

**ORDINANCE NO. 43**

**AN ORDINANCE OF THE  
RUNNING SPRINGS WATER DISTRICT  
AMENDING ORDINANCE NO. 9 AUTHORIZING AN  
AVAILABILITY CHARGE FOR FIRE SUPPRESSION SERVICE**

WHEREAS, on March 11, 1980, the Board of Directors of Running Springs Water District adopted Ordinance No. 9 authorizing the assessment and collection of an annual availability charge for fire suppression service on each improved lot or parcel of property within the District, except those owned by state or federal governmental agencies, other local agencies, or those determined by the District's engineer not to receive fire suppression benefit, in an amount not to exceed \$65 per unit of benefit as defined in the Uniform Building Code, subject to approval by two-thirds of the District's voters at an election to be conducted within the boundaries of the District as required by law for the assessment of a special tax on real property; and

WHEREAS, at an election conducted within the boundaries of the District on November 4, 1980, more than two-thirds of the voters voting at the election approved the proposed annual availability charge for fire suppression service; and

WHEREAS, since the date of approval by the voters of the District in 1980, the annual availability charge for fire suppression service assessed on improved lots or parcels of real property within the District has not exceeded \$65 per unit of benefit, as defined in the Uniform Building Code, while inflation and increases in the cost of providing fire protection have greatly increased over the last 35 years; and

WHEREAS, pursuant to Government Code Section 53978, the District may submit to the voters of the District a proposal to increase the amount of the availability charge for fire suppression service, which shall take affect if approved by at least two-thirds of the District's voters voting upon the proposition at said election; and

WHEREAS, as provided by Government Code Section 53971.4, the annual availability charge for fire suppression service may be used by the District not only to fund fire protection services, but also for the expanded purpose of providing emergency medical services; and

WHEREAS, this Board of Directors proposes to increase the amount of the annual availability charge for fire suppression service so that the District may continue to provide high quality fire protection service to improved real property within the District, and also high quality emergency medical services to those in need of such services within the District;

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of Running Springs Water District as follows:

SECTION 1. The maximum amount of the annual availability charge for fire suppression service authorized by Ordinance No. 9 of Running Springs Water District shall be increased to \$95 in the first fiscal year that this Section takes effect, to \$125 in the second fiscal

year following the effective date of this Section, and to \$158 in the third fiscal year, per unit of benefit as defined in the Uniform Building Code as it may be revised from time to time. Beginning in the fourth fiscal year following the effective date of this Section, and each fiscal year thereafter, the maximum amount of the availability charge shall be subject to an adjustment for inflation in an amount equal to the percentage increase, if any, reflected in the Consumer Price Index for All Urban Consumers (Los Angeles-Anaheim-Riverside) published by the U.S. Department of Labor, Bureau of Labor Statistics, for the 12-month period ending on December 31 of the immediately preceding calendar year, provided that such adjustment shall not exceed, in any fiscal year, three percent of the maximum annual availability charge authorized for the previous fiscal year. The provisions set forth in this Section 1 shall be effective only if approved by at least two-thirds of the District's voters voting thereon at an election conducted within the District. The ballot measure presented to the voters at such election shall be as set forth in a resolution of this Board of Directors calling the election.

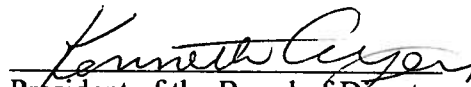
SECTION 2. As provided by Government Code Section 53971.4, the annual availability charge for fire suppression may be used by the District not only to fund fire protection services, but also to provide emergency medical services as defined therein.

SECTION 3. As provided by Government Code sections 50075.1 and 50075.3, the purpose of the availability charge for fire suppression service shall be to fund fire protection services and emergency medical services only. The revenues derived therefrom shall be deposited into an account established for that purpose and shall not be used for any other purpose. At least once each year the District's chief financial officer shall file a report with the Board of Directors which quantifies the amount of the availability charge revenues collected and expended, and the status of any project authorized to be funded from such availability charge revenues.


SECTION 4. As provided by Government Code Section 53978, the annual availability charge for fire suppression service shall not be assessed to a federal or state governmental agency, or to another local agency.

SECTION 5. The availability charge for fire suppression service may be collected on behalf of the District by the County of San Bernardino in the same manner and subject to the same penalty as, or with, other charges and taxes fixed and collected by the District.

ADOPTED this 23<sup>rd</sup> day of April, 2015.

  
President of the Board of Directors  
of Running Springs Water District

ATTEST:

  
Secretary