

ORDINANCE 901

AN ORDINANCE OF THE CITY OF TENINO AMENDING THE TENINO MUNICIPAL CODE TITLE 6, BUSINESS TAXES, LICENSES, AND REGULATIONS

WHEREAS, the Business License Service Act, Revised Code of Washington (RCW) § 19.02 was enacted to provide a convenient, accessible, and timely one-stop system for the business community to acquire and maintain the necessary state licenses to conduct business; and

WHEREAS, the City has entered into a partnership agreement with the Department of Revenue for the purpose of giving effect to the Legislature's intent; and

WHEREAS, the City's current Municipal Code is structured to the City issuing and maintaining a Business License Program of its own; and

WHEREAS, the Department of Revenue has made numerous recommendations for the revision of the Tenino Municipal Code as it pertains to Business Licensing.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TENINO, WASHINGTON, that the following changes are made to the Tenino Municipal Code, amending Title 6, as follows:

Section 1. It is the intention of the City Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Tenino, Washington, and the sections of the code and this ordinance may be renumbered to accomplish that intention.

Section 2. § 6.08.030, Studio License – Application to clerk, is amended to read as follows:

Application for erotic dance studio license shall be made to the clerk separate from a City of Tenino business license application.

Section 2. § 6.08.040, Same – information required, is amended to add subparagraph "F" as follows:

F. Payment of an annual license fee.

Section 3. § 6.08.050, Same – Fee, is amended as follows:

License fees for an erotic dance studio shall be as established in TMC 6.08.040 and shall be in the amount shown in the most recent Consolidated Fee Schedule.

Section 4. § 6.08.0140, Same – Fee, is amended as follows:

Applications shall be accompanied by a nonrefundable fee. If a license is lost, one duplicate license may be issued by the clerk for a fee. The amount of the fee shall be as shown in the most current Consolidated Fee Schedule.

Section 5. § 6.13.040, Violations, is amended as follows:

Any violation of this chapter shall be punishable as follows:

- A. If a law enforcement officer determines that a person committed a first violation of this chapter, a written warning citation shall be issued to the violator with no criminal sanction to be attached thereto.
- B. If a person to whom a written warning citation has been issued is subsequently convicted of a violation of this chapter, they shall be punished by a fine not exceeding \$100.00.

Section 6. § 6.24.010, Definitions, is amended to add the definition of “Business Licensing Service” or “BLS” as follows:

Business Licensing Service, or BLS, means the office within the Washington State Department of Revenue providing business licensing services to the City of Tenino.

Section 7. Subparagraph A, § 6.24.020, Business license required; posting, is amended as follows:

- A. It is unlawful for any person, firm, corporation, or organization to engage in any business, occupation, or pursuit as defined in § 6.24.010, in the city without first obtaining a business license as provided in this chapter. The business license provided under the requirements of this chapter shall be posted in a conspicuous location at the place of business. The license shall be valid through the expiration date established by the Business Licensing Service, and must be renewed on or before that date to conduct business within the City after that date.

Section 8. § 6.24.040, Fees, is amended as follows:

There shall be an annual fee for each initial business license required by this chapter and for the annual renewal of a business license. Any application for a business license renewal made after the posted expiration date shall be assessed a late fee in addition to the renewal fee. The amounts of the fees shall be as shown in the most current Consolidated Fee Schedule.

Section 9. § 6.61.025, Business license requirements, is amended as follows:

- I. License required; application; fee

- A. Except as otherwise provided by ordinance, no person, whether or not subject to the payment of tax as provided in this article, shall engage in business as defined in chapter 6.24 of this title within the city without first having obtained and being the holder of a valid and subsisting business license to do so, issued pursuant to this article.
- B. The business license shall be issued for any lawful business on application therefore and payment of the annual license fee as shown in the most current Consolidated Fee Schedule
- C. The business license issued pursuant to this article shall be valid so long as the person to whom it is issued continues in business and pays the above application annual license fee and any tax due under chapter 6.50 and chapter 6.60 of this title on or before the expiration date determined by the state Business Licensing Service.
- D. Applications for the license shall be made to and on forms provided by the state Business Licensing Service.

Section 10. This Ordinance, after publication as required by State law, shall become effective on May 1, 2019.

ADOPTED by the City Council of the City of Tenino, Washington, and **APPROVED** by its Mayor, at a regularly scheduled open public meeting thereof this 23rd day of April, 2019.

Wayne Fournier, Mayor

Attest:

John Millard, Clerk-Treasurer

First reading: April 9, 2019
 Second reading: April 23, 2019

Approved as to form:

Richard L. Hughes, City Attorney