AN ORDINANCE of the City Council of the City of Kent, Washington, amending Section 3.11.010 clarifying technology fees charged for business licenses, amending Section 5.01.090 relating to business licenses and amending Section 7.02.105 relating to water system cross-connection control, installation and connection permits.

RECITALS

A. On December 13, 2011, Ordinance No. 4019 was adopted relating to the fees contained in the Kent City Code.

B. The City Council now finds minor revisions are required to make the code consistent regarding fees.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

ORDINANCE

SECTION 1. –Amendment. Section 3.11.010 of the Kent City Code is amended as follows:
Sec. 3.11.010. Technology Fee Established. In order to accommodate the high cost and need to continually replace telecommunications, data, network, hardware and software systems caused by a continuous and rapidly changing technology environment, the technology fees shall be applied to the following transactions:

A. Utility Billing. A fee of one dollar ($1.00) per bill for every utility bill issued, whether the bill includes any combination of water, sewer, or storm drainage charges.

B. Business License Fees. A fee of one dollar ($1.00) per business license transaction unless the business is exempt from payment of the business license fee.

BC. Parks and Recreation Fees. A fee of one dollar ($1.00) per transaction for each registration for any parks and recreation program. For the purposes of this subsection, “transaction” shall mean the process of collecting and receipting fees and charges in the form of cash, check, or credit card payment for programs, services, or miscellaneous resale items offered by the parks and recreation department. The fee shall not apply to the following:

1. The fee shall not apply to any transactions or registrations at the Riverbend Golf Course;

2. The fee shall not apply to registrations or transactions with a total cost less than ten and 00/100 dollars ($10.00);

3. The fee shall not apply to drop-in transactions (such as, for example and without limitation, lunch at the Senior Center or one-time payment for use of the weight room at Kent Commons).
GD. For all other applications, permits, inspections, registrations, transactions and approvals established under the Kent City Code, the fee shall be established by council resolution.

**SECTION 2. - Amendment.** Section 5.01.090 of the Kent City Code is amended as follows:

**Sec. 5.01.090. Application procedure, license fee.**

A. The city council shall, by resolution, establish the fees to be assessed to implement and operate the regulations adopted in this chapter. In the event of any conflict or ambiguity regarding any fees established by council resolution, the finance director is authorized to interpret the fee schedule(s) to resolve that conflict or ambiguity.

B. All businesses operated not for profit or a qualifying participant in the STAR program established in Chapter 5.14 KCC shall be required to be licensed but shall be exempt from paying a business license fee upon satisfactory proof to the director of their not-for-profit status.

C. The licensee shall make application for any business license required under this chapter to the director on a form prepared by the department, which application shall be accompanied by a receipt from the department showing payment of the required fee. A new business license shall be required annually. If the application for a new license is made within six (6) months of the date fixed for expiration, the fee shall be one-half the annual fee; provided, there shall be no reduction in the fee for a license renewal.

**SECTION 3. - Amendment.** Sections 7.02.105 of the Kent City Code are amended as follows:
Sec. 7.02.105. Cross-connection — Annual inspection of system with backflow prevention device assembly and administrative fee. The city’s cross-connection control program provides that any person in control of a cross-connection utilizing a backflow prevention device—assembly shall inspect every backflow prevention assembly is to be inspected by the city annually by means of a certified backflow assembly tester, and shall submit copies of the test reports to the city. The purpose for this inspection requirement is to protect the city’s public water supply from possible contamination and to meet requirements of WAC 246-290-490. The annual administrative and inspection fee per backflow prevention assembly shall be established by council resolution, and shall be assessed annually. This fee, per backflow prevention device, shall be established by council resolution. This fee will be based on fee includes the cost incurred by the city to administer the cross connection control program, including education, inspections, water-use surveys and record-keeping mandated by the Washington State Department of Health and the Uniform Plumbing Code pursuant to KCC Chapter 14.01, conduct those inspections. The inspection fee shall be collected at the time of the annual testing of the backflow prevention device(s) as described in the city’s cross-connection program document on file either in the city clerk’s office or the public works department. The installation of new backflow prevention assemblies shall require a backflow prevention permit, and shall be assessed an inspection fee, as established by council resolution. The inspection fee shall be collected at the time backflow permits are issued. In the event of any conflict or ambiguity regarding any fees authorized under this Chapter and established by council resolution, the public works director is authorized to interpret the fee schedule(s) to resolve that conflict or ambiguity.

SECTION 4. — Severability. If any one or more section, subsection, or sentence of this ordinance are held to be unconstitutional or invalid,
such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

**SECTION 5.** - **Corrections by City Clerk or Code Reviser.** Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

**SECTION 6.** - **Effective Date.** This ordinance shall take effect and be in force on January 1, 2013, which is more than five (5) days from and after its passage and publication, as provided by law.

[Signature]
SUZETTE COOKE, MAYOR

ATTEST:

[Signature]
BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

[Signature]
TOM BRUBAKER, CITY ATTORNEY
PASSED: 11th day of December, 2012.
APPROVED: 11th day of December, 2012.
PUBLISHED: 14th day of December, 2012.

I hereby certify that this is a true copy of Ordinance No. 4064 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER
(SEAL)
BRENDA JACOBER, CITY CLERK