

*sending receipt of
Redlands 2000 Report*

ORDINANCE NO. 2042

AN ORDINANCE OF THE CITY OF REDLANDS ADDING CHAPTER 12.50 TO
THE REDLANDS MUNICIPAL CODE AND ESTABLISHING A CULTURAL ARTS FEE

THE CITY COUNCIL OF THE CITY OF REDLANDS does ordain as
follows:

SECTION 1: Chapter 12.50 is hereby added to the Redlands
Municipal Code to read as follows:

Chapter 12.50
Cultural Development Fees

12.50.010 Purpose. The fees established pursuant to this
Chapter are assessed as a condition of constructing or reconstructing
residential, commercial, industrial and municipal development to pay
for the costs incurred by the City in acquiring, improving and
conserving art and cultural resources and facilities resulting from
the effects of such development within the City.

12.50.020 Definitions. The definitions set forth in this
section govern the construction of this Chapter:

A. "Commercial or Industrial Development" means any
building in which wholesale or retail selling, manufacturing, storage
of materials or the performance of services for a fee may occur.

B. "Construction cost" means the total value of all
construction or reconstruction work for residential, commercial,
industrial and municipal development as determined by the Chief
Building Official of the City of Redlands at the time of issuance of
a building permit for such construction or reconstruction.

C. "Municipal development" means any building or structure
all or part of which is constructed for municipal purposes; provided,
however, municipal development shall not include any building or
structure constructed or reconstructed for park, recreation, cultural
or senior citizen purposes.

D. "Person" means every person, firm, agency or
corporation constructing or reconstructing any residential,
commercial, industrial or municipal development within the City
whether directly or indirectly through the services of an employee,
agent or independent contractor.

E. "Reconstruction" means alterations or repairs made to a
building or structure within any twelve month period which exceeds
50% of the replacement cost of the existing structure; provided,
however, reconstruction necessitated by earthquake, fire or flood
damage shall not be subject to the provisions of this Chapter.

F. "Residential development" means any habitable structure used for residential purposes, including single family homes, multi-family dwelling units, apartments, condominiums, and manufactured and mobile homes; provided, however, residential development shall not include any development constructed or reconstructed which is exclusively for the use of the elderly or handicapped. The determination of whether such development is to be used solely by the elderly or handicapped shall be made by the City Council.

12.50.030 Fee Imposition. A fee is imposed by this Chapter in the amounts set forth in this Chapter and shall be applicable to all residential, commercial, industrial and municipal development constructed or reconstructed within the City.

12.50.040 Amount of Fee. Every person constructing or reconstructing any commercial, industrial or municipal development shall pay to the City a fee equal to one-half percent (1/2%) of the construction cost of the development. For residential development, the fee shall be based upon a percentage of the construction cost of the development in accordance with the following formula:

<u>Construction Cost</u>		<u>Percentage Fee</u>
\$ 50,000	-	.1%
\$ 75,000	-	.2%
\$100,000	-	.3%
\$125,000	-	.4%
\$150,000	-	.5%

Notwithstanding the foregoing, the fees specified herein shall not be imposed for any permit for which an application together with two sets of complete plans and specifications as required by Sections 301 and 302 of the Uniform Building Code are filed and approved with the City prior to _____, 1988, provided that the applicant has paid all plan check fees prior to said date.

12.50.050 In Lieu Payment Program. In lieu of payment of the fee to be assessed pursuant to this Chapter, any person constructing or reconstructing development within the City may offer to the City works of art or equivalent value of the fee. The determination of whether such works of art will be accepted in lieu of the fee shall be made by the City's Cultural Arts Commission upon the recommendation of the Public Art Advisory Panel. Upon acceptance of the works of art by the City, the person constructing or reconstructing the development shall enter into an agreement with the City obligating the owner of the property upon which the art is located to maintain and repair the work of art. Such agreement shall be recorded against the property in the official records of the County of San Bernardino.

12.50.060 Art and Cultural Resources and Facilities Development Fund. There is hereby established an Art and Cultural Resources and Facilities Development Fund. All of the fees collected pursuant to this Chapter shall be deposited in such fund and shall be used solely for the acquisition, improvement and conservation of art and cultural resources and facilities.

12.50.070 Determination and Payment. The fees assessed pursuant to this Chapter are collected for the acquisition, improvement and conservation of art and cultural resources and facilities for which the City has established an account, appropriated funds and adopted a proposed acquisition, improvement and conservation schedule, and shall be determined and become due and payable to the City at the time of issuance of a building permit for the construction and reconstruction of residential, commercial, industrial and municipal development."

Section 2: The City Clerk shall certify to the adoption of this ordinance and cause it, or a summary of it, to be published once in the Redlands Daily Facts, a newspaper of general circulation printed and published in the City.

Mayor, City of Redlands

ATTEST:

City Clerk

I, Lorrie Poyzer, City Clerk of the City of Redlands, hereby certify that the foregoing ordinance was duly adopted by the City Council at a regular meeting thereof held on the _____ day of _____, 1988 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

City Clerk, City of Redlands