

ORDINANCE NO. 2438

AN ORDINANCE OF THE CITY OF REDLANDS ADDING CHAPTERS 1.04 AND 1.06 TO THE REDLANDS MUNICIPAL CODE RELATING TO GENERAL PROVISIONS AND NOTICES AND APPEALS, AND AMENDING CHAPTERS 2.04 AND 2.10 OF THE REDLANDS MUNICIPAL CODE RELATING TO BONDS FOR CITY OFFICIALS

THE CITY COUNCIL OF THE CITY OF REDLANDS DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 1.04 establishing general provisions relating to the Redlands Municipal Code and the conduct of City of Redlands' officers is hereby added to the Redlands Municipal Code to read as follows:

"Chapter 1.04 GENERAL PROVISIONS

Sections:

- 1.04.010 No imposition of mandatory duty.
- 1.04.020 No imposition of mandatory duty.

1.04.010 No Mandatory Duty. This Code shall not be construed to impose on the City, its elected officials, officers, employees or agents any greater liability than that required by law. The use of the word "shall" in this Code is not intended to impose upon the City, its elected officials, officers, employees or agents a mandatory duty of care toward persons or property in the City so as to provide a basis for civil liability for damages. This Code specifically preserves all immunities provided under the law to a public entity, its elected officials, officers, employees and agents."

Section 2. Chapter 1.06 establishing procedures for notices and appeals is hereby added to the Redlands Municipal Code to read as follows:

"Chapter 1.06 NOTICES AND APPEALS

Sections:

- 1.06.010 Time and Manner of Giving Notice when not specified.
- 1.06.020 Method of serving notice when not specified.
- 1.06.030 Time extension when service is by mail.
- 1.06.040 Computation of time.

- 1.06.050 Appeal procedure when not specified.
- 1.06.060 Time period for appeal when not specified.
- 1.06.070 Notice and hearing.
- 1.06.080 Final decision.

- 1.06.010 Time and Manner of Giving Notice when not specified.

When this Code requires the giving of notice, and the manner of giving the notice is not specified, the notice shall be in writing. If a right may be exercised, or an act is to be done, and the notice of it is required to be given but the time within which the notice must be given is not specified by this Code, the notice shall be given at least ten (10) days before the time the right must be exercised or the act is to be done.

- 1.06.020 Method of serving notice when not specified.

When in this Code notice is required to be given and the manner of giving notice is not otherwise specified, the notice shall be served either personally or by first class mail in a sealed envelope with postage prepaid, addressed to the person at his last known mailing address and deposited in a facility maintained by the United States Postal Service.

- 1.06.030 Time extension when service is by mail.

In the case of service by mail, service is complete at the time the notice is deposited in the United States mail. However, if within a given number of days after service, a right may be exercised or an act is to be done by the person to whom the notice is given, the time within which the right may be exercised or the act done is extended by five (5) days if the place of address is within the state, ten (10) days if the place of address is outside the state of California but within the United States, and twenty (20) days if the place is outside the United States.

- 1.06.040 Computation of time.

The time in which action provided in this Code is to be done is computed by excluding the first calendar day and including the last, unless the last day is a holiday, and then it is also excluded.

- 1.06.050 Appeal procedure when not specified.

A person aggrieved by an administrative action taken by an officer or employee under this Code may appeal from the action to the City Council, unless the procedure for appeal is otherwise specifically provided. The time and manner of appeal is prescribed by Section 1.06.070.

- 1.06.060 Time period for appeal when not specified.

When this Code provides that a decision or order may be appealed and the procedure for

taking the appeal is not specifically provided for, the person appeal in shall file a written notice of appeal with the City Council within ten (10) days of the action appealed from.

1.06.070 Notice and hearing.

Upon receiving the notice of appeal, the City Council shall set the matter for hearing and shall give the person appealing written notice of the time and place of hearing at least ten (10) days before the hearing.

1.06.080 Final decision.

The decision of the City Council is final on the date of the ruling by the City Council."

Section 3. Sections 2.04.050 and 2.04.060 of the Redlands Municipal Code which require a corporation surety bond for the City Manager are hereby deleted in their entirety.

Section 4. Section 2.04.070 of the Redlands Municipal Code is hereby amended to read as follows:

"2.04.070 Absence.

In the case of the absence or disability of the City Manager, the City Council may designate a duly qualified person to perform the duties of the City Manager."

Section 5. Section 2.10.010 of the Redlands Municipal Code relating to bonds for officers is hereby amended to read as follows:

"2.110.010 Designated.

The City Clerk and City Treasurer shall each, before commencing the duties of their respective offices, execute a bond in favor of the City, conditioned for the faithful performance of their respective duties, in the following penal sums:

- A. The City Clerk, in the penal sum of Five hundred thousand (\$500,000) dollars.
- B. The City Treasurer, in the penal sum of One million (\$1,000,000) dollars.

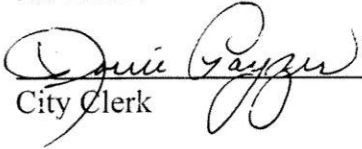
The City shall be responsible for the costs of the bonds.

Section 6. The Mayor shall sign this ordinance and the City Clerk shall certify to the adoption of this ordinance and shall cause it, or a summary of it, to be published once in the Redlands Daily Facts, a newspaper of general circulation within the City, and thereafter, this ordinance shall take effect in accordance with law.



Mayor, City of Redlands

ATTEST:



City Clerk

I, Lorrie Poyzer, City Clerk of the City of Redlands hereby certify that the foregoing ordinance was duly adopted by the City Council at a regular meeting thereof held on the 2nd day of May, 2000, by the following vote:

AYES: Councilmembers George, Freedman, Peppler, Haws;
Mayor Gilbreath

NOES: None

ABSTAIN: None

ABSENT: None



City Clerk, City of Redlands