

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF SAN JOSE TO ADD
SECTION 6.88.385 TO CHAPTER 6.88 OF TITLE 6 OF THE
SAN JOSE MUNICIPAL CODE TO AUTHORIZE PAYMENT
PLANS, AND MAKE OTHER TECHNICAL, NON-
SUBSTANTIVE OR FORMATTING CHANGES**

WHEREAS, pursuant to the provisions and requirements of the California Environmental Quality Act of 1970, together with related State CEQA Guidelines and Title 21 of the San José Municipal Code (collectively, "CEQA"), the provisions of this Ordinance do not constitute a project under File No. PP17-008; and

WHEREAS, the City Council is the decision-making body for this proposed Ordinance; and

WHEREAS, the City Council has reviewed and considered the "not a project" determination under CEQA prior to taking any approval actions on this proposed Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. A new section is added to Part 3 of Chapter 6.88 of Title 6 of the San José Municipal Code, to be numbered, entitled and to read as follows:

6.88.385 Payment Plans.

- A. The director of finance is hereby authorized to enter into a payment plan for the payment of outstanding cannabis business taxes and/or fees if the director of

finance determines that entering into a payment plan is in the best interest of the City.

- B. A payment plan approved by the director of finance and executed by the Cannabis Business and director of finance for the payment of cannabis business taxes and/or fees shall meet the requirement for registration under Subsection 6.88.300.G. of providing a cannabis business tax return evidencing payment of any applicable taxes due to the City and / or fees due to the City under this Chapter.
- C. If a Cannabis Business is not eligible for a renewal of its registration based solely on its inability to provide a cannabis business tax return evidencing payment of any applicable taxes due to the City as required under Subsection 6.88.300.G., and/or inability to provide evidence showing that all fees due the City under this Chapter have been timely paid, but a payment plan is later approved by the director of finance and executed by the Cannabis Business and director of finance, then the city manager is hereby authorized to issue a renewal of the Cannabis Business's registration and date the registration such as to effectuate no lapse in the registration.
- D. If the Cannabis Business fails to comply with the terms and conditions of the payment plan, then the registration for the Cannabis Business shall be null and void, and all outstanding amounts owed the City shall be immediately due and payable.

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PASSED FOR PUBLICATION of title this ____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk