

ORDINANCE NO. 1419

AN ORDINANCE OF THE CITY OF DALY CITY AMENDING SECTIONS 5.16.040 AND 5.16.050 OF CHAPTER 5.16 OF ARTICLE 1 OF TITLE 5 OF THE CITY OF DALY CITY MUNICIPAL CODE PROVIDING FOR AN INCREASE IN BUSINESS LICENSE TAXES

**SECTION ONE. AMENDING SECTIONS 5.16.040 AND 5.16.050 OF CHAPTER 5.16 OF ARTICLE 1 OF TITLE 5 OF THE CITY OF DALY CITY MUNICIPAL CODE.**

Sections 5.16.040 and 5.16.050 of Chapter 5.16 of Article 1 of Title 5 of the City of Daly City Municipal Code are hereby amended in their entirety to read as follows:

5.16.040 - License tax schedule.

The general business license tax schedule under this chapter is as follows:

- A. For businesses with annual gross receipts up to one hundred thousand dollars, the tax shall be one hundred ten dollars, nonrefundable.
- B. For businesses with annual gross receipts greater than one hundred thousand dollars, the tax shall be the total of one hundred ten dollars, nonrefundable, plus eleven-onehundredths of one percent of gross receipts greater than one hundred thousand dollars.
- C. For purposes of calculating the tax, the total annual tax due may be rounded to the nearest whole dollar.

5.16.050 - Taxes for certain businesses.

Every person transacting and carrying on the following businesses herein enumerated shall pay a license tax as follows:

- A. Any person engaged in the business of operating or maintaining any building or buildings constructed on one parcel or upon separate parcels of land available for rental or lease and intended to be used for dwelling, lodging or sleeping purposes other than for transient lodging, shall pay a license tax equal to fifty-five-one hundredths of one percent of gross receipts, but not less than one hundred ten dollars. Any unit or spaces occupied by the actual owner of such building or buildings for living purposes shall be exempt.
- B. Any person engaged in operating a place of business not generating gross receipts shall pay a business license tax equal to the greater of twenty-five dollars per employee or two cents per square foot of usable square footage of the building or space being occupied, but not less than one hundred ten dollars

**SECTION TWO. SEVERABILITY.** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable

**SECTION THREE. CODIFICATION.** Section One of this ordinance shall be codified in the City of Daly City municipal code. Sections Two, Three, Four, and Five of this ordinance shall not be codified

**SECTION FOUR. COMPLIANCE WITH CEQA.** The action to adopt this ordinance involves the increase to the business license tax and does not involve any commitment to any specific project which may result in a potentially significant impact on the environment and thus is not a project subject to the requirements of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) (CEQA) pursuant to CEQA Guidelines Section 15378 (b)(4); additionally, it can be seen with certainty that there is no possibility the adoption and implementation of this ordinance may have a significant effect on the environment, and accordingly the adoption of this ordinance is exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

**SECTION FIVE. EFFECTIVE DATE.** This ordinance relates to the increase of business license taxes in the City of Daly City authorized pursuant to the provisions of Article 3.7 of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code (Sections 53720-53730), for unrestricted general revenue purposes, and submitted to the City of Daly City electorate at an election called for November 6, 2018. This ordinance may be approved by a majority vote of the City of Daly City electorate voting on the measure at the election. If this ordinance is approved by the City of Daly City electorate as outlined above, then this ordinance shall become effective ten (10) days following the date the vote is declared by the City Council in accordance with Elections Code §9217.

IT IS HERBY CERTIFIED that the foregoing Ordinance was APPROVED by the following vote of the People of the City of Daly City on November 6, 2018:

Yes: 20,178 No: 4,845 Total: 25,023

IT IS HEREBY FURTHER CERTIFIED that the foregoing Ordinance was adopted by Declaration of the November 6, 2018 election results by the City Council of the City of Daly City at a meeting held on December 10, 2018, by the following vote

AYES: Councilmembers: Daus-Magbual, DiGiovanni,  
Manalo, Sylvester, Buenaventura

NOES: Councilmembers: None

ABSENT; Councilmembers: None

K. Annette Hipona  
CITY CLERK OF THE CITY OF DALY CITY

APPROVED:  
RAYMOND A. BUENAVENTURA  
MAYOR OF THE CITY OF DALY CITY