

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,
3 CALIFORNIA, AMENDING THE CITY'S FEES AND CHARGES
4 SCHEDULE IN RESOLUTION NO. 21960, AS AMENDED, PROVIDING
5 FOR FEES AND CHARGES FOR CERTAIN CITY SERVICES,
6 REGULATORY LICENSE, SPECIAL PERMIT, AND USER ACTIVITIES,
7 AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE
8 MASTER FEES AND CHARGES SCHEDULE.

9 WHEREAS, the City has the authority to impose fees under its police power under Article XI,
10 §7 of the California Constitution and under its complementary powers under Section 37112 of the
11 California Government Code and Section 200 of the Riverside City Charter; and

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

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

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

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

27 WHEREAS, the specific fees to be charged for services are to be reviewed annually
28 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 June 18, 2019; and

4 WHEREAS, the City Council held a duly noticed public hearing on June 18, 2019, and has
5 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 of the proposed fee revisions fall within the stated exceptions to the definition
10 of "tax" established by Proposition 26, and are therefore not subject to the requirements of Article
11 XIIIIC of the California Constitution; and

12 WHEREAS, the City desires to amend the Masters Fees and Charges Schedule, Resolution
13 No. 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" Schedule of Fees and Charges, attached hereto and incorporated
20 herein by reference and hereby 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, shall collectively be known as, and hereinafter
23 may be interchangeably referred to as, the "Fees and Charges Resolution" or the "Master Fees and
24 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 1” 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 XIIC 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 then the lower in
6 dollar 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 become operative and any previously established fee or charge not amended herein
19 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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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 _____, 2019.

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

Attest:

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 _____, 2019, 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 _____, 2019.

COLLEEN J. NICOL
City Clerk of the City of Riverside

19-0555 RBK 2019-06-07

EXHIBIT 1

[Exhibit continues on next page]

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