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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING THE CITY’S MASTER FEES AND CHARGES SCHEDULE IN RESOLUTION NO. 21960, AS AMENDED, ESTABLISHING THE STOREFRONT RETAIL COMMERCIAL CANNABIS BUSINESS PERMIT APPEALS FEE.

WHEREAS, the City has the authority to impose fees pursuant to its authority 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 desires to provide for the establishment of the new fee for Storefront Retail Commercial Cannabis Business Permit Appeals Fee, which shall consist of a deposit amount, from which the costs of the appeal, City staff time, facilitator, hearing, etc. will be charged against; and

WHEREAS, the City Council held a duly noticed public hearing on January 23, 2024, and has considered all oral and written evidence presented regarding the revision to the Master Fees and Charges Schedule; and

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

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

4           WHEREAS, the City desires to amend the Master Fees and Charges Schedule, Resolution No.  
5 21960 and its related amendments, to reflect the new fee for the Storefront Retail Commercial  
6 Cannabis Business Permit Appeals Fee, which shall consist of a deposit amount, from which the costs  
7 of the appeal, City staff time, facilitator, hearing, etc. will be charged against.

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

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

12           Section 2:     The City Council hereby determines that the specific fees to be charged for the  
13 Storefront Retail Commercial Cannabis Business Permit Appeals Fee, which shall consist of a deposit  
14 amount, from which the costs of the appeal, City staff time, facilitator, hearing, etc. will be charged  
15 against, which is set forth in Exhibit “A,” Schedule of Fees and Charges, attached hereto and  
16 incorporated herein by reference, are the reasonable costs for service and hereby adopts the same.

17           Section 3:     Resolution No. 21960 and all applicable amendments thereto are hereby  
18 amended to include the new fee as shown in Exhibit “A” herein.

19           Section 4:     This Resolution, together with any other resolution amending Resolution No.  
20 21960 and the Master Fees and Charges Schedule (Resolution No. 21960), shall collectively be known  
21 as, and hereinafter may be interchangeably referred to as, the “Fees and Charges Resolution,”  
22 “Schedule of Fees and Charges,” or the “Master Fees and Charges Schedule.”

23           Section 5:     All fees set by this Resolution are for each identified process or service;  
24 additional fees shall be required for each additional process or service that is requested or required.

25           Section 6:     The fees and charges revisions set forth in Exhibit “A” fall within the stated  
26 exceptions to the definition of “tax” established by Proposition 26, and therefore, are not subject to  
27 the requirements of Article XIIC of the California Constitution.  
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1            Section 7:     The Chief Financial Officer is hereby directed and authorized to maintain a  
2 current Master Fees and Charges Schedule which will include all amendments to the Fees and Charges  
3 Resolution.

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

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

14           Section 10:    The provisions of this Resolution shall become effective immediately upon  
15 adoption.

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

19           ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

21           \_\_\_\_\_  
22 PATRICIA LOCK DAWSON  
23 Mayor of the City of Riverside

24 Attest:

25           \_\_\_\_\_  
26 DONESIA GAUSE  
27 City Clerk of the City of Riverside  
28

1 I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the  
2 foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at  
3 its meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote, to wit:

4 Ayes:

5 Noes:

6 Absent:

7 Abstain:

8  
9 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
10 City of Riverside, California, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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12 \_\_\_\_\_  
13 DONESIA GAUSE  
14 City Clerk of the City of Riverside  
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28 22-2104.14 TAT 12/27/23

**EXHIBIT "A"**

**COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT  
PLANNING**

**CODE FEE DESCRIPTION** **FY 2023/24**

**OTHER FEES**

2718	COMMERCIAL CANNABIS SALES PERMIT FEE		
	Appeals Fee Deposit	\$	5,579.00