

ORDINANCE NO. 749
(AS AMENDED THROUGH 749.1)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 749
ESTABLISHING A SURCHARGE TO APPLY TO ALL FEES AND CHARGES COLLECTED
UNDER ORDINANCE NO. 457 RELATING TO BUILDING REQUIREMENTS AND
ORDINANCE NO. 671 RELATING TO CONSOLIDATED
FEES FOR LAND USE AND RELATED FUNCTIONS

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. TITLE. This ordinance shall be known as the Land Management System Fee Surcharge Ordinance.

Section 2. PURPOSE. This ordinance establishes a fee Surcharge that is to be applied to all other fees or charges under the authority of Riverside County Ordinance Nos. 457 and 671. The Surcharge shall be utilized to support necessary software and hardware lease payments, communications, and systems maintenance costs for the "Land Management System" or "LMS".

Section 3. AUTHORITY. This ordinance is authorized and enacted under the provisions of Government Code Section 66014 et seq.

Section 4. FINDINGS. In enacting this ordinance, the Board of Supervisors finds and determines:

- (a) The LMS is necessary for the accurate and efficient processing and accounting of property development related entitlements and permits, and fees or charges thereon, within Riverside County.
- (b) The Surcharge established herein is a reasonable means of providing partial payment for the LMS.
- (c) The Surcharge, in combination with all other fees and charges to which it is applied, does not exceed the estimated reasonable cost of providing the services for which the Surcharge and fees are charged.
- (d) The Surcharge is a proper element of the cost of providing services under the authority of Riverside County Land Development Ordinances, Ordinance Nos. 457 and 671, and those other ordinances, resolutions, and rules mentioned therein, pursuant to federal Office of Management and Budget Circular A-87.

Section 5. AMOUNT AND APPLICATION OF THE SURCHARGE. It is hereby established that a surcharge in the amount of two percent (2.0 %) ("Surcharge") shall be applied and charged against each and every fee or charge due on and after the date that this ordinance takes effect and collected under the authority of Ordinance Nos. 457 and 671 as then in effect and as from time to time amended thereafter.

Section 6. ACCOUNTING AND ADMINISTRATION. The Surcharge shall be computed and collected, or refunded when otherwise indicated, at the time that payment or refund of any fee or charge under authority of Ordinance Nos. 457 and 671 is made to or by the County of Riverside. The Surcharge shall be deposited and maintained in a separate account established through the County Auditor-Controller. An annual accounting of the amount of Surcharge collected and appropriated from year to year, and a report of the LMS payment progress and

status to date, shall be made and presented to the Board of Supervisors in concert with the County's annual budget. When the need for the Surcharge has become materially changed or satisfied, the TLMA shall so notify the Board of Supervisors and make its recommendation as to whether this ordinance should be amended or repealed.

Section 7. SEVERABILITY. If any provision, clause, sentence, or paragraph of this ordinance, or the application thereof to any person, entity, or circumstances, shall be held invalid, such invalidity shall not affect the other remaining provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 8. EFFECTIVE DATE. This ordinance shall take effect 60 days after adoption.

Adopted: 749 Item 12.5 of 12/06/1994 (Eff: 02/04/1995)

Amended: 749.1 Item 9.4 06/08/2004 (Eff: 08/07/2004)