

BEFORE THE BOARD OF SUPERVISORS, COUNTY OF SAN BENITO

AN ORDINANCE OF THE COUNTY OF SAN BENITO) Ordinance No. _____
AMENDING SECTIONS 5.01.259, 5.01.291 AND 5.01.320 OF)
THE SAN BENITO COUNTY CODE REGARDING)
THE TIME FOR PAYMENT OF IMPACT FEES)
_____)

The Board of Supervisors of the County of San Benito ordains as follows:

Section 1. Subdivision (A) of Section 5.01.259 (“Fee Payment”) of Article VII (“Traffic Impact Fees”) of Title 5 (“Finance”) shall be amended to read as follows:

(A) Prior to issuance of a building permit, an applicant shall pay to the building department the fees prescribed by resolution or shall present written evidence that the provisions of this article have otherwise been satisfied with respect to the development for which permits are sought.

Section 2. Subdivision (A) of Section 5.01.291 (“Fee Payment”) of Article VIII (“Fire Mitigation Fees”) of Title 5 (“Finance”) shall be amended to read as follows:

(A) Prior to issuance of a building permit, the applicant for the building permit shall pay to the Director the fees prescribed by resolution, or shall present written evidence that the provisions of this article have otherwise been satisfied with respect to the development for which permits are sought and that the district concurs with this determination that the requirement has been satisfied.

Section 3. Subdivision (A) of Section 5.01.320 (“Fee Payment”) of Article IX (“Capital Improvements Impact Fees”) of Title 5 (“Finance”) shall be amended to read as follows:

(A) Prior to issuance of a building permit, an applicant shall pay to the Building Department the fees prescribed by resolution or shall present written evidence that the provisions of this article have otherwise been satisfied with respect to the development for which permits are sought.

Section 4. General Provisions

A. Severability: If any sentence, subsection, clause, or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the ordinance. The Board of Supervisors hereby declares that it would have enacted this ordinance and each section, subsection, sentences, clauses or phrases thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

B. Captions: The titles and headings to sections of this ordinance are not part of this ordinance and shall have no effect upon the construction or interpretation of any part hereof.

C. Effective Date and Codification: Sections 1, 2 and 3 shall be codified in the San Benito County Code. The remaining sections shall not be codified. This ordinance shall take effect and be in full force and effect thirty (30) days after its final passage.

D. Publication: Within ten (10) days after its adoption, this ordinance shall be published pursuant to California Government Code 6061 in its entirety in a newspaper of general circulation which is printed, published and circulated within San Benito County, or a summary or display ad may be published as allowed by the Government Code.

In regular session of the Board of Supervisors of the County of San Benito, introduced on the 23rd of August, 2016, and adopted this 13th day of September, 2016, on regular roll call of the members of said Board by the following vote:

AYES: Supervisors:
NOES: Supervisors
ABSENT: Supervisors
ABSTAIN: Supervisors

By: _____
Robert Rivas, Chair

ATTEST:
Louis Valdez

APPROVED AS TO LEGAL FORM
Matthew Granger, County Counsel

By: _____

By: _____
Barbara Thompson, Assistant County Counsel

Date: _____

Date: _____