

BUSINESS LICENSES GENERALLY

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As used in this chapter,

“Business” means profession, trades, occupations, shops and all and every kind of calling carried on for profit or livelihood with the exception of home occupations.

“Home occupation” means an occupation, other than retail sales, carried on within a dwelling, or building accessory to a dwelling, in an area zoned Residential-1 or Residential-2 under the *City of Port Orford Land Development Ordinance*.

“Person” means an individual, partnership, corporation, limited company, joint venture, cooperative, or any other entity in law or in fact. (*Ord. 2000-05 § 1, 2000*)

5.04.010 Purpose.

This chapter is enacted, except as hereinafter otherwise specified, to provide revenue for municipal purposes and to provide revenue to pay for the necessary expenses required to issue the license for and regulate the business licensed. (*Ord. 282 § 2 (a), 1978*)

5.04.020 Applicability.

Nothing in this chapter shall be construed to apply to any person transacting and carrying on any business within the *City of Port Orford, Oregon* which is exempt from taxation or regulation by the city by virtue of the *Constitution of the United States* or the *State of Oregon*, or applicable statues of the *United States* or the *State of Oregon*. (*Ord. 282 § 2 (b), 1978*)

C. The license fee herein required shall be due and payable on July 1st of each

5.04.040 License fees imposed.

A. There are imposed upon all business, trades, shops, profession, home occupations, callings and occupations not licensed by other ordinance of the City of Port Orford requiring a license fee, license fees in the amounts hereinafter prescribed, and it is unlawful for any person to transact and carry on any such business in the City without first having obtained a licence thereof for the current fiscal year as herein provided, or complying with any and all applicable provision of this chapter.

B. The license fee shall commence July 1st each year, commencing with the year 1977, and shall terminate at midnight June 30th of the following year. The fee for any such license issued during the second half of any fiscal year shall be one-half of the fee in this chapter provided for the fee for any license issued prior to January 1st of any fiscal year shall be the full fee herein set forth.

year for the fiscal year commencing with such date, and shall be delinquent

on and after the thirtieth day of July. Licenses for persons engaging any trade, shop, business, profession home occupation, occupation or calling after July 1st in any year, shall be due and payable from such persons engaging in such trade, shop, business, profession, home occupation, occupation or calling and shall be delinquent if not paid within thirty (30) days after such person shall engage in any such trade, shop, business, profession, home occupation, occupation or calling.

D. Each branch establishment of a business or location of a business conducted by any person shall, for the purpose hereof, be a separate business and subject to the license thereof herein provided, but warehouses used solely in connection with the business licensed pursuant to the provisions of this chapter and operated by the person conducting such business, shall not be a separate place of business or branch establishment.

E. The agent or agents of a nonresident proprietor engaged in any business for which a license is required by this chapter shall be liable for the payment of the fee thereon s herein provided and for the penalty for failure to pay the same, or to comply with the provisions of this chapter to the extent and with like effect as if such agents or agents were themselves proprietors. (*Ord 282 §§ 1 (e), 2, 1978*)

5.04.050 Exceptions.

No person who is employed solely by a licensed business in the City of Port Orford shall be required to obtain a license. (*Ord. 282 § 1 (d), 1978*)

5.04.060 Payment of fee not to be construed as permitting prohibited activities.

It is unlawful for any person to wilfully make any false or misleading statement

The levy or collection of a license fee upon any business shall not be construed to be a license or permit of the *City of Port Orford* to the person engaged therein to engage therein in the event such business is unlawful, illegal or prohibited by the laws of the *State of Oregon* or the *United States* or ordinance of the *City of Port Orford, Oregon*. (*Ord. 282 § 2 (c), 1978*)

5.04.070 Fees enumerated.

A. all trades, shops, business, profession, home occupations, occupations, and callings carried on in the *City of Port Orford*, and not licensed and taxed by other provision of this ordinance or other ordinances of the *City of Port Orford*, shall be licensed and the amount to be paid as such fee shall be set by resolution of the Council.

B. If any person be engaged in operating or carrying on in the *City of Port Orford, Oregon*, more than one trade, shop, profession, occupation, business, home occupations or calling, then such person shall pay the license herein prescribed for as many of such trades, shops, profession, occupation, businesses, home occupations, or callings, as are carried on by such person, except as herein otherwise specifically provided. (*Ord 2000-03 § 4, 2000*)

5.04.080 Procedure for obtaining license.

All licenses shall be issued by the *City Recorder* of the *City of Port Orford*. (*Ord. 2000-05 § 5, 2000*)

5.04.090 Prohibitions.

to the City Recorder for the purpose of determining the amount of any license

fee herein provided to be paid by any such person, or to fail or refuse to comply with any of the provisions of this chapter to be complied with or observed by such person, or to fail or refuse to pay before the same shall be delinquent any license fee or penalty hereby required to be paid by any such person. (*Ord. 282 § 6 (a), 1978*)

5.04.100 Penalty for delinquent payment.

In the event any person required to obtain a license shall fail or neglect to obtain the same before it shall become delinquent, the *City Recorder* shall collect upon the payment therefor and in addition thereto a penalty of ten percent of the fee thereof for each calendar month or fraction thereof the same shall be delinquent. (*Ord. 282 § 6 (b), 1978*)

**5.04.110 Fees subject to change—
Additional fees.**

Nothing herein contained shall be taken or construed as vesting as right in any license as a contract obligation on the part of the City as to the amount of the fee hereunder. Other or additional taxes or fees and the fees herein provided for may be increased or decreased and additional or other fees provided for and levied in any and all instances at any time by the said City, and any business may be reclassified or sub classified at any time and other or additional fees or taxes levied. No person having received a license and paid the fee required therefor under this chapter shall be entitled to any refund. (*Ord 282 § 6 (c), 1978*)

5.04.120 Violation—Penalty.

A. The conviction of any person for violation of any of the provision of this chapter shall not operate to relieve such person from paying any fee or penalty thereupon for which such person shall be liable, nor shall the payment of any

such fee be a bar to or prevent any prosecution in the City court of any complaint for the violation of any of the provisions of this chapter.

B. Any person violating any of the provision of this chapter shall upon conviction thereof in the City court, be punished by fine of not to exceed two hundred dollars (\$200.00), or by confinement in the City jail not to exceed thirty (30) days, or by both such fine and imprisonment. (*Ord. 282 §§ 7, 8, 1978*)