

ORDINANCE NO. 106

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, REPEALING CHAPTER 10.40 (TRAFFIC SIGNAL COST MITIGATION FEE PROGRAM) OF THE WILDOMAR MUNICIPAL CODE.

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

SECTION 1. Recitals.

- (a) On February 12, 2014, the City Council adopted Ordinance No. 93, which updated provisions of the Wildomar Municipal Code regarding development impact fees to be consistent with the new development impact fees approved by the Council by Resolution 2014-02 on January 22, 2014.
- (b) Ordinance No. 93 did not touch Chapter 10.40 of the Wildomar Municipal Code because the City was not proposing any development impact fees related to traffic signals at that time.
- (c) On June 10, 2015, the City Council approved Resolution No. 2015-14 approving an update to the City's development impact fees to include a traffic signal mitigation fee.
- (d) The City Council desires to repeal Chapter 10.40 of the Wildomar Municipal Code specifically regulating traffic signal impact fees so that the newly approved traffic signal mitigation fee will be subject to Article I (Development Impact Fees) of Chapter 3.44 of the Wildomar Municipal Code as are all other development impact fees.

SECTION 2. Chapter 10.40 Repealed. Chapter 10.40 (Traffic Signal Cost Mitigation Fee Program) of the Wildomar Municipal Code is hereby repealed.

SECTION 3. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. Effective Date. This ordinance shall take effect on August 10, 2015.

SECTION 5. Publication. The City Clerk shall cause this ordinance to be published or posted in accordance with Government Code section 36933.

PASSED, APPROVED, AND ADOPTED this 10th day of June, 2015.

Ben Benoit, Mayor

ATTEST:

Debbie Lee, City Clerk

APPROVED AS TO FORM:

Thomas D. Jex, City Attorney

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE)

CITY OF WILDOMAR)

I, Debbie Lee, City Clerk of the City of Wildomar, do hereby certify that the foregoing Ordinance No. ___ was duly adopted by the City Council of the City of Wildomar at a regular meeting, held on the 10th day of June, 2015, by the following vote of the Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

Debbie Lee, City Clerk