

Article IX. Mobile Source Air Pollution Reduction.Sec. 29-36. Mobile source air pollution reduction.

- (a) Findings. The City of Paramount hereby finds and declares that;
- (1) The City is committed to improving the public health, safety and welfare, including air quality;
 - (2) Mobile sources are a major contributor to air pollution in the South Coast Air Basin;
 - (3) Air quality goals for the region established by state law cannot be met without reducing air pollution from mobile sources;
 - (4) The South Coast Air Quality Management Plan (AQMP) calls upon cities and counties to reduce emissions from motor vehicles consistent with the requirements of the California Clean Air Act of 1988 by developing and implementing mobile source air pollution reduction programs;
 - (5) When such programs place demands upon the City's funds, those programs should be financed by shifting the responsibility for financing from the general fund to the motor vehicles creating the demand, to the greatest extent possible;
 - (6) Section 44223 of the California Health and Safety Code authorizes the South Coast Air Quality Management District (SCAQMD) to impose an additional motor vehicle registration fee of two dollars (\$2), commencing on April 1, 1991, increasing to four dollars (\$4), commencing on April 1, 1992, to finance the implementation of transportation measures embodied in the AQMP and provisions of the California Clean Air Act;
 - (7) Forty cents of every dollar collected under Section 44223 of the Health and Safety Code shall be distributed to cities and counties located in the South Coast Air Quality Management District that comply with Section 44243 of the code, based on the jurisdiction's prorated share of population as defined by the State Department of Finance;
 - (8) The City is located within the South Coast Air Quality Management District and is eligible to receive a portion of the revenues from the additional motor vehicle registration fees contingent upon adoption of this ordinance;
 - (9) The prorated share of the fee revenues for cities that fail to adopt an ordinance pursuant to Section 44243(b)(3) of the California Health and Safety Code shall be distributed instead to the jurisdictions within the District that have adopted an ordinance;
 - (10) The City Council, after careful consideration, hereby finds and declares that the imposition of the additional motor vehicle registration fee by the SCAQMD to finance mobile source air pollution reduction programs is in the best interest of the city and promotes the general welfare of its residents.
- (b) Intent. This ordinance is intended to support the SCAQMD's imposition of the vehicle registration fee and to bring the City into compliance with the requirements set forth in section 44243 of the California Health and Safety Code in order to receive fee revenue for the purpose of implementing programs to reduce air pollution from motor vehicles.

- (c) Definitions. As applied in this ordinance, the following words and terms shall be defined as follows:
- (1) "City" shall mean the City of Paramount.
 - (2) "Mobile source air pollution reduction programs" shall mean any program or project implemented by the City to reduce air pollution from motor vehicles which it determines will be consistent with the California Clean Air Act of 1988 or the plan proposed pursuant to Article 5 (commencing with Section 40460) of Chapter 5.5 of Part 3 of the California Health and Safety Code.
 - (3) "Fee Administrator" shall mean the City Manager of the City of Paramount or his designee.
- (d) Administration of vehicle registration fee.
- (1) Receipt of fee. The additional vehicle registration fees disbursed by the SCAQMD and remitted to the City, pursuant to this ordinance, shall be accepted by the Fee Administrator.
 - (2) Establishment of air quality improvement trust fund. The Fee Administrator shall separately account for fees received pursuant to this section and shall invest idle balances as other City funds are invested. All interest earned by the Trust Fund Account shall be credited only to that account.
- (e) Expenditure of air quality trust fund revenue. All revenue received from the SCAQMD shall be exclusively expended on mobile source emission reduction programs as defined in Subsection C(2) above. Such revenue shall be expended within one (1) year of the completion of the programs.
- (1) Audits. The City consents to an audit of all programs and projects funded by vehicle registration fee revenue received from the SCAQMD pursuant to Section 44223 of the Health and Safety Code. The audit may be conducted by an independent auditor selected by the SCAQMD as provided in Section 44244 of the Health and Safety Code. If after such audit, the SCAQMD determines that the revenue received by the City of Paramount from the additional vehicle registration fee has been spent in a manner that will not result in the reduction of air pollution from motor vehicles, then the SCAQMD may hold a public hearing pursuant to Section 44244-1(c) of the California Health and Safety Code."

(Ord. No. 798)