

**ORDINANCE NO. 2652A**

**AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTIONS 5.02.040 AND 5.02.050 OF CHAPTER 5.02 AND SECTION 5.07.020 OF CHAPTER 5.07 OF THE CHULA VISTA MUNICIPAL CODE RELATING TO BUSINESS LICENSE TAXES AND REGULATIONS**

**SECTION I:** That Sections 5.02.040 and 5.02 050 of Chapter 5.02 and Section 5.07.020 of Chapter 5.07 of the Chula Vista Municipal Code are hereby amended to read as follows:

**5.02.040 Application-Contents required-Investigation Fee(s).**

Before any license is issued to any person, such person shall make written application therefore to the finance officer of the city. Such application shall:

- A. State the nature or kind of business or enterprise for which the license is required;
- B. State the place where such business or enterprise will be transacted or carried on;
- C. State the following:
  - 1. The name and address of the owner of the business or enterprise,
  - 2. The ownership classification: sole proprietorship, partnership or corporation and the federal tax identification number of the business,
  - 3. The date business commenced in the City of Chula Vista,
  - 4. The number of persons employed by the business,
  - 5. State license number(s) and State of California resale number of the business or person conducting the business.
- D. Be signed by the applicant;
- E. Shall contain, when intended as an application for a license as a solicitor, peddler or transient merchant, the following information:
  - 1. Physical description of applicant,
  - 2. Complete permanent home and local address of the applicant,
  - 3. If employed, the name and address of the employer, together with credentials therefrom establishing the exact relationship,

4. The source of supply of the goods or property or property proposed to be sold, or orders taken for the sale thereof, where such goods or products are located at the time such application is filed, and the proposed method of delivery,
5. Two copies of a recent photograph of the applicant, such picture being approximately two inches by two inches and showing the head and shoulders of the applicant in a clear and distinguishing manner,
6. A statement as to whether or not the applicant has ever been convicted of any felony and if so the nature of the offense,
7. The last cities, not to exceed three, where applicant carried on business immediately preceding the date of application and the addresses from which such business was conducted in those cities,
8. At the time of filing the application, the Required Fee(s) shall be paid to the director of finance to cover the cost of investigation of the facts stated therein,
9. Where a written order or contract is used, the applicant shall attach to the application one copy of the proposed form of all such orders or contracts to be used or submitted to purchasers or prospective purchasers within the city,
10. At the time such application is filed, the applicant shall furnish his fingerprints to the police department of this city.

**5.02.050 Issuance-Prerequisites and procedure generally.**

Upon application therefor as provided in this chapter, it shall be the duty of the finance officer to prepare and issue a license pursuant to this chapter; provided however, that the finance officer shall not issue any such license until it has been noted on the application therefor that the location of the proposed business has been reviewed by both the fire department and the planning department and any other department deemed appropriate by the finance director, and has been approved in accordance with the provisions of the building code, the zoning ordinance and any other applicable code.

**5.07.020 Applicable tax rates - by year.**

**A. 1991 Calendar year rates.**

Effective January 1, 1991, the business license tax rates shall be those rates detailed in the Master Tax Schedule, Section 5.07.030, in the column thereof labeled "Tax Rate: 1/1/91 - 12/31/91".

**B. 1992 Calendar year rates.**

Effective January 1, 1992, the business license tax rates shall be those rates detailed in the Master Tax Schedule, Section 5.07.030, in the column thereof labeled "Tax Rate: 1/1/92 - 12/31/92".

C. 1993 Calendar year rates.

Effective January 1, 1993, the business license tax rates shall be those rates detailed in the Master Tax Schedule, Section 5.07.030, in the column thereof labeled "Tax Rate: 1/1/93 - 12/31/93".

D. 1994 and Subsequent Calendar Year Rates.

Effective January 1, 1994, and for each calendar year thereafter, all tax rates for the categories of taxpayers detailed in the Master Tax Schedule, including both base tax rates and add-on tax rates (e.g., rates per person, per-machine, etc.) shall be increased by six (6%) percent per year above the tax rates and add-on rates applicable in the preceding year.

E. Power to Abate in 1992 and thereafter to 1991 floor.

Notwithstanding anything else to the contrary in this section contained, commencing for the 1992 calendar year and continuing thereafter, the city council is hereby authorized for no more than one calendar year, but is not required, to lower the tax imposed by this section but to no less than taxes imposed in the 1991 calendar year.

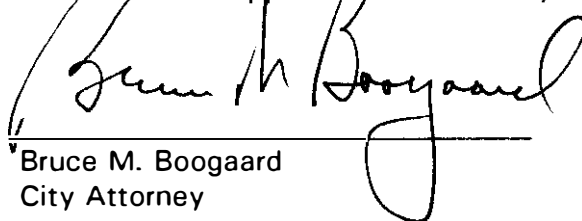
F. Procedure to Abate.

To lower the tax authorized by this section, the city council shall conduct a public hearing at which it publicly deliberates on the advisability of doing so, notice which public hearing is published in a newspaper of general circulation at least twice not sooner than 20 days and not later than 5 days prior thereto, of its intent to deliberate upon said matter. Failure to publish notice of the public hearing, as herein required, shall not affect the right of the city council to conduct the public hearing and to reduce the authorized annual rate of increase as herein imposed.

G. Nothing contained in this section shall affect the effective date of this ordinance.

SECTION II: This ordinance shall take effect and be in full force on the thirtieth day from and after its second reading and adoption.

Presented and Approved as to form by



Bruce M. Boogaard  
City Attorney

PASSED, APPROVED, and ADOPTED by the city council of the City of Chula Vista, California, this 5th day of March, 1996, by the following vote:

AYES:	Councilmembers:	Alevy, Moot, Padilla, Rindone, Horton
NAYS:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None

  
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Shirley Horton, Mayor


ATTEST:

  
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Beverly A. Authelet, City Clerk

STATE OF CALIFORNIA    )  
COUNTY OF SAN DIEGO   ) ss.  
CITY OF CHULA VISTA    )

I, Beverly A. Authelet, city clerk of the City of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2652A had its first reading at a regular meeting held on the 27th day of February, 1996 and its second reading and adoption at a regular meeting of said city council held on the 5th day of March, 1996.

Executed this 5th day of March, 1996.

  
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Beverly A. Authelet, City Clerk