

## Volume I, Part VI. SPECIAL DISTRICT PRINCIPAL ACTS

### SPECIAL DISTRICT PRINCIPAL ACTS

The following principal act information is provided for reference purposes. Code references refer to the Government Code unless otherwise indicated. If a district formation is part of a reorganization proposal, the provisions of the CKH Act will govern formation.

***In all cases, the protest proceedings provisions of the CKH Act apply and prevail over provisions of any Principal Act.*** Otherwise, the provisions of the district principal act will apply (§§56125 & 57007) unless the principal act is inconsistent with the CKH. In this case, the CKH shall be used to guide the proceedings (§56100, §56859).

#### **Airport District.** Public Utilities Code (PUC) §§22001-22979

Governing Body: PUC §22401, §22401, §22402, §22406

Powers: Specific powers are to provide and maintain public airports and landing places for aerial traffic. General powers include the power to hire employees, acquire property, levy and collect taxes, establish rules governing airport operations, and enter into contracts (See PUC §§22551-22559 for a listing of all general powers.).

Formation: PUC §22006, §§22151-22153, §22178 supersedes §58680, §§22201-22204, §§22256-22259

Annexation: PUC §22006

#### **California Water District.** Water Code (WC) §§34000-38500

Governing Body: WC §34700, §34708

Powers: Specific powers that the board of directors may exercise include acquisition and operation of works for the production, storage, transmission, and distribution of water for irrigation, domestic, industrial, and municipal purposes, and any drainage or reclamation works connected with such undertakings. The board of directors may also acquire and operate facilities and services for the collection, treatment, and disposal of sewage, waste, and storm waters. General powers include all acts necessary or proper to carry out the provisions of the Water Code. A listing of general powers is contained in WC §§35400-35413.

Formation: WC §§34150-182, §34306, § 34400, §34500, §35003, §35005

#### **Cemetery District.** Health and Safety Code (H&SC) §§8890-9225)

Governing Body: H&SC §§8950-8950.3

Powers: The specific powers that the trustees may exercise are to maintain a cemetery or cemeteries, or acquire and maintain a mausoleum, if such mausoleum was built prior to May 1, 1937. In addition to these specific powers, the district may do all acts necessary or proper for the carrying out of the purposes of this part (H&SC 8961 - 8969.5).

Formation: H&SC §§8925 – 8930, §8938, §8890

Annexation: H&SC §9025

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### **Community Services District.** Government Code §§61000 - 61934

Governing Body: §61101, §61120

Powers: The specific powers that the board of directors may exercise are (§61600, §61710, §61601):

- Supply inhabitants of the district with water for domestic, irrigation, sanitation, industrial, fire protection, and recreation use;
- Collection, treatment, or disposal of sewage, and waste and storm water;
- Collection or disposal of garbage or refuse matter;
- Protection against fire;
- Public recreation and parks, playgrounds, golf courses, etc.;
- Street lighting;
- Mosquito abatement;
- Police protection and other security services;
- Library buildings and library services;
- Street improvement, maintenance, and repair (subject to consent of governing body of city and county in which improvements are made);
- Construction and improvement of bridges, culverts, curbs, gutters, and drains (subject to the consent limitations of item 10 above);
- Conversion of overhead electric and communications facilities to underground locations when such facilities are owned and operated by a "public utility" or "public agency," subject to consent of the public utility or public agency responsible for such facilities;
- Contract for ambulance service if a majority of the voters in the district voting in an election thereon, approve;
- Provide and maintain public airports and landing places for aerial traffic;
- Provide transportation services;
- Abate graffiti; and
- Establish improvement districts.

After formation, should the district's board of directors determine that it is feasible, economically sound, and in the public interest for the district to exercise its powers for additional purposes not designated in the original formation petition, the board may submit to the district voters the question of whether the district should perform such additional purposes.

Formation: §61102, §61103, §61104, §61106, §61110, §61111, §61116, §61117

Annexation: §61800

### **County Sanitation District:** Health and Safety Code (H&SC) §§4700-4859

Governing Body: H&SC §4730, §4730.1

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Powers: The specific powers that the board of directors may exercise are as follows (§§4741-4767):

- To acquire, construct and complete sewage collection, treatment, and disposal works;
- To construct, maintain and operate a refuse transfer or disposal system (refuse collection is prohibited);
- To make provision for street cleaning and street sweeping services upon the roads and streets within the boundaries of the district;
- To acquire, construct, control, operate, and maintain waterworks, conduits, reservoirs, storage sites and other works and facilities for the production, treatment, storage, and distribution of a water supply; and
- Other general powers listed in H&SC.

Formation: H&SC §4711, §4711.5, §4714, §4714.5, §4715

**County Service Area (CSA).** Government Code §§25210.1-25211.33

Governing Body: §25210.1

Powers: A CSA may be established to provide any one or more of the following types of extended services within an unincorporated area (§§25210.4-25210.4(b)):

- Extended police protection;
- Structural fire protection;
- Local park, recreation, or parkway facilities and services;
- Extended library facilities and services;
- Television translator station facilities and services;
- Low-power television services; and
- Any miscellaneous extended services, which the county is authorized by law to perform, and which the county does not also perform to the same extent on a county-wide basis both within and outside city boundaries including but are not limited to water service, sewer service, pest or rodent control, street & highway sweeping, street & highway lighting, refuse collection, garbage collection, ambulance service, planning for a part of the County, soil conservation & drainage control, animal control, services provided by a municipal advisory committee, transportation services, geologic hazard abatement, and road maintenance & improvement.

Formation: §25210.10, §25210.10(a), §25210.11, §25210.14, §25210.18, §25210.17(a), §25210.18, §25210.21, §25210.22, §25210.80, §56663

Annexation: §25210.80, §25210.80(a)

**County Water District.** Water Code (WC) §§30000-33900

Governing Body: WC §30500

Powers: The specific powers are:

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- Furnish sufficient water throughout the district for any present or future beneficial use, storage and conservation of water and water rights, and the operation of waterworks (WC §§31020-31022);
- Generate and sell electric power in connection with a water conservation project (WC §§31149.1-31149.2);
- Acquisition, construction, and operation of facilities for the collection, treatment, and disposal of sewage, waste and storm water. A district may also provide the services under this section to inhabitants outside its boundaries provided it does not provide services to inhabitants of any other public agency without the consent of that agency expressed by resolution or ordinance (WC §31100) subject, in most cases, to LAFCo approval (§56133).
- Draining and reclaiming lands within the district (WC §31033);
- Provide fire protection (WC §§31120-1121);
- Acquire, construct, maintain, and operate facilities appropriate or ancillary to the recreational use of water, provided that recreational use of water shall be subject to approval of the public health authority having jurisdiction (WC §31130); and
- Other general powers to perform acts necessary or proper to carry out the provisions of this division (WC §§31000 – 31187).

Formation: WC §30200, §30202, §30203, §30264.1, §30291, §30297).

Annexation: WC §32400

### **County Waterworks District.** Water Code §§55000-55991

Governing Body: WC §55301, §55302

Powers: The specific powers are the supplying of water for irrigation, domestic, industrial, or fire protection purposes, and for the development and conservation of water supplies for those purposes; acquisition, purification, treatment, and reclamation of saline water or sewage, or both; and construction, maintenance, and operation of sewage collection and treatment facilities (§§55330-55336, §55331, §55335, §55335.5).

Formation: WC §55103, §55161, §55162, §55180, §55186, §§55100-55200

### **Fire Protection District.** Health & Safety Code (H&SC) §§13800-13970

Governing Body: H&SC §13816, §§13835-13839, §13821, §13842, §13846, §13848, §13849

Powers: Specific services are fire protection services, rescue services, emergency medical services, hazardous material emergency response services, ambulance services and other corollary powers (H&SC §§1797 et sequitur, §13862, §§13863-13887).

Formation: H&SC §13810, §13811, §13821, §13816, §13823.5

Financing Mechanisms: H&SC §13890 outlines budget deadlines and general financial procedure. H&SC §§13910 et sequitur includes alternative sources of revenue. They are: special tax (§50075); two-thirds majority; Mello-Roos Community Facilities Act of 1982, special tax (§53311) two-thirds majority; special tax for fire and police (§53970); two-thirds

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majority; assessment for fire protection services (§50078), vote or abandonment required if protested by holders of property interests proposed to be assessed, who represent more than 10% but less than 50% of the total amount of expected revenue from the assessment. Abandonment required if the value of protest equals 50% or more of the total amount of expected revenue from the assessment (§50078.12); assessment for capital improvements, 1911 Bond Act; 1915 Improvement Bond Act; 1913 Municipal Improvement Act; Section 1000 Streets and Highways Code; vote not required; fees for services (H&SC §13916); vote not required.

Annexation: H&SC §13811

**Garbage Disposal District.** Public Resources Code (PRC) §§49000-49050

Governing Body: PRC §49018

Powers: The specific powers are the collection and disposal of garbage and other refuse matter in the district; the operation and maintenance of garbage and refuse disposal sites, and other general powers needed to accomplish the purposes of the PRC (PRC §49017, §§49018-49020).

Formation: PRC §49005, §49006, §49009, §49010

Annexation: §PRC 49050

**Health Care District.** Health & Safety Code (H&SC) §§32000-32490.9

Governing Body: H&SC §32100, §32100.01

Powers: The specific powers are to establish, maintain, and operate, or provide assistance in the operation of, one or more health facilities or services, including but not limited to: outpatient programs, services and facilities; retirement programs; chemical dependency programs, services and facilities; or other health care programs, services and facilities; activities at any location inside and outside the district for the benefit of the district and people served by the district; to acquire, maintain, and operate ambulances, or ambulance services inside and outside the district; and to establish a nurses' training school, or a child care facility for the benefit of employees of the hospital or residents of the district (H&SC §32121). General powers needed to accomplish the purposes of the H&SC (H&SC §§32121-32137).

Formation: H&SC §32001, §32002, §32003, §56131.5, §58105.1

**Irrigation District.** Water Code (WC) §§20500-29976

Governing Body: WC §20721, §21550

Powers: The specific powers are to supply water for beneficial purposes; provide for any and all drainage made necessary by the irrigation provided for by the district; purchase or lease electric power and provide for the acquisition, operation, and control of plants for the generation, transmission, etc. of electric power; acquire and operate an airport or aviation school; provide, maintain, and operate flood control works in districts having 200,000 acres or more; reclaim waste water for beneficial use; sewage disposal if approved by majority at

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election; construct, maintain, and operate recreational facilities in connection with dams, reservoirs, or other work owned and constructed by the district (WC §22171, §§22075-22825).

Formation: WC §20700, §20701, §§20820-20822, §20960

**Library District:** Education Code (EC) §§19400-19532

Governing Body: EC §19420

Powers: The specific powers are to establish, equip, and maintain a public library for the dissemination of knowledge of the arts, sciences, and general literature and undertake all acts necessary or proper for the carrying out of the purposes of this part (EC §19400).

Formation: EC §19401, §19406, §58103, §58132

Annexation: EC §19401

**Mosquito Abatement and Vector Control District.** Health & Safety Code (H&SC) §§2200-2398

Governing Body: H&SC §2240

Powers: The specific powers are: the extermination of mosquitoes, flies or other insects either inside or outside the district; the extermination of rats; and the undertaking or contracting for algae research, control, and monitoring projects (H&SC §2290, §2291).

Formation: H&SC §2210, §2211 & §2215.5

Annexation: H&SC §2330

**Municipal Utilities District.** Public Utilities Code (PUC) §§11501-14509

Governing Body: PUC §11801

Powers: The specific powers are: to acquire, construct, own, operate, control or use, inside or outside, or partly inside or outside, the district, works or parts of works for supplying the inhabitants of the district and public agencies therein, or some of them, with light, water, power, heat, transportation, telephone services, or other means of communication, or means for the collection, treatment, or disposition of sewage; construct facilities necessary for the generation, transmission, or distribution of electricity and construct, maintain, improve, and operate public recreational facilities appurtenant to any water reservoir owned or operated by the district; and all things necessary or convenient to the full exercise of the powers therein granted (PUC §12801, §12817, §12850, §12851).

Formation: PUC §11561, §11652

Annexation: PUC §13801, §13851

**Municipal Water District.** Water Code (WC) §§71000-73000

Governing Body: WC §71250

Powers: The specific powers are: to supply water for beneficial purposes; construct, improve, and operate public recreational facilities appurtenant to facilities operated or

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contracted to be operated by the district; acquire, construct, and operate facilities for providing fire protection, and emergency medical services, including ambulance and paramedic services (WC §71680); acquire waterworks or a waterworks system, waters or water rights; and acquire, construct, and operate sanitation facilities (WC §§71590-71689.27).

Formation: WC §§71060-71061, §71122, §§71168-71190

Annexation: WC §§71071 - 71081

**Port District.** Harbors and Navigation Code (H&NC) §§6200-6372

Governing Body: H&NC §6240

Powers: The specific powers are: to acquire, construct, maintain, operate, develop, and regulate all facilities incidental to or necessary for the operation and development of a port, ports, or waterways including, but not limited to, wharves, docks, belt railroads, warehouses, etc; provide for and supervise pilots and pilotage of vessels; provide streets leading to the waterfront; establish a plan and system of harbors; and do all necessary acts to carry out its purpose (H&NC §§6290-6311).

Formation: H&NC §6211, §§6215-6218, §6321

**Public Utility District.** Public Utilities Code (PUC) §§15501-18055

Governing Body: PUC §15951

Powers: The specific powers are: to acquire, construct, own, operate, control, or use, inside or outside or partly inside and partly outside the district, works for supplying its inhabitants with light, water, power, heat, transportation, telephone service, or other means of communication, or means for the disposition of garbage, sewage, or refuse matter; acquire, construct, own, complete, use, and operate a fire department; street lighting system; public parks; public playgrounds; golf courses; public swimming pools; public recreation buildings; buildings to be used for public purposes; and works to provide for the drainage of roads, streets, and public places, including but not limited to curbs, gutters, and sidewalks; and pavement of streets; and all things necessary or convenient to the full exercise of the powers granted in this article (PCC §20202.3, PUC §16463).

Formation: PUC §15701, §15702, §17301, §15736, §15738, §15791

Annexation: PUC §17301, §17362

**Recreation And Park District.** Public Resources Code (PRC) §§5780-5791

Governing Body: PRC §5780.2 & §5781.4

Powers: The specific powers are: to organize and conduct programs of community recreation, to establish systems of recreation and recreation centers, and to acquire, construct, maintain, and operate recreation centers inside or outside the district. A recreation and park district may exercise any of the powers, functions, and duties, which are vested in, or imposed upon, a fire protection district PRC §§57825782.24. A district

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with all of the powers of a recreation and park district, except the power of eminent domain, also may be formed (PRC §5790).

Formation: PRC §5780.30, §5781.2, §5781.3; GC §58103, §58105.1, §58132). §5781.2

Annexation: PRC §5785

**Regional Park, Park and Open Space, and Open Space Districts.** Public Resources Code (PRC) §§5500-5595

Governing Body: PRC §5515, §5527

Powers: The specific powers are: to plan, adopt, lay out, plant, develop, and otherwise improve, extend, control, operate, and maintain a system of public parks, playgrounds, golf courses, beaches, trails, natural areas, ecological and open space preserves, parkways, scenic drives, boulevards, and other facilities for public recreation, for the use and enjoyment of the inhabitants of the district; may select, designate, and acquire land, or rights in land, within, or outside of the district, to be used and appropriated for such purposes; conduct programs and classes in outdoor science education and conservation education, and other general powers needed to perform duties (PRC §5541, §§5539-5553).

Formation: PRC §5502, §5503, §§5506.3 et sequitur, §5514, §5520

Annexation: PRC §5572

**Resource Conservation District.** Public Resources Code (PRC) §§9151 - 9962

Governing Body: PRC §9182, §9242

Powers: A resource conservation district may be formed for the control of runoff, the prevention or control of soil erosion, the development and distribution of water, and the improvement of land capabilities (PRC §9151).

Formation: PRC §9181, §9183, §9241, §9152, §9255

Annexation: PRC §9481

**Sanitary District.** Health and Safety Code (H&SC) §§6400-6830

Governing Body: H&SC §6480

Powers: The specific powers are the acquisition, maintenance, and operation of garbage dump sites, garbage collection, and disposal systems; sewers, drains, septic tanks, and sewerage collection and disposal systems, out fall treatment works, and other sanitary disposal systems; and storm water drains and storm water collection, out fall, and disposal systems, and water reclamation and distribution systems; and certain other general powers in the operation of the district (H&SC §§6510-6550.1).

Formation: H&SC §6420, §§6440-6446, §6465, §6830

**Small Craft Harbor District.** Harbors and Navigation Code (H&NC) §§7000-7340

Governing Body: H&NC §7040



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Powers: The specific powers are to establish, maintain, and operate a harbor (defined in H&NC §7002), and all facilities appurtenant thereto, and to perform all acts necessary to carry out fully the provisions, powers, and purposes of this part (H&NC §§7140-7152).

Formation: H&NC§7010, §7011, §7023.5, §7024,

Annexation: H&NC 7280