

**ORDINANCE NUMBER 10-2007**

**AN ORDINANCE REPLACING AND REPEALING FRANKLIN COUNTY ORDINANCE NUMBER 26-2002 (BUSINESS REGISTRATION ORDINANCE).**

**AN ORDINANCE REQUIRING BUSINESSES IN THE UNINCORPORATED AREAS OF FRANKLIN COUNTY TO REGISTER WITH THE COUNTY PRIOR TO OPERATING SAID BUSINESS; ASSURING PROPER LOCATION AND COMPLIANCE OF SAID BUSINESS UNDER THE PROVISIONS OF THE FRANKLIN COUNTY ZONING ORDINANCE, BUILDING CODE, FIRE CODE AND HEALTH DEPARTMENT REGULATIONS; ASSURING PROPER REGISTRATION OF BUSINESSES TO ALLOW FRANKLIN COUNTY TO ASCERTAIN PROPER TAX RECEIPTS FROM THE STATE OF WASHINGTON; ASSURING THAT SAID BUSINESSES ARE IN THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE; ESTABLISHING A PROCEDURE FOR APPLYING FOR A BUSINESS REGISTRATION; ALLOWING FOR THE KEEPING OF ACCURATE RECORDS OF BUSINESSES IN FRANKLIN COUNTY; AND ESTABLISHING FEES AND PENALTIES.**

**BE IT ORDAINED BY THE BOARD OF FRANKLIN COUNTY COMMISSIONERS AS FOLLOWS:**

**SECTIONS:**

1. Definitions
2. Registration of Business Required
3. Exemptions
4. Planning Department to Issue and to Keep Records of Business Registrations Issued
5. Registration Application Fee
6. Investigation of Application
7. Grounds for Issuance or Denial of Registration
8. Terms and Conditions of Business Registration
9. Appeal of Planning Director's Decision
10. Suspension/Revocation of Registration/Appeals/Enforcement
11. Business Registration Fees
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13. Disposition of Fees - Recovery of Fees
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15. Operating Without a Business Registration
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17. Right to Pick Up and Hold Business Registration
18. Validity of Ordinance
19. Amendment
20. Effective Date

## SECTION 1 – DEFINITIONS

As used in this Ordinance, unless the context clearly indicates otherwise:

- A. "Commissioners" means the Board of County Commissioners of Franklin County.
- B. "Person" means and includes but is not limited to natural persons of either sex, firms, corporations, partnerships, clubs, municipalities, societies or associations.
- C. "Director" means the Franklin County Planning and Building Director and/or authorized agents thereof.
- D. "Planning and Building Department" means the Franklin County Planning and Building Department and/or authorized agents thereof.
- E. "Sheriff" means the Franklin County Sheriff and/or his/her authorized agents.
- F. "Peddler" means:
  - 1. Any person who goes from house to house, or place to place, within Franklin County, selling and providing immediate delivery or performance, or offering for sale and immediate delivery or performance, any goods, wares, merchandise, services, or anything of value, to persons not commercial users or sellers of such commodities or services; or
  - 2. Any person who, while selling and providing immediate delivery or performance, or offering for sale and immediate delivery and performance, any goods, wares, merchandise, services or anything of value, stands or sits in a doorway, any unenclosed vacant lot, parcel of land or in any other public place not used by such person as a permanent place of business.
- G. "Solicitor" means:
  - 1. Any person who goes from house to house or place to place within Franklin County, taking or offering to take orders for the sale of goods, wares, merchandise, services, or anything of value for future delivery or performance from persons not commercial users or sellers of such service or commodity; or
  - 2. Any person who, while taking or offering to take orders for the sale of goods, wares, merchandise, services, or anything of value for future delivery or performance, stands or sits in a doorway, any unenclosed vacant lot, parcel of land, or in any other public place not used by such person as a permanent place of business.
- H. The terms "peddler" and "solicitor" shall include any person, firm, or corporation which employs, hires, or engages others to act as peddlers or solicitors whether as employees, agents or independent contractors, but shall not include any person making solicitations for charitable or religious purposes.
- I. "Home Sales Party" means gatherings in private residences where goods, wares, merchandise, services, or anything of value, is sold or offered for sale.
- J. "Temporary Business" means the sale of goods or services sold by a business being operated in the county for less than forty-eight (48) hours.
- K. The term "public dance" shall be construed to mean any dance or ball to which the public generally may gain admission with or without the payment of an admission fee.
- L. The term "dance hall" shall be construed to mean any room, hall, pavilion, boat, float, building or other structure kept for the purpose of conducting therein public dances or dancing.

## SECTION 2 – REGISTRATION OF BUSINESS REQUIRED

- A. Business registration is required for conformance with local and/or state laws. In the course of regulating businesses and occupations under its authority, Franklin County may require businesses and occupations affected with a public interest to obtain a business registration.
- B. Where the ordinances of the County requires a registration or fee for the conduct of any business, occupation or activity, no person shall engage in such business, occupation or activity within the unincorporated areas of Franklin County unless said person has a valid county business registration.

## SECTION 3 – EXEMPTIONS

- A. No business registration shall be required for nonprofit organizations operating either regularly or temporarily, for a public, charitable, educational, literary, fraternal or religious purpose; nor shall any registration be required of any farmer or person peddling farm or dairy produce raised or produced by such person; no registration is required for custom farming operations, custom cutting or other related business activity; nor shall any registration be required of any person holding a yard sale, home sales party or similar type home gatherings or meetings, such as Avon, Amway, Mary Kay, Tupperware, etc where gross sales are under ten thousand dollars (\$10,000.00). No registration shall be required for individuals having newspaper routes, lawn mowing jobs or sidewalk refreshment stands.
  - 1. This section shall not exempt persons from compliance (when applicable) with the zoning regulations and road access requirements as required by the County Planning and Building Department and the County Public Works Department.
  - 2. This section shall not exempt persons from compliance (when applicable) with Health Department regulations.
  - 3. Contractors working on public works' contracts for Franklin County shall be exempt from this Ordinance.

## SECTION 4 – PLANNING AND BUILDING DEPARTMENT TO ISSUE AND TO KEEP RECORD OF BUSINESS REGISTRATIONS ISSUED

The Franklin County Planning and Building Department shall keep a record of all business registrations granted by the County to those businesses in the unincorporated areas. Said records shall show for each registration the date issued, to whom issued, the amount collected, the date of expiration, the premises described therein, change of location, if any, and any other pertinent fact with reference thereto.

## SECTION 5 – APPLICATION FEE

- A. A person desiring to secure a business registration, temporary or otherwise, to engage in a use activity regulated by the Franklin County Zoning Ordinance and/or this Ordinance shall make written application to the County Planning and

Building Department on forms prepared and furnished by the County and shall provide such information as the Planning and Building Director deems appropriate. An applicant shall submit an application fee and file the same with the County Planning and Building Director and/or his/her designee. This fee will be applied to the cost of the first year business registration fee. Application fees are not refundable. The application fee is fifty dollars (\$50.00) and will increase to seventy-five dollars (\$75.00) effective on January 1, 2008.

- B. The mere filing of an application for a business registration shall not give the applicant any right to engage in the activity covered thereby.

#### SECTION 6 – INVESTIGATION OF APPLICATION

- A. The Planning and Building Director and/or his/her designee shall submit a copy of the application form to the Building Department, Fire Marshal's Office, or other county departments and request them to review the facts stated in each business registration application. The Planning and Building Director shall require approval of the application by the appropriate county departments before granting any business registration.
- B. No registration shall be issued unless the premises where the activity is to be conducted complies with the requirements of all governmental agencies, including, but not limited to, federal, state, and county regulations relating to buildings, fire, health, sanitation, zoning, taxation, public safety, and all other requirements and conditions specifically set forth in other sections of the Ordinance.

#### SECTION 7 – GROUNDS FOR ISSUANCE OR DENIAL OF REGISTRATION

- A. If the County Planning and Building Director finds that a person has successfully completed an application form and has received approval from all appropriate departments, then the business registration shall be issued to the applicant.
- B. If, after investigation and consultation with other departments, the Planning and Building Director finds that the premises of buildings of the business to be operated under a registration are in an unsafe condition or operated in such a way as to be detrimental to the public welfare, or said premises are not in compliance with all applicable state and local regulations, then said application for registration shall be denied.

No business registration shall be granted to any applicant by the Planning and Building Director until such applicant has complied with all resolutions and ordinances of the County applicable to the activity for which application for business registration is made. This shall include, but not be limited to ordinances and resolutions administered by the Planning and Building Department, Fire Marshal, County Engineer and Health Department.

#### SECTION 8 – TERMS AND CONDITIONS OF BUSINESS REGISTRATIONS

- A. TERMS OF REGISTRATIONS All registrations shall be for a period of one

year, unless otherwise provided herein; such registration to begin January 1st of each year and terminate the following December 31st, and must be renewed annually in accordance with sub-section "D" of this section. Any registration which is herein after required for any business that may begin operation on or after July 1st of any year shall be one-half of the registration fee, which shall entitle the business to operate within the county until December 31st of the year after which date the business shall pay the registration fee for one year in advance. Any and all registrations issued for any new business which shall begin operation after January 1st of any year, up to and including June 30th of any year, shall be required to pay the full registration fee.

B. TRANSFERS Except as provided herein, a registration may not be assigned or transferred unless authorized pursuant to this Ordinance.

- 1) In the event of the withdrawal of a partnership, the registration may be transferred upon application to the County Planning and Building Department to remaining partner or partners along with a five dollar (\$5.00) transfer fee payable to the County Planning and Building Department.
- 2) No business shall change location without reapplying for a registration. No portion of any prior registration fee shall be refundable.

C. DISPLAY OF REGISTRATION Businesses shall, at all times, conspicuously display the business registration at the place of business in such a manner to be readily viewed by the general public. If the regulated activity does not have a fixed place of business, the registration shall be carried upon his person when engaging in the activity. A business shall produce the registration for examination when making application for renewal, or when requested to do so by an officer of the County authorized to enforce this Ordinance.

D. RENEWAL OF REGISTRATION Late Fees - Collection of Fees by Civil Action

- 1) All registrations issued pursuant to the provisions of this Ordinance may be renewed at the expiration and until February 28th of the following year, by making payment to the County Planning Department. Registrations not purchased before March 1st shall be subject to a late payment fee. A late payment fee of fifteen dollars (\$15.00) shall be added to each annual registration not procured by March 1st of each and every year to help defray added administrative expenses because of such late payment.
- 2) The Planning and Building Director and/or his/her designee shall review all renewals and cause such investigation to be conducted, as deemed necessary.
- 3) All registrations issued subsequent to the initial registration period shall be deemed renewal registrations, if there has been no discontinuance of the business operations or activities.
- 4) Franklin County shall have the power to institute suit or action in any court of competent jurisdiction for the purpose of collecting any registration fees and late fees that are due and payable.

E. AUTHORITY TO ENTER AND INSPECT PREMISES By making application for the privilege of having any registration included in this

Ordinance, each applicant authorizes the Sheriff and the Prosecuting Attorney and/or any other appropriate County agency to enter and inspect to insure compliance with code provision, all registered premises, or any premises in any way connected physically or otherwise with a registered business registration.

F. LIABILITY INSURANCE Unless otherwise provided, such applicant for any business registration under this Ordinance shall at all times maintain in full force and effect a policy of property damage and public liability insurance equal to the minimum state requirement for private vehicles or any vehicles used by said applicant, his servants, agents, or employees in the conduct of the business.

G. BUSINESS CERTIFICATION - GENERAL

1. No business registration issued by the County shall cover more than one (1) classification of registration or more than one (1) trade, business, occupation, pursuit, vocation and entertainment.
2. No person may:
  - a. Engage in an activity regulated by this Ordinance without first obtaining a business registration for the activity;
  - b. Engage in an activity in a manner or at a time or place contrary to a general or special term or condition of the registration.
  - c. Engage in a regulated activity in a manner contrary to a term or condition established by the Board of County Commissioners by ordinance or regulation;
  - d. Obtain or attempt to obtain a business registration by making a false statement in the application for the registration or by other dishonest or fraudulent means; or
  - e. Forge, counterfeit or fraudulently alter a business registration required by this Ordinance.

#### SECTION 9 – APPEAL OF PLANNING AND BUILDING DIRECTOR’S DECISION

- A. If the Planning and Building Director refuses to issue a business registration or renew a business registration, said Director shall notify the applicant in writing, stating the reasons for the denial & informing the applicant of his right to appeal.
- B. Any aggrieved party having standing under this Ordinance may submit an appeal to the Commissioners. The appeal shall be in writing and must be filed with the Clerk of the County Commissioners within ten (10) days of receipt of the Director’s decision. Appeal from the decision of the Director shall be on the record. Cost of transcription shall be borne by the person requesting review. When a decision of the Director is reviewed under this provision, the parties may submit memoranda in support of their position, but no hearings shall be held, and no new testimony or evidence shall be taken by the Commissioners. The Commissioners may accept, modify or reject any findings or conclusions, or remand the decision of the Planning and Building Director for further hearing; PROVIDED that the decision of the Commissioners shall be based on the record submitted by the Planning and Building Director; however, the County Commissioners may publicly request additional information of the appellant and the Planning and Building Director at its discretion. The Commissioners' decision shall be in writing and shall specify findings and

conclusions, whenever such findings or conclusions are different from those of the appealed decision. Each material finding shall be supported by substantial evidence in the record.

**SECTION 10 – SUSPENSION OR REVOCATION OF BUSINESS REGISTRATION - APPEALS –ENFORCEMENT**

A. The Commissioners or any agent appointed by the Commissioners shall have the power and authority to suspend or revoke any registration issued under the provisions of this Ordinance when the Commissioners determine that there is probable cause for suspending or revoking any registration issued pursuant to this Ordinance. The Board shall notify such business in writing by certified mail of the suspension or revocation of his/her registration and the grounds therefore. The filing of a petition with the Commissioners by the Planning and Building Director, the Prosecuting Attorney, Sheriff or the affected departments or agencies alleging that said business has committed acts which are grounds for suspension or revocation of a registration under the Ordinance shall constitute probable cause. Notice mailed to the last business address on file with the Planning and Building Department shall constitute sufficient notice. In addition to grounds specifically provided in individual sections, any registration issued pursuant to the provisions of this Ordinance may be suspended or revoked based on one or more of the following grounds:

1. The registration was procured by fraud or false representation of fact.
2. The business has violated or failed to comply with any of the provisions of this Ordinance, or any other regulation or ordinance of the county.
3. The business or any of his servants, agents, or employees, while acting within the scope of their employment, have violated any law or resolution relating to the sale or possession of intoxicating liquor; the use, possession or sale of narcotic or dangerous drugs or violated any law or resolution relating to public morality and decency.
4. The conduct of the business or activity for which the registration was issued has resulted in the creation of a nuisance or has caused disorderly conduct to occur on or immediately adjacent to the business premises.

B. APPEALS

1. The suspension or revocation shall become effective ten (10) days from the date the notice is delivered unless the person affected thereby files a written notice of appeal with the Commissioners within such period clearly setting for the grounds therefore. The Commissioners shall set a hearing date within thirty (30) days following receipt of notice of appeal and shall notify the business by mail of the time and place of the hearing. Except for good cause, in no event shall the hearing be more than ninety (90) days from receipt of notice of appeal by the County Commissioners. Following the hearing the Commissioners may affirm, modify, or overrule the suspension or revocation and reinstate the business registration and may impose any terms upon the continuance

of the registration which may seem advisable. Should an appeal be taken as herein prescribed, the suspension or revocation shall be stayed pending final action by the Commissioners, unless the Commissioners determine that the action of the business constitutes an eminent danger to the public health, or safety, or morals and/or welfare, in which case the Commissioners may order that the suspension or revocation shall not be stayed pending appeal.

2. The period of revocation shall be at least one year and the business shall not again be registered for a similar business during such period or for such additional period as is fixed by the Commissioners.
3. The period of suspension shall be fixed by the Commissioners at not less than ten (10) days nor more than sixty (60) days.

C. ENFORCEMENT

The Planning and Building Director, Sheriff, Fire Marshal, Building Inspector, Code Enforcement Officer, or their designated agents, are hereby designated as the enforcing officers of this Ordinance. Any failure or refusal on the part of any business to obey any rule, regulation or request of the Planning and Building Director or his agent, or Sheriff or his agent, or Fire Marshal or Building Inspector, or Code Enforcement Officer shall be grounds for the revocation of the business registration.

SECTION 11 – BUSINESS AND/OR ACTIVITY REGISTRATION FEES

- A. An applicant for a business or activity registration required by this Ordinance shall pay a fee or fees after review by the various departments and approval by the County Planning and Building Department Director. Said fee shall be in the amounts listed as follows for the various business and activity categories and shall be paid to the County Planning and Building Department for each registration issued annually.
- B. Fees for business registrations:
  1. General fee for businesses

All persons engaged in a business shall pay fifty dollars (\$50.00) per year, then seventy-five dollars (\$75.00) per year effective on January 1, 2008, plus square footage charges beyond the minimum square footage fee contained in the basic fee.
  2. Square footage charges

The first three thousand (3,000) square feet of floor space is included in the basic fee. The sum of sixteen dollars (\$16.00) shall be added to each additional three thousand (3,000) square feet or fraction thereof.
  3. Maximum fee

No annual registration fee shall exceed two hundred fifty dollars (\$250.00) per year, except as noted below.
- C. OTHER FEES FOR DESIGNATED BUSINESSES ARE AS FOLLOWS:
  1. Apartments

Any person renting apartments to the public and who has four or more such units available shall pay two dollars and twenty-five cents (\$2.25)

per unit per year; provided that if a person owns or controls apartments and/or sleeping rooms, and/or commercial rentals, all units shall be added together in computing the registration fee. Migrant farm housing shall be exempt.

2. Auction sales

All auction sales shall require payment of a fee of two hundred fifty dollars (\$250.00) per day and all auctioneers conducting any sale shall pay seventy-five dollars (\$75.00) per day. Provided however, that the fee requirements of this subsection shall not be applicable to persons, firms or corporations having established places of business in the County and having valid business registrations issued by the County, who wish to hold an auction for the purpose of disposing of excess inventory, damaged goods, or for promotion; provided, however, that any auction conducted under this provision shall not exceed one day in length, and the person, firm or corporation holding such auction shall, as a condition precedent, file written notice with the County Planning and Building Department of the date, time, place and nature of the goods to be auctioned and the reasons(s) for conducting the auction. Notice as required herein shall be filed with the County Planning and Building Department at least five days prior to the date the auction is to be held, and provided further, that no person, firm or corporation shall be entitled to hold more than one auction each calendar year under this provision without being required to pay the fee described above. This provision shall not apply in the following cases:

- a. Judicial sales held pursuant to an order of the court; or
- b. Non-judicial sale held under the authority of and pursuant to a federal or state statute; or Wholesale auctions and stockyard auctions which will be required to pay the regular registration fee; or; Those auctions having a permanently established place of business within the County; maintaining regular business hours; and open to the general public on a regular basis of five or more days each week which will be required to pay the regular registration fee.

3. Banks and finance agencies

All banks and finance agencies shall pay one hundred sixty dollars (\$160.00) per year. Each branch shall be construed to be a separate bank for purposes of this ordinance.

4. Bowling alleys

Bowling alleys shall pay annually fifty dollars (\$50.00), then seventy-five dollars (\$75.00) annually effective January 1, 2008, for the 'first alley and five dollars (\$5.00) for each additional alley.

5. Commercial Rentals

Any person renting or subletting any type of property, unimproved or improved, other than apartments and sleeping rooms, and who has four or more such properties or units available shall pay fifty dollars (\$50.00), then seventy-five dollars (\$75.00) effective January 1, 2008, plus two

dollars (\$2.00) per unit per year. Each separate tenant in a building or of a tract of land shall constitute a separate unit for purposes of this chapter.

6. Day care

All day care facilities shall pay fifty dollars (\$50.00) per year, then seventy-five dollars (\$75.00) per year effective January 1, 2008. No differentiation will be made between a Home Occupation and a day care facility that is operated in a separate facility.

7. Dray and transfer

All persons engaged in the business of draying and transferring, or the moving of goods and commodities for hire, shall pay fifty dollars (\$50.00) per year, on the first truck or conveyance, then seventy-five dollars (\$75.00) per year effective January 1, 2008, and four dollars and fifty cents (\$4.50) for each additional truck or conveyance. If a storage or warehousing business is carried on in conjunction with the dray and transfer business, square footage charges shall also be paid.

8. Flea markets

All Flea Markets shall pay one hundred dollars (\$100.00) per year.

9. Hotels, motels, RV parks, trailer parks, mobile home parks, and cabin courts

All hotels, motels, and cabin courts, or places where rooms are kept for rent or space is rented for the accommodation of the traveling public, whether rented by the day, by the week or month, shall pay fifty dollars (\$50.00) per year, then seventy-five dollars (\$75.00) per year effective January 1, 2008, plus two dollars and twenty-five cents (\$2.25) for each rentable unit.

10. Home occupations

A business that is located within the unincorporated area of Franklin County and is being operated out of a residence is required to obtain a Home Occupation Permit and pay a one time fee of fifty dollars (\$50.00) for this permit. The permit fee will be then seventy-five dollars (\$75.00) effective on January 1, 2008. This business would also have to obtain a yearly registration and pay a fifty dollar (\$50.00) annual fee. The annual fee will also be seventy-five dollars (\$75.00) effective on January 1, 2008.

11. Home sales - Home sales parties

Businesses such as Avon, Amway, Mary Kay, Tupperware, etc., that do over ten thousand dollars (\$10,000.00) per year gross sales are required to obtain a Home Occupation Permit and a yearly business registration for these types of business, with fees set forth above in subsection 10.

12. Liquor sales with and without dancing

Any place serving beer, wine or other intoxicating liquor shall pay one hundred dollars (\$100.00) per year, plus square footage charges. Any place serving beer, wine or any other intoxicating liquor and providing dancing shall pay one hundred sixty dollars (\$160.00) per year, plus square footage charges. If dancing alone is provided in conjunction with some other business not involved in the sale of beer, wine or other intoxicating liquor, the fee shall be fifty dollars (\$50.00) annually,

- then seventy-five dollars (\$75.00) annually effective January 1, 2008, plus square footage charges.
13. Junkyards - Wrecking yards  
Junkyards and wrecking yards shall pay one hundred dollars (\$100.00) per year.
  14. Mortuaries  
Mortuaries shall pay seventy-five dollars (\$75.00) per year.
  15. Businesses located outside of County or in a City  
All persons not having a business location in the County but engaging in any business within the County shall pay fifty (\$50.00) per year, then seventy-five dollars (\$75.00) per year effective January 1, 2008, unless there is a signed reciprocal agreement between Franklin County and the governmental unit in which this business is located.
  16. Service stations and Card Lock stations  
Service stations and Card Lock stations shall pay fifty dollars (\$50.00) per year. The fee will be seventy-five dollars (\$75.00) per year effective on January 1, 2008.
  17. Sleeping rooms and rooming houses  
Any person renting sleeping rooms by the month or week only and not by the day or night and who has four or more such rooms or units available shall pay two dollars and twenty-five cents (\$2.25) per room or unit per year.
  18. Theaters and moving picture shows  
Theaters and moving picture shows shall pay one hundred twelve dollars (\$112.00) per year.
  19. Used car lots and machinery lots  
Used car lots and machinery lots shall pay fifty dollars (\$50.00) per year. The fee will be seventy-five dollars (\$75.00) effective on January 1, 2008.
  20. Solicitors  
Solicitors shall pay a fee of fifty dollars (\$50.00) for business registration plus they must provide a description of the goods they sell plus bank references for the Company they represent. The fee will be seventy-five dollars (\$75.00) effective on January 1, 2008.
  21. Mobile vendor  
A "mobile vendor" means a vendor or seller of merchandise or food from a vehicle or other conveyances upon public streets, alleys or on public ways of the County, shall pay a fee of fifty dollars (\$50.00) annually, seventy-five dollars (\$75.00) annually effective January 1, 2008, plus ten dollars (\$10.00) for each additional vehicle operated by the same operation.
  22. Circus, carnival, amusement rides, street show, or show commonly classed as a carnival  
This class of business shall pay a maximum registration fee of one hundred ten dollars (\$110.00) per day for each and every day the same performs within the county. This registration fee is paid in advance of

each day's operation.

23. Pawn brokers and second hand dealers

The registration fee for each pawn broker and second hand dealer shall be one hundred fifty dollars (\$150.00) plus a square footage charge beyond the three thousand square foot minimum allowed as part of the basic registration fee. Pawn brokers and second hand dealers must meet all other County and State laws as part of this application process.

D. FEES FOR ACTIVITIES

1. Registration fees shall be as follows: Twenty-five dollars (\$25.00) for an annual dance hall registration; Ten dollars (\$10.00) for a quarterly registration; and one dollar (\$1.00) for a registration for a single dance.
2. The Commissioners may in their discretion issue a permit without charge for Grange, patriotic, fraternal or community dances.

SECTION 12 – DUPLICATE REGISTRATION FEES

Any business that makes a change in trade or corporate name or who loses or misplaces his registration may obtain a new registration from the Planning and Building Director without the necessity of submitting a new application by the payment of a five dollar (\$5.00) fee, PROVIDED, the registration has not expired.

SECTION 13 – DISPOSITION OF FEES / RECOVERY OF FEES

All business registration fees, fines and forfeitures collected under the provisions of this Ordinance shall be collected by the County Planning and Building Department for deposit into the County General Fund; and in addition to any penalties provided therefore, an action may be instituted by the county, and in its name, of the collection of registration fees and amounts due under the provisions of this Ordinance. The institution and prosecution of a civil action to recover a fee shall not be a bar to the criminal actions and prosecution herein provided.

SECTION 14 – PENALTIES

Any person who engages in any activity, for which a business registration is required pursuant to the provision of this Ordinance, while his or her registration is suspended or revoked, or who fails to obtain a registration prior to engaging in the activity for which a registration is required, shall pay a penalty of twenty-five dollars (\$25.00) for each day of operation without a registration. This penalty will be added to the basic registration fee and shall be in addition to any other penalty established by this Ordinance.

SECTION 15 – OPERATING WITHOUT A BUSINESS REGISTRATION

Each day that any person operates any device, vehicle or thing, or engages in any business, calling, profession, trade, occupation or activity REGULATED herein without having a valid existing registration as provided for by this Ordinance shall constitute a separate offense and be punished as such.

SECTION 16 – FAILURE TO COMPLY WITH ORDINANCE

Except as otherwise specifically provided, any person violating or failing to comply with any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine in any sum not exceeding one thousand dollars (\$1,000.00) or by imprisonment in the County Jail for a period not exceeding ninety (90) days or both, at the discretion of the court.

SECTION 17 – RIGHT TO PICK UP AND HOLD BUSINESS REGISTRATION

The Planning and Building Director or designated agent and the Sheriff or designated agent shall have the right to pick up and hold a registration when a violation of the Ordinance has been committed in his presence. Said registration is to be held by the Planning and Building Department where said registration could be used as evidence in a criminal or administrative hearing.

SECTION 18 – VALIDITY OF ORDINANCE

If any phrase, phrases, section, or sections of this Ordinance are determined to be invalid, it shall not affect the validity of the other sections of this Ordinance.

SECTION 19 – AMENDMENT

This ordinance replaces and repeals Franklin County Ordinance Number 26-2002.

SECTION 20 – EFFECTIVE DATE

The effective date of this Ordinance will be ten days after adoption by the Board of Franklin County Commissioners.

PASSED this 3 day of December 2007.

ATTEST:

Mary Wilkins  
Clerk of the Board

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

Robert E. Koch  
Robert E. Koch, Chairperson

APPROVED AS TO FORM:

Neva J. Corkrum  
Neva J. Corkrum, Chair Pro Tem

By: Bob  
Ryan E. Verhulp, Chief Civil Deputy  
Prosecuting Attorney's Office

Rick Miller  
Rick Miller, Member