

LAKE SHASTINA COMMUNITY SERVICES DISTRICT

ORDINANCE 2-03



VEHICLES AND TRAFFIC

INDEX

<u>Section</u>	<u>Description</u>	<u>Page</u>
2.03.00	Amend and Repeal Ordinance 2-81	Page 3
2.03.01	Incorporation of the California Vehicle Code	Page 3
2.03.02	Amendment by Resolution.....	Page 3
2.03.03	Presumption of Responsibility	Page 3
2.03.04	Violation Frequency	Page 3
2.03.05	Authorization for Towing and Storing	Page 3
2.03.06	Severability	Page 3
2.03.10	Parking Restrictions.....	Page 3
2.03.10(A)	Public Parking Lots	Page 3
2.03.10(B)	72-Hour Parking Limit.....	Page 3
2.03.10(C)	Commercial Vehicle Parking.....	Page 3
2.03.10(D)	Vehicle Repair on Public Street.....	Page 4
2.03.10(E)	Parked Vehicle Advertised For Sale.....	Page 4
2.03.10(F)	Vehicle Occupying Multiple Spaces	Page 4
2.03.10(G)	Angle Parking	Page 4
2.03.10(H)	Objects other than Motor Vehicles parked within Road Right-of-Ways	Page 4
2.03.10(I)	Exemptions	Page 4
2.03.10(J)	Temporary Encroachment Permits.....	Page 4
2.03.20	No Parking Zones	Page 4
2.03.20(A)	Public Hazard	Page 4
2.03.20(B)	Designated Hazardous Zones	Page 4
2.03.20(C)	Established by Resolution	Page 4
2.03.20(D)	Cleaning, Repair and Construction.....	Page 4
2.03.20(E)	Signed Zones.....	Page 4
2.03.20(F)	Near Crosswalk	Page 5
2.03.20(G)	Blocking Alley	Page 5
2.03.30	Curb Parking.....	Page 5
2.03.30(A)	Red Curb	Page 5
2.03.30(B)	Yellow Curb	Page 5

2.03.30(C)	Green Curb	Page 5
2.03.30(D)	Blue Curb	Page 5
2.03.40	Disabled Parking.....	Page 5
2.03.41	Definitions	Page 5
2.03.42	Use of Blue Curb Spaces	Page 5
2.03.43	On-Street Parking	Page 6
2.03.44	Off-Street Public Facilities	Page 6
2.03.45	Prohibition.....	Page 6
2.03.46	Marking of Blue Curb Spaces.....	Page 6
2.03.47	Specifications.....	Page 6
2.03.50	Penalties and Procedures: SB1732, Effective 1/1/03.....	Page 6
2.03.51	Bail Schedule.....	Page 6
2.03.60	Delinquency Penalty.....	Page 7
2.03.61	Charge for Copies.....	Page 7
2.03.70	Adjudication Procedures.....	Page 7
2.03.71	Request for Review	Page 7
2.03.72	Appeals Procedure	Page 8
2.03.73	Administrative Hearing Procedure.....	Page 8
2.03.74	Final Appeal.....	Page 8
2.03.75	Attached Forms, Adjudication Procedures	Pages 8 – 12
	Signature Page	Page 13

2.03.00 Ordinance 2-03 hereby amends and repeals Ordinance 2-81 in its entirety.

2.03.01 Incorporation of the California Vehicle Code

In accordance with Division 11, Chapter 1, Article 2, Section 21107.7, the provisions of the California Vehicle Code shall be enforced within the District of Lake Shastina.

2.03.02 Amendment by Resolution

The Public Works director has previously designated certain parking zones in the District of Lake Shastina. Those zones are hereby ratified by the District Board of Directors. The District Board of Directors may add, delete or change any parking zones by resolution.

2.03.03 Presumption With Respect to Illegal Parking

When any unoccupied vehicle is found parked in violation of any provisions of this ordinance there shall be a prima facie presumption that the registered owner of the vehicle is responsible for such illegal parking.

2.03.04 Violation Frequency

Except for Section 2.03.10(B), every parking violation which continues uninterrupted may be given a notice of parking violation once a day. Section 2.03.10(B) violators may be given such a notice once each three days.

2.03.05 Authorization for Towing and Storage

Vehicles parked in violation of any parking restriction set forth in or pursuant to this title may be towed and stored at the direction of a Lake Shastina Police Department Peace Officer or Lake Shastina Police Department Community Service Officer and at the expense of the owner operator, if the Peace Officer or Community Service Officer determines that towing is necessary for the safety of the public or to facilitate snow plowing, or to clear the streets of a vehicle which has been given two or more consecutive (continuous) notices of parking violations for violations of Section 2.03.10(B).

2.03.06 Severability

It is hereby found, determined and declared that should any portion of this ordinance be declared unconstitutional, illegal or unenforceable, the remaining portion would nonetheless have been adopted and is thereby severable from the portion declared unconstitutional, illegal or unenforceable.

2.03.10 Parking Restrictions

- A. Twelve (12) hours is the maximum time for parking in all District parking lots.
This parking limitation includes all District parking lots at the following location:
 - a. The public parking lot for the offices of the Lake Shastina Community Services District, located at 16320 Everhart Drive;
 - b. The public parking lot for the offices of the Lake Shastina Police Department and the Lake Shastina Fire Department located at 16309 Everhart Drive.
 - c. The District Board reserves the right to issue permits authorizing parking in excess of twelve hours. Applications for these permits will be available at District Office. Individual Permits may be issued upon review and approval of District Board of Directors. Permits as described in this paragraph are renewable annually in January. The District Board of Directors reserves the right to revoke parking permits at any time without cause.
- B. Seventy-two (72) hours is the maximum legal time for parking on any street in the District not designated for a shorter parking restriction. The Lake Shastina Police Department may provide permits for extended parking pursuant to this section upon application and determination that reasonable cause exists.
- C. No person shall park a commercial vehicle having a manufacturer's gross vehicle weight rating of ten thousand (10,000) pounds or more on the residential streets within the District of Lake Shastina.

- D. No person shall construct or cause to be constructed, repair or cause to be repaired, grease or cause to be greased, dismantle or cause to be dismantled any vehicle or any part thereof upon any street in the District of Lake Shastina. Temporary emergency repairs may be made upon a street.
- E. No operator of any vehicle shall park said vehicle upon any street in the District for the principal purpose of advertising or displaying it for sale, unless authorized by the District Board of Directors.
- F. No person shall park a vehicle in any designated space so that any part of such vehicle occupies more than one space or protrudes beyond the official markings on the street or parking lot designating such space unless the vehicle is too large to be parked within a single designated space.
- G. On those streets with or parking lots which have been marked for angle parking, no person shall park or stand a vehicle other than at the angle indicated by such marking. No person shall angle park any vehicle which has a trailer attached thereto or which has a length in excess of twenty-four (24) feet except in areas so designated to accommodate such vehicles.
- H. No person shall place any object on the road right-of-way, other than the lawful parking of a motor vehicle. For the purpose of this section, the road right-of-way includes the pavement, shoulder, fill/cut slope, and all other lands outside the boundaries of abutting privately owned lots. Objects other than a lawfully parked motor vehicle, may be subject to immediate removal at the owner's expense.
- I. The District Board of Directors may, by resolution, from time to time specify locations where the proscriptions of subsections B, C, or H will not be applicable.
- J. The District General Manager, on such terms and conditions, as he or she may specify, and/or his or her designee(s), are authorized to issue Temporary Encroachment Permits which will allow the placement of objects on the road right-of-way for specified periods for the purpose of accommodating construction needs or other activities of a limited duration. The District Board may, by resolution, specify a fee for the issuance of such permits.

2.03.20 No Parking Zones

- A. In any area where the parking or stopping of any vehicle would constitute a traffic hazard or would endanger life or property;
- B. In any area where the Public Works director determines that the parking or stopping of a vehicle would constitute a traffic hazard or would endanger life or property, when such area is indicated by appropriate signs or by red paint upon the curb surface;
- C. In any area established by resolution of the District Board of Directors as a no parking area, when such area is indicated by appropriate signs or by red paint upon the curb surface;
- D. On any street or highway where the use of such street or highway or a portion thereof is necessary for the cleaning, repair or construction of the street or highway or the installation of underground utilities or where the use of the street or highway or any portion thereof is authorized for a purpose other than normal flow of traffic or where the use of the street or highway or any portion thereof is necessary for the movement of equipment, articles or structures of unusual size, and the parking of such vehicle would prohibit or interfere with such use or movement; provided that signs giving notice of such no parking are erected or placed at least twenty-four (24) hours prior to the effective time of such parking;
- E. On either side of any street between the projected property lines of any public walk, public steps, street, or thoroughfare terminating at such street, when such area is indicated by appropriate signs or by red paint upon the curb surface;

- F. At any place within twenty (20) feet of a crosswalk at an intersection in the District, marked golf cart crossings, or when such place is indicated by appropriate signs or by red paint upon the curb surface, except that a bus may stop at a designated bus stop;
- G. No person shall park a vehicle in any alley or community vehicle access easements when the width of the roadway does not exceed twenty (20) feet, when the parking of such vehicle would interfere with traffic or create a hazardous situation.

2.03.30 Curb Parking

In those areas within the District containing painted curbs, parking on District streets and on District roads and District parking lots shall be subject to the following restrictions, violation of which shall be infractions:

- A. Red curb markings shall mean no stopping, standing, or parking at any time except as permitted by the California Vehicle Code, and except that a bus may stop in a red zone marked or signed as a bus zone.
- B. Yellow curb markings shall mean no stopping, standing, or parking at any time between seven a.m. and six p.m. of any day except Sunday(s) and holidays for any purpose other than the loading or unloading of passengers or materials; provided that the loading or unloading of passengers shall not consume more than five minutes nor the loading or unloading of materials shall not consume more than twenty (20) minutes.
- C. Green curb markings shall mean no standing or parking for a period of time no longer than fifteen (15) minutes at any time between nine a.m. and six p.m. on any day except Sunday(s) and holidays.
- D. Blue curb markings shall be governed by Chapter 2.03.40 (Parking for Disabled Persons).

2.03.40 PARKING FOR DISABLED PERSONS

2.03.41 Definitions

As used in this chapter, the following terms are defined as follows:

- A. "Blue curb parking space" means space as defined by California Vehicle Code Section 22511.7 reserved for disabled persons and disabled veterans. Such spaces shall be identified, posted and marked as set forth in Section 2.03.02.60 of this Ordinance.
- B. "Disabled Person" means any person as defined in Section 295.5 of the California Vehicle Code.
- C. "Disabled Veteran" means any person as defined in Section 297.5 of the California Vehicle Code.

2.03.42 Use of Blue Curb Spaces

Persons using blue curb parking spaces shall comply with the following:

- A. No person shall park or stand any vehicle in a disabled persons parking zone (blue curb space) unless such vehicle bears a special license or displays a special placard issued by the California Department of Motor Vehicles under the provisions of California Vehicle Code Sections 5007 or 22511.55 or 22511.59.
- B. Blue curb parking spaces shall be operative twenty-four (24) hours a day, Sundays and holidays included.
- C. Parking zones for disabled persons are subject to any temporary parking prohibitions established by the District.
- D. Violations shall be enforced in accordance with the provisions of section 3.02.10(D) or 2.03.20.50.

2.03.43 On-Street Parking
Pursuant to California Vehicle Code Section 22511.7, the Public Works director shall designate special blue curb parking spaces for the purpose of providing on-street parking for the exclusive use of disabled persons.

2.03.44 Off-Street Publicly Owned Facilities
The Public Works director shall designate parking stalls or spaces in publicly owned, leased or controlled off-street parking for the exclusive use of disabled persons.

2.03.45 Prohibition
It is unlawful for any person to park or leave standing any vehicle in a publicly owned, leased or controlled stall or space designated for disabled persons, when the vehicle is not in compliance with Section 2.03.20.

2.03.46 Marking of Blue Curb Spaces
A. Blue curb spaces shall be indicated by blue paint on the curb edge of the paved portion of the street adjacent to the space. For further identification, the international symbol of access shall be painted on the pavement within the marked parking space in white followed by the words "DISABLED PERSONS ONLY". Pursuant to Vehicle Code Section 22507.8, there shall be posted a sign not less than seventeen (17) inches by twenty-two (22) inches in size with lettering not less than one inch in height which sign shall consist of a profile view of a wheelchair with occupant in white on a blue background with the lettering, "Unauthorized vehicles not displaying distinguishing license plates or placards issued by the Department of Motor Vehicles to disabled persons will be issued citations."
B. Off-street publicly owned, leased or controlled blue curb reserved parking spaces shall be marked, posted and designated as set forth in subsection A of this section, except that in lieu of curb markings off-street parking spaces shall be painted with blue striping in addition to the international symbol of access painted within the space and the posted sign to the specifications set forth in subsection A.

2.03.47 Specifications
When the parking spaces are made available to disabled persons in off-street facilities, the following specifications must be complied with:
A. A minimum width of twelve (12) feet;
B. Located where the slope in the immediate area does not exceed two percent;
C. Placed to minimize necessary travel on sloped surfaces;
D. Located near level or ramped entrance;
E. Located to minimize travel behind parked vehicles.

2.03.50 Parking Violations Penalties and Procedures
Per SB1732, effective January 1, 2003, An additional Penalty for every parking offense per Article 8 Section 5 (b) of this law. This penalty is listed in the Bail Schedule below.

2.03.51 Bail Schedule
Bail for parking violations shall be as set forth hereinafter. The District Board of Directors may change the bail and fine by ordinance or resolution. If a case reaches court, these amounts shall be the fines for conviction on these sections:
2.03.10(A) Parking in Public Lot over 12 Hours..... 15.00
2.03.10(B) Seventy-two-hour zone..... 15.00

2.03.10(C)	Restricted Parking of Commercial Vehicles.....	25.00
2.03.10(D)	Repair or Construction on Street.....	15.00
2.03.10(E)	Parked Vehicle Advertised for Sale.....	15.00
2.03.10(F)	Parking on More Than One Space.....	15.00
2.03.10(G)	Angle Parking.....	15.00
2.03.20(A - G)	No Parking Zones.....	15.00
2.03.30(A)	Red Zone.....	25.00
2.03.30(B)	Yellow Zone.....	15.00
2.03.30(C)	Green Zone.....	15.00
2.03.30(D)	Blue Zone.....	200.00
2.03.45	Unauthorized parking in disabled space.....	200.00
2.03.50	Parking Offense Penalty SB1732.....	1.50

CALIFORNIA VEHICLE CODE

22500	Parking unlawfully.....	25.00
22500.1	Parking, stopping/ Designated Fire Lane.....	25.00
22052	Failure to Park Parallel within 18 Inches of Curb.....	25.00
22514	Near Fire Hydrant.....	35.00
22515	Unattended Vehicle.....	25.00

2.03.60 Bail Procedure Delinquency Penalty

Bail may be posted and forfeited by mailing it in an envelope or by paying in person at the office of the District within thirty (30) days. An additional five (\$5.00) penalty is applicable to payments made after the initial thirty (30) day period.

If payment of the parking violation bail is not received by the District Administration office within the thirty (30) days allowed, the District shall serve or mail to the registered owner a notice of delinquent parking violation.

2.03.61 Charge for copy of Original Notice

Within fifteen (15) days of a request, the District shall provide (if not yet already done so) to the person who has received a notice of delinquent parking violations, or to his or her agent, a copy of the original notice of parking violation. The District may charge five dollars (\$5.00) for a requested copy.

2.03.70 ADJUDICATION PROCEDURES FOR PARKING VIOLATIONS

Current law provides a civil process for non-moving vehicle violations separate from the normal Court process used for moving and other criminal violations. The following is the adjudication procedures for civil parking citations issued by members of the Lake Shastina Police Department. These civil parking violations include California Vehicle Code violations and violations of this ordinance. The following procedures will be followed:

2.03.71 REQUEST FOR REVIEW OF PARKING VIOLATION

1. Vehicle owners wishing to contest a parking violation must request a review of the circumstances by the "Reviewing Officer" who will be the Chief of Police or the Chief's designee. This is done by filing a "Request for Review of Parking Violation" form not later than 21 days from the date the citation was written or 10 days from the mailing of the first notice of delinquency. **If the review is not requested during the time allowed by law, an appeal cannot be made.** When an appeal is made, the Reviewing Officer will notify the owner within a reasonable time and owner will have 10 days from the date of review to file appeal.
2. The owner can submit the request in person or by telephone, with the Reviewing Officer. District staff may take the information for the request and fill out the form for the vehicle owner. Once the form is

submitted, the Reviewing Officer will investigate the vehicle owner's reasons for requesting the review and will receive appropriate information from the Police Department, Public Works Department, Department of Motor Vehicles, etc.

3. If the Reviewing Officer finds that the vehicle owner was not at fault or can prove substantial mitigating circumstances, the citation may be canceled.

2.03.72 Appeals Procedure

1. If the Reviewing Officer upholds the parking citation and does not cancel it, the owner can appeal the Reviewing Officer's decision.
2. To do so, the owner must submit a "Request for Administrative Hearing" form through the Lake Shastina Police Department. As with the previous form, it can be completed by the owner or by telephone, with the District staff filling out the form. A written appeal or a personal appearance appeal may be requested. The owner must remit the amount of the parking fine to the Lake Shastina Community Services District prior to an appeal being processed. A receipt from the District Office must accompany the appeal before it will be heard.
3. In a case where the owner does not have the financial means to pay the full fine prior to the appeal and can provide substantial evidence of that fact through completion of a request for "Waiver of Parking Fine Deposit" form, the District will process the appeal without payment.
4. Failure to remit the fine if the appeal is unsuccessful will result in the placement of a registration hold by the Department of Motor Vehicles. If the Hearing Officer rules in favor of the owner, the amount of previously paid fine shall be refunded.

2.03.73 Administrative Hearing Procedure

1. The "Hearing Officer" will be the District General Manager, or the District General Manager's designee.
2. The owner may request a written hearing or a personal appearance before the Hearing Officer. If a written hearing is requested, the Hearing Officer will review the contents of the appeal and render a decision on the appeal within 10 calendar days from the date the request is filed. If a personal hearing is requested, the Hearing Officer will schedule such a hearing within 10 calendar days from the date the request is filed.
3. The Hearing Officer will make a decision based on information supplied both by the owner and the issuing officer. Notification of a decision will be made by mail within 5 days of the hearing.

2.03.74 Final Appeal

1. If the owner is not satisfied with the Hearing Officer's decision, he/she may file an appeal with the Superior Court. This appeal must be filed within 20 days of the mailing of the Hearing Officer's decision.
2. The owner is responsible for the filing costs. If the court rules in favor of the owner, the District will refund the previously paid fine to the owner. The court's decision is final.

2.03.75 Forms

Copies of Declaration and Hearing forms are attached hereto.



LAKE SHASTINA COMMUNITY SERVICES DISTRICT

WRITTEN DECLARATION

Citation Number _____

Registered Owner _____

Date Issued _____

Address _____

Issuing Officer ID# _____

City _____

State _____

Zip Code _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signature _____

Address _____

Full Name (Print) _____

City _____

State _____

Zip Code _____



LAKE SHASTINA COMMUNITY SERVICES DISTRICT

REQUEST FOR ADMINISTRATIVE REVIEW

If you wish your parking citation to be reviewed by the Administrative Reviewing Officer, you must complete the entire form and file it with the Lake Shastina Police Department at 16309 Everhart Drive, Weed CA 96094, before the end of the time limit (either 21 days from issuance or 10 days from mailing of delinquent notice)

_____ Citation Number

_____ Registered Owner of Record

_____ Date Issued

_____ Address

_____ Issuing Officer ID#

_____ City State Zip Code

Please describe in detail, the reason you feel your parking citation should be reviewed.

Use additional sheets if necessary.

_____ Signature

_____ Address

_____ Full Name (Print)

_____ City State Zip Code



LAKE SHASTINA COMMUNITY SERVICES DISTRICT

REQUEST FOR ADMINISTRATIVE HEARING

If you wish to further appeal your parking citation, you must complete the entire form and file it with the Lake Shastina Police Department at 16309 Everhart Drive, Weed CA 96094, within 10 calendar days from the administrative review.

Citation Number

Registered Owner of Record

Date Issued

Address

Issuing Officer ID#

City State Zip Code

I WOULD LIKE TO APPEAL MY PARKING CITATION BY:

_____ WRITTEN DECLARATION

I have paid the fine and attached my written declaration statement. I understand that if I am found not liable, the Lake Shastina Community Services District will refund the fine I have paid.

_____ APPEARING IN PERSON

I have paid the fine and agree to appear before the Hearing Officer on the date and time given me by the Lake Shastina Police Department. I understand that if I am found not liable, the Lake Shastina Community Services District will refund the fine I have paid.

You must present your case at the hearing or in you written statement. The Hearing Officer can only render a decision on information given to him by you, any witnesses, and the issuing officer.

Signature

Address

Full Name (Print)

City State Zip Code

() Telephone Number



Police Department
LAKE SHASTINA COMMUNITY SERVICES DISTRICT

REQUEST FOR WAIVER OF PARKING FINES DEPOSIT

If you wish to request a waiver of parking fine deposit on your parking citation, you must complete this entire form and file it with the Lake Shastina Police Department at 16309 Everhart Drive, Weed, CA. 96094, within 10 calendar days from the date the citation was issued.

Citation Number

Registered Owner of Record

Date Issued

Address

Issuing Officer ID#

City State Zip Code

I WOULD LIKE TO REQUEST A WAIVER OF FINE DEPOSIT. THE REASON(S) FOR MY REQUEST ARE STATED BELOW:

Signature

Address

Full Name (Print)

City State Zip Code

() Telephone Number

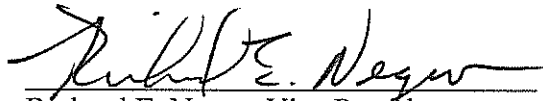
SIGNATURE PAGE

It is hereby certified that the foregoing Ordinance No. 2-03 was duly introduced on the 19th day of February, 2003, adopted at a regular meeting of the Lake Shastina Community Services District on the 19th day of March, 2003; and an amendment to Ordinance No. 2-03 was duly introduced on the 22nd day of March, 2006, adopted at a regular meeting of the Lake Shastina Community Services District on the 19th day of April, 2006.

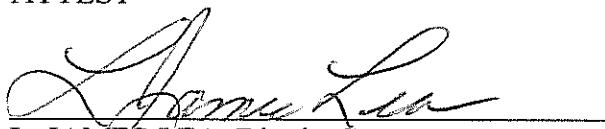
ROLL CALL VOTE:

AYES: Directors Dean, Negro and Roths
NOES: None
ABSENT: Directors Brezinsky and Dilley
ABSTAIN: None

Lake Shastina Community Services District by:


Richard E. Negro, Vice President

ATTEST


L. JAMES LEA, District Secretary

**Amendment to Ordinance 2-03
Outline for First and Second Readings**

Amend Ordinance 2-03 of the Lake Shastina Community Services District to add Section 2.03.10 Parking Restrictions – Subsections (H), (I) and (J), which read as follows:

2.03.10(H) Objects other than Motor Vehicles parked within
Road Right-of-Ways.....Page 4

H. No person shall place any object on the road right-of-way, other than the lawful parking of a motor vehicle. For the purpose of this section, the road right-of-way includes the pavement, shoulder, fill/cut slope, and all other lands outside the boundaries of abutting privately owned lots. Objects other than a lawfully parked motor vehicle, may be subject to immediate removal at the owner's expense.

2.03.10(I) ExemptionsPage 4

I. The District Board of Directors may, by resolution, from time to time specify locations where the proscriptions of subsections B, C, or H will not be applicable.

2.03.10(J) Temporary Encroachment PermitsPage 4

J. The District General Manager, on such terms and conditions, as he or she may specify, and/or his or her designee(s), are authorized to issue Temporary Encroachment Permits which will allow the placement of objects on the road right-of-way for specified periods for the purpose of accommodating construction needs or other activities of a limited duration. The District Board may, by resolution, specify a fee for the issuance of such permits.

A copy of the full body of the Ordinance is available, without charge, from the office of the Lake Shastina Community Services District, 16320 Everhart Drive, Weed, CA 96094.

Introduced:

First Reading	By Title and Contents of Amendment
Second Reading	By Title and Contents of Amendment

1). First Reading and Public Hearing–March 22, 2006

2). Second Reading, Public Hearing and Adoption by Board–April 19, 2006

3). Effective date of Ordinance, 30 days after Adoption–May 19, 2006

Item 9. OLD BUSINESS:

- A. Status of high-speed internet service at Lake Shastina: Pres. Dilley reported that SBC/ATT has not responded to his emails and phone calls. Pres. Dilley reported that he and GM Lea attended a meeting put on by Quest Communications; Quest has a repeater station in Montague and one in Dunsmuir. Quest reported that they would be able to provide fiber optic service to Lake Shastina if Lake Shastina did all the trenching required to splice into cables at Edgewood. Pres. Dilley stated that the District did not have latent powers to get into the internet business and that what Quest presented was not an option for the District. Dir. Negro reported that Cal-Ore has stated that they are not financially able to upgrade their equipment to provide more Lake Shastina residents with high-speed internet.
1. Community Communications System Overview – prepared by Tom Wetter – **Received and Filed:** Tom Wetter, present in the audience, reported that on behalf of the Lake Shastina Fire Safe Council (LSFSC), he has been researching the development of the District's own community alert and communication system, using a low power AM radio station, and possibly an audible horn or bell. The radio station would have a range of approximately 5 miles. More information will be provided to the LSFSC.
- B. Status of 2006/2007 Budget: GM Lea reported that Staff will meet with Dir. Dean, the Budget will be ready for the Board to review next month.
- C. Status of CSDA Ethics Training, AB 1234 requirement: – **Received and Filed:** Dir. Roths reported that the League of Local Agencies (LOLA) will be discussing this item at their April meeting and that the County Agency/City Managers were to discuss the item at their monthly meeting.

D. Ordinance 2-03, Vehicles and Traffic, Amendment to Section 2.03.10 Parking Restrictions – Received and Filed

1. First Reading
2. Public Hearing
3. Approval of First Reading

Pres. Dilley gave the First Reading, by title of each subsection, waiving reading the contents, of proposed amendment to Ordinance 2-03, Vehicles and Traffic, Section 2.03.10 Parking Restrictions. Amendment adds Subsection (H) Objects other than Motor Vehicles parked within Road Right-of-Ways, Subsection (I) Exemptions and Subsection (J) Temporary Encroachment Permits. A copy of Ordinance 2-03, with proposed amendment, is available at the Administration Office. Pres. Dilley opened the First Public Hearing at 4:58 p.m. No comments were received. Pres. Dilley closed the First Public Hearing at 4:59 p.m. and the Board approved the First Reading of the amendment to Ordinance 2-03. The Second Reading, Second Public Hearing and Adoption of amendment to Ordinance 2-03 will be on the April 19, 2006 agenda. Amendment to Ordinance 2-03 will become effective 30 days after adoption (May 19, 2006).

Motion by Dir. Roths second by Dir. Brezinsky to approve the First Reading of Amendment to Ordinance 2-03, Vehicles and Traffic, Section 2.03.10 Parking Restrictions, adding Subsections (H) Objects other than Motor Vehicles parked within Road Right-of-Ways, Subsection (I) Exemptions and Subsection (J) Temporary Encroachment Permits.

Ayes: Directors Brezinsky, Dean, Dilley, Negro and Roths

Noes: None

Absent: None

Item 10. NEW BUSINESS:

- A. Discussion / Action: change scheduled day and time for monthly LSCSD Regular Meetings: The Board discussed the monthly meeting date returning to the third Wednesday and that a later start time would be more convenient for Dir. Negro due to having to travel from his workplace in Dorris.

Motion by Dir. Dean second by Dir. Roths to hold the monthly LSCSD Regular Board Meetings on the third Wednesday of each month, at 5:00 p.m.

Ayes: Directors Dean, Dilley, Negro and Roths

Noes: Director Brezinsky

Absent: None

- B. Discussion: El Dorado Hills - Measure P (Cityhood) – **Received and Filed:** GM Lea reported that due to continued interest regarding the District incorporating, the Board received a newspaper article regarding El Dorado Hills Measure P incorporation campaign. The articles stated that the opponents of Cityhood outspent proponents, which proponents believe is the reason Measure P did not pass.

D. Ordinance 2-03, Vehicles and Traffic, Amendment to Section 2.03.10 Parking Restrictions**– Receive and Filed**

1. Second Reading
2. Public Hearing
3. Approval of Second Reading and Adoption

Dir. Negro gave the Second Reading, by reading title and subsections, of proposed amendment to Ordinance 2-03, Vehicles and Traffic, Section 2.03.10 Parking Restrictions. Amendment adds Subsection (H) Objects other than Motor Vehicles parked within Road Right-of-Ways, Subsection (I) Exemptions and Subsection (J) Temporary Encroachment Permits. A copy of Ordinance 2-03, with proposed amendment, is available at the Administration Office. Dir. Negro opened the Second Public Hearing at 5:35 p.m. No comments were received. Dir. Negro closed the Second Public Hearing at 5:37 p.m. and the Board approved the Second Reading and Adoption of the amendment to Ordinance 2-03, effective May 19, 2006.

Motion by Dir. Roths second by Dir. Dean to approve the Second Reading and Adoption of Amendment to Ordinance 2-03, Vehicles and Traffic, Section 2.03.10 Parking Restrictions, adding Subsections (H) Objects other than Motor Vehicles parked within Road Right-of-Ways, Subsection (I) Exemptions and Subsection (J) Temporary Encroachment Permits, effective May 19, 2006.

Ayes: Directors Dean, Negro and Roths

Noes: None

Absent: Directors Brezinsky and Dilley

- E. Status of Shasta River Total Maximum Daily Loads (TMDL) Action Plan By the North Coast Regional Water Quality Control Board (NCRWQCB) – **Received and Filed:** GM Lea reported that he attended a meeting on April 12, 2006 with the North Coast Regional Water Quality Control Board (NCRWQCB). Based on the fact that the Lake is not within the District, the only involvement the District has in the Action Plan has to do with wastewater and keeping contaminants out of the Lake. The LSPOA and RHCA involvement in the Action Plan has to do with drainage into the Lake. GM Lea reported that at a recent meeting, it was discussed that the County be added to the Action Plan because the Lake is a recreational benefit to the County. Dir. Roths reported that while attending the CSDA Government Affairs Day in Sacramento on April 18, 2006, she discussed this item with Senator Kehoe and Assemblyman LaMalfa.

Item 10. NEW BUSINESS:

- A. Approval of Resolution 3-06, re: Ordinance 2-03, Vehicles and Traffic, Subsection 2.03.10.(I) Exemptions – **Received and Filed:** Dir. Negro read Resolution 3-06 which provides exemptions to Ordinance 2-03, Vehicles and Traffic, to exclude the Spearpoint Community Association, Juniper Property Owners Association and the Lake Shastina Golf Resort from enforcement of the parking restrictions, under Subsections 2.03.10.(B), (C) and (H) of Ordinance 2-03, within their own subdivisions' road right-of-ways.

Motion by Dir. Dean second by Dir. Roths to approve Resolution 3-06, regarding Ordinance 2-03, Vehicles and Traffic, Subsections 2.03.10.(I) Exemptions.

Ayes: Directors Dean, Negro and Roths

Noes: None

Absent: Directors Brezinsky and Dilley

- B. Report of League of Local Agencies (LOLA) April 12, 2006 Meeting – **Received and Filed:** Reported under Item 9.C.
- C. Approval of Mita Copier Lease Buyout – **Received and Filed:** Board discussed item.

Motion by Dir. Roths second by Dir. Dean to approve Mita copier lease buyout of \$4,493.08, per memo dated March 16, 2006.

Ayes: Directors Dean, Negro and Roths

Noes: None

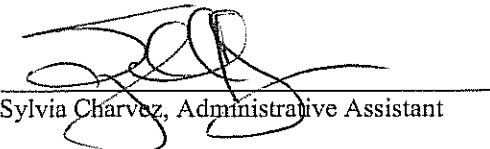
Absent: Directors Brezinsky and Dilley

AFFIDAVIT OF POSTING NOTICE
ORDINANCE 2-03 Amendment

First Reading and Public Hearing: On March 17, 2006, I, Sylvia Charvez, gave copies of the March 22, 2006, Public Hearing Notice (March 22, 2006 LSCSD Regular Meeting Agenda) regarding Amendment to Ordinance 2-03 to Police Department to post on March 17 or 18, 2006 at the locations listed below within the District (Number 1. was posted by me on March 17, 2006 - Copy of proposed Amendment to Ordinance 2-03 was posted on Admin counter by me on March 17, 2006).

Second Reading, Public Hearing and Adoption: On April 14, 2006, I, Sylvia Charvez, gave copies of April 19, 2006 Public Hearing Notice (April 19, 2006 LSCSD Regular Meeting Agenda) regarding Amendment to Ordinance 2-03 to Police Department to post on April 14 or 15, 2006 at the locations listed below within the District (Number 1. was posted by me on April 14, 2006, along with a copy of proposed amendment to Ordinance 2-03).

1. Administration Office, 16320 Everhart Drive. Weed CA
2. Police/Fire Station, 16309 Everhart Drive, Weed CA
3. Lake Shastina Community Center – Exterior Bulletin Board
15244 Driftwood Lane
4. Lake Shastina Bulletin Boards – Elk Trail Road,
Pinehill Road/Lakes Shastina Drive,
Lake Short Drive (Bus Stop)
Rancho Hills Entrance



Sylvia Charvez, Administrative Assistant



LAKE SHASTINA COMMUNITY SERVICES DISTRICT

RESOLUTION 3-06

A RESOLUTION OF THE LAKE SHASTINA COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS REGARDING ORDINANCE 2-03, VEHICLES AND TRAFFIC, SUBSECTION 2.03.10.(I) EXEMPTIONS.

WHEREAS, the Lake Shastina Community Services District Ordinance 2-03, Vehicles and Traffic, Subsections 2.03.10.(B), (C) and (H) define parking restrictions within the District's road right-of-ways; and

WHEREAS, District Ordinance 2-03, Subsection 2.03.10.(I) states that the District Board of Directors may, by resolution, from time to time specify locations where the proscriptions of Subsections 2.03.10.(B), (C) and (H) will not be applicable; and

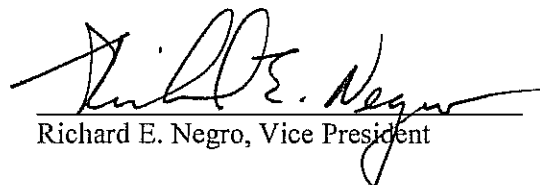
WHEREAS, the Spearpoint Community Association Board of Directors requested that Ordinance 2-03, Vehicles and Traffic, Subsections 2.03.10.(B), (C) and (H) not be enforced within their subdivision's road right-of-ways due to the mere fact that all such parking and use has to happen in the subdivision's road right-of-ways; and

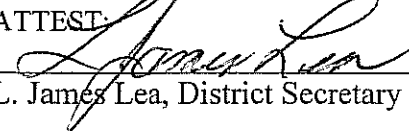
WHEREAS, parking for the Juniper Property Owners Association subdivision and the Lake Shastina Golf Resort, a commercial enterprise, is intermixed so that the policing of such use should remain at the discretion of the Juniper Property Owners Association and the Lake Shastina Golf Resort.

NOW, THEREFORE, BE IT RESOLVED that District Ordinance 2-03, Vehicles and Traffic, Subsections 2.03.10.(B), (C) and (H) shall not be enforced in the Spearpoint Community Association, Juniper Property Owners Association and Lake Shastina Golf Resort parking area and road right-of-ways.

I hereby certify that the forgoing is a full, true and correct copy of Resolution 3-06 duly passed and adopted by the Board of Directors of the Lake Shastina Community Services District, Siskiyou County, California, at a meeting thereof duly held on the 19th day of April 2006, by the following vote:

AYES: Directors Dean, Negro and Roths
NOES: None
ABSENT: Directors Brezinsky and Dilley
ABSTAIN: None


Richard E. Negro, Vice President

ATTEST: 
L. James Lea, District Secretary

AFFIDAVIT OF PUBLICATION

LAKE SHASTINA
COMMUNITY SERVICES DISTRICT
16320 EVERHART DRIVE
WEED, CA 96094

RECEIVED
APR 27 2006
BY: _____

IN THE MATTER OF

ORDINANCE 2-03
(AMENDMENT-SUMMARY)

STATE OF CALIFORNIA) ss:
County of Siskiyou)

LORI SETZER

of said County, being duly sworn, deposed and says: THAT she is and at all times herein mentioned was a citizen of the United States of America, over the age of twenty-one years, and that she is not, nor was she at any of the times hereinafter named a party to, nor interested in the above entitled matter; that she is the PRINCIPAL CLERK OF THE PRINTER of THE SISKIYOU DAILY NEWS, a newspaper of general circulation, printed and published in the City of Yreka, County of Siskiyou, State of California, and which newspaper is published for the dissemination of local and telegraphic news and intelligence of a general character, and which newspaper at all times herein mentioned had and still has a bona fide subscription list of paying subscribers, and which newspaper has been established, printed and published at regular intervals in the said City of Yreka, County of Siskiyou, State of California, for a period exceeding one year next preceding the date of publication of the notice hereinafter referred to; and which newspaper is not devoted to nor published for the interests, entertainment or instruction of a particular class, profession, trade, calling, race or denomination, or any number of same; that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof, on the following; dates, to-wit:

APRIL 25, 2006

Siskiyou Daily News adjudicated May 18, 1953, No. 15190

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

(Signed) Lori Setzer
Date: 4-25-06

Ordinance 2-03
(Amendment - Summary)
Amend Ordinance 2-03 of the Lake Shastina Community Services District to add Section 2.03.10 Parking Restrictions - Subsections (H), (I) and (J), which read as follows:
2.03.10(H) Objects other than Motor Vehicles parked within Road Right-of-Ways: No person shall place any object on the road right-of-way, other than the lawful parking of a motor vehicle. For the purpose of this section, the road right-of-way includes the pavement, shoulder, fill/cut slope, and all other lands outside the boundaries of abutting privately owned lots. Objects other than a lawfully parked motor vehicle, may be subject to immediate removal at the owner's expense.
2.03.10(I) Exemptions: The District Board of Directors may, by resolution, from time to time specify locations where the proscriptions of subsections B, C, or H will not be applicable.
2.03.10(J) Temporary Encroachment Permits: The District General Manager, on such terms and conditions, as he or she may specify, and/or his or her designee(s), are authorized to issue Temporary Encroachment Permits which will allow the placement of objects on the road right-of-way for specified periods for the purpose of accommodating construction needs or other activities of a limited duration. The District Board may, by resolution, specify a fee for the issuance of such permits.
A copy of the full body of the Ordinance is available, without charge, from the office of the Lake Shastina Community Services District, 16320 Everhart Drive, Weed, CA 96094.
First Reading and Public Hearing - March 22, 2006
Second Reading - Public Hearing and Adoption by Board - April 19, 2006
Effective date of Ordinance - May 19, 2006
ROLL CALL VOTE:
AYES: Directors Deann, Negro and Raths
NOES: None
ABSENT: Directors Brezinsky and Dilley
News#1264, Pub. Apr. 25,