

AN ORDINANCE OF THE COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING ARTICLE XXIII OF CHAPTER 9 OF ORDINANCE NO. 1673, ALSO KNOWN AS THE CODE OF THE CITY OF POMONA, PROVIDING FOR A TAX UPON NEW CONSTRUCTION.

BE IT ORDAINED by the Council of the City of Pomona, California as follows:

SECTION 1. That Article XXIII of Chapter 9 of Ordinance No. 1673, also known as the Code of the City of Pomona, California, is hereby amended to read as follows:

Article XXIII. Tax Upon New Construction.

Sec. 9-266. Rate of Tax.

Every person constructing any single family dwelling, multiple family dwelling, habitation unit or commercial or industrial building in the City, shall pay the following percentages of the total valuation calculated for the project at the time the building permit for such development is obtained:

- Single Family Residential 1.0 percent
- Multiple Family Residential 2.0 percent
- Commercial 1.0 percent
- Industrial 1.0 percent

Sec. 9-267. Payments-Refunds.

Said tax shall be due and payable upon the obtaining of a building permit for such construction; provided, however, that there shall be a refund of said tax in the event that said permit is not used for said construction or creation and said permit is canceled.

Sec. 9-268. Definitions.

For the purpose of carrying out the intent of this Article, words, phrases and terms shall be deemed to have the meaning ascribed to them as shown in the Zoning Ordinance of the Pomona City Code.

Sec. 9-269. Deposition.

All sums of money collected pursuant to this Article shall be deposited in the General Fund of the City.

Sec. 9-270. Declaration.

It is declared that the taxes required to be paid hereby are assessed pursuant to the taxing power of the City and solely for the purposes of producing revenue.

SECTION 2. The City Clerk shall certify to the passage and adoption of this ordinance, causing it to be posted as required by law, and pursuant Section 510(c) of the Charter of the City of Pomona it shall be effective immediately.

APPROVED, PASSED AND ADOPTED this 24th day July, 1989.

ATTEST:



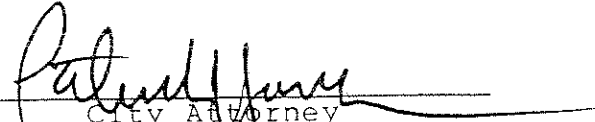
City Clerk

THE CITY OF POMONA



Mayor

APPROVED AS TO FORM:

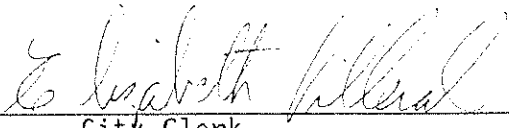


City Attorney

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I HEREBY CERTIFY that the foregoing Ordinance was introduced at a
_____ regular meeting of the Council of said City, held on the 24th
day of July, 1989 as a First and Only Reading Ordinance, and was
approved and adopted by the following vote, to wit:

AYES:	Councilmember:	<u>Soto, Ursua, Bryant, (Mayor) Smith.</u>
"	"	_____
NOES:	"	<u>Nymeyer.</u>
ABSTENTIONS:	"	_____
ABSENT:	"	_____



City Clerk

PROOF OF PUBLICATION

(2015.C.C.P.)

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES
CITY OF POMONA

NOTICE OF PUBLIC HEARING ORDINANCE PROVIDING TAX

(70878)

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and am not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Progress Bulletin, a newspaper of general circulation, printed and published daily in the City of Pomona, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under date of June 15, 1945, Decree No. Pomo C-606; that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

July 14,

all in the year 19 89

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature

Date

19

Progress Bulletin

LEGAL ADVERTISING SERVICE

300 S. Thomas St.

Pomona, CA 91766

P O Box 2708

Pomona, CA 91769

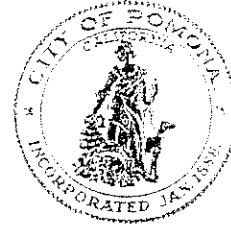
714-622-1201, ext 243

NOTICE OF PUBLIC HEARING
ADDRESS: Citywide
APPLICANT: City of Pomona
THE CITY COUNCIL OF THE
CITY OF POMONA does hereby
declare and give notice that a
public hearing will be held on
July 24, 1989, in the City Hall
Council Chambers, 505 South
Garey Avenue, commencing at
7:00 p.m. regarding:
An Ordinance of the
County of the City of
Pomona, California,
amending Article XXIII of
Chapter 2 of the Ordinance
No. 1673, also
known as the Code of
the City of Pomona, pro-
viding for a tax upon
new construction, and
An Ordinance of the
Council of the City of
Pomona, California,
adding Article XXIV of
Chapter 2 of Ordinance
No. 1673, entitled "Miscella-
neous Fees, relating to
Traffic, Signal, and
Control Device Fee, a
Road and Highway Im-
provement Fee, a Parks
and Recreation Im-
provement Fee and a
Public Safety Improve-
ment Fee.
All persons interested in or hav-
ing objection to this proposal
may appear as indicated above
and/or review the data, includ-
ing detailed locational informa-
tion, on file at the Planning
Department Office, 505 South
Garey Avenue, Pomona, Cali-
fornia and at the Pomona Pub-
lic Library, 625 South Garey
Avenue, Pomona, Calif.
Elizabeth Villalobos
City Clerk
(70878)
Pomona PB/DC 758
July 14, 1989

THE CITY OF
POMONA

ELIZABETH VILLERAL
City Clerk

Office of the City Clerk



DECLARATION OF POSTING

I, ELIZABETH VILLERAL, say: That I am employed by the City of Pomona in the capacity of CITY CLERK: that on the 31st day of July 1989, I posted ORDINANCE NO. 3505 at the following places to wit:

- (a) On the bulletin board in the lobby of the City Hall of the City of Pomona.
- (b) On the official bulletin board in the County Courts Building.
- (c) On the bulletin board in the lobby at the Pomona Public Library.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT
AND IF SWORN AS A WITNESS, I CAN TESTIFY COMPETENTLY THERETO.

Executed this 31st day of July, 1989.

Elizabeth Villeral
Declarant

FEE OPTIONS

<u>CURRENT PROPOSAL</u>	<u>GENERATOR</u>	<u>ANNUAL ESTIMATE</u>
Traffic	\$ 7.00/trip	\$ 300,000
Road & Highway	5.00/trip	300,000
Public Safety	\$.25/sq. ft.	350,000
Parks & Recreation	\$675.00/unit	330,000
		<u>\$1,280,000</u>
Development Tax	.5%-1.5%/value	\$ 700,000
 <u>ALTERNATIVE #1</u>		
Traffic	\$ 5.00/trip	\$ 200,000
Road & Highway	5.00/trip	300,000
Public Safety	\$.25/sq. ft.	350,000
Parks & Recreation	\$675.00/unit	330,000
		<u>\$1,180,000</u>
Development Tax	1.0%-2.0%/value	\$ 825,000
	1.0% Single family	
	2.0% Multiple family	
	1.0% Commercial	
	1.0% Industrial	
 <u>ALTERNATIVE #2</u>		
Traffic Fee	\$ 5.00/trip	\$ 200,000
Road & Highway	5.00/trip	300,000
Public Safety	\$.25/sq. ft.	350,000
Parks & Recreation	\$500.00/unit	240,000
		<u>\$1,090,000</u>
Development Tax	1.0%-3.0%/Value	\$ 925,000
	1.0% Single family	
	3.0% Multiple family	
	1.0% Commercial	
	1.0% Industrial	
 <u>ALTERNATIVE #3</u>		
Traffic	\$ 2.50/trip	\$ 100,000
Road & Highway	3.00/trip	150,000
Public Safety	\$.15/sq. ft.	220,000
Parks & Recreation	\$500.00/unit	240,000
		<u>\$ 710,000</u>
Development Tax	1.0%-3.0%/value	\$1,300,000
	1.0% Single family	
	3.0% Multiple family	
	2.0% Commercial	
	2.0% Industrial	

THE CITY OF
POMONA

MEMORANDUM

July 19, 1989

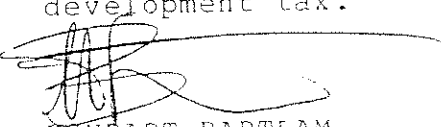
TO: INTERIM CITY ADMINISTRATOR
FROM: DEVELOPMENT SERVICES MANAGER
SUBJECT: DEVELOPMENT IMPACT FEE PROGRAM AND DEVELOPMENT TAX

In response to City Council direction from their July 5th meeting, I have drafted three alternatives to the current proposal for review. Those options are shown on the attached sheet and provide for funding of various capital programs and the development tax at various levels.

Additionally, attached for action at Monday's public hearing are the draft ordinances for consideration. The first ordinance initiates the fee programs which include: Traffic Signal, Road and Highway, Parks and Public Safety. This ordinance refers to a resolution for fee amounts. I've done this so the first reading can take place and the City Council may then decide which direction they choose. Once we know that direction, the resolution setting the fees can be taken to them for action.

The second ordinance deals with the Development Tax. The percentages shown in the ordinance correspond to the current proposal which should net approximately \$700,000.00 to the General Fund. If the Council decides to alter the percentages, the motion to approve the first reading must include those changes.

Once again, I feel it is important to note that the amounts shown in the current proposal for fees are a maximum. The alternatives shown reduce the fee amounts equal to the increase given for the development tax.



KONRADT BARTLAM

KB/ms

Attachments