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## RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, RESCINDING RESOLUTION NO. 7044 AND AMENDING THE FEE SCHEDULE SUMMARY FOR BUSINESS LICENSES PREVIOUSLY ESTABLISHED IN ACCORDANCE WITH THE PROVISION OF TITLE 5 OF THE RIALTO MUNICIPAL CODE

**WHEREAS**, on April 1, 1986, the City Council adopted Ordinance 955 and Resolution No. 2893, which established various business classifications and the effective tax rates the businesses would be assessed based upon the gross receipts methodology; and

**WHEREAS**, on November 3, 1986, the City Council adopted Ordinance No. 983, which contained provisions to permit the City Council to establish and amend both the classifications for the various businesses and the schedule for the annual amount payable to the city from time to time by resolution of the City Council; and

**WHEREAS**, on October 20, 1987, the City Council adopted Ordinance No. 1009, adding Chapter 5.14 to the Rialto Municipal Code, which charged a flat tax rate of \$50.00 for both regulatory and revenue purposes for various business classifications, including warehouse uses; and

**WHEREAS,** on November 15, 1994, the City Council adopted Resolution No. 4076, which amended Resolution 2893 and established that the gross receipts methodology for the purpose of calculating the business license tax for distribution facilities was to be based upon the value of the inventory shipped annually from the facility; and

WHEREAS, on November 1, 2005, the City Council adopted Ordinance No. 1378 and Resolution No. 5280, which modified Chapter 5.14 of the Rialto Municipal Code and approved an alternative methodology for calculating the business license tax for distribution facilities based upon a rate of \$0.05 per square foot multiplied by the gross square footage of the building, and allowing the affected business to choose between methodologies; and

**WHEREAS**, on December 13, 2016, the City Council adopted Ordinance No. 7044, which modified the optional methodology for calculating the business license tax on distribution facilities by increasing the per square foot rate of \$0.05 per square foot to \$0.075 per square foot; and

**WHEREAS**, the Business License Tax Summary attached hereto as Attachment "A" and included herein by this reference was modified to reflect the new \$0.075 per square foot rate for calculation of the business license tax for distribution facilities under the optional methodology.

**WHEREAS**, the Business License Tax Summary attached hereto as Attachment "B" and included herein by this reference has been modified to correct a clerical error within the Truck Deliveries classification fee schedule. The correction will modify the gross receipt base amount of \$500,000 to \$300,000, and the associated tax amount of \$100 to \$79 as previously established in Resolution 5280.

NOW, THEREFORE, the City Council of the City of Rialto does hereby resolve as follows:

Section 1. The City Council hereby rescinds Resolution No. 7044 and adopts the Business License Tax Summary attached hereto as Attachment "B" in its entirety, which shall supersede all previously adopted fee schedules for business licenses.

<u>Section 2.</u> Severability. The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the ordinance or their applicability to other persons or circumstances.

**Section 3.** Effective Date. This Resolution shall take effect and be enforced upon its adoption.

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1	WHEREFORE, THIS RESOLUTION IS PASSED, APPROVED AND ADOPTED this
2	13 <sup>th</sup> day of December, 2016.
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4	DEBORAH ROBERTSON, MAYOR
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6	ATTEST:
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8	BARBARA McGEE, CITY CLERK
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10	APPROVED AS TO FORM:
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13	FRED GALANTE, ESQ., CITY ATTORNEY
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	OTTATE OF CALLED NAME.
1 2	STATE OF CALIFORNIA ) CITY OF RIALTO )ss COUNTY OF SAN BERNARDINO )
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4	I, BARBARA MCGEE, CITY CLERK FOR THE CITY OF RIALTO, DO HEREBY
5	CERTIFY THAT the foregoing was duly passed, approved and adopted at a
6	meeting of the City Council of the City of Rialto held on theday of, 2016.
7	Upon Motion from City Council Member, seconded by City Council Member,
8	the foregoing was duly passed and adopted.
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10	VOTE ON THE MOTION:
11	AYES:
12   13	NOES:
14	ABSENT:
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16	IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
17	Rialto this day of, 2016.
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19	BARBARA MCGEE, CITY CLERK
20	CITY OF RIALTO
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