

**ORDINANCE NO. 34-2008**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE REPEALING  
ORDINANCE NO. 5-2006 AMENDING THE CITY OF ELK GROVE ZONING MAP FROM RD-2, RD-4,  
RD-5, RD-5(F) AND O TO RD-5, RD-10 AND O FOR THE VINTARA PARK PROJECT NO.  
EG-04-787 ASSESSOR PARCEL NUMBERS: 127-0010-002, -017,-018,-019,-020, AND -040**

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

Section 1: Purpose and Authority

The City's approval of Ordinance No. 5-2006 is hereby repealed. The Zoning Map of the City of Elk Grove shall be amended to reflect that the zoning for the Vintara Park project (located at the northwest corner of Bond Road and Waterman Road, consisting of APNs 127-0010-002, 017, 018, 019, 020, 040) is returned to the applicable zoning prior to adoption of Ordinance No. 5-2006.

Section 2: 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.

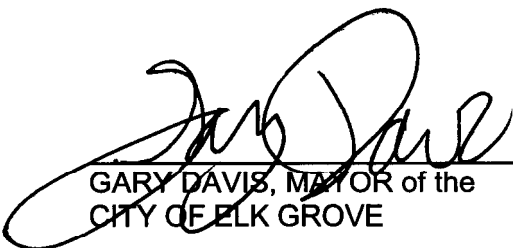
Section 3: Severability.

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.

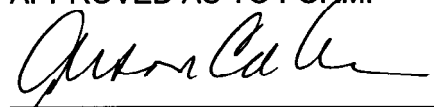
Section 4: Effective Date and Publication

This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within 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 GC 36933(c)(1).

**ORDINANCE:** 34-2008  
**INTRODUCED:** July 9, 2008  
**ADOPTED:** July 23, 2008  
**EFFECTIVE:** August 22, 2008

  
\_\_\_\_\_  
GARY DAVIS, MAYOR of the  
CITY OF ELK GROVE

ATTEST:  
  
\_\_\_\_\_  
SUSAN J. BLACKSTON, CITY CLERK

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
SUSAN COCHRAN, CITY ATTORNEY

Date signed: July 25, 2008

**CERTIFICATION  
ELK GROVE CITY COUNCIL ORDINANCE NO. 34-2008**

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

***I, Susan J. Blackston, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing ordinance, published and posted in compliance with State law, was duly introduced on July 9, 2008 and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on July 23, 2008 by the following vote:***

***AYES :            COUNCILMEMBERS:        Davis, Hume, Scherman, Leary, Cooper***

***NOES:            COUNCILMEMBERS:        None***

***ABSTAIN:        COUNCILMEMBERS:        None***

***ABSENT:         COUNCILMEMBERS:        None***

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

  
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**Susan J. Blackston, City Clerk  
City of Elk Grove, California**