

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 6/13/16

AGENDA ITEM:	
Ordinance eliminating the home occupation fee and changing then new business license fee to \$65.00.	
PREPARED BY:	DIRECTOR APPROVAL:
Dave Koenig	
DEPARTMENT:	
Community Development	
ATTACHMENTS:	
Proposed Ordinance	
BUDGET CODE:	AMOUNT:
SUMMARY:	

City Council on April 11, 2016 asked staff to prepare the necessary documents to eliminate the \$50.00 home occupation fee and the change the new business license fee to \$65.00 which is the estimated normal cost to process a new business license.

Currently if you are opening a business in your home you are required to get both a business license and a home occupation permit and pay a separate fee for both totaling \$100.00. If you open a business in a commercial property you need just the new business license at a current cost of \$50.00. The attached ordinance has been drafted based on the direction given by City Council.

RECOMMENDED ACTION:

Staff recommends the City Council authorize the Mayor to sign the ordinance eliminating the home occupation fee and changing the new business license fee to \$65.00

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, AMENDING MARYSVILLE MUNICIPAL CODE (MMC) SECTIONS 5.02.040 REGARDING BUSINESS LICENCSE APPLICATION PROCEDURES; 5.02.070(1) REGARDING BUSINESS LICENSE FEES – PENALTY; 22G.030.050 REGARDING HOME OCCUPATION FEES; AND AMENDING MMC SECTION 22A.010.160 GENERAL ADMINISTRATION, RELATED TO TRACKING AMENDMENTS TO THE CITY’S UNIFORM DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the City Council finds that it is in the public interest to update Marysville Municipal Code (MMC) Sections 5.02.040, 5.02.070(1) and 22G.030.050 related to business license and home occupation fees;

NOW THEREFORE, the City Council of the City of Marysville, Washington do ordain as follows:

Section 1. MMC 5.02.040 is hereby amended to read as follows:

5.02.040 Application procedure.

(1) No business license shall be issued or renewed except upon written application made to the city of Marysville community development department or designated licensing official. Each application shall be signed by the person who intends to conduct, operate or engage in the business for which the license is to be issued, and shall state the nature of the business, its proposed address and telephone number, the names and addresses of all owners of the business (or their registered agent), and such other information as may be required by the city of Marysville community development department or designated licensing official. A nonrefundable application fee, as identified in MMC 5.02.070(1), ~~in an amount equal to the annual license fee,~~ shall accompany the application. In the event that the license is granted, the application fee shall be credited toward payment of the annual license fee.

(2) If the applicant is a partnership, the application must be made and signed by one of the partners; if a corporation, by one of the officers thereof; if a foreign corporation, partnership or nonresident individual, by the resident agent or local manager of the corporation, partnership or individual.

(3) If the business premises are to be located on property owned by another person, the application shall include written evidence of the property owner's consent.

(4) If the applicant or the business applying for a license is regulated, licensed or certified by any other governmental agency or professional association, the application must include written evidence of good standing with said regulatory authority. In such cases the continuing validity of the city business license shall be conditioned upon compliance with the requirements of the regulatory authority.

(5) Neither the filing of an application for a license or the renewal thereof, nor any payment of any application or renewal fee, shall authorize a person to engage in or conduct a business until such license has been granted or renewed.

Section 2. MMC 5.02.070 is hereby amended to read as follows:

5.02.070 Fees – Penalty.

(1) The annual fee for each business license required by this chapter, and each renewal thereof, shall be as follows:

- (a) All new businesses: ~~\$50.00~~ \$65.00;
- (b) Renewals: \$40.00;

(c) Short-term businesses: \$7.00 per day.

(2) There shall be assessed a late payment penalty of \$20.00 for each 30 days of delinquency after a license fee or renewal fee is due. This penalty shall be added to the license fee.

(3) Any business relocating to another address in the city shall pay an administrative transfer fee of \$5.00 to have its business license reissued to reflect the new address.

Section 3. MMC 22G.030.020 is hereby amended to read as follows:

22G.030.020 General fee structure.

The community development department is authorized to charge and collect the following fees:

Type of Activity	Fee
Land Use Review Fees	
Administrative approval (bed and breakfast, accessory dwelling unit, or similar request)	\$250.00
Annexation:	
Under 10 acres	\$250.00
Over 10 acres	\$750.00
Appeals (quasi-judicial):	
For activity that requires a hearing for the primary project action	\$250.00
For activity that would not have required a hearing for the primary action	\$500.00
Appeals (administrative)	\$250.00
Boundary line adjustment (up to two lots)	\$500.00
Comprehensive plan amendment:	
Map amendment with rezone (under 5 acres)	\$2,500
Map amendment with rezone (over 5 acres)	\$5,000
Text amendment	\$500.00
Conditional use permit (administrative):	
Residential	\$1,000 + \$100.00 for each unit
Group residence or communication facility	\$2,500
Commercial (including RV park, churches)	\$3,500
Conditional use permit (public hearing)	Administrative fee + \$1,500

Critical areas review:	
Under 0.50 acre	\$250.00
0.51 – 2 acres	\$500.00 (+ peer review costs if applicable)
2.01 – 10 acres	\$1,500 (+ peer review costs if applicable)
10.01 – 20 acres	\$2,500 (+ peer review costs if applicable)
20.01 – 50 acres	\$3,500 (+ peer review costs if applicable)
50.01+ acres	\$5,000 (+ peer review costs if applicable)
EIS preparation and review	All direct, indirect costs and materials (\$135.00/hour for staff time)
Home occupation (administrative approval)	\$50.00
Lot status determination:	
Readily verifiable with documents submitted by applicant	\$50.00
Requires research and detailed document evaluation and confirmation	\$200.00
Modifications:	
Minor	\$500.00
Major	\$500.00 or 30 percent of the applicable land use review fee, whichever is greater (excludes any lot or unit fee)
Miscellaneous reviews not otherwise listed	\$120.00/hour
Preapplication review fee	\$350.00 (fee will be credited upon application submittal if filed within 90 days of the preapplication meeting)
Rezone:	
Commercial (plus site plan charges if combined with project level review)	\$2,500
PRD and mixed use overlay (plus site plan or subdivision charges)	\$2,500
SEPA checklist:	
Residential (1 – 9 lots or dwelling units)	\$350.00
Residential (10 – 20 lots or dwelling units)	\$500.00
Residential (21 – 100 lots)	\$1,000
Residential (greater than 100 lots or units)	\$1,500
Commercial/industrial (0 – 2 acres)	\$350.00
Commercial/industrial (2 – 20 acres)	\$750.00
Commercial/industrial (greater than 20 acres)	\$1,500
Shoreline permit (administrative review)	\$1,000

Shoreline permit, shoreline conditional use permit, or shoreline variance permit with public hearing	\$5,000
Site plan review (commercial, multifamily, PRD, master plan): Under 0.50 acre 0.51 – 2 acres 2.01 – 10 acres 10.01 – 20 acres 20.01+ acres	\$500.00 + \$50.00/lot or unit \$750.00 + \$50.00/lot or unit \$2,000 + \$50.00/lot or unit \$5,000 + \$45.00/lot or unit \$7,500 + \$40.00/lot or unit
Site/subdivision plan review (with utility availability for county projects): Under 0.50 acre 0.51 – 2 acres 2.01 – 10 acres 10.01+ acres	\$500.00 \$750.00 \$2,000 \$5,000
Subdivisions: Preliminary binding site plan (commercial, industrial) Preliminary plat Preliminary short plat Final binding site plan, plat or short plat	\$5,000 + \$100.00/lot or unit \$5,000 + \$100.00/lot or unit \$3,000 + \$100.00/lot or unit \$1,000 + \$100.00/lot or unit
Subdivision time extension requests	\$200.00
Temporary use permit	\$50.00
Transitory accommodations permit	\$500.00
Variance (quasi-judicial decision – zoning, utility)	\$500.00
Zoning code text amendment	\$500.00
Fast-track overtime (when authorized by both the department and applicant, for project reviews prioritized on overtime basis)	\$165.00/hour for overtime worked, in addition to regular project review fees
Engineering Review and Construction Inspection Fees	
Engineering construction plan review: Residential (full plan sets – roads, drainage, utilities) Residential (partial construction review – i.e., utilities, grading)	\$225.00/lot or unit (for duplex or condominium projects), \$2,000 minimum for first two reviews, \$120.00/hour for each subsequent review \$100.00/lot or unit (for duplex or condominium projects), \$1,000 minimum for first two reviews
Multiple residential/commercial/industrial	\$250.00 administrative base fee + \$135.00/hour

Engineering, design and development standards modifications/variances (administrative)	\$250.00
Miscellaneous reviews not otherwise listed, and hourly rate from January 1, 2005, for projects initiated prior to 2005 (prior rates charged for hours worked prior to 2005)	\$120.00/hour
Fast-track overtime (when authorized by both the department and applicant, for project reviews prioritized on overtime basis)	\$165.00/hour for overtime worked, in addition to regular project review fees
Construction Inspection Fees	
Security for performance/security for maintenance fee	\$20.00/lot or unit, with a minimum amount being \$250.00
Inspection for water, sewer, storm, street improvements associated with approved residential construction plans	\$250.00/lot or unit (for duplex or condominium projects), \$2,000 minimum
Inspection for utilities only (residential)	\$100.00/lot or unit (for duplex or condominium projects), \$1,000 minimum
Multiple residential/commercial/industrial	\$250.00 administrative base fee + \$135.00/hour
Right-of-way permit	\$250.00
Miscellaneous reviews and inspections not otherwise listed, and hourly rate from January 2005 for projects initiated prior to 2005 (prior rates charged for hours worked prior to 2005)	\$120.00/hour
Fast-track overtime (when authorized by both the department and applicant, for project reviews and inspections prioritized on overtime basis)	\$165.00/hour for overtime worked, in addition to regular project inspection fees
Impact Fee Administration Charge	
School impact fee administrative charge	\$50.00/single-family or duplex, or \$100.00/apartment building

Section 4. MMC 22A.010.160, Amendments, of MMC Chapter 22A.010, General Administration, is hereby amended as follows by adding reference to this adopted ordinance in order to track amendments to the City's Unified Development Code:

"22A.010.160 Amendments.

The following amendments have been made to the UDC subsequent to its adoption:

<u>Ordinance</u>	<u>Title (description)</u>	<u>Effective Date</u>
_____	Eliminating Fee for Home Occupation Permits	_____, 2016"

Section 5. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 6. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2016.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
APRIL O'BRIEN, DEPUTY CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)