

CITY OF FIFE, WASHINGTON

ORDINANCE NO. 1784

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON AMENDING SECTION 5.01.010 OF THE FIFE MUNICIPAL CODE TO PROVIDE CLARITY REGARDING RESIDENTIAL LANDLORD BUSINESS LICENSES

WHEREAS, the business license requirements in FMC 5.01 do not currently allow for the rental of a small number of residential dwelling units in the city without a business license; and

WHEREAS, the City Council wishes to limit the necessity of a business license for renting residential dwelling units to only those who have an ownership interest in four or more rental residential dwelling units within the city; now, therefore,

THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON DO
ORDAIN AS FOLLOWS:

Section 1. Section 5.01.010 of the Fife Municipal Code is hereby amended to read as follows:

5.01.010 Definitions.

For the purpose of this chapter the following terms, phrases, words and their derivations shall have the meanings given herein:

“Business” includes all activities, occupations, pursuits or professions located and/or engaged in within the city, with the object of gain, benefit or advantage to the licensee or another person or class, directly or indirectly, and shall include not-for-profit organizations. Each business location and each business name shall be deemed a separate business. The term “business” shall include the letting for rent or lease for residential occupancy four (4) or more residential dwelling units within the city.

“Employee” means anyone employed by a person engaged in business within the city regardless of the amount of wage paid or the number of hours worked. It shall include the owner or owners of the business if they perform any work within the city.

“Engaging in business” means commencing, conducting or continuing in any business and also the exercise of corporate or franchise powers as well as liquidating a business when the liquidators hold themselves out to the public as conducting such a business.

“License officer” is the city clerk of the city or his/her designee, who shall administer this code and is hereby authorized to adopt, publish and enforce, from time to time, such rules

and regulations for the proper administration of this code as may be necessary. It shall be a violation of this code to fail to comply with any such rule or regulation lawfully promulgated hereunder.

“Licensee” includes any person who is engaged in business or who is required to have or is granted a license under this title.

“Nonprofit” means an exemption from federal taxation as evidenced by a letter from the Internal Revenue Service showing a current tax exempt status pursuant to the Internal Revenue Code Section as most recently amended.

“Person” or “company,” herein used interchangeably, means any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, co-partnership, joint venture, club, company, joint stock company, business trust, municipal corporation, political subdivision of the state of Washington, corporation, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit or otherwise and the United States or any instrumentality thereof.

“Premises” means any location within the city in, at, or upon which a person engages in business.

“Residential dwelling unit” means any structure or part of a structure which is used as a home, residence or sleeping place by one or more persons, including but not limited to single-family residences and units of multiplexes, apartment buildings and mobile homes and similar living accommodations.

“Year” means the calendar year.

Section 2. Section 5.01.020 of the Fife Municipal Code is hereby amended to read as follows:

5.01.020 License required.

It is unlawful for any person to engage in business within the city without first procuring a license therefor from the city and paying the fees prescribed in this code. All licenses issued pursuant to the provisions of this title shall be displayed in a prominent and conspicuous location at the premises. If the person is engaged in business within the city and does not conduct it upon premises then he/she shall carry the license upon his/her person.

A person shall be deemed to be an owner of a residential dwelling unit if he has an ownership interest, however small, in a residential dwelling unit, or is a member, partner, shareholder, or otherwise has a financial interest in a legal entity having an ownership interest in a residential dwelling unit.

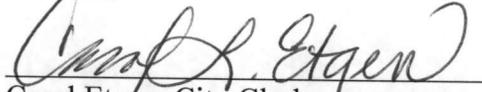
Section 3. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Introduced the 24th day of July, 2012.

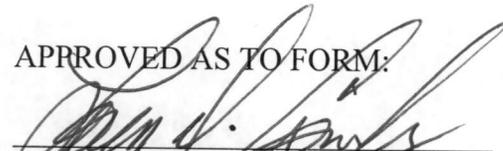
Passed by the City Council on the 14th day of Aug. 2012.


David K. Zabell, City Manager

ATTEST:


Carol Etgen, City Clerk

APPROVED AS TO FORM:


Loren D. Combs, City Attorney

Ad Order Confirmation

Ad Order Number 0001331739
PO Number
Customer Account 220218AIM
Customer CITY OF FIFE
ACCOUNTS PAYABLE,5411 23RD ST E,
FIFE WA 98424-2061 USA

Phone Number 253-922-2489
Phone Number 2
Customer Fax

Payment Method
Total Amount \$214.40
Payment Amt \$0.00
Amount Due \$214.40

Ad Number 0001331739-01
Sales Rep. legals
Blind Box
Tear Sheets 3
Proofs 0
Ad Size 1.0 X 40 Li
Invoice Text: ORD 1783 & 1784
Affidavits 0
Placement Legal
Position Legals-001

Product	Start Date	Stop Date	# Inserts
The News Tribune	8/16/2012	8/16/2012	1

NOTICE OF ORDINANCES PASSED BY
THE CITY OF FIFE
ORDINANCE NO. 1783

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF FIFE, PIERCE COUNTY, WASHINGTON
AMENDING SECTIONS 3.10.010, 3.10.030,
3.20.010, 3.80.030, 3.80.040, 3.80.050,
3.80.090, 3.80.110, 3.80.140, 3.80.150,
3.80.180, 3.80.190, 3.80.200, 3.80.210,
3.80.220, 5.01.110, 5.01.130, 5.01.140,
5.01.155, 8.12.020, 9.12.060, 9.12.070,
9.12.080, 10.52.040, 10.52.060, 11.01.110,
12.08.070, 13.04.020, 13.04.050, 13.04.090,
13.04.140, 13.04.160, 13.04.170, 13.04.190,
13.04.270, 13.04.320, 13.08.460, 13.09.040,
13.10.020, 13.18.100, 15.12.020, 15.32.030,
15.34.070, 15.70.040, 16.07.080, 16.08.030,
16.08.050, 20.10.080, and 20.10.110 AND
REPEALING SECTION 3.10.040, CHAPTER 3.31
(SECTIONS 3.31.010, 3.31.020, AND 3.31.030)
AND CHAPTER 3.78 (SECTIONS 3.78.010,
3.78.020, 3.78.030 AND 3.78.040) OF THE
MUNICIPAL CODE RELATING TO THE DELEGATION
OF ADMINISTRATIVE AUTHORITY TO THE CITY
MANAGER FOR SETTING ADMINISTRATIVE FEES
AND CHARGES

A COMPLETE COPY OF THE ORDINANCE IS ON THE
City of Fife website, www.cityoffife.org
Carol Etgen
City Clerk

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