



# City of San Leandro

Meeting Date: April 3, 2017

## Ordinance

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**File Number:** 17-116

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.L.

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Debbie Pollart  
Public Works Director

**FINANCE REVIEW:** David Baum  
Finance Director

**TITLE:** ORDINANCE Amending Title 3, Chapter 14 of the San Leandro Municipal Code to Establish a Wastewater Fee Category to Comply with New Accessory Dwelling Unit State Laws

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The City Council of the City of San Leandro does **ORDAIN** as follows:

**SECTION 1. PURPOSE.** The Uniform Wastewater Discharge Regulations section of the Municipal Code is amended to include the definition for an Accessory Dwelling Unit, upon which to apply sewer fees and charges.

**SECTION 2. AMENDMENT OF CODE.** Title 3, Chapter 14, Article 2 of the San Leandro Municipal Code is hereby amended to add the following definition:

(a) **Accessory Dwelling Unit.** An Accessory Dwelling Unit (ADU) is a secondary dwelling unit built on a parcel with an existing Single-Family Dwelling with complete independent living facilities for one or more persons. An ADU can take three forms: detached structure, attached structure, repurposed existing space. For the purposes of this Code, there can be only one ADU per parcel, and the existence of an ADU does not change the status of the Single-Family Dwelling. If more than one ADU is created on the lot, all ADUs convert to Single-Family Dwellings.

**SECTION 3. SEVERABILITY.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of San Leandro hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections,

subdivisions, paragraphs, sentences, clauses or phrases hereof is declared invalid or unenforceable.

**SECTION 4. EFFECTIVE DATE AND PUBLICATION.** This ordinance shall take effect thirty (30) days after adoption. The City Clerk is directed to publish the title once and post a complete copy thereof on the City Council Chamber bulletin board for five (5) days prior to adoption.