

**ITEM 4 ATTACHMENT  
ORDINANCE NO. 2017-348**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS,  
CALIFORNIA AMENDING SECTION 3.38.010 OF THE CALABASAS  
MUNICIPAL CODE TO PROVIDE FOR AN EXCEPTION TO THE TIME  
LIMITS FOR FILING A REQUEST FOR REFUND OF FEES**

**WHEREAS**, the City Council has determined that the twelve month time limit for refund of department fees paid to the city for processing applications and other entitlements may have inadvertently excluded some qualified claimants from obtaining a refund; and

**WHEREAS**, the City Council finds it appropriate to allow claimants who may be otherwise qualified to receive a refund of department fees to seek an exception to the twelve month filing time limit.

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

**SECTION 1.** Section 3.38.010 of the Calabasas Municipal Code is hereby amended to read as follows:

**3.38.010 - Claim for a refund.**

No claim for a refund of department fees shall be allowed in whole or in part unless filed with the city clerk within the earlier of (1) twelve (12) months from the date of expiration of the permit/application or of any extensions granted by the department, or (2) twelve (12) months from the date of any department or commission action.

Upon request of a claimant, the City Council may make an exception to the twelve month filing limitation for good cause demonstrated by a claimant. [However, in no event may an exception be considered or granted if the claim was filed more than twenty four \(24\) months from the date of expiration of the permit/application or of any extensions granted by the department, or twenty four \(24\) months from the date of any department or commission action.](#)

**SECTION 2.** Severability Clause.

Should any section, clause, or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

**SECTION 3. Effective Date.**

This Ordinance shall take effect 30 days after its passage and adoption pursuant to Government Code Section 36937 and shall supersede any conflicting provision of any City of Calabasas ordinance.

**SECTION 4. 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 22<sup>nd</sup> day of March, 2017.

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Mary Sue Maurer, Mayor

ATTEST:

APPROVED AS TO FORM

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Maricela Hernandez, MMC  
City Clerk

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Scott H. Howard  
Colantuono Highsmith & Whatley  
City Attorney