

**AN ORDINANCE OF THE CITY OF EUREKA AMENDING SECTION 50.209 OF
TITLE V, CHAPTER 50, SEWERS, OF THE EUREKA MUNICIPAL CODE**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EUREKA AS FOLLOWS:

Section 1.

Title 5, Chapter 50, Section 50.209 is hereby *amended to read* as follows. New text is shown underlined.

CHAPTER 50: SEWERS

§ 50.209 Exceptions

1. The City Engineer may waive sewer lateral inspection and/or repair required under this subchapter upon his/her determination that compliance is physically infeasible. Economic hardship is not a sufficient basis for waiving the inspection requirements of this Chapter. This Ordinance shall not apply if:
 - (A) The City has issued a lateral certificate or approved installation or replacement of the sewer lateral at any time during the previous twenty-five (25) years and there is no evidence that the lateral is defective or that conditions have changed;
 - (B) If the inspection and/or installation compliance is physically impossible.
 - (C) The City determines inspection is unnecessary because sewer piping is less than ten feet long and existing physical conditions would prevent infiltration and inflow.
 - (D) The ownership transfer is exempt from tax reassessment as determined by the Humboldt County Assessor and the transfer is solely between spouses, registered domestic partners, parent(s) and child(ren), grandparent(s) and grandchild(ren) or results from the death of a cotenant.

2. If after inspection the City Engineer determines that it is in the City's best interest, the repairs required by this ordinance may be postponed to a date certain. In this event, the City Engineer must put the reasons for the determination in writing and identify a date certain by which the repair must be made. The date certain will in no event be more than five years from the date of the inspection. The written determination will be in the form of an instrument that will be recorded against the subject property.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the ____ day of _____, 2024 by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS MOULTON

Leslie Castellano, Mayor Pro Tem

THE ABOVE ORDINANCE WAS PRESENTED TO THE MAYOR on the ____ day of _____, 2024,
and hereby approved.

Kim Bergel, Mayor

Approved as to Administration:

Approved as to form:

Miles Slattery, City Manager

Autumn Luna, City Attorney

THE ABOVE ORDINANCE WAS ATTESTED BY THE CITY CLERK OF THE CITY OF EUREKA on the ____
day of _____, 2024.

Pamela J. Powell, City Clerk