ORDINANCE NO. \_\_\_\_\_\_\_\_\_\_\_

# AN ORDINANCE OF THE COUNTY OF SISKIYOU

# AMENDING

# SECTIONS 10-6.1601(n) and 10-6.1601(ac)(9)

# OF THE SISKIYOU COUNTY CODE

# REGARDING APPLICATION FEES

THE BOARD OF SUPERVISORS OF THE COUNTY OF SISKIYOU ORDAINS AS FOLLOWS:

SECTION I: Section 10-6.1601(n) of the Siskiyou County Code is hereby amended to read as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| (n) | Mitigated Negative Declaration, Negative declaration | (5, 6, 11) | Contracted cost plus a 10% Administrative Fee; |

SECTION II Section 10-6.1601(ac)(9) of the Siskiyou County Code is hereby amended to read as follows:

“(9) Annual Operation Fee—The Annual Operation Fee is a base fee that accounts for the annual inspection and associated compliance services provided to a mine under the following time assumptions: 1) the Annual Operation Fee and Financial Assurance Cost Estimate are submitted by February First (1st) ~~15~~~~th~~ of each year ~~excepting in the year 2016 when submittal is expected by April 4~~~~th~~, 2) any required yearly update to the Financial Assurance Cost Mechanism is submitted within thirty (30) ~~sixty (60~~) days of County approval of the yearly Financial Assurance Cost Estimate, and 3) a copy of the yearly State Annual Report that has been submitted to the Department of Conservation is submitted to the County by August 1st of each year. If any of these time assumptions are not met, the annual inspection and associated compliance services will require more staff resources than is accounted for in the base fee and the operator shall be billed for the County's additional administrative services at an hourly productive staff rate plus materials.  
Mining Enforcement Costs—The operator shall be subject to paying the costs associated with enforcement actions. Costs shall include staff time billed at an hourly productive rate and other direct and indirect costs associated with the enforcement action.”

SECTION III: This ordinance amendment has been determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines (i.e., the “general rule exemption because it can be seen with certainty that the proposed amendment does not have the potential to result in a significant impact on the environment.”)

SECTION IV: Constitutionality: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION V: This ordinance shall become effective 30 days after its passage and shall, within 15 days of adoption, be published once in a newspaper of general circulation, printed and published in the County of Siskiyou.

PASSED AND ADOPTED this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2022 at a regular meeting of the Board of Supervisors by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Brandon Criss, Chairman

Board of Supervisors

ATTEST:

LAURA BYNUM, CLERK,

Board of Supervisors

By \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Deputy