

RESOLUTION NUMBER 5845

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, ESTABLISHING FEES FOR THE PROCESSING OF NEW AND RENEWAL PERMIT APPLICATIONS FOR ON-SITE CONSUMPTION OF MARIJUANA AND MARIJUANA PRODUCTS AT MEDICAL MARIJUANA DISPENSARIES AND ADULT-USE MARIJUANA RETAILERS AND FEES FOR THE RELATED ADMINISTRATION AND IMPLEMENTATION OF CHAPTER 5.54 AND 5.58 OF TITLE 5 OF THE PERRIS MUNICIPAL CODE

WHEREAS, the City Council is considering the adoption of Ordinance Number 1407 which permits the operation of on-site consumption of marijuana and marijuana products at medical marijuana dispensaries and adult-use marijuana retailers within the City subject to certain regulations by amending, Perris Municipal Code (“PMC”) Chapters 5.54 and 5.58;

WHEREAS, PMC Sections 5.54.101 and 5.58.101 permit the City Council to recover all costs of new and renewal application processing, administration and implementation pursuant to Chapter 5.58;

WHEREAS, pursuant to PMC Sections 5.54.101 and 5.58.101, the City shall therefore charge fees for the purpose of defraying and recouping the City’s costs in processing new and renewal on-site consumption of marijuana and marijuana products permit applications;

WHEREAS, PMC Sections 5.54.101 and 5.58.101 require such fees to be adopted by resolution of the City Council;

WHEREAS, the City has analyzed the City’s costs of processing new and renewal applications for the operation of on-site consumption of marijuana and marijuana products within medical marijuana dispensaries and adult-use marijuana retailers and related costs of administering and implementing Chapters 5.54 and 5.58, including costs of regular inspections authorized by Chapter 5.54 and 5.58;

WHEREAS, the City Council intends to recoup 100% of its costs of processing new and renewal applications for operation of on-site consumption of marijuana and marijuana products within medical marijuana dispensaries and adult-use marijuana retailers and related costs of administering and implementing Chapters 5.54 and 5.58, including costs of regular inspections authorized by Chapters 5.54 and 5.58;

WHEREAS, in the event that Ordinance Number 1407 is adopted and approved by the City Council, the City Council desires to therefore establish a deposit-based fee, as provided in Exhibit 1, that is based upon an estimation of the City’s costs of processing new and renewal applications for on-site consumption of marijuana and marijuana products within medical marijuana dispensaries and adult-use marijuana retailers and the applicant’s share of the related costs of administering and implementing Chapters 5.54 and 5.58, including costs of regular inspections authorized by Chapters 5.54 and 5.58;

WHEREAS, on August 18, 2021 a notice of the public hearing to be held on August 31, 2021, regarding the proposed fee increases was published in the Perris Progress;

WHEREAS, on August 31, 2021, after presentation of a staff report, which staff report includes an analysis of the City's costs justifying the deposit-based fees contemplated by this Resolution and which is incorporated herein by this reference, the City Council held a duly noticed public hearing at which oral and written testimony was received and considered; and,

WHEREAS, the City has therefore reviewed and determined that the attached fees do not exceed the actual costs of processing of new and renewal applications for on-site consumption of marijuana and marijuana products within medical marijuana dispensaries and adult-use marijuana retailers and related actual costs of administering and implementing Chapter 5.58, including costs of regular inspections authorized by Chapters 5.54 and 5.58;

WHEREAS, based upon the forgoing, the above-mentioned staff report, including any written reports and attachments, and the oral and written testimony received and considered at the above-mentioned public hearing, the City Council now desires to adopt the attached fees pursuant to PMC Sections 5.5.101 and 5.58.101.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the recitals set forth above are true and correct and incorporated herein by this reference.

Section 2. That, pursuant to Chapters 5.54 and 5.58 of Title 5 of the Perris Municipal Code, the City Council hereby establishes and adopts the new and renewal application processing, administration and implementation fees and the related deposit amounts as provided in Attachment 1 of this Resolution.

Section 3. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions. This Resolution shall be effective immediately upon the adoption of Ordinance Number 1407.

ADOPTED, SIGNED and APPROVED this 31st day of August, 2021.

ATTEST:

Michael M. Vargas, Mayor

Nancy Salazar, City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 5845 was duly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 31st day of August, 2021, by the following vote:

AYES: CORONA, RABB, VARGAS
NOES: ROGERS, NAVA
ABSTAIN: NONE
ABSENT: NONE

City Clerk, Nancy Salazar

EXHIBIT 1

APPLICATION PROCESSING ADMINISTRATION AND IMPLEMENTATION FEES

On-Site Consumption of marijuana and Marijuana Products within Medical Marijuana Cannabis Lounges and Commercial Cannabis Lounges Permit Application Processing and Regulatory Permit Fees (Perris Municipal Code Chapters 5.54 and 5.58 and Pursuant to Perris Municipal Code Sections 5.54.101 and 5.58.101)

New Application Processing Fee:

Actual Costs with an Applicant Deposit*: \$13,000

Renewal Application Processing Fee:

Actual Costs with an Applicant Deposit*: \$1,500

* This deposit shall be paid at the time of application/permit filing and will be used to pay for the City's actual costs in processing and regulating new applications as well as renewals. If the City's actual costs exceed the amounts deposited, the applicant will be billed for the costs. Any unused portion of the deposit may be refunded upon the written request of the applicant.