

RESOLUTION NO. 23 -__

RESOLUTION OF THE TOWN COUNCIL OF MAMMOTH LAKES, STATE OF CALIFORNIA, AMENDING A SCHEDULE OF FEES AND CHARGES FOR TOWN SERVICES

WHEREAS, the Town of Mammoth Lakes has conducted an extensive and exhaustive analysis of its services, the costs reasonably borne of providing those services, the beneficiaries of those services, and the revenues produced by those paying fees and charges for special services; and

WHEREAS, the Town wishes to comply with both the letter and the spirit of Article XIII B of the California Constitution and limit the growth of taxes; and

WHEREAS, the Town Council adopted Ordinance No. 08-11 on October 1, 2008, containing provisions relating to Town fees and service charges; and

WHEREAS, Ordinance No. 08-11 states that the Town Council by resolution may annually set a subsidy for certain fees or charges, thereby not requiring that one hundred percent of costs reasonably borne by the Town are recovered by that certain fee or charge; and

WHEREAS, the Town based on historical Town Council adopted subsidies (Ord. 91-08 & Ord. 95-07) for recreation programs, and the philosophy of the Parks and Recreation Department to provide broad and considerable community benefit and enhanced quality of life, applies a high subsidy (approx. 80-90%) for youth programs and facility operations and a lower subsidy (approx. 10-20%) for adult programming. Actual subsidies may vary based on several factors including program content, required staff, direct expenditures, and participation; and

WHEREAS, public testimony was received by the Parks and Recreation Commission on March 7, 2023 regarding the proposed changes to the Town's fee schedule; and

WHEREAS, a schedule of fees and charges to be paid by those requesting such special services must be adopted so that the Town might carry into effect its policies; and

WHEREAS, it is the intention of the Town Council to provide a schedule of fees and charges for Town services beginning March 16, 2023; and

WHEREAS, as required under Government Code sections 6062a and 66018, the Town of Mammoth Lakes published the notice of the public hearing on March 3 and March 10, 2023; and

WHEREAS, all requirements of California Government Code Section 66018 are hereby found to have been complied with.

NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES DOES RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. Fee Schedule Adoption. The schedule of fees and charges attached hereto as Exhibit “B” are hereby directed to be computed by and applied by the Town of Mammoth Lakes effective March 16, 2023, and to be collected by the Town of Mammoth Lakes for the listed special services.

Section 2. Separate Fee for Each Process. All fees set by this resolution are for each identified process; additional fees shall be required for each additional process or service that is requested or required. Where fees are indicated on a per unit of measurement basis, the fee is for each identified unit or portion thereof within the indicated ranges of such units. Definitions regarding fees and the timing of the implementation of the hereinafter enumerated fee schedule shall be as stipulated in Ordinance No. 08-11.

Section 3. Fees. The attached fees shall be charged and collected for the enumerated services starting on March 16, 2023. It is the intention of the Town Council to review the fees and charges on an annual basis, and if warranted, to revise such fees and charges.

Section 4. Waiver of Fees. The Town Manager may waive all or a portion of any fee adopted by this Resolution with respect to a particular imposition of the fee upon a particular user to which the fee would otherwise apply. The Town Manager may approve any such waiver if he or she believes that doing so is in the best interest of the Town and/or the community, or that there are special circumstances which would make payment of the full fee unfair or unreasonable.

Section 5. Severability. If any portion of this Resolution is declared invalid or unconstitutional then it is the intention of the Town Council to have passed the entire Resolution and all its component parts, and all other sections of this Resolution shall remain in full force and effect.

Section 6. Effective Date. This Resolution shall go into full force and effect on March 16, 2023 but shall be subject to the terms and conditions of Ordinance No. 08-11.

APPROVED AND ADOPTED this 15th day of March, 2023.

JOHN WENTWORTH, Mayor

ATTEST:

JAMIE GRAY, Town Clerk

EXHIBIT “B”
UPDATED FEE SCHEDULE