

ORDINANCE NO. _____
ORDINANCE OF THE MARIN COUNTY BOARD OF SUPERVISORS
ADOPTING POINT-OF-SALE SYSTEM REGISTRATION FEES TO RECOVER COSTS
INCURRED BY THE COUNTY OF MARIN'S
POINT-OF-SALE STATION REGULATORY PROGRAM

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

WHEREAS, the County has adopted a Point-of-Sale Station Registration Program in conjunction with this fee ordinance; and

WHEREAS, Business and Professions Code section 13350(d) authorizes a point-of-sale system registration fee not to exceed the County's total cost of inspecting or testing the accuracy of prices accessed or generated by the system; and

WHEREAS, a cost study supports the fees set forth in this ordinance to defray the cost of the Point-of-Sale Station Registration Program (Chapter 5.45 of the Marin County Code) administered by the County of Marin; and

WHEREAS, the Board of Supervisors supports the recovery of program costs to insure accurate price access in the interests of consumer protection;

NOW THEREFORE, the following fees are hereby adopted:

SECTION I.

For three (3) or fewer point-of-sale scanner stations: \$180.00 per scanner station

For four (4) or more point-of-sale scanner stations: \$270.00 per scanner station

An additional one and a half percent (1 ½%) of the total registration fee due to the County shall be imposed as a civil penalty for each month that the required payment remains delinquent to defray the expense of fee recovery.

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