


REPORT TO CITY COUNCIL

DATE: MAY 14, 2014

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER 

BY: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT *mk*

SUBJECT: ADOPTION OF ORDINANCE NO. 14-407; AMENDING MUNICIPAL CODE SECTIONS 6816 AND 6817, RELATED TO THE CITY BUSINESS LICENSING PROGRAM (CITY OF AGOURA HILLS, APPLICANT)

At the April 23, 2014, City Council meeting, the Council introduced, read by title only, and waived further reading of Ordinance No. 14-407.

The Ordinance amends Municipal Code Section 6816 and 6817, related to minor revisions of the Business Licensing Ordinance that are needed for ease of license processing. Attached for your reference is a copy of Ordinance No. 14-407.

RECOMMENDATION

Staff recommends the City Council adopt Ordinance No. 14-407, amending Municipal Code Sections 6816 and 6817, related to the City Business License Program.

Attachment: Ordinance No. 14-407

ORDINANCE NO. 14-407

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING SECTIONS 6816 AND 6817 OF THE AGOURA HILLS MUNICIPAL CODE RELATED TO THE CITY BUSINESS LICENSING PROGRAM

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES ORDAIN AS FOLLOWS:

Section 1. Findings and Intent.

A. On May 8, 2013, the City Council of the City of Agoura Hills adopted Ordinance No. 14-406, that repealed Chapter 3 and Chapter 8 of Article VI of the Agoura Hills Municipal Code, and adopted new Chapter 8 of Article VI of the Agoura Hills Municipal Code to establish a business license program.

D. Ordinance 14-406 allows the City to administer the business license program itself, and no longer contract with the County of Los Angeles to administer the City's business license program, in order to provide residents and businesses in Agoura Hills convenient and local access to obtain a business license.

C. The purpose of this ordinance is to further streamline the business license program functions in the City by eliminating the business license requirement for certain businesses, and to further clarify certain businesses as being subject to the business license requirement and to obtain all other necessary governmental agency approvals.

Section 2. CEQA. The City Council hereby finds that it can be seen with certainty that there is no possibility the adoption of this Ordinance may have a significant effect on the environment because the adoption of this Ordinance merely amends and adds business license categories, which will not result in construction of structures, grading, intensification of uses, or other impacts that could cause potentially significant adverse environmental impacts. It is therefore exempt from California Environmental Quality Act review pursuant to Title 14, Section 15061(b)(3) of the California Code of Regulations.

Section 3. Section 6816 of Chapter 8 of Article VI (Taxes; Licenses; Business Regulations) of the Agoura Hills Municipal Code is hereby amended to read as follows:

"6816 - Investigation of Specific Businesses.

a. *Category B Businesses – No criminal background check required.* Upon receipt of an application for one of the following businesses, the Director, or his or her designee, shall coordinate with several governmental entities to ensure compliance

with all applicable state and county codes as deemed necessary by the Director, and may obtain reports from the Building and Safety Department, Fire Department, County Animal Control, County Environmental Health Department, County Health Department, and any other agencies he or she deems necessary to determine if the criteria for issuance of a business license have been met:

- (1) Ambulance operator
- (2) Ambulance vehicle
- (3) Ambulance driver
- (4) Apartment houses with 16 or more units
- (5) Auto body & fender
- (6) Auto paint shop
- (7) Boarding house
- (8) Carnival game booth
- (9) Circus/travel show
- ~~(10) Close-out sale~~
- ~~(11) Coin game~~
- ~~(12) Cold storage warehouse~~
- (12) Farmers Market
- (13) Filling stations
- (14) Food establishment (food sales as an accessory use)
- (15) Hay, grain & feed
- (16) Hotel with 16 or more rooms
- (17) Launderette/laundromat
- (18) Livery stable
- (19) Lumberyard
- (20) Motor vehicle rental
- (21) Plant nursery
- (22) Public eating (eateries/restaurants where food is prepared)
- (23) Taxi cab vehicles (as defined in Section 7601-7618 of this Code)
- (24) Tow Truck

Section 4. Section 6817 of Chapter 8 of Article VI (Taxes; Licenses; Business Regulations) of the Agoura Hills Municipal Code is hereby amended to read as follows:

“6817 - Investigation & Criminal Background Checks.

a. *Category C Businesses – Criminal Background Check Required.* Upon receipt of an application for one of the following businesses, the Director, or his or her designee, shall: (1) coordinate with several governmental entities to ensure compliance with all applicable state and county codes as deemed necessary by the Director, and may obtain reports from the Building and Safety Department, Fire Department, County Animal Control, County Environmental Health Department, County Health Department, and any other agencies he or she deems necessary to determine if the criteria for issuance of a

business license have been met; and (2) conduct an investigation and criminal background check on the applicant(s):

- (1) Acupressure and acupressure technicians
- (2) Adult businesses (as defined in Section 9120.1.A.G of this Code)
- (3) Billiard room
- (4) Bookstore
- (5) Carnival
- (6) Dance
- (7) Entertainment
- ~~(8)~~ Entertainment Manager
- ~~(9)~~ 8 Exhibition (fee for entry)
- ~~(10)~~ 9 Game arcade
- ~~(11)~~ 10 Gun dealer
- ~~(12)~~ 11 Health gym/spa
- ~~(13)~~ 12 Locksmith
- ~~(14)~~ 13 Massage establishment owner (owns 5% or more of the business and not certified under state massage therapy laws)
- ~~(15)~~ 14 Model studio
- ~~(16)~~ 15 Motor vehicle repair
- ~~(17)~~ 16 Outdoor festival
- ~~(18)~~ 17 Pawnbrokers and second hand dealers
- ~~(19)~~ 18 Peddling-solicitation
- ~~(20)~~ 19 Psychic reading
- ~~(21)~~ 20 School private
- ~~(22)~~ 21 Second hand dealer
- ~~(23)~~ 21 Taxi cab driver (as defined in Section 7601-7618 of this Code)
- ~~(24)~~ 22 Taxi cab operator (as defined in Section 7601-7618 of this Code)
- ~~(25)~~ 23 Theatre"

Section 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 6. Certification and Posting. The City Clerk of the City of Agoura Hills shall certify to the passage and adoption of this Ordinance and shall cause the same, or a summary thereof, to be published and posted in the manner required by law. This Ordinance shall go into effect on the 31st day after its adoption.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2014, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSTAIN: (0)
ABSENT: (0)

CITY OF AGOURA HILLS:

William D. Koehler, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM:

Candice K. Lee, City Attorney