

ORDINANCE NO 2022-02
AN ORDINANCE REPEALING ORDINANCE 220 OF THE
CODIFIED ORDINANCES OF THE HEBER PUBLIC UTILITY
DISTRICT

WHEREAS, Ordinance 220 of the Heber Public Utility District was adopted on 10th day of April, 1980 to Prohibit beverages in the form of glass containers, the deposit of litter, alcoholic beverages, and acts of vandalism in all parks and facilities in the District; and

WHEREAS, Ordinance 220 of the Heber Public Utility District establishes an infraction for violation of Ordinance 220 and establishes fines for first and second violations; and

WHEREAS, the General Manager and District Counsel have recently had an opportunity to review Ordinance 220 as it relates to beverages in the form of glass containers, the deposit of litter, alcoholic beverages, and acts of vandalism in all parks and facilities, and the establishment of infractions for violation of this Ordinance; and

WHEREAS, it was determined that several State, County and local regulations and laws have been adopted since 1980 which supersede and conflict with Ordinance 220 and which makes certain Sections of Ordinance essentially obsolete, void and unenforceable; and

WHEREAS, after discussion, review, and further consideration, the Board of Directors deems it acceptable and appropriate to repeal Ordinance 220 of the Heber Public Utility District in its entirety and to adopt Resolution Number 2022-13 to establish Park Facilities Rules and Regulations to address relevant sections of Ordinance 220; and

WHEREAS, the Heber Public Utility District has established a Facility Use Policy Number 3750, which will be modified by Resolution 2022-13 to include reference to Ordinance 2022-02 repealing Ordinance 220 and specifically the following sections:

Section 2: Glass Containers Prohibited in the park

Section 4: Alcoholic Beverages in Parks Prohibited.

NOW, THEREFORE, BE IT ORDAINED BY THE HEBER PUBLIC UTILITY DISTRICT

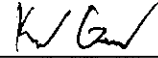
1 - That the entire Ordinance 220 of the Heber Public Utility District an Ordinance Prohibiting Beverages in the form of Glass Containers, the Deposit of Litter, Alcoholic Beverages, and Acts of Vandalism in all Parks and Facilities of the District as set forth in the attached Exhibit A, is hereby repealed.

Section 2 - The codifier is hereby instructed to remove Ordinance 220 and insert the following notation: Ordinance 220 was repealed by Ordinance 2022-02 and Resolution 2022-13.

Section 3 - That it is found and determined that all formal actions of this Board concerning and relating to the passage of this Ordinance 2022-02 were adopted in an open meeting of this Board, and that all deliberations of this Board were in meetings open to the public, in compliance with The Brown Act.

Section 4 – This Ordinance shall be in effect 30 days after adoption and publication.

APPROVED AND ADOPTED by the Board of Directors of the Heber Public Utility District on this 20th day of October, 2022.



Kaine Garcia, President
Board of Directors

I, MOISES G. CARDENAS, do hereby certify that I am Board Secretary of the Heber Public Utility District that on the 20th day of October, 2022, the Board of Directors of Heber Public Utility District adopted and approved the foregoing Ordinance 2022-02 and that said Ordinance was passed with the following motions:

AYES: *Cravac, Sandoval, Diaz-Molina, Madus*

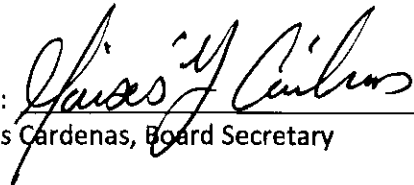
NOES:

ABSENT: *Talarce*

PRESENT BUT NOT VOTING:

In witness whereof I have hereunto set my hand and the seal of Heber Public Utility District this 20th day of October, 2022.

Attest:



Moises Cardenas, Board Secretary