

ORDINANCE NO. 2022-11

Ordinance Adding Section 2.20.060 (Tie Vote, No Action) and Chapter 1.30
(Reconsideration, Tie Vote, No Action) to the Lassen County Code.

The following ordinance, consisting of four sections, was duly and regularly passed and adopted by the Board of Supervisors of the County of Lassen, State of California, at a regular meeting of the Board of Supervisors held on the 18th day of October, 2022, by the following vote:

AYES: Supervisors Gallagher, Bridges, Hemphill, and Hammond.

NOES: None.

ABSTAIN: None.

ABSENT: Supervisor Albaugh.

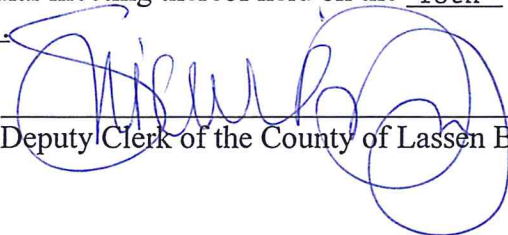


CHRIS GALLAGHER
Chairman of the Board of Supervisors,
County of Lassen, State of California

Attest:
JULIE BUSTAMANTE
Clerk of the Board

By: 
MICHELE YDERRAGA, Deputy Clerk of the Board

I, MICHELE YDERRAGA, Deputy Clerk of the Board of the Board of Supervisors,
County of Lassen, do hereby certify that the foregoing ordinance was adopted by the said
Board of Supervisors at a regular meeting thereof held on the 18th day of
October, 2022.


Deputy Clerk of the County of Lassen Board of Supervisors

**THE BOARD OF SUPERVISORS OF THE COUNTY OF LASSEN
ORDAINS AS FOLLOWS:**

SECTION ONE: This ordinance shall take effect thirty (30) days from the date of its adoption, and before the expiration of fifteen (15) days after its adoption a summary shall be published with the names of the members voting for and against the same, once in a local newspaper of the County of Lassen, State of California.

SECTION TWO: Section 2.20.060 is hereby added to the Lassen County Code to read as follows:

2.20.060 Tie Vote, No Action

If any action, project or determination being considered by the Planning Commission results in a tie vote, or if no action is taken on said action, project or determination, said action, project, or determination will be presented to the Board of Supervisors for a decision at no cost to the applicant, nor is it necessary to file an appeal for such consideration.

SECTION THREE: Chapter 1.30 is hereby added to the Lassen County Code to read as follows:

1.30.010 Reconsideration, Tie Vote, No Action

The following protocol shall apply to any appeal considered by the Board of Supervisors, filed pursuant to this Code, or any action, project, or determination being considered by the Board, that results in a tie vote and no action is taken on said appeal, action, project, or determination:

1. If a member of the Board of Supervisors was absent at the time of the tie vote/no action, and if the applicable project time limits allow, or if the project applicant requests such in writing, the appeal shall be automatically considered by the Board of Supervisors at the next Board meeting where the absent supervisor or supervisors will be present, unless a subsequent motion is passed.
2. If the applicable project time limits allow, and if the appellant concurs in writing, any member of the Board of Supervisors may ask, and the appeal shall be reconsidered at a subsequent meeting of the Board of Supervisors, provided said reconsideration is within 30 days of the date of the tie vote and/or no action.

3. If neither of the above actions subsequent to a tie vote occur and result in an action by the Board, any appeal considered by the Board that results in a tie vote shall be considered a denial of the appeal.

SECTION FOUR: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.