

**ORDINANCE NO. 513**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLUE LAKE  
AMENDING OF THE SEWER CODE OF THE CITY OF BLUE LAKE,  
ARTICLE VIII (INDUSTRIAL WASTEWATERS), SECTION 807  
(AVAILABILITY OF CITY'S FACILITIES)**

The City Council of the City of Blue Lake, Humboldt County, California, does hereby ordain as follows:

**Section 1. Findings.** The City Council for the City of Blue Lake hereby makes the following findings:

1. The City's wastewater treatment facility is presently operating near the capacity limits of its permit with limited expansion potential for industries that may seek additional capacity.
2. It is the intent of this Ordinance to provide a method for interested dischargers to reserve capacity in the City's wastewater treatment facility as such additional capacity is added by the City, upon payment of the City costs incurred in adding the additional capacity.

**Section 2. Additional sewerage capacity.** Section 807 of Article VIII (Availability of City's Facilities) is hereby amended by the addition of language as shown in bold text below:

807. AVAILABILITY OF CITY'S FACILITIES. If sewerage capacity is not available, the City may require the industrial wastewater discharger to restrict his/her discharge until sufficient capacity can be made available. When requested, the City will advise persons desiring to locate new facilities as to the areas where industrial wastewater of their proposed quantity and quality can be received by available sewerage facilities. The City may refuse service to persons locating facilities in areas where their proposed quantity or quality of industrial wastewater is unacceptable in the available treatment facility. **An industrial wastewater discharger may reserve sewerage capacity as it becomes available after payment to the City of the City's reasonable cost to create the additional capacity.**

**Section 3.** Said revised Section 807 is hereby integrated into Article VIII of the Sewer Code of the City of Blue Lake. All other provisions of Ordinance 397 as amended shall remain unaffected.

**Section 4.** To the extent that the terms and provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior city ordinance, motion, resolution, rule or regulation governing the same subject, the terms of this Ordinance shall prevail with respect to the subject matter thereof and such inconsistent or

conflicting provisions of prior ordinances, motions, resolutions, rules or regulations are hereby repealed.

**Section 5.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council 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 subsections, subdivisions, paragraphs, sentences, clauses or phrases are declared unconstitutional, invalid or ineffective.

**Section 6.** The Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

**Section 7.** This Ordinance shall go into effect and be in full force and operation thirty (30) days after its final passage and adoption.

**APPROVED:**

  
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Mayor – City of Blue Lake

ATTEST:

  
\_\_\_\_\_  
City Clerk – City of Blue Lake

#### CLERK'S CERTIFICATE

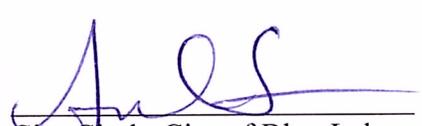
**THIS IS TO CERTIFY** that Ordinance No. 513 of the City Council of the City of Blue Lake was introduced and read at the regular meeting of the City Council of the City of Blue Lake, California, held on Aug 11, 2015. This Ordinance, again read at the regular meeting of the Blue Lake City Council, held on Aug 11, 2015 and at the time, passed by roll call vote, the vote on the adoption of the Ordinance being as follows:

AYES: McCall-Wallace, Kullmann, Lynch, Jones

NOES: none

ABSENT: none

ABSTAIN: Sawatzky

  
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City Clerk, City of Blue Lake