

ORDINANCE NO. 10-2007

**AN ORDINANCE REPEALING AN OBSOLETE CHAPTER
OF THE ELK GROVE MUNICIPAL CODE**

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

SECTION 1. PURPOSE AND AUTHORITY.

The purpose of this ordinance is to repeal Chapter 16.83 of the Elk Grove Municipal Code, which established the Laguna South Fire Protection Facilities Fee Program, which has been superseded by Chapter 16.85, which establishes the Elk Grove Fire Fee Program. The City Council enacts this ordinance pursuant to the authority granted cities by Article XI, Section 7 of the California Constitution.

SECTION 2. REPEAL.

Chapter 16.83 "City of Elk Grove Laguna South Fire Protection Facilities Fee" of the Elk Grove Municipal Code is hereby repealed.

SECTION 3. NO MANDATORY DUTY OF CARE.

This ordinance is not intended to and shall not be construed or given effect in a 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 that 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 5. EFFECTIVE DATE AND PUBLICATION.

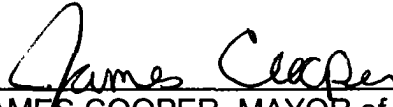
This Ordinance shall take effect on the effective date of the Elk Grove Fire Fee approved by Resolution No. 2007-33, adopted on February 14, 2007, pursuant to Chapter 16.85 of the Elk Grove Municipal Code (which date is no sooner than thirty (30) days after the adoption of this ordinance). In lieu of publication of the full text of the ordinance within 15 days after its passage, a summary of the ordinance may be published at least five 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 Government Code section 36933(c)(1).

ORDINANCE NO. 10-2007

INTRODUCED: February 14, 2007


ADOPTED: February 28, 2007

EFFECTIVE: March 30, 2007



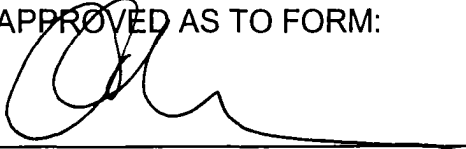
JAMES COOPER, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL ORDINANCE NO. 10-2007**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) **ss**
CITY OF ELK GROVE)

I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing ordinance was duly introduced on February 14, 2007 and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on February 28, 2007 by the following vote:

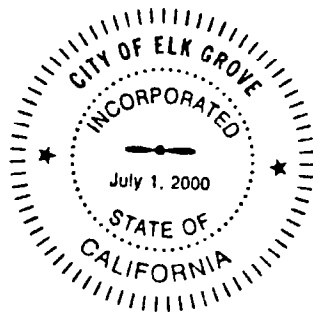
AYES : COUNCILMEMBERS: Scherman, Cooper, Davis, Leary


NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Hume

A summary of the ordinance was published pursuant to GC 36933(c) (1).





**Peggy E. Jackson, City Clerk
City of Elk Grove, California**