



County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

John Bencomo
DIRECTOR

292 West Beamer Street
Woodland, CA 95695-2598
(530) 666-8775 FAX (530) 666-8728
www.yolocounty.org

BUSINESS LICENSE APPEALS BOARD STAFF REPORT

MAY 14, 2009

Revocation of a business license for a furniture refinishing home occupation due to non-payment of application fees.

APPELLANT: Tony Rodriguez
Tony's Upholstery
17130 Mattie Street
Esparto, CA 95627

LOCATION: The property is located at 17130 Mattie Street in the town of Esparto. (APN: 049-341-10)

GENERAL PLAN: Residential, Low Density

ZONING: Residential, Single Family or Duplex (R-2)

SUPERVISOR DISTRICT: 5 (Chamberlain)

GENERAL PLAN: Residential Low Density

FLOOD ZONE: C (Area outside the 100 and 500 year flood plain)

FIRE SEVERITY ZONE: None

SOILS: Tehama Loam (Class II)

ENVIRONMENTAL DETERMINATION: Categorical Exemption

REPORT PREPARED BY:


Craig Baracco, Associate Planner

REVIEWED BY:


David Morrison, Assistant Director

RECOMMENDED ACTION

That the Yolo County Business License Appeals Board:

1. **HOLD** a public hearing and receive comments;
2. **ADOPT** the Findings (**Attachment A**); and
3. **REVOKE** Business License # 10186.

REASONS FOR RECOMMENDED ACTION

The appellant has failed to pay the required fees for the renewal of the Business License. A stop payment was placed on the application check after the license was issued, thus making this formal revocation hearing necessary.

AGENDA ITEM 6.3

BACKGROUND

Business License # 10186 was originally issued by Yolo County on December 10, 2004 for Tony's Upholstery, a furniture refinishing home occupation based out of a single-family home located at 17130 Mattie Street in Esparto. The business license was annually renewed and operated without incident until the current calendar year.

As part of the required annual licenses renewal process, the appellant submitted a check for \$127 on February 23, 2009, to pay the required renewal fee. The renewal application was processed per department procedure, and a business license was issued.

After the business license was issued, the check in the amount of \$127 was rejected by the Yolo County Auditor-Controllers Department, because a stop payment had been placed on the check by the applicant.

The Planning and Public Works Department attempted to contact the appellant, both by phone and by certified letters dated April 1, 2009 and April 22, 2009 (**Attachment B**), to inform the appellant of the issue, and to offer an opportunity to correct the problem. To date, no effort has been made by the appellant to contact this department, or make any effort to correct this situation.

As the business license has already been issued for calendar year 2009, and no fee has been paid, staff recommends that the Business License Appeals Board revoke the current Business License.

ENVIRONMENTAL DETERMINATION

Under Section 15321(a) of the California Environmental Quality Act (CEQA) Guidelines, actions by regulatory agencies to enforce or revoke a permit, license or certificate are exempt from CEQA review.

APPEALS

Any person who is dissatisfied with the decision of the Business License Appeals Board may appeal its decision to the Board of Supervisors by filing with the Clerk of the Board of Supervisors (625 Court Street, Room 204, Woodland, CA 95695) within fifteen (15) days of the Commission's decision. A written notice of the appeal specifying their reason(s) and the payment of the fees to cover expenses of the application and the appeal process shall be made at the Clerk of the Board of Supervisors and the Planning and Public Works Department.

ATTACHMENTS

- ATTACHMENT A** Findings
- ATTACHMENT B** Notice Letter

CR99D Bike Lane widening from CR29 to Davis City.

Wed February 25 11:56:03 2009

Project: X-CR99D-CR29-CR99
Alignment: CR99D-NEW-PCL

Start range: 0+00 to 84+69.66

TEMPLATE END AREA VOLUME SUMMARY WITH CURVE CORRECTION

Surface Volume (yds)

AC	2803.421
AB	582.572
SHTD	161.780
none	0.000

VOLUME TOTAL:

3547.773

FINDINGS
Business License Revocation
Business Licenses # 10186, Tony's Upholstery

Upon due consideration of the facts presented in this staff report and at the public hearing for this item, the Yolo County Planning Commission finds the following:

(A summary of evidence to support each FINDING is shown in Italics.)

California Environmental Quality Act (CEQA) and Guidelines

1. That the recommended Categorical Exemption was prepared in accordance with the California Environmental Quality Act (CEQA) and is the appropriate environmental document and level of review for this project.

Under Section 15321(a) of the California Environmental Quality Act (CEQA) Guidelines, actions by regulatory agencies to enforce or revoke a permit, license or certificate are exempt from CEQA review.

County Code

2. That the appellant has failed to meet their obligations under Title 12 of the Yolo County Code, specifically Sec. 12-1.513.

Sec. 12-1.513. Applications: Fees.

Each application and each appeal shall be accompanied by the fees prescribed by resolution of the Board of Supervisors. Such fees shall in no event exceed the actual cost to the County to conduct the services required to satisfy the requirements of this chapter. The submission of an application or an appeal shall not be deemed to be complete until such fees are paid to the Business Licensing Officer.

The appellant has failed to pay the required fees.

3. There are sufficient grounds to revoke Business Licenses # 10186 under criteria found in Sec. 12-1.518.

Sec. 12-1.518. Suspension or Revocation.

Any business license issued pursuant to this chapter may be suspended or revoked by the Business License Appeals Board upon a petition by the Business Licensing Officer if the Business License Appeals Board finds that:

(d) The applicant for the permit made a material misrepresentation of facts in the application or supporting statements;

The appellant has failed to submit a full and complete application by placing a stop payment on the check paying the required fees.

Attachment A



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April 22, 2009

Tony Rodriguez
Tony's Upholstery
P.O. Box 403
Esparto, CA 95627

Re: Revocation of Business License and Home Occupation Compliance

Dear Mr. Rodriguez,

This letter is to inform you that the Business License and Home Occupation Compliance for Tony's Upholstery (License # 10186) located at 17130 Mattie Street, Esparto, CA 95627, has been scheduled to be revoked on May 14, 2009 at a meeting of the Yolo County Planning Commission due to failure to pay the required application fees. We have made several attempts to contact you, both by phone and by a letter dated April 1, 2009 to inform you that check # 1209 in the amount of \$127.00 was rejected by the Yolo County Auditor Controllers Department, because a **Stop Payment** had been placed on this check.

If you wish to maintain your Business License and Home Occupation Compliance for Tony's Upholstery (License #10186), you will need to pay the outstanding fees in the amount of \$159.62 (Business License Fee: \$127.00 + Technology Fee: \$7.62 + Service Fee: \$25.00) prior to May 14, 2009. A payment of cash or cashiers check will be necessary.

If you have any questions, please feel free to contact me at (530)666-8833.

Thank you,

Craig Baracco
Associate Planner
County of Yolo
Planning and Public Works Department

ATTACHMENT B
Notice Letter