



**CITY OF MOUNTAIN HOUSE
URGENCY ORDINANCE NO. 2024-001**

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
MOUNTAIN HOUSE PROVIDING FOR COUNTY ORDINANCES AND DISTRICT
ORDINANCES, POLICIES, AND PROCEDURES TO REMAIN IN EFFECT FOR 120
DAYS UNLESS SUPERSEDED AND ADOPTING A MUNICIPAL CODE**

WHEREAS, the City of Mountain House (“City”) came into existence on July 1, 2024 pursuant to the San Joaquin Local Agency Formation Commission’s Resolution 23-1526 Making Determinations, Approving and Ordering a Reorganization to Include Incorporation of the City of Mountain House, etc. (the “LAFCO Resolution”), which resolution the voters confirmed in an election held on March 5, 2024 within the territory of the City.

WHEREAS, Sections 10 and 11 of the LAFCO Resolution, pursuant to Government Code section 57376, require that the City Council’s first official act be the adoption of an ordinance providing, respectively, that all San Joaquin County ordinances and all Mountain House Community Services District ordinances, policies and procedures applicable immediately prior to the effective date of incorporation remain in full force and effect as City ordinances for a period of 120 days thereafter, or until the City has adopted ordinances superseding them.

WHEREAS, the City Council, by adopting this ordinance, intends to adopt the ordinance contemplated by Sections 10 and 11 of the LAFCO Resolution.

NOW THEREFORE, BE IT RESOLVED THAT the City Council of the City does ordain as follows:

SECTION 1. **Continuation of County Ordinances.** Pursuant to the provisions of Section 10 of the LAFCO Resolution and Government Code section 57376, all County ordinances applicable immediately prior to July 1, 2024, whether codified in the Code of Ordinances of the County of San Joaquin or not (collectively the “County ordinances”), shall remain in full force and effect as ordinances of the City for a period of 120 days from and after the date hereof. Notwithstanding the foregoing, any such County ordinances hereby adopted and continued in effect shall expire and terminate on such earlier date as an ordinance shall be enacted by the City Council specifically referring thereto and stating an intention to supersede the County ordinance.

SECTION 2. **Continuation of County Resolutions, Rules, Regulations, and Interpretations.** All resolutions, rules, regulations, and interpretations of the County of San

Joaquin ("County") that have been applicable to implementation of the County ordinances shall remain in full force and effect as resolutions, rules, regulations, and administrative interpretations, respectively, of the City.

SECTION 3. Continuation of District Ordinances, Policies and Procedures. Pursuant to the provisions of Section 11 of the LAFCO Resolution and Government Code section 57376, all District ordinances, policies and procedures applicable immediately prior to July 1, 2024, whether codified in the Code of Ordinances of the Mountain House Community Services District or not (collectively the "District ordinances"), shall remain in full force and effect as ordinances of the City for a period of 120 days from and after the date hereof. Notwithstanding the foregoing, any such District ordinances hereby adopted and continued in effect shall expire and terminate on such earlier date as an ordinance shall be enacted by the City Council specifically referring thereto and stating an intention to supersede the District ordinance.

SECTION 4. Conflicts Between County Ordinances and District Ordinances. To the extent that there are any inconsistencies between the County ordinances and the District ordinances continued hereby, the District ordinances shall prevail.

SECTION 5. Continuation of District Resolutions, Rules, Regulations, and Interpretations. All resolutions, rules, regulations, and interpretations of the Mountain House Community Services District ("District") that have been applicable to implementation of the District ordinances shall remain in full force and effect as resolutions, rules, regulations, and administrative interpretations, respectively, of the City.

SECTION 6. Declaration of Intent. Certain provisions of the County and District enactments referred to in Sections 1, 2, 3, and 4 of this ordinance reflect the County and District governmental structure and contain references to officials, official titles, commissions, and other designations that are not a part of the structure of this City's government. To effectively administer the County and District enactments to the extent that they are continued in effect by this ordinance, this ordinance shall be interpreted to provide for the substitution of the appropriate city official, title, or designation in County enactments.

SECTION 7. Substitution of Appropriate Reference to City.

a. Whenever in the enactments of the County or the District that are continued in effect by the City there is a reference to "Board of Supervisors," "Board of Directors," or "board", this reference shall be interpreted to mean the "City Council of the City of Mountain House."

b. Whenever it is appropriate under the circumstances and in the enactments of the County or District that are continued in effect by the City, there is a reference to the "County of San Joaquin" or "Mountain House Community Services District," said reference shall be interpreted to mean the "City of Mountain House."

c. Whenever in the enactments of the County or District that are continued in effect by the City there is a reference to an office, official title, board, commission or other designation, the reference shall be interpreted to mean the similar office, title, board,

commission or designation in the governmental structure of the City, or if there is none, any official, board, commission or titleholder in the City who has been specifically directed by City Council or City Manager to perform the functions referred to or the duties imposed in the enactments.

SECTION 8. Enforcement of Continuing Ordinances. The enforcement of the continuing County and District ordinances in the incorporated area shall be by the City except insofar as services of enforcement are furnished by the County in accordance with Government Code section 57384 or by agreement with the County.

SECTION 9. Adoption of Municipal Code. As a means of allowing for the future supersession of the ordinances, policies and procedures continued hereby, the City Council hereby adopts a Municipal Code entitled the Mountain House Municipal Code ("Code") and may be so cited in any prosecution for violation of this Code. Any ordinance amending this Code shall be designated as an amendment to the "Mountain House Municipal Code." Every reference to this Code or any portion of this Code applies to this Code as now in effect or as hereafter amended. Initially, the Code shall consist of the following titles, which are hereby added to the Code.

TITLE 1	GENERAL PROVISIONS
TITLE 2	CITY ADMINISTRATION
TITLE 3	REVENUE, TAXATION, AND FISCAL ADMINISTRATION
TITLE 4	PUBLIC SAFETY
TITLE 5	HEALTH AND SANITATION
TITLE 6	GENERAL WELFARE
TITLE 7	BUSINESS REGULATIONS
TITLE 8	BUILDING REGULATIONS
TITLE 9	DEVELOPMENT TITLE
TITLE 10	STREETS AND HIGHWAYS

Code sections shall be numbered sequentially to reference their location in the Code. For example, the first section in the Code is contained in Chapter 1 of Division 1 of Title 1, and it is numbered section 1-1-100. The numeral one before the first hyphen indicates that it found in Title 1, the second numeral one after the first hyphen and before the second hyphen indicates that it is found in Division 1, and the leading numeral one after the second hyphen indicates that it is found in Chapter 1.

SECTION 10. Addition of Division 1 of Title 1. There is hereby added Division 1 of Title 1 of the Mountain House Municipal Code entitled "Adoption of Code."

SECTION 11. Addition of Chapter 1 of Division 1 of Title 1. There is hereby added Chapter 1 of Division 1 of Title 1, entitled "General Matters," to read as set forth in the attached Exhibit 1.

SECTION 12. Effective Immediately. The City has become incorporated on this date and comprises territory formerly unincorporated. The City Council has just organized and has not yet performed any other official act. Unless this ordinance becomes effective immediately, no local laws or ordinances would be effective within the newly incorporated territory, to protect the public

peace, health, and safety. This ordinance is therefore necessary for the immediate preservation of the public peace, health, and safety and shall take effect immediately pursuant to Government Code section 36937(b). To the extent necessary, the City Council further declares that this ordinance takes effect immediately because it, in part, is an ordinance relating to taxes for the usual and current expenses of the City and because it is an ordinance covered by a particular provision of law, Government Code section 57376, prescribing the manner of its passage and adoption.

SECTION 13. Publication and Posting. The City Clerk shall comply with the publication and posting requirements set forth in Government Code section 36933.

SECTION 14. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

PASSED AND ADOPTED by the City Council of the City of Mountain House, California at a meeting thereof held this 1st day of July 2024 by the following Vote, to wit:

AYES: DISKO, GREEN, HARRISON, SU, TINGLE

NOES:

ABSENT:



ANDY SU, MAYOR
City of Mountain House,
County of San Joaquin, State of
California

ATTEST:
City Clerk of the City of Mountain
House, County of San Joaquin, State of
California

By:

