

**CITY OF ALBANY  
CITY COUNCIL AGENDA  
STAFF REPORT**

Agenda Date: 7/6/09

Reviewed by: BP

**SUBJECT:** An Ordinance of the Albany City Council Amending Section 5-1.24  
Cumulative Remedies of the Albany Municipal Code

**REPORT BY:** Robert Zweben, City Attorney  
Kim Denton, City Treasurer

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**STAFF RECOMMENDATION**

Introduce for first reading - Ordinance 09-09, an Ordinance of the Albany City Council Amending Section 5-1.24 Cumulative Remedies of the Albany Municipal Code, and waive reading.

**BACKGROUND**

This amendment to the Business License Ordinance relates to persons operating a business in Albany without having first obtained a business license. Along with the remedy of suing the person/business in court for the balance due, the current ordinance allows for charging the person with a misdemeanor. The current business license ordinance requires the exclusive enforcement tool of charging people with a misdemeanor, and there are no fines associated with this citation. Adopting Ordinance 09-09 would provide for administrative citations and would set citations fees for first, second, and third offenses within one year.

**DISCUSSION/ANALYSIS**

Adopting Ordinance 09-09 would allow the City Treasurer, along with a Police Officer to issue an administrative citation to any person(s) operating a business in Albany of any type who has not first obtained a business license. The administrative citation would provide for fines of \$100 for the first violation; \$200 for the second violation within one year; and \$500 for each additional violation within one year.

**SUSTAINABILITY IMPACT**

Not applicable

**FINANCIAL IMPACT**

Adoption of Ordinance 09-09 would provide an increase in fees to the City in an amount not yet determined.

**Attachments:**

Ordinance 09-09