

ORDINANCE NO. 80-005

AN ORDINANCE OF LAKESIDE FIRE PROTECTION DISTRICT DETERMINING AND ASSESSING AVAILABILITY CHARGES FOR FIRE SUPPRESSION SERVICE FOR THE FISCAL YEAR 1980/81.

WHEREAS, the proposition authorizing the levy of availability charges for fire suppression service pursuant to Government Code Sections 53972-53977 was approved by the voters of the District at the June 3, 1980 election; and

WHEREAS, the Board of Directors by Resolution No. 80-002 adopted schedules of availability charges for the fiscal year July 1, 1980 to June 30, 1981, and authorized the preparation of a written report containing a description of each lot or parcel of property proposed to be assessed and the amount of such charge for each such lot or parcel; and

WHEREAS, the written report was prepared and filed with the Secretary of this District; and

WHEREAS, notices of the hearing on the written report were mailed, published and posted in the form and manner prescribed by law; and

WHEREAS, at the time stated in the notices, the Board of Directors did hear and consider all objections or protests to the written report;

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE LAKESIDE FIRE PROTECTION DISTRICT DOES HEREBY FIND, RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Protest has not been made by holders of property interests proposed to be charged representing more than one-half of the total amount of expected revenue from the proposed charge.

Section 2. The Board of Directors hereby determines that the amount of the availability charge for each parcel, class of improvement, and use of property for the fiscal year 1980/81 shall be as described in said written report as revised by motion of this Board at the conclusion of the hearing. All protests and objections to the report are overruled, except as allowed by the foregoing motion.

Section 3. The report as revised is hereby adopted and approved, and the charges therein are hereby assessed.

Section 4. The amount of the availability charge imposed on each parcel, improvement, or use of property is directly related to the benefit to each parcel, improvement, or use of property charged which will be derived from fire suppression services for which the charge is levied which is obtained, furnished, operated and maintained by the revenues derived from such charges.

Section 5. The annual aggregate amount of the charges does not exceed the estimated annual cost of fire suppression services for which the charges are levied in the District for the 1980/81 fiscal year.

Section 6. The revenue from the availability charges shall be segregated and used for no purposes other than fire suppression.

Section 7. The amount of the availability charges, and the fire suppression services for which such charges are assessed, are reasonable in amount relating to the area served, and reasonable in amount relating to the parcel, improvement or use of property charged.

Section 8. The availability charges shall be collected by the County of San Diego on behalf of the District in the same manner, and subject to the same penalties, as taxes are fixed and collected by the County.

PASSED AND ADOPTED at a meeting of the Board of Directors of the Lakeside Fire Protection District held August 19, 1980, by the following vote:

AYES:  
NOES:  
ABSENT:

ATTEST:

Sherry H. Utz  
Clerk of the Board

D. Eugene Myers  
Chairman

I certify that this is a true and correct copy of Ordinance No. 80-005.  
Fire Chief Frank R. Kuller