

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 SEP 13 PM 4: 04

Approved as to Form and Legality

  
City Attorney

**OAKLAND CITY COUNCIL**  
**ORDINANCE NO. ~~13137~~ 13137 C.M.S.**

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**AN ORDINANCE AMENDING ORDINANCE NO. 13078 C.M.S., THE MASTER FEE SCHEDULE, AS AMENDED, TO ESTABLISH OR MODIFY FEES ASSESSED BY THE OFFICE OF THE CITY ADMINISTRATOR TO BUSINESSES CONDUCTING ACTIVITIES AS SECONDHAND JEWELRY DEALERS, SECONDHAND DEALERS, AND EXCHANGE DEALERS PURSUANT TO OAKLAND MUNICIPAL CODE CHAPTER 5.46**

**WHEREAS**, the City of Oakland periodically updates its Master Fee Schedule to account for general cost of living increases and program changes and other costs; and

**WHEREAS**, City departments incur costs related to the implementation, regulation, and oversight of City programs and permitting activities; and

**WHEREAS**, the Office of the City Administrator has analyzed the actual costs of performing these duties for the proposed modifications to the Secondhand Jewelry Dealer permit fees; and

**WHEREAS**, currently, Secondhand Jewelry Dealers, Secondhand Dealers, and Exchange dealers are all subject to the same permit fee under the Master Fee Schedule; and

**WHEREAS**, the Office of the City Administrator has proposed creating a new fee category to make the permit fee for Secondhand Jewelry Dealers separate and distinct from the permit fee that applies to Secondhand Dealers and Exchange Dealers; and

**WHEREAS**, the fee modifications and additions proposed herein have been justified by the respective agencies and are identified in an "Agenda Report" dated September 25, 2012 issued by Deanna J. Santana, City Administrator, entitled "An Ordinance Amending Ordinance No. 13078 C.M.S, The Master Fee Schedule, As Amended, To Establish or Modify Fees Assessed by the Office of the City Administrator to Businesses Conducting Activities as Secondhand Jewelry Dealers, Secondhand Dealers, and Exchange Dealers Pursuant to Oakland Municipal Code Chapter 5.46;" and

**WHEREAS**, the City Council finds and determines that the herein-referenced modifications and additions are necessary to reimburse the City for the costs of performing the various municipal and regulatory functions; and

**WHEREAS**, in the past three years, with the changes in the economy and the increase in value of gold, the City has seen an influx in the number of permitted and unpermitted “Secondhand Jewelry Dealers”; and

**WHEREAS**, such increase in both regulated and unregulated “Secondhand Jewelry Dealers” has led staff to identify significant regulations and controls that are necessary to make sure that “Secondhand Jewelry Dealers” operate lawfully; and

**WHEREAS**, staff has proposed a new regulations in the form of an ordinance, that if adopted, would significantly increase the City’s regulation and control of “Secondhand Jewelry Dealers” by setting out new permitting standards, operating standards, and regulatory enforcement actions; and

**WHEREAS**, the increase level of monitoring and oversight required by the new regulations will significantly increase the amount of staff time and oversight required to adequately monitor “Secondhand Jewelry Dealers”; and

**WHEREAS**, such appropriate monitoring will significantly impact city resources and costs to the City to monitor;

**WHEREAS**, a Public Hearing was held on October 2, 2012 to review the proposed fee changes; now, therefore

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

**Section 1:** The Master Fee Schedule as set forth in Ordinance No. 13078, as amended, is hereby amended to modify and establish fees assessed by the Office of the City Administrator and as set forth in **Exhibit A**, attached hereto and made a part hereof.

**Section 2:** This ordinance shall be effective on October 16, 2012 upon approval by the Council of the City of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA           **OCT 16 2012**           20          

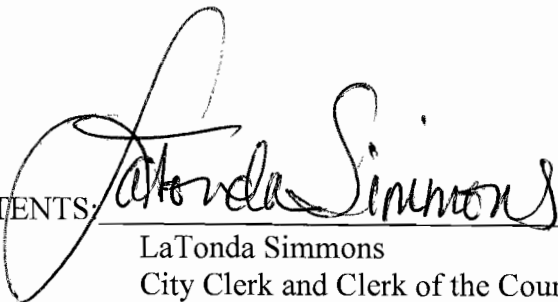
**PASSED BY THE FOLLOWING VOTE:**

AYES-BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, and PRESIDENT REID - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTENTS:   
LaTonda Simmons  
City Clerk and Clerk of the Council  
Of the City of Oakland, California

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 SEP 13 PM 4:04 NOTICE AND DIGEST

**AN ORDINANCE AMENDING ORDINANCE NO. 13078 C.M.S., THE MASTER FEE SCHEDULE, AS AMENDED, TO ESTABLISH OR MODIFY FEES ASSESSED BY THE OFFICE OF THE CITY ADMINISTRATOR TO BUSINESSES CONDUCTING ACTIVITIES AS SECONDHAND JEWELRY DEALERS, SECONDHAND DEALERS, AND EXCHANGE DEALERS PURSUANT TO OAKLAND MUNICIPAL CODE CHAPTER 5.46**

This Ordinance authorizes an amendment to Ordinance Number 13078 C.M.S. (Master Fee Schedule), as amended, to establish, modify and delete fees assessed by the Office of the City Administrator. These amended fees would become effective October 16, 2012 and would remain in effect until further notice. A public hearing has been scheduled to review the proposed fee changes. The meeting will take place at the time of the first reading of the proposed ordinance by the City Council, on October 2, 2012, at 6:30 pm or as soon as practically possible thereafter.