DEPARTMENT: Administration  

BY: Rick Benson  
PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

Waive second reading and adopt an Ordinance enacting assessments for the area within County Service Area No. 3 for fire equipment and improvements to existing County fire stations.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

A public hearing was held on July 22 and 25, 2008, and the first reading was waived and the Ordinance was introduced.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Financial Impact? ( ) Yes ( ) No  Current FY Cost: $  
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded  
Amount in Budget: $  
Additional Funding Needed: $  
Source:
Internal Transfer
Unanticipated Revenue
Transfer Between Funds
Contingency
( ) General ( ) Other

List Attachments, number pages consecutively

Ordinance

Financial Impact? ( ) Yes ( ) No  Current FY Cost: $  
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded  
Amount in Budget: $  
Additional Funding Needed: $  
Source:
Internal Transfer
Unanticipated Revenue
Transfer Between Funds
Contingency
( ) General ( ) Other

List Attachments, number pages consecutively

Ordinance

CLERK’S USE ONLY:
Res. No.:  Ord. No.:  
Vote – Ayes:  Noes:  
( ) Approved  
( ) Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date:  
Attest:  MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California  
By:  
Deputy

COUNTY ADMINISTRATIVE OFFICER:
( ) Requested Action Recommended  
( ) No Opinion  
Comments:

CAO:  

Revised Dec. 2002
MARIPOSA COUNTY ORDINANCE NO. 1046

AN ORDINANCE ENACTING
CHARGES FOR FISCAL YEAR 2008-2009
FOR COUNTY SERVICE AREA NO. 3

WHEREAS, the Board of Supervisors desires to adopt an Ordinance establishing a procedure for enacting service charges in County Service Area No. 3; and

WHEREAS, it is necessary to establish an assessment for each developed parcel within County Service Area No. 3 in order to provide structural fire protection; and

WHEREAS, on July 22, 2008 and July 25, 2008, the Board of Supervisors of the County of Mariposa, acting pursuant to these sections, conducted a duly noticed public hearing and adopted Resolution No. 08-340, entitled “Confirming the County Administrative Officer’s Report; Determining to Introduce an Ordinance Enacting Assessments for the Area Within County Service Area No. 3.” This Ordinance establishes these charges for Fiscal Year 2008-2009.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, a political subdivision of the State of California, does ordain as follows:

SECTION I: Prior to the expiration of fifteen (15) days from the passage of this Ordinance, it shall be published once in the Mariposa Gazette, a newspaper of general circulation, published and printed in the County of Mariposa, State of California, together with the names of the members of the Board of Supervisors for and against same.

SECTION II: Statement of Intent:
Section 25210.77a of the Government Code permits a county Board of Supervisors to set the annual charges for established services available in County Service Areas and to adjust these charges on an annual basis. Section 54986(b) requires that any adjustment of charges provided by a County Service Area be adopted by ordinance.

SECTION III: Establishment of County Service Area No. 3 Fees:
The fee to be charged against each developed parcel located within the boundaries of County Service Area No. 3, for fiscal year 2008-2009 shall be $80.00 for structural fire protection, and major maintenance and capital improvements to existing county fire stations within the boundaries of County Service Area No. 3.

SECTION IV: Enforcement of Ordinance:
The Auditor of the County of Mariposa is hereby directed to enter the County Service Area No. 3 fee adopted by this Ordinance as proper charges against the affected individual parcels located within County Service Area No. 3 on the current tax assessment roll. These charges are to be billed against the parcels and collected in conjunction with the ad valorem property tax bill for fiscal year 2008-2009.
SECTION V: Severability:
If a section, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid, such decision shall not affect the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each Section thereof, irrespective of the fact that any one or more of the Sections, sentences, clauses, or phrases might be declared unconstitutional or invalid.

SECTION VI: This Ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 5th day of August 2008 by the following vote:

AYES: ABORN, TURPIN, BIBBY, FRITZ, PICKARD
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE

LYLE TURPIN, Chairman

ATTEST:
MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM:
THOMAS P. GUARINO, County Counsel