

ORDINANCE NO. 2366

**AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF HUMBOLDT AMENDING
§§ 2212-2 THROUGH 2212-6 AND ADDING § 2212-9
OF THE HUMBOLDT COUNTY CODE,
RELATING TO ASSESSMENT APPEALS BOARD**

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

SECTION 1. Sections 2212-2 through 2212-6 is hereby amended and Section 2212-9 is hereby added to Chapter 12 of Division 2 of Title II of the Humboldt County Code as shown on the attached pages 50.1 and 50.2.

SECTION 2. This ordinance shall take effect and be in force thirty (30) days from the date of its passage. A summary shall be published at least five (5) days before the date set for adoption and again fifteen (15) days after passage of this ordinance. It shall be published once with the names of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of Humboldt, State of California.

PASSED, APPROVED AND ADOPTED this 25 day of July, 2006.

AYES: Supervisors-- Heist, Meely, Smith, Rodoni, and Woolley.
NOES: Supervisors-- 0
ABSENT: Supervisors-- 0



Chair of the Board of Supervisors of the
County of Humboldt, State of California

(SEAL)

ATTEST:

Lora Canzoneri, Clerk of the Board of Supervisors
County of Humboldt



Lora Canzoneri

CHAPTER 12

ASSESSMENT APPEALS BOARD

2212-1 ESTABLISHMENT OF ASSESSMENT APPEALS BOARD

There is hereby established for the County of Humboldt an Assessment Appeals Board pursuant to the provisions of Section 1620 et seq of the Revenue and Taxation Code of California (Ord 1364 § 1 10/30/79)

2212-2 SELECTION OF MEMBERS

The Assessment Appeals Board shall consist of three (3) members and two (2) alternate members appointed ~~selected by lot by the Presiding Judge of the Superior Court of the County of Humboldt from among those persons nominated for that purpose by a majority of the members of the Board of Supervisors Within sixty (60) days after the adoption of this ordinance, each member of the Board of Supervisors shall nominate not less than three (3) nor more than five (5) persons for appointment to the Assessment Appeals Board~~ (Ord 1364 § 1 10/30/79 Ord ____ § __ __/__/2006)

2212-3 TERM OF OFFICE VACANCIES SUCCEEDING NOMINATIONS

~~The term of office of the first members of the Assessment Appeals Board shall be three (3) years for the member first selected, two (2) years for the second member selected, and one (1) years for the third member selected, all such terms to commence the first Monday in September, 1980 Thereafter t~~The term of members shall be three (3) years The Board of Supervisors ~~Presiding Judge of the Superior Court of Humboldt County shall select by majority vote lot~~ one (1) person from among those nominated to serve for the succeeding term on such Board, or to fill the vacancy as the case may be Upon expiration of the term of office of any member of the Assessment Appeals Board, the member whose term has expired shall continue to serve until such time as a new member takes office A member whose term has expired may continue to serve for up to sixty (60) days after the expiration of such term with respect to matters on which the Assessment Appeals Board had commenced hearing prior to the expiration of the member's term (Ord 1364 § 1 10/30/79 Ord 1698 § 1 7/16/85 Ord ____ § __ __/__/2006)

2212-4 ELIGIBILITY

A person shall not be eligible for nomination for membership on the Assessment Appeals Board unless he/she has a minimum of five (5) years professional experience in this state as one of the following certified public accountant or public accountant licensed real estate broker, attorney, property appraiser accredited by a nationally recognized professional organization, or a property appraiser certified by the Office of Real Estate Appraisers, or a property appraiser certified by the State Board of Equalization, or a person who the nominating member of the Board of Supervisors has reason to believe is possessed of competent knowledge of property appraisal and taxation No person shall be qualified to be a member of the Assessment Appeals Board who has, within three (3) years immediately preceding his appointment, been an employee of an assessor's office No member of the Assessment Appeals Board shall knowingly participate in any assessment appeal proceeding wherein the member has an interest in either the subject matter of, or a party to the proceeding of such nature is that it could reasonably be expected to influence the impartiality of his judgment in the proceedings (Ord 1364 § 1 10/30/79 ord ____ § __ __/__/2006)

Up to two (2) members of a county board of supervisors who have served as a member of a county board of equalization pursuant to Revenue & Taxation Code § 1601 may serve on an assessment appeals board The term of office for any member of the board of supervisors who serves on an assessment appeals board shall not exceed his or her term of office as a member of the county board of supervisors Documentation of qualifying experience of appeals board members shall be filed with the clerk of the board (Ord ____ § __ __/__/2006)

2212-5. CLERK'S DUTIES.

The Clerk of the Board of Supervisors shall be the Clerk of the Assessment Appeals Board and keep a record of its proceeding. He/She shall perform the same duties in connection with its proceedings of the Board of Equalization. The Clerk of the Assessment Appeals Board ~~shall appoint all employees in his department who are to perform duties in connection with the Assessment Appeals Board proceeding and shall fix the time and place of sessions of the Assessment Appeals Board.~~ He/She shall calendar all petitions or applications to be heard by the Assessment Appeals Board and notify all petitioners of the time and place fixed for such hearings. (Ord. 1364, § 1, 10/30/79; Ord. _____, § __, __/__/2006)

~~2212-6. DUTIES OF ALTERNATE MEMBERS.~~

~~The duties of alternate members of the Assessment Appeals Board shall be as specified in Section 1633.5 of the Revenue and Taxation Code of California. (Ord. 1364, § 1, 10/30/79)~~

2212-6. REPEALED BY ORD. _____, § __, __/__/2006)

2212-7. COMPENSATION.

Members of the Assessment Appeals Board and alternate members serving in place of absent regular members of the Assessment Appeals Board shall be compensated at the rate of Forty Dollars (\$40.00) for each one-half (½) day and Seventy-five dollars (\$75.00) for each full day of assessment appeals hearings they are required to attend, and mileage for each mile actually and necessarily traveled from their residence in the performance of their duties as Assessment Appeals Board members at the mileage rates set forth in Section 246-6(d) of the Humboldt County Code. (Ord. 1441, § 1, 1/6/81)

2212-8. PROPERTY SUBJECT TO CHANGE IN OWNERSHIP OR NEWLY CONSTRUCTED.

The Assessment Appeals Board shall hear applications for a reduction in assessment in cases in which the issue is whether or not property that has been subject to a change in ownership, as defined in Chapter 2 (commencing with Section 60) of Part 0.5 of the Revenue and Taxation Code, or has been newly constructed, as defined in Chapter 3 (commencing with Section 70) of Part 0.5 of the Revenue and Taxation Code. (Ord. 1821, § 1, 2/9/88)

2212-9. TRAINING OF NEWLY SELECTED MEMBERS.

Every person newly selected for membership on or newly appointed to be a member of, an assessment appeals board shall complete the training described in Revenue & Taxation Code § 1624.02 (and its progeny) prior to the commencement of his or her term on the Assessment Appeals Board or as soon as reasonably possible within one year thereafter. (Ord. _____, § __, __/__/2006)

A member of an assessment appeals board who does not complete the training required by this section in the time permitted shall complete the training within 60 days of the date of the notice by the clerk advising the member that his or her failure to complete the training constitutes resignation by operation of law. If the member fails to comply within 60 days of the notice by the clerk, the member shall be deemed to have resigned his or her position on the board. Notwithstanding the provisions of this section, an Assessment Appeals Board member may continue to retain his or her position on the board in order to complete all appeal hearings to which the member is assigned and which commenced prior to the date of resignation pursuant to this subdivision. (Ord. _____, § __, __/__/2006)

RECEIVED

JUL 20 2006

RISK MANAGEMENT

North Coast Journal Inc.
145 G Street, Suite A
Arcata, Calif. 95521
(707) 826-2000

This space is for the County Clerk's Filing Stamp

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA }
County of Humboldt } SS

I am a citizen of the United States and a resident of the County aforesaid. I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the publisher of the North Coast Journal, a newspaper of general circulation, printed and published weekly in the County of Humboldt, and which newspaper has been adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of Humboldt, State of California, under the date of Feb. 16, 2000, Case Number CV000010. That the notice of which the annexed is a printed copy (set in a type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

7-20

all in the year

2006

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Arcata, California,

Carmen England 7-20-06

Signature

SUMMARY OF PUBLICATION PRIOR TO ADOPTION OF ORDINANCE

(The summary shall be published and a certified copy of the full text of the proposed ordinance shall be posted in the office of the Clerk of the Board of Supervisors at least five (5) days prior to the Board of Supervisors meeting at which the proposed ordinance is to be adopted).

SUMMARY

On July 25, 2006, at its regularly scheduled Board meeting, the Humboldt County Board of Supervisors will consider for adoption a proposed ordinance amending Sections 2212-2 through 2212-6 and adding Section 2212-9 of the Humboldt County Code relating to Assessment Appeals Board.

The text of the proposed ordinance is available from the Clerk of the Board, Room 111, 825 fifth Street, Eureka, CA.

7/20/2006 (06-234)

PROOF OF PUBLICATION