

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA, AUTHORIZING ADOPTION OF NEW OR INCREASED SEWER SERVICE FEES BY RESOLUTION, AND TAKING CERTAIN OTHER ACTIONS RELATING THERETO

WHEREAS, the City of Fontana (the "City") owns and operates a sewer collection and transmission system and partners with certain other public agencies for use of their sewer treatment plant to provide sewer service to City customers; and

WHEREAS, the City establishes and collects sewer service fees for providing such service and must periodically update the sewer service fees to recover the costs of providing sewer service to City customers; and

WHEREAS, California Health and Safety Code section 5471 *et seq.* ("Section 5471") previously required public agencies that impose utility fees and charges, such as the City's sewer service fees, to adopt new or increased fees by ordinance; and

WHEREAS, effective January 1, 2017, Section 5471 *et seq.* were amended to allow for adoption of new or increased sewer service fees for sewer service by resolution as well as by ordinance; and

WHEREAS, the City previously adopted its sewer service fees for sewer service by ordinance in compliance with Section 5471 prior to amendment, and now wishes to authorize future new or increased sewer service fees by resolution, and such authorization sought by this Ordinance shall be retroactive to January 1, 2017, the date Section 5471 was amended; and

WHEREAS, all other legal prerequisites to the adoption of this Ordinance have occurred.

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

Section 1. Recitals. The above recitals are true, correct and incorporated herein by reference.

Section 2. Authorization. The City Council hereby authorizes fees or charges for sewer service to be adopted by resolution, effective January 1, 2017 and when so adopted, shall supersede any fee or charge previously adopted by resolution or ordinance.

Section 3. Effective Date/Publication. This Ordinance shall take effect thirty (30) days after the date of the adoption and prior to the expiration of fifteen (15) days from the passage thereof, shall be published by the City Clerk at least once in the Fontana Herald

News, a local newspaper of the general circulation, published and circulated in the City of Fontana, and henceforth and thereafter the same shall be in full force and effect.

Section 4. Certification. The City Clerk of the City Council shall certify the adoption of this Ordinance.

Section 5. Severability. If any provision of this Ordinance or the application of any such provision to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application.

APPROVED AND ADOPTED this 14th day of July 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 adopted by the City Council and was introduced at a regular meeting on the 23rd day of June 2026, and was finally passed and adopted not less than five days thereafter on the 14th day of July 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