

Chapter 16.40

SECURITY

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Sec. 16.40.010 **Controlling Provisions**

The provisions of Chapter 5 of the Subdivision Map Act (Sections 66499 through 66499.10 of the California Government Code) shall control acceptable types of security, the forms of bonds, the amounts of security, the release of security and the liabilities upon security. (Ord. 352-2 (4) (part), 1979; Ord 352 (12)(A), 1975)

Sec. 16.40.020 **Lien for Taxes or Special Assessments**

- A. Whenever any part of a subdivision creating more than four parcels or four parcels and a remainder, or otherwise subject to any state or local law, is subject to a lien for taxes or special assessments collected as taxes which are not yet payable, the subdivider shall file, with the Clerk of the Board of Supervisors, security conditioned upon the payment of all special assessments collected as taxes, which, at the time the final map is recorded, are a lien against the property but are not yet payable.
- B. If the taxes or special assessments are allowed to become delinquent, the County shall recover from the security the principal sum of the security without proof of loss. The County shall apply the sum received in payment of any and all such taxes or special assessments, including penalties and costs, if any, accruing thereto, to the proper state, county or district offices for satisfaction of the tax and special assessment liens, and shall pay the balance, if any, to the surety or depositor. (Ord. 352-8 (2), 1980; Ord. 352-3 (4) (part), 1979; Ord. 352 (12)(B), 1975)

Sec. 16.40.030 **Final Monuments**

- A. Where cash has been deposited to secure the setting of final monuments by an engineer or surveyor, the Board of Supervisors may, if so requested by the depositor, pay the engineer or surveyor from said cash deposit upon notification that all final monuments have been set.

- B. If a subdivider does not present evidence to the Board of Supervisors that he has paid his engineer or surveyor for the setting of final monuments, and if the engineer or surveyor notifies the Board that he has not been paid by the subdivider for the setting of final monuments, the Board may, within three (3) months from the date of the notification, pay to the engineer or surveyor from any deposit the amount due. (Ord. 352-3 (4) (part), 1979; Ord. 352 (12)(C), 1975)

Sec. 16.40.040 Reduction in Improvement Security

If required subdivision improvements are financed and installed pursuant to special assessment proceedings, the improvement security of the subdivider may be reduced by an amount corresponding to the amount of faithful performance and labor and material bonds furnished by the contractor. (Ord. 352-3 (4) (part), 1979; Ord. 352 (12)(D), 1975)

Sec. 16.40.050 Release of Security

In all cases where the performance of the obligation for which the security is required is subject to the approval of another agency, the Board of Supervisors shall not authorize release of the security until the obligation is performed to the satisfaction of such other agency. Such agency shall have two (2) months after notification of the performance of the obligation to register its satisfaction or dissatisfaction. (Ord. 352-3 (4) (part), 1979; Ord. 352 (12)(E), 1975)