

ORDINANCE 642

CITY OF LACEY

AN ORDINANCE RELATING TO BUSINESS REGISTRATION INCREASING THE APPLICATION FEE, PROVIDING FOR THE PROCESSING THEREOF AND AMENDING SECTIONS 5.12.010, 5.12.020, and 5.12.040 OF LACEY MUNICIPAL CODE.

WHEREAS, it has been determined on the basis of a review of staff time involved, that the application fee for business registration is not sufficient for the expense incurred by the city and that more employee time has been required in the case of temporary businesses than for permanent businesses because of the many failures by temporary businesses to report sales tax revenues and business and occupation tax reports, and

WHEREAS, it is deemed necessary that applications for new businesses be reviewed by the Police Department as part of the crime prevention program and for public safety reasons, Now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. Section 5.12.010 of the Lacey Municipal Code is hereby amended to read as follows:

"(a) Whenever the word 'business' is used herein, it applies to any person, firm, or corporation which operates any store or place for the sale of goods, services, wares or merchandise at retail or at wholesale, within the corporate limits of the city, on a temporary or permanent basis. Each such store or place shall be considered a separate business even though more

than one such store or place is owned by the same person, firm, or corporation. 'Business,' as used solely in this chapter, shall not apply to the temporary sale activities of nonprofit, religious, educational, or charitable organizations where such activities are incidental or customary to the charitable, educational, or religious purpose of the organization and such organization has notified the city clerk in writing of the dates upon which the activities will be conducted. Temporary as used solely in this chapter shall be any business operated for thirty consecutive days or less within the corporate limits of the city of Lacey or which may be located in a mobile unit.

"(b) Any proposed new business ~~after-January-17-1975,~~ and any business which changes its state tax number or moves its location, shall make application for registration to the city clerk. Such application shall be accompanied by a fee of ~~\$5.00~~ \$10.00 for those businesses constituting a home occupation and those businesses located outside of the city but doing business within the city, a fee of \$50.00 for temporary business, and a fee of ~~\$10.00~~ \$25.00 for all other businesses. The city clerk shall refer the application to the building official who shall check the zoning of the proposed business location and refer the application to the fire chief for inspection of the premises prior to issuing the business registration certificate. In addition, the city clerk shall refer the application to the Police Department for a review of the type of business proposed and the products to be sold in order to prevent

the potential sale of stolen goods or the practice of fraud upon the public, in addition to reviewing the location of the business for the prevention of a safety hazard to the public. In addition, all applicants for businesses dealing in food services shall provide a copy of the certificate issued by the county health department prior to the business registration certificate being issued. The city shall notify the applicant of the results of said ~~zoning investigation~~ investigations and fire inspection within ten working days after the application is submitted. If the proposed business location is in compliance with the city's zoning and fire safety requirements, if the health certificate, when appropriate, has been furnished, and if the police department finds that a public safety hazard will not be created by the business and there shall not be a likelihood of stolen property being sold by the business or fraud upon the public being perpetrated, or if the city fails to notify the applicant of the results of said investigation and inspection within ten (10) working days after the application is submitted, a business registration certificate shall be issued to the applicant.

"(c) A registration certificate will be valid for the calendar year for which said certificate is issued. The city shall issue a new registration certificate for each calendar year during which the business continues to operate after the initial calendar year in which the business is registered."

Section 2. Section 5.12.020 of the Lacey Municipal Code is hereby amended to read as follows:

"The certificate provided for herein shall be posted in a conspicuous place in the business of the registrant. Such certificates

shall expire December 31 of each year for permanent businesses and at the end of thirty consecutive days for temporary businesses and are nontransferable."

Section 3. Section 5.12.040 of the Lacey Municipal Code is hereby amended to read as follows:

"Any person, firm or corporation engaging in any of the businesses, trades or occupations mentioned in this chapter within the city limits ~~after-failure~~ and who fails to comply with the registration provision ~~for-any-period-in-excess-of-forty-five calendar-days~~ is guilty of a misdemeanor."


PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY,
WASHINGTON, this 28th day of January, 1982.

CITY COUNCIL

By 

Mayor

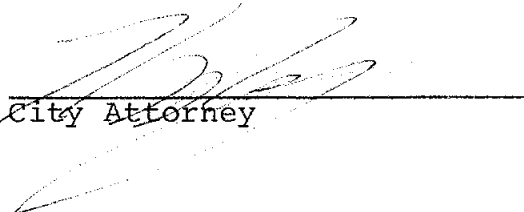
Attest:


City Clerk

Passed: 1-28-82

Published: 2-3-82

Approved as to Form:


City Attorney