

ORDINANCE NO. 2019-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, AMENDING TITLE 6 CHAPTER 6.72 SECTIONS 6.72.070 AND 6.72.080 OF THE EASTVALE MUNICIPAL CODE RELATING TO THE BUSINESS REGISTRATION CERTIFICATION PROGRAM

WHEREAS, to ease the administrative burdens placed on staff by the current system of having all business registration certificates expire on March 31 of each year, the City Council desires to change the system to rolling expiration dates; and

WHEREAS, the City Council also desires to eliminate the requirement for all home-based businesses to undergo an inspection prior to obtaining a business registration and to revise the information that must be submitted to assist with the identification of the owners of businesses.

NOW, THEREFORE, the City Council of the City of Eastvale ordains as follows:

SECTION 1. AMENDMENT OF SECTION 6.72.070.

a. Paragraphs (a)(3) and (4) are amended to read as follows:

“(3) In the event that application is made for the issuance of a business registration certificate to a person doing business under a fictitious name, the applicant shall show proof that the fictitious business name has been registered with the county assessor-clerk-recorder, and the application shall include the true name(s) of the owners of such business.

(4) In the event that application is made for the issuance of a business registration certificate to a corporation, limited liability company, limited partnership or limited liability partnership, the applicant shall show proof that the business has been registered with the California Secretary of State, and the application shall include the Secretary of State’s registration number.”

b. Paragraph (a)(5)(a) is amended to read as follows:

“a. Description of each single-family rental housing property, including, but not limited to, the street address(es).”

c. Paragraphs (b) AND (c) of Section 6.72.070 of the Eastvale Municipal Code are amended to read as follows:

“(b) *Issuance.* A business registration certificate shall be issued upon satisfactory completion of the requisite application and payment of the fee(s) prescribed in this chapter. Said certificate shall expire at the end of month one year from when it was issued.

(c) *Business registration certificate fees.* Business registration certificate fees shall be charged by the city to cover the reasonable costs of providing the regulatory services included in the business registration program, including but not limited fees for initial business registration certificates, renewal business registration certificates, and late fees. Business registration certificate fees shall be set by resolution of the city council, or as required by state law. No business registration certificate fee charged under the provisions of this chapter shall be construed as a business license tax."

SECTION 2. AMENDMENT OF SECTION 6.72.080.

Section 6.72.080 of the Eastvale Municipal Code is amended to read as follows:

"Section 6.72.080 Renewal of business registration certificate.

Any person who has obtained a business registration certificate pursuant to this chapter shall apply for renewal on or before expiration of the then current business registration certificate term. Said renewal application shall be accompanied by payment of the business registration certificate renewal fee. Any application for renewal received by the city 30 days or more after the business registration certificate term expired shall be subject to a late fee."

SECTION 3. CONVERSION OF EXISTING REGISTRATIONS TO ROLLING TERM.

At the time this Ordinance takes effect, all existing business registration certificates will have an expiration date of March 31. The City Council hereby authorizes the Finance Director/Treasurer to grant extensions of time on the term of each unexpired business registration in existence as of the effective date of this Ordinance. The Finance Director/Treasurer shall divide the existing business registrations into twelve groups, with each group assigned a month of the year for their business registration certificate expiration date. The Finance Director/Treasurer shall allow businesses to request a specific month for registration expiration and renewal, within his reasonable discretion.

The first renewal application submitted by a business that has been granted an extension of time pursuant to this Section 3 of this Ordinance shall include the full renewal fee then in effect plus a pro-rated renewal fee amount based on the length of the extension of time granted. For example, a business that received a one-month extension on the term of their registration will pay the full registration renewal fee plus an amount equal to 1/12 of the registration renewal fee, a business that received a six month extension of time will pay a registration renewal fee that is 1.5 times the normal renewal fee, etc.

The Finance Director/Treasurer, in consultation with the City Manager and City Attorney, shall have the discretion to take all actions he deems necessary or convenient to effectuate the change to a rolling term for business registrations, provided such actions are consistent with the terms of this Ordinance.

SECTION 4. SEVERABILITY.

If any section, subsection, subdivision, 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 hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect thirty (30) days from its passage by the City Council.

SECTION 6. PUBLICATION.

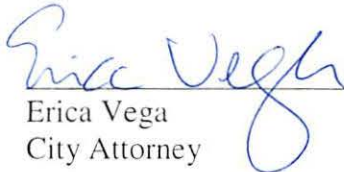
The City Clerk is authorized and directed to cause this Ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation and circulated within the City in accordance with Government Code Section 36933(a) or, to cause this Ordinance to be published in the manner required by law using the alternative summary and posting procedure authorized under Government Code Section 36933(c).

PASSED, APPROVED AND ADOPTED this 22nd day of May, 2019.




Todd Rigby
Mayor

APPROVED AS TO FORM:


Erica Vega
City Attorney

ATTEST:


Marc A. Donohue, MMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF EASTVALE)

I, Marc Donohue, City Clerk of the City of Eastvale, California, do hereby certify that the foregoing Ordinance No. 19-05, was introduced at a regular meeting of the City Council of the City of Eastvale held on the 8th day of May, 2019, and was passed by the City Council of the City of Eastvale at a regular meeting held on the 22nd day of May, 2019, by the following vote:

AYES: Councilmembers Lorimore, Yow, Mayor Pro Term Plott and Mayor Rigby

NOES: None

ABSENT: Councilmember Tessari

ABSTAIN: None

A handwritten signature in black ink, consisting of stylized, overlapping loops and strokes, positioned above a horizontal line.

Marc A. Donohue, MMC
City Clerk