

**ORDINANCE NO. 2010-270**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, AMENDING SECTIONS 3.16.140, 5.04.040, AND 5.08.010 OF THE CALABASAS MUNICIPAL CODE**

**THE CITY COUNCIL OF THE CITY OF CALABASAS DOES ORDAIN AS FOLLOWS:**

**SECTION 1. CODE AMENDMENT.** Section 3.16.040 of the Calabasas Municipal Code regarding the Transient Occupancy Tax is hereby amended to read as follows:

"3.16.140 Payment remitted with return.

A. At the time the return is filed, the operator shall remit the full amount of the tax collected to the tax collector. The tax collector may establish shorter, longer or other reporting periods for any certificate holder if he or she deems it necessary or expedient in order to ensure collection of the tax. The tax collector may require additional information in the return. Returns and payments are due immediately upon cessation of business for any reason.

*B. For the purpose of this section, in the absence of evidence to the contrary, "cessation of business" shall be deemed to occur 30 days after a business ceases to rent rooms to transient occupants."*

**SECTION 2. CODE AMENDMENT.** Section 5.04.040 of the Calabasas Municipal Code regarding filming permits is hereby amended to read as follows:

"5.04.040 Permit required.

No person shall use any public or private property, building, facility or residence for the purpose of producing, taking or making any motion picture, television or still photography production without *first obtaining* a permit issued pursuant to the provisions of this chapter."

**SECTION 3. CODE AMENDMENT.** Section 5.08.010 of the Calabasas Municipal Code regarding public dances is hereby amended to read as follows:

"5.08.010 Unlawful *dance or party* ~~when~~.

It is unlawful for any person to conduct or hold on property partially or entirely used for residential purposes any dance or party ~~which is open to the general public and:~~

A. For which brochures, posters, or handbills advertising the dance or party are *posted, displayed, or distributed, if such brochures, posters, or handbills are designed to attract the attention of persons other than the residents of the property;* or

~~B. At which music, either live or recorded, is provided; or~~

~~CB. For which an admission charge or donation is required or solicited for admission."~~

**SECTION 4. SEVERABILITY.** If any provision, section, paragraph, sentence or word of this ordinance, or the application thereof to any person or circumstance, is rendered or declared invalid by any court of competent jurisdiction, the remaining provisions, sections, paragraphs, sentences or words of this ordinance, and their application to other persons or circumstances, shall not be affected thereby and shall remain in full force and effect and, to that end, the provisions of this ordinance are severable.

**SECTION 5. CONSTRUCTION.** To the extent the provisions of the Calabasas Municipal Code as amended by this ordinance are substantially the same as the provisions of that Code as they read prior to the adoption of this ordinance, they shall be construed as continuations of those prior provisions and not as new enactments. Nothing in this ordinance is intended to be a tax increase within the meaning of Government Code section 53750(h)(1).

**SECTION 6. EFFECTIVE DATE.** This ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code section 36937.

**SECTION 7. CERTIFICATION.** The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.

**PASSED, APPROVED AND ADOPTED**, this \_\_\_th day of \_\_\_\_\_ 2010.

\_\_\_\_\_  
Jonathon Wolfson, Mayor

ATTEST:

\_\_\_\_\_  
Gwen Peirce, CMC, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael G. Colantuono, City Attorney