

RESOLUTION NUMBER 5215

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, ESTABLISHING FEES FOR THE PROCESSING OF COMMERCIAL MARIJUANA DISTRIBUTION AND MANUFACTURING 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, the City Council introduced and conducted the first reading of Ordinance No. (Next in order associated with Ordinance Amendment 17-05250), which amended Chapter 5.58 by adding Section 5.58.124, which authorizes commercial marijuana distribution and manufacturing 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 of 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 distribution and manufacturing applications and related costs of administration and implementation pursuant to Chapter 5.58;

WHEREAS, Section 5.58.140 of Chapter 5.58 requires such fees to be adopted by resolution of the City Council;

WHEREAS, the City has analyzed the City’s costs of processing of applications for commercial marijuana distribution and manufacturing and related costs of administration and implementation pursuant to Chapter 5.58, including costs of regular inspections authorized by Chapter 5.58;

WHEREAS, the City Council intends to recoup 100% of its costs in processing applications for commercial marijuana distribution and manufacturing and related costs of administration and implementation pursuant to 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 of applications for commercial marijuana distribution and manufacturing and the applicant’s share of the related costs of administration and implementation pursuant to 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 establishment and adoption of 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 distribution and manufacturing and related costs of administration and implementation pursuant to 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 Perris Municipal Code.

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.

Section 4. This Resolution shall be effective upon the adoption of Ordinance No. (Next in order associated with Ordinance Amendment 17-05250).

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

ATTEST:

Michael 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 5215 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

**Application Processing and Regulatory Permit Fees for
Commercial Marijuana Distribution Permits & Commercial Marijuana Manufacturing
Permits
(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.