

ORDINANCE NO. 245

AN ORDINANCE PROVIDING FOR LICENSING OF BUSINESSES AND PERSONS DOING BUSINESS FOR THE PURPOSE FOR REVENUE REGULATION, AND FOR THE METHOD OF ISSUING LICENSES AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

THE TOWN OF CANYON CITY ORDAINS AS FOLLOWS:

Section 1. Definitions. As used in this ordinance the term person means all domestic and foreign corporations, associations, syndicates, partnerships of every kind, joint ventures, societies, and individuals transacting or carrying on business in the Town Of Canyon City, Oregon; and the term "business" means professions, trades, occupations, shops, and all and every kind of calling carried on for profit, including those persons soliciting products and/or services for sale to the end user, and it is not limited to those persons having a permanent establishment in the Town of Canyon City.

Section 2. Purpose. This ordinance is enacted for the purpose of registering businesses in the Town of Canyon City.

Section 3. Nonresident, Liability for license. The agent or agents of a non-Grant County based person engaged in any business for which a license is required by this ordinance, shall be liable for the payment of the fee thereon as herein provided and for the penalties for failure to pay the same or to comply with the provisions of this ordinance to the extent and with like effect as if such agent or agents were themselves the proprietors or owners thereof. Such non-county based person shall not be extended license waiver under reciprocity agreements with other Grant County cities as provided in Section 6 and shall be required to apply and purchase a business license from the Town of Canyon City regardless of holding a valid business license issued by other Grant County cities.

Section 4. Exceptions. Nothing in this ordinance shall be construed to apply to any person transacting or carrying on business within the Town of Canyon City which is exempt from such license fee or regulation by the City by virtue of the constitution or laws of the United States of America, the State of Oregon, or by a franchise agreement. ORS.731.840 (4) (b) insurance agent or representative is exempt from a Business License.

Section 5. Exceptions. This ordinance shall not apply to persons engaged in the business of baby-sitting, foster home care, lawn or garden care, part-time janitorial or house-cleaning service, yard or garage sales, or sale of farm products grown by the seller thereof, providing such business is not pursued by that person as a primary source of livelihood. This ordinance shall not apply to activities of charitable or non-profit organizations, or to landlords of apartment houses or building rentals when such landlord has three units or less available for rent. This ordinance shall not apply to the business activities of agents, salesmen or company field representatives soliciting business orders for merchandise when such persons carry no merchandise for sale to the end user.

Section 6. Exceptions. This ordinance shall not apply to any person who engages in business primarily in any other city in Grant County, Oregon, and incident thereto transacts business in Canyon City, if such person has a license to do business and pays a fee therefore to the City where such person conducts its primary business, and if such other City reciprocally exempts those persons licensed hereunder and who do their primary business in Canyon City from the requirement of being licensed to do business in such other city incident to that person's primary business in Canyon City. This provision shall not apply to any person occupying a business establishment in Canyon City, such as a branch store. If such city in Grant County does not so reciprocate or has no business license fee requirement, this exception shall not be applicable.

Section 7. Fees. Every person conducting business within the Town of Canyon City and who is subject to this ordinance shall apply for a license therefore, and shall at the time of application pay a license fee of ~~\$5.00.~~<sup>10.00</sup>

Section 8. License Year. This ordinance shall become effective July 1, 1990. The license year hereunder shall be from July 1 through June 30, the first license year to commence July 1, 1990. The license shall be renewed each July 1 thereafter, so long as the is person doing business in Canyon City. No fee shall be refunded upon termination of the business before the expiration of the license period. The fee for a person commencing business and being licensed at a date other than July 1, 1990, or commencement of any license year thereafter shall be the same as if commencement were July 1, 1990.

Section 9. Compliance Regulations. It shall be unlawful for any person to carry on or transact any business as in this ordinance defined within the Town of Canyon City without first paying in advance to the Town of Canyon City

the license fee imposed by this ordinance and receiving a license to conduct business.

Section 10. Application. Application for licenses shall be obtained from the City Recorder and shall be upon forms approved by the city council, and upon completing and submitting such application to the recorder and paying the fee therefore, the City Recorder shall issue the license, setting forth thereon the term for which such license is issued, the name of the licensee and the nature of the business conducted by the licensee. The license shall be posted in view of the public at the licenses's place of business. The council shall act as a review board on license application appeals.

Section 11. Penalty. Any person who conducts or carries on any business within the Town of Canyon City and who is required to have a license therefore under the terms thereof, and who does not have such license shall be punished upon conviction by a fine of not more than \$150, or imprisonment for not more than one day or by both such fine and imprisonment.

Section 12. Issuance. The issuance of a license hereunder shall not excuse the licensed person from complying with all other ordinances or regulations of the Town of Canyon City governing that person's activities.

PASSED AND ADOPTED by the City Council of the Town of Canyon City ,Oregon, this 16th day of May, 1990.

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Sondra J. Lino, Mayor

ATTEST:•

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Tamra M. Day, City Recorder