

RESOLUTION NO. 5822(13)

**A Resolution of the City Council of the City of Lompoc,
County of Santa Barbara, State of California,
Establishing a Filing Fee for Each Appeal Regarding an Encroachment
Permit Pursuant to Lompoc Municipal Code Section 12.12.020**

WHEREAS, the City Council has introduced concurrently herewith, Ordinance No. 1589(13), to govern State Franchise Holders providing video services consistent with the Digital Infrastructure and Video Competition Act (DIVCA); and

WHEREAS, DIVCA requires an appeal process be established for the denial of encroachment permits; and

WHEREAS, Ordinance No. 1589(13) amends Section 12.12.020 of the Lompoc Municipal Code (LMC), to create an appeal process for the denial of an encroachment permit, which includes an appeal to the City Administrator; and

WHEREAS, LMC subsection 12.12.020 I. provides the City Council shall, by resolution, establish a fee for that appeal; and

WHEREAS, by this resolution the City seeks to establish a fee for that appeal process, which shall be applicable to all appeals brought pursuant to LMC section 12.12.020.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC, CALIFORNIA,
RESOLVES AS FOLLOWS:**

SECTION 1. Pursuant to the authority established by LMC Subsection 12.12.020 I, the City Council hereby adopts a fee of Two Hundred Fifty Seven Dollars and Eighty Cents (\$257.80) for each appeal brought pursuant to LMC Section 12.12.020.

SECTION 2. This fee shall become effective upon the effective date of Ordinance No. 1589(13).

The foregoing Resolution was proposed by Councilmember _____, seconded by Councilmember _____ and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting of _____, 2013, by the following electronic vote:

AYES: Councilmember:

NOES: Councilmember:

John H. Linn, Mayor
City of Lompoc

ATTEST:

Stacey Alvarez, City Clerk
City of Lompoc