



# TOWN OF APPLE VALLEY TOWN COUNCIL STAFF REPORT

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**To:** Honorable Mayor and Town Council      **Date:** January 8, 2013  
**From:** Lori Lamson      **Item No:** 13  
Director of Community Development  
Community Development Department  
**Subject:** RESOLUTION NO. 2013-03, ESTABLISHING A PERMIT FEE FOR  
MOBILE FOOD FACILITIES

**T.M. Approval:** \_\_\_\_\_      **Budgeted Item:**  Yes  No  N/A

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## RECOMMENDED ACTION:

Adopt Resolution No. 2013-03, a Resolution of the Town Council of the Town of Apple Valley, California, establishes a permit fee for Mobile Food Facilities and amend the "Schedule of Fees" as adopted by Council Resolution No. 2008-30.

## SUMMARY:

At its December 11, 2012 meeting, the Town Council adopted Ordinance No. 444, which establishes the standards, guidelines and processes for Mobile Food Facilities. Staff is recommending to charge a \$75.00 permit fee per facility to compensate the Town's expense for the processing these permits.

## FISCAL IMPACT:

Not Applicable

## ATTACHMENT:

Draft Resolution No. 2013-03

**RESOLUTION NO. 2013-03**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, ESTABLISHING A FEE FOR MOBILE FOOD FACILITIES PERMITS.**

THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

**WHEREAS**, the Town Council of the Town of Apple Valley has previously adopted schedules for various services, materials and mitigations provided by the Town specifying that the cost of rendering such services, materials and mitigations should be borne by the beneficiaries of same; and

**WHEREAS**, on December 14 and December 28, 2012, notices of a public hearing including a general explanation and description of possible establishment of a fee for Mobile Food Facilities permits were duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

**WHEREAS**, based on the State Guidelines to Implement the California Environmental Quality Act (CEQA), the proposed changes herein to the adopted Apple Valley Fee Schedule is not defined as a project and is therefore, EXEMPT from further environmental review; and

**WHEREAS**, on December 11, 2012 and January 8, 2013, the Town Council of the Town of Apple Valley conducted duly noticed and advertised public hearings regarding the standards, guidelines, and process of Mobile Food Facilities applications and permits. The fee, as adopted by the Town Council, will compensate the Town's expense of the administration of the permitting process.

NOW, THEREFORE, BE IT RESOLVED that, in consideration of the evidence presented at the said public hearings, and for the reasons discussed by the Council at said hearing, the Town Council of the Town of Apple Valley, California, finds, determines and orders as follows:

**Section 1.** That, based upon the State Guidelines to implement the California Environmental Quality Act (CEQA), the proposed changes to the adopted Apple Valley Fee Schedule are not defined as a project and are, therefore, EXEMPT from further environmental review.

**Section 2.** The schedule application fees for a Mobile Food Facilities permit, attached as "Exhibit A" hereto, amends and adds to the Schedule of Fees adopted by said Council Resolution No. 2008-30, is hereby approved and adopted.

**Section 3.** Prior enactments of the Town Council establishing fees and charges for services, materials and mitigations are hereby amended to the extent that such prior enactments are inconsistent with the fees and charges established hereby; except as so amended, fees and charges for services, materials or mitigations in effect prior to adoption of the resolution and not amended hereby shall remain in effect.

**Section 4.** Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications and, to this end, the provisions of the Resolution are declared to be severable.

**Section 5.** The fees approved and established herein shall become effective sixty (60) days from the date hereof.

APPROVED and ADOPTED by the Town Council of the Town of Apple Valley this 8th day of January, 2013.

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Curt Emick, Mayor

ATTEST:

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La Vonda M. Pearson, Town Clerk

**EXHIBIT A**

**Permit Fee  
Mobile Food Facilities**

Annual Permit Fee

\$75.00 Per Truck