

Amends the License Code to allow the transfer of licenses under certain circumstances.

79:6:33

Ordinance No. 108307

AN ORDINANCE amending Section 5 of the License Code (Ordinance 48022) to allow transferral of licenses for no charge when ownership does not change.

6-20-79 1548 Pass

COMPTROLLER
FILE NUMBER

Council Bill No. 100439

INTRODUCED, JUN 18 1979	BY, EXECUTIVE REQUEST
REFERRED, JUN 18 1979	TO: BUS. SAFETY & JUSTICE
REFERRED:	
REFERRED:	
REPORTED, JUN 25 1979	SECOND READING, JUN 25 1979
THIRD READING, JUN 25 1979	SIGNED, JUN 25 1979
PRESENTED TO MAYOR, JUN 25 1979	APPROVED, JUN 25 1979
RETD. TO CITY CLERK, JUN 25 1979	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

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ORDINANCE 108307

AN ORDINANCE amending Section 5 of the License Code (Ordinance 48022) to allow transferral of licenses for no charge when ownership does not change.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 5 of Ordinance 48022 is amended as follows:

Section 5. Licenses Not Transferable:

No license issued under the provisions of this ordinance shall be transferable or assignable, unless specifically otherwise provided for; Provided, that licenses may be transferred when an owner incorporates and retains one hundred percent (100%) ownership of stock or when a one hundred percent (100%) stockholder changes corporate form but retains one hundred percent (100%) ownership of stock.

(To be used for all Ordinances except Emergency.)

Section 2. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 25 day of June, 1979, and signed by me in open session in authentication of its passage this 25 day of June, 1979.

John Muller
President of the City Council.

Approved by me this 25 day of June, 1979.

John Muller
Acting Mayor.

Filed by me this 25 day of June, 1979.

Attest: *E. L. King*
City Comptroller and City Clerk.

(SEAL)

Published.....

Raymond Anguiano
Deputy Clerk.

Your City, Seattle

Executive Department-Office of Management and Budget

Casey Jones, Director
Charles Royer, Mayor



June 5, 1979

COPY BY CITIZEN RECEIVED

115

JUN 7 1979

Douglas N. Jewett
CITY ATTORNEY

The Honorable Douglas Jewett
City Attorney
City of Seattle

Dear Mr. Jewett:

The Mayor is proposing to City Council that the enclosed legislation be adopted.

REQUESTING
DEPARTMENT: Licenses and Consumer Affairs

SUBJECT: Amend License Code to allow transfer of licenses in specific cases.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation directly to your office for review and drafting.

After reviewing this request and drafting appropriate legislation:

- (X) File the legislation with the City Clerk for formal introduction to the City Council as an Executive Request.
- () Do not file with City Council but return the proposed legislation to OMB for our review. Return to _____.

Sincerely,

Charles Royer
Mayor

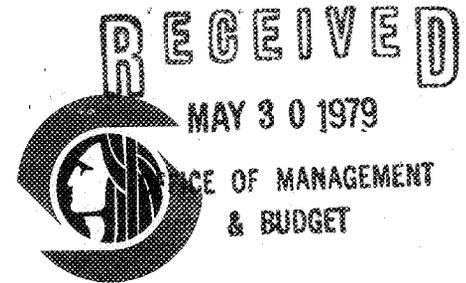
By

Casey Jones
Budget Director

CJ:jk

Enclosure

Your
Seattle
Department of Licenses and Consumer Affairs



Michael E. Clift, Acting Director
Charles Royer, Mayor

May 24, 1979

The Honorable John Miller, President
Seattle City Council
11th Floor, Municipal Building
Seattle, Washington 98104

Via: OMB/Mayor's Office

Dear Mr. Miller:

Attached is legislation for your consideration and action which amends Section 5 of the License Code to allow individuals who incorporate from a single proprietorship or who change corporate form, but who retain 100% ownership of the business, to obtain a new license in the name of the corporation without charge.

Under the present Ordinance, any change in the form of a business entity is considered a transferral, because of the historically narrow interpretation of the personal nature of a license. The purpose of a regulatory license, however, is to regulate and screen the individuals who own regulated businesses; change of entity form is irrelevant if ownership does not change. Often, individuals elect to incorporate at the beginning of a tax year, or to change corporate form to achieve special tax status. The tax year may not coincide with the license year, however, and those individuals presently must pay for a new license. This situation is especially burdensome when a new license costs more than a renewal license. For instance, a Detective Agency License costs \$250.00 for the first year, and \$100.00 for renewal.

Your consideration of this legislation is appreciated. Please contact me at 625-2536 if questions arise.

Sincerely,

A handwritten signature in dark ink that reads "Michael E. Clift". The signature is written in a cursive style with a large, sweeping flourish at the end.

MICHAEL E. CLIFT,
Acting Director

MEC:JSB:dmc

Attachment

An equal employment opportunity - affirmative action employer.

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ORDINANCE _____

AN ORDINANCE amending Section 5 of the License Code (Ordinance 48022) to allow transferral of licenses in specified cases.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 5 of Ordinance 48022 is amended as follows:

Section 5. Licenses Not Transferable:

No license issued under the provisions of this ordinance shall be transferable or assignable, unless specifically otherwise provided for; Provided, that licenses may be transferred when a sole proprietor incorporates and retains one hundred percent (100%) ownership of stock or when a one hundred percent (100%) stockholder changes corporate form but retains one hundred percent (100%) ownership of stock.

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

JUN 25 1979

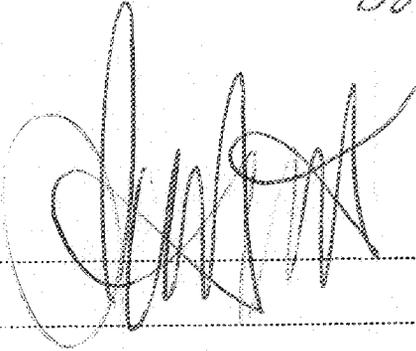
Your Committee on **PUBLIC SAFETY AND JUSTICE**

to which was referred C.B. 100439

Amends the License Code to allow the transfer of licenses under certain circumstances.

Amending Section 5 of the License Code (Ordinance 48022) to allow transferral of licenses for no charge when ownership does not change.

DO PASS



Chairman

Chairman

Committee

Committee

Affidavit of Publication

STATE OF WASHINGTON KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

Ordinance No. 108307

was published on June 27, 1979

[Signature]
Subscribed and sworn to before me on

June 27, 1979

[Signature]
Notary Public for the State of Washington,
residing in Seattle.

ORDINANCE 18687

AN ORDINANCE amending Section 5 of the License Code (Ordinance 18633) to allow transferral of licenses for no charge when ownership does not change.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 5 of Ordinance 18633 is amended as follows:

Section 5. Licenses Not Transferable:

No license issued under the provisions of this ordinance shall be transferable or assignable, unless specifically otherwise provided for. PROVIDED THAT LICENSES MAY BE TRANSFERRED WHEN AN OWNER INCORPORATES AND RETAINS ONE HUNDRED PERCENT (100%) OWNERSHIP OF STOCK OR WHEN A ONE HUNDRED PERCENT (100%) STOCKHOLDER CHANGES CORPORATE FORM BUT RETAINS ONE HUNDRED PERCENT (100%) OWNERSHIP OF STOCK.

Section 2. This ordinance shall take effect and be in force thirty days from and after its passage and approval if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 25th day of June, 1979, and signed by me in open session in authentication of its passage this 25th day of June, 1979.

JOHN MILLER,
President of the City Council.

Approved by me this 25th day of June, 1979.

JOHN MILLER,
Acting Mayor.

Filed by me this 25th day of June, 1979.

Attest: E. L. KIDD,
City Comptroller and
City Clerk.

By: WAYNE ANGEVINE,
(Seal) Deputy Clerk.

Publication ordered by E. L. KIDD, Comptroller and City Clerk.

Date of official publication in the Daily Journal of Commerce, Seattle, June 27, 1979 (C-443)