

ORDINANCE NO. 21-1139U

AN URGENCY ORDINANCE OF THE CITY OF WEST HOLLYWOOD REDUCING CERTAIN ANNUAL BUSINESS TAX AND BUSINESS TAX CERTIFICATE FEES BY 50% FOR THE FISCAL YEAR 2021 BILLING CYCLE AS APPLIED TO CALENDAR YEAR 2020 BUSINESS TAX PAYMENTS, AND SETTING FORTH THE FACTS CONSTITUTING SUCH URGENCY.

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Findings.

1. COVID-19 has devastated businesses throughout California, leading to major losses, closures, reduced operations, and excessive strain on employers and employees.
2. In February 2021, the City of West Hollywood ("City") issued 2020 Business Tax Forms to local businesses for completion and payment by May 1, 2021.
3. In light of the extreme hardship experienced by West Hollywood businesses, employers, and employees, the City wishes to provide immediate relief in the form of a 50% business tax reduction for 2020 business tax payments.

SECTION 2. Business Tax Reduction for FY 2021. Notwithstanding the provisions of Chapter 3.36 of the West Hollywood Municipal Code, annual business tax and business tax certificate fees (as defined and applied in section 3.36.040 subsections (a) through (m) and section 3.36.100 of the City's municipal code) are hereby reduced by fifty percent (50%) for the fiscal year 2021 ("FY21") billing cycle as applied to calendar year 2020 business tax payments, with the purpose of providing financial relief to West Hollywood businesses. The City will promptly amend and re-issue Business Tax Forms to reflect this 50% reduction in business taxes for the FY21 billing cycle.

SECTION 3. Urgency Findings. Pursuant to California Government Code Section 36937, this Ordinance is designed to protect the health, safety, and welfare of West Hollywood businesses, employers, employees, residents, and visitors and becomes effective immediately upon adoption by a four-fifths (4/5) vote of the City Council. The City Council hereby finds that there is an urgent need to adopt these regulations to provide immediate tax relief for West Hollywood businesses that are struggling during this pandemic and to support local economic recovery. Business Tax Forms have already been mailed out. The City wishes to immediately issue amended Business Tax Forms that reflect the 50% reduction in business tax to avoid overpayment by businesses and ensure businesses can remain open and operational during this financially devastating pandemic. Under Government Code Section 8634 and WHMC Chapter 2.80, this ordinance is necessary to provide for the protection of life and property for the reasons

set out herein. The Council therefore finds and determines that the immediate preservation of the public peace, health and safety, and protection of life and property, require that this Ordinance be enacted as an urgency ordinance pursuant to Government Code section 36937 and take effect immediately upon adoption by four-fifths of the City Council.

SECTION 4. CEQA. The City Council determines that the adoption of this Urgency Ordinance is exempt from environmental review under the California Environmental Quality Act (“CEQA”) pursuant to the following provisions of the CEQA Guidelines, 14 California Code of Regulations, Chapter 3: this Urgency Ordinance is exempt under CEQA Guidelines Section 15378(b)(5) in that it is not a “project” under CEQA, and will not result in direct or indirect physical changes in the environment. This Urgency Ordinance reduces business tax payments, which would not result in physical changes to the environment.

SECTION 5. Severability. If any section or provision of this Urgency Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, or contravened by reason of any preemptive legislation, the remaining sections and/or provisions of this Urgency Ordinance shall remain valid. The City Council hereby declares that it would have adopted this Urgency Ordinance, and each section or provision thereof, regardless of the fact that any one or more section(s) or provision(s) may be declared invalid or unconstitutional or contravened via legislation.

SECTION 6. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published or posted in the manner required by law.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 16th day of February, 2021 by the following vote:

| | | |
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| AYES: | Councilmember: | D’Amico, Erickson, Shyne, Mayor Pro Tempore Meister, and Mayor Horvath. |
| NOES: | Councilmember: | None. |
| ABSENT: | Councilmember: | None. |
| ABSTAIN: | Councilmember: | None. |

DocuSigned by:

 DFAFB1AD11847D
 LINDSEY P. HORVATH, MAYOR

ATTEST:
 DocuSigned by:

 MELISSA CROWDER
 MELISSA CROWDER, ACTING CITY CLERK

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STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF WEST HOLLYWOOD)

I, MELISSA CROWDER, Acting City Clerk of the City of West Hollywood, do hereby certify that the foregoing Ordinance No. 21-1139U was duly passed, approved, and adopted by the City Council of the City of West Hollywood at a regular meeting held on this 16th day of February, 2021.

I further certify that this ordinance was posted in three public places as provided for in Resolution No. 5, adopted the 29th day of November, 1984.

WITNESS MY HAND AND OFFICIAL SEAL THIS 17th DAY OF FEBRUARY, 2021.

DocuSigned by:

MELISSA CROWDER

MELISSA CROWDER, ACTING CITY CLERK