

## **ORDINANCE NO. 33-2003**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE REPEALING CHAPTER 16.95 OF THE ELK GROVE MUNICIPAL CODE ELIMINATING THE DEFERRAL OF CERTAIN IMPACT FEES**

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

#### Section 1. Purpose.

The purpose of this ordinance is to repeal Chapter 16.95 of the Elk Grove Municipal Code eliminating the deferral of certain impact fees.

#### Section 2. Repeal.

Chapter 16.95 "Deferral of Certain Impact Fees," of the Elk Grove City Municipal Code is hereby repealed in its entirety.

#### 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 which can be given effect without the invalid provision or application, and to this end the provision 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.

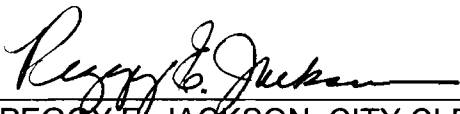
#### Section 5: Effective Date and Publication.

This ordinance shall take effect 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 Government Code section 36933(c)(1).


PASSED AND ADOPTED by the City Council of the City of Elk Grove this 3<sup>rd</sup> day of September 2003.

*for*   
\_\_\_\_\_  
SOPHIA SCHERMAN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
ANTHONY B. MANZANETTI,  
CITY ATTORNEY

**Effective Date: October 3, 2003**

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