

ORDINANCE NO. 763

AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE TITLE 5., "BUSINESS LICENSES AND REGULATIONS" BY CREATING A PROMOTIONAL EVENT FEE; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Stayton is receiving an increased number of requests from local merchants for authorization to feature free carnival rides or other amusement events as business promotionals; and

WHEREAS, the Stayton Municipal Code provides for licensing and regulating carnival and amusement concessions in section 5.08.150, "License/Permit Fees: Designated"; and

WHEREAS, section 5.08.150 makes no provision for licensing and regulating carnival and amusement events as promotional activities; and

WHEREAS, except for state-sanctioned lottery devices, state law prohibits amusement devices capable of accruing free or additional plays;

NOW, THEREFORE, the Stayton City Council hereby ordains as follows:

SECTION 1: That Stayton Municipal Code section 5.08.150 is amended to read:

5.08.150 LICENSE/PERMIT FEES: DESIGNATED

The fees for all businesses, enterprises/activities specifically designated in Title 5. shall be as follows and are not refundable:

1. Amusement Devices:
  - a. Amusement devices not capable of accruing free or additional plays: Fifty Dollars (\$50.00) per year.
  - b. No amusement device fee shall be charged to carnivals, amusement parks, or amusement concessionaires, which pay a fee otherwise or are deemed exempt hereunder.
2. Carnival, Amusement Park, Amusement Concessionaire: Three Hundred Dollars (\$300.00) for a period not to exceed twelve (12) months.

3. Promotional Event Fee: Twenty Dollars (\$20.00) per day for a period not to exceed five (5) consecutive days provided that there shall be no charge or cost to the public for carnival rides or devices sponsored by an existing business. The event shall be limited to include no more than two (2) promotional activities at one time.
4. Garage Sale: Five dollars (\$5.00) per permit for a maximum seventy-two (72) consecutive hours.
5. Itinerant Merchant and Solicitor:
  - a. Employing or operated by one person: Twenty Dollars (\$20.00) per day; Fifty Dollars (\$50.00) per week; One Hundred Dollars (\$100.00) per month; One Hundred Fifty Dollars (\$150.00) for three months; or Three Hundred dollars (\$300.00) for twelve (12) months.
  - b. In addition, Five Dollars (\$5.00) per day for a permit for each additional representative or employee.
6. Liquor License: Twenty-Five Dollars (\$25.00) upon application.
7. Merchant Patrol, Private Security Enterprises:
  - a. Employing or operated by one person in the city: One Hundred Dollars (\$100.00) for twelve (12) months.
  - b. Employing more than one person in the city: Ten Dollars (\$10.00) for twelve (12) months for each additional representative or employee.
8. Secondhand Dealers and Pawnbrokers: Twenty-Five Dollars (\$25.00) for twelve (12) months.
9. Junk Dealer: Twenty-five dollars (\$25.00) For twelve (12) months.

## SECTION 2: EMERGENCY CLAUSE

It is hereby adjudged and declared that existing conditions are such that this ordinance amending the Stayton Municipal Code sections related to promotional carnival and amusement events by existing local businesses is necessary to serve the public health, safety, welfare, convenience, and environmental amenities of the City of Stayton and the inhabitants thereof, and this ordinance shall be in full force and effect when executed by the mayor.

Adopted by the Stayton City Council this 21st day of October 1996.

Date: 10/23/96

By: Willmer Van Vleet  
WILLMER VAN VLEET, Mayor

Date: 10/23/96

Attest: Thomas L. Barthel  
THOMAS L. BARTHEL, City Administrator

APPROVED AS TO FORM

Date: OCT 9 - 1996

David A. Rhoten  
DAVID A. RHOTEN, City Attorney

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