

Ordinance No. 927 N.S.

**AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES AMENDING
SECTION 5.04.290 OF THE MUNICIPAL CODE**

WHEREAS, Chapter 5.04 of the Paso Robles Municipal Code sets forth provisions regarding the types of business that are required to obtain business licenses within the City; and

WHEREAS, the City desires to avoid confusion regarding the classification of businesses not specifically defined or identified in Chapter 5.04;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES ORDAIN AS FOLLOWS:

Section 1. Section 5.04.290 , entitled "License tax—Bowling alleys and theatres," of the El Paso de Robles Municipal Code is hereby amended to read as follows:

5.04.290 License tax--Bowling alleys, theaters, and amusement centers/parks.

Every person carrying on the business of operating a motion picture theater shall pay an annual license tax of fourteen dollars for each one hundred seats or fraction thereof.

Every person carrying on the business of operating a bowling alley shall pay an annual license tax of forty dollars for four alleys, or any part thereof, and ten dollars additional for each alley above four.

Every person carrying on the business of operating an amusement center/park shall pay an annual license tax based on gross receipts, as established in the manner set forth in Section 5.04.220.

Any business licensed under this section that retails any merchandise shall also obtain a gross receipts license under Section 5.04.220.

Introduced at a regular meeting of the City Council held on January 2, 2007, and passed and adopted by the City Council of the City of El Paso de Robles on the ___ of February, 2007 by the following roll call vote:

SECTION 2. This Ordinance shall take effect on the 31st day after its adoption.

SECTION 3. Publication. The City Clerk shall cause this ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

SECTION 4. Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed this Ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

SECTION 5. Inconsistency. To the extent that the terms or provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof, such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

Introduced for first reading on the ____ day of ____, 2007, and passed and adopted by the City Council of the City of El Paso de Robles on the __ day of ____, 2007 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Frank R. Mecham, Mayor

ATTEST

Deborah Robinson, Deputy City Clerk