

LAKE SHASTINA COMMUNITY SERVICES DISTRICT

ORDINANCE 1-00

ORDINANCE 1-00 CANCELS AND SUPERCEDES ORDINANCE 2-97

AN ORDINANCE OF THE LAKE SHASTINA COMMUNITY SERVICES DISTRICT PERTAINING TO THE USE, AVAILABILITY, AND ACCESS TO THE NORTH SEWER POND FOR THE DISPOSAL AND BURNING OF RUBBISH FOR FIRE TRAINING PURPOSES OF THE VOLUNTEER FIRE DEPARTMENT AND/OR THE EMPLOYEES OF THE PUBLIC WORKS DEPARTMENT WHO TRAIN IN WILDLAND FIRE FIGHTING

Be it ordained by the Board of Directors of the Lake Shastina Community Services District as follows:

I. Findings

The Board of Directors of the Lake Shastina Community Services District finds that the District is authorized by the California Public Resources Code Section 4117 to adopt ordinances, rules or regulations to provide fire prevention restriction or disposal regulations that are necessary to meet local rules, or regulations that may be more restrictive than state statutes in order to meet local fire hazard conditions. The Board of Directors further finds that the District Board is authorized by the California Health and Safety Code Section 13869, after publication of notice and hearing, to adopt and enforce reasonable ordinances for the prevention and suppression of fires and conflagrations and for the protection and preservation of life and property against the hazards of fire and conflagrations.

This Ordinance is enacted under the California Public Resources Code Section 4117 and the California Health and Safety Code Section 13869 for the purpose of providing a more restrictive control burn and disposal ordinance (for fire training purposes) within the District than that which is provided for by State statute's due to certain conditions found within the District.

II. Text of Codified Portion of Ordinance

The following rules are regulations shall be in force at the Lake Shastina Fire training site (herein, "burn site")

1. The establishment of regular hours and inspection of items for the disposal site.

- a. Hours of operation will be as follows:
 - (1) Access to the burn site will be structured on the first and third Saturdays of each month, excluding December, January and February, with the hours of operation between 9 a.m. and 12 noon. Each person desiring to utilize the burn site must sign in and out. Future months, days and hours may be changed by Board Resolution or Policy.
 - (2) Each load will be inspected by assigned volunteers. Assigned volunteers will have the authority to accept or reject items for disposal.
 - (3) If the Lake Shastina resident is discovered to have items for disposal that are not allowable, they will be directed to dispose of them (reload if necessary) at the appropriate disposal site in Siskiyou County.

2. The restriction as to items allowed to be disposed of and burned at the site. These items are restricted to:

- a. Limbs three inches (3") or less in diameter
- b. Pine needles
- c. Brush
- d. Leaves/lawn clippings
- e. Such other wood and timber products, in conformity with this ordinance, as the District through its Public Works, shall from time to time specify in a notice to be posted at the burn site.
- f. The foregoing restrictions on the types of materials which can be left at the burn site may be waived by action of the District Board of Directors as to any request by a Lake Shastina public agency or department thereof, if it is found to be in the best interest of the District to do so.

NOTE: No garbage/trash, stumps, lumber, dirt/rocks or limbs greater than three inches (3") in diameter will be allowed.

3. The stipulation that disposal for burning is restricted to use by Lake Shastina District residents only, with the exception of Public Works Personnel/Projects.
 - a. Property Owners who hire a Commercial Business or an Individual with a Dump Truck to cut and remove brush and trees from their property, must arrange in writing by signing an Owner Consent Form for the Commercial Business/Individual to drop the brush and cut tree parts at the Burnsite. Without the Owner Consent Form, all Commercial Dump Trucks will be refused entrance to the Burnsite.

b. Donations for use of the Burnsite will be as follows:

- (1) Pickup Truck or Auto Only.....\$2.00
- (2) Trailer Only.....\$2.00
- (3) Pickup Truck or Auto with Trailer.....\$4.00
- (4) Dump Truck or Flatbed (Single Axle Only).....\$10.00

c. Future changes to this article may be changed from time to time through Board Resolution or Policy.

4. Violations specified

a. Any person, firm, or corporation who violates the provisions of this Ordinance shall be guilty of an infraction and shall be fined in an amount up to the maximum allowed under Government Code Section 36900, or such other statutory limitation on the same as may apply at the time of violation.

5. Enforcement specified

a. Enforcement of this Ordinance may be conducted by state or local law enforcement officials authorized by law.

6. The District, through the Public Works Department, may limit the quantity of any materials which are left at the burn site, and in no case shall materials be brought into the burn site from outside the boundaries of the Lake Shastina Community Services District, except with the prior express written consent of the District. The Board of Directors may from time to time adopt other rules and regulations regarding the use of the burn site, in conformity with this Ordinance.

7. Burning shall only be conducted on permissive burn days as determined by the California Air Resources Board. Burning shall serve as an opportunity to provide instruction of employees (both fire and public works) in the methods of fighting fires.

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

It is hereby certified that the foregoing Ordinance No. 1-00 was duly introduced on April 19, 2000, and adopted at a regular meeting of the Lake Shastina Community Services District on the 17th day of May, 2000.

ROLL CALL VOTE

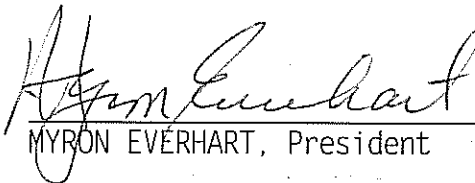
AYES: Jack Dean, Myron Everhart, Bill Kalagorgevich

NOES: None

ABSENT: Allen Brezinsky


ABSTAIN: None

Lake Shastina C. S. D., by:



MYRON EVERHART, President

ATTEST



L. JAMES LEA, District Secretary

6. Safety Committee

a. Safety Minutes of 4/4/00

1. Safety Minutes were read aloud by Dir. Johns. Comments from the audience included Roger Perkins, stating that RHCA is addressing the problem of overturned tables and exposed rebar at the Rancho Hills Boat Launch; GM Lea stated that the streetlight at the Maintenance Yard has been addressed.

Item 9. OLD BUSINESS:

A. Standardized Entity Delinquency Date

MOTION: The Community Services District will consider all accounts delinquent after 60 days (as passed by LSPOA).

BY: Dir. Kalagorgevich

SECOND: Dir. Johns

VOTE: Ayes – Dirs. Brezinsky, Dean, Everhart, Johns and Kalagorgevich.

Noes – None

Absent: None

Item 10. NEW BUSINESS:

A. Recommended Changes - Burn Site, Ordinance 2-97 Superseded by Ordinance

1-00- First Reading

1. Dir. Johns read aloud Ordinance 1-00. Final Draft of the Burn Site Rules and Regulations, letter to Contractors/Dump Truck Operators with Property Owner Authorization Form was discussed and they will be sent out to local contractors. The Rules and Regulations will be attached to New Home Construction /Additions-Modification Packets.

B. Spearpoint Request for Maintenance Services

1. Pres. Everhart read aloud letter dated 3/8/00 from Spearpoint Community Association regarding request for Maintenance Services from CSD. After discussion, it was decided to add this item to the next CSD meeting agenda.

C. Rancho Hills; Request for Maintenance Services, Liquidation of Assets -

Resolution 1-00.

1. After discussion, it was decided that a committee of Directors from LSPOA, MWC and CSD meet this month to settle share of equipment.

MOTION: Recommendation for one board member of each entity (CSD, LSPOA and MWC) including GM Lea to meet and come up with a recommendation for equitable settlement of shared equipment by the next CSD Regular Meeting.

BY: Dir. Kalagorgevich

SECOND: Dir. Brezinsky

VOTE: Ayes – Dirs. Brezinsky, Dean, Everhart, Johns and Kalagorgevich.

Noes – None

Absent: None

D. Contract Service - Year-End Review / Audit 2000/2001.

1. GM Lea reported that CSD does not have to advertise and does not have to take the lowest bid. Dir. Kalagorgevich and Pres. Everhart stressed that CSD find and Independent Auditor and time is of the essence. GM Lea stated that there will be a meeting May 9th with another company.

5. Sewer Department:

a. ***Written Report: Received and Filed**

b. **Verbal Report:**

1. Maintenance Storage Shed; GM Lea reported the storage building is moving forward. Last meeting there was discussion concerning the slab floor/floor drain. This problem was discussed with the contractor, Mr. Karp, and that he would like to just finish the job that he started. He is not interested in change orders and wants to only finish the job he was paid for.

2. Sewer Extension 8-2; GM Lea reported that there has been another party buy into the Unit 8-2 Extension as late as 5/16/00. That confirms Lots 18/19 & Lot 12 of 8-2. The two homes further out will have to put in septic systems until the date that sewer can get there. LSPOA Dir. Dilley asked for an estimated time of work commencing, for budget purposes. GM Lea estimated the first part of July.

6. Safety Report:

b. ***Written Report: Received and Filed**

c. **Verbal Report:**

1. Safety Meeting Minutes of 5/16/00 read aloud by Dir. Kalagorgevich.

Item 9. OLD BUSINESS:

A. Approval; Ordinance 1-00 - Second Reading; By Title Only. Ordinance approving use, availability and access to the North Sewer Pond for disposal and burning of rubbish for fire training purposes for the Volunteer Fire Department and/or the Public Works Department who train for Wildland Firefighting.

MOTION: Final Approval of Ordinance 1-00, Superceding Ord. 2-97

BY: Dir. Kalagorgevich

SECOND: Dir. Dean

VOTE: Ayes – Dirs. Dean, Everhart and Kalagorgevich.

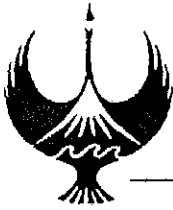
Noes – None

Absent: Brezinsky

B. Spearpoint Request for Maintenance Services; Pres. Everhart reported that the Board did not give them an answer pertaining to maintenance services. We don't feel that we can until we've had time to discuss this further with our attorney regarding percentage of equipment use. The Board will determine an answer by the next meeting. GM Lea added that Spearpoint is using roads from Big Springs Road to Spearpoint that belong to LSPOA, and they Spearpoint does not feel obligated to pay for use the road. A fair and equitable solution is sought.

C. Rancho Hills Request for Maintenance Services - Liquidation of Assets, RHCA Resolution 1-00; Pres. Everhart reported that RHCA has asked LSCSD to use the space invested by RHCA in the Administration Building for use of office space for 5 years, in exchange they will turn over their share of equipment to LSCSD. In the liquidation of assets, the committee is constructing a letter stating that they will do along with their request. That letter should be out in the next week. We will be able to finalize the request by the next CSD regular meeting. Pres. Everhart believed it is the desire of the committee that RHCA be able to liquidate as many entities as much as possible due to combined bills of the owners.

D. Contract Services - Year-End Review / Audit 99-00; Pres. Everhart reported that LSCSD asked that LSCSD contact firms or agencies that do Government audits. Pres. Everhart requested some quotes and are now waiting for those figures.



LAKE SHASTINA COMMUNITY SERVICES DISTRICT

RESOLUTION NO: 3-17

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LAKE SHASTINA COMMUNITY SERVICES DISTRICT (LSCSD) ESTABLISHING A DISTRICT POLICY REGARDING RESTRICTED MATERIAL AND DISPOSAL FEES AT THE DISPOSAL/BURN SITE AT THE LSCSD SEWER PONDS.

WHEREAS, the Board of Directors of the Lake Shastina Community Services District (LSCSD) has enacted Ordinance #1-00 establishing a Green Waste Disposal/Burn Site for the purpose of Fire Fuel Abatement in the community of Lake Shastina, and

WHEREAS, the Board of Directors further finds that there needs to be a declaration of restricted materials in order to better dispose of the green waste by burning or chipping or other mechanical means, and

WHEREAS, it has become apparent over the last several years that the fee schedule adopted in 1997 is no longer adequate to reach a zero cost endeavor by the Public Works Department and the Fire Department, and

WHEREAS, the District's Liability Insurance Carrier has mandated that the volunteers coordinating the collection and placing of the disposable and burnable items at the site are required to have access to bathroom facilities.

NOW THEREFORE, be it resolved that the LSCSD will provide portable toilets for the burn site during volunteer hours, and

BE IT FURTHER RESOLVED that following items be restricted and removed from the allowable list of burnable items in Ordinance #1-00: Lawn Clippings and any treated wood or timber products, and


BE IT FURTHER RESOLVED that the fee schedule be amended to read:

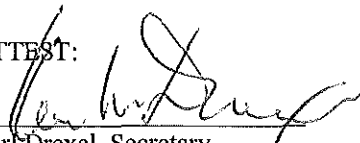
- | | |
|---|---------|
| (1) Pickup Truck or Auto Only | \$ 5.00 |
| (2) Trailer Only | \$ 5.00 |
| (3) Pickup Truck with Trailer or Auto with Trailer | \$10.00 |
| (4) Dump Truck, Large Trailer or Flatbed (Single Axle Only) | \$35.00 |

BE IT FURTHER RESOLVED that the Lake Shastina Fire Department, in conjunction with the Public Works Department, will be responsible for the burning of these items.

I hereby certify that the forgoing is a full, true and correct copy of a resolution duly passed and adopted by the Board of Directors of the Lake Shastina Community Services District, Siskiyou County, California, at a meeting thereof duly held on the 15th day of March, 2017 by the following vote:

AYES: Directors Cupp, Graves, Layne, MacIntosh and Thomsson
NOES: None
ABSENT: None


Mike Graves, President

ATTEST:

Karl Drexel, Secretary