

*Before the Board of Supervisors
County of Monterey, State of California*

Resolution No.: 24-438

Resolution of the Monterey County Board of Supervisors)
amending Article XV of the Monterey County Master Fee)
Resolution, effective November 8, 2024, adding clarifying)
language and authorizing new fees for Treasurer-Tax)
Collector services)
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THE MONTEREY COUNTY BOARD OF SUPERVISORS FINDS:

- A. On September 10, 2024, the Board of Supervisors adopted Ordinance 24-028 adding Sections 7.02.060(B) and (C) to the Monterey County Code for the implementation of a business license requirement for Hotels, Commercial Vacation Rentals, Limited Vacation Rentals and Homestays.
- B. Government Code 54985 authorizes the Board of Supervisors to establish and adopt fees or charges in an amount reasonably necessary to recover the cost of providing any product or service or to enforce any regulation for which the fee or charge is to be levied.
- C. Section 1.40.010 of Chapter 1.40 of Monterey County Code provides that all fees, penalties, refunds, reimbursements and charges of any kind by the County may be specified in the Monterey County Fee Resolution.
- D. The Treasurer-Tax Collector, pursuant to Government Code 54985, has established new fees in the amount reasonably necessary to recover costs related to implementation of business licenses for Hotels, Commercial Vacation Rentals, Limited Vacation Rentals, and Homestays.
- E. Any and all adjustments to fees for services reflect no more than the actual and reasonable cost of the service or benefit received by the payor and burdened on the County. Any discount applicable to these surcharges have a minimum impact on the departmental budget and implementation of that discount does not result in increased fees or costs for other patrons.
- F. By definition, these charges are not a ‘tax’ and are exempt from voter approval pursuant to Article XIII C section 1(e)(1)-(3) of the California Constitution (Prop. 26; charges imposed for specific benefit conferred/privilege/service or product, and/or reasonable regulatory costs provided or granted to the payer).
- G. The newly adopted Sections 7.02.060(B) & (C) require clarifying language be added to the established Business License Application Fee and Business License Renewal Fee, which was established in relation to business licenses issued to commercial cannabis businesses pursuant to Section 7.02.060(A) of the Monterey County Code.

THE COUNTY OF MONTEREY BOARD OF SUPERVISORS RESOLVES:

- I. Article XV of the Monterey County Fee Resolution is amended, and the Treasurer-Tax Collector Department fees set forth in the attachment hereto are hereby adopted.
- II. Unless otherwise specifically amended, all prior resolutions regarding such fees remain as previously approved and are unaffected by this action.
- III. The effective date of the fees approved in this Resolution is November 8, 2024.

PASSED AND ADOPTED on this 8th day of October 2024, by roll call vote:

AYES: Supervisors Alejo, Church, Lopez, Askew, and Adams

NOES: None

ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting October 8, 2024.

Dated: December 20, 2024

File ID: 24-648

Agenda Item No.: 25

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California



Vicente Ramirez, Deputy