

ORDINANCE NO. 2010-01

**AN ORDINANCE OF THE
SQUIRE CANYON COMMUNITY SERVICES DISTRICT
ADOPTING CHAPTER 4 OF THE DISTRICT CODE
EXTENSIONS, ANNEXATIONS, IMPROVEMENTS AND ALTERATIONS TO
EXISTING DISTRICT ROADS**

WHEREAS, pursuant to § 61100 (l) of the Government Code, the Squire Canyon Services District ("District") is authorized to Acquire, construct, improve, and maintain streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental works within its boundaries.

WHEREAS, pursuant to § 61060 of the Government Code, the District may exercise all rights and powers, expressed and implied, necessary to carry out authorized services including but not limited to the power to adopt by ordinance, and enforce rules and regulations for the administration, operation, use and maintenance of the facilities and services listed in Part 3, commencing with § 61100 of the Government Code.

WHEREAS, based on the Staff Report, Staff presentation, and public comment, the District Board of Directors finds:

- A. That the purpose of this Ordinance is to adopt rules and regulations for the administration, operation, use and maintenance of District facilities pursuant to Government Code § 61060, § 61100(l) and § 61103; and
- B. The public meetings adopting this Ordinance have been properly noticed pursuant to Government Code §54954.2 (the Brown Act).

NOW, THEREFORE BE IT ORDAINED, by the District Board of Directors as follows:

Section 1. Chapter 4 of the District Code

Chapter 4 of the District Code, attached hereto as Exhibit "1" and incorporated herein by this reference, is hereby approved and adopted by the District Board of Directors.

Section 2. Incorporation of Recitals

The recitals to this Ordinance are true and correct and are incorporated herein by reference.

Section 3. Severability

If any section, subsection, sentence, clause or phrase of this Ordinance (including Chapter 4) is for any reason held to be unconstitutional, ineffective or in any manner in conflict with the laws of the United States, or the State of California, such decision shall not affect the validity of the remaining portions of this Ordinance or Chapter 4 of the District Code. The Governing Board of the District hereby declares that it would have passed this Ordinance adopting Chapter 4 and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsection, sentence, clause or phrase be declared unconstitutional, ineffective, or in any manner in conflict with the laws of the United States or the State of California.

Section 4. Inconsistency

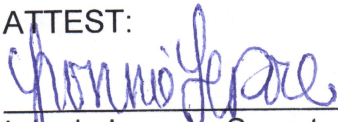
To the extent that the terms of provision of this Ordinance, including Exhibit "1", may be inconsistent or in conflict with the terms or conditions of any prior District Ordinance(s), Motions, Resolutions, Rules, or Regulations adopted by the District, governing the same subject matter thereof, then such inconsistent and conflicting provisions of prior Ordinances, Motions, Resolutions, Rules, and Regulations are hereby repealed.

Section 5. Effective Date. This Ordinance shall take effect and be in full force and effect thirty (30) days after its passage. Before the expiration of the fifteenth (15th) day after passage it shall be published once with the names of the members of the Board of Directors voting for or against the Ordinance in a newspaper of general circulation within the District.

Introduced at a regular meeting of the Board of Directors held on October 6, 2009, and passed and adopted by the District Board of Directors on January 5, 2010, to take effect 30 days thereafter by the following roll call vote to wit:

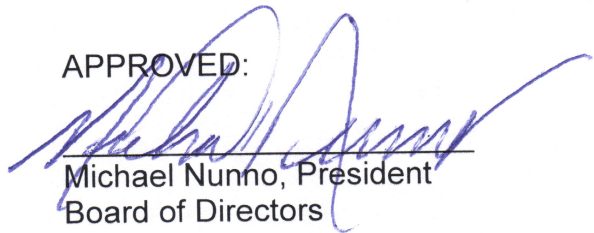
AYES: NUNNO, CAPITO, BUDKE, MURPHY
NOES: \emptyset
ABSENT: SETUG

ATTEST:



Lonnie Lepore, Secretary
Board of Directors

APPROVED:


Michael Nunno, President
Board of Directors