authorized to place signs or markings indicating no parking
8 upon any street when the width of the roadway does not exceed twenty feet, or upon one
9 side of a street as indicated by such signs or markings when the width of the roadway does
10 not exceed thirty feet.

11 **10.28.120 - Property transporter.**

12 A. No person shall park or stand any vehicle or wagon used or intended to be used in the
13 transportation of property for hire on any street while awaiting patronage for such vehicle
14 or wagon without first obtaining a written permit to do so from the city engineer or public
15 works director which shall designate the specific location where such vehicle may stand.
16 B. Whenever any permit is granted under the provisions of this section and a particular
17 location to park or stand is specified therein, no person shall park or stand any vehicle, or
18 wagon on any location other than as designated in such permit. In the event that the holder
19 of any such permit is convicted in any court of competent jurisdiction for violating any of
20 the provisions of this section, such permit shall be forthwith revoked by the city engineer
21 or public works director upon the filing of the record of such conviction with such officer
22 and no permit shall thereafter be issued to such person until six months have elapsed from
23 the date of such revocation.

24 **10.28.130 - Emergency parking signs.**

25 A. Whenever the city engineer, public works director, or chief of police determines that an
26 emergency traffic congestion is likely to result from the holding of public or private
27 assemblages, gatherings, or functions, or for other reasons, the city engineer, public works
28 director, or chief of police has power and authority to order temporary signs to be erected

1 or posted indicating that the operation, parking, or standing of vehicles is prohibited on
2 such streets and alleys as the city engineer, public works director, or chief of police directs
3 during the time such temporary signs are in place. Such signs shall remain in place only
4 during the existence of such emergency and the city engineer, public works director, or
5 chief of police shall cause such signs to be removed promptly thereafter.

6 **10.28.140 - Twenty-four minute.**

7 ...

8 When authorized signs, parking meters or curb markings have been determined by the city
9 engineer or public works director (provided they are a registered Professional Engineer in
10 California) to be necessary and is in place giving notice thereof no operator of any vehicle shall
11 stop, stand or park the vehicle adjacent to any such legible curb marking or sign or parking meter
12 in violation thereof.

13 **10.28.150 - Forty minute.**

14 When authorized signs, parking meters or curb markings have been determined by the city
15 engineer or public works director (provided they are a registered Professional Engineer in
16 California) to be necessary and are in place giving notice thereof, no operator of any vehicle shall
17 stop, stand or park the vehicle between nine a.m. and six p.m. of any day except Sunday(s and
18 holidays), for a period of time longer than forty minutes.

19 **10.28.160 - One hour.**

20 When authorized signs, parking meters or curb markings have been determined by the city
21 engineer or public works director (provided they are a registered Professional Engineer in
22 California) to be necessary and are in place giving notice thereof, no operator of any vehicle shall
23 stop, stand or park the vehicle between nine a.m. and six p.m.. of any day except Sunday(s and
24 holidays) for a period of time longer than one hour.

25 **10.28.170 - Two hour.**

26 When authorized signs, parking meters or curb markings are determined by the city engineer or
27 public works director (provided they are a registered Professional Engineer in California) to be
28 necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand, or

1 park the vehicle between nine a.m. and five p.m. of any day except Sunday(s and holidays) for a
2 period of time longer than two hours.

3 **10.28.180 - Parallel on one-way streets.**

4 C. The city engineer or public works director (provided they are a registered Professional
5 Engineer in California) is authorized to determine when standing or parking is prohibited
6 upon the left hand side of any one-way street or when standing or parking may be
7 permitted upon the left hand side of any one-way roadway of a highway having two or
8 more separate roadways and shall erect signs giving notice thereof.

9 **10.28.190 - Space markings.**

10 The city engineer or public works director is authorized to install and maintain parking space
11 markings to indicate parking spaces adjacent to curbs where authorized parking is permitted.
12 ...

13 **10.28.200 - No stopping zones.**

14 The city engineer or public works director (provided they are a registered Professional Engineer
15 in California) shall designate established no stopping zones by placing and maintaining
16 appropriate signs indicating that stopping of vehicles is prohibited and indicating the hours and
17 day when stopping is prohibited. ...

18 **10.28.210 - Loading zone—Establishment authority.**

19 A. The city engineer or public works director is authorized to determine and mark loading
20 zones and passenger loading zones as follows: ...

21 **10.28.220 - Curb markings.**

22 The city engineer or public works director (provided they are a registered Professional Engineer
23 in California) is authorized, subject to the provisions and limitations of this title, to place, and
24 when required herein shall place, the following curb markings to indicate parking or standing
25 regulations, and the curb markings have the meanings as herein set forth:

26 D. When the city engineer or public works director (provided they are a registered
27 Professional Engineer in California) as authorized under this title has caused curb
28

1 markings to be placed, no person shall stop, stand or park a vehicle adjacent to any such
2 legible curb marking in violation of any of the provisions of this section.

3 **10.28.270 - Coach zones.**

4 A. The city engineer or public works director is authorized to establish bus zones opposite
5 curb space for the loading and unloading of buses or common carriers of passengers and
6 determine the location thereof.

7 **10.28.280 - Taxicab stands.**

8 A. The city engineer or public works director shall establish taxicab stands and determine the
9 locations thereof.

10 B. The curb surface within each taxicab stand shall be painted white and marked "taxicab
11 stand" in red lettering, or designated by signs of a type and size approved by the city
12 engineer or public works director.

13 **10.32.040 - Regulation of speed by traffic signals.**

14 The city engineer or public works director (provided they are a registered Professional Engineer
15 in California) is authorized to regulate the timing of traffic signals so as to permit the movement
16 of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise
17 applicable within the district or at intersections, and shall erect appropriate signs giving notice
18 thereof.

19 **10.36.040 - Riding or driving on sidewalk.**

20 No person shall ride, drive, propel, or cause to be propelled any vehicle or animal across or upon
21 any sidewalk excepting over permanently constructed driveways and excepting when it is
22 necessary for any temporary purpose to drive a loaded vehicle across a sidewalk; provided
23 further, that the sidewalk area be substantially protected by wooden planks two inches thick, and
24 written permission be previously obtained from the city engineer or public works director. Such
25 wooden planks shall not be permitted to remain upon the sidewalk area from six p.m. to six a.m.

26 **10.36.060 - Obedience to barriers and signs.**

27 No person, public utility or department in the city shall erect or place any barrier or sign on any
28 street unless of a type approved by the city engineer or public works director or disobey the

1 instructions, remove, tamper with or destroy any banner or sign lawfully placed on any street by
2 any person, public utility or by any department of this city.

3 **10.36.080 - Intersection obstruction.**

4 Whenever the city engineer or public works director finds that any hedge, shrubbery, or tree
5 growing in a parkway obstructs the view of any intersection, or any traffic upon the streets
6 approaching such intersection, he/she shall cause the hedge, shrubbery or tree to be immediately
7 removed or reduced in height.

8 **10.40.010 - Routes.**

9 A. Whenever any resolution of this city designates and describes any street or portion thereof
10 as a street the use of which is permitted by any vehicle exceeding a maximum gross
11 weight limit of five tons, the city engineer or public works director (provided they are a
12 registered Professional Engineer in California) is authorized to designate such street or
13 streets by appropriate signs as "truck routes" for the movement of vehicles exceeding a
14 maximum gross weight limit of five tons.

15 **10.40.020 - Commercial vehicles prohibited on certain streets.**

16 A. Whenever any resolution of this city designates and describes any street or portion thereof
17 as a street the use of which is prohibited by any commercial vehicle, the city engineer or
18 public works director (provided they are a registered Professional Engineer in
19 California) shall erect and maintain appropriate signs on those streets affected by such
20 ordinance.

21 **10.41.010 - Definitions.**

22 The following words and phrases shall have the meanings set forth, and if any word or phrase
23 used in this chapter is not defined in this section, it shall have the meanings set forth in the
24 California Vehicle Code; provided, that if any such word or phrase is not defined in the vehicle
25 code, it shall have the meaning attributed to it in ordinary usage.

26 A. ...

27 E. "Public works director" means the city's public works director.

28 **10.41.010 - Definitions.**

1 The following words and phrases shall have the meanings set forth, and if any word or phrase
2 used in this chapter is not defined in this section, it shall have the meanings set forth in the
3 California Vehicle Code; provided, that if any such word or phrase is not defined in the vehicle
4 code, it shall have the meaning attributed to it in ordinary usage.

5 F. "Public works director" means the public works director of the city or his/her
6 representative.

7 **10.41.024 Public works director authority**

8 Any authority provided to the city engineer in this chapter shall also apply to the public works
9 director, if the director is a registered Professional Engineer in California.

10 **10.48.010 - Permit required.**

11 A. No person shall move or operate upon any of the city streets any vehicle with a load or
12 loads in excess of those permitted by the Vehicle Code without a written permit from
13 the city engineer or public works director.

14 B. The city engineer or public works director may, by written permit, authorize a load or
15 loads in excess of those allowed for in the Vehicle Code, if, in his/her judgment, the
16 streets upon which such vehicle is to be operated can safely withstand the additional
17 weight, or if the applicant will guarantee to the city that all costs of repair to the streets or
18 to the public property of the city damaged by the movement of such load or loads will be
19 paid in full. Such permit shall be granted upon such conditions and upon depositing such
20 bond as the city engineer or public works director in his/her discretion may require.

21 C. The applicant for such a permit shall pay a permit fee as established from time to time by
22 city council resolution for a single trip or for an annual permit which will allow
23 continuous operation.

24 **10.52.010 - Crosswalk—Establishment.**

25 A. The city engineer and public works director (provided they are a registered Professional
26 Engineer in California) establishes, designates and maintains crosswalks at intersections
27 and other places by appropriate devices, marks or lines upon the surface of the roadway as
28 follows:

1 B. Crosswalks shall be established and maintained at all intersections where the city engineer
2 or public works director (provided they are a registered Professional Engineer in
3 California) determines that there is particular hazard to pedestrians crossing the roadway
4 subject to the limitation contained in subsection B.

5 C. ...

6 D. The city engineer or public works director (provided they are a registered Professional
7 Engineer in California) may place signs at or adjacent to an intersection in respect to any
8 crosswalk directing that pedestrians shall not cross in the crosswalk so indicated.

9 **11.04.010 - Definitions.**

10 The following words and phrases, for the purpose of this chapter, mean as defined in this section:

11 F. "Construction permit" means written authorization from the city engineer or public works
12 director for constructing, replacing or repairing sidewalks, curbs, gutters, cross-gutters,
13 driveways, sewers, storm drains, manholes, catch basins, paving, grading, culverts and
14 appurtenant work.

15 G. "Street opening permit" means written authorization from the city engineer or public
16 works director for excavation within the street right-of-way for the installing, constructing,
17 replacing or repairing of gas facilities, water facilities, telephone facilities, electrical facilities,
18 community antenna facilities, street light facilities and appurtenant work.

19 H. "Utility pole permit" means written authorization from the city engineer or public works
20 director for the installation, replacement or relocation of telephone poles, electrical poles,
21 community antenna television poles, or street light poles and appurtenant work.

22 I. "Encroachment permit" means written authorization from the city for the installation,
23 replacement or relocation of signs, awnings, decorative planter boxes or other facilities within
24 the street right-of-way that are owned by private individuals or corporations including all
25 appurtenant work.

26 J. "Public works director" means the public works director of the City of Rialto.

27 **11.04.014 Public works director authority**

28

1 Any authority provided to the city engineer in this chapter shall also apply to the public works
2 director, if the director is a registered Professional Engineer in California.

3 **11.05.010 - Defined.**

4 An encroachment license agreement consists of a discretionary approval by the city council to
5 allow installation of permanent structures or private utilities (the "encroachments") constructed
6 within public right-of-way that require additional conditions imposed by the city council relative
7 to their installation, operation and perpetual maintenance than is otherwise authorized by an
8 encroachment permit administratively issued by the city engineer or public works
9 director pursuant to [Chapter 11.04](#). An encroachment license agreement shall be revocable for
10 cause by the city council pursuant to the conditions, and subject to the notice, required by
11 this [Chapter 11.05](#).

12 **11.05.014 Public works director authority**

13 Any authority provided to the city engineer in this chapter shall also apply to the public works
14 director, if the director is a registered Professional Engineer in California.

15 **11.12.020 Scope; Public works director authority**

16 This chapter sets forth rules and regulations to control excavation, grading and earthwork
17 construction, including fills and embankments; establishes the administrative procedure for
18 issuance of permits; and provides for approval of plans and inspection of grading construction.

19 If two or more provisions of this chapter, and any other applicable law are in conflict, that which
20 provides the greater safety shall prevail.

21 Any authority provided to the city engineer in this chapter shall also apply to the public works
22 director, if the director is a registered Professional Engineer in California.

23 **11.22.020 - Definitions.**

24 "Public Works Director" means the city's public works director, or his or her designee.

25 "Substantial change" has the same meaning as "substantial change" as defined by the FCC
26 at 47 C.F.R. 1.61001(b)(7). Notwithstanding the definition above, if an existing pole-
27 mounted cabinet is proposed to be replaced with an underground cabinet at a facility
28 where there are no pre-existing ground cabinets associated with the structure, such

1 modification may be deemed a non-substantial change, in the discretion of the city
2 engineer or public works director and based upon his/her reasonable consideration of the
3 cabinet's proximity to residential view sheds, interference to public views and/or
4 degradation of concealment elements. If undergrounding the cabinet is technologically
5 infeasible such that it is materially inhibitive to the project, the city engineer or public
6 works director may allow for a ground mounted cabinet. A modification or collocation
7 results is a "substantial change" to the physical dimensions of an eligible support structure
8 if it does any of the following: ...

9 **11.22.024 Public works director authority**

10 Any authority provided to the city engineer in this chapter shall also apply to the public works
11 director, if the director is a registered Professional Engineer in California.

12 **12.04.020 - Installation—Permit required.**

13 No unauthorized person shall uncover, make any connections with or opening into, use, alter, or
14 disturb any water line or appurtenances thereto without first obtaining a written permit from
15 the city engineer or public works director (provided they are a registered Professional Engineer in
16 California).

17 **12.08.014 Public works director authority.**

18 Any authority provided to the city engineer in this chapter shall also apply to the public works
19 director, if the director is a registered Professional Engineer in California.

20 **12.16.010 – Definitions.**

21 F. “Public works director” means the city’s public works director, or their designee.

22 **12.16.014 Public works director authority.**

23 Any authority provided to the city engineer in this chapter shall also apply to the public works
24 director, if the director is a registered Professional Engineer in California.

25 **12.32.030 - Definition of terms.**

26 The following terms are defined for the purposes of this chapter: ...

27 “Public works director” means the city’s public works director or their designee.

28 **12.32.090 - Existing potable water customers.**

1 C. In making such determination, the city engineer or public works director (provided they
2 are a registered Professional Engineer in California), in consultations with the prospective
3 recycled water customer(s), shall consider, but not be limited to, the following factors:

4 F. At the time of commencing the work, the property owner shall furnish the city engineer or
5 public works director (provided they are a registered Professional Engineer in California) a
6 schedule showing the time frame of when the conversion work will be completed. The city
7 engineer or public works director may grant an extension of time for the preparation of
8 studies, environmental review or other good reason.

9 **12.32.100 - Failure to commence use of recycled water.**

10 The city engineer or public works director (provided they are a registered Professional Engineer
11 in California) shall identify and give notice to all persons, firms, and corporations which have
12 failed to commence the use of recycled water obligated under the general rule, and determine the
13 reasons for such persons, firms, or corporations for failing to take recycled water, after being
14 offered the opportunity.

15 **12.32.110 - Procedures for instituting mandatory service.**

16 The city of Rialto may initiate proceedings to institute mandatory service to a person, firm or
17 corporation as follows:

18 A. The potential recycled water customer shall be notified in writing why the city engineer or
19 public works director (provided they are a registered Professional Engineer in
20 California) has determined it is feasible to convert to recycled water service; initiating a
21 thirty-day period for filing protests or requesting a waiver.

22 B. After the thirty-day protests and waivers period has expired, findings shall be made, and
23 the city engineer or public works director (provided they are a registered Professional
24 Engineer in California) shall request of the city council and Rialto utility authority to
25 conduct a joint hearing to find the conditions for mandatory use exist.

26 **12.60.030 Definitions.**

27 “Public works director” means the city’s public works director or their designee.

28 **12.60.034 – Public works director authority.**

1 Any authority provided to the city engineer in this chapter shall also apply to the public works
2 director, if the director is a registered Professional Engineer in California.

3 **15.52.020 - City engineer and public works director's duty.**

4 It is the duty of the city engineer and public works director to designate the respective starting
5 points for numbers to be placed on, and also the respective numbers for, buildings and entrances
6 fronting on streets, and to give written notice to the owner, occupant, lessee, tenant or subtenant
7 of such building or entrance. The street and building numbers shall comply with the requirements
8 of the California Fire Code as adopted and amended by this jurisdiction in RMC [Chapter 15.28](#).

9 **17.18.060 - Filing and processing.**

10 A vesting tentative map shall be filed in the same form and have the same contents,
11 accompanying data and reports and shall be processed in the same manner as set forth in [Chapter](#)
12 [17.16](#) of this code for a tentative map, except as hereinafter provided:

13 B. ...

- 14 1. ... to and approved by the city engineer or public works director (provided they are a
15 registered Professional Engineer in California);
- 16 5. A precise grading plan in conformance with the PPD-approved site plan for the
17 proposed residential development shall be submitted to and approved by the city
18 engineer or public works director (provided they are a registered Professional Engineer
19 in California);
- 20 6. A preliminary soils report, and geological study if required, shall be submitted to
21 the city engineer or public works director (provided they are a registered Professional
22 Engineer in California);
- 23 7. An engineered hydrology and hydraulics report shall be submitted to and approved by
24 the city engineer or public works director (provided they are a registered Professional
25 Engineer in California);
- 26 8. All above requirements shall be met prior to the filing of a vesting tentative map.

27 **17.20.080 - Improvements required.**

28

1 C. If such improvement work is not completed satisfactorily before the final map is
2 approved, the owner or owners of the subdivision shall, prior to approval of the final map,
3 enter as contractor into an agreement with the city council whereby, in consideration of
4 the acceptance by the city council of the streets and easements offered for dedication, to
5 complete the work within the time specified in the agreement. To assure the city that this
6 work will be completed, a bond shall be furnished guaranteeing the faithful performance
7 of the work in the sum equal to the cost as estimated by the city engineer or public works
8 director. Ninety percent of this bond may be furnished by a qualified surety company,
9 except in cases where a cash deposit is required by the city council. Ten percent of the
10 bond amount must be cash or a letter of credit payable upon demand of the city. This
11 money may be used as directed by the city administrator or a person designated by
12 him/her to pay the cost of maintaining barricades, correcting street hazards or repairing
13 any street irrigation line or other utility causing a hazard, nuisance or inconvenience to the
14 public.

15 **17.20.110 - Installation of landscaping and irrigation systems—Assessment districts.**

16 No certificate of occupancy shall be issued for a lot abutting upon a parkway in an assessment
17 district until all the required landscaping and irrigation systems have been installed. Such
18 installation may be in phases as determined by the city engineer or public works director.

19 **17.24.010 - Required.**

20 A preliminary soils report, prepared by a civil engineer registered in this state and based upon
21 adequate test borings, shall be submitted to the director of development services (or the city
22 engineer or public works director) for every subdivision.

23 **17.24.030 - Soils investigation required when.**

24 If the department of development services (or the city engineer or public works director) has
25 knowledge of, or the preliminary soils report indicates, the presence of critically expansive soils
26 or other soils problems which, if not corrected, would lead to structural defects, a soils
27 investigation of each lot in the subdivision may be required by the director of development
28 services (or the city engineer or public works director). Such soils investigation shall be done by a

1 civil engineer registered in this state, who shall recommend the corrective action which is likely
2 to prevent structural damage to each structure proposed to be constructed in the area where such
3 soils problem exists.

4 **17.24.030 - Soils investigation required when.**

5 If the department of development services (or the city engineer or public works director) has
6 knowledge of, or the preliminary soils report indicates, the presence of critically expansive soils
7 or other soils problems which, if not corrected, would lead to structural defects, a soils
8 investigation of each lot in the subdivision may be required by the director of development
9 services (or the city engineer or public works director). Such soils investigation shall be done by a
10 civil engineer registered in this state, who shall recommend the corrective action which is likely
11 to prevent structural damage to each structure proposed to be constructed in the area where such
12 soils problem exists.

13 **17.32.020 - Interior monuments.**

14 Interior monuments need not be set at the time the map is recorded, if the engineer or surveyor
15 certifies on the map that the monuments will be set on or before a specified later date, and if the
16 subdivider furnishes to the city council security guaranteeing the payment of the cost of setting
17 such monuments. Said sufficient security shall be determined by the city engineer or public works
18 director (provided they are a registered Professional Engineer in California) with the concurrence
19 of the director of development services.

20 **17.44.010 - Design standards.**

21 ...

22 In reviewing tentative subdivision maps, the planning commission will require:

23 A. Dedications of land for streets, alleys, floodways and easements for:

24 1. ...

25 4. Easements:

26 a. For flood channels at such widths as the county flood control officer, city engineer,
27 or public works director may indicate,

28 **17.46.080 - Mergers initiated by application.**

1 This section implements the procedures and prescribes the standards for owner-initiated merger
2 and un-merger of land as authorized by Government Code Sections 66451.30 through 66451.302
3 and 66499.20.2 through 66400.20.3, as may be amended from time to time.

4 A. ...

5 B. By application of all owners of record, filed with the city engineer or public works
6 director, contiguous parcels under common ownership may be merged without reverting
7 to acreage. To allow the merger, the city engineer or public works director, in consultation
8 with the community development director or designee, must find that:

- 9 1. All parcels to be merged are contiguous, adjacent or may be consolidated into a single
10 parcel;
- 11 2. All parcels to be merged are under identical ownership; and
- 12 3. The resulting parcel is consistent with the city's general plan, any applicable specific
13 plan, and any other applicable provision of this code.

14 C. Upon approval of the merger by the city engineer or public works director, the city
15 engineer or public works director shall file with the county recorder an instrument
16 evidencing the merger.

17 D. Appeal. A determination of the city engineer or public works director to approve or deny
18 the application may be appealed by an interested party to the city manager, or his or her
19 designee ("city manager"), by filing a written notice of appeal within ten calendar days
20 from the date of the city engineer or public works director's decision. The city manager, at
21 his or her discretion, may request a hearing on the matter, or may decide the matter based
22 on the record and written appeal. The city manager shall review the matter de novo, and
23 shall issue a decision within forty-five days of receipt of the written appeal. The city
24 manager's decision shall be final.

25 **17.50.020 - Definitions.**

26 Whenever in this chapter the words or phrases defined hereinafter in this section are used, they
27 have the meanings assigned to them in the following definitions:
28

1 "Estimated construction cost" means the estimated cost of construction as outlined in the
2 engineering report and approved by the city engineer or public works director.

3 **17.50.030 - Procedure.**

4 A. ...

5 B. Application. A property owner/financing party requesting a reimbursement agreement
6 shall submit an application on a form provided by the city and shall provide information
7 as required by the community development director, city engineer, or public works
8 director, including the area of the proposed benefit area. The city shall prepare a
9 reimbursement agreement in conformance with the requirements of Section [17.50.040](#).
10 The applicant shall also submit a deposit to cover the city's estimated administrative costs
11 to review, process, and approve the reimbursement agreement.

12 C. Review. The community development director, city engineer, or public works
13 director will review and recommend that the city council either approve, approve with
14 modification, or reject the proposed reimbursement agreement, in accordance with the
15 procedures set forth in Section [17.50.050](#).

16 **17.50.040 - Contents of the reimbursement agreement.**

17 A reimbursement agreement shall include, but is not limited to, the following provisions:

18 A. ...

19 B. A detailed plat drawn at an engineering scale approved by the city engineer or public
20 works director showing each property included within the benefit area and a list of each
21 property by county assessor parcel number, as well as the precise location of all public
22 improvements;

23 **17.50.050 - Notice and hearing.**

24 ...

25 D. After the public hearing, the city council may, by resolution, approve, approve with
26 modifications, or deny a reimbursement agreement. Before granting approval, the city
27 council shall make each of these findings:
28

- 1 1. The improvements for which reimbursement is sought is a public improvement which
2 will, upon completion, be dedicated to and accepted by the city, if constructed to the
3 applicable standard set by the city engineer or public works director;

4 **17.50.060 - Payment by benefited property owner.**

5 A. ...

- 6 B. The contribution charge applies only: (1) after the reimbursement agreement is recorded;
7 (2) during the period a reimbursement agreement is in effect; and (3) if the city engineer
8 or public works director determines that the land use approval involves the scope and type
9 of development contemplated by the reimbursement agreement.

10 **18.47.080 - Site development standards.**

11 ...

- 12 D. Circulation. All internal roads and all access roads to the proposed facility shall be
13 constructed or improved to city standards as approved by the public works department.

14 **18.49.050 - Sign requirements.**

15 G. Temporary Advertising Signs. ...

- 16 3. Street light banner signage may be permitted subject to review and approval by the
17 public works department and approval of an encroachment permit by the city engineer
18 or public works director.

19 ...

20 H. Exempt Signs. The following signs shall be exempt from the requirements of this
21 chapter:

22 1. ...

- 23 10. Street light banner signs subject to review by the public works department and
24 approval of an encroachment permit by the city engineer or public works director;

- 25 11. Seasonal signage displayed within the public right-of-way and subject to approval
26 of an encroachment permit by the city engineer or public works director.

27 **18.58.030 - Office, commercial and industrial design standards.**

28

1 Design standards in this section establish minimum dimensions and guidelines for the design,
2 construction and maintenance of off-street office, commercial and industrial parking facilities, as
3 follows:

4 ...

5 D. Paving. All parking areas, loading facilities and drive aisles shall be surfaced and
6 maintained with asphaltic concrete, cement or other permanent impervious surfacing
7 material which is approved by the community development department and is acceptable
8 to the city engineer or public works director, and shall be maintained in good order.

9 E. Drainage. All parking and loading facilities shall be graded and provided with permanent
10 stormwater drainage facilities which are approved by the community development
11 department and are acceptable to the city engineer or public works director.

12 ...

13 L. Safety Features. Safety features in agreement with city standards shall be incorporated
14 into the design of the parking facility, as follows:

15 1. Safety banners protective curbing, directional markers and signs, striping and other
16 devices as deemed necessary by the city engineer or public works director shall be
17 installed.

18 2. Internal circulation for vehicles and pedestrians shall be designed and maintained
19 in agreement with accepted principles of traffic engineering and traffic safety.

20 ...

21 M. Parking Structures. Parking structures having two or more stories or levels shall be
22 constructed in accordance with design standards which are approved by the community
23 development director or planning commission, as applicable, and acceptable to the city
24 engineer or public works director.

25 N. ...

26 O. Loading Spaces.

27

28

1 3. Markings. A loading space shall be marked, striped, signed and otherwise
2 designated for loading purposes as deemed necessary by the city engineer or public
3 works director.

4 **18.58.040 - Residential design standards.**

5 The design standards in this section establish minimum dimensions and guidelines for off-street
6 single-family and multiple-family residential parking as follows:

7 A. ...

8 3. Driveway. The driveway to a garage shall have a minimum width of sixteen feet
9 and shall have a minimum clearance of fourteen feet. Driveways shall have a
10 maximum grade of twelve percent, or as approved by the city engineer or public works
11 director.

12 B. ...

13 C. General Residential Standards. Unless otherwise specified, the following standards shall
14 apply in all residential zones:

15 6. ...

16 e. ...

17 v. The parking area for the commercial vehicle including the driveway
18 providing ingress and egress to the parking area, shall be surfaced
19 and maintained with asphaltic concrete, concrete or other
20 impervious surfacing material as approved by the city engineer or
21 public works director, and shall be maintained in good order
22 thereafter.

23 vi. ...

24 vii. The exact route by which the commercial vehicle is permitted to
25 travel between the residential lot and the nearest truck route will be
26 prescribed as approved by the city engineer or public works
27 director and planning commission.

28 ...

1 7. Paving. Requirements for paving in residential zones shall be as follows:

2 a. All driveways shall be surfaced and maintained with asphaltic concrete,
3 concrete or other impervious surfacing material which is acceptable to
4 the city engineer or public works director, and shall be maintained in good
5 order thereafter.

6 b. All parking areas, other than driveways, and used for the parking or storing
7 of dismounted campers, camper shells, boats, trailers or similar recreational
8 items, and open to public view, shall be surfaced with a surfacing material
9 which is acceptable to the city engineer or public works director, and shall
10 be maintained in good order thereafter.

11 8. Drainage. All parking facilities shall be graded and provided with permanent
12 stormwater drainage facilities which are acceptable to the city engineer or public
13 works director.

14 **18.59.030 - Design standards.**

15 The following design standards shall be incorporated into the precise plan of design approval
16 process for all new and revised nonresidential and multi-family developments of ten or more
17 units, except as specifically provided below:

18 ...

19 F. Provide transit improvements such as bus pullouts, bus pads and bus shelters for all new
20 residential and nonresidential development along existing or planned transit routes. The
21 need for and nature of such improvements to be defined by the city engineer or public
22 works director in cooperation with Omnitrans.

23 ...

24 K. Sidewalks shall be installed or widened when possible, as approved by the city engineer or
25 public works director, to accommodate pedestrians

26 **18.75.140 - Designation of the floodplain administrator.**

27
28

1 The City engineer and/or the public works director are hereby appointed to administer,
2 implement, and enforce this chapter by granting or denying development permits in accord with
3 its provisions.

4 **18.78.040 - Definitions.**

5 For the purpose of this chapter, the following specific words and terms shall have the following
6 meanings. Other words and terms not specifically defined shall be defined in accordance with the
7 city zoning ordinance.

8 A. ...

9 G. "Development review committee (DRC)" means a committee composed of the director of
10 development services, city engineer or public works director, police chief, fire chief and
11 chief building official or their designated representatives with specified duties and
12 responsibilities of reviewing and approving precise plans of design for development
13 proposed within the city, pursuant to city council Resolution No. 2326.

14 **18.100.080 - Development standards.**

15 The following minimum development standards contained in this section shall apply to all
16 proposed mobile home parks or subdivisions, unless specified in this section:

17 J. ...

18 3. All roadways, both public and private shall be designed and constructed to the
19 satisfaction of the city engineer or public works director (provided they are a registered
20 Professional Engineer in California).

21 **18.102.050 - General provisions.**

22 B. Prohibited Signs. All signs not expressly permitted are prohibited in all zones, including,
23 but not limited to, the following:

24 1. ...

25 6. Signs within the public right-of-way, except where required by a governmental
26 agency, or an encroachment permit has been obtained from the city engineer or public
27 works director in accordance with Section [11.04.070](#) of this code;

28 ...

1 **18.102.060 - Sign requirements.**

2 Sign permits may be issued for signs that are permitted in this section, provided the signs are in
3 compliance with all other applicable laws and ordinances.

4 A. Permitted Signs ...

- 5 1. A noncommercial sign shall not be placed, posted or otherwise displayed within
6 the public right-of-way or on any public property without an encroachment permit
7 from the city engineer or public works director in accordance with the provisions
8 of Section [11.04.070](#) of this code.

9 ...

10 B. Permitted Signs—...

11 3. Permitted Signs—...

12 a. ...

- 13 iv. Sign structures may be placed on private property with written
14 consent of the property owner, or within the public right-of-way with
15 issuance of an encroachment permit by the city engineer or public
16 works director. Each sign structure shall be located a minimum
17 distance of twelve hundred feet from a similarly approved directory
18 sign structure.

19 **18.103.070 - Requirements for lawful operation—Conditional development permit—**
20 **Physical premises.**

21 A. ...

22 1. ...

- 23 2. All dismantling of vehicles, drainage of fluids, processing of vehicle parts, and
24 storage of recyclable units or parts will be accumulated, stored or stacked so that
25 no recyclable unit or part is touching a pervious ground surface, with the exception
26 that whole bodies or parts of vehicles which have been drained of fluids and other
27 hazardous liquid materials may be stored on pervious ground surfaces. All such
28 dismantling, processing and storage activities, other than the storage of whole

1 bodies or parts of vehicles which have been drained of fluids and other hazardous
2 liquid materials, shall be conducted upon an impervious surface of asphaltic
3 concrete, asphalt, or other impervious surfacing material which is approved in
4 advance by the city engineer or public works director. Such surfaces shall be
5 effective in protecting soil and groundwater from contamination of spilled or
6 drained fluids. Adequate drainage, including retention basins, may be required as
7 determined by the city engineer or public works director.

8 **18.108.040 - Criteria and standards for recycling facilities.**

9 ...

10 B. Small collection facilities and bulk reverse vending machines:

11 11. The operator shall provide a quarterly report to the city engineer or public works
12 director identifying the type and amount of materials recycled by the facility
13 during the quarter, which will assist the city in determining the amount of solid
14 waste diverted from its waste stream as required by the California Integrated
15 Waste Management Act of 1989 (AB 939);

16 ...

17 D. Processing Facilities.

18 13. The operator shall provide a quarterly report to the city engineer or public works
19 director (provided they are a registered Professional Engineer in
20 California) identifying the type and amount of materials recycled by the facility
21 during the quarter, which will assist the city in determining the amount of solid
22 waste diverted from its waste stream as required by the California Integrated
23 Waste Management Act of 1989 (AB 939)

24 **18.111.040 - Standards for wireless telecommunication facilities.**

25 Any facility shall be constructed, operated and maintained at all times in compliance with this
26 chapter and all applicable laws and regulations of the city, county, state and federal government.

27 A. ...

28

1 B. General Development Requirements. Any facility shall comply with all of the following
2 requirements:

3 13. A facility may be subject to right of way improvements at the discretion of the city
4 engineer or public works director.

5 **18.112.050 - Development standards.**

6 A. ...

7 D. Parking and Access Standards.

8 1. ...

9 2. All passenger vehicle parking lots, drive-aisles, and truck parking areas or truck
10 courts shall be paved with asphalt or concrete, as required by the city engineer or
11 public works director.

12 **SECTION 3. EFFECTIVE DATE**

13 This Ordinance shall take effect 30 days after its passage by the City Council of the City of
14 Rialto.

15 **SECTION 4. SEVERABILITY**

16 If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance
17 is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent
18 jurisdiction, then such decision shall not affect the validity of the remaining portions of this
19 ordinance. The City Council hereby declares it would have adopted this Ordinance and each
20 section, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that one or
21 more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared
22 invalid or unconstitutional.

23 **SECTION 5. CEQA DETERMINATION**

24 The City Council finds and determines this ordinance is not a project within the meaning of
25 section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change
26 in the environment, either directly or ultimately. In the event that this ordinance is found to be a
27 project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section
28

1 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on
2 the environment.

3 **SECTION 6. CERTIFICATION, PUBLICATION, AND EFFECTIVE DATE**

4 The City Clerk shall certify to the adoption of this ordinance and publish and post the
5 ordinance in accordance with Government Code section 36933. This ordinance shall take effect 30
6 days after its date of adoption

7 **PASSED, APPROVED AND ADOPTED** at the regular meeting of Rialto City Council
8 on the ____ day of _____, 2026.

9

10

JOE BACA, Mayor

11

12 ATTEST:

13

14

BARBARA McGEE, City Clerk

15

16

17

APPROVED AS TO FORM:

18

19

20

ERIC S. VAIL, City Attorney

21

22

23

24

25

26

27

28

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)

4 I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing
5 Ordinance No. _____ was duly passed and adopted at a regular meeting of the City Council
6 of the City of Rialto held on the _____ day of _____, 2026.

7 Upon motion of Councilmember _____, seconded by Councilmember
8 _____, the foregoing Ordinance No. _____ was duly passed and adopted.

9 Vote on the Motion:

10 AYES:

11 NOES:

12 ABSENT:

13 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
14 Rialto, this _____ day of _____, 2026.

15 _____
16 Barbara A. McGee, City Clerk

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