

RESOLUTION NUMBER R- 299382

ADOPTED ON JUN 28 2004

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE ESTABLISHMENT OF NEW
RATES FEES AND ADJUSTMENTS TO EXISTING RATES
AND FEES FOR INCLUSION IN THE RATEBOOK OF CITY
FEES AND CHARGES MAINTAINED IN THE OFFICE OF
THE CITY CLERK

WHEREAS, it is the policy of the City of San Diego to establish fees to recover the costs of providing services in accordance with the City of San Diego Administrative Regulation 95.25; and

WHEREAS, Administrative Regulation 95.25 encourages transferring specific fee schedules listed in the Municipal Code and Council Resolutions to the standardized Ratebook maintained by the City Clerk; and

WHEREAS, each department conducted a full evaluation of the costs and revenues associated with providing City services, in accordance with the California Constitution as well as the State Government Code, which authorize local jurisdictions to impose fees, charges, and rates in order to recover costs associated with provided services and the use of facilities; and

WHEREAS, on May 25, 2004, a public hearing was held by the Council of the City of San Diego at which oral and written presentations were made regarding the new and revised fees; and

WHEREAS, on June 15, 2004, a follow up public hearing was held by the Council of the City of San Diego regarding the revised fees for Police and Traffic Control Rates for Commercial Events and other Activities; and

WHEREAS, on June 14, 2004 the San Diego City Council held a public hearing to continue discussions on the FY05 budget where the City Manger presented a proposal to implement a Business Tax application, Business Tax Renewal and Rental Unit Business Tax billing statement processing fee; and

WHEREAS, the San Diego City Council continued the discussions of the Business Tax application, Business Tax Renewal and Rental Unit Business Tax billing statement processing fee to June 21, 2004; and

WHEREAS, the City Manager issued a report for the June 21, 2004 City Council hearing; and

WHEREAS, 10 days prior to the public hearing to consider the resolution for the approval of the Business Tax application, Business Tax Renewal and Rental Unit Business Tax billing statement processing fee , a public notice was posted in the San Diego Daily Transcript; and

WHEREAS, the City Treasurer, pursuant to San Diego Municipal Code Section 31.0133, is given the authority to implement an administrative policy to establish Business Tax application, Business Tax Renewal and Rental Unit Business Tax billing statement processing fees; and

WHEREAS, considerable staff time and expense go into processing the City's Business Tax and Rental Unit Tax applications and renewals; and

WHEREAS, the revenue anticipated from these processing fees does not exceed the annual cost of processing application and renewals for Business Tax applications, Business Tax renewals, and Rental Unit Tax Certificates; and

WHEREAS, the San Diego City Council finds that it is reasonable to establish a fee to recover costs associated with processing applications and renewals for Business Tax Certificates and Rental Unit Tax Certificates; and

WHEREAS, ten days prior to the public hearing held in connection with Manager's Report No. 04-107 regarding Establishment of New Rates and Fees and Adjustments to Existing Rates and Fees, a notice was made available to the public that included a detailed explanation of the proposed revisions to the fees to be considered at the public hearing; and

WHEREAS, pursuant to the California Civil Code section 1719, the City of San Diego is authorized to impose a Non-Sufficient Funds Check Processing Fee; and

WHEREAS, under the local police powers and California Government Code section 50402, the City of San Diego is authorized to impose fees to cover the costs associated with Ground Use Fees and Instructional Camp Fees for the use of parkland; and

WHEREAS, under the local police powers, the City of San Diego is authorized to impose fees to cover the costs associated with the review and installation/painting of curbs for the purposes of parking restrictions; and

WHEREAS, pursuant to the California Vehicle Code section 40203.5, the City of San Diego is authorized to impose fees to recover costs associated with parking violations; and

WHEREAS, the San Diego Fire Rescue Department conducts annual special inspections, complaint, and route slip inspections for a variety of occupancy types each year to ensure compliance with California Building and Fire Codes and the California Code of Regulations through its Fire Company Inspection Program; and pursuant to the California Fire Code Appendix VI-F, the City of San Diego is authorized to impose fees to recover costs associated with implementing the Fire Company Inspection Program and conducting Special Surveys; and

WHEREAS, pursuant to the City of San Diego Municipal Code section 22.4022, the City Manager is authorized to impose fees to recover costs associated with providing City services for Special Events including fees for Police and Traffic Control Rates for Commercial Events and other Activities; and

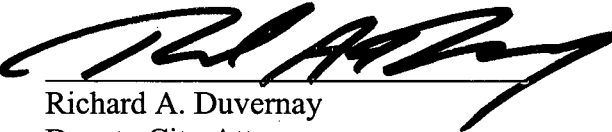
WHEREAS, in recognition of the economic contribution film production activities make to the regional economy, film production activities can continue to be charged the Police and Traffic Control rates currently charged to non-profit organizations; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, that the new and revised fees, attached hereto as Attachment A, a copy of which is on file in the Office of the City Clerk as Document Number RR- 299382, is hereby approved.

BE IT FURTHER RESOLVED, that the City Manager is hereby directed to review the fees annually to ensure that all reasonable costs incurred in providing services are being recovered and to approve fee schedules whenever possible in accordance with the City of San Diego Administrative Regulation 95.25.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to amend the City Ratebook to include the fees attached hereto in Attachment A.

APPROVED: CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

RAD:jab
06/14/2004
06/23/2004COR.COPY
Or.Dept: Treasurer
R-2004-1384

Attachment A

New and Revised Fees Approved on May 25, 2004 and June 15, 2004
 Requiring Adoption by City Council Resolution

FEE TITLE	EXISTING FEE	REVISED FEE
City Treasurer		
NSF Processing Fee	\$20	\$25
Business Tax Application, Business Tax Renewal, and Rental Unit Business Tax Billing Statement Processing Fee	None	\$25
Engineering & Capital Projects Department		
Curb Installation – Disabled Persons Parking (Blue) Zones	None	\$275
Curb Installation – Painted Driveway Clearances	None	\$275
Curb Installation – Passenger Loading (White) Zones	None	\$275
Curb Installation – Commercial Loading (Yellow) Zones	None	\$275
Curb Installation – Short-term Parking (Green) Zones	None	\$275
Fire-Rescue Department		
Fire Company Inspection Program Fees	None	See Exhibit 1
Special Survey Fees	\$119	\$190
General Services Department		
Disabled Parking Violation Fine	\$340	\$440
Disabled Parking Violation Processing Fee	None	\$10
Sidewalk Disabled Access Ramp Parking Violation Fine	None	\$290
Trailer Parking Violation Fine	None	\$250
Park and Recreation Department		
Ground Use Fees (formally under Park Use Permit, Private Event, and Special Event or Commercial Activity fee structures)	Various	See Exhibit 2
Instructional Camp Fees	None	Daily Fee \$35 Annual Application Fee \$150
Police Department		
Police/Traffic Control Rates for Commercial Events and Other Activities	Police \$55 Traffic Control \$22	Police \$75 Traffic Control \$30

DOCUMENT NO. R-299382

FILED JUN 28 2004

OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

R-299382

**EXHIBIT 1
to Attachment A**

Fire Company Inspection Program Fee Schedule

Building Size (sq. ft.)	Proposed Fee
<i>Assembly Occupancies</i>	
50,001 and above	\$633
12,001 – 50,000	\$228
10,000 – 10,000	\$221
5,000 – 10,000	\$210
0 – 5,000	\$189
<i>Business Occupancies</i>	
10,000 and above	\$420
5,001 – 10,000	\$308
0 – 5,000	\$263
<i>Educational Occupancies</i>	
10,000 and above	\$257
5,001 – 10,000	\$204
0 – 5,000	\$190
<i>Health Care Occupancies</i>	
32,001 and above	\$397
10,001 – 32,000	\$299
10,000 – 5,001	\$123
0 – 5,000	\$105
<i>Residential Occupancies</i>	
10,000 and above	\$443
5,001 – 10,000	\$232
0 – 5,000	\$205
<i>Large Family Day Care Facilities</i>	
Per Facility	\$179
<i>Residential Licensed Facility</i>	
6,001 and above	\$200
0 – 6,000	\$152
<i>Residential Care Facility</i>	
6,001 and above	\$286
0 – 6,000	\$280
<i>Fire Lanes</i>	
Per lane	\$140

938

299382

**EXHIBIT 2
to Attachment A**

**Park and Recreation Department
Ground Use Fee Schedule**

Non-profit Youth Organization, No Admission Fee		\$50	
Non-profit Organization, No Admission Fee		\$100	
<i>Group Size</i>	<i>Non-profit Organization w/Admission Rate</i>	<i>Non-Commercial Group Rate</i>	<i>Commercial Group Rate</i>
75-150	\$175	\$250	\$350
151-300	\$250	\$375	\$450
301-1,000	\$450	\$600	\$800
over 1,000	\$800*	\$1,000*	\$1,250*
Event Venue Parking Space Use Fee**		\$2.50 per space per day	

*Base rate against a negotiated rate or percentage of the gross, whichever is higher.

**Fee is for the sole purpose of closing public parking spaces for use as an event venue. It is not permissible to use the fee to secure parking spaces for exclusive permitted or paid parking purposes.

R-299382