

**ORDINANCE NO. 645-1**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SHASTA  
AMENDING ORDINANCE NO. 645  
TO SUSPEND THE COLLECTION OF TRAFFIC IMPACT FEES**

**WHEREAS**, on May 10, 2005, the Shasta County Board of Supervisors enacted Ordinance No. 635, establishing a new Development Impact Fee (“Fee”) in order to fund the construction of a portion (“Phase I”) of the planned improvements to the Deschutes/Factory Outlets Drive Interchange with Interstate 5 (“Interchange”) based upon the nexus analysis by Omni-Means Engineers and Planners entitled “I-5/Deschutes Interchange Fee Program – Revised Nexus Analysis” (“RNV”) (January 26, 2005); and

**WHEREAS**, on January 3, 2006, the Shasta County Board of Supervisors enacted Ordinance No. 645, repealing Ordinance No. 635; and

**WHEREAS**, Ordinance No. 645 establishes Fees in order to fund the construction of Phase I and (“Phase II”) of the planned improvements to the Interchange based upon the RNV (January 26, 2005); and

**WHEREAS**, an April 12, 2024, 9-0 ruling of the United States Supreme Court Case, *Sheetz v. County of El Dorado*, left ambiguity in the legality of a fee imposed by a local government on a broad class of property owners thru legislative action; and

**WHEREAS**, it is anticipated that the legality of such fees will be resolved in the lower courts; and

**WHEREAS**, the Board of Supervisors desires to suspend the collection of the fees established in Ordinance No. 645 until such a time that the question of the legality of the fees has been resolved.

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

**SECTION 1.**

**A. Findings.**

1. The purpose of this amendment to Ordinance No. 645 is to suspend the collection of new impact fees across all development categories, as described in the RNV, and as adopted and incorporated by reference into Ordinance No. 645.
2. Section 4 of Ordinance No. 645 is suspended, as of the enactment date of this ordinance. Development Permits shall be issued as directed by the Administrator, without collecting new development impact fees.
3. Sections 5 through 7, of Ordinance No. 645 are suspended, as of the enactment date of this ordinance. All prior fees collected, including interest earned, as described and determined in Sections 6 and 7, or otherwise defined in Ordinance No. 645, shall be spent in a manner consistent with financing the

improvements identified in the RNV to reduce impacts associated with continued population growth and new development.

4. Suspension of the collection of new public facility impact fees and sections of Ordinance No. 645 shall remain in effect until such time as the Board of Supervisors, by ordinance, lifts the suspension.

**SECTION 2.** Until this ordinance is enacted and effective, all of the provisions of Ordinance No. 645, and the attachments and references incorporated therein, remain in full force and effect. All prior public facility impact fees collected up to the effective date of this ordinance shall be expended in a manner consistent with Ordinance No. 645.

**SECTION 3.** If any provision of this ordinance or its application to any person or circumstance is held invalid, 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 are severable.

**SECTION 4.** 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 5.** This ordinance shall be in full force and effect thirty (30) days after its passage. The Clerk shall cause this ordinance to be published as required by law.

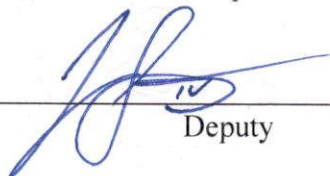
**DULY PASSED AND ADOPTED** this 25th day of June, 2024, by the Board of Supervisors of the County of Shasta by the following vote:

AYES: Supervisors Crye, Garman, Jones, and Kelstrom  
NOES: Supervisor Rickert  
ABSENT: None  
ABSTAIN: None  
RECUSE: None

  
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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