



## Legislation Details (With Text)

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**Title:** Chief Administrative Office recommending the discussion of a Resolution regarding permit fee waivers for property owners affected by the Sand Fire, which is consistent with the action taken after the State of Emergency declared by the State of California for the Angora Fire.

**FUNDING:** General Fund.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. A - Draft Sand Fire Fee Waiver Resolution 08/26/14, 2. B - Examples of Potential Fees for Reconstruction 08/26/14, 3. C - Residential Permit Fee Worksheet 08/26/14, 4. D - Angora Staff Report 08/26/14, 5. Resolution 143-2014 (BOS 8-26-14)

Date	Ver.	Action By	Action	Result
8/26/2014	1	Board of Supervisors	Approved	Pass

Chief Administrative Office recommending the discussion of a Resolution regarding permit fee waivers for property owners affected by the Sand Fire, which is consistent with the action taken after the State of Emergency declared by the State of California for the Angora Fire.

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### Fiscal Impact/Change to Net County Cost

The Development Services Division estimates the potential loss of permit revenue that would otherwise be received through building permits for rebuilding the eight single family homes and approximately 50 other structures at an estimated \$55,000. However, this income was not anticipated in the department's revenue projections, so it should not affect its budget.

### Background

The Sand Fire began on Friday, July 25, west of the town of Plymouth. Governor Brown declared a State of Emergency on August 2, 2014 due to a number of fires in the State, including the Sand Fire. As of Thursday, August 15, eight (8) permitted single family residences and approximately fifty (50) structures have been confirmed destroyed. The Building Inspection Division is still researching permits on a few additional affected properties, so that number may increase. The fire was brought under containment as of August 4, 2014.

As a result of the Sand Fire, serious health and safety hazards exist from fire debris. The Environmental Management Division has been working with different agencies to expedite the removal of debris so that residents can rebuild on their parcels. A number of additional County Departments have worked to streamline or coordinate assistance within their service areas for the

victims of the Sand Fire as well.

This agenda addresses the option for the Board to waive building permit and related fees. Per Section 15.16.020 of the El Dorado County Ordinance Code, all matters pertaining to building permit fees are established by resolution of the El Dorado County Board of Supervisors. The attached resolution provides for a waiver of all County permit fees associated with repairing or rebuilding the equivalent square footage of the previously existing, permitted, and damaged homes and structures within the burn area of the Sand Fire. Property owners would be responsible for paying all fees due on any additional square footage.

The 2013-14 Grand Jury Report included a critique of the Board's past use of fee waivers, including for victims of the Angora Fire. The Grand Jury found that fee waivers should be either provided for all or none, not situation-specific. For example, fee waivers for building permits should have been given to all victims of fires, not just those of the Angora Fire. In addition, the Grand Jury found that a public purpose was not provided to warrant waiving fees. However, it seems the resolution for the Angora Fire fee waiver includes an public purpose 'Whereas' clause. In addition, Section 15.16.020 of the El Dorado County Ordinance Code provides to the Board of Supervisors the right over fee matters by resolution, which can include resolutions authorizing waivers of fees in specific situations.

### **Reason for Recommendation**

Providing fee waiver for those rebuilding after the aftermath of the Sand Fire will encourage quick demolition, cleanup, and rebuilding of affected properties. It is in the public interest to ensure properties affected by the Sand Fire return to safe, livable conditions as quickly as possible.

### **Contact**

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