

CITY OF ALAMEDA ORDINANCE NO. 2281
New Series

AMENDING THE ALAMEDA MUNICIPAL CODE BY ADDING
CHAPTER 15 TO TITLE III THEREOF ESTABLISHING A
TAX OF ONE PERCENT OF CONSTRUCTION COST FOR
GENERAL FUND PURPOSES

BE IT ORDAINED by the Council of the City of Alameda
that:

Section 1. Findings and Purpose. The purpose of this ordinance is to provide general fund revenue for capital improvements and maintenance thereof made necessary by land development in the City. The Council finds that other sources are not sufficient to provide for those costs. Some developers are providing, by agreement, additional funds for these purposes. This tax is a fair way over time of distributing those costs to activities which have (remodeling) and activities which will (new construction) generate those costs.

Section 2. The Alameda Municipal Code is hereby amended by adding Chapter 15 to Title III thereof to read:

CHAPTER 15. IMPROVEMENT TAX

Article 1. Improvement Tax Imposed.

Sec. 3-1511. Title. This Chapter shall be known as the "Improvement Tax Ordinance of the City of Alameda."

Sec. 3-1512. Definitions. As used herein the terms:

(a) "Person" includes every person, association, firm, corporation and business entity engaged in construction itself or through the services or agency of any employee, servant, agent or independent contractor.

(b) "Construction" includes all improvements to real property which require building or plumbing permits other than repairs or remodeling valued at less than \$5,000.00.

(c) "Cost" is determined by the valuation schedule in the current Uniform Building Code for new work and by staff for remodeling work.

(d) "Development Agreement" includes only those agreements approved pursuant to Chapter 6 of Title XI of this Code.

(e) "Owner Participation Agreement" includes only those agreements authorized by Sections 33339 and 33380 of the Health and Safety Code of the State of California.

Sec. 3-1513. Amounts Payable. Every person doing construction work in the City of Alameda shall pay a tax of one percent (1%) of the cost thereof prior to issuance of the building or plumbing permit therefor.

Sec. 3-1514. Use of Taxes. All taxes collected hereunder shall be deposited in the General Tax Fund.

Sec. 3-1515. Credits. Persons who have entered into a Development Agreement approved by the Council wherein that person agrees to contribute to any of the costs associated with development shall receive a credit against this tax as provided in said Agreement.

Sec. 3-1516. Exemption. Persons who have entered into Owner Participation Agreements approved by the Council, wherein such persons have agreed to pay for any of the cost associated with development not otherwise required by the Subdivision Ordinance, shall be exempt from this tax unless provided otherwise by said Agreement.

Section 3. Pursuant to Section 3-12 of the Charter of the City of Alameda, this ordinance, which fixes the rate of taxes to be levied, shall become effective on May 7, 1986.

Anne B. D'Amore
Presiding Officer of the Council

Attest:

Deane B. Lohach
City Clerk

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Approved as to Form

CITY ATTORNEY

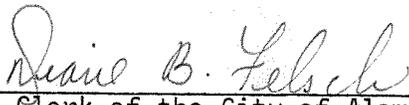
I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly adopted and passed by the Council of the City of Alameda in regular meeting assembled on the 6th of May, 1986, by the following vote to wit:

AYES: Councilmembers Hanna, Lucas and President Diament - 3.

NOES: Councilmembers Corica and Monsef - 2.

ABSENT: None.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 7th day of May, 1986.



City Clerk of the City of Alameda