

ORDINANCE NO. 3408

AN ORDINANCE OF THE CITY OF CORONA, CALIFORNIA, ADDING SECTION 5.02.035 AND AMENDING SECTION 5.02.100 OF CHAPTER 5.02 OF THE CORONA MUNICIPAL CODE TO REQUIRE FIRE INSPECTIONS PRIOR TO ISSUANCE OF A BUSINESS LICENSE.

WHEREAS, Article XI, § 7 of the California Constitution authorizes cities to make and enforce within their limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, Corona Municipal Code (“CMC”) Chapter 5.02 establishes guidelines and procedures for the issuance of business licenses operating within the City of Corona (“City”); and

WHEREAS, the Corona Fire Department has discovered that certain businesses that have been issued a business license and are operating from a fixed location within the City were established without complying with applicable provisions of the Fire Code set forth in CMC Chapter 15.12, including provisions pertaining to the handling of hazardous waste; and

WHEREAS, it is in the public interest and would preserve and protect the public health, safety and welfare to ensure that businesses are in compliance with the Fire Code prior to issuance of a business license; and

WHEREAS, the City Council desires to add Section 5.02.035 to CMC Chapter 5.02 to require an inspection by the Corona Fire Department prior to issuance of a business license to a business that will operate from a fixed location within the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORONA DOES ORDAIN AS FOLLOWS:

SECTION 1. Addition - Section 5.02.035 (Inspections). Section 5.02.035 (Inspections) is hereby added to Chapter 5.02 (Business License Tax – Generally) of Title 5 (Business Licenses and Regulations) to read as follows:

“5.02.035 Inspections.

As a prerequisite to initial issuance of a business license for a business to be carried on at a fixed place of business within the city, the fixed place of business shall be in compliance with all applicable provisions of the fire code and the location shall conform with the provisions of Title 17 of this code. Upon receipt of an application

for a business license for a business to be carried on at a fixed place of business within the city, the Collector shall immediately refer the application to the city official having responsibility for enforcing the fire code, who, within ten (10) days from the date of the application, shall make an inspection of the fixed place of business to determine compliance with all applicable provisions of the fire code. The applicant shall pay a fee established by resolution of the City Council for such inspection.”

SECTION 2. Amendment - Section 5.02.100 (Nontransferable - Exceptions). Section 5.02.100 (Nontransferable - Exceptions) of Chapter 5.02 (Business License Tax – Generally) of Title 5 (Business Licenses and Regulations) is hereby amended in its entirety to read as follows:

“5.02.100 Nontransferable – Exceptions

No license issued pursuant to the provisions of this chapter shall be transferable; provided, however, when a license is issued authorizing a person to transact and carry on a business at a particular place or places, such licensor may, upon application therefor and paying to Collector a fee in the amount of \$3 to defray the city’s costs of issuance, have the license amended by the Collector to authorize the transacting and carrying on of such business under such license at some other location in city to which the business is or is to be moved; and provided further, a transfer, whether by sale or otherwise, to another person under such circumstances that the real or ultimate ownership after the transfer is substantially similar to the ownership existing before the transfer shall not be prohibited by the provisions of this section. For the purposes of this section, stockholders, partnerships or other persons holding an ownership interest in a corporation or other entity, defined in § 5.02.020 to be a person, shall be regarded as having the real or ultimate ownership of such corporation or other entity. Prior to the amendment of a license pursuant to this section, the Collector shall refer the application to the city official having responsibility for enforcing the fire code, who shall make an inspection, as required by § 5.02.035, of the location in the city to which the business is or is to be moved. The applicant shall pay a fee established by resolution of the City Council for such inspection.”

SECTION 3. Effective Date. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen (15) days of its adoption cause it, or a summary of it, to be published in a general circulation newspaper published and circulated in the City of Corona. This Ordinance shall take effect and be in force 30 days after its adoption.

PASSED, APPROVED AND ADOPTED this 15th day of January 2025.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California

CERTIFICATION

I, Sylvia Edwards, Clerk of the City of Corona, California, do hereby certify that the foregoing Ordinance was regularly introduced at a regular meeting of the City Council of the City of Corona, California, duly held the 4th day of December 2024, and thereafter at a regular meeting held on the 15th day of January 2025, it was duly passed and adopted by the following vote of the Council:

AYES:
NOES:
ABSENT:
ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this 15th day of January 2025.

City Clerk of the City of Corona, California

(SEAL)

SUMMARY

On _____, 2024, the Corona City Council will consider adopting an ordinance to add Section 5.02.035 to the Corona Municipal Code to require an inspection by the Corona Fire Department prior to the issuance of a business license to a business that will be operated from a fixed location within the City. A certified copy of the full text of this proposed Ordinance is posted in the City Clerk's Office.

The City Council meets at 6:30 p.m. in the Council Chambers in the Corona City Hall, located at 400. South Vicentia Ave. The City Clerk's Office is located in City Hall near the Council Chambers.