

ORDINANCE NO. 2013-01

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT AUTHORIZING ADOPTION OF RULES AND REGULATIONS FOR THE USE OF ITS PUBLIC PARKS AND RECREATION FACILITIES

WHEREAS, the Phelan Pinon Hills Community Services District (“the District”) is a Community Services District organized and operating pursuant to Government Code 61000 et seq.

WHEREAS, the District was formed pursuant to Resolution No. 2994 of the Local Agency Formation Commission of the County of San Bernardino (“LAFCO”) adopted on March 18, 2008.

WHEREAS, pursuant to Condition No. 6 of LAFCO Resolution No. 2994 and Section 61100(e) of the California Government Code, the District is expressly authorized to perform the following functions and services as active powers: “Acquire, construct, improve, maintain, and operate recreation facilities, including, but not limited to, parks and open space, in the same manner as a recreation and park district formed pursuant to the Recreation and Park District Law (commencing with Section 5780) of the Public Resources Code.”

WHEREAS, under California Government Code Sections 61060(a) and (b), and California Public Resources Code Sections 5786.1(i) and (j), the District is authorized to adopt, by ordinance in accordance with the procedures set forth in California Government Code Section 25120 et seq., and enforce rules and regulations for the administration, operation, and use and maintenance of its facilities and services related to its parks and recreations powers.

WHEREAS, on September 4, 2013, this Ordinance was duly introduced by the District’s Board of Directors in accordance with California Government Code Section 25131.

NOW, THEREFORE, the Board of Directors of the Phelan Pinon Hills Community Services District ordains as follows:

SECTION 1: RULES AND REGULATIONS

The District is hereby authorized to establish rules and regulations for the administration, operation, and use and maintenance of its facilities and services related to the exercise of its powers to acquire, construct, improve, maintain, and operate recreation facilities, including, but not limited to, parks and open space, by adoption of a separate Resolution, as may be amended from time to time, by the District’s Board of Directors.

SECTION 2: VIOLATIONS

Any person violating any provision of this Ordinance, as determined by the District’s General Manager, may be denied the use of parks and park facilities under the jurisdiction of this Ordinance, may be prosecuted as committing either a misdemeanor or an infraction by the District’s General Manager in the name of the people of the State of California, or may be the subject of redress by civil action.

SECTION 3: PENALTY

Every violation of the provisions of this Ordinance that is determined to be an infraction shall be punishable by (a) a fine not exceeding \$100 for a first violation of this Ordinance; (b) a fine not exceeding \$500 for a second violation of this Ordinance within one year; (c) a fine not exceeding \$1,000 for each additional violation of this Ordinance within one year. If found guilty, a person may be refused future access to all parks and park facilities under the jurisdiction of this Ordinance.

SECTION 4: SEVERABILITY

This Ordinance and various parts, sections, and clauses hereof are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of record, the remainder of this Ordinance shall not be affected thereby. The District's Board of Directors hereby declares that it would have passed this Ordinance, and each part thereof, regardless of the fact that one or more of such parts would be declared unconstitutional or invalid.

SECTION 5: ENFORCEMENT

The District's General Manager is hereby authorized to take any and all actions necessary to carry out the intent of the District's Board of Directors as is stated herein and as otherwise required in order to comply with applicable law.

SECTION 6: OPERATION

This Ordinance supersedes any prior rule, regulation, ordinance, or resolution inconsistent with the terms hereof and shall take effect thirty (30) days after adoption.

ADOPTED this 2nd day of October, 2013.

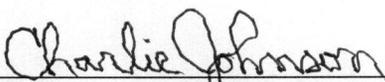
ROLL CALL

AYES: Brandon, Johnson, Morrissette, Roberts

NOES:

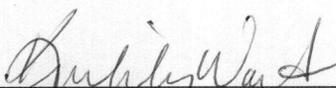
ABSTAIN:

ABSENT: Fahrlender



President, Board of Directors

ATTEST:



Acting Secretary, Board of Directors