

ORDINANCE NO. 2000-14A

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE PROVIDING THAT THE CITY ORDINANCES TO REMAIN IN EFFECT

WHEREAS, Resolution No. LAFC 1207 of the Sacramento Local Agency Formation Commission requires the City Council to adopt an ordinance providing that all Sacramento County ordinances shall remain in force and effect as City of Elk Grove in accordance with law and subject to Government Code section 65360;

WHEREAS, on July 1, 2000 the City Council of the City of Elk Grove adopted Ordinance No. 2000-1 providing that the County ordinances would remain in effect for 120 day pursuant to Government Code section 57376(a);

WHEREAS, the City desires to adopt its own ordinances;

NOW, THEREFORE, the City Council of the City of Elk Grove does ordain as follows:

Section 1. The purpose of this ordinance is to continue in effect the applicability and enforceability of all ordinances previously enacted by the City of Elk Grove, as amended, as its own ordinances, including without limitation the Sacramento County Code.

Section 2. Except as provided in Section 3, below, the County Ordinances as adopted by the Elk Grove City Council on July 1, 2000 and as they may have been subsequently amended and or repealed in part or in whole since then shall remain in full force and effect as City of Elk Grove Ordinances (hereinafter "Ordinances") until the City Council has enacted ordinances superseding them;

Section 3. The following provisions of the County Ordinances are hereby not adopted by the City of Elk Grove and shall not be included in the Ordinances:

Chapter 1.10 Boundary Line Clarifications

Section 2.01.010 Marriage License Fees

Section 2.01.011 Marriage License Fees - Outside of Normal Business Hours

Section 2.01.080 Trial Juror Compensation

Section 2.01.090 Grand Juror Compensation

Chapter 2.02 Supervisorial Districts

Chapter 2.04 Judicial Districts

Chapter 2.16	Department of Airports
Chapter 2.48	Coroner
Chapter 2.50	Schools in Children's Receiving Home
Chapter 2.54	Public Defender
Chapter 2.70	Municipal Court
Chapter 2.76	Registrar of Voters
Chapter 2.87	Interpretation and Administration of County Charter Provisions
Chapter 2.88	Law Libraries
Chapter 2.90	County Jails
Chapter 2.90	City - County Bikeway Task Force
Chapter 2.120	Pretrial Release Program
Chapter 2.125	Sacramento Sports Commission
Chapter 3.24	Warrants
Chapter 3.29	Deferred Payment of 1985-86 Fiscal Year Supplemental Roll Taxes Regarding Flood Damage Occurring In February 1986
Chapter 3.30	Certain Tax Payments Payable Over Three Years
Chapter 3.34	Recovery of Probation Costs
Chapter 3.38	County Jail Booking and Processing Fees
Chapter 4.23	Licensing of Raft Rental Business and the Collection of County-Imposed Fees By Licensees
Chapter 6.48	Disposition of Bodies by Coroner
Chapter 10.52	Airport Property
Chapter 11.28	Executive Airport Noise Standards
Chapter 11.36	Fuel Flowage Fees on General Aviation Fuel at Sacramento Executive Airport

Chapter 11.38	Fuel Flowage Fees on Aviation Fuel at Sacramento Metropolitan Airport
Chapter 11.40	Regulation of Aircraft Fueling Operations at Mather Airport
Chapter 13.12	Areas Closed to Powerboats
Chapter 13.16	Speed Zones
Chapter 13.24	Social Use Zones
Chapter 16.80	Establishment of Development Fees to Finance the Cost of Public Facilities and Services Within the Antelope Community Plan Area
Chapter 16.110	Supplemental School Facilities Mitigation Fees Within the River Delta School District

Section 4. No subsequent City of Elk Grove ordinance enacted by the City Council shall be deemed to supersede any or all of the Ordinances continued in effect hereby unless the subsequent City ordinance specifically refers to all or a portion of the Ordinances and states an intention to supersede it.

Section 5. Enforcement of the County ordinances continued in effect as the City's Ordinances hereby in the incorporated area of Elk Grove shall be by the City, except insofar as enforcement services are provided by Sacramento County as part of the County of Sacramento's statutory obligation to continue providing services for the remainder of the 2000-2001 fiscal year in accordance with Government Code Section 57384.

Section 6. In applying, interpreting and enforcing the Ordinances, the following general rules of construction and interpretation shall apply:

a. The use of the words "County," "District," or their equivalents shall be understood to mean "City of Elk Grove" or its equivalent. The use of the words "Board of Supervisors," "Board of Directors," "Board of Commissioners," "Board" or their equivalents shall be understood to mean "City Council" or its equivalent. The use of the words "Policy Planning Commission," "Project Planning Commission," "Board of Zoning Appeal" and "Zoning Administrator" or their equivalents shall be understood to mean "Planning Commission for the City of Elk Grove" or its equivalent. Any reference in the Ordinances to the "Elk Grove Planning Advisory Council," or "Planning Advisory Council" shall have no force or effect as it pertains to the territory comprising the City of Elk Grove and the County Ordinances shall be read to give effect to the purpose of the ordinances but without the existence of an "Elk Grove Planning Advisory Council," or any "Planning Advisory Council."

b. In the event there are seemingly conflicting or inconsistent provisions in the County ordinances, the inconsistent provisions should be reconciled to avoid the declaration of an irreconcilable conflict and to carry out the fundamental legislative propose of the County ordinances as an Ordinance of the City of Elk Grove.

Section 7. This ordinance shall take effect immediately as an urgency ordinance. On July 1, 2000 the City of Elk Grove began to provide services to its citizens. As a result, all matters of municipal administration are the responsibility of the City of Elk Grove. In order to meet these obligations and to provide for the orderly administration of municipal affairs this ordinance is necessary immediately to insure the City has ordinances for the territory that it administers. For these reasons, the City Council finds that the immediate passage of this ordinance is necessary for the immediate preservation of the public peace, health, and safety, the fiscal integrity of the City and the orderly administration of municipal affairs within the City of Elk Grove.

Section 8. The City Clerk may post a copy of this ordinance in at least three public places in the City within fifteen days after its final passage, in lieu of publication.

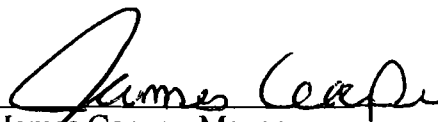
PASSED AND ADOPTED by the City Council of the City of Elk Grove
on this 25th day of October 2000 by the following vote:

AYES: COOPER, SOARES, BRIGGS, LEARY, SCHERMAN

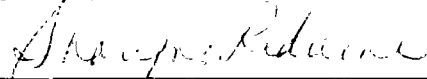
NOES: NONE

ABSENT: NONE

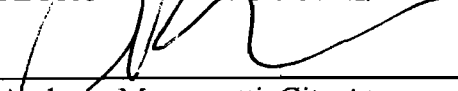
ABSTAIN: NONE


James Cooper, Mayor
City of Elk Grove

ATTEST:


Sharyn Redwine, Interim City Clerk
City of Elk Grove

APPROVED AS TO FORM:


Anthony Manzanetti, City Attorney
City of Elk Grove