

ORDINANCE NO. G-8570

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF KERN, STATE OF CALIFORNIA, ESTABLISHING THE SCHEDULE OF SOLID WASTE MANAGEMENT PROGRAM SERVICE CHARGES (LAND USE FEES) FOR FISCAL YEAR 2015-2016 FOR RESIDENTIAL PROPERTY

The following Ordinance, consisting of four (4) Sections, was duly and regularly passed and adopted by the Board of Supervisors of the County of Kern, State of California, at a regular meeting of the Board of Supervisors held on the 2nd day of June, 2015, by the following vote, to wit:

AYES: Gleason, Scrivner, Maggard, Couch, Perez
NOES: None
ABSENT: None



Chairman, Board of Supervisors
County of Kern, State of California

(SEAL)

ATTEST:

KATHLEEN KRAUSE
Clerk of the Board of Supervisors



Deputy Clerk



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

Section 1. This Ordinance shall take effect and be in full force on and after the 3rd day of July, 2015, and a summary of the Ordinance shall be published once in *The Bakersfield Californian*, a newspaper of general circulation published in the County of Kern, State of California, together with the names of the members of the Board of Supervisors voting for and against the same.

Section 2. The following is enacted as an Ordinance of the County of Kern:

**ESTABLISHMENT OF SOLID WASTE MANAGEMENT PROGRAM
SERVICE CHARGES (LAND USE FEES) SCHEDULE FOR
FISCAL YEAR 2015-2016 FOR RESIDENTIAL REAL PROPERTY
AND CONFIRMATION OF SERVICE CHARGES**

1. All the parcels of real property located within the County of Kern, including all residential property, are hereby classified according to their use, in accordance with the "Use Codes" developed and maintained by, and on file with, the Waste Management Department. The use to which each parcel of real property is put is determined and declared to be the use described in the records and files developed and maintained by, and on file with, the Waste Management Department. For the purpose of any charge imposed under this Ordinance, all properties with the same Use Code are deemed to be equally benefited.

2. For the purposes of this Ordinance and the Ordinance establishing the schedule of Solid Waste Management Service Charges for non-residential property (Gate Fees) and governing disposal of solid waste at County waste facilities (Kern County Ordinance G-6945 and subsequent amendments thereto), all parcels of real property in Kern County are determined and declared to be either residential real property or non-residential real property. All parcels of real property classified under the Use Codes listed in the *Schedule of Solid Waste Management Program Service Charges (Land Use Fees) for Fiscal Year 2015-2016 for Residential Real Property* set forth below (following Section 2) are hereby determined and declared to be residential real property. All parcels of real property which are not classified under the Use Codes listed in the *Schedule of Solid Waste Management Program Service Charges (Land Use Fees) for Fiscal Year 2015-2016 for Residential Real Property* set forth below (following Section 2) are hereby determined and declared to be non-residential real property.

3. Pursuant to Kern County Ordinance G-5584 and subsequent amendments thereto, although excepting all non-residential parcels of real property in the County of Kern which will be charged equivalent Solid Waste Management Program Service Charges in accordance with Kern County Ordinance G-6945 and subsequent amendments thereto, the *Schedule of Solid Waste Management Program Service Charges (Land Use Fees) for Fiscal Year 2015-2016 for Residential Property* described below (following Section 2) is hereby established. Said schedule of fees shall become effective July 1, 2015.

4. A written Report containing a description of each parcel of real property benefiting from the solid waste management services and facilities provided by the County of Kern and the amount of each service charge for each parcel of residential real property for the 2015-2016 Fiscal Year (July 1, 2015 through June 30, 2016), computed in conformity with the *Schedule of Solid Waste Management Program Service Charges (Land Use Fees) for Fiscal Year 2015-2016 for Residential Real Property* set

forth herein, has been prepared by the Waste Management Department and filed with the Clerk of the Board of Supervisors.

5. A properly noticed hearing has been held, all objections or protests heard and considered; all objections are overruled; and the Report is approved and adopted.

6. Each parcel of residential real property within Kern County is hereby assessed a service charge, in the amount shown below in the *Schedule of Solid Waste Management Program Service Charges (Land Use Fees) for Fiscal Year 2015-2016 for Residential Real Property*, that corresponds to the Use Code of the particular parcel of residential real property. Each and every such service charge is hereby confirmed.

7. The Clerk of the Board of Supervisors is directed to file with the Auditor-Controller-County Clerk a copy of the Report, with a statement endorsed on the report over the signature of the Clerk of the Board of Supervisors that the Report has been approved and adopted by the Board of Supervisors, and the Auditor-Controller-County Clerk is directed to enter the amounts of the service charges against the respective lots or parcels of residential real property as they appear on the assessment roll. In accordance with the collection procedures set forth in Kern County Ordinance G-5584 and subsequent amendments thereto, these service charges shall be collected at the same time and manner as general taxes for the County of Kern.

8. Notwithstanding the above described direction to collect the service charges for residential real property at the same time and manner as the general taxes for the County of Kern, the Director of the Waste Management Department and the Treasurer-Tax Collector are otherwise authorized and directed to undertake all appropriate actions necessary to collect such charges.

9. This Board hereby certifies that this fee complies with the provisions of Article XIID of the California Constitution.

10. If any portion of this Ordinance is held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SCHEDULE OF SOLID WASTE MANAGEMENT PROGRAM
SERVICE CHARGES (LAND USE FEES) FOR FISCAL YEAR 2015-2016
FOR RESIDENTIAL REAL PROPERTY**

<u>Use Code</u>	<u>Description</u>	<u>Annual Service Charge</u>
0097	Licensed Mobile Home	\$82.89
0098	Two Residences (Mobile Home)	\$165.78
0099	Mobile Home	\$82.89
0100	Single Family Residence	\$82.89
0101	Single Family Residence	\$82.89

<u>Use Code</u>	<u>Description</u>	<u>Annual Service Charge</u>
0102	Single Family Residence	\$82.89
0103	" "	" "
0104	" "	" "
0105	" "	" "
0106	" "	" "
0107	Single Family & 1 Mobile Home	\$165.78
0108	Single Family & 2 Mobile Homes	\$248.67
0180	Mobile Home	\$82.89
0181	" "	" "
0182	" "	" "
0183	" "	" "
0186	Multiple Mobile Homes	\$165.78
0189	Multiple Mobile Homes	\$165.78
0190	Mobile Home	\$82.89
0191	" "	" "
0192	" "	" "
0193	" "	" "
0196	" "	" "
0198	Multiple Mobile Homes	\$165.78
0199	Multiple Mobile Homes	\$165.78
0200	Two Residences	\$165.78
0201	Two Residences	\$165.78
0207	Two Residences & 1 Mobile Home	\$248.67
0300	Three Residences	\$248.67
0301	" "	" "
0302	" "	" "
0390	" "	" "
0400	Four Residences	\$331.56
0401	" "	" "
0402	" "	" "
0403	" "	" "
0404	" "	" "
0407	Four Residences & 1 Mobile Home	\$66.30*
0500	Apartments (5 to 9 Units)	\$66.30*
0501	Apartments (10 to 20 Units)	\$66.30*
0502	Apartments (21 to 30 Units)	\$66.30*
0503	Apartments (31 & Over Units)	\$66.30*
0504	Five or More Residences on one parcel	\$66.30*
0600	Condominium	\$66.30
0602	Co-op Housing	\$82.89
0603	Single Family Residence	\$82.89
0700	Single Family Residence	\$82.89

<u>Use Code</u>	<u>Description</u>	<u>Annual Service Charge</u>
1027	Mobile Home	\$82.89
1201	Residence/Office	\$82.89*
1203	Residence/Store	\$82.89*
2900	Mobile Home Park	\$66.30*
2990	Multiple Use	\$66.30*
4001	Single Family Residence	\$82.89
4002	Two Residences	\$165.78
5001	Single Family Residence	\$82.89
5002	Two Residences	\$165.78
5007	Mobile Home, 20 acres or more	\$82.89
5008	Mobile Home, 20 acres or more, two or more Mobile Homes	\$82.89*
9000	Residential Possessory Interest (Federal)	\$82.89
9002	Rural	\$82.89
9010	Residential Possessory Interest (State)	\$82.89
9020	Residential Possessory Interest (County)	\$82.89
9030	Residential Possessory Interest (City)	\$82.89
9040	Other Possessory Interest (Not covered above)	\$82.89
9200	Residential Improvements (Unsecured)	\$82.89
9202	Rural Improvements (Unsecured)	\$82.89

* The per parcel service charge shall be based on the number of units per parcel multiplied by the designated rate shown.

Section 3. At properly noticed public hearings held pursuant to Kern County Ordinance G-5584 and subsequent amendments thereto, the Kern County Board of Supervisors (Board) may approve future annual increases in the Schedule of Solid Waste Management Program Service Charges based on the percentage increase in the Consumer Price Index (CPI). The *Los Angeles, Riverside and Orange Counties All Items Consumer Price Index For All Urban Consumers* will be the index used to determine the CPI adjustment. At such public hearings, the Board may approve annual percentage increases in the Schedule of Solid Waste Management Program Service Charges in an amount no greater than the percentage increase in the prior calendar year's annual average increase in the CPI. However, for Solid Waste Management Program Service Charges billed on the tax roll, no annual increase in the Schedule of Solid Waste Management Program Service Charges in excess of the CPI increase or five percent (5%), whichever is less, may be approved by the Board without a properly noticed protest hearing held pursuant to Section 6 of Article XIID of the California Constitution.

Section 4. This Ordinance shall supersede and replace Kern County Ordinance G-8482.

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Auditor; TTC
6/4/2015 <i>Lu</i>