

ORDINANCE NO. 5

AN URGENCY ORDINANCE OF THE CITY OF AMERICAN CANYON  
PROVIDING THAT ALL ORDINANCES OF THE AMERICAN CANYON COUNTY  
WATER DISTRICT APPLICABLE BEFORE INCORPORATION SHALL REMAIN IN  
FULL FORCE AND EFFECT AS CITY ORDINANCES

The City Council of the City of American Canyon does ordain as follows:

Section 1. District Enactments to Remain in Effect.

(a) All ordinances of the American Canyon County Water District which have been applicable within the territory now incorporated as the City of American Canyon, to the extent that they applied before incorporation, shall remain in full force and effect as ordinances of the City of American Canyon.

(b) The resolutions, rules and regulations of the American Canyon County Water District which have been so applicable in implementation of the aforesaid ordinances and State law (such as, but not limited to, the California Environmental Quality Act and regulations pertaining to traffic), to the extent that they applied before incorporation shall remain in full force and effect as resolutions, rules and regulations, respectively, of the City of American Canyon, and which may be amended or repealed in the future by any form of enactment (motion, resolution or ordinance) deemed appropriate by the City Council.

(c) Additionally, all resolutions, rules, regulations, and policies of the American Canyon County Water District to the extent that they applied before incorporation shall be deemed to be of the City of American Canyon, and shall remain in full force and effect as resolutions, rules, regulations, and policies, respectively, of the City of American Canyon.

Section 2. Declaration of Intent.

Certain provisions of the district enactments referred to in Section 1 of this ordinance reflect the district governmental structure and contain references to officials, official titles, commissions, and other designations which are not a part of the structure of this City's government. In order to effectively and intelligently administer the district enactments to the extent that they are continued in effect by this ordinance, it is the purpose of this ordinance to provide for the substitution of the appropriate City official, title, or designation in district enactments.

Section 3. Substitution of Appropriate Reference to City.

(a) Whenever in the enactments of the American Canyon County Water District which are continued in effect by the City there is a reference to "Board of Directors", this reference shall be interpreted to mean the "City Council of the City of American Canyon".

(b) Whenever in the enactments of the American Canyon County Water District which are continued in effect by the City there is a reference to an office, official title, or other designation, the reference shall be interpreted to mean that office, title, or designation in the governmental structure of the City, or if there is none, any official or titleholder of the

City who has been specifically directed by the City Council or the City Manager to perform the functions referred to or the duties imposed.

(c) Whenever it is appropriate under the circumstances, and in the enactments of the American Canyon County Water District which are continued in effect by the City, there is a reference to the "American Canyon County Water District", "District", or "territory" of the American Canyon County Water District, such reference shall be interpreted to mean the "City of American Canyon".

#### Section 4. Continuance of District Ordinances Within City.

Each ordinance or enactment of the American Canyon County Water District which remains in effect as a City ordinance or enactment by virtue of Section 1 or this ordinance shall be deemed a City ordinance or enactment, and may be modified or superseded by the City Council in the same manner as other City ordinances or enactments.

#### Section 5. Enforcement of Continuing District Ordinances

The enforcement of the district ordinances continuing in effect in the incorporated area shall be by the City.

#### Section 6. Declaration of Facts Constituting Urgency.

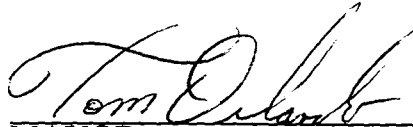
This ordinance is an urgency ordinance and is for the immediate preservation of the public peace, health and safety. The facts constituting urgency are these: The City of American Canyon is newly incorporated and it comprises territory formerly within the American Canyon County Water District. Further, upon the effective date of incorporation, the American Canyon County Water District, which provides water and sewer services, is dissolved. It is necessary that this ordinance take effect immediately in order to have continuity in the existence, application, administration, and enforcement of the same ordinances in the City which applied before incorporation until the City may enact ordinances superseding or modifying them.

#### Section 7. Taking Effect.

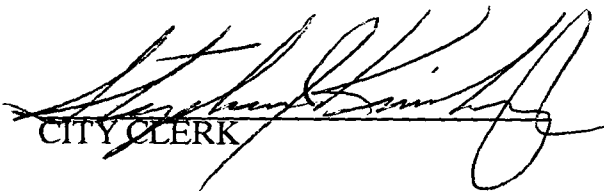
This ordinance, being an urgency ordinance for the immediate protection of the public safety, health, and general welfare, containing a declaration of the facts constituting the urgency, and passed by at least a four-fifths (4/5) vote of the City Council shall take effect immediately upon its adoption.

The foregoing ordinance was introduced, approved and adopted at a meeting of the City Council held on January 1, 1992, by the following vote:

Ayes: Anderson, Bennett, Mahoney, Winters,  
Orlando  
Noes: None  
Abstain: None  
Absent: None

  
MAYOR

ATTEST:

  
CITY CLERK

APPROVED AS TO FORM:

  
CITY ATTORNEY

APPROVED AS TO CONTENT:

  
CITY MANAGER