



ORDINANCE NO. 28593

1 AN ORDINANCE relating to the tax and license code; amending Title 6 of the
2 Tacoma Municipal Code (“TMC”), Tax and License Code, to remove
3 gender-specific language and update references; by amending
4 TMC 6A.30.066, to clarify that the small business phased tax credit applies
5 to all taxpayers engaging in business in the City; and by repealing in its
6 entirety Chapter 6B.210, relating to sign erectors.

7 WHEREAS, currently, when installing signs above the City right-of-way, sign
8 erecting companies are required to obtain a Sign Erector License through the
9 City’s Tax and License Division and a Sign Permit through the Planning and
10 Development Services (“PDS”) Department, and

11 WHEREAS the only requirement of the Sign Erector License is to provide a
12 Certificate of Liability Insurance, naming the City as an additional insured, and

13 WHEREAS, in order to streamline this process, staff is recommending that
14 sign erector companies no longer be required to obtain a Sign Erector License
15 pursuant to Chapter 6B.210 of the Tacoma Municipal Code (“TMC”); rather, these
16 companies will be asked to provide proof of their Certificate of Liability Insurance
17 when applying for a Sign Permit through PDS, and

18 WHEREAS as a result of this process efficiency, TMC Chapter 6B.210 can
19 be repealed in its entirety, and

20 WHEREAS additional proposed amendments include removing gender-
21 specific language and update existing references; and Section 6A.30.066, to
22 clarify that the small business phased tax credit applies to all taxpayers engaging
23 in business in the City; Now, Therefore,
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BE IT ORDAINED BY THE CITY OF TACOMA:

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That Title 6 of the Tacoma Municipal Code is hereby amended as set forth
in the attached Exhibit "A."

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

**TITLE 6
TAX AND LICENSE CODE**

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Chapters:

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- Subtitle 6B License Code**
- Chapter 6B.10 General License Provisions.
- Chapter 6B.20 Annual Business License.
- Chapter 6B.30 Adult Entertainment.
- Chapter 6B.40 Alarm Devices.
- Chapter 6B.50 Ambulances.
- Chapter 6B.60 Boilers – Engineers And Firemen Certificates.
- Chapter 6B.70 Entertainment/Dancing – Alcohol Served.
- Chapter 6B.80 Entertainment/Dancing – No Alcohol Served And Teenage Dance.
- Chapter 6B.90 Fire Alarms And Fire Suppression Systems.
- Chapter 6B.100 Repealed.
- Chapter 6B.110 Garages, Fuel Stations, And Marine Repair Facilities.
- Chapter 6B.120 *Repealed.*
- Chapter 6B.125 Hazardous Materials.
- Chapter 6B.130 Home Occupations.
- Chapter 6B.140 Transient Accommodations.
- Chapter 6B.145 Live/Work And Work/Live.
- Chapter 6B.150 Oil And Gas Delivery Vehicles.
- Chapter 6B.160 Pawnbrokers, Secondhand Dealers, And Garage Sales.
- Chapter 6B.165 Provisional Rental Property License.
- Chapter 6B.170 Sales – Door-To-Door Soliciting.
- Chapter 6B.175 Sales – Food Truck Vendors.
- Chapter 6B.180 Sales – Sidewalk Vendors.
- Chapter 6B.190 *Repealed.*
- Chapter 6B.200 *Repealed.*
- ~~Chapter 6B.210 Sign Erectors.~~
- Chapter 6B.220 For-Hire Regulations.
- Chapter 6B.230 Temporary Event – Multiple Vendor License.

**TITLE 6
TAX AND LICENSE CODE**

The Tax and License Code consists of two subtitles. Subtitle 6A pertains to the Tax Code. Subtitle 6B pertains to the License Code.

<u>TAX CODE</u>	<u>SECTION</u>
<u>General Tax Provisions</u>	<u>6A.10</u>
<u>Admission Tax</u>	<u>6A.20</u>
<u>Business and Occupation Tax</u>	<u>6A.30</u>
<u>Communications Tax</u>	<u>6A.40</u>
<u>Electricity Business and Solid Waste Collection</u>	<u>6A.50</u>
<u>Gambling Tax</u>	<u>6A.60</u>



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<u>Local Option Taxes</u>	<u>6A.70</u>
<u>Lodging Excise Tax</u>	<u>6A.80</u>
<u>Natural or Manufactured Gas Tax</u>	<u>6A.90</u>
<u>Utilities Gross Earnings Tax—Public Utilities</u>	<u>6A.100</u>
<u>Property Tax Exemptions for Multi-Family Housing</u>	<u>6A.110</u>
<u>LICENSE CODE</u>	<u>SECTION</u>
<u>General License Provisions</u>	<u>6B.10</u>
<u>Annual Business License</u>	<u>6B.20</u>
<u>Adult Entertainment</u>	<u>6B.30</u>
<u>Alarm Devices</u>	<u>6B.40</u>
<u>Ambulances</u>	<u>6B.50</u>
<u>Boilers—Engineer and Fireman Certificates</u>	<u>6B.60</u>
<u>Entertainment/Dancing—Alcohol served</u>	<u>6B.70</u>
<u>Entertainment/Dancing or Skating Rinks—All Ages</u>	<u>6B.80</u>
<u>Fire Alarms and Fire Suppression Systems</u>	<u>6B.90</u>
<u>Repealed</u>	<u>6B.100</u>
<u>Garages, Fuel Stations and Marine Repair Facilities</u>	<u>6B.110</u>
<u>Gas Fitters and Appliance Installers</u>	<u>6B.120</u>
<u>Hazardous Materials</u>	<u>6B.125</u>
<u>Home Occupations</u>	<u>6B.130</u>
<u>Transient Accommodations</u>	<u>6B.140</u>
<u>Live/Work and Work/Live</u>	<u>6B.145</u>
<u>Oil and Gas Delivery Vehicles</u>	<u>6B.150</u>
<u>Pawnbrokers, Secondhand Dealers and Garage Sales</u>	<u>6B.160</u>
<u>Provisional Rental Property License</u>	<u>6B.165</u>
<u>Sales—Door to Door Soliciting</u>	<u>6B.170</u>
<u>Sales—Food Truck Vendors</u>	<u>6B.175</u>
<u>Sales—Sidewalk Vendors</u>	<u>6B.180</u>
<u>Scrap Metal and Recyclable Material Dealers</u>	<u>6B.190</u>
<u>Septic and Side Sewer Contractors</u>	<u>6B.200</u>
<u>Sign Erectors</u>	<u>6B.210</u>
<u>For Hire Regulations</u>	<u>6B.220</u>
<u>Temporary Licenses—Sales or Shows</u>	<u>6B.230</u>

OLD LICENSES (REPEALED)

<u>DESCRIPTION</u>	<u>DATE REPEALED</u>
<u>Scrap Metal and Recyclable Material Dealers</u>	<u>January 14</u>
<u>Advertising</u>	<u>December 04</u>
<u>Amusement Devices</u>	<u>December 04</u>
<u>Bowling Alleys</u>	<u>December 04</u>
<u>Burglar Alarms</u>	<u>December 04</u>
<u>Charitable Solicitations</u>	<u>December 04</u>
<u>Coin-Operated Laundries</u>	<u>December 04</u>
<u>Electricians</u>	<u>December 04</u>
<u>Go-Kart Tracks</u>	<u>December 04</u>
<u>Messenger Service</u>	<u>December 04</u>



1	Music Machines (Juke Boxes)	December 04
	Sale of Christmas Trees	December 04
2	Storage	December 04
	Theatres	December 04
3	Wrecking and Towing Operations	December 04
	Dog and Cat License	July 02
4	Barbershop	September 97
	Golf Courses	September 97
5	Drug Stores	February 97
	Photography Solicitors	February 97
6	Sale of Distressed Merchandise	February 97
	Tattooing	February 97
7	Trailer Court or Mobile Home Park	February 97
	Auctioneers	September 94
8	Fumigators and Exterminators	September 94
	Endless Chain Sales	August 94
9	Motion Picture Machine	August 94
	Massage Practitioners, Massage Businesses & Bath Houses	November 93
10	Bondsman	August 93
	Merchant Patrol, Security & Detective Agencies	September 91
11	Bathing and Swimming Pools	April 90
12	Food Shops	April 90
	Restaurants	April 90
13	Wholesale Produce Dealer	April 90

**Chapter 6A.10
GENERAL TAX PROVISIONS**

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6A.10.200 Public disclosure – Confidentiality – Information sharing.

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F. Any person acquiring knowledge of any return or tax information in the course of ~~his or her~~ [their](#) employment with the Director and any person acquiring knowledge of any return or tax information as provided under subsection C(4), (5), (6), (7), (8), or (11) of this section, who discloses any such return or tax information to another person not entitled to knowledge of such return or tax information under the provisions of this section, is guilty of a misdemeanor. If the person guilty of such violation is an officer or employee of the City, such person must forfeit such office or employment and is incapable of holding any public office or employment in this City for a period of two years thereafter.

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**Chapter 6A.20
ADMISSION TAX**

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6A.20.060 Collection and payment of tax.

Any person who receives any payment for admissions on which a tax is levied under this chapter shall collect the amount of the tax imposed from the person making the admission payment and shall remit the same as herein provided. The tax required to be collected under this chapter shall be deemed to be held in trust by the one required to collect the same until paid to the City as herein provided.



1 Any person required to collect the tax imposed under this chapter who fails to collect the same, or having
 2 collected the same, fails to remit the same to the City in the manner prescribed by this chapter, whether such
 3 failure be the result of ~~his or her~~ the person's own act or the result of acts or conditions beyond ~~his or her~~ their
 4 control, shall nevertheless be personally liable to the City for the amount of such tax, and shall, unless
 5 remittance be made as herein required, be guilty of a violation of this chapter. The tax imposed hereunder shall
 6 be collected at the time admission charge is paid by the person seeking admission to any place and shall be
 7 reported and remitted by the person receiving the tax to the Director in quarterly or monthly installments.
 8 Payment by check shall not relieve the person collecting the tax from liability for payment and remittance of
 9 the tax to the City unless the check is honored and in the full and correct amount. Any person receiving any
 10 payment for admissions shall make out a return upon such forms and setting forth such information as the
 11 Director may require, showing the amount of the tax upon admissions for which ~~he or she~~ the person is liable
 for the preceding period and shall sign and transmit the same to the Director with a remittance for said amount;
 provided, that the Director may, at ~~his or her~~ the Director's discretion, require returns from anyone receiving
 admission payments, setting forth such additional information as he may deem necessary to determine
 correctly the amount of tax collected and payable. Whenever any theater, circus, show, exhibition,
 entertainment, or amusement makes an admission charge which is subject to the tax herein levied, and the
 same is of a transitory or temporary nature, of which the Director shall be the judge, the Director shall require
 the report and remittance of the admission tax immediately upon the collection of same, at the conclusion of
 the performance or exhibition, or at the conclusion of a series of performances or exhibitions, or at such other
 time as the Director shall determine; the Director may require, prior to a permit being given of a temporary or
 transitory nature, a sum of money or bond in lieu thereof conditioned upon the faithful compliance with the
 provisions of this chapter, in an amount to be determined by the Director, sufficient to cover the amounts
 which shall become due and owing to the City upon conclusion.

12 * * *

13 **Chapter 6A.30**
 14 **BUSINESS AND OCCUPATION TAX**

15 * * *

16 **6A.30.030 Definitions.**

17 In construing the provisions of this chapter, the following definitions shall be applied. Words in the singular
 number shall include the plural, and the plural shall include the singular.

18 * * *

19 "Office" or "place of business" means a fixed location or permanent facility where the regular business of the
 person is conducted and which is either owned by the person or over which the person exercises legal
 dominion and control. The regular business of the person is presumed conducted at a location:

- 20 A. Whose address the person uses as ~~his or her~~ their business mailing address; and
- 21 B. Where the place of primary use is shown on a telephone billing or a location containing a telephone line,
 listed in a public telephone directory or other similar publication, under the business name; and
- 22 C. Where the person holds ~~him or herself~~ themselves out to the general public as conducting ~~his or her~~ regular
 business through signage or other means; and
- 23 D. Where the person is required to obtain any appropriate state and local business license or registration unless
~~he or she~~ the person is exempted by law from such requirement.

24 A vehicle such as a pick-up, van, truck, boat or other motor vehicle is not an office or place of business. A post
 office box is not an office or place of business.

25 If a person has an office or place of business, the person's home is not an office or place of business unless it
 meets the criteria for office or place of business above. If a person has no office or place of business, the
 person's home or apartment within the City will be deemed the place of business.

26 "Option to purchase" shall mean a continuing offer or contract by which owner stipulates with another that the
 latter shall have the right to buy property at a fixed dollar price within a certain time. An agreement is only an
 option when no obligation rests on the potential buyer to make any payment except such as may be agreed
 upon by the parties as consideration to support the option until the potential buyer has made up ~~his or her~~ their



mind within a time specified to complete the purchase. The use of the term “fair market value” or any other like term shall not be substituted for a fixed dollar price in determining if an “option to purchase” exists.

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6A.30.066 Small business phased tax credit.

For tax reporting periods beginning January 1, 2011:

A credit is made available to all businesses ~~located~~ engaging in business in the City whose gross income is \$250,001 through \$300,000. The credit shall be 90% of the tax due for businesses whose gross income is \$250,001 through \$260,000, 80% of the tax due for businesses whose gross income is \$260,001 through \$270,000 70% of the tax due for businesses whose gross income is \$270,001 through \$280,000, 45% of the tax due for businesses whose gross income is \$280,001 through \$290,000 and 25% of the tax due for businesses whose gross income is \$290,001 through \$300,000.

Gross Income from: Tax Credit % of total tax due

\$250,001 through 260,000 90%

\$260,001 through 270,000 80%

\$270,001 through 280,000 70%

\$280,001 through 290,000 45%

\$290,001 through 300,000 25%

* * *

6A.30.077 Allocation and apportionment of income when activities take place in more than one jurisdiction.

For tax reporting periods beginning January 1, 2008, gross income, other than persons subject to the provisions of chapter 82.14A RCW, shall be allocated and apportioned as follows:

* * *

F. Gross income derived from activities taxed as services and other activities taxed under 6A.30.050(A)(9) shall be apportioned to the city by multiplying apportionable income by a fraction, the numerator of which is the payroll factor plus the service-income factor and the denominator of which is two.

(1) The payroll factor is a fraction, the numerator of which is the total amount paid in the city during the tax period by the taxpayer for compensation and the denominator of which is the total compensation paid everywhere during the tax period. Compensation is paid in the city if:

a. The individual is primarily assigned within the city;

b. The individual is not primarily assigned to any place of business for the tax period and the employee performs ~~fifty-50~~ percent or more of ~~his or her~~ the individual's service for the tax period in the city; or

c. The individual is not primarily assigned to any place of business for the tax period, the individual does not perform ~~fifty-50~~ percent or more of ~~his or her~~ the individual's service in any city and the employee resides in the city.

* * *

G. The definitions in this subsection apply throughout this section.

“Apportionable income” means the gross income of the business taxable under the service classifications of a city’s gross receipts tax, including income received from activities outside the city if the income would be taxable under the service classification if received from activities within the city, less any exemptions or deductions available.

“Compensation” means wages, salaries, commissions, and any other form of remuneration paid to individuals for personal services that are or would be included in the individual’s gross income under the federal internal revenue code.

“Individual” means any individual who, under the usual common law rules applicable in determining the employer-employee relationship, has the status of an employee of that taxpayer.



“Customer location” means the city or unincorporated area of a county where the majority of the contacts between the taxpayer and the customer take place.

“Primarily assigned” means the business location of the taxpayer where the individual performs ~~his or her~~their duties.

**Chapter 6A.40
COMMUNICATIONS TAX**

6A.40.100 Overpayment of tax.

If, upon application by a taxpayer for a refund or for an audit of ~~his or her~~the taxpayer’s records or upon an examination of the returns or records of any taxpayer, it is determined by the Director that within two years immediately preceding the receipt by the Director of the application by the taxpayer for a refund or for an audit, or, in the absence of such an application, within the two years immediately preceding the commencement by the Director of such examination, a tax has been paid in excess of that properly due, the excess amount paid within such period of two years shall be credited to the taxpayer’s account or shall be refunded to the taxpayer, at ~~his or her~~their option. No refund or credit shall be allowed with respect to any payment made to the Director more than two years before the date of such application or examination. Where a refund or credit may not be made because of the lapse of said two-year period, the amount of the refund or credit which would otherwise be allowable for the portion of the statutory assessment period preceding the two-year period may be offset against the amount of any tax deficiency which may be determined by the Director for such preceding period.

**Chapter 6A.50
ELECTRICITY BUSINESS AND SOLID WASTE COLLECTION**

6A.50.070 Overpayment of tax.

If, upon application by a taxpayer for a refund or for an audit of ~~his or her~~the taxpayer’s records or upon an examination of the returns or records of any taxpayer, it is determined by the Director that within two years immediately preceding the receipt by the Director of the application by the taxpayer for a refund or for any audit, or, in the absence of such an application, within the two years immediately preceding the commencement by the Director of such examination, a tax has been paid in excess of that properly due, the excess amount paid within such period of two years shall be credited to the taxpayer’s account or shall be refunded to the taxpayer at ~~his or her~~their option. No refund or credit shall be allowed with respect to any payment made to the Director more than two years before the date of such application or examination. Where a refund or credit may not be made because of the lapse of said two-year period, the amount of the refund or credit which would otherwise be allowable for the portion of the statutory assessment period preceding the two-year period may be offset against the amount of any tax deficiency which may be determined by the Director for such preceding period.

**Chapter 6A.90
NATURAL OR MANUFACTURED GAS TAX**

6A.90.060 Monthly payment of tax.

The tax required by this chapter is based upon gross income and the taxpayer shall file and pay ~~his or her~~their tax monthly.

6A.90.070 Overpayment of tax.

If, upon application by a taxpayer for a refund or for an audit of ~~his or her~~the taxpayer’s records or upon an examination of the returns or records of any taxpayer, it is determined by the Director that within two years



1 immediately preceding the receipt by the Director of the application by the taxpayer for a refund or for an
 2 audit, or, in the absence of such an application, within the two years immediately preceding the
 3 commencement by the Director of such examination, a tax has been paid in excess of that properly due, the
 4 excess amount paid within such period of two years shall be credited to the taxpayer's account or shall be
 5 refunded to the taxpayer, at his or her option. No refund or credit shall be allowed with respect to any
 6 payment made to the Director more than two years before the date of such application or examination. Where
 7 a refund or credit may not be made because of the lapse of said two-year period, the amount of the refund or
 8 credit which would otherwise be allowable for the portion of the statutory assessment period preceding the
 9 two-year period may be offset against the amount of any tax deficiency which may be determined by the
 10 Director for such preceding period.

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Chapter 6A.100
UTILITIES GROSS EARNINGS TAX – PUBLIC UTILITIES

6A.100.050 Overpayment of tax.

If, upon application by a taxpayer for a refund or for an audit of his or her the taxpayer's records or upon an examination of the returns or records of any taxpayer, it is determined by the Director that within two years immediately preceding the receipt by the Director of the application by the taxpayer for a refund or for an audit, or, in the absence of such an application, within the two years immediately preceding the commencement by the Director of such examination, a tax has been paid in excess of that properly due, the excess amount paid within such period of two years shall be credited to the taxpayer's account or shall be refunded to the taxpayer, at his or her option. No refund or credit shall be allowed with respect to any payment made to the Director more than two years before the date of such application or examination. Where a refund or credit may not be made because of the lapse of said two-year period, the amount of the refund or credit which would otherwise be allowable for the portion of the statutory assessment period preceding the two-year period may be offset against the amount of any tax deficiency which may be determined by the Director for such preceding period. Interest upon any such refund or credit shall be allowed by the Director at the rate of 3 percent per annum.

SUBTITLE 6A
TAX CODE

6B.10.200 Death of licensee – Continuation of license.

In case of the death of any licensee before the expiration of his or her license, his or her the licensee's administrator or executor, duly appointed as such by order of court, may continue to act under said license for the unexpired term thereof upon filing with the City proof of such appointment.

Chapter 6B.20
ANNUAL BUSINESS LICENSE

6B.20.010 License required.

It shall be unlawful for any person to engage in business activities within the City, whether his or her the person's office or place of business is located within and/or outside City limits, including any person who engages in the business of renting or leasing real property in the City, without first obtaining a license pursuant to the provisions of this chapter. For purposes of this chapter, this license is referred to as an "annual business license."



6B.20.050 License required to be posted at each business location.

The business license shall be personal and nontransferable. In case business is transacted at two or more separate places by one licensee, a separate license for each place at which business is transacted with the public shall be required. Each license shall be numbered, shall show the name and place of the licensee, such other information as the Director shall deem necessary, and shall at all times be conspicuously posted in the place of business for which it is issued. When a place of business of the licensee is changed, the licensee shall return the license to the Director, and a new license shall be issued for the new place of business, free of charge.

No person to whom a license has been issued pursuant this chapter shall suffer or allow any person for whom a separate license is required to operate under or display ~~his or her~~their license; nor shall such other person operate under or display such license.

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**Chapter 6B.30
ADULT ENTERTAINMENT**

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6B.30.070 License applications.

A. Adult entertainment establishment license.

1. Required Information. All applications for an adult entertainment establishment license shall be submitted to the Finance Department in the name of the person or entity proposing to conduct the adult entertainment establishment on the business premises, and shall be signed by such person or ~~his or her~~person's agent and notarized or certified as true under penalty of perjury. All applications shall be submitted on a form supplied by the City, which shall require the following information:

- a. The name of the applicant, location, and doing-business-as name of the proposed adult entertainment establishment, including a legal description of the property, street address, and telephone number, together with the name and address of each owner and lessee of the property.
- b. For the applicant and each applicant control person, provide: name(s), including any aliases and previous names; driver's license number, if any; social security number, if any; business, mailing, and residential address; and business telephone number.
- c. If the applicant is a partnership, whether general or limited; and if a corporation, date and place of incorporation, evidence that it is in good standing under the laws of Washington, and name and address of any registered agent for service of process.
- d. For the applicant and each applicant control person, list any other licenses currently held for similar adult entertainment or sexually-oriented business, including motion picture theaters and panoramas, whether from the City or another city, county, or state, and, if so, the names and addresses of all other licensed business.
- e. For the applicant and each applicant control person, list prior licenses held for similar adult entertainment or other sexually-oriented businesses, whether from the City or another city, county, or state, providing names, addresses, and dates of operation for such business, and whether any business license or adult entertainment license has been revoked or suspended, and the reason therefore.
- f. For the applicant and all applicant control persons, any and all criminal convictions or forfeitures within five years immediately preceding the date of the application, other than parking offenses or minor traffic infractions, including the dates of conviction, nature of the crime, name and location of court, and disposition.
- g. For the applicant and all applicant control persons, a description of business, occupation, or employment history for the three years immediately preceding the date of the application.
- h. Authorization for the City, its agents, and employees to seek information to confirm any statements set forth in the application.
- i. Every applicant and applicant control person must consent to be fingerprinted for a state and federal criminal background check, and shall submit with ~~his or her~~their application, in triplicate, a current full face photograph and a current right profile photograph of the applicant, each of said photographs to be of the size of 2 inches



square. One set of photographs shall become a part of the applicant's license, if issued; one set shall be filed with the Police Department; and the other set shall be filed with the application.

1 j. A scale drawing or diagram showing the configuration of the premises for the proposed adult entertainment
2 establishment, including a statement of the total floor space occupied by the business and marked dimensions
3 of the interior of the premises. Performance areas, seating areas, manager's office and stations, restrooms, and
4 service stations shall be clearly marked on the drawing. An application for a license for an adult entertainment
5 establishment shall include building plans which demonstrate conformance with this chapter.

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B. Application for manager or entertainer license.

1 1. Required information. No person shall work as a manager, assistant manager, or entertainer at an adult
2 entertainment establishment without an adult entertainment manager or entertainer license from the City. All
3 applications for a manager's or entertainer's license shall be signed by the applicant and presented to the
4 Finance Department with proper photo identification. All applications shall be submitted on a form supplied by
5 the City, which shall require the following information:

- 6 a. The applicant's name, home address, home telephone number, date and place of birth, social security
7 number, and any stage names, aliases, and nicknames used in entertaining or otherwise.
- 8 b. The name and address of each business at which the applicant intends to work.
- 9 c. Documentation that the applicant has attained the age of 18 years. Any two of the following shall be
10 accepted as documentation of age:
 - 11 i. A motor vehicle operator's license issued by any state bearing the applicant's photograph, date of birth, and
12 signature;
 - 13 ii. A state-issued identification card bearing the applicant's photograph and date of birth;
 - 14 iii. An official passport issued by the United States of America;
 - 15 iv. An immigration card issued by the United States of America; or
 - 16 v. Any other identification that the City determines to be acceptable.
- 17 d. A complete statement of all convictions of the applicant for any misdemeanor or felony violations in this or
18 any other city, county, or state within five years immediately preceding the date of the application, except
19 parking violations or minor traffic infractions.
- 20 e. A description of the applicant's principal activities or services to be rendered.
- 21 f. Every manager, assistant manager, or entertainer must consent to be fingerprinted for a state and federal
22 criminal background check, and shall submit with ~~his or her~~their application, in triplicate, a current full-face
23 photograph and a current profile photograph, each of said photographs to be of the size of 2 inches square. One
24 set of photographs shall become a part of the applicant's license, if issued; one set shall be filed with the Police
25 Department, and the other set shall be filed with the application.
- 26 g. Authorization for the City, its agents, and employees to investigate and confirm any statements set forth in
the application.

2. The Finance Department may request additional information or clarification when necessary to determine compliance with this chapter.

3. A manager's or entertainer's license shall be issued by the Finance Department within 30 days from the date the complete application and fee are received, unless the Finance Department determines that the applicant failed to provide any information required to be supplied according to this chapter; has made any false, misleading, or fraudulent statement of material fact in the application; or has failed to meet any of the requirements for issuance of a license under this chapter. If the Finance Department has failed to approve or deny an application for a manager's license within 30 days of filing a complete application, the applicant may, subject to all other applicable laws, commence work as a manager in a duly licensed adult entertainment establishment until notified by the Finance Department that the license has been denied, but in no event may the Finance Department extend the application review time for more than an additional 20 days.

4. Every adult entertainer shall provide ~~his or her~~their license or application to the adult entertainment establishment manager on duty on the premises prior to ~~his or her~~the adult entertainer's performance. The



manager shall retain the licenses of the adult entertainers readily available for inspection by the City at any time during business hours of the adult entertainment establishment.

6B.30.160 Exemption from chapter.

This chapter does not apply to taverns and premises maintaining liquor licenses and which are subject to the rules and regulations of the Washington State Liquor ~~Control~~ and Cannabis Board.

**Chapter 6B.70
ENTERTAINMENT/DANCING – ALCOHOL SERVED**

6B.70.050 Licensing prohibited.

A. Security Personnel Licensing. The Director may deny, suspend, or revoke any security personnel license application if the Director determines that:

1. Within ten years of the date of application, the applicant has had a felony conviction, bail forfeiture, or other final adverse finding involving crimes reasonably related to the applicant's ability to safely provide security, including but not limited to, homicide, assault, sex offenses, robbery, extortion, kidnapping, harassment, malicious mischief, firearms offenses, rendering criminal assistance, and violations of the uniform controlled substances act, or is required to register as a sex offender, pursuant to RCW 9A.44.130
2. Within three years of the date of application, the applicant has had a misdemeanor conviction, bail forfeiture, or other final adverse finding involving crimes reasonably related to the applicant's ability to safely provide security, including but not limited to, assault, sex offenses, harassment, malicious mischief, rendering criminal assistance, obstructing a police officer, resisting arrest, and violations of the uniform controlled substances act or equivalent offenses under a municipal code;
3. Within three years of the date of application, the applicant has been found, either through a criminal conviction, bail forfeiture, or other final adverse finding (including a civil suit or administrative proceeding) to have exhibited past conduct in working as security personnel which is reasonably related to ~~his or her~~ the applicant's fitness or ability to work as security personnel;
4. Within three years of the date of application, the applicant engaged in conduct which would lead the Director to reasonably conclude that the applicant will not comply with the provisions of the chapter and the safe operation of the entertainment and dancing establishment.
5. For any reason in Section 6B.10.140 TMC or Section 6B.10.170 TMC.

B. Dancing and Entertainment Licenses.

1. The Director may deny, suspend, or revoke any dancing or entertainment license application for any of the reasons in subsection A.
2. The Director may deny, suspend, or revoke any dancing or entertainment license application if the Director reasonably concludes that the applicant will not comply with the provisions of the chapter or the applicant's operation of the entertainment or dancing establishment will likely endanger public health or safety. The Director may consider any relevant matter including illegal activity associated with the applicant's operation of any other similar business or the conduct of the applicant's patrons inside or outside a similar business that applicant operated.
3. The Director may deny, suspend, or revoke any license if:
 - a. the business is conducted by a manager or agent and the manager or agent could be denied a license if ~~he or she~~ they were the applicant;
 - b. the business is owned by a partnership and any of the partners could be denied a license; or
 - c. the business is owned by a corporation and a director, officer, or manager of the corporation could be denied a license.
- C. Any applicant who is denied a license under this chapter or any licensee whose license is suspended or revoked may appeal the denial, suspension, or revocation, as provided in Section 6B.10.140 TMC.



* * *

**Chapter 6B.80
ENTERTAINMENT/DANCING – NO ALCOHOL SERVED AND TEENAGE DANCE**

* * *

6B.80.140 Teen dance regulations.

A. No minor admitted to a teenage dance shall be permitted to leave and thereafter re-enter the dancing premises during the course of the event, and no pass-out checks shall be issued except in emergencies and when authorized specifically by the person in charge of said dance.

B. No illegal substances shall be sold, consumed, or available on the premises in or about which any teenage dance is held.

C. Admission to a teenage dance shall be denied to any person under the influence of any illegal substance, or having any such substance in ~~his or her~~the person’s possession.

* * *

**Chapter 6B.130
HOME OCCUPATIONS**

6B.130.010 License required – Conditional home occupation agreement.

A. It is unlawful for any person to engage in a “home occupation,” as defined in TMC 13.06.700, within a residential building or building accessory thereto without first obtaining a license pursuant to the provisions of this chapter. Prior to issuance of said license, the Director must be satisfied that the applicant will be in conformance with applicable laws, including, but not limited to, the criteria set out in TMC 13.06.100.E, and the applicant must also manifest ~~his or her~~assent to comply with all applicable laws and regulations by entering into a Conditional Home Occupation Agreement provided by the Director which will contain the code and regulatory requirements most directly applicable to each applicant’s situation.

* * *

**Chapter 6B.145
LIVE/WORK AND WORK/LIVE**

6B.145.010 License Required – Special agreement.

A. It is unlawful for any person to operate or engage in business activities within live/work or work/live units, as defined in TMC 13.06.700, without first obtaining a license pursuant to the provisions of this chapter. Prior to the issuance of said license, the Director must be satisfied that the applicant will be in conformance with applicable laws, including, but not limited to, the criteria set out in TMC 13.06.570 and TMC 2.02, and the applicant must also manifest ~~his or her~~assent to comply with all applicable laws and regulations by entering into a Conditional Live/Work and Work/Live Agreement.

B. Both the license and the Conditional Live/Work and Work/Live Agreement are personal to the original applicant, and may not be assigned. If there is a change of location of the licensed business to another live/work or work/live unit, the license holder need not obtain a new license, but is required to enter into a new Conditional Live/Work and Work/Live Agreement. Should the nature of the business change, the license holder must obtain a new license and enter into a new Conditional Live/Work and Work/Live Agreement.

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**Chapter 6B.160
PAWNBROKERS, SECONDHAND DEALERS, AND GARAGE SALES**

* * *

6B.160.020 Definitions.

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“Pawnbroker,” means every person engaged, in whole or in part, in the business of loaning money on the security pledges, deposits, or conditional sales of personal property, or who makes a public display at or near



~~his or her~~ the person's place of business of any sign or symbol generally used by pawnbrokers, or of any sign indicating that ~~he or she~~ the person has money to loan on personal property on deposit or pledge.

* * *

6B.160.040 Records.

A. It shall be the duty of every pawnbroker and secondhand goods dealer to verify the identity of the customer before making any loan or receiving any goods or property in the course of business. Identification shall consist of a valid driver's license or identification card issued by any state or two pieces of identification issued by a governmental agency, one of which shall be descriptive of the person identified. Additionally, every pawnbroker and secondhand goods dealer shall maintain, in ~~his or her~~ their place of business, adequate records in which shall be legibly written in ink, in the English language, a statement of any loan or purchase. Wherever that business is conducted, said records shall be made at the time of the purchase, and such records shall contain:

* * *

B. It shall be unlawful for any person to fail, neglect, or refuse to make entry of any material matter in ~~his or her~~ the person's record, as required by this section, or to make any false entry therein, or to obliterate, destroy, or remove from ~~his or her~~ the person's place of business such record.

C. Such record and all articles received shall at all times be open to the inspection of the Chief of Police or any police officer of the City under ~~his or her~~ the Chief of Police's order. Records shall be maintained and kept available for inspection by the licensee for a period of three years following the date of the transaction.

* * *

6B.160.060 Report to police.

Every pawnbroker and secondhand goods dealer in the City shall before noon of each day furnish to the Chief of Police at ~~his or her~~ the Chief of Police's office, on such forms as the Chief of Police may provide therefore, a full, true and correct transcript, in ink and legibly written in the English language, of the record of all transactions had on the previous day, and if such pawnbroker shall have reason or cause to believe that any property in ~~his or her~~ the pawnbroker's possession has been previously lost or stolen, he shall forthwith report such fact to the Chief of Police, together with the name of the owner, if known, and the date when and the name of the person from whom the same was received by ~~him or her~~ the pawnbroker.

6B.160.070 Period of redemption.

No pawnbroker shall sell any property held as security for a loan or permit to be removed from ~~his or her~~ the pawnbroker's place of business until ninety (90) days have expired from the date of the original transaction except when redeemed. If any interest on any such loan be paid, the time of redemption shall be extended for an additional period equal to the time covered by such interest payment.

No pawnbroker or dealer in secondhand goods shall sell or dispose of any article purchased by him or her constituting secondhand goods as herein defined, or shall remove or permit the same to be removed from ~~his or her~~ the pawnbroker's place of business or control within thirty (30) days after receipt of said goods has been reported to the Chief of Police, or ~~his or her~~ designee, as herein provided, except when returned to the owner. This section shall not apply to goods donated to charitable organizations.

6B.160.080 Prohibited transactions.

No pawnbroker or secondhand goods dealer shall receive any goods or property from any person under the age of 18 years, or from any person under the influence of intoxicating liquor or narcotic drugs, or possessor or receiver of stolen property, or from any person whom he has reason to suspect or believe to be such, whether such person be acting ~~in his or her~~ on their own behalf or as the agent of another. No pawnbroker shall receive any goods or property upon which the original manufacturer's engraved serial number or any identifying number, name, or initials added by means of engraving by any possessor of said goods or property has been obliterated or defaced so as to be illegible in whole or in part. No pawn broking transaction, or any part of such transaction, shall be carried on or conducted on any day before 6:30 a.m. or after 9:00 p.m.; provided, however, that such establishment may remain open for carrying on the business of retail merchandising at any time on any day of the week unless otherwise prohibited by law.

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**Chapter 6B.165
PROVISIONAL RENTAL PROPERTY LICENSE**

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2 **6B.165.090 Inspection – Tenant notification.**

3 * * *

4 C. Tenant notification.

5 1. If a rental property owner chooses to inspect only a sampling of the units, the owner must send written
6 notice of the inspection to all units at the property. The notice must advise tenants that some of the units at the
7 property will be inspected and that the tenants whose units need repairs or maintenance should send written
8 notification to the landlord as provided in RCW 59.18.070. The notice must also advise tenants that if the
9 landlord fails to adequately respond to the request for repairs or maintenance, the tenants may contact city
10 officials. A copy of the notice must be provided to the inspector upon request on the day of inspection.

11 2. The landlord shall provide written notification of ~~his or her~~ the landlord's intent to enter an individual unit
12 for the purposes of providing the city a certificate of inspection in accordance with RCW 59.18.150(6). The
13 written notice must indicate the date and approximate time of the inspection and the company or person
14 performing the inspection, and that the tenant has the right to see the inspector's identification before the
15 inspector enters the individual unit. A copy of this notice must be provided to the inspector upon request on the
16 day of inspection.

17 3. A tenant who continues to deny access to ~~his or her~~ the tenant's unit is subject to RCW 59.18.150(8).

18 D. Any person who knowingly submits or assists in the submission of a falsified certificate of inspection, or
19 knowingly submits falsified information upon which a certificate of inspection is issued, is, in addition to the
20 penalties provided for in TMC 6B.10.260, guilty of a gross misdemeanor and may be punished by a fine of not
21 more than \$5,000. Any inspector convicted of, admitting to or submitting a falsified certificate of inspection,
22 will no longer be a qualified inspector as defined under TMC 6B.165.030

23 * * *

**Chapter 6B.170
SALES – DOOR-TO-DOOR SOLICITING**

24 * * *

25 **6B.170.040 Exemptions.**

26 A. The provisions of this chapter shall not apply to any person soliciting any article of ~~his or her~~ the person's
own make, nor to any farmer or dairyman selling the products of ~~his or her~~ their own farm, garden, or dairy, or
the combined products of ~~his or her~~ their farm, garden, or dairy and those actually produced by ~~his or her~~ a
neighbor of the farmer or dairyman, nor to merchants, grocers, or butchers who have a regular established
place of business in the City or elsewhere and who do not engage in the making of sales from vehicles upon
the streets or highways of the City.

B. The provisions of this chapter shall not apply to any bona fide school or nonprofit fundraising activities.

C. The provisions of this chapter shall not apply to veterans pursuant to RCW 73.04.050.

D. The provisions of this chapter shall not apply to any person possessing a valid license issued by the State of
Washington as long as the state license requirements include fingerprinting of the applicant and background
check and the license has been issued for the service the person is soliciting (i.e. a real estate broker with a
valid State of Washington Real Estate license is soliciting real estate broker services).

6B.170.050 Regulations.

Licenses issued pursuant to this chapter for soliciting shall be numbered by the City when issued, and the
licensee shall, if he uses a vehicle in such soliciting activity, display such number in Arabic numerals
sufficiently large enough to be easily read in a prominent place on such vehicle. The applicant for such license,
if any scales, weights, or measures are used in selling the article to be solicited, shall present and file with ~~his~~
or her the application a certificate from the Director of Public Works showing that all scales, weights, or



measures to be used ~~by him~~ in the licensed activity have been tested and found accurate and correct immediately prior to the filing of said application.

1 **6B.170.060 Criminal Background Check/Fingerprints/Photographs.**

2 All applicants for a solicitor's license must consent to be fingerprinted for a state and federal criminal
3 background check and shall submit, with ~~his or her~~ the application, one current full face photograph of the
4 applicant or consent to a full face photograph taken by the director.

5 * * *

6 **Chapter 6B.175**
7 **SALES – FOOD TRUCK VENDORS**

8 * * *

9 **6B.175.070 Operating requirements.**

10 Any person with a food truck vending license issued pursuant to this chapter shall be subject to the following
11 requirements:

12 * * *

13 H. No food truck vendor shall make any noise that exceeds the standards in TMC 8.122.020 or use mechanical
14 audio or noise-making devices to advertise ~~his or her~~ the food truck vendor's product.

15 * * *

16 **Chapter 6B.180**
17 **SALES – SIDEWALK VENDORS**

18 * * *

19 **6B.180.030 Definitions.**

20 "Arts and crafts" means items for sale that are of original creation, designed and produced by the original
21 creator. No copies are permitted except for prints of original art work produced by the original creator. Items
22 made from kits, imported items, factory-made items, unfinished work, arts and crafts supplies, and
23 manufactured or kit jewelry are not allowed. Arts and crafts items may only be sold by the original creator or
24 ~~his or her~~ authorized agent.

25 * * *

26 **6B.180.075 Tollefson Plaza.**

A. Any sidewalk vendor licensed under this chapter may, in addition to ~~his or her~~ the vendor's approved
location(s), operate ~~his or her~~ their sidewalk vending business on Tollefson Plaza located on South 17th Street
and Pacific Avenue.

B. Vendors must be at least five feet from all adjacent vendors.

C. Vendors are not required to get the approval of adjacent property owners, business owners, or vendors when
operating on Tollefson Plaza.

D. Per 6B.180.100 E, during special events permitted by the City located on Tollefson Plaza, a vendor may not
operate ~~his or her~~ their sidewalk vending business without the permission of the special event permit applicant
or special event sponsoring unit, as designated on the special event permit approved by the City.

E. A sidewalk vendor who, in the City's sole discretion, is operating or locating in Tollefson Plaza in a manner
which impedes public access, ingress, egress, or otherwise interferes with the City's or its licensees use of
Tollefson Plaza, shall be required to relocate or remove ~~his or her~~ their vending business as directed by the
City.

* * *

6B.180.110 Restrictions.

Any person with a valid sidewalk vending license issued pursuant to this chapter shall be subject to the
following restrictions:

* * *



I. No vendor shall make any noise that exceeds the standards in TMC 8.122.020 or use mechanical audio or noise-making devices to advertise ~~his or her~~ the vendor's product.

**Chapter 6B.210
SIGN ERECTORS**

Sections:

~~6B.210.010 License required.~~

~~6B.210.020 Insurance required.~~

~~6B.210.030 License fee.~~

6B.210.010 License required.

It shall be unlawful for any person to carry on or engage in the business of sign erection or maintenance in the City without first obtaining a license pursuant to the provisions of this chapter. This license requirement shall apply to any sign requiring a permit pursuant to TMC 2.05 ("Sign Code").

6B.210.020 Insurance required.

No license shall be issued to any sign erector until the applicant has filed with the City a certificate of insurance issued by a company authorized to do business in the state of Washington insuring the applicant and the City and guaranteeing the payment of any final judgment up to the amount of \$100,000 for injury to or death of any one person, and up to the amount of \$300,000 for injury to or death of more than one person in any one accident, and up to the amount of \$50,000 for property damage, that may be rendered against the insured for injury, death or damage caused by or arising out of the operation of such sign erection business, together with evidence that the premium therefor has been paid for the period for which the license is applied for. Said policy shall contain a clause obligating the company issuing the same to give written notice to the City before cancellation thereof. Failure to keep such policy in full force and effect shall be grounds for revocation of the license.

6B.210.030 License fee.

The license fee under this chapter is hereby fixed as follows:

Type of license	Fee
Sign erector	\$150

**Chapter 6B.220
FOR-HIRE REGULATIONS**

6B.220.250 For-hire driver – License application and requirements.

A. A for-hire driver must complete, sign, swear to, and file with the Director a for-hire driver license application on forms provided or approved by the Director to include the following information:

1. Name, aliases, residence and business addresses, residence and business telephone numbers;
2. Place and date of birth (which must be at least twenty-one years of age on date of application), height, weight, color of hair and eyes;
3. Social security number and Washington State driver's license number. The applicant must present his/her Washington State driver's license or a copy thereof at time of application;
4. Documentation that a full criminal background check has been completed on the applicant through Washington State Patrol and Federal Bureau of Investigation criminal databases or through a Director-approved third party vendor and was reviewed as required in 6B.220.180.I. If a criminal background check is not conducted through a Director-approved third-party vendor, then the for-hire driver shall consent to be fingerprinted and the City will conduct a state and national Washington State Patrol and Federal Bureau of Investigation criminal background check;



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- 5. Information indicating whether or not the applicant has ever had a for-hire driver’s, or driver’s license suspended, revoked, or denied and for what cause;
 - 6. Documentation that a copy of the applicant’s driving abstract from the Washington State Department of Licensing was reviewed as required in 6B.220.180.I or a signed statement authorizing the Director to obtain a current copy of the applicant’s driving abstract from the Washington State Department of Licensing;
 - 7. Completion of a for-hire driver training course and successful completion of exam explained in more detail in 6B.220.280 and 6B.220.290;
 - 8. A statement under penalty of perjury of their physical and mental fitness to act as a for-hire driver;
 - 9. All applicants for a for-hire driver’s license shall include with ~~his or her~~their application one current full face digital photograph of the applicant, submitted electronically or consent to a full face photograph taken by the Director;
- * * *

6B.220.330 For-hire driver – Reports to the Director.

- A. Every for-hire driver shall report within 48 hours to the Director and ~~his or her~~ their affiliated for-hire transportation services company, the occurrence of the following:
 - 1. Any arrest and charge, charge, or conviction of the for-hire driver for any criminal offense, or commitment of a violation, that occurs during, or arises out of, the for-hire driver’s operation of a for-hire vehicle;
 - 2. Any arrest and charge, charge or conviction of the for-hire driver for any criminal offense involving theft, robbery, burglary, assault, sex crimes, drugs, prostitution, moral turpitude, or any offense as provided in 6B.220.300;
 - 3. Any vehicle accident required to be reported to the State of Washington involving any for-hire vehicle operated by the for-hire driver;
 - 4. Any restriction, suspension or revocation of the for-hire driver’s motor vehicle driver’s license; or
 - 5. Any changes in health or medical condition of the for-hire driver that might render the for-hire driver to be unfit for the safe operation of any for-hire vehicle.