

ORDINANCE NO. NS-3028

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING CERTAIN SECTIONS OF ARTICLES V, VII, AND IX OF CHAPTER 21 OF THE SANTA ANA MUNICIPAL CODE AND AMENDING AND ADDING CERTAIN SECTIONS WITH RESPECT TO ARTICLE X OF CHAPTER 21 OF THE SANTA ANA MUNICIPAL CODE TO CREATE A UNIFIED NON-CANNABIS BUSINESS LICENSE TAX RATE, SCHEDULE, AND CHARGE ARTICLE

THE CITY COUNCIL OF THE CITY OF SANTA ANA HEREBY ORDAINS AS FOLLOWS:

Section 1. The City Council of the City of Santa Ana hereby finds, determines and declares as follows:

- A. On July 20, 1987, the City Council adopted Ordinance No. NS-1922, which comprehensively revised Chapters 21 of the Santa Ana Municipal Code pertaining to business license taxation.
- B. Since 1987, the City Council has adopted Ordinance Nos. NS-1926, NS-2000, NS-2064, NS-2131, NS-2161, NS-2173, NS-2223, NS-2349, NS-2408, NS-2841, NS-2527, NS-2811, and NS-2824, further modifying aspects of the city's non-cannabis business license tax.
- C. It is the desire of the City Council to combine and unify all non-cannabis tax rates, schedules, and charges currently contained in Articles V through X of Chapter 21 of the Santa Ana Municipal Code, respectively, into a single chapter for clarity and cohesion.
- D. The City Council of the City of Santa Ana intends that nothing in this ordinance shall be deemed to represent an increase in any tax rate, tax schedule, or charge pertaining to the city's business license tax or to otherwise permit any increase in the existing scope of the city's business license tax.
- E. On June 7, 2022, the City Council conducted a duly noticed public hearing in connection with consideration and adoption of this Ordinance.

Section 2. This Ordinance is adopted pursuant to the authority granted by the California Constitution and State law.

Section 3. All provisions of the Santa Ana Municipal Code, which are repeated herein, are repeated solely in order to comply with the provisions of Section 418 of the

City Charter. Any such restatement of existing provisions of the Code is not intended, nor shall it be interpreted, as constituting a new action or decision of the City Council, but rather such provisions are repeated for tracking purposes only in conformance with the Charter.

Section 4. Pursuant to the California Environmental Quality Act and the State CEQA Guidelines, the adoption of this ordinance is exempt from CEQA review pursuant to California Code of Regulations Section 15061(b)(3), which is applicable if it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment.

Section 5. Article V (Fee-Exempt) of Chapter 21 of the Santa Ana Municipal Code (Licenses), Sections 21-53 and 21-54, are hereby amended to read in their entirety as follows:

Sec. 21-53. - Minimum gross receipts—Gratuitous license charge.

The provisions of this Chapter shall not be deemed or construed to apply to any person doing business in the city on a continuing but part-time basis whose gross receipts therefrom do not exceed the annual qualifying threshold amount per year as set forth in Section 21-120m(a). Any person claiming exemption under this Section shall be required, however, to provide information to the collector or his authorized agent of such nature and in such manner, and at such time as is required in this Chapter of persons applying for a business license and shall be subject to the same procedures for enforcement and for penalties as are provided herein. Provided, further that an annual charge as set forth in Section 21-120m(b) shall be due and payable for the issuance of a gratuitous license receipt.

Sec. 21-54. - Hobby—Gratuitous license charge.

The provisions of this Chapter shall not be deemed or construed to apply to any person engaged in hobby activity in the city. Any person claiming exemption under this Section shall be required, however, to provide information to the collector or his authorized agent of such nature and in such manner, and at such times as is required in this Chapter of persons applying for a business license and shall be subject to the same procedures for enforcement and for penalties as are provided herein. Provided further, that an annual charge as set forth in Section 21-120h(2) shall be due and payable for the issuance of a gratuitous license receipt.

Section 6. Article VII (Procedure) of Chapter 21 of the Santa Ana Municipal Code (Licenses), Sections 21-61, 21-67, 21-69, and 21-88, are hereby amended to read in their entirety as follows:

Sec. 21-61. - Application processing charge.

A minimum charge is required for the processing of any initial or renewal license application. This charge shall be in addition to the business license tax and shall not be prorated. The charge shall not be refunded if the application is rejected. However, if after receipt of applicant's written notification of cancellation, no required inspection or investigation has taken place pursuant to any applicable provision of this Code, and no business activity has been transacted or carried on, then in that event a refund request for all inspection or investigation fees paid exceeding the amount specified in Section 21-120r(2) may be made pursuant to Section 21-87 subsection (d). In no event, however, shall the application processing charge be made refundable, other than as part of a refund made pursuant to Section 21-87 subsection (b). Provided further, that the collector may waive the processing charge in the case of a bonafide nonprofit, charitable, or otherwise fee-exempt licensee.

The provisions of this Chapter notwithstanding, the following application categories shall pay an application processing charge as stated below:

- (a) Initial period application processing charge in the amount specified in Section 21-120i(2).
- (b) Renewal application processing charge in the amount specified in Section 21-120r(2).
- (c) Re-validation application processing charge in the amount specified in Section 21-120r(7).

Sec. 21-67. - Nontransferable, change of name or location.

(a) No license issued pursuant to this Chapter shall be transferable or assignable; provided, that where a license is issued authorizing a person to conduct a business at a particular place, such licensee may upon application therefor and upon paying a charge in the amount specified in Section 21-120c(2) have the license amended to authorize the conducting of such business under said license at some other location to which the business is or is to be moved.

(b) Provided that where a person holding a license issued under the provisions of this Chapter changes the name of the business, such person shall upon changing the name make an application to the collector and pay a charge in the amount specified in Section 21-120c(3) to have said license amended to reflect the change in name.

(c) Provided further that transfer, whether by sale or otherwise, to another person under such circumstances that the real or ultimate ownership after the transfer is substantially similar to the ownership existing before the transfer, shall not be prohibited by this Section. For the purpose of this Section stockholders, bondholders, partnerships, or other persons holding an interest in a corporation or other entity herein defined to be a person are regarded as having the real or ultimate ownership of such corporation or other entity.

Sec. 21-69. - Duplicates.

A duplicate license may be issued to replace any license previously issued hereunder which has been lost or destroyed upon the licensee filing a statement of such fact, and, at the time of filing such statement, paying a duplicate license charge in the amount specified in Section 21-120d(5).

Sec. 21-88. - Application for refund.

No refund of monies howsoever paid or collected shall be allowed in whole or in part unless an application therefor is filed with the collector within a period of one (1) year from the expiration of the license period for which a refund is sought, and all such claims for refund must be filed with the collector on forms furnished by him or her in the manner prescribed by him or her. Such application may be made only by the person who made the payment, his or her guardian, executor, administrator or heir. Refunds shall not be made to an assignee of the applicant. Upon the filing of such a claim, and when he or she determines that a refund is warranted, the collector shall refund the amount warranted, less an amount equivalent to the application processing charge paid, which shall be retained to cover the administrative cost of the refund. Provided, however, that in the case of a refund made pursuant to Section 21-87 subsection (b), and where applicable, subsection (d), no deduction shall be made on account of the administrative cost therefor. The failure to file such application within the time prescribed herein shall bar any future right of recovery.

Section 7. Article IX (Miscellaneous) of Chapter 21 of the Santa Ana Municipal Code (Licenses), Sections 21-97, 21-98, 21-101, 21-107, 21-108, 21-111, 21-112, and 21-114 are hereby amended to read in their entirety as follows:

Sec. 21-97. - Swap meets.

Swap meet exhibitors and swap meet operators shall pay business license tax according to the provisions of this Section.

(a) *Definitions.* As used in this Section, the following words, terms, or phrases shall have the meaning hereinafter set forth:

(1) "Swap meet" shall mean any event where the place or location at which the event is held has been advertised by any means whatsoever as a place or location to which members of the public at large, during a specified period of time, may bring identifiable, tangible property and exhibit the same for sale or exchange.

(2) "Swap meet exhibitor" shall mean any person exhibiting, displaying, selling, exchanging, offering for sale or exchange any property at a swap meet.

(3) "Swap meet operator" shall mean any person or organization conducting or operating the business of a swap meet on any premises in the city excluding, however, swap meet exhibitors.

(b) *Fees.*

(1) Every swap meet operator shall pay an annual business license fee according to Section 21-119(1) of this Chapter.

(2) Each swap meet exhibitor participating in a swap meet shall pay a fee in the amount specified in Section 21-120s(7) per swap meet stall per day. Where two (2) or more swap meet exhibitors share a single stall, each such exhibitor shall pay a separate daily stall fee. Such fee shall constitute a debt owed by the swap meet exhibitor to the city and shall be extinguished only by payment to the swap meet operator. The swap meet exhibitor shall pay the fee to the swap meet operator at the time and on each day the swap meet exhibitor participates in the swap meet. Any unpaid fee shall be paid upon the termination of the swap meet exhibitor's participation in the specific swap meet. Each swap meet operator shall collect the fee imposed by the provisions of this Section to the same extent and at the same time as any other fees are collected from every swap meet exhibitor. The amount of the fee shall be separately stated from any other monies collected by the swap meet operator. The fee shall be in addition to any other fee required by the city.

(3) On or before the tenth day following each swap meet, each swap meet operator shall file a return with the collector showing the total amount of fees collected under this Section and such other information as may be required by the collector. At the time the return is filed, the swap meet operator shall remit the full amount of the fees collected to the collector. Returns and payments shall be due immediately upon cessation of business by the swap meet operator for any reason.

(4) Every swap meet operator shall hold all fees collected under this Section in trust for the account of the city until payment thereof is made to the collector. Any swap meet operator who fails to remit the fees within the time specified shall pay a penalty of ten (10) per cent for each month said payment is overdue.

(c) *Records.* Each swap meet operator shall keep full and accurate records of gross receipts and stall rentals to vendors in connection with the operation of the swap meet. The city, by and through its authorized officers shall have the right to examine and audit such records, including records of any bank accounts, at any reasonable time, and swap meet operators shall cooperate fully with inspection of them. Such records shall include, but are not limited to, the total amount of gross receipts from each day, as well as whatever records are necessary in order to provide the city any required information pursuant to subsection (b)(3) of this Section.

Sec. 21-98. - Coin-operated machines or devices; license tax imposed; amount of tax; applicability of tax where devices are operated as secondary business.

(a) For every person whose business is limited exclusively to renting, leasing, maintaining or letting the use of any coin-operated machine or device, or otherwise engaging in vending operations, or in operating any coin-operated machine or device at any location or fixed place of business owned or otherwise under the control of another, the annual license tax on business done exclusively within the city, for every device so rented, leased, let, maintained or operated, shall be the amount specified in Section 21-120v(1) per each ten cent (\$0.10) device and over or the amount specified in Section 21-120v(2)(a) for the first five cent (\$0.05) device and under and thereafter the amount specified in Section 21-120v(2)(b) for each such additional device five cents (\$0.05) and under.

(b) Any person whose primary business is not limited exclusively to coin-operated machines or devices, and for which he or she pays a license tax based on gross receipts, but who owns, leases, or rents for operation at his or her fixed place of business any coin-operated machine or device or who receives rent for the operation of any coin-operated machine or device thereat, or who otherwise participates in the gross receipts derived from the operation of such machines thereat; such person may elect to combine the gross receipts of both activities and pay a license tax based upon the total receipts thereof which will be assessed at the same rate as is applied to his or her primary business according to Section 21-119 of this Chapter. Such election shall be made in writing at the time of applicant's original application for a business license or may be made once annually thereafter at the time of licensee's application for a renewal license.

(c) Where any licensee engages in the operation of any coin-operated machine or device at his or her fixed place of business subsequent to the commencement and licensing of licensee's primary business, the initial license tax due shall be identical to the tax established in subsection (a) above. However, upon the expiration of the initial licensing period, licensee may elect to pay the tax as provided pursuant to subsection (b) above.

#### Sec. 21-101. - Sealing of nonidentified or unlicensed machines.

The collector, as chief revenue officer, and each and every duly authorized revenue officer of the city shall seal the coin openings or slots in a manner which will render inoperative the coin devices on any machine or device not otherwise exempted by the provisions of the chapter which is found available to the public for operation and which does not have stamped or affixed thereon the required identification or for which the proper license tax has not been paid in full; in lieu thereof, he or she may seize and hold any such machine for the payment of such license tax pursuant to Section 21-102. A service charge in the amount specified in Section 21-120s(1) shall be paid in advance to the collector, or his or her authorized agent by the owner or operator of any such machine or device so sealed for the removal of such seals. No person shall operate any machine or device so sealed without first submitting evidence to the collector or his or her duly authorized agent that payment of the required license tax and service charge prescribed in this Section has been made and until the required identification has been stamped

upon or affixed to the machine or device and the collector or his or her agent has removed such seals. It is unlawful for any person other than the collector or his or her duly authorized agents to break any such seals. Any person so doing shall be deemed guilty of a misdemeanor. Upon receipt of evidence of payment in full of the tax and service charge and, when applicable, evidence of other required compliance by the owner or operator of any machine or device so sealed, the collector or his or her duly authorized agent shall break and remove such seals. In the event of seizure, any such machines shall be disposed of upon nonpayment of such tax as provided by the laws relative thereto, pursuant to Section 21-102. Such machines may be reclaimed by the owners, prior to disposal, upon payment of taxes and all costs involved in the seizure, storage and handling thereof.

Sec. 21-107. - Peddlers, solicitors and pushcarts.

(a) Any person, whether a resident of the city or not, traveling by foot, automotive vehicle or any other type conveyance from place to place or from street to street carrying, conveying or transporting goods, wares, merchandise, and offering and exposing the same for sale, or making sales and delivering articles to the purchasers or offering to sell or take orders for goods, wares, or merchandise or other things of value for future delivery or for services to be performed in the future, or canvassing any opinions, preferences, endorsements or other information from persons within the city, not otherwise licensed under the provisions of this Chapter or not having a regularly established place of business within the city, as said established place of business within the city shall be defined in this Section, shall pay a license fee as follows:

For Peddlers:

(1) The amount specified in Section 21-120p(2) per year, or the amount specified in Section 21-120p(2) per day, unless the person, persons, firms or corporations for whom such persons peddling and/or soliciting have a principal's, peddler's or solicitor's license as hereinafter provided pursuant to Section 21-108.

(2) The amount specified in Section 21-120p(3) per year, if the person, persons, firms or corporations for whom such person is peddling and/or soliciting have a principal's, peddler's or solicitor's license.

For Solicitors:

(3) The amount specified in Section 21-120s(4) per year, unless the person, persons, firms or corporations for whom such persons are soliciting have a principal's solicitor's license as hereinafter provided pursuant to Section 21-108.

(4) The amount specified in Section 21-120s(5) per year, if the person, persons, firms or corporations for whom such person is soliciting have a principal's solicitor's license.

(b) The phrase "having a regularly established place of business within the city" as used hereinabove and hereinafter below shall be defined as any individual having a fixed place of business, within the city for a period of not less than ninety (90) days and having a state board of equalization permit number applicable to the aforementioned place of business so established in the city.

(c) Every person operating a pushcart vending business within the city shall pay a license fee in the amount specified in Section 21-120p(6) per year for each such pushcart operated within the city.

Sec. 21-108. - Principal's, peddler's or solicitor's license.

Any person, firm or corporation, either employing one or more individuals, or contracting with one or more independent contractors to have such individuals solicit the retail sale of any goods, wares, merchandise, services or other things of value for future delivery or for services to be performed in the future, or to peddle or sell goods, wares and merchandise or to solicit any opinions, preferences, endorsements or other information from persons within the city, not otherwise licensed under the provisions of this Chapter or not having a regularly established place of business within the city, may obtain a principal's, peddler's or solicitor's license and pay a license fee as follows:

For a Principal Peddler's License, the amount specified in Section 21-120p(4) annually, plus an additional amount as specified in Section 21-120p(4) per employee for each employee engaged in peddling within the city, including independent contractors required to be separately licensed pursuant to Section 21-107, subsection (a).

For a Principal Solicitor's License, the amount specified in Section 21-120s(6) annually, plus an additional amount as specified in Section 21-120s(6) per employee for each employee engaged in peddling within the City, including independent contractors required to be separately licensed pursuant to Section 21-107, subsection (a).

The collector shall not issue such license until the applicant files with the collector a list of all peddlers and/or solicitors employed by the applicant or with whom the applicant has contracted and a signed agreement that the applicant, within five (5) days thereafter, will notify the collector in writing of every change in personnel of those soliciting and/or peddling for him.

Sec. 21-111. - Off-premises commercial advertising signs; erecting of, maintaining of, selling of advertising space therefor.

Any person engaged in transacting and carrying on the business of erecting, maintaining and selling of advertising space on off-premises commercial advertising signs shall pay a license tax therefor per sign face located in the city. For sign faces with gross dimensions equal to or less than three hundred (300) square feet said tax shall be at the rate as specified in Section 21-120o(1) per sign face. For sign faces with gross

dimensions in excess of three hundred (300) square feet said tax shall be at the rate as specified in Section 21-120o(2) per sign face.

Sec. 21-112. - Trucking and hauling; transportation of property; delivering or carrying of goods, wares or merchandise; occasional and incidental activity; exemptions and exceptions.

(a) *Transportation of property.* Every person whose business is that of operator of any vehicle used for the transportation of property for hire or compensation, and who in the course of that business uses the public streets and highways within the city to receive or discharge, pick up or deliver property within the city, shall pay a business tax as specified in Section 21-120t(2) per year for each such vehicle.

(b) *Delivering or carrying of goods, wares or merchandise.* Every person who uses any vehicle over the public streets and highways of the city to receive or discharge property, or for delivering or carrying goods, wares or merchandise sold, let or handled by him in the course of this business within the city, and who is not otherwise specifically taxed by other provisions of this Chapter, shall pay a business tax as specified in Section 21-120t(2) per year for each such vehicle.

(c) *Occasional and incidental activity.* The provisions of this Section shall not apply to persons operating such vehicles within the city on an occasional and incidental basis. For the purpose of this Section, "occasional [and] incidental" is defined to be the doing or performing of not more than three (3) incidents or acts as specified in this Section in any one-year period.

(d) *Exemption and exceptions.* The business tax imposed under the provisions of this Section shall not apply to any person who is subject to tax under the Motor Carriers of Property Permit Fee Act, commencing with Section 7231 of the California Revenue and Taxation Code; nor shall the provisions of this Section apply to the operation of any vehicle operated exclusively in interstate commerce.

Sec. 21-114. - Professional services.

Every person engaged in the business of providing professional services shall be taxed upon the basis of the number of persons engaged or employed in such business, in accordance with the following schedule:

(a) Each location in which professional services are rendered, whether by one (1) or more practicing principals or by one (1) or more professional independent contractors rendering professional services pursuant to a contract of employment, or whether by one (1) or more salaried professional employees engaged in rendering professional services—the amount as specified in Section 21-120p(5)(a) ;

(b) Each practicing professional principal, in excess of one (1), engaged in rendering professional services, whether as owner or as partner or officer or as professional shareholder—the amount as specified in Section 21-120p(5)(b);

(c) Each additional person engaged or employed, either as professional independent contractor rendering professional services pursuant to a contract of employment, or whether as salaried professional employee engaged in rendering professional services—the amount as specified in Section 21-120p(5)(c);

(d) Each additional person engaged or employed otherwise—the amount as specified in Section 21-120p(5)(d).

For the purpose of this Section, the phrase "each practicing professional principal" shall be deemed and is declared to mean the maximum number of persons engaged in rendering professional services (other than salaried employees or independent contractors engaging their services pursuant to a contract of employment and not otherwise sharing in the profits of the business) and shall be computed based upon the maximum number of practicing principals engaged in rendering professional services for any one-day period during any part of the preceding business license period.

For the purpose of this Section, the phrase "each additional person engaged or employed" shall be deemed and is declared to mean the average number of persons, whether licensed practitioners employed or otherwise engaged in rendering professional services, and not otherwise sharing in the profits of the business, or whether any other category of person, directly or indirectly paid for their service and not otherwise sharing in the profits of the business.

For the purpose of determining the average number of persons engaged or employed, the person subject to the tax shall ascertain separately the total number of hours of service performed by licensed practitioners engaged or employed during the preceding year, including paid leave, and the total number of hours of service performed by all other persons engaged or employed during the preceding year, including paid leave, in each case dividing the total number of hours of service by the fulltime equivalent (two thousand eighty (2,080) hours). In computing the average number of persons engaged or employed, fractions shall be rounded to the nearest whole number with one-half (0.5) or greater being rounded up and less than one-half (0.5) being rounded down.

In the case of an application for an original license, applicant shall state both the maximum number of practicing professionals engaged or intended to be engaged in rendering professional services and the average number of persons engaged or employed or intended to be engaged or employed to assist in the conduct of applicant's business. Thereafter, the license tax provided for herein shall be based solely upon the hereinabove set forth method of computation.

Section 8. Article X (Rates and Schedules) of Chapter 21 of the Santa Ana Municipal Code (Licenses), Sections 21-116, 21-120c, 21-120d, 21-120h, 21-120i, 21-

120k—21-120n, 21-120r, 21-120s, and 21-120v are hereby amended to read in their entirety as follows:

Sec. 21-116. - Applicability of article.

The tax for any license required by any Section of this Chapter shall be set forth in this article for the particular business involved. The tax and the duration of the license shall be annual, quarterly, monthly, and daily as indicated in this article. The letter "A" following the tax shall indicate an annual rate; the letter "Q" shall indicate a quarterly rate; the letter "M" shall indicate a monthly rate; the letter "D" shall indicate a daily rate. No letter following the tax shall indicate a variable duration as determined in connection with other applicable provisions set forth elsewhere in the Santa Ana Municipal Code. In place of a tax, the letter "C" shall denote a specified charge. The applicability of the charge shall be determined by the Business License Tax Code provision establishing it.

Sec. 21-120c. - Catering trucks, change in location amendment charge, change in name amendment charge, christmas tree and pumpkin lots, contractors.

- (1) CATERING TRUCKS, per vehicle .....\$100.00 A
- (2) CHANGE IN LOCATION AMENDMENT CHARGE, per license..... 10.00 C
- (3) CHANGE IN NAME AMENDMENT CHARGE, per license..... 10.00 C
- (4) CHRISTMAS TREE LOTS, per lot .....100.00 M
- (5) PUMPKIN PATCH LOTS, per lot .....100.00 M
- (6) CONTRACTOR—GENERAL CONTRACTOR,  
prorated quarterly per contractor .....120.00 A
- (7) CONTRACTOR—SPECIALTY and SUBCONTRACTOR,  
prorated quarterly per contractor .....110.00 A

Sec. 21-120d. - Dances, dance halls, day nurseries, duplicate license charge. ~~-\$;~~

- (1) DANCE HALL, PUBLIC .....\$200.00 A
- (2) DANCING PLACE, PUBLIC .....100.00 A
- (3) DANCE, PUBLIC, per dance ..... 25.00 D
- (4) DAY NURSERY ..... 35.00 A
- (5) DUPLICATE LICENSE CHARGE, per license ..... 10.00 C

Sec. 21-120h. - Home-based businesses, home occupations, hobby - gratuitous license charge.

- (1) HOME-BASED BUSINESS/HOME OCCUPATION .....\$165.00 A

(2) HOBBY – GRATUITOUS LICENSE CHARGE, per license 10.00 C

Sec. 21-120i. - Independent contractors, ice cream trucks, itinerant merchants, insurance solicitors, initial period application processing charge.

- (1) INDEPENDENT CONTRACTOR, per individual .....\$ 35.00 A
- (2) INITIAL PERIOD APPLICATION PROCESSING CHARGE  
Per license application .....15.00 C
- (3) ITINERANT MERCHANT .....100.00 Q
- (4) INSURANCE SOLICITOR, per solicitor ..... 35.00 A
- (5) ICE CREAM TRUCKS .....100.00 A

Secs. 21-120k—21-120l. - Reserved.

Sec. 21-120m. – Minimum gross receipts – qualifying threshold amount / gratuitous license charge.

MINIMUM GROSS RECEIPTS – QUALIFYING THRESHOLD AMOUNT /  
GRATUITOUS LICENSE CHARGE

- (a) QUALIFYING THRESHOLD AMOUNT per licensee.....\$1,200.00 A
- (b) GRATUITOUS LICENSE CHARGE, per license..... 10.00 C

Sec. 21-120n – New Business – minimum tax.

NEW BUSINESS – MINIMUM TAX

Per license .....\$ 10.00 A

Sec. 21-120r. - Real estate agents, renewal application processing charge, rental of residential real estate: residential property rental; residential apartment rental; rooming house rental; residential mobile home property rental; revalidation application processing charge.

- (1) REAL ESTATE AGENT, per agent .....\$ 35.00 A
- (2) RENEWAL APPLICATION PROCESSING CHARGE  
Per license renewal application ..... 15.00 C
- (3) RESIDENTIAL PROPERTY RENTAL UNIT ..... 25.00 A  
Plus per each property rental unit ..... 5.00 A
- (4) RESIDENTIAL APARTMENT RENTAL ..... 25.00 A  
Plus per each apartment rental unit ..... 5.00 A

- (5) ROOMING HOUSE RENTAL ..... 25.00 A  
     Plus per each room rental unit ..... 5.00 A
- (6) RESIDENTIAL MOBILE HOME PROPERTY RENTAL ..... 25.00 A  
     Plus per each rental unit space ..... 5.00 A
- (7) REVALIDATION APPLICATION PROCESSING CHARGE  
     Per license revalidation application ..... 10.00 C

Sec. 21-120s. - Sealing of nonidentified or unlicensed machines; sharpening services; shoeshine stands, solicitors swap meet exhibitor.

- (1) SEALING OF NONIDENTIFIED OR UNLICENSED MACHINES  
     Per machine .....\$ 10.00 C
- (2) SHARPENING SERVICE, place to place ..... 35.00 A
- (3) SHOESHINE STAND, per operator ..... 15.00 A
- (4) SOLICITOR, per solicitor as principal .....100.00 A
- (5) SOLICITOR, per solicitor as independent contractor ..... 35.00 A
- (6) PRINCIPAL'S SOLICITOR'S LICENSE .....200.00 A  
     Per each person engaged in soliciting in the city ..... 35.00 A
- (7) SWAP MEET EXHIBITOR, per participating exhibitor ..... 1.00 D

Sec. 21-120v. – Vending and coin-operated machines.

COIN-OPERATED MACHINES OR DEVICES:

- (1) Per \$0.10 device and over.....\$ 20.00 A
- (2) Per \$0.05 device or under,
  - (a) First machine..... 10.00 A
  - (b) Per additional device..... 5.00 A

Section 9. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Santa Ana hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 10. The tax rates and charges established by this ordinance shall be deemed to have been subject to annual adjustment pursuant to Section 21-121 of the

Santa Ana Municipal Code, and shall continue to be subject to said annual adjustment to the same extent as these tax rates and charges were first respectively established by Ordinance Nos. NS-1922, NS-1926, NS-2000, NS-2064, NS-2131, NS-2161, NS-2173, NS-2223, NS-2349, NS-2408, NS-2841, NS-2527, NS-2811, and NS-2824; provided that any tax or charge liability due under Chapter 21 of the Santa Ana Municipal Code for which payment was due prior to the adoption of this ordinance shall be governed by the provisions of said chapter as they existed prior to this ordinance.

Section 11. This Ordinance shall become effective thirty (30) days after its adoption.

Section 12. The Clerk of the Council shall certify the adoption of this Ordinance and shall cause the same to be published as required by law.

ADOPTED this 21<sup>st</sup> day of June, 2022.

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Vicente Sarmiento  
Mayor

APPROVED AS TO FORM  
Sonia R. Carvalho, City Attorney

By: John M. Funk  
John M. Funk  
Chief Assistant City Attorney

AYES:	Councilmembers	<u>Hernandez, Lopez, Mendoza, Penaloza, Phan, Bacerra, Sarmiento (7)</u>
NOES:	Councilmembers	<u>None (0)</u>
ABSTAIN:	Councilmembers	<u>None (0)</u>
NOT PRESENT:	Councilmembers	<u>None (0)</u>

#### CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Clerk of the Council do hereby attest to and certify the attached Ordinance No. NS-3028 to be the original ordinance adopted by the City Council of the City of Santa Ana on June 21, 2022, and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date 11/3/2022

N. A. O.  
for Clerk of the Council  
City of Santa Ana