

**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.

SECTION 4. For the 2007-2008 fiscal year, the Resolution imposing parcel charges shall be deemed to be the written report required by Government Code section 25210.77a and this Ordinance. The proceedings for adoption of the Resolution and the imposition of parcel charges, including the notice and hearing thereon, are hereby determined to be in compliance with the requirements of Government Code section 25210.77a and this Ordinance. The parcel charges set forth in the Resolution for the 2007-2008 fiscal year are hereby confirmed as set forth in Government Code section 25210.77a and this Ordinance. The Resolution imposing parcel charges shall be transmitted to the Auditor no later than August 10, 2007. The parcel charges set forth therein for the 2007-2008 fiscal year shall thereafter be collected as set forth in Section 3(d) of this Ordinance.

SECTION 5. If any section, subsection, sentence, phrase or clause of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance. The Board of Supervisors here declares that it would have adopted the Ordinance and such remaining portions despite the fact that one or more sections, subsections, phrases, or clauses be declared invalid.

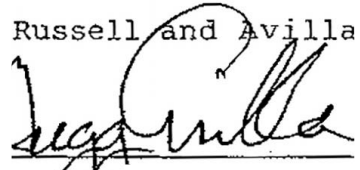
SECTION 6. This Ordinance shall take effect thirty (30) days from the date of its adoption, and prior to the expiration of fifteen (15) days from the adoption thereof shall be published at least one time in the Red Bluff Daily News, a newspaper of general circulation in Tehama County.

The foregoing Ordinance was duly passed and adopted by the Board of Supervisors of the County of Tehama, State of California, at a regular meeting of the Board of Supervisors on the 27th day of March 2007 by the following vote:

AYES: Supervisors Warner, Williams, Willard, Russell and Avilla

NOES: None

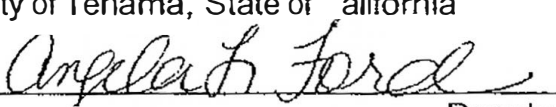
ABSENT OR NOT VOTING: None


CHAIRMAN Board of Supervisors

STATE OF CALIFORNIA)
) ss
COUNTY OF TEHAMA)

I, BEVERLY ROSS, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California, hereby certify the above and foregoing to be a full, true and correct copy of an ordinance adopted by said Board of Supervisors on the 27th day of March 2007.

DATED: This 2nd day of April 2007.

BEVERLY ROSS, County Clerk and ex-officio
Clerk of the Board of Supervisors of the
County of Tehama, State of California
by 
Deputy