

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2023-041

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
AUTHORIZING TO ESTABLISH THE ELECTRONIC (ONLINE) PAYMENT AND AMEND
USAGE OF CREDIT CARD FEES IN THE ADOPTED ADMINISTRATIVE FEE SCHEDULE**

WHEREAS, every three years, the State of California adopts new building model codes to establish uniform standards for construction and maintenance; and

WHEREAS, Changes to the model code affect all new building permit applications submitted on or after January 1st, 2023; and

WHEREAS, California Administrative Code Section 1-507 Fee Collection was amended to remove the check-only payment method and added instructions for submitted payment and forms by mail (check) or email (electronic payment platform); and

WHEREAS, to be compliant, Community Planning & Building must now offer to receive electronic (online) payments through the City's website for permits and fees; and

WHEREAS, credit card and debit card processing fees for online payments is 3.5% with our current permit management software. At this time, the City's Fee Schedule authorizes only 2.5% of charged amount for Use of Credit Card/Debit Card; and

WHEREAS, pursuant to Government Code 66016, the specific fees to be charged for services must be adopted by the City Council by Resolution, after providing notice and holding a public hearing; and

WHEREAS, a notice of public hearing has been published in the Carmel Pine Cone on March 23, 2023 per California Government Code 6062a, oral and written presentations made and received, and the required public hearing held on April 4, 2023.

**NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF
CARMEL-BY-THE-SEA DOES HEREBY:**

Section 1. Fee Schedule Adoption. The following schedule of fees and charges are hereby directed to be computed by and applied by the various City departments, and to be collected by the City Finance Department for the herein listed special services when provided by the City or its designated contractors.

Section 2. Separate Fee for Each Process. All fees set forth by this resolution are for each identified process; additional fees shall be required for each additional process or service that is requested or required. Where fees are indicated on a "per unit" of measurement basis, the fee is for each identified unit or portion thereof within the indicated ranges of such units.

Section 3. Listing of Fees. The following fees shall be charged and collected for the following enumerated services, as shown in **Exhibit A**.

Section 4. Interpretations. This Resolution may be interpreted by the City department heads in consultation with the City Administrator, and, should there be a conflict between two fees, the lower in dollar amount of the two shall be applied.

A. It is the intention of the City Council to review the fees and charges as determined and set out herein based on the City's next Annual Budget and all the City's costs reasonably borne as established at that time and, as and if warranted, to revise such fees and charges based thereon.

Section 5. Constitutionality. If any portion of this Resolution is declared invalid or unconstitutional, it is the intention of the City Council to have passed the entire Resolution and all its component parts, and all other sections of this Resolution shall remain in full force and effect.

Section 6. Repealer. All resolutions and other actions of the City Council in conflict with the contents of this Resolution are hereby repealed.

Section 7. Effective Date. This Resolution and fees shall go into full force and effect on May 3, 2023.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-
THE-SEA this 4th day of April, 2023, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Nova Romero, MMC
City Clerk