

**ORDINANCE NO. SCC 2024-\_\_\_\_\_**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SHASTA,  
ADDING LIMITATIONS ON THE EXERCISE OF EMINENT DOMAIN TO THE  
SHASTA COUNTY CHARTER**

The Board of Supervisors of the County of Shasta ordains as follows:

**SECTION I.**

This section is added to the Shasta County Charter, within the Shasta County Code, following the last SUBSECTION, and shall read as follows:

**E. Limitation on Exercise of Eminent Domain**

1. Notwithstanding any other provision of law, the county may not exercise the power of eminent domain to acquire property from any private owner thereof, without such owner's consent, when the purpose of the acquisition is to convey the property so acquired to any private party. As used in this section, "owner" means the owner or owners of the fee title interest in the property to be acquired.

**SECTION II.**

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance or its application to any person or circumstance is held invalid for any reason, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance and every section, subsection, sentence, clause, phrase, or provision thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or provisions be declared unconstitutional or invalid.

**SECTION III.**

All former ordinances and resolutions, or parts thereof, conflicting or inconsistent with the provisions of this Ordinance are hereby superseded by this Ordinance. The adoption of this Ordinance shall not in any manner affect any action or prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, be construed as a waiver of any license, fee, or penalty required by or resulting from any such ordinance, or affect the validity of any bond (or cash deposit in lieu thereof) required to be posted, filed, or deposited pursuant to such ordinance.

**SECTION IV.**

This ordinance shall take effect and be in full force and effect on November 5, 2024, after certification of the vote, if the measure is approved by a majority of the electors voting on the

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measure at the election held that day. This ordinance shall then be operative on January 1, 2025. The Clerk shall cause this ordinance to be published as required by law.

**DULY PASSED AND ADOPTED** this 16th day of July 2024, by the Board of Supervisors of the County of Shasta by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

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KEVIN W. CRYE, CHAIR

Board of Supervisors

County of Shasta

State of California

ATTEST:

DAVID J. RICKERT

Clerk of the Board of Supervisors

By: \_\_\_\_\_

Deputy