

ORDINANCE NO. 3923

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF ECC 4.12 TO EXEMPT STREET VENDORS PARTICIPATING IN CERTAIN SPECIAL EVENTS FROM THE STREET VENDOR LICENSE FEE AND APPLICATION REQUIREMENTS AND THE PROVISIONS OF ECC 4.12.055.O; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

WHEREAS, street vendors are allowed to operate within the City of Edmonds when properly licensed;

WHEREAS, proper licensing of street vendors includes certain license fee and application requirements;

WHEREAS, Section 4.12.055.O of the Edmonds City Code includes restrictions upon the operation of street vendors near certain special events held within the city;

WHEREAS, a request has been made to the City of Edmonds to exempt street vendors who are participating in special events organized pursuant to a contract between the City of Edmonds or the Port of Edmonds and another entity from the street vendor license fee and application requirements;

WHEREAS, it is appropriate to concurrently exempt such street vendors from the restrictions set forth in ECC 4.12.055.O; and

WHEREAS, the City wishes to revise its municipal code to allow the exemption of these street vendors from the street vendor license fee and application requirements and the provisions of ECC 4.12.055.O in these circumstances; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Section 4.12.030 of the ECC Peddlers, Solicitors and Street Vendors

is hereby amended to read as follows (new language underlined and deleted language in strike through):

4.12.030 License fees.

The license fees for solicitors, peddlers or street vendors shall be as follows:

A. Investigation Fee. New applications for a solicitor, peddler or street vendor license shall be accompanied by a nonrefundable investigation fee of \$10.00. Except as provided in subsection (B) of this section, this investigation fee shall be tendered only with the initial application of any individual.

B. Annual Fee. On January 1st of each year all solicitor, peddler and street vendor licenses shall automatically expire and be null and void unless an annual fee of \$25.00 is paid to the city clerk; provided, however, for licenses issued after June 30th of any year, only one-half of the annual fee shall be required. Any license renewed after June 30th of any year shall be treated as a new application and subject to the investigation fee. For each mobile vending unit, there shall also be an annual fee of \$200.00. Associated solicitors, peddlers and street vendors, and mobile vending units operated as an adjunct to an existing licensed business shall pay any fee(s) set forth in subsection (C) of this section.

C. Associated Solicitor, Peddler and Street Vendor, and Associated Mobile Vendor Fee. An annual fee of \$8.00 per year per person or unit shall be paid by the following person or unit(s) licensed:

1. For each additional person soliciting, peddling or vending under a principal applicant's license issued pursuant to subsection (B) of this section; and/or
2. For each mobile vending unit operated as an adjunct to an existing licensed business on a site immediately adjacent to the business and authorized for use pursuant to a street use permit.

The fees provided for by this section shall not be reduced after June 30th as provided for annual fees in subsection (B) of this section.

D. Exemptions. The following persons shall be exempt from license fees and applications required under this chapter:

1. Newspaper carriers;

2. Charitable, religious or nonprofit organizations or corporations which have received tax exempt status under 26 USC Section 501(c)(3) or other similar civic, charitable or nonprofit organizations;

3. Peddlers of fruits, vegetables, berries, eggs or any farm produce edibles raised, gathered, produced or manufactured by such person;

4. A person who, after having been specifically requested by another to do so, calls upon that other person for the purpose of displaying goods, literature or giving information about any article, thing, product or service;

5. A street vendor who is participating in a special event organized pursuant to a contract between the city of Edmonds or the Port of Edmonds and another entity, such as the Arts Festival, Summer Market, Fourth of July Parade & Fireworks, Taste of Edmonds, and Classic Car Show. Street vendors participating in such special events are also exempt from the provisions of ECC 4.12.055.O;

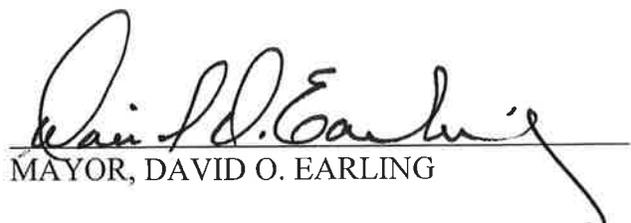
~~65.~~ Notwithstanding the exemptions provided herein, all exempt persons must provide proof of their exempt status along with photo identification upon request by a prospective customer or law enforcement officer;

~~76.~~ Exempt persons are exempt only from city business licensing requirements and must comply with all provisions of law, ordinances and regulations and all applicable Snohomish County health district requirements. [Ord. 3902 § 1 (Att. A); Ord. 3096 § 1, 1996; Ord. 2990 § 2, 1994; Ord. 2536 § 1, 1985; Ord. 2435 § 4, 1984; Ord. 1619 § 1, 1972; Ord. 830 § 3, 1960].

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:


MAYOR, DAVID O. EARLING

ATTEST/AUTHENTICATED:



CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 

JEFFREY B. TARADAY

FILED WITH THE CITY CLERK:	05-24-2013
PASSED BY THE CITY COUNCIL:	05-28-2013
PUBLISHED:	06-02-2013
EFFECTIVE DATE:	06-07-2013
ORDINANCE NO. <u>3923</u>	

SUMMARY OF ORDINANCE NO. 3923

of the City of Edmonds, Washington

On the 28th day of May, 2013, the City Council of the City of Edmonds, passed Ordinance No. 3923. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF ECC 4.12 TO EXEMPT STREET VENDORS PARTICIPATING IN CERTAIN SPECIAL EVENTS FROM THE STREET VENDOR LICENSE FEE AND APPLICATION REQUIREMENTS AND THE PROVISIONS OF ECC 4.12.055.O; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 29th day of May, 2013.


CITY CLERK, SANDRA S. CHASE

Affidavit of Publication

STATE OF WASHINGTON,
COUNTY OF SNOHOMISH

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The full text of this Ordinance will be mailed upon request.
DATED this 29th day of May, 2013.
CITY CLERK, SANDRA S. CHASE

Published: June 2, 2013.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

Summary of Ordinance No. 3923

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

June 02, 2013

and that said newspaper was regularly distributed to its subscribers during all of said period.

Karen E. Zeman

Principal Clerk

Subscribed and sworn to before me this

3rd

day of June, 2013

Diana Hendrix

Notary Public in and for the State of Washington, residing at Everett, Snohomish County.

