

[CHAPTER 21B. PARKING AND BUSINESS IMPROVEMENT AREA.*](#)

Article V. SUBA Business Improvement Area.

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Sec. 21B-33. Established.

A business improvement area is hereby established, entitled "SUBA Business Improvement Area," in accordance with the provisions of Division 18, Part 6, of the Streets and Highways Code of California, Sections 36500 et seq., (Parking and Business Improvement Area Law of 1989), having boundaries as described in Section 21 B-34 herein. The businesses in the business improvement area established by the ordinance codified in this chapter, shall be subject to any amendments to said Part 6, Division 18 of the Streets and Highways Code. (Ord. No. 2437 (NCS), § 2.)

Sec. 21B-34. Boundaries.

The boundaries of said area shall be as delineated on that certain map or plat entitled "Proposed Boundaries of SUBA Business Improvement Area--2004" on file in the office of the city clerk. (Ord. No. 2437 (NCS), § 2.)

Sec. 21B-35. Computation of assessment.

An assessment shall be levied annually to pay for all improvements and activities within the SUBA Business Improvement Area. Said assessment for each business shall be calculated as a percentage of the business license tax imposed for each business pursuant to Chapter 19 of this code, up to a maximum of seven hundred fifty dollars, with the percentages assessed for each business category in Chapter 19 of this code as follows: branch establishments (Section 19-5)--eighty-seven percent; retail,

Source: City of Salinas, California
Municipal Code (<http://municipalcodes.lexisnexis.com/codes/salinas/ DATA/CHAP21B/index.html>)

restaurant and general business (Section 19-23)--eighty-seven percent; wholesale (Section 19-25)--eighty-seven percent; contractors (Section 19-26)--eighty-seven percent; professions (Section 19-27)--eighty-seven percent; occupations and services (Section 19-27.1)--eighty-seven percent; taxicabs, trucks and public transportation (Section 19-28)--eighty-seven percent; motels, hotels, inns, motor courts, etc. (Section 19-29)--eighty-seven percent; coin-operated devices and vending machines (Section 19-30)--eighty-seven percent; public amusement (Section 19-32)--one hundred fifty percent; newspapers, radio stations, television stations and other communication services (Section 19-33)--eighty-seven percent; barbers, beauty shops, and schools of cosmetology or beauty culture (Section 19-34)--eighty-seven percent; miscellaneous businesses enumerated (Section 19-35)--eighty-seven percent.

Excepted from this calculation are nonprofit organizations, which will be assessed at the rate of fifty dollars per year, banks and other financial institutions at seven hundred fifty dollars per year, title companies at five hundred dollars per year, bail bonds at two hundred dollars per year, and insurance agencies at one hundred dollars per year. (Ord. No. 2455 (NCS), § 1.)

Sec. 21B-36. Definitions.

For purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

- (1) "Financial institution" means any person or persons engaged in the business of making loans or extending credit, including, but not limited to, state and federal banks, savings and loan associations, trust companies, industrial loan companies, consumer finance lenders, commercial finance lenders, credit unions, and small business investment companies.
- (2) "Person" means any person, firm, partnership, association, corporation, company, syndicate, estate, trust, business trust, or organization of any kind.
- (3) "Nonprofit association" means an unincorporated or incorporated association of natural persons for religious, scientific, social, literary, educational, recreational, benevolent, or other purpose not that of pecuniary profit.
- (4) "Title company" means any person or persons engaged in the business of selling title insurance for real property.
- (5) "Bail bonds" means any person or persons engaged in the business of selling and providing bail bonds in order to secure the temporary release of a prisoner.
- (6) "Insurance agency" means any person or persons engaged in the business of selling insurance for persons and property. (Ord. No. 2437 (NCS), § 2.)

Sec. 21B-37. Exemptions.

Businesses established within the area after August 15 of each calendar year shall be exempt from the levy of assessment for the remainder of the current year. (Ord. No. 2437 (NCS), § 2.)

Sec. 21B-38. Revenues--Disposition.

All revenues received under the ordinance codified in this chapter, shall be deposited by the director of finance into a special fund of the city. No moneys shall be disbursed from said fund except for the purposes set forth in Section [21B-39](#) herein. (Ord. No. 2437 (NCS), § 2.)

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Sec. 21B-39. Use.

The assessments levied within said business improvement area shall be used solely for the following purposes:

(a) The acquisition, construction, or installation of any tangible property with an estimated useful life of five years or more including, but not limited to:

(1) Decorations, including, but not limited to, lights, banners, signs, and flags;

(b) Activities which include but are not limited to:

(1) Furnishing of music in any public place in the area;

(c) Activities which benefit business located and operating in the area.

The revenue from the levy of assessments shall not be used to provide improvements or activities outside the SUBA Business Improvement Area. (Ord. No. 2437 (NCS), § 2.)

Sec. 21B-40. Collection of assessments; delinquencies.

All assessments shall be computed on those businesses in existence as of July 15 of each calendar year. All assessments will be due and payable in advance on November 1 of each year for the period commencing November 1 of each year and ending September 30 of the succeeding year, and will become delinquent if not paid by November 1 following the due date. Delinquent payment shall be subject to the same penalties for late payment as provided in Section [19-21](#) of this code with respect to annual business licenses. (Ord. No. 2437 (N.C.S), § 2.)

Sec. 21B-41. Advisory board.

The city council hereby appoints the board of directors of the Salinas United Business Association (SUBA) as its advisory board. SUBA shall make recommendations to the city council on the expenditure of revenues derived from the levy of assessments pursuant to this article, on the classification of businesses, and on the method and basis of levying the assessments, and shall prepare and submit a report for each fiscal year for which assessments are to be levied and collected as required by Section 36533 of Streets and Highways Code. Only persons paying the assessments under this article may serve as members of the advisory board. (Ord. No. 2437 (N.C.S), § 2.)