

RESOLUTION NO. _____

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF YOLO COUNTY
AUTHORIZING AMENDMENTS TO THE 2016/2017 MASTER FEE RESOLUTION**

WHEREAS, the Board of Supervisors of Yolo County ("Board") has authority to establish and change certain fees or service charges subject to legal requirements; and

WHEREAS, the Board has determined to exercise this authority by adopting the Yolo County Master Fee Schedule for 2016-17 through Resolution No. 16-68 on July 26, 2016; and

WHEREAS, certain fees related to the cultivation of medical marijuana were not addressed in the Master Fee Schedule adopted on July 26, 2016; and

WHEREAS, Chapter 20 of Title 5 of the Yolo County Code implements State law by regulating the cultivation of medicinal marijuana; and

WHEREAS, Section 5-20.07(G)(1) of the Yolo County Code requires any qualified patient or other entity cultivating marijuana within the unincorporated area of Yolo County to register that cultivation with the Yolo County Department of Agriculture; and

WHEREAS, the Yolo County Department of Agriculture will incur actual and reasonable costs in receiving and processing such registrations; and

WHEREAS, Section 5-20.07(G)(2) of the Yolo County Code provides that the County Board of Supervisors may establish and adopt by resolution fees for such registration in accordance with all applicable legal requirements; and

WHEREAS, Section 5-20.10(C) of the Yolo County Code provides that property owners shall be responsible for paying all of the County's abatement and administrative costs incurred in the abatement of any nuisance on their property as set forth in Chapter 20 of Title 5 of the Yolo County Code; and

WHEREAS, the County of Yolo will incur actual and reasonable costs in abating public nuisances; and

WHEREAS, establishment of such fees is a proper exercise of the County's police powers under article XI, section 7 of the California Constitution;

WHEREAS, the fees set forth in Exhibit 1, Attachment B do not exceed the estimated reasonable cost of administering and enforcing the regulation for which the fees are levied; and

WHEREAS, notice of the time and place of the November 22, 2016 meeting was mailed at least fourteen (14) days prior to the meeting to any interested party who filed a request with this Board for mailed notice of the meeting on renewal or increased fees or services charges; and

WHEREAS, the notice for the November 22, 2016 meeting included a general explanation of the matter to be considered, and a statement that the data required by applicable law is available; and

WHEREAS, public notice of the November 22, 2016 meeting hearing on the proposed fee changes was published in the Davis Enterprise on November 11 and November 16, 2016; and

WHEREAS, at least ten (10) days prior to the November 22, 2016 meeting, supporting documentation was available to the public indicating the amount of the cost, or estimated cost, required to provide the service for which the fees and charges are levied and the revenue sources anticipated to provide the services, including General Fund revenues.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Yolo as follows:

1. That the Board of Supervisors finds that the amounts set forth in this Resolution are reasonably necessary to recover the costs of providing the services described and that the costs imposed by such fees are fairly apportioned so that charges allocated to any payor will bear a fair and reasonable relationship to the payor's burdens on or benefits from the services performed by the County of Yolo. The Board of Supervisors further finds that these fees are imposed for a specific government service provided directly to the payor that is not provided to those not charged, and do not exceed the reasonable costs to the County of providing the service;
2. Based on the above Recitals, the changes to the 2016-17 Yolo County Master Fee Schedule, as set forth in Exhibit 1, Attachment B, are hereby adopted;
3. The adopted changes to the 2016-17 Master Fee Resolution apply only to the fees provided for in Chapter 20 of Title 5 of the Yolo County Code and supersede all inconsistent prior fees and charges;
4. The fees set forth in the attached Exhibit 1, Attachment B shall become effective immediately;
5. This Resolution shall supersede the 2016-17 Yolo County Master Fee Schedule only as to those fees amended herein; and

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6. The County Administrator is hereby authorized and directed to take the steps necessary to assure distribution and public availability of the 2016-17 Master Fee Schedule as previously adopted and amended herein.

PASSED AND ADOPTED by the Board of Supervisors of the County of Yolo, State of California, this 22nd day of November 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Jim Provenza, Chair Board of
Supervisors
County of Yolo, State of California

Attest:
Julie Dachtler, Deputy
Clerk Board of Supervisors

Approved as to Form:
Philip J. Pogledich, County Counsel

By: _____
Deputy (Seal)

By: Hope P. Welton
Hope P. Welton, Senior Deputy