

ORDINANCE 2020-01

AN ORDINANCE OF THE SAN BERNARDINO MOUNTAINS COMMUNITY HOSPITAL DISTRICT TO AUTHORIZE THE LEVY OF A SPECIAL TAX TO FINANCE HEALTH AND MEDICAL SERVICES

THE PEOPLE OF THE SAN BERNARDINO MOUNTAINS COMMUNITY HOSPITAL DISTRICT DO HEREBY ORDAIN AS FOLLOWS:

Authority, Purpose and Intent.

Pursuant to the authority of Health and Safety Code sections 13911 and 13913, and other applicable law, there is hereby levied and assessed a special tax by the San Bernardino Mountains Community Hospital District on all parcels of real property in the San Bernardino Mountains Community Hospital District for each calendar year. It is the sole purpose and intent of this ordinance to impose a special tax for health and medical services.

Special Tax Imposed.

A special tax for the purpose specified in Section 4 of this ordinance shall be imposed on all parcels of real property within the San Bernardino Mountains Community Hospital District for each calendar year, commencing January 1, 2021. The initial (first year) amount of the special tax for each calendar year shall be \$40.00 per parcel for each unimproved parcel, \$80.00 per parcel for each parcel containing a single family residence or multiple dwelling units, and \$200.00 per parcel for each parcel developed for commercial purposes. Beginning with calendar year 2021, and for each calendar year thereafter, the amount of the special tax shall increase (but not decrease) by the percentage by which the Consumer Price Index published by the U.S. Bureau of Labor Statistics for All Urban Consumers, Riverside-San Bernardino-Ontario (December 2017 = 100), or any successor to that index, increased in the twelve months prior to November of the calendar year immediately preceding the calendar year for which the adjustment is made; provided, however, that the annual increase for any calendar year shall not exceed three percent (3%) over the immediately preceding calendar year.

For the purposes of this ordinance, the term “parcel” shall mean a parcel of real property having a separate assessor’s parcel number as shown on the last equalized assessment roll of San Bernardino County.

Special Fund, Use of Tax Proceeds.

The proceeds of the special tax imposed by this ordinance shall be placed in the District’s General Fund to be used solely for the purpose of maintaining availability of hospital services and maintaining appropriate levels of services to help promote the health of the residents of the District.

Collection.

The special tax imposed by this ordinance shall be collected in the same manner, on the same dates, and shall be subject to the same penalties and interest as other charges and taxes fixed and collected by the County of San Bernardino on behalf of the San Bernardino Mountains Community Hospital District. Said special tax, together with all penalties and interest thereon, shall constitute a lien upon the parcel upon which it is levied until it has been paid, and said special tax, together with all penalties and interest thereon, shall, until paid, constitute a personal obligation to the San Bernardino Mountains Community Hospital District by the persons who own the parcel on the date the tax is due.

Amendment.

The Board of Directors of the San Bernardino Mountains Community Hospital District shall be empowered to amend this ordinance by an affirmative vote of at least a majority of its members to carry out the general purposes of this ordinance, to conform the provisions of this ordinance to applicable state law, to modify the methods of collection, or to assign the duties of public officials under this ordinance.

In no event shall the Board of Directors of the San Bernardino Mountains Community Hospital District amend this ordinance to increase the maximum amount of the special tax established in Section 2 of this ordinance, unless approved by two-thirds of the voters voting thereon.

Exemptions.

The special tax shall not be imposed upon any parcel that is exempt from the special tax pursuant to any provision of the Constitution, California state law, or any paramount law. The Board of Directors of the San Bernardino Mountains Community Hospital District by resolution may adopt exemptions to the special tax imposed by this ordinance.

Severability.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or applications, and to this end the provisions of this ordinance are declared to be severable. The Board of Directors of the San Bernardino Mountains Community Hospital District, and the electorate by referendum, do hereby declare that they would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, parts or portions thereof, be declared invalid or unconstitutional.

Effective Date.

This ordinance shall be adopted and become effective only if approved by two-thirds of the voters voting thereon, at an election to be held on March 3, 2020.

Attestation.

The President is hereby authorized to attest to the adoption of this ordinance by signing where indicated below.

I hereby certify that the foregoing ordinance was PASSED, APPROVED AND ADOPTED by the people of the San Bernardino Mountains Community Hospital District voting on the 3rd day of March, 2020.

Kieth J. Burkart
President of the Board of Directors of
San Bernardino Mountains
Community Hospital District

ATTEST:

Cheryl J. Moxley
Secretary of the Board of Directors of
San Bernardino Mountains
Community Hospital District