

CODE ORDINANCE

CITY OF REDMOND
ORDINANCE NO. 2605

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, RELATING TO BUSINESS LICENSING; AMENDING RMC 5.04.040 TO AUTHORIZE CERTAIN BUSINESSES EMPLOYING INDEPENDENT CONTRACTORS TO COVER SUCH CONTRACTORS UNDER THE BUSINESS' LICENSE; ADDING RMC 5.04.045 ESTABLISHING A MASTER EVENT BUSINESS LICENSE; AMENDING RMC 5.04.130(9) TO EXEMPT CERTAIN CITY-SPONSORED EVENTS FROM BUSINESS LICENSING; AMENDING RMC 5.04.140(1) TO ESTABLISH VIOLATION OF FEDERAL LAW AS A GROUND FOR DENIAL, SUSPENSION, OR REVOCATION OF A BUSINESS LICENSE; AMENDING RMC 5.44.030 TO ELIMINATE THE REQUIREMENT FOR AN OCCUPATION REGISTRATION; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of Redmond Finance Director is the administrator of the City's business license and utility tax regulations; and

WHEREAS, the Finance Director has recommended several amendments to such regulations in order to provide more efficient administration; and

WHEREAS, the Redmond City Council has considered the Finance Director's recommendations and, for the reasons set forth in the agenda memo to the Council has determined to adopt this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City Code.

Section 2. Amendment of Section. RMC 5.04.040 is hereby amended to read as follows:

(A) No person shall engage in any business within the city without first having obtained and being the holder of a valid and subsisting license to engage in such business or activity, to be known as a "business license," and without paying the license fee imposed by this chapter. Provided, however, that an independent contractor who provides work, labor, or services to or on behalf of a business entity~~[FES]~~ licensed hereunder, where such goods or services are of the same kind or nature as those provided by the business entity in its normal course of business, shall not be required to obtain a separate business license when all of the license fees and taxes required by this chapter with respect to such [A PERSON] independent contractor are included in the license fees and taxes paid by the entities which receive or use the [PERSON'S] independent contractor's work, labor or services, pursuant to Section 5.04.080. Where a business entity elects not to cover its

independent contractors as provided in this section,
the business entity and each of its independent
contractors must obtain separate business licenses as
provided in this chapter.

(1) Business entities utilizing independent
contractors shall provide the Finance Director with a
list of independent contractors, including names,
addresses, telephone numbers, and the nature of the
goods or services provided to or on behalf of the
business entity.

(B) Persons or companies doing business in the City of Redmond must comply with this chapter regardless of the physical location of the business (i.e., whether inside or outside Redmond City limits). An original or officially issued duplicate license must be obtained for each location where business is transacted.

(C) A person shall obtain a separate business license for each separate business engaged in, including but not limited to a separate business for each separate Unified Business Identifier number issued by the Washington State Department of Licensing.

hereby adopted to read as follows:

5.04.045 Master Event Business License.

(A) Any person organizing, promoting, sponsoring, or conducting any arts or crafts fair, farmer's market, trade show, or other similar event which:

(1) does not exceed seven days in duration and does not occur more than once in any calendar year; or

(2) does not exceed two days in duration during any calendar week and does not operate for more than six months in any calendar year, at which multiple dealers or vendors will be present selling goods or services at a single location, may obtain a master event business license as provided in this section. The master event business license shall cover all dealers and vendors involved in the event and individual dealers and vendors participating in the event shall not be required to obtain separate business licenses in connection with their participation.

(B) The city may also obtain a master event business license for the following city-sponsored community events for which an admission fee is

charged: Friday performance arts events, summer music series, special entertainment lunches, Trash or Treasure, the father/daughter dance, the mother/daughter tea, Big Truck Day, and the community swap meet/flea market. Additional city-sponsored community events for which an admission fee is charged may be added to this list with approval of the event sponsoring department and the Finance Director.

(C) Applicants for a master event business license shall be required to meet all requirements of this chapter for issuance of a business license and shall be required to pay all fees and taxes imposed by this chapter on behalf of themselves and all dealers and vendors covered by the master event business license.

(D) Holders of master event business licenses shall be required to provide the Finance Director with a list of all participating dealers and vendors at least ten days prior to the event. The list shall include the dealer or vendor's name, address, telephone number, and state UBI number. Only those dealers and vendors set forth on the list are covered under the master event business license.

(E) Nothing in this section is intended to prevent the city from requiring other permits or approvals in connection with an event covered by this section, including but not limited to any necessary building and zoning approvals, and any necessary right of way use permits.

Section 4. Amendment of Section. RMC 5.04.130 is

hereby amended to add subsection (9) to read as follows:

(9) Community special events that are sponsored by the city and that are open to the public without the payment of an admission fee are exempt from the requirement to obtain a business license. In addition, no business license shall be required for dealers, vendors, entertainers, instructors, and others with whom the city or any co-sponsor contracts to provide goods or services at the event. As used in this subsection, "community special event" means the following events sponsored or co-sponsored by the City: Derby Days, Redmond Lights, Eggstravaganza, the Digital Arts Festival, the Arts in the Park Series, the Community Lecture Series, Pet Fair, Bridal Fair, the Spring Garden Fair, the Holiday Craft Market, Healthy, Wealthy and Wise Health Fair, Sculpture Garden, and the Great Day of Play.

Additional city-sponsored community special events that are open to the public without the payment of an admission fee may be added to this list with approval of the event sponsoring department and the Finance Director. The City Council will be notified of changes to the list of free city-sponsored community events.

Section 5. Amendment of Subsection. RCW 5.04.140(1) is hereby amended to read as follows:

(1) Knowingly violates or knowingly causes, aids, abets, or conspires with another to cause any person to violate any ~~[OF THE LAWS OF THIS]~~ state, federal, or ~~[THE]~~ city law which may affect or relate to the applicant or license holder's business;

Section 6. Amendment of Section. RMC 5.44.030 is hereby amended to read as follows:

~~[ON AND AFTER JANUARY 1, 1970,]~~ No person subject to the payment of the tax provided herein shall engage in any business, occupation or activity in the city without first having obtained a valid City of Redmond business license. ~~[AND SUBMITTING A COMPLETED OCCUPATION REGISTRATION APPLICATION AND AN OCCUPATION REGISTRATION FEE OF TEN DOLLARS. SUCH OCCUPATION REGISTRATION SHALL EXPIRE AT THE END OF THE CALENDAR YEAR IN WHICH IT IS ISSUED AND A NEW OCCUPATION~~

~~REGISTRATION APPLICATION AND FEE SHALL BE REQUIRED FOR EACH CALENDAR YEAR, UNLESS THE TAXPAYER IS TRANSACTING HIS OR ITS BUSINESS ON A FISCAL YEAR AND NOT ON A CALENDAR YEAR AND, WITH THE CONSENT OF THE FINANCE DIRECTOR, OBTAINS HIS OR ITS LICENSE FOR THE PERIOD OF HIS OR ITS CURRENT FISCAL YEAR WHICH SHALL BE DEEMED THE TAX YEAR FOR SUCH TAXPAYER.~~

~~APPLICATION FOR AN OCCUPATION REGISTRATION SHALL BE MADE TO THE FINANCE DIRECTOR, WHO SHALL PROVIDE THE FORMS THEREFOR AND SHALL ISSUE THE BUSINESS LICENSE UPON PAYMENT OF THE BUSINESS LICENSE AND OCCUPATION REGISTRATION FEES. THERE SHALL BE NO PRORATION OF THE OCCUPATION REGISTRATION FEE FOR AN APPLICANT WHO MAKES APPLICATION FOR PART OF ANY YEAR OR PERIOD.~~

~~ANY PERSON ENGAGING IN OR CARRYING ON MORE THAN ONE SUCH BUSINESS, OCCUPATION, PURSUIT OR PRIVILEGE WITHIN THE CITY SHALL MAKE APPLICATION FOR AND PROCURE AN OCCUPATION REGISTRATION FOR EACH OF THE SAME.~~

~~NO PERSON WHO HAS COMPLETED AN OCCUPATION REGISTRATION PURSUANT TO THIS CHAPTER SHALL SUFFER OR ALLOW ANY OTHER PERSON FOR WHOM A SEPARATE REGISTRATION IS REQUIRED TO OPERATE UNDER HIS REGISTRATION; NOR SHALL SUCH OTHER PERSON OPERATE UNDER SUCH REGISTRATION.~~

~~ANY TAXPAYER WHO ENGAGES IN OR CARRIES ON ANY
BUSINESS SUBJECT TO TAX HEREUNDER WITHOUT HAVING
COMPLETED AN OCCUPATION REGISTRATION SO TO DO SHALL BE
GUILTY OF A VIOLATION OF THIS CHAPTER FOR EACH DAY
DURING WHICH THE BUSINESS IS SO ENGAGED IN OR CARRIED
ON AND THE TAXPAYER WHO FAILS OR REFUSES TO PAY THE
REGISTRATION FEE OR TAX ON ANY PART THEREOF ON OR
BEFORE THE DUE DATE SHALL BE DEEMED TO BE OPERATING
WITHOUT HAVING PROPER REGISTRATION SO TO DO.]~~

Section 7. Effective Date. This ordinance shall
take effect five (5) days after publication of an approved
summary consisting of the title, or as otherwise provided by
law.

ADOPTED by the Redmond City Council this 19th day of July,
2011.

CITY OF REDMOND


JOHN MARCHIONE, MAYOR

ATTEST:


MICHELLE M. MCGEHEE, CMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:


JAMES HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK:	July 13, 2011
PASSED BY THE CITY COUNCIL:	July 19, 2011
SIGNED BY THE MAYOR:	July 19, 2011
PUBLISHED:	July 25, 2011
EFFECTIVE DATE:	July 30, 2011
ORDINANCE NO. 2605	

ADOPTED 6-1; YES: Allen, Carson, Margeson, Myers, Stilin and Vache
 NO: Cole