

ORDINANCE NO. SCC 2023-06

**AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SHASTA
ESTABLISHING SHASTA COUNTY AS A CALIFORNIA CHARTER COUNTY
AND ADDING THE CHARTER TO THE SHASTA COUNTY CODE**

The Board of Supervisors of the County of Shasta ordains as follows:

SECTION I.

This County Charter is added to the Shasta County Code, following the PREFACE, and shall read as follows:

County Charter.

A. Findings and Declarations

1. The Board of Supervisors of the County of Shasta desires to exercise, enumerate, and establish a Charter for the County, ensuring local elected officials retain all authorities and capabilities granted to them by the Constitution of the State of California, the State Legislature, and entrusted to them by Shasta County electors.
2. It is the purpose of this Charter to allow the people of Shasta County to have self-government and home rule.
3. California Government Code section 23711 provides that the Board of Supervisors may propose a Charter for Shasta County, to be ratified by electors during the next general election.
4. California Government Code section 23712 provides that if the electors vote in favor of the proposed Charter, it shall be deemed to be ratified, but shall not take effect until accepted and filed by the California Secretary of State, pursuant to the provisions of Government Code Section 23713, et seq.
5. Only such provisions of a county charter as are authorized by the Constitution supersede State laws in conflict therewith, and then only to the extent that such provisions are not limited by the Constitution.

B. Charter Preamble

1. We, the people of Shasta County do ordain, adopt, and establish this charter to provide a county government that is responsive to serve its diverse communities by advancing freedom, equality, justice, health,

safety, infrastructure, and other appropriate needs provided by county government in a democratic and just manner.

2. Unless otherwise enumerated and described in this Charter, the County of Shasta shall comply with existing County Ordinances defined in Shasta County Code, County Administrative Policies, and general law requirements for provisions and requirements not specifically articulated in this Charter.

C. Vacancies on the Board of Supervisors

1. Notwithstanding any other provision of law, whenever a vacancy occurs in the office of supervisor on the Shasta County Board of Supervisors, the Shasta County Board of Supervisors (Board) may fill the vacancy by appointment or call a special election. If the Board appoints the replacement, the appointee shall be from among the qualified electors of the Supervisorial District in which such vacancy exists and shall hold office until the election and qualification of his or her successor. Nothing contained herein shall preclude an appointee from seeking election to said Supervisorial office provided that such appointee is otherwise qualified and eligible as required by law.
2. The election of a supervisor to fill the vacancy for the unexpired term shall be held at the next general election, unless the term expires on the first Monday after January 1st succeeding the election. The Board may, whether or not it has appointed a successor to fill the vacancy, call a special election to fill the vacancy provided that the date of such special election precedes the next general election.
3. The Board may decline to fill the vacancy by appointment. In the event that no appointment is made by the Board, the vacancy shall be filled by election as provided by the terms of this Charter.

SECTION II.

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance or its application to any person or circumstance is held invalid for any reason, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause, phrase, or provision thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or provisions be declared unconstitutional or invalid.

SECTION III.

All former ordinances and resolutions, or parts thereof, conflicting or inconsistent with the provisions of this ordinance are hereby superseded by the Ordinance. The adoption of this ordinance shall not in any manner affect any action or prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, be construed as a waiver of any license, fee, or penalty required by or resulting from any such ordinance, or affect the validity of any bond (or cash deposit in lieu thereof) required to be posted, filed, or deposited pursuant to such ordinance.

SECTION IV.

This ordinance shall take effect and be in full force and effect on March 5, 2024, after certification of the vote, if the measure is approved by a majority of the electors voting on the measure at the election held that day. This ordinance shall then be operative on January 1, 2025. The Clerk shall cause this ordinance to be published as required by law.

DULY PASSED AND ADOPTED this 7th day of November, 2023, by the Board of Supervisors of the County of Shasta by the following vote:

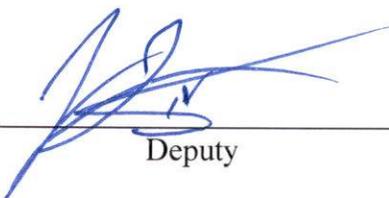
AYES: Supervisors Crye, Jones, and Kelstrom
NOES: Supervisors Garman and Rickert
ABSENT: None
ABSTAIN: None
RECUSE: None



PATRICK JONES, CHAIR
Board of Supervisors
County of Shasta
State of California

ATTEST:

DAVID J. RICKERT
Clerk of the Board of Supervisors

By: 

Deputy