

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AMENDING EXHIBIT "A", LOAN PROGRAM TERMS AND CONDITIONS, OF RESOLUTION 2011-147 ESTABLISHING A LOAN PROGRAM FOR ABANDONMENT OF SINGLE FAMILY RESIDENTIAL SEPTIC TANK AND CESSPOOL SYSTEMS AND SEWER LINE INSTALLATION AND CONNECTION TO THE CITY SEWER SYSTEM

WHEREAS, the City regulates direct and indirect contributions into the City of Fresno publicly owned treatment works in order to comply with all applicable State and Federal laws required by the Clean Water Act of 1977, the General Pretreatment Regulations (40 C.F.R. Part 403) and the Construction Grants Regulations (40 C.F.R. Part 35), and to prevent entry of pollutants into the system, to recycle and reclaim wastewater and sludge from the system and to provide for equitable distribution of the cost of the system; and

WHEREAS, the City has adopted a policy of transitioning every building or structure containing plumbing fixtures and piping conveying sewage and other liquid waste on premises within the City sewer system if such system is available, in order to avoid adverse environmental and public health and safety impacts secondary to leaching septic tanks; and

WHEREAS, the Director has the authority to require premises containing septic tanks or cesspools to connect to the City sewer system within the time specified by the Director in the event of an immediate health menace; and

WHEREAS, on May 5, 2011, the Council approved amendments to Section 6-305 of the Fresno Municipal Code related to the Payment of Sewer Charges and Loans and adopted Resolution 2011-147 establishing Loan Program Terms and Conditions, set forth as Exhibit “A” to the Resolution, for abandonment of septic tanks and cesspool systems and sewer installation and connection to the City sewer system (“Loan Program”); and

WHEREAS, the cost for installation and connection to the City sewer system routinely exceeds the maximum allowable loan amount established by the Loan Program Terms and Conditions; and

WHEREAS, revising the Loan Program Terms and Conditions to update maximum allowable loan amounts and maximum length of payment to the City is in the best interest of the City’s public health and safety; and

WHEREAS, Council may adopt a Resolution and amendment to Exhibit “A” of Resolution 2011-147 with revised Loan Program Terms and Conditions, as part of a Loan Program pursuant to Fresno Municipal Code Section 6-305(f).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The above recitals are true and correct and are incorporated herein.
2. Resolution 2011-147 is hereby amended and the loan program for abandonment of single family residential septic tanks and cesspool systems and installation and connection to the City sewer system, in accordance with the revised Loan Program Terms and Conditions in Exhibit “A” attached hereto and incorporated herein, is hereby approved.

3. This Resolution shall take effect at the same time as the associated Ordinance amending section 6-305 of the Fresno Municipal Code.

\* \* \* \* \*

STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2016  
Mayor Approval/No Return: \_\_\_\_\_, 2016  
Mayor Veto: \_\_\_\_\_, 2016  
Council Override Vote: \_\_\_\_\_, 2016

YVONNE SPENCE, CMC  
City Clerk

BY: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
CITY ATTORNEY'S OFFICE

BY: \_\_\_\_\_  
Amanda B. Freeman, Deputy [date]

Attachment:  
Resolution 2011-147  
Revised Exhibit "A", Loan Program Terms and Conditions

ABF:cg:[68530cg/reso]7/17/15