

## **ORDINANCE NO. 2023-**

### **AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SHASTA, SETTING AND IDENTIFYING FEES TO BE CHARGED BY THE COUNTY OF SHASTA**

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

**SECTION 1.** The purpose of this ordinance is to establish fees, as defined in the California Constitution, that are no more than necessary to cover the reasonable costs of County governmental activities, and that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor's burdens on, or benefits received from, the County governmental activities.

**SECTION 2.** The authority for the fees established herein includes, but is not limited to, applicable provisions of California statutes and California regulations, as well as Article XI, section 7 of the California Constitution.

**SECTION 3.** The fees set forth in Attachment A and adopted by this ordinance are not a tax as defined by section 1(e) of Article XIII C of the California Constitution and are exempt from voter approval under that section. The fees are no more than necessary to cover the reasonable costs of the governmental activity, and the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor's burdens on, or benefits received from, the governmental activity.

**SECTION 4.** The fees set forth in Column A of Attachment A ("Requested County Fee") are fees set by the County of Shasta. The fees set forth in Column B of Attachment A ("Required Other Entity Fee") are fees set by other entities over which the Board of Supervisors has no discretion in the amount charged or in the setting of the fee. The fees identified in Column B of Attachment A may be modified by the entity setting those fees and the total fee collected by the County of Shasta may be modified in accordance with those changes without further action by the Board of Supervisors. The fee amount in Column C of Attachment A reflects the total amount to be collected. Those fees set forth in Column A of Attachment A and as reflected as part of the total to be collected (Column C) are hereby adopted.

**SECTION 5.** This ordinance is not intended to contain all fees that are or may be charged by the County of Shasta for services and supplies and to the extent that other fees are customarily charged or are established elsewhere and are not listed below, all such fees, charges, and rates shall remain in full force and effect.

**SECTION 6.** Notice of the public hearing for considering the adoption of the fees in this ordinance has been given in accordance with applicable law.

**SECTION 7.** Should any fee herein established be held to be invalid or otherwise unenforceable, such determination shall not affect the validity of the remainder of this ordinance or the remaining fee provisions. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective

of the fact that any one or more sections, subsections, clauses, phrases or portions be declared invalid or unconstitutional.

**SECTION 8.** The adoption of this ordinance shall not in any manner affect any action or be construed as a waiver of any fee, charge, penalty or fine required by or resulting from any previous ordinance imposing a fee, charge, penalty or fine.

**SECTION 9.** To the extent any action, whether by resolution or ordinance, was adopted by the Board of Supervisors to set or impose a fee, and to the extent that resolution or ordinance is inconsistent with the provisions of this ordinance, that portion of the previous resolution or ordinance that is inconsistent with the terms of this ordinance are superseded by this ordinance. The adoption of this ordinance shall not amend or affect the remaining portions of any such previously adopted ordinance or resolution.

**SECTION 10.** This ordinance shall be in full force and effect from and after 30 days after its passage. The clerk shall cause this ordinance to be published as required by law

**DULY PASSED AND ADOPTED** this 5th day of December, 2023, by the Board of Supervisors of the County of Shasta by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:  
RECUSE:

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

ATTEST:

DAVID J. RICKERT  
Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Deputy