



## **ORDINANCE No. \_\_\_\_\_**

### **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

**AN URGENCY ORDINANCE ADDING ARTICLE 9 TO CHAPTER V OF THE NEVADA COUNTY GENERAL CODE IMPOSING A ONE-HALF CENT (0.5%) NEVADA COUNTY WILDFIRE PREVENTION, EMERGENCY SERVICES AND DISASTER READINESS TRANSACTIONS AND USE TAX FOR CRITICAL EMERGENCY SERVICES AND OTHER GENERAL GOVERNMENT USE (4/5 AFFIRMATIVE VOTE REQUIRED)**

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

#### **SECTION I:**

The Board of Supervisors of the County of Nevada makes the following findings:

- A. Of paramount importance to the Nevada County Board of Supervisors and the citizens of Nevada County is the ability to provide countywide emergency services in order to save lives, reduce the threat of wildfires, and improve all-hazards disaster readiness and evacuation safety.
- B. With the recent wildfire and snow events the community has expressed concern about their safety. Therefore, it is vital to the County of Nevada that the County be able to provide sustainable funding to support emergency services in the categories of planning, preparedness, prevention, mitigation, response, and recovery, in addition to other general government services.
- C. The proposed ordinance is an urgency measure which, if adopted by a 4/5ths vote, will become effective immediately. California Government Code section 25123(d) authorizes the Board to adopt an urgency ordinance “for the immediate preservation of the public peace, health, or safety” and pursuant to Government Code section 25131 may be passed immediately upon introduction at a regular or special meeting.
- D. State law authorizes the voters of the County to adopt a general sales tax with a simple majority vote of the electorate pursuant to California Revenue and Tax Code section 7285.
- E. California Elections Code section 9140 permits submission to the voters, without petition, any measure relating to the enactment of an ordinance.
- F. An ordinance adopting a Transactions (Sales) and Use Tax on retail transactions in the unincorporated and incorporated areas of the County of Nevada is appropriate and necessary in order to generate revenue that will be placed in a General Fund for Wildfire Prevention, Emergency Services and Disaster Readiness in addition to other general government services. Further, it is appropriate to submit this ordinance directly to a vote of the electorate.

## SECTION II:

Article 9 is hereby added to Chapter V of the Nevada County Administrative Code to read as shown in Exhibit A.

## SECTION III:

Severability. If any provision of this Section or the application thereof to any person or circumstance is held invalid, the remainder of this Section, 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 Section 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.

## SECTION IV:

Pursuant to California Government Code sections 25123(c) and (d), 25131, and 53723, this ordinance shall be approved by a four-fifths vote of the Board of Supervisors and shall take effect and be in force immediately upon its approval by a majority of the voters voting in the November 8, 2022 general election, with an operative date of April 1, 2023. 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.