

ORDINANCE 2006-02

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE MCKINLEYVILLE
COMMUNITY SERVICES DISTRICT AMENDING THE RULES AND REGULATIONS TO
CONSIDER ACCEPTANCE OF NON-RECREATIONAL DETENTION BASINS AND
OPEN SPACE AREAS**

WHEREAS, MCSD established rules and regulations on May 15, 2002 for the acceptance of detention basins and open space areas with a recreational nexus; and

WHEREAS, MCSD wishes to protect the District from unnecessary liability and prevent property damage to private property; and

WHEREAS, the District has been requested by developers and property owners to consider accepting detention basins and open space areas that do not have a nexus to recreation.

NOW, THEREFORE, BE IT RESOLVED: that the Board of Directors of the McKinleyville Community Services District finds that it is in the best interest of the public that the District amend our current policy to allow for the consideration of acceptance of non-recreational detention basins and open space areas; and,

BE IT FURTHER RESOLVED: that the Board of Directors require that the non-recreational detention basins and open space areas must be constructed to the specification of the District, and all construction and on-going maintenance costs and charges be paid for by the property owners through an Assessment District; and,

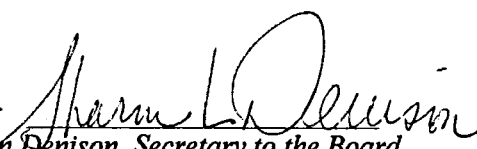
BE IT FURTHER RESOLVED: at the sole discretion of the District, the District reserves the right to deny acceptance of any non-recreational basin or open space area that is not deemed in the public interest due to liability, access difficulties or other findings by the District.

PASSED AND ADOPTED at a duly called meeting of the Board of Directors of the McKinleyville Community Services District on the 18th day of October, 2006, by the following vote:

AYES: CORBETT, WENNERHOLM, TREPANIER

NOES: NONE

ABSENT: DUNK, REID

Attest: 
Sharon Denison, Secretary to the Board


Paul Trepanier, President of the
Board of Directors