



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		10/14/2013		
Department:		Police		
Department Head		Gregory W. Rushin		
Agenda Coordinator (include phone #): Pam Haines, ext 2538				
CAPTION				
A Resolution authorizing the establishment of fees for application and licensing of Sexually Oriented Businesses pursuant to Chapter 17.5, Sexually Oriented Businesses, of the City Code of Ordinances for the City of Plano, Texas; and providing an effective date.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2013-14	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): N/A				
<p>COMMENTS: This item will establish the amount of application and licensing fees for Sexually Oriented Businesses in the City of Plano; however, at this time, the amount of application and licensing fees to be collected is undeterminable.</p> <p>STRATEGIC PLAN GOAL: Changes to the ordinances relate to the City's Goal of Financially Strong City with Service Excellence and Safe Large City.</p>				
SUMMARY OF ITEM				
The ordinance regulating Sexually Oriented Businesses provides for licensing procedures and charges. This Resolution will establish reasonable fees for those associated charges that are incurred as part of the annual licensing requirements, including renewals and reinstatement fees.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Memo and Resolution				

Date: October 1, 2013

To: LaShon Ross, Deputy City Manager

From: Gregory W. Rushin, Chief of Police *grush*

Subject: Proposed Change to the Fee Structure of the Sexually Oriented Business Ordinance

The change to this fee structure is being proposed in conjunction with the proposed adoption of the new Chapter 17.5, Sexually Oriented Business Ordinance. Currently, the Sexually Oriented Business Ordinance provides for an annual business license fee of \$500.00. This structure does not provide fees for additional administrative functions related to the regulation of sexually oriented businesses. The changes to the sexually oriented business fee structure will eliminate the \$500.00 annual business license fee and propose the following:

- | | |
|------------------------|----------|
| 1. Application Fee | \$500.00 |
| 2. License Renewal Fee | \$50.00 |
| 3. Reinstatement Fee | \$50.00 |

The nonrefundable application fee will accompany the application for a sexually oriented business license. The application will be submitted to the Chief of Police and includes information regarding the proposed premises and identification information of the individuals or corporations who have an interest in the business.

The license renewal fee is an annual processing fee required to accompany the application to renew the sexually oriented business license.

If a sexually oriented business license is authorized to be suspended based on a violation of the ordinance, the licensee is given the opportunity to pay a reinstatement fee in lieu of having the license suspended. The payment of this reinstatement fee will be considered an administrative admission of the violation.

I recommend the existing fee structure be replaced with this proposed fee structure that corresponds with the new proposed Sexually Oriented Business Ordinance.

A Resolution authorizing the establishment of fees for application and licensing of Sexually Oriented Businesses pursuant to Chapter 17.5, Sexually Oriented Businesses, of the City Code of Ordinances for the City of Plano, Texas; and providing an effective date.

WHEREAS, Chapter 17.5. Sexually Oriented Businesses of the Code of Ordinances requires fees for application, licensing and reinstatement of a license for a Sexually Oriented Business; and

WHEREAS, upon review of the proposed fees for application, licensing and reinstatement of a license for a Sexually Oriented Business, the Council finds such fees are reasonable for the associated resources needed to administer the license requirements of that ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The City Council finds that the proposed fees relating to applications, licenses and related matters for Sexual Oriented Businesses are reasonable and in the best interest of the City of Plano and its citizens, hereby approves the establishment of fees as follows:

1. Application Fee-\$500.00 [Section 17.5-5 (5)]
2. License Renewal-Fee-\$50.00 [Section 17.5-8 (2)]
3. Reinstatement Fee-\$50.00 [Section 17.5-9 (2)]

Section II. The City Council further repeals all prior resolutions in conflict with the provisions of this Resolution.

Section III. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this the 14th day of October, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY