

ORDINANCE NO. 129181

An Ordinance amending various sections of Ordinance No. 76398 (License & Business Code) so as to increase the gross income rate used as a measure of license fee for certain classes of business within the City, providing for applicability to licenses issued for periods beginning on or after July 1, 1969, clarifying the license period provisions on hotels, rooming houses, lodging houses and other places of transient habitation, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds that license fees on businesses operating within the City which are measured by gross or net income have remained without increase for more than fifteen years; that increases in the costs of services of government have so markedly increased in the meantime that, in order to bear their approximate share of the cost of government, businesses whose license fees are computed on revenues should be required to pay increased fees for City revenue; that the cost of governmental services has increased more than twenty percent (20%) during this fifteen-year period, and, therefore, an approximate twenty percent (20%) increase in such fees is reasonable; that by separate ordinance similar increases are being made in the rates using the net income option; that by separate ordinance fees imposed upon public utilities will be increased; that a provision for calendar year license applicable to hotels, rooming houses, lodging houses and other places of transient habitation should be deleted since such provision conflicts with other general provisions relating to license periods set forth in the License & Business Code; now, therefore, Section 20-901 relating to fees for advertisers of Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-901. FEES.

License fees for advertisers shall be as follows:

- (a) Advertising in Vehicles Under Mass Transportation Franchise. Street railway cars, trolley coaches, or busses operating under mass transportation franchises, displaying therein, or thereon advertising placards or signs, annually, according to the following schedule of fees:

On 25 vehicles or less	\$20.00
Plus an additional \$20.00 for every additional 25 vehicles or portion thereof, but in no event to exceed a total of \$250.00.	

(b) Commercial Signman

Class A. Commencing business first year \$200.00
with bond of \$1500.00

Upon renewal there shall be filed with the inspector of licenses a sworn statement showing gross receipts of the business for the fiscal year and the renewal fee shall be seventeen hundredths per cent (0.17%) of such gross receipts, but not less than \$200.00 annually.

Class B, annually \$100.00
with bond of \$1000.00

Class C, each person annually \$ 50.00

Class D, no fee
No license shall be issued to any person not regularly engaged in the general sign business in the city of Portland, except that a Class D license may be issued to a person regularly engaged in the business of designing, manufacturing and constructing awnings and/or canopies.

(c) Outdoor Advertisers. (except Class C. Commercial Signman)

First year \$200.00
with bond of \$2500.00

Upon renewal there shall be filed with the inspector a sworn statement showing gross receipts of the business for the fiscal year and the renewal fee shall be seventeen hundredths per cent (0.17%) of such gross receipts but not less than \$200 annually.

(d) Advertising, Stereopticon.

Displaying advertising matter on any street or public place, or on a building or structure facing upon a street or public place, stereopticon, projectoscope or similar device, quarterly \$100.00

(e) Advertising Vehicle.

Class 1, each annually \$ 12.00
Class 2, each daily \$100.00

Section 2. Section 20-1301 relating to automatic vending machines or devices of said Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-1301. FEES.

Any person placing vending machines with others for the purpose that such machines so placed shall be kept and displayed by such other persons for use in the vending of products upon any basis of advantage to the person so placing such machines by way of rentals, division of income therefrom or to assist in the display, promotion, or sale of any article, product or otherwise, or an income is produced or intended to be produced to or for the person with whom such machines are placed resulting from the use and operation thereof shall pay an annual license fee of \$18.00.

In addition to the above basic license fee, all persons so placing vending machines shall pay 0.17% of gross receipts of such business in excess of \$10,700 during the calendar year preceding the year for which the license is issued. Provided further that no license shall be issued for less than the full rate.

In lieu of the foregoing fees any person licensed hereunder may elect to compute his fees on net income in the manner and under the conditions provided for by Article 8 of the License and Business Code.

Section 3. Section 20-1501 relating to fees for automatic weighing devices of said Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-1501. FEES.

The license fee for automatic weighing device business shall be, annually \$18.00

No license shall be issued for less than the full annual rate.

In addition to the above basic license fee, all licensees hereunder shall pay 0.17 percent of gross sales or gross receipts of such business in excess of \$10,700 during the calendar year preceding the year for which the license is issued.

Every owner or person managing, controlling, or otherwise engaging in the business of selling, renting, leasing, placing or otherwise locating automatic weighing devices which

are operated by a coin or slug shall obtain a license before engaging in such business; provided that the provisions of this Section shall not apply where the device is owned or operated by a person licensed to do business at the place where such device is located or to such devices located in a licensed penny arcade.

Section 4. Section 20-1601 relating to fees for meat handling establishments of said Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-1601. FEES.

Every person engaged in the occupation of operating a meat-handling establishment shall pay license fees as follows.

Class 1. Those persons operating a meat-handling establishment within the city of Portland, annually \$18.00

Plus 0.17 per cent of gross sales of said business in excess of \$10,700 during the calendar year preceding the year for which the license is issued.

Class 2. Those persons operating a meat-handling establishment located outside the city of Portland, which establishment sells, supplies or distributes for sale any meat, poultry or food product thereof in the city of Portland, and is required by the terms of Ordinance No. 77013 (Health and Sanitation Code) to obtain a license, annually \$18.00

Plus 0.17 per cent of gross sales or the wholesale value of any meat, poultry or food product thereof sold, supplied or distributed for sale in the city of Portland in excess of \$10,700 during the calendar year preceding the year for which the license is issued.

In lieu of the foregoing fees, any person, firm or corporation licensed hereunder may elect to compute his fees on net income in the manner and under the conditions provided for by Article 8 of Ordinance No. 76398 (License and Business Code).

Section 5. Section 20-1701 relating to fees for baseball parks and basketball games of said Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-1701. FEES.

Where scheduled games are played between professional teams and admission fee is charged the license fee shall be annually \$200.00

Plus 5¢ per year for each seat in such park or place.

If a baseball park is used by a professional baseball team and the majority of such park's income is derived from

such team for its use of said park, then such baseball park shall not be liable for the above-prescribed fee if such professional baseball team obtains a license and pays a fee therefor of \$18.00 per year, plus 0.17 per cent of all gross receipts in excess of \$10,700 paid for admission to said park exclusive of admission taxes, while said baseball team is the attraction, or in lieu of measuring the license fee by the gross receipts, the fee may be determined by the net option as set out in Article 8 of Ordinance No. 76398 (License and Business Code).

Section 6. Section 20-2001 relating to fees for businesses related to motor vehicle fuel of said Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-2001. FEES.

Every person engaged in the business of processing, selling, storing, distributing, or merchandising of motor vehicle fuel or any other product used for the propulsion of motor vehicles shall pay a license fee as follows:

Annually \$18.00

Plus 0.17 percent of gross sales or gross receipts of such business in excess of \$10,700 during the calendar year preceding the year for which the license is issued.

Section 7. Section 20-2201 relating to fees for any person engaged in the business of operating a miniature motor vehicle arena of said Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-2201. FEES.

Any person engaged in the business of operating a miniature motor vehicle arena shall pay a license fee as follows:

Annually \$18.00

In addition to the above basic license fee, all licensees hereunder shall pay 0.17% of gross receipts of such business in excess of \$10,700 during the calendar year preceding the year for which the license is issued. Provided further that no license shall be issued for less than the full annual rate.

In lieu of the foregoing fees, any person licensed hereunder may elect to compute his fees on net income in the manner and under the conditions provided for by Article 8 of this Code.

Section 8. Section 20-2401 relating to fees for special police officers and watchmen of said Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-2401. FEES.

Any person engaged in the business of a special police officer or a watchman shall pay a license fee as follows:

Annually \$18.00

In addition to the above basic license fee, all licensees hereunder shall pay 0.17 percent of gross receipts of such business in excess of \$10,700 during the calendar year preceding the year for which the license is issued. Provided further that no license shall be issued for less than the full rate.

In lieu of the foregoing fees any person licensed hereunder may elect to compute his fees on net income in the manner and under the conditions provided for by Article 8 of the License and Business Code.

Section 9. Section 20-2801 relating to fees for cleaning, dyeing, and pressing establishments of said Ordinance No. 76398 (License and Business Code) hereby is amended to read as follows:

Section 20-2801. FEES.

The license fee for cleaning, pressing and dyeing establishments shall be:

Class A for each establishment, annually \$18.00
Class B, for each establishment, quarterly . . . \$20.00

In addition to the above basic license fees, all licensees in Class A shall pay 0.17 per cent of the gross sales or gross receipts of such business in excess of \$10,700 during the calendar year preceding the year for which the license is issued; provided further that no license shall be issued for less than the full rate.

[For optional fee, filing of reports, and partial refund, see Art. 8]

Whenever a business is licensable as Class A above and is such as to require an additional license under any other Article of this Code, and the measurement of such additional license is determined by either gross receipts or net income, the licensee need obtain only the highest type of required license. However, the licensee shall then report his entire income from

the various types of businesses as measurement of the license fee of the single license obtained. Nothing herein contained shall relieve any person of the requirements contained in Section 20-2803 of this Article.

Section 10. Section 20-3701 relating to fees for food or beverage processing, packaging, bottling or canning of said Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-3701. FEES.

Every person engaged in the business of food or beverage processing, packaging, bottling or canning in the City of Portland shall pay a license fee as follows:

Annually \$18.00

Plus 0.17 percent of gross sales or gross receipts of such business in excess of \$10,700 during the calendar year preceding the year for which the license is issued.

No license shall be issued for less than the full rate.

[For optional fee, filing of reports, and partial refunds, see Article 8.]

Section 11. Section 20-3901 relating to fees for advertising agencies of said Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-3901. FEES.

Every person engaged in the business of operating an advertising agency in the City of Portland shall pay a license fee as follows:

Annually \$18.00

In addition to the above basic license fee, all licensees hereunder shall pay 0.17 percent of gross receipts of such business in excess of \$10,700 during the calendar year preceding the year for which the license is issued; provided further that no license shall be issued for less than the full rate.

Section 12. Section 20-4401 relating to fees for golf courses of said Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-4401. FEES.

The license fees for golf, golf driving and/or miniature golf courses, other than those municipally owned and operated, shall be, annually \$18.00

In addition to the above basic license fees, all licensees hereunder shall pay 0.17 per cent of gross receipts of such business in excess of \$10,700 during the calendar year preceding the year for which the license is issued. Provided, further, that no license shall be issued for less than the full rate.

(For optional fee, filing of reports, and partial refunds, see Article 8.)

Section 13. Section 20-4801 relating to fees for hotels, rooming houses, lodging houses and other places of transient habitation of said Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-4801. FEES.

The license fee for hotels, rooming houses, lodging houses and other places of transient habitation shall be annually \$18.00

Plus 0.17 percent of gross receipts from the rental of rooms in excess of \$10,700 during the calendar year preceding the year for which the license is issued.

All licenses shall be for the full annual rate. Each application shall be made by the person who will have the management of the hotel.

[For optional fee, filing of reports, and partial refunds, see Art. 8.]

Section 14. Section 20-5201 relating to fees for laundries of Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-5201. FEES.

The license fee for laundries shall be, annually \$18.00

In addition to the above basic license fee, all licensees hereunder shall pay 0.17 percent of gross receipts of such business in excess of \$10,700 during the calendar year preceding the year for which the license is issued. Provided, further, that no license shall be issued for less than the full rate. [For optional fee, filing of reports, and partial refunds, see Article 8.]

Section 15. Section 20-5401 relating to fees for manufacturing of Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-5401. FEES.

Every person engaged in the business of manufacturing in the City of Portland shall pay a license fee as follows:

Annually \$18.00

Plus 0.17 percent of gross sales of such business in excess of \$10,700 of gross sales of such business during the calendar year preceding the year for which the license is issued.

No license shall be issued for less than the full rate.

[For optional fee, filing of reports, and partial refunds, see Article 8.]

Section 16. Section 20-6101 relating to fees for miscellaneous businesses of Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-6101. FEES.

Every person engaged in the business set forth in this Article or engaged in any business, profession, trade or calling of a business nature not otherwise classified and regulated herein, shall pay a license fee of \$18.00 annually, except activities which are covered by State law which is made effective and presently imparts the right of the City to impose a license fee.

In addition to the above basic license fee, all licensees hereunder shall pay 0.17 per cent of gross sales or receipts of such business in excess of \$10,700 during the calendar year preceding the year for which the license is issued. Provided further that no license shall be issued for less than the full rate.

Section 17. Section 20-6701 relating to fees for pawnbrokers and secondhand dealers of Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-6701. FEES.

(a) The license fee for pawnbrokers shall be semiannually \$75.00

Plus 0.17 percent of gross sales of such business in excess of \$10,700 during the calendar year preceding the year in which the license is issued.

(b) The license fee for secondhand dealers shall be as follows:

Class A, any person who buys, sells, deals in, or exchanges used wearing apparel, annually \$ 30.00

Plus 0.17 percent of gross sales of such business in excess of \$10,700 during the calendar year preceding the year in which the license is issued.

Class B, any person who buys, sells, deals in or exchanges old gold, silver, silverware, precious stones or metals, semi-annually, \$ 15.00

Plus 0.17 percent of gross sales of such business in excess of \$10,700 during the calendar year preceding the year in which the license is issued.

Class C, any person who buys, sells, deals in or exchanges all other kinds of used goods, wares, or merchandise not mentioned under Class A or Class B, except books and motor vehicles, and not otherwise classified and licensed, quarterly \$ 7.50

Plus 0.17 percent of gross sales of such business in excess of \$10,700 during the calendar year preceding the year in which the license is issued.

(c) The license fee for junk dealers shall be annually \$100.00

Plus 0.17 percent of gross sales of such business in excess of \$10,700 during the calendar year preceding the year in which the license is issued.

(d) Any person coming within more than one classification shall pay the highest rate only. No license shall be issued for less than the full rate. The licenses hereinabove enumerated shall include the sale of new merchandise by any person licensed hereunder, provided that gross sales of such new merchandise be included in the licensee's gross sales return hereunder, and a license fee paid thereon as hereinbefore provided.

All persons engaged in the business of pawnbroker, secondhand dealer or junk dealer shall file a statement as approved by the Chief License Inspector showing their gross receipts during the previous calendar year.

Secondhand dealers shall not advertise any feature of their business as rummage sales.

Section 18. Section 20-7801 relating to fees for retail merchants of Ordinance No. 76398 (License and Business Code) hereby is amended to read as follows:

Section 20-7801. FEES.

Every person engaged in the occupation of retail merchant in the City of Portland shall pay a license fee as follows:

Annually

\$18.00

Plus 0.17 percent of gross sales of such business in excess of \$10,700 during the calendar year preceding the year for which the license is issued.

No license shall be issued for less than the full rate.

[For optional fee, filing of reports, and partial refunds, see Article 8.]

Section 19. Section 20-8801 relating to fees for rebound tumbling centers of Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-8801. FEES.

(a) Every person engaged in a business set forth in this article in the City of Portland shall pay a license fee as follows:

Annually \$18.00

In addition to the above basic license fee, all licensees hereunder shall pay 0.17 percent of gross sales or receipts of such business in excess of \$10,700 during the calendar year preceding the year for which the license is issued. Provided further that no license shall be issued for less than the full rate.

(b) In lieu of the fee provided for in subsection (a) hereof, a licensee may compute said license fee by the optional net income method as set forth in Article 8 of this Code.

Section 20. Section 20-9501 relating to fees for theatrical or other booking agencies of Ordinance No. 76398 (License and Business Code) hereby is amended to read as follows:

Section 20-9501. FEES.

The license fee for theatrical or other booking agencies shall be annually \$18.00

In addition to the above basic license fee, all licensees hereunder shall pay 0.17 percent of gross receipts of such business in excess of \$10,700 during the calendar year preceding the year for which the license is issued. Provided further that no license shall be issued for less than the full rate. [For optional fee, filing of reports, and partial refunds, see Art. 8.]

Section 21. Section 20-10501 relating to fees for wholesale merchant of Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-10501. FEES.

Every person engaged in the occupation of wholesale merchant in the City of Portland shall pay license fees as follows:

Annually \$18.00

Plus 0.17 percent of gross sales of such business in excess of \$10,700 during the calendar year preceding the year for which the license is issued.

No license shall be issued for less than the full rate.

[For optional fee, filing of reports, and partial refunds, see Article 8.]

Section 22. Section 20-10701 relating to fees for grain dealers of Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-10701. FEES.

Every person engaged in the occupation of grain dealer in the City of Portland shall pay license fees as follows:

Annually \$18.00

In addition to the above basic license fee all licensees hereunder shall pay 0.17 percent of gross sales or gross receipts in excess of \$10,700 during the calendar year preceding the year for which the license is issued. Provided, further, that no license shall be issued for less than the full rate.

[For optional fee, filing of reports, and partial refunds, see Art. 8.]

Section 23. Section 20-11001 relating to fees for professional persons and businesses of Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-11001. FEES.

Any person engaged in any of the professions or any professional business designated in Section 20-11002 of this Article shall pay an annual license fee of \$18.00

Any corporation engaged in any of the professions or professional businesses designated in Section 20-11002 of this Article shall pay an annual license fee of \$18.00

In addition to the above basic fees, all licensees hereunder shall pay 0.17 percent of gross sales or gross receipts of such professions or professional businesses in excess of \$10,700 during the calendar year preceding the year for which the license is issued. Provided further that no license shall be issued for less than the full amount.

[For optional fee, filing of reports, and partial refunds, see Art. 8.]

Section 24. Section 20-11101 relating to fees for service businesses of Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-11101. FEES.

Every person engaged in operating a service business in the city of Portland shall pay a license fee as follows:

Annually	<u>\$18.00</u>
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In addition to the above basic license fee, all licensees hereunder shall pay 0.17 percent of gross receipts of such business in excess of \$10,700 during the calendar year preceding the year for which the license is issued. Provided further that no license shall be issued for less than the full rate.

[For optional fee, filing of reports, and partial refunds, see Art. 8.]

Section 25. Section 20-11301 relating to fees for barbers of Ordinance No. 76398 (License & Business Code) hereby is amended to read as follows:

Section 20-11301. FEES.

Every person engaged in the business of barber in the City of Portland shall pay a license fee as follows:

Annually	<u>\$18.00</u>
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Plus 0.17 percent of gross receipts of such business in excess of \$10,700 during the calendar year preceding the year for which the license is issued.

No license shall be issued for less than the full annual rate.

[For optional fee, filing of reports, and partial refunds, see Article 8.]

ORDINANCE No.

Section 26. This ordinance shall apply to licenses issued on or after passage of this ordinance for license periods beginning on or after July 1, 1969.

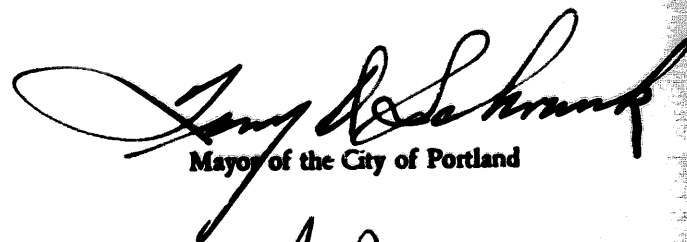
Section 27. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: in order to permit orderly preparation of the 1969-70 fiscal budget of the City of Portland, therefore, an emergency hereby is declared to exist, and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, JUN 12 1969

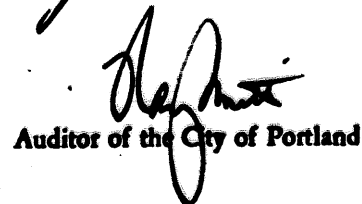
Order of Council

June 3, 1969

MCR:pm


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No. 2467

ORDINANCE No. 129181

Title

An Ordinance amending various sections of Ordinance No. 76398 (License & Business Code) so as to increase the gross income rate used as a measure of license fee for certain classes of business within the City, providing for applicability to licenses issued for the periods beginning on or after July 1, 1969, clarifying the license period provisions on hotels, rooming houses, lodging houses and other places of transient habitation, and declaring an emergency.

THURSDAY

Filed **JUN 5 1969**

RAY SMITH
Auditor of the CITY OF PORTLAND
By *Robert Gyle*
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bowes	—	
Earl	1	
Grayson	1	
Ivancie	1	
Schrunk	1	

FOUR-FIFTHS CALENDAR	
Bowes	
Earl	
Grayson	
Ivancie	
Schrunk	

INTRODUCED BY
Order of Council

DRAWN BY
MCR:pm
Date June 3, 1969

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works

City Attorney <i>NR</i>

NOTED FOR CITY AUDITOR
<i>JM</i>
<i>MCC</i>

APPROVED
Date
By
City Engineer
Date
By