

CITY OF ALAMEDA ORDINANCE NO. _____

AMENDING ALAMEDA MUNICIPAL CODE SECTION 5-7.1 PENALTY
FOR NONPAYMENT OF ANNUAL, QUARTERLY OR SEMI-ANNUAL
LICENSE

WHEREAS, in accordance with Section 5-2.1 of the City's Municipal Code, it shall be unlawful for any person, either for himself/herself or for any other person, to commence, conduct, carry on or engage in any business, this chapter specified, in the City without first having procured a license from the City to do so, or without complying with any and all regulations of such business contained in this chapter; and the carrying on of any business without first having procured a license from the city to do so, or without complying with any and all regulations of this chapter shall constitute a separate violation of this code for each and every day that such business is so carried on or conducted; and

WHEREAS, in accordance with Section 5-7.1 of the City's Municipal Code, "Penalty for Nonpayment of Annual, Quarterly or Semi-Annual License", every annual or quarterly license which is not paid within a period of thirty (30) days from the time the same becomes due and payable is hereby declared to be delinquent and the Bureau of Licenses shall thereupon add to the license and collect a penalty of twenty (20%) percent of the license so delinquent for each month the license remains unpaid, provided that the amount to be added shall in no event exceed one hundred (100%) percent of the amount due; and

WHEREAS, the City Council previously directed staff to reduce the penalty calculation formula for non-payment of the Annual, Quarterly or Semi-Annual License; and provide a mechanism for the Bureau of Licenses Director to reduce or waive penalties for those business owners able to demonstrate good cause for untimely payments of business license taxes; and

WHEREAS, the City desires to encourage timely payments of business license taxes due to the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Alameda as follows;

Section 1. Section 5-7.1 of the City's Municipal Code is hereby amended to read as follows:

"5-7.1 Penalty for Nonpayment of Annual, Quarterly or Semi-Annual License."

Every annual or quarterly license, which is not paid within a period of thirty (30) days from the time the same becomes due and payable is hereby declared to be delinquent and the Bureau of Licenses shall thereupon add to the license and collect a penalty of ~~twenty (20%) percent~~ ten (10%) percent of the license so

delinquent for each month the license remains unpaid, provided that the amount to be added shall in no event exceed ~~100 hundred (100%) percent sixty (60%) percent~~ of the amount due. The Bureau of Licenses Director may, for good cause shown, waive all or any part of any otherwise applicable penalty.

Section 2. This ordinance shall be in full force and effect from and after the expiration of thirty (30) days from the date of its final passage.

Presiding Officer of the City Council

Attest:

Lara Weisiger, City Clerk
City of Alameda

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I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE FOREGOING Ordinance was duly and regularly adopted and passed by Council of the City of Alameda in regular meeting assembled on the ____ day of _____, 2016, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this ____ day of _____, 2016.

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM:

Janet C. Kern, City Attorney
City of Alameda