

ORDINANCE NO. 693

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, AMENDING INDIAN WELLS MUNICIPAL CODE SECTION 5.01.040 (TITLE 5 BUSINESS LICENSES) CONCERNING PENALTY FEES FOR BUSINESS LICENSES

WHEREAS, the City of Indian Wells ("City") has the authority under Article 11, Section 5 of the California Constitution and the City Charter to make and enforce all ordinances and regulations with respect to municipal affairs; and

WHEREAS, the City has the authority to regulate businesses operating with the City; and

WHEREAS, the City desires and intends amend the Indian Wells Municipal Code to reduce penalty fees associated with business license renewal notifications.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF INDIAN WELLS DOES ORDAIN AS FOLLOWS:

SECTION 1. Sections 5.01.040 and 5.01.045 of Chapter 5.01 of the Indian Wells Municipal Code are amended to read in their entirety as follows:

"5.01.040 Penalties for noncompliance.

Any person who violates any provision of this Chapter or knowingly or intentionally misrepresents to any officer or employee of the City any matter of material fact in procuring a business license herein provided for shall be deemed guilty of a misdemeanor, punishable by a fine of one thousand dollars (\$1,000) and imprisonment in the County jail for a period of not more than six (6) months. (Ref.: California Business and Professional Code, Article 3, Section 16240.)

5.01.045 Due date for license fee.

The license fee for a new business or a business which is not in possession of a business license is due upon application to the City for the business license. A business license shall be renewed, and the fee for renewal of each business license is due, on the first business day of January of each new year. Any license not renewed prior to May 15 of each such new year shall be deemed to have been automatically rescinded and of no further force or effect as of the prior January 1."

SECTION 2. CEQA. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 3. Severability. If any provision, clause, sentence or paragraph of this Ordinance, or the application thereof to any person or circumstances, shall be held invalid, such

invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are hereby declared to be severable. This Ordinance amends, adds to, or deletes (as applicable) sections of the Indian Wells Municipal Code.

SECTION 4. Effective Date. This Ordinance shall take effect and be in force 30 days after passage.

SECTION 5. Publication. The City Clerk is directed to publish this Ordinance in the manner and in the time required by law.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on the 17th day of December, 2015.



DANA W. REED
MAYOR

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)ss.
CITY OF INDIAN WELLS)

CERTIFICATION FOR ORDINANCE NO. 693

I, Anna Grandys, City Clerk of the City Council of the City of Indian Wells, California, **DO HEREBY CERTIFY** that Ordinance No. 693, having been regularly introduced at the meeting of 17th day of September, 2015 was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on 17th day of December, 2015 and said Ordinance was passed and adopted by the following stated vote, to wit:

AYES: Balocco, Hanson, Mertens, Reed, Peabody
NOES: None

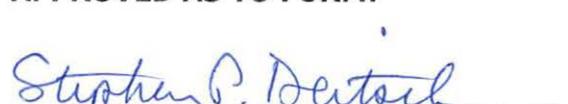
and was thereafter on said day signed by the Mayor of the City of Indian Wells

ATTEST:



ANNA GRANDYS
CITY CLERK

APPROVED AS TO FORM:



STEPHEN P. DEITSCH
CITY ATTORNEY