

**ORDINANCE NO. 67
CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, ADOPTING
BUSINESS LICENSING REGULATIONS FOR THE CITY OF LIBERTY LAKE.**

WHEREAS, state law authorizes cities to adopt regulations for licensing of businesses operating within their corporate boundaries; and

WHEREAS, the Mayor and City Council desire to establish a registration system which will assist the City in identifying the precise composition of the commercial community to enhance the marketing, development and exchange of information between the City and its businesses; and

WHEREAS, the business license fee is intended to cover the administrative costs associated with collecting and maintaining the information as opposed to raising revenue.

NOW, THEREFORE, the City Council of the City of Liberty Lake, Washington, do ordain as follows:

Section 1. Definitions. For the purposes of this Ordinance, the following definitions shall apply:

A. “Business” means all kinds of vocations, occupations, professions, enterprises, establishments, industries, services and all other kinds of activities and matters that are conducted for private profit or benefit on any premises in the City of Liberty Lake.

B. “City” means the City of Liberty Lake, Spokane County, Washington.

C. “Engaging in business” means commencing, conducting, or continuing in business, the exercise of corporate or franchise powers, as well as liquidating a business when the liquidators thereof hold themselves out to the public as conducting such business.

D. “Person” means any individual, corporation, company, firm, joint stock company, partnership, joint venture, trust, business trust, club, association, society, or any group of individuals acting as a unit or otherwise.

E. “Tax year” means the calendar year commencing January 1 and ending on December 31.

Section 2. Business License Required. On or before January 1, 2002, every Person engaging in business or continuing business during the calendar year shall register with the City Clerk/Treasurer by completing a licensing form and paying a licensing fee. If more than one business is located on a single premise, separate licenses shall be required for each separate business conducted.

Section 3. Exemptions.

A. The following entities and activities shall be exempt from the provisions of this Ordinance:

1. All governmental entities including public and private elementary, secondary and high schools;
2. Deliverers of newspapers and periodicals;
3. Deliverers to and Persons soliciting orders from retail establishments for the delivery and sale of goods, wares and merchandise to retailers for resale unless located within the City;
4. Any Person or organization conducting a nonprofit enterprise when the enterprise is operated without private profit, for a public, charitable, educational, literary, fraternal or religious purpose; and
5. Minors engaged in babysitting.

B. The casual sale of items of personal property where the Person conducting such sale is not regularly engaged in the business of selling items of personal property (for example, garage sales, service agency bake sales).

Section 4. Application Procedure.

A. Application for the business license shall be made in writing to the City Clerk/Treasurer upon a form provided by the City. The application shall state the nature and address or addresses of the business or businesses, or proposed business or businesses, of the applicant, and such other information as requested by the City Clerk.

B. If the applicant is a partnership, the application must be made by one of the partners; if a corporation, by one of the officers thereof; if a foreign corporation, partnership or nonresident individual, by the resident agent or local manager of the corporation, partnership or individual.

C. The City Clerk/Treasurer shall present all applications for licenses to the Mayor.

Section 5. Fee – Terms – Penalty.

A. Commencing January 1, 2002, business licenses shall be issued on a calendar year basis and shall expire on December 31st of the year for which they are issued.

B. Unless exempted by Section 5.C. below, the business license fee for any Business to be operated within the City of Liberty Lake shall be \$35.00 unless modified by Resolution of the City Council.

C. Persons whose gross business revenues do not exceed ten thousand dollars per calendar year are entitled to pay a \$20.00 fee unless otherwise modified by Resolution. Any applicant for a reduced fee must present sufficient proof of gross revenues to the City Clerk/Treasurer.

D. Payment of the license fee shall be made either upon application for the license or for an existing business before January 31 of the year it is due. No fee is deemed paid until the City has received funds. The fee shall not be prorated.

E. Any business which fails to obtain and pay the license fees within said period of Ordinance67.doc

time shall, in addition to any other penalties provided in this Ordinance, be assessed an amount equal to 50 percent of the license fee for said business as a penalty for such late application and/or payment.

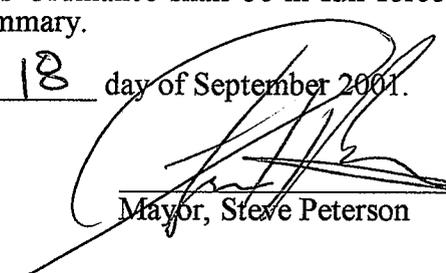
Section 6. Transfer or Sale of Business – New License Required. Upon the sale or transfer of any business licensed by this Ordinance, the license issued to the prior owner or transferor shall automatically expire on the date of such sale or transfer and the new owner intending to continue such business in the City shall apply for a new business license pursuant to the procedures established by this Ordinance.

Section 7. Penalty for Violation. Any Person, as defined herein, and the officers, directors, managing agents, or partners of any corporation, firm, partnership or other organization or business violating or failing to comply with any provisions of this ordinance shall be subject to collection activities. After notice of the amount due, the City may assign the delinquent amount for collection to a third party in which case the amount due shall include the license fee, penalty and any collection charges.

Section 8. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 9. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

PASSED by the City Council this 18 day of September 2001.



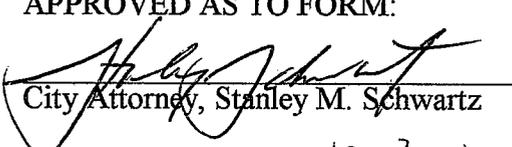
Mayor, Steve Peterson

ATTEST:



City Clerk, Arlene Fisher

APPROVED AS TO FORM:



City Attorney, Stanley M. Schwartz

Date of Publication: 10-3-01

Effective Date: 10/9/01

City of Liberty Lake
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**NOTICE OF ORDINANCE PASSED
BY LIBERTY LAKE CITY COUNCIL**

The following is the title and summary of Ordinance No. 67 passed by the City of Liberty Lake City Council on the 19th day of September, 2001.

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, ADOPTING
BUSINESS LICENSING REGULATIONS FOR THE CITY OF LIBERTY LAKE.**

The introductory paragraphs state the City desires to establish a registration system to assist in identifying the composition of the business community in the City of Liberty Lake.

Section 1 sets forth definitions which relate to the business license ordinance.

Section 2 requires the purchase of a business license for persons engaging in business in the City.

Section 3 creates exemptions for certain activities which are not subject to the business license ordinance.

Section 4 sets forth the application procedure to obtain a business license from the City.

Section 5 establishes the annual fee for a business license which is \$35.00 with certain reduced fees for businesses whose revenues do not exceed \$10,000.00 per calendar year.

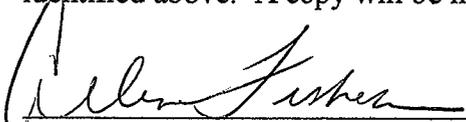
Section 6 requires the purchase of a new license upon transfer or sale of business.

Section 7 sets forth penalty for failure to obtain a business license.

Section 8 provides that if any section of the ordinance is invalid the remainder is not affected.

Section 9 provides for an effective date of five (5) days after publication of the ordinance summary.

The full text of the Ordinance is available at the Interim City of Liberty Lake City offices as identified above. A copy will be mailed out upon request.



Arlene Fisher
Interim City Clerk

Published: 10/3/01