



RODEO-HERCULES FIRE PROTECTION DISTRICT
1680 REFUGIO VALLEY ROAD, HERCULES, CALIFORNIA 94547
(510) 799-4561 FAX: (510) 799-0395

ORDINANCE #2024-01

AN ORDINANCE OF THE RODEO-HERCULES FIRE PROTECTION DISTRICT ADOPTING ENGINEERING/PLAN REVIEW, CODE ENFORCEMENT AND PERMITTING FEES

WHEREAS, the Rodeo Hercules Fire Protection District (“District”) reviews building plans and permit applications for compliance with applicable law, including the Fire Code; and

WHEREAS, the Rodeo Hercules Fire Protection District (“District”) inspects businesses and reviews plans for safety and for compliance with applicable law, including the Fire Code; and

WHEREAS, California Health and Safety Code §13916 authorizes the District to adopt a fee or charge to recover the District’s cost of providing a service; and

WHEREAS, the District desires to adopt permit, plan review, inspection, code enforcement, nuisance alarm, response and standby fees, and the amount of such fees or charges will not exceed the cost to the District to perform those services; and

WHEREAS, the District held a duly noticed public hearing to consider the proposed fees on March 13, 2024, at which time all interested parties had the opportunity to be heard.

NOW, THEREFORE, the Board of Directors of the Rodeo-Hercules Fire Protection District does **ORDAIN** as follows:

SECTION I. RECITALS.

The above recitals are hereby declared to be true and correct findings of the Board of Directors of the Rodeo-Hercules Fire Protection District.

SECTION II. AUTHORITY.

This ordinance is enacted, in part, pursuant to California Health and Safety Code §§13910, 13146.2(b), 13217(b), 13869, 13871, 13916(a), 13916(b) and 17951 and Government Code § 6103.7 and article 7 (25120 et seq.) and Ordinance Number 2022-01 (adoption of the 2022 California Fire Code).

SECTION III. FEE ADOPTION.

The Board of Directors of the Rodeo-Hercules Fire Protection District do hereby adopt the fees set forth herein and made a part hereof as Exhibit A and Exhibit B. Each person that applies for, requests or receives a permit, plan review, code enforcement or other service provided by the District shall at the time of such application or request, pay the applicable fee or fees listed in Exhibit “A” Engineering/Plan Review and at time of service pay the applicable fee or fees listed in Exhibit “B” Code Enforcement. An application or request for Engineering/Plan Review is not deemed complete until such times as the applicable fee or fees are paid to the District. As used in this Section, the term “person” means any natural person, firm, association, joint venture, joint stock company, partnership, organization, club, company, corporation, trust or other type of entity.

SECTION IV. ANNUAL CPI INCREASE

Beginning with fiscal year 2024-2025 and for each fiscal year thereafter, the maximum amount of any fee increase set forth in herein shall be the percentage by which the Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-San Jose area published by the Bureau of Labor Statistics of the United States Department of Labor, or any successor to that index, increased in the twelve months prior to March of the calendar year in which the adjustment is made. In no event shall the fees for any year be less than the amount established for the preceding year.

SECTION V. ANNUAL INCREASE FOR SERVICES

Beginning with fiscal year 2024-2025 and for each fiscal year thereafter, costs for providing services including but not limited to consultant services may be reviewed and recovered by the District for any services described herein.

SECTION VI. ANNUAL FEES; PUBLIC HEARING

The Board of Directors may annually analyze and assess the fees to determine increases. Changes to fees shall be accomplished in accordance with applicable law.

SECTION VII. NOTICE AND HEARING.

This ordinance was adopted after a duly noticed public hearing pursuant to the procedures set forth in California Government Code §66016, 66017 and 66018 and California Health and Safety Code §13916.

SECTION VIII. SEVERABILITY

If any fee or provision of this ordinance is held invalid or unenforceable by a court of competent jurisdiction, that holding shall not affect the validity or enforceability of the remaining fees or provisions, and the Board declares that it would have adopted each remaining part of this ordinance irrespective of any such invalidity.

SECTION IX. EFFECTIVE DATE.

This ordinance becomes effective 60 days after its passage. Within 15 days after its passage, this ordinance shall be published once with the names of the directors voting for and against it in the Contra Costa Times, or other newspaper published in the County and/or the District.

PASSED ON March 13, 2024 by the following vote:

AYES: 5

NOES: 0

ABSENT: 0

ABSTAIN: 0

ATTEST:

Kimberly Corcoran
Kimberly Corcoran, Clerk of the Board