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1 ordinance. The City Council hereby declares it would have adopted this Ordinance and each section,
2 subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that one or more
3 section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or
4 unconstitutional.

5 **SECTION 4. CERTIFICATION, PUBLICATION, AND EFFECTIVE DATE**

6 The City Clerk shall certify to the adoption of this ordinance and publish and post the
7 ordinance in accordance with Government Code Section 36933. This ordinance shall take effect
8 thirty (30) days after its date of adoption.

9
10 PASSED, APPROVED AND ADOPTED this ____ day of _____, 2025.

11
12 _____
13 JOE BACA, Mayor

14 ATTEST:

15
16 _____
17 BARBARA A. McGEE, City Clerk

18 APPROVED AS TO FORM:

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21 _____
22 ERIC S. VAIL, City Attorney
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STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF RIALTO)

I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing Ordinance No. _____ was duly passed and adopted at a regular meeting of the City Council of the City of Rialto held on the _____ day of _____, 2025.

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

Vote on the Motion:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of Rialto, this _____ day of _____, 2025.

Barbara A. McGee, City Clerk

Exhibit A

11.04.145 Moratorium on trench cuts in newly paved streets.

For streets, alleys, and public places that were constructed, reconstructed, overlaid, or sealed, the following shall apply:

- A. Non-emergency street cuts will not be permitted for a period of five years from the date of notice of completion of construction, reconstruction, or overlay. Non-emergency street cuts will not be permitted for a period of three years from the date of notice of completion of slurry seal.
- B. Emergencies (exceptions) are defined as follows, as determined by the director of public works/city engineer:
 - 1. Imminent endangerment of life or property.
 - 2. Interruption of essential utility service.
 - 3. Work that is mandated by the city, state, or federal law.
 - 4. Service for new development or new customers where no other reasonable means of providing service exists.
 - 5. **Service for existing Single Family Residential units pursuing septic-to-sewer conversion.**
 - 6. **Replacement or repair of an existing water or sewer service lateral for Single Family Residential units.**
 - 7. **Utility repairs resulting from homeowner improvements or emergency needs.**
- C. In the case of an emergency or where street cuts have been authorized by the director of public works/city engineer, within five years following the notice of completion of construction, reconstruction, or overlay; and three years following the notice of completion for a slurry seal the following shall apply:

Construction, Reconstruction, Overlay:

- 1. For street cuts/trenches, on a moratorium street, perpendicular to traffic lanes (a transverse street cut): The permittee will be required to grind and overlay, two inches of asphalt concrete (AC), twenty feet on both sides of the trench line and for the full width of all impacted traffic lane(s) cut; but not less than five feet from the end(s) of the trench. If the trench end(s) is less than or equal to five feet from a lane line the adjacent lane shall be included, or as directed by the city engineer. The full width of street shall be slurry sealed within the limits of the grind and overlay, or as directed by the city engineer. All work requires a properly licensed contractor. All other criteria **shall be in accordance with the current edition of the** ~~from~~ City of Rialto Standard Drawings. ~~No. SC 231 is applicable.~~
- 2. For street cuts/trenches, on a moratorium street, parallel to traffic lanes (a longitudinal street cut): The permittee will be required to grind and overlay two

1 inches of AC, one-half street width minimum, for the full length of the cut/trench
2 plus ten feet on both ends, but not less than or equal to five feet from trench edge
3 both sides of trench, if this limit encroaches into adjacent lane, the other half of the
4 street, then the full lane width shall be included, or as directed by the city engineer.
5 The full width of the street shall be slurry sealed, within the limits of the grind and
6 overlay, or as directed by the city engineer. All work requires a properly licensed
7 contractor. All other criteria **shall be in accordance with the current edition of**
8 **the from City of Rialto Standard Drawings.**~~No. SC-231 is applicable~~

9 **3. For street cuts/trenches authorized under Section B.5 and B.6, all trench work**
10 **shall be in accordance with the current edition of the City of Rialto Standard**
11 **Drawings.**

12 Slurry Seal:

13 **34.** For street cuts/trenches, on a moratorium street, perpendicular to traffic lanes (a
14 transverse street cut): The permittee will be required to slurry seal, match existing
15 slurry seal, twenty feet on both sides of the trench line and for the full width of all
16 impacted traffic lane(s) cut; but not less than five feet from the end(s) of the trench.
17 If the trench end(s) is less than or equal to five feet from a lane line the adjacent
18 lane shall be included. All work requires a properly licensed contractor. All other
19 criteria from City of Rialto Standard Drawing No. SC-231 is applicable.

20 **5.4.** For street cuts/trenches, on a moratorium street, parallel to traffic lanes (a
21 longitudinal street cut): The permittee will be required to slurry seal, match existing
22 slurry seal, one-half street width minimum, for the full length of the cut/trench plus
23 ten feet on both ends, but not less than or equal to five feet from trench edge both
24 sides of trench, if this limit encroaches into adjacent lane, the other half of the
25 street, then the full lane width shall be included. All work requires a properly
26 licensed contractor. All other criteria from City of Rialto Standard Drawing No.
27 SC-231 is applicable.

28 **6.5.** For street cuts/trenches authorized under Section B.5 and B.6, all trench work
shall be in accordance with the current edition of the City of Rialto Standard
Drawings.

**D. Single Family Residential units may appeal the requirements or denial of a street
cut permit under this ordinance. Appeals must be submitted in writing to the
director of public works/city engineer within ten (10) business days of the permit
decision. The appeal shall be reviewed, and a determination shall be made within
thirty (30) business days. The decision of the director of public works/city engineer
shall be final unless further appeal is submitted to the City Council within ten (10)
business days of the decision.**