



AGENCY: City Council
MEETING DATE: February 10, 2020
DEPARTMENT: Public Works
PRESENTED BY: C. O'Neal
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AGENDA ITEM SUMMARY

TITLE:

Receive Report and Consider Adoption of City Council Resolution Establishing a Provisional Business License Procedure Under SB 205 (Hertzberg) Regarding Stormwater Discharge Compliance

ISSUE:

Senate Bill 205 is a new law requiring California cities who issue business licenses to determine whether a business's activities are subject to coverage under an Industrial General Permit (IGP) prior to issuing a business license. The California Governor signed Senate Bill 205 (Attachment 3) on October 2, 2019 and the bill became effective January 1, 2020.

The new law requires Business License Applicants to provide their Standard Industrial Classification (SIC) Code(s) under penalty of perjury on their Business License application. This requirement applies to all applications for initial and renewal Licenses submitted on or after January 1, 2020.

For businesses renewing their Business License, cities have the option of establishing a procedure allowing issuance of a provisional License for a maximum of three months, to allow time for businesses to submit the information required by the new state law. Staff is recommending this option be adopted through Resolution to assist regulated businesses in complying with the requirement.

ANALYSIS:

See attached Presentation.

RECOMMENDED ACTION:

Adopt Resolution establishing a provisional Business license Procedure for the temporary extension of 2019 business licenses for regulated businesses for a maximum of three months.

ALTERNATIVE ACTION(S):

Request additional information related to Report.

FISCAL IMPACT:

SB 205 constitutes an unfunded mandate, imposing additional regulatory requirements on local government. The state has exempted itself from having to pay for the costs of local government implementation of SB 205. Implementation will result in new costs to the City in the form of staff time for processing business licenses as well as staff training in explaining the procedure to impacted business owners. The time associated with processing will be greatest in years one and two of implementation. Each business license application is

anticipated to require 0.25 hour of staff time; those that are required to obtain permit coverage will require 1-2 hours more. Other cities have recommended a stormwater review fee to offset these costs.

GREENHOUSE GAS EMISSIONS IMPACT:

None.

ATTACHMENTS:

1. Presentation SB 205 Business Licenses: Stormwater Discharge Compliance
2. Industrial General Permit Excerpt – Attachment A
3. Senate Bill 205
4. SB 205 FAQ for Businesses
5. Permit Compliance Flow Chart
6. Resolution for Provisional License Extension

NOTIFICATION:

1. Storm Water News Notification List
2. Fort Bragg Downtown Businesses Notification List