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## **ORDINANCE NO. 5224**

### **AN UNCODIFIED ORDINANCE AMENDING ORDINANCE 5213, EL DORADO COUNTY SCHEDULE OF FEES AND CHARGES FOR THE PLANNING AND BUILDING DEPARTMENT**

**WHEREAS**, pursuant to Government Code Sections 54985 and 66016 and County Ordinance Code Section 1.04.260, the Board of Supervisors of El Dorado County (Board) has established rates, charges, and fees for certain activities; and

**WHEREAS**, once established, any rates, charges, or fees established by the County pursuant to the regulations or requirements established herein may be changed from time to time by the Board; and

**WHEREAS**, on October 24, 2023, the Board adopted Ordinance 5185, which established the Planning and Building Department Fee Schedule, including for the Airports and Cemeteries Division, and includes charges and fees attached as Exhibit A, B, and C; and

**WHEREAS**, on July 1, 2024, the Airports and Cemeteries Division was transferred from the Planning and Building Department to the Chief Administrative Office; and

**WHEREAS**, on December 10, 2024, the Board adopted Ordinance 5213, which established the Planning and Building Department Fee Schedule and includes charges and fees attached and incorporated by reference as Exhibit A and C, and removed Exhibit B entitled "AIRPORTS DIVISION FEE SCHEDULE," and establishing Airports fees by separate Resolution; and

**WHEREAS**, the Board now desires to remove the Cemetery Division fee schedule from Ordinance 5213 and update several Planning and Building fees contained in Exhibit A of Ordinance 5213.

**NOW, THEREFORE**, the Board of Supervisors of the County of El Dorado ordains as follows:

**Section 1.** Ordinance No. 5213, entitled "An Ordinance Adopting the El Dorado County Schedule of Fees and Charges for the Planning and Building Department," is hereby amended to remove Exhibit C "CEMETERIES DIVISION FEE SCHEDULE" and any related references to the Cemeteries Division Fee Schedule. The Cemeteries Division Fee Schedule shall be readopted via new Resolution of the Board.

**Section 2.** The "Planning and Building Department Fee Schedule" includes the proposed charges and fees attached hereto and incorporated herein by reference as Exhibit A on file with the Clerk of the Board is hereby adopted. Any conflict between prior ordinances or resolutions and this Ordinance shall be resolved in favor of the latter. All other provisions of Ordinance No. 5213, including any existing fees not amended by this Ordinance, shall remain in full force and effect.

**Section 3.** The Board of Supervisors hereby finds that this Ordinance is not a Project within the meaning of California Environmental Quality Act because it would establish a government funding mechanism or other fiscal activity within the meaning of CEQA Guidelines Section 15378(b)(4) and even if it were a Project CEQA would not apply to it because this Ordinance modifies and approves rates and fees within the meaning of Public Resources Code §21080(b)(8)(A-D) and 14 CCR §15273(a)(1-4).

**Section 4.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

**Section 5.** This Ordinance shall become effective as follows:

- The removal of Exhibit C "CEMETERIES DIVISION FEE SCHEDULE" shall be operative upon the effective date of the new Board resolution readopting the Cemeteries Division Fee Schedule.
- The new and updated fees in Exhibit A shall become effective sixty (60) days from final adoption of this Ordinance with the following exceptions:
  - Fees for "Code Enforcement" shall be effective thirty (30) days from final adoption.
  - Fees for "Vacation/Home Hosted Rental" shall be effective 30 days from final adoption and interim fees in place under Resolution 164-2023 shall remain applicable until that time.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 25th day of February, 2025, by the following vote of said Board:

ATTEST

Kim Dawson

Clerk of the Board of Supervisors

By: 

Deputy Clerk

Ayes: Turnboo, Laine, Ferrero, Veerkamp

Noes: None

Absent: Parlin

Chair, Board of Supervisors

APPROVED AS TO FORM

DAVID LIVINGSTON

COUNTY COUNSEL

By: 

Title: Deputy County Counsel