



ORDINANCE No. 2412

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

AN ORDINANCE ADDING SUBSECTIONS G-IV 8.18.D. THROUGH F. TO ARTICLE 8 OF CHAPTER IV OF THE GENERAL CODE OF THE COUNTY OF NEVADA ESTABLISHING REGULATIONS FOR THE LEVY, COLLECTION AND ADJUSTMENT OF SOLID WASTE PARCEL CHARGES WITHIN EASTERN NEVADA COUNTY

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

SECTION I:

Subsections G-IV 8.18.D through G-IV 8.18.F of Article 8 of Chapter IV of the General Code of the County of Nevada are hereby added to read as follows:

“Sec. G-IV 8.18 Parcel Charges - Eastern Nevada County

....

D. Levy and Collection

1. The parcel charges as established by this Section shall be imposed as to all improved real property which exists as of January 8, 2016. If any real property is improved (as defined herein) after January 8, 2016, a parcel charge shall be imposed as to such property as of the date of such improvement on a pro-rata basis.
2. Upon the issuance of a building permit or such other activity constituting the “improvement” of the property (as defined herein), a parcel charge shall be calculated and imposed thereon in accordance with the provisions of this Section. The Director of the Department of Public Works shall send the property owner a separate bill reflecting the levy of the parcel charge on any such property and all such bills shall be paid within 30 days of the date of the mailing thereof. Any such bill which is not paid within the allowed 30 days shall be delinquent and shall be subject to the penalties and procedures for collection as set out herein.
3. Unless otherwise provided for herein or by any other law, the parcel charges established under this Section may be billed and collected at the same time and in the same manner as provided for real property taxes and shall incur the same penalties and interest thereon as provided for property taxes, and delinquencies may be enforced and collected in the same manner as for property taxes.

E. Alternative Collection

As an alternative to the provisions of subparagraph B.3 above, at the direction of the Board of Supervisors, or where required by law, the Department of Sanitation shall bill any or all of the parcel charges established by this Section through the use of a separate billing process. In the event that the parcel charges are billed through a separate billing process, the Department may add an additional cost to the bill to cover the cost of using the separate billing, in an amount not to exceed \$2.00 for each bill.

Bills issued under the provisions of this subparagraph may be issued on a semi-annual, quarterly or yearly basis and shall reflect the pro-rata charge for the billing period selected. All bills shall be due and payable within 60 days of the date of issuance thereof. Failure to pay any such bill when due shall result in a 10% administrative fee attaching thereto with interest due thereon at the rate of 1% simple interest per month. The Director shall pursue collection of all delinquent bills in any lawful manner deemed appropriate. Notwithstanding any other provision herein, any bill which has not been timely paid and remains delinquent by June 1st of the fiscal year in which the bill was issued shall remain as a responsibility of the property owner and shall be collected by either placing the charge on the property tax roll for the following fiscal year, as authorized by law, or shall be submitted to the County's Collection Department.

F. Authority to Reduce Parcel Charges and Gate Fees

In the event that the Board of Supervisors is able to reduce the cost of the eastern county solid waste disposal system, the Board of Supervisors reserves the right to proportionately reduce the amount of the parcel charges levied hereunder.”

SECTION II:

Severability. If any provision of this Article or the application thereof to any person or circumstance is held invalid, the remainder of this Article, including the application of such part or provision to other circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Article are severable. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one (1) or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be held unconstitutional, invalid or unenforceable.

This Ordinance shall take effect and be in force at the expiration of thirty (30) days from and after its passage, and it shall become operative on the 14th day of July, 2016, and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the Supervisors voting for and against same in the Union and Sierra Sun, newspapers of general circulation printed and published in the County of Nevada.

PASSED AND ADOPTED by a majority vote of the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 14th day of June, 2016, by the following vote of said Board:

Ayes: Supervisors Nathan H. Beason, Edward Scofield, Dan Miller, Hank Weston, and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By:  _____

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Dan Miller, Chair

5/10/2016 cc: CC*
Union*
Sierra Sun*
GIS*
AC*
QC*
COB*
Sanitation*