

**TOWN OF TRUCKEE**  
California

**ORDINANCE 2008-12**

**ORDINANCE AMENDING ORDINANCE 1998-03 OF THE TOWN OF TRUCKEE  
BY EXTENDING THE TERMINATION DATE OF AN EXISTING TRANSACTION  
AND USE TAX FOR LOCAL ROAD MAINTENANCE AND REPAIR**

The Town Council of the Town of Truckee ordains as follows:

**SECTION I**

**WHEREAS,** A retail transactions and use tax may be imposed in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, and Section 7286.60 of Part 1.7 of Division 2 which authorizes the Town to adopt a tax ordinance which shall be operative if a two-thirds (2/3) majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose; and

**WHEREAS,** pursuant to Section 7285.5, the Truckee Town Council lawfully established a Town wide sales tax measure to seek voter approval of a one-half of one percent sales tax for road maintenance and repair; and

**WHEREAS,** on April 14, 1998, the voters of the Town of Truckee approved by a two-thirds vote, a ballot measure imposing a one-half of one percent sales tax for road maintenance and repair use; and

**WHEREAS,** the ballot measure enacted an ordinance of the Truckee Town Council that imposed the sales tax and authorized an Expenditure Plan for the use of the revenues generated; and

**WHEREAS,** Revenue and Taxation Section 7285.5 was amended by the Legislature in 2001 and now authorizes the Truckee Town Council to extend the sales tax previously enacted by the Truckee Town Council and has been approved by at least two-thirds vote of the Truckee Town Council and subsequently approved by at least two-thirds of the voters.

**WHEREAS,** the tax measure extension will take effect January 1, 2009.

**NOW THEREFORE,** the Truckee Town Council finds that there is a need to extend the sales tax for road maintenance and repair purposes first enacted in 1998 to December 31, 2028.

**SECTION II**

Ordinance 1998-03 of the Town of Truckee approved by the voters of the Town of Truckee on April 14, 1998, is hereby amended to establish the termination date of December 31, 2028.

**SECTION III**

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

#### SECTION IV

This ordinance shall take effect as provided by law. This ordinance shall become effective according to law.

\*\*\*\*\*

The foregoing Ordinance was introduced at a regular meeting of the Truckee Town Council held on the 4<sup>th</sup> day of December 2008, and adopted at a regular meeting of the Truckee Town Council, on the 18<sup>th</sup> day of December 2008; Vice Mayor Dee, moved for the adoption, the motion was seconded by Council Member Green and was carried by the following vote:

**AYES:** Council Members; Anderson, Green, DeRyk-Jones, Vice Mayor Dee, and Mayor Brown.

**NOES:** None.

**ABSENT:** None.

ATTEST:

  
Judy Price, CMC, Town Clerk

  
Dr. Mark Brown, Mayor

APPROVED AS TO FORM:

  
Dennis Crabb, Town Attorney