

ORDINANCE NO: 2019-01

AN ORDINANCE OF THE AMERICAN CANYON FIRE PROTECTION DISTRICT BOARD OF DIRECTORS AMENDING ITS COST RECOVERY ORDINANCE

WHEREAS, the costs of providing fire protection and life safety services continues to increase within the American Canyon Fire Protection District (“District”); and,

WHEREAS, Health and Safety Code Sections §§ 13916 - 13919 provides that a schedule of fees may be established to offset the direct costs of providing fire and life safety services; and,

WHEREAS, the District adopted a Schedule of Fees by Ordinance No. 2012-02; and,

WHEREAS, it is necessary from time to time to revise at a public hearing the District’s Schedule of Fees in order to ensure the District is recovering the actual costs associated with the services for which fees are imposed.

NOW THEREFORE, BE IT RESOLVED THAT the Board of Directors (“Board”) of the District declares as follows:

SECTION 1. Adjustment to Fees

In order to keep the District’s cost recovery program in conformity with inflation, the Schedule of Fees listed in Exhibit A to Ordinance 2012-02 shall be subject to an annual cost-of-living increase based on the Consumer Price Index (CPI) of the Urban Consumers San Francisco-Oakland Area as developed by the Bureau of Labor Statistics of the U.S. Department of Labor or two percent (2%), whichever is greater. The annual rate adjustment will occur automatically on July 1 of each year, beginning July 1, 2019, and shall be based on the CPI data issued in April of that calendar year, beginning with April 2019 and each year thereafter, unless the adjustment is waived by resolution of the District Board. Additionally, the District Board may from time to time amend, revoke, or add rules and regulations relating to cost recovery as they may deem necessary or expedient in respect to billing for these fees or the collection thereof. The Fees set forth in Ordinance 2012-02 may be revised from time to time by Resolution of the District Board adopted in compliance with applicable law.

SECTION 2. Severability

If provisions of this Ordinance are declared invalid or unenforceable by a court of competent jurisdiction, that holding shall not affect the validity or enforceability of the remaining fees or provisions and the Board declares that it would have adopted each article, section and part of this Ordinance, irrespective of the validity of any article, section or part.

SECTION 3. Effective Date

This Ordinance shall take effect and be in full force thirty (30) days after its final passage and adoption.

The foregoing Ordinance was PASSED, APPROVED AND ADOPTED at a regular Joint Meeting of the City Council of the City of American Canyon and the Fire District Board held on July 30, 2019 by the following vote:

AYES: Chairman Garcia, Vice-Chair Aboudamous, Board Members Joseph, Leary and Oro

NOES:

ABSENT:

ABSTAIN:



Leon Garcia, Chairman of the Board

ATTEST:

APPROVED AS TO FORM



Glen E. Weeks, District Clerk



William D. Ross, District Counsel