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ORDINANCE NO. O-01-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLTON TO AMEND TITLE 5, CHAPTER 5.02 OF THE COLTON MUNICIPAL CODE RELATING TO TIMING OF BUSINESS LICENSE RENEWALS

WHEREAS, the City of Colton Business Licenses and Regulations (CMC Title 5, Chapter 5.02, Sections 5.02.290 and 5.02.300 – “Ordinance”) provide for an annual business license renewal process, due and payable on January 1st of each year, and delinquent on March 1st of each year; and

WHEREAS, to facilitate greater efficiency in the annual renewal process, the City Council wishes to amend the Ordinance to provide for two renewal cycles per year; and

WHEREAS, all other legal prerequisites to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 5.02.290 of Title 5 of the Colton Municipal Code is hereby amended in its entirety to read as follows:

“5.02.290 – Taxes – Dates due and payable.

- A. Annual. Unless otherwise specifically provided in this chapter, all annual license taxes imposed by the provisions of this chapter for businesses with a City of Colton situs address shall be due and payable in advance on January 1st of each year; provided, however, license taxes for new operations commenced after January 1st may be prorated on a monthly basis, a fraction thereof considered a whole month, for the balance of the license period. All annual license taxes imposed by the provisions of this chapter for businesses with a situs address outside of the City of Colton shall be due and payable in advance on July 1st of each year; provided, however, license taxes for new operations commenced after July 1st may be prorated on a monthly basis, a fraction thereof considered a whole month, for the balance of the license period.
- B. Flat Rate. Except as otherwise provided in this chapter, license taxes, other than annual taxes, imposed by the provisions hereof shall be due and payable as follows:

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1. Annual flat rate license taxes for businesses with a City of Colton situs address, on January 1st of each year;
2. Annual flat rate license taxes for businesses with a situs address outside of the City of Colton, on July 1st of each year;
3. Semiannual flat rate license taxes, on January 1st and July 1st of each year;
4. Quarterly flat rate license taxes, on January 1st, April 1st and October 1st of each year;
5. Daily flat rate license taxes, each day in advance; and
6. Other flat rate license taxes, in advance on the first date of business and thereafter on the first day of any applicable period.”

SECTION 2. Section 5.02.300 of Title 5 of the Colton Municipal Code is hereby amended in its entirety to read as follows:

“5.02.300 – Taxes – Delinquencies – Penalties.

For failure to pay a license tax when due, the collector shall add a penalty of ten percent of the license tax at eight a.m. on the first day delinquent. License taxes shall be considered delinquent as follows:

- A. Annual license taxes for businesses with a situs address within the City of Colton shall be delinquent on March 1st of each year.
- B. Annual license taxes for businesses with a situs address outside the City of Colton shall be delinquent on September 1st of each year.
- C. Semiannual license taxes shall be delinquent on March 1st and September 1st of each year;
- D. Quarterly license taxes shall be delinquent on March 1st, June 1st and December 1st of each year;
- E. Daily license taxes shall be delinquent at eight a.m. on the morning after the day for which the tax is due.”

SECTION 3. CEQA. The adoption of this Ordinance will not result in a direct or indirect physical change in the environment and is therefore not subject to the California Environmental Quality Act (California Public Resources Code §§ 21000 *et seq.*) pursuant to Section 21065 of the California Public Resources Code and Section 15378 of the CEQA Guidelines.

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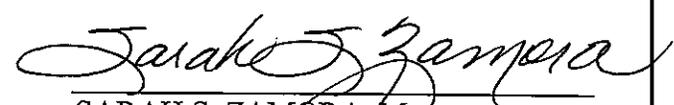
SECTION 4. Invalidation. If any sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decisions shall not affect the validity of the remaining provisions of this Ordinance.

SECTION 5. Reading. A full reading of this Ordinance is hereby waived. This Ordinance was introduced at a regular meeting of the City Council of the City of Colton, California, on January 17, 2012, and thereafter adopted at a regular meeting of the City Council held on the 7th day of February, 2012.

SECTION 5. Effective Date. This Ordinance shall become effective thirty (30) days after its adoption in accordance with the provisions of California law.

SECTION 6. Certification/Publication. The City Clerk shall certify to the passage of this Ordinance and cause the same or a summary thereof to be published within fifteen (15) days after adoption in the San Bernardino County Sun, a newspaper published and circulated in the City of Colton.

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Colton on the 17th day of January, 2012, and **PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Colton on the 7th day of February, 2012.


SARAH S. ZAMORA, Mayor

ATTEST:

EILEEN C. GOMEZ, CMC
City Clerk

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CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF COLTON)

I, **EILEEN C. GOMEZ**, City Clerk of the City of Colton, California, do hereby certify that the foregoing is a full, true and correct copy of **ORDINANCE NO. O-01-12**, duly adopted by the City Council of said City, and approved by the Mayor of said City, at its Regular Meeting of said City Council held on the **7th day of February, 2012**, and that it was adopted by the following vote, to wit:

AYES:	COUNCILMEMBER	Toro, Gonzales, Yzaguirre, Oliva, Bennett, Perez, and Mayor Zamora
NOES:	COUNCILMEMBER	None
ABSTAIN:	COUNCILMEMBER	None
ABSENT:	COUNCILMEMBER	None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Colton, California, this _____ day of _____,

EILEEN C. GOMEZ, CMC
City Clerk
City of Colton

(SEAL)