**ORDINANCE NO. 737**

**AN ORDINANCE OF THE TOWN OF ODESSA, WASHINGTON, ADOPTING BY REFERENCE TITLE 5, BUSINESS LICENSES AND REGULATIONS, FOR THE TOWN OF ODESSA FOR REGULATIONS OF THE TOWN.**

WHEREAS, the Town of Odessa will incorporate Title 5.02, Business License requirements herein on August 1, 2024; and

WHEREAS, the town is entering a service agreement with Washington State Department of Revenue for both licensing and regulations of businesses and authorizing Department of Revenue to issue permits to allow entry of businesses onto town owner properties; and

WHEREAS, agreement with the Department of Revenue with the town will require the town to adopt by reference Title 5 of the Town of Odessa Code so that the Department of Revenue will have the necessary legislative authorization to act on the Town’s behalf; NOW, THEREFORE,

**THE TOWN COUNCIL OF THE TOWN OF ODESSA, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1.** Authority to Adopt Business Licenses and Regulations Ordinance, Pursuant to RCW 35.21.180, 35A.11.020, and 35A.21.160, the Town adopts by reference Title 5.02 of the Town of Odessa (Exhibit A, hereto) as presently constituted or hereinafter amended, as the Business Licenses and Regulations Code. Exhibit A is hereby incorporated by reference as if fully set forth herein.

**Section 2.** Adoption of Administrative Rules. Hereby further adopted by reference are all implementing administrative rules now in effect regarding Business Licenses and Regulations that have been adopted pursuant to the Town of Odessa Code.

**Section 3.** Adoption of Certain Other Laws. To the extent that any provision of the Town of Odessa Code, or any other law, rule or regulation referenced in the attached Business Licenses and Regulations Code, is necessary or convenient to establish the validity, enforceability or interpretation of the Business Licenses and Regulations Code, then such provision of the Town of Odessa Code, or other law, rule, or regulation, is hereby adopted by reference.

**Section 4.** Reference to Hearing Bodies. To the extent that the attached Business Licenses and Regulations Code refers to planning commissions, board of appeals, hearing examiner, or any other similar body, the Town Council shall serve in all such roles, but retains the right to establish any one or more of such bodies, at any time and without regard to whether any quasi-judicial or other matter is then pending.

**Section 5.** Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

 **Section 6.** Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the Town. This ordinance shall take effect and be in full force five (5) days after the date of publication or the date of incorporation as the law may require.

**PASSED BY THE TOWN COUNCIL ON APRIL 22, 2024**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Landon Lobe, Mayor Pro-Tem

**ATTEST:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Meri Jane Bohn, Clerk-Treasurer

**APPROVED AS TO FORM:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mark DeWulf, Town Attorney

Date of Publication: May 2, 2024

Effective Date: August 1, 2024