

TOWN OF RUSTON

ORDINANCE NO. 1371

**AN ORDINANCE OF THE TOWN OF RUSTON,
WASHINGTON, RELATING TO BUSINESS LICENSES,
AMENDING 5.05.010 OF THE RUSTON MUNICIPAL
CODE TO CREATE A ONE-DAY BUSINESS LICENSE FOR
SPECIAL EVENTS, SETTING THE FEE FOR SUCH
LICENSE AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, in accordance with RCW 35.27.370, the Town has the authority to issue business licenses; and

WHEREAS, Chapter 5.05 of the Ruston Municipal Code establishes the Town's business licensing requirements and fees; and

WHEREAS, the Town and civic organizations within the Town occasionally hold special events such as fairs or festivals in which businesses participate; and

WHEREAS, special events, such as fun runs, roadway foot races, fundraising walks, bikeathons, parades, carnivals, shows, exhibitions, circuses and fairs promote tourism, foster economic revitalization of downtowns and neighborhoods and provide cultural activities for residents; and

WHEREAS, these special events are wonderful events which provide a sense of community to the Town's residents and which provide economic activity beneficial to the Town and the businesses located in Town; and

WHEREAS, in the past the Town Council has allowed one-day business licenses to issue for such special events; and

WHEREAS, the Town Council finds that it is in the public interest to make a permanent provision for one-day business licenses for community events; and

WHEREAS, on May 1, 2012, the Town Council held the first reading on this Ordinance;
and

WHEREAS, on May 15, 2012, the Town Council adopted this Ordinance during its
regular meeting at second reading; NOW, THEREFORE

**THE TOWN COUNCIL OF THE TOWN OF RUSTON HEREBY ORDAINS AS
FOLLOWS:**

Section 1. Section 5.05.010 of the Ruston Municipal Code is hereby amended to read as
follows:

5.05.010 - Miscellaneous businesses.

A. Every person, corporation, partnership or other organization
conducting business in the Town of Ruston shall, before commencing such business,
obtain from the Town Clerk a license and pay the fee therefor in accordance with
the following schedule provided, that all licenses shall expire at midnight on the
thirty-first day of December of each year, unless earlier revoked as herein provided,
and if application be made at any time after January 1st of any year, the license shall
be issued only to and including December 31st, and the fee shall be the same as for
an entire year.

Cabaret	\$150.00 per year
	\$5.00 for single 24-hour period
Peddling or hawking	\$15.00 per year
Selling used autos	\$25.00 per year
Wrecking autos	\$50.00 per year
Other businesses:	\$40.00 per year

The term "cabaret" as used in this chapter means any establishment licensed for the
sale of beer, wine or other alcoholic liquor, where entertainment or music other than
by phonograph, radio or television is provided, or where dancing by patrons is
permitted.

B. One-day business licenses for special events. When the Town issues a
permit under Chapter 14.04 of the Ruston Municipal Code, or when the Town
Council by resolution recognizes a community event as a special event for the
purposes of this section, then any person, corporation, partnership or other
organization seeking to conduct business in the Town of Ruston as part of that

special event shall, before commencing such business, obtain from the Town Clerk a one-day special event business license and pay the fee therefor which is established at \$10.00.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be 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 3. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 4. Effective Date. This Ordinance shall be effective five days after publication as provided by law.


ADOPTED by the Town Council of the Town of Ruston, signed by the Mayor and attested by the Town Clerk in authentication of such passage on this 15th day of May, 2012.


Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:


Judy Grams, Town Clerk

APPROVED AS TO FORM:


Office of the Town Attorney

FILED WITH THE TOWN CLERK: _____

PASSED BY THE TOWN COUNCIL: _____

PUBLISHED: _____

EFFECTIVE DATE: _____

ORDINANCE NO: 1371

Subject: Ordinance #1371 amending Chapter 5.05 Of the Ruston Municipal Code to allow for the issuance of one-day business licenses for special events

Proposed Council Action:

Adopt Ordinance #1371.

Dept. Origin: Town Council
Prepared by: Jennifer Robertson
 Assistant Town Attorney
For Agenda of: May 15, 2012
Exhibits: Attached ordinance

	Initial & Date
Concurred by Mayor:	_____
Approved/form by Town Atty:	<u>JSR5/2/2012</u>
Approved by _____ Director:	_____
Approved by Department Head:	_____

Expenditure	Amount	Appropriation
Required \$0	Budgeted \$0	Required \$0

INFORMATION / BACKGROUND

1. Origin of this Ordinance.

At the April 17, 2012 Council meeting, the Town of Ruston Business District made a presentation about the Ruston Family Fair scheduled for August 11, 2012. The presenting parties requested that the Council allow one-day business licenses for the businesses that would participate in the Family Fair.

In response to the request from the Ruston Business District representative, Councilmember Hunt requested the Town Attorney's Office make provision to allow such one-day business licenses. The rest of the Town Council concurred with this request.

2. How Special Events Serve the Public Interest.

Special events such as fun runs, roadway foot races, fundraising walks, bikeathons, parades, carnivals, shows, exhibitions, circuses and fairs promote tourism, foster economic revitalization of downtowns and neighborhoods and provide cultural activities for residents. The Town and civic organizations within the Town occasionally hold these special events in which businesses participate. Special events are wonderful events which provide a sense of community to the Town's residents and which provide economic activity beneficial to the Town and the businesses located in Town. In the past the Town has reduced or waived business license requirements for these types of special community events.

3. Ruston Permit Requirements for Special Events.

Chapter 14.04 of the Ruston Municipal Code provides for the issuance of permits for motorcades, runs, parades and street dances. In order to qualify for a permit under Chapter 14.04 RMC, the applicant must submit an application at least 30 days prior to the event, pay a permit fee of \$100 (if a street is closed) or \$25 (if a street is not closed), provide indemnification and insurance to protect the Town, and may in some cases be required to post a performance bond. Additionally, the applicant is required to have a police escort for any parade or motorcade.

The Chapter is silent on recovery of Town costs for these events. If the Town Council wishes to do so, this Chapter can be amended to require the applicant to reimburse the Town for additional police presence, including the escort when needed. If the Council seeks to clarify this chapter, the Town Attorney's Office also recommends broadening what is covered under this Chapter to cover a wider range of "special events" to allow more flexibility in the future.

4. Ordinance #1371 – One-Day Business License.

The attached ordinance provides for one-day business licenses at the cost of \$10 per license be allowed for business participating in a special event that is permitted under Chapter 14.04 RMC. In addition, there may be additional community or special events which do not strictly fall under Chapter 14.04 RMC. Therefore, the attached ordinance allows the Council, by resolution, to designate other events as "special events" for the express purpose of taking advantage of the one-day business licensing provision for an event that is not covered by Chapter 14.04 RMC. This will allow the Council a bit more flexibility in the years ahead to organize, participate in, promote or support special events in Ruston.

The ordinance sets the one-day business license fee at \$10. If the Town Council desires to set a different fee for the one-day business license, that can be revised at Council direction.

FISCAL CONSIDERATION

This ordinance establishes a one-day business license for businesses participating in special community events at the cost to the applicant of \$10.

BOARD OR COMMITTEE RECOMMENDATION

N/A

RECOMMENDATION / MOTION

1. Adopt Ordinance #1371.

MOTION: I move to adopt Ordinance #1371 to amend Section 5.05.010 of the Ruston Municipal Code to create a one-day business license for special events.

2. Give direction to the Town Attorney on bringing forth amendments to Chapter 14.04 of the Ruston Municipal Code.