

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF SAN JOSE
AMENDING CHAPTER 4.76 OF TITLE 4 OF THE SAN
JOSE MUNICIPAL CODE TO ADD A NEW SECTION
4.76.345.6 TO TEMPORARILY EXPAND, RETROACTIVE
TO OCTOBER 1, 2020, ELIGIBILITY FOR THE EXISTING
FINANCIAL HARDSHIP EXEMPTIONS FOR LOW
REVENUE GENERATING SMALL BUSINESSES AND
SMALL BUSINESS OWNERS WITH LIMITED
HOUSEHOLD INCOMES TO INCLUDE ALL PERSONS
ENGAGED IN BUSINESS IN THE CITY WHO SATISFY
CERTAIN FINANCIAL HARDSHIP REQUIREMENTS**

WHEREAS, pursuant to the provisions and requirements of the California Environmental Quality Act of 1970, together with related State CEQA Guidelines and Title 21 of the San José Municipal Code (collectively, "CEQA"), the Director of Planning, Building and Code Enforcement has determined that the provisions of this Ordinance do not constitute a project, under File No. PP17-004 (Government Funding Mechanism, or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment); and

WHEREAS, the City Council of the City of San José is the decision-making body for this Ordinance; and

WHEREAS, this Council has reviewed and considered the "not a project" determination under CEQA prior to taking any approval actions on this Ordinance;

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

SECTION 1. Chapter 4.76 of Title 4 of the San José Municipal Code is amended by adding a section to be numbered, entitled, and to read as follows:

4.76.345.6 Temporary Expansion of Financial Hardship Exemptions

Notwithstanding Sections 4.76.345 and 4.76.345.5 to the contrary, for the period of October 1, 2020 through September 30, 2021, any person engaged in business in the City, whether or not a small business or small business owner, may apply for a financial hardship exemption under Section 4.76.345 or Section 4.76.345.5.

SECTION 2. All other provisions of Chapter 4.76 of Title 4 of the San José Municipal Code not modified by this Ordinance shall remain in full force and effect.

SECTION 3. The provisions of this Ordinance shall take effect retroactive to October 1, 2020.

PASSED FOR PUBLICATION of title this _____ day of _____, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk