

ORDINANCE NO. 534

**AN ORDINANCE OF THE TOWN OF SOUTH PRAIRIE, PIERCE COUNTY, WASHINGTON,
ADOPTING NEW PROVISIONS RELATED TO BUSINESS LICENSES AND REGULATIONS**

WHEREAS, the Town Council wishes to repeal all pre-existing ordinances related to business licenses and regulations and enact new provisions superseding these in preparation for the adoption of a new municipal code.

NOW, THEREFORE, the Town Council of the Town of South Prairie does hereby ordain as follows:

Section 1 The following provisions related to business licenses and regulations are adopted:

4.01 - Business Licenses

4.01.010 – Business License Required

A. No person, firm, or corporation shall engage in or carry on any business, occupation or act or privilege for which a tax is imposed by this Title without first having obtained, and being the holder of, a license to do so. No business licenses shall be issued for businesses that are illegal under state, federal, or local law.

B. Each person, firm, or corporation shall apply to the Town Clerk for such a license. Upon a completed application, the Town Clerk shall issue the license. The license must be renewed annually with payment of a fee pre-determined by the Town Council to correspond to the number of employees in the business. Failure to renew the license and pay required fees by February 15 of each year shall subject the licensee to \$20 in late fees each month, or as established in the most current Fee Resolution. Such occupation license shall be personal and transferable and shall be valid as long as the license shall continue in said business and comply with this Title.

4.01.020 – Cabaret License Fees

There shall be a license fee on all cabarets within the Town limits of \$500.00 per year, or as established in the most current Fee Resolution; in addition to the general business license fee. For purposes of this Section, “cabaret” is defined as a restaurant or nightclub serving liquor and providing entertainment by singers or dancers.

4.01.030 – Solicitors and Temporary Mobile Vendors

Any person engaged in mobile vending of merchandise or consumables must obtain a license from the Town Clerk after providing the Town Clerk, at a minimum, the vendor’s name, contact person, address, telephone number, and uniform business identification number. The Town Clerk shall charge a \$25.00 fee for a mobile vendor license for each day a mobile vendor is in operation or as

established in the most current Fee Resolution. Mobile vendors while in operation shall not obstruct passage along any public right-of-way, shall comply with all health regulations regarding food handling, and shall collect and pay sales tax required under State law and under SPMC Section 3.04.010.

4.01.040 Business License Revocation

The Town may revoke the license issued to any person required to obtain a business license who is in default in any payment of any license fee and is more than six months overdue on the renewal fees, or who shall fail to comply with any of the provisions of this chapter. Notice of such revocation shall be mailed to the person, and on and after the date thereof any such person who continues to engage in business shall be deemed to be operating without a license and shall be subject to any or all penalties provided for in this chapter.

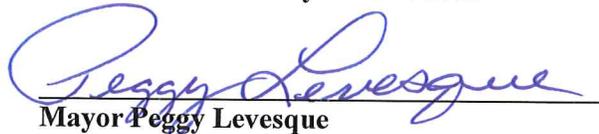
4.01.050 Violations – Penalties

A. Any violation of the provisions of this chapter or any rule or regulation adopted by the Town pursuant thereto shall be a Class 1 civil infraction pursuant to Chapter 7.80 RCW, which is incorporated by reference as if set forth in full.

B. Any taxpayer who engaged in or carried on any business subject to a tax under this chapter without having his business license to do so shall be guilty of a violation of this chapter for such day during which the business is so engaged in or carried on; and any taxpayer who fails or refuses to pay the license fee, or any part thereof, on or before the due date, shall be deemed to be operating without having a license to do so.

Section 2 All pre-existing ordinances related to any subject covered in this Ordinance, including but not limited to Ordinance Nos. 101, 104, 128, 132, 295, 317, 363, 365, and 482 are hereby superseded in their entirety and shall be of no further effect.

PASSED IN REGULAR AND OPEN SESSION this 4th day of June 2013


Mayor Peggy Levesque

INTRODUCED 6-4-2013
PASSED 6-4-2013
APPROVED 6-4-2013
PUBLISHED 6-19-2013

Attested:


Marla Nevill, Town Clerk/Treasurer

