

## ORDINANCE NO. 1589

### ORDINANCE ESTABLISHING A DEVELOPMENT FEE FOR COUNTY FACILITIES

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

Section 1. Chapter 7.86 is hereby added to the Amador County Code as follows.

#### COUNTY FACILITIES DEVELOPMENT FEE FOR NEW DEVELOPMENT PROJECTS IN THE UNINCORPORATED AREA OF THE COUNTY OF AMADOR

##### 7.86.010 Definitions.

- A. "Agency" means any county officer, department, body, commission, or board approving a development project.
- B. "Capital improvement plan" means the capital improvement plan adopted by resolution of the board of supervisors pursuant to Government Code section 66002, including revisions thereto.
- C. "Development project" means any new residential, commercial, agricultural or industrial development which requires the issuance of a permit or approval in any form from the County of Amador, including but not limited to subdivision maps, parcel maps, conditional use permits, and building permits for new construction.
- D. "Fee" means a monetary exaction charged by the county to an applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project.
- E. "Public facilities" means County public improvements, public buildings, public services, and community amenities within Amador County.

##### 7.86.020 Imposition of fee.

Whenever a development project within the unincorporated area of Amador County is approved by any agency, the agency shall impose on said development project a fee pursuant to this chapter in the amount determined by resolution of the Board of Supervisors.

##### 7.86.030 Required determinations.

- A. The purpose of the fee shall be identified at the time of imposition and shall be consistent with this chapter.
- B. The use to which the fee is to be put shall be identified. If the use is the financing of public facilities, the facilities shall be identified.
- C. The agency shall determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.
- D. The agency shall determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

E. The agency shall determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development project on which the fee is imposed.

F. The determinations required by subsections A through E hereof may be made by reference to the capital improvement plan.

**7.86.040 Responsibility for compliance with administration of fee.**

The County agency approving the development project shall be responsible for the collecting and receiving of the fees. The County Auditor shall be responsible for depositing, accounting for and management of the fees.

**7.86.050 Requirement that fee be paid before permit is issued.**

No building permit shall be issued by the County Building Department until a certificate is issued by the agency approving the development project stating that the fee imposed on the development project has been paid.

**7.86.060 Fees not a limitation.**

This chapter and the fees imposed pursuant thereto are not a limitation on exactions or dedications which any agency with jurisdiction over a development may impose as a condition of approval on said development as allowed by law but is a minimum fee imposed on all developments within the unincorporated area of Amador County.


Section 2.

The foregoing ordinance was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 27th day of January 2004, by the following vote:

AYES: Mario Biagi, Richard M. Forster, Rich F. Escamilla, Richard P. Vinson,  
and Louis D. Boitano

NOES: None

ABSENT: None

  
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Chairman, Board of Supervisors

ATTEST:

MARDELL ANDERSON, Clerk of the  
Board of Supervisors, Amador County,  
California

  
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Deputy