

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDINANCE NO. 1714

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO AMENDING MISCELLANEOUS SECTIONS IN THE RIALTO MUNICIPAL CODE TO PROVIDE THE DIRECTOR OF PUBLIC WORKS WITH THE SAME AUTHORITY AS THE CITY ENGINEER

WHEREAS, Section VII of Article XI of the California Constitution provides that a City may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, the City Council desires to amend the Municipal Code to allow the director of public works to have the same authority as the city engineer in all instances where such authority is permissible; and

WHEREAS, all legal prerequisites to the adoption of the ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. FINDINGS

The City Council hereby finds that all of the foregoing recitals and the staff report presented herewith are true and correct and are hereby incorporated and adopted as findings of the City Council as if fully set forth herein.

SECTION 2. AMENDMENTS TO RIALTO MUNICIPAL CODE

The following sections of the Rialto Municipal Code are hereby amended to read as follows:

2.42.060 - Master plan of streets and highways.

The master plan of streets and highways established by the city council and maintained in the office of the city engineer or public works director is incorporated by reference as set forth in detail in this code.

2.48.040 - Definitions of terms used in this chapter.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

2.48.190 - General procurement methods for public projects.

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

2.48.200 - Purchasing process.

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

2.48.210 - Informal public project bidding procedure.

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

2.48.250 - Field orders.

- A. Policy.
 - 1. ...
 - 2. Field orders shall be limited to minor adjustments to the scope of work directly related to the public project, and shall identify the description of the scope of work and the cost therefore, with such documentation justifying the price as deemed necessary by the city

1 engineer or public works director (provided they are a registered Professional Engineer in
2 California).

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

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

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

19 **2.48.260 - Acceptance of public projects; notices of completion.**

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

28 **3.33.030 - Definitions.**

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

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

9 **3.33.100 - Fee credits.**

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

1 the developer's obligation to pay the development impact fee for the type of public facility
2 constructed, unless a separate reimbursement agreement is approved by the city council.

3 **3.33.110 - Construction and credit agreements.**

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

27 **3.33.120 - Appeal to city administrator.**

28

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

14 **5.44.027 - System construction.**

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

23 **9.02.010 - Prohibited.**

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

1 **10.12.010 - Installation authority.**

2 A. The city engineer or public works director (provided they are a registered
3 Professional Engineer in California) has the power and duty to place and maintain or cause to be
4 placed and maintained official traffic control devices when and as required to make effective the
5 provisions of this title.

6 B. Whenever the Vehicle Code requires for the effectiveness of any provision thereof
7 that traffic control devices be installed to give notice to the public of the application of such law
8 the city engineer or public works director (provided they are a registered Professional Engineer
9 in California) is authorized to install or cause to be installed the necessary devices subject to any
10 limitations or restrictions set forth in the law applicable thereto.

11 C. The city engineer or public works director (provided they are a registered
12 Professional Engineer in California) may also place and maintain or cause to place and maintain
13 such additional traffic control devices as he/she deems necessary or proper to regulate traffic or
14 to guide or warn traffic, but he/she shall make such determination only upon the basis of traffic
15 engineering principles and traffic investigations and in accordance with such standards,
16 limitations, and rules as may be set forth in this title or as may be determined by ordinance or
17 resolution of the council.

18 **10.12.030 - Signal installation.**

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

24 B. The city engineer or public works director (provided they are a registered
25 Professional Engineer in California) shall ascertain and determine the locations where such
26 signals are required by field investigation, traffic counts and other traffic information as may be
27 pertinent and his/her determinations therefrom shall be made in accordance with those traffic
28

1 engineering and safety standards and instructions set forth in the California Traffic Manual issued
2 by the Division of Highways of the State Department of Public Works.

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

8 **10.12.040 - Lane marking.**

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

14 **10.12.050 - Distinctive roadway markings.**

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

22 **10.12.060 - Removal, relocation authority.**

23 The city engineer or public works director (provided they are a registered Professional
24 Engineer in California) is authorized to remove, relocate or discontinue the operation of any
25 traffic control device not specifically required by the Vehicle Code or this title whenever he/she
26 determines in any particular case that the conditions which warranted or required the installation
27 no longer exist or obtain.

28 **10.12.070 - Hours of operation.**

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

4 **10.16.010 - Turner, multiple lane and intersection markers.**

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

12 **10.16.020 - Restricted turn signs.**

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

19 **10.16.030 - Signal controlled intersections—Right turns.**

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

24 **10.20.010 - Posting authority.**

25 Whenever any city ordinance or resolution designates any one-way street or alley, the city
26 engineer or public works director (provided they are a registered Professional Engineer in
27 California) shall place and maintain signs giving notice thereof, and no such regulations are
28 effective unless such signs are in place. Signs indicating the direction of lawful traffic movement

1 shall be placed at every intersection where movement of traffic in the opposite direction is
2 prohibited.

3 **10.24.010 - Sign erection authority.**

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

9 **10.28.030 - Maintenance of no stopping zones and no parking areas.**

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

14 **10.28.040 - No parking areas.**

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

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

23 **10.28.090 - Adjacent to schools.**

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

28 **10.28.100 - Narrow streets.**

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

6 **10.28.120 - Property transporter.**

7 A. No person shall park or stand any vehicle or wagon used or intended to be used in
8 the transportation of property for hire on any street while awaiting patronage for such vehicle or
9 wagon without first obtaining a written permit to do so from the city engineer or public works
10 director which shall designate the specific location where such vehicle may stand.

11 B. Whenever any permit is granted under the provisions of this section and a
12 particular location to park or stand is specified therein, no person shall park or stand any vehicle,
13 or wagon on any location other than as designated in such permit. In the event that the holder of
14 any such permit is convicted in any court of competent jurisdiction for violating any of the
15 provisions of this section, such permit shall be forthwith revoked by the city engineer or public
16 works director upon the filing of the record of such conviction with such officer and no permit
17 shall thereafter be issued to such person until six months have elapsed from the date of such
18 revocation.

19 **10.28.130 - Emergency parking signs.**

20 A. Whenever the city engineer, public works director, or chief of police determines
21 that an emergency traffic congestion is likely to result from the holding of public or private
22 assemblages, gatherings, or functions, or for other reasons, the city engineer, public works
23 director, or chief of police has power and authority to order temporary signs to be erected or
24 posted indicating that the operation, parking, or standing of vehicles is prohibited on such streets
25 and alleys as the city engineer, public works director, or chief of police directs during the time
26 such temporary signs are in place. Such signs shall remain in place only during the existence of
27 such emergency and the city engineer, public works director, or chief of police shall cause such
28 signs to be removed promptly thereafter.

1 **10.28.140 - Twenty-four minute.**

2 ...

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

8 **10.28.150 - Forty minute.**

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

14 **10.28.160 - One hour.**

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

20 **10.28.170 - Two hour.**

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

26 **10.28.180 - Parallel on one-way streets.**

27 C. The city engineer or public works director (provided they are a registered
28 Professional Engineer in California) is authorized to determine when standing or parking is

1 prohibited upon the left hand side of any one-way street or when standing or parking may be
2 permitted upon the left hand side of any one-way roadway of a highway having two or more
3 separate roadways and shall erect signs giving notice thereof.

4 **10.28.190 - Space markings.**

5 The city engineer or public works director is authorized to install and maintain parking
6 space markings to indicate parking spaces adjacent to curbs where authorized parking is
7 permitted.

8 ...

9 **10.28.200 - No stopping zones.**

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

14 **10.28.210 - Loading zone—Establishment authority.**

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

17 **10.28.220 - Curb markings.**

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

22 D. When the city engineer or public works director (provided they are a registered
23 Professional Engineer in California) as authorized under this title has caused curb markings to be
24 placed, no person shall stop, stand or park a vehicle adjacent to any such legible curb marking in
25 violation of any of the provisions of this section.

26 **10.28.270 - Coach zones.**

27
28

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

4 **10.28.280 - Taxicab stands.**

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

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

10 **10.32.040 - Regulation of speed by traffic signals.**

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

16 **10.36.040 - Riding or driving on sidewalk.**

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

23 **10.36.060 - Obedience to barriers and signs.**

24 No person, public utility or department in the city shall erect or place any barrier or sign
25 on any street unless of a type approved by the city engineer or public works director or disobey
26 the instructions, remove, tamper with or destroy any banner or sign lawfully placed on any street
27 by any person, public utility or by any department of this city.

28 **10.36.080 - Intersection obstruction.**

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

5 **10.40.010 - Routes.**

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

12 **10.40.020 - Commercial vehicles prohibited on certain streets.**

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

17 **10.41.010 - Definitions.**

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

22 A. ...

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

24 **10.41.010 - Definitions.**

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

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

3 **10.41.024 Public works director authority**

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

6 **10.48.010 - Permit required.**

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

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

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

20 **10.52.010 - Crosswalk—Establishment.**

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

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

1 C. ...

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

5 **11.04.010 - Definitions.**

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

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

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

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

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

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

24 **11.04.014 Public works director authority**

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

27 **11.05.010 - Defined.**

28

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

9 **11.05.014 Public works director authority**

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

12 **11.12.020 Scope; Public works director authority**

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

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

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

20 **11.22.020 - Definitions.**

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

22 "Substantial change" has the same meaning as "substantial change" as defined by the FCC
23 at 47 C.F.R. 1.61001(b)(7). Notwithstanding the definition above, if an existing pole-mounted
24 cabinet is proposed to be replaced with an underground cabinet at a facility where there are no
25 pre-existing ground cabinets associated with the structure, such modification may be deemed a
26 non-substantial change, in the discretion of the city engineer or public works director and based
27 upon his/her reasonable consideration of the cabinet's proximity to residential view sheds,
28 interference to public views and/or degradation of concealment elements. If undergrounding the

1 cabinet is technologically infeasible such that it is materially inhibitive to the project, the city
2 engineer or public works director may allow for a ground mounted cabinet. A modification or
3 collocation results is a "substantial change" to the physical dimensions of an eligible support
4 structure if it does any of the following: ...

5 **11.22.024 Public works director authority**

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

8 **12.04.020 - Installation—Permit required.**

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

13 **12.08.014 Public works director authority.**

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

16 **12.16.010 – Definitions.**

17 F. "Public works director" means the city's public works director, or their designee.

18 **12.16.014 Public works director authority.**

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

21 **12.32.030 - Definition of terms.**

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

23 "Public works director" means the city's public works director or their designee.

24 **12.32.090 - Existing potable water customers.**

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

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

6 **12.32.100 - Failure to commence use of recycled water.**

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

12 **12.32.110 - Procedures for instituting mandatory service.**

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

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

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

23 **12.60.030 Definitions.**

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

25 **12.60.034 – Public works director authority.**

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

28 **15.52.020 - City engineer and public works director's duty.**

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

7 **17.18.060 - Filing and processing.**

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

11 B. ...

12 1. ... to and approved by the city engineer or public works director (provided
13 they are a registered Professional Engineer in California);

14 5. A precise grading plan in conformance with the PPD-approved site plan
15 for the proposed residential development shall be submitted to and approved by the city engineer
16 or public works director (provided they are a registered Professional Engineer in California);

17 6. A preliminary soils report, and geological study if required, shall be
18 submitted to the city engineer or public works director (provided they are a registered
19 Professional Engineer in California);

20 7. An engineered hydrology and hydraulics report shall be submitted to and
21 approved by the city engineer or public works director (provided they are a registered
22 Professional Engineer in California);

23 8. All above requirements shall be met prior to the filing of a vesting tentative
24 map.

25 **17.20.080 - Improvements required.**

26 C. If such improvement work is not completed satisfactorily before the final map is
27 approved, the owner or owners of the subdivision shall, prior to approval of the final map, enter
28 as contractor into an agreement with the city council whereby, in consideration of the acceptance

1 by the city council of the streets and easements offered for dedication, to complete the work
2 within the time specified in the agreement. To assure the city that this work will be completed, a
3 bond shall be furnished guaranteeing the faithful performance of the work in the sum equal to the
4 cost as estimated by the city engineer or public works director. Ninety percent of this bond may
5 be furnished by a qualified surety company, except in cases where a cash deposit is required by
6 the city council. Ten percent of the bond amount must be cash or a letter of credit payable upon
7 demand of the city. This money may be used as directed by the city administrator or a person
8 designated by him/her to pay the cost of maintaining barricades, correcting street hazards or
9 repairing any street irrigation line or other utility causing a hazard, nuisance or inconvenience to
10 the public.

11 **17.20.110 - Installation of landscaping and irrigation systems—Assessment districts.**

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

15 **17.24.010 - Required.**

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

19 **17.24.030 - Soils investigation required when.**

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

28 **17.24.030 - Soils investigation required when.**

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

9 **17.32.020 - Interior monuments.**

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

16 **17.44.010 - Design standards.**

17 ...

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

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

20 1. ...

21 4. Easements:

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

24 **17.46.080 - Mergers initiated by application.**

25 This section implements the procedures and prescribes the standards for owner-initiated
26 merger and un-merger of land as authorized by Government Code Sections 66451.30 through
27 66451.302 and 66499.20.2 through 66400.20.3, as may be amended from time to time.

28 A. ...

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

5 1. All parcels to be merged are contiguous, adjacent or may be consolidated
6 into a single parcel;

7 2. All parcels to be merged are under identical ownership; and

8 3. The resulting parcel is consistent with the city's general plan, any
9 applicable specific plan, and any other applicable provision of this code.

10 C. Upon approval of the merger by the city engineer or public works director, the city
11 engineer or public works director shall file with the county recorder an instrument evidencing the
12 merger.

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

20 **17.50.020 - Definitions.**

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

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

25 **17.50.030 - Procedure.**

26 A. ...

27 B. Application. A property owner/financing party requesting a reimbursement
28 agreement shall submit an application on a form provided by the city and shall provide

1 information as required by the community development director, city engineer, or public works
2 director, including the area of the proposed benefit area. The city shall prepare a reimbursement
3 agreement in conformance with the requirements of Section [17.50.040](#). The applicant shall also
4 submit a deposit to cover the city's estimated administrative costs to review, process, and approve
5 the reimbursement agreement.

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

10 **17.50.040 - Contents of the reimbursement agreement.**

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

12 A. ...

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

17 **17.50.050 - Notice and hearing.**

18 ...

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

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

25 **17.50.060 - Payment by benefited property owner.**

26 A. ...

27 B. The contribution charge applies only: (1) after the reimbursement agreement is
28 recorded; (2) during the period a reimbursement agreement is in effect; and (3) if the city engineer

1 or public works director determines that the land use approval involves the scope and type of
2 development contemplated by the reimbursement agreement.

3 **18.47.080 - Site development standards.**

4 ...

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

7 **18.49.050 - Sign requirements.**

8 G. Temporary Advertising Signs. ...

9 3. Street light banner signage may be permitted subject to review and
10 approval by the public works department and approval of an encroachment permit by the city
11 engineer or public works director.

12 ...

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

15 1. ...

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

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

20 **18.58.030 - Office, commercial and industrial design standards.**

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

24 ...

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

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

4 ...

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

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

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

12 ...

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

17 N. ...

18 O. Loading Spaces.

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

22 **18.58.040 - Residential design standards.**

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

25 A. ...

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

B. ...

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

6. ...

e. ...

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

vi. ...

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

...

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

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

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

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

18.59.030 - Design standards.

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

4 ...

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

9 ...

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

12 **18.75.140 - Designation of the floodplain administrator.**

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

16 **18.78.040 - Definitions.**

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

20 A. ...

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

26 **18.100.080 - Development standards.**

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

1 J. ...

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

5 **18.102.050 - General provisions.**

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

8 1. ...

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

12 ...

13 **18.102.060 - Sign requirements.**

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

16 A. Permitted Signs ...

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

21 ...

22 B. Permitted Signs—...

23 3. Permitted Signs—...

24 a. ...

25 iv. Sign structures may be placed on private property with
26 written consent of the property owner, or within the public right-of-way with issuance of an
27 encroachment permit by the city engineer or public works director. Each sign structure shall be
28

1 located a minimum distance of twelve hundred feet from a similarly approved directory sign
2 structure.

3 **18.103.070 - Requirements for lawful operation—Conditional development**
4 **permit—Physical premises.**

5 A. ...

6 1. ...

7 2. All dismantling of vehicles, drainage of fluids, processing of vehicle parts,
8 and storage of recyclable units or parts will be accumulated, stored or stacked so that no
9 recyclable unit or part is touching a pervious ground surface, with the exception that whole bodies
10 or parts of vehicles which have been drained of fluids and other hazardous liquid materials may
11 be stored on pervious ground surfaces. All such dismantling, processing and storage activities,
12 other than the storage of whole bodies or parts of vehicles which have been drained of fluids and
13 other hazardous liquid materials, shall be conducted upon an impervious surface of asphaltic
14 concrete, asphalt, or other impervious surfacing material which is approved in advance by the city
15 engineer or public works director. Such surfaces shall be effective in protecting soil and
16 groundwater from contamination of spilled or drained fluids. Adequate drainage, including
17 retention basins, may be required as determined by the city engineer or public works director.

18 **18.108.040 - Criteria and standards for recycling facilities.**

19 ...

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

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

25 ...

26 D. Processing Facilities.

27 13. The operator shall provide a quarterly report to the city engineer or public
28 works director (provided they are a registered Professional Engineer in California) identifying

1 the type and amount of materials recycled by the facility during the quarter, which will assist the
2 city in determining the amount of solid waste diverted from its waste stream as required by the
3 California Integrated Waste Management Act of 1989 (AB 939)

4 **18.111.040 - Standards for wireless telecommunication facilities.**

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

8 A. ...

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

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

13 **18.112.050 - Development standards.**

14 A. ...

15 D. Parking and Access Standards.

16 1. ...

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

20 **SECTION 3. EFFECTIVE DATE**

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

23 **SECTION 4. SEVERABILITY**

24 If any section, subsection, subdivision, sentence, clause, phrase or portion of this
25 ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of
26 competent jurisdiction, then such decision shall not affect the validity of the remaining portions
27 of this ordinance. The City Council hereby declares it would have adopted this Ordinance and
28 each section, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that

1 one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be
2 declared invalid or unconstitutional.

3 **SECTION 5. CEQA DETERMINATION**

4 The City Council finds and determines this ordinance is not a project within the meaning
5 of section 15378 of the CEQA Guidelines because it has no potential for resulting in physical
6 change in the environment, either directly or ultimately. In the event that this ordinance is found
7 to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines
8 section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant
9 effect on the environment.

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

11 The City Clerk shall certify to the adoption of this ordinance and publish and post the
12 ordinance in accordance with Government Code section 36933. This ordinance shall take effect
13 30 days after its date of adoption

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

16
17 _____
18 JOE BACA, Mayor

19 ATTEST:

20
21 _____
22 BARBARA A. McGEE, City Clerk

23
24 APPROVED AS TO FORM:

25
26
27 _____
28 ERIC S. VAIL, City Attorney

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

4 I, Barbara A. 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
14 of Rialto, this _____ day of _____, 2026.

15

16

17

18

19

20

21

22

23

24

25

26

27

28

BARBARA A. MCGEE, City Clerk

