

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN JOSE AMENDING RESOLUTION NO. 72737 TO
AMEND AND ESTABLISH VARIOUS FEES AND
CHARGES, AND SUPERSEDING RESOLUTION NO.
77829 RELATED TO FEES FOR USE OF THE CITY HALL
AND PLAZA, EFFECTIVE JULY 1, 2019**

WHEREAS, on June 14, 2005, the City Council adopted Resolution No. 72737 establishing the Schedule of Fees and Charges effective July 1, 2005; and

WHEREAS, on December 13, 2005, the City Council adopted Resolution No. 73019 amending the Schedule of Fees and Charges to establish a Secondary Units Clearance Fee, effective December 13, 2005; and

WHEREAS, on February 7, 2006, the City Council adopted Resolution No. 73056 amending the Schedule of Fees and Charges to establish an Off-Sale of Alcoholic Beverage Establishments Inspection Program Fee, effective February 7, 2006; and

WHEREAS, on June 20, 2006, the City Council adopted Resolution No. 73242 to amend and establish various fees and charges effective July 1, 2006; and

WHEREAS, on February 6, 2007, the City Council adopted Resolution No. 73637 amending the Schedule of Fees and Charges to increase the Lobbyist Delinquent Report Fee, effective February 6, 2007; and

WHEREAS, on June 12, 2007, the City Council adopted Resolution No. 73831 to amend and establish various fees and charges effective July 1, 2007; and

WHEREAS, on June 19, 2007, the City Council adopted Resolution 73879 amending the Schedule of Fees and Charges to revise the Source Reduction and Recycling Fee for Eligible Public School Districts, effective July 1, 2007; and

WHEREAS, on June 19, 2007, the City Council adopted Resolution No. 73881 amending the Schedule of Fees and Charges to revise the Inclusionary Fees, effective either July 1, 2007 or September 29, 2007; and

WHEREAS, on October 2, 2007, the City Council adopted Resolution No. 74035 amending the Schedule of Fees and Charges to conform new San José Municipal Code Section Numbers in Title 7 and to establish Administrative Late Fee for Licensing after Issuance of an Administration Citation, to be effective October 2, 2007; and

WHEREAS, on October 16, 2007, the City Council adopted Resolution No. 74047 amending the Schedule of Fees and Charges to Standardize Fees for Photocopying, to be effective October 16, 2007; and

WHEREAS, on June 17, 2008, the City Council adopted Resolution No. 74452 to amend and establish various fees and charges effective July 1, 2008; and

WHEREAS, on March 24, 2009 the City Council adopted Resolution No. 74839 amending the Schedule of Fees and Charges to Decrease Cardroom Table Fees (SJMC §16.30.060B) for Fiscal Year 2008-2009, to be effective March 24, 2009; and

WHEREAS, on March 24, 2009, the City Council adopted Resolution No. 74841 amending the Schedule of Fees and Charges to adjust certain Planning Fees to Cost Recovery and make other Minor Fee Changes, to be effective May 26, 2009; and

WHEREAS, on June 16, 2009, the City Council adopted Resolution No. 74981 to amend and establish various fees and charges effective July 1, 2009; and

WHEREAS, on October 20, 2009, the City Council adopted Resolution No. 75135 to eliminate the Subpoenaed Officer Court Appearance Fee; and

WHEREAS, on April 13, 2010, the City Council adopted Resolution No. 75334 to establish Reinspection Fees for Code Enforcement Services, to be effective April 13, 2010; and

WHEREAS, on April 13, 2010, the City Council adopted Resolution No. 75338 to increase the Maximum Ticket Charge for Gated Events on Public Property, to reduce the Gated Event on Public Property Fee for the period of January 1, 2009 to June 30, 2010, to repeal the Special Events Traffic Enforcement Unit Fee, and to authorize the Chief Development Officer to issue refunds to event organizers who paid Gated Event on Public Property Fees retroactive to January 1, 2009; and

WHEREAS, on June 17, 2010, the City Council adopted Resolution No. 75442 to amend and establish various fees and charges, effective July 1, 2010; and

WHEREAS, on August 3, 2010, the City Council adopted Resolution No. 75502 to correctly set forth the Public Entertainment Ownership/Management License Fee, effective August 3, 2010; and

WHEREAS, on August 3, 2010, the City Council adopted Resolution No. 75509 to decrease the Cardroom Card Table Fee, effective August 3, 2010; and

WHEREAS, on October 19, 2010, the City Council adopted Resolution No. 75600 to clarify the existing Disposal Facility Operator Integrated Waste Management Fee, effective October 19, 2010; and

WHEREAS, on October 26, 2010, the City Council adopted Resolution No. 75610 to revise and establish various Public Entertainment Ownership/Management License Fees, to be effective December 10, 2010; and

WHEREAS, on November 30, 2010, the City Council adopted Resolution No. 75639 to eliminate the Bicycle License Fees, to be effective November 30, 2010; and

WHEREAS, on November 30, 2010, the City Council adopted Resolution No. 75641 to establish fees for Waste Diversion Compliance, to be effective January 1, 2011; and

WHEREAS, on December 14, 2010, the City Council adopted Resolution No. 75684 to establish fees for Wayfinding Banner Application and Double Banner Installation, to be effective December 14, 2010; and

WHEREAS, on February 8, 2011, the City Council adopted Resolution No. 75725 to eliminate the Card Table Fees and to establish the Cardroom Regulation Fee, to be effective February 8, 2011; and

WHEREAS, on April 19, 2011, the City Council adopted Resolution No. 75783 to establish a Medical Marijuana Collective Application Processing Fee and to establish a Medical Marijuana Investigation Hourly Fee, to be effective April 19, 2011; and

WHEREAS, on June 14, 2011, the City Council adopted Resolution No. 75863 to amend and establish various fees and charges effective July 1, 2011; and

WHEREAS, on June 21, 2011, the City Council adopted Resolution No. 75913 to suspend the use and rental fees charged by the City for use of the Mexican Heritage Plaza, located at 1700 Alum Rock Avenue, San José, California, for so long as the City is not operating the facility, to be effective June 21, 2011; and

WHEREAS, on December 6, 2011, the City Council adopted Resolution No. 76085 to waive certain costs associated with Requests for Public Records, to be effective retroactive to November 10, 2011; and

WHEREAS, on May 15, 2012, the City Council adopted Resolution No. 76230 to revise the Source Reduction and Recycling Fee for commercial solid waste generators and exclusive franchisees (AB939 Fee), to be effective February 28, 2012; and

WHEREAS, on June 12, 2012, the City Council adopted Resolution No. 76282 to amend and establish various fees and charges effective July 1, 2012; and

WHEREAS, on August 21, 2012, the City Council adopted Resolution No. 76397 to establish Paseo/Plaza Use Permit Fees for Temporary Outdoor Uses of Parque de los Pobladores (also known as Gore Park), to be effective August 21, 2012; and

WHEREAS, on November 27, 2012, the City Council adopted Resolution No. 76476 to establish Foreign Trade Zone Alternative Site Framework Fees for economic development, to be effective November 27, 2012; and

WHEREAS, on April 23, 2013, the City Council adopted Resolution No. 76611 to eliminate the processing of exempt Business Tax Application Fees, to be effective June 1, 2013; and

WHEREAS, on June 11, 2013, the City Council adopted Resolution No. 76663 to amend and establish various fees and charges effective July 1, 2013; and

WHEREAS, on April 15, 2014, the City Council adopted Resolution No. 76953 to extend the suspension of the collection of the Gated Event on Outdoor Property Fee through June 30, 2016; and

WHEREAS, on June 10, 2014, the City Council adopted Resolution No. 77018 to amend and establish various fees and charges effective July 1, 2014; and

WHEREAS, on August 5, 2014, the City Council adopted Resolution No. 77102 to establish the Special Event Permit Fee, to be effective August 5, 2014; and

WHEREAS, on August 5, 2014, the City Council adopted Resolution No. 77110 to revise the Medical Marijuana Collective Registration Fees, to be effective August 5, 2014; and

WHEREAS, on August 26, 2014, the City Council adopted Resolution No. 77137 to establish that there will be no charge for a response to a Public Records Act request in which the total duplication charges are less than five dollars (\$5.00), to be effective August 26, 2014; and

WHEREAS, on December 16, 2014, the City Council adopted Resolution No. 77253 to revise the Medical Marijuana Collective Registration and Operating Fees, to be effective December 16, 2014; and

WHEREAS, on June 9, 2015, the City Council adopted Resolution No. 77382 to amend and establish various fees and charges effective July 1, 2015; and

WHEREAS, on October 20, 2015, the City Council adopted Resolution No. 77558 to decrease the Minor Development Signal Design: Traffic Controller Fee, to be effective retroactive to July 1, 2015; and

WHEREAS, on June 14, 2016, the City Council adopted Resolution No. 77784 to amend and establish various fees and charges effective July 1, 2016; and

WHEREAS, on June 21, 2016, the City Council adopted Resolution No. 77829 setting the schedule of fees for use of the City Hall and Plaza effective July 1, 2016, and superseding Resolution No. 76968 and all prior resolutions inconsistent therewith; and

WHEREAS, on December 13, 2016, the City Council adopted Resolution No. 78032 to establish the Urban Agriculture Incentive Zone Application Fee, to be effective November 15, 2016; and

WHEREAS, on May 16, 2017, the City Council adopted Resolution No. 78163 to set the Temporary Street Closure Permit Fee at \$0 for the first fifty (50) permits issued on a first-come first-served basis, for temporary street closures for block parties that will occur during the period of July 1, 2017 through July 4, 2017, to be effective May 16, 2017; and

WHEREAS, on June 13, 2017, the City Council adopted Resolution No. 78210 to amend and establish various fees and charges effective July 1, 2017; and

WHEREAS, on November 14, 2017, the City Council adopted Resolution No. 78415 to revise the annual Rental Rights and Referrals Program fees for rent stabilized apartments subject to San José Municipal Code Chapter 17.23, to be effective January 1, 2018; and

WHEREAS, on December 19, 2017, the City Council adopted Resolution No. 78472 to establish a Rental Development In-Lieu Fee for rental developments subject to the Inclusionary Housing Ordinance Program, to be effective January 1, 2018; and

WHEREAS, on June 12, 2018, the City Council adopted Resolution No. 78627 to amend and establish various fees and charges effective July 1, 2018; and

WHEREAS, on June 26, 2018, the City Council adopted Resolution No. 78694 to reduce the Rental Inclusionary In-Lieu Fee under San José Municipal Code Chapter 5.08 to \$0 for qualifying Downtown High Rise Rental Developments completed by June 30, 2021, to be effective June 26, 2018; and

WHEREAS, on November 6, 2018, the City Council adopted Resolution No. 78858 to establish an Off-Site Tree Replacement Fee, to be effective January 7, 2019; and

WHEREAS, on December 18, 2018, the City Council adopted Resolution No. 78932 to establish Shared Micro-Mobility Annual Permit and Program Monitoring Fees, to be effective December 18, 2018; and

WHEREAS, on February 12, 2019, the City Council adopted Resolution No. 78981 to decrease the Vehicle Impound Fee from \$290.00 per release to \$122.00 per release, to be effective February 12, 2019; and

WHEREAS, on May 3, 2019, the City Manager's Office published the 2019-2020 Proposed Fees and Charges Report; and

WHEREAS, subsequent changes were made to the 2019-2020 Proposed Fees & Charges Report through the Manager's Budget Addenda; and

WHEREAS, the City Council desires to further amend Resolution No. 72737 as amended, to amend, delete, and establish various fees and charges effective July 1, 2019;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
SAN JOSE:**

AMENDMENTS TO PART 1 – POLICE DEPARTMENT

SECTION 1. Section 1.010 of Part 1 of Resolution No. 72737 is amended as follows:

1.010 Fingerprinting

General (noncriminal), excluding City employment applicants	\$57.00 per card
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SECTION 2. Section 1.030 of Part 1 of Resolution No. 72737 is amended as follows:

1.030 Photographs

a.	Black and White	3-1/2" x 5"	\$9.00 each
		5" x 7"	\$9.00 each
		8" x 10"	\$9.00 each
b.	Color	3-1/2" x 5"	\$7.00 each
		4" x 6"	\$7.00 each
		5" x 7"	\$7.00 each
		8" x 10"	\$7.00 each
d.	CD		\$30.00 per CD

SECTION 3. Section 1.050 of Part 1 of Resolution No. 72737 is amended as follows:

1.050 Duplicate Tapes

a.	Audio Tapes	\$9.00 per 60-min. tape
		\$9.00 per 90-min. tape.

SECTION 4. Section 1.110 of Part 1 of Resolution No. 72737 is amended as follows:

1.110 Computerized Services

Public Records Act/Research	\$140.00 per hour
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SECTION 5. Section 1.210 of Part 1 of Resolution No. 72737 is amended as follows:

1.210 <u>Amusement Device Licenses</u> (Including music machines) (SJMC §6.08.060, 6.80.080)	\$91.00 per year for each device
Operator Permit (SJMC §6.08.060)	\$269.00 per year, plus \$91.00 per year for each amusement device owned
Exhibitor Permit (SJMC §6.08.080)	\$269.00 per year, plus \$91.00 per year for each amusement device owned
Location Permit (SJMC §6.08.080)	\$269.00 per year, plus \$91.00 per year for each amusement device owned

SECTION 6. Section 1.220 of Part 1 of Resolution No. 72737 is amended as follows:

1.220 <u>Bingo Permit</u> (SJMC §6.16.150)	
General Permit	\$50.00 initial issue, plus 2.27% of the monthly gross payouts
General Permit Renewal	\$50.00 per year, plus 2.27% of the monthly gross payouts
Special one-day permit	\$50.00, plus 2.27% of the gross payouts

SECTION 7. Section 1.230 of Part 1 of Resolution No. 72737 is amended as follows:

1.230	<u>Canvassers of Periodicals Permits</u> (SJMC §6.20.040)	\$72.00 every two (2) years
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SECTION 8. Section 1.240 of Part 1 of Resolution No. 72737 is amended as follows:

1.240 Cardroom Permits

Cardroom Regulation Fee (SJMC §16.30.060B)	\$863,816.00 per Cardroom per year
Work Permit New Fee (Sworn Administration) (SJMC §16.40.020 D) (this fee is retroactively effective from July 1, 2012)	\$489.00 per employee initial issue, plus fee for two (2) sets of fingerprint cards, plus current State and FBI fingerprinting fees
Work Permit Renewal Fee (Sworn Administration) (SJMC §16.40.020 D) (this fee is retroactively effective from July 1, 2012)	\$410.00 per employee plus fee for two (2) sets of fingerprint cards, plus current State and FBI fingerprinting fees
Work Permit New Fee (Civilian Administration) (SJMC §16.40.020 D)	\$430.00 per employee initial issue, plus fee for two (2) sets of fingerprint cards, plus current State and FBI fingerprinting fees
Work Permit Renewal Fee (Civilian Administration) (SJMC §16.40.020 D)	\$360.00 per employee initial issue, plus fee for two (2) sets of fingerprint cards, plus current State and FBI fingerprinting fees
Work Permit Employee Transfer Fee	\$242.00 per transfer
Gaming Permit Registration – Non-Profit Fundraiser	\$317.00 per event

SECTION 9. Section 1.260 of Part 1 of Resolution No. 72737 is amended as follows:

1.260	<u>Closing-out Business Sales Permit Application</u> (closing out, liquidation--fire sales, bankruptcy, etc.) (SJMC §6.18.040)	\$90.00 per 60-day permit
	Renewal (SJMC §6.18.050)	\$90.00 per 30-day renewal

SECTION 10. Section 1.270 of Part 1 of Resolution No. 72737 is amended as follows:

1.270	<u>Concealable Firearms Dealer's License</u>	
	Dealer Initial Application (SJMC §10.32.040)	\$739.00 per permit plus any fee charged by the State Department of Justice
	Dealer Annual Renewal (SJMC §10.32.090)	\$333.00 per permit plus any fee charged by the State Department of Justice
	Dealer Change of Location of Place of Business (SJMC §10.32.040)	\$333.00 per permit plus any fee charged by the State Department of Justice

SECTION 11. Section 1.310 of Part 1 of Resolution No. 72737 is amended to add the
Massage Business Permit Renewal Fee, and as follows:

1.310	<u>Massage Business</u>	
	Massage Business Permit (SJMC § 6.44.120)	\$1,900.00 per two (2) years
	Massage Business Permit Renewal (SJMC § 6.44.120)	\$896.00

Ownership/Management License New (SJMC § 6.44.130)	\$444.00 per initial permit
Ownership/Management License Renewal (SJMC § 6.44.130)	\$399.00

SECTION 12. Section 1.320 of Part 1 of Resolution No. 72737 is amended as follows:

1.320 Pawnbrokers and Secondhand Dealers License
(SJMC §6.52.020)

Pawnbroker's Permit	\$580.00 initial issue plus any fee charged by the State Department of Justice
Pawnbroker's License Renewal	\$580.00 annually plus any fee charged by the State Department of Justice
Secondhand Jewelry Dealer or Secondhand Dealer's License	\$580.00 initial permit plus any fee charged by the State Department of Justice

SECTION 13. Section 1.330 of Part 1 of Resolution No. 72737 is amended as follows:

1.330 Peddlers' Fees

Peddler's Mobile Permit (SJMC §6.54.100)	
New Permit	\$285.00 per two (2) year permit
Renewal	\$285.00 per two (2) year renewal
Reinspection	\$285.00 per reinspection

**Peddler's Approved Location Permit
(SJMC §6.54.310)**

Costs for Approved Location Permits reflect investigation of one (1) proposed location; investigation of additional locations will be billed at top step + fringe and related overhead

New Permit	\$400.00 per two (2) year permit
Renewal	\$400.00 per two (2) year renewal
Reinspection	\$400.00 per reinspection
Peddler - Issue ID Card (SJMC §6.54.210)	\$39.00 per two (2) year renewal
Peddler Employee License Fee (SJMC §6.54.310)	\$135.00 per two (2) year renewal

SECTION 14. Section 1.340 of Part 1 of Resolution No. 72737 is amended as follows:

1.340 Peepshow Establishment Permit
(SJMC §6.80.030)

Application Fee	\$214.00 per two (2) years
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SECTION 15. Section 1.350 of Part 1 of Resolution No. 72737 is amended as follows:

1.350 Pool or Billiard Room License
(SJMC §6.56.030)

\$452.00 per year

SECTION 16. Section 1.360 of Part 1 of Resolution No. 72737 is amended as follows:

1.360 Public Dance Hall Permits

Class A Permit (SJMC §6.58.050)	\$471.00 initial permit
	\$381.00 annual renewal

Class C Permits (SJMC §6.58.060)	\$471.00 initial permit \$381.00 annual renewal
Class B Permits - New/Renewal	\$181.00 per permit

SECTION 17. Section 1.370 of Part 1 of Resolution No. 72737 is amended as follows:

1.370 Taxicab and Limousine Service Permits
(SJMC §6.64.170)

Taxi Company Application	\$7,287.00 per application
Taxi Company Renewal	\$490.00 per application
Taxicab Restricted Owner's License	\$1,952.00 annually per company
Taxicab Driver's Permit – New (SJMC §6.64.490)	\$550.00 per initial permit
Taxicab Driver's Permit – Renewal (SJMC §6.64.490)	\$168.00 per two (2) year renewals
Taxicab Vehicle Inspection, Re-inspection or Missed Inspection	\$150.00 per inspection/re-inspection
Taxicab Driver's Written Retest or Missed Test	\$308.00 per retest

SECTION 18. Section 1.380 of Part 1 of Resolution No. 72737 is amended as follows:

1.380 Street Closing
(SJMC §13.14.180)

Temporary Street Closing Permit	\$240.00 per permit
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SECTION 19. Section 1.390 of Part 1 of Resolution No. 72737 is amended as follows:

1.390 Funeral Escort Permits
(SJMC §11.62.030)

Operator Permit – Initial	\$317.00 initial permit
Operator Permit – Renewal	\$135.00 annual renewal
Vehicle Inspection Permit	\$113.00 annually

SECTION 20. Section 1.400 of Part 1 of Resolution No. 72737 is amended as follows:

1.400 Ice Cream Vendor Permits

Ice Cream Truck Business Permit	\$211.00 per permit plus fingerprint fees
Ice Cream Truck Business Permit Renewal	\$211.00 annual renewal plus fingerprint fees
Employee License – New	\$271.00 per permit plus fingerprint fees
Employee License Renewal	\$271.00 annual renewal plus fingerprint fees
Ice Cream Truck Inspection	\$58.00 per two (2) years

SECTION 21. Section 1.410 of Part 1 of Resolution No. 72737 is amended as follows:

1.410	License/Permit Transfer	\$39.00 per transfer
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SECTION 22. Section 1.420 of Part 1 of Resolution No. 72737 is amended as follows:

1.420	<u>One-Day Liquor Assessment</u>	\$337.00 per permit
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SECTION 23. Section 1.430 of Part 1 of Resolution No. 72737 is amended as follows:

1.430	Replacement of ID cards, Permits and Licenses	\$39.00 per replacement
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SECTION 24. Section 1.440 of Part 1 of Resolution No. 72737 is amended as follows:

1.440	<u>Press Pass</u>	\$150.00 per permit
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SECTION 25. Section 1.450 of Part 1 of Resolution No. 72737 is amended as follows:

1.450	<u>Media Production Permit</u>	\$452.00 per permit
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SECTION 26. Section 1.480 of Part 1 of Resolution No. 72737 is amended as follows:

1.480	<u>Parade Permit</u>	\$211.00 per permit
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SECTION 27. Section 1.490 of Part 1 of Resolution No. 72737 is amended as follows:

1.490 Public Entertainment Permit

Business Permit New Fee (SJMC §6.60.320)	\$1,731.00 per four (4) years
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Business Permit Renewal Fee (SJMC §6.60.330)	\$950.00 per four (4) years
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Ownership License New Fee (SJMC §6.60.330)	\$899.00 per initial permit
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Ownership License Renewal Fee (SJMC §6.60.330)	\$504.00 per four (4) year renewal
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Management License New Fee (SJMC §6.60.330)	\$899.00 per initial permit
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Management License Renewal Fee (SJMC §6.60.330)	\$504.00 per two (2) year renewal
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Management License Change of Venue Fee for Managers Only (SJMC \$6.60.330)	\$201.00 per venue change
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Identification Card (SJMC §6.60.070)	\$39.00 per two (2) years
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SECTION 28. Section 1.500 of Part 1 of Resolution No. 72737 is amended as follows:

1.500 Secondary Employment
 (SJMC §8.16.090)

1. New Permit	\$244.00 per year
2. Renewal Fee	\$244.00 per year
4. Permit - Events Lasting Five (5) Days or Less	\$244.00 per event

SECTION 29. Section 1.520 of Part 1 of Resolution No. 72737 is amended as follows:

1.520 <u>Private Property Tow</u>	\$354.00 per application per two years
Costs for Private Property Tow Permit reflect initial inspection; re-inspections and compliance inspections, if needed, will be billed at top salary step plus fringe and related overhead	

<u>Private Property Tow Reinspection</u>	\$354.00 per reinspection
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SECTION 30. Section 1.530 of Part 1 of Resolution No. 72737 is amended as follows:

1.530 Tow-Car Permit
 (SJMC §6.66.110)

Tow-Car Business Permit New Application	\$317.00 per initial permit
Tow-Car Business Permit Renewal	\$317.00 renewal per two (2) years
Tow-Car Business Assistant (Driver) Permit Application	\$220.00 per initial permit
Tow-Car Business Assistant (Driver) Permit Renewal	\$220.00 renewal per two (2) years

SECTION 31. Section 1.550 of Part 1 of Resolution No. 72737 is amended as follows:

1.550	<u>Event Promoter Permit</u>	\$1,522.00 per two (2) years
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SECTION 32. Section 1.560 of Part 1 of Resolution No. 72737 is amended as follows:

1.560 Cannabis Fees

Application Receipt Fee (Initial Application, Amendment, Renewal Registration)	\$72.00 per application, plus fingerprint fees and any fee charged by the State Department of Justice
Initial Application Processing Fee	\$3,583.00 per application; plus Code Enforcement Hourly Inspection Fee of \$136 per hour after six (6) hours; plus Police Department Cannabis Sworn Hourly Investigation Fee of \$202 per hour after nine (9) hours
Application Amendment Processing Fee	\$1,416.00 per application; plus Code Enforcement Hourly Inspection Fee of \$136 per hour after one (1) hour; plus Police Department Cannabis Sworn Hourly Investigation Fee of \$202 per hour after three and a half (3.5) hours

Renewal Registration Processing Fee	\$3,135.00 per application for renewal; plus Code Enforcement Hourly Inspection Fee of \$136 per hour after four (4) hours; plus Police Department Cannabis Sworn Hourly Inspection Fee of \$202 per hour after seven (7) hours
<u>Delivery Vehicle Inspection Fee</u>	\$47.00 per vehicle
<u>Hourly Inspection Fees:</u>	
Planning Services	\$291.00 per hour
Code Enforcement	\$130.00 per hour

SECTION 33. Section 1.570 of Part 1 of Resolution No. 72737 is amended as follows:

1.570 Cannabis Collective Operating Fees

Annual Operating Fee	\$138,148 per year, per Collective/Business
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SECTION 34. Section 1.580 of Part 1 of Resolution No. 72737 is amended as follows:

1.580	<u>Crime Prevention Through Environmental Design</u>	\$168.00 per hour
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SECTION 35. Section 1.600 of Part 1 of Resolution No. 72737 is amended as follows:

1.600	<u>Visa Clearance Letters</u>	\$50.00 per letter
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AMENDMENTS TO PART 2 – FIRE DEPARTMENT

SECTION 36. Section 2.020 of Part 2 of Resolution No. 72737 is amended as follows:

2.020 HOURLY RATE

An hourly rate shall be charged for all services, unless the charge for the service is already included in the permit fee, as specified in this Resolution. The hourly rate for Development Related services shall be \$119.00 for Plan Check and \$134.50 for Inspection per half hour or fraction thereof and the rate for Non-Development Related services, except Records services, shall be \$100.00 for each half hour or fraction thereof.

Charges for inspections and plan reviews performed during normal duty hours; i.e. between 8:00 a.m. and 5:00 p.m., Monday through Friday, exclusive of City holidays, are included in all permit fees. If a requester fails to cancel a requested inspection at least 24 hours prior to the scheduled time for the inspection, a cancellation fee shall be charged in an amount equivalent to one hour at the hourly rate.

SECTION 37. Item I of Section 2.040 of Part 2 of Resolution No. 72737 is amended as follows:

2.040 DEVELOPMENT RELATED SERVICES

I. INSTALLATION, REMOVAL OR ALTERATION PERMITS

The installation, removal or alteration permits listed below shall be obtained when required by the Fire Department.

A. Fire Protection Systems

The permit fees below include charges for plan reviews and inspections. Time in excess of one-half ($\frac{1}{2}$) hour spent on plan reviews and inspections will be billed at the hourly rate.

	<u>Permit</u>	<u>Plan Review Fee</u>	<u>Inspection Fee</u>
1.	Underground Piping System	\$358.50 for 2 appurtenances, plus \$59.75 for each additional appurtenance	\$807 for 2 appurtenances, plus \$67 for each additional appurtenance
2.	Overhead Sprinkler System – New/Retrofit	\$478 for up to 50 sprinklers, plus \$66.92 for each additional, 1-50 sprinklers. Each additional hydraulic calculation is \$59.7558.	\$807 for up to 50 sprinklers, plus \$280 for each additional, 1-50 sprinklers
3.	Overhead Sprinkler System – Tenant Improvement	\$246.17 for up to 25 sprinklers, plus \$66.92 for each additional, 1-50 sprinklers. Each additional hydraulic calculation is \$119.50.	\$638 for up to 25 sprinklers, plus \$264 for each additional, 1-50 sprinklers
4.	Overhead Sprinkler System – NFPA-13D System	\$358.50	\$538
5.	Overhead Sprinkler System – Pre-Action System	\$478 for up to 50 sprinklers, plus \$66.92 for each additional 50 sprinklers. Each additional hydraulic calculation is \$59.75.	\$1,076 for up to 50 sprinklers, plus \$280 for each additional, 1-50 sprinklers
6.	Standpipe System	\$298.75 for up to 20 outlets, plus \$66.92 for each additional 10 outlets	\$909 for up to 20 outlets, plus \$269 for each additional 10 outlets

7. Fire Pump	\$478 for the first pump, plus \$239 for each additional pump	\$1,211 for the first pump, plus \$1,076 for each additional pump
8. Fire Alarm System – New/Retrofit	\$807 for the first 10 devices and/or appliances plus \$23.90 for every 10 devices/appliances over 10. Each additional panel is \$119.50.	\$890 for the first 10 devices and/or appliances plus \$229 for every additional 10 devices and \$27 for every additional 10 appliances. Each additional panel is \$269.
9. Fire Alarm System – Tenant Improvement	\$239 for the first 10 devices and/or appliances plus \$23.90 for every 10 devices/appliances over 10. Each panel is \$119.50.	\$404 for the first 10 devices and/or appliances plus \$229 for every additional 10 devices and \$27 for every additional 10 appliances. Each panel is \$269.
10. Fire Alarm System – Dedicated Function System	\$501.90	\$646
11. Fixed Fire Suppression Systems	\$248.56 for the first system, \$239 for each additional system	\$627 for the first system, \$538 for each additional system
12. Clean Agent Fire Suppression System	\$478 for the first system, \$358.50 for each additional system	\$1,076 for the first system, \$807 for each additional system
13. Record Retention Surcharge	5% of the permit and inspection fees (applies to each permit listed above)	

14. Emergency Responder Radio Coverage (ERRC)	\$239 per hour. Minimum 2 hours for buildings up to 4 stories. Minimum 3 hours for buildings 5-7 stories. Minimum 4 hours for high-rise buildings (8 stories or more)	\$269 per hour. Minimum 2 hours for buildings up to 4 stories. Minimum 3 hours for buildings 5-7 stories. Minimum 8 hours for high-rise buildings (8 stories or more)
15. Firefighter Breathing Air Replenishment	\$478 for 2 hours, per equipment or system	\$1,076 for 4 hours, per equipment or system

B. Hazardous Materials Storage Systems

The permit fees below include charges for plan review and inspections performed during normal duty hours. Review of plans previously disapproved or additional plan review required by changes, additions or revisions to previously approved plans will be charged an additional fee at the service fee rate. Inspections to verify compliance at a facility that was not in compliance at the initial inspection and which failed to comply by the first re-inspection shall be charged the service fee for all subsequent inspections necessary to determine compliance until the facility is in compliance.

	<u>Permit</u>	<u>Plan Review Fee</u>	<u>Inspection Fee</u>
1.	<p>Hazardous Materials Storage Systems</p> <p>Note: Installation, removal, closure, repair or alteration permits are required for all hazardous materials storage systems, including but not limited to:</p> <ul style="list-style-type: none"> • Underground and aboveground tanks and associated piping; • Liquid petroleum gas tanks and associated piping systems; 	\$478 for the first system, plus \$239 for each additional system of the same type	Hourly Rate (one hour minimum)

- Other Hazardous Materials Systems that require the submittal of a plan;
- Refrigeration/HVAC Systems; and \$478 per equipment or system
- Vapor Recovery System. \$478 per equipment or system

Piping installed in conjunction with the installation of another system (e.g. a tank) shall not be required to have a separate permit.

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| 2. | Installation or alteration of an Inert Compressed Gas System | \$239 for the first system, plus \$119.50 per additional system | Hourly Rate (one hour minimum) |
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Note: Inert compressed gas systems installed or altered in conjunction with another gas system shall not be required to have a separate permit. Inert compressed gas systems do not require a closure or removal permit.

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| 3. | Installation or alteration of Ozone Generating Equipment | \$478 per equipment or system | Hourly Rate (one hour minimum) |
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| 4. | Closure of a facility storing, using, or handling hazardous materials that require submittal of a closure plan | \$478, plus hourly rate if review surpasses 2 hours | Hourly Rate (one hour minimum) |
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| 5. | Record Retention Surcharge | 5% of the permit and inspection fees (applies to each permit listed above) | |
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SECTION 38. Item II of Section 2.040 of Part 2 of Resolution No. 72737 is amended as follows:

II. SPECIAL PLAN REVIEW, INSPECTIONS AND SERVICE FEES

A. Architectural Plan Check Fee

The fees set forth in Table A apply to all construction requiring a building permit, and are based on an hourly rate of \$239.00 per hour. The “Modifier” is the additional charge based on square footage or type of occupancy, and complexity of the project, as applicable. Where the modifier is expressed in hours per square foot, the additional fee is the modifier multiplied by \$239.00. The Base Fee includes an unlimited plan review time for the first review cycle and two additional hours in the second cycle. Additional fees are only assessed if the review process exceeds two hours in the second review cycle and the total initial hours covered by the base fee are exceeded.

Table A

1. R3 Occupancies

<u>Type</u>	<u>Base Hours</u>	<u>Base Fee</u>	<u>Modifier</u>
Custom Single Family Dwelling	2	\$478.00	N/A
Single Family Tracts	3	\$717.00	N/A

2. Multi-Family Buildings

<u>Area in Square Feet</u>	<u>Base Hours</u>	<u>Base Fee</u>	<u>Modifier</u>
1 to 10,000	8	\$1,912.00	N/A
10,001 to 20,000	8	\$1,912.00	plus 0.0006 hour per sq. ft. over 10,000
20,001 to 40,000	14	\$3,346.00	plus 0.0005 hour per sq. ft. over 20,000
Over 40,000	24	\$5,736.00	plus 0.0005 hour per sq. ft. over 40,000
High-rise Building			1.1 times total plan check fee

3. Commercial & Industrial & Garage – New Buildings (Shell) & Additions

<u>Area in Square Feet</u>	<u>Base Hours</u>	<u>Base Fee</u>	<u>Modifier</u>
1 to 10,000	6	\$1,434.00	N/A
10,001 to 20,000	6	\$1,434.00	plus 0.0005 hour per sq. ft. over 10,000
20,001 to 40,000	11	\$2,629.00	plus 0.0004 hour per sq. ft. over 20,000
Over 40,000	19	\$4,541.00	plus 0.0004 hour per sq. ft. over 40,000
High-rise Building			1.1 times total plan check fee

4. Tenant Improvement, Alteration and Interior Finish (All Occupancies except R3)

<u>Area in Square Feet</u>	<u>Base Hours</u>	<u>Base Fee</u>	<u>Modifier</u>
1 to 10,000	2.5	\$597.50	N/A
10,001 to 20,000	4	\$956.00	plus 0.0003 hour per sq. ft. over 10,000
20,001 to 40,000	7	\$1,673.00	plus 0.00025 hour per sq. ft. over 20,000
Over 40,000	12	\$2,868.00	plus 0.00025 hour per sq. ft. over 40,000

7. Miscellaneous Use with No Specific Area

<u>Use</u>	<u>Base Fee</u>
Antenna	\$478.00
ATM	\$239.00
Canopy Structure	\$358.50
Cooling Tower	\$358.50
Damage Repair	\$358.50
Demising Walls Only	\$358.50
Demo Interior Walls	\$358.50
Façade Changes	\$358.50
Fences/Gates	\$358.50
Fountains	\$358.50
HVAC Systems	\$478.00
Occupancy Changes	\$358.50
Occupancy Load Changes	\$478.00

Racks	\$597.50
Seismic Upgrades	\$358.50
Spray Booth	\$597.50
Swimming Pools	\$478.00
Tools	\$478.00

B. Architectural Inspection Fees

The inspection fees set forth in Table B apply to all construction requiring a building permit, and are based on an hourly rate of \$269.00 per hour. The "Modifier" is the additional charge based on square footage or type of occupancy, as applicable. Where the modifier is expressed in hours per square foot, the additional fee is the modifier multiplied by \$269.00. The total hours purchased (fee/\$269.00) will limit the available inspection service allowed.

Table B

1. R3 Occupancies

<u>Type</u>	<u>Base Hours</u>	<u>Base Fee</u>	<u>Modifier</u>
Custom Single Family Dwelling	1	\$269.00	N/A
Single Family Tracts	2	\$538.00	plus 0.25 hour per unit over 6 units

2. Multi-Family Buildings

<u>Area in Square Feet</u>	<u>Base Hours</u>	<u>Base Fee</u>	<u>Modifier</u>
1 to 10,000	2	\$538.00	N/A
10,001 to 20,000	2	\$538.00	plus 0.0003 hour per sq. ft. over 10,000
20,001 to 40,000	5	\$1,345.00	plus 0.0002 hour per sq. ft. over 20,000
Over 40,000	9	\$2,421.00	plus 0.0002 hour per sq. ft. over 40,000
High-rise Building			1.2 times total inspection fee

3. Commercial, Industrial & Garage – New Buildings (Shell) & Additions

<u>Area in Square Feet</u>	<u>Base Hours</u>	<u>Base Fee</u>	<u>Modifier</u>
1 to 10,000	3	\$807.00	N/A
10,001 to 20,000	3	\$807.00	plus 0.0001 hour per sq. ft. over 10,000
20,001 to 40,000	4	\$1,076.00	plus 0.000125 hour per sq. ft. over 20,000
Over 40,000	6.5	\$1,748.50	plus 0.000125 hour per sq. ft. over 40,000
High-rise Building			1.2 times total inspection fee

4. Tenant Improvement, Alteration and Interior Finish (All Occupancies except R3)

<u>Area in Square Feet</u>	<u>Base Hours</u>	<u>Base Fee</u>	<u>Modifier</u>
1 to 10,000	1	\$269.00	N/A
10,001 to 20,000	2.75	\$739.75	plus 0.0001 hour per sq. ft. over 10,000
20,001 to 40,000	4	\$1,076.00	plus 0.000125 hour per sq. ft. over 20,000
Over 40,000	6.5	\$1,748.50	plus 0.000125 hour per sq. ft. over 40,000

7. Miscellaneous Use with No Specific Area

<u>Use</u>	<u>Base Fee</u>
Antenna	\$269.00
ATM	\$269.00
Canopy Structure	\$269.00
Cooling Tower	\$269.00
Damage Repair	\$269.00
Demising Walls Only	\$269.00
Demo Interior Walls	\$269.00
Façade Changes	\$269.00
Fences/Gates	\$269.00
Fountains	\$269.00
HVAC Systems	\$269.00
Occupancy Changes	\$269.00
Occupancy Load Changes	\$269.00

Racks	\$269.00
Seismic Upgrades	\$269.00
Spray Booth	\$269.00
Swimming Pools	\$269.00
Tools	\$269.00

SECTION 39. Item III of Section 2.040 of Part 2 of Resolution No. 72737 is amended as follows:

III. OTHER DEVELOPMENT RELATED SERVICES AND FEES

<u>Item</u>	<u>Fee</u>
4. Permit Expiration Fee	Fifty percent (50%) of new permit.

SECTION 40. Section 2.050 of Part 2 of Resolution No. 72737 is amended to delete the State Requirement Fees and Tank Permit Fees, and as follows:

2.050 NON-DEVELOPMENT RELATED FEES

I. ANNUAL RENEWABLE OPERATING PERMITS

A. Occupancy Permits

Fees for facilities required to obtain Fire Safety permits will be based on the business type of facility, as classified by the California Building Code (CBC), and modified by the City of San Jose Fire Department. All outstanding fees shall be paid prior to the issuance of the permit certificate.

Facilities are grouped into Occupancy Groups based on average inspection times. Fees are then computed using the same average inspection times and the average number of permits for the group.

<u>Occupancy Group</u>	<u>Fee per Facility</u>
1. Group 1: A1, A2, H1, H3, H4, H5, I3, I4, S2, and U	\$470.00 plus hourly rate if initial inspection surpasses 2 hours

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| 2. | Group 2: A3, A4, A5, B, E, F1, F2, H2, I2, M, R1, R3, R3.1, and S1 | \$534.00 plus hourly rate if initial inspection surpasses 2.5 hours |
| * except for Public Schools | | |
| 3. | Group 3: R2, R2.1 and R4 | \$643.00 plus hourly rate if initial inspection surpasses 3 hours |
| 6. | Group 9: R1 High-Rise | \$1,303.00 plus hourly rate if initial inspection surpasses 6 hours |
| 7. | Group 18: B High-Rise | \$1,893.00 plus hourly rate if initial inspection surpasses 9 hours |

B. Hazardous Materials Permits

A Hazardous Materials permit shall be obtained for all hazardous materials (regardless of quantity) regulated by the San José Fire Code, SJMC 17.12 and/or the Hazardous Materials Storage Ordinance, SJMC 17.68 unless identified in the Minimum Reportable Threshold Quantity Table, see Section B.1 below.

The fee for each Quantity Range as set forth in Section B.3 is \$190.00.

EXCEPTIONS:

- Gases: Liquefied Petroleum Gas (LP-gas, LPG) containers, other than stationary systems.
- Nitrogen, helium, neon, argon, krypton, xenon, carbon dioxide, compressed air, and sulfur hexafluoride, below the San José Fire Code Permit Quantities, in either compressed gas phase or cryogenic state.
- Division 6.2: Infectious Substance
- Class 7: Radioactive

The hazardous materials permit fee shall be computed as described below:

- Stationary installations of Liquefied Petroleum Gas (LP-gas, LPG) shall be charged the equivalent of two Quantity Ranges.

- Oxygen, nitrogen, helium, neon, argon, krypton, xenon, carbon dioxide, sulfur hexafluoride and compressed air, at or above the San José Fire Code Permit Quantities in either compressed gas phase or cryogenic state shall be charged the equivalent of one Quantity Range.
- All other hazardous materials shall be computed based upon the DOT Hazard Class, see Table 1, as described below in conjunction with the Quantity Ranges as added up in total.

TABLE I

<u>HAZARD CLASS</u> (as defined by 49 CFR, Code of Federal Regulations, Transportation):	<u>DESCRIPTION</u>
1	EXPLOSIVES - SOLIDS AND LIQUIDS
2	GASES
3	FLAMMABLE/COMBUSTIBLE LIQUIDS
4	FLAMMABLE SOLIDS
5	OXIDIZERS AND ORGANIC PEROXIDES - SOLID AND LIQUID
6	POISON - SOLID AND LIQUID
8	CORROSIVES - SOLID AND LIQUID
9	MISCELLANEOUS HAZARDOUS MATERIALS - SOLID AND LIQUID

5. Inert Gas Permit Fee

The rate is equal to One (1) Quantity Range. The fee for One Quantity Range is \$190.00.

Except for Public Schools which shall pay \$0 permit fee.

6. Propane Permit Fee

The rate is equal to Two (2) Quantity Ranges. The fee for One Quantity Range is \$190.00.

Except for Public Schools which shall pay \$0 permit fee.

II. ONE-TIME NONRENEWABLE PERMITS

The one time nonrenewable permits listed below shall be obtained when required by the Fire Department. If indicated below, the fees for these permits include charges for plan review and inspections performed during normal duty hours. When not included in the permit fee, if plan review or inspections services are required, they will be charged at the service fee rate with a one-hour minimum. Review of plans previously disapproved, or additional plan review required by changes, additions, or revisions to previously approved plans will be charged an additional fee at the service fee rate.

A separate permit for a specific period of time shall be obtained for each location at which such operations are performed. If a permit that includes inspection and/or plan review has been obtained for a specific period of time at a specific location, the fees for additional permits for the same period of time and location may be reduced to \$263.00.

A. Permits That Include Plan Review and Inspection Services

	<u>Permits</u>	<u>Permit Fee</u>
1.	Explosive or Blasting Agents (temporary manufacture, possession, storage or sale)	\$664.00 plus hourly rate if review surpasses 2 hours
2.	Fireworks	\$664.00 plus hourly rate if review surpasses 2 hours
3.	Mall, Covered (Special Use)	\$664.00 plus hourly rate if review surpasses 2 hours
4.	Pyrotechnical Special Effects Material	\$664.00 plus hourly rate if review surpasses 2 hours

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| 5. | Tents, Canopies & Temporary Membrane Structures | \$664.00 plus hourly rate if review surpasses 2 hours |
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B. Permits Which Include Plan Review or Inspection

	<u>Permits</u>	<u>Permit Fee</u>
1.	Candles & Open Flames in Assembly Areas (inspection only included)	\$465.00 plus hourly rate if review surpasses 1 hour
2.	Ovens, Industrial Baking or Drying (inspection only included)	\$465.00 plus hourly rate if review surpasses 1 hour
3.	Parade Floats (inspection only included)	\$465.00 plus hourly rate if review surpasses 1 hour

C. Permits Which Do Not Include Plan Review or Inspection

	<u>Permit</u>	<u>Permit Fee</u>
1.	Carnivals and Fairs	\$263.00 plus hourly rate if review needed
2.	Open Burning	\$263.00 plus hourly rate if review needed
3.	Welding & Cutting Operations (at a temporary job site involving construction or alteration permitted and regulated by the Building Code)	\$263.00 plus hourly rate if review needed

SECTION 41. Section 2.060 of Part 2 of Resolution No. 72737 is amended as follows:

2.060 OTHER SERVICES AND FEES

When other services by the Bureau of Fire Prevention are required, the following fees, as listed below, shall be paid.

<u>Service</u>	<u>Fees</u>
15. <u>Outdoor Special Events Fee</u>	<u>\$129.00 per hour</u>

**AMENDMENTS TO PART 3 – PLANNING, BUILDING AND CODE
ENFORCEMENT DEPARTMENT**

SECTION 42. Section 3.010 of Part 3 of Resolution No. 72737 is amended and restated in its entirety as follows:

3.010 The filing fee for a petition for the (PD) Planned Development zoning, rezoning, or rezoning of any property pursuant to Chapter 20.120 of the San José Municipal Code shall be charged as indicated by Table A:

Table A - Residential

<u>Category</u>	<u>Characteristics</u>	<u>Fee</u>
I	1 to 24 dwelling units for property on slopes of less than 5% and for property not within 100 feet of top of the bank of a stream bed:	
	Up to two (2) dwelling units.	\$10,711.00
	For each additional unit above two (2): units 3 through 24	\$104.00 per dwelling unit
	For property on slopes of 5% or greater or property within 100 feet of the top of the bank of a stream bed. ^{2/}	See fee amount due in Table G

II	25 to 99 dwelling units for property on slopes of less than 5% and for property not within 100 feet of top of the bank of a stream bed:	
	25 dwelling units for property on slopes of less than 5% and for property not within 100 feet of top of the bank of a stream bed.	\$13,153.00
	For each additional unit above 25: units 26 through 99	\$293.00 per dwelling unit
	For property on slopes of 5% or greater or for property within 100 ft. of the top of the bank of a stream bed. ^{2/}	See fee amount due in Table G

III	100 to 499 dwelling units for property on slopes of less than 5% and for property not within 100 feet of top of the bank of a stream bed:	
	100 dwelling units for property on slopes of less than 5% and for property not within 100 feet of the top of the bank of a stream bed.	\$35,211.00
	For each additional unit above 100: units 101 through 499	\$34.00 per dwelling unit
	For property on slopes of 5% or greater or for property within 100 ft. of the top of the bank of a stream bed. ^{2/}	See fee amount due in Table G

IV	500 or more dwelling units for property on slopes of less than 5% and for property not within 100 feet of top of the bank of a stream bed:	
	500 dwelling units for property on slopes of less than 5% and for property not within 100 feet of the top of the bank of a stream bed.	\$48,803.00

For each additional unit above 500: units 501 and higher	\$98.00 per dwelling unit
For property on slopes of 5% or greater or for property within 100 feet of the top of the bank of a stream bed. ^{2/}	See fee amount due in Table G

Table A - Non-Residential

<u>Category</u>	<u>Characteristics</u>	<u>Fee</u>
I	1 to 49,999 sq. ft. for property on slopes of less than 5% and for property not within 100 feet of top of the bank of a stream bed:	
	Up to 5,000 sq. ft. of gross floor area	\$8,735.00
	For each square foot above 5,000: square foot 5,001 through 49,999	\$0.15 per square foot
	For property on slopes of 5% or greater or for property within 100 ft. of the top of the bank of a stream bed. ^{1/}	Above fee plus fee amount due in Table G
II	50,000 to 99,999 sq. ft. for property on slopes of less than 5% and for property not within 100 feet of top of the bank of a stream bed:	
	For property on slopes of less than 5% and for property not within 100 feet of the top of the bank of a stream bed.	\$15,414.00 for first 50,000 sq. ft. plus \$0.06 for each additional sq. ft.
	For property on slopes of 5% or greater or for property within 100 ft. of the top of the bank of a stream bed. ^{1/}	Above fee plus amount due in Table G

III 100,000 to 300,000 sq. ft. for property on slopes of less than 5% and for property not within 100 feet of top of the bank of a stream bed:

For property on slopes of 5% and for property not within 100 ft. of the top of the bank of a stream bed.	\$18,926.00 for first 100,000 sq. ft. plus \$0.01 for each additional sq. ft.
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For property on slopes of 5% or greater or for property within 100 ft. of the top of the bank of a stream bed. ^{1/}	Above fee plus fee amount due in Table G
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IV Over 300,000 sq. ft. for property on slopes of less than 5% and for property not within 100 feet of top of the bank of a stream bed:

For property on slopes of less than 5% or for property not within 100 ft. of the top of the bank of a stream bed.	\$20,887.00 for first 300,000 sq. ft. plus \$0.07 for each additional sq. ft.
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For property on slopes of 5% or greater or for property within 100 ft. of the top of the stream bed. ^{1/}	Above fee plus fee amount due in Table G
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^{1/} Where both the slope and riparian conditions exist, the additional fee is charged for each condition. The applicability of fees charged pursuant to this provision shall be determined conclusively by the Director of Planning, Building and Code Enforcement.

SECTION 43. Section 3.020 of Part 3 of Resolution No. 72737 is amended as follows:

3.020 The filing fee for a petition for zoning, prezoning or rezoning of any property, other than (PD) Planned Development, shall be: \$8,695.00.

SECTION 44. Section 3.030 of Part 3 of Resolution No. 72737 is amended and restated in its entirety as follows:

3.030 The filing fee for a petition for a (PD) Planned Development Permit or Amendment and for a Site Permit or Amendment pursuant to Chapter 20.100 of the San José Municipal Code shall be charged as indicated by Table B - Residential and Table B - Non-Residential:

Table B - Residential

<u>Category</u>	<u>Characteristics</u>	<u>Fee</u>
I	1 to 24 dwelling units for property on slopes of less than 5% and for property not within 100 feet of top of the bank of a stream bed:	
	Up to two (2) dwelling units.	\$7,231.00
	For each additional dwelling unit: Dwelling units 3 through 24	\$471.00 per dwelling unit
	For property on slope 5% or greater or property within 100 ft. of the top of the bank of a stream bed. <u>2/</u>	Above fee plus fee amount due in Table G
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II	25 to 99 dwelling units for property on slopes of less than 5% and for property not within 100 feet of top of the bank of a stream bed:	
	25 dwelling units for property on slopes of less than 5% and for property not within 100 feet of the top of the bank of a stream bed.	\$18,074.00
	For each additional dwelling unit: Dwelling units 26 through 99	\$81.00 per dwelling unit

	For property on slopes of 5% or greater or for property within 100 ft. of the top of the bank of a stream bed. ^{2/}	Above fee plus fee amount due in Table G
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III	100 to 499 dwelling units for property on slopes of less than 5% and for property not within 100 feet of top of the bank of a stream bed:	
	100 dwelling units for property on slopes of less than 5% and for property not within 100 feet of the top of the bank of a stream bed.	\$24,100.00
	For each additional dwelling unit: Dwelling units 101 through 499	\$8.00 per dwelling unit
	For property on slopes of 5% or greater or for property within 100 ft. of the top of the bank of a stream bed. ^{2/}	Above fee plus fee amount due in Table G
<hr/>		
IV	500 or more dwelling units for property on slopes of less than 5% and for property not within 100 feet of top of the bank of a stream bed:	
	500 dwelling units for property on slopes of less than 5% and for property not within 100 ft. of the top of the bank of a stream bed.	\$28,116.00
	For each additional dwelling unit: Dwelling units 501 and above	\$55.00 per dwelling unit
	For property on slopes of 5% or greater or for property within 100 ft. of the top of the bank of a stream bed. ^{2/}	Above fee plus fee amount due in Table G

Table B - Non-Residential

<u>Category</u>	<u>Characteristics</u>	<u>Fee</u>
I	0 to 49,999 sq. ft. for property on slopes of less than 5% and for property not within 100 feet of top of the bank of a stream bed: 0 sq. ft. to 49,999 sq. ft.	\$8,392.00 for first 5,000 sq. ft. plus \$0.03 for each additional sq. ft.
	For property on slopes of 5% or greater or for property within 100 feet of the top of the bank of a stream bed. <u>2/</u>	Above fee plus fee amount due in Table G
II	50,000 to 99,999 sq. ft. for property on slopes of less than 5% and for property not within 100 feet of top of the bank of a stream bed: For property on slopes of less than 5% and for property not within 100 feet of the top of the bank of a stream bed.	\$10,190.00 for first 50,000 sq. ft. plus \$0.06 for each additional sq. ft.
	For property on slopes of 5% or greater or for property within 100 ft. of the top of the bank of a stream bed. <u>2</u>	Above fee plus fee amount due in Table G
III	100,000 to 299,999 sq. ft. for property on slopes of less than 5% and for property not within 100 feet of top of the bank of a stream bed:	

For property on slopes of 5% and for property not within 100 ft. of the top of the bank of a stream bed.	\$12,853.00 for first 100,000 sq. ft. plus \$0.02 for each additional sq. ft.
For property on slopes of 5% or greater or for property within 100 ft. of the top of the bank of a stream bed. ^{2/}	Above fee plus fee amount due in Table G

IV 300,000 sq. ft. or more for property on slopes of less than 5% and for property not within 100 feet of top of the bank of a stream bed:

For property on slopes of less than 5% or for property not within 100 ft. of the top of the bank of a stream bed.	\$16,066.00 for first 300,000 sq. ft. plus \$0.06 for each additional sq. ft.
For property on slopes of 5% or greater or for property within 100 ft. of the top of the bank of a stream bed. ^{2/}	Above fee plus fee amount due in Table G

^{1/} Use intensity includes dwelling units for residential uses, square footage for nonresidential uses, square footage for parking structures, site acreage, building coverage of site, building height, and utility requirements.

^{2/} Where both the slope and riparian conditions exist, the additional fee is charged for each condition. The applicability of fees charged pursuant to this provision shall be determined conclusively by the Director of Planning, Building and Code Enforcement.

* Applies only to applications for which the rezoning application was filed prior to July 1, 1990.

SECTION 45. Section 3.050 of Part 3 of Resolution No. 72737 is amended as follows:

3.050 The fees for conducting Environmental Review Proceedings under Title 21 of the San José Municipal Code shall be as follows: Planning services provided beyond those covered by the base fee set forth below will be assessed at \$280.00 per hour.

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| 1. | For issuance of a determination of exemption from the provisions of Title 21 of the San Jose Municipal Code: | \$840.00 |
| 3. | For an Application for Environmental Clearance for a project including preparation of a Negative Declaration: | \$6,026.00 deposit plus additional time at \$291.00 per hour plus all publishing and noticing costs |
| 4. | For preparation of an EIR: | \$20,370.00 deposit plus additional time at \$291.00 per hour plus all publishing and noticing costs |
| 5. | For application for the Re-Use of a Master EIR or ND and Addendum to an EIR or ND / Determination of Consistency: | |
| | a. For any project reusing a previous environmental clearance where no additional environmental analysis is required or for any project that is subject to the provisions of Title 21 of the SJMC. | \$582.00 plus additional time at \$291.00 per hour plus all publishing and noticing costs |
| 6. | EIR Preliminary Review Fee | \$873.00 plus additional time at \$291.00 per hour plus all publishing and noticing costs |
| 7. | Mitigation Monitoring Fee for Negative Declaration | \$2,910.00 |

8.	Mitigation Fee for EIR	\$2,910.00
11.	For Environmental Review of Geotechnical Test results	\$873.00
13.	Mitigation Monitoring Review – Compliance Review	\$1,164.00
14.	Habitat Conservation Plan (HCP)	\$873.00

SECTION 46. Section 3.060 of Part 3 of Resolution No. 72737 is amended as follows:

3.060	Petition for Annexation of Territory to the City of San José	\$35,347.00
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SECTION 47. Section 3.070 of Part 3 of Resolution No. 72737 is amended as follows:

3.070 Williamson Act

Application for inclusion in Agricultural Preserve	\$11,346.00
Cancellation (Application to disestablish, enlarge or diminish size of Agricultural Preserve)	\$20,585.00
Extension of time for tentative cancellation of expiration date	\$11,346.00
Alternate Use amendment	\$11,346.00

SECTION 48. Section 3.080 of Part 3 of Resolution No. 72737 is amended as follows:

3.080	<u>Filing Fees for Requests to Amend the Land Use/ Transportation Diagram of the General Plan</u> (SJMC §18.08.240)	\$17,061.00
a.	Request for a General Plan or Specific Plan text amendment	\$17,061.00

SECTION 49. Section 3.085 of Part 3 of Resolution No. 72737 is amended as follows:

3.085 Urban Growth Boundary Minor Modifications \$17,061.00

SECTION 50. Section 3.090 of Part 3 of Resolution No. 72737 is amended as follows:

3.090 Tentative Maps
 (SJMC §§19.12.080, 19.13.050)

All Tentative and Vesting Tentative Maps and
amendments to all tentative and vesting tentative
maps

Base Fee – Up to 10 lots	\$7,632.00
Each additional lot – lots 11 to 49	\$20.00 per lot
Base Fee – at 50 lots	\$8,436.00
Base Fee – at 250 lots	\$9,640.00
Each additional lot – lots 251 and higher	\$37.00 per lot

SECTION 51. Section 3.100 of Part 3 of Resolution No. 72737 is amended as follows:

3.100 Lot Line Adjustments
 (SJMC §19.12.085) \$2,328.00

SECTION 52. Section 3.110 of Part 3 of Resolution No. 72737 is amended as follows:

3.110 Certificate of Compliance
 (SJMC §19.40.100) \$5,456.00

SECTION 53. Section 3.120 of Part 3 of Resolution No. 72737 is amended as follows:

3.120 Map Extensions
 (SJMC §19.16.020) \$1,405.00

SECTION 54. Section 3.130 of Part 3 of Resolution No. 72737 is amended as follows:

3.130 Reversion to Acreage Petition
 (SJMC §19.20.020) \$1,204.00

SECTION 55. Section 3.150 of Part 3 of Resolution No. 72737 is amended as follows:

3.150	<u>Lot Line Correction</u>	\$2,173.00
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SECTION 56. Section 3.155 of Part 3 of Resolution No. 72737 is amended as follows:

3.155	<u>Final Map/Parcel Map Review</u>	\$291.00 per hour (1 hour minimum)
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SECTION 57. Section 3.160 of Part 3 of Resolution No. 72737 is amended as follows:

3.160	<u>Petition for Release of Covenant of Easement</u> (SJMC §20.56.220)	\$3,314.00
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SECTION 58. Section 3.165 of Part 3 of Resolution No. 72737 is amended as follows:

3.165	Covenant of Easement	\$4,015.00
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SECTION 59. Section 3.185 of Part 3 of Resolution No. 72737 is amended as follows:

3.185 The following fees shall be charged as set forth in Table C for a petition for a Conditional Use Permit or an amendment to an approved Conditional Use Permit.

Table C

<u>Permit</u>	<u>Fee</u>
Conditional Use Permit or an Amendment to an approved Conditional Use Permit	\$15,961.00 plus any specific use regulation and/or policy review necessary from Section 3.215 – Table G

SECTION 60. Section 3.190 of Part 3 of Resolution No. 72737 is amended as follows:

3.190 The following Permit Application fees shall be charged as set forth in Table D.

Table D

<u>Permit</u>	<u>Fee</u>
Administrative Permit	\$2,927.00
Determination of Public Convenience or Necessity	\$5,723.00
Development Variances / Exceptions	\$6,224.00
Special Use Permits and Amendments	
Existing Single Family Use / No New Construction	\$5,258.00
Non-Single Family Use / New Construction	\$10,868.00
Development Permit Adjustments (SJMC §20.100.500)	\$291.00
Per ¼ hour additional	\$72.00
Development Permit Adjustment Requiring Application Intake and Internal City Staff Review	\$803.00
Per each additional hour	\$291.00
Petition for Exemption from Mobilehome Conversion Permit Requirements (SJMC §20.180.520)	\$1,164.00
Development Agreement (SJMC §18.02.040)	\$17,070.00
Amendment to a Development Agreement	\$9,440.00
Development Agreement Annual Monitoring Fee	\$11,447.00
Street Renaming Fee	
Minor	\$3,916.00
Major	\$10,844.50
Sign Adjustment – first sign / single sign	\$200.00
Multiple Sign Adjustment Surcharge	\$101.00 for each additional sign after 1 st sign
Consultation Fee for Permit / Sign Adjustment	\$291.00 per hour
Community Meeting Fee	\$3,334.00
Reasonable Accommodation Fee	\$7,632.00
Single Family House Permit Application Fees (SJMC §20.100.120)	
Administrative Determination	
For houses listed on the Historic Resources Inventory and have a Floor Area Ratio less than or equal to 0.45	\$582.00
All others	\$2,208.00
Public Hearing – Director	\$7,120.00
Tree Removal Permit	

Live Trees

Single Family Residence/Duplex

All other uses

Heritage Tree Surcharge (City or County)

Dead Trees – All

\$1,891 + noticing fees
\$2,182 + noticing fees
\$9,640 + noticing fees
\$218 for first tree + \$30
each additional tree +
noticing fees
\$218 for first tree + \$30
each additional tree +
noticing fees

Unsuitable Trees – All

SECTION 61. Section 3.200 of Part 3 of Resolution No. 72737 is amended as follows:

3.200 The filing fees for a permit renewal or appeal shall be charged as set forth in Table E:

Table E

Renewals:

Conditional Use Permit

Special Use Permit

Filing Fee

\$12,050.00

\$5,622.00

Appeal:

Appeal or Protest of any Permit or Environmental

Determination by Applicant

Applicant's Non-Applicant Appeal Processing

Filing Fee

\$11,247.00

\$10,977.00

SECTION 62. Section 3.210 of Part 3 of Resolution No. 72737 is amended as follows:

3.210 The fees for signs and boards shall be charged as set forth in Table F.

Table F

Permit

Fees

Billboard Height Alteration Agreement Review
(SJMC §23.04.495)

\$10,845.00

SECTION 63. Section 3.215 of Part 3 of Resolution No. 72737 is amended as follows:

- 3.215 The fees for specific use regulation and/or policy review shall apply in addition to the base fees specified in Table A – Final Table Designation:

Table G

<u>Permit</u>	<u>Fees</u>
After Midnight (additional charge for uses operating between midnight and 6 a.m.)	\$9,271.00
ALUC Referral	\$2,409.00
Community/Gateway Signs	\$8,837.00
Day Care/Private School	\$12,550.00
Conversion of residential units to a condominium (up to 25 units)	\$14,308.00
Conversion of residential units to a condominium (each additional unit – 26th unit and higher)	\$34.00 per unit
Drive-Through	\$8,133.00
Gas Station Conversion	\$7,129.00
HLC Referral	\$3,212.00
Hotel Supportive Housing	\$1,204.00
Live/Work	\$2,007.00
Mobile Home Conversions to another use	\$17,372.00
Mobile Home Park Conversion to Ownership	\$17,774.00
Nightclubs and Bars	\$11,747.00
Noise Exceeding Zoning Standards	\$6,727.00
Offsale of Alcohol	\$9,070.00
Off-Site Parking, alternating or shared	\$8,977.00
Uses where primary use is outdoors	\$7,833.00
Property within 100 feet of top of the bank of a streambed (additional charge as required by project specifications)	\$11,247.00
Property on slopes of 5% or greater (additional charge as required by project specifications)	\$4,292.00
SRO	\$3,815.00
Standby/Back-up Power	\$1,507.00
Temporary Outdoor Uses	\$4,987.00
Wireless (non-building mounted)	\$7,420.00

SECTION 64. Section 3.240 of Part 3 of Resolution No. 72737 is amended as follows:

- | | | |
|-------|--|-------------------|
| 3.240 | Hourly Rate for Planning Services without a Designated Fee or for work beyond the base hours of a given Planning fee | \$291.00 per hour |
|-------|--|-------------------|

SECTION 65. Section 3.245 of Part 3 of Resolution No. 72737 is amended as follows:

- | | | |
|-------|--|---|
| 3.245 | <u>Mixed Use Permit Credit</u> | \$5,822.00 credit applied to initial permit invoice |
| | For Site or Planned Development Permits which include both residential and non-residential new construction a credit will be applied to the initial cost of the permit | |

SECTION 66. Section 3.271 of Part 3 of Resolution No. 72737 is amended as follows:

- | | | |
|-------|--|----------|
| 3.271 | <u>Planning Development Permit Conformance</u> | |
| | New Construction, Minor (up to 2 residential units, up to 5,000 square feet) | \$291.00 |
| | New Construction, Major (3 or more units, over 5,000 square feet) | \$873.00 |

SECTION 67. Section 3.272 of Part 3 of Resolution No. 72737 is amended as follows:

- | | | |
|-------|-----------------------------------|----------|
| 3.272 | <u>Zoning and Use Conformance</u> | \$145.00 |
|-------|-----------------------------------|----------|

SECTION 68. Section 3.274 of Part 3 of Resolution No. 72737 is amended as follows:

- | | | |
|-------|------------------|------------------|
| 3.274 | Plot Plan Review | \$72.00 per plot |
|-------|------------------|------------------|

SECTION 69. Section 3.290 of Part 3 of Resolution No. 72737 is amended as follows:

- | | | |
|-------|--------------------------------------|----------|
| 3.290 | CEQA-NOD Pass Through Processing Fee | \$803.00 |
|-------|--------------------------------------|----------|

SECTION 70. Section 3.300 of Part 3 of Resolution No. 72737 is amended a as follows:

3.300 Permit Issuance Fees

Permit Issuance Fees shall be \$186.00 per hour (with 30-minute minimum for over the counter reviews) for processing and coordination time expended or the amounts set forth below, whichever is greater. Permit Issuance hours for single family residential are calculated on a per model basis based on the square footage of the model. Permit Issuance hours for multi-family are calculated based on the square footage of each building.

<u>Residential</u>	<u>Base Hours</u>	<u>Base Fee</u>
<u>New Construction</u>		
Single Family (per model):		
≤ 1,000 square feet	4	\$744
1,000 square feet ≤ area ≤ 3,000 square feet	6	\$1,116
> 3,000 square feet	6	\$1,116
Multi-Family (per building):		
0 – 10,000 square feet	6	\$1,116
10,001 – 20,000 square feet	10	\$1,860
>20,000 square feet	14	\$2,604
<u>Addition/Alteration</u>		
≤ 750 square feet	1	\$186
750 square feet < area ≤ 2,250 square feet	2	\$372
> 2,250 square feet	3	\$558
<u>Minor Permits / Itemized Scope of Work:</u>		
Tier 1 – Combination of fixtures and/or Building Prescriptive items ≤ 40 minutes	0.5	\$93
Tier 2 – Combination of fixtures and/or Building Prescriptive items ≤ 70 minutes	0.5	\$93
Tier 3 – Combination of fixtures and/or Building Prescriptive items ≤ 130 minutes	1.0	\$186
Tier 4 – Combination of fixtures and/or Building Prescriptive items ≤ 250 minutes	1.0	\$186
<u>Alterations and Site Accessory</u>	<u>Tier</u>	<u>Tier Minutes</u>
Water Heater Replacement – Permit Center	T-1 x # of units	\$46

<u>Non-Residential</u>	<u>Base Hours</u>	<u>Base Fee</u>
<u>New Construction – Shell (sq. ft.)</u>		
0 – 2,500	4	\$744
2,501 ≤ area ≤ 10,000	8	\$1,488
10,001 ≤ area ≤ 20,000	12	\$2,232
>20,000	16	\$2,976
<u>Finish Interior & Tenant Improvement (sq. ft.)</u>		
501 – 2,500	2	\$372
2,501 ≤ area ≤ 10,000	2	\$372
10,001 ≤ area ≤ 20,000	3	\$558
>20,000	4	\$744
<u>Minor Permits / Itemized Scope of Work:</u>		
Tier 1 – Combination of fixtures and/or Building Prescriptive items ≤ 40 minutes	0.5	\$93
Tier 2 – Combination of fixtures and/or Building Prescriptive items ≤ 70 minutes	0.5	\$93
Tier 3 – Combination of fixtures and/or Building Prescriptive items ≤ 130 minutes	1.0	\$186
Tier 4 – Combination of fixtures and/or Building Prescriptive items ≤ 250 minutes	1.0	\$186

Application of Tables – The above table is based on an assumed average permit issuance process time per category. Service hours equivalent to the base hours will be allotted. If additional categories that are not listed above are identified, the same fee methodology will be applied. While this table is intended to calculate fees for various project types, if the scope of work necessary for a particular project is significantly more or less than the fee calculated herein provides, the Building Official may adjust the fee assessment to better reflect the scope of service. The hourly rate for permit issuance is \$186.00.

SECTION 71. Section 3.320 of Part 3 of Resolution No. 72737 is amended as follows:

3.320 Permit Time Extension (180 days) \$93.00

SECTION 72. Section 3.330 of Part 3 of Resolution No. 72737 is amended as follows:

3.330 Special Inspection and Service Fees

- | | | |
|-----|--|---|
| 1. | Inspections outside of normal business hours
(minimum charge - 4 hours) | \$391.00 per hour |
| 2. | Reinspection Fee (min. charge – 30 minutes) | \$261.00 per hour |
| 3. | Inspection services for which no fee is otherwise
specified (minimum charge – 30 minutes) | \$261.00 per hour |
| 4. | Permit processing services for which no fee is
otherwise specified (minimum charge – 30
minutes) | \$186.00 per hour |
| 5. | Expedited inspection services (minimum charge
– 30 minutes) | \$391.00 per hour |
| 6. | Additional plan review required by changes,
additions or revisions to approved plans or
unapproved plans requiring excessive review
(minimum charge - 30 minutes) | \$255.00 per hour |
| 7. | Building, Plumbing, Mechanical or Electrical
Survey Requests, including Fire Surveys
(minimum charge - 30 minutes) | \$261.00 per hour |
| 10. | Compliance Reports | \$783.00 per
inspection (3 hour) |
| 12. | Rough Framing Fee | \$255.00 per hour (30
minute minimum) |
| 13. | Temporary Certificate of Occupancy | \$522.00 |
| 14. | Addressing Fee | \$372.00 minimum (2
hours) additional time
is \$186.00 per hour |

15. Replacement Permit Fee

\$255.00 plus the difference between current fees and previously paid unused fees (To be eligible, the expired permit must have been issued within the past 3 years and prior to any major code change as determined by the Building Official.)

SECTION 73. Section 3.340 of Part 3 of Resolution No. 72737 is amended as follows:

3.340 Building Permits

Residential Building and Combination Permit Fees shall be \$261.00 per hour for inspection time expended or the amounts set forth below, whichever is greater. Residential Building Permit Fee inspection hours for single family residential are calculated on a per building basis based on the square footage of the model. Residential Building Permit Fee inspection hours for multi-family are calculated based on the square footage of each building. These Building Permit Fees are in addition to the Permit Issuance Fees set forth in Section 3.300.

Building Residential Fee Table

<u>Single Family</u>	<u>Base Hrs</u>	<u>Trades Associate</u>	<u>Base Fee</u>
Single Family (per building):			
≤ 1,000 square feet	14	BPME	\$3,654
1,000 square feet ≤ area ≤ 3,000 square feet	17	BPME	\$4,437
>3,000 square feet	21.25	BPME	\$5,546
Multi-Family (per building):			
0 – 10,000 square feet	39	BPME	\$10,179
10,001 – 20,000 square feet	86.5	BPME	\$22,576
20,001 – 40,000 square feet	162	BPME	\$42,282
Each additional 1,000 square feet over 40,000 sq. ft.	2	BPME	\$522
Addition/Alteration:			
≤ 750 square feet	5.50	BPME	\$1,435
750 square feet < area ≤ 2,250 square feet	8	BPME	\$2,088
>2,250 square feet	11.5	BPME	\$3,001
Minor Permits / Itemized Scope of Work:			
Tier 1 – Combination of fixtures and/or Building Prescriptive items ≤ 40 minutes	0.5	BPME	\$130
Tier 2 – Combination of fixtures and/or Building Prescriptive items ≤ 70 minutes	1	BPME	\$261
Tier 3 – Combination of fixtures and/or Building Prescriptive items ≤ 130 minutes	2	BPME	\$522
Tier 4 – Combination of fixtures and/or Building Prescriptive items ≤ 250 minutes	4	BPME	\$1,044

Residential Building and Combination Permit Fees shall be \$261.00 per hour for inspection time expended or the amounts set forth below, whichever is greater. Residential Building Permit Fee inspection hours for single family residential are calculated on a per building basis based on the square footage of the model. Residential Building Permit Fee inspection hours for multi-family are calculated based on the square footage of each building. These Building Permit Fees are in addition to the Permit Issuance Fees set forth in Section 3.300.

Multi-Unit Residential Permit Fees (Hotels, Motels, Apartments, Condominiums)

Residential Unit Fees - Non living unit sq ft that is supportive to the residential units, (laundries, offices, recreation rooms etc.) are added to the total sq ft of the residential portion of construction. The hourly rate for inspection services is \$261.00 per hour.

Non-Residential

Building and Combination Permit Fees shall be \$261.00 per hour for inspection time expended or the amounts set forth below, whichever is greater. These Building Permit Fees are in addition to the Permit Issuance Fees set forth in Section 3.300.

Non- Residential Tier (NR T-X) 1 equals 70 minutes, Tier 2 equals 130 minutes Tier 3 equals 250 minutes. Units = # of fixtures being permitted on one dwelling unit.

Residential Tier (RT-X) Tier 1 equals 40 minutes, Tier 2 equals 70 minutes Tier 3 equals 130 minutes. Units = # of fixtures being permitted on one dwelling unit.

SECTION 74. Section 3.343 of Part 3 of Resolution No. 72737 is amended as follows:

3.343 Prescriptive Items

1. Building and Combination Permit Fees shall be \$261.00 per hour for inspection time expended or the amounts set forth below, whichever is greater. Building Plan Check shall be \$255.00 per hour (with 30 minute minimum for over-the-counter reviews) or fees listed in the tables below, whichever is greater. Building Permit Issuance Fees shall be \$186.00 per hour for processing and coordination time expended or the amounts set forth below, whichever is greater.

Tier 1 equals 40 minutes, Tier 2 equals 70 minutes Tier 3 equals 130 minutes Tier 4 equals 250 minutes. Tiers are invoiced at the number of minutes for that tier times the appropriate service Hourly Rate.

Prescriptive Items			
<u>Scope of Work</u>	<u>Permit Issuance</u>	<u>Plan Check</u>	<u>Inspections</u>
Antenna	T-1	T-3*	T-4

SECTION 75. Section 3.345 of Part 3 of Resolution No. 72737 is amended as follows:

3.345 1. Condominium Conversion \$255.00 per hour

2. Accessibility Exemption Application \$255.00 per application

SECTION 76. Section 3.350 of Part 3 of Resolution No. 72737 is amended as follows:

3.350 Building Plan Checking

1. **Residential.** \$255.00 per hour (with 30 minutes minimum for over-the-counter reviews and one hour minimum for review intakes) or fees listed in the table below, whichever is greater. Tier 1 equals 40 minutes, Tier 2 equals 70 minutes, Tier 3 equals 130 minutes, Tier 4 equals 250 minutes. Units = # dwelling units. Tiers are invoiced at the number of minutes for that tier times the Plan Check Hourly Rate.

Residential Plan Check Table

<u>Category</u>	<u>Hours</u>	<u>Base Fee</u>
<u>New Construction Dwellings</u>		
Single Family (per model):		
≤ 1,000 square feet	8	\$2,040
1,000 square feet ≤ area ≤ 3,000 square feet	15	\$3,825
>3,000 square feet	18	\$4,590
Multi-Family (per building):		
0 – 10,000 square feet	54	\$13,770
10,001 – 20,000 square feet	87	\$22,185
20,001 – 40,000 square feet	132	\$33,660
Each additional 1,000 square feet over 40,000 square feet	1.70	\$433
<u>Addition/Alteration:</u>		
≤ 750 square feet	3.5	\$892
750 square feet < area ≤ 2,250 square feet	6	\$1,530
>2,250 square feet	9	\$2,295
<u>Minor Permits / Itemized Scope of Work:</u>		
Tier 1 – Combination of fixtures and/or Building Prescriptive items ≤ 40 minutes	0	\$0

Tier 2 – Combination of fixtures and/or Building Prescriptive items ≤ 70 minutes	2	\$510
Tier 3 – Combination of fixtures and/or Building Prescriptive items ≤ 130 minutes	2	\$510
Tier 4 – Combination of fixtures and/or Building Prescriptive items ≤ 250 minutes	4	\$1,020

Application of tables - The above table is based on an assumed average plan check time per category. Plan check hours equivalent to the base hours will be allotted. If additional categories that are not listed above are identified, the same fee methodology will be applied. While this table is intended to calculate fees for various project types, if the scope of work necessary for a particular project is significantly more or less than the fee calculated herein provides, the Building Official may adjust the fee assessment to better reflect the scope of service. The hourly rate for plan check services is \$255 per hour.

- | | | |
|----|----------------------------|--|
| 2. | Nonresidential Plan Review | \$255.00 per hour (with 30 minutes minimum for over-the-counter reviews and one hour minimum for review intakes) or fees listed in the tables below, whichever is greater. Tier 1 equals 40 minutes, Tier 2 equals 70 minutes, Tier 3 equals 130 minutes, Tier 4 equals 250 minutes. |
|----|----------------------------|--|

The Plan Check hourly rate is \$255.00 per hour.

- | | | |
|----|--|--|
| 3. | <u>Factory built dwelling or mobile home installed on a permanent foundation</u> | \$255.00 per hour of review time |
| 4. | <u>Subdivisions Plot Review</u> | \$255.00 per hours (15 minute minimum) |
| 5. | <u>Preliminary Plan Review</u> | \$255.00 per hour per staff |
| 6. | <u>Plan Copy Authorization Process Fee</u> | \$93.00 per affidavit |
| 8. | <u>Complexity Surcharge Fee</u> | |
| | Historic | \$255.00 per hour (1/2 hour minimum) |
| | Geohazard Zone | \$255.00 per hour (1/2 hour minimum) |
| | Seismic Hazards | \$255.00 per hour (1/2 hour minimum) |

	Flood Zone	\$255.00 per hour (1/2 hour minimum)
	Planning Adjustment Required	\$255.00 per hour (1/2 hour minimum)
	Planning Conformance Review	\$255.00 per hour (1/2 hour minimum)
	Structural Calculation	\$255.00 per hour (1/2 hour minimum)
	Soils Report	\$255.00 per hour (1/2 hour minimum)
	Fire Review	\$255.00 per hour (1/2 hour minimum)
9.	<u>Plan Review Services – for which no other fee is specified</u>	\$255.00 per hour (1/2 hour minimum)
10.	<u>Alternate Materials and Methods of Construction Application</u>	\$510.00 base fee (2 hours minimum) plus additional time at \$255.00 per hour

SECTION 77. Section 3.360 of Part 3 of Resolution No. 72737 is amended as follows:

3.360 Reroofing Permit

For up to two inspections plus \$130.00 per ½ hour for each additional inspection	\$195.00 for residential \$326.00 for commercial/industrial
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SECTION 78. Section 3.370 of Part 3 of Resolution No. 72737 is amended as follows:

3.370 Plumbing, Mechanical and Electrical Permits

1. Residential - New Construction/Additions/Alterations

Plumbing, Mechanical or Electrical Permit	\$261.00 per hour of required inspection time
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2. Plumbing/Mechanical Plan Checking

- a. \$255.00 per hour (with 15 minutes for over the counter reviews and one hour minimum for review intakes)

3. Electrical Plan Checking

- a. \$255.00 per hour (with 15 minutes for over the counter reviews and one hour minimum for review intakes)

5. Other Electrical Fees

Electrical Permit Fees (site construction and other miscellaneous electrical permits) not involving the addition of new building footage shall be the greater of (a) a minimum of \$261.00 per hour of required inspection time, or (b) calculated on an itemized basis as listed below. These Permit Fees are in addition to the Permit Issuance Fees set forth in Section 3.350.

SECTION 79. Section 3.380 of Part 3 of Resolution No. 72737 is amended as follows:

3.380 Mechanical Permits

Mechanical Permit Fees (site construction and other miscellaneous mechanical permits) not involving the addition of new building footage shall be the greater of (a) a minimum of \$261.00 per hour of actual inspection time, or (b) calculated on an itemized basis as listed below. These Mechanical Permit Fees are in addition to the Permit Issuance Fees set forth in Section 3.350.

SECTION 80. Section 3.390 of Part 3 of Resolution No. 72737 is amended as follows:

3.390 Plumbing Permits

Plumbing Permit Fees (site construction and other miscellaneous plumbing permits) not involving the addition of new building footage shall be the greater of (a) a minimum of \$261.00 per hour of actual inspection time, or (b) calculated on an itemized basis as listed below. These Plumbing Permit Fees are in addition to the Permit Issuance Fees set forth in Section 3.350.

SECTION 81. Section 3.435 of Part 3 of Resolution No. 72737 is amended as follows:

3.435 Planning Refund Processing Fee \$401.00

SECTION 82. Section 3.440 of Part 3 of Resolution No. 72737 is amended as follows:

3.440 Document Research Fee \$45 minimum/\$90 per hour or \$93 minimum/\$186 per hour depending on staff level

SECTION 83. Section 3.450 of Part 3 of Resolution No. 72737 is amended to delete the Environmental Impact Report – Notice of Preparation (1,000 ft. Radius) fee, and as follows:

3.450 Public Noticing Fees

Adjacent Noticing	\$156.00 plus \$0.74 per notice over 15
300 ft. Radius Noticing	\$494.00 plus \$0.74 per notice over 275
500 ft. Radius Noticing	\$933.00 plus \$0.74 per notice over 475
1,000 ft. Radius Noticing	\$2,052.00 plus \$0.74 per notice over 1,200

SECTION 84. Section 3.460 of Part 3 of Resolution No. 72737 is amended as follows:

3.460 Preliminary Review Fee

a. Focused Preliminary Review	\$873.00 (3-hour minimum charge)
b. Focused Preliminary Review – Existing Single-Family House	\$291.00
c. Enhanced Preliminary Review	\$1,164.00
d. Additional Services:	
Meeting with Project Manager	\$291.00
Preliminary Check List	\$145.00
Inter-Departmental Project Meeting	\$727.00
Technical Report Review	\$582.00
Environmental Scoping	\$873.00

SECTION 85. Section 3.470 of Part 3 of Resolution No. 72737 is amended as follows:

3.470 Public Information Services

- | | | |
|----|--|---|
| a. | Alcoholic Beverage License Verification | \$401.00 plus \$72.00 per
¼ hour after 1.5 hours |
| b. | Department of Motor Vehicles Verification | \$401.00 plus \$72.00 per
¼ hour after 1.5 hours |
| c. | Legal Non-Conforming Verification | \$4,618.00 plus \$72.00
per ¼ hour after 16
hours |
| d. | Massage Letter | \$401.00 plus \$72.00 per
¼ hour after 1.5 hours |
| e. | Reconstruction of Legal Non-Conforming
Structures | \$401.00 plus \$72.00 per
¼ hour after 1.5 hours |
| f. | Comprehensive Research Letters | \$3,212.00 plus \$72.00
per ¼ hour after 11
hours |
| h. | General Research Requests | \$145.00 (minimum) per
½ hour |

SECTION 86. Section 3.480 of Part 3 of Resolution No. 72737 is amended as follows:

3.480 Residential Occupancy Permits
(SJMC §17.20.530)

- | | |
|-----------------|--|
| Apartment House | \$32.50; Tier 1, \$61.75;
Tier 2, \$134.75; Tier 3
annually per unit |
|-----------------|--|

Emergency Residential Shelters	\$32.50; Tier 1, \$61.75; Tier 2, \$134.75; Tier 3 per dormitory room annually
Guesthouse	\$32.50; Tier 1, \$61.75; Tier 2, \$134.75; Tier 3 per guest room annually
Motels/Houses and Hotels	\$32.50; Tier 1, \$61.75; Tier 2, \$134.75; Tier 3 per guest room annually
Residential Care Facilities for Seven or More Persons	\$32.50; Tier 1, \$61.75; Tier 2, \$134.75; Tier 3 annually
Residential Service Facilities	\$32.50; Tier 1, \$61.75; Tier 2, \$134.75; Tier 3 annually per resident's room
Fraternity/Sorority Houses	\$32.50; Tier 1, \$61.75; Tier 2, \$134.75; Tier 3 annually per room
Reinspection Fee	\$223.00 per reinspection
Transfer Fee	\$44.00 per transfer
Reinstatement Fee	\$1,051.00 per building

SECTION 87. Section 3.490 of Part 3 of Resolution No. 72737 is amended as follows:

3.490	<u>Vacant/Neglected Vacant Building or Structure Registration Fee; Neglected/Vacant Building or Structure Monitoring Fee</u>	\$559.00 per quarter per vacant building
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Neglected/Vacant Storefront Monitoring Fee (in Violation) Note: This fee includes a monthly inspection.	\$589.00 – per quarter per vacant storefront
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Vacant Building/Storefront Mandatory Monitoring Fee Note: The geographic boundaries for this mandatory fee will mirror the Downtown Growth Area as defined in the City's General Plan, except the western boundary which instead will be HWY 87. The fee will include one quarterly inspection.	\$202.00 per quarter per vacant building/storefront
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SECTION 88. Section 3.510 of Part 3 of Resolution No. 72737 is amended as follows:

3.510 Abandoned Cart Prevention Plan
(SJMC §9.60.340)

Business with 26 or more Carts	\$1,070.00 per year
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SECTION 89. Section 3.520 of Part 3 of Resolution No. 72737 is amended as follows:

3.520 <u>Automobile Dismantler Permit Fee</u> (SJMC §6.14.210)	\$328.00 per year
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SECTION 90. Section 3.530 of Part 3 of Resolution No. 72737 is amended as follows:

3.530 <u>Automobile Body Repair Shop Permit</u>	\$328.00 per shop
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SECTION 91. Section 3.540 of Part 3 of Resolution No. 72737 is amended as follows:

3.540 <u>Automobile Body Repair and Dismantler Facility Reinspection Fee</u>	\$183.00 per shop
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SECTION 92. Section 3.550 of Part 3 of Resolution No. 72737 is amended as follows:

Local Enforcement Agency

3.550 Solid Waste Fees

Solid Waste Enforcement Fee
(SJMC §9.10.960)

\$0.48 per ton of
refuse, including
cover material, inert
construction material
and recyclable
material

SECTION 93. Section 3.555 of Part 3 of Resolution No. 72737 is amended as follows:

3.555 Solid Waste Program

Environmental Inspector Rate

\$134.00 per hour

SECTION 94. Section 3.560 of Part 3 of Resolution No. 72737 is amended as follows:

3.560 Off-Sale Alcohol Enforcement Program

Reinspection Fee

\$156.00 per
reinspection

Permit Transfer

\$44.00 per transfer

Permit Reinstatement

\$1,132.00 per
reinstatement

SECTION 95. Section 3.570 of Part 3 of Resolution No. 72737 is amended as follows:

3.570 General Code Program

General Code Reinspection Fee

\$204.00 per
reinspection

SECTION 96. Section 3.575 of Part 3 of Resolution No. 72737 is amended as follows:

3.575 Code Enforcement Program

Code Enforcement Inspector Rate	\$130.00 per hour
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SECTION 97. Section 3.580 of Part 3 of Resolution No. 72737 is amended as follows:

3.580 Building Code Compliance Program

Building Code Compliance	\$256.00 per hour
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SECTION 98. Section 3.590 of Part 3 of Resolution No. 72737 is amended as follows:

3.590 Tobacco Retail Program

Tobacco Retail Fee	\$597.00 per business
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Tobacco Retail Reinspection Fee	\$155.00 per reinspection
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Tobacco Retail Reinstatement Fee	\$1,139.00 per reinstatement
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Tobacco Retail Transfer Fee	\$50.00 per transfer
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AMENDMENTS TO PART 4 – ANIMAL SERVICES

SECTION 99. Section 4.010 of Part 4 of Resolution No. 72737 is amended as follows:

4.010 <u>Animal Permit Application Fee</u> (one time) – new	\$197.00
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<u>Animal Permit Application Fee</u> (one time) – renewal	\$106.00
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SECTION 100. Section 4.015 of Part 4 of Resolution No. 72737 is amended as follows:

4.015 <u>Additional Inspection Time, in 30 minute increments,</u> <u>Inspector already on site</u>	\$68.00
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SECTION 101. Section 4.016 of Part 4 of Resolution No. 72737 is amended as follows:

4.016	<u>Re-inspection, in 30 minute increments</u> <u>(includes travel time)</u>	\$204.00
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SECTION 102. Section 4.020 of Part 4 of Resolution No. 72737 is amended as follows:

4.020	<u>Keeping of Small/Exotic Animals, Livestock, or Fowl Permit</u> (2 year permit, includes one inspection) (SJMC §7.60.715)	\$364.00 per permit
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SECTION 103. Section 4.030 of Part 4 of Resolution No. 72737 is amended as follows:

4.030	<u>Beekeeping Permit</u> (two (2) year permit, includes one inspection) (SJMC § 7.60.550)	\$364.00 per permit
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SECTION 104. Section 4.040 of Part 4 of Resolution No. 72737 is amended as follows:

4.040 Animal Facilities and Animal Event Permits
(SJMC §§ 7.60.050, 7.60.070)

Pet shop, commercial kennel, pet grooming business, animal menagerie, animal shelter, horse establishment, or animal event (fee includes one annual inspection)	\$364.00 annually
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Inspection Fee – any additional inspection required for permit compliance other than the annual inspection that is included in the permit fee	\$364.00 per inspection
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Private Kennel – includes one annual inspection \$364.00 annually

SECTION 105. Section 4.045 of Part 4 of Resolution No. 72737 is amended as follows:

4.045 Large Animals Event Permit
(SJMC §§ 7.60.050, 7.60.070)

Fee includes review of medical records, emergency procedures, observing transfer of animals to venue, initial inspection, with veterinarian, plus applicable application fee	\$1,919.00
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Per Animal Control Officer, three (3) hours observing show	\$545.00
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Per Senior Animal Control Officer, three (3) hours observing show	\$622.00
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The number of seniors or officers is determined for each event based on the number of animals; length of performance; species of animals, size; location; and logistics of venue; and level of potential danger the animals represent

SECTION 106. Section 4.070 of Part 4 of Resolution No. 72737 is amended as follows:

4.070 Dangerous Animal Permit Fees (other than vicious dog, for limited engagements or short term events)
(SJMC §§ 7.60.920, 7.60.930)

Permit Fee for permit to keep or maintain a dangerous animal	\$364.00
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Application Fee for application for permit to keep or maintain a dangerous animal	\$197.00
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SECTION 107. Section 4.080 of Part 4 of Resolution No. 72737 is amended as follows:

4.080 Dangerous Dog Permit Fees
(SJMC §§ 7.30.520, 7.30.550, 7.30.580)

Permit Fee (including metal license tag)	\$685.00 per year
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Application Fee (one-time application fee per permit)	\$197.00
Dangerous (1 year) and Vicious (forever) Dog Permit Renewal Fees	\$425.00

SECTION 108. Section 4.090 of Part 4 of Resolution No. 72737 is amended as follows:

4.090 Impoundment Fees
(SJMC §7.50.040)

Dog or Cat: Impoundment of licensed	\$23.00
Small Animal: Impoundment of other small animal, other than cats or dogs, and small livestock under 100 pounds	\$22.00

SECTION 109. Section 4.115 of Part 4 of Resolution No. 72737 is amended as follows:

4.115 Non-Refundable Holding Fee

Dog	\$20.00 per day or portion thereof
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AMENDMENTS TO PART 5 – PUBLIC WORKS DEPARTMENT

SECTION 110. Section 5.010 of Part 5 of Resolution No. 72737 is amended as follows:

5.010 Environmental Clearance

Environmental Impact Report Review	\$5,036 each
Initial Study	\$2,014 each

SECTION 111. Section 5.020 of Part 5 of Resolution No. 72737 is amended as follows:

5.020 Flood Review of Planning Application
(SJMC §17.08.530)

Base fee	\$193 per application
CLOMR/LOMR Review	\$1,007
Flood Study Review	\$774
NSJ Flood Blockage Review	\$581

SECTION 112. Section 5.030 of Part 5 of Resolution No. 72737 is amended as follows:

5.030 NPDES (C.3 Requirements)
(SJMC §17.04.280)

Land Use of Concern: 5,000 sf – 9,999 sf	\$1,317
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Projects required to submit numeric
sizing:

10,000 sf – one (1) acre	\$1,317
>1 acre – 5 acres	\$1,627
>5 acres and higher	\$2,014

Project not required to submit numeric sizing: All impervious area	\$193
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SECTION 113. Section 5.040 of Part 5 of Resolution No. 72737 is amended as follows:

5.040 <u>Conventional Zoning (PDC)</u>	\$619 per zoning
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SECTION 114. Section 5.050 of Part 5 of Resolution No. 72737 is amended as follows:

5.050 Planned Development Zoning (PDC)

Non-Residential	Fee:
Per SF: 1-500	\$1,123
Per SF: 501-4,999	\$1,239
Per SF: 5,000-49,999	\$1,239 + \$0.11/SF >5,000
Per SF: 50,000-99,999	\$5,811 + \$0.03/SF >50,000
Per SF: 100,000 or more	\$7,399 + \$0.01/SF >100,000
Residential:	Fee:
Per DU: 1-2	\$1,123
Per DU: 3-24	\$1,239 + \$207.79/DU
Per DU: 25-99	\$5,811 + \$21.18/DU
Per DU: 100-499	\$7,399 + \$7.75/DU
Per DU: 500 or more	\$10,498 + \$7.75DU

SECTION 115. Section 5.060 of Part 5 of Resolution No. 72737 is amended as follows:

5.060 Planned Development Permit PD

Non-Residential:	Fee:
No construction	\$309 per project
Per SF: 1-500	\$464
Per SF: 501-4,999	\$1,549

Per SF: 5,000-49,999	\$1,549 + \$0.03/SF >5,000
Per SF: 50,000-99,999	\$2,944 + \$0.03/SF >50,000
Per SF: 100,000 or more	\$4,338 + \$0.01/SF >100,000

Residential:	Fee:
No Construction	\$309 per project
DU: 1-2	\$464
Per DU: 3-24	\$619 + \$121/DU
Per DU: 25-99	\$3,292 + \$13/DU
Per DU: 100-499	\$4,338 + \$5/DU
Per DU: 500 or more	\$6,818 + \$5/DU

SECTION 116. Section 5.070 of Part 5 of Resolution No. 72737 is amended as follows:

5.070 Preliminary Review

Enhanced Reviews	\$1,394 each + additional time and materials
Focused Reviews	\$929 each + additional time and materials

SECTION 117. Section 5.080 of Part 5 of Resolution No. 72737 is amended as follows:

5.080 Site Development / Conditional Use /
Special Use:

Non-Residential:	Fee:
No Construction	\$243 per project
Per SF: 1-500	\$858
Per SF: 501-49,999	\$3,097 + \$0.17/SF
Per SF: 50,000-99,999	\$4,637 + \$0.017/SF
Per SF: 100,000 or more	\$6,284 + \$0.01/SF
Residential:	Fee:
No Construction	\$243 per project
Per DU: 1-2	\$858
Per DU: 3-24	\$2,961 + \$73/DU
Per DU: 25-99	\$4,301 + \$19/DU
Per DU: 100 or more	\$6,284 + \$6/DU

SECTION 118. Section 5.090 of Part 5 of Resolution No. 72737 is amended as follows:

5.090 Special Permits

Drive Thru	\$1,239 each + Permit Fee
Day Care / Private School	\$1,549 each + Permit Fee
Miscellaneous Development Applications (A2, V, AT, etc.)	\$309 each

SECTION 119. Section 5.100 of Part 5 of Resolution No. 72737 is amended as follows:

5.100 Tentative Maps (T/PT)

Planning Tentative Map (PT) \$1,123 each

Tentative Map (T) \$2,401 each

SECTION 120. Part 5 of Resolution No. 72737 is amended to add Section 5.105 as follows:

5.105 Certificate of Compliance \$813 per certificate

SECTION 121. Section 5.110 of Part 5 of Resolution No. 72737 is amended as follows:

5.110 General Plan Amendment \$619 per Amendment

SECTION 122. Section 5.120 of Part 5 of Resolution No. 72737 is amended as follows:

5.120 Sanitary Sewer Model Analysis \$155 Time and Materials

SECTION 123. Section 5.130 of Part 5 of Resolution No. 72737 is amended as follows:

5.130 Streamside Protection

Basic Review \$309 per review

Comprehensive Review \$774 per review

SECTION 124. Section 5.140 of Part 5 of Resolution No. 72737 is amended to add the Vehicle Miles Traveled (VMT) Analysis fee and as follows:

5.140 Traffic Analysis

In-House Analysis \$1,317 per analysis

Traffic Impact Analysis (TIA) –
Workscope:

Per PHT: 1-99	\$3,254 + DOT Fee
Per PHT: 100-198	\$3,254 + \$5/PHT >99 PHT + DOT Fee
Per PHT: 199 or more	\$3,874 + \$5/PHT >199 PHT + DOT Fee

Traffic Impact Analysis (TIA) – Report
Review:

Per PHT: 1-99	\$3,719 + DOT Fee
Per PHT: 100-198	\$3,719 + \$11/PHT >99 PHT + DOT Fee
Per PHT: 199 or more	\$4,881 + \$9/PHT >199 PHT + DOT Fee

Local Transportation Analysis (LTA) –
Workscope:

Per PHT: 1-99	\$2,091 + DOT Fee
Per PHT: 100-198	\$2,091 + \$2/PHT >99 PHT + DOT Fee
Per PHT: 199 or more	\$2,401 + \$1/PHT >199 PHT + DOT Fee

Local Transportation Analysis (LTA) –
Report Review:

Per PHT: 1-99	\$2,246 + DOT Fee
Per PHT: 100-198	\$2,246 + \$7/PHT >99 PHT + DOT Fee

Per PHT: 199-498	\$3,021 + \$4/PHT >199 PHT + DOT Fee
Per PHT: 499 or more	\$4,338 + additional time and materials + DOT Fee
Vehicle Miles Traveled (VMT) Analysis (Time & Materials)	\$155 per hour

SECTION 125. Section 5.170 of Part 5 of Resolution No. 72737 is amended as follows:

5.170	<u>Time and Material - Residential</u>	\$155 per hour + Record Retention Fee
	<u>Time and Material – Non-Residential</u>	\$155 per hour + Record Retention Fee

SECTION 126. Section 5.180 of Part 5 of Resolution No. 72737 is amended as follows:

5.180	<u>Encroachment: Private Utility Permits</u>	
	Arterial Utility Trench (0-40 LF)	\$1,549 per project + City USA Fee + Record Retention Fee
	Arterial Utility Trench (each additional 40 LF)	\$232 + City USA Fee + Record Retention Fee
	Local/Collector Major Utility Trench (0-40 LF)	\$929 per project + City USA Fee + Record Retention Fee
	Local/Collector Major Utility Trench (each additional 40 LF)	\$155 + City USA Fee + Record Retention Fee
	Minor Utility Trench (0-20 LF)	\$123 per project + City USA Fee + Record Retention Fee
	New Street Utility Trench (0-40 LF)	\$619 per project + Record Retention Fee
	New Street Utility Trench (each additional 40 LF)	\$77 per project + Record Retention Fee

SECTION 127. Section 5.190 of Part 5 of Resolution No. 72737 is amended as follows:

5.190 Encroachment: Revocable Permits

Construction / Destruction of Water
Monitoring Wells – also applies to Soil
Sampling Borings and Potholing

1st 3 wells and locations	\$1,123 + City USA Fee + Record Retention Fee
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Each additional well or location after 3 (Potholing, Soil Sampling, Borings)	\$232 + City USA Fee + Record Retention Fee
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Crane tower in public right-of-way (any type)	\$1,859 per permit + Record Retention Fee
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Façade Improvements, Scaffolding, Construction Fencing, Construction Walls, Debris Chutes	\$1,123 per frontage + Record Retention Fee
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Inspections of Repairs to City Infrastructure	Time and Materials (\$619 minimum) + Record Retention Fee
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Miscellaneous/Others	Time and Materials (\$1,123 minimum) + Record Retention Fee
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Private Encroachment in right-of-way

Balcony only	\$1,123 per application + Record Retention Fee
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Major	\$4,300 per application + Record Retention Fee
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Minor	\$1,123 per application + Record Retention Fee
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Parklet (Used to be Curb café)	\$774 per Parklet + Record Retention Fee
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Sanitary Manhole Flow Monitoring:

1st 3 wells/locations	\$1,123 per well/location + Record Retention Fee
Each additional location after 3 (Manhole)	\$232 per well/location + Record Retention Fee
Sign Installed with Hydraulic Crane	\$1,123 per project + Record Retention Fee
Sign Installed with Scissor Lift	\$619 per project + Record Retention Fee
Street Closure - Half Street	\$1,084 per project + Record Retention Fee
Street Closure - All	\$1,394 per project + Record Retention Fee
Temporary Portable Storage Unit in Right-of-Way	\$155 per storage unit + Record Retention Fee
Tiebacks for Retaining Walls/Shoring	\$2,169 per permit + Record Retention Fee
Water, Vapor, or Soil Remediation	\$1,123 per system + Record Retention Fee

SECTION 128. Section 5.200 of Part 5 of Resolution No. 72737 is amended as follows:

5.200 Special (Assessment) District
 Segregation Map Review

Annexation to an Existing District	Time and Materials with \$29,000 Deposit + Record Retention Fee
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Assessment Segregation Map Review:

Each Original District Parcel Segregated	\$464 each parcel + Record Retention Fee
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Each Resultant Portion of each District Parcel	\$309 each parcel + Record Retention Fee
Special District Formation / Modification	Time and Materials with \$39,000 Deposit + Record Retention Fee

SECTION 129. Section 5.210 of Part 5 of Resolution No. 72737 is amended as follows:

5.210 Engineering and Inspection – Public and Landscape

Public Street Improvements
(SJMC §19.32.170 and SJMC
§13.36.070)

Fee is based on estimated
construction costs:

First – 24,999	\$8,800 + Record Retention Fee
\$25,000 - \$49,999	\$8,800 + 13.09% of estimated construction cost > \$25,000 + Record Retention Fee
\$50,000 - \$99,999	\$12,074 + 20.15% of estimated construction cost > \$50,000 + Record Retention Fee
\$100,000 - \$199,999	\$22,151 + 11.44% of estimated construction cost > \$100,000 + Record Retention Fee
\$200,000 - \$499,999	\$33,592 + 7.35% of estimated construction cost > \$200,000 + Record Retention Fee
\$500,000 - \$999,999	\$55,660 + 6.39% of estimated construction cost > \$500,000 + Record Retention Fee
\$1,000,000 and over	\$87,636 + 5.20% of estimated construction cost > \$1,000,000 + Record Retention Fee

Landscape Improvements in Public
Right-of-Way (SJMC §19.32.170 and
§13.36.070)

Fee is based on estimated
construction cost:

First – \$24,999

\$5,978 + Record Retention Fee

\$25,000 - \$49,999

\$5,978 + 14.51% of estimated
construction cost > \$25,000 + Record
Retention Fee

\$50,000 - \$99,999

\$9,605 + 12.17% of estimated
construction cost > \$50,000 + Record
Retention Fee

\$100,000 - \$199,999

\$15,692 + 9.33% of estimated
construction cost > \$100,000 +
Record Retention Fee

\$200,000 - \$499,999

\$25,032 + 6.36% of estimated
construction cost > \$200,000 +
Record Retention Fee

\$500,000 - \$999,999

\$44,112 + 4.51% of estimated
construction cost > \$500,000 +
Record Retention Fee

\$1,000,000 and over

\$66,685 + 3.81% of estimated
construction cost > \$1,000,000 +
Record Retention Fee

SECTION 130. Section 5.220 of Part 5 of Resolution No. 72737 is amended as follows:

5.220 Engineering and Inspection –
 Private/Extension/Multiple
 Reviews/Plan Revisions
 (SJMC §17.76.130)

Private Street Improvements (Three
(3) plan checks are included

Fee is based on estimated
construction cost:

First – \$24,999

\$4,842 + Record Retention Fee

\$25,000 - \$49,999	\$4,842 + 9.45% of the estimated construction costs > \$25,000 + Record Retention Fee
\$50,000 - \$99,999	\$7,205 + 5.57% of the estimated construction costs > \$50,000 + Record Retention Fee
\$100,000 - \$199,999	\$9,994 + 5.23% of the estimated construction costs > \$100,000 + Record Retention Fee
\$200,000 - \$499,999	\$15,232 + 3.73% of the estimated construction costs > \$200,000 + Record Retention Fee
\$500,000 - \$999,999	\$26,420 + 3.08% of the estimated construction costs > \$500,000 + Record Retention Fee
\$1,000,000 and over	\$41,839 + 2.55% of estimated construction costs > \$1,000,000 + Record Retention Fee
Contract Extension (Extensions extend the permit/contract expiration date by 6 months)	
1 st and 2 nd 6-month Extension	\$503 each permit extension + Record Retention Fee
Permit - Each Additional Extension past 2	\$1,200 each add'l permit extension + Record Retention Fee
Tract or Major Contract 1 st and 2 nd 6-month Extension	\$1,007 each contract extension + Record Retention Fee
Contract - Each Additional Extension past 2	\$2,324 each add'l contract extension + Record Retention Fee

Multiple Plan Check	4% surcharge plan check fee (for each add'l review after 3 rd plan check) + Record Retention Fee
Plan Revision (Approved Plans)	\$464 per revision + Record Retention Fee

SECTION 131. Section 5.230 of Part 5 of Resolution No. 72737 is amended as follows:

5.230 Grading and Drainage, Erosion Control, and Stormwater Treatment (SJMC §17.04.280)

Grading and Drainage Permit - Hillside	Amount of Natural Earth Material
1 to 250 cy	\$1,782 + Record Retention Fee
251 to 499 cy	\$1,782 + \$7.75/cy for each yard over 250 cy + Record Retention Fee
500 to 999 cy	\$3,719 + \$1.55/cy for each yard over 500 cy + Record Retention Fee
1,000 to 9,999 cy	\$4,493 + \$0.45/cy for each yard over 1,000 cy + Record Retention Fee
10,000 to 99,999 cy	\$8,522 + \$0.28/cy for each yard over 10,000 cy + Record Retention Fee
100,000 cy or more	\$33,316 + Time and Material for each yard over 100,000 cy + Record Retention Fee
Grading and Drainage Permit - Non-Hillside	
1 to 250 cy	\$1,084 + Record Retention Fee
251 to 499 cy	\$1,084 + \$4.96/cy for each yard over 250 cy + Record Retention Fee

500 to 999 cy	\$2,324 + \$1.55/cy for each yard over 500 cy + Record Retention Fee
1,000 to 9,999 cy	\$3,099 + \$0.28/cy for each yard over 1,000 cy + Record Retention Fee
10,000 to 99,999 cy	\$5,578 + \$0.14/cy for each yard over 10,000 cy + Record Retention Fee
100,000 cy or more	\$17,820 + Time and Materials for each yard over 100,000 cy + Record Retention Fee
Grading and Drainage Miscellaneous	
Grading Permit Exemption	\$387 + Record Retention Fee
Grading Permit Renewal	\$77 + Record Retention Fee
Grading Plan Revision	\$232 + Record Retention Fee
Potable (Hydrant) Water Exception Review (SJMC § 15.10.380)	\$116 + Record Retention Fee

SECTION 132. Section 5.240 of Part 5 of Resolution No. 72737 is amended as follows:

5.240 NPDES (C.3 Requirements)
 (SJMC §17.04.280)

a. Stormwater Treatment Measure Inspection (C.3 only)	\$464 per Treatment Measure + Record Retention Fee
b. Land Use of Concern:	
5,000 sf – 9,999 sf	\$464 + Record Retention Fee
Standard: 10,000 sf – 1 acre	\$464 + Record Retention Fee
Each additional acre	\$232 + Record Retention Fee

d. HM Inspections/Controls	Time and Materials (\$1,549 minimum) + Record Retention Fee
e. HM Plan Review Conformance	Time and Materials (\$1,239 minimum) Conformance
f. Storm Pump Plan Review	\$542 per review/per pump + Record Retention Fee
g. Storm Pump Inspection	Time and Materials (\$852 minimum) + Record Retention Fee

On-Site Storm Conveyance Plan
Review and Inspection

Storm Connection Plan Review

1-25 Connections	\$30.95 per connection + Record Retention Fee
26-100 Connections	\$774 + \$14.41 per connection >25 + Record Retention Fee
100+ Connections	\$1,859 + \$23.34 per connection >100 + Record Retention Fee

Storm Connection Inspection

1-25 Connections	\$49.51 per connection + Record Retention Fee
26-100 Connections	\$1,239 + \$24.79 per connection >25 + Record Retention Fee
100+ Connections	\$3,099 + \$34.09 per connection >100 + Record Retention Fee

Storm Inlet/Area Drain Plan Review

1-25 Inlets/Drains	\$37.04 per Inlet/Drain + Record Retention Fee
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26-100 Inlets/Drains	\$929 + \$12.38 per Inlet/Drain >25 + Record Retention Fee
100+ Inlets/Drains	\$1,859 + \$24.79 per Inlet/Drain >100 + Record Retention Fee
Storm Inlet/Area Drain Inspection	
1-25 Inlets/Drains	\$49.51 per Inlet/Drain + Record Retention Fee
26-100 Inlets/Drains	\$1,239 + \$24.79 per Inlet/Drain >25 + Record Retention Fee
100+ Inlets/Drains	\$3,099 + \$34.09 per Inlet/Drain >100 + Record Retention Fee
On-Site Earth Retaining Structure:	
On-Site Earth Shoring Plan Review	Time and Materials (\$2,121 minimum)
On-Site Earth Retaining Structure Plan Review (per plan type/same design)	
Each Retaining Structure Plan Review (Conventional/MSE Wall)	\$697 per 4-foot-tall wall + Record Retention Fee
Each Additional Foot >4 ft. (height)	\$139 + Record Retention Fee
Each Retaining Structure Plan Review (Pier/Grade BM, RTW with Tiebacks)	\$1,007 per 4-foot-tall wall + Record Retention Fee
Each Additional Foot >4 ft. (height)	\$155 + Record Retention Fee
On-Site Earth Retaining Structure Inspection	
Each Retaining Structure Inspection (Conventional/MSE Wall)	\$542 up to 50 LF + Record Retention Fee

Each Additional 10 LF >50 LF	\$108 + Record Retention Fee
Each Retaining Structure Inspection (Pier/Grade BM, RTW with Tiebacks)	\$774 up to 50 LF + Record Retention Fee
Each Additional 10 LF >50 LF	\$155 + Record Retention Fee

SECTION 133. Section 5.250 of Part 5 of Resolution No. 72737 is amended as follows:

5.250 Erosion and Sediment Control

Type I	\$6,973 + Record Retention Fee
Type II	\$3,564 + Record Retention Fee
Type III	\$1,394 + Record Retention Fee
Type IV	\$464 + Record Retention Fee

SECTION 134. Section 5.260 of Part 5 of Resolution No. 72737 is amended as follows:

5.260 Hazard Zone Clearances

Geologic Hazard Zone – Investigation

New Development (Other)

Investigation	\$3,719 per review + Record Retention Fee
Application	\$1,704 per review + Record Retention Fee
Assessment	\$1,549 per review + Record Retention Fee

Single family addition

Investigation	\$1,239 per review + Record Retention Fee
Application	\$309 per review + Record Retention Fee
Assessment	\$619 per review + Record Retention Fee
One New Single Family Home	
Investigation	\$2,324 per review + Record Retention Fee
Application	\$1,239 per review + Record Retention Fee
Assessment	\$1,549 per review + Record Retention Fee
Special Geologic Hazard Study Area Fee (To become effective as of effective date of a Geologic Hazard Ordinance.)	Time and Material with \$1,549 minimum + Record Retention Fee
Seismic Hazard Report Review – City Review of Consultant prepared report	\$1,162 per report review + Record Retention Fee

SECTION 135. Section 5.270 of Part 5 of Resolution No. 72737 is amended to add the Substantial Improvement Requiring Floodproofing Mitigation fees and as follows:

5.270 Flood Clearance-Building Permits
 (SJMC §17.08.530):

Existing Accessory Structure:

Non-Substantial Improv. Req. Detailed Review	\$309 per structure + Record Retention Fee
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Non-Substantial Improvement Not Req. Detailed Review	\$232 per structure + Record Retention Fee
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Substantial Improv. Review as New	\$232 per structure + Record Retention Fee
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Substantial Improv. Review as Planning Application	\$232 per structure + Record Retention Fee
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Substantial Improv. Requiring Floodproofing Mitigation	\$309 per structure
---	---------------------

Existing Structure:

Non-Substantial Improv. Req. Detailed Review	\$464 per structure + Record Retention Fee
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Non-Substantial Improvement Not Req. Detailed Review	\$232 per structure + Record Retention Fee
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Substantial Improv. Review as New	\$309 per structure + Record Retention Fee
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Substantial Improv. Review as Planning Application	\$232 per structure + Record Retention Fee
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Substantial Improv. Requiring Floodproofing Mitigation	\$309 per structure
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Field Inspection: Finished Construction (1st Inspection)	\$309 per Inspection + Record Retention Fee
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Field Inspection: Finished Construction (2nd+ Inspection)	\$155 per additional inspection + Record Retention Fee
--	---

New Accessory Structure:

Review as New Engineering Application	\$464 per structure + Record Retention Fee
--	---

Review as Planning Application	\$309 per structure + Record Retention Fee
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New Structure:

Review as New Engineering Application	\$464 per structure + Record Retention Fee
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Review as Planning Application	\$309 per structure + Record Retention Fee
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SECTION 136. Section 5.280 of Part 5 of Resolution No. 72737 is amended as follows:

5.280	<u>Mapping and Vacations/Abandonments (SJMC §19.32.180)</u>	<u>Fee Amount</u>
	Parcel Maps	
	Condos: 1 lot	\$6,505 per map + Record Retention Fee
	With a tentative map	\$5,888 per map + Record Retention Fee
	Without a tentative map	\$6,663 per map + Record Retention Fee
	Tract Map	
	Condos: 1 lot	\$6,505 per application + Record Retention Fee
	Final Map: 0-2 lots	\$6,973 + Record Retention Fee
	Final Map: 2-19 lots	\$6,973 + \$61.38 per lot >2 + Record Retention Fee
	Final Map 20-49 lots	\$8,078 + \$49.12 per lot >20 + Record Retention Fee

Final Map 50-99 lots	\$9,551 + \$43.36 per lot >50 + Record Retention Fee
Final Map 100 lots and over	\$11,719 + \$30.99 per lot >100 + Record Retention Fee
Vertical Subdivision	Time and Materials (\$8,019 minimum) + Record Retention Fee
Tract/Parcel Map Corrections	
Amended Map	\$4,416 per map + Record Retention Fee
Certificate of Correction to Recorded Map	\$813 per certificate + Record Retention Fee
Street/Easement Vacations (Abandonment)	
Standard Vacation	\$5,927 per application + Record Retention Fee
Summary Vacation	\$4,300 per application + Record Retention Fee
Vacation – with Sale	\$7,321 per application + Record Retention Fee
Real Estate Analysis/Review, as required	Time and Materials (\$1,500 minimum) + Record Retention Fee
Planning Division Fees, as required	\$873 Exemption of Environmental Review (if needed) + Record Retention Fee
Separate Instrument Easement Dedication	\$1,084 per easement + Record Retention Fee

SECTION 137. Section 5.290 of Part 5 of Resolution No. 72737 is amended as follows:

5.290 Materials Testing Laboratory

Bus Pad Testing	\$4,958 per pad + Record Retention Fee
Non-Standard Testing	Time and Materials (\$619 minimum) + Standard Testing Fee + Record Retention Fee
Other Material Testing Lab Testing	Time and Materials (\$619 minimum) + Record Retention Fee
Sewer Pipe Q/A Inspection	
400' – 1200' RCP	\$2,479 per project + Record Retention Fee
Over 1200' RCP	\$2,479 per project + \$1.94/LF > 1,200' + Record Retention Fee
Standard Testing (includes initial Test and one Re-Test)	
1-3,000 SF	\$2,789 per project + Record Retention Fee
3,001-10,000 SF	\$8,057 per project + Record Retention Fee
10,001-40,000 SF	\$8,057 per project + \$0.37 per add'l SF + Record Retention Fee
40,001 SF and up	\$19,370 per project + \$0.36 per add'l SF + Record Retention Fee
Standard/Non-Standard Re-Test (3 rd and subsequent test)	

1-3,000 SF	\$3,719 per project + Record Retention Fee
3,001-10,000 SF	\$8,445 per project + Record Retention Fee
10,001-40,000 SF	\$19,912 per project + \$0.48 per add'l SF + Record Retention Fee
40,001 SF and up	\$34,401 per project + \$0.87 per add'l SF + Record Retention Fee
Pavement Design	
Non-Standard Projects	Time and Materials (\$619 minimum) + Standard Design Fee + Standard Design Fee
Research Design Fee	\$503 per project + Record Retention Fee
Standard Projects:	
First-10,000 SF	\$4,803 per project + Record Retention Fee
10,001-39,999 SF	\$4,803 per project + \$0.09 per SF + Record Retention Fee
40,000 and more SF	\$7,748 per project + \$0.20 per SF + Record Retention Fee

SECTION 138. Section 5.300 of Part 5 of Resolution No. 72737 is amended as follows:

5.300 Miscellaneous Permits

Residential Driveway	\$155 per driveway + Record Retention Fee
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SECTION 139. Section 5.310 of Part 5 of Resolution No. 72737 is amended as follows:

5.310 Miscellaneous Fees and Charges

- | | | |
|----|--|---|
| j. | Non-Specific Miscellaneous Services: Inspection Staff | \$155 per hour |
| k. | Non-Specific Miscellaneous Services: Office Staff | \$155 per hour |
| o. | Refund Processing Fee (for withdrawal, cancellation, or overpayment) – not applicable when refund is due to staff fee calculation errors | Non-Specific Miscellaneous Service: Office Staff \$155 hourly rate (1 hour minimum) |

SECTION 140. Section 5.320 of Part 5 of Resolution No. 72737 is amended as follows:

5.320 Sewer Laterals Permit (SJMC § 15.16.370)

- | | |
|--|---|
| Arterial Lateral Sanitary/Storm (Property Line through 1 st traffic lane) | \$1,859 per lateral + City USA Fee + Record Retention Fee |
| Arterial Lateral Sanitary/Storm (each additional traffic lane) | \$232 per additional lane + City USA Fee + Record Retention Fee |
| Lateral Cleanout in Right-of-Way | \$464 per cleanout + City USA Fee + Record Retention Fee |
| Local Collector Lateral Sanitary/Storm | \$1,239 per lateral + City USA Fee + Record Retention Fee |

SECTION 141. Section 5.330 of Part 5 of Resolution No. 72737 is amended as follows:

5.330 Streetlights/Traffic

Design Fee per Streetlight

- | | |
|--------------------------------|------------------------------|
| Initial Streetlight Evaluation | \$464 + Record Retention Fee |
|--------------------------------|------------------------------|

1st Streetlight	\$1,859 per streetlight + Record Retention Fee
2nd through 10th Streetlights	\$3,254 + \$1,395 per streetlight >2 + Record Retention Fee
11th through 20th Streetlights	\$15,341 + \$930 per streetlight >11 + Record Retention Fee
More than 20 Streetlights	\$23,708 + \$619 per streetlight >20 + Record Retention Fee
Plan Check Review Fee per Streetlight	
1st Streetlight	\$1,549 per streetlight + Record Retention Fee
2nd through 10th Streetlights	\$2,479 + \$930 per streetlight >2 + Record Retention Fee
11th through 20th Streetlights	\$10,459 + \$542 per streetlight >11 + Record Retention Fee
More than 20 Streetlights	\$15,341 + \$387 per streetlight >20 + Record Retention Fee
Inspection Fee per Streetlight	
1st Streetlight	\$1,859 per streetlight + Record Retention Fee
2nd through 10th Streetlights	\$3,139 + \$1,279 per streetlight >2 + Record Retention Fee
11th through 20th Streetlights	\$14,247 + \$868 per streetlight >11 + Record Retention Fee

More than 20 Streetlights	\$22,057 + \$585 per streetlight >20 + Record Retention Fee
Streetlight Re-Inspection	\$271 per re-inspection + Record Retention Fee
Traffic Signal Inspection	
Major Modification	\$18,076 per signal + Record Retention Fee
Minor Modification	\$10,823 per signal + Record Retention Fee
New	\$22,569 per signal + Record Retention Fee

SECTION 142. Section 5.340 of Part 5 of Resolution No. 72737 is amended as follows:

5.340 Underground Service Alert (USA)
 Locating: Residential/Non-Residential

First -- \$24,999	\$1,007 + Record Retention Fee
\$25,000 -- \$49,999	\$1,007 + 2.78% of value > \$25,000 + Record Retention Fee
\$50,000 -- \$99,999	\$1,704 + 2.16% of value > \$50,000 + Record Retention Fee
\$100,000 -- \$199,999	\$2,789 + 1.08% of value > \$100,000 + Record Retention Fee
\$200,000 -- \$499,999	\$3,874 + 0.72% of value > \$200,000 + Record Retention Fee
\$500,000 -- \$999,999	\$6,043 + 0.93% of value > \$500,000 + Record Retention Fee
\$1,000,000 and over	\$10,692 + 0.53% of value > \$1,000,000 + Record Retention Fee

AMENDMENTS TO PART 6 – DEPARTMENT OF TRANSPORTATION

SECTION 143. Section 6.020 of Part 6 of Resolution No. 72737 is amended as follows:

6.020	<u>Building Removal (Housemoving) Permit</u>	\$85.00 per permit
	(SJMC §17.36.030)	

SECTION 144. Section 6.030 of Part 6 of Resolution No. 72737 is amended as follows:

6.030	<u>Building Removal (Housemoving) Police</u>	\$117.00/Officer/Hour (3-hour
	<u>Escorts</u>	minimum)
	(SJMC §17.36.100)	

SECTION 145. Section 6.080 of Part 6 of Resolution No. 72737 is amended as follows:

6.080	<u>Subdivision Pavement Marking Installation</u>	\$497.00 basic fee, \$4.06 per
	(SJMC §19.32.114)	sq. ft.

SECTION 146. Section 6.090 of Part 6 of Resolution No. 72737 is amended as follows:

6.090	<u>Subdivision Sale of Street Name Signs</u>	\$303.00 per pair of signs
	(SJMC §19.32.100)	

SECTION 147. Section 6.100 of Part 6 of Resolution No. 72737 is amended as follows:

6.100	<u>Subdivision Traffic Control Sign Installation</u>	\$294.00 per average sign
	(SJMC §19.32.112)	

SECTION 148. Section 6.110 of Part 6 of Resolution No. 72737 is amended as follows:

6.110	<u>Taxicab Stand Rentals</u>	\$60.00 per space per month
	(SJMC §6.64.030)	

SECTION 149. Section 6.200 of Part 6 of Resolution No. 72737 is amended as follows:

6.200	<u>Sanitary Sewer Wye Installation</u>	\$3,997.00 per installation
	(SJMC §15.16.420)	

SECTION 150. Section 6.210 of Part 6 of Resolution No. 72737 is amended as follows:

6.210	<u>Subdivision Street Trees Trimming</u> (SJMC §19.32.110)	\$321.00 per tree
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SECTION 151. Section 6.240 of Part 6 of Resolution No. 72737 is amended as follows:

6.240 Traffic Signal - Design and Review

Minor Development Signal Design and Activation	\$31,350.00 per signal
Electronic Base Map (optional)	\$8,998.00 per signal (not collected if provided)
County, state, light rail locations	\$4,980.00 per signal
Minor Development Signal Design: Traffic Controller Fee	\$5,174.00 per controller (if applicable)
Minor Development Signal Review and Activation	\$21,555.00 per signal
Re-review	\$937.00 per signal re-review after 3 rd submittal
Minor Development Signal Review Traffic Controller Fee	\$5,174.00 per controller (if applicable)
Major Development Signal Design and Activation	\$55,429.00 per signal
Electronic Base Map (optional)	\$8,998.00 (not collected if provided)
County, state, light rail locations	\$4,981.00 per signal

Major Development Signal Design: Traffic Controller Fee	\$5,174.00 per controller (if applicable)
Major Development Signal Review and Activation Re-review	\$37,833.00 per signal \$937.00 per signal re-review after 3 rd submittal
Major Development Signal Review: Traffic Controller Fee	\$5,174.00 per controller (if applicable)

SECTION 152. Section 6.250 of Part 6 of Resolution No. 72737 is amended as follows:

6.250 <u>Banner Installation</u>	\$69.00 per installation plus materials
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SECTION 153. Section 6.255 of Part 6 of Resolution No. 72737 is amended as follows:

6.255 <u>New Banner Hardware Installation</u>	\$103.00 per installation plus materials
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SECTION 154. Section 6.260 of Part 6 of Resolution No. 72737 is amended as follows:

6.260 <u>Signal Central Monitoring Fee</u>	\$101.00 per hour
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SECTION 155. Section 6.280 of Part 6 of Resolution No. 72737 is amended as follows:

6.280 General Plan Amendment Model Analysis

General Plan Amendment Base Fee	\$1,319.00 base fee
General Plan Amendment Traffic Modeling	\$6,344.00 per analysis
General Plan Amendment requiring EIR	\$7,208.00 per EIR
Additional Runs	\$3,277.00 per additional run

SECTION 156. Section 6.290 of Part 6 of Resolution No. 72737 is amended and restated in its entirety as follows:

6.290	<u>Valet Parking Zone</u>	\$631.00 one-time per zone set up \$147.00 additional sign, one-time setup fee \$480.00 lost meter revenue per meter space \$104.00 annual fee per zone \$26.00 annual maintenance per parking space
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SECTION 157. Section 6.300 of Part 6 of Resolution No. 72737 is amended and restated in its entirety as follows:

6.300 Development Review and Traffic Analysis Permits

Plan Development Zoning (PDC) – Residential

0-2 Dwelling Units	\$397.00 per application
3-24 Dwelling Units	\$397.00 per application
25-99 Dwelling Units	\$596.00 per application
More than 99 Dwelling Units	\$795.00 per application

Plan Development Zoning (PDC) - Non residential

0-500 Square feet (S.F.)	\$397.00 per application
501-9,999 S.F.	\$397.00 per application
10,000-99,999 S.F.	\$795.00 per application
Greater than 99,999 S.F.	\$1,591.00 per application

Plan Development (PD/CP/SP) - Residential

No Construction	\$0.00 per application
0-2 Dwelling Units	\$397.00 per application
3-24 Dwelling Units	\$397.00 per application
25-99 Dwelling Units	\$596.00 per application
More than 99 Dwelling Units	\$795.00 per application

Plan Development (PD/CP/SP) - Non residential

No Construction	\$0.00 per application
0-500 Square feet (S.F.)	\$397.00 per application
501-9,999 S.F.	\$397.00 per application
10,000-99,999 S.F.	\$596.00 per application
Greater than 99,999 S.F.	\$795.00 per application

Site Development Permit - Residential

No Construction	\$0.00 per permit
0-2 Dwelling Units	\$397.00 per permit
3-24 Dwelling Units	\$397.00 per permit
25-99 Dwelling Units	\$596.00 per permit
More than 99 Dwelling Units	\$795.00 per permit

Site Development Permit - Non residential

No Construction	\$0.00 per permit
0-500 Square feet (S.F.)	\$397.00 per permit
501-9,999 S.F.	\$596.00 per permit
10,000-99,999 S.F.	\$795.00 per permit
Greater than 99,999 S.F.	\$1,591.00 per permit

Traffic Analysis – Standard Traffic Report

1-99 Peak Hour Trips (PHT)	\$431.00 per report
100-198 PHT	\$862.00 plus \$2.00 per PHT per report (\$1,940.00 maximum)
Greater than 198 PHT	\$1,293.00 plus \$2.00 per PHT per report (\$1,940.00 maximum)

Traffic Analysis – Standard or Operational Workscope Report

1-99 Peak Hour Trips (PHT)	\$431.00 per report
100-198 PHT	\$718.00 per report
Greater than 198 PHT	\$862.00 plus \$2.00 per PHT per report (\$1,610.00 maximum)

Traffic Analysis – Operational Traffic Report	
1-99 Peak Hour Trips (PHT)	\$431.00 per report
100-198 PHT	\$862.00 per report
Greater than 198 PHT	\$862.00 plus \$2.00 per PHT per report (\$1,610.00 maximum)
Improvement Plan Review	
3-minor	\$414.00 per application plus 1% construction cost
3-major	\$2,499.00 per application plus 1% construction cost
Tract	\$2,499.00 per application plus 1% construction cost

SECTION 158. Section 6.320 of Part 6 of Resolution No. 72737 is amended as follows:

6.320	<u>Tree Service Administrative Fee</u>	\$120.00 per tree service
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SECTION 159. Section 6.340 of Part 6 of Resolution No. 72737 is amended as follows:

6.340 Double Banner Installation Fees

Double Banner Installation Fee	\$103.00 per installation plus the cost of materials
(for costs associated with the installation of one dual set of wayfinding banners on a single street pole with existing banner hardware)	
Double Banner Hardware Installation Fee	\$134.00 per installation plus the cost of materials
(for costs associated with the installation of one dual set of wayfinding banners on a single street pole without existing banner hardware)	

SECTION 160. Section 6.370 of Part 6 of Resolution No. 72737 is amended as follows:

6.370	<u>Meter Head/Pole Removal</u>	\$83.00 per meter head / \$174.00 per pole
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SECTION 161. Section 6.380 of Part 6 of Resolution No. 72737 is amended as follows:

6.380	<u>Car Sensor Replacement</u>	\$297.00 per sensor
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SECTION 162. Section 6.390 of Part 6 of Resolution No. 72737 is amended as follows:

6.390	<u>Shared Micro-Mobility Annual Permit and Program Monitoring – Application Fee</u>	\$2,968 per application
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<u>Shared Micro-Mobility Annual Permit and Program Monitoring – Operating Fee</u>	\$94 per device
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<u>Shared Micro-Mobility Annual Permit and Program Monitoring – Deposit</u>	\$10,000
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AMENDMENT TO PART 7 – ENVIRONMENTAL SERVICES DEPARTMENT

SECTION 163. Section 7.030 of Part 7 of Resolution No. 72737 is amended as follows:

7.030	<u>Commercial Solid Waste Collection Franchise</u> <u>Application Fee</u> (SJMC § 9.10.1670)	\$611.00
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SECTION 164. Section 7.100 of Part 7 of Resolution No. 72737 is amended as follows:

7.100 Waste Diversion Compliance Fees

The Initial Review Fee set forth below is to review specific project paperwork regarding waste diversion compliance

Waste Diversion Compliance Review	\$110.00 <i>per hour of review</i>
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SECTION 165. Part 7 of Resolution No. 72737 is amended to add Section 7.200 as follows:

7.200 Energy and Water Building Performance Ordinance

The Energy and Water Building Performance Ordinance Report Submission Fee set forth below will partially fund the administration of the program; remaining funding will be through the General Fund in FY 2019-2020. Program costs have been calculated based on Environmental Services Department and Finance Department personal costs, and non-personal costs, which include notice printing and mailing, technical resource development, and data management systems. All buildings covered by the ordinance are required to submit the reporting fee, including municipal buildings.

Report Submission Fee	\$150.00 per Building Performance Report
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AMENDMENTS TO PART 8 – LIBRARY DEPARTMENT

SECTION 166. Section 8.010 of Part 8 of Resolution No. 72737 is amended as follows:

8.010 Fines

Overdue materials (including any CD's, DVD's, devices or equipment)	\$0.25 per day for each day overdue with \$5.00 maximum per item (<i><u>no fine for overdue Children's and Young Adult Materials</u></i>)
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SECTION 167. Section 8.020 of Part 8 of Resolution No. 72737 is amended as follows:

8.020 Community Room Rental
(For nonprofit cultural, educational, civic organizations, or government agencies whose meetings are open to the public without charge)

Branches

\$40.00 per use up to 4 hours;
\$80.00 per use over 4 hours

AMENDMENTS TO PART 9 – CITY CLERK DEPARTMENT

SECTION 168. Section 9.010 of Part 9 of Resolution No. 72737 is amended as follows:

9.010 Cost of Publications and Document Copying

Document Copying:

(No charge for Public Records Act (PRA) responses if aggregate costs are less than \$5.00, per Resolution No. 77137.)

8-1/2" x 11"	\$0.08 per page (B&W)
8-1/2" x 11"	\$0.14 per page (Color)
8-1/2" x 14"	\$0.11 per page (B&W)
8-1/2" x 14"	\$0.17 per page (Color)
11" x 17"	\$0.09 per page (B&W)
11" x 17"	\$0.15 per page (Color)
Document Certification (formerly "Certified Copy")	\$12.05 per certification plus cost of Document Copying

Document Scanning:

(No charge for Public Records Act (PRA) responses if aggregate costs are less than \$5.00, per Resolution No. 77137.)

All sizes (B&W; Color)	\$0.32 for first page, \$0.06 per additional page plus cost of Electronic Media
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Electronic Media:

FAX Copies to Public (No charge for Public Records Act (PRA) responses if aggregate costs are less than \$5.00, per Resolution No. 77137.)	\$1.88 for first page, \$0.08 per additional page
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City Charter

\$9.05 plus cost of Document
Copying and/or cost of
Electronic Media

SECTION 169. Section 9.020 of Part 9 of Resolution No. 72737 is amended as follows:

9.020 Duplication Services

Audio Recording

\$10.80 each plus cost of
Electronic Media

Video Recording

\$27.00 each plus cost of
Electronic Media

SECTION 170. Section 9.040 of Part 9 of Resolution No. 72737 is amended as follows:

9.040 Special Research/Services

\$144.65 per hour plus cost of
Document Copying and/or cost
of Electronic Media

SECTION 171. Section 9.070 of Part 9 of Resolution No. 72737 is amended as follows:

9.070 Agenda Subscription Fees

City Council meeting agenda

\$108.80 per year plus cost of
Document Copying and/or cost
of Electronic Media

Planning Commission meeting agenda

\$32.65 per year plus cost of
Document Copying and/or cost
of Electronic Media

Planning Director Hearing meeting
agenda

\$38.05 per year plus cost of
Document Copying and/or cost
of Electronic Media

SECTION 172. Section 9.090 of Part 9 of Resolution No. 72737 is amended as follows:

9.090 Lobbyist Fees
 (SJMC § 12.12.440)

Lobbyist Registration	\$241.50 per registrant per year
Prorated Registration Fee	\$120.75 per registrant per half year or less
Client Fee	\$81.75 per client
Weekly Report Delinquency Fee	\$10.00 per business day until report filed up to 60 business days, plus 1.5% monthly interest from the 61st day until fine paid (SJMC § 12.12.440.D) *

SECTION 173. Section 9.100 of Part 9 of Resolution No. 72737 is amended as follows:

9.100 Candidate Fees

Candidate Ballot Statement Fee	Cost reimbursement of fee set by Santa Clara County Registrar of Voters (Cal. Elec. Code § 13307(d)) *
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AMENDMENTS TO PART 10 – FINANCE DEPARTMENT

SECTION 174. Section 10.050 of Part 10 of Resolution No. 72737 is amended as follows:

10.050 <u>Christmas Tree and Pumpkin Sales License</u> (SJMC §6.24.020)	\$124.50 per lot
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SECTION 175. Section 10.060 of Part 10 of Resolution No. 72737 is amended as follows:

10.060 Circus, Carnival and Parade Permits
(SJMC §6.26.030)

Circus Permit

\$250.00 first day;
\$155.75 each additional
day

SECTION 176. Section 10.070 of Part 10 of Resolution No. 72737 is amended as follows:

10.070 Handbill Distributors
(SJMC §6.36.070)

Handbill Distributor's License

\$57.25 annually

SECTION 177. Section 10.080 of Part 10 of Resolution No. 72737 is amended as follows:

10.080 Solid Waste Collection Delinquency Procedures

Administrative Charges for Collection
Procedures
(SJMC §9.10.1220)

\$75.50 per lien

SECTION 178. Section 10.110 of Part 10 of Resolution No. 72737 is amended as follows:

10.110 Business Tax Special Reports

Computer Printout

\$69.25 up to 25 pages,
\$1.00 each additional
page

CD/E-mail

\$69.25 per
CD/transmission

SECTION 179. Section 10.130 of Part 10 of Resolution No. 72737 is amended as follows:

10.130 Processing of Checks Returned for Insufficient Funds

Returned Check Fee

\$38.50 per returned check

SECTION 180. Section 10.150 of Part 10 of Resolution No. 72737 is amended as follows:

10.150 Collection Recovery Fees

Collection Fee (60 – 90 days past due)

\$26.50 per invoice

SECTION 181. Section 10.170 of Part 10 of Resolution No. 72737 is amended to add the Neglected Vacant House Lien Fee, and as follows:

10.170 Lien Activities

Administrative Remedies Lien Fee

\$198.00 per lien

Sidewalk Lien Administrative Fee

\$135.75 per lien

Abatement Lien Fee

\$144.25 per lien

Neglected Vacant House Lien Fee

\$142.50 per lien

Tree Lien Fee

\$196.25 per lien

**AMENDMENTS TO PART 11 – ECONOMIC
DEVELOPMENT/CULTURAL AFFAIRS**

There are no proposed changes to Part 11 – Economic Development/Cultural Affairs.

AMENDMENTS TO PART 12 – HOUSING

SECTION 182. Section 12.010 of Part 12 of Resolution No. 72737 is amended as follows:

12.010 Rent Stabilization Program
(formerly Rental Rights and Referrals Program;
formerly Rental Dispute Mediation)

<u>Apartment</u> (SJMC §17.23.400)	\$85.04 per unit annually
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<u>Mobile Homes</u> (SJMC §17.22.910)	\$24.24 per unit annually
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<u>Non-Rent Controlled Units</u>	\$8.76 per unit annually
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Ellis Act Filing Fees

a. Per unit up to 10 units	\$2,469.00 per unit
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b. Additional per unit over 10 units	\$902.00 per unit
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SECTION 183. Section 12.025 of Part 12 of Resolution No. 72737 is amended as follows:

12.025 <u>For Sale Inclusionary In-Lieu Fees</u>	\$192,946.00 per unit
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Pursuant to San José Municipal Code Section 5.08.520, the inclusionary housing requirement may be satisfied by the payment of a fee in lieu of constructing affordable housing units provided that such fee is paid for 20% of total Market Rate Units and received after issuance of a development permit for the project, but prior to the issuance of any certificate of occupancy for a building in the Residential Development.

SECTION 184. Section 12.030 of Part 12 of Resolution No. 72737 is amended as follows:

12.030 Homebuyer Subordination Fee

Homebuyer Subordination Fee	\$268.00 per transaction
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SECTION 185. Section 12.040 of Part 12 of Resolution No. 72737 is amended as follows:

12.040 Multi-Family Project Owner Transfer Fee – New Parties

Standard Transaction	\$15,209.00 per transaction
City Attorney Staff Time	\$157.00 per hour in excess of twenty-nine (29) hours
Housing Staff Time	\$101.00 per hour in excess of one hundred six (106) hours

SECTION 186. Section 12.045 of Part 12 of Resolution No. 72737 is amended as follows:

12.045 Multi-Family Project Owner Transfer Fee – Related Parties

Standard Transaction	\$11,686.00 per transaction
City Attorney Staff Time	\$157.00 per hour in excess of twenty-two (22) hours
City Housing Staff Time	\$101.00 per hour in excess of eighty-two (82) hours

SECTION 187. Section 12.047 of Part 12 of Resolution No. 72737 is amended as follows:

12.047 Multi-Family Loan Refinance Fee

Standard Transaction	\$15,259.00 per transaction
City Attorney Staff Time	\$157.00 per hour in excess of twenty-nine (29) hours
City Housing Staff Time	\$101.00 per hour in excess of one hundred six (106) hours

SECTION 188. Section 12.050 of Part 12 of Resolution No. 72737 is amended as follows:

12.050 Single-Family Loan Payoff Fee

Short Sale Loan Payoff Fee	\$252.50 per transaction
Single-Family Loan Payoff Fee	\$151.50 per transaction

SECTION 189. Section 12.060 of Part 12 of Resolution No. 72737 is amended as follows:

12.060 Multi-Family Project Restructuring Fee

Standard Transaction	\$5,132.00 per transaction
City Attorney Staff Time	\$157.00 per hour in excess of twenty (20) hours

City Housing Staff Time	\$101.00 per hour in excess of twenty-one (21) hours
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SECTION 190. Section 12.070 of Part 12 of Resolution No. 72737 is amended as follows:

12.070 Multi-Family Loan Recapitalization Fee

Standard Transaction	\$32,406.00 per transaction
City Attorney Staff Time	\$157.00 per hour in excess of eighty-nine (89) hours
City Housing Staff Time	\$101.00 per hour in excess of one hundred eighty-three (183) hours

SECTION 191. Section 12.080 of Part 12 of Resolution No. 72737 is amended as follows:

12.080 Multi-Family Loan Servicing Fee

Multi-Family Loan Servicing Fee	\$38.75 per unit per year
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SECTION 192. Section 12.090 of Part 12 of Resolution No. 72737 is amended as follows:

12.090 Multi-Family Affordability Restricting Monitoring Fee

Multi-Family Affordability Restriction Monitoring Fee	\$38.75 per unit per year
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SECTION 193. Section 12.100 of Part 12 of Resolution No. 72737 is amended as follows:

12.100 Multi-Family Loan Origination Fee

Standard Transaction	\$34,577.00 per transaction
City Attorney Staff Time	\$157.00 per hour in excess of eighty-nine (89) hours
City Housing Staff Time	\$101.00 per hour in excess of two hundred four (204) hours

SECTION 194. Section 12.110 of Part 12 of Resolution No. 72737 is amended as follows:

12.110 Multi-Family Loan Conversion Fee

Standard Transaction	\$32,406.00 per transaction
City Attorney Staff Time	\$157.00 per hour in excess of eighty-nine (89) hours
City Housing Staff Time	\$101.00 per hour in excess of one hundred eighty-three (183) hours

SECTION 195. Section 12.120 of Part 12 of Resolution No. 72737 is amended as follows:

12.120 Supplemental Document Processing Fee

City Attorney Staff Time	\$157.00 per hour
City Housing Staff Time	\$101.00 per hour

SECTION 196. Section 12.130 of Part 12 of Resolution No. 72737 is amended as follows:

12.130 Multi-Family Loan Payoff Fee

Standard Transaction	\$2,895.00 per transaction
City Attorney Staff Time	\$157.00 per hour in excess of three (3) hours
City Housing Staff Time	\$101.00 per hour in excess of twenty-four (24) hours

SECTION 197. Section 12.145 of Part 12 of Resolution No. 72737 is amended as follows:

12.145 Affordable Housing Impact Fee

\$18.26 per finished livable square foot.

The Housing Impact Fee shall be paid for each Market Rate Rental Unit, not exempted as an “Eligible Pipeline Project”, with three (3) or more units as defined in Resolution No. 77218.

SECTION 198. Section 12.150 of Part 12 of Resolution No. 72737 is amended as follows:

12.150 Affordable Housing Compliance Fee Program

In accordance with Resolution No. 77218 (AHIF) and SJMC Chapter 5.08 (Inclusionary):

Standard Transaction	\$3,119.00 per application
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City Attorney Staff Time	\$157.00 per hour in excess of seven (7) hours
City Housing Staff Time	\$101.00 per hour in excess of twenty (20) hours

SECTION 199. Part 12 of Resolution No. 72737 is amended to add Section 12.155 as follows:

12.155 Multi-Family Application Review Fee \$755.80 per application

AMENDMENTS TO PART 13 – GENERAL SERVICES

SECTION 200. Sections 13.01, 13.02, and 13.03 of Part 13 of Resolution No. 72737 are re-numbered as follows. The fees in these Sections for use and rental fees charged by the City for use of the Mexican Heritage Plaza remain suspended for so long as the City is not operating the facility, pursuant to Resolution No. 75913:

13.010	<u>Mexican Heritage Plaza Rental – Non-Profit/Government Base Rental Pricing</u>
13.020	<u>Mexican Heritage Plaza Rental – Commercial/Private Base Rental Pricing</u>
13.030	<u>Mexican Heritage Plaza - Additional Fees for Staffing and Equipment</u>

SECTION 201. Part 13 of Resolution No. 72737 is amended to add Section 13.040 as follows:

13.040 City Hall and Plaza Authority for Fees and Charges

Fees and charges set forth in Sections 13.040 to 13.090 of this Resolution for City Hall and Plaza are pursuant to the City Hall Facility Use Policy and Chapter 13.23 of the San José Municipal Code ("SJMC") related to use of City Hall Plaza and the associated regulations.

SECTION 202. Part 13 of Resolution No. 72737 is amended to add Section 13.050 as follows:

13.050 City Hall and Plaza Definitions

Unless expressly provided to the contrary, the following terms shall, for the purpose of Sections 13.040 to 13.090 of this Resolution, have the meanings set forth in this Section.

- A. **Admission Fees.** Shall mean all fees charged for entry or admission to an event, including the monetary value of complimentary tickets. The value of complimentary tickets shall be determined by the City, and shall be based upon the ticket price for tickets sold for the event.
- B. **South Plaza.** Shall mean the area located on the Southern edge of the Facility bounded by the Council Wing to the west; Tower to the east and curved face of the battered wall to the north.
- C. **Business Hours.** Shall mean 8:00 a.m. through 5:00 p.m. on any Monday through Friday that the City Hall is open to the public to conduct normal City business functions.
- D. **Catering Area.** Shall mean an outdoor area of the South Plaza or near the Catering Pantry measuring no more than forty (40) feet by sixty (60) feet that will be used as a catering preparation area only.
- E. **Catering Pantry.** Shall mean Council Wing room C-148 intended for the support of food service for Meetings and Indoor and Outdoor Events at City Hall.
- F. **City.** Shall mean the City of San José.
- G. **City Hall.** Shall mean the building located at 200 East Santa Clara Street, San José, California 95113, which encompasses all enclosed areas including the basement parking facility.
- H. **City Hall Plaza or Plaza.** Shall mean the exterior public open areas located

adjacent to the new San Jose City Hall located at 200 E. Santa Clara Street, San José, California, which area is bounded by Santa Clara Street on the north, Fourth Street on the west, Sixth Street on the east, and on the south, starting from Fourth Street going eastward along the southernmost wall of City Hall and continuing to the cement wall marking the southern property line of the City Hall Property. The City Hall Plaza is owned and controlled by the City and includes the adjacent sidewalks.

- I. **City Hall Plaza Event.** Shall mean an outdoor public gathering, celebration or other event on any portion of City Hall Plaza which is further described as either a City Hall Outdoor Event in Section 13.23.260 of the SJMC or a Limited Outdoor Event in Section 13.23.270.
- J. **City Manager.** Shall mean the City Manager, or such other person designated by the City Manager to fulfill the responsibilities identified as City Manager's responsibilities hereunder.
- K. **Commercial Activities.** Shall mean the sale or exchange of goods or services for profit or for other business considerations.
- L. **Committee Room(s).** Shall mean rooms C-118, C-119, and C-120 of the Council Wing of City Hall.
- M. **Community Groups and Neighborhood Associations.** Shall mean Neighborhood Associations, Neighborhood Advisory Committees and Project Area Committees (PAC) that are partners in the Strong Neighborhoods Initiative of the City of San José, citizens groups, and community organizations doing business with the City.
- N. **Council Chambers.** Shall mean Council Room C-166 of the Council Wing of City Hall.
- O. **Director.** Shall mean the Director of Public Works or his or her designee, or such other person designated by the City Manager to administer the duties of Director under Sections 13.040 to 13.090 of this Resolution.
- P. **Facility.** Shall mean the entire area (including interior restrooms, parking, hallways, and exterior areas) bounded by Fourth Street and East Santa Clara Street, Sixth Street and the southern property line of the City Hall campus.
- Q. **Government Agencies.** Shall mean federal, state, and local government agencies other than the City of San José.

- R. Gross Admission Receipts.** Shall mean the total admission fee revenue including taxes.
- S. Holiday.** Shall mean those days so designated by the City Council on which City employees are entitled to paid holiday leave.
- T. Indoor Event.** Shall mean any banquet, dinner, show, entertainment, amusement, dance, exhibition, lecture, concert, auction, performance or other similar activity held in a Committee Room, the Council Chambers or the Rotunda whose requirements exceed that of a Meeting.
- U. Limited Outdoor Event.** Is defined in SJMC Chapter 13.23, and shall mean a City Hall Plaza Event if all of the following apply:
1. No food or beverages are cooked, prepared or served;
 2. No sale or distribution of food, beverages or other commercial merchandise occurs, whether for compensation or free of charge;
 3. At least one (1) but no more than five (5) booths or tables (or a combination thereof) are used;
 4. Up to but no more than nineteen (19) chairs are used;
 5. No stage, barricades or other temporary structures are used or placed on the Plaza;
 6. No vehicles are driven or placed on any area of the Plaza;
 7. No other equipment is used other than a hand carried microphone/loudspeaker, and;
 8. The event is open to the public at no charge, and lasts for no longer than one day.
- V. Meeting.** Shall mean groups gathered in indoor spaces to conduct organizational or program meetings, discussion groups, panels, conferences, seminars, study groups, planning sessions, training programs, and related activities and to discuss items of mutual interest or engage in professional development through learning activities that involve no more than the use of tables, chairs, a podium, audio visual equipment, and light refreshments.

- W. Multiple-Day Outdoor Event.** Shall mean a City Hall Outdoor Event held over two (2) or more consecutive days.
- X. Nonprofit Groups.** Shall mean nonprofit (tax-exempt) organizations with proof of Federal or State tax-exempt status or proof of organized structure (by-laws or articles of incorporation).
- Y. Official City Business.** Shall mean the official business of the City and includes meetings and functions of the City Council, City Council offices, offices headed by Council appointees, and City departments that are primarily organized and led by those respective offices or departments, and directly connected to: (I) the goals of the City Council, or (II) the core services of the City office(s) or department(s), or (III) the promotion of economic development. It excludes profit-making activities or fundraising activities benefiting a third party.
- Z. Outdoor Event.** Is defined in SJMC Chapter 13.23, and shall mean a City Hall Plaza Event which involves any of the following:
1. Cooking, preparation, serving, sale or distribution of food, or beverages;
 2. Sale or distribution of commercial merchandise;
 3. Erection of a stage, barricades, generators or equipment requiring the use of City Hall electrical power;
 4. Use of six (6) or more tables or booths (or a combination thereof), twenty (20) or more chairs, the placement or use of other equipment or temporary structures on the Plaza;
 5. Driving or placing vehicles on the Plaza, or;
 6. Public Access to the event is limited such as by invitation or by requiring payment as a condition to entry.
- AA. Rotunda.** Shall mean the main atrium space (Room R-101) of City Hall.
- BB. Rotunda Mezzanine.** Shall mean the second floor of the Rotunda (Rooms R-202, R-203 and R-204) of City Hall.
- CC. Simple Assembly.** Shall mean an assembly of persons on an unreserved area of the Plaza, if the assembly does not include equipment, temporary structures,

sales or distribution of commercial merchandise, food or beverages, or any of the other characteristics of a City Hall Plaza Event as described in Chapter 13.23 of the SJMC, with the exception of a hand carried microphone/loudspeaker and further provided that the assembly remains within the capacity limits of the applicable area of the Plaza.

SECTION 203. Part 13 of Resolution No. 72737 is amended to add Section 13.060 as follows:

13.060 City Hall and Plaza Meetings and Indoor Events

Use of the Committee Rooms, the Council Chambers and Rotunda for the purposes of Meetings and Indoor Events shall be charged in accordance with the following fee schedule and classifications.

A. The minimum charge for a reservation shall be the fee equivalent of two (2) hours use for Meetings and Indoor Events held Monday through Friday. The minimum charge for a reservation shall be the fee equivalent to four (4) hours use for the Committee Rooms and Council Chambers on Saturday and Sunday. The minimum charge for a reservation shall be equivalent to eight (8) hours for use of the Rotunda on Saturday or Sunday.

B. Users shall have the option, at the time of the reservation, to pay Facility Use Fees on a per hour or per event basis.

C. Facility Use Fees¹

1. Use by Non-profit Groups; Community Groups and Neighborhood Associations; and Government Agencies:

- a.** Committee Room(s) C-118, C-119 or C-120
8:00 a.m. – 10:00 p.m.
- | | | |
|-----|-------------------|---------------------------|
| (1) | Monday – Friday | No Charge |
| (2) | Saturday – Sunday | \$50.00 per hour/per room |

¹ No facility use fees or rental fees for City equipment within the City Hall's existing inventory shall be charged to the City Council and City departments for use of the Council Chambers, Committee Rooms, Rotunda, and Rotunda Mezzanine for Official City Business where the Meeting or Indoor Event involves *no more than* the standard set up of tables and chairs, the unsupervised use of audio visual equipment, regularly scheduled staffing, and light refreshments, and is planned, managed, and led by the City Council, or City department. Further, there shall be no use fee or rental fees associated with City Council Meetings, Planning Commission Meetings, Civil Service Commission Meetings, or other commission meetings or study sessions of the City.

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|-----------|---|----------------------------|
| b. | Council Chambers
8:00 a.m. – 10:00 p.m. | \$100.00 per hour |
| c. | Rotunda
8:00 a.m. – 11:00 p.m. | |
| (1) | Monday – Friday
(2-Hr Minimum) | \$150.00 per hour |
| (2) | Saturday – Sunday
(8-Hr Minimum) | \$150.00 per hour |
| (3) | Film/Photo Permit
(Monday-Friday) | \$120.00 per 2-hour period |
| d. | Rotunda Mezzanine
8:00 a.m. – 11:00 p.m. | |
| (1) | Monday – Friday
(2-Hr Minimum) | \$75.00 per hour |
| (2) | Saturday – Sunday
(8-Hr Minimum) | \$75.00 per hour |

2. Use by other users:

- | | | |
|-----------|---|---------------------------|
| a. | Committee Room(s) C-118, C-119 or C-120
8:00 a.m. – 10:00 p.m. | |
| | (1) Monday – Friday | No Charge |
| | (2) Saturday – Sunday | \$60.00 per hour/per room |
| b. | Council Chambers
8:00 a.m. – 10:00 p.m. | \$125.00 per hour |
| c. | Rotunda
8:00 a.m. – 11:00 p.m. | |
| | (1) Monday – Friday
(2-Hr Minimum) | \$400.00 per hour |
| | (2) Saturday – Sunday
(8-Hr Minimum) | \$400.00 per hour |

- d. Rotunda Mezzanine
8:00 a.m. – 11:00 p.m.
- | | |
|---|-------------------|
| (1) Monday – Friday
(2-Hr Minimum) | \$150.00 per hour |
| (2) Saturday – Sunday
(8-Hr Minimum) | \$150.00 per hour |

- D. **Events Where Admission Fee Charged.** In addition to the other fees set forth herein, users (other than Non-profit Groups; Community Groups and Neighborhood Associations; and Government Agencies) holding Meetings and Events at which an admission fee will be charged in conjunction with the use of the facility shall pay:

Users (Non-Profit, Government Agencies)	5% of gross admission receipts
Users (Other than Non-profit, Government Agencies)	7% of gross admission receipts

- E. **Use Beyond Reservation Period.** Unless otherwise provided, a fee of two times the normal hourly rate shall be charged for each hour or fraction thereof that a group uses the facility beyond its scheduled reservation period plus any additional staffing fees. A fee of two times the normal weekend rate shall be charged for each hour or fraction thereof that a group uses the facility beyond its scheduled reservation period.

- F. **Security/Cleaning/Damage Deposit.** The following amounts shall be charged as a security/cleaning/damage deposit ("Security Deposit") for Meeting and Indoor Event users. The Security Deposit will be refunded if the area is not damaged and left in as good as or better condition as existed prior to the event, and if no unpaid fees or charges, including overtime charges, remain. Otherwise, the Director will apply the Security Deposit to reimburse the City for the City's actual cost for cleaning, repair or both and/or for unpaid fees and charges. If the costs, fees and charges exceed the amount of the Security Deposit, the user will be billed for the excess amount. The Director may reduce or suspend collection of the Security Deposit if the group has a history of using City Hall Meeting and Indoor Event areas, has consistently left the areas in good condition, has consistently and timely paid the fees and charges, and no circumstances exist which indicate that the applicant might fail to leave the area in as good as or better condition as existed prior to the event, fail to timely pay the fees and

charges, or incur overtime charges.

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|----|------------------------|------------------------------------|
| 1. | Committee Room(s) | \$ 100.00 per reservation per room |
| 2. | Council Chambers | \$ 250.00 per reservation |
| 3. | Rotunda | \$1,000.00 per reservation |
| 4. | Rotunda Mezzanine | \$ 250.00 per reservation |
| 5. | Custodial Cleaning Fee | Amount of Actual Cost |

G. Application Fee. A non-refundable application fee will be charged for all reservations. A late fee will be applied to those reservations taken within 30 days of the rental.

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|----|---|---------------------------|
| 1. | Application Fee
(Non-profit, Student, Government) | \$ 50.00 per reservation |
| 2. | Application Fee (Other User) | \$ 110.00 per reservation |
| 3. | Late Application; within 30 days
(Non-profit, student, Government) | \$ 60.00 per reservation |
| 4. | Late Application; within 30 days
(Other User) | \$ 140.00 per reservation |

H. Catering Fee. A catering fee shall be paid by all approved insured caterers who service events at City Hall. The fee reimburses the City for facility maintenance, utility and administrative costs associated with caterers' use of the facility.

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|----|--|--------------------|
| 1. | Catering Fee (Non-Profit, Student, Government) | \$ 50.00 per event |
| 2. | Catering Fee (Other User) | \$ 75.00 per event |

I. Cancellation Charges, Indoor Events.

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|----|---|--------------------------|
| 1. | More than one-hundred-eighty
(180) calendar days prior to event date | \$110.00 application fee |
|----|---|--------------------------|

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|----|---|------------------------|
| 2. | One-hundred-eighty (180) calendar days or less, but more than thirty (30) calendar days prior to event date | 50% of estimated fees |
| 3. | Within thirty (30) calendar days prior to event date | 100% of estimated fees |

J. Cancellation Charges, Committee Room Meetings.

- | | | |
|----|--|--|
| 1. | More than five (5) business days prior to reservation date | \$25.00 |
| 2. | Within five (5) or fewer business days of reservation date | The greater of \$50.00 or 100% of estimated fees |

K. Equipment Rental Fees. The Director of Public Works will manage and maintain a list of additional equipment to rent. Advance order at least 14 business days prior to event and/or meeting. Late orders are less than 14 business days in advance of the event and/or meeting.

	<u>Equipment</u>	<u>Advance Order</u>	<u>Late Order</u>
1.	Chair	\$ 3.50 per chair	\$4.50 per chair
2.	Table rental		
	a) 30"x72" or 30"x 96"	\$9.00 per table	\$10.50 per table
	b) 60" Round	\$10.00 per table	\$11.50 per table
3.	Podium/Lectern	\$35.00 per podium	\$45.00 per podium
4.	Stage (6' x 8' section, up to 24" by 32")	\$25.00 per section	\$30.00 per section
5.	PA system	\$250.00 per use; requires technician	\$275.00 per use; requires technician
6.	Microphone (Wired/Wireless)	\$25.00 per microphone	Not available

L. Miscellaneous Fees.

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|----|--|-----------------------|
| 1. | Staff (Security, Facility Attendant, etc.) | Amount of actual cost |
|----|--|-----------------------|

2. Catering Pantry

- | | |
|--|------------------|
| a. Non-profit Groups; Community Groups and Neighborhood Associations; and Government Agencies | \$25.00 per hour |
| b. Other users | \$50.00 per hour |

3. Committee Room Reconfiguration \$100.00 or non-standard equipment rental fees (for equipment not included as part of standard room rental, i.e., round tables), whichever is greater

4. Clean-up or damage charge Amount of actual cost

5. Returned checks Current established City fee

M. Use of Council Chambers by Government Agencies for Official Meetings.

No facility use fee, application fee, security deposit or rental fees for City equipment within the City Hall's existing inventory shall be charged Government Agencies for use of the Council Chambers for meetings that are subject to the open meeting and notice requirements of the Ralph M. Brown Act, Government Code §54950 *et seq.*, or the Bagley-Keene Open Meeting Act, Government Code §11120 *et seq.* at which business impacting the City of San Jose will be discussed. Fees for direct costs incurred by the City, including but not limited to costs for security, staffing (i.e., ushers), and equipment not within the City's existing inventory, shall be charged.

N. City Hall Rotunda Lighting Fee (see Council Policy 7-14, City Hall Special Event Lighting Policy).

<u>Number of Colors</u>	<u>Cost per Day</u>
One Color	\$1,000
Two Colors	\$1,500
Three or More Colors	\$2,000

SECTION 204. Part 13 of Resolution No. 72737 is amended to add Section 13.070 as follows:

13.070 City Hall Plaza Events and Simple Assembly

The fees and charges set forth in this section shall apply to the reservation of or permit to use the Plazas for an Event.

A minimum charge for reservation shall be the fee equivalent to two (2) hours use for Plaza events held Monday through Friday and four (4) hours use on Saturday through Sunday. When the Rotunda is previously rented, the Plaza will be rented at the discretion of the Director.

A. Plaza Event Permits.

- | | | |
|----|---|--|
| 1. | Limited Outdoor Event (All Users) | \$125.00 |
| 2. | Outdoor Event | |
| | a. Non-profit, Student, Government
Monday – Friday
(2-Hr minimum) | \$60.00 per hour |
| | b. Non-profit, Student, Government
Saturday – Sunday
(4-Hr minimum) | \$60.00 per hour |
| | c. Other Users
Monday – Friday
(2-Hr minimum) | \$125.00 per
hour |
| | d. Other Users
Saturday – Sunday
(4-Hr minimum) | \$125.00 per
hour |
| | e. Use beyond reservation period | Two times the
normal rate for
each hour or
fraction thereof |
| | f. Outdoor Catering Area | \$250.00 for
eight (8) hours |
| | g. Film/Photo Permit: Non-profit, Student,
Government
Monday – Friday | \$80.00 per 2-
hour period |

- h. Wedding/Portrait Photography (All Users) \$160.00 per 2-hour period
Monday – Friday

- B. In addition to the other fees set forth herein, users (other than Non-profit Groups; Community Groups and Neighborhood Associations; and Government Agencies) holding Outdoor Events at which an admission fee will be charged in conjunction with the use of the facility shall pay:

Users

(Other than Non-profit Groups; Community Groups and Neighborhood Associations; and Government Agencies) 7% of gross admission receipts

Non-profit Groups; Community Groups and Neighborhood Associations; and Government Agencies 5% of gross admission receipts

- C. **Security/Cleaning/Damage Deposit.** The following amounts shall be charged as a security/cleaning/damage deposit (“Security Deposit”) for Limited Outdoor and Outdoor Event users. The Security Deposit will be refunded if the area is not damaged and left in as good as or better condition as existed prior to the event, and if no unpaid fees or charges, including overtime charges, remain. Otherwise, the Director will apply the Security Deposit to reimburse the City for the City’s actual cost for cleaning, repair or both and/or for unpaid fees and charges. If the costs, fees and charges exceed the amount of the Security Deposit, the user will be billed for the excess amount. The Director may reduce or suspend collection of the Security Deposit if the group has a history of using City Hall Outdoor Event areas, has consistently left the areas in good condition, has consistently and timely paid the fees and charges, and no circumstances exist which indicate that the applicant might fail to leave the area in as good as or better condition as existed prior to the event, fail to timely pay the fees and charges, or incur overtime charges.

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|----|-----------------------|----------------------|
| 1. | Limited Outdoor Event | \$250.00 per event |
| 2. | Outdoor Event – Basic | \$1,000.00 per event |

- | | | |
|----|---|---|
| 3. | Outdoor Event which includes any extraordinary cleaning, equipment or activity which due to its weight, size, amount of stress or pressure placed upon the Plaza, the use of any fuel or the characteristics of any material brought onto the Plaza, may foreseeably result in damage to or staining of the Plaza | Additional deposit determined by Director |
| 4. | Power Wash | Amount of actual cost |

D. Application Fee. A non-refundable application fee will be charged for reservations made for Limited Outdoor and Outdoor Events. If the Limited Outdoor or Outdoor Event is cancelled, the City will retain the application fee as reimbursement of administrative costs incurred by the City.

- | | | |
|----|---|--------------------------|
| 1. | Application Fee
(Non-profit, Student, Government) | \$50.00 per reservation |
| 2. | Application Fee (Other User) | \$110.00 per reservation |
| 3. | Late Application; within 30 days
(Non-profit, Student, Government) | \$60.00 per reservation |
| 4. | Late Application; within 30 days
(Other User) | \$140.00 per reservation |

E. Catering Fee. A catering fee shall be paid by all approved insured caterers who service events at City Hall. The fee reimburses the City for facility maintenance, utility and administrative costs associated with caterers' use of the facility.

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|----|--|-------------------|
| 1. | Catering Fee (Non-Profit, Student, Government) | \$50.00 per event |
| 2. | Catering Fee (Other User) | \$75.00 per event |

F. Cancellation Charges.

- | | | |
|----|--|------------------------|
| 1. | More than one-hundred-eighty (180) calendar days prior to event date | \$100.00 |
| 2. | One-hundred-eighty (180) calendar days or less but more than thirty (30) calendar days prior to event date | 50% of estimated fees |
| 3. | Within thirty (30) calendar days prior to event date | 100% of estimated fees |

G. Equipment Rental Fees. The Director of Public Works will manage and maintain a list of additional equipment to rent. Advance order at least 14 business days prior to event and/or meeting. Late orders are less than 14 business days in advance of the event and/or meeting.

	<u>Equipment</u>	<u>Advance Order</u>	<u>Late Order</u>
1.	Chair	\$3.50 per chair	\$4.50 per chair
2.	Table rental		
	a) 30"x72" or 30"x96"	\$9.00 per table	\$10.50 per table
	b) 60" Round	\$10.00 per table	\$11.50 per table
3.	Podium/Lectern	\$35.00 per podium	\$45.00 per podium
4.	PA System	\$250.00 per use; plus technician fees	\$275.00 per use; plus technician fees
5.	Microphone (Wired/Wireless)	\$25.00 per microphone	Not available

H. Miscellaneous Fees.

- | | | |
|----|---|-----------------------|
| 1. | Staff
(Security, Facility Attendant, etc.) | Amount of actual cost |
| 2. | Catering Pantry | |

- | | |
|---|------------------------------|
| a. Non-profit Groups; Community Groups and Neighborhood Associations; and Government Agencies | \$25.00 per hour |
| b. Other users | \$50.00 per hour |
| 3. Clean-up or damage charge | Amount of actual cost |
| 4. Returned checks | Current established City fee |

SECTION 205. Part 13 of Resolution No. 72737 is amended to add Section 13.080 as follows:

13.080 Free Use of the City Hall Rotunda, Council Chambers, Plaza, and South Plaza for Official City Business

If available, use of the Rotunda, Council Chambers, Plaza, and South Plaza by the City Council and City departments for a Meeting, Indoor Event, Limited Outdoor Event or Outdoor Event (collectively referred to herein as “Event”), where the Event would otherwise incur a facility use fee and rental fee for City provided equipment (for example, in instances where the Event involves *more than* the standard set up of tables and chairs, unsupervised audio visual equipment, and light refreshments, or where the Event is not planned, managed, and led by the City Council or City department), the Event may qualify for free use and free rental of equipment within the City’s existing inventory if the following criteria are satisfied:

- A. Event qualifies as Official City Business;
- B. Event is free and open to the public;
- C. Event is held Sunday through Friday (except Holidays) and does not exceed ten (10) hours for a single day Event, including set up and take down; and
- D. Event is booked a minimum of thirty (30) days in advance.

Events qualifying for free use under this Section 13.070 are limited to a total of no more than two (2) per calendar week for the Facility. The Mayor’s Office and each Council Office may each use up to seven (7) free uses per calendar year. The City Manager’s Office, Offices within the City Manager’s Office (for example, Office of Economic Development), and City departments may each use up to five (5) free uses under this Section 13.070 per calendar year.

SECTION 206. Part 13 of Resolution No. 72737 is amended to add Section 13.090 as follows:

13.090 Filming on City Premises

Persons who wish to engage in commercial filming or photographing at the City Hall Facility and require special access to or use of specialized equipment at the Facility in a manner which restricts or blocks access to the City Hall Facility by the public or which otherwise disrupts users of the City Hall Facility must (1) obtain the permission of the Director, and (2) pay a fee to the City as established by the Director. With the approval of the Director, the fee may be paid with an in-kind promotional trade provided the City receives, at a minimum, the value of the fee. Nothing contained herein shall be construed to eliminate any other fees or permits required to reserve portions of the City Hall Facility.

AMENDMENTS TO PART 14 – PUBLIC RECORDS ACT REQUESTS

SECTION 207. Part 14 of Resolution No. 72737 is amended to add Section 14.040 as follows:

14.040	<u>Constructing Electronic Record, Including Programming and Computer Services</u>	Set by State Law: Actual direct hourly cost incurred by City staff, or actual cost of contractor, to write programming language or extract data that would not otherwise be extracted, plus cost of Electronic Media (Cal. Gov. Code § 6253.9(b); Reso. No. 77135, Section 4.3.4.1.C)
	(Waiver up to greater of \$200 or 2 hours of staff time allowed per Section 14.010)	

SECTION 208. The fees, bonds, charges and deposits specified in the Schedule of Fees and Charges are listed by Department for purposes of administrative convenience only, and such fee, bond, charge or deposit shall be submitted to the Department or official responsible for its collection at the time it is due and payable.

SECTION 209. The fees, bonds, charges or deposits specified in the Schedule of Fees and Charges noted by an asterisk (*) denote a typographical correction from prior resolutions.

SECTION 210. For fees, bonds, charges or deposits specified in the Schedule of Fees and Charges in *italics*, the underlined language denotes a clarification only and no change in the amount of the fees, bonds, charges, or deposits have been made from prior resolutions.

SECTION 211. Except for the fees set forth above for development-related services, the provisions of this Resolution shall become effective on July 1, 2019. The fees for development-related services shall become effective August 12, 2019. Until August 12, 2019, the fees for development-related services shall be the development-related fees set forth in Resolution No. 72737 as amended.

SECTION 212. As of July 1, 2019, Resolution No. 77829 related to the schedule of fees for use of the City Hall and Plaza is hereby superseded.

ADOPTED this 11th day of June, 2019, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk