ORDINANCE NO. 2010-08

AN ORDINANCE OF THE ALBANY CITY COUNCIL MODIFYING ALBANY MUNICIPAL CODE SECTION 5-2.2 CHANGING THE CPI MONTH FOR THE PURPOSES OF CALCULATING THE ADJUSTMENT OF BUSINESS LICENSE TAXES

WHEREAS, Section 5-2.2 of the Albany Municipal Code provides that the October CPIW shall be used for the purposes of calculating the adjustment of amount of business license taxes; and

WHEREAS, the October index is usually not published until mid-November; and

WHEREAS, the Finance Department has difficulty processing changes for the new business license tax amounts for the new calendar year; and

WHEREAS, the City Treasurer recommends that using the June CPIW would enable the Finance Department to more efficiently process renewal notices in an orderly fashion;

THEREFORE, the Albany City Council hereby ordains that Section 5-2.2 is hereby amended to read as follows:

Section 1.

That Section 5-2.2 be amended to read as follows:

The license amounts established by this subsection shall be adjusted each August for the next calendar year in the following manner: Each of the license amounts as set forth by the City Council by separate resolution or ordinance shall be multiplied by the percent change in the June Consumer Price Index (CPIW), established by the U.S. Bureau of Labor Statistics, All Urban Wage Earners and Clerical Workers San Francisco Bay Area Index from the previous year to the current. The amount of the product shall be rounded down or up to the nearest whole dollar. The product thus produced shall automatically be deemed to be the base amount of any increase to the license amount to be collected during the subsequent year, in addition to any other modifications set by the City Council. Any prorations shall be rounded out (up or down) to the nearest dollar.

Section 2. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more subsections, subsections, sentences, clauses or phrases be declared invalid.

Section 3. Posting or publishing.

This ordinance shall be published in a newspaper of general circulation in the City of Albany, which said newspaper is designated for that purpose, or it shall be posted in three locations.

Section 4. Effective Date.
This ordinance shall become effective 30 days after its passage and adoption by the City Council.

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Mayor Joanne Wile