

## 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,  
TEMPORARILY WAIVING FEES ASSOCIATED WITH THE  
TEMPORARY OUTDOOR FLEX SPACE PERMIT PROGRAM

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, to aid in the economic recovery for local restaurants affected by the COVID-19 pandemic, the City has established the Temporary Outdoor Flex Space Permit Program; and

WHEREAS, to further aid in that economic recovery, the City desires to waive fees which might otherwise have been charged to applicants seeking to obtain a permit through the Temporary Outdoor Flex Space Permit Program; and

1 WHEREAS, no fees are being increased or established as part of this resolution; and  
2 WHEREAS, the City desires to amend the Master Fees and Charges Schedule, Resolution No.  
3 21960 and its related amendments,

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

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

8 Section 2: The following fees and charges are waived in connection with the Temporary  
9 Outdoor Flex Space Permit Program:

10	3516	CALIFORNIA FIRE CODE CFC Without Inspection	\$85.00
11	3517	CALIFORNIA FIRE CODE INSPECTION PERMIT Small Issuance of permit with field inspection	\$338.00
12		Large Issuance of permit with field inspection	\$591.00
13		Additional RFD stand by time if necessary	Actual Cost

14 Section 3: This Resolution, together with any other resolution amending Resolution No.  
15 21960 and the Master Fees and Charges Schedule, including any exhibits or appendices, shall  
16 collectively be known as, and hereinafter may be interchangeably referred to as, the "Fees and Charges  
17 Resolution" or the "Master Fees and Charges Schedule."

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

22 Section 5: The fees and charges revisions set forth herein fall within the stated exceptions  
23 to the definition of "tax" established by Proposition 26 and are therefore not subject to the requirements  
24 of Article XIIIIC of the California Constitution.

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

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

Section 8: If any portion of this resolution is, for any reason, declared 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 resolution; the City Council hereby declaring that it would have adopted this resolution and every other section, subsection, paragraph, subparagraph, item, sub-item, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, paragraph, subparagraph, item, sub-item, sentence, clause, phrase, or portion be declared invalid or unconstitutional.

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

Section 10: The provisions of this resolution shall become effective immediately upon adoption and will terminate and be of no further force and effect upon the termination of the Temporary Outdoor Flex Space Permit Program.

Section 11: Any and all future amendments to the Fees and Charges Resolution shall be operative on the date of adoption of such resolution(s) approving the proposed amendments, except as otherwise required by California law.

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**WILLIAM R. BAILEY, III**  
Mayor of the City of Riverside

Attest:

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COLLEEN J. NICOL  
City Clerk of the City of Riverside

I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at its meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, by the following vote, to wit:

Ayes:

Noes:

Absent:

Abstain:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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COLLEEN J. NICOL  
City Clerk of the City of Riverside

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