

IMPARTIAL ANALYSIS OF MEASURE D

The City Council of the City of Brisbane has placed Measure D on the ballot proposing the adoption of an Ordinance to impose a business license tax on soil recycling establishments, as that term is defined in the Ordinance.

The City of Brisbane imposes on businesses in the City a tax, often based on the gross receipts of a business. In Chapter 5.20 of the Brisbane Municipal Code, the City imposes a business license tax, based on gross receipts, on certain “recycling establishments” but not on establishments primarily engaged in the recycling of soil, including the incidental recycling of rock, stone, concrete and rebar.

The City also charges a truck haul fee of \$0.47 per cubic yard of material. Based on truck hauling fees, the City collects from soil recycling businesses in Brisbane about \$600,000 annually.

This Ordinance, if adopted by the voters, would add Chapter 5.12 to the Brisbane Municipal Code and impose an annual business license tax on soil recycling establishments, at a rate of up to 20% of an establishment’s gross receipts or up to \$200,000, whichever is greater. The Ordinance would authorize the City Council to set the amount of the business license tax in any given calendar year up to the maximum tax permitted under the Ordinance. City staff estimates the tax will generate \$300,000 to \$400,000 more revenue from soil recycling establishments than the City currently receives in truck hauling fees from such businesses.

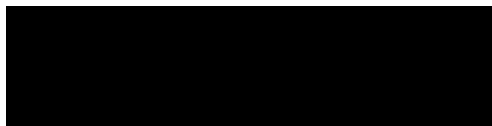
Because this tax is for general municipal purposes and the proceeds deposited into the City’s General Fund, it will be adopted only if a majority of voters voting on the measure vote in favor of it. If the voters approve this tax, the tax cannot be increased in the future without voter approval.

A “Yes” vote is a vote in favor of imposing a business license tax on soil recycling establishments.

A “No” vote is a vote against imposing a business license tax on soil recycling establishments.

A complete copy of the proposed Ordinance is printed in the ballot pamphlet.

Dated: August 1, 2017



Michael H. Roush

City Attorney, City of Brisbane