

ORDINANCE NO. 572

AN ORDINANCE OF THE CITY OF FOSTER CITY AMENDING TITLE 5, BUSINESS LICENSES AND REGULATIONS, OF THE FOSTER CITY MUNICIPAL CODE TO UPDATE THE CITY'S BUSINESS LICENSE TAX

CITY OF FOSTER CITY
(November 5, 2013 Ballot Measure)

IT IS SO ORDAINED by the City Council of the City of Foster City as follows:

Section 1. Code Amendment. Chapters 5.04, 5.08, 5.12, 5.16, 5.20, 5.24, 5.28, 5.32, 5.36, 5.40 of the Foster City Municipal Code are hereby amended to read as set forth in Exhibit A to this Ordinance.

Section 2. General Tax. The taxes imposed pursuant to Section 1 of this Ordinance are general taxes imposed for revenue purposes, shall be deposited in the City's general fund and may be expended for any lawful purpose of the City.

Section 3. Further Amendments. The provisions of this Ordinance may be repealed or amended by the City Council without a vote of the people except as follows: as required by Article XIII C of the State Constitution, any action that increases the rate or amount of a tax imposed by this Ordinance above the levels authorized by this Ordinance may not take effect unless approved by a vote of the people.

Section 4. Authorization for City Clerk to Delete Obsolete Provisions. The City Clerk is hereby authorized to conduct an annual review of Article 1 of Title 5 of the Foster City Municipal Code and delete provisions that have become inapplicable due to the passage of time.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The People hereby declare that they would have adopted each section, subsection, sentence, clause, phrase, or portion of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable.

Section 6. Construction. To the extent the provisions of Article 1 of Title 5 of the Foster City Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Article read prior to the adoption of this Ordinance, they shall be construed as continuations of the earlier provisions and not as new enactments.

Section 7. Approval General Municipal Election; Effective Date. The effective date for the purposes of updating the City's Business License Tax shall take effect on January 1, 2014.

Section 8. Execution. The Mayor is hereby authorized to subscribe this ordinance where indicated below to evidence its adoption by the voters of the City and upon that subscription, the City Clerk shall certify to the passage and adoption of this ordinance, enter it into the book of original ordinances, and shall cause the same within fifteen (15) days after its adoption, to be posted in three (3) public places designated by the City Council according to law.

This Ordinance was introduced and read on the 17th day of June, 2013, and passed and adopted on the 15th day of July, 2013, by the following vote:

AYES: Councilmembers Bronitsky, Kiesel, Okamoto, Perez and Mayor Frisella

NOES: None

ABSENT: None

ABSTAIN: None


PAM FRISELLA, MAYOR

ATTEST:


DORIS L. PALMER, CITY CLERK

HISTORY: This ordinance was approved / not approved by the voters of the City of Foster City at the General Municipal Election of November 5, 2013 by the following vote:

AYES: _____

NOES: _____

_____ This ordinance became effective on _____ (10 days after certification of the election results) pursuant to City Resolution No. _____.

_____ This ordinance was not passed by a majority vote of the voters, and, therefore, did not go into effect.