

ORDINANCE NO. 2019-21
(uncodified)

ESTABLISHING FIRE PROTECTION FACILITIES FEES
FOR THE CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

The Contra Costa County Board of Supervisors ordains as follows:

SECTION I. Authority. This ordinance is enacted pursuant to Chapter 818-2 of the County Ordinance Code.

SECTION II. Notice and Hearing. This ordinance was adopted pursuant to the notice and hearing procedures set forth in County Ordinance Code section 818-2.1004 and in Government Code sections 66016, 66017, and 66018. All required notices have been properly given and public hearings held.

SECTION III. Service Area. The service area affected by this ordinance is the entire service area and territory of the Contra Costa County Fire Protection District.

SECTION IV. Existence of Overextension. This Board has reviewed the findings submitted by the Fire Chief of the Contra Costa County Fire Protection District. Based upon these findings and evidence presented at the public hearing on this ordinance, the Board determines that the fire protection facilities within the Contra Costa County Fire Protection District service area are not adequate to serve the fire protection needs of the service area, and that these fire protection facilities are therefore overextended.

SECTION V. Fees. On and after November 1, 2019, the following fees shall be collected pursuant to this ordinance and County Ordinance Code sections 818-2.202 and 818-2.210:

- A. Fire Protection Facilities Fee. Each person who applies for a building permit within the service area affected by this ordinance (hereafter, "Applicant") shall, at the time of application and prior to permit issuance, pay a fire protection facilities fee in accordance with the following schedule:

Residential:

Single-Family: \$951.00 per dwelling unit

Multi-Family: \$451.00 per dwelling unit

Nonresidential:

Commercial:	\$649.00 per 1,000 square feet
Office:	\$568.00 per 1,000 square feet
Industrial:	\$379.00 per 1,000 square feet

B. Administration Fee. In addition to the foregoing, each Applicant, at the time of application for and prior to the issuance of a building permit, shall pay an administration fee, which is determined to be the estimated average cost of administering the fee program, in accordance with the following schedule:

Residential:

Single-Family:	\$19.00 per dwelling unit
Multi-Family:	\$ 9.00 per dwelling unit

Nonresidential:

Commercial:	\$13.00 per 1,000 square feet
Office:	\$11.00 per 1,000 square feet
Industrial:	\$ 8.00 per 1,000 square feet

SECTION VI. Delay. If, for any reason, this ordinance's fees are not collected as provided in Section V, they shall be due and paid at the date of the final inspection, or the date the certificate of occupancy is issued, whichever occurs last.

SECTION VII. Account. In accordance with Ordinance Code section 818-2.606, all fire protection facilities fees collected pursuant to this ordinance will be placed in the account entitled "Contra Costa County Fire Protection District New Development Fee Fund" (Fund No. 203600) and will be used for acquiring, improving, or constructing fire protection facilities consistent with the Contra Costa County Fire Protection District's strategic plan and capital improvement plan, and Section 7.10 of the 2005-2020 Contra Costa County General Plan.

SECTION VIII. Repeal. Except as specified in this Section VIII and Section IX, below, Ordinance No. 2006-13 is hereby repealed and superseded by this ordinance, as of November 1, 2019. However, this repeal shall not affect any fees that were imposed prior to November 1, 2019, which fees shall be paid and collected under the provisions of Ordinance No. 2006-13.

SECTION IX. Severability. Notwithstanding any other provision of this ordinance to the contrary, if a court of competent jurisdiction determines any fee set forth in Section V of this ordinance is invalid or unenforceable, the corresponding fee adopted by Ordinance No. 2006-13 shall be deemed not to have been repealed and shall remain in effect and subject to the remaining provisions of this ordinance. Notwithstanding any other provision of this ordinance to the contrary, if a court of competent jurisdiction determines this ordinance is invalid or unenforceable, Ordinance No. 2006-13 shall be deemed not to have been repealed and shall remain in full force and effect.

SECTION X. Effective Date. This ordinance becomes effective 60 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for or against it in the East Bay Times, a newspaper published in this County.

PASSED on July 23, 2019, by the following vote:

AYES: 3
NOES: 0
ABSENT: 2
ABSTAIN: 0

ATTEST: DAVID J. TWA,
Clerk of the Board of Supervisors
and County Administrator


Board Chair

By: 
Deputy

[SEAL]

KCK:
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