

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
JOSE AMENDING RESOLUTION NO. 72737 TO AMEND
AND ESTABLISH VARIOUS FEES AND CHARGES
EFFECTIVE JULY 1, 2012**

WHEREAS, on June 14, 2005, the City Council adopted Resolution No. 72737 establishing the Schedule of Fees and Charges effective July 1, 2005; and

WHEREAS, on December 13, 2005, the City Council adopted Resolution No. 73019 amending the Schedule of Fees and Charges to establish a Secondary Units Clearance Fee, effective December 13, 2005; and

WHEREAS, on February 7, 2006, the City Council adopted Resolution No. 73056 amending the Schedule of Fees and Charges to establish an Off-Sale of Alcoholic Beverage Establishments Inspection Program Fee, effective February 7, 2006; and

WHEREAS, on June 20, 2006, the City Council adopted Resolution No. 73242 to amend and establish various fees and charges effective July 1, 2006; and

WHEREAS, on February 6, 2007, the City Council adopted Resolution No. 73637 amending the Schedule of Fees and Charges to increase the Lobbyist Delinquent Report Fee, effective February 6, 2007; and

WHEREAS, on June 12, 2007, the City Council adopted Resolution No. 73831 to amend and establish various fees and charges effective July 1, 2007; and

WHEREAS, on June 19, 2007, the City Council adopted Resolution 73879 amending the Schedule of Fees and Charges to revise the Source Reduction and Recycling Fee for Eligible Public School Districts, effective July 1, 2007; and

WHEREAS, on June 19, 2007, the City Council adopted Resolution No. 73881 amending the Schedule of Fees and Charges to revise the Inclusionary Fees, effective either July 1, 2007 or September 29, 2007; and

WHEREAS, on October 2, 2007, the City Council adopted Resolution No. 74035 amending the Schedule of Fees and Charges to conform new San José Municipal Code Section Numbers in Title 7 and to establish Administrative Late Fee for Licensing after Issuance of an Administration Citation, to be effective October 2, 2007; and

WHEREAS, on October 16, 2007, the City Council adopted Resolution No. 74047 amending the Schedule of Fees and Charges to Standardize Fees for Photocopying, to be effective October 16, 2007; and

WHEREAS, on June 17, 2008, the City Council adopted Resolution No. 74452 to amend and establish various fees and charges effective July 1, 2008; and

WHEREAS, on March 24, 2009 the City Council adopted Resolution No. 74839 amending the Schedule of Fees and Charges to Decrease Cardroom Table Fees for Fiscal Year 2008-2009, to be effective March 24, 2009; and

WHEREAS, on March 24, 2009, the City Council adopted Resolution No. 74841 amending the Schedule of Fees and Charges to adjust certain Planning Fees to Cost Recovery and make other Minor Fee Changes, to be effective May 26, 2009; and

WHEREAS, on June 16, 2009, the City Council adopted Resolution No. 74981 to amend and establish various fees and charges effective July 1, 2009; and

WHEREAS, on October 20, 2009, the City Council adopted Resolution No. 75135 to eliminate the Subpoenaed Officer Court Appearance Fee; and

WHEREAS, on April 13, 2010, the City Council adopted Resolution No. 75334 to establish Reinspection Fees for Code Enforcement Services, to be effective April 13, 2010; and

WHEREAS, on April 13, 2010, the City Council adopted Resolution No. 75338 to increase the Maximum Ticket Charge for Gated Events on Public Property, to reduce the Gated Event on Public Property Fee for the period of January 1, 2009 to June 30, 2010, to repeal the Special Events Traffic Enforcement Unit Fee, and to authorize the Chief Development Officer to issue refunds to event organizers who paid Gated Event on Public Property Fees retroactive to January 1, 2009; and

WHEREAS, on June 17, 2010, the City Council adopted Resolution No. 75442 to amend and establish various fees and charges, effective July 1, 2010; and

WHEREAS, on August 3, 2010, the City Council adopted Resolution No. 75502 to correctly set forth the Public Entertainment Ownership/Management License Fee, effective August 3, 2010; and

WHEREAS, on August 3, 2010, the City Council adopted Resolution No. 75509 to decrease the Cardroom Card Table Fee, effective August 3, 2010; and

WHEREAS, on October 19, 2010, the City Council adopted Resolution No. 75600 to clarify the existing Disposal Facility Operator Integrated Waste Management Fee, effective October 19, 2010; and

WHEREAS, on October 26, 2010, the City Council adopted Resolution No. 75610 to revise and establish various Public Entertainment Ownership/Management License Fees, to be effective December 10, 2010; and

WHEREAS, on November 30, 2010, the City Council adopted Resolution No. 75639 to eliminate the Bicycle License Fees, to be effective November 30, 2010; and

WHEREAS, on November 30, 2010, the City Council adopted Resolution No. 75641 to establish fees for Waste Diversion Compliance, to be effective January 1, 2011; and

WHEREAS, on December 14, 2010, the City Council adopted Resolution No. 75684 to establish fees for Wayfinding Banner Application and Double Banner Installation, to be effective December 14, 2010; and

WHEREAS, on February 8, 2011, the City Council adopted Resolution No. 75725 to eliminate the Card Table Fees and to establish the Cardroom Regulation Fee, to be effective February 8, 2011; and

WHEREAS, on April 19, 2011, the City Council adopted Resolution No. 75783 to establish a Medical Marijuana Collective Application Processing Fee and to establish a Medical Marijuana Investigation Hourly Fee, to be effective April 19, 2011; and

WHEREAS, on June 14, 2011, the City Council adopted Resolution No. 75863 to amend and establish various fees and charges effective July 1, 2011; and

WHEREAS, on June 21, 2011, the City Council adopted Resolution No. 57913 to suspend the use and rental fees charged by the City for use of the Mexican Heritage Plaza, located at 1700 Alum Rock Avenue, San José, California, for so long as the City is not operating the facility; and

WHEREAS, on December 6, 2011, the City Council adopted Resolution No. 76085 to waive certain costs associated with Requests for Public Records, to be effective retroactive to November 10, 2011; and

WHEREAS, on May 15, 2011, the City Council adopted Resolution No. 76230 to revise the Source Reduction and Recycling Fee for commercial solid waste generators and exclusive franchisees (AB939 Fee), to be effective February 28, 2012; and

WHEREAS, on May 1, 2012, the City Manager's Office published the 2012-2013 Proposed Fees & Charges Report; and

WHEREAS, subsequent changes were made to the 2012-2013 Proposed Fees & Charges Report through the Manager's Budget Addenda; and

WHEREAS, the City Council desires to further amend Resolution No. 72737 as amended to amend, delete, and establish various fees and charges effective July 1, 2012;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:

AMENDMENTS TO PART 1 – POLICE DEPARTMENT

SECTION 1. Section 1.030 of Part 1 of Resolution No. 72737 is amended as follows:

1.030 Photographs

d. Photo CD \$9.00 per CD

SECTION 2. Section 1.040 of Part 1 of Resolution No. 727237 is amended as follows:

1.040 Public Records

a. Public Records
8-½" x 11" \$0.24 per page
11" x 17" \$0.25 per page

b. Traffic Accident Reports \$16.00 per report

SECTION 3. Section 1.110 of Part 1 of Resolution No. 72737 is amended as follows:

1.110 Computerized Services

Public Records Act/Research \$93.00 per hour

SECTION 4. Section 1.210 of Part 1 of Resolution No. 72737 is amended as follows:

1.210	<u>Amusement Device Licenses</u> (Including music machines) (SJMC §6.08.060, 6.80.080)	\$135.00 per year for each device
	Operator Permit (SJMC §6.08.060)	\$284.00 per year, plus \$135.00 per year for each amusement device owned
	Exhibitor Permit (SJMC §6.08.080)	\$284.00 per year, plus \$135.00 per year for each amusement device owned
	Location Permit (SJMC §6.08.080)	\$284.00 per year, plus \$135.00 per year for each amusement device owned

SECTION 5. Section 1.230 of Part 1 of Resolution No. 72737 is amended as follows:

1.230	<u>Canvassers of Periodicals Permits</u> (SJMC §6.20.040)	\$71.00 every two (2) years (deleted remainder of sentence)
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SECTION 6. Section 1.240 of Part 1 of Resolution No. 72737 is amended as follows:

1.240	<u>Cardroom Permits</u>	
	Cardroom Regulation Fee (SJMC §16.30.060B)	\$883,505.00 per Cardroom per year

Work Permit New Fee (SJMC §16.40.020 D)	\$258.00 per employee initial issue, plus \$40.00 for two sets of fingerprint cards, plus current State and FBI fingerprinting fees
Work Permit Renewal Fee (SJMC §16.40.020 D)	\$258.00 per employee plus \$40.00 for two sets of fingerprint cards, plus current State and FBI fingerprinting fees
Gaming Permit Registration – Non-Profit Fundraiser	\$603.00 per event

SECTION 7. Section 1.260 of Part 1 of Resolution No. 72737 is amended as follows:

1.260	<u>Closing-out Business Sales Permit Application</u> (closing out, liquidation – fire sales, bankruptcy, etc.) (SJMC §6.18.040)	\$116.00 per 60-day permit
	Renewal (SJMC §6.18.050)	\$116.00 per 30-day renewal

SECTION 8. Section 1.270 of Part 1 of Resolution No. 72737 is amended as follows:

1.270	<u>Concealable Firearms Dealer's License</u>	
	Dealer Initial Application (SJMC §10.32.040)	\$596.00 per permit plus any fee charged by the State Department of Justice
	Dealer Annual Renewal	\$596.00 per permit plus any

(SJMC §10.32.090)

fee charged by the State
Department of Justice

Dealer Change of Location of Place of
Business (SJMC §10.32.040)

\$596.00 per permit plus any
fee charged by the State
Department of Justice

SECTION 9. Section 1.310 of Part 1 of Resolution No. 72737 is amended as
follows:

1.310 Massage Business

Massage Business Permit
(SJMC Section 6.44.460)

\$1,729.00 per two (2) years

Massage Therapy License
(SJMC Section 6.44.460)

\$214.00 per year

Ownership/Management License
New/Renewal
(SJMC Section 6.44.460)

\$315.00 per initial permit/
two (2) year renewals

SECTION 10. Section 1.320 of Part 1 of Resolution No. 72737 is amended as
follows:

1.320 Pawnbrokers and Secondhand Dealers Permit
(SJMC §6.52.020)

Pawnbroker's Permit

\$782.00 initial issue plus
any fee charged by the
State Department of
Justice

SECTION 11. Section 1.330 of Part 1 of Resolution No. 72737 is amended as follows:

1.330 Peddlers' Fees

Peddler's Mobile Permit
(SJMC §6.54.310)

New Permit \$197.00 per initial permit

Renewal \$165.00 per annual renewal

Peddler's Approved Location Permit
Costs for Approved Location Permits reflect investigation of one (1) proposed location; investigation of additional locations will be billed at top step + fringe and related overhead (SJMC §6.54.310)

New Permit \$373.00 per initial permit

Renewal \$165.00 per annual renewal

Peddler Employee License Fee
(SJMC §6.54.310)

\$165.00 per annual renewal

SECTION 12. Section 1.340 of Part 1 of Resolution No. 72737 is amended as follows:

1.340 Peepshow Establishment Permit
(SJMC §6.80.030)

Application Fee \$300.00 per two (2) years

Peepshow Device Fee \$80.00 per device per two (2) years

SECTION 13. Section 1.350 of Part 1 of Resolution No. 72737 is amended as follows:

1.350	<u>Pool or Billiard Room License</u> (SJMC §6.56.030)	\$511.00 per year
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SECTION 14. Section 1.360 of Part 1 of Resolution No. 72737 is amended as follows:

1.360	<u>Public Dance Hall Permits</u>	
	Class A Permit	\$541.00 initial permit \$406.00 annual renewal
	Class C Permits (SJMC §6.58.060)	\$541.00 initial permit \$406.00 annual renewal

SECTION 15. Section 1.370 of Part 1 of Resolution No. 72737 is amended as follows:

1.370	<u>Taxicab and Limousine Service Permits</u> (SJMC §6.64.170)	
	Taxi Company Application	\$11,182.00 per application
	Taxi Company Renewal	\$2,696.00 per application
	Taxicab Restricted Owner's License	\$3,076.00 annually per company
	Taxicab Driver's Permit – New	\$443.00 per initial permit

(SJMC §6.64.490)

Taxicab Driver's Permit – Renewal (SJMC §6.64.490) \$100.00 per two (2) year renewals

Taxicab Vehicle Inspection, Re-inspection or Missed Inspection \$142.00 per inspection/re-inspection

Taxicab Driver's Written Retest or Missed Test \$215.00 per retest

SECTION 16. Section 1.380 of Part 1 of Resolution No. 72737 is amended as follows:

1.380 Street Closing
(SJMC §13.16.075)

Temporary Street Closing Permit \$222.00 per permit

Block Party Permit:

New Permit \$180.00 per permit

Renewal Permit \$ ∅ per permit (if renewed within one (1) year of original application) or \$180.00 if renewed after one (1) year

SECTION 17. Section 1.390 of Part 1 of Resolution No. 72737 is amended as follows:

1.390 Funeral Escort Permits
(SJMC §11.62.030)

Operator Permit – Initial \$434.00 initial permit

Operator Permit – Renewal

\$165.00 annual renewal

SECTION 18. Section 1.400 of Part 1 of Resolution No. 72737 is amended as follows:

1.400 Ice Cream Vendor Permits
(SJMC §6.39.320)

Ice Cream Truck New Business Permit

\$247.00 per permit plus
fingerprint fees

Employee License – New

\$247.00 per permit plus
fingerprint fees

SECTION 19. Section 1.420 of Part 1 of Resolution No. 72737 is amended as follows:

1.420 One-Day Liquor Assessment

\$150.00 per permit

SECTION 20. Section 1.440 of Part 1 of Resolution No. 72737 is amended as follows:

1.440 Press Pass

\$49.00 per permit

SECTION 21. Section 1.460 of Part 1 of Resolution No. 72737 is amended as follows:

1.460 Vehicle Impound Fee

Release of Impounded Vehicle

\$212.00 per release

SECTION 22. Section 1.480 of Part 1 of Resolution No. 72737 is amended as follows:

1.480 Parade Permit \$315.00 per permit

SECTION 23. Section 1.490 of Part 1 of Resolution No. 72737 is amended as follows:

1.490 Public Entertainment Permit

Business Permit New Fee (SJMC §6.60.320)	\$1,369.00 per four (4) years
Business Permit Renewal Fee (SJMC §6.60.330)	\$772.00 per four (4) years
Ownership License New Fee (SJMC §6.60.330)	\$694.00 per initial permit
Ownership License Renewal Fee (SJMC §6.60.330)	\$385.00 per four (4) year renewal
Management License New Fee (SJMC §6.60.330)	\$694.00 per initial permit
Management License Renewal Fee (SJMC §6.60.330)	\$385.00 per two (2) year renewal
Management License Change of Venue Fee for Managers Only (SJMC §6.60.330)	\$165.00 per venue change
<i>Identification Card</i> (SJMC §6.60. <u>070</u>)	<i>\$49.00 per two (2) years</i>

(SJMC §6.62.460)

SECTION 28. Section 1.580 of Part 1 of Resolution No. 72737 is amended as follows:

1.580 Crime Prevention Through Environmental Design \$135.00 per hour

SECTION 29. Part 1 of Resolution No. 72737 is amended to add Section 1.590 as follows:

1.590 Repossessed Vehicles \$15.00 per vehicle

SECTION 30. Part 1 Resolution No. 72737 is amended to add Section 1.600 as follows:

1.600 Visa Clearance Letters \$17.00 per letter

SECTION 31. Part 1 of Resolution No. 72737 is amended to add Section 1.610 as follows:

1.610 Tow Service Dispatch \$7.00 per dispatch

AMENDMENTS TO PART 2 – FIRE DEPARTMENT

SECTION 32. Section 2.020 of Part 2 of Resolution No. 72737 is amended as follows:

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2.020 * HOURLY RATE

An hourly rate shall be charged for all services, unless the charge for the service is already included in the permit fee, as specified in this Resolution. The hourly rate for Development Related Services shall be \$103.00 per half hour or fraction thereof and the rate for Non-Development Related Services, except Records Services, shall be \$83.00 for each half hour or fraction thereof.

Charges for inspections and plan reviews performed during normal duty hours; i.e., between 8:00 a.m. and 5:00 p.m., Monday through Friday, exclusive of City holidays, are included in all permit fees. If a requester fails to cancel a requested inspection at least 24 hours prior to the scheduled time for the inspection, a cancellation fee shall be charged in an amount equivalent to one (1) hour at the hourly rate.

SECTION 33. Item I.A.2 of Section 2.040 of Part 2 of Resolution No. 72737 is amended as follows:

2.040* DEVELOPMENT RELATED SERVICES

I. INSTALLATION, REMOVAL OR ALTERATION PERMITS

The installation, removal or alteration permits listed below shall be obtained when required by the Fire Department.

A. Fire Protection Systems

The permit fees below include charges for plan reviews and inspections. Time in excess of one-half (½) hour spent on plan reviews and inspections will be billed at the hourly rate.

<u>Permit</u>	<u>Plan Review Fee</u>	<u>Inspection Fee</u>
2. <u>Overhead Sprinkler System</u>	\$206 for up to 5,000 square-feet, plus \$0.008 per additional square	\$412 for up to 5,000 square-feet, plus \$0.0412 per square foot

foot over 5,000 over 5,001

SECTION 34. Item II.B.6 of Section 2.040 of Part 2 of Resolution No. 72737 is amended as follows:

2.040* DEVELOPMENT RELATED SERVICES

II. SPECIAL PLAN REVIEW, INSPECTIONS AND SERVICE FEES

B. Architectural Inspection Fees

The inspection fees set forth in Table B apply to all construction requiring a building permit, and are based on an hourly rate of \$206.00 per hour. The "Modifier" is the additional charge based on square footage or type of occupancy, as applicable. Where the modifier is expressed in hours per square foot, the additional fee is the modifier multiplied by \$206.00. The total hours purchased (fee/\$206.00) will limit the available inspection service allowed.

Table B

6. Complexity Modifier for Tenant Improvement, Alteration, and Interior Finish

<u>Use</u>	<u>Modifier</u>
<u>Major Modifications</u>	1.2 x inspection fee after application of use modifier

SECTION 35. Section 2.060 of Part 2 of Resolution No. 72737 is amended as follows:

2.060 OTHER SERVICES AND FEES

When other services by the Bureau of Fire Prevention are required, the following fees, as listed below, shall be paid.

<u>Service</u>	<u>Fees</u>
10. <i>Special Plan Review</i>	<i>Hourly Rate (one (1) hour minimum)</i>

SECTION 36. Section 2.070 of Part 2 of Resolution No. 72737 is amended as follows:

2.070 **RECORDS, PHOTOGRAPHS, AND DOCUMENTS**

The following fees shall be paid for Fire Department records, photographs, and documents except for records subpoenaed through California Evidence Code §1563.

<u>Item</u>	<u>Fee</u>
Photocopies of any Fire Department record (including Fire Report/Investigation Report)	\$0.24 per page
Photocopies of Records and Documents (11" x 17")	\$0.25 per page
Photocopies of Records and Document (8.5" x 11")	\$0.24 per page

**AMENDMENTS TO PART 3 – PLANNING, BUILDING
AND CODE ENFORCEMENT DEPARTMENT**

SECTION 37. Section 3.050 of Part 3 of Resolution No. 72737 is amended as to item 8, and to add items 13 and 14 as follows:

3.050 The fees for conducting Environmental Review Proceedings under Title 21 (SJMC §21.04.500) shall be as follows: Planning services for Environmental Review covered by the initial fee are set forth in the 2009-2010 Proposed Fees & Charges Report. Planning services provided beyond those covered by the initial

fee will be assessed at \$187.00 per hour.

8.	Mitigation Monitoring Fee for Negative Declaration	\$748.00
13.	Mitigation Monitoring Review – Prior to Construction Activity	\$1,870.00
14.	Mitigation Monitoring Review – Prior to Issuance of Certificate of Occupancy	\$748.00

SECTION 38. Table F in Section 3.185 of Part 3 of Resolution No. 72737 is amended as follows:

3.185 The following fees shall be charged as set forth in Table E and Table F for a petition for a Conditional Use Permit. Table F shall be used in calculating the fee for all Conditional Use Permits not specifically described in Table E.

Table F

Square Footage of the Change in Use or New Construction and for Improvements and/or Expansion ^{1, 2, 3, 4 5, 6/}	<u>Square Footage Charge</u>
0 – 1,999 sq. ft.	\$3,100.00 plus \$0.77 per sq. ft.

SECTION 39. Table G in Section 3.190 of Part 3 of Resolution No. 72737 is amended to add a Historic Landmark Designation fee and to amend the Historic Property Contract Application as follows:

3.190 The following Permit Application fees shall be charged as set forth in Table G.

Table G

<u>Permit</u>	<u>Fee</u>
Historic Landmark Designation	\$3,388.00
Historic Property Contract Application	\$1.25 for each \$1,000.00 of assessed valuation; \$730.00 minimum fee; \$1,850.00 maximum fee for single-family homes and \$3,120.00 maximum fee for all other property. Plus an inspection fee equal to 1.5 hours times the Planning Hourly rate which becomes effective July 20, 2012.

SECTION 40. Section 3.300 of Part 3 of Resolution No. 72737 is amended to add Water Heater Replacement Fees to the Alterations and Site Accessory category, as follows:

3.300 Permit Issuance Fees

Permit Issuance Fees shall be \$160.00 per hour for processing and coordination time expended or the amounts set forth below, whichever is greater.

<u>Alterations and Site Accessory</u>	<u>Base Hours</u>	<u>Base Fee</u>
Water Heater Replacement – Permit Center	0.25	\$40
Water Heater Replacement – On-Line Permits	0.0	\$0

SECTION 41. Section 3.340 of Part 3 of Resolution No. 72737 is amended as follows:

3.340 Building Permits

Residential Building and Combination Permit Fees shall be \$206.00

per hour for inspection time expended or the amounts set forth below, whichever is greater. These Building Permit Fees are in addition to the Permit Issuance Fees set forth in Section 3.300.

Building Residential Fee Table

Alterations	Base Hrs	Trades	Base Fee	Size and Trade Modifiers
Windows/Doors #, 1-10 replacement	1.00	B	\$206	
Windows/Doors, 11-20 replacement	1.50	B	\$206	
Windows/Doors, 21-50 replacement	2.00	B	\$206	
Windows/Doors, >50 replacement	2.00	B	\$206	For first 50 + .02 hours each additional item

Non-Residential

Building and Combination Permit Fees shall be \$206.00 per hour for inspection time expended or the amounts set forth below, whichever is greater. These Building Permit Fees are in addition to the Permit Issuance Fees set forth in Section 3.350.

Multiple numbers of any fixed item assessment listed in the table below will be incremented for each permitted trade as follows – two (2) to three (3) fixtures equals an additional half hour (0.5 hours), four (4) or more fixtures equals an additional hour (1.0 hours).

Fixed Time Assessments – Hours per trade at \$206.00 per hour

Scope of Work	Bldg	Plumb	Mech	Elect
HVAC systems	1.0		1.0	1.0

SECTION 42. Section 3.370 of Part 3 of Resolution No. 72737 is amended as follows:

3.370 Plumbing, Mechanical and Electrical Permits

5. Other Electrical Fees

Electrical Permit Fees (site construction and other miscellaneous electrical permits) not involving the addition of new building footage shall be the greater of (a) a minimum of \$206.00 per hour of required inspection time, or (b) calculated on an itemized basis as listed below. These Permit Fees are in addition to the Permit Issuance Fees set forth in Section 3.350.

	Electrical Fixture	Minimum	Time/Unit
Light Poles		60	20

SECTION 43. Section 3.390 of Part 3 of Resolution No. 72737 is amended as follows:

3.390 Plumbing Permits

Plumbing Permit Fees (site construction and other miscellaneous plumbing permits) not involving the addition of new building footage shall be the greater of (a) a minimum of \$206.00 per hour of actual inspection time, or (b) calculated on an itemized basis as listed below. The Plumbing Permit Fees are in addition to the Permit Issuance Fees set forth in Section 3.350.

Fixture-Based Time Assessments – Plumbing		
Plumbing Fixture	Minimum	Unit Cost
Re-Pipe	60	10
Re-Pipe w/Gyp Repair	90	60
Re-Pipe w/Gyp & Shear Repair	120	60
Re-Pipe w/Shear	90	60

SECTION 44. Section 3.400 of Part 3 of Resolution No. 72737 is amended as follows:

3.400 Duplicating Fees

Copies (8-1/2" x 11")	\$0.24 per page
Copies (11" x 17")	\$0.25 per page

SECTION 45. Section 3.480 of Part 3 of Resolution No. 72737 is amended as follows:

3.480 Residential Occupancy Permits
(SJMC §17.20.530)

Reinspection Fee	\$192.00 per reinspection
Transfer Fee	\$42.00 per transfer
Reinstatement Fee	\$973.00 per building

SECTION 46. Section 3.490 of Part 3 of Resolution No. 72737 is amended as follows:

3.490 <u>Vacant/Neglected Vacant Building or Structure Registration Fee</u>	\$407.00 per quarter per building or structure
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SECTION 47. Section 3.520 of Part 3 of Resolution No. 72737 is amended as follows:

3.520 <u>Automobile Dismantler Permit</u> (SJMC Section 6.14.210)	\$346.50 per year
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SECTION 48. Section 3.530 of Part 3 of Resolution No. 72737 is amended as follows:

3.530 Automobile Body Repair Shop Permit \$361.75 per shop

SECTION 49. Section 3.540 of Part 3 of Resolution No. 72737 is amended as follows:

3.540 Automobile Body Repair and Dismantler Facility Reinspection Permit \$208.00 per shop

SECTION 50. Section 3.560 of Part 3 of Resolution No. 72737 is amended as follows:

3.560 Off Sale Alcohol Enforcement Program

Reinspection Fee	\$86.00 per reinspection
Permit Transfer	\$42.00 per transfer
Permit Reinstatement	\$910.00 per reinstatement

SECTION 51. Section 3.570 of Part 3 of Resolution No. 72737 is amended as follows:

3.570 General Code Program

General Code Reinspection Fee \$175.00 per reinspection

SECTION 52. Section 3.580 of Part 3 of Resolution No. 72737 is amended as follows:

3.580 Building Code Compliance Program

Building Code Compliance \$156.20 per hour

SECTION 53. Section 3.590 of Part 3 of Resolution No. 72737 is amended as follows:

3.590 Tobacco Retail Program

Tobacco Retail Fee \$491.00 per business

Tobacco Retail Reinspection Fee \$140.00 per reinspection

Tobacco Retail Reinstatement Fee \$868.00 per reinstatement

Tobacco Retail Transfer Fee \$42.00 per transfer

AMENDMENTS TO PART 4 – ANIMAL SERVICES

SECTION 54. Section 4.050 of Part 4 of Resolution No. 72737 is amended as follows:

4.050 Dog License Fees
(SJMC §7.20.540, §7.20.550)

*Dog License Fee for spayed or neutered animal \$20.00 for one (1) year
or for animal that cannot be spayed or neutered \$45.00 for three (3) years
for health reasons or for animal that is*

incapable of breeding (subject to proof of eligibility). Three-year license is only available with a three-year rabies vaccine.

SECTION 55. Section 4.060 of Part 4 of Resolution No. 72737 is amended as follows:

4.060 Cat License Fees
(SJMC §7.20.540, §7.20.550)

*Cat License Fee for spayed or neutered animal \$10.00 for one (1) year
or for animal that cannot be spayed or neutered \$25.00 for three (3) years
for health reasons or for animal that is
incapable of breeding (subject to proof of
eligibility). Three-year license is only available
with a three-year rabies vaccine.*

SECTION 56. Section 4.120 of Part 4 of Resolution No. 72737 is amended as follows:

4.120 Owner Surrender Fees

Dogs and Cats Surrendered at Shelter:

Live licensed dog/cat – adoptable as determined by shelter staff – from the field or over the counter ∅

Live licensed dog/cat – unadoptable as determined by shelter staff – from the field or over the counter Euthanasia Fee

Live unlicensed dog/cat – adoptable as determined by shelter staff – from the field or over the counter \$20.00 per animal

Live unlicensed dog/cat – unadoptable as determined by shelter staff – from the field or over the counter Per animal: \$60.00 plus Euthanasia Fee plus Disposal Fee

AMENDMENTS TO PART 5 – PUBLIC WORKS DEPARTMENT

SECTION 57. Section 5.020 of Part 5 of Resolution No. 72737 is amended as follows:

5.020 Public Street Improvements – Engineering Plan Checking and Inspection by City
(SJMC §19.32.170 and §13.36.070)

Fee is based on estimated construction costs:

\$0 -- \$25,000

26.63% of estimated construction cost; minimum of \$250

Engineering and Inspection by City – Surcharge

Inspection of repairs to City infrastructure, miscellaneous permits

Time and Materials

SECTION 58. Section 5.030 of Part 5 of Resolution No. 72737 is amended to read as follows:

5.030 Streetlights – Design Fee per Streetlight

<i>1st Streetlight</i>	<i>\$1,366.00 <u>per streetlight</u></i>
<i>2nd through 10th Streetlights</i>	<i>\$1,053.00 <u>per streetlight</u></i>
<i>11th through 20th Streetlights</i>	<i>\$706.00 <u>per streetlight</u></i>
<i>More than 20 Streetlights</i>	<i>\$473.00 <u>per streetlight</u></i>

Inspection Fee per Streetlight

<i>1st Streetlight</i>	<i>\$1,454.00 per streetlight</i>
<i>2nd through 10th Streetlights</i>	<i>\$986.00 per streetlight</i>
<i>11th through 20th Streetlights</i>	<i>\$668.00 per streetlight</i>
<i>More than 20 Streetlights</i>	<i>\$457.00 per streetlight</i>

Plan Check Review Fee per Streetlight

<i>1st Streetlight</i>	<i>\$911.00 per streetlight</i>
<i>2nd through 10th Streetlights</i>	<i>\$712.00 per streetlight</i>
<i>11th through 20th Streetlights</i>	<i>\$433.00 per streetlight</i>
<i>More than 20 Streetlights</i>	<i>\$324.00 per streetlight</i>

SECTION 59. Section 5.050 of Part 5 of Resolution No. 72737 is amended as follows:

5.050 Common Interest Development –
Plan Check and Inspection of Private Streets
(SJMC §17.76.130)

Fee is based on estimated construction cost:

\$0 -- \$25,000	17.36% of estimated construction costs (\$250 minimum)
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SECTION 60. Section 5.060 of Part 5 of Resolution No. 727237 is amended as follows:

5.060 Public Landscape Improvements – Engineering
Plan Checking and Inspection by City
(SJMC §19.32.170 and SJMC §13.36.070)

Fee is based on estimated construction cost:

\$0 -- \$25,000

17.51% of estimated construction cost; minimum of \$250.00

SECTION 61. Section 5.100 of Part 5 of Resolution No. 72737 is amended as follows:

5.100 Amount of Natural Earth Material

Hillside: 0 to 250 cubic yards	\$1,366.00
Hillside: 251 to 500 cubic yards	\$1,366.00 plus \$5.46 per cubic yard for each yard over 250 cubic yards
Non-Hillside: 0 to 250 cubic yards	\$850.00
Non-Hillside: 251 to 500 cubic yards	\$850.00 plus \$3.40 per cubic yard for each yard over 250 cubic yards

Erosion and Sediment Control

Type IV	\$480.00
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SECTION 62. Part 5 of Resolution No. 72737 is amended to add Section 5.105 as follows:

5.105 <u>On-Site Storm Plan Check and Inspection</u>	\$18.00 per Storm Connection
	\$18.00 per Storm Inlet/Area Drain

SECTION 63. Section 5.107 of Part 5 of Resolution No. 72737 is amended as follows:

5.107

Post-Construction Stormwater Treatment
Measure Inspection (HM)

Time and Materials:
(\$960.00 minimum)

SECTION 64. Section 5.150 of Part 5 of Resolution No. 72737 is amended as follows:

5.150* Planning-Related Services

a. Planned Development Prezonings/Rezonings:

<u>Non-Residential:</u>	<u>Fee</u>
Per SF: 100,001 or more	\$4,618.00 plus \$642.00 per additional 100,000 SF (no prorating)

SECTION 65. Section 5.170 of Part 5 of Resolution No. 72737 is amended as follows:

5.170 Traffic Reports

Workscope: Per PHT: 200 or more	\$2,392.00 plus \$3.00/PHT (\$3,892.00 maximum)
Operational Analysis Workscope: Per PHT: 200 or more	\$1,653.00 plus \$1.00/PHT (\$2,153.00 maximum)

SECTION 66. Section 5.220 of Part 5 of Resolution No. 72737 is amended as follows:

5.220 Water Quality Runoff – NPDES – C3

Planning Permit Application Review:

Projects required to submit numeric sizing: up to one (1) acre \$1,022.00

HMP Analysis/Review Time and Materials;
(\$1,920.00 minimum)

SECTION 67. Section 5.290 of Part 5 of Resolution No. 72737 is amended as follows:

5.290 Printing and Duplicating

g. Duplicating (Copying)

8-½" x 11" \$0.24 per page

11" x 17" \$0.25 per page

SECTION 68. Section 5.330 of Part 5 of Resolution No. 72737 is amended as follows:

5.330 Fire Hydrants
(SJMC §19.32.070)

Applicable private vendor price or latest bid price accepted by City plus current Stores Fund Fee (Fund 551 surcharge described in the San José Budgeted Funds Guide)

SECTION 69. Section 5.380 of Part 5 of Resolution No. 72737 is amended as follows:

5.380

Miscellaneous Private Trench Crossings

Time and Materials –
See Private Utility Permit Fees

(Section 5.570 of Part 5 of
Resolution No. 72737 as amended)

SECTION 70. Section 5.550 of Part 5 of Resolution No. 72737 is amended as follows:

5.550 Streamside Protection

Basic Review \$25.00 per review

Comprehensive Review \$223.00 per review

SECTION 71. Section 5.570 of Part 5 of Resolution No. 72737 is amended as follows:

5.570* Private Utility Permits

New Street Utility Trench (0 – 40 LF) \$864.00

AMENDMENTS TO PART 6 – DEPARTMENT OF TRANSPORTATION

SECTION 72. Section 6.030 of Part 6 of Resolution No. 72737 is amended as follows:

6.030 Building Removal (Housemoving) Police Escort \$123.00 per hour, per officer
(SJMC §17.36.100) (three (3) hour minimum)

SECTION 73. Section 6.060 of Part 6 of Resolution No. 72737 is amended as follows:

6.060 Parking Permits
(SJMC Chapter 11.48)

Areas – University, Civic Center, College Park,
Santana, Delmas Park, Cahill Park, Sherman Oaks,
Berryessa

Resident, Guest or Employee Parking Permit (Berryessa Parking Permits except replacements are paid by the Berryessa Flea Market)	\$33.00/permit per two (2) year cycle (not pro-rated)
Temporary Guest Parking Permit	Ø
Replacement of Parking Permit lost due to fire, vandalism, theft, or accident	Ø
Replacement of Parking Permit lost for reason other than fire, vandalism, theft, or accident	\$33.00/permit per two (2) year cycle (not prorated)

Areas – Horace Mann, South University
Neighborhood

Resident, Guest, or Employee Parking Permit	\$33.00/permit per one (1) year cycle (not prorated)
Temporary Guest Parking Permit	Ø
Replacement of Parking Permit lost due to fire, vandalism, theft, or accident	Ø
Replacement of Parking Permit lost for reason other than fire, vandalism, theft, or accident	\$33.00/permit per one (1) year cycle (not prorated)

Areas – St. Leo, Garden Alameda, Autumn
Montgomery, Parkside, Market Almaden (Arena
Permit Parking Area)

Resident, Guest, or Employee Parking Permit	Ø
Temporary Guest Parking Permit	Ø
Replacement of Parking Permit lost due to fire, vandalism, theft, or accident	Ø
Replacement of Parking Permit lost other than by fire, vandalism, theft, or accident	\$33.00/permit per two (2) year cycle (not pro-rated)
For replacement of third or more lost Resident/Employee/Guest Parking Permit	\$33.00/permit per two (2) year cycle (not pro-rated)

SECTION 74. Section 6.080 of Part 6 of Resolution No. 72737 is amended as follows:

6.080	<u>Subdivision Pavement Marking Installation</u> (SJMC §19.32.114)	\$421.00 basic fee plus \$3.20/sq. ft.
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SECTION 75. Section 6.090 of Part 5 of Resolution No. 72737 is amended as follows:

6.090	<u>Subdivision Street Name Sign Installation</u> (SJMC §19.32.100)	\$280.00 per pair of signs
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SECTION 76. Section 6.100 of Part 6 of Resolution No. 72737 is amended as follows:

6.100	<u>Subdivision Traffic Control Sign Installation</u> (SJMC §19.32.112)	\$239.00 per sign
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SECTION 77. Section 6.110 of Part 6 of Resolution No. 72737 is amended as follows:

6.110 Taxicab Stand Rentals \$57.75 per space per month
(SJMC §6.64.030)

SECTION 78. Section 6.130 of Part 6 of Resolution No. 72737 is amended as follows:

6.130 Tow-Away Signs \$0.64 each

SECTION 79. Section 6.170 of Part 6 of Resolution No. 72737 is amended as follows:

6.170 Miscellaneous Reports:

Copying Fee – 8-½” x 11” \$0.24 per page

Copying Fee – 11” x 17” \$0.25 per page

SECTION 80. Section 6.200 of Part 6 of Resolution No. 72737 is amended as follows:

6.200 Sanitary Sewer Wye out Installation \$2,770.00 per installation
(SJMC §15.16.420)

SECTION 81. Section 6.250 of Part 6 of Resolution No. 72737 is amended as follows:

6.250 Banner Installation \$47.00 per installed banner

SECTION 82. Section 6.255 of Part 6 of Resolution No. 72737 is amended as follows:

6.255 New Banner Installation \$70.00 per hour plus materials

SECTION 83. Section 6.260 of Part 6 of Resolution No. 72737 is amended as follows:

6.260 Signal Central Monitoring Fee \$82.00 per hour

SECTION 84. Section 6.270 of Part 6 of Resolution No. 72737 is amended as follows:

6.270 Freight Loading Zone Permits

Special Freight Loading Zone Permit \$21.00

Special Loading/Unloading Permit \$21.00

SECTION 85. Section 6.290 of Part 6 of Resolution No. 72737 is amended as follows:

6.290 Valet Parking Zone \$307.00 one-time fee per space

\$47.00 annual fee

SECTION 86. Section 6.340 of Part 6 of Resolution No. 72737 is amended as follows:

6.340 Double Banner Installation Fees

Double Banner Installation Fee (for costs associated with the installation of one dual set of wayfinding banners on a single street pole with existing banner hardware)	\$70.00 per installation plus the cost of materials
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Double Banner Hardware Installation Fee (for costs associated with the installation of one dual set of wayfinding banners on a single street pole without existing banner hardware)	\$91.00 per installation plus the cost of materials
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SECTION 87. Part 6 of Resolution No. 72737 is amended to add Section 6.350 as follows:

6.350 Traffic Operations Improvement Fees At actual cost

AMENDMENT TO PART 7 – ENVIRONMENTAL SERVICES DEPARTMENT

SECTION 88. Section 7.100 of Part 7 of Resolution No. 72737 is amended as follows:

7.100 Waste Diversion Compliance Fees

The Initial Review Fee set forth below is to review specific project paperwork regarding waste diversion compliance for up to one (1) hour. An additional review fee of \$100.00 would be charged for each subsequent hour required to review and verify a waste management plan.

Waste Diversion Compliance Initial Review Fee	\$115.00
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Waste Diversion Compliance Additional \$62.53 per hour
Review Fee

AMENDMENTS TO PART 8 – LIBRARY DEPARTMENT

There are no proposed changes to Part 8 – Library Department.

AMENDMENTS TO PART 9 – CITY CLERK DEPARTMENT

SECTION 89. Section 9.010 of Part 9 of Resolution No. 72737 is amended as follows:

9.010	<u>Sale of Publications</u>	<u>Fees</u>
	Document Copying:	
	8-½" x 11"	\$0.24 per page
	11" x 17"	\$0.25 per page
		\$1.50 per certified copy

SECTION 90. The Redevelopment Agency Meeting Agenda Fee in Section 9.070 of Part 9 of Resolution No. 72737 is eliminated.

AMENDMENTS TO PART 10 – FINANCE DEPARTMENT

SECTION 91. Section 10.050 of Part 10 of Resolution No. 72737 is amended as follows:

10.050	<u>Christmas Tree and Pumpkin Sales License</u> (SJMC §6.24.020)	\$89.50 per lot
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SECTION 92. Section 10.070 of Part 10 of Resolution 72737 is amended as follows:

10.070 Handbill Distributors
(SJMC §6.36.070)

Handbill Distributor's License \$37.00 annually

SECTION 93. Section 10.080 of Part 10 of Resolution No. 72737 is amended as follows:

10.080 Solid Waste Collection Delinquency Procedures
(SJMC §9.10.1210)

Administrative charges for Collection Procedures
(SJMC §9.10.1220) \$69.00 per lien

Notice of Intent to Lien Property \$17.00 per notice

SECTION 94. Section 10.110 of Part 10 of Resolution No. 727237 is amended as follows:

10.110 Business Tax Special Reports

Computer Printout \$45.50 up to 25 pages,
\$1.00 each additional page

CD/E-mail \$45.50 per CD/transmission

SECTION 95. Section 10.120 of Part 10 of Resolution No. 72737 is amended as follows:

10.120 Processing of Exempt Business \$38.00 per account
 Tax Applications

SECTION 96. Section 10.130 of Part 10 of Resolution No. 72737 is amended as follows:

10.130 Processing of Checks Returned
 for Insufficient Funds

 Return Check Fee \$22.00 per returned check

SECTION 97. Section 10.150 of Part 10 of Resolution No. 72737 is amended as follows:

10.150 Collection Recovery Fees

 Collection Fee (60 - 90 days past due) \$28.75

SECTION 98. Section 10.170 of Part 10 of Resolution No. 72737 is amended as follows:

10.170 Administrative Remedies Lien Fee \$56.50 per lien

SECTION 99. Section 10.180 of Part 10 of Resolution No. 72737 is amended as follows:

10.180 Sidewalk Lien Administrative Fee \$56.50 per lien account

SECTION 100. The Medical Marijuana Collective Registration Application Processing Fees, formerly listed in Section 1.560 of Part I, is renumbered to Section 10.190 of Part 10 of Resolution No. 72737, as follows:

10.190 Medical Marijuana Collective Registration Application Processing Fee All Medical Marijuana Fees have been suspended per City Council action on January 10, 2012 and February 14, 2012

The Initial Application Fee set forth below is for costs associated with application review, investigation, and coordination of the Medical Marijuana Collective application process for up to thirty (30) hours. An additional review fee of \$126.00 would be charged for each subsequent hour required for extensive background work or investigation

Medical Marijuana Collective Application Processing Fee \$4,182.00 per Collective

Medical Marijuana Police Investigation Additional Review Fee \$126.00 per hour

SECTION 101. The Medical Marijuana Collective Operating Fees, formerly listed in Section 1.570 of Part I, is renumbered to Section 10.200 of Part 10 of Resolution No. 72737, as follows:

10.200 Medical Marijuana Collective Operating Fees All Medical Marijuana Fees have been suspended per City Council action on January 10, 2012 and February 14, 2012

<i>Medical Marijuana Collective Annual Operating Fee</i>	<i>\$134,223.00 per Collective</i>
<i>Medical Marijuana Collective Renewal Registration Fee</i>	<i>\$4,182.00</i>
<i>Medical Marijuana Collective Amendment Fee</i>	<i>\$1,303.00</i>
<i>Medical Marijuana Collective Application Receipt Fee</i>	<i>\$192.00 per Application</i>

**AMENDMENTS TO PART 11 – ECONOMIC DEVELOPMENT/
CULTURAL AFFAIRS**

SECTION 102. Section 11.070 of Part 11 of Resolution No. 72737 is amended as follows:

11.070	<u>Gated Event on Public Property Fees</u> (Council Policy)	<u>0% of gross gate receipts for the period of January 1, 2009 through June 30, 2014 (unless modified by a contract approved by the City Council)</u>
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SECTION 103. Section 11.100 of Part 11 of Resolution No. 72737 is amended as follows:

11.100	<u>Enterprise Zone Fees</u>	
	<i>Enterprise Zone Voucher Application Fee</i>	<i>\$109.00 per <u>application</u></i>

AMENDMENTS TO PART 12 – HOUSING

SECTION 104. Section 12.010 of Part 12 of Resolution No. 72737 is amended as follows:

12.010 Rental Dispute Mediation

Apartment (SJMC §17.23.490)	\$6.50 per unit annually
Mobile Homes (SJMC §17.22.910)	\$16.00 per unit annually

SECTION 105. Part 12 of Resolution No. 72737 is amended to add Section 12.050 as follows:

12.050 Loan Payoff Fees

Multi-Family Loan Payoff Fee:

Standard Transaction	\$368.00 each
City Attorney Staff Time	\$83.00/hour in excess of two (2) hours
City Housing Staff Time	\$92.00/hour in excess of four (4) hours

Single-Family Loan Payoff Fee:

Short Sale Loan Payoff Fee	\$287.00 per transaction
Single-Family Loan Payoff Fee	\$144.00 per transaction

AMENDMENTS TO PART 13 – GENERAL SERVICES

There are no proposed changes to Part 13 – General Services.

AMENDMENTS TO PART 14 – PUBLIC RECORDS ACT REQUESTS

– COUNCIL APPOINTEES' AUTHORITY

SECTION 106. Section 14.010 of Part 14 of Resolution No. 72737 is amended as follows:

14.010 Waiver of Costs Associated with Requests for Public Records (SJMC §1.17.015)

Council Appointee or his/her designee, upon a determination that disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester, may waive the direct cost of duplication up to a maximum amount of \$50.00, or the cost of programming and computer services necessary to construct a record up to a maximum amount of \$200.00 or two (2) hours of staff time, whichever is greater.

SECTION 107. The fees, bonds, charges and deposits specified in the Schedule of Fees and Charges are listed by Department for purposes of administrative convenience only, and such fee, bond, charge or deposit shall be submitted to the Department or official responsible for its collection at the time it is due and payable.

SECTION 108. The fees, bonds, charges or deposits specified in the Schedule of Fees and Charges noted by an asterisk (*) denote a typographical correction from prior resolutions.

SECTION 109. For fees, bonds, charges or deposits specified in the Schedule of Fees and Charges in *italics*, the underlined language denotes a clarification only and no changes in the amount of the fees, bonds, charges, or deposits have been made from prior resolutions.

SECTION 110. The fees for Historic Property Contract Application shall be effective as of July 20, 2012, in accordance with Ordinance No. _____, which Ordinance was passed for publication on June 12, 2012, with final approval on June 19, 2012.

SECTION 111. Except for the fees set forth above for development-related services, the provisions of this Resolution shall become effective on July 1, 2012. The fees for development-related services shall become effective August 20, 2012. Until August 20, 2012, the fees for development-related services shall be the development-related fees set forth in Resolution No. 72737 as amended.

ADOPTED this 12th day of June, 2012, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

CHUCK REED
Mayor

ATTEST:

DENNIS D. HAWKINS, CMC
City Clerk