

**ARCATA FIRE PROTECTION DISTRICT**

631 NINTH STREET, ARCATA, CA 95521-6204

(707) 825-2000 FAX: (707) 822-7951

**ORDINANCE No. 06-12**

**AN ORDINANCE OF THE ARCATA FIRE PROTECTION DISTRICT  
ESTABLISHING A BENEFIT ASSESSEMENT TO FINANCE FIRE  
PROTECTION AND PREVENTION SERVICES**

**WHEREAS**, The Arcata Fire Protection District is unable to provide adequate Fire Protection and Prevention Services within the District with existing financial resources: and

**WHEREAS**, additional funds are necessary to provide an adequate level of service to the property within the Arcata Fire Protection District: and

**WHEREAS**, The Board of Directors of the Arcata Fire Protection District, pursuant to the requirements of Article XIID of the California State Constitution, has submitted the matter to the property owners of the District: and

**WHEREAS**, the number of ballots submitted in favor of the Benefit Assessment exceeded the number of ballots in opposition,

**NOW, THEREFORE**, The Board of Directors of the Arcata Fire Protection District ordains as follows:

Section 1: This ordinance and the Benefit Assessment authorized herein is adopted by The Arcata Fire Protection District ("District") pursuant to Article XIID of the California State Constitution and Government Code sections 50078 and 53753, et seq.

Section 2: The express purpose for which this Benefit Assessment is levied is to establish a stable source of supplementary funds to obtain, furnish, operate and maintain fire suppression equipment or apparatus, or for the purpose of paying the salaries and benefits of firefighting and prevention personnel, or both, whether or not fire suppression or prevention services are actually used by or upon a parcel, improvement, or property.

Section 3: Any funds collected from the Benefit Assessment authorized by this ordinance shall be expended only for such fire suppression and prevention services within the District. Any unexpended funds raised by the assessment remaining at the end of the year shall be carried over for the same purpose in the next fiscal year.

Section 4: On July 20, 2006, The District Board of Directors ("Board") conducted a public hearing upon the establishment of the Benefit Assessment levied by this ordinance. Of the ballots received prior to the end of the public hearing, the number of ballots in opposition did not exceed the number of ballots in favor.

Section 5: The following units of benefit per year shall be assessed on all real property parcels within the boundaries of the District that have special benefit conferred upon them. Each unit of benefit shall not exceed Twenty-Two dollars (\$22.00) per year. The Board shall from time to time establish, by resolution, benefit charges assessed on all real property parcels of the District, subject to the maximum value of per unit of benefit shown above.

The above unit(s) of benefit attributed to each described land use type (shown in Attachment 'A') based on the type of use of the property and a risk classification of the structures or other improvements on, or the use of, the property. Risk classifications were determined upon consideration of, but not limited to, the factors set forth in section 50078.2 of the Government Code.

Section 6: The Benefit Assessment shall be collected, beginning with the 2006-2007 fiscal year, in the same manner and subject to the same penalties as, or with, other charges and taxes fixed and collected by Humboldt County on behalf of the District. The County may deduct its reasonable costs incurred for such service before remittal of the balance to the District.

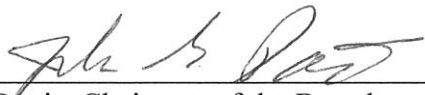
Section 7: Each property owner in the District shall, within thirty (30) days after the mailing of the notice of the Benefit Assessment bill for that fiscal year, have the right to file a written appeal with the District protesting the levy of such Benefit Assessment. The filing of an appeal is not grounds for failing to timely pay the amount of assessment specified as due of the assessment bill. If the benefit assessment is either reduced or increased as a result of the decision by the Board, the benefit assessment shall either be refunded or the increased amount collected. The property owner, or their designated representative may be present at the appeal hearing concerning the setting of the Benefit Assessment rate.

Section 8: If any section, subsection, sentence, phrase or clause of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance. The Board of Directors of the Arcata Fire Protection District here declare that they would have adopted the Ordinance and each section despite the fact that one or more sections, subsections, phrases or clauses be declared invalid.


Section 9: This ordinance shall take effect immediately upon adoption by the Board, and prior to the expiration of fifteen (15) days from the passage hereof, shall be published once in the *Arcata Eye*, a newspaper published in the City of Arcata, State of California, together with the names of the members of the Board voting for and against the same.

The foregoing Ordinance was passed and adopted by the Board of Directors of the Arcata Fire Protection District on this 31<sup>st</sup> day of July, 2006 at the meeting of said Board, duly called and held on the same day by the following vote:

Name	Aye	No	Absent
John Davis	X		
Larry Mendez			X
Stephen Tyler	X		
Elena David	X		
Thomas Ayotte	X		

  
\_\_\_\_\_  
John Davis, Chairman of the Board  
Arcata Fire Protection District

ATTEST:

  
\_\_\_\_\_  
Elena David, Vice-Chairman of the Board  
Arcata Fire Protection District

## ATTACHMENT A

## Arcata Fire Protection District

Land Use Code	Units of Benefit	Total Assess-ment	Description	Land Use Code	Units of Benefit	Total Assess-ment	Description	Land Use Code	Units of Benefit	Total Assess-ment	Description
0090	3	\$66.00	Manufactured Home Park	4102	10	\$220.00	Light Industrial, Wood Product	7009	6	\$132.00	Portion TPZ, Mix Rdwd&Wwd, Improved
0093	3	\$66.00	Licensed MH in Park	4301	20	\$440.00	Heavy Industrial, Wood Product	8000	1	\$22.00	Public Land, Schools, Non Taxable Entities - Unimproved
0094	3	\$66.00	Licensed MH in Park w/taxable accessories	4302	20	\$440.00	Heavy Industrial, Electrical Co-Gen	8000	12	\$264.00	Public Land, Schools, Non Taxable Entities - Improved
0095	3	\$66.00	Taxable MH in Park	5000	1	\$22.00	Vacant Commercial	9000	12	\$264.00	Public Utilities
0096	3	\$66.00	Taxable MH on fee parcel	5100	12	\$264.00	Commercial, Miscellaneous	9800	1	\$22.00	Common Area, Condominium
0097	3	\$66.00	Licensed MH on fee parcel	5101	10	\$220.00	Commercial Office	9810	1	\$22.00	Single Family Res - Vacant
0098	3	\$66.00	Taxable MH on Fee Parcel under different ownership	5102	10	\$220.00	Commercial, Medical-Dental	9811	4	\$88.00	Single Family Res - Improved
0099	3	\$66.00	Lic/MH/taxable accessories/differentowner	5103	10	\$220.00	Commercial, Drive-Thru Coffee	9820	1	\$22.00	Multi-Family Res - Vacant
1000	1	\$22.00	Vacant Single Family Residential	5104	10	\$220.00	Commercial, Multi Tenant Shops	9821	8	\$176.00	Multi-Family Res - 2-4 Units
1100	4	\$88.00	Improved Single Family Residential	5201	12	\$264.00	Commercial Retail, to 1989 square feet	9822	10	\$220.00	Multi-Family Res - 5-9 Units
1200	12	\$264.00	Bed and Breakfast	5202	12	\$264.00	Commercial Retail, 2000 and above	9823	12	\$264.00	Multi-Family Res - 10+ Units
1300	10	\$220.00	Residential Care Home	5203	12	\$264.00	Commercial Warehouse	9830	1	\$22.00	Rural - Vacant
1400	4	\$88.00	Condominium, Single Family Residential	5204	12	\$264.00	Commercial Mini-Warehouse	9831	6	\$132.00	Rural - Improved
2000	1	\$22.00	Vacant Multi-Family	5205	12	\$264.00	Commercial, Garage	9832	1	\$22.00	Ag Preserve Contracts - Vacant
2110	12	\$264.00	Improved, 10+ Units	5206	12	\$264.00	Commercial, Store with Multi Units	9833	6	\$132.00	Ag Preserve Contracts - Improv
2120	8	\$176.00	Improved, 2-4 Units	5207	12	\$264.00	Commercial, Assisted Living Unit	9834	1	\$22.00	Non-Producing Mineral Rights
2150	10	\$220.00	Improved, 5-9 Units	5301	12	\$264.00	Gas Station, w/o mini-mart	9835	12	\$264.00	Producing Mineral Rights
2236	N/A		Low Income, Sec 236 Housing	5302	12	\$264.00	Gas Station w/mini-mart	9836	1	\$22.00	Open Spaces Contracts - Vacant
2515	10	\$220.00	Low Income, Sec 515 Housing	5303	12	\$264.00	Automatic Car wash	9837	6	\$132.00	Open Spaces Contracts - Improv
3000	1	\$22.00	Vacant, Rural Residential, to .99ac	5304	12	\$264.00	Self Serve Car Wash	9838	1	\$22.00	Rural w/ Timber Infr - Vacant
3001	1	\$22.00	Vacant Rural Residential, 1-5 ac	5400	12	\$264.00	Common Area, Commercial	9839	6	\$132.00	Rural w/ Timber Infr - Improve
3002	1	\$22.00	Vacant, Rural Residential, 5+ to 10 ac	5401	12	\$264.00	Motel to 19 units	9940	1	\$22.00	Industrial - Vacant
3003	1	\$22.00	Vacant, Rural Residential, 10+ to 20 ac	5402	12	\$264.00	Motel, 20 to 40 units	9941	10	\$220.00	Industrial - Light
3004	1	\$22.00	Vacant, Rural Residential, 20+ to 40 ac	5403	12	\$264.00	Motel over 40 units	9942	20	\$440.00	Industrial - Heavy
3005	1	\$22.00	Vacant, Rural Residential, 40+ ac	5500	12	\$264.00	Movie Theater	9950	1	\$22.00	Commercial - Vacant
3100	6	\$132.00	Improved, Rural Residential, up to .99 ac	5501	10	\$220.00	Commercial Golf Course	9951	10	\$220.00	Comm - Store, Office, Medical
3101	6	\$132.00	Improved, Rural Residential, 1 to 5 ac	5601	12	\$264.00	Fast Food Restaurant	9952	12	\$264.00	Comm - Motel, Rest, Serv Sin
3102	6	\$132.00	Improved, Rural Residential, 5+ to 10 ac	5602	12	\$264.00	Full Service Restaurant	9959	3	\$86.00	Mobil Home Park Owners
3103	6	\$132.00	Improved, Rural Residential, 10 to 20 ac	5603	3	\$66.00	Manufactured Home Park	9960	0	\$0.00	Subject to Exemption - Vacant
3104	6	\$132.00	Improved, Rural Residential, 20+ to 40 ac	5604	12	\$264.00	Commercial, Recreational/Resort	9961	0	\$0.00	Subject to Exemption - Improve
3105	6	\$132.00	Improved, Rural Residential, 40+ac	5700	12	\$264.00	Auto Repair, Tire Shop, Body Shop	9970	1	\$22.00	Tmbr, Mix TPZ, Rdwd & Wwd - Va
3200	1	\$22.00	Vacant, Rural, Agricultural, Unrestricted	6000	0	\$0.00	Vacant Land, Subject to Exemption	9971	6	\$132.00	Tmbr, Port TPZ, Rdwd - Improve
3201	6	\$132.00	Rural, Agricultural, Misc Imps, Unrestricted	6001	0	\$0.00	Improved, Subject to Exemption	9972	1	\$22.00	Tmbr, 100% TPZ, Rdwd - Vacant
3211	6	\$132.00	Rural, Agricultural, Residence, Unrestricted	7000	1	\$22.00	Portion TPZ, Mix Rdwd, Wwd, Vacant	9973	6	\$132.00	Tmbr, 100% TPZ, Rdwd - Improve
3300	1	\$22.00	Ag Preserve, Vacant	7001	6	\$132.00	Portion TPZ, Rdwd, Improved	9974	1	\$22.00	Tmbr, Port TPZ, Rdwd - Vacant
3301	6	\$132.00	Ag Preserve, Misc Imps	7002	1	\$22.00	100% TPZ, Rdwd, Vacant	9975	6	\$132.00	Tmbr, Port TPZ, Wwd - Improved
3311	6	\$132.00	Ag Preserve, Res Imps	7003	6	\$132.00	100% TPZ, Rdwd, Improved	9976	1	\$22.00	Tmbr, 100% TPZ, Wwd - Vacant
3400	1	\$22.00	Non Producing Mineral Rights	7004	1	\$22.00	Portion TPZ, Rdwd, Vacant	9977	6	\$132.00	Tmbr, 100% TPZ, Wwd - Improved
3401	12	\$264.00	Producing Mineral Rights	7005	6	\$132.00	Portion TPZ, Rdwd, Improved	9978	1	\$22.00	Tmbr, Port TPZ, Wwd - Vacant
4000	1	\$22.00	Vacant, Industrial	7006	1	\$22.00	100% TPZ, Wwd, Vacant	9979	6	\$132.00	Tmbr, Mix TPZ, Rdwd & Wwd - Im
4100	10	\$220.00	Misc Light Industrial	7007	6	\$132.00	100% TPZ, Wwd, Improved	9980	1	\$22.00	Public Land, Schools & Non-tax
4101	10	\$220.00	Light Industrial, Metal Fabrication	7008	1	\$22.00	Portion TPZ, Wwd, Vacant	9990	12	\$264.00	Public Utilities