

City of Clatskanie
Ordinance 670

AN ORDINANCE AMENDING TITLE 3; CHAPTER 1; BUSINESS LICENSES GENERALLY; SECTION 3-1-2 'BUSINESS DEFINED; EXCEPTIONS', SECTION 3-1-3 'LICENSE REQUIRED; COMPLIANCE WITH CHAPTER' AND AMENDING SECTION 3-1-5 'LICENSE FEES; PAYMENTS; TERMS' OF THE CLATSKANIE MUNICIPAL CODE

WHEREAS, the Council of the City of Clatskanie desires to amend Section 3-1-2 of the Clatskanie Municipal Code entitled 'Business Defined; Exceptions'; and

WHEREAS, the Council of the City of Clatskanie desires to amend Section 3-1-3 of the Clatskanie Municipal Code entitled 'License Requires; Compliance with Chapter; and

WHEREAS, the Council of the City of Council desires to amend Section 3-1-5 of the Clatskanie Municipal Code entitled 'License Fees; Payments; Terms'.

NOW THEREFORE the City of Clatskanie ordains as follows:

Section 3-1-2: Section 3-1-2 "Business Defined; Exceptions" of the Clatskanie Municipal Code is hereby amended to read as follows:

"Business means any profession, trade, occupation, shop, and every type of activity conducted for profit, including property rental and delivery of services. The term "business" shall include building contractors as defined by the Oregon Revised Statutes. Any person, firm, or corporation owning, leasing, or having an interest in one or more residential or commercial dwellings, units or structures which are offered for rent or lease, shall be deemed to be operating a business.

The following persons are exempt for license requirements imposed by this ordinance:

- A. Suppliers and those engaged solely in wholesale selling to licensed retailers, who do not have a place of business in the city.
- B. Producers of farm products raised in Oregon, produced by themselves or their immediate families, who sell such products in the city by themselves or their immediate families.
- C. Any person transacting and carrying on any business which is exempt from a license fee by virtue of the constitution of the United States, the constitution of the state, or the laws of the United States or of the state. (1996 Code § 1.04.060; amd. 2004 Code)
- D. Newspaper carriers
- E. Representatives of public utilities
- F. Garage sales, yard sales and other similar activities
- G. The sale of personal assets such as a personal automobile, residence, appliance or other items
- H. Land owners performing general contracting services on their own property in the City
- I. The operation of a display space, booth, or table maintained for displaying or selling merchandise at any trade show, convention, festival, fair, circus, market, flea market, swap meet or similar event for less than 14 days in any calendar year.
- J. Insurance companies per ORS 731.840

- K. Towing companies per ORS 822.230
- L. Child care providers
- M. In-home adult care providers
- N. Non-profit business
- O. Hotel/motel per-unit fee does not apply to Adult Assisted-Living facilities.

Section 3-1-3: Section 3-1-2; "License Required; Compliance with Chapter" of the Clatskanie Municipal Code is hereby amended to read as follows:

"No person shall engage in business in the city without first having obtained the license therefor for the current calendar year, as herein provided, and without having first complied with any and all applicable provisions of this chapter. Licenses are required for the following business types unless exempted under section 3-1-2. (1996 Code § 5.04.020)

- A. In-city Business. In-city businesses will obtain a business license and will be subject to the current fee schedule of a base fee plus additional fee for Full Time Equivalent of six to ten (6-10) employees and eleven (11) or greater.
- B. Out of City Service provider
- C. Motel/Hotel. Business license fee will include a base fee and a per-unit (number of rooms) fee.
- D. Manufactured Home Park. Business license fee will include a base fee and a per-unit (number of pads) fee.
- E. Recreational Vehicle Park. Business license fee will include a base fee and a per-unit (number of pads) fee.
- F. Land, Residential. Business License fee will be based on a per-unit (number of rentals).
- G. Land, Commercial.
- H. Licensed Contractor
 - a. Annual
 - b. Project License. Project lasting more than seven (7) days but less than one year
 - c. 7-Day License. Project lasting less than seven (7) days.
- I. Short-term License. For any short term business activity other than a contractor for seven (7) days or less unless exempted in section 3-1-2.
- J. Solicitation. License for door-to-door sales.
- K. Seasonal. Six (6) month retail license.

Section 3-1-5: Section 3-1-5; "License fees; Payment; Term" of the Clatskanie municipal Code is hereby amended to read as follows:

- A. Fees Set By Resolution: All fees for business licenses shall be set by resolution of the city council. (1996 Code § 5.04.040)
- B. Payment of Fee:
 1. The license fee required in this chapter, for annual business licenses, shall be due and payable on January 1 of each year for the calendar year commencing with such date and shall be delinquent on and after the following February 1.
 2. Licenses for persons engaging in any business after January 1 in any year shall be due and payable upon such person engaging in such business and shall be delinquent if not paid within ten


(10) days thereafter. The business license fee for any business opening on or after February 1 may be prorated.

C. Term: The license year shall commence on January 1 in each year and shall terminate at midnight on December 31 of the same year.

D. Agent of Nonresident Proprietor Responsible: The agent of a nonresident proprietor engaged in any business for which a license is required by this chapter shall be liable for the payment of the fee thereon as provided in this chapter, and for the penalties for failure to pay the same or to comply with the provisions of this chapter to the extent and with like effect as if such agent or agents were themselves proprietors. (1996 Code § 5.04.050)

Passed by the Council of the City of Clatskanie this 5th day of June, 2013.


Karyn Purdue, City Recorder


Diane Pohl, Mayor

1st Reading May 1, 2013

2nd Reading June 5, 2013

ROLL CALL ON ADOPTION		AYE	NAY	ABSENT
Mayor:	Diane Pohl	X		
Councilor:	Steve Constans	X		
	Kathy Engel	X		
	Toby Harris			X
	Jim Morgan			X
	Ron Puzey	X		
	Travis Zea			X