

ORDINANCE NO. 1349

AN ORDINANCE OF THE CITY OF REDLANDS ESTABLISHING A PARKING AND BUSINESS IMPROVEMENT AREA, FIXING THE BOUNDARIES THEREOF, AND FIXING THE INITIAL RATE OF INCREASE OR ADDITIONAL LEVY OF THE LICENSE TAX TO BE IMPOSED ON THE BUSINESSES IN SUCH AREA.

THE CITY COUNCIL OF THE CITY OF REDLANDS DOES ORDAIN AS FOLLOWS:

SECTION ONE: Authority. The City Council has initiated and taken these proceedings in accordance with the "Parking and Business Improvement Area Law of 1965" as added to the Streets and Highways Code by Statutes 1965, Chapter 241, being Sections 36,000 et seq. of the Streets and Highways Code.

SECTION TWO: Resolution of Intention. On the 25th day of October 1967, this City Council adopted Resolution No. 2636, entitled "A RESOLUTION OF INTENTION TO ESTABLISH A PARKING AND BUSINESS IMPROVEMENT AREA TO BE KNOWN AS 'REDLANDS PARKING AND BUSINESS IMPROVEMENT AREA A'" which Resolution of Intention is required by the "Parking and Business Improvement Area Law of 1965" in order to consider establishment of an area.

SECTION THREE: Notice and Hearing. Said Resolution No. 2636 was published and mailed as provided by law, and a hearing thereon was held by the City Council on November 21, 1967 at the hour of 7:30 o'clock P.M. in the Council Chambers of the City Council of said City of Redlands, in Safety Hall, 212 Brookside Avenue, Redlands, California.

SECTION FOUR: Protests and Action Thereon. During the hearing so provided for by said Resolution No. 2636, this City Council heard all persons desiring to be heard, and all protests and objections made or filed, and received evidence for and against the proposed action. Following such hearing, the City Council overruled and denied all protests and objections, which determination was entered on its minutes, and said hearing has been duly concluded.

SECTION FIVE: Protests Less Than Majority. The City Council has determined, by order entered on its minutes, that objections or protests objecting to and protesting the formation of said area have not been made by businesses in the proposed area which pay a majority of the taxes within the area under the general business license tax of the City.

SECTION SIX: Name. The name of the parking and business improvement area hereby created and established is "REDLANDS PARKING AND BUSINESS IMPROVEMENT AREA A," hereinafter for brevity and convenience sometimes referred to as "Area".

SECTION SEVEN: Area Description. A description of the exterior boundaries of said "Redlands Parking and Business Improvement Area A" hereby formed and established is shown on Exhibit A attached to this ordinance, and incorporated as a part hereof.

SECTION EIGHT: Businesses Subject to Additional Tax. All businesses within the boundaries of said "Area" as described herein, not exempt by law, are subject to the provisions of the additional tax provided by this ordinance.

SECTION NINE: Rate of Increase or Additional Levy of License Tax. The initial rate of increase or additional levy of the business license tax on all businesses conducting their activities in the "Area", which is in addition to the ordinary license tax imposed upon such businesses by the City of Redlands is hereby fixed and established at the rates imposed in the following schedule:

CLASS I BUSINESSES:

Accountants	Insurance Agencies
Architects	Investment Management
Attorneys-at-law	Laboratories
Bank & Loan Companies	Newspapers
Barber Shops	Optometrists
Beauty Shops	Photographers
Blueprinters	Physicians & Surgeons
Brokers, Stocks & Bonds	Printers
Car Wash Businesses	Psychologists
Chiropodists	Real Estate
Chiropractors	Repair Service Shops
Cleaners - Laundries	Service Stations
Cocktail Bars - Taverns	Shoe Shine Shops
Contractors	Stenographers
Dentists	Telegraph Office
Engineers	Theater - Playhouse
Fruit Grower Office	Utilities - Telephone
Garages - Automobile Dealers	Van and Storage
Hotels - Motels	

Businesses in this class shall be taxed a minimum amount of \$36.00 annually, and, in addition, the amounts charged for validated parking hours in excess of said \$36.00.

CLASS II BUSINESSES.

All Retail Businesses not listed in Class I, above.

Businesses in this class shall be taxed an amount equal to the City Business License Tax, and, in addition, any amount of validated parking hours used in excess of such tax.

SECTION TEN: Area Constituted and Established. The "Redlands Parking and Business Improvement Area A" is hereby established.

SECTION ELEVEN: Uses of Proceeds. The additional revenue from the rate of increase or additional levy of the license tax shall be used for the acquisition, construction, or maintenance of parking facilities for the benefit of the "Area."

SECTION TWELVE: Definitions and Classifications of Businesses. The definitions and classifications of businesses referred to in this ordinance shall be determined by the definitions and classifications as set forth in the Redlands Ordinance Code, Chapters 21 and 22.

SECTION THIRTEEN: Collection of Additional Tax. The collection of the increase or additional levy to the license tax levied and imposed by this ordinance shall be made at the same time and in the same manner as the ordinary business license tax of the City under the provisions of the Redlands Ordinance Code; and such increase or additional levy of license tax imposed hereunder shall be computed in the manner provided in said Code for each business, and in accordance with the schedule set forth herein, and shall be due and payable as provided in said Code.

SECTION FOURTEEN: New Business in Area. Any new business in the "Area" shall be assessed in accordance with its classification, provided that in the event only a portion of the calendar year remains, the tax levied hereunder shall be prorated in accordance with the proportion that the number of months (or major portion of any month) remaining in the calendar year bears to the 12 months of the calendar year.

SECTION FIFTEEN: Refund of Additional Tax. In the event a business in the "Area" is discontinued during any calendar year for which the additional license tax levied hereunder has been paid, the Council, upon written application therefor, may refund to the person who paid the same that proportion of such additional license tax so paid that the number of months (including major portion of any month) remaining in the year, from the date of discontinuance of such business, bears to the twelve months of the year.

SECTION SIXTEEN: Exemption - Voluntary Contribution. Any business, person, or institution located within the said "Area", which is exempt from the payment of the ordinary business license tax of the City by reason of the provisions of the United States or State Constitutions, is not to be taxed under this ordinance but may make a voluntary contribution to the City. Such contribution shall be used for the purposes provided in this ordinance.

SECTION SEVENTEEN: Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Redlands hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION EIGHTEEN: Effective Date. This ordinance, being a provision for a tax levy for the usual and current expenses of the City of Redlands, shall take immediate effect on January 1, 1968.

SECTION NINETEEN: Publication. The City Clerk shall certify to the passage of this ordinance, and prior to the expiration of fifteen (15) days from the date of the adoption hereof the same shall be published at least once in a newspaper published and circulated in the City of Redlands.

ADOPTED AND APPROVED this 27th day of December, 1967.

Waldo F. Burroughs  
s/ Waldo F. Burroughs  
Mayor of the City of Redlands

ATTEST:

Alice G. Walls  
Deputy City Clerk

APPROVED FOR FORM:

s/ Edward F. Taylor  
City Attorney

I, Alice G. Walls, Deputy City Clerk of the City of Redlands, hereby certify that the foregoing ordinance was duly adopted by the City Council at an adjourned adjourned regular meeting thereof on the 27th day of December, 1967 by the following vote:

AYES: Councilmen Martinez, Hartzell, Cummings, Mayor Burroughs  
NOES: None  
ABSENT: None  
ABSTAINED: Councilman DeMirjyn

Alice G. Walls  
Deputy City Clerk