

ORDINANCE NO. 21-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN ADDING SECTION 159.006 TO CHAPTER 159 OF TITLE XV OF THE AUBURN MUNICIPAL CODE REGARDING FEES OR CHARGES FOR FILING, ACCEPTING, REVIEWING, APPROVING, PROCESSING, OR ISSUING AN APPLICATION, PERMIT, OR ENTITLEMENT FOR USE FOR DEVELOPMENT PROJECTS

THE CITY COUNCIL OF THE CITY OF AUBURN DOES ORDAIN AS FOLLOWS:

Section One: Code Amendment. Section 159.006 of Chapter 159 of Title XV of the Auburn Municipal Code is hereby added to read as follows:

159.006 Development Projects; Fee or Charge for City's Costs

Notwithstanding any other provision of this code, an applicant for a project, undertaken for the purpose of development, shall pay a fee or charge to the City equal to the City's costs for filing, accepting, reviewing, approving, processing, or issuing an application, permit, or entitlement for use related to that project. The City Manager or his or her designee may require a deposit from, and a reimbursement agreement with, the applicant for purposes of complying with this section.

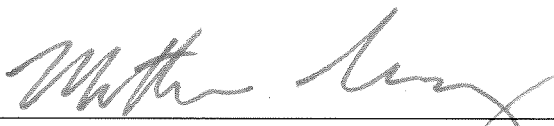
Section Two: California Environmental Quality Act. The City Council has considered all of the evidence in the record, including the staff reports, the testimony received during the meeting on the matter held by the City Council, and hereby determines that that the adoption of this Ordinance will not have a significant effect on the environment. This Ordinance is therefore exempt from California Environmental Quality Act (CEQA) review pursuant to Title 14, Section 15061(b)(3) of the California Code of Regulations and other applicable law.

Section Three: Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance or the rules adopted hereby. The City Council hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section Four: Inconsistent Provisions. Any provision of the Auburn Municipal Code or appendices thereto, and any resolution or policy adopted by the City Council, which is inconsistent with the provisions of this Ordinance, is hereby repealed or modified only to the extent necessary to implement the provisions of this Ordinance.

Section Five: Publication and Effective Date. This ordinance shall take effect 60 days after final adoption. The City Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Pursuant to Government Code section 36933, a summary of this Ordinance may be published and posted in lieu of publication and posting of the entire text.

Section Six: Implementation. City staff is authorized and directed to take all steps necessary or convenient to implement this Ordinance including, but not limited to, creating, modifying, and requiring the reimbursement agreement referenced in this Ordinance.



Daniel Berlant, Mayor
MATT SPOKELY


ATTEST:



Amy Lind, City Clerk

I, Amy Lind, City Clerk of the City of Auburn, hereby certify that the foregoing ordinance was introduced at a regular meeting of the City Council of the City of Auburn held on the 14th day of December 2020; thereafter, the foregoing ordinance was adopted at a regular meeting of the City Council of the City of Auburn on the 11th day of January 2021 by the following vote on roll call:

Ayes: Berlant, Amara, Dowdin Calvillo, Radell-Harris, Spokely
Noes:
Absent:
Abstain:



Amy Lind, City Clerk