

RANCHO MURIETA COMMUNITY SERVICES DISTRICT

Category:	Administration	Policy #2008 - 01
Title:	Guideline for Adopting Ordinances	

PURPOSE

The purpose of this policy is to establish the procedures for the preparation and adoption of ordinances by the District. Ordinances generally prescribe a permanent rule of conduct, involve a command or prohibition and have the force of law within the District boundaries. The regulations in an ordinance are permanent and remain in force until the ordinance is repealed. This policy replaces Policy 2005-02.

POLICY

Preparation of the Ordinance

1. Type up the ordinance. These are numbered by year and then numbered by series (example 2003-01, 2003-02, etc.). These are saved on the network server under Suzanne – Ordinances.
2. If the ordinance is to change a District Code, attach a copy of the Code, with the changes hi-lighted (track changes) to the ordinance.
3. All ordinances must have an enacting clause as the first line of the ordinance, which shall be as follows: “Be it ordained by the Board of Directors of the Rancho Murieta Community Services District as follows:”
4. All ordinances must be submitted to the General Manager for review before consideration by the Board or any committee.
5. After review by the General Manager, the ordinance will be submitted to one of the 5 Board committees, as appropriate, for recommendation to the Board for approval.
6. After consideration by a Board committee, the ordinance will be placed on the agenda for the next regular meeting of the Board of Directors.
7. Ordinances for fee or rate increases must be noticed and considered at a public hearing. The Notice of Public Hearing for such ordinances shall be published once a week for two weeks, with the last publication date at least one week before the actual date of the public hearing. The public notice should be sent in Word format to the Daily Recorder at the following email address: barbara_bennett@dailyjournal.com , or faxed to 916-444-0636.

8. If the ordinance is for a rate increase for water, sewer or solid waste service, property owners must be notified by mail at least 45 days in advance of the public hearing. The notice to the property owners must include information on the amount of the proposed rate increase, the basis on which the rate was calculated, the reason for the rate increase, and the date, time and location of a public hearing on the proposed rate increase.
9. The Notice of Public Hearing must be posted 15 days prior to public hearing at the following locations: the CSD office, Plaza Foods, Rancho Murieta Association and Murieta Village Association.

Consideration by the Board of Directors

1. With the exception of urgency ordinances, no ordinance may be passed within 5 days of its introduction. Two readings are therefore required: one to introduce the ordinance, and a second to adopt the ordinance.
2. Ordinances may only be adopted at a regular meeting of the Board. Ordinances may not be adopted at a special meeting.
3. All ordinances must be read in full either at the time of introduction or at the time of passage, unless a motion waiving further reading is adopted by a majority of the Board.
4. If an ordinance is altered after its introduction, the ordinance must be reintroduced, and may be passed only at a regular meeting held 5 days after its reintroduction.
5. The adoption of an ordinance requires an affirmative vote of at least a majority of all members of the Board.
6. For ordinances that propose rate increases for water, sewer or solid waste service, the Board must conduct a public hearing on the proposed rate increase at least 45 days after mailed notice to record property owners. The Board must consider all written protests against a proposed rate increase, and if written protests are presented by a majority of property owners in the District, the District may not impose the rate increase.

Procedure After Adoption

1. After the ordinance has been adopted, the Board President and District Secretary must sign the last page of the ordinance.
2. After the ordinance has been signed, place the District seal on the original.

3. After the ordinance has been adopted and signed, the ordinance shall be published in full one time, within 15 days of the date of adoption, in a newspaper in general circulation in the District. The publication must include the names of the Board members voting for and against the ordinance. (Daily Recorder - send in Word format to email address: barbara_bennett@dailyjournal.com or fax 916-444-0636.) The failure to publish an ordinance prevents it from taking effect or being valid.
4. Unless stated otherwise in the ordinance, all ordinances go into effect 30 days after approval by the Board.
5. The original ordinance shall be filed in the Ordinance Binder in the Vault.
6. A copy of the ordinance should be sent to District Counsel, and a copy should be placed in the Ordinance Binder on the bookcase in the file room.
7. Put an updated Ordinance index in both the vault binder and the binder in the file room.
8. Scan in and save the signed ordinance as a PDF file to appropriate network directory.

Approved by CSD Board of Directors	02-20-08
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