

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING 50-337(b) AND 50-345 OF THE POMONA CITY CODE PERTAINING TO APPLICATION PROCESSING FEES FOR NEW BUSINESS LICENSE APPLICATIONS AND BUSINESS LICENSE RENEWALS AND UPDATING THE INDEX OF CITY FEES AND SERVICE CHARGES SET FORTH IN POMONA CITY CODE SECTION 2-924(a)

WHEREAS, Division 1, Business License Tax, of Chapter 50 of the Pomona City Code sets forth the manner of taxing businesses in the City;

WHEREAS, Division 4, Indexing and Annual Adjustment of Certain Fees, Charges, Licenses and Permits, of Chapter 2 of the Pomona City Code sets forth the fees and charges for City services and the method for determining cost recovery in providing said services; and

WHEREAS, the City desires to amend certain sections of Chapter 50 to clarify the method of cost recovery in administering the collection of business license taxes.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Pomona as follows:

SECTION 1. That Pomona City Code, Article VIII, Business License Tax, Division 1, Generally, Section 50-337(b), Application for license, is hereby amended to read as follows:

DIVISION 1.

Sec. 50-337- Application for license

(b) Every person required to have a license under this article shall pay the license **application** fee at the time of the filing of the application with the business license division, of which an amount set by resolution of the city council is a nonrefundable application fee. ~~Such application fee shall be applied to the license tax if a license is issued by the business license division. If a license is not issued because the business was found to be unlawful or conducted contrary to the city zoning ordinance, the application fee shall be retained by the city treasurer to reimburse the city for staff time expended on the investigation of the business.~~

SECTION 2. That Pomona City Code, Article VIII, Business License Tax, Division 1, Generally, Section 50-345, Expiration of Licenses, Due Date of Tax, is hereby amended to read as follows:

DIVISION 1.

Sec. 50-345. - Expiration of licenses; due dates for payment of tax.

(a) Every person required to have a license under this article shall pay the renewal processing fee due at the time of the filing of the renewal with the business license division, of which an amount set by resolution of the City Council is a nonrefundable renewal processing fee.

(ab) Unless otherwise specifically provided for, all licenses issued shall expire on the last day of December, March, June and September of each year, and the license tax shall be due and payable within 31 days after the expiration date for January and October and 30 days after the expiration date for April and June. However, if such 31st or 30th day is a Saturday, Sunday or legal holiday, the tax shall be due and payable prior to 12:00 midnight of the next subsequent working day.

(bc) All quarterly licenses are due and payable January 1, April 1, July 1 and October 1 of each year.

(ed) All daily licenses are due and payable each day in advance.

SECTION 3. That Section 2-924(a), Schedule of fees and service charges is hereby amended by inserting the following into the schedule of fees and services:

S-183.1	Duplicate Business License Certificate
S-183.2	Downtown Entertainment Permit
S-183.3	Adult Oriented Business Regulatory Permit
S-183.4	Adult Oriented Business Employee Regulatory Permit
S-183.5	Food Vendor Permit
S-183.6	Food Vendor Vehicle Inspection
S-183.7	Vehicle For Hire Operator Permit
S-183.8	Vehicle For Hire Driver Permit

SECTION 4. The City Clerk shall certify to the passage and adoption of this ordinance, causing it to be posted as required by law, and it shall become effective thirty (30) days after its adoption.

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APPROVED AND ADOPTED this ____ day of June, 2017.

ATTEST:

THE CITY OF POMONA

Eva M. Buice
City Clerk

Timothy Sandoval
Mayor

APPROVED AS TO FORM:

Arnold Alvarez-Glasman
City Attorney

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF POMONA

I, EVA M. BUICE, CITY CLERK of the City of Pomona do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Pomona held on the ____ day of _____, 2017 by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Eva M. Buice, City Clerk