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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING THE CITY'S FEES AND CHARGES SCHEDULE IN RESOLUTION NO. 21960, AS AMENDED, PROVIDING FOR FEES AND CHARGES FOR CERTAIN CITY SERVICES AND USER ACTIVITIES, AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE MASTER FEES AND CHARGES SCHEDULE.

WHEREAS, the City has the authority to impose fees under its police power under Article XI, §7 of the California Constitution and under its complementary powers under Section 37112 of the California Government Code and Section 200 of the Riverside City Charter; and

WHEREAS, the City has established a policy of recovering the full costs reasonably borne as a result of providing special services of a voluntary and limited nature, such that general taxes are not diverted from general services of a broad nature and thereby utilized to subsidize unfairly and inequitably such special services; and

WHEREAS, in Chapter 3.30 of the Riverside Municipal Code, the City Council established its policy as to the recovery of costs and more particularly the percentage of costs reasonably borne to be recovered from users of City services and directing staff as to the methodology for implementing said Chapter 3.30; and

WHEREAS, the adoption of a schedule of fees and charges to be paid by those requesting such special services and the percentage of costs reasonably borne by those persons receiving such special services are necessary so that the City might effectuate its policies; and

WHEREAS, the City adopted its Master Fees and Charges Resolution, Resolution No. 21960, on January 12, 2010, thereby approving and authorizing the Chief Financial Officer to update and maintain the City's Master Fees and Charges Schedule and to amend the Master Fees and Charges Schedule in accordance with Resolution No. 21960, as amended; and

WHEREAS, the specific fees to be charged for services are to be reviewed annually and be adopted by resolution of the City Council after providing notice and holding a public hearing as required by law; and

1           WHEREAS, the specific fees to be charged for services are to be reviewed annually and be  
2 adopted by resolution of the City Council, were made available to the public at least ten (10) days  
3 prior to the City Council meeting of November 19, 2019; and

4           WHEREAS, the City Council held a duly noticed public hearing on November 19, 2019, and  
5 has considered all oral and written evidence presented regarding the revisions to the Master Fees and  
6 Charges Schedule; and

7           WHEREAS, all requirements of law regarding the notice and the provision of data are hereby  
8 found to have been met; and

9           WHEREAS, all proposed fee revisions fall within the stated exceptions to the definition of  
10 “tax” established by Proposition 26, and are therefore not subject to the requirements of Article XIII C  
11 of the California Constitution; and

12           WHEREAS, the City desires to amend the Master Fees and Charges Schedule, Resolution No.  
13 21960 and its related amendments,

14           NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,  
15 California, as follows:

16           Section 1:     The above recitals are hereby found to be true and correct and are hereby  
17 incorporated herein as if stated in full.

18           Section 2:     The City Council has reviewed the specific fees to be charged for services  
19 which are set forth in Exhibit “A”, attached hereto, and incorporated herein by reference and hereby  
20 adopts the same.

21           Section 3:     This Resolution, together with any other resolution amending Resolution No.  
22 21960 and the Master Fees and Charges Schedule, including any exhibits or appendices, shall  
23 collectively be known as, and hereinafter may be interchangeably referred to as, the “Fees and  
24 Charges Resolution” or the “Master Fees and Charges Schedule.”

25           Section 4:     All fees set by this resolution are for each identified process; additional fees shall  
26 be required for each additional process or service that is requested or required. Where fees are  
27 indicated on a per unit of measurement basis the fee is for each identified unit or portion thereof within  
28 the indicated ranges of such units.

1           Section 5: The fees and charges revisions set forth in “Exhibit A” fall within the stated  
2 exceptions to the definition of “tax” established by Proposition 26 and are therefore not subject to the  
3 requirements of Article XIII C of the California Constitution.

4           Section 6: This resolution may be interpreted by the several City department heads in  
5 consultation with the City Manager and should there be a conflict between two fees, the lower in dollar  
6 amount of the two shall be applied.

7           Section 7: The Chief Financial Officer is hereby directed and authorized to maintain a  
8 current Master Fees and Charges Schedule which will include all amendments to the Fees and Charges  
9 Resolution.

10           Section 8: If any portion of this resolution is, for any reason, declared invalid or  
11 unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect  
12 the validity of the remaining portions of this resolution; the City Council hereby declaring that it would  
13 have adopted this resolution and every other section, subsection, paragraph, subparagraph, item, sub-  
14 item, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection,  
15 paragraph, subparagraph, item, sub-item, sentence, clause, phrase, or portion be declared invalid or  
16 unconstitutional.

17           Section 9: Resolution No. 21960 and all amendments thereto are hereby amended as of the  
18 date this resolution becomes operative and any previously established fee or charge not amended  
19 herein shall remain in full force and effect.

20           Section 10: The provisions of this resolution shall become effective immediately upon  
21 adoption.

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# EXHIBIT A

[Exhibit continues on next page]

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