

CITY OF CLARKSTON

ITEM NO: F11

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
Council Meeting

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Ordinance

MEETING DATE: June 7, 2016

SUBJECT: Amend Chapter 11 – Personal Services required to maintain Regulatory Authorization

DEPARTMENT: City Administration

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages: 2

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PURPOSE:

To approve an Ordinance to Amend Chapter 11 of the Code of Ordinances of the City of Clarkston Concerning Occupational Licensing to Clarify that Businesses and Individuals Required to Obtain a Regulatory License to Perform Certain Personal Services Must Maintain Such Authorization in Good Standing at All Times When Practicing the Regulated Trade within the City

NEED/ IMPACT:

The current language in Chapter 11-6 of the Code of Ordinances of the City of Clarkston concerning Occupational Licensing states that *“Any business required by state law, county ordinance, or city ordinance to obtain any health permit, bond, certificate of qualification, certificate of competency, or any other regulatory authorization shall first, before the issuance of city business license or registration, show evidence that such requirements have been met.”*

Subsequent inspections by Business Code Enforcement personnel have resulted in identifying individuals providing the type of Personal Services this code section attempts to regulate without holding the required license or certification. Citations have been issued when individuals have been found providing these type of Personal Services without a regulatory license to do so.

Individuals who have received citations for violating this requirement have appeared in court and argued that Chapter 11-6 only requires individuals to show evidence that the certifications listed in the code section have been obtained before the issuance of a city business license. They are therefore, inaccurately assuming that there does not exist a need to maintain the required certification subsequent to the issuance of a city business license.

The attached Ordinance will amend the language so as to clarify the intent of this code section.

RECOMMENDATIONS:

Staff recommends the City Council approve the attached Ordinance to amend Chapter 11 of the Code of Ordinances of the City of Clarkston concerning occupational licensing to clarify that businesses and individuals required to obtain a regulatory license to perform certain personal services must maintain such authorization in good standing at all times when practicing the regulated trade within the City.