

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH ESTABLISHING PROCESSING FEES TO BE CHARGED FOR WEED REMOVAL AND RESCINDING RESOLUTION NO. C-23855

WHEREAS, Section 8.56.100 of the Long Beach Municipal Code provides that processing fees for weed removal shall be established by resolution of the Long Beach City Council;

WHEREAS, on November 20, 1984, the City Council of the City of Long Beach adopted Resolution No. C-23855 establishing processing fees for weed removal;

WHEREAS, it is necessary to maintain fees at a level sufficient to recover the City's cost of processing various administrative activities related to weed removal;

WHEREAS, the fees set forth in this resolution have not been revised since November 20, 1984;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

Section 1. The processing fees for weed removal are hereby fixed and established as follows:

PROCESSING FEES FOR WEED REMOVAL

1.	Preparation of contract	\$120.00
2.	Performance inspection	\$120.00
3.	Billing costs	\$ 60.00
4.	Preparation of Lien (where bill is not paid in 30 days)	\$ 60.00
5.	Transfer of collection to Tax Collector (where bill is not paid by end of fiscal year)	\$ 60.00

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Sec. 2. Resolution No. C-23855 is hereby rescinded.

Sec. 3. The purpose of the fees herein imposed is to recover for the City its costs of administering and providing the service for which the fee is levied. Such fee or fees do not exceed the reasonable cost of providing services necessary to the activity for which the fee is charged and is not levied for unrelated revenue purposes.

Sec. 4. Constitutionality, Severability. If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Resolution. The City Council hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or more of the sections, sub-sections, sentences, clauses or phrases hereof be declared invalid or unconstitutional. Additionally, the determination of an unconstitutional or invalid section, subsection, clause or phrase shall have the effect of reviving the prior section, subsection, sentence, clause, or phrase as previously set forth in Resolution No. C-23855, if by doing so the defect can be cured, as though it had never been amended by this Resolution.

Sec. 5. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify to the vote adopting this resolution.

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2005, by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
City Clerk