

FULL TEXT OF PROPOSED MEASURE TO IMPLEMENT THE INITIATIVE
INITIATIVE TO REPEAL THE SPECIAL TAX ASSOCIATED WITH FIRE PROTECTION
SERVICE ZONE FIVE

The people of the San Bernardino County Fire Protection District hereby declare and ordain as follows:

SECTION 1. Statement of Purpose and Authority

- (a) Article XIII C, Section 3 of the Constitution of California expressly grants authority to the voters of a local government to reduce or repeal any local tax, assessment, fee or charge.
- (b) The purpose of this measure is to repeal the special tax associated with Fire Protection Service Zone FP-5.

SECTION 2. Adopted Measure

Pursuant to the authority granted by Article XIII C, Section 3 of the Constitution of California, the citizens of San Bernardino County Fire Protection District do hereby repeal the special tax associated with Fire Protection Service Zone FP-5.

SECTION 3. Effective Date

A. To the extent permitted by law, the provisions of the measure embodied in this initiative shall be effective upon voter approval of the initiative as provided by California law.

B. No provision of the San Bernardino Charter, judgment or ruling from a court of competent jurisdiction, or any law that is inconsistent with this initiative measure shall be enforced after the Effective Date, unless the opponent can prove with clear and convincing evidence that the measure is legally preempted.

SECTION 4. Severability

If any word or words of this initiative measure, or its application to any situation, are held invalid or unenforceable, in a final judgment that is no longer subject to rehearing, review or appeal by a court of competent jurisdiction, then that word or those words are severed and the remaining part of this initiative measure, and the application of any part of this initiative measure to other situations, shall continue in full force and effect. We, the people of the San Bernardino County Fire Protection District, declare that we would have adopted this initiative measure, and each word to it, irrespective of the fact that any other condition, word or application to any situation, be held invalid.

SECTION 5. Determining Consistency

A. To ensure that the intent of this measure prevails and is subject to express, objective standards that cannot be changed through subsequent discretionary actions or interpretations, words shall be incorporated according to the intent expressed in this initiative measure and shall be applied in accordance with their plain meaning, rather than according to any contrary provision or interpretation in the Charter of the County of San Bernardino.

B. Adoption of this initiative measure is essential to the preservation of the quality of life, property values and the health, safety and general welfare interests of residents and property owners within the San Bernardino County Fire Protection District.

SECTION 6. Conflicting Measures

If any measure, appearing on the same ballot as this measure, addresses the same subject matter in a way that conflicts with the treatment of the subject matter in this measure, and if each measure is approved by a majority vote of those voting on each measure, then as to the conflicting subject matter the measure with the highest affirmative vote shall prevail, and the measure with the lowest affirmative vote shall be deemed disapproved as to the conflicting measure.

SECTION 7. Amendment

No term or provision of this initiative measure may be changed or amended without a majority vote of the people on a ballot measure submitted to the electorate.