

ORDINANCE NO. 1984

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA, AMENDING CHAPTERS 23 (SEWERS AND SEWAGE DISPOSAL) AND 30 (ZONING AND DEVELOPMENT CODE) OF THE FONTANA MUNICIPAL CODE, REGARDING ONSITE WASTEWATER TREATMENT SYSTEMS.

WHEREAS, the City of Fontana (“City”) owns and operates a municipal sewer enterprise, including facilities for the collection and conveyance of wastewater (the “Sewer System”); and

WHEREAS, the City Council may adopt ordinances not in conflict with the Constitution and laws of the State of California or the United States (Gov. Code, § 37100), and may adopt reasonable rules and regulations for the conduct of the City’s sewer enterprise (Gov. Code, §§ 54309, 54343); and

WHEREAS, Chapter 23 (“Sewers and Sewage Disposal”) of the Fontana Municipal Code was adopted and amended over time, and the City Council desires to update Chapter 23 to improve clarity and consistency and to reflect current regulatory requirements and City practices; and

WHEREAS, the City is a party to sewer service agreements with the City of Rialto and the Inland Empire Utilities Agency (“IEUA”) that require the City to regulate discharges to the Sewer System in a manner consistent with applicable state and federal law and the terms of those agreements; and

WHEREAS, the City desires to rescind and replace Articles I through VIII of Chapter 23 to modernize and clarify sewer use regulations, including updates to onsite wastewater treatment system (OWTS) provisions consistent with State and Regional Board requirements, updates to pretreatment and enforcement provisions, updates to grease control requirements, updates to fee and charge provisions, and corrections to terminology and cross-references.

THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA DOES ORDAIN AS FOLLOWS:

Section 1. Incorporation of Recitals. The above recitals are true and correct and are incorporated herein by this reference as findings in support of this Ordinance.

Section 2. Amendment of Municipal Code. Articles I through VIII of Chapter 23 are hereby rescinded and replaced as set forth in Exhibit A, which exhibit is incorporated into this Ordinance by this reference.

Section 3. Environmental Review. Based upon the whole of the administrative record before it, the City Council hereby finds that adoption of this Ordinance is exempt from environmental review under the California Environmental Quality Act (“CEQA”) (Pub. Res. Code, § 21000 et seq.) pursuant to State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) sections 15061(b)(3) and 15378(b)(5). An activity is subject to CEQA only if that activity has “the potential for causing a significant effect on the environment.” (State CEQA Guidelines, § 15061(b)(3).) An activity is thus exempt from CEQA “[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” (*Ibid.*) Here, the Ordinance does not have the potential to result in either a direct or reasonably foreseeable indirect physical change in the environment. (State CEQA Guidelines, § 15061(b)(3).) Approval of the Ordinance constitutes an administrative activity of the City and is additionally exempt from CEQA on that basis. (State CEQA Guidelines, § 15378(b)(5).)

Section 4. Effective Date. This Ordinance shall go into effect thirty (30) days after the date of its passage and adoption.

Section 5. Publication. The City Clerk is hereby directed to certify the adoption of this Ordinance and cause a summary of the same to be published as required by law.

Section 6. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council of the City of Fontana hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrases be declared unconstitutional.

APPROVED AND ADOPTED this 10th day of March 2026.

READ AND APPROVED AS TO LEGAL FORM:

City Attorney

I, Germaine Key, City Clerk of the City of Fontana, and Ex-Officio Clerk of the City Council, do hereby certify that the foregoing Ordinance is the actual Ordinance introduced at a regular meeting of said City Council on the 24th day of February, 2026 and was finally passed and adopted not less than five days thereafter on the 10th day of March, 2026, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

City Clerk of the City of Fontana

Mayor of the City of Fontana

ATTEST:

City Clerk