

**ORDINANCE NO. 32-2004**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AMENDING ORDINANCE NO. 2000-2, RELATING TO THE  
ESTABLISHMENT OF THE CITY OF ELK GROVE  
PLANNING COMMISSION AS THE PLANNING  
AGENCY OF THE CITY**

The City Council of the City of Elk Grove does ordain as follows:

Section 1. Intent. It is the intent of the city council that this Ordinance shall amend Ordinance 2000-2 as set forth herein. In all other respects, Ordinance 2000-2 shall remain in full force and effect.

Section 2. Appointment and Term. Section 4 of Ordinance 2000-2 is hereby amended in its entirety to read as follows:

Each member of the city council shall appoint one member to the commission. Each member shall serve at the pleasure of his or her appointing councilmember. Initial appointments, subsequent appointments, and/or reappointments by councilmembers shall be made every two years, prior to February 1 of each odd-numbered year commencing in the year 2005. There shall be no maximum number of terms that may be served by an individual member.

Section 3. Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in any manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 4. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 4. Effective Date and Publication. This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the Ordinance within fifteen (15) days after its passage, a summary of the Ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to section 36933(c)(1) of the Government Code.

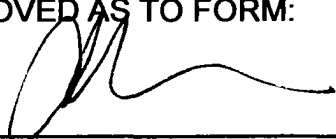
PASSED AND ADOPTED by the City Council of the City of Elk Grove this 3<sup>rd</sup> day of November 2004.

  
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SOPHIA SCHERMAN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
PEGGY JACKSON, CITY CLERK

APPROVED AS TO FORM:

  
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ANTHONY B. MANZANETTI  
CITY ATTORNEY

**Effective Date: December 3, 2004**

**AYES: Scherman, Soares, Briggs, Cooper, Leary**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**