

**ORDINANCE NO. NS-2238**

**AN ORDINANCE AMENDING BEND CODE CHAPTER 7.05 BUSINESS  
REGISTRATION**

Findings

- A. Bend Code Chapter 7.05 currently requires businesses to have business licenses.
- B. The City Council believes that it is more appropriate to have a registration program than a license program.
- C. City staff have prepared a revised Chapter 7.05 Business Registration to effectuate the change to a business registration.

**Based on these findings, THE CITY OF BEND ORDAINS AS FOLLOWS:**


Section 1. Bend Code Chapter 7.05 is amended to read as shown on the attached Exhibit A.

First Reading: March 18, 2015

Second Reading and Adoption by Roll Call Vote: April 1, 2015

Yes: Jim Clinton, Mayor  
Victor Chudowsky  
Doug Knight  
Sally Russell  
Nathan Boddie  
Casey Roats  
Barb Campbell

No: None

  
\_\_\_\_\_  
Jim Clinton, Mayor

ATTEST:

  
\_\_\_\_\_  
Robyn Christie, City Recorder

Approved as to form:

  
\_\_\_\_\_  
City Attorney's Office



Chapter 7.05  
BUSINESS REGISTRATION

Sections:

- 7.05.010 Purpose
- 7.05.015 Definitions
- 7.05.020 Registration Requirement
- 7.05.025 Exemptions
- 7.05.030 Duration of Registration and Notice of Changes
- 7.05.035 Registration
- 7.05.045 Additional Fee
- 7.05.055 Renewal
- 7.05.060 Compliance with Law
- 7.05.080 Violations and Civil Penalties

**7.05.010 Purpose**

A. The purpose of this chapter is to develop a database of businesses to allow the City to provide services efficiently and to ensure the safety of its residents. The business database also provides useful economic development information.

B. The registration fee required by this chapter is in addition to all other taxes and fees.

**7.05.015 Definitions**

A. **Business** means:

1. An organization engaged in commercial, industrial, or professional activities.
2. An individual engaged in commercial, industrial or professional activities other than as an employee.

B. **Commercial** means providing goods, services or a combination of goods and services for payment.

**7.05.020 Registration Requirement**

A. Except as exempted under BC 7.05.025, businesses engaging in activity in the City must register with the City.

B. The following provisions apply to the registration requirement:

1. Any business that conducts business activities in the City, whether or not the business operates from a physical location in the City, is subject to this chapter.
2. Electronic businesses, including Internet businesses, with a physical location in the City, are required to register.
3. If more than one business is conducted on the same premises, each business must register separately.

4. A single business operation that occupies more than one building may obtain a single license. The application and license shall list all buildings and activities carried on in each building.

#### **7.05.025 Exemptions**

A. The following are exempt from the registration requirement:

1. A service business operated by a person under the age of 18, such as a lawn mowing business, a newspaper delivery business, a lemonade stand, and the like.

2. Individuals who work only on the premises of, and as part of, a licensed business that includes the activity of the individual. Examples include barbers, beauticians, and others who perform services as part of the overall licensed business. This exemption does not apply if the overall business operation has not obtained a business license.

3. Persons selling goods or services exclusively during a permitted special event activity where the sponsor of the event has obtained a special event permit and has a business license.

4. Activities that qualify as hobbies or passive holding of property for investment purposes under the U.S. Internal Revenue Code.

5. Any person whose business activities, including the activities of all employees, total less than 32 hours per year or whose gross annual revenue is less than \$3000 for a full year. This exemption is intended to apply to businesses based outside the City that may do minimal work inside the City and to persons who engage only in minimal business.

6. A person who sends goods to a customer in the City is not considered to be doing business in the City based solely on the sending or delivering of the goods into the City. However, a company in the business of delivering goods is subject to the requirements of this chapter if the company, including the activities of all employees, is engaged in business (picking up or delivering goods) within the City in excess of 32 hours per year.

B. The following must register but are exempt from payment of the registration fee:

1. Any business exempted from paying local business license fees or taxes by Federal or State constitution or law.

2. Any business exempt from paying property tax.

3. Any entity registered with the Oregon Secretary of State as a not for profit corporation

**7.05.030 Duration of Registration; Change of Registration**

A. New registrations shall be valid from the date of issuance to the end of the following twelfth month after registration and shall be renewable annually in the same month of each following year. The license fee shall not be prorated.

B. If ownership of a business is transferred during the year, the new owner shall update contact information.

C. Businesses that change physical location or business name shall submit a change of registration form.

**7.05.035 Submittal**

Each person wishing to engage in business shall submit a business registration form to the City accompanied by payment of the registration fee in an amount set by Council resolution. The City shall treat information other than the name, type and location of the business as confidential to the extent permitted by state public records law, but may use the information in connection with the provision of City services. The registration shall contain:

A. A description of the nature of the business.

B. The date that business operations commenced or will commence;

C. The name, address and contact information of the business.

D. All addresses in the City where the business will be located.

E. The date of application.

F. The North American Industrial Classification System ("NAICS") code number.

G. A statement of the estimated number of full-time, part-time or seasonal employees of the business.

H. Emergency contact information.

I. Any other information relevant to the type and location of the business the City determines that the application should contain.

J. The signature of an authorized representative.

#### **7.05.045 Additional Fee**

Any business that has operated for more than six months before registering shall pay an additional fee at the time of the initial registration in an amount to be set by Council resolution.



#### **7.05.055 Renewal**

Registrations shall be renewed to the expiration of the previous registration.

#### **7.05.060 Compliance with Law**

All businesses must comply with all City, State and Federal law, and the registration does not authorize a business to operate in violation of any other laws.

#### **7.05.080 Violations and Civil Penalties**

A. A knowing violation of any provision of this Chapter or knowing submission of false information in a business license registration is a Class A Civil Infraction.