

ORDINANCE NO. 2000 - 1

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ELK GROVE PROVIDING FOR
SACRAMENTO COUNTY ORDINANCES TO REMAIN IN EFFECT
AFTER INCORPORATION

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;

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 of Sacramento County applicable to the territory now comprising the City of Elk Grove, including the ordinance adopting the Sacramento County General Plan for the incorporated area (hereafter collectively referred to as the "County Ordinances"), in accordance with law and subject to Government Code section 65360.

Section 2. The County Ordinances shall remain in full force and effect as City of Elk Grove ordinances from July 1, 2000 until October 28, 2000, or until the City Council has enacted ordinances superseding the County Ordinances, whichever occurs first;

(a) Title 2, Title 7, Title 11, Chapter 3.28, Chapter 3.29, Chapter 3.30,, Chapter 3.34, Chapter 3.26, Chapter 3.38, and Chapter 3.42 of the County Ordinances which are not enacted in full or in part and which shall not remain in force and effect within the territory of the City of Elk Grove after July 1, 2000.

(b) The following parts of the County Ordinances are continued in operation as an Ordinance of the City of Elk Grove but are hereby amended as follows: Section 1.01.010 – the effective date shall be 12:00:01 a.m., Pacific Standard Time on July 1, 2000.

Section 3. No subsequent City of Elk Grove ordinance enacted by the City Council shall be deemed to supersede any or all of the County Ordinances continued in effect hereby unless the subsequent City ordinance specifically refers to all or a portion of the County Ordinances and states an intention to supersede it.

Section 4. Enforcement of the County Ordinances continued in effect 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 5. In applying, interpreting and enforcing the County 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,” 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 County 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 6. This ordinance shall take effect immediately as an urgency ordinance. After July 1, 2000, the ordinances of Sacramento County shall cease to apply to the territory comprising the City of Elk Grove. Consequently, in order to avoid a hiatus in which there would be no enforceable ordinances in the City, the City Council finds that the immediate passage of this ordinance is necessary for the immediate preservation of the public peace, health and safety.

Section 7. 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.

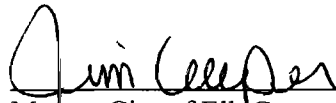
PASSED AND ADOPTED by the City Council of the City of Elk Grove on this 1st day of July, 2000 by the following vote:

AYES: Cooper, Soares, Leary, Scherman, Briggs

NOES: 0

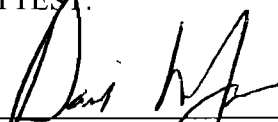
ABSENT: 0

ABSTAIN: 0



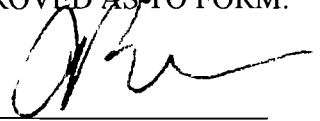
Mayor, City of Elk Grove

ATTEST:



City Clerk, City of Elk Grove

APPROVED AS TO FORM:



City Attorney, City of Elk Grove