

ORDINANCE NO. _____
ORDINANCE OF THE MARIN COUNTY BOARD OF SUPERVISORS
AMENDING SECTION 5.44.030 OF CHAPTER 5.44 OF TITLE 5 OF THE MARIN COUNTY
CODE ADDRESSING DEVICE REGISTRATION FEES

THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN HEREBY ORDAINS
AS FOLLOWS:

WHEREAS, recent legislation authorizes the recovery of higher device registration fees not to exceed actual costs of performing the inspection, testing and registration services; and

WHEREAS, said increase in device registration fees will defray the costs of the program administered by the County of Marin; and

WHEREAS, the Board of Supervisors supports the recovery of the costs incurred by this important program to insure the accurate measurement of items in commerce and advance consumer protection; and

WHEREAS, the amendment of the Marin County Code set forth below is necessary to accommodate a later deadline for delinquent payments due to the adoption of these new fees in the month of February;

SECTION I. Section 5.44.030 of the Marin County Code is hereby amended to read as follows:

5.44.030 Application fees.

- (a) Application. Applications for device registration permits and renewals thereof shall be filed with the director of weights and measures upon such forms as may be prescribed.
- (b) Fees. The permit fee for the calendar year or any part thereof during which the permitted activity is carried on and for renewal thereof shall be that established by ordinance of the board of supervisors.
- (c) Expiration of Permits. Each permit shall expire on December 31st of the current year, provided such permit may be renewed without penalty on or before March 15th next following the expiration date, except that the penalty date for 2006 shall be June 5th.
- (d) Delinquent permits. To any fee not paid when due, there shall be added a penalty equal to the amount of the registration fee.

SECTION II. This ordinance shall be liberally construed to achieve its purposes and preserve its validity. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, 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 every 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 or invalid.

SECTION III. Effective Date. This ordinance shall be and is hereby declared to be in full force and effect as of thirty (30) days from and after the date of its passage and shall be published once before the expiration of fifteen (15) days after its passage, with the names of the supervisors voting for and against the same in the MARIN INDEPENDENT JOURNAL, a newspaper of general circulation published in the County of Marin.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin held on this ____ day of _____ 2006 by the following vote:

AYES: SUPERVISORS

NOES:

ABSENT:

PRESIDENT, BOARD OF SUPERVISORS

ATTEST:

CLERK