ORDINANCE NO. 4069

AN ORDINANCE of the City Council of the city of Kent, Washington, amending Section 5.01.020 of the Kent City Code, entitled "Definitions," to make the definition of "business" consistent with the definition of "rental property" in Chapter 5.14 of the Kent City Code.

RECITALS

A. The City's business license code, found in Ch. 5.01 KCC, defines the term "business" to include apartment and residential rental properties of three or more units. The City's Rental Housing Safety code, found in Ch. 5.14 KCC, defines rental properties as rental housing facilities of two or more dwelling units.

B. The Rental Housing Safety code has always required a business license to operate rental housing facilities of two or more dwelling units. An amendment to the Business Licensing code is required to eliminate any potential confusion regarding whether two or three rental units triggers the business license requirement.

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

ORDINANCE

Amend KCC 5.01
Business Licensing
Ordinance
SECTION 1. - Amendment. Section 5.01.020 of the Kent City Code is amended as follows:

Sec. 5.01.020 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

A. Business means all activities, occupations, trades, pursuits, professions, and matters located within the city, whether operated with the object of gain, benefit, advantage, or profit, or operated not for profit, to the business or to another person, directly or indirectly. The term business shall also mean apartment and residential rental properties of three two (3) or more units, as well as rental housing and rental property as those terms are defined in Ch. 5.14 KCC, but shall not mean governmental agencies.

B. Business enterprise means each location at which business is conducted within the city. A business may have more than one (1) business enterprise within the city.

C. Director means the finance director of the city or his or her designee.

D. Department means the finance department of the city.

E. Licensee means any business or business enterprise that applies for or is granted a business license. The term licensee shall also mean the person who submits a business license for approval, the owner or operator of a business or business enterprise, and any corporation, partnership, nonprofit, or organization which owns or operates the business or business enterprise.
SECTION 2. – 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; ordinance, section, or subsection numbering; or references to other local, state or federal laws, codes, rules, or regulations.

SECTION 3. – Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, that decision shall not affect the validity of the remaining portion of this ordinance and that remaining portion shall maintain its full force and effect.

SECTION 4. – Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage and publication, as provided by law.

ATTEST:

SUZETTE COOKE, MAYOR

RONALD F. MOORE, CITY CLERK

TOM BRUBAKER, CITY ATTORNEY
PASSED: 19th day of February, 2013.
APPROVED: 19th day of February, 2013.
PUBLISHED: 22nd day of February, 2013.

I hereby certify that this is a true copy of Ordinance No. 4069, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

RONALD F. MOORE, CITY CLERK

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