

ORDINANCE NO. 8944 (NEW SERIES)

AN ORDINANCE DETERMINING AND PROPOSING FOR  
ADOPTION OF AN ANNUAL SPECIAL BENEFIT TAX FOR STRUCTURAL  
FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES WITHIN  
THE BOUNDARIES OF COUNTY SERVICE AREA 112 – CAMPO

The Board of Supervisors of the County of San Diego do ordain as follows:

Section 1. The Board does hereby determine and propose for adoption an annual special benefit tax for structural fire protection and emergency medical services within the boundaries of County Service Area 112 – Campo of San Diego County, pursuant to Government Code Section 53978, to be levied on a parcel, class of improvement to property, and use of property basis, in amounts not to exceed the following schedule:

<u>Parcel, Class of Improvement to Property, Use of Property</u>	<u>Maximum Special Benefit Tax</u>
RESIDENTIAL	\$65 per single dwelling unit
MULTI-UNIT ATTACHED RESIDENTIAL	\$65 for the first dwelling unit, plus \$12 per additional dwelling unit, per building
COMMERCIAL, INDUSTRIAL	\$100 per building, plus risk factor *
INSTITUTIONAL, RECREATIONAL	\$100 per building, plus risk factor *
AGRICULTURAL BUILDINGS OVER 1,000 SQ. FT.	\$65 per building, plus risk factor *

\* For the purpose of the fire protection tax, standard commercial buildings will be assessed \$100. Establishments with greater risk factors will be assessed by the Fire Chief and assigned a risk factor based on the procedures set forth in the ASTM document “STANDARD PRACTICE FOR ASSESSMENT OF FIRE RISK BY OCCUPANCY CLASSIFICATION”.

For the purpose of the fire protection tax, all single family residences, mobile home units and trailers shall be considered equal and shall not be subject to separate calculation.

There will also be a review each fifth anniversary date, and an adjustment made, in the assessment based on the increase in the Consumer Price Index for the San Diego area determined by the U.S. Department of labor. Maximum increase for each of these reviews will not exceed \$5.

Section 2. Such charges shall be charged to any parcel, improvement, and use of property to which fire protection and emergency medical services may be made available, whether or not such fire protection and emergency medical services are actually used upon such parcel, improvement, or use of property, such tax shall not be imposed upon government owned land.

Section 3. Such charges shall be imposed for the purposes of obtaining, furnishing, operating and maintaining fire protection and emergency medical equipment and apparatus.

Section 4. In fiscal year 1999-2000 and each fifth (5<sup>th</sup>) fiscal year anniversary thereafter, the Board of Supervisors may direct the maximum special benefit tax as stated in Section 1 to be increased by a percentage equal to the percentage increase of the adjusted Consumer Price Index measured between January 1 of the immediately preceding fiscal year and the preceding January 1 as determined for the San Diego area by the U.S. Department of Labor. The maximum increase for each of these reviews will not exceed \$5. Increases greater than the increase of the adjusted Consumer Price Index shall not be made unless they are authorized by a two-thirds vote of voters casting ballots in the year for which such increases are proposed.

Section 5. Pursuant to Government Code Section 53978, the special benefit taxes proposed by this ordinance shall be submitted to the voters within the boundaries of County Service Area 112 – Campo. The ballot proposition shall be worded as provided in the resolution of the Board of Supervisors calling for the election within the County Service Area.

Section 6. This ordinance shall become operative as an ordinance of County Service Area 112 – Campo on July 1, 1999, if the special benefit taxes proposed by this ordinance are approved by two-thirds of the voters voting on the question of the adoption of the special benefit taxes.

Section 7. If the proposition is approved, the Board of Supervisors shall establish schedules varying each of such special benefit taxes according to the value of the benefits to each parcel, improvement, and use of property, and according to the availability of fire suppression equipment, apparatus, and personnel to the affected parcel, improvement and use of property. However, the special benefit taxes shall not exceed the maximum charges set forth in Section 1 hereof.

Section 8. If any portion of this ordinance be declared unconstitutional, invalid or otherwise unenforceable, the other provisions of this ordinance shall remain in full force and effect.

Section 9. Pursuant to Government Code Section 25123, this ordinance is effective immediately as an ordinance relating to an election.

Section 10. Before the expiration of fifteen (15) days after its passage, this ordinance shall be published once with the names of the members voting for and against the same, in San Diego Daily Transcript, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED, AND ADOPTED this 11<sup>th</sup> day of August, 1998.

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