

ORDINANCE NO. _____ (N.C.S.).

**AN ORDINANCE REGARDING THE COLLECTION OF ASSESSMENTS FOR THE
SUBA BUSINESS IMPROVEMENT AREA**

City Attorney Impartial Analysis

This Ordinance changes the dates on which assessments are due from businesses within the boundaries of the Salinas United Business Association (SUBA). This Ordinance brings the assessment dates into conformity with the dates for business license renewals. This change makes it more efficient for Finance Department staff to process SUBA assessments.

BE IT ORDAINED BY THE COUNCIL OF SALINAS as follows:

SECTION 1. Section 21B-40 of the Salinas Municipal Code is amended to read as follows:

Sec. 21B-40. - Collection of assessments; delinquencies.

All assessments shall be computed on those businesses in existence as of May 1 and November 1 of each calendar year. All assessments will be due and payable in advance consistent with the annual business license taxes as provided in Section 19-20 of this Code. For business types measured by gross receipts the assessment payment shall be due and payable in advance no later than the first day of February each year. The assessments for all other businesses shall be due and payable in advance no later than the first day of August of each year. Assessments will become delinquent if not paid by the applicable due date. Delinquent payment shall be subject to the same penalties for late payment as provided in Section 19-21 of this code with respect to annual business licenses.

SECTION 2. Section 21B-37 of the Salinas Municipal Code shall be deleted:

~~Sec. 21B-37. Exemptions.~~

~~Businesses established within the area after August 15 of each calendar year shall be exempt from the levy of assessment for the remainder of the current year.~~

SECTION 2. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Salinas City Council hereby declares that it would have passed this ordinance, and each and every section, subsection, clause, and phase thereof not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 3. Effective Date. This Ordinance will take effect November 30, 2019.

PASSED AND ADOPTED this ____ day of _____, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTION:

APPROVED:

Joe Gunter, Mayor

ATTEST:

Patricia M. Barajas, City Clerk

APPROVED AS TO FORM:

Christopher A. Callihan, City Attorney