

## ORDINANCE NO. 12

### AN ORDINANCE GOVERNING THE USE OF ELECTRONIC DEVICES DURING DISTRICT MEETINGS

WHEREAS, the facilities of the Alameda-Contra Costa Transit District (District) exist for the purpose of conducting District business; and

WHEREAS, the use of electronic devices (as defined in the Ordinance) during meetings of the Board of Directors, Board Committees, or advisory committees also is disruptive to the conduct of District business;

NOW, THEREFORE, be it enacted by the Board of Directors of the Alameda-Contra Costa Transit District as follows:

#### Section 1. Definitions

The terms used in this ordinance shall have the following meaning:

- A. District - the Alameda-Contra Costa Transit District, organized in accordance with the provisions of Division 10, Part 1 of the California Public Utilities Code (§24501, et seq).
- B. District Facilities - any property owned or leased by the District, including but not limited to, District vehicles (revenue and non-revenue), buildings, parking lots, storage areas, meeting rooms, garages, bus and maintenance yards and similar areas owned and operated by District.
- C. Electronic Device - cellular phones, pagers and/or walkie-talkies.
- D. Use of an Electronic Device - receiving messages or signals which cause an audible sound or speaking into or listening on an electronic device.

#### Section 2. Prohibition

It shall be unlawful for an individual to use an electronic device within the room in which a meeting of the Board of Directors, a meeting of one of the Board Committees, or at a meeting of the Accessibility Advisory Committee or the Riders' Advisory Committee or any other committee created by the Board of Directors.

#### Section 3. Exceptions

##### **Electronic Devices**


- A. Electronic Devices must be placed on mute, vibrate or similar silent mode while an individual is in a room where a meeting covered by this ordinance is in progress.
- B. Use of an Electronic Device may occur outside the confines of the room where a meeting covered by this ordinance is in progress provided the use of the Electronic Device is not so near the room that said use is disruptive to the meeting.

#### Section 4. The use of the singular tense in this ordinance also includes the plural tense.

Section 5. Any violation of this ordinance shall be deemed a public nuisance and may be enforced by injunctive relief and any other civil remedy available to the District.

Section 6. In the event any provision of this ordinance is held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provisions of the ordinance.

Section 7. This ordinance shall become effective thirty (30) days after its adoption which shall be at least three days after its introduction. This ordinance shall be published once a week for two consecutive weeks following its passage in a newspaper of general publication within the District.

  
H. E. Christian Peeples, President

ATTEST:

  
Frances Miller-Rogers, District Secretary

I, Frances Miller-Rogers, District Secretary for the Alameda-Contra Costa Transit District, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the Board of Directors held on April 12, 2000 and adopted at a Regular Meeting of the Board of Directors held on the 26th day of April 2000, by the following roll call vote:

AYES:	DIRECTORS:	Piras, Williams, Hawley, Creason, and President Peeples
NOES:	DIRECTORS:	None
ABSENT:	DIRECTORS:	Cross and Vice President Killian
ABSTAIN:	DIRECTORS:	None

  
Frances Miller-Rogers, District Secretary

Approved as to Form:

  
Kenneth C. Scheidig, General Counsel