

11/18/2024 (Date of First Reading)  
12/02/2024 (Date of Public Hearing)

ORDINANCE NO. M-4482

AN ORDINANCE relating to special license fees for Carnivals and Traveling Shows (ch. 5.18 VMC), Food Vendors (ch. 5.34 VMC), Bill Posting and Distribution of Handbills (ch. 5.38 VMC), Secondhand Dealers (ch. 5.46 VMC), Pawnbrokers (ch. 5.48 VMC), Peddlers, Solicitors, and Canvassers (ch. 5.50 VMC), Motion Picture Shows and Theaters (ch. 5.54 VMC), Collection of Recyclable Materials (ch. 5.62 VMC), Taxi & Transportation Network Companies (ch. 5.76 VMC), Ambulances (ch. 5.85 VMC), and Tow Truck Operators (ch. 5.86 VMC); amending VMC 5.18.040, 5.34.040, 5.38.010, 5.46.070, 5.48.020, 5.50.040, 5.50.060, 5.54.010, 5.62.020, 5.76.225, 5.85.100, 5.86.100; providing for savings, severability and an effective date.

WHEREAS, the City of Vancouver is a first class charter city authorized by RCW 35.22.280 to grant licenses for any lawful purpose, and to fix by ordinance the amount to be paid therefor, and

WHEREAS, the fees charged by the City of Vancouver to businesses to obtain a special license, when required by the Vancouver Municipal Code, have remained unchanged for decades, and

WHEREAS, at present, the cost to administer special licenses exceeds the revenue received by approximately 47 percent;

WHEREAS, the City Council finds that the fees for special licenses should be increased to cover the cost of administering the special licenses program;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. VMC 5.18.040, adopted by Section 4 of Ordinance M-1422 (1973), is amended as follows:

The application shall be accompanied by the following fees: For a carnival which is a tent show or midway type show, with side shows, skill games, games of chance, food vending booths, animal shows, trained animals or live entertainment by performers of various acts, or which includes a total of more than twenty units (counting each ride, stand or booth as a “unit”), the fee shall be ~~seventy-five~~ one hundred fifty dollars per day, or portion thereof allowed by such permit; for a carnival consisting of rides, stands or booths and including more than twelve units but fewer than twenty units and conducted as a promotion for certain businesses or groups of businesses, the fee shall be ~~thirty-five~~ seventy dollars for each day of operation, or portion thereof allowed by such permit; for such a carnival consisting of fewer than twelve units, the fee shall be ~~twenty~~ forty dollars for each day of operation or portion thereof allowed by such permit. The license fee provided for in this section shall be increased annually every January 1 pursuant to the methodology set forth in VMC 3.08.100.

Section 2. VMC 5.34.040, as last amended by Section 1 of Ordinance M-1544 (1974), is amended as follows:

A separate license shall be required for each vending vehicle licensed under this chapter, and separate reports shall be made and license fees paid pursuant to Chapter 5.04 of this code for each such vehicle. A license fee in addition to the business license fee required under Chapter 5.04 is also required and is established at ~~twenty-five~~ fifty dollars per machine per year. No license shall be issued until the vehicle has been inspected and approved by the health department, and the license may be revoked or suspended by the director of Financial and Management Services upon recommendation of the health department for violation of health department rules and regulations, subject to appeal to the city council by written notice within ten days of mailing to him or her of such suspension or revocation. The license fee provided for in this section shall be increased annually every January 1 pursuant to the methodology set forth in VMC 3.08.100.

Section 3. VMC 5.38.010, as last amended by Section 6 of Ordinance M-1140 (1969), is amended as follows:

It is unlawful for any person, firm or corporation to distribute or cause to be distributed advertising matter or samples, or to post bills in the limits of the city of Vancouver, without first having taken out a bill poster's license; said license to be secured in advance at a fee of ~~ten~~ twenty dollars per quarter; provided, that all regular theaters and places of amusements paying a regular license as such, and all entertainments or amusements given by churches or religious or charitable organizations, shall not be required to pay such license for the advertisement of such entertainment. The license fee provided for in this section shall be increased annually every January 1 pursuant to the methodology set forth in VMC 3.08.100.

Section 4. VMC 5.46.070, as last amended by Section 1 of Ordinance M-2996 (1992), is amended as follows:

The fee for dealing in miscellaneous secondhand goods shall be ~~one~~ two hundred dollars per year; provided, no fee shall be charged if the business is only dealing in secondhand books. The license fee provided for in this section shall be increased annually every January 1 pursuant to the methodology set forth in VMC 3.08.100.

Section 5. VMC 5.48.020, adopted by Section 1 of Ordinance M-3258 (1996), is amended as follows:

It is unlawful for any person to engage in the business of pawnbroking in the City of Vancouver without first obtaining a license pursuant to the provisions of this chapter. A separate license shall be required for each place of business at which a person engages in the business of pawnbroking in the city. The license shall be nontransferable except in accordance with VMC Section 5.48.100. Each license shall be for a two-year period to expire on December 31st of the second year from issuance. The license fee for a pawnbroking business shall be ~~four~~ eight hundred dollars. The license fee provided for in this ssection shall be increased annually every January 1 pursuant to the methodology set forth in VMC 3.08.100.

Section 6. VMC 5.50.040, adopted by Section 3 of Ordinance M-563 (1961), is amended as follows:

Applicants for permit and license under this chapter must file with the city clerk a sworn application in writing, in duplicate, on a form to be furnished by the city clerk, which shall give the following information:

- a. Name and description of applicant;
- b. Permanent home address and full local address of the applicant;
- c. A brief description of the nature of the business and the goods sold;
- d. If employed, the name and address of the employer together with credentials establishing the exact relationship;
- e. The length of time for which the right to do business is desired;
- f. The place where the goods or property proposed to be sold, or orders taken for the sale thereof, are manufactured or produced, where such goods or products are located at the time said application is filed, and the proposed method of delivery;
- g. A photograph of the applicant, taken within sixty days immediately prior to the date of filing of the application which picture shall be two inches by two inches showing the head and shoulders of the applicant in a clear and distinguishing manner;
- h. The fingerprints of the applicant and the names of at least two reliable property owners of the state of Washington, who will certify as to the applicant's good character and business respectability, or in lieu of the names of references, such other available evidence as to the good character and business responsibility of the applicant as will enable an investigator to properly evaluate such character and business responsibility;
- i. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor, or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefore.

At the time of filing the application, a registration fee of ~~ten~~ twenty dollars shall be paid to the city clerk to cover the costs of investigation of the facts stated therein. The ~~ten~~ twenty-dollar registration fee shall be considered as payment for the first year's license fee, if a license is granted. If a license is not granted pursuant to the reasons set forth herein, the ~~ten~~ twenty-dollar registration fee shall not be refunded, but shall be applied to the costs of the investigation of the applicant. The license fee provided for in

this section shall be increased annually every January 1 pursuant to the methodology set forth in VMC 3.08.100.

Section 7. VMC 5.50.060, as last amended by Section 1 of Ordinance M-1545 (1974), is amended as follows:

The license fee which shall be charged for each such license shall be the sum of ~~twenty five~~ seventy dollars per year and shall be assessed on a calendar year basis. The license fee provided for in this section shall be increased annually every January 1 pursuant to the methodology set forth in VMC 3.08.100. ~~The fee, however, from January 1st to July 1st, or any part of said period, shall be sixty percent of the annual license fee, and provided a quarterly license may be issued on payment of a fee of ten dollars.~~

Section 8. VMC 5.54.010, as last amended by Section 12 of Ordinance M-1140 (1969), is amended as follows:

It shall be unlawful for any person, firm or corporation within the limits of the city of Vancouver to open, conduct, manager, maintain or control, or in any manner be connected with the opening, conducting, managing, maintaining or controlling of any place of public amusement, entertainment or exhibition for which an admission is charged, without first taking out and procuring a license so to do. The license fees for such theaters or shows shall be as follows: All moving picture shows or theaters having a seating capacity of not to exceed five hundred persons shall pay a license fee of ~~one hundred fifty~~ three hundred dollars per year, payable annually; moving picture shows or theaters having a seating capacity of five hundred to one thousand persons shall pay an annual license fee of ~~two~~ four hundred dollars payable annually; moving picture shows or theaters having a seating capacity of one thousand to one thousand five hundred shall pay an annual license fee of ~~two five hundred fifty~~ three hundred dollars payable annually. The license fee provided for in this section shall be increased annually every January 1 pursuant to the methodology set forth in VMC 3.08.100.

Section 9. VMC 5.62.020, adopted by Section 5 of Ordinance M-3207, is amended as follows:

A. Collector of recyclable materials licenses shall be issued by the ~~d~~Director of ~~p~~Public ~~w~~Works or ~~his or her~~ their designee~~ate~~. Application for such license shall be on a form to be prepared by the ~~d~~Director of ~~p~~Public ~~w~~Works or ~~his or her~~ their designee~~ate~~. The initial and renewal applications shall include:

1. The name, street and mailing address, and business telephone number of the applicant;

2. Applicant business ownership information, responsible official and contact person;
3. City of Vancouver business license number and/or nonprofit identification number;
4. Motor vehicle registration and PUC number of all recycling collection vehicles and other transport vehicles to be operated under this permit;
5. Description of the type of recycling collection or transport equipment and a list of all licensed motor vehicles to be used for recycling within the city;
6. Address and city zoning classification of licensee-operated processing/storage sites;
7. Description of licensee's processing and storage activities within the city;
8. List of the types of recyclable materials to be collected by the licensee; and
9. Any other relevant nonproprietary information as deemed necessary by the ~~d~~Director of ~~p~~Public ~~w~~Works or ~~his or her~~ their ~~designee~~.

B. Accompanying each such application shall be proof of a current city of Vancouver business license plus ~~fifty~~ one hundred dollars for each vehicle to be used in the city under this chapter; provided, that applicants who own multiple vehicles shall be assessed the license fee based upon the total number of vehicles to be used in the city under this chapter rather than on a per-vehicle basis. Licenses issued shall be valid for the remainder of the calendar year in which issued unless earlier revoked pursuant to this chapter. ~~Licenses issued after July 1st shall be at one-half fee, and fees for licenses issued pursuant to this chapter for the remainder of 1995 shall be ten dollars per vehicle used in the city. The license fee provided for in this subsection shall be increased annually every January 1 pursuant to the methodology set forth in VMC 3.08.100.~~

C. Any nonprofit charitable or service organization wishing to collect recyclable materials within the city shall register with the ~~d~~Department of ~~p~~Public ~~w~~Works ~~s~~Solid ~~w~~Waste division on forms approved by the ~~d~~Director of Public Works or ~~his or her~~ their ~~designee~~ and shall comply with the registration provisions of this section and with Sections 5.62.030 through 5.62.050 and 5.62.070 through 5.62.072, but shall not be required to obtain a license or to pay a fee.

D. No license shall be issued unless and until the applicant has filed with the city risk manager a certificate of insurance showing that the applicant has in effect liability insurance in the amount of one hundred thousand dollars combined single limits (CSL), for bodily injury or property damage, and providing that such insurance cannot be cancelled without fifteen days' written notice to the city risk manager. The applicant shall

furnish at the city risk manager's request a certified copy of each policy, including all endorsements.

Section 10. VMC 5.76.225, adopted by Section 2 of Ordinance M-4116 (2015), is amended as follows:

A. The City Manager or designee may issue a special license to a taxicab company or TNC provided that the taxicab company or TNC submits an affidavit sworn under penalty of perjury that the taxicab company or TNC is in compliance with standards for vehicle safety, driver training and background, and insurance established under the rules provided for at VMC 5.76.500. The special license shall be effective for one year. The City Manager may stagger the effective date of such permits by adoption of a rule as provided for under VMC 5.76.200 and 5.76.500.

B. Annual Application review fee shall be ~~two~~ four hundred dollars (~~\$200.00~~\$400.00). The application review fee prescribed by this section shall be paid at the time of submitting initial and renewal taxicab company and TNC special license application. The license fee provided for in this subsection shall be increased annually every January 1 pursuant to the methodology set forth in VMC 3.08.100.

C. Special License issuance fee. No taxicab company or TNC special license shall be issued or valid until the application or attestation provided for at VMC 5.76.530 has been reviewed and approved and the fee prescribed in this section has been paid.

D. Drivers who are independent contractors, affiliated with special licensed taxicab companies or TNC's shall obtain a City business license or a determination of exemption as allowed under VMC 5.04.075.

Section 11. VMC 5.85.100, adopted by Section 2 of Ordinance M-4092 (2014), is amended as follows:

At the time the ambulance service license application and any subsequent license renewal application is filed, the applicant shall pay a fee to the city to cover the cost of processing the application. The annual ambulance special license fee shall be four hundred dollars (\$400.00)~~\$200~~. The license fee provided for in this section shall be increased annually every January 1 pursuant to the methodology set forth in VMC 3.08.100.

Section 12. VMC 5.86.100, adopted by Section 11 of Ordinance M-2507 (1984), is amended as follows:

- a. There shall be a tow truck service operator's license fee of ~~twenty-five~~ fifty dollars.
- b. There shall be a tow truck operator license fee of ~~ten~~ twenty dollars.
- c. The fees shall be due and payable at the time of license application.

The license fees provided for in this section shall be increased annually every January 1 pursuant to the methodology set forth in VMC 3.08.100.

Section 13. Savings. Those ordinances or parts of ordinances which are amended or repealed by this ordinance shall remain in full force and effect until the effective date of this ordinance.

Section 14. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.



Section 15. This ordinance shall become effective January 1, 2025.

DATE OF FINAL PASSAGE at a Regular Meeting of the Vancouver City Council:  
December 2, 2024.

SIGNED this 2nd day of December, 2024.

DocuSigned by:  
*Anne McEnerny-Ogle*  
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Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:  
*Natasha Ramras*  
403E940414AE4BD...  
Natasha Ramras, City Clerk

Approved as to form:

DocuSigned by:  
*Jonathan Young*  
9A7DC2E31F094A2...  
Jonathan Young, City Attorney

## SUMMARY ORDINANCE

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The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at 487-8711, or via [www.cityofvancouver.us](http://www.cityofvancouver.us) (Go to City Government and Public Records).