



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Introduce Ordinance amending Chapter 15.04 – Section 15.04.055 of the Lodi Municipal Code to extend the component of the Central City Revitalization Program - Downtown Business District Special Inspections

**MEETING DATE:** August 16, 2000

**PREPARED BY:** Economic Development Coordinator

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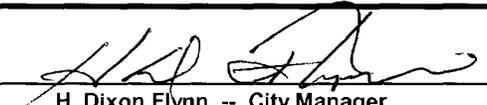
**RECOMMENDED ACTION:** Introduce Ordinance amending Chapter 15.04 of the Lodi Municipal Code by repealing and reenacting Section 15.04.055, a component of the Central City Revitalization Program that is specifically related to Downtown Business District Special Inspections.

**BACKGROUND INFORMATION:** In October of 1996, the City Council took action to both preserve and enhance the economic vitality of the city's "Central Business District". In doing so, the Council approved and adopted the Central City Revitalization Incentive Plan. An important element of the plan included the adoption of an Ordinance amending Chapter 15.04 of the Lodi Municipal Code by repealing and reenacting Section 15.04.055, relating to Downtown Business Special Inspections and Building Permit Fees.

Section 15.04.055 – Special Inspections-Downtown Business District was adopted to provide two primary business inducing incentives: (1) Waiver of Special Inspection Fee and (2) Discount the fees paid in the two Downtown zones and on Cherokee Lane for building permits. Specifically, the Downtown core is eligible for a fifteen (15) percent reduction in the fee. The balance of the Downtown and Cherokee Lane are eligible for a ten (10) percent discount.

The City Council will note, however, that section 15.04.055 was subject to a sunset clause and expired effective January 1, 2000. However, since it has been the Council's intent to protect and preserve a crucial part of Lodi's economy and a portion of the City's heritage by offering various incentives, staff is recommending that Council take action to extend the aforementioned elements of the Central City Revitalization Incentive Plan to June 30, 2003. Moreover, staff is also recommending that implementation of Section 15.04.055 be made retroactive to January 1, 2000.

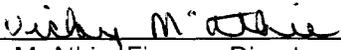
APPROVED: \_\_\_\_\_

  
H. Dixon Flynn -- City Manager

# CITY OF LODI

# COUNCIL COMMUNICATION

**FUNDING:** Building Permit Fee Discount – General Fund

  
\_\_\_\_\_  
Vicky McAthie, Finance Director

Respectfully Submitted,

  
\_\_\_\_\_  
Tony C. Goehring  
Economic Development Coordinator

APPROVED: \_\_\_\_\_  
H. Dixon Flynn -- City Manager

ORDINANCE NO. 1694

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI AMENDING CHAPTER 15.04 OF THE LODI MUNICIPAL CODE BY REPEALING AND REENACTING SECTION 15.04.055, RELATING TO SPECIAL INSPECTIONS-DOWNTOWN BUSINESS DISTRICT

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. Chapter 15.04 - Building Code - is hereby amended as follows:

**Section 15.04.055 - Special Inspections-Downtown Business District is hereby repealed and reenacted to read as follows:**

15.04.055 Central City Revitalization Incentive Program

- A. Notwithstanding paragraph 5 of Section 15.04.050 above, special inspection fees required to determine compliance with the building code for all buildings and structures located within the area designated by Section 13.12.195B as the Central Business District shall be waived.
- B. An implementation measure of the Central City Revitalization Incentive Program includes the above referenced waiver as well as a reduction in building permit fees. The reduction shall encompass the fees shown in Table No. 1-A found in Section 15.04.050 of the Lodi Municipal Code. The amount of reduction shall be discounted as determined by the City Council by Resolution.
- C. This section shall expire and shall be of no further force or effect after June 30, 2003. The City Council finds and declares that this action is taken to protect and preserve a crucial part of Lodi's economy and to preserve a portion of the City's heritage by offering incentives for permitted uses to locate, relocate or expand existing commercial uses within this area. The Council hereby ratifies waivers and reductions implemented since January 1, 2000.

SECTION 2 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 3 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 5. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this \_\_\_\_ day of \_\_\_\_\_, 2000

\_\_\_\_\_  
STEPHEN J. MANN  
Mayor

Attest:

SUSAN J. BLACKSTON  
City Clerk

State of California  
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1694 was introduced at a regular meeting of the City Council of the City of Lodi held August 16, 2000 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held \_\_\_\_\_ by the following vote:

Ayes: Council Members -  
Noes; Council Members -  
Absent: Council Members -  
Abstain: Council Members -

I further certify that Ordinance No. \_\_\_\_ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

SUSAN J. BLACKSTON  
City Clerk

Approved as to Form:

  
RANDALL A. HAYS  
City Attorney



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## DOWNTOWN LODI BUSINESS PARTNERSHIP

August 9<sup>th</sup>, 2000

Mr. Tony C. Goehring  
Economic Development Coordinator  
City of Lodi  
City Hall  
221 West Pine Street  
Lodi, CA 95240

**RE: Ordinance to amend Chapter 15.04—Section 15.04.055 of the Lodi Municipal Code**

Dear Tony:

In reply to your letter of August 7<sup>th</sup> concerning the above referenced subject—I am pleased to inform you that the Board of Directors of our organization unanimously, and enthusiastically endorsed your action to seek approval by the City Council to adopt this ordinance.

It is our strong feeling that this action is vitally important to the continued revitalization of our Downtown area. We have come a long way—but still have a long road to travel in this process.

If you need my help in any way to get this action accomplished, please do not hesitate to call me.

Best regards,

Lewis F. Van Buskirk  
Executive Director

CC—Shawn Mazzanti, President DLBP—Vice President Bank of The West  
Alan Goldberg, Immediate Past President—DLBP Vice President—F&M Bank  
All Directors of DLBP

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