



RANCHO MURIETA COMMUNITY SERVICES DISTRICT

15160 Jackson Road, Rancho Murieta, CA 95683

Office - 916-354-3700 * Fax - 916-354-2082

SECURITY COMMITTEE

(Directors Les Clark and Tim Maybee)

Regular Meeting

February 6, 2020 at 10:00 a.m.

All persons present at District meetings will place their cellular devices in silent and/or vibrate mode (no ringing of any kind). During meetings, these devices will be used only for emergency purposes and, if used, the party called/calling will exit the meeting room for conversation. Other electronic and internet enabled devices are to be used in the "silent" mode. Under no circumstances will recording devices or problems associated with them be permitted to interrupt or delay District meetings.

AGENDA

1. Call to Order

2. Comments from the Public

3. Monthly Updates

-  Operations
-  Incidents of Note
-  RMA Citations/Admonishments
-  RMA Compliance/Grievance/Safety Committee/Disposition Report
-  Contract Security

4. District Customer Service and De-Escalation Training

5. Revision of District Security Code Chapter 21 and Ordinance adopting changes

6. Joint Security Committee Update

7. Director and Staff Comments/Suggestions [no action]

8. Adjournment

In accordance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item and is distributed less than 72 hours prior to a regular meeting will be made available for public inspection in the District offices during normal business hours. If, however, the document is not distributed until the regular meeting to which it relates, then the document or writing will be made available to the public at the location of the meeting.

Note: This agenda is posted pursuant to the provisions of the Government Code commencing at Section 54950. The date of this posting is February 3, 2020. Posting locations are: 1) District Office; 2) Post Office; 3) Rancho Murieta Association; 4) Murieta Village Association.

MEMORANDUM

Date: January 31, 2020
To: Security Committee
From: Jeffery Werblun, Security Chief
Subject: Security Update Report for the Month of January 2020

OPERATIONS UPDATES

We have received the Fastpass banners for the North area.

Patrol is fully staffed. The gates are down one full time and one temp position. The full-time position is not able to be filled currently.

We have selected a vendor to provide all District staff with Customer Service and De-escalation training. All field personnel and patrol will be taking mandatory CPR/First Aid recertification training in March.

INCIDENTS OF NOTE

On January 1 at 11:00 pm, patrol noticed a vehicle drive into the Clementia Park area after closing time. The vehicle drove towards the patrol car with the high beam headlights on. The driver did not dim the lights. The driver left the entrance to the park area, drove back onto Camino Del Lago and stopped near Murieta Parkway. The Patrol Officer pulled up alongside the car and tried to get the driver to talk to him about entering the park and not dimming his high beam lights. The officer, through the open car window, asked the driver if he was lost or needed help. The driver replied he was a resident and was fine. The driver then sped away, turned onto Murieta Parkway and accelerated to approximately 50 mph. He ran the stop sign at Camino Del Lago and Murieta Parkway. He ran the stop sign at Domingo, then slammed on the brakes and stopped in the middle of the intersection. The driver sat there in the middle of the intersection. The Patrol Officer arrived, stopped and walked up to the driver. The driver exhibited the symptoms of being under the influence of alcohol. The officer also saw a bottle of whiskey, half empty, on the passenger seat.

CHP was requested for a possible DUI driver. CHP arrived on the scene, and after their investigation, arrested the driver for DUI. Once the driver was arrested, he began to struggle with the CHP officers. The driver was so intoxicated he had to be held up by the CHP officers during the sobriety tests and he was not able to complete a field breath intoxalyzer test.

January 22 at 4:00 pm, patrol responded to the area of Robles Grandes Dr. on a suspicious circumstances call. A young female was followed home by a suspect. The female victim had got off the school bus and was contacted by a male suspect. The suspect tried to talk to the victim. She ignored him and continued walking. At one point, the suspect touched the victim's shoulder as she was walking to get her attention since she was ignoring him. At that point, the victim ran home and reported the incident. Two patrol officers responded and

contacted the family. They gathered some information, and then one officer left to begin an area check. The other officer stayed with the family until SSD arrived for a report.

Our Patrol Officers gathered some information and located a house nearby on Puerto Dr. At that house, there was work being done. One of our officers noticed one of the workers matched the description given by the victim. The officer was able to identify a vehicle the worker was driving. All that information was given over to SSD once they arrived on the scene. Patrol went back to the North Gate and located the worker and his vehicle on video as he entered the North earlier in the day. A still photo was produced off the video and given to SSD.

The following morning, SSD met with Sgt. Tompkins at the North Gate and reviewed video again. Several photos were obtained to put together a photo line up for the victim to see if she could identify a suspect. The worker was identified in the photo lineup, but as someone she saw in the neighborhood. He was not the suspect.

Patrol did extra patrols of the victim's house throughout the night and the next several days. Patrol also did extra patrols of the bus stop and the surrounding areas when the kids got off the bus from school. Patrol worked with SSD and Elk Grove School police.

The Father of the victim expressed his gratitude and appreciation for Security responding quickly and helping his family feel safe and secure until SSD arrived. He also thanked Security for helping in this investigation.

January 25 at 04:00 am, car windows had been broken out on Puerto Dr. Two different houses had car windows broken out. Nothing was taken. The victims reported the incidents to Security later in the morning after 8:00 am. They were referred to SSD for a report. One of the victims had security cameras and developed suspect information from the video. That information was turned over to SSD. The suspects were 17 and 18-year-old residents.

RANCHO MURIETA ASSOCIATION COMPLIANCE MEETING

My appearance was canceled this month by the Chairperson.

MONTHLY MEETING WITH RMA COMPLIANCE STAFF

RMA canceled the meeting, any questions or issues were handled by email.

CONTRACT SECURITY

We are still using PDF on a limited basis for the gate.

JOINT SECURITY MEETING

An email was sent to all Stakeholders regarding having another meeting. Only a few have responded. Another reminder email was sent out. We are awaiting responses before moving to the planning and date phase.

2019 RMA Rule Violations Enforcement by CSD

Violation	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Back Area w/o Resident				1	2	1	1		1	1			7
Basketball Standard											1		1
Barking Dog	14	10	9	12	6	5	11	10	16	15	13	8	129
Open Garage Doors		1	6	8	8	8	1	12	3	4	3	9	63
Curfew							1	1					2
Driveway Parking									1				1
Fishing License/Fish & Wildlife				2									2
Guest Parking								1	1				2
Loose/Off Leash Dog	8	4	13	2	3	7	4	6	8	9	3	3	70
Motorcycle North Streets				1									1
Overloaded Golf Cart										1	1		2
Overnight Street Parking			3					1					4
Park Hours	1			3	16	8	4	2	4	10	2	3	53
Speeding	12		5	4	3	1	1	4	6	7		3	46
Stop Sign	3	1	1						1				6
Unauthorized Vehicle											1	1	2
Unlicensed Driver	1	2	1	1		2		1	4		1		13
Unsafe Driving	5	2	5	2	1	4	5		2	2	4	2	34
Intereference									1				1
Gate Refusals	16	47	29	43	66	59	75	39	23	20	59	24	500
Total	60	67	72	79	105	95	103	77	71	69	88	53	939

2020 RMA Rule Violation Citations by CSD

Violation	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Back Area w/o Resident													
Basketball Standard													
Commercial Vehicle Signage													
Construction Hours/Days													
Curfew													
Driveway Parking	31												31
Fishing License/Fish & Wildlife													
Guest Parking													
Loose/Off Leash Dog													
Motorcycle North Streets													
Overloaded Golf Cart													
Overnight Street Parking	6												6
Park Hours	5												5
Speeding	3												3
Stop Sign													
Unauthorized Vehicle	1												1
Unlicensed Driver	1												1
Unsafe Driving	1												1
Intereference													
Parking Citations													
Warning Notice	3												3
Total	48												48

2019 RMA Rule Violation Citations by CSD

Violation	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Back Area w/o Resident				1			1			3		1	6
Basketball Standard								8	4	1	2	1	16
Commercial Vehicle Signage								2	2				4
Construction Hours/Days													
Curfew						1							1
Driveway Parking	30	5	2		20	24	8	60	30	21	18	18	236
Fishing License/Fish & Wildlife													
Guest Parking											1		1
Loose/Off Leash Dog		1						1					2
Motorcycle North Streets										1			1
Overloaded Golf Cart													
Overnight Street Parking	7	9			4	19	5	29	7	17	13	4	114
Park Hours					2	6	6	8	15	4	4		45
Speeding	39	39	5	4	7	16	17		13	10	5	2	157
Stop Sign	6	7	1	1	1			2	6	3	1	16	44
Unauthorized Vehicle								1			1	2	4
Unlicensed Driver							1	1					2
Unsafe Driving	1				2	2							5
Intereference													
Parking Citations			12	13	3		1		2	7	2	1	41
Warning Notice							2		4				6
Total	83	61	20	19	39	68	41	112	83	67	47	45	685



Rancho Murieta Community Services District

RMA Rule Violation Sections Enforced by RMCS Security Department

RULE I SECTION 5: IDENTIFICATION

RULE I SECTION 6: INTERFERENCE WITH CSD/RMA EMPLOYEE

RULE II SECTION 1: USE OF STREETS

RULE II SECTION 2: UNLICENSED DRIVER

RULE II SECTION 3: SPEED LIMIT VIOLATION

RULE II SECTION 4: ENHANCED SPEED

RULE II SECTION 5: STOP SIGN VIOLATION

RULE II SECTION 6: BUS STOP

RULE II SECTION 8: NO BARCODE

RULE II SECTION 9: TRAILERS AND COMMERCIAL VEHICLE PARKING

RULE II SECTION 10: OVERNIGHT STREET PARKING

RULE II SECTION 11: STORING OF VEHICLES

RULE II SECTION 12: MOTOR VEHICLE REPAIRS

RULE II SECTION 14: CARRYING OF PASSENGERS

RULE II SECTION 15: UNAUTHORIZED VEHICLES, NO 24 HR. PASS

RULE III SECTION 2: UNLEASHED PETS

RULE III SECTION 5: PET NOISE

RULE VI SECTION 1: COMMERCIAL SIGNAGE

RULE VII SECTION 6: BASKET BALL STANDARDS

RULE VII SECTION 9: NOXIOUS ACTIVITIES

RULE IX SECTION 1: GUEST WITHOUT RESIDENT

RULE IX SECTION 2: SWIMMING IN CHESBRO/CALERO

RULE IX SECTION 3: PARK HOURS

RULE IX SECTION 5: FISHING VIOLATIONS

RULE IX SECTION 6: FIREWORKS

RULE IX SECTION 8: SKATEBOARDING/SCOOTERS

RULE IX SECTION 9: CURFEW

RULE IX SECTION 10: VANDALISM

RULE XIII SECTION 1: DRIVEWAY PARKING

ARTICLE VII SECTION 12(B): GUEST PARKING

ARTICLE VII SECTION 13: BON FIRE

MEMORANDUM

Date: January 20, 2020
To: Security Committee
From: Jeffery Werblun, Security Chief
Subject: Updated Security Code – Cleanup of Chapter 21 Text

RECOMMENDED ACTION

Review and recommend for Board review and approval an Ordinance to accept the changes and updates to the Security Code, including the late payment interest rate increase previously approved by the Board.

BACKGROUND

Over the years, the District's Security Code, Chapter 21, has gone through many updates and revisions. Each time this was done, footnotes were added to the bottom of the page, indicating the changes. The footnotes and comments have caused the code to be cluttered. Most of the changes occurred many years ago.

Recently, the Board approved an increase in the penalty fee interest charges for late payments, including the Security Tax. The District's legal counsel reviewed the Security Code and made recommendations for some updates and changes. The recommendations were to remove the old footnotes, reflect the interest rate change, and change some language; however, not the code itself. Staff made the recommended changes.

In order for the Board to adopt the changes and updates to the Security Code, an Ordinance has been drafted for the Board to review and consider. The Ordinance reflects the changes in the Security Code.

ORDINANCE NO. O2020-01

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE RANCHO MURIETA COMMUNITY SERVICES DISTRICT
AMENDING DISTRICT CODE CHAPTER 21 (SECURITY SERVICES) REGARDING
UPDATES AND REVISIONS TO VARIOUS PROVISIONS**

The Board of Directors of the Rancho Murieta Community Services District hereby ordains as follows:

SECTION 1. PURPOSE AND AUTHORITY. The purpose of this ordinance is to revise, update, and clarify the provisions of the District Code relating to security services. This ordinance is adopted pursuant to Government Code sections 61060 and 61100 and other applicable law.

SECTION 2. CODE AMENDMENTS

A. The title page of District Code chapter 21 is amended to read as follows:

Security Services Code
Policies Regulating the Provision of
and Taxes ~~Charges~~ for Security Service
by the District

B. District Code chapter 21 (Security Services Code), section 1.02 is amended to read as follows:

1.02 Applicability. This Chapter shall apply to security services in or affecting the territory of the Rancho Murieta Community Services District. The provisions of this Chapter define the type of security services provided by the District, the special tax levied to fund those services and charges therefore, the methods of collecting the special tax and other charges, penalties for violations of the provisions of this Chapter, and ~~all~~ other related matters concerning the provision of security services within Rancho Murieta Community Services District.

C. District Code chapter 21 (Security Services Code), section 3.04 is amended to read as follows:

3.04 Enforcement of Covenants, Conditions and Restrictions

Pursuant to Government Code Section 61105(e) ~~and former Government Code Section 61601.10~~, the District may enforce covenants, conditions and restrictions (“CC&Rs”), and hereby authorizes Security Patrol Officers to enforce those non-architectural CC&Rs related to the provision of Security Services adopted for each tract within the boundaries of the District.

The Manager and/or the Board is hereby authorized to establish rules, regulations and procedures in cooperation with any homeowner’s association within the District boundaries, including but not limited to, the Rancho Murieta Association, for the enforcement of non-architectural CC&Rs which shall be published and made available to the Board and Customers, including amendments thereto.

D. District Code chapter 21 (Security Services Code), section 5.00 is amended by deleting the preface at the beginning of the section, which reads “[PREFACE: Section 5.00 was adopted by the voters of Rancho Murieta Community Services District and became effective on July 1, 1998. The text of the language as adopted by the voters is provided verbatim below. In the intervening years since this section was adopted several changes have occurred in state law and certain sections are no longer applicable within the District. In order to provide consistency with the rest of the Security Code, these changes are reflected by footnote references throughout this section.]”

E. District Code chapter 21 (Security Services Code), section 5.01 is amended to read as follows (which includes the removal of footnote 1):

5.01 Findings. The Board of Directors of the District hereby finds and declares that the District’s ability to continue to provide Security Services depends on the availability of funds to support these services. The Security Services are a portion of the public safety ~~or police~~ services related to real property and provide for the security and protection of the real property, ~~and property owners, and residents~~ within the District. The special tax [referred to as the "Security Tax"] was ~~levied herein, if approved by two-thirds vote of the District voters in 1998. (See District Ordinance No. 98-1.)~~ The Security Tax ~~will provide~~ for a special and secure funding source to continue to provide Security Services.

F. District Code chapter 21 (Security Services Code), section 5.02 is amended to read as follows (which includes the removal of footnotes 2-5):

5.02 Authority. This special tax is levied under each of the following authorities: Government Code Section 61121(a)~~61615~~ which provides the District with the power to tax for the purpose of carrying out the operations of the District; ~~Government Code Section 61615.1~~ and which authorizes the District to impose special taxes pursuant to Government Code Section 50075, et seq.; Government Code Section 50075 through Section 50077 ~~which authorizes special districts, among others, to impose special taxes;~~ Government Code Section 61060(n) ~~61622~~ which authorizes the District to perform all acts necessary to carry out fully the provisions of the Community Services District Law; ~~Government Code Section 53978, et seq., which authorizes the District to impose a special tax for police protection services, which includes security services;~~ and Article XIII C of the California Constitution. This tax is based, to the extent practicable, upon the cost of providing security services to the properties within the District and is not an ad valorem property tax.

G. District Code chapter 21 (Security Services Code), section 5.03 is amended to read as follows (which includes the removal of footnote 6):

5.03 Security Tax
~~Commencing July 1, 2018,~~ Property within the District shall be assessed a monthly security tax as follows. The maximum tax rates shown reflect annual adjustments, per Section 5.055-00:
~~(amended by Ordinance 2018-02)~~

		Monthly Special Tax Rates Fiscal Year 2019-20	Monthly Special Tax Rates Maximum Ceiling Rate Year 2019-20
Residential			
Inside Gates			
- Metered	Per Lot	\$ 29.73	29.73
- Unmetered	Per Lot	\$ 23.79	23.79
Outside Gate			
	Per Lot	\$ 7.17	7.17
Non-Residential - Per Building Sq. Ft.			
- Highway Retail		\$ 0.2681	0.2681
- Other Retail/Commercial	"	\$ 0.0289	0.0289
- Industrial/Warehouse/Lt Industrial	"	\$ 0.0630	0.0630
- Office	"	\$ 0.0152	0.0152
- Institutional	"	\$ 0.0152	0.0152
- Public Utility	"	\$ 0.0480	0.0480
- Equine Complex	"	\$ 0.0045	0.0045
- RMCC	"	\$ 0.0755	0.0755
- Airport	"	\$ 0.0192	0.0192
- Hotel/Ext. Stay	"	\$ 0.0289	0.0289
UNDEVELOPED PROPERTY			
- Inside Gates	Per Acre	\$25.1494	25.1494
- Outside Gates	Per Acre	\$ 3.7477	3.7477

The Security Tax Charges for property and/or units not identified herein shall be determined by the Board based upon the total actual cost of providing security services to that property or unit, not to exceed the maximum charge per lot, acre, or building square foot for property identified herein.

For the fiscal year beginning July 1, 1998, and annually thereafter, the District Board shall set the actual security tax for the applicable fiscal year. The actual security tax set by the Board shall not exceed the maximum tax rate set forth in this section as adjusted pursuant to section 5.05 of this Ordinance. If necessary, to meet expenses, the Board may adjust the actual tax rate during a fiscal year so long as the actual tax rate does not exceed the maximum allowable tax rate.

H. District Code chapter 21 (Security Services Code), section 5.06 is amended to read as follows (which includes the removal of footnotes 7-8):

5.06 Disposition of Revenue. Revenues collected under the provisions of this Chapter Ordinance shall be deposited in a special fund called the Security Tax fund and shall be used only for the provision of security services within the District. Security services include:

- Operating the security gates located at the entrances of Rancho Murieta, 24 hours a day, 365 days a year, including but not limited to staffing these gates;
- Providing a 24 hour a day mobile patrol of the District and its boundaries;
- Operating a radio communication system to maintain contact with external police, fire, and other emergency services as well as the appropriate entities within the District;

- d. Providing assistance to other agencies providing first aid, fire-fighting, police and emergency services within the District;
- e. Monitoring, controlling and registering guests or invitees of District customers and other visitors within the District;
- f. Conducting such other activities as the Board in its discretion may authorize for the protection of District customers and their property; and
- g. Other incidental costs of providing the services listed above.

I. District Code chapter 21 (Security Services Code), section 5.07 is amended to read as follows:

5.07 Effective Date. The Security Tax ~~This Ordinance~~ shall take effect July 1, 1998. ~~[This reflects the original effective date of the Security Tax.]~~

J. District Code chapter 21 (Security Services Code), section 5.08 (Suspension of Security Fee) is repealed (which includes the removal of footnote 9).

K. District Code chapter 21 (Security Services Code), section 5.09 is amended to read as follows:

5.09 Appeals. Any taxpayer aggrieved by the amount of this tax shall file a written appeal with the General Manager stating the grounds for the appeal. The General Manager shall meet with the taxpayer; they may agree to a resolution of the appeal or set the matter for determination by the Board. The Board may adopt rules for the timing, filing and hearing of appeals under this Chapter Ordinance.

L. District Code chapter 21 (Security Services Code), section 5.10 is amended to read as follows:

5.10 Severability. If any sentence, clause, article, section, subsection, phrase or portion of this Ordinance Chapter is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this ~~Ordinance Chapter~~. The voters of the District hereby declare that they would have adopted the remainder of this ~~Ordinance Chapter~~, including each sentence, clause, article, section, subsection, phrase or portion of this ~~Ordinance Chapter~~, irrespective of the invalidity of any other sentence, clause, article, section, subsection, phrase or portion of this Ordinance Chapter.

M. District Code chapter 21 (Security Services Code), section 6.01 is amended to read as follows:

6.01 General Billing Procedures. Except as otherwise specified herein, the ~~charges for the~~ Security Tax for District Security Services shall be collected together with, and not separately from the charges for other services and facilities rendered by the District to a Customer. All District special taxes and charges shall be billed on the same bill and collected as one item. Except as otherwise specified herein, the District shall bill directly each individual Customer receiving security service and such bill shall be due and payable upon receipt.

N. District Code chapter 21 (Security Services Code), section 6.02 is amended to read as follows:

6.02 Composite Billing Procedures. The District may elect to send a composite bill for the Security Tax ~~Services~~ only to groups of customers when ~~each of~~ the following conditions are met:

- a. The owners of the property receiving services have formally organized by writing into a homeowners' association or similar group;
- b. The homeowners' association or similar group, through properly executed covenants, conditions, articles of incorporation, bylaws, or contract has the power to act as the sole agent for the owners or customers concerning the Security Tax ~~service charges~~ in a manner which binds the individual owners or customers, and;
- c. The association or group enters into a written agreement with the District which provides, among other matters, that:
 1. The association or group shall be responsible for and guarantee payment of all such Security Taxes ~~charges~~ within the time required by the District's rules and regulations, regardless of whether any single owner or customer has paid the owners or customer's share of such charges to the association or group;
 2. The District shall apply to and the association or group shall pay all delinquent, penalty and interest charges on the composite bill,
 3. The District's bill or other notices to the association or group shall constitute a bill or other notice to each individual owner or customer, who shall agree that no other notice or bill to the individual owner or customer shall be necessary for, or a prerequisite to, the District's exercise of its powers to terminate service, place liens on the owner's property, or exercise any of the other legal remedies necessary to collect delinquent bills and charges; and
 4. The bill shall consist of the sum of the total monthly Security Taxes ~~Services charges~~ for each owner or customer represented by the association or group, as well as Security Services to any common area or other unit represented by the association or group.

O. District Code chapter 21 (Security Services Code), section 6.03 is amended to read as follows:

6.03 Bill Payment. Bills for the Security Tax ~~Services~~ are due and payable when mailed or delivered. A bill for services is delinquent if not paid and received at the Rancho Murieta Community Services District office by the 25th day of the month following the month in which the bill was mailed.

P. District Code chapter 21 (Security Services Code), section 7.02 is amended to read as follows:

7.02 Imposition of Lien. Delinquent special taxes and charges remaining unpaid after thirty (30) days may be recorded as a lien with the County in accordance with Section ~~611156115~~ of the Government Code and, after recordation, shall constitute a lien upon all real property owned or thereafter acquired by the property owner in the County. The District shall include a statement to this effect on its bills to each property owner. The District may compile lists of such delinquent charges and record them with the County Recorder as liens.

Q. District Code chapter 21 (Security Services Code), section 7.03 is amended to read as follows:

7.03 Process for Collection of Delinquent Charges. All special taxes, charges, penalties and interest which remain delinquent as of June 30th of each year may be collected in the same manner as the general taxes for the District for the forthcoming fiscal year, as follows:

- a. The District shall prepare a written report, which shall be filed by the District Secretary. The report shall describe each parcel of real property for which there are any delinquencies in

any charges for services rendered to each premise during the preceding year, and the amount of the delinquency. The report of delinquent security service charges may be combined with the report of any other delinquent charges, as long as the report identifies the delinquent charges for each service for each premise.

b. The District Secretary shall publish notice of the report's filing and of the time and place of hearing on the report, prior to the date set for the hearing. The notice shall be published at least once a week for two weeks. The District Secretary shall also mail written notice of the report's filing to each property owner whose property or premises is identified as being subject to delinquent charges setting forth individually each property and each of the services and charges due for that property.

c. At the time stated in the notice, the Board shall hear and consider all objections or protests, if any, to the report concerning the delinquencies. Thereafter, the Board may adopt, revise, change, reduce, or modify any delinquency or overrule any or all objections thereto. The Board shall then make its determination on each delinquency identified in the report; the Board's determination shall be final.

d. On or before August 10th of each year following the Board's hearing, the District Secretary shall file with the County Auditor a copy of the report, signed by the Secretary, stating the Board has adopted the report. The Secretary shall request the County Auditor to include the amount of delinquencies on the bills for taxes levied against the properties identified in the report.

R. District Code chapter 21 (Security Services Code), section 7.04 is amended to read as follows:

7.04 Attorneys' Fees. In the event the District is required to bring legal action to enforce any provision of this Chapter, including but not limited to the collection of delinquent special taxes, charges or penalties, the District shall be entitled to recover its reasonable attorneys' fees, interest, court costs, and any other costs incurred by the District in bringing such action.

S. District Code chapter 21 (Security Services Code), section 7.05 is amended to read as follows:

7.05 Discontinuance of Service. As an alternative method of enforcing the provisions of this Chapter or of any other District ordinance, rule or regulation, the District shall have the authority pursuant to Government Code Section 61115 to discontinue any and all services provided by the District to a customer if all or part of any bill is not paid. Such discontinuance of service shall be in the following manner:

a. At least ten days before the proposed discontinuance, the District shall provide written notice to the customer and the Property owner, if other than the customer, of the District's intent to discontinue service and the procedure for, and the availability of, an opportunity to discuss the reasons for the proposed discontinuance of service.

b. Before discontinuing service, the customer or property owner shall have the opportunity to discuss the reason for the proposed Discontinuance with an employee designated by the Manager who shall be empowered to dispute bills, rectify any errors, and settle controversies pertaining to the review discontinuance of service.

c. When service has been discontinued as provided in this section, the customer or property owner shall pay all unpaid special taxes, charges, including penalties and interest, plus all District expenses and charges for the discontinuance and restoration of service, prior to the restoration of the discontinued service.

d. No service shall be discontinued on any Saturday, Sunday, legal holiday, or at any time during which the District's business offices are not open to the public.

T. District Code chapter 21 (Security Services Code), section 7.06 is amended to read as follows:

7.06 Remedies Cumulative. All remedies set forth herein for the collection and enforcement of special taxes, charges, and penalties are cumulative and may be pursued alternatively or consecutively.

U. District Code chapter 21 (Security Services Code), section 8.00 is amended to read as follows:

Section 8.00 Prohibited Activities on District Property

~~[PREFACE:]~~ The following activities are prohibited on District Property pursuant to the authority provided in Section 3.05 of this Code and Government Code Sections 61060 and 61064. ~~(e).~~

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect 30 days after its final passage.

SECTION 4. SEVERABILITY. If any section or provision of this ordinance or the application of it to any person, transaction or circumstance is held invalid or unenforceable, such invalidity or unenforceability shall not affect the other provisions of this ordinance that can be given effect without the invalid or unenforceable provision, and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. PUBLICATION. The District Secretary is directed to publish this ordinance once in a newspaper of general circulation published in the District within 15 days after the adoption of the ordinance.

INTRODUCED by the Board of Directors on the 19th day of February 2020.

PASSED AND ADOPTED by the Board of Directors of the Rancho Murieta Community Services District at a regular meeting on the 18th day of March 2020 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Les Clark
President, Board of Directors

Attest:

Amelia Wilder, District Secretary

RANCHO MURIETA COMMUNITY SERVICES DISTRICT

DISTRICT CODE
CHAPTER 21

~~THE~~ SECURITY SERVICES CODE

POLICES REGULATING THE PROVISION
OF AND TAXES ~~CHARGES~~ FOR SECURITY
SERVICE BY THE DISTRICT



AMENDED AUGUST 21, 2019
ORDINANCE O2019-03

TABLE OF CONTENTS

Section 1.00 General Provisions	4
1.01 Title	4
1.02 Applicability	4
1.03 Implementation	4
Section 2.00 Definitions	4
2.01 Board	4
2.02 Customer	4
2.03 District	4
2.04 District Property	4
2.05 Manager	4
2.06 Premises	4
2.07 Security Chief	5
2.08 Security Gate Officers	5
2.09 Security Patrol Officers	5
2.10 Security Sergeant	5
2.11 Security Services	5
Section 3.00 Scope of Security Services	5
3.01 Authority and Scope of Security Services	5
3.02 Gate and Patrol Services	5
3.03 Enforcement of District Rules and Ordinances	6
3.04 Enforcement of Covenants, Conditions and Restrictions	6
3.05 Enforcement of State and County Law on District Property	6
3.06 Contracting Authority	6
3.07 Violations of Chapter	6
3.08 Penalty for Obstructing District Security Officer	6
Section 4.00 Special Event Notification	7
Section 5.00 Special Tax for Security Services	7
5.01 Findings	7
5.02 Authority	7
5.03 Security Tax	8
5.04 Collection	8
5.05 Annual Adjustment	98

5.06	Disposition of Revenue _____	9
5.07	Effective Date _____	9
5.08	Suspension of Security Fee _____	9
5.09	Appeals _____	9
5.10	Severability _____	109
Section 6.00 Billing Procedures _____		10
6.01	General Billing Procedures _____	10
6.02	Composite Billing Procedures _____	10
6.03	Bill Payment _____	1110
6.04	Security Services for Special Events _____	11
6.05	Additional Fees and Charges _____	11
Section 7.00 Collection of Special Tax _____		11
7.01	Penalty for Late Payment _____	11
7.02	Imposition of Lien _____	11
7.03	Process for Collection of Delinquent Charges _____	11
7.04	Attorneys' Fees _____	12
7.05	Discontinuance of Service _____	12
7.06	Remedies Cumulative _____	1312
7.07	Declaration of Procedures _____	1312
Section 8.00 Prohibited Activities on District Property _____		1312
8.01	Trespasses _____	13
8.02	Defacing Property _____	13
8.03	Loitering _____	13
8.04	Use of Motor Vehicles: _____	13
8.05	Use of Skateboards _____	13
8.06	<u>Animals</u> _____	13
8.07	Disposal of Refuse _____	13
8.08	Consumption of Alcoholic Beverages _____	1413
8.09	Firearms _____	1413
8.10	Fireworks _____	14
8.11	Use of Bridge _____	14
Section 9.00 False Alarm Service Fee _____		14
9.01	False Alarm Fee _____	14
9.02	Collection _____	14

DISTRICT CODE

CHAPTER 21

POLICIES REGULATING THE PROVISION OF AND ~~TAXES CHARGES FOR~~ SECURITY SERVICES BY THE DISTRICT

Section 1.00 General Provisions

1.01 Title

This Chapter shall be known as the "Security Services Code" and may be cited as such.

1.02 Applicability

This Chapter shall apply to security services in or affecting the territory of the Rancho Murieta Community Services District. The provisions of this Chapter define the type of security services provided by the District, the special tax ~~levied to fund those services and charges therefore~~, the methods of collecting the special tax and ~~other~~ charges, penalties for violations of the provisions of this Chapter, and all other related matters concerning the provision of security services within Rancho Murieta Community Services District.

1.03 Implementation

The provisions of this Chapter shall be implemented by such policies and procedures as shall be developed from time to time by the Board and/or District staff at the direction of the Manager.

Section 2.00 Definitions

For the purposes of this Chapter, the following terms shall have the following meanings.

2.01 Board

Board shall mean the Board of Directors of the Rancho Murieta Community Services District.

2.02 Customer

Customer shall mean a District resident or property owner to whom District service is provided.

2.03 District

District shall mean the Rancho Murieta Community Services District.

2.04 District Property

District Property shall mean real property owned, leased or otherwise controlled by the District.

2.05 Manager

Manager shall mean the General Manager of the Rancho Murieta Community Services District.

2.06 Premises

Premises shall mean a parcel of real estate, including any improvements thereon, which is determined by the District to be a single unit for purposes of receiving, using and paying for security services. In making this determination, the District shall take into consideration such factors as whether the unit could reasonably be subdivided and whether the unit is being used for a single commercial enterprise or residential unit.

2.07 Security Chief

Security Chief shall mean that person designated as the head of District Security Services.

2.08 Security Gate Officers

Security Gate Officers shall mean those individuals hired by the District to perform duties related to the control and monitoring of access to gated portions of the District, after receiving the appropriate training and certifications as determined by the Security Chief and Manager.

2.09 Security Patrol Officers

Security Patrol Officers shall mean those persons, including the Security Chief and the Security Sergeant, hired by the District to provide patrol services, and other security services identified herein in accordance with District policies and procedures, after receiving the appropriate training and certifications as determined by the Security Chief and Manager.

2.10 Security Sergeant

Security Sergeant shall mean that person hired by the District to participate in and supervise the activities of Security Gate Officers and Security Patrol Officers, and other security services identified herein in accordance with District policies and procedures, after receiving the appropriate training and certifications as determined by the Security Chief and Manager.

2.11 Security Services

Security Services shall mean the security services provided by the District, as identified in Section 3.00 herein.

Section 3.00 Scope of Security Services

3.01 Authority and Scope of Security Services

Pursuant to Section 61100(j) of the Government Code and authorization of the Local Agency Formation Commission, the District provides Security Services necessary to protect lives and property within the boundaries of the District. Security Gate Officers and Security Patrol Officers are responsible for protecting lives and property by seeking to prevent an incident or offense from occurring in the District. In situations where prevention of an incident or offense is not possible, the function of Security Gate Officers or Security Patrol Officers is to observe and report the incident to a law enforcement agency, such as the Sacramento County Sheriff's Department, except as otherwise authorized by this Chapter. Security Gate Officers and Security Patrol Officers are not peace officers, and except in limited circumstances as authorized in this Chapter, are not responsible for any law enforcement activities, including but not limited to: chasing; apprehending or detaining suspected criminals; investigating criminal acts; or enforcing state or county laws, including traffic regulations.

3.02 Gate and Patrol Services

The District shall provide gate and patrol services, at such level or to such extent as the Board may authorize as part of the annual budget process, or from time to time as the Board deems appropriate. The gate and patrol services shall generally include:

- a. Operating and staffing security gates located at the entrances to the Rancho Murieta community on a year-round basis;

- b. Providing twenty-four-(24) hour a day mobile patrol of all area within the boundaries of the District;
- c. Operating a communication system to maintain contact with local law enforcement, fire and other emergency services as well as appropriate entities within the District; and
- d. Registering guests or invitees of District Customers and other visitors within the District, in cooperation with Rancho Murieta Association or other homeowners' associations within the District as appropriate.

3.03 Enforcement of District Rules and Ordinances

Pursuant to Government Code Section 61064(b), Security Patrol Officers may enforce the rules, regulations, and ordinances adopted by the Board and may issue citations for violation of any such rule, regulation or ordinance to be processed as an infraction in accordance with subdivision (d) of Section 17 of the Penal Code.

3.04 Enforcement of Covenants, Conditions and Restrictions

Pursuant to Government Code Section 61105(e) ~~and former Government Code Section 61601.10~~, the District may enforce covenants, conditions and restrictions ("CC&Rs"), and hereby authorizes Security Patrol Officers to enforce those non-architectural CC&Rs related to the provision of Security Services adopted for each tract within the boundaries of the District.

The Manager and/or the Board is hereby authorized to establish rules, regulations and procedures in cooperation with any homeowner's association within the District boundaries, including but not limited to, the Rancho Murieta Association, for the enforcement of non-architectural CC&Rs which shall be published and made available to the Board and Customers, including amendments thereto.

3.05 Enforcement of State and County Law on District Property

Security Patrol Officers may make arrests in accordance with Penal Code Section 836.5, and/or issue citations for misdemeanor or infraction violations of state law, county ordinances, or district rules, regulations, or ordinances when such violation is committed on District Property and in the presence of the District Security Officer making the arrest or issuing the citation pursuant to Government Code Section 61064(c).

3.06 Contracting Authority

Subject to Board approval and appropriation of funds, the District may contract or enter into any joint or cooperative arrangement with Rancho Murieta Association or any other entity or person, including the Sacramento County Sheriff's Department, to provide security services to District Customers.

3.07 Violations of Chapter

Pursuant to Government Code section 61064(a), a violation of a provision of this Chapter is a misdemeanor punishable by imprisonment in the county jail not exceeding six months, or by fine not exceeding one thousand dollars (\$1,000), or by both.

3.08 Penalty for Obstructing District Security Officer

Any person who willfully interferes with a Security Patrol Officer in the performance of his or her duties pursuant to Section 3.03 and/or 3.05 of this Code may be punished by a fine, not exceeding one thousand dollars (\$1,000), or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment, in accordance with the provisions of Section 148 of the Penal Code.

Section 4.00 Special Event Notification

Prior to conducting or holding any event or activity within the District which is reasonably expected to involve twenty (20) or more participants, spectators, or similar persons, excluding District Customers, the sponsor of such event or activity shall notify the District Security Chief ten (10) days in advance of such event or activity. If Security Services are needed for the event, the event sponsor may request such services as provided for in Section 6.04 of this Chapter.

Section 5.00 Special Tax for Security Services

~~[PREFACE: Section 5.00 was adopted by the voters of Rancho Murieta Community Services District and became effective on July 1, 1998. The text of the language as adopted by the voters is provided verbatim below. In the intervening years since this section was adopted several changes have occurred in state law and certain sections are no longer applicable within the District. In order to provide consistency with the rest of the Security Code, these changes are reflected by footnote references throughout this section.]~~

5.01 Findings

The Board of Directors of the District hereby finds and declares that the District's ability to continue to provide Security Services depends on the availability of funds to support these services. The Security Services are a portion of the public safety ~~or police services~~ services¹ related to real property and provide for the security and protection of the real property, ~~and property owners,~~ and residents within the District. The special tax [referred to as the "Security Tax"] ~~was levied herein, if approved by two-thirds vote of the District voters in 1998. (See District Ordinance No. 98-1.) The Security Tax, will provide~~ for a special and secure funding source to continue to provide Security Services.

5.02 Authority

This special tax is levied under each of the following authorities:-

Government Code Section ~~6112161615~~² which provides the District with the power to tax for the purpose of carrying out the operations of the District; ~~Government Code Section 61615.1³ and~~ which authorizes the District to impose special taxes pursuant to Government Code Section 50075, et seq.; Government Code Section 50075 through Section 50077 ~~which authorizes special districts, among others, to impose special taxes;~~ Government Code Section ~~6106061610(n)61622~~⁴ which authorizes the District to perform all acts necessary to carry out fully the provisions of the Community Services District law; ~~Government Code Section 53978, et seq., which authorizes the District to impose a special tax for police protection services~~⁵, Government Code section 53978, which authorizes the District to impose a

¹ ~~The term police services should be deleted.~~

² ~~Government Code § 61615 was repealed and replaced with Government Code § 61121 effective January 1, 2006~~

³ ~~Government Code § 61615.1 was repealed and replaced with Government Code § 61121 effective January 1, 2006.~~

⁴ ~~Government Code § 61622 was repealed and replaced with Government Code § 61060(n) effective January 1, 2006.~~

⁵ ~~The citation to Government Code Section 53978 should be deleted.~~

[special tax for police protection services](#), which includes security services; and Article XIII [C](#) of the California Constitution. This tax is based, to the extent practicable, upon the cost of providing security services to the properties within the District and is not an ad valorem property tax.

5.03 Security Tax

[Commencing July 1, 2018, p](#)Property within the District shall be assessed a monthly security tax as follows. The maximum tax rates shown reflect annual adjustments, per Section [5.055-00](#): ~~(amended by Ordinance 2018-02)~~

		Monthly Special Tax Rates Fiscal Year 2019-20	Monthly Special Tax Rates Maximum Ceiling Rate Year 2019-20
Residential			
Inside Gates			
- Metered	Per Lot	\$ 29.73	29.73
- Unmetered	Per Lot	\$ 23.79	23.79
Outside Gate	Per Lot	\$ 7.17	7.17
Non-Residential - Per Building Sq. Ft.			
- Highway Retail		\$ 0.2681	0.2681
- Other Retail/Commercial	"	\$ 0.0289	0.0289
- Industrial/Warehouse/Lt Industrial	"	\$ 0.0630	0.0630
- Office	"	\$ 0.0152	0.0152
- Institutional	"	\$ 0.0152	0.0152
- Public Utility	"	\$ 0.0480	0.0480
- Equine Complex	"	\$ 0.0045	0.0045
- RMCC	"	\$ 0.0755	0.0755
- Airport	"	\$ 0.0192	0.0192
- Hotel/Ext. Stay	"	\$ 0.0289	0.0289
UNDEVELOPED PROPERTY			
- Inside Gates	Per Acre	\$25.1494	25.1494
- Outside Gates	Per Acre	\$ 3.7477	3.7477

[The Security Tax Charges](#) for property and/or units not identified herein shall be determined by the Board based upon the total actual cost of providing security services to that property or unit, not to exceed the maximum charge per lot, acre, or building square foot for property identified herein.

For the fiscal year beginning July 1, 1998, and annually thereafter, the District Board shall set the actual security tax for the applicable fiscal year. The actual security tax set by the Board shall not exceed the maximum tax rate set forth in this section as adjusted pursuant to section 5.05 ~~of this Ordinance~~. If necessary, to meet expenses, the Board may adjust the actual tax rate during a fiscal year so long as the actual tax rate does not exceed the maximum allowable tax rate.

5.04 Collection

The Security Tax shall be collected with other monthly District taxes, fees and/or charges and shall be subject to the same penalties for non-payment as other monthly District taxes, fees, and/or charges.

5.05 Annual Adjustment

Commencing July 1, 1999 and each July 1st thereafter, the amounts specified in Section 5.03 shall be increased by two percent (2%) per year. The General Manager shall maintain a current schedule of maximum tax rates based on the yearly increase specified herein and shall make the same available to any interested party upon request.

5.06 Disposition of Revenue

Revenues collected under the provisions of this ~~Chapter Ordinance~~ shall be deposited in a special fund called the Security Tax fund and shall be used only for the provision of security services within the District. Security services include:⁶

- a. Operating the security gates located at the entrances of Rancho Murieta, 24 hours a day, 365 days a year, including but not limited to staffing these gates;
- b. Providing a 24 hour a day mobile patrol of the District and its boundaries;
- c. Operating a radio communication system to maintain contact with external police, fire, and other emergency services as well as the appropriate entities within the District;
- d. Providing assistance to other agencies providing first aid, fire-fighting, police and emergency services within the District⁷;
- e. Monitoring, controlling and registering guests or invitees of District customers and other visitors within the District;⁸
- f. Conducting such other activities as the Board in its discretion may authorize for the protection of District customers and their property; and
- g. Other incidental costs of providing the services listed above.

5.07 Effective Date

~~The Security Tax This Ordinance~~ shall take effect July 1, 1998. ~~[This reflects the original effective date of the Security Tax.]~~

~~5.08 Suspension of Security Fee~~

~~Upon the effective date of the levying of the tax established by the ordinance, and except as provided herein, the District shall suspend the collection of the security fee established in and collected under District Code Chapter 21, section 5.00. To the extent that a property or property owner is or becomes legally exempt from payment of the tax established in this Ordinance, such property and/or property owner shall remain subject to and shall pay the security fee established in and collected under District Code Chapter 21, section 5.00; and, to that extent, that security fee shall remain in effect.⁹~~

5.09 Appeals

⁶~~Please see Section 3.00 for an updated overview of Security Services provided by the District.~~

⁷~~Subsection (d) of Section 5.06 is no longer applicable within the District.~~

⁸~~See subsection (d) of Section 3.02 for the current version of this subsection.~~

⁹~~Section 5.08 is no longer applicable within the District.~~

Any taxpayer aggrieved by the amount of this tax shall file a written appeal with the General Manager stating the grounds for the appeal. The General Manager shall meet with the taxpayer; they may agree to a resolution of the appeal or set the matter for determination by the Board. The Board may adopt rules for the timing, filing and hearing of appeals under this [ChapterOrdinance](#).

5.10 Severability

If any sentence, clause, article, section, subsection, phrase or portion of this [OrdinanceChapter](#) is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this [OrdinanceChapter](#). The voters of the District hereby declare that they would have adopted the remainder of this [OrdinanceChapter](#), including each sentence, clause, article, section, subsection, phrase or portion of this [OrdinanceChapter](#), irrespective of the invalidity of any other sentence, clause, article, section, subsection, phrase or portion of this [OrdinanceChapter](#).

Section 6.00 Billing Procedures

6.01 General Billing Procedures

Except as otherwise specified herein, the ~~charges for the~~ Security Tax for District Security Services shall be collected together with, and not separately from the charges for other services and facilities rendered by the District to a Customer. All District [special taxes and](#) charges shall be billed on the same bill and collected as one item. Except as otherwise specified herein, the District shall bill directly each individual Customer receiving security service and such bill shall be due and payable upon receipt.

6.02 Composite Billing Procedures

The District may elect to send a composite bill for ~~the Security Tax Services~~ only to groups of customers when each of the following conditions are met:

- a. The owners of the property receiving services have formally organized by writing into a homeowners' association or similar group;
- b. The homeowners' association or similar group, through properly executed covenants, conditions, articles of incorporation, bylaws, or contract has the power to act as the sole agent for the owners or customers concerning ~~the Security Tax service charges~~ in a manner which binds the individual owners or customers, and;
- c. The association or group enters into a written agreement with the District which provides, among other matters, that:
 1. The association or group shall be responsible for and guarantee payment of all such [Security Taxes charges](#) within the time required by the District's rules and regulations, regardless of whether any single owner or customer has paid the owners or customer's share of such charges to the association or group;
 2. The District shall apply to and the association or group shall pay all delinquent, penalty and interest charges on the composite bill,
 3. The District's bill or other notices to the association or group shall constitute a bill or other notice to each individual owner or customer, who shall agree that no other notice or bill to the individual owner or customer shall be necessary for, or a prerequisite to, the District's exercise of its powers to terminate service, place liens on the owner's property, or exercise any of the other legal remedies necessary to collect delinquent bills and charges; and

4. The bill shall consist of the sum of the total monthly Security ~~Taxes Services charges~~ for each owner or customer represented by the association or group, as well as Security Services to any common area or other unit represented by the association or group.

6.03 Bill Payment

Bills for ~~the Security Tax Services~~ are due and payable when mailed or delivered. A bill for services is delinquent if not paid and received at the Rancho Murieta Community Services District office by the 25th day of the month following the month in which the bill was mailed.

6.04 Security Services for Special Events

The District may provide Security Services on a contractual or fee-for-service basis for any special event, as described in Section 4.00, or for any other activity within the District's boundaries which requires Security Services other than that routinely provided by the District.

6.05 Additional Fees and Charges

Additional fees and charges may be required as part of an agreement or contract for additional Security Services, such as pursuant to Section 6.04 above.

Section 7.00 Collection of Special Tax

7.01 Penalty for Late Payment

A one-time basic penalty of ten percent (10%) of the delinquent taxes shall be added to each delinquent bill for the first month the charge is delinquent. Thereafter, an additional penalty of one percent (1%) per month shall be added to all delinquent taxes and basic penalties remaining unpaid, until the District requests the County Auditor to include the amount of the delinquent taxes and penalties for collection on the County property tax roll as set forth in Section 7.03. Monies paid when any portion of an account is delinquent shall first be credited to interest and penalties, then to the delinquent portion of the bill, and then to the current portion of the bill. *(Amended by Ordinance 02019-03)*

7.02 Imposition of Lien

Delinquent ~~special taxes and~~ charges remaining unpaid after thirty (30) days may be recorded as a lien with the County in accordance with Section ~~611156115~~ of the Government Code and, after recordation, shall constitute a lien upon all real property owned or thereafter acquired by the property owner in the County. The District shall include a statement to this effect on its bills to each property owner.

The District may compile lists of such delinquent charges and record them with the County Recorder as liens.

7.03 Process for Collection of Delinquent Charges

All ~~special taxes,~~ charges, penalties and interest which remain delinquent as of June 30th of each year may be collected in the same manner as the general taxes for the District for the forthcoming fiscal year, as follows:

- a. The District shall prepare a written report, which shall be filed by the District Secretary. The report shall describe each parcel of real property for which there are any delinquencies in any charges for services rendered to each premise during the preceding year, and the amount of the

delinquency. The report of delinquent security service charges may be combined with the report of any other delinquent charges, as long as the report identifies the delinquent charges for each service for each premise.

- b. The District Secretary shall publish notice of the report's filing and of the time and place of hearing on the report, prior to the date set for the hearing. The notice shall be published at least once a week for two weeks. The District Secretary shall also mail written notice of the report's filing to each property owner whose property or premises is identified as being subject to delinquent charges setting forth individually each property and each of the services and charges due for that property.
- c. At the time stated in the notice, the Board shall hear and consider all objections or protests, if any, to the report concerning the delinquencies. Thereafter, the Board may adopt, revise, change, reduce, or modify any delinquency or overrule any or all objections thereto. The Board shall then make its determination on each delinquency identified in the report; the Board's determination shall be final.
- d. On or before August 10th of each year following the Board's hearing, the District Secretary shall file with the County Auditor a copy of the report, signed by the Secretary, stating the Board has adopted the report. The Secretary shall request the County Auditor to include the amount of delinquencies on the bills for taxes levied against the properties identified in the report.

7.04 Attorneys' Fees

In the event the District is required to bring legal action to enforce any provision of this Chapter, including but not limited to the collection of delinquent [special taxes](#), charges or penalties, the District shall be entitled to recover its reasonable attorneys' fees, interest, court costs, and any other costs incurred by the District in bringing such action.

7.05 Discontinuance of Service

As an alternative method of enforcing the provisions of this Chapter or of any other District ordinance, rule or regulation, the District shall have the authority pursuant to Government Code Section 61115 to discontinue any and all services provided by the District to a customer if all or part of any bill is not paid. Such discontinuance of service shall be in the following manner:

- a. At least ten days before the proposed discontinuance, the District shall provide written notice to the customer and the Property owner, if other than the customer, of the District's intent to discontinue service and the procedure for, and the availability of, an opportunity to discuss the reasons for the proposed discontinuance of service.
- b. Before discontinuing service, the customer or property owner shall have the opportunity to discuss the reason for the proposed Discontinuance with an employee designated by the Manager who shall be empowered to dispute bills, rectify any errors, and settle controversies pertaining to the review discontinuance of service.
- c. When service has been discontinued as provided in this section, the customer or property owner shall pay all unpaid [special taxes](#), charges, including penalties and interest, plus all District expenses and charges for the discontinuance and restoration of service, prior to the restoration of the discontinued service.
- d. No service shall be discontinued on any Saturday, Sunday, legal holiday, or at any time during which the District's business offices are not open to the public.

7.06 Remedies Cumulative

All remedies set forth herein for the collection and enforcement of [special taxes](#), charges, and penalties are cumulative and may be pursued alternatively or consecutively.

7.07 Declaration of Procedures

The District hereby declares the foregoing procedures are established as a means of enforcing the terms and conditions of the District's ordinances, rules and regulations and shall not be construed as penalties.

Section 8.00 Prohibited Activities on District Property

~~[PREFACE:~~ The following activities are prohibited on District Property pursuant to the authority provided in Section 3.05 of this Code and Government Code Sections [61060 and 61064](#)~~(e).~~

8.01 Trespasses

No person shall enter upon District Property, except for the purpose of conducting District business, to attend publicly noticed District meetings, or as otherwise authorized by law or District staff.

8.02 Defacing Property

No person shall deface, damage or destroy District Property. The terms deface, damage and destroy as used in this Section shall include graffiti.

8.03 Loitering

No person shall loiter upon District Property. As used in this Section, the word "loiter" means entering and remaining on District Property under such circumstances that a reasonable person would conclude that the person who has entered and remained on such premises does not have a purpose legitimately connected with District or otherwise authorized allowed by law.

8.04 Use of Motor Vehicles:

- a. No person shall drive or operate a motor vehicle on District Property except to conduct District business, attend a publicly noticed District meeting or as otherwise authorized by law or District staff.
- b. No person shall park a motor vehicle on District Property except in areas specifically designated as parking areas. In no case shall any person park a motor vehicle on District Property in a manner that presents a hazard to the public.
- c. No person shall park or otherwise allow a motor vehicle to remain on District Property during hours that the District Property is closed without a permit from the District.
- d. No person shall abandon any motor vehicle on District Property.

8.05 Use of Skateboards

No person shall ride or propel a skateboard on District Property.

8.06 Animals

No person shall bring an animal onto District Property, except for the purpose of aiding or assisting persons with disabilities.

8.07 Disposal of Refuse

No person shall dump, deposit, or release any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or trash in or upon District Property, except that refuse which is

incidental to the use of the facility which may be deposited into the receptacles as provided therefore.

8.08 Consumption of Alcoholic Beverages

No person shall possess any can, bottle or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the contents of on or within District Property, unless otherwise authorized by the Manager.

8.09 Firearms

No person shall bring a firearm onto District Property, except for law enforcement or District Security Officers.

8.10 Fireworks

No person shall possess or ignite any firecracker or fireworks on District Property, unless otherwise authorized by the Manager.

8.11 Use of Bridge

No person shall dive or jump from any bridge owned or authorized for use by the District, including, but not limited to, the Yellow Bridge and the Pedestrian Bridge.

Section 9.00 False Alarm Service Fee

9.01 False Alarm Fee

All persons operating an alarm system within the District shall pay a false alarm fee of \$100 per false alarm to reimburse the District for costs incurred by the District Security Department resulting from false alarms. Such fee shall apply to false alarms in excess of one false alarm per calendar month.

9.02 Collection

Fees for false alarms shall be collected in the same manner as set forth in Section 6.00 of this Chapter.

RANCHO MURIETA COMMUNITY SERVICES DISTRICT

DISTRICT CODE
CHAPTER 21

SECURITY SERVICES CODE

POLICES REGULATING THE PROVISION
OF AND TAXES FOR SECURITY
SERVICE BY THE DISTRICT



AMENDED MARCH 18, 2020
ORDINANCE O2020-01

TABLE OF CONTENTS

Section 1.00 General Provisions	4
1.01 Title	4
1.02 Applicability	4
1.03 Implementation	4
Section 2.00 Definitions	4
2.01 Board	4
2.02 Customer	4
2.03 District	4
2.04 District Property	4
2.05 Manager	4
2.06 Premises	4
2.07 Security Chief	5
2.08 Security Gate Officers	5
2.09 Security Patrol Officers	5
2.10 Security Sergeant	5
2.11 Security Services	5
Section 3.00 Scope of Security Services	5
3.01 Authority and Scope of Security Services	5
3.02 Gate and Patrol Services	5
3.03 Enforcement of District Rules and Ordinances	6
3.04 Enforcement of Covenants, Conditions and Restrictions	6
3.05 Enforcement of State and County Law on District Property	6
3.06 Contracting Authority	6
3.07 Violations of Chapter	6
3.08 Penalty for Obstructing District Security Officer	6
Section 4.00 Special Event Notification	7
Section 5.00 Special Tax for Security Services	7
5.01 Findings	7
5.02 Authority	7
5.03 Security Tax	7
5.04 Collection	8
5.05 Annual Adjustment	8

5.06	Disposition of Revenue _____	8
5.07	Effective Date _____	9
5.08	Suspension of Security Fee _____ Error! Bookmark not defined.	
5.09	Appeals _____	9
5.10	Severability _____	9
Section 6.00 Billing Procedures _____		9
6.01	General Billing Procedures _____	9
6.02	Composite Billing Procedures _____	9
6.03	Bill Payment _____	10
6.04	Security Services for Special Events _____	10
6.05	Additional Fees and Charges _____	10
Section 7.00 Collection of Special Tax _____		10
7.01	Penalty for Late Payment _____	10
7.02	Imposition of Lien _____	10
7.03	Process for Collection of Delinquent Charges _____	11
7.04	Attorneys' Fees _____	11
7.05	Discontinuance of Service _____	11
7.06	Remedies Cumulative _____	12
7.07	Declaration of Procedures _____	12
Section 8.00 Prohibited Activities on District Property _____		12
8.01	Trespasses _____	12
8.02	Defacing Property _____	12
8.03	Loitering _____	12
8.04	Use of Motor Vehicles: _____	12
8.05	Use of Skateboards _____	13
8.06	<u>Animals</u> _____	13
8.07	Disposal of Refuse _____	13
8.08	Consumption of Alcoholic Beverages _____	13
8.09	Firearms _____	13
8.10	Fireworks _____	13
8.11	Use of Bridge _____	13
Section 9.00 False Alarm Service Fee _____		13
9.01	False Alarm Fee _____	13
9.02	Collection _____	13

DISTRICT CODE

CHAPTER 21

POLICIES REGULATING THE PROVISION OF AND TAXES FOR SECURITY SERVICES BY THE DISTRICT

Section 1.00 General Provisions

1.01 Title

This Chapter shall be known as the "Security Services Code" and may be cited as such.

1.02 Applicability

This Chapter shall apply to security services in or affecting the territory of the Rancho Murieta Community Services District. The provisions of this Chapter define the type of security services provided by the District, the special tax levied to fund those services, the methods of collecting the special tax and other charges, penalties for violations of the provisions of this Chapter, and all other related matters concerning the provision of security services within Rancho Murieta Community Services District.

1.03 Implementation

The provisions of this Chapter shall be implemented by such policies and procedures as shall be developed from time to time by the Board and/or District staff at the direction of the Manager.

Section 2.00 Definitions

For the purposes of this Chapter, the following terms shall have the following meanings.

2.01 Board

Board shall mean the Board of Directors of the Rancho Murieta Community Services District.

2.02 Customer

Customer shall mean a District resident or property owner to whom District service is provided.

2.03 District

District shall mean the Rancho Murieta Community Services District.

2.04 District Property

District Property shall mean real property owned, leased or otherwise controlled by the District.

2.05 Manager

Manager shall mean the General Manager of the Rancho Murieta Community Services District.

2.06 Premises

Premises shall mean a parcel of real estate, including any improvements thereon, which is determined by the District to be a single unit for purposes of receiving, using and paying for security services. In making this determination, the District shall take into consideration such factors as whether the unit could reasonably be subdivided and whether the unit is being used for a single commercial enterprise or residential unit.

2.07 Security Chief

Security Chief shall mean that person designated as the head of District Security Services.

2.08 Security Gate Officers

Security Gate Officers shall mean those individuals hired by the District to perform duties related to the control and monitoring of access to gated portions of the District, after receiving the appropriate training and certifications as determined by the Security Chief and Manager.

2.09 Security Patrol Officers

Security Patrol Officers shall mean those persons, including the Security Chief and the Security Sergeant, hired by the District to provide patrol services, and other security services identified herein in accordance with District policies and procedures, after receiving the appropriate training and certifications as determined by the Security Chief and Manager.

2.10 Security Sergeant

Security Sergeant shall mean that person hired by the District to participate in and supervise the activities of Security Gate Officers and Security Patrol Officers, and other security services identified herein in accordance with District policies and procedures, after receiving the appropriate training and certifications as determined by the Security Chief and Manager.

2.11 Security Services

Security Services shall mean the security services provided by the District, as identified in Section 3.00 herein.

Section 3.00 Scope of Security Services

3.01 Authority and Scope of Security Services

Pursuant to Section 61100(j) of the Government Code and authorization of the Local Agency Formation Commission, the District provides Security Services necessary to protect lives and property within the boundaries of the District. Security Gate Officers and Security Patrol Officers are responsible for protecting lives and property by seeking to prevent an incident or offense from occurring in the District. In situations where prevention of an incident or offense is not possible, the function of Security Gate Officers or Security Patrol Officers is to observe and report the incident to a law enforcement agency, such as the Sacramento County Sheriff's Department, except as otherwise authorized by this Chapter. Security Gate Officers and Security Patrol Officers are not peace officers, and except in limited circumstances as authorized in this Chapter, are not responsible for any law enforcement activities, including but not limited to: chasing; apprehending or detaining suspected criminals; investigating criminal acts; or enforcing state or county laws, including traffic regulations.

3.02 Gate and Patrol Services

The District shall provide gate and patrol services, at such level or to such extent as the Board may authorize as part of the annual budget process, or from time to time as the Board deems appropriate. The gate and patrol services shall generally include:

- a. Operating and staffing security gates located at the entrances to the Rancho Murieta community on a year-round basis;

- b. Providing twenty-four-(24) hour a day mobile patrol of all area within the boundaries of the District;
- c. Operating a communication system to maintain contact with local law enforcement, fire and other emergency services as well as appropriate entities within the District; and
- d. Registering guests or invitees of District Customers and other visitors within the District, in cooperation with Rancho Murieta Association or other homeowners' associations within the District as appropriate.

3.03 Enforcement of District Rules and Ordinances

Pursuant to Government Code Section 61064(b), Security Patrol Officers may enforce the rules, regulations, and ordinances adopted by the Board and may issue citations for violation of any such rule, regulation or ordinance to be processed as an infraction in accordance with subdivision (d) of Section 17 of the Penal Code.

3.04 Enforcement of Covenants, Conditions and Restrictions

Pursuant to Government Code Section 61105(e), the District may enforce covenants, conditions and restrictions ("CC&Rs"), and hereby authorizes Security Patrol Officers to enforce those non-architectural CC&Rs related to the provision of Security Services adopted for each tract within the boundaries of the District.

The Manager and/or the Board is hereby authorized to establish rules, regulations and procedures in cooperation with any homeowner's association within the District boundaries, including but not limited to, the Rancho Murieta Association, for the enforcement of non-architectural CC&Rs which shall be published and made available to the Board and Customers, including amendments thereto.

3.05 Enforcement of State and County Law on District Property

Security Patrol Officers may make arrests in accordance with Penal Code Section 836.5, and/or issue citations for misdemeanor or infraction violations of state law, county ordinances, or district rules, regulations, or ordinances when such violation is committed on District Property and in the presence of the District Security Officer making the arrest or issuing the citation pursuant to Government Code Section 61064(c).

3.06 Contracting Authority

Subject to Board approval and appropriation of funds, the District may contract or enter into any joint or cooperative arrangement with Rancho Murieta Association or any other entity or person, including the Sacramento County Sheriff's Department, to provide security services to District Customers.

3.07 Violations of Chapter

Pursuant to Government Code section 61064(a), a violation of a provision of this Chapter is a misdemeanor punishable by imprisonment in the county jail not exceeding six months, or by fine not exceeding one thousand dollars (\$1,000), or by both.

3.08 Penalty for Obstructing District Security Officer

Any person who willfully interferes with a Security Patrol Officer in the performance of his or her duties pursuant to Section 3.03 and/or 3.05 of this Code may be punished by a fine, not exceeding one thousand dollars (\$1,000), or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment, in accordance with the provisions of Section 148 of the Penal Code.

Section 4.00 Special Event Notification

Prior to conducting or holding any event or activity within the District which is reasonably expected to involve twenty (20) or more participants, spectators, or similar persons, excluding District Customers, the sponsor of such event or activity shall notify the District Security Chief ten (10) days in advance of such event or activity. If Security Services are needed for the event, the event sponsor may request such services as provided for in Section 6.04 of this Chapter.

Section 5.00 Special Tax for Security Services

5.01 Findings

The Board of Directors of the District hereby finds and declares that the District’s ability to continue to provide Security Services depends on the availability of funds to support these services. The Security Services are a portion of the public safety services related to real property and provide for the security and protection of the real property, property owners, and residents within the District. The special tax [referred to as the "Security Tax"] was approved by two-thirds vote of the District voters in 1998. (See District Ordinance No. 98-1.) The Security Tax provides for a special and secure funding source to continue to provide Security Services.

5.02 Authority

This special tax is levied under each of the following authorities:

Government Code Section 61121 which provides the District with the power to tax for the purpose of carrying out the operations of the District; and which authorizes the District to impose special taxes pursuant to Government Code Section 50075, et seq.; Government Code Section 50075 through Section 50077; Government Code Section 61060(n) which authorizes the District to perform all acts necessary to carry out fully the provisions of the Community Services District law; and Article XIII C of the California Constitution. This tax is based, to the extent practicable, upon the cost of providing security services to the properties within the District and is not an ad valorem property tax.

5.03 Security Tax

Property within the District shall be assessed a monthly security tax as follows. The maximum tax rates shown reflect annual adjustments, per Section 5.05:

		Monthly Special Tax Rates Fiscal Year 2019-20	Monthly Special Tax Rates Maximum Ceiling Rate Year 2019-20
Residential			
Inside Gates			
- Metered	Per Lot	\$ 29.73	29.73
- Unmetered	Per Lot	\$ 23.79	23.79
Outside Gate	Per Lot	\$ 7.17	7.17

Non-Residential - Per Building Sq. Ft.			
- Highway Retail		\$ 0.2681	0.2681
- Other Retail/Commercial	"	\$ 0.0289	0.0289
- Industrial/Warehouse/Lt Industrial	"	\$ 0.0630	0.0630
- Office	"	\$ 0.0152	0.0152
- Institutional	"	\$ 0.0152	0.0152
- Public Utility	"	\$ 0.0480	0.0480
- Equine Complex	"	\$ 0.0045	0.0045
- RMCC	"	\$ 0.0755	0.0755
- Airport	"	\$ 0.0192	0.0192
- Hotel/Ext. Stay	"	\$ 0.0289	0.0289

UNDEVELOPED PROPERTY

- Inside Gates	Per Acre	\$25.1494	25.1494
- Outside Gates	Per Acre	\$ 3.7477	3.7477

The Security Tax for property and/or units not identified herein shall be determined by the Board based upon the total actual cost of providing security services to that property or unit, not to exceed the maximum charge per lot, acre, or building square foot for property identified herein.

For the fiscal year beginning July 1, 1998, and annually thereafter, the District Board shall set the actual security tax for the applicable fiscal year. The actual security tax set by the Board shall not exceed the maximum tax rate set forth in this section as adjusted pursuant to section 5.05. If necessary, to meet expenses, the Board may adjust the actual tax rate during a fiscal year so long as the actual tax rate does not exceed the maximum allowable tax rate.

5.04 Collection

The Security Tax shall be collected with other monthly District taxes, fees and/or charges and shall be subject to the same penalties for non-payment as other monthly District taxes, fees, and/or charges.

5.05 Annual Adjustment

Commencing July 1, 1999 and each July 1st thereafter, the amounts specified in Section 5.03 shall be increased by two percent (2%) per year. The General Manager shall maintain a current schedule of maximum tax rates based on the yearly increase specified herein and shall make the same available to any interested party upon request.

5.06 Disposition of Revenue

Revenues collected under the provisions of this Chapter shall be deposited in a special fund called the Security Tax fund and shall be used only for the provision of security services within the District. Security services include:

- a. Operating the security gates located at the entrances of Rancho Murieta, 24 hours a day, 365 days a year, including but not limited to staffing these gates;
- b. Providing a 24 hour a day mobile patrol of the District and its boundaries;
- c. Operating a radio communication system to maintain contact with external police, fire, and other emergency services as well as the appropriate entities within the District;

- d. Providing assistance to other agencies providing first aid, fire-fighting, police and emergency services within the District;
- e. Monitoring, controlling and registering guests or invitees of District customers and other visitors within the District;
- f. Conducting such other activities as the Board in its discretion may authorize for the protection of District customers and their property; and
- g. Other incidental costs of providing the services listed above.

5.07 Effective Date

The Security Tax shall take effect July 1, 1998.

5.08 Appeals

Any taxpayer aggrieved by the amount of this tax shall file a written appeal with the General Manager stating the grounds for the appeal. The General Manager shall meet with the taxpayer; they may agree to a resolution of the appeal or set the matter for determination by the Board. The Board may adopt rules for the timing, filing and hearing of appeals under this Chapter.

5.09 Severability

If any sentence, clause, article, section, subsection, phrase or portion of this Chapter is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Chapter. The voters of the District hereby declare that they would have adopted the remainder of this Chapter, including each sentence, clause, article, section, subsection, phrase or portion of this Chapter, irrespective of the invalidity of any other sentence, clause, article, section, subsection, phrase or portion of this Chapter.

Section 6.00 Billing Procedures

6.01 General Billing Procedures

Except as otherwise specified herein, the Security Tax for District Security Services shall be collected together with, and not separately from the charges for other services and facilities rendered by the District to a Customer. All District special taxes and charges shall be billed on the same bill and collected as one item. Except as otherwise specified herein, the District shall bill directly each individual Customer receiving security service and such bill shall be due and payable upon receipt.

6.02 Composite Billing Procedures

The District may elect to send a composite bill for the Security Tax only to groups of customers when each of the following conditions are met:

- a. The owners of the property receiving services have formally organized by writing into a homeowners' association or similar group;
- b. The homeowners' association or similar group, through properly executed covenants, conditions, articles of incorporation, bylaws, or contract has the power to act as the sole agent for the owners or customers concerning the Security Tax in a manner which binds the individual owners or customers, and;
- c. The association or group enters into a written agreement with the District which provides, among

other matters, that:

1. The association or group shall be responsible for and guarantee payment of all such Security Taxes within the time required by the District's rules and regulations, regardless of whether any single owner or customer has paid the owners or customer's share of such charges to the association or group;
2. The District shall apply to and the association or group shall pay all delinquent, penalty and interest charges on the composite bill,
3. The District's bill or other notices to the association or group shall constitute a bill or other notice to each individual owner or customer, who shall agree that no other notice or bill to the individual owner or customer shall be necessary for, or a prerequisite to, the District's exercise of its powers to terminate service, place liens on the owner's property, or exercise any of the other legal remedies necessary to collect delinquent bills and charges; and
4. The bill shall consist of the sum of the total monthly Security Taxes for each owner or customer represented by the association or group, as well as Security Services to any common area or other unit represented by the association or group.

6.03 Bill Payment

Bills for the Security Tax are due and payable when mailed or delivered. A bill for services is delinquent if not paid and received at the Rancho Murieta Community Services District office by the 25th day of the month following the month in which the bill was mailed.

6.04 Security Services for Special Events

The District may provide Security Services on a contractual or fee-for-service basis for any special event, as described in Section 4.00, or for any other activity within the District's boundaries which requires Security Services other than that routinely provided by the District.

6.05 Additional Fees and Charges

Additional fees and charges may be required as part of an agreement or contract for additional Security Services, such as pursuant to Section 6.04 above.

Section 7.00 Collection of Special Tax

7.01 Penalty for Late Payment

A one-time basic penalty of ten percent (10%) of the delinquent taxes shall be added to each delinquent bill for the first month the charge is delinquent. Thereafter, an additional penalty of one percent (1%) per month shall be added to all delinquent taxes and basic penalties remaining unpaid, until the District requests the County Auditor to include the amount of the delinquent taxes and penalties for collection on the County property tax roll as set forth in Section 7.03. Monies paid when any portion of an account is delinquent shall first be credited to interest and penalties, then to the delinquent portion of the bill, and then to the current portion of the bill. *(Amended by Ordinance O2019-03)*

7.02 Imposition of Lien

Delinquent special taxes and charges remaining unpaid after thirty (30) days may be recorded as a lien with the County in accordance with Section 61115 of the Government Code and, after recordation, shall constitute a lien upon all real property owned or thereafter acquired by the property owner in the County. The District shall include a statement to this effect on its bills to each property owner.

The District may compile lists of such delinquent charges and record them with the County Recorder as liens.

7.03 Process for Collection of Delinquent Charges

All special taxes, charges, penalties and interest which remain delinquent as of June 30th of each year may be collected in the same manner as the general taxes for the District for the forthcoming fiscal year, as follows:

- a. The District shall prepare a written report, which shall be filed by the District Secretary. The report shall describe each parcel of real property for which there are any delinquencies in any charges for services rendered to each premise during the preceding year, and the amount of the delinquency. The report of delinquent security service charges may be combined with the report of any other delinquent charges, as long as the report identifies the delinquent charges for each service for each premise.
- b. The District Secretary shall publish notice of the report's filing and of the time and place of hearing on the report, prior to the date set for the hearing. The notice shall be published at least once a week for two weeks. The District Secretary shall also mail written notice of the report's filing to each property owner whose property or premises is identified as being subject to delinquent charges setting forth individually each property and each of the services and charges due for that property.
- c. At the time stated in the notice, the Board shall hear and consider all objections or protests, if any, to the report concerning the delinquencies. Thereafter, the Board may adopt, revise, change, reduce, or modify any delinquency or overrule any or all objections thereto. The Board shall then make its determination on each delinquency identified in the report; the Board's determination shall be final.
- d. On or before August 10th of each year following the Board's hearing, the District Secretary shall file with the County Auditor a copy of the report, signed by the Secretary, stating the Board has adopted the report. The Secretary shall request the County Auditor to include the amount of delinquencies on the bills for taxes levied against the properties identified in the report.

7.04 Attorneys' Fees

In the event the District is required to bring legal action to enforce any provision of this Chapter, including but not limited to the collection of delinquent special taxes, charges or penalties, the District shall be entitled to recover its reasonable attorneys' fees, interest, court costs, and any other costs incurred by the District in bringing such action.

7.05 Discontinuance of Service

As an alternative method of enforcing the provisions of this Chapter or of any other District ordinance, rule or regulation, the District shall have the authority pursuant to Government Code Section 61115 to discontinue any and all services provided by the District to a customer if all or part of any bill is not paid. Such discontinuance of service shall be in the following manner:

- a. At least ten days before the proposed discontinuance, the District shall provide written notice to the customer and the Property owner, if other than the customer, of the District's intent to discontinue service and the procedure for, and the availability of, an opportunity to discuss the reasons for the proposed discontinuance of service.
- b. Before discontinuing service, the customer or property owner shall have the opportunity to discuss the reason for the proposed Discontinuance with an employee designated by the Manager who shall be empowered to dispute bills, rectify any errors, and settle controversies pertaining to the review discontinuance of service.
- c. When service has been discontinued as provided in this section, the customer or property owner shall pay all unpaid special taxes, charges, including penalties and interest, plus all District expenses and charges for the discontinuance and restoration of service, prior to the restoration of the discontinued service.
- d. No service shall be discontinued on any Saturday, Sunday, legal holiday, or at any time during which the District's business offices are not open to the public.

7.06 Remedies Cumulative

All remedies set forth herein for the collection and enforcement of special taxes, charges, and penalties are cumulative and may be pursued alternatively or consecutively.

7.07 Declaration of Procedures

The District hereby declares the foregoing procedures are established as a means of enforcing the terms and conditions of the District's ordinances, rules and regulations and shall not be construed as penalties.

Section 8.00 Prohibited Activities on District Property

The following activities are prohibited on District Property pursuant to the authority provided in Section 3.05 of this Code and Government Code Sections 61060 and 61064.

8.01 Trespasses

No person shall enter upon District Property, except for the purpose of conducting District business, to attend publicly noticed District meetings, or as otherwise authorized by law or District staff.

8.02 Defacing Property

No person shall deface, damage or destroy District Property. The terms deface, damage and destroy as used in this Section shall include graffiti.

8.03 Loitering

No person shall loiter upon District Property. As used in this Section, the word "loiter" means entering and remaining on District Property under such circumstances that a reasonable person would conclude that the person who has entered and remained on such premises does not have a purpose legitimately connected with District or otherwise authorized allowed by law.

8.04 Use of Motor Vehicles:

- a. No person shall drive or operate a motor vehicle on District Property except to conduct District business, attend a publicly noticed District meeting or as otherwise authorized by law or District staff.
- b. No person shall park a motor vehicle on District Property except in areas specifically designated as parking areas. In no case shall any person park a motor vehicle on District Property in a manner

that presents a hazard to the public.

- c. No person shall park or otherwise allow a motor vehicle to remain on District Property during hours that the District Property is closed without a permit from the District.
- d. No person shall abandon any motor vehicle on District Property.

8.05 Use of Skateboards

No person shall ride or propel a skateboard on District Property.

8.06 Animals

No person shall bring an animal onto District Property, except for the purpose of aiding or assisting persons with disabilities.

8.07 Disposal of Refuse

No person shall dump, deposit, or release any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or trash in or upon District Property, except that refuse which is incidental to the use of the facility which may be deposited into the receptacles as provided therefore.

8.08 Consumption of Alcoholic Beverages

No person shall possess any can, bottle or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the contents of on or within District Property, unless otherwise authorized by the Manager.

8.09 Firearms

No person shall bring a firearm onto District Property, except for law enforcement or District Security Officers.

8.10 Fireworks

No person shall possess or ignite any firecracker or fireworks on District Property, unless otherwise authorized by the Manager.

8.11 Use of Bridge

No person shall dive or jump from any bridge owned or authorized for use by the District, including, but not limited to, the Yellow Bridge and the Pedestrian Bridge.

Section 9.00 False Alarm Service Fee

9.01 False Alarm Fee

All persons operating an alarm system within the District shall pay a false alarm fee of \$100 per false alarm to reimburse the District for costs incurred by the District Security Department resulting from false alarms. Such fee shall apply to false alarms in excess of one false alarm per calendar month.

9.02 Collection

Fees for false alarms shall be collected in the same manner as set forth in Section 6.00 of this Chapter.