

ORDINANCE NO. 2026-146

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE RUBIDOUX COMMUNITY SERVICES DISTRICT AUTHORIZING FUTURE FEES AND CHARGES TO BE ADOPTED BY RESOLUTION AS WELL AS ORDINANCE, AND TAKING OTHER ACTIONS RELATING THERETO

WHEREAS, the Rubidoux Community Services District ("District") provides water, wastewater, and solid waste service to properties within the District's service area, and charges service fees and charges for providing such services to properties pursuant to the authority set forth in Division 3, Title 6 of the California Government Code (the "CSD Law"), and pursuant to California Health and Safety Code section 5471 *et seq.* (the "H&S Code"); and

WHEREAS, in order to use the authority of the H&S Code to adopt service fees and charges, public agencies previously were required to adopt such fees by ordinance; and

WHEREAS, effective January 1, 2017, the H&S Code was amended to allow for adoption of new or increased service fees by resolution as well as by ordinance; and

WHEREAS, Government Code section 61115 authorizes the District to adopt fees and charges for services and facilities by resolution or ordinance; and

WHEREAS, the District has previously adopted certain fees and charges by ordinance, including fees and charges for water and wastewater services and capacity fees and charges, and has adopted certain fees and charges by resolution, including fees and charges for solid waste services; and

WHEREAS, the District now wishes to authorize future new or increased fees and charges of any kind to be adopted by resolution or ordinance, except as otherwise required by law.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE RUBIDOUX COMMUNITY SERVICES DISTRICT DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1 Incorporation of Recitals. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. Adoption of Future Fees and Charges by Resolution or Ordinance. The District hereby authorizes any future fees and charges of any kind to be adopted by resolution or ordinance, unless otherwise prohibited by law. Any new or increased fee or charge adopted by resolution pursuant to the authority granted by this Ordinance shall have the same force and effect as if such new or increased fee or charge had been adopted by ordinance, and to the extent authorized in such resolution, shall repeal or replace any conflicting fee or charge previously adopted by the District Board of Directors, whether such conflicting fee or charge had been adopted by resolution or ordinance

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions. The Board of Directors declares that it would have adopted this ordinance, and each part of it, regardless of the fact that any portion may be declared invalid.

SECTION 4. Effective Date. This ordinance shall take effect thirty (30) days after its final adoption.

INTRODUCED this 17th day of September, 2026, **ADOPTED AND APPROVED** this 1st day of October, 2026, upon the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Diana Leja, President
Rubidoux Community Services District

(SEAL)

ATTEST:

Brian R. Laddusaw, General Manager-Secretary
Rubidoux Community Services District

APPROVED TO FORM AND CONTENT:

John R. Harper, District General Counsel