

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. 23317, AS AMENDED, PROVIDING FOR SHARED MOBILITY DEVICE PERMIT AND OPERATING FEES

WHEREAS, businesses renting shared mobility devices, such as e-scooters, have sought to establish operations in the City; and

WHEREAS, it is necessary to establish a Shared Mobility Device Operations Program to govern the multiple companies desiring to operate a shared mobility device business in the City right-of-way; and

WHEREAS, the City desires to establish a Shared Mobility Device Operations Program and adopt the permit and operating fees in connection with such program; and

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 adoption of a schedule of fees and charges to be paid by those requesting 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 and, on June 12, 2018, the City adopted Resolution No. 23317, which, together with Resolution No. 21960 and its amendments, is referred to as the “Master Fees and Charges Schedule;” and

WHEREAS, it is desirable to revise the adopted Master Fees and Charges Schedule, to add the fees and charges associated with the City Shared Mobility Device Program; and

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

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

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

3 Section 2: Resolution No. 21960 and all applicable amendments thereto are hereby
4 amended to add the fees shown in Exhibit "A," attached hereto and incorporated herein. This
5 Resolution shall affect only those fees listed in Exhibit "A" attached hereto and shall have no
6 impact on any other previously established fee or charge.

7 Section 3: The schedule of fees and charges, as established in this resolution and set
8 forth in the attached Exhibit "A," are hereby directed to be computed and applied by the various
9 departments, officers, employees, and agents of the City and collected by the City for the herein
10 listed special services when provided by the City or its designated contractors.

11 Section 4: All fees set by this resolution are for each identified service as set forth in
12 Exhibit "A."

13 Section 5: The fees and charges revisions set forth in Exhibit "A" fall within the
14 stated exceptions to the definition of "tax" established by Proposition 26 and therefore are not
15 subject to the requirements of Article XIIIIC of the California Constitution.

16 Section 6: This resolution may be interpreted by the administering City department
17 head in consultation with the City Manager and, should there be a conflict between two fees,
18 then the lower in dollar amount of the two shall be applied.

19 Section 7: The Chief Financial Officer is hereby authorized and directed to maintain
20 a current Master Fees and Charges Schedule, along with all attachments, which will include all
21 amendments to the Fees and Charges Resolution.

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

EXHIBIT A

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Shared Mobility Device Operations Fees

| Fee Type | Fee Amount |
|--|-------------------|
| Permit Fee* <small>*This amount can be prorated after the first 90 days of the program.</small> | \$20,000.00 |
| Daily Per-Device Deployment Fee | \$1.00 |
| Device Relocation/Impound Fee | \$149.14 |