

ORDINANCE NO. 1508

AN ORDINANCE OF THE CITY OF RUSTON, WASHINGTON, REGARDING BUSINESS LICENSING, CREATING A NEW CHAPTER 5.05A OF THE RUSTON MUNICIPAL CODE, ESTABLISHING PROCESSES AND PROCEDURES FOR ANNUAL BUSINESS LICENSING IN THE CITY OF RUSTON, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the State is requiring all cities with business licenses to make certain updates to its business licensing codes and the deadline for adopting these revisions for Ruston is October 17, 2018; and

WHEREAS, the City deemed it in the best interests to fully update its licensing code, including adoption of several new chapters under subtitle 5.05, including this new Chapter 5.05A; and

WHEREAS, on August 21, 2018, the City Council held the first reading on this Ordinance; and

WHEREAS, on September 4, 2018, the City Council adopted this Ordinance during its regular meeting at second reading; **NOW, THEREFORE**

THE CITY COUNCIL OF THE CITY OF RUSTON HEREBY ORDAINS AS FOLLOWS:

Section 1. A new chapter is hereby added to the Ruston Municipal Code to read as follows:

**Chapter 5.05A
ANNUAL BUSINESS LICENSE**

Sections:

- | | |
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| 5.05A.010 | License required. |
| 5.05A.020 | License fee. |
| 5.05A.030 | Date of payment. |
| 5.05A.040 | License required to be posted at each business location. |

5.05A.050 Statute of limitations – Unlicensed licensees.

5.05A.010 License required. It shall be unlawful for any person to engage in business activities within the City, whether his or her office or place of business is located within and/or outside City limits, without first obtaining a license pursuant to the provisions of this chapter. For purposes of this chapter, this license is referred to as an “annual business license.”

5.05A.020 License fee. Pursuant to Section 5.05A.010, there is hereby imposed an annual business license fee as set forth in the City’s Master Fee Resolution adopted by the City Council.

5.05A.030 Date of payment. The annual license fee prescribed herein shall be due on January 31 of each year. Effective January 1, 2019, licensees who engage in the business of renting or leasing real property in the City shall pay the annual license fee. The amount of penalties to be assessed shall be calculated pursuant to the provisions of RMC 5.05.090.

5.05A.040 License required to be posted at each business location. The business license shall be personal and nontransferable. In case business is transacted at two or more separate places by one licensee, a separate license for each place at which business is transacted with the public shall be required. Each license shall be numbered, shall show the name and place of the licensee, such other information as the Clerk shall deem necessary, and shall at all times be conspicuously posted in the place of business for which it is issued. When a place of business of the licensee is changed, the licensee shall return the license to the Clerk, and a new license shall be issued for the new place of business, free of charge. No person to whom a license has been issued pursuant this subtitle 5.05 shall suffer or allow any person for whom a separate license is required to operate under or display his or her license; nor shall such other person operate under or display such license.

5.05A.050 Statute of limitations – Unlicensed licensees. With regard to unlicensed licensees, no assessment or correction of an assessment for additional fees and penalties may be made due by the Clerk more than four years after the close of the calendar year in which they were incurred, except that the Clerk may issue an assessment:

- (a) Against a person who is not currently registered or has not filed a license as required by this title for fees due within the period commencing 10 years prior to the close of the calendar year in which the person was contacted in writing by the Clerk;
- (b) Against a person that has committed fraud or who misrepresented a material fact;
or
- (c) Against a person that has executed a written waiver of such limitations.

Section 2. Direction to Clerk. The Clerk is directed to send a copy of this Ordinance to the State Business Licensing Service at the Department of Revenue.

Section 3. 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 4. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 5. Effective Date. This Ordinance shall take effect on January 1, 2019, which is more than five days after publication as provided by law.

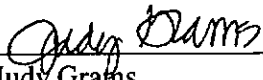
ADOPTED by the City Council of the City of Ruston and attested by the City Clerk in authentication of such passage on this 4th day of September, 2018.

APPROVED by the Mayor this 4th day of September, 2018.




Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:



Judy Grams
City Clerk

APPROVED AS TO FORM:



Jennifer S. Robertson
City Attorney's Office

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
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