

*Seth R. Jackson*  
City Attorney

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

OFFICE OF THE CLERK  
2007 DECEMBER 15 05:03

# OAKLAND CITY COUNCIL

ORDINANCE NO. 12854 C.M.S.

**AN ORDINANCE AMENDING ORDINANCE NUMBER 12809 C.M.S. (MASTER FEE SCHEDULE), AS AMENDED, TO ESTABLISH A NOTIFICATION FEE FOR BUSINESS PERMIT APPLICATIONS SUBJECT TO TITLE 5, "BUSINESS TAXES, PERMITS, AND REGULATIONS", OF THE OAKLAND MUNICIPAL CODE THAT INVOLVE THE ONGOING USE OF PROPERTY**

**WHEREAS**, Oakland Municipal Code Chapter 5.02 defines the application process for specified types of business permits; and

**WHEREAS**, part of the application process requires conducting a public hearing on the application; and

**WHEREAS**, Oakland Municipal Code Chapter 5.02 was recently amended to provide that "For applications involving the ongoing use of property, notice of the hearing shall be given by posting notices thereof within three hundred (300) feet of the property involved in the application. Notice of the hearing shall also be given by mail or delivery to all persons shown on the last available equalized assessment roll as owning real property in the city within three hundred (300) feet of the property involved and to all addresses within three hundred (300) feet of the property."; and

**WHEREAS**, the amendment also specified that, "The fee for the notification process, as established by the Master Fee Schedule, shall be a separate charge in addition to the application fee."; and

**WHEREAS**, the City's Zoning Department utilizes a similar process, when required for notification of permit applications within their purview, and has determined that the current average cost of such notification is \$600.00; now, therefore

**THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** The Master Fee Schedule as set forth in Ordinance Number 12809 C.M.S., as amended, is hereby amended to establish a notification fee for business permit applications subject to Title 5 of the Oakland Municipal Code that involve the ongoing use of property, as set forth in Exhibit A, attached hereto and made a part hereof.

**SECTION 2.** This ordinance shall be effective immediately upon final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption by the Council of the City of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA, JAN 15 2008, 20    

**PASSED BY THE FOLLOWING VOTE:**

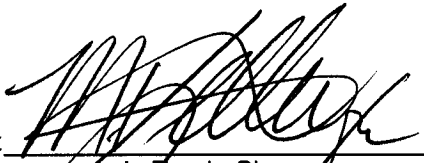
AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and ~~PRESIDENT OF LA FUENTE~~ - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

*Excused- De La Fuente - 1*

ATTEST:   
\_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

Introduction Date: **DEC 18 2007**

# Notice & Digest

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This is an ordinance amending Ordinance No. 12809 C.M.S., Oakland's Master Fee Schedule ordinance, to establish a fee to cover the cost of notification of applications for business permits subject to Oakland Municipal Code Title 5 that involve the ongoing use of property. Mailed and posted notice of the public hearing on such applications will also be provided to property owners and residents within 300 feet of the applicant property. The fee is proposed to be established at \$600.00 per application.

# EXHIBIT A

**CITY ADMINISTRATOR**

**City of Oakland**

**Amendment to the Master Fee Schedule**

<b>Fee Description</b>	<b>Fee</b>	<b>Unit</b>
<b>SPECIAL ACTIVITIES</b>		
<b>H. HEARING NOTIFICATION FEE</b>	<b>\$600.00</b>	<b>Permit</b>