

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 ENTERTAINMENT PERMITS.

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

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

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

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

20 WHEREAS, the City is implementing a new process and permit for the regulation of  
21 entertainment establishments; and

22 WHEREAS, the fee proposed represents the reasonable cost for Riverside Police Department  
23 staff to process an application for an entertainment permit as well as any renewal; and

24 WHEREAS, the City Council held a duly noticed public hearing on October 22, 2019, and has  
25 considered all oral and written evidence presented regarding the revisions to the Master Fees and  
26 Charges Schedule; and

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

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

4 WHEREAS, the City desires to amend the Masters Fees and Charges Schedule, Resolution  
5 No. 21960 and its related amendments, to reflect the new fee for an entertainment permit and its  
6 renewal.

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

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

11 Section 2: The City Council has reviewed the specific fees to be charged for an  
12 entertainment permit and renewal which are set forth in Exhibit "A" Schedule of Fees and Charges,  
13 attached hereto and incorporated herein by reference, has determined that they are the reasonable costs  
14 for service and hereby adopts the same.

15 Section 3: Resolution No. 21960 and all applicable amendments thereto are hereby  
16 amended as shown in Exhibit "A".

17 Section 4: This Resolution, together with any other resolution amending Resolution No.  
18 21960 and the Master Fees and Charges Schedule, shall collectively be known as, and hereinafter may  
19 be interchangeably referred to as, the "Fees and Charges Resolution" or the "Master Fees and Charges  
20 Schedule."

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

23 Section 6: The fees and charges revisions set forth in Exhibit "A" fall within the stated  
24 exceptions to the definition of "tax" established by Proposition 26, and are therefore not subject to the  
25 requirements of Article XIIIIC of the California Constitution.

26 Section 7: The Chief Financial Officer is hereby directed and authorized to maintain a  
27 current Master Fees and Charges Schedule which will include all amendments to the Fees and Charges  
28 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 become operative and any previously established fee or charge not amended herein remain in full force and effect.

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

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

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1 I, Colleen J. Nicol, 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 \_\_\_\_\_, 2019, by the following vote, to wit:

4 Ayes:

5 Noes:

6 Absent:

7 Abstain:

8 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
9 City of Riverside, California, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.  
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13 COLLEEN J. NICOL  
14 City Clerk of the City of Riverside  
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