

**RESOLUTION NUMBER 5214**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, ESTABLISHING FEES FOR THE PROCESSING OF COMMERCIAL MARIJUANA USES OF CULTIVATION (INDOOR AND MIXED-LIGHT) AND TESTING PERMIT APPLICATIONS TO OPERATE IN THE CITY OF PERRIS AND FEES FOR THE RELATED ADMINISTRATION AND IMPLEMENTATION OF CHAPTER 5.58 OF TITLE 5 OF THE PERRIS MUNICIPAL CODE**

**WHEREAS**, the City Council adopted Ordinance No. 17-1355, which added Chapter 5.58, “COMMERCIAL MARIJUANA OPERATIONS REGULATORY PROGRAM,” to Title 5 of the Perris Municipal Code (“Chapter 5.58”);

**WHEREAS**, Chapter 5.58 authorizes commercial marijuana cultivation (indoor and mixed-light) and commercial marijuana testing within the City of Perris;

**WHEREAS**, Section 5.58.140 of Chapter 5.58 permits the City Council to recover all costs of application processing, administration and implementation pursuant to Chapter 5.58;

**WHEREAS**, pursuant to Section 5.58.140 of Chapter 5.58, the City shall therefore charge fees for the purpose of defraying and recouping the City’s costs in processing commercial marijuana cultivation and testing permit applications;

**WHEREAS**, pursuant to Section 5.58.140 of Chapter 5.58, the City shall also therefore charge fees for the purpose of defraying and recouping the City’s costs in administration and implementation of Chapter 5.58 in relation to authorized commercial marijuana cultivation and testing activities;

**WHEREAS**, Section 5.58.140 requires such fees to be adopted by resolution of the City Council;

**WHEREAS**, the City has analyzed the City’s costs of processing applications for commercial marijuana cultivation (indoor and mixed-light) and commercial marijuana testing and related costs of administering and implementing Chapter 5.58, including costs of regular inspections authorized by Chapter 5.58;

**WHEREAS**, the City Council intends to recoup 100% of its costs of processing applications for commercial marijuana cultivation (indoor and mixed-light) and commercial marijuana testing and related costs of administering and implementing Chapter 5.58, including costs of regular inspections authorized by Chapter 5.58;

**WHEREAS**, the City Council desires to therefore establish a deposit-based fee, as provided in Attachment 1, that is based upon an estimation of the City’s costs of processing applications for

commercial marijuana cultivation (indoor and mixed-light) and commercial marijuana testing and the applicant's share of the related costs of administering and implementing Chapter 5.58, including costs of regular inspections authorized by Chapter 5.58;

**WHEREAS**, on December 29, 2017 a notice of the public hearing to be held on January 9, 2018, regarding the proposed fee increases was published in the Perris Progress;

**WHEREAS**, on January 9, 2018, 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 applications for commercial marijuana cultivation (indoor and mixed-light) and commercial marijuana testing and related actual costs of administering and implementing Chapter 5.58, including costs of regular inspections authorized by Chapter 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 Section 5.58.140 of the Chapter 5.58.

***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 Section 5.58.140 of Chapter 5.58 of Title 5 of the Perris Municipal Code, the City Council hereby establishes and adopts the 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 passage and adoption.

***PASSED, APPROVED AND ADOPTED*** by the City Council of the City of Perris, California, at a regular meeting held on the 9<sup>th</sup> day of January, 2018.

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 5214 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 9th day of January 2018, by the following called vote:

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

\_\_\_\_\_  
City Clerk, Nancy Salazar

**ATTACHMENT 1**

**APPLICATION PROCESSING, ADMINISTRATION AND IMPLEMENTATION FEES**

**Commercial Cultivation and Testing Permit Application Processing and  
Regulatory Permit Fees  
(Pursuant to Perris Municipal Code § 5.58.140)**

New & Renewal Application Processing Fee: Actual Costs. Deposit: \$6,000\*

Annual Administration and Implementation Fee: Actual Costs. Deposit: \$9,000\*

\*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 and renewal applications. If the City's actual costs exceed the amounts deposited, then the applicant will be billed for such costs. Any unused portion of the deposit may be refunded upon the written request of the applicant.