

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TEHAMA  
PROVIDING A PROCEDURE FOR FIXING AND COLLECTING PARCEL CHARGES  
FOR ROAD MAINTENANCE SERVICES WITHIN TEHAMA COUNTY  
PERMANENT ROAD DIVISION 0602 (BYWOOD DRIVE) ON THE TAX ROLL**

THE BOARD OF SUPERVISORS OF THE COUNTY OF TEHAMA ORDAINS AS  
FOLLOWS:

**SECTION 1.** The purpose of this ordinance is as follows: Tehama County Permanent Road Division 0602 (Bywood Drive) is authorized to provide road maintenance services. Article XII D of the California Constitution, Streets and Highways Code section 1179.5, and Government Code sections 53753 and 25210.77a authorize the Board of Supervisors to fix and collect parcel charges for services provided by a Permanent Road Division to pay, in whole or in part, for the cost thereof. Such parcel charges have been duly imposed with Tehama County Permanent Road Division 0602 (Bywood Drive) by the Board of Supervisors by Resolution on January 30, 2007 in accordance with the aforementioned provisions of law. The aforementioned provisions of law further authorize the Board to collect such parcel charges on the tax roll by adopting an Ordinance providing a procedure therefore.

**SECTION 2.** The parcel charges heretofore imposed by the Board of Supervisors by Resolution for road maintenance services within Tehama County Permanent Road Division 0602 (Bywood Drive) may be modified or amended by Resolution of the Board of Supervisors, subject to provisions of Article XIII D of the California Constitution. Such charges shall be reviewed annually and shall be fixed by substantially the following procedure:

- (a) A budget shall be imposed for the fiscal year, consistent with the Resolution imposing parcel charges, specifying the total amounts required to provide the specified level of road maintenance services to be funded by parcel charges.
- (b) The total amounts required to provide the specified level of road maintenance services shall be divided by the number of parcels depicted in the Resolution imposing parcel charges.
- (c) The amount obtained from this calculation shall be the parcel charge fixed for each parcel depicted in the Resolution imposing parcel charges.
- (d) The parcel charge per parcel shall be fixed accordingly by Resolution adopted by the Board of Supervisors.

### SECTION 3.

- (a) Once a year, the Road Commissioner, on behalf of the Board of Supervisors, shall prepare a written report containing a description of each parcel of real property within Tehama County Permanent Road Division 0602 (Bywood Drive) receiving road maintenance services and the amount of parcel charge for each parcel for such year computed in conformity with the procedure set forth in this Ordinance. Such report shall be filed with the Clerk of the Board of Supervisors.
- (b) Upon filing of such report, the Clerk shall fix a time, date, and place for hearing thereon and for filing objections or protests thereto. The Clerk shall publish notice of such hearing as provided in Government Code Section 6066, prior to the date set for hearing, in a newspaper of general circulation printed and published in the County.
- (c) At the time, date, and place stated in the notice, the Board of Supervisors shall hear and consider all objections or protests, if any, to the report and may continue the hearing from time to time. Upon conclusion of the hearing, the Board of Supervisors may adopt, review, change, reduce or modify any charge and shall make its determination upon each charge as described in the report and, thereafter, by Resolution, shall confirm the report. Any change that increases the levy to property owners beyond that set forth in the Resolution imposing parcel charges shall be submitted to property owners for approval in accordance with Article XIII D of the California Constitution. Upon approval, the increased charge may be implemented. In all cases, the report, as confirmed by the Board of Supervisors, shall be transmitted to the Auditor no later than August 10 of the fiscal year in which charges shall apply.
- (d) Parcel charges set forth in the report, as confirmed, shall appear as a separate item on the tax bill. The parcel charges shall be collected at the same time and in the same manner as ordinary County ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for such taxes. All laws applicable to the levy, collection, and enforcement of County ad valorem property taxes shall be applicable to such charge except that if the real property to which such charge relates has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, prior to the date on which the first installment of such taxes would become delinquent, then the charge confirmed pursuant to this section shall not result in a lien against such real property but instead shall be transferred to the unsecured roll for collection.

