

ORDINANCE NO. 41

AN ORDINANCE TO ESTABLISH A CLAIMS FILING REQUIREMENT FOR CLAIMS AGAINST SANITARY DISTRICT NO. 1 OF MARIN COUNTY BY THE STATE OR BY A STATE DEPARTMENT OR AGENCY OR BY ANOTHER PUBLIC AGENCY

WHEREAS, the California Tort Claims Act, Government Code Sections 810 et seq. provides an orderly process for the presentation of claims against a public agency; and

WHEREAS, Sections 900 et seq. establish a requirement that, as a prerequisite to the filing of a legal action, a claim must be presented to the public agency in a timely manner; and

WHEREAS, Section 905(i) exempts from that requirement any claim by the State or by a State Department or Agency or by another public agency; and

WHEREAS, Section 935 provides that claims exempted by Section 905 may be governed by an ordinance adopted by a local public entity.

THE BOARD OF DIRECTORS of Sanitary District No. 1 of Marin County does hereby ordain as follows:

1. Pursuant to Government Code Section 935, all claims against Sanitary District No. 1 of Marin County by the State or by a State Department or Agency or by another public agency must be presented to and acted upon by the Sanitary District as a prerequisite to the filing of a lawsuit thereon.
2. The time limits, procedures for filing claims and the District response thereto pursuant to this Ordinance shall be the same as provided in the Tort Claims Act, including but not limited to Government Code Sections 910 to 913.2.

This Ordinance shall take effect and be in full force and effect seven days after publication in the Independent Journal a newspaper of general circulation within the jurisdiction of Sanitary District No. 1 of Marin County.

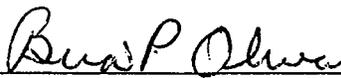
PASSED AND ADOPTED this fourth day of January, 1994, by the following vote:

AYES: Buckle, Caneer, Hill, Mansell, Oliva
NOES: None
ABSENT: None
ABSTAIN: None



GEORGE H. BUCKLE
PRESIDENT OF THE BOARD

ATTEST:



BRIAN P. OLIVA
SECRETARY OF THE BOARD