

**ORDINANCE NO. 3502 C.S.**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF MONTEREY**

**AMENDING SECTION 19-103 SCHEDULE OF FEES AND SERVICE CHARGES**

THE COUNCIL OF THE CITY OF MONTEREY DOES ORDAIN, as follows:

**SECTION 1:**

WHEREAS, the Council of the City of Monterey finds that on June 2, 1992, the Council of the City of Monterey adopted Ordinance 3100 (now codified as Monterey City Code Article 4 Chapter 19 Establishing a Fee and Service Charge Revenue/Cost Comparison System) with the intent to require the ascertainment and recovery of costs reasonably borne from fees, charges and regulatory license fees levied therefore in providing the regulation, products or services enumerated therein; and,

WHEREAS, the City's Master Fee Schedule, adopted by Resolution by the City Council, provides a comprehensive list of City services for which fees are charged;

WHEREAS, this amendment to Monterey City Code Chapter 19 Section 19-103 collapses the detailed list of development fees into broad categories, and references the City's Master Fee Schedule for a detailed list of fees;

WHEREAS, the City of Monterey determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA)(CCR, Title 14, Chapter 3 ("CEQA Guidelines), Article 20, Section 15378). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project. Because the matter does not cause a direct or any reasonably foreseeable indirect physical change on or in the environment, this matter is not a project.

NOW THEREFORE, the Monterey City Council declares as follows:

SECTION 2: Monterey City Code, Chapter 19 Section 19-103 is hereby amended to read as follows:

**Sec. 19-103. Schedule of Fees and Service Charges**

(a) The fees and service charges listed in general categories below and in detail in the City's "Master Fee Schedule" shall be automatically adjusted annually in July for Consumer Price Index (CPI) increase so as to recover the listed percentage of costs reasonably borne necessary to provide the listed regulation, product or service. The CPI increase shall be based

on the published CPI for San Francisco Area (San Francisco--Oakland--San Jose) April Edition. The City Manager, Finance Director and each City department head, under the direction of the City Manager, shall review the fees and services charges periodically and provide, if necessary, an adjusted fee or charge schedule to the City Council for its consideration, in place of or in addition to the automatic annual CPI increase. A full analysis of City costs reasonably borne, as defined in Section 19-102, shall be conducted not less than every five years.

Regulation, Product or Service to Be Recovered Borne	Percentage of Costs Reasonably
I. Development Services:	
1. Residential Property Inspection	100
2. Zoning and Sign Ordinance Permits and Processes	100
3. Subdivision Ordinance Permits and Processes	100
4. Environmental Analysis and Determination	100
5. Tree Removal Permit	100
6. Annexations	100
7. Agreements and Report Review	100
8. Stormwater Erosion Control Plan	100
9. Administrative Fee for Notification to Obtain a Necessary Permit	100
10. Maintenance of General Plan and Other Planning and Policy Documents	100
11. Appeals	20
12. Permit Extensions, Amendments and Reconsiderations	100
13. Plan Check	100
14. Building Permits	100
15. Encroachment Permits	100
16. Street Opening Permit	100
17. Street Patch Charge	100
18. Driveway, Curb, Gutter, and Sidewalk Permit	100
19. Public Improvement Design, Plan Check, Inspection	100
20. Parking Adjustments	fees set by resolution
21. Illegal Construction	200
22. Traffic Control Plan Approval	100

23.	Lease Administration	100
24.	Storm Water Plan Administration	100
25.	Sanitary Sewer Rates	fees set by resolution, not subject to CPI adjustment
26.	Sewer Connection Fee	fees set by resolution

SECTION 3: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: This ordinance shall be in full force and effect thirty (30) days from and after its final passage and adoption.


PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 5th day of August, 2014, by the following vote:

AYES:	5	COUNCILMEMBERS:	Downey, Haffa, Selfridge, Sollecito, Della Sala
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	0	COUNCILMEMBERS:	None
ABSTAIN:	0	COUNCILMEMBERS:	None

APPROVED:

ATTEST:

  
 \_\_\_\_\_  
 Mayor of said City

  
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 City Clerk thereof

