

Item 3.1 Amendment to Ordinance

3. If any fee established by this Ordinance is held or found to be invalid, void, unenforceable, or unconstitutional by a court of competent jurisdiction based upon an insufficient nexus to a specific Public Infrastructure for which the revenue generated from such fee may be expended pursuant to Chapter 84.11 or any resolution adopted pursuant to said Chapter, said fee as it relates to such specific Public Infrastructure shall be deemed a separate, distinct and independent fee, and such holding shall not affect the validity of the fee as it relates to other Public Infrastructure.

SECTION 8. Effective Date.

This Ordinance and any Fee Resolution relating to this Ordinance are all declared to be urgency measures and, based upon the interim authorization set forth in Government Code section 66017(b), this Ordinance shall take effect immediately upon enactment hereof. In addition, based upon such interim authorization, any Fee Resolution shall take effect immediately upon adoption. The City Clerk shall schedule a public hearing before the City Council within thirty (30) days after the enactment of this Ordinance and thirty (30) days after the adoption of any Fee Resolution to consider extending such interim authorization for an additional thirty (30) days. Regardless of whether such interim authorization is extended, this Ordinance and any Fee Resolution relating to this Ordinance shall be effective ~~no later than~~ sixty (60) following the enactment hereof.

days

DATE PASSED FOR PUBLICATION:

DATE ENACTED: _____

DATE EFFECTIVE:

ATTEST:

CITY CLERK

MAYOR

FOR CITY CLERK USE ONLY

ORDINANCE NO. _____

DATE ADOPTED: _____

which agreements would be inefficient to administer, cause complications with lenders and title companies, and raise enforcement and other problems detrimental to the public interest and the conduct of City business.

SECTION 4. Adoption of Title and Code Provisions.

Chapter 84.11, as set forth in attached Exhibit "1," is incorporated herein by this reference. Said Chapter 84.11, as set forth in Exhibit "1," is hereby approved and adopted and shall be added to the Sacramento City Code.

SECTION 5. Credits and Reimbursements.

The Director of Public Works, or his or her designee, hereby is authorized and directed to prepare policies, guidelines and procedures concerning credits and reimbursements relating to the fees established under this Ordinance consistent with Section 84.11.1110 of Chapter 84.11 set forth in Exhibit "1" and to present the same to the City Council for consideration and approval.

SECTION 6. Deferral of Fees.

The Director of Public Works, or his or her designee, hereby is authorized and directed to prepare policies, guidelines and procedures concerning the deferral of the time of payment of fees established under this Ordinance pursuant to Section 84.11.1109 of Chapter 84.11 set forth in Exhibit "1" and to present the same to the City Council for consideration and approval. With respect to Development Projects completed or commenced by or before the effective date of this Ordinance, the Director of Public Works, or his or her designee, is hereby authorized to enter into agreements with property owners governing the amount, time and manner of payment of fees payable with respect to such Development Projects.

SECTION 7. Severability.

1. If any section, phrase, sentence, or other portion of this Ordinance for any reason is held or found to be invalid, void, unenforceable, or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

2. If any fee established by this Ordinance for any reason is held or found to be invalid, void, unenforceable, or unconstitutional by a court of competent jurisdiction, such fee shall be deemed a separate, distinct and independent fee, and such holding shall not affect the validity of the remaining fees established by this Ordinance.

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ORDINANCE NO. _____

DATE ADOPTED: _____