

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

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, AMENDING
ORDINANCE NO. 67, PASSED ON SEPTEMBER 18, 2001 ENTITLED "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.

Section 2. Business License Required. Every person intending to engage in business within the borders of the City shall register with the City for a business license and pay the licensing fee identified in Section 5 of this chapter. Each business location must be registered. If more than one business is located on a single premise, separate licenses shall be required for each separate business conducted. The application for a business license must be approved by the City before business may commence.

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;
5. Minors engaged in babysitting;
6. 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 by submitting a Master Business Application to the Washington State Department of Licensing's Master License Service, in coordination with 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 shall present all applications for licenses to the Mayor.

Section 5. Fee – Terms – Penalty.

A. The business license fee for any Business to be operated within the City shall be twenty-six dollars (\$26.00) for initial application and annual renewal. The license fee may be prorated in order to match the license expiration date and term of license established by the Master License Service. The fees set forth in this section may be modified from time to time by resolution of the City Council.

B. Application and renewal of the license shall require payment of the Master License handling fee as authorized by RCW 19.02.

C. A business failing to complete the annual renewal of its business license on or before the expiration date will be charged the Master License Service delinquency fee as authorized in RCW 19.02.

D. Business licenses shall expire on the date established by the Master License Service, and the term of license may be prorated to accommodate an expiration date administered by the Master License Service. The license must be renewed through the Master License Service, in coordination with the City Clerk, on or before the expiration date in order to continue the business activity after the expiration date.

E. Failure to renew a business license within 120 days after the expiration date may result in the cancellation of the license. A new license application as described in this chapter may be required in order to continue conducting business in the City after the license has been cancelled.

Section 6. Transfer or Sale of Business – New License Required. Upon the sale or transfer to another Person 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, 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 both the license fee, 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 15th day of July, 2008.

Wendy VanOrman
Mayor, Wendy Van Orman

ATTEST:

Cynthia Smith

City Clerk, Cynthia Smith

APPROVED AS TO FORM:

S.P. Boutz

City Attorney, Sean P. Boutz

Date of Publication: 10/16/08

Effective Date: 10/23/08

CERTIFICATION

I, the undersigned City Clerk of the City of Liberty Lake, of Spokane County, Washington, HEREBY CERTIFY that the foregoing Ordinance is a full, true and correct copy of Ordinance No. 67-A duly adopted at a regular meeting of the City Council of said City, duly and regularly held at the regular meeting placed thereof on July 1, 2008 of which meeting all members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said Ordinance was adopted by the following vote:

AYES, and in favor thereof, Council Members: Unanimous

NAYS, Council Members:

ABSENT, Council Members: Council Member Crump

ASTAINED, Council Members

CITY OF LIBERTY LAKE

Cynthia Smith

CITY CLERK

City of Liberty Lake
22710 E Country Vista Drive
Liberty Lake, WA 99019
(509) 755-6700

**NOTICE OF ORDINANCE PASSED
BY LIBERTY LAKE CITY COUNCIL**

The following is the title and summary of Ordinance No. 67-A passed by the City of Liberty Lake City Council on the 1st day of July, 2008.

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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 \$26.00.

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

Section 7 sets forth a 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 City of Liberty Lake City offices as identified above. A copy will be mailed out upon request.

Cynthia Smith

Cynthia Smith
City Clerk

Published: 10/16/08