

REGULAR

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NUMBER: 164.3

TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILPITAS AMENDING SECTION IV-3-4.00 OF CHAPTER 3 OF TITLE IV OF THE MILPITAS MUNICIPAL CODE RELATING TO FEES AND SERVICE CHARGES

HISTORY: This Ordinance was introduced (first reading) by the City Council at its meeting of June 3, 2014, upon motion by Vice Mayor Polanski and was adopted (second reading) by the City Council at its meeting of _____, upon motion by _____. The Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney

RECITALS AND FINDINGS:

WHEREAS, the City Council adopted Resolution No. 8338 on January 21, 2014 which approved the Cost Allocation Plan 2014 Update identifying the full cost of providing certain City services; and

WHEREAS, the City Council adopted Resolution No. 8368 on May 20, 2014 updating various City of Milpitas (“City”) fees and charges based on the Cost Allocation Plan 2014 Update; and

WHEREAS, Chapter 3 of Title IV of the Milpitas Municipal Code sets forth certain type of City services provided and the percentage of costs reasonably borne to be recovered by the City for those services; and

WHEREAS, Chapter 3 of Title IV of the Milpitas Municipal Code is being updated to reflect the percentage of costs reasonably borne to be recovered by the City as previously approved by the City Council on May 20, 2014 and prior City Council actions;

NOW, THEREFORE, the City Council of the City of Milpitas does ordain as follows:

SECTION 1. RECORD AND BASIS FOR ACTION

The City Council has duly considered the full record before it, which may include but is not limited to such things as the City staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

SECTION 2. AMENDMENT OF MILPITAS MUNICIPAL CODE SECTION IV-3-4.00 OF CHAPTER 3 OF TITLE IV

The Table under Title IV, Chapter 3, Section 4.00, Schedule of Fees and Service Charges, of the Milpitas Municipal Code is hereby repealed in its entirety and replaced with the Table below to read as follows:

Service Center	Description Service Center	Percentage of "Costs Reasonably Borne" to be Recovered
S-001	Planning inquiry/research fee	100
S-002	Floodplain letter	100
S-003	Zoning letter	100
S-004	Zoning code interpretation	50
S-005	Appeal of staff interpretation	0
S-005A	Appeal of planning commission decision	100
S-006	Zoning code text amendment	100
S-006A	Zone change	100
S-007	Preliminary plan review	100
S-008	Development agreement	100
S-009	Development agreement amendment	100
S-010	Basic development services	100
S-010A	General plan amendment	100

S-010B	Planned unit development	100
S-010C	S Zone applications	100
S-010D	Planned signage program	100
S-010E	Amendments/modifications to previous approvals	100
S-010F	Tentative map	100
S-010G	Parcel map	100
S-010H	Newspaper advertisement	100
S-011	Planning time extension	100
S-012	General plan maintenance	100
S-013	Building plan check	100
S-013A	After hours plan check	100
S-013B	Plan check revisions	100
S-014	After hours plan check and inspection	100
S-015	Temporary building permit	100
S-015A	Temporary building permit inspection (courtesy)	100
S-016	Building inspection	100
S-016A	Building inspection—miscellaneous services	100
S-016B	State strong motion fees	100
S-016C	Mobile home unit inspection	80
S-016D	Mobile home park common area inspection	0
S-017	Grading inspection	100
S-018	Fire construction inspection	100
S-019	Building time extension	100
S-020	Building reinspection	100
S-021	Certificate of occupancy	100
S-022	Mechanical inspection	100
S-023	Plumbing inspection	100
S-024	Electrical inspection	100
S-025	Reroofing plan check and inspection	Single Family—100
		Multi-Family—100
		Commercial Industrial—100
S-026	Pool and spa plan check and inspections	100

S-027	Demolition plan check and inspection	100
S-028	Building resale inspection	100
S-029	Christmas tree lot permit	100
S-030	Environment categorical exemption	0
S-031	Environmental initial study and negative declaration	100
S-031A	Environmental impact report	100
S-031B	California fish and game fee	100
S-032	Variance	50—100
S-032A	Use permits	100
S-032B	Use permits	50—100
S-033	City council appeal	0 - 100
S-034	Lot line/merger adjustment	100
S-035	Encroachment permit processing	100
S-036	Street/alley easement/vacation	100
S-037	Street name change	100
S-038	Street address change	100
S-039	Municipal code enforcement	0
S-039A	Message technician ordinance enforcement	100
S-040	Special use permit	0—100
S-041	Overwide/overweight load review	0
S-042	Concealed weapon permit review	0
S-043	Parking enforcement	100
S-044	Second response call-back	100
S-045	Police false alarm response	75
S-046	Crossing guard services	0
S-047	Private security—school district	100
S-048	Parking permit (high school)	0
S-049	Private property abandoned vehicle abatement	100
S-050	Public property abandoned vehicle abatement	100
S-051	Impound release	100
S-052	DUI arrest/report	100
S-053	DUI accident investigation	100
S-054	Booking fees	100

S-055	Fingerprinting service	100
S-056	Police photograph reproduction	100
S-057	Vehicle cite correction sign-off	0
S-058	V.I.N. verification	0
S-059	Bicycle licensing	0
S-060	Fire false alarm response	75
S-061	Hazardous spill response	100
S-062	Non-Milpitas fire response	100
S-063	Annual engine co. inspection	0
S-064	Fire second reinspection	100
S-065	Annual fire code inspection	100
S-065A	Non-point source discharge inspection	100
S-066	Annual building and life safety inspection	100
S-067	Animal control	25
S-068	Fitness passes	75% of actual cost balanced by market factors
S-069	Adult sports program	75% of actual cost balanced by market factors
S-070	Youth sports program	50% of actual cost balanced by market factors
S-071	Private group ball field usage	50% of actual cost balanced by market factors
S-072	Adult recreation classes	75% of actual cost balanced by market factors
S-073	Youth recreation classes	50% of actual cost balanced by market factors
S-074	City-wide events	0%
S-075	Preschool program	50% of actual cost balanced by market factors
S-076	After school/latchkey program	50% of actual cost balanced by market factors
S-077	Summer day camp	50% of actual cost balanced by market factors
S-078	Winter/Spring vacation day camp	50% of actual cost balanced by market factors
S-079	Teen programs	50% of actual cost balanced by market factors
S-080	Recreational swimming	50% of actual cost balanced by

		market factors
S-081	Swimming lessons	50% of actual cost balanced by market factors
S-082	Swim team support	50% of actual cost balanced by market factors
S-083	Theatre program	50% of actual cost balanced by market factors
S-083A	Theatre tickets	50% of actual cost balanced by market factors
S-084	Senior citizen programs	25% of actual cost balanced by market factors
S-085	Library services	No modifications to agreements recommended
S-086	Water service	100
S-087	Water delinquent turn off/on	100
S-088	After hours turn-on	100
S-089	Water meter testing	100
S-090	Water meter installation	100
S-090A	Meter acquisition fee	100
S-091	Water line repair	100
S-092	Private backflow device monitoring	100
S-093	Sewer service	100
S-094	Underground utilities locator service	100
S-095	Storm drainage	0
S-096	Street sweeping	100
S-097	Residential refuse service	100
S-098	Commercial refuse street usage	100
S-099	General utility street usage	100
S-100	Median maintenance	0
S-101	Park maintenance	0
S-102	Street tree maintenance	0
S-103	Street lighting	0
S-104	Tree removal review	0
S-105	Facility rental	0—100
S-106	Picnic rental	100
S-107	Fire training facility rental	100
S-108	Mobile home rent control	0
S-109	(deleted)	

S-110	New/Moved business processing	100
S-111	New home occupation review	50
S-112	Business tax renewal processing	100
S-113	Returned check processing	100
S-114	Property damage invoice processing	100
S-115	Bond payoff calculation	100
S-116	Records subpoena	Per Evidence Code
S-117	Records research	100
S-118	Sales of printed/copied materials	0 - 100

SECTION 3. SEVERABILITY

The provisions of this Ordinance are separable, and the invalidity of any phrase, clause, provision or part shall not affect the validity of the remainder.

SECTION 4. EFFECTIVE DATE AND POSTING

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect thirty (30) days from and after the date of its passage. The City Clerk of the City of Milpitas shall cause this Ordinance or a summary thereof to be published in accordance with Section 36933 of the Government Code of the State of California.