



Legislation Text

File #: CB 119111, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to regulatory business and professional license fees; adjusting business and professional license and registration fees associated with the regulated activities of alarm monitoring, trade shows, residential sales, tow companies, used and recycled goods, adult entertainment, and price scanning; and amending Seattle Municipal Code Sections 6.08.010, 6.10.010, 6.20.040, 6.204.030, 6.204.080, 6.214.270, 6.250.060, 6.270.060, and 7.04.645.

WHEREAS, The City of Seattle is authorized under RCW 35.22.280(32) to grant licenses for any lawful purpose, and to fix by ordinance the amount to be paid therefor; and

WHEREAS, The City of Seattle periodically reviews its license and registration fees, among other reasons, to determine whether existing licenses and registrations appropriately reflect the regulated activities, whether fee revenues are covering the cost of oversight and enforcement of the regulated service, and whether those license fees designated as revenue producing fees are set appropriately; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Seattle Municipal Code Section 6.08.010, last amended by Ordinance 118395, is amended to read as follows:

6.08.010 License required ((-))

It is unlawful for any person to engage in, or to represent ((~~himself or herself~~)) themselves as being engaged in, the business of selling, leasing, renting, servicing, inspecting, installing, maintaining, or repairing alarms or alarm systems for the purposes of preventing or detecting burglaries or robberies without complying with the provisions of this ((~~chapter~~)) Chapter 6.08 and without first obtaining a valid and subsisting license so to do, to

be known as a “burglar alarm dealer’s license,” the fee for which shall be ~~((Seventy-five Dollars (\$75.00)))~~ \$79 per year. ~~((; provided, that such))~~ Such license shall not be required of any person for the purpose of installing wires or equipment to convey electric current, or installing apparatus or appliances to be operated by such current, ~~((and who))~~ if that person is required by the laws of the state to have a license to engage in, conduct, or carry on the business of installing such wires, equipment, apparatus, or appliances.

Section 2. Seattle Municipal Code Section 6.10.010, last amended by Ordinance 121932, is amended to read as follows:

6.10.010 Alarm ~~((System Monitoring Companies))~~ system monitoring companies-License required-Fee-Identification ~~((:))~~

A. It is unlawful for any person to engage in business in the City of Seattle as an alarm system monitoring company without first having obtained an annual license to do so. An annual license is required regardless of whether alarms are monitored from a location inside or outside Seattle.

B. The fee for such annual license is based upon two components:

1. The following aggregate amount:

- a. Zero to 100 Seattle monitored alarm systems: ~~((...\$100.00))~~ \$105 per annum;
- b. 101 to 200 Seattle monitored alarm systems: ~~((...\$200.00))~~ \$209 per annum;
- c. 201 to 500 Seattle monitored alarm systems: ~~((...\$400.00))~~ \$420 per annum;
- d. Over 500 Seattle monitored alarm systems: ~~((...\$500.00))~~ \$523.00 per annum;

and

2. ~~((Ten Dollars (\$10.00)))~~ \$10 per year for each property alarm, burglary alarm, robbery alarm, and panic alarm located in Seattle and monitored by the alarm system monitoring company at any time during the calendar year.

C. When more than one alarm system monitoring company provides alarm system monitoring service to any one location, all such companies shall be jointly and severally liable for payment of all fees

under subsection 6.10.010.B; ~~((;))~~ provided, however, that:

1. It shall be the primary responsibility of the alarm system monitoring company actually providing the ~~((twenty-four (24)))~~ 24-hour monitoring service, pursuant to a written contract between the alarm system monitoring companies, to pay the license fee component set forth in subsection 6.10.010.B.1; and

2. The alarm system monitoring company that maintains the service contract directly with the subscriber is primarily responsible for the license fee component set forth in subsection 6.10.010.B.2.

~~((E))~~ D. The Department will issue a permit number to each alarm system monitoring company licensed under this ~~((chapter))~~ Chapter 6.10, and such number shall be provided on the company's business license. The Seattle Police Department shall reference this number as their Unique Identifying Number (UIN). All persons licensed pursuant to this ~~((chapter))~~ Chapter 6.10 shall supply the Seattle Police Department personnel with their permit number/UIN at the time an alarm is called in to the Seattle Police Department.

~~((F))~~ E. The license required pursuant to this ~~((chapter))~~ Chapter 6.10 is separate from and in addition to any license required by any other chapter of the Seattle Municipal Code including, but not limited to, that required pursuant to Chapter 5.45, Business License Tax; Chapter 5.55, General Administrative Provisions; and Chapter 6.08, pertaining to burglar ~~((alarms))~~ alarm installers.

Section 3. Seattle Municipal Code Section 6.20.040, last amended by Ordinance 120668, is amended to read as follows:

6.20.040 Trade show license fee ~~((;))~~

A. Basic ~~((Fee))~~ fee. The fee for a trade show license shall be an amount equal to ~~((Five Dollars (\$5.00)))~~ \$10 per day for each participant in the trade show, other than those participants excluded in calculating the fee under subsections 6.20.040.B and 6.20.040.C. The fee shall be due upon filing of the application, but the Director for good cause may allow the promoter or organizer to pay the fee on the day that the trade show opens, or in the alternative, allow the trade show organizer to pay these fees to the facility in which the trade show will be housed. The facility is required to submit any such fees collected to the City

within ten ~~((10))~~ days following the close of the trade show.

B. Exclusions. A promoter or organizer may exclude the following participants in calculating the amount of the fee if the promoter or organizer allows their participation as a public service without charge or at a reduced rate and identifies them on the application:

1. Agencies described within ~~((SMC Subsections))~~ subsections 5.45.090.G, 5.45.090.H, and 5.45.090.J as exempt from City business licenses;

2. Agencies described within ~~((SMC Subsections))~~ subsections 5.45.100.C, 5.45.100.D, and 5.45.100.F to the extent that their activities in the trade show entitle them to a deduction from gross income;
and

3. A nonprofit organization that participates in the trade show as an exercise of constitutional rights guaranteed by the First and Fourteenth Amendments to the United States Constitution and confines its activities at the trade show to distributing literature or presenting a political or religious message; soliciting donations or services of volunteers; and/or by vending products such as literature, bumper stickers, or buttons with a political or religious message, that have no intrinsic value, and the message is inextricably intertwined with the purposes of the organization.

C. The promoter or organizer shall not be required to pay the basic fee set out in subsection 6.20.040.A ~~((of SMC Section 6.20.040))~~ for a participant who currently possesses a City of Seattle business license.

D. Adjustments. A promoter or organizer shall within ten ~~((10))~~ days following the trade show pay the City any additional fee that may be due on account of nonexcluded participants who are added after the date on which the organizer or promoter filed his or her application, and may secure a refund for license fees paid in anticipation of the presence of participants who did not appear. Only one ~~((1))~~ application shall be made, no later than ~~((thirty (30)))~~ 30 days after the close of the trade show. If the promoter or organizer arranges multiple trade shows in Seattle, the Director may in lieu of a refund allow the promoter or organizer a

credit for the amount of the refund to be applied toward future trade shows.

E. Late (~~(Application/Payment)~~) application/payment. There shall be surcharge of ten percent (~~(10%)~~) of the basic license fee in subsection 6.20.040.A charged to any promoter or organizer who shall fail to file an application at least one (~~((+))~~) day before the trade show or fail to pay the fee when due.

Section 4. Seattle Municipal Code Section 6.204.030, last amended by Ordinance 118395, is amended to read as follows:

6.204.030 Residential sellers (~~(-)~~)

Annual fees for residential (~~(sellers)~~) seller licenses shall be:

Residential seller: (~~(...\$155.00)~~) \$163

Residential seller having one or more employees: (~~(...225.00)~~) \$237

Residential seller's agent card: (~~(...50.00)~~) \$53

Section 5. Seattle Municipal Code Section 6.204.080, last amended by Ordinance 118395, is amended to read as follows:

6.204.080 Used goods (~~(-)~~)

The annual fee for a used goods license shall be:

Used goods dealer: (~~(...\$130.00)~~) \$137

Section 6. Seattle Municipal Code Section 6.214.270, enacted by Ordinance 123997, is amended to read as follows:

6.214.270 Tow company license

- A. A tow company license is valid for no more than one year and expires on December 31 (~~((st))~~).
- B. A tow company shall obtain a separate tow company license for each separate office location.
- C. The annual license fee is (~~(\$500)~~) \$525.

Section 7. Seattle Municipal Code Section 6.250.060, enacted by Ordinance 122258, is amended to read as follows:

6.250.060 License ((Fee)) fee

The annual license fee for the recyclable materials collector/processor license is ((One Hundred Dollars (\$100.00))) \$105.

Section 8. Seattle Municipal Code Section 6.270.060, last amended by Ordinance 120978, is amended to read as follows:

6.270.060 License fees ((:))

The license year for all fees required under this ((chapter)) Chapter 6.270 shall be from January 1 ((st)) to December 31 ((st)) . All license fees shall be payable on an annual basis, which fees shall be as follows:

- A. Adult entertainment premises license: ((, Seven Hundred Twenty Dollars (\$720.00))) \$755 per year;
- B. Adult entertainer's license: ((, One Hundred Forty five Dollars (\$145.00))) \$150 per year;
- C. Adult entertainment manager's license: ((, One Hundred Forty five Dollars (\$145.00))) \$152 per year.

Section 9. Seattle Municipal Code Section 7.04.645, last amended by Ordinance 123361, is amended to read as follows:

7.04.645 Registration-Fees ((:))

A. Except as provided in subsection 7.04.645.F, no weighing or measuring instrument or device, or electronic price scanning system, may be used for commercial purposes in the ((city)) City unless its commercial use is registered annually with the Department of Finance and Administrative Services.

B. The annual registration with the Department of Finance and Administrative Services for weighing or measuring instruments or devices is accomplished as part of the State of Washington master license system under chapter 19.02 RCW. Payment of an annual registration fee for a weighing or measuring instrument or device under the State of Washington master license system constitutes the registration required by this Section 7.04.645. The annual registration with the Department of Finance and Administrative Services

for electronic price scanning systems is accomplished as part of the annual business license requirement under Chapter 6.208. Payment of the registration fee with the annual business license application or renewal constitutes the registration required by this Section 7.04.645.

C. The following annual City registration fees must be paid for each weighing or measuring instrument or device used for commercial purposes in The City of Seattle:

1. Weighing devices:
 - a. Small scales “zero to 400 pounds capacity”: ~~((...))~~ \$10.
 - b. Intermediate scales “401 pounds to 5,000 pounds capacity”: ~~((...))~~ \$40.
 - c. Large scales “over 5,000 pounds capacity”: ~~((...))~~ \$75.
 - d. Railroad track scales: ~~((...))~~ \$800.
2. Liquid fuel metering devices:
 - a. Motor fuel meters with flows of 20 gallons or less per minute: ~~((...))~~ \$10.
 - b. Motor fuel meters with flows of more than 20 but not more than 150 gallons per minute: ~~((...))~~ \$32.
 - c. Motor fuel meters with flows over 150 gallons per minute: ~~((...))~~ \$50.
3. Liquid petroleum gas meters:
 - a. With 1-inch diameter or smaller dispensers: ~~((...))~~ \$25.
 - b. With greater than 1-inch diameter dispensers: ~~((...))~~ \$50.
4. Fabric meters: ~~((...))~~ \$10.
5. Cordage meters: ~~((...))~~ \$10.
6. Mass flow meters: ~~((...))~~ \$200.
7. Taxi meters: ~~((...))~~ \$25.

D. The following annual City registration fees must be paid for each electronic price scanning system used for commercial purposes in The City of Seattle:

1. Electronic price scanning systems with three or fewer electronic pricing devices: (~~...~~\$150)) \$158.
2. Electronic price scanning systems with more than three electronic price scanning devices: (~~(...~~\$300)) \$315.

E. The fees established in subsection 7.04.645.C for registering a weighing or measuring instrument or device shall be paid to the State of Washington Department of Licensing concurrently with a master application or with the annual renewal of a master license under RCW Chapter 19.02. The fees established for electronic pricing systems in subsection 7.04.645.D shall be paid with The City of Seattle annual business license application or renewal.

F. A weighing or measuring instrument or device, or electronic price scanning system, shall be initially registered with the Department of Finance and Administrative Services as follows: A weighing or measuring device is initially registered through (~~The~~) the State of Washington Department of Licensing at the time the owner applies for a master license for a new business or at the first renewal of the license that occurs after the instrument or device is first placed into commercial use. An electronic price scanning system is initially registered through the Department of Finance and Administrative Services when the owner applies for an initial business license or the first renewal of the business license after the instrument or device is first placed into commercial use.

G. The State of Washington Department of Licensing shall remit to The City of Seattle, through (~~The~~) the State of Washington Department of Agriculture, all fees collected under this (~~section~~) Section 7.04.645 less reasonable collection expenses.

H. With the exception of Section 7.04.650, no person shall be required to pay more than the fee adopted under this (~~section~~) Section 7.04.645 for any weighing or measuring instrument or device, or electronic price scanning system, in one year.

I. A person who owns a weighing or measuring instrument or device, or electronic price scanning

system, and uses or permits its use for commercial purposes without registration as provided in subsection 7.04.645.A is subject to a civil penalty of \$50 per occurrence for each instrument or device, or system, used or permitted to be used.

Section 10. Sections 1 through 9 of this ordinance shall take effect January 1, 2018.

Section 11. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2017, and signed by me in open session in authentication of its passage this _____ day of _____, 2017.

President _____ of the City Council

Approved by me this _____ day of _____, 2017.

Tim Burgess, Mayor

Filed by me this _____ day of _____, 2017.

Monica Martinez Simmons, City Clerk

(Seal)