ORDINANCE NO. 94

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, AMENDING ORDINANCE NO. 34, THE CITY'S INTERIM BUSINESS LICENSES AND REGULATIONS CODE, AND REPEALING ANY AMENDMENTS WHICH HAVE BEEN AUTOMATICALLY ADOPTED SINCE THE DATE OF INITIAL ADOPTION

WHEREAS, City of Shoreline Ordinance No. 34 adopted by reference Title 6 of the King County Code as the City's Interim Business Licenses and Regulations Code; and

WHEREAS, Ordinance No. 34 currently contains language which operates to automatically adopt amendments to Title 6 made by King County; and

WHEREAS, the City has found that there is no manageable method to monitor amendments made to Title 6 by King County and, therefore, City staff and the public may be unaware of amendments which have automatically occurred to Ordinance 34; and

WHEREAS, the City desires to maintain clarity in its ordinances and prevent possible confusion regarding City regulations; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON , DOES ORDAIN AS FOLLOWS:

Section 1. Amendment of Ordinance No. 34. Section 1 of City Ordinance No. 34 is hereby amended to read as follows:

Authority to Adopt Interim Business Licenses and Regulations Code.

Pursuant to RCW 35.21.180, 35A.11.020, and 35A.21.160, the City adopts by reference Title 6, Business Licenses and Regulations, of the King County Code (Exhibit A, hereto), as presently constituted ((~~or hereinafter amended,~~)) as the Interim Business Licenses and Regulations Code. Exhibit A is hereby incorporated by reference as if fully set forth herein.

Section 2. Repeal of Amendments. Any amendments to King County Title 6 which have occurred since the date Ordinance No. 34 was adopted by the City are hereby repealed.

Section 3. 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 4. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL ON JUNE 24, 1996.

Mayor Connie King

ATTEST:

Sharon Mattioli, CMC
City Clerk

APPROVED AS TO FORM:

Janet E. Garrow
Interim City Attorney

Date of Publication: June 27, 1996
Effective Date: July 2, 1996

2766_1.DOC

Exhibit A
Ordinance No. 94
Title 6
King County Code

Title 6
BUSINESS LICENSES AND REGULATIONS

Chapters:

6.01 General Licensing Provisions
6.04 Amusement Devices
6.08 Amusement Places
6.12 Pool and Billiard Tables
~~6.16 Closing Out Sales~~
6.20 Dances
~~6.24 Private Security~~
6.26 Fireworks
~~6.27 Right-of-way Franchises for Utilities~~
~~6.27A Cable Communications~~
6.28 Go Kart Tracks
~~6.32 Heating, Air Conditioning and Ventilation Systems Installers~~
6.36 Junk Dealers
6.40 Massage Parlors and Public Bathhouses
~~6.48 Music Machines~~
6.52 Outdoor Musical Entertainments
6.56 Pawnbrokers
6.60 Secondhand Dealers
6.64 Taxis-Businesses and Drivers
6.68 Theaters
~~6.72 Tobacco Vending Machines~~
6.76 Charitable Solicitations
~~6.80 Marriage Licenses~~
6.84 Shooting Ranges

CROSS-REFERENCES:

Food service establishment permits, see Ch. 8.40 of this code.
Meat shop operator's license, see Ch. 8.44 of this code.
Milk operator's license, see Ch. 8.48 of this code.
Frozen dairy foods processor's permits, see Ch. 8.52 of this code.
Permits for boarding homes, see Ch. 8.24 of this code.
Permits for industrial camps, see Ch. 8.28 of this code.
Hog ranch permit, see Ch. 8.32 of this code.
Solid collection business registration, see Ch. 10.08 of this code.
Solid waste collector's license, see Ch. 10.16 of this code.
Kennel licenses, see Ch. 11.04 of this code.
Sewage system designers and installers certificate, see Ch. 13.08 of this code.
Sewage disposal system permits, see Ch. 13.08 of this code.
Sewage system cleaners registration and certification, see Ch. 13.12 of this code.
Nondelinquent property tax certification, see Ch. 4.68 of this code.

Chapter 6.01
GENERAL LICENSING PROVISIONS

Sections:

I. GENERAL PROVISIONS

6.01.010 Definitions.
6.01.020 Severability.
6.01.030 Additional rules and regulations.
6.01.040 Authority to suspend or revoke licenses, registration or permits.

II. LICENSING PROVISIONS

6.01.050 License, registration or permit fee - Refunds.
6.01.060 Form of license, registration or certificate.
6.01.070 Posting of license, registration, permit or certificate.
6.01.080 Change of address.
6.01.090 License, registration, permit or certificate not an endorsement.
6.01.100 Enforcement agreements with other municipalities.

III. ENFORCEMENT, PROCEDURE AND PENALTY PROVISIONS

6.01.110 Inspections - Right of entry.
6.01.120 Duties of director.
6.01.130 Notice and order.
6.01.140 Civil penalty.
6.01.150 Appeals.
6.01.160 Violations - Misdemeanor.
6.01.170 Personal obligation.
6.01.180 Enforcement power.

I. GENERAL PROVISIONS

6.01.010 Definitions. For the purpose of all business license ordinances the words and phrases used herein, unless the context otherwise indicates, shall have the following meanings:

A. "Certificate" means any certificate or renewal of certificate issued pursuant to any business license ordinance;

B. "Director" means the manager of the general services division, King County department of executive administration, or his duly authorized representative;

C. "License" means any license or renewal of license issued pursuant to any business license ordinance;

D. "Licensee" means any person to whom a license or renewal of license has been issued pursuant to any business license ordinance;

E. "Permit" means any permit or renewal of permit issued pursuant to any business license ordinance;

F. "Person" means any individual, partnership, firm, joint stock company,

corporation, association, trust, estate or other legal entity;

G. "Registrant" means any person to whom a registration or renewal of registration has been issued pursuant to any business license ordinance;

H. "Registration" means any registration or renewal of registration issued pursuant to any business license ordinance. (Ord. 1888 Art. I § 2, 1974).

6.01.020 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of any business license ordinance be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of such business license ordinance. (Ord. 1888 Art. I. § 3, 1974).

6.01.030 Additional rules and regulations. The director is authorized to make and enforce rules and regulations, not inconsistent with the provisions of any business license ordinance, and it is unlawful to violate or fail to comply with any of the rules and regulations. All of such rules and regulations as promulgated by the director shall be reduced to writing and mailed to each licensee or permit holder for his information and for distribution to his registrants or employees. (Ord. 1888 Art. I. § 4, 1974).

6.01.040 Authority to suspend or revoke licenses, registration or permits. The director shall have the right to suspend or revoke any business license, registration or permit issued upon a showing of violation of any of the provisions of any business license ordinance; provided, however, that such suspension or revocation shall not relieve the licensee, registrant or permit holder of the other penalties otherwise provided for in any business license ordinance. (Ord. 1888 Art. V § 1, 1974: Ord. 997 § 1, 1971).

II. LICENSING PROVISIONS

6.01.050 License, registration or permit fee - Refunds. Any application or issuance or renewal of a license, registration or permit pursuant to any business license ordinance shall not be accepted by the director unless accompanied by the appropriate license, registration or permit fee. In the event an application for a license, registration or permit fee is refused, the amount tendered as the license, registration or permit fee shall not be returned to the applicant but shall go to the county to defray the cost of examination or investigation, or both; provided, however, that this section shall not apply to the fee paid for a novelty amusement device operator's license. (Ord. 1888 Art. II § 1, 1974).

6.01.060 Form of license, registration, permit or certificate. All licenses, registrations, permits or certificates, issued pursuant to any business license ordinance, shall be in a form prescribed by the director. (Ord. 1888 Art. II § 2, 1974).

6.01.070 Posting of license, registration, permit or certificate. Any license, registration, permit or certificate, issued pursuant to any business license ordinance, shall be posted in a conspicuous place in the place of business of the licensee, registrant, permit or certificate holder. (Ord. 1888 Art. II § 3, 1974).

6.01.080 Change of address. Any person licensed, registered or permitted pursuant to any business license ordinance shall notify the director of any change in his address, business name, or in the officers, directors, or partners of such person, within fourteen days of any such change. (Ord. 1888 Art. II § 4, 1974).

6.01.090 License, registration, permit or certificate not an endorsement. No license, registration, permit or certificate, issued pursuant to any business license ordinance, shall be an endorsement of such business licensed, registered, permitted or certificated under any business license ordinance. (Ord. 1888 Art. II § 5, 1974).

6.01.100 Enforcement agreements with other municipalities. The director is authorized to enter into agreements with any or all other municipal corporations in King County for the licensing and enforcement of local ordinances relating to businesses or entertainments licensed, registered or permitted pursuant to any business license ordinance; provided, that any municipal corporation entering into such an agreement shall enact an ordinance substantially similar to the applicable King County business license ordinance. (Ord. 1888 Art. II § 6, 1974).

III. ENFORCEMENT, PROCEDURE AND PENALTY PROVISIONS

6.01.110 Inspections - Right of entry. A. The director is authorized to make such inspections and take such action as may be required to enforce the provisions of any business license ordinance.

B. Whenever necessary to make an inspection to enforce any of the provisions of any business license ordinance, or whenever the director has reasonable cause to believe that a licensee, registrant or permit holder is operating in violation of any business license ordinance, the director may enter such licensee's, registrant's or permit holder's place of business or entertainment, which is licensed, registered or permitted pursuant to any business license ordinance, at all reasonable times to inspect the same or perform any duty imposed on the director by any business license ordinance; provided, that, 1. if the place of business or entertainment is occupied, the director shall first present proper credentials and demand entry; and 2. if the place of business or entertainment is unoccupied, the director shall first make a reasonable effort to locate the licensee, registrant or permit holder or other person(s) having charge or control of the place of business or entertainment and demand entry.

C. No person shall fail or neglect, after proper demand, to admit the director, while acting within the scope of his employment, to any place of business or entertainment licensed, registered or permitted pursuant to any business license ordinance, or to interfere with the director while in the performance of his duty. (Ord. 1888 Art. III § 1, 1974).

6.01.120 Duties of the director. The director is authorized and directed to enforce the terms and provisions of all business license ordinances. If it is determined, by means of investigation or inspection, that any person has violated or failed to comply with any provision of any business license ordinance, then the director shall issue a notice and order recording such

findings, specifying therein the particulars of any such violation or failure to comply. (Ord. 1888 Art. III § 2, 1974).

6.01.130 Notice and order. A. The director shall issue a notice and order, pursuant to Section 6.01.120, directed to the person whom the director has determined to be in violation of any of the terms and provisions of any business license ordinance. The notice and order shall contain:

1. The street address, when available, and a legal description sufficient for identification of the premises upon which the violation occurred;

2. A statement that the director has found the conduct of the person to be in violation of any business license ordinance, with a brief and concise description of the conditions found to render such person in violation of such business license ordinance;

3. A statement of any action required to be taken as determined by the director. If the director has determined to assess a civil penalty, the order shall require that the penalty shall be paid within a time certain from the date of the order as determined by the director to be reasonable;

4. A statement of any action taken by the director;

5. Statements advising a. that the person may appeal from the notice and order of any action of the director to the King County board of appeals, provided the appeal is made in writing as provided in this chapter and filed with the director within seven days from the date of service of such notice and order; and b. the failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.

B. The notice and order, and any amended or supplemental notice and order, shall be served upon the person either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested to such person at his address as it appears on the license, registration or permit. Service by certified mail in the manner herein provided shall be effective on the date of mailing.

C. Proof of service of the notice and order shall be made at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring the time, date, and manner in which service was made. (Ord. 1888 Art. III § 3, 1974).

6.01.140 Civil penalty. In addition to or as an alternative to any other penalty provided herein or by law any person who violates any provision of any business license ordinance shall be subject to a civil penalty in an amount not to exceed two hundred fifty dollars per violation to be directly assessed by the director. The director, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator; the license, registration or permit fee required of the violator; the gravity of the violation; the number of past and present violations committed and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified in this chapter. (Ord. 1888 Art. III § 4, 1974).

6.01.150 Appeals. A. The King County board of appeals as established by Article 7 of the King County Charter is designated to hear appeals by parties aggrieved by actions of the director pursuant to any business license

ordinance. The board may adopt reasonable rules or regulations for conducting its business. Copies of all rules and regulations adopted by the board shall be delivered to the director who shall make them freely accessible to the public. All decisions and findings of the board shall be rendered to the appellant in writing with a copy to the director.

B. Any person entitled to service pursuant to Section 6.01.130 of this chapter may appeal from any notice and order or any action of the director by filing at the office of the director within seven days from the date of service of such order, a written appeal containing;

1. A heading in the words: "Before the Board of Appeals of the County of King";

2. A caption reading: "Appeal of ....." giving the names of all appellants participating in the appeal;

3. A brief statement setting forth the legal interest of each of the appellants in the business or entertainment involved in the notice and order;

4. A brief statement in concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant;

5. A brief statement in concise language of the relief sought, and the reasons why it is claimed the protested order or action should be reversed, modified, or otherwise set aside;

6. The signatures of all parties named as appellants, and their official mailing addresses;

7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

C. As soon as practicable after receiving the written appeal the board of appeals shall fix a date, time, and place for the hearing of the appeal by the board. Such date shall be not less than ten days nor more than sixty days from the date the appeal was filed with the director. Written notice of the time and place of the hearing shall be given at least ten days prior to the date of the hearing to each appellant by the clerk/manager of the board either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his address shown on the appeal.

D. At the hearing the appellant shall be entitled to appear in person and be represented by counsel and offer such evidence pertinent and material to the action of the director.

E. Only those matters or issues specifically raised by the appellant in the written notice of appeal shall be considered in the hearing of the appeal.

F. Failure of any person to file an appeal in accordance with the provisions of this section shall constitute a waiver of his right to an administrative hearing and adjudication of the notice and order, or any portion thereof.

G. Enforcement of any notice and order of the director shall be stayed during the pendency of an appeal therefrom which is properly and timely filed. (Ord. 1888 Art. III § 5, 1974).

6.01.160 Violations - Misdemeanor. Any person violating or failing to comply with any of the provisions of any business license ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine in any sum not to exceed two hundred fifty dollars or by imprisonment in the King County jail for a period not to exceed ninety days.

(Ord. 1888 Art. III § 6, 1974).

6.01.170 Personal obligation. The civil penalty is a personal obligation of the licensee, registrant or permit holder. The prosecuting attorney, on behalf of King County, may collect the civil penalty by use of all appropriate legal remedies. (Ord. 1888 Art. III § 7, 1974).

6.01.180 Enforcement power. The director is authorized to take such lawful action, including the writing and issuance of misdemeanor citations, as may be required to enforce the provisions of any business license ordinance codified in this title. (Ord. 4514 § 1, 1979).

Chapter 6.04
AMUSEMENT DEVICES

Sections:

I. NOVELTY AMUSEMENT DEVICES

6.04.010 Definitions.
6.04.020 License required - Operation near schools prohibited.
6.04.030 Operation without licenses prohibited.
6.04.040 License Fee.
6.04.060 Novelty amusement device vendor's license.
6.04.070 Application procedure.
6.04.090 Financial interest prohibited.
6.04.100 Denial of licenses.
6.04.110 Suspension or revocation of licenses.
6.04.120 Effective date.
6.04.130 Renewal of license, registration or permit - Late penalty.
6.04.140 Violation - Misdemeanor.
6.04.150 Civil penalty.
6.04.160 Additional enforcement.

II. SHUFFLEBOARDS

6.04.170 Shuffleboard defined.
6.04.180 License required - Fee.
6.04.190 Display, removal and transfer of license.
6.04.200 Information required on application for license-Qualifications required of applicant.
6.04.210 Renewal of license, registration or permit - Late penalty.
6.04.220 Penalty for violation - Confiscation of shuffleboard.
6.04.230 Civil penalty.
6.04.240 Additional enforcement.

I. NOVELTY AMUSEMENT DEVICES[1]

6.04.010 Definitions. A. "Financial interest" means any direct or indirect ownership of the premises of business located therein through

[1] [Prior resolution history: Res. 11956, as amended by Res. 12715, 16484 and 3561. Gambling devices unlawful - See Chapter 12.56.]

corporate stock ownership, partnership, trust or otherwise.

B. "Novelty amusement device" includes any coin-operated or remote controlled machine, device, contrivance, apparatus or appliance, mechanical, electrical or hand propelled, designed to be used in whole or in part as an instrument or instrumentality for engaging in the use and exercise of skill by one or more persons in playing a game for the amusement and entertainment of the player or players and which is maintained commercially for such purpose. Such novelty amusement device shall not be used for the purpose of awarding any money or object of value to the player or players, and shall not contain any mechanism which varies the chance of winning free games or the number of free games which may be won, depending on the number of coins inserted into the device; provided that in no event shall a machine be licensed which is so designed and equipped as to render it of practical utility only as a device to be used for gambling.

C. "Novelty amusement device distributor" means any person who leases or rents to, or places with others, any novelty amusement device for use, play or operation.

D. "Novelty amusement device owner" means any person who owns a novelty amusement device and operates the device on premises owned or leased by said person.

E. "Novelty amusement device vendor" means any person who engages in the business of selling, exchanging or offering or exhibiting for sale or exchange, more than three novelty amusement devices in a year period.

F. "Substantial connection" means:

1. In a sole proprietorship, the individual owns, operates, manages or conducts, directly or indirectly, the applicant; or

2. In a partnership, the individual shares in any potential profits of the applicant; or

3. In a corporation, if the individual is an officer, director or a holder (directly or beneficially) of more than ten percent of any class of stock; or

4. The individual furnishes more than ten percent of the capital of such applicant, whether in cash, goods or services. (Ord. 2287 § 1, 1975: Ord. 69 § 1, 1969).

6.04.020 License required - Operation near schools prohibited. No novelty amusement device shall be operated or kept for operation in King County outside of the limits of incorporated cities and towns unless licenses for the operation thereof have been taken out as hereinafter required; provided, however, that in no event shall any novelty amusement device be operated within five hundred feet of any elementary, middle, junior high or high school. (Ord. 1684 § 1, 1973: Ord. 69 § 2, 1969).

6.04.030 Operation without licenses prohibited. No owner, operator or other person in charge of any place of business shall operate, or permit to be in such place of business for operation, any novelty amusement device unless such device is licensed pursuant to Sections 6.04.040 and 6.04.080. (Ord. 2287 § 2, 1975: Ord. 69 § 3, 1969).

6.04.040 License Fee. The license fee for each amusement device shall be $100 per year. License fees for less than one year shall be prorated. The fee for such license or portion thereof shall be payable on January 1st of each year. (Ord. 10170 § 1, 1991: Ord. 6260 § 2, 1982).

6.04.060 Novelty amusement device vendor's license. A. No person shall engage in the business of selling or offering or exhibiting for sale more than three novelty amusement devices in a year without a novelty amusement device vendor's license; provided however, that the requirement for such license shall not exist where the director determines the intent of the seller, offeror or exhibitor is not to engage in this business. In determining this intent the director shall consider and weigh in a reasonable manner the following factors, to include but not be limited by:

1. Nature of the sale;
2. Parties to the sale;
3. Frequency of sales in the past;
4. Volume of the sale;
5. Bargaining position of the parties to the sale;
6. Position of the parties after the sale;
7. Affect of the license requirement on the parties;
8. Good faith of the parties;
9. Protection of buyer regarding servicing and maintenance of the device(s) if bond is not required. The fee for such license shall be five hundred dollars per year payable on January 1st of each year or portion thereof.

B. Each applicant for a novelty amusement device vendor's license shall file with the director a surety bond in a form approved by the director, executed by a surety company authorized to do business in this state running to the county of King, state of Washington in the sum of ten thousand dollars conditioned that the applicant-vendor will furnish parts and repairmen to any person to whom he may sell any novelty amusement device for a period of two years after the sale. The bond shall state that it is for the use or benefit of the vendee who may have a cause of action against the vendor on the bond by reason of breach of the condition.

C. The director shall deny the application for a license if the applicant fails to satisfy the surety bond requirement. (Ord. 2287 § 6, 1975).

6.04.070 Application procedure. No license or renewal of any license provided for by this chapter shall be issued or renewed except upon written application to the director, signed and sworn to by the person who intends to utilize the license. Such application shall contain the following information:

A. The business name, business address and telephone number of the applicant;

B. In relation to each natural person having a substantial connection with such business:

1. True name and any other name by which commonly known,
2. Residence address and telephone number,
3. Date and place of birth,
4. Length of residence in King County; if less than one year then the prior address outside King County,
5. Nature of relationship to business,
6. Within ten years of date of application, has pleaded guilty to or been convicted of violating any ordinance, resolution or law other than traffic offenses, of any jurisdiction. If so, full circumstances thereof including but not limited to date, court and case disposition;

C. In relation to each corporation or partnership having a substantial connection with such applicant:

1. Name of the corporation or partnership,
2. Name of registered agent and address of registered office,
3. Primary office address, if different from above,
4. Date and place of incorporation or organization,

5. Date and place of filing of articles,

6. Nature of relationship to applicant,

7. Names and residence addresses of all officers, directors, limited or general partners, and holders (directly or beneficially) of more than ten percent of any class of stock;

D. Such other information as the director may reasonably require to determine the advisability of license issuance. (Ord. 2287 § 7, 1975).

6.04.090 Financial interest prohibited. No holder of a novelty amusement device distributor's license shall have any financial interest in the premises whereon said distributor leases, rents or places a novelty amusement device. (Ord. 2287 § 8, 1975).

6.04.100 Denial of licenses. The director may deny issuance of any license under this chapter if the applicant or any of its officers, directors or partners have:

A. Made any false statement in the application;

B. Committed any act, while unlicensed, for which a license is required under the provisions of this chapter;

C. Committed any act resulting in a conviction within ten years of a felony or a crime involving moral turpitude which is reasonably related to the license applied for;

D. Been refused a license or had a license revoked under the provisions of this chapter; provided however, that any applicant denied a license may reapply after six months, if the basis for denial no longer exists;

E. Not resided in the state of Washington for at least five years prior to an application for a novelty amusement device distributor's license;

F. Failed to comply with the building, zoning and fire codes of King County. (Ord. 2287 § 9, 1975).

6.04.110 Suspension or revocation of licenses. The director may suspend or revoke any license under this chapter if the applicant or any of its officers, directors or partners have:

A. Committed any act which is a ground for denial of any license under this chapter;

B. Violated any of the provisions of this chapter. (Ord. 2287 § 10, 1975).

6.04.120 Effective date. The provisions of this chapter shall not become effective until January 1, 1975; provided however, that any person desiring to apply for a novelty amusement device owner's license may do so and may be granted such license upon compliance with the provisions of this chapter; and further provided, that any person holding a license in 1974 pursuant to King County Code Section 6.04.030, who applied for such license after June 30, 1974, shall be credited by the county for the 1975 license year in the amount of two thousand five hundred dollars. (Ord. 2287 § 11, 1975).

6.04.130 Renewal of license, registration or permit - Late penalty. A late penalty shall be charged on all applications for renewal of a license, registration or permit received later than ten working days after the expiration date of such license, registration or permit as set forth in the respective resolution or ordinance establishing the expiration date of such license, registration or permit. The amount of such penalty is fixed as follows:

For a license, registration or permit requiring a fee of fifty cents or more, but less than fifty dollars - twenty percent of the required fee;

For a license, registration or permit requiring a fee of fifty cents or more, but less than one thousand dollars - ten percent of the required fee;

For a license, registration or permit requiring a fee of one thousand dollars or more - five percent of the required fee. (Ord. 1888 Art. IV § 3, 1974).

6.04.140 Violation - Misdemeanor. Any violation of this article constitutes a misdemeanor and the punishment shall be as provided by the laws of the state of Washington. (Ord. 126 (part), 1969: Ord. 69 § 17, 1969).

6.04.150 Civil penalty. In addition to or as an alternative to any other penalty provided herein or by law any person who violates any provision of any business license ordinance shall be subject to a civil penalty in an amount not to exceed two hundred fifty dollars per violation to be directly assessed by the director. The director, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator; the gravity of the violation; the number of past and present violations committed and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this title. (Ord. 1888 Art. IV § 1, 1974).

6.04.160 Additional enforcement. Notwithstanding the existence or use of any other remedy the director may seek legal or equitable relief to enjoin any acts or practices which constitute or will constitute a violation of any business license ordinance or other regulations herein adopted. (Ord. 1888 Art. IV § 2, 1974).

II. SHUFFLEBOARDS

6.04.170 Shuffleboard defined. For the purpose of this chapter the word "shuffleboard" means any game consisting of a raised table or platform in the shape of an elongated rectangle which is supported on legs or a frame and which has surfaces with scoring areas and which is played by a hand-propelled ball, disk, puck or similar object, and the winner or score is calculated by the resulting positions of such ball, disk, puck or similar object. Shuffleboards owned by establishment owners may be coin operated under the control of the establishment owner or his authorized representative and subject to inspection by the Division of Business Licenses. An owner of an establishment may own his own shuffleboard to be used only on those premises. He shall be required to pay a location license fee. (Ord. 1176 § 1, 1972: Res. 12714 § 1, 1951).

6.04.180 License required - Fee. No shuffleboard shall be operated or kept for operation in King County outside of the limits of incorporated cities and towns unless a license for the operation thereof has been taken out as hereinafter provided, and the license fee for each shuffleboard shall be $50.00 per year. (Ord. 10170 § 2, 1991: Ord. 1982 § 1, 1974: Res. 12714 § 2, 1951).

6.04.190 Display, removal and transfer of license. Licenses shall be furnished in a form suitable to be attached to the shuffleboard licensed thereby. No such license shall be removed or detached from one shuffleboard and transferred to another. (Ord. 1888 Art. V § 6, 1974: Res. 12714 § 3, 1951).

6.04.200 Information required on application for license - Qualifications required of applicant. The licenses set forth in this article shall be issued only upon written application therefor, which application shall be presented to the director, upon forms provided by him, and must state the names and residences

of the owners and parties who operate, maintain or offer for use or play any such shuffleboard, the location where each of the same is to be operated, maintained or offered for use or play, and the number of shuffleboards at each location, and the license shall only be issued to applicants of good moral character and financial responsibility. If the applicant is a copartnership, each partner must possess the above qualifications. If applicant is a corporation, the corporation must be licensed to do business in the state of Washington, and its officers, manager and/or agents must possess the qualifications set forth in this section. (Ord. 1888 Art. V § 7, 1974: Res. 12714 § 4, 1951).

6.04.210 Renewal of license, registration or permit - Late penalty. A late penalty shall be charged on all applications for renewal of a license, registration or permit received later than ten working days after the expiration date of such license, registration or permit, as set forth in the respective resolution or ordinance establishing the expiration date of such license, registration or permit. The amount of such penalty is fixed as follows:

A. For a license, registration or permit requiring a fee of fifty cents or more, but less than fifty dollars, twenty percent of the required fee;

B. For a license, registration or permit requiring a fee of fifty dollars or more, but less than one thousand dollars, ten percent of the required fee;

C. For a license, registration or permit requiring a fee of one thousand dollars or more, five percent of the required fee. (Ord. 1888 Art. IV § 3, 1974).

6.04.220 Penalty for violation - Confiscation of shuffleboard. Any person violating any of the terms of this article shall, upon conviction thereof, be fined in the sum of not less than fifty dollars nor more than three hundred dollars or imprisoned in the county jail for not more than ninety days, or both, and any shuffleboard being operated, maintained, kept or displayed in violation of this article shall, in the discretion of the court before which the violation is prosecuted, be confiscated by King County. (Res. 12714 § 7, 1951).

6.04.230 Civil penalty. In addition to or as an alternative to any other penalty provided herein or by law, any person who violates any provision of any business license ordinance shall be subject to a civil penalty in an amount not to exceed two hundred fifty dollars per violation, to be directly assessed by the director. The director, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator; the gravity of the violation; the number of past and present violations committed; and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this title. (Ord. 1888 Art. IV § 1, 1974).

6.04.240 Additional enforcement. Notwithstanding the existence or use of any other remedy, the director may seek legal or equitable relief to enjoin any acts or practices which constitute or will constitute a violation of any business license ordinance or other regulations herein adopted. (Ord. 1888 Art IV § 2, 1974).

Chapter 6.08
AMUSEMENT PLACES

Sections:

6.08.005 Findings of fact.
6.08.010 Definitions.
6.08.020 License required - Fee.
6.08.021 License investigation.
6.08.022 Standards for denial of license.
6.08.024 License for managers and entertainers required.
6.08.030 Due date for license fees.
6.08.040 Renewal of license, registration or permit - Late penalty.
6.08.042 License applications.
6.08.043 License display/availability.
6.08.044 Manager on premises.
6.08.050 Standards of conduct and operation.
6.08.055 Person under eighteen prohibited.
6.08.070 Business hours.
6.08.080 Outdoor sports exempt from code.
6.08.090 Race tracks and dragstrips.
6.08.100 Standards for public amusement/entertainment license, manager and entertainer license, suspension or revocation.
6.08.110 Severability.
6.08.120 Penalty for violation.
6.08.130 Civil penalty.
6.08.140 Additional enforcement.
6.08.200 Moratorium on applications for permits and licenses concerning adult use establishments.

6.08.005 Findings of fact. Based on public testimony and other evidence presented to it, the King County council makes the following Findings of Fact:

A. The activities defined and regulated hereinafter are detrimental to the public health, safety, morals, and general welfare of the citizens of King County and, therefore, such activities must be regulated as provided herein.

B. Regulation of the adult entertainment industry is necessary because in the absence of such regulation significant criminal activity has historically and regularly occurred. This history of criminal activity in the adult entertainment industry has included prostitution, narcotics and liquor law violations, breaches of the peace and the presence within the industry of individuals with hidden ownership interests and outstanding arrest warrants.

C. The activities described in subsection B. of this section occur, in the absence of regulation, regardless of whether the adult entertainment is presented in conjunction with the sale of alcoholic beverages.

D. It is necessary to license entertainers in the adult entertainment industry to prevent the exploitation of minors; to ensure that each such entertainer is an adult; and to ensure that such entertainers have not assumed a false name, which would make regulation of the entertainer difficult or impossible.

E. It is necessary to have a licensed manager on the premises of establishments offering adult entertainment at such times as such establishments are offering adult entertainment so that there will at all necessary times be an individual responsible for the overall operation of the establishment, including the actions of patrons, entertainers and other employees.

F. The license fees required hereinafter are necessary as nominal fees imposed as necessary regulatory measures designed to help defray the

substantial expenses incurred by King County in regulating the adult entertainment industry.

G. Hidden ownership interests for the purposes of skimming profits and avoiding the payment of taxes have historically occurred in the adult entertainment industry in the absence of regulation. These hidden ownership interests have historically been held by organized and white collar crime elements. In order for King County to effectively protect the public health, safety, morals, and general welfare of its citizenry it is important that the county be fully apprised of the actual ownership of adult entertainment establishments.

H. Based on the testimony of law enforcement officers and members of the public, and on other evidence, information, documents and materials submitted to and reviewed by the King County council, the King County council makes the following findings of fact:

1. The use of property to operate, conduct or maintain adult entertainment use establishments is a use which, because of its very nature, has serious objectionable operational characteristics. Those operational characteristics include a wide range of criminal and other unlawful activities that have regularly and historically occurred, including prostitution, narcotics and liquor law violations, breaches of the peace, assaults, and sexual conduct involving contact between patrons, and between entertainers and patrons, some of whom have been minors.

2. The objectionable operational characteristics related to the operation of adult use establishments are the most serious, and pose the greatest threat to the welfare of the citizens of King County, when conducted in close proximity to places where minors gather.

3. The need to protect minors from the criminal and other unlawful activities associated with the operation of adult use establishments is compelling. The provisions of this chapter are necessary to ensure that adult uses and adult entertainment in unincorporated King County are conducted a reasonable distance away from places where minors regularly gather, often in large numbers.

4. The requirements of this chapter will make it less likely that minors, on their way to and from the gathering places set forth in K.C.C. 21A.08.040 and 21A.08.070 will become victims of the criminal and other unlawful activities that have regularly and historically occurred in and around adult use establishments; will make it less likely that minors will gain access to adult use establishments; will make it less likely that minors will be hired or otherwise work as entertainers in adult entertainment establishments; and will make it less likely that patrons and employees, including entertainers, of adult use establishments will victimize minors at or near the gathering places set forth in K.C.C. 21A.08.040 and 21A.08.070.

5. The use of property to operate, conduct or maintain adult use establishments is not compatible with residential uses due to the secondary effects such adult use establishments have on residential neighborhoods. The requirements of this chapter will minimize those secondary effects by ensuring that adult use establishments do not locate in close proximity to residential neighborhoods, thereby protecting the character of residential neighborhoods in unincorporated King County and the welfare of its citizens. (Ord. 11792 § 3, 1995: Ord. 9915 § 1, 1991: Ord. 7216 § 1, 1985).

6.08.010 Definitions. For the purpose of this chapter the words and phrases used herein, unless the context otherwise indicates, shall have the following meanings:

A. "Public place of amusement," "public amusement/entertainment," and "public entertainment" mean an amusement, diversion, entertainment, show, performance, exhibition, display or like activities, for the use or benefit of

a member or members of the public, or advertised for the use or benefit of a member of the public, held, conducted, operated or maintained for a profit, direct or indirect;

B. "Manager" means any person who manages, directs, administers, or is in charge of, the affairs and/or the conduct of any portion of any activity involving adult entertainment occurring at any place offering adult entertainment;

C. "Entertainer" means any person who provides adult entertainment within a public place of amusement as defined in this section whether or not a fee is charged or accepted for entertainment;

D. "Entertainment" means any exhibition or dance of any type, pantomime, modeling or any other performance;

E. "Adult entertainment" means any exhibition or dance of any type conducted in premises where such exhibition or dance involves the exposure to view of any portion of the breast below the top of the areola or any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals;

F. "Employee" means any and all persons, including managers, entertainers, and independent contractors who work in or at or render any services directly related to the operation of a public place of amusement, which offers, conducts or maintains adult entertainment;

G. "Operator" means any person operating, conducting or maintaining an adult entertainment studio;

H. "Panoram" or "Peepshow" means any device which, upon insertion of a coin or by any other means, exhibits or displays a picture or view by film, video, or by any other means. (Ord. 9915 § 9, 1991: Ord. 7216 § 2, 1985: Ord. 5410 § 1, 1981: Ord. 5304 § 1, 1981: Ord. 4206 § 3, 1979).

6.08.020 License required - Fee. From and after the effective date of the ordinance codified in this section, no public place of amusement, including but not limited to places which offer adult entertainment, shall be operated or maintained in King County, outside the limits of incorporated cities and towns, unless the owner or lessee thereof has obtained a license from the director, as hereinafter set forth; provided, that it is unlawful for any entertainer, employee or operator to knowingly work in or about, or to knowingly perform any service directly related to the operation of an unlicensed public place of amusement/entertainment:

Type of Entertainment	**Fee**
Miscellaneous (Includes, but is not limited to):	
Live Entertainment; music (other than mechanical); boxing or wrestling; exhibition skating; video arcades; pool halls; bowling alleys; public skating rinks; shooting galleries; race tracks, dragstrips, automobile or otherwise	$200.00 per year, 100.00 per 6 mos. or 50.00 per one night (covers one or more of miscellaneous entertainment).
Adult Entertainment	750.00 per year
Panorama or Peepshows	750.00 per year
Entertainer/Manager	75.00 per year
Amusement Parks - Permanent	
For one to ten units, inclusive	200.00 per year or 100.00 per 6 mos.
For more than ten units	400.00 per year or 200.00 per 6 mos.

NOTE: Units are defined as (a) rides; (b) sideshows; (c) merchandise or food concessions.

Carnivals	
For one to ten units, inclusive	40.00 per day
For more than ten units	100.00 per day

(Ord. 10170 § 3, 1991: Ord. 7216 § 3, 1985: Ord. 5304 § 2, 1981: Ord. 4270 § 3, 1979: Ord. 1888 Art. V § 8, 1974: Res. 8655 (part), 1943: Res. 6574 (part), 1937).

6.08.021 License investigation. The director shall refer an application for a license required in K.C.C. 6.08.020 to the building and land development division for a report on compliance with all applicable fire, building and zoning codes of King County. The manager of building and land development shall respond to the director within thirty days. (Ord. 9915 § 11, 1991).

6.08.022 Standards for denial of license. The director shall deny any public amusement/entertainment license applied for under provisions of this chapter if he determines that the applicant has:

A. Made, with the intent to mislead, a materially false statement in the application for a license which the applicant knows to be false. "Materially false statement" means any false statement, oral or written, regardless of its admissibility under the rules of evidence, which could have affected the course or outcome of the license application;

B. Proposed a place of business or establishment to be licensed which could not comply with all applicable requirements of the fire, building and zoning codes of King County. (Ord. 9915 § 12, 1991).

6.08.024 License for managers and entertainers required. No person shall work as a manager or entertainer at a public place of amusement offering adult entertainment without having first obtained a manager's or an entertainer's license from the director pursuant to Section 6.08.042 B of this chapter. (Ord. 10170 § 4, 1991: Ord. 7216 § 4, 1985).

6.08.030 Due date for license fees. All license fees required by Section 6.08.020 of this chapter are due and payable to the King County licensing section at least two weeks before the opening of entertainment. (Ord. 7216 § 5, 1985: Ord. 1888 Art. V § 9, 1974: Res. 6574 (part), 1937).

6.08.040 Renewal of license, registration or permit - Late penalty. A late penalty shall be charged on all applications for renewal of a license, registration or permit received later than ten working days after the expiration date of such license, registration or permit as set forth in the respective resolution or ordinance establishing the expiration date of such license, registration or permit. The amount of such penalty is fixed as follows:

A. For a license, registration or permit requiring a fee of fifty cents or more, but less than fifty dollars, twenty percent of the required fee;

B. For a license, registration or permit requiring a fee of fifty dollars or more, but less than one thousand dollars, ten percent of the required fee;

C. For a license, registration or permit requiring a fee of one thousand dollars or more, five percent of the required fee. (Ord. 1888 Art. IV § 3, 1974).

6.08.042 License applications. A. Public amusement/entertainment license. All applications for a public amusement/entertainment license shall be submitted in the name of the person or entity proposing to conduct such public amusement/entertainment on the business premises and shall be signed by such person or his agent and notarized or certified as true under penalty of perjury. All applications shall be submitted on a form supplied by the director, which shall require the following information:

1. The name, home address, home telephone number, date and place of birth, and social security number of the applicant if the applicant is an individual,

2. The business name, address and telephone number of the establishment,

3. The names, addresses, telephone numbers, and social security numbers of any partners, corporate officers, or directors;

B. Public amusement/entertainment license - adult entertainment, peep shows and panorams. In addition to the requirements set forth in Section A above, all applications for a public amusement/entertainment license for adult entertainment, peep shows or panoram establishments shall include the following information. Failure to provide the information required by this ordinance will constitute an incomplete application, and such application will not be processed:

1. The name, addresses, telephone numbers and social security numbers of any persons who have a substantial interest or management responsibilities in connection with the business, specifying the interest or management responsibility of each. For the purpose of this subsection "substantial interest" shall mean ownership of ten percent or more the business, or any other kind of contribution to the business of the same or greater size,

2. Terms of any loans, leases, secured transactions and repayments therefore relating to the business,

3. A description of the existing premises, including plans showing that the premises are in compliance with the requirements of K.C.C. 6.08.050;

C. Application for manager or entertainer license.
All applications for a manager's or entertainer's license shall be signed by the applicant and notarized or certified to be true under penalty of perjury. All applications shall be submitted on a form supplied by the director, which shall require the following information:

1. The applicant's name, home address, home telephone number, date and place of birth, fingerprints, social security number, and any stage names or nicknames used in entertaining,

2. The name and address of each business at which the applicant intends to work as an entertainer,

3. With the application the applicant shall present documentation that he or she has attained the age of eighteen (18) years. Any of the following shall be accepted as documentation of age: a. a motor vehicle operator's license issued by any state bearing the applicant's photograph and date of birth; b. an identification card bearing the applicant's photograph and date of birth issued by a federal or state government agency; c. an official passport issued by the United States of America,

4. The director shall issue the license promptly upon receipt of the completed application, evidence of fingerprinting by the department of public safety, the license fee, and proof of age as required in Subsection 3. above;

D. If any person or entity acquires, subsequent to the issuance of a public amusement/entertainment license for places offering adult entertainment, a substantial interest, as defined in Section 6.08.042 A.3, in the licensed premises, notice of such acquisition shall be provided in writing to the director forthwith. The information required to be provided pursuant to this subsection shall be that information required pursuant to subsection 6.08.042 A of this chapter. (Ord. 9915 § 10, 1991: Ord. 7216 § 6, 1985).

6.08.043 License display/availability. The public entertainment/amusement license, and/or the manager's license issued pursuant to this chapter shall be prominently displayed on the licensed premises. Entertainer licenses issued pursuant to this chapter must be immediately available on the premises for inspection by any law enforcement officer or business license inspector. (Ord. 9915 § 14, 1991).

6.08.044 Manager on premises. A. A licensed manager shall be on the premises of a public place of amusement at all times that adult entertainment is being provided;

B. It shall be the responsibility of the manager to verify that any person who provides adult entertainment within the premises possesses a current and valid entertainer's license;

C. The manager shall, upon request by any law enforcement officer or business license inspector, make available for inspection the entertainer licenses required to be on the premises as described herein. (Ord. 9915 § 13, 1991: Ord. 7216 § 7, 1985).

6.08.050 Standards of conduct and operation. A. The following standards of conduct must be adhered to by employees of any public place of amusement which offers, conducts, or maintains adult entertainment:

1. No employee or entertainer shall be unclothed or in such attire, costume or clothing so as to expose to view any portion of the breast below the top of the areola or of any portion of the pubic hair, anus, buttocks, vulva or genitals except as provided for in subdivision 6 of this subsection and section 6.08.050 D.3 of this chapter.

2. No employee or entertainer mingling with the patrons shall be unclothed or in such attire, costume or clothing as described in subdivision 1. of this subsection.

3. No employee or entertainer shall encourage or knowingly permit any person upon the premises to touch, caress or fondle the breasts, buttocks, anus or genitals of any other person.

4. No employee or entertainer shall wear or use any device or covering exposed to view which simulates the breast below the top of the areola, vulva or genitals, anus, buttocks, or any portion of the pubic hair.

5. No employee or entertainer shall perform acts of or acts which simulate:

a. Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts which are prohibited by law;

b. The touching, caressing or fondling of the breasts, buttocks or genitals; or

c. The displaying of the pubic hair, anus, vulva or genitals; except as provided for in subdivision 6 of this subsection and section 6.08.050 D.3 of this chapter.

6. No employee or entertainer shall have their breasts below the top of the areola, or any portion of the pubic hair, vulva or genitals, anus and/or buttocks exposed to view except upon a stage at least eighteen inches above the immediate floor level and removed at least six feet from the nearest patron.

7. No employee or entertainer shall use artificial devices or inanimate objects to depict any of the prohibited activities described in this subsection.

8. No employee or entertainer shall remain in or upon the public place of amusement who exposes to public view any portion of his or her genitals or anus except as expressly provided for in subdivision 6 of this subsection and section 6.08.050 D.3 of this chapter.

9. There shall be posted and conspicuously displayed in the common areas of each place offering adult entertainment a list of any and all entertainment

provided on the premises. Such list shall further indicate the specific fee or charge in dollar amounts for each entertainment listed.

10. Every place offering adult entertainment studio shall be physically arranged in such a manner that:

a. The stage or the entire interior portion of the booths, cubicles, rooms or stalls wherein adult entertainment is provided is visible from the common areas of the premises. Visibility shall not be blocked or obscured by doors, curtains, drapes, or any other obstruction whatsoever.

b. No activity or entertainment occurring on the premises shall be visible at any time from any public place.

c. No entertainer of any place offering adult entertainment shall be visible from any public place during the hours of their employment, or apparent hours of their employment, on the premises.

11. No entertainer at a place offering adult entertainment shall demand or collect all or any portion of a fee from a patron for entertainment before its completion.

12. A sign shall be conspicuously displayed in the common area of the premises, and shall read as follows:

THIS ADULT ENTERTAINMENT ESTABLISHMENT IS REGULATED BY KING COUNTY; ENTERTAINERS ARE:

a. Not permitted to engage in any type of sexual conduct;

b. Not permitted to expose their breasts below the top of the areola, any portion of the pubic hair, buttocks, genitals or vulva and/or anus except upon a stage at least eighteen inches from the immediate floor level and removed at least six feet from the nearest patron; and

c. Not permitted to demand or collect all or any portion of a fee from a patron for entertainment before its completion.

B. The following additional requirements must be adhered to at any panoram or peepshow:

1. The interior of the panoram or peepshow premises shall be arranged in such a manner as to insure that customers are fully visible from the waist down, and all persons viewing such panoram pictures shall be visible from the entrance to such premises.

2. The licensee shall not permit any doors to public areas on the premises to be locked during business hours.

3. Any room or area on such premises shall be readily accessible at all times for inspection by any law enforcement officer or license inspector.

4. The licensee shall maintain adequate illumination generally distributed in all parts of the premises at all times when the panoram is open or when the public is permitted to enter or remain therein.

C. At any public place of amusement which offers, conducts, or maintains adult entertainment, the following are required:

1. Admission must be restricted to persons of the age of eighteen years or more; and

2. Neither the performance nor any photograph, drawing, sketch or other pictorial or graphic representation thereof displaying any portion of the breasts below the top of the areola or any portion of the pubic hair, buttocks, genitals and/or anus may be visible outside of the public place of amusement so licensed.

3. Sufficient lighting shall be provided in and about the parts of the premises which are open to and used by the public so that all objects are plainly visible at all times.

D. This chapter shall not be construed to prohibit:

1. Plays, operas, musicals, or other dramatic works which are not obscene;

2. Classes, seminars and lectures held for serious scientific or educational purposes; or

3. Exhibitions or dances which are not obscene.

E. For purposes of this chapter, an activity is "obscene" if:

1. Taken as a whole by an average person applying contemporary community standards the activity appeals to a prurient interest in sex;

2. The activity depicts patently offensive representations of a. ultimate sexual acts, normal or perverted, actual or simulated; or b. masturbation, fellatio, cunnilingus, bestiality, excretory functions, or lewd exhibition of the genitals or genital area; or c. violent or destructive sexual acts, including but not limited to human or animal mutilation, dismemberment, rape or torture; and

3. The activity taken as a whole lacks serious literary, artistic, political, or scientific value.

F. For purposes of this chapter, an activity is "dramatic" if the activity is of, relating to, devoted to, or concerned specifically or professionally with current drama or the contemporary theater.

G. Section 6.08.050 of this chapter does not apply to taverns and premises maintaining liquor licenses.

H. The appeals procedure set forth in K.C.C. 6.01.150 shall apply to appeals brought by any party aggrieved by actions of the director pursuant to any subsection of this section; except that each of the following shall apply notwithstanding K.C.C. 6.01.150;

1. If an appeal is brought by any party aggrieved by action of the director pursuant to any subsection of this section the status quo shall be maintained pending resolution of the controversy and the director shall not revoke or suspend the aggrieved party's license prior to resolution of the matter by the King County board of appeals.

2. During the course of proceeding before the King County board of appeals the burden of proof shall be upon the director. (Ord. 7216 § 8, 1985: Ord. 5410 § 2, 1981: Ord. 5304 § 3, 1981: Ord. 4206 § 1, 1979: Ord. 2625 §§ 2 - 4, 1976).

6.08.055 Persons under eighteen prohibited. Persons under eighteen prohibited. A. It is unlawful for any person under the age of eighteen (18) to be in any adult use establishment;

B. It shall be unlawful for any owner, operator, manager, or other person in charge of any adult use establishment to knowingly permit or allow any person under the age of eighteen (18) years to be in or upon such premises. (Ord. 9915 § 15, 1991).

6.08.070 Business hours. No public entertainment shall be conducted between the hours of two-thirty a.m. and ten a.m., provided that, public dancing and those activities related to public dancing licensed by King County such as live musical entertainment shall be permitted until four a.m. in establishments which have a class "H" liquor license and are in an area within both 2000 feet of Sea-Tac International Airport and 500 feet of a state highway. (Ord. 7070 § 1, 1984: Res. 6574 (part), 1937).

6.08.080 Outdoor sports exempt from code. No license shall be required for any recognized outdoor sports. (Res. 6574 (part), 1937).

6.08.090 Race tracks and dragstrips. Applicants must submit, for any amusement place license for a race track or dragstrip, whether automobile or otherwise, where the expected attendance will exceed two thousand people at any single scheduled event, information as deemed appropriate by the department of public safety to ensure that adequate traffic control and crowd protection policing has been arranged through private security agencies or, has been contracted for with the department of public safety. A written notice that the applicant has complied with the requirement shall be issued by the director of the department of public safety or his designee before an amusement place license shall be issued; provided, that if the applicant should contract for traffic control and crowd protection policing with King County, in no event should the sum agreed upon in payment for such policing be less than the actual expense incurred by the county in providing that service. Such consideration shall be calculated for personnel resources on the hourly rate for overtime under the current collective bargaining agreement, plus that percentage then being paid for fringe benefits, and all sums paid under such contract shall be paid in accordance with procedures specified by the King County office of finance. (Ord. 9915 § 16, 1991: Ord. 4270 § 4, 1979).

6.08.100 Standards for public amusement/entertainment license, manager and entertainer license, suspension or revocation. A. The director shall revoke or suspend, for not more than one year, any public amusement/entertainment license if he determines that the licensee or applicant has:

1. Made with the intent to mislead a materially false statement in the application for a license or a renewal of a license. "Materially false statement" means any false statement, oral or written, regardless of its admissibility under the rules of evidence, which could have affected the course or outcome of the license application,

2. Violated or permitted or authorized any violation of any provisions of this chapter by any person;

B. The director shall revoke or suspend, for not more than one year, any manager's license if he determines that such manager has violated or permitted violation of any of the provisions of this chapter or has made a materially false statement in the license application;

C. The director shall revoke or suspend, for not more than one year, any entertainer's license if he determines that such entertainer has violated any of the provisions of this chapter relating to entertainer conduct or has made a materially false statement in the license application. (Ord. 9915 § 17, 1991: Ord. 7216 § 10, 1985: Ord. 5304 § 4, 1981: Ord. 4206 § 4, 1979).

6.08.110 Severability. If any section, sentence, clause or phrase of this chapter should be held invalid or unconstitutional, the validity or constitutionality thereof shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this chapter. (Ord. 7216 § 12, 1985: Ord. 5304 § 5, 1981).

6.08.120 Penalty for violation. Any person violating any of the terms of this chapter shall, upon conviction thereof, be fined in the sum of not less than ten dollars nor more than three hundred dollars or by imprisonment in the county jail for not more than ninety days, or both. (Res. 6574 (part), 1937).

6.08.130 Civil penalty. In addition to or as an alternative to any other penalty provided herein or by law, any person who violates any provision of any business license ordinance shall be subject to a civil penalty in an amount not to exceed two hundred fifty dollars per violation, to be directly assessed by the director. The director, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator; the gravity of the violation; the number of past and present violations committed; and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this title. (Ord. 1888 Art. IV § 1, 1974).

6.08.140 Additional enforcement. Notwithstanding the existence or use of any other remedy, the director may seek legal or equitable relief to enjoin any acts or practices which constitute or will constitute a violation of any business license ordinance or other regulations herein adopted. (Ord. 1888 Art. IV § 2, 1974).

6.08.200 Moratorium on applications for permits and licenses concerning adult use establishments. A. Zoning moratorium. No building permit shall be issued, nor shall any building permit application be accepted, for any "adult use establishment" or "adult use facility" as those terms are defined in K.C.C. 21.04.020 and K.C.C. 21A.06.035, respectively.

B. Licensing moratorium. No business license shall be issued, nor shall any business license application be accepted, for any place of adult entertainment, panoram or peep show as those terms are defined in K.C.C. 6.08.010; provided, however, that this licensing moratorium shall not prohibit license renewals for adult use establishments lawfully in existence as of the effective date of this ordinance.

C. Effective Periods. The moratorium shall continue in effect for 180 days from the effective date of Ordinance 11647 (January 3, 1995) unless earlier repealed in an ordinance establishing new land use regulations governing the location of adult use establishments, whichever is sooner.

D. Moratorium extension. The moratoria on the issuance of building permits, the acceptance of building permit applications, the issuance of business licenses, and the acceptance of business license applications established through Ordinance 11647 shall continue in full force and effect through January 3, 1996 or until new land use regulations governing the location of adult use establishments take effect, whichever occurs sooner. (Ord. 11825 § 2, 1995: Ord. 11647 §§ 2, 3, 5, 1995).

Chapter 6.12
POOL AND BILLIARD TABLES

Sections:

6.12.010 License required - Nontransferable.
6.12.020 Definitions.
6.12.030 Coin operated.
6.12.040 Identification numbers.
6.12.050 License requirements.
6.12.060 License fees.
6.12.070 Renewal of license, registration or permit - Late penalty.
6.12.080 Civil penalty.
6.12.090 Violations and penalties.
6.12.100 Additional enforcement.

6.12.010 License required - Nontransferable. No person shall own or operate a pool or billiard table on any premises, sell or distribute coin operated pool or billiard table for the use of which a fee is charged unless a license is obtained pursuant to the terms of this chapter. Any license issued under the terms of this chapter shall not be transferable to any person, persons or corporations other than that designated on the license. Any license issued to an operator shall apply to a single location only. (Ord. 1294 § 1, 1972).

6.12.020 Definitions. For the purpose of this chapter and unless the context plainly requires otherwise the following definitions are adopted:

A. A "billiard table" is a raised oblong felt covered table with raised cushioned edges, or any substantially similar device on which is played the game known as billiards or pool involving the use of a long tapering stick called a cue to propel pool or billiard balls;

B. A "pool table" is a billiard table with a pocket in each corner and at the middle of both sides, used for playing pool, the game wherein numbered balls are propelled into the pockets by persons using a cue;

C. An "operator" is a person who owns, operates or controls any pool or billiard table. An operator who owns or leases his place of business shall be allowed to own and operate his own pool tables and billiard tables upon compliance with this chapter;

D. A "vendor" is any person or firm or agent thereof that distributes or sells coin operated pool tables or billiard tables. (Ord. 1888 Art. V § 10, 1974; Ord. 1294 § 2, 1972).

6.12.030 Coin operated. Pool tables and billiard tables as referred to in Section 6.12.010 shall be activated by the player by the insertion of a coin into a locked coin chute device or by a device under the control of the owner or his duly appointed representative. (Ord. 1294 § 3, 1972).

6.12.040 Identification numbers. The director shall prescribe the method by which an identification number shall be assigned to each pool or billiard table. The identification number shall be permanently fixed by the director's representative in a place where it can be readily inspected. (Ord. 1294 § 4, 1972).

6.12.050 License requirements. A. Each applicant for a license under the provisions of this chapter shall complete an application prepared by the director which shall include the following information: The name and address of the applicant, and if a corporation, the names and addresses of the officers thereof; a description of the kind of activity that will be conducted under the authority of the license; complete information as requested by the director concerning the ownership, and the name of business under which the activity is to be conducted; a declaration of any conviction of any laws relating to gambling or involving moral turpitude in which an intent to defraud was an element of the crime or of any law or ordinance relating to the use, sale or possession of narcotic or dangerous drugs or any substances controlled by the Washington State Board of Pharmacy, or any other such information the director may require which is reasonably necessary to aid in the enforcement of this chapter.

B. All applicants shall comply with building, planning, zoning and fire codes of King County and with any rules or regulations set forth by the state of Washington Liquor Control Board and all applicable consumer protection laws and must conform to RCW 26.28.080 and a showing of compliance with these regulations shall be required, where applicable, before a license under this chapter is issued, and violation thereof may be grounds for suspension or revocation of license. (Ord. 1294 § 5, 1972).

6.12.060 License fees. A. For pool tables and billiard tables operating in a business establishment, the fee shall be $100.00 per table, up to a $500 maximum per establishment.

All licenses shall expire one year from the date of application. Any person purchasing a coin operated pool table must show by receipt, bill of sale or contract or letter that the table was purchased from a licensed vendor before a license shall be issued to him.

B. A vendor shall pay an annual license fee of one hundred dollars from date of issuance of license. (Ord. 10170 § 5, 1991: Ord. 5889 § 1, 1982: Ord. 5799 § 2, 1981: Ord. 1294 § 6, 1972).

6.12.070 Renewal of license, registration or permit - Late penalty. A late penalty shall be charged on all applications for renewal of a license, registration or permit received later than ten working days after the expiration date of such license, registration or permit as set forth in the respective resolution or ordinance establishing the expiration date of such license, registration or permit. The amount of such penalty is fixed as follows:

For a license, registration or permit requiring a fee of fifty cents or more, but less than fifty dollars - twenty percent of the required fee.

For a license, registration or permit requiring a fee of fifty dollars or more, but less than one thousand dollars - ten percent of the required fee.

For a license, registration or permit requiring a fee of one thousand dollars or more - five percent of the required fee. (Ord. 1888 Art. IV § 3, 1974).

6.12.080 Civil penalty. In addition to or as an alternative to any other penalty provided herein or by law any person who violates any provision of any business license ordinance shall be subject to a civil penalty in an amount

not to exceed two hundred fifty dollars per violation to be directly assessed by the director. The director, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator; the gravity of the violation; the number of past and present violations committed and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this title. (Ord. 1888 Art. IV § 1, 1974).

6.12.090 Violations and penalties. Any person violating or failing to comply with any of the provisions of this chapter is deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine in any sum not exceeding two hundred fifty dollars or by imprisonment in the county jail for a period not exceeding ninety days. (Ord. 1294 § 9, 1972).

6.12.100 Additional enforcement. Notwithstanding the existence or use of any other remedy, the director may seek legal or equitable relief to enjoin any acts or practices which constitute or will constitute a violation of any business license ordinance or other regulations herein adopted. (Ord. 1888 Art IV § 2, 1974).

Chapter 6.16
CLOSING OUT SALES

Sections:

6.16.010 Definitions generally.
6.16.020 Sale defined.
6.16.030 Advertising, etc., defined.
6.16.040 Inspector, investigator defined.
6.16.050 Goods defined.
6.16.060 License required.
6.16.070 Conditions for issuance.
6.16.080 Application for license.
6.16.090 Issuance.
6.16.100 License fee - Bond.
6.16.110 License conditions.
6.16.115 Closing out a sales license - Fee.
6.16.120 License renewal.
6.16.130 Renewal of license, registration or permit - Late penalty.
6.16.140 General rules and regulations.
6.16.150 Commingling of goods.
6.16.160 Removal of goods - Loss of identity.
6.16.170 Inspection of premises.
6.16.180 Records.
6.16.190 Duties of licensee.
6.16.200 Persons exempted.
6.16.210 Penalties for violation.
6.16.220 Civil penalty.
6.16.230 Additional enforcement.

6.16.010 Definitions generally. For the purposes of this chapter, the following terms, phrases, words and their derivations shall be deemed to mean and be construed herein as follows in this chapter. (Res. 30983 § 1 (part), 1965).

(Res. 30983 § 11, 1965).

6.16.210 Penalties for violation. Every person as principal, agent or otherwise, failing, neglecting or refusing to comply with any provision of this chapter, or violating the same, is guilty of a misdemeanor. Each separate sale or offering for sale of goods, wares or merchandise in violation of the provisions of this chapter shall constitute a separate offense hereunder. (Res. 30983 § 12, 1965).

6.16.220 Civil penalty. In addition to or as an alternative to any other penalty provided herein or by law any person who violates any provision of any business license ordinance shall be subject to a civil penalty in an amount not to exceed two hundred fifty dollars per violation to be directly assessed by the director. The director, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator; the gravity of the violation; the number of past and present violations committed and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this title. (Ord. 1888 Art. IV § 1, 1974).

6.16.230 Additional enforcement. Notwithstanding the existence or use of any other remedy, the director may seek legal or equitable relief to enjoin any acts or practices which constitute or will constitute a violation of any business license ordinance or other regulations herein adopted. (Ord. 1888 Art. IV § 2, 1974).

Chapter 6.20
DANCES

Sections:

6.20.002 Findings of fact.
6.20.004 General Provisions - Applicability.
6.20.010 Definitions.
6.20.020 Dance or dance hall license or permit - Required - Exceptions.
6.20.030 Dance hall license - Application.
6.20.040 Dance permit - Application.
6.20.050 Dance hall license - Investigation.
6.20.060 Dance or dance hall - Prerequisites to license or permit issuance.
6.20.070 Hours of operation.
6.20.072 Public youth dance - Hours of operation - Age restrictions - Penalty.
6.20.074 Public youth dance - Readmission fee.
6.20.080 Fees.
6.20.090 Denial of license or permit.
6.20.100 Suspension or revocation of license or permit.
6.20.110 Transferability of license or permit.
6.20.120 Civil penalty.
6.20.130 Additional enforcement.
6.20.140 Licensing - Retroactivity.
6.20.150 Severability.

6.20.002 Findings of fact. Based on public testimony and other evidence presented to it, the King County council makes the following findings of fact:

A. Ordinance 7832 is an exercise of the county's police power for the protection of the public welfare, health, and safety of those children that attend and patronize dance halls.

B. The county council hereby finds and declares that the pervasive problems of runaway children, drug abuse and abuse of children are problems of such magnitude that they are a matter of county-wide concern and are contributed to by unregulated dance halls.

C. Ordinance 7832 adds regulations to Title 6 of the King County code relating to business licenses pertaining to dance halls that admit persons under the age of eighteen. (Ord. 7832 § 1, 1986).

6.20.004 General provisions - Applicability. This chapter is subject to the general licensing provisions of Chapter 6.01, King County code. In the event of a conflict between this chapter and Chapter 6.01, the provisions of this chapter shall apply. The provisions of this chapter shall be construed liberally for the accomplishment of the purposes thereof. Nothing contained in this chapter shall be deemed to repeal or modify any of the provisions of any other law or county ordinance relating to dance halls or licensing. (Ord. 7832 § 2, 1986).

6.20.010 Definitions. For the purpose of this chapter and unless the context plainly requires otherwise the following definitions are adopted:

A. "Public dance" means any dance which is open to the public and which is held and conducted for a profit, direct or indirect.

B. "Public youth dance" means any public dance that is readily accessible to the public and which permits the entry of any persons under the age of eighteen years. For the purposes of this chapter, the term "public dance" shall be construed so as to include all "public youth dances" except where specifically indicated otherwise.

C. "Public dance hall" means any place where a public dance is conducted, operated or maintained and includes the premises on which the public dance is conducted, operated or maintained and any and all areas attached to or adjacent to such premises including, but not limited to, all parking areas, hallways, bathrooms and all adjoining areas on the premises accessible to the public during the dance. (Ord. 7832 § 3, 1986: Ord. 2095 § 1, 1974).

6.20.020 Dance or dance hall license or permit - Required - Exceptions. A. It is unlawful for any person to conduct, operate or maintain a public dance or public dance hall unless the person who is conducting, operating or maintaining such public dance or public dance hall has obtained a license or permit in the manner prescribed in this chapter.

B. Exceptions. The requirements of this chapter shall not apply if:

1. The public dance is sponsored by an accredited educational institution; or

2. The public dance is sponsored by a nonprofit tax exempt organization, corporation or association recognized by the United States of America as exempt from federal income taxation pursuant to 501(c) (1) or (3) of the Internal Revenue Code of 1954, 26 U.S.C. 501 as now existing or hereafter amended.

C. County Agency Operation. If the public dance hall is managed or operated by a King County government agency, the requirements of this chapter may be waived by the director by rule adopted pursuant to Chapter 2.98, K.C.C. upon written application by the chief officer of the agency. (Ord. 7832 § 4, 1986: Ord. 2095 § 2, 1974).

6.20.030 Dance hall license - Application. A. The person desiring to conduct, operate or maintain a public dance hall on a yearly or six-month basis shall be responsible for obtaining a public dance hall license from the director.

B. Renewal applications for a public dance hall license (yearly or six-month) shall be made in writing on forms provided by the director at least fourteen days prior to the expiration date of the existing license.

C. Each applicant for a license shall complete an application form prepared by the director which shall include the following information:

1. The name and address of the applicant;

2. If the applicant is a corporation or a partnership the names and addresses of the officers or directors thereof;

3. The name and address of the owner or owners of the premises upon which the dance hall is located;

4. The name of the business under which the activity is to be conducted;

5. A declaration by the applicant or, if the applicant is a corporation or a partnership, the officers, directors, or partners, of any conviction within the past five years from the date of application of any of the crimes enumerated in K.C.C. 6.20.090, subparagraph A.2.; and

6. Any other information the director may require to aid in the implementation and enforcement of this chapter. (Ord. 7832 § 5, 1986: Ord. 2095 § 3, 1974).

6.20.040 Dance permit - Application. A. The person desiring to conduct, operate or maintain a one-night public dance, whether on premises licensed as a public dance hall or not, is responsible for obtaining a one-night public dance permit from the director, at least fourteen days prior to the date the dance is to be held, for each such one-night public dance.

B. Each applicant shall be issued a permit upon completion of an application form which includes:

1. Name of organization holding dance;

2. Location of dance;

3. Approval of King County fire marshal. (Ord. 2095 § 4, 1974).

6.20.050 Dance hall license - Investigation. Upon the filing of an application for a public dance hall license, the director shall refer the same to the King County department of public safety for investigation of the statements contained in such application. A written report containing the results of the department of public safety investigation shall be furnished to the director if requested. (Ord. 2095 § 5, 1974).

6.20.060 Dance or dance hall - Prerequisites to license or permit issuance. Applicants must comply with the building, zoning, planning and fire codes of King County and with any rules or regulations set forth by the state of Washington Liquor Control Board. A written report that the applicant has complied with these codes and regulations shall be furnished to the director before a license or permit under this chapter is issued. Applicants must

submit, for any dance or dance hall where the expected attendance will exceed one thousand people based on past experience or the statement of the applicant, such information as deemed appropriate by the department of public safety to insure adequate traffic control and crowd protection policing either arranged through private security agencies or has been contracted for with the department of public safety. A written notice that the applicant has complied with the requirement shall be issued by the director before a dance or dance hall permit or license is issued; provided, that permits or licenses issued prior to the effective date of the ordinance codified herein shall entitle the holder of such permit or license a period of thirty days, following the effective date to comply with the traffic control and crowd protection requirement; provided, further, that if the applicant should contract for traffic control and crowd protection policing with King County, in no event should the sum agreed upon in payment for such policing be less than the actual expense incurred by the county in providing that service. Such consideration shall be calculated for personnel resources on the hourly rate for overtime under the current collective bargaining agreement, plus that percentage then being paid for fringe benefits, and all sums paid under such contract shall be paid in accordance with procedures specified by the King County comptroller. (Ord. 4270 § 1, 1979: Ord. 2095 § 6, 1974).

6.20.070 Hours of operation. No public dance or public dance hall shall be conducted, operated or maintained after the hour of two-thirty a.m., provided that, public dancing and those activities related to public dancing licensed by King County such as live musical entertainment shall be permitted until four a.m. in establishments which have a class "H" liquor license and are in an area within 2000 feet of Sea-Tac International Airport and 500 feet of a state highway. (Ord. 7070 § 2, 1984: Ord. 2095 § 7, 1974).

6.20.072 Public youth dance - Hours of operation - Age Restrictions - Penalty. A. No person or entity conducting a public youth dance or maintaining a public youth dance hall shall allow persons under the age of sixteen years to enter or remain on the premises without that person's parent or legal guardian present.

B. No person or entity conducting or operating a public youth dance or public youth dance hall shall allow persons under the age of eighteen years to enter or remain on the premises after 2:00 a.m. without that person's parent or legal guardian present.

C. Every person who knowingly or recklessly shall allow a person to enter or remain at a public youth dance in violation of this section shall be guilty of a misdemeanor. It is the sole responsibility of the person or entity conducting and/or operating a public youth dance to require identification showing the age of each person admitted.

D. Any person under the age of eighteen years who shall by affirmative misrepresentation of age obtain admission to or permission to remain in any public youth dance in violation of this chapter shall be guilty of a misdemeanor. (Ord. 7832 § 6, 1986).

6.20.074 Public youth dance - Readmission fee. No person or entity conducting or operating a public youth dance or public youth dance hall shall permit any person, other than an employee, to leave the dance or dance hall and return unless that person pays a readmission fee equal to, or greater than, one-half the original price of admission. (Ord. 7832 § 7, 1986).

6.20.080 Fees. The fees for conducting, operating or maintaining a public dance hall or public dance are fixed as follows:

Public dance hall or public dance license (one-year), $200.00;
Public dance hall or public dance license (six-month), $100.00;
One-night public dance permit $50.00. (Ord. 10170 § 7, 1991: Ord. 5799 § 3, 1981: Ord. 2095 § 8, 1974).

6.20.090 Denial of license or permit. A. The director may deny a license or permit if the applicant or, if the applicant is a corporation or partnership, the applicant's officers, directors or partners of any agent thereof, have:

1. Committed any act which, if committed by a licensee or permittee, would be grounds for the suspension or revocation of a license or permit;

2. Been convicted within the last five years of:

a. A felony involving a crime of violence as defined in RCW 9.41.010, or a felony under RCW Chapter 69.50, or any felony or misdemeanor under RCW Chapters 9A.44, 9A.64, or 9A.88;

b. Contributing to the dependency or delinquency of a minor; or

c. Assault on a juvenile.

3. Been refused a license or permit or had a license or permit revoked under the provisions of this chapter; provided, however, that any applicant denied a license or permit may reapply after six months if the basis for such denial no longer exists;

4. Committed any act for which a license is required under the provisions of this chapter;

5. Failed to comply with the building, zoning, planning or fire codes of King County, or any rules or regulations set forth by the state of Washington Liquor Control Board; or

6. Knowingly made any false statement in the applicant's application.

B. The director may deny a license if he determines that the conduct, operation or maintenance of a public dance hall or public dance will disturb the peace and quiet of the neighborhood in which the same is located. (Ord. 7832 § 8, 1986: Ord. 2095 § 9, 1974).

6.20.100 Suspension or revocation of license or permit. The director may suspend or revoke a license or permit if he determines that the licensee or permittee or any of the licensee's or permittee's officers, directors or partners or agents have:

A. Intentionally failed to disclose any material fact in the application for a license or permit, or a renewal of a license or permit;

B. Knowingly made any false statement or given any false information in connection with an application for a license or permit or a renewal of a license or permit or a renewal of a license or permit;

C. Failed to remove or attempt to remove from the dance premises any person who appears to be under the influence of or affected by the use of alcohol and/or drugs or whose conduct reasonably appears to pose a physical danger to the safety of others present;

D. Committed any act which is a ground for denial of a license or a permit; or

E. Violated any of the provisions of this chapter. (Ord. 7832 § 9, 1986: Ord. 2095 § 10, 1974).

6.20.110 Transferability of license or permit. Any license or permit issued under the provisions of this chapter shall apply to a single location only and shall not be transferable to other locations; provided, however, that the license or permit may be transferred to another person provided such person satisfies the license or permit requirements contained herein and pays a transfer fee of twenty-five dollars. (Ord. 2095 § 11, 1974).

6.20.120 Civil penalty. In addition to or as an alternative to any other penalty provided herein or by law, any person who violates any provision of any business license ordinance shall be subject to a civil penalty in an amount not to exceed two hundred fifty dollars per violation to be directly assessed by the director. The director, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator; the gravity of the violation; the number of past and present violations committed; and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this title. (Ord. 1888 Art. IV § 1, 1974).

6.20.130 Additional enforcement. Notwithstanding the existence or use of any other remedy, the director may seek legal or equitable relief to enjoin any acts or practices which constitute or will constitute a violation of any business license ordinance or other regulations herein adopted. (Ord. 1888 Art. IV § 2, 1974).

6.20.140 Licensing - Retroactivity. All licenses issued prior to the effective date of Ordinance 7832 shall entitle the holder of such license a period of thirty-five days, following the effective date of the ordinance, to comply with the provisions of K.C.C. 6.20.002, .004, .010, .020, .030, .072, .074, .090 and .100. (Ord. 7832 § 10, 1986).

6.20.150 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such declaration shall not affect the validity of the remaining portion of this chapter. (Ord. 7832 § 11, 1986).

Chapter 6.24
PRIVATE SECURITY

Sections:

6.24.010 Definitions.
6.24.020 License required.
6.24.030 Exemptions.
6.24.040 License - Application.
6.24.050 Procedures required of licensees.
6.24.060 Background check.
6.24.070 License - Scope and classification.
6.24.080 License - Fees.
6.24.090 License - Denial.
6.24.100 License - Revocation or suspension.
6.24.110 License - Transferability.
6.24.120 New officers.

Chapter 6.26
FIREWORKS[1]

Sections:

6.26.010 Scope.
6.26.020 Definitions.
6.26.030 Permits.
6.26.040 Authority to issue permits and enforce Chapter.
6.26.050 Legal fireworks.
6.26.060 Retail Sales and Discharge of Fireworks.
6.26.070 Operation of Retail Outlets.
6.26.080 Public Display of Fireworks.
6.26.090 Prohibited Acts.
6.26.100 Seizure of Fireworks.
6.26.110 Penalty for violations.
6.26.115 Violations a separate, continuing offense.
6.26.120 Severability.

6.26.010 Scope. This chapter shall apply to the manufacture, possession, storage, sale, transportation and use of fireworks.

Nothing in this chapter shall be construed to prohibit:

A. The use of fireworks:

1. By railroads or other transportation agencies for signal or illumination purposes.

2. For signal purposes in athletics or sports.

3. By military organizations.

B. The sale and use of hand held sparklers and toy caps generally, and blank cartridges for show or theater. (Ord. 6836 § 1, 1984).

6.26.020 Definitions. A. "Common fireworks" means any firework designed primarily to produce visible or audible effects by combustion.

Effective immediately the term includes ground and hand-held sparkling devices, including items generically described in Title 212-17 Washington Administrative Code and commonly known as dipped sticks, sparklers, cylindrical fountains, cone fountains, illuminating torches, wheels, ground spinners, and flitter sparklers; smoke devices; helicopters; aerials; spinners; roman candles; mines; shells; and Class C explosives classified on January 1, 1984 as common fireworks by the United States department of transportation; provided, that the term does not include fireworks commonly known as firecrackers, salutes, chasers, skyrockets, and missile-type rockets.

B. "Fire marshal" is the King County fire marshal.

C. "Fireworks" means any composition or device, in a finished state, containing any combustible or explosive substance for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, and classified as common or special fireworks.

D. "Manufacturer" includes any person who manufactures, makes, constructs, fabricates, or produces any fireworks article or device but does not include persons who assemble or fabricate sets or mechanical pieces in public displays of fireworks.

E. "Permit" means the official permission granted by King County for the purpose of establishing and maintaining a place where fireworks are manufactured, constructed, produced, packaged, stored, sold, exchanged, discharged or used.

---

1. [Statutory provisions - See RCW 70.77]

F. "Person" includes any individual, firm, partnership, joint venture, association, concern, corporation, estate, trust, business trust, receiver, syndicate, fair or any other group or combination acting as a unit.

G. "Public display of fireworks" means an entertainment feature where the public is admitted or permitted to view the display or discharge of special fireworks.

H. "Retailer" includes any person who, at a fixed location or place of business, sells, transfers, or gives common fireworks to a consumer or user.

I. "Special fireworks" means any fireworks designed primarily for exhibition display by producing visible or audible effects. Effective immediately the term includes:

1. Fireworks generically described in Title 212-17 Washington Administrative Code and commonly known as sky rockets, missile type rockets, firecrackers, salutes and chasers; and

2. Fireworks which are not classified as common fireworks.

J. "Wholesaler" includes any person who sells fireworks to a retailer or any other person for resale and any person who sells special fireworks to public display permittees. (Ord. 10850 § 1, 1993: Ord. 6836 § 2, 1984).

6.26.030 Permits. A. Permits shall be obtained:

1. To store fireworks in any amount of any type.

Exception: Storage of common fireworks, up to thirty pounds gross weight, is allowed in private residences during the sales and use period established by state law.

2. To possess, manufacture, offer to sell, or sell fireworks at wholesale or retail for any use.

Exception: Possession of common fireworks lawfully purchased at retail.

3. To conduct a public display of fireworks.

4. To discharge special fireworks.

5. To use or discharge fireworks inside a structure.

6. For religious or specific purposes: religious organizations, private organizations or persons may purchase, use or discharge common fireworks and audible ground devices such as firecrackers, salutes and chasers:

Provided that:

There shall be no fee for such permit;

They are used on prescribed dates at prescribed times and locations;

7. To transport any fireworks.

Exception: Transportation by a public carrier to a licensee; or transportation by a state fireworks license holder or state licensed pyrotechnician; or transportation of common fireworks lawfully purchased at retail in a private passenger vehicle.

The fire marshal may waive or reduce the insurance requirements of this chapter when appropriate. Any waiver or reduction shall be in writing.

B. No person under eighteen years of age may apply for or receive a permit under this chapter.

C. An application for a permit shall be made in writing to the fire marshal who shall investigate the application pursuant to RCW 70.77.265 or RCW 70.77.280 in the case of proposed public displays of fireworks. Permits for retail sales and public display of fireworks shall be granted within 15 days of the application and the chief of the fire protection district in which the permitted activity is to take place shall be notified. After a permit is

granted, transportation, storage, discharge, sale, possession, use and distribution of fireworks shall be lawful only for the purpose stated on the permit. No permit granted hereunder shall be transferable.

D. Except as otherwise specifically stated in this chapter, in order to receive any permit under this chapter the permit applicant must provide a certificate of insurance evidencing a comprehensive general liability insurance policy providing limits of one million dollars ($1,000,000), combined single limit, per occurrence and annual aggregate, and naming King County as an additional insured. Any such insurance policy must be approved by the King County fire marshal.

E. A permit shall not be denied unless the application fails to meet the conditions required under this chapter.

F. In the event of drought or other fire hazard conditions that pose a threat to the public health, safety and welfare, the King County executive may, by executive order, declare an emergency and prohibit the sale or use of fireworks for that immediate year or until such conditions no longer exist. (Ord. 11387 § 2, 1994: Ord. 10850 § 2, 1993: Ord. 6836 § 3, 1984).

6.26.040 Authority to issue permits and enforce Chapter. A. The county council hereby delegates the power to grant all permits required under this chapter to the King County fire marshal. As a condition of any permit, the fire marshal may specify additional safeguards as necessary to provide for the public safety. The fire marshal shall investigate all permit applications to determine potential hazard to property or individuals and shall file a written report if he denies a permit. These reports will be kept in the office of the fire marshal and shall be available for review by the King County board of appeals.

B. The King County fire marshal, or his duly authorized representative, is designated the enforcing officer of this chapter. In addition to all the grounds for revocation of a permit set forth in the general provisions of this chapter, any failure or refusal on the part of any person holding a permit issued hereunder, or any person employed by the permit holder, to obey any rule or regulation or request of the King County fire marshal, or his duly authorized representative, concerning the manufacture, storage, use, sale or display of fireworks, is a violation of this chapter and is grounds for the revocation of the fireworks permit.

C. The King County fire marshal shall have the authority to request the assistance of the King County sheriff in enforcing the provisions of this chapter.

D. Unless otherwise specified in this chapter, the King County council specifically designates the King County board of appeals to hear on its behalf, all appeals from decisions of the fire marshal within seven days of any decision so appealed. The decision of the King County board of appeals will be final unless appealed to a court of competent jurisdiction within fourteen days after a final order is issued. (Ord. 6836 § 4, 1984).

6.26.050 Legal fireworks. A. Fireworks which are defined as common fireworks in this chapter are legal for sale, possession and use within King County as set forth in this chapter.

B. Fireworks which are not common fireworks are expressly prohibited for sale, possession, discharge, storage, or use within King County unless the fire marshal has issued a permit for such purpose. (Ord. 6836 § 5, 1984).

6.26.060 Retail Sales and Discharge of Fireworks. A. Only common fireworks as defined in this chapter are legal for sale to any person a minimum of 16 years of age or to youths in the presence of a parent or guardian.

1. Proof of age and identification shall be one of the following: valid driver's license, or an identification card of a state, federal or foreign government. Forms of identification must have a picture.

B. The sale, possession, use or discharge of any fireworks prior to 12:00 noon on June 28th or after 12:00 midnight on July 4th each year is prohibited except where authorized by the fire marshal or exempted under this chapter.

No common fireworks may be sold except between the following hours and dates:

June 28	12:00 noon to 11:00 p.m.
June 29 - July 4	9:00 a.m. to 11:00 p.m.

No common fireworks may be discharged except between the following hours and dates:

July 4	9:00 a.m. to 12:00 midnight

No sales on July 4, 1992 shall occur after 11 p.m.

C. Only fireworks defined as common fireworks in this chapter may be sold at retail stands.

D. A permit for the retail sale of fireworks issued by the fire marshal must be prominently displayed at the sales location.

E. Retail operators applying for a permit from the fire marshal under this chapter shall submit a copy of their State Retailers License authorizing the holder to engage in the fireworks business. Each permit application must be accompanied by a certificate of insurance as described in this chapter.

F. A cash deposit in the amount of one hundred and fifty dollars ($150.00) must be posted with the fire marshal at least 30 days in advance of the initial sales date to provide for costs of site cleanup. The deposit shall be forfeited to King County if the operator fails to perform such cleanup by July 10th of the permit year. If the operator properly performs the cleanup, the deposit shall be returned to the operator.

G. The annual permit fee for the retail sale of common fireworks shall be the maximum authorized by the laws of the State of Washington, payable in advance to the office of the King County fire marshal.

H. Only one permit per year for the retail sale of fireworks shall be issued to any person and that permit shall entitle the permittee to maintain one retail outlet only. (Ord. 11387 § 3, 1994: Ord. 10850 § 3, 1993: Ord. 10431 § 2, 1992: Ord. 6836 § 6, 1984).

6.26.070 Operation of Retail Outlets. A. The permittee's location or place of business, if a temporary fireworks stand, shall be only in those areas or zones within King County which have been approved by the King County fire marshal, or his duly authorized representative.

B. In those cases where the sale of fireworks is from a temporary fireworks stand, the stands of all permittees shall conform to the following minimum standards and conditions:

1. Temporary fireworks stands need not comply with all of the provisions of the King County building code; provided, however, that all such temporary fireworks stands shall be erected under the supervision of the King County fire marshal, or his duly authorized representative, who shall require all temporary fireworks stands to be constructed in a safe manner.

2. In the event any temporary fireworks stand is wired for electricity, the wiring shall conform to the electrical code of the State of Washington.

3. No heating unit or device with a surface temperature capable of igniting fireworks, or having an open flame will be allowed within a fireworks stand.

4. No temporary fireworks stand shall be located within twenty-five feet of any public or private street, alley, lane, or any other vehicular driving surface, fifty feet of any building or structure, or within one hundred feet of any gasoline dispensing pump or any tank where flammable liquids or flammable gases are stored.

5. No vehicle parking shall be permitted within twenty-five feet of a fireworks stand, including curbside parking, and such area shall be roped or barricaded to prevent such parking.

6. No smoking shall be permitted in a temporary fireworks stand or any nearer than twenty-five feet from the stand. "NO SMOKING" signs, having lettering at least two inches in height, shall be posted in a conspicuous location on all four sides of the temporary fireworks stand.

7. No discharge of fireworks shall be permitted within three hundred feet of any fireworks stand. Signs to this effect shall be posted conspicuously at the stand.

8. The area around such fireworks stands shall be completely free of hazardous accumulations, including dry grass, brush, or debris of any nature, for a distance of not less than twenty-five feet on all sides.

9. Each temporary fireworks stand must have at least two exits, located remotely from each other, which shall be unobstructed at all times.

10. Each temporary fireworks stand shall have in a readily accessible location not less than two 2A-rated fire extinguishers (two and one-half gallon water). Such extinguishers shall be UL approved.

11. Each temporary fireworks stand shall be under the direct supervision of a competent adult person, eighteen years of age or older. No person under the age of sixteen shall be allowed in the stand during business hours.

12. Fireworks may be left in temporary fireworks stands at night providing the stand is locked and a guard is posted. Such guard shall not stay within the fireworks stand.

13. Fireworks removed from temporary fireworks stands at night shall be stored in an approved storage location. Said storage location shall be approved in advance by the King County fire marshal or the fire chief of the local fire district having jurisdiction.

14. All unsold stock and accompanying litter shall be removed from said temporary fireworks stand by twelve noon on July 10th of the permit year.

15. Customers shall not be permitted inside the stand.

16. A stand must be located either at least 300 feet from another fireworks stand or separated from another fireworks stand by a major arterial thoroughfare at least 100 feet in width.

17. The sale of fireworks to persons under the age of sixteen years without the presence of a parent or guardian is prohibited. A sign to this effect shall be posted conspicuously on the stand. Sellers shall require proof of age by means of display of a driver's license or photo identification card showing date of birth issued by a state, federal or foreign government. No other forms of identification shall be accepted.

18. Each stand shall prominently post a list of fireworks that may be sold to the public and stating the lawful hours for discharge. The fire marshal shall provide a copy of such notice with each retail permit issued under this chapter. (Ord. 11387 § 4, 1994: Ord. 10850 § 4, 1993: Ord. 7951, 1987: Ord. 6836 § 7, 1984).

6.26.080 Public Display of Fireworks. A. Application for permit. Any person desiring to give public displays of fireworks, shall make an application for a permit to operate the public display, in writing, to the King County fire marshal. Such application shall set forth:

1. The name of the organization sponsoring the display, together with the names of persons actually in charge of the firing of the display;
2. The date and time of day at which the display is to be held;
3. The exact location planned for the display;
4. The number and kind of fireworks to be discharged;
5. The manner and place of storage of such fireworks prior to the display;
6. A diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged, the location of all buildings, highways and other lines of communication within two hundred feet of the point of discharge, the lines or other overhead obstructions.

B. Fee for public display permit. The fee for the permit shall be the maximum authorized by the laws of the State of Washington. The permit required by this section shall be in addition to the license required by the state fire marshal.

C. Investigation of site; certificate of compliance by the fire marshal - Notice of approval by the King County department of public safety. Upon receipt of such application, at least twenty days in advance of the date set for the display, the fire marshal shall make an investigation of the site of the proposed display for the purpose of determining whether the provisions of these regulations are complied with in the case of the particular display. If the fire marshal is satisfied that the display is lawful and there has or will be full compliance with the law, then the fire marshal shall issue a written recommendation for or against the permit which shall be kept on file in the fire marshal's office and available for review by the King County board of appeals. If the fire marshal finds that the permit applicant has complied with the law, the fire marshal may issue a certificate of compliance stating the display is in conformance with all parts of the law and with these regulations. For any scheduled public display, applicants must submit, such information as deemed appropriate by the King County department of public safety to insure that adequate traffic control and crowd protection policing has either been arranged through private security agencies or, has been contracted for with the King County department of public safety. A written notice that the applicant has complied with the requirement shall be issued by the director of the King County department of public safety before a public display permit is issued, provided, that if the applicant should contract for traffic control and crowd protection policing with King County, in no event should the sum agreed upon in payment for such policing be less than the actual expense incurred by the county in providing that service. Such consideration shall be calculated for personnel resources in the hourly rate for overtime under the current collective bargaining agreement, plus that percentage then being paid for fringe benefits, and all sums paid under such contract shall be paid in accordance with procedures specified by the King County office of finance.

D. Every public display of fireworks shall be handled by at least one state licensed operator and one assistant at least 18 years of age, and shall be so located, discharged, or fired, that, in the opinion of the fire marshal, after proper investigation, it will not constitute a hazard to property or endanger any person.

E. All fireworks must be fired under the direction of a pyrotechnician licensed by the State of Washington.

F. A bond or certificate of insurance must be furnished to the fire marshal before a permit is issued. The bond shall be in the amount of one million dollars ($1,000,000) and shall be conditioned upon the applicant's payment of all damages to persons and property resulting from or caused by such public display of fireworks, or by any negligence on the part of the applicant or its agents, servants, employees or subcontractors in the presentation of the display. The certificate of insurance shall evidence a comprehensive general liability insurance policy providing limits of one million dollars ($1,000,000) combined single limit, per occurrence and annual aggregate, and naming King County as an additional insured. Any such bond or insurance policy must be approved by the King County fire marshal.

G. A cash deposit in the amount of one hundred and fifty dollars ($150.00) must be posted with the fire marshal at least 30 days in advance of the public display date to provide for costs of site cleanup. The deposit shall be forfeited to King County if the operator fails to perform such cleanup within 6 days of the public display. If the operator properly performs the cleanup, the deposit shall be returned to the operator.

H. Construction of Shells - The construction of shells for public display shall be in accordance with the National Fire Protection Association (NFPA) Standard #1123, Outdoor Display of Fireworks, 1990 edition, together with amendments contained in this section.

I. Storage.

1. The storage of fireworks for public display shall be in conformance with the National Fire Protection Association Standard #1123, Outdoor Display of Fireworks, 1990 edition, together with amendments contained in this section.

2. There shall be at least two 2A-rated fire extinguishers (two and one half gallon water), UL approved kept as widely separated as possible within the actual area where the discharging will occur.

J. Preparation of Site and Crowd Control.

1. The site preparation and crowd control for public displays shall be in conformance with the National Fire Protection Association Standard #1123, Outdoor Display of Fireworks, 1990 edition, together with amendments contained in this section.

2. All dry grass, weeds and other combustible waste matter within 50 feet of the firing site shall be removed.

3. The site shall be located so that the trajectory of shells shall not come within 50 feet of any overhead object including but not limited to above ground telephone, telegraph or electrical lines, trees or wooded areas.

K. Installation of Mortars.

1. The installation of mortars for public displays shall be in conformance with the National Fire Protection Association Standard #1123, Outdoor Display of Fireworks, 1990 edition, together with amendments contained in this section.

L. Electrical Firing Unit - The design and use of electrical firing units for public display shall be in conformance with the National Fire Protection Association Standard #1123, Outdoor Display of Fireworks, 1990 edition, together with amendments contained in this section.

M. Operation of the Display and Firing of Shells.

1. The operation of public displays and the firing of shells shall be in conformance with the National Fire Protection Association Standard #1123, Outdoor Display of Fireworks, 1990 edition, together with amendments contained in this section.

2. Only permitted fireworks are authorized for use.

3. When the display is fired from a barge or vessel, a security area shall be established in conformance with National Fire Protection Association Standard #1123, Outdoor Display of Fireworks, 1990 Edition, together with amendments contained in this section. No boats shall be allowed within this security area. A boat shall be on standby to remove personnel from the barge or water in an emergency.

4. No smoking or open flames shall be allowed within 50 feet of the firing or storage area as long as shells are present. Signs to this effect shall be conspicuously posted.

5. Any fireworks remaining unfired after the display shall be immediately disposed of or removed from the county in a safe manner.

6. The debris from discharged fireworks shall be properly disposed.

N. The denial by the fire marshal of a permit for the public display of fireworks may be appealed to the King County board of appeals as provided for in K.C.C. 6.26.040. (Ord. 11387 § 5, 1994: Ord. 10850 § 5, 1993: Ord. 6836 § 8, 1984).

6.26.090 Prohibited Acts. In addition to any other acts prohibited by this chapter, the following acts are strictly prohibited:

A. The discharge of any fireworks in King County parks is prohibited unless approved by the manager of the King County division of parks and recreation and the fire marshal.

B. The discharge of fireworks inside or upon a structure is prohibited, unless a permit has been obtained from the fire marshal.

C. The discharge of fireworks in a manner which constitutes a hazard to persons or property is prohibited.

D. The discharging or throwing of ignited fireworks from vehicles or buildings is prohibited.

E. The discharging or throwing of ignited fireworks from watercraft or vessels is prohibited, unless a permit has been obtained from the fire marshal.

F. Fireworks shall not be transported in or upon vehicles used for mass transportation such as buses or trains. (Ord. 6836 § 9, 1984).

6.26.100 Seizure of Fireworks. The fire marshal shall have the authority to seize, take, remove or cause to be removed at the expense of the owner, all fireworks offered or exposed for sale, stored, possessed or used in violation of this chapter.

A. Any person whose fireworks are seized under the provisions of this chapter, may within 10 days after such seizure, petition the fire marshal in writing to return the fireworks seized upon the grounds that such fireworks were illegally or erroneously seized. Such petitions shall be considered by the fire marshal within 15 days after filing and/or an oral hearing granted to the petitioner if requested. The decision of the fire marshal shall be provided in writing to the petitioner. The fire marshal may order the fireworks seized under this chapter disposed of or returned to the petitioner if illegally or erroneously seized, providing such return is in compliance with state law and this chapter.

B. The determination of the fire marshal is final, unless within 60 days an action is commenced in a court of competent jurisdiction for the recovery of fireworks seized by the fire marshal.

C. If the fireworks are not returned to the petitioner or destroyed, the fire marshal shall turn all confiscated fireworks over to the state fire marshal. (Ord. 6836 § 10, 1984).

6.26.110 Penalty for violations. A. Criminal Penalty. Any violation of this chapter constitutes a misdemeanor and all violations are punishable as prescribed by law.

B. Civil Penalty. As an alternative to any criminal penalty provided herein or by law, any person who violates any provision of this chapter shall be subject to a civil penalty in an amount not to exceed two hundred fifty dollars per violation to be directly assessed by the fire marshal. The fire marshal, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator; the gravity of the violation; the number of past and present violations committed and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced pursuant to K.C.C. Title 23. (Ord. 6836 § 11, 1984).

6.26.115 Violation a separate, continuing offense. A person commits a separate offense for each day during which he commits, continues, or permits a violation of any provision of this chapter. (Ord. 10850 § 6, 1993).

6.26.120 Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances shall not be affected. (Ord. 6836 § 12, 1984).

Chapter 6.28
GO KART TRACKS

Sections:

6.28.010 Definitions.
6.28.020 License required - Fee.
6.28.030 Renewal of license, registration or permit - Late penalty.
6.28.040 Compliance with zoning code.
6.28.050 Liability insurance.
6.28.060 Safety standards and specifications.
6.28.070 Reporting accidents and keeping records.
6.28.080 Telephone facilities.
6.28.090 First-aid kit.
6.28.100 Maintenance and inspections.
6.28.110 Safety helmets.
6.28.120 Penalty for violations.
6.28.130 Civil penalty.
6.28.140 Additional enforcement.

6.28.010 Definitions. For the purposes of this chapter, the words and phrases used herein shall have the following meanings:

A. "Go kart track" means any place of business, whether open to the public or operated on a private or semiprivate basis, whether or not operated for a profit, wherein the use of karts for rides, rentals, demonstrations and/or similar activities reasonably connected therewith and to only include herein those operations commonly referred to as concession tracks.

B. "Go kart" means a miniature self-propelled vehicle designed to be independently operated by the person riding therein and shall include the terms "cart," "go cart" or "kart." (Ord. 1888 Art. V § 22, 1974: Res. 23509 § 1, 1961).

6.28.020 License required - Fee. It is unlawful to open, operate, conduct, manage, maintain or control, or in any way be connected with the opening, operation, conduct, management, maintenance or control of any go kart track without a valid and subsisting license for each location. The license shall be known as a go kart track license, and the fee for the license is fixed in the sum of $500.00 per year. (Ord. 10170 § 8, 1991: Res. 23509 § 2, 1961).

6.28.030 Renewal of license, registration or permit - Late penalty. A late penalty shall be charged on all applications for renewal of a license, registration or permit received later than ten working days after the expiration date of such license, registration or permit as set forth in the respective resolution or ordinance establishing the expiration date of such license, registration or permit. The amount of such penalty is fixed as follows:

For a license, registration or permit requiring a fee of fifty cents or more, but less than fifty dollars - twenty percent of the required fee.

For a license, registration or permit requiring a fee of fifty dollars or more, but less than one thousand dollars - ten percent of the required fee.

For a license, registration or permit requiring a fee of one thousand dollars or more - five percent of the required fee. (Ord. 1888 Art. IV § 3, 1974).

6.28.040 Compliance with zoning code. It is unlawful for any person to manage, conduct, carry on or own the business of operating a go kart track unless the location and establishment of such business complies with the provisions of the King County zoning code or is deemed a nonconforming use thereunder. (Res. 23509 § 3(1), 1961).

6.28.050 Liability insurance. It is unlawful for any person to manage, conduct, carry on or own the business of operating a go kart track unless such person shall, prior to the conducting, managing, carrying on or establishing of the go kart track, obtain and maintain during the period of operation of the business public liability insurance covering personal injuries, property damage and medical expenses in limits of at least one hundred thousand dollars per occurrence, with at least fifty thousand dollars for any one person per occurrence and with at least five hundred dollars medical expense coverage per person per occurrence. Compliance with this section shall be deemed complete when the person furnishes the director with proof of insurance coverage by a

reputable insurance carrier and with an endorsement to the effect that the director shall receive at least ten days notice prior to the cancellation of such insurance coverage of any such person governed by this chapter. (Ord. 1888 Art. V § 23, 1974; Res. 23509 § 3(2), 1961).

6.28.060 Safety standards and specifications. All go kart tracks regulated under the provisions of this chapter shall comply with the following standards and specifications intended to protect and safeguard participants and spectators at tracks:

A. The track surface shall be a smooth, durable, nonskid material such as asphalt or concrete. Gravel or crushed rock surfaces are prohibited.

B. Length of tracks shall not exceed one-quarter mile.

C. Length of straight-of-ways on tracks shall not exceed three hundred feet.

D. Width of track shall be not less than sixteen feet on straight-of-ways and not less than twenty feet on turns.

E. Track may have bank or super only on turns.

F. Grades on track shall not exceed five percent.

G. Track must join with track edge smoothly to avoid a "curb" or drop-off hazard.

H. All tracks must have a safety apron not less than fifteen feet wide between track and fence on straight-of-ways and not less than twenty-five feet wide between the track and fences on curves.

I. All tracks shall be inside a fenced enclosure. The fencing shall be chain link of No. 9 hogwire not less than four feet in height, with fence posts not less than five and one-half feet in height and placed at intervals of not more than fifteen feet.

J. Ingress and egress to the track or pit areas shall be through gates which are kept closed at all times when not in use. Responsible supervision of participants and spectators in the gate and pit areas must be provided at all times during which the go kart track is in operation.

K. Baled hay, rubber tires or similar protective materials shall be placed on all turns or curves at track and shall also be placed in a continuous ring two feet inside chain link fence around the entire track.

L. Track pits shall have separate entrance and exit lanes, shall have the same surface as track, shall be fenced off from spectator areas and a responsible employee shall supervise all pit activities.

M. No person under the age of eight years shall be allowed to drive any go kart at speeds in excess of twelve miles per hour. No person under the age of eleven years shall be allowed to drive any go kart at any speed in excess of twenty miles per hour. Under no circumstances shall go karts subject to the provisions hereof be operated at speeds in excess of twenty miles per hour, except in connection with sales demonstrations of single racing or competition go kart at any one time.

N. Spectator areas must be separated from track and pit areas by fencing as herein provided. Bleachers or grandstands, if any, shall be substantially constructed and properly maintained. Attendants must be on duty to control spectators and parking.

O. All attendants at a go kart track must at all times be under the direct control of a responsible supervisor not less than eighteen years of age during all periods of track use. (Res. 23509 § 3(3), 1961).

6.28.070 Reporting accidents and keeping records. The manager or owner shall report in writing all accidents of a nature to cause unconsciousness,

broken or sprained extremities or bones, removal, breaking or loosening of teeth, hemorrhaging or lacerations which may require suturing or eye injuries to the director. Records thereof shall be maintained on the premises of all medical aid or care administered. (Ord. 1888 Art. V § 24, 1974; Res. 23509 § 4(a), 1961).

6.28.080 Telephone facilities. Track owners shall provide a telephone facility available for the use of himself and all track employees. Telephone numbers of emergency medical services of facilities should be conspicuously posted thereon. Such telephone shall be available for emergency use at all times during which the track is in operation. (Res. 23509 § 4(b), 1961).

6.28.090 First-aid kit. A first-aid kit approved by the director shall be maintained and be readily available on the track premises for emergency treatment or care of a minor nature at all times during which the track is in operation. (Ord. 1888 Art. V § 25, 1974; Res. 23509 § 4(c), 1961).

6.28.100 Maintenance and inspections. Go kart tracks and all related facilities and equipment shall be maintained in good repair. (Ord. 1888 Art. V § 26, 1974; Res. 23509 § 4(d), 1961).

6.28.110 Safety helmets. All persons riding go karts during periods of track operation shall be required to wear standard safety or "crash" helmets. (Res. 23509 § 4(e), 1961).

6.28.120 Penalty for violations. Any person violating, or failing to comply with, any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as prescribed by law. (Res. 23509 § 7, 1961).

6.28.130 Civil penalty. In addition to or as an alternative to any other penalty provided herein or by law any person who violates any provision of any business license ordinance shall be subject to a civil penalty in an amount not to exceed two hundred fifty dollars per violation to be directly assessed by the director. The director, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator; the gravity of the violation; the number of past and present violations committed and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this title. (Ord. 1888 Art. IV § 1, 1974).

6.28.140 Additional enforcement. Notwithstanding the existence or use of any other remedy, the director may seek legal or equitable relief to enjoin any acts or practices which constitute or will constitute a violation of any business license ordinance or other regulations herein adopted. (Ord. 1888 Art. IV § 2, 1974).

Chapter 6.32
HEATING, AIR CONDITIONING AND VENTILATION SYSTEMS INSTALLERS

Sections:

6.32.010 License required - Fee - Application of chapter to

County, shall reduce the amount of the bond by the amount so provided, that if there is at one time more than one unliquidated claim under the bond, of which notice has been given as herein provided, and the total of such unliquidated claims exceeds the amount of the bond at that time, the recoveries shall be prorated so that the totals of recoveries against the surety under any circumstances shall not exceed one thousand dollars, except as the bond may be reinstated with King County.

In the event any such bond or extension thereof is terminated or the amount thereof reduced, any license granted under Section 6.32.010 shall be suspended until such time as there is filed with King County a consent of the surety to the restoration of the amount of the bond to the full sum of one thousand dollars or until the filing of a new bond in the sum of one thousand dollars, any such consent of surety or new bond is approved as provided for a new bond. (Ord. 780 (part), 1971: Res. 16957 (part), 1957; Res. 12750 § 4, 1951).

Chapter 6.36
JUNK DEALERS

Sections:

6.36.010 License required.
6.36.020 Definitions.
6.36.030 License fee.
6.36.040 Application for license.
6.36.050 Renewal of license, registration or permit - Late penalty.
6.36.060 Personal property tax return.
6.36.070 Vehicle markings.
6.36.080 Records required.
6.36.090 Compliance required.
6.36.100 Records and articles to be available for inspection.
6.36.110 Seller to give true name.
6.36.120 Certain transactions prohibited.
6.36.130 No sale within ten days.
6.36.140 Police officers to be admitted.
6.36.150 Violation a misdemeanor.
6.36.160 Civil penalty.
6.36.170 Additional enforcement.

6.36.010 License required. A. Junk Shop License: It is unlawful for any person, firm, or corporation to operate or maintain a junk shop without first obtaining a "junk shop license" pursuant to the provisions of this chapter.

B. Junk Wagon License: It is unlawful for any person, firm, or corporation to operate or maintain a junk wagon without first obtaining and displaying a valid and subsisting "junk wagon license" pursuant to the provisions of this chapter. (Res. 36055 § 1, 1968).

6.36.020 Definitions. A. Junk: The word "junk" as used in this chapter shall be deemed to include and mean old rope, old iron, brass, copper, tin, lead, rags, empty bottles, paper, bagging, scrap metals of all kinds, and other worn out or discarded material.

B. "Junk shop" means any storeroom, building, yard, enclosure, or other place where junk is sold, bought, received or stored shall be deemed to be a

"junk shop" within the meaning of this chapter; provided, however, that such definition shall not apply where junk is:

1. Purchased from a source other than a junk wagon and is in prepared form by baling, pressing, or otherwise; or in carload lots; or cut to specifications; or

2. Purchased from a licensed junk shop; or

3. Purchased directly from the industrial producer of scrap metals, by the consumer there; or

4. Purchased by automobile wreckers where automobiles are purchased and a certificate of title furnished.

C. "Junk wagon" means any vehicle used for the purpose of going from house to house, place to place, buying or offering to buy, picking up or collecting junk and transporting such junk, wholly or in part, within King County, regardless of where the junk has been bought or collected, other than a vehicle used by a regularly licensed junk shop in disposition of its own junk, is declared to be a "junk wagon" within the meaning of this chapter. (Res. 36055 § 2, 1968).

6.36.030 License fee. A. Junk Shop License: The fee for a junk shop license shall be three hundred dollars per year payable on the thirty-first of December preceding the year for which the license is issued. Fees becoming due for less than one year shall be prorated on a quarterly basis.

B. Junk Wagon License Fee: The fee for a junk wagon license shall be forty dollars per year payable on the thirty-first of December preceding the year for which the license is issued. Fees becoming due for less than one year shall be prorated on a quarterly basis. (Ord. 10170 § 9, 1991: Ord. 5799 § 5, 1981: Res. 36055 § 3, 1968).

6.36.040 Application for license. All applications for issuance or renewal of a junk shop license or a junk wagon license shall be made to and be filed with the director on forms furnished for such purpose. This application shall state the true name of the applicant, who shall not be less than eighteen years of age, the names of all persons having a financial, proprietary, or other interest in such junk shop together with such other information as the director deems appropriate. The application shall then be referred to the Department of Public Safety for investigation, report and recommendation. If from the reports and other information available, the director deems the applicant to be a fit and proper person, the director shall issue or renew the license applied for. (Ord. 1888 Art. V § 27, 1974: Res. 36055 § 4, 1968).

6.36.050 Renewal of license, registration or permit - Late penalty. A late penalty shall be charged on all applications for renewal of a license, registration or permit received later than ten working days after the expiration date of such license, registration or permit as set forth in the respective resolution or ordinance establishing the expiration date of such license, registration or permit. The amount of such penalty is fixed as follows:

For a license, registration or permit requiring a fee of fifty cents or more but less than fifty dollars - twenty percent of the required fee.

For a license, registration or permit requiring a fee of fifty dollars or more, but less than one thousand dollars - ten percent of the required fee.

For a license, registration or permit requiring a fee of one thousand

dollars or more - five percent of the required fee. (Ord. 1888 Art. IV § 3, 1974).

6.36.060 Personal property tax return. No renewal license shall issue to any junk shop owner or to any junk wagon owner until the applicant shall show that he has made a return to the King County assessor of the property in his possession or ownership and the value thereof for tax assessment purposes and has paid the tax due. (Res. 36055 § 5, 1968).

6.36.070 Vehicle markings. Every licensee operating a junk wagon shall obtain from the director two junk wagon vehicle licenses for each vehicle to be so used. On each license there shall be stamped or painted the word "junk" and the license number of the licensee. Each license shall be securely fastened to each outer side of the vehicle. In addition, such vehicle shall also be prominently and plainly marked with the name of the licensee and the street address of his place of business. The vehicle marking license shall remain the property of King County, and it is unlawful for any person other than the licensee to whom the plates were issued to possess or use any such plate. Plates possessed or used in violation of the provisions of this section, or used after the junk wagon license has expired or been suspended, or if by a dealer, after his junk shop license has expired or been suspended, shall be taken up by any police officer or the director. (Ord. 1888 Art. V § 28, 1974: Res. 36055 § 6, 1968).

6.36.080 Records required. Every person who maintains or operates a junk shop and/or a junk wagon shall provide and keep a book in which shall be plainly written in ink, in the English language, at the time of every purchase, a description of the article purchased, the printed name, signature, age, street and house number, the general description of the dress, complexion, color and appearance of the person from whom such purchase is made, and the day and hour of such purchase. All such records shall be present at the junk shop or junk wagon, and shall be at all times available for inspection by officers of the Department of Public Safety. (Ord. 1888 Art. V § 29, 1974: Res. 36055 § 7, 1968).

6.36.090 Compliance required. It is unlawful for any junk shop or junk wagon owner, or any clerk, agent, or employee of such junk shop or junk wagon to fail, neglect, or refuse to make any material entry in the records required herein, or to make any false entry therein, or to obliterate, destroy, or remove from his place of business such record within five years from the date of transaction. (Res. 36055 § 8, 1968).

6.36.100 Records and articles to be available for inspection. All books and other records of any junk shop operator or any junk wagon operator relating to the purchase or receipt of any goods, wares, merchandise, junk, or other articles or things of value, shall be at all times open for inspection by the director of the Department of Public Safety or his deputy; and all junk wagon operators shall at any time allow inspection of their license and junk or other articles contained in the junk wagon. (Ord. 1888 Art. V § 30, 1974: Res. 36055 § 9, 1968).

6.36.110 Seller to give true name. Anyone who sells or otherwise gives any property to a junk shop operator or junk wagon operator shall sign the records required to be kept by such operator with his true name and shall

include his correct residence address. (Res. 36055 § 10, 1968).

6.36.120 Certain transactions prohibited. A. It is unlawful for any person to purchase any junk from any person under the age of eighteen years, without receiving from such person a written authority from the person owning such junk, authorizing him to sell the same. Such written authority shall be placed on file by the person receiving such junk. It is unlawful for any junk shop operator or junk wagon operator to receive any article or thing known by him to be stolen, any article or thing from any person who is under eighteen years of age; intoxicated; an habitual drunkard; addicted to the use of drugs; or from any person who is known to be a thief or a receiver of stolen property, or from any person who he has reason to suspect or believe to be such.

B. It is unlawful for any keeper of a junk shop, or person operating a junk wagon to purchase any junk between the hours of seven p.m. and seven a.m. of the following day. (Ord. 624 § 1, 1970: Res. 36055 § 11, 1968).

6.36.130 No sale within ten days. No junk shop operator or junk wagon operator shall sell or otherwise dispose of any article received or purchased by him, or remove or permit the same to be removed from his place of business within ten days after receipt of the articles have been reported to the department of public safety as herein provided, except when the articles have been inspected by a regular member of the department of public safety, and he has been authorized to dispose of such goods within a lesser period of time. (Ord. 1888 Art. V § 31, 1974: Res. 36055 § 12, 1968).

6.36.140 Police officers to be admitted. It is unlawful for any keeper of a junk shop or a junk wagon to refuse to allow any police officer to inspect his place of business or junk wagon, and all articles of junk kept therein, or to conceal or hide away any article or thing bought or received by him. (Res. 36055 § 13, 1968).

6.36.150 Violation a misdemeanor. Any violation of the provisions of this chapter shall constitute a misdemeanor. (Res. 36055 § 14, 1968).

6.36.160 Civil penalty. In addition to or as an alternative to any other penalty provided herein or by law any person who violates any provision of any business license ordinance shall be subject to a civil penalty in an amount not to exceed two hundred fifty dollars per violation to be directly assessed by the director. The director, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator; the gravity of the violation; the number of past and present violations committed and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this title. (Ord. 1888 Art. IV § 1, 1974).

6.36.170 Additional enforcement. Notwithstanding the existence or use of any other remedy, the director may seek legal or equitable relief to enjoin any acts or practices which constitute or will constitute a violation of any business license ordinance or other regulations herein adopted. (Ord. 1888 Art. IV § 2, 1974).

Chapter 6.40
MASSAGE PARLORS AND PUBLIC BATHHOUSES

Sections:

6.40.010 Definitions.
6.40.020 General provisions.
6.40.030 License required.
6.40.040 License application and issuance.
6.40.050 Standards for denial of license.
6.40.060 Expiration of license - due date for license fees.
6.40.070 License fees.
6.40.080 Requirements for licensing/operation.
6.40.090 Transfer of licenses and change of location.
6.40.100 Safety and sanitation.
6.40.110 Standards of conduct.
6.40.120 Standards for suspension or revocation of license.
6.40.130 Violation - penalties.
6.40.140 Severability.

6.40.010 Definitions. For the purpose of this chapter, the following terms, words and phrases shall have the following meanings:

A. "Massage business" means the operation of a business where massages are given.

B. "Public bathhouse" means any place where baths or facilities for baths of any kind whatever are given or furnished and the term shall include but not be limited to: Finnish baths; Russian baths; Sauna baths; Swedish baths; Turkish baths; hot tubs; baths by hot air, steam, vapor, water or electric cabinet; provided, that such term shall not include ordinary tub or shower baths where attendant is not required.

C. "Massage practitioner" means a person engaged in the practice of massage.

D. "Genitals" includes genitals, pubic area, anus, or perineum of any person, or the vulva or breasts of a female.

E. "Massage" means the treatment of a human body by another by the external manipulation or pressure of soft tissue. Massage includes rubbing, kneading, touching, stroking, or tapping by manual means as they relate to massage with or without the aids of superficial heat, cold, water, lubricants, or salts. (Ord. 7919 § 2, 1987).

6.40.020 General provisions. Unless otherwise specified, the general licensing provisions, contained in King County Code, Chapter 6.01, shall apply to this license section. (Ord. 7919 § 3, 1987).

6.40.030 License required. A. Massage business - public bathhouse. It is unlawful to conduct, operate or maintain a massage business or public bathhouse unless such establishment or premises is licensed as hereinafter provided.

B. Massage practitioner. It is unlawful for any person to give a massage without a massage practitioner license.

C. Exemptions. This chapter shall not apply to:

1. An individual giving massage in their home to members of their immediate family;

2. Physicians, surgeons, chiropractors, osteopaths, acupuncturists, or physical therapists who are duly licensed or certified to practice their respective professions in the State of Washington;

3. Persons practicing massage under the direct supervision of physicians, surgeons, chiropractors, osteopaths, or physical therapists duly licensed by the State of Washington. Direct supervision shall mean that the massage is given on the premises of or in the presence of such physicians, surgeons, chiropractors, osteopaths, or physical therapists;

4. Nurses who are registered as such under the laws of the State of Washington and who act under the direction and control of a duly licensed physician;

5. Persons authorized by the laws of this state as barbers and cosmetologists, provided that such massage as is practiced is within their authorized scope of practice;

6. Massage practiced at the athletic department of any institution maintained by the public funds of the state, or any of its political divisions; or

7. Massage practiced at the athletic department of any school or college accredited by the northwest association of secondary and higher schools. (Ord. 7919 § 4, 1987).

6.40.040 License application and issuance. A. Massage business - public bathhouse. All applications for a massage business/public bathhouse shall be submitted in the name of the person or entity proposing to conduct such massage business/public bathhouse on the business premises and shall be signed by such person or his agent and notarized or certified as true under penalty of perjury. All applications shall be submitted on a form supplied by the director, which shall require the following information:

1. The name, home address, home telephone number, date and place of birth, and social security number of applicant if the applicant is an individual;

2. The business name, address and telephone number of the establishment;

3. The names, addresses, telephone numbers, and social security numbers of any partners, corporate officers, shareholders who own ten percent or more of the business, or other persons who have a substantial interest or management responsibilities in connection with the business, specifying the interest or management responsibility of each. For the purpose of this subsection "substantial interest" shall mean ownership of ten percent or more of the business, or any other kind of contribution to the business of the same or greater size;

4. Terms of any loans, leases, secured transactions and repayments therefor relating to the business;

B. Massage practitioner. All applications for a massage practitioner's license shall be signed by the applicant and notarized or certified to be true under penalty of perjury. All applications shall be submitted on a form supplied by the director, which shall require, at a minimum, the following information:

1. The applicant's name, home address, home telephone number, date and place of birth;

2. A letter from the owner of the business indicating intent to employ the applicant; and

3. Written proof that the applicant is eighteen years of age or older. Written proof shall mean the following:

a. a motor vehicle operator's license issued by any State bearing the applicant's photograph and date of birth;

b. an identification card issued by the State of Washington which bears the applicant's photograph and date of birth; or

c. a passport.

C. Applications will be submitted to a background check in accordance with the procedures of the King County department of public safety.

D. A license shall be issued within four weeks of receipt provided that there are no grounds to deny the license pursuant to the sections of this code. (Ord. 7919 § 5, 1987).

6.40.050 Standards for denial of license. A. Massage business or public bathhouse license.

1. The director shall deny any massage business/public bathhouse license applied for under the provisions of this chapter if he determines that the applicant has:

a. Made any material misstatement in the application for a license;

b. Proposed a place of business or an establishment to be licensed which would not comply with all applicable requirements of this code including but not limited to the zoning, building, health or fire codes of King County; or

c. Not complied with the operating requirements set out in Section 6.40.080 of this chapter.

2. The director may deny any massage business/public bathhouse license applied for under the provisions of this chapter if he determines that the applicant has, within three years prior to the date of application:

a. Had any convictions or bail forfeitures which have a direct connection with the licensed activity including, but not limited to, theft, controlled substances, prostitution, promoting or permitting prostitution, sexual offenses, consumer fraud, or obscenity; or

b. Had a massage business/bathhouse license denied or revoked by this county or any other jurisdiction.

B. Massage practitioner license.

1. The director shall deny any massage practitioner license if he determines that the applicant/licensee has:

a. Made any material misstatement in the application for a license; or

b. Not complied with the operating requirements set out in Section 6.40.080 of this chapter.

2. The director may deny any massage practitioner's license if he determines that the applicant/licensee has:

a. Had any convictions or bail forfeitures which have a direct connection with the licensed activity including, but not limited to, theft, controlled substances, prostitution, sexual offenses, consumer fraud or obscenity, within three years prior to the date of application; or

b. Had a massage practitioner license revoked or suspended by the county or any other jurisdiction within one year prior to the date of application.

C. Effect of license denial. If any applicant has his or her license denied pursuant to Section 6.40.050 A.2.a. or Section 6.40.050 B.2.a. of this chapter, a license may not be granted within three years from the date of

such denial provided such denial was based on a conviction classified as a felony. All other convictions pursuant to Section 6.40.050 A.2.a. or Section 6.40.050 B.2.a. of this chapter will preclude the issuance of a license under this chapter for a period of at least one year from the date of such denial. All applicants must comply with all application procedures, pursuant to this chapter. (Ord. 7919 § 6, 1987).

6.40.060 Expiration of license - due date for license fees. Every license issued or renewed pursuant to this chapter shall expire on the thirtieth of November. All license fees, set out in Section 6.40.070 of this chapter, are payable to the director at least four weeks prior to the opening of any massage business or public bathhouse, or the performance of massage in any massage business or public bathhouse. (Ord. 7919 § 7, 1987).

6.40.070 License fees. The following fees are applicable to the licensing of massage businesses, public bathhouses and massage practitioners in King County as required in this chapter:

A. Massage business.....$150.00 per year
B. Public bathhouse.....$150.00 per year
C. Massage practitioner.....$ 50.00 per year

D. Late penalty - A late penalty shall be charged on all applications for renewal of a license received later than ten working days after the expiration date of such license. The amount of such penalty is fixed as follows:

1. Massage business.....$ 15.00
2. Public bathhouse.....$ 15.00
3. Massage practitioner.....$ 5.00

(Ord. 7919 § 8, 1987).

6.40.080 Requirements for licensing/operation. A. Massage business - public bathhouse. The director shall refer applications to the Seattle-King County health department and the King County fire marshal's office with a request to inspect the premises or proposed premises as to its sanitary and safety conditions and to submit a written report thereon; provided, however, that an application for a massage business conducted in the applicant's home shall not be referred to the King County fire marshal's office. All licensees shall:

1. Comply with the applicable safety and sanitation requirements of Section 6.40.100 of this chapter;

2. Keep business receipts showing the date of service(s) given, the type of service(s) rendered and the name and license number of the employee rendering the service(s). These business receipts shall be retained for a period of three years after the date of the services(s), and shall be open to inspection by the director and the King County department of public safety;

3. Allow any police officer, the director, or a representative from the Seattle-King County health department or the King County fire marshal's office entry to the premises during the hours the massage business or public bathhouse is open for business, upon presentation of proper identification, for purposes of inspecting the premises;

4. Provide that all doors in such premises, excluding doors in office and storage rooms, unless such doors provide access to service areas, are so equipped that they may not be fastened shut so as to prevent reasonable access by such authorities who announce their authority to enter prior to inspection of such premises;

5. Comply with the applicable standards of conduct requirements set out in Section 6.40.110 of this chapter;

6. Comply with the applicable provisions of the King County building, fire and zoning codes;

7. Submit proof of a current Washington State massage business license;

8. Shall post in a prominent place a list of all services offered with a brief description of what the service entails along with the costs for such services. All business transactions with customers must be conducted in accordance with said posted list; and

9. Shall not distribute or consume liquor and/or controlled substances on licensed premises.

B. Massage practitioner. All applicants for a massage practitioner's license or license renewal shall:

1. Be at least eighteen years of age;

2. Submit to a background check in accordance with the procedures of the King County department of public safety;

3. Submit proof of a current Washington State massage license;

4. Comply with the applicable standards of conduct requirements of Section 6.40.110 of this chapter; and

5. Comply with the applicable safety and sanitation requirements of Section 6.40.100 of this chapter. (Ord. 9508, 1990: Ord. 7919 § 9, 1987).

6.40.090 Transfer of licenses and change of location. A. No massage business or public bathhouse license issued under this chapter shall be transferable from one person to another. Upon the sale or transfer of any substantial interest in a massage business/public bathhouse, the license therefore shall be null and void. A new application shall be made by any person desiring to operate or maintain the establishment and shall include a release of interest statement from the previous licensee and/or a signed lease or rental agreement for the establishment.

B. The massage practitioner license, when issued, shall be valid only for the massage establishment listed on the license; provided, however, if the practitioner provides massage solely in the client's home, the license will so note and will be valid for such purpose. Before commencing work as a massage practitioner for a new employer, a massage practitioner shall submit a letter from the new employer indicating intent to employ the applicant and must have his or her license amended by the director for a fee of $2.00. (Ord. 7919 § 10, 1987).

6.40.100 Safety and sanitation. Health and sanitary requirements may include, but are not necessarily limited to, the following:

A. Each room or enclosure where massage services are performed on patrons shall be provided with adequate lighting in accordance with the building code, and in addition, at least one artificial light of not less than forty watts shall be provided in each room or enclosure where services are performed on patrons and shall be in operation when such services are performed.

B. The premises shall have equipment for disinfecting and cleaning non-disposable instruments and materials used in administering massage services. Such materials and instruments shall be cleaned after each use.

C. Hot and cold running water shall be provided at all times.

D. Closed cabinets shall be provided and used for the storage of all equipment, supplies and clean linens. All used disposable materials and soiled linens and towels shall be kept in covered containers or cabinets, which containers or cabinets shall be kept separate from clean storage cabinets.

E. Clean linen and towels shall be provided for each massage patron. No common use of towels or linens shall be permitted.

F. All massage tables, bathtubs, shower stalls, sauna baths, steam or bath areas and all floors shall have surfaces which may be readily cleaned.

G. Oils, creams, lotions or other preparations used in administering massages shall be kept in clean containers or cabinets.

H. Shower and/or bathtub, dressing, locker and toilet facilities shall be provided upon request for all patrons served at any given time. Upon the request of a patron, the licensee shall provide the patron with facilities to lock or secure personal property. Male and female patrons shall not simultaneously use common shower and/or bathtub, dressing, toilet and massage room facilities.

I. All walls, ceilings, floors, pools, showers, bathtubs, steam rooms and all other physical facilities shall be in good repair and maintained in a clean and sanitary condition. Wet and dry heat rooms, steam or vapor rooms, or steam or vapor cabinets, shower compartments, and toilet rooms shall be thoroughly cleaned each day the business is in operation. Bathtubs and showers shall be thoroughly cleaned after each use.

J. Each massage practitioner shall wash his or her hands in hot running water using soap or disinfectant before and after administering a massage to each patron.

K. No person shall consume food or beverages in massage work areas.

L. Animals, except for seeing-eye dogs, shall not be permitted in massage establishments.

M. A person suffering from infectious or contagious disease(s) shall not be treated by any licensed massage business or public bathhouse or massage practitioner. A massage practitioner who is suffering from infectious or contagious disease(s) shall not administer massage services.

N. All massage establishments shall continuously comply with all applicable building, fire or health ordinances and regulations. (Ord. 7919 § 11, 1987).

6.40.110 Standards of conduct. A. The following standards of conduct/operation must be adhered to by the owner, proprietor, manager or person in charge of any massage business or public bathhouse.

1. Any person who is employed to give a massage in such establishment must be at least eighteen years of age and be validly licensed as a massage practitioner;

2. At all times during the hours held open for business, and/or during the presence of patrons, at least one validly licensed massage practitioner must be on the premises. Public bathhouses must have a manager or supervisor on the premises at all times during the hours held open for business and/or during the presence of patrons;

3. Any person who is employed by such establishment must present documentation that he or she has attained the age of eighteen years when an inspection pursuant to this chapter is conducted. Any of the following shall be accepted as documentation of age:

a. a motor vehicle operator's license issued by any State bearing the applicant's photograph and date of birth;

b. an identification card issued by the State of Washington which bears the applicant's photograph and date of birth; or,

c. a passport.

Any violation of this section shall be grounds for revocation or suspension of the license.

B. It shall be unlawful for any employee or agent or any massage business or public bathhouse to:

1. intentionally touch or manipulate the genitals of a massage patron;

2. masturbate or fondle the genital area of a massage patron;

3. administer a massage to a massage patron unless such massage practitioner's sexual and genital body parts are completely covered by opaque clothing; or

4. administer a massage to massage patrons in the same room or enclosure at the same time.

Any violation of this section shall be grounds for revocation or suspension of the license. (Ord. 7919 § 12, 1987).

6.40.120 Standards for suspension or revocation of license. A. Massage business or public bathhouse license.

1. The director shall revoke or suspend a massage business/public bathhouse license if he determines that the licensee has:

a. Failed to comply with the applicable safety and sanitation requirements set out in Section 6.40.100 of this chapter; or,

b. Failed to comply with the applicable standards of conduct set out in Section 6.40.110 of this chapter; or,

c. Failed to comply with the applicable building, fire and zoning code provisions; or,

d. Employed persons who, within a period of one year, have been convicted of prostitution or consumer fraud stemming from activities conducted on the licensed premises, or who have been arrested for such offenses and which lead to such convictions, provided that there are two or more such convictions within one year, or two or more arrests leading to such convictions within one year.

2. The director may revoke or suspend a massage business/public bathhouse license if he determines that the licensee has:

a. Failed to comply with any of the operating requirements set out in Section 6.40.080 of this chapter; or,

b. Had any convictions or bail forfeitures which have a direct connection with the licensed activity, including, but not limited to, consumer fraud, theft, controlled substances, prostitution, permitting or promoting prostitution, sexual offenses, or obscenity; or,

c. Failed to comply with or done anything which constitutes a basis for denying a license.

3. If the director determines during an inspection that the condition of any massage business needs correction, a written notice of violation shall

be issued to the supervisor, manager, owner or person in charge specifying such violations. Those same violations shall be remedied immediately or by a later date determined by the director. Failure to comply with any written notice of violation by the director to make corrections may result in suspension or revocation of the massage business.

B. Massage practitioner license.

1. The director shall suspend or revoke any massage practitioner's license if he determines that the licensee has:

a. Failed to comply with the applicable standards of conduct set out in Section 6.40.110 of this chapter;

2. The director may suspend or revoke any massage practitioner's license if he determines that the licensee has:

a. Failed to comply with any of the operating requirements set out in Section 6.40.080 of this chapter; or,

b. Had any convictions or bail forfeitures which have a direct connection with the licensed activity including, but not limited to, theft, controlled substances, prostitution, consumer fraud, obscenity, or sexual offenses;

c. Failed to comply with or done anything which constitutes a basis for denying a license.

C. Effect of license revocation. If any applicant under this chapter has his or her license revoked, a license shall not be granted under this chapter for a period of at least one year from the date of such revocation.

D. The director may suspend a license for no more than six months. (Ord. 7919 § 13, 1987).

6.40.130 Violation - penalties. A. Misdemeanor. Every person as principal, agent or otherwise, failing, neglecting or refusing to comply with any provision of this chapter, or violating the same, shall be guilty of a misdemeanor. Each day of such failure, neglect or refusal to comply with the provision of this chapter or the violation of same shall constitute a separate offense hereunder.

B. Civil penalty. In addition to or as an alternative to any other penalty provided herein or by law any person who violates any provision or any business license ordinance shall be subject to a civil penalty in an amount not to exceed two-hundred-fifty dollars per violation to be directly assessed by the director. The director, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator; the gravity of the violation; the number of past and present violations committed and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this title.

C. Additional enforcement. Notwithstanding the existence or use of any other remedy, the director may seek legal or equitable relief to enjoin any acts or practices which constitute a violation of any business license ordinance or other regulations herein adopted. (Ord. 7919 § 14, 1987).

6.40.140 Severability. Should any section, subsection, subdivision, paragraph, sentence, clause or phrase of this chapter or application thereof to any person or circumstance, be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this chapter, or its application to any other person or circumstance. (Ord. 7919 § 15, 1987).

penalty provided herein or by law any person who violates any provision of any business license ordinance shall be subject to a civil penalty in an amount not to exceed two hundred fifty dollars per violation to be directly assessed by the director. The director, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator; the gravity of the violation; the number of past and present violations committed and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this title. (Ord. 1888 Art. IV § 1, 1974).

6.48.150 Additional enforcement. Notwithstanding the existence or use of any other remedy, the director may seek legal or equitable relief to enjoin any acts or practices which constitute or will constitute a violation of any business license ordinance or other regulations herein adopted. (Ord. 1888 Art. IV § 2, 1974).

Chapter 6.52
OUTDOOR MUSICAL ENTERTAINMENTS

Sections:

6.52.010 Permit required.
6.52.020 Application for permit.
6.52.030 Permit fee.
6.52.040 Submission of plans for approval - Approving agencies.
6.52.050 Conditions for permit issuance.
6.52.060 Hours of operation.
6.52.070 Renewal of license, registration or permit - Late penalty.
6.52.080 Violation - Misdemeanor.
6.52.090 Failure to comply.
6.52.100 Civil penalty.
6.52.110 Additional enforcement.

6.52.010 Permit required. It is unlawful for any person, persons, corporation, organization, landowner, or lessor to allow, encourage, organize, promote, conduct, permit or cause to be advertised an entertainment, amusement, or assembly of persons wherein the primary purpose will be the presentation of outdoor, live or recorded musical entertainment which the person, persons, or corporation, organization, landowner or lessor believes or has reason to believe will attract two hundred fifty or more persons and where a charge or contribution is required for admission unless a valid county permit has been obtained for the operation of the assembly; provided, however, that the assembly may be advertised by the sponsors and/or organizers thereof after application for such permit has been made. (Ord. 187 § 1, 1969).

6.52.020 Application for permit. Written application for outdoor muscial amusements, entertainments or assembly permits shall be made to the director forty or more days prior to the date upon which such assembly is scheduled to be held. Written notice of approval or disapproval of the application shall be given to the applicant no later than fifteen days after the application has been filed. Permits shall not be denied providing the conditions enumerated

in Section 6.52.020 are met by the applicant. Provided that no permit may be granted to anyone who has been convicted of a felony or a crime involving moral turpitude. Provided further that each application shall be accompanied by the fingerprints and a three by five inch photograph of each and every person having any proprietary interest in the licensed activity. The director shall be empowered to obtain adequate photographs of all persons having any proprietary interest. (Ord. 1888 Art. V § 48, 1974: Ord. 187 § 2, 1969).

6.52.030 Permit fee. The basic fee required shall be seven hundred fifty dollars for each event. (Ord. 10451 § 2, 1992: Ord. 10469 § 2, 1992: Ord. 10170 § 12, 1991: Ord. 1888 Art. V § 49, 1974: Ord. 187 § 3, 1969).

6.52.040 Submission of plans for approval - Approving agencies. Whenever approval by a governmental agency other than the director is required hereunder, the applicant for such approval shall be required to cooperate fully with such agencies to insure that full review of the proposals may be accomplished by the agencies within the fifteen day time limit set out in Section 6.52.020. When any type of physical facility is required or subject to approval hereunder preliminary approval may be granted based upon specific plans proposed and submitted by the applicant. All such facilities shall be in existence five or more days before the event for which an application is submitted and shall be subject to inspection by the approving agencies or departments. Should the actual facility or construction fail to meet the standards approved in the proposed plans such preliminary approval may be withdrawn and any and all permits granted subject to such approval may be withdrawn. (Ord. 1888 Art. V § 50, 1974: Ord. 187 § 4, 1969).

6.52.050 Conditions for permit issuance. A. Location. No permit for an outdoor musical assembly shall be granted unless the assembly is to be held in those areas of unincorporated King County which have been zoned for parks and recreation, provided, however, that a permit may be granted for other areas if a zoning variance has been granted in advance by the executive department for such location.

B. Sanitary Facilities. No permit shall be granted unless the applicants obtain the written approval of the Seattle-King County health department indicating that the applicants for the permit have complied with the health requirements of the department for like or similar facilities. The approval shall indicate the type and adequacy of water supply to be provided, the type and adequacy of toilet, waste collection and washing facilities to be provided, and if there is to be food served on the premises the type and adequacy of food preparation and food service facilities to be provided.

C. Fire Prevention Standards. No permit shall be granted hereunder unless the applicant has shown that the King County fire marshal has approved fire protection devices and equipment available at such assembly. Fire prevention standards shall be as set out in chapter 17.04.

D. Cash Bond and Indemnification. No permit shall be issued hereunder unless the applicant has on deposit with the King County comptroller a cash bond in the amount as set out below to save and protect the streets, pavements, bridges, road signs and other property in the county from any and all damage that may be caused by vehicles, employees, or participants in such outdoor musical assembly and to be used, if necessary, to restore the ground where such assembly is held to a sanitary condition and pay all charges and losses of the county for damages to the streets, pavements, bridges and other property. Further, any extraordinary law enforcement costs incurred by the county which are the result of the activity shall be met by the cash bond. The amount of such bond shall be determined as follows:

For gatherings of 0 to 10,000 persons, a $5,000 cash bond;
For gatherings of 10,000 to 20,000 persons, a cash bond of $7,500;
For gatherings of 20,000 to 30,000 persons, a cash bond of $10,000;
And a cash bond shall be raised in increments of $2,500 for each additional 10,000 persons expected.

The deposit or its balance to be returned when the director certifies to the King County comptroller that no damage has been done or that the cost of making the above mentioned repairs was less than the cash bond amount and that the balance thereof should be returned. Further, the sponsors shall be required to furnish evidence of a liability insurance policy providing for a minimum of one hundred thousand dollars bodily injury coverage per person; three hundred thousand dollars bodily injury coverage per occurrence and one hundred thousand dollars property damage covering, naming King County as an additional insured.

E. Public Safety. No permit shall be granted hereunder unless the applicant obtained the written approval of the King County Department of Public Safety indicating that the following conditions have been complied with by the applicant:

1. That adequate traffic control and crowd protection policing have been contracted for or otherwise provided by the applicant;

2. That traffic control and crowd control personnel shall be licensed merchant patrolmen or named persons meeting the department's requirements for becoming merchant patrolmen;

3. That there shall be provided one traffic control person for each four hundred persons expected or reasonably to be expected to be in attendance at any time during the event;

4. Further that there shall be provided one crowd control person for each four hundred persons expected or reasonably expected to be in attendance at any time during the event; provided that if at any time during the event the size of the crowd exceeds by twenty percent the number of persons represented by the sponsors to be expected to be in attendance the King County Department of Public Safety shall have the discretion to require the sponsor to limit further admissions.

Any person with more than a ten percent proprietary interest in the event shall be required to be in attendance at the activity and shall be responsible for insuring that no person shall be allowed to remain on the premises if the person is violating state or county laws. Any such person having a duty to remove law violators who wilfully fails to do so shall be deemed to be an aider or abettor of such violation.

F. Parking Facilities. Application for a permit hereunder shall be accompanied by a scale drawing showing adequate parking facilities have been made available within or adjacent to the location for which the permit is requested. Such parking facilities shall provide parking space for one vehicle for every four persons expected or reasonably to be expected. Adequate ingress and egress shall be provided to or from such parking area to facilitate the movement of any vehicle at any time to or from the parking area. Provided, that if any nonadjacent parking facilities be approved, shuttle buses shall be used to transport the public to the event on a no-charge basis. (Ord. 1888 Art. V § 51, 1974: Ord. 187 § 5, 1969).

6.52.060 Hours of operation. No outdoor musical assembly shall be conducted in the unincorporated areas of King County during the hours of 12:01 a.m. and 9:00 a.m.; provided, that no license shall be issued for more than one forty-eight hour period ending at midnight. The participants shall be required to have cleared the licensed area and its immediate environs no later than one a.m. of each day of the licensed event. (Ord. 10451 § 3, 1992: Ord. 187 § 6, 1969).

6.52.070 Renewal of license, registration or permit - Late penalty. A late penalty shall be charged on all applications for renewal of a license, registration or permit received later than ten working days after the expiration date of such license, registration or permit as set forth in the respective resolution or ordinance establishing the expiration date of such license, registration or permit. The amount of such penalty is fixed as follows:

For a license, registration or permit requiring a fee of fifty cents or more, but less than fifty dollars - twenty percent of the required fee.

For a license, registration or permit requiring a fee of fifty dollars or more, but less than one thousand dollars - ten percent of the required fee.

For a license, registration or permit requiring a fee of one thousand dollars or more - five percent of the required fee. (Ord. 1888 Art. IV § 3, 1974).

6.52.080 Violation - Misdemeanor. Any person who violates or fails to comply with any provision of this chapter, who, having obtained a permit hereunder, wilfully fails to continue to comply with the terms and conditions hereunder, or who counsels, aids or abets such a violation or failure to comply is guilty of a misdemeanor. (Ord. 187 § 7, 1969).

6.52.090 Failure to comply. Compliance with the terms and conditions of this chapter constitutes the minimum health, sanitation and safety provisions and failure to comply with the terms and conditions constitutes a public nuisance and the sponsors of the event shall be subject to all criminal and civil remedies as such. (Ord. 187 § 8, 1969).

6.52.100 Civil penalty. In addition to or as an alternative to any other penalty provided herein or by law any person who violates any provision of any business license ordinance shall be subject to a civil penalty in an amount not to exceed two hundred fifty dollars per violation to be directly assessed by the director. The director, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator; the gravity of the violation; the number of past and present violations committed and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this title. (Ord. 1888 Art. IV § 1, 1974).

6.52.110 Additional enforcement. Notwithstanding the existence or use of any other remedy, the director may seek legal or equitable relief to enjoin any acts or practices which constitute or will constitute a violation of any business license ordinance or other regulations herein adopted. (Ord. 1888 Art. IV § 2, 1974).

Chapter 6.56
PAWNBROKERS[1]

Sections:

6.56.010 License required.
6.56.020 Pawnbroker and pawnshop defined.
6.56.030 License fee.
6.56.040 Application for license.
6.56.050 Personal property tax return.
6.56.060 Limitations on licensing.
6.56.070 Renewal of license, registration or permit - Late penalty.
6.56.080 Records required.
6.56.090 Compliance required.
6.56.100 Transcript to be furnished.
6.56.110 Records and articles to be available for inspection.
6.56.120 Seller or consignee to give true name and address.
6.56.130 Authorized rate of interest - Penalty for violation.
6.56.140 Prima facie evidence of violation.
6.56.150 Period of redemption.
6.56.160 Certain transactions prohibited.
6.56.170 Pawnshop to be closed during certain hours.
6.56.180 Violation - Misdemeanor.
6.56.190 Civil penalty.
6.56.200 Additional enforcement.

6.56.010 License required. It is unlawful for any person, firm, or corporation to engage in the business of pawnbroker, or to conduct a pawnshop without first obtaining a "pawnbroker's license" pursuant to the provisions of this chapter. (Res. 36053 § 1, 1968).

6.56.020 Pawnbroker and pawnshop defined. A. The term "pawnbroker" as used in this chapter, means and includes every person who takes or receives by way of pledge, pawn, or exchange goods, wares, or merchandise or any kind of personal property whatever, for the repayment of security of any money loaned thereon, or to loan money on deposit of personal property, or who makes a public display of any sign indicating that he has money to loan on personal property on deposit or pledge.

B. The term "pawnshop" means and includes every place at which the business of pawnbroker is being carried on. (Res. 36053 § 2, 1968).

6.56.030 License fee. The fee for such license shall be five hundred dollars per year, payable on the thirty-first of December preceding the year for which the license is issued. Fees becoming due for less than one year shall be prorated on a quarterly basis. (Ord. 10170 § 13, 1991: Res. 36053 § 3, 1968).

6.56.040 Application for license. All applications for issuance or renewal of a pawnbroker's license shall be made to and be filed with the director on forms furnished for such purpose. This application shall state the true name of the applicant, who shall not be less than eighteen years of age, the names of all persons having a financial, proprietary, or other

[1] [For statutory provisions regarding business regulations of pawnbrokers, see RCW 19.60.]

interest in such pawnshop, together with such other information as the license division deems appropriate. The application shall then be referred to the Department of Public Safety for investigation, report and recommendation. If, from the reports and other information available, the director deems the applicant to be a fit and proper person, the director shall issue or renew the license applied for. (Ord. 1888 Art. V § 52, 1974; Ord. 1005 § 2, 1971: Res. 36053 § 4, 1968).

6.56.050 Personal property tax return. No renewal license shall issue to any pawnbroker until the applicant shall show that he has made a return to King County assessor of the property in his possession or ownership and the value thereof for tax assessment purposes and has paid the tax due. (Res. 36053 § 5, 1968).

6.56.060 Limitation on licensing. No pawnbroker's license shall be issued which would increase the number of holders of such licenses to more than one for every fifteen thousand of population, according to the last preceding federal census, provided that this population limitation shall not operate to prohibit the licensing of any pawnbroker duly licensed prior to the enactment of this chapter, if such pawnbroker is otherwise duly qualified. (Res. 36053 § 6, 1968).

6.56.070 Renewal of license, registration or permit - Late penalty. A late penalty shall be charged on all applications for renewal of a license, registration or permit received later than ten working days after the expiration date of such license, registration or permit as set forth in the respective resolution or ordinance establishing the expiration date of such license, registration or permit. The amount of such penalty is fixed as follows:

For a license, registration or permit requiring a fee of fifty cents or more, but less than fifty dollars - twenty percent of the required fee.

For a license, registration or permit requiring a fee of fifty dollars or more, but less than one thousand dollars - ten percent of the required fee.

For a license, registration or permit requiring a fee of one thousand dollars or more - five percent of the required fee. (Ord. 1888 Art. IV § 3, 1974).

6.56.080 Records required. Every pawnbroker shall maintain at his place of business a book in which he shall at the time of such loan, purchase or sale, enter, in the English language, written in ink, the following information:

A. The date of the transaction;

B. The name of the person conducting the transaction and making the entries required herein;

C. The printed name, signature, age, street and house number, the general description of the dress, complexion, color of hair and facial appearance of the person with whom the transaction is had, including the identification which the customer shall present to verify his identity, and the account or other number of such identification;

D. The name and street and house number of the owner of the property bought or received in pledge;

E. The street and house number of the place from which the property bought or received in pledge was last removed;

F. A description of the property bought or received in pledge, which

shall include the name of the maker of such property or manufacturer thereof and the serial number, if the article has such marks on it, or any other inscriptive or identifying marks; provided, that when the article received is furniture or the contents of any house or room, actually inspected on the premises where the sale is made, a general description of the property shall be sufficient;

G. The price paid or the amount loaned; and

H. The number of any pawn tickets issued therefor. (Res. 36053 § 7, 1968).

6.56.090 Compliance required. It is unlawful for any pawnbroker or any clerk, agent, or employee of such pawnbroker to fail, neglect, or refuse to make any material entry in this record, as required by this chapter, or to make any false entry therein, or to obliterate, destroy, or remove from his place of business such record within five years from date of transaction. (Res. 36053 § 8, 1968).

6.56.100 Transcript to be furnished. A. Transcript Required. It is the duty of every pawnbroker to deliver to the King County Department of Public Safety at the close of every business week a full, true and correct transcript of the record of all transactions occurring during the preceding week.

B. Duty to Report. It is also the duty of any pawnbroker having good cause to believe any property in his possession has been previously lost or stolen, to report such fact to the Department of Public Safety immediately, together with the name of the owner, if known, and the date and name of the person from whom the same was received by such pawnbroker. (Ord. 1888 Art. V § 75, 1974; Res. 36053 § 9, 1968).

6.56.110 Records and articles to be available for inspection. All books and other records of any pawnbroker relating to purchase, pledge, exchange, order or receipt of any goods, wares, merchandise, or other articles or things of value, shall at all times be open for inspection by the King County Department of Public Safety; and all articles or things received, purchased or left in pledge with the pawnbroker shall at all times be open to a like inspection. (Ord. 1888 Art. V § 76, 1974; Res. 36053 § 10, 1968).

6.56.120 Seller or consignee to give true name and address. Anyone who pledges, sells, or consigns any property to or with a pawnbroker shall sign the records required to be kept by such pawnbroker with his true name and shall include his correct residence address. (Res. 36053 § 11, 1968).

6.56.130 Authorized rate of interest - Penalty for violation. All pawnbrokers are authorized to charge and receive interest at the rate of three percent per month, for any loan on the security of personal property actually received in pledge, and every person who asks or receives a higher rate of interest or discount on any such loan, or on any actual or pretended sale, shall, on redemption of such personal property, be deemed guilty of a violation of this chapter. (Res. 36053 § 12, 1968).

6.56.140 Prima facie evidence of violation. The fact of loaning money upon or purchasing goods from any of the classes enumerated in Section 6.56.130 shall be prima facie evidence of an intent on the part of such pawnbroker, his agent or employee, to violate this chapter. (Res. 36053 § 13, 1968).

6.56.150 Period of redemption. No pawnbroker shall sell any property held by him as security for a loan until ninety days after the period for redemption shall have expired. (Res. 36053 § 14, 1968).

6.56.160 Certain transactions prohibited. A. It is unlawful for any pawnbroker, his clerk or employee to receive in pledge, or purchase, any article or thing known to him to be stolen, any article or thing from any person who is under eighteen years of age; intoxicated; addicted to the use of drugs; or from any person who is known to be a thief, or a receiver of stolen property, or from any person who he has reason to suspect or believe to be such.

B. It is unlawful for any pawnbroker, his clerk or employee, to refuse to return property which has been identified as stolen or pawned without authorization, to any person the pawnbroker, his clerk or employee knows to be the rightful owner, or to charge a fee for the return of such property to the rightful owner.

1. "Identified as stolen/or pawned without authorization" shall mean any property which has been reported by the rightful owner to legitimate authority as missing or stolen.

2. "The rightful owner", unless otherwise proven, shall be considered to be the person having possession of the property prior to the theft or removal without authorization. (Ord. 6383 § 1, 1983: Ord. 521 § 1, 1970: Res. 36053 § 15, 1968).

6.56.170 Pawnshop to be closed during certain hours. It is unlawful for any pawnbroker to conduct or carry on the business of the pawnbroker, in whole or in part, directly or indirectly, or to open or keep open, his pawnshop for the transaction of any business whatsoever therein, between the hours of eight p.m. and seven a.m., except that from December 1st to December 24th of each year, when pawnbrokers may remain open until ten p.m. (Res. 36053 § 16, 1968).

6.56.180 Violation - Misdemeanor. Any violation of the provisions of this chapter constitutes a misdemeanor. (Res. 36053 § 17, 1968).

6.56.190 Civil penalty. In addition to or as an alternative to any other penalty provided herein or by law any person who violates any provision of any business license ordinance shall be subject to a civil penalty in an amount not to exceed two hundred fifty dollars per violation to be directly assessed by the director. The director, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator; the gravity of the violation; the number of past and present violations committed and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this title. (Ord. 1888 Art. IV § 1, 1973).

6.56.200 Additional enforcement. Notwithstanding the existence or use of any other remedy, the director may seek legal or equitable relief to enjoin any acts or practices which constitute or will constitute a violation of any business license ordinance or other regulations herein adopted. (Ord. 1888 Art. IV § 2, 1973).

Chapter 6.60
SECONDHAND DEALERS[1]

Sections:

6.60.010 License required.
6.60.020 Secondhand dealer and secondhand goods defined.
6.60.030 License fee.
6.60.040 Application for a license.
6.60.050 Renewal of license, registration or permit - Late penalty.
6.60.060 Personal property tax return.
6.60.070 More than one shop - Change of location.
6.60.080 Records required.
6.60.090 Compliance required.
6.60.100 Transcript to be furnished.
6.60.110 Records and articles to be available for inspection.
6.60.120 Seller to give true name and address.
6.60.130 No sale within ten days.
6.60.140 Certain transactions prohibited.
6.60.150 Violation a misdemeanor.
6.60.160 Civil penalty.
6.60.170 Additional enforcement.

6.60.010 License required. It is unlawful for any person, firm or corporation to engage in the business of buying, selling, or trading in secondhand goods in King County without first obtaining a "secondhand dealer's license" pursuant to the provisions of this chapter. (Res. 36054 § 1, 1968).

6.60.020 Secondhand dealer and secondhand goods defined. A. The term "secondhand dealer" as used in this chapter, means and includes every person who as a business engages in the purchase, sale, trade, barter, auction, sale on consignment, or otherwise exchanges secondhand goods, or who keeps a store, shop, room or other place where secondhand goods of any kind or description are bought, sold, traded, bartered, pledged, pawned, auctioned, sold on consignment, or otherwise exchanged, including dealers in used or remanufactured automobile tires or parts; provided, however, that this term shall not apply to those persons engaged in the business of selling used or secondhand motor vehicles or boats.

B. The term "secondhand goods" when used in this chapter means and includes any and all used, remanufactured, or secondhand goods purchased or kept for sale by a dealer in secondhand goods; provided however, such term shall not be construed to include junk as defined in Section 6.36.020, or used or secondhand motor vehicles or boats. (Ord. 623 § 1, 1970: Res. 36054 § 2, 1968).

6.60.030 License fee. The fee for such license shall be forty dollars per year, payable on the thirty-first of December preceding the year for which the license is issued. Fees becoming due for less than one year shall be prorated on a quarterly basis. (Ord. 10170 § 14, 1991: Ord. 5799 § 7, 1981: Res. 36054 § 3, 1968).

---

[1] [For statutory provisions regulating secondhand dealers, see RCW 19.60.]

6.60.040 Application for a license. All applications for issuance or renewal of secondhand dealer's license shall be made to and be filed with the director on forms furnished for such purpose. This application shall state the true name of the applicant, who shall not be less than eighteen years of age, the names of all persons having a financial, proprietary, or other interest in such secondhand dealer's shop, together with such other information as the director deems appropriate. The application shall then be referred to the King County Department of Public Safety for investigation, report, and recommendation. If, from the reports and other information available, the license division deems the applicant to be a fit and proper person, the director shall issue or renew the license applied for. (Ord. 1888 Art. V § 77, 1974; Ord. 1005 § 3, 1971: Res. 36054 § 4, 1968).

6.60.050 Renewal of license, registration of permit - Late penalty. A late penalty shall be charged on all applications for renewal of a license, registration or permit received later than ten working days after the expiration date of such license, registration or permit as set forth in the respective resolution or ordinance establishing the expiration date of such license, registration or permit. The amount of such penalty is fixed as follows:

For a license, registration or permit requiring a fee of fifty cents or more, but less than fifty dollars - twenty percent of the required fee.

For a license, registration or permit requiring a fee of fifty dollars or more, but less than one thousand dollars - ten percent of the required fee.

For a license, registration or permit requiring a fee of one thousand dollars or more - five percent of the required fee. (Ord. 1888 Art. IV § 3, 1974).

6.60.060 Personal property tax return. No renewal license shall issue to any secondhand dealer until the applicant shows that he has made a return to the King County assessor of the property in his possession or ownership and the value thereof for tax assessment purposes and has paid the tax due. (Res. 36054 § 5, 1968).

6.60.070 More than one shop - Change of location. Any person having more than one place of business where secondhand goods are bought, sold, traded, bartered, or exchanged, shall be required to procure a separate license for each and every such place of business. A secondhand dealer's license shall not be transferable from one person to another, but the licensee may have his license transferred to a new location by the director, and the change of address shall be noted on the license, together with the date of which the change was made. (Ord. 1888 Art. V § 53, 1974; Res. 36054 § 6, 1968).

6.60.080 Records required. Every secondhand dealer shall maintain at his place of business a book in which he shall at the time of purchase of any secondhand goods enter, in the English language, written in ink, the following information:

A. The date of the transaction;

B. The name of the person conducting the transaction and making the entries required herein;

C. The printed name, signature, age, and address of the person with whom the transaction is had;

D. The address of the place from which the property was last removed;

E. An accurate description of the property bought, which shall include the name of the maker of such property or manufacturer thereof and the serial number, if the article has such marks on it, or any other inscriptive or identifying marks; provided, that when the article received is furniture or the contents of any house or room, actually inspected on the premises where the sale is made, the general description of the property shall be sufficient; and

F. An itemized statement of the price or amount paid for the property purchased. (Res. 36054 § 7, 1968).

6.60.090 Compliance required. It is unlawful for any secondhand dealer, or any clerk, agent, or employee of such secondhand dealer to fail, neglect, or refuse to make any material entry in this record, as required by this chapter, or to make any false entry therein, or to obliterate, destroy, or remove from his place of business such record within five years from the date of the transaction. (Res. 36054 § 8, 1968).

6.60.100 Transcript to be furnished. A. Transcript Required. It is the duty of every secondhand dealer to deliver to the King County Department of Public Safety at the close of every business week a full, true, and correct transcript of the record of all transactions occurring during the preceding week. Secondhand goods taken on consignment or trade-in will be recorded in the same manner as goods purchased outright.

B. Duty to Report. It is also the duty of any secondhand dealer having good cause to believe any property in his possession has been previously lost or stolen, to report such act to the Department of Public Safety immediately, together with the name of the owner, if known, and the date and name of the person from whom the same was received by such secondhand dealer. (Ord. 1888 Art. V § 55, 1974; Res. 36054 § 9, 1968).

6.60.110 Records and articles to be available for inspection. All books and other records of any secondhand dealer relating to purchase or receipt of any goods, wares, merchandise, or other things of value, shall at all times be open for inspection by the King County Department of Public Safety; and all articles or things received or purchased shall at all times be open to a like inspection. (Ord. 1888 Art. V § 55, 1974; Res. 36054 § 10, 1968).

6.60.120 Seller to give true name and address. Anyone who sells or otherwise leaves any property with a secondhand dealer shall sign the records required to be kept by such dealer with his true name and shall include his correct residence address. (Res. 36054 § 11, 1968).

6.60.130 No sale within ten days. No dealer in secondhand goods shall sell or dispose of any article received or purchased by him or permit the same to be removed from his place of business within ten days after the receipt of such goods has been reported to the director of the Department of Public Safety as provided herein, except when the goods have been inspected by regular members of the Department of Public Safety, and they have authorized the secondhand dealer to dispose of such goods within a lesser period of time; provided, that consigned property sold at auction need only be held for three days prior to sale. (Ord. 623 § 2, 1970: Res. 36054 § 12, 1968).

6.60.140 Certain transactions prohibited. A. It is unlawful for any secondhand dealer, his clerk or employee, to purchase or receive any article or thing known by him to be stolen, any article or thing from a person who is under eighteen years of age, intoxicated, addicted to the use of drugs, or from any person who is known to be a thief, or a receiver of stolen property, or from any person who he has reason to suspect or believe to be such.

B. It is unlawful for any secondhand dealer, his clerk or employee to refuse to return property which has been identified as stolen or sold without authorization, to any person the secondhand dealer, his clerk or employee, knows to be the rightful owner, or to charge a fee for the return of such property to the rightful owner.

1. "Identified as stolen or sold without authorization" shall mean any property which has been reported by the rightful owner to legitimate authority as missing or stolen.

2. "The rightful owner", unless otherwise proven, shall be considered to be the person having possession of the property prior to the theft or removal without authorization. (Ord. 6383 § 2, 1983: Ord. 623 § 3, 1970: Res. 36054 § 13, 1968).

6.60.150 Violation a misdemeanor. Any violation of the provisions of this chapter shall constitute a misdemeanor. (Res. 36054 § 14, 1968).

6.60.160 Civil penalty. In addition to or as an alternative to any other penalty provided herein or by law any person who violates any provision of any business license ordinance shall be subject to a civil penalty in an amount not to exceed two hundred fifty dollars per violation to be directly assessed by the director. The director, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator, the gravity of the violation, the number of past and present violations committed and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this title. (Ord. 1888 Art. IV § 1, 1974).

6.60.170 Additional enforcement. Notwithstanding the existence or use of any other remedy, the director may seek legal or equitable relief to enjoin any acts or practices which constitute or will constitute a violation of any business license ordinance or other regulations herein adopted. (Ord. 1888 Art. IV § 2, 1974).

Chapter 6.64
TAXIS - BUSINESSES AND DRIVERS

I. GENERAL PROVISIONS

Sections:

6.64.005 Purpose.
6.64.007 Scope of authority.
6.64.010 Definitions.
6.64.015 Interlocal agreement.
6.64.025 Fees.

II. TRADE NAME AND COLOR SCHEME REGISTRATION

6.64.200 Service organization registration.
6.64.210 Color scheme.
6.64.220 Independent color scheme.

III. VEHICLE LICENSE REQUIREMENTS AND STANDARDS

6.64.300 Taxicab and for-hire license required.
6.64.310 Application.
6.64.320 Required documents.
6.64.330 Applicant requirements.
6.64.340 Vehicle requirements.
6.64.350 Insurance required.
6.64.360 Certificate of safety.
6.64.370 Vehicle standards.
6.64.380 Taxicab and for-hire vehicle license expiration.
6.64.390 Taxicab and for-hire vehicle license plate.
6.64.400 Taximeter.
6.64.410 Consumer information board.
6.64.420 Taxicab and for-hire owner - Responsibilities.
6.64.430 Standards for denial - Taxicab or for hire vehicle owner.
6.64.440 Standards for suspension/revocation - Taxicab or for-hire vehicle owner.
6.64.450 Destruction, replacement, retirement of a taxicab.
6.64.460 Surrender of vehicle license.

IV. FOR-HIRE DRIVER REQUIREMENTS AND STANDARDS

6.64.500 For-hire driver's license required.
6.64.510 Application.
6.64.520 Investigation.
6.64.530 Qualifications.
6.64.540 Temporary permit.
6.64.550 Application null and void.
6.64.560 Medical certification.
6.64.570 Training program.
6.64.580 Written examination.
6.64.590 Driving record.
6.64.600 Standards for denial of a license - for-hire driver.
6.64.610 Standards for suspension/revocation - for-hire driver.
6.64.620 License issuance.

6.64.630 License expiration - for-hire driver.
6.64.640 For-hire driver operating standards.
6.64.650 Vehicle safety standards.
6.64.660 Conduct standards.
6.64.670 Taxicab meter/rates standards.
6.64.680 Driver-passenger relations standards.
6.64.690 Soliciting and cruising standards.
6.64.695 Taxi zone standards.

V. ENTRY STANDARDS AND RATES

6.64.700 Taxicab - maximum number.
6.64.710 Transfer of permit.
6.64.720 Industry reporting.
6.64.730 Response times.
6.64.740 Annual report.
6.64.750 Determination of fare and number of licenses.
6.64.760 Rates.
6.64.770 Rate study.

VI. PENALTIES

6.64.800 Infraction.
6.64.810 Misdemeanors.
6.64.820 Civil penalty.

VII. MISCELLANEOUS

6.64.900 Consumer complaint hotline.
6.64.910 Passenger complaint process.
6.64.920 Renewal of license, registration or permit - late penalty.
6.64.990 Severability.

CROSS - REFERENCE:
Taxicab operating agreement at airport, see Chs. 15.48 and 15.80 of this code.

I. GENERAL PROVISIONS

6.64.005 Purpose. The purpose of this chapter is to further for the public the safety, reliability, and economic viability and stability of privately operated taxicab transportation services within King County. These matters are matters of public concern, and accordingly, this chapter is intended to protect the public as a whole and shall not be construed to create a duty toward any particular individual or groups of individuals. (Ord. 10498 § 3, 1992).

6.64.007 Scope of authority. Unless otherwise specifically stated, binding provisions shall apply to all licensees operating in the unincorporated areas of King County and other jurisdictions or public agencies authorized to contract for services with King County under the authorities provided in the Interlocal Agreement Act, RCW 39.34, as amended; provided, that should provisions herein conflict with those contained in any such interlocal agreement, the interlocal agreement shall supercede in all cases. (Ord. 10498 § 4, 1992).

6.64.010 Definitions. For the purposes of this chapter and unless the context plainly requires otherwise, the following definitions apply:

A. "Affiliated representative" means the individual within the service organization who has the authority to file special rates and contract agreement rates and charges for a group of affiliated taxicabs, and who is designated as the individual responsible for the receipt of any correspondence or notices pertaining to the service organization or the taxicabs or for-hire vehicles operating within the service organization.

B. "Affiliated taxicab" means a taxicab associated with a service organization.

C. "Alcohol" means a mixture containing no less than eighty-five percent methanol, ethanol or other alcohols, in any combination, by volume.

D. "Alternative fuel" means a means for propulsion by other than gasoline or diesel fuel and shall include:

1. Alcohol.
2. Duel energy.
3. Electricity.
4. Natural gas.
5. Propane.
6. Human powered.

E. "Approved mechanic facility" means a garage or repair facility who employs mechanics who have successfully passed the examinations of, and met the experience requirements prescribed by the National Institute for Automotive Service Excellence, and who have been awarded Certificates in Evidence of Competence satisfactory to the director, and who are Authorized Emission Specialists certified by the Washington Department of Ecology, and none of whom are the owner, lessee, or driver of a taxicab, or for-hire vehicle or the employee of a taxicab or for-hire vehicle company, and none of whom have a financial interest in a taxicab or for-hire vehicle or taxicab or for-hire vehicle company.

F. "Contract agreement rate" means the rate specified in a written agreement signed by both parties in advance of the dispatch of a taxicab or for-hire vehicle for the services identified in the contract.

G. "Director" means the director of the King County department of executive administration and his duly appointed representatives.

H. "Dual energy" means capable of being operated using an alternative fuel and gasoline or diesel fuel.

I. "Engage in the business of operating a taxicab or vehicle for hire" means the pickup and transportation of any fare paying passenger from a point within the geographical confines of unincorporated King County, whether or not the vehicle is dispatched from a taxicab stand or office within any other municipal corporation, and whether or not the ultimate destination or route of travel is within the confines of unincorporated King County; provided, that nothing in this chapter shall be construed to apply to taxicabs or for-hire vehicles licensed by any other municipal corporation and transporting passengers from a point within the licensing municipality to a destination outside thereof, whether or not the ultimate destination or route traveled is within unincorporated King County.

J. "For-hire driver" means any person in control of, operating or driving a taxicab or for-hire vehicle and includes a lease driver, owner/operator, or driver of taxicabs or for-hire vehicles as an employee.

K. "For-hire vehicle" means and includes every motor vehicle used for the transportation of passengers for hire, and not operated exclusively over a fixed and definite route, except:

1. Taxicabs;

2. Passenger vehicles carrying passengers on a noncommercial enterprise basis;

3. Vehicles or operators expressly exempt by RCW from county regulation;

4. Operators of charter boats.

L. "He" means and includes in all references either he or she.

M. "His" means and includes in all references either his or her.

N. "Independent taxicab" means a taxicab that is not affiliated with a service organization.

O. "Lease driver" means a for-hire driver who is an independent contractor/sole proprietor and who has a taxicab for-hire vehicle lease contract or other form of agreement with a taxicab or for-hire vehicle owner or service organization.

P. "Lessor" means an owner of a taxicab or for-hire vehicle who leases, by contract or other form of agreement, to a lease driver as defined in this section.

Q. "Licensee" means all applicants, including for-hire drivers, vehicle owners, and service organizations including the affiliated representative required to license under the provisions of this chapter.

R. "Motor vehicle" means every motorized vehicle by or upon which any person may be transported or carried upon a public street, highway or alley; provided, that vehicles used exclusively upon stationary rail tracks or propelled by use of overhead electric wires shall not come under the provisions of this chapter.

S. "Service organization" means a group of taxicabs owned or operated by the same or various owners and using the same color scheme, trade name, dispatch services, and having an affiliated representative.

T. "Special rate" means discounted rates for senior citizens and disabled.

U. "Taxicab" means every motor vehicle used for the transportation of passengers for hire, where the route traveled or destination is controlled by a customer and the fare is based on an amount recorded and indicated on a taximeter, or on a special fare rate or contracted agreement as permitted by this chapter.

V. "Taxicab vehicle owner" means the registered owner of the vehicle as defined by RCW 46.04.460 as now or hereafter amended.

W. "Taximeter" means any instrument or device by which the charge for hire of a passenger carrying vehicle is measured or calculated either for the distance traveled by such vehicle or for waiting time, or for both, and upon which such calculated charges shall be indicated by means of figures. (Ord. 10498 § 1, 1992).

6.64.015 Interlocal agreement. A. The executive may execute an interlocal agreement with the City of Seattle and/or the Port of Seattle for the purposes of coordinating and consolidating for-hire driver, taxicab and for-hire vehicle licensing, administration and enforcement, reducing duplication of licensing functions, and a sharing of license fees as agreed to by the city and county. The agreement may authorize the city to accept and investigate applications for and issue taxicab and for-hire vehicle licenses and license renewals on behalf of the county, provided that the city uses the requirements of this chapter for taxicab and for-hire vehicle licenses. The agreement may authorize the county to accept and investigate applications for and issue for-hire driver licenses and license renewals and/or taxicab vehicle licenses and license renewals on behalf of the city, provided that the city agrees to the requirements of this chapter for driver licenses and/or taxicab licenses.

B. The executive is directed to begin negotiating an interlocal agreement with the City of Seattle and with the Port of Seattle to accomplish the objectives stated in K.C.C. 6.64.015A. The executive shall report to the Council no later than April 1, 1994 on the status of negotiating an interlocal agreement with the City of Seattle and the Port of Seattle regarding regional taxicab and for-hire vehicle regulation. (Ord. 10498 § 5, 1992).

6.64.025 Fees. A. The following non-refundable fees shall apply:

1. Taxicab and For-Hire Vehicle Fees

a. Taxicab or for-hire vehicle license

	Regional (Seattle & King Co.)	County
County/City	$225.00	$140.00
Late fee	22.50	14.00
Vehicle equipment charge	50.00	25.00
Change of owner: Sept/Feb	225.00	140.00
Mar/Aug	112.50	140.00
Replace taxicab plate	10.00	10.00
Vehicle inspection	10.00	10.00

b. For-hire driver

For-hire	50.00	50.00
Late fee	10.00	10.00
ID photo	2.00	2.00
Fingerprinting	per charge authorized by RCW 10.97.100	per charge authorized by RCW 10.97.100
Replacement license	2.00	2.00
Training fee		per contract

B. During the years 1991 through 1996, the fee will be waived for those taxicabs and for-hire vehicles which, upon inspection by the director, are found to operate on alternative fuel.

C. The regional fees specified in Section 6.64.025A of this chapter shall not go into effect until such time as King County and the City of Seattle have executed an interlocal agreement as contemplated in Section 6.64.015 of this chapter. (Ord. 11558 § 1, 1994; Ord. 10498 § 6, 1992).

II. TRADE NAME AND COLOR SCHEME REGISTRATION

6.64.200 Service organization registration. A registration shall be filed by the affiliation representative with the director annually on or before August 31 on forms provided for same and shall be sworn to and notarized and include the following:

A. The name, business address, and business phone number of the service organization;

B. Ownership information including the names, home addresses, phone numbers, dates of birth, social security numbers of any owner, or if a corporation or other business entity, of the officers and registered agent, true legal name, state of incorporation and Washington business license number, and any other information which may be reasonably required;

C. The color scheme the taxicabs in the service organization will be operating under and two (2) 2" X 2" sample color chips;

D. The name, address, phone number and date of birth of the affiliated representative;

E. The taxicab number and the name of each taxicab vehicle owner operating under the service organization;

F. Any other information as may be required by the director. (Ord. 10498 § 7, 1992).

6.64.210 Color scheme. The director shall, in the interest of protecting the public from being deceived or confused, have the exclusive control in the granting of permission to use any color scheme, design, or monogram by any taxicab and/or taxicab service organization. (Ord. 10498 § 8, 1992).

6.64.220 Independent color scheme. Independent taxicab owners shall file the color scheme the taxicab will be operating under on forms provided for same including two (2) 2" X 2" sample color chips. (Ord. 10498 § 9, 1992).

III. VEHICLE LICENSE REQUIREMENTS AND STANDARDS

6.64.300 Taxicab and for-hire license required. It is unlawful to own or operate, advertise, or engage in the business of operating a taxicab or for-hire vehicle in unincorporated King County without first having obtained, for each and every vehicle so used, a taxicab or for-hire vehicle license. (Class M). (Ord. 10498 § 10, 1992).

6.64.310 Application. An application shall be filed by the registered owner of the vehicle to be used as a taxicab or for-hire vehicle on forms provided by the director. The application shall be signed and sworn to by the applicant and shall include:

A. The full name of the applicant, date of birth, social security number, business address, home address, phone number, and any other applicant information as may be reasonably required;

B. If the applicant is a corporation, the corporation name, corporation's business address and telephone number, full names, titles, dates of birth, social security numbers, home addresses and phone numbers of each officer, and the name, address, date of birth, and phone number of the registered agent of the corporation, and any other corporation information as may be reasonably required;

C. Vehicle information including the name and number the taxicab or for-hire vehicle will be operating under, the make, model, year, vehicle identification number, Washington State license number, and any other vehicle information as may be reasonably required;

D. Whether or not the applicant(s) have ever had a license suspended, revoked or denied and for what reason;

E. Criminal history information of the applicant, or if a corporation, each officer and registered agent. (Ord. 10498 § 11, 1992).

6.64.320 Required documents. In addition to the application required in Section 6.64.310, the applicant for a taxicab or for-hire vehicle license shall submit the following:

A. State of Washington For-Hire Certificate;

B. State of Washington vehicle registration;

C. Certificate of insurance as required in Section 6.64.350.

D. Certificate of safety as required in Section 6.64.360.

E. City of Seattle Weights and Measures vehicle inspection approval;

F. Other documents as may be reasonably required. (Ord. 10498 § 12, 1992).

6.64.330 Applicant requirements. No person, or if the applicant is a corporation, no officer or registered agent, shall be issued a taxicab or for-hire vehicle license unless the following minimum applicant qualifications are met:

A. Must be eighteen years of age or older;

B. Must present documentation, as required by the United States Department of Justice Immigration and Naturalization Service, that the applicant is authorized to work and/or own a business in the United States. (Ord. 10498 § 13, 1992).

6.64.340 Vehicle requirements. No person, or if the applicant is a corporation, no officer or registered agent, shall be issued a taxicab or for-hire vehicle license unless the following minimum vehicle requirements are met:

A. Must meet a color scheme approved by the director;

B. Must be properly insured as required in K.C.C. 6.64.350;

C. Must meet the safety standards as required in K.C.C. 6.64.360;

D. Must meet the vehicle standards as required in K.C.C. 6.64.370. (Ord. 10498 § 14, 1992).

6.64.350 Insurance required. A. The applicant shall file a certificate of insurance providing proof of compliance with RCW Chapter 46.72, as now or hereafter amended, for each taxicab or for-hire vehicle to be licensed. The certificate shall also provide that the insurer notify the director of any cancellation, in writing, at least thirty days prior to cancellation of the policy;

B. Such certificate shall be issued by a company authorized to carry on an insurance business in the State of Washington;

C. King County shall be named as a certificate holder;

D. In addition, all applicants shall maintain a policy of underinsured motorist coverage which runs to the benefit of passengers; provided, that a certificate of self-insurance issued pursuant to RCW 46.29.630 may be filed with the director in lieu of such policy. Proof of compliance will be a certificate of insurance indicating a minimum coverage of ten thousand dollars per person, and twenty thousand dollars per accident;

E. If an insurance policy is cancelled, proof of a new policy must be filed prior to the date of cancellation or the taxicab or for-hire vehicle license is automatically suspended and must be surrendered to the director. (Ord. 10498 § 15, 1992).

6.64.360 Certificate of safety. The certificate of safety required in K.C.C. 6.64.320 shall be performed by an approved mechanic facility as defined in this chapter. Such inspection shall ensure the mechanical and structural integrity of the vehicle and shall include:

A. Adequate braking system including emergency or auxiliary as per the manufacturer's allowable tolerance;

B. Adequate suspension system to prevent excessive motion when the vehicle is in operation;

C. Adequate steering system as per the manufacturer's allowable tolerance;

D. Exhaust system that is free of leaks, defects, or tampering and that meets State of Washington motor vehicle emissions standards;

E. No fluid leaks, including but not limited to motor oil, antifreeze, transmission fluid, and brake fluid;

F. Air conditioning system free of CFC leaks, if the vehicle has such system;

G. No excessive noise;

H. Mechanically sound;

I. Front end aligned. (Ord. 10498 § 16, 1992).

6.64.370 Vehicle standards. No taxicab or for-hire vehicle shall be operated unless it meets the minimum vehicle standards as prescribed in this section. Each taxicab or for-hire vehicle shall be inspected by the director before it is placed into service and thereafter semi-annually. No taxicab or for-hire vehicle shall be operated without having passed inspection within the last six months. The inspection required by this section and the vehicle operating standards shall include the following:

A. Current taxicab vehicle plate or for-hire vehicle decal displayed as prescribed by the director; (Class I)

B. Rate posting, numbers and letters displayed as prescribed by the director; (Class I)

C. Color scheme, decals and insignias as approved by the director; (Class I)

D. Windshield wiping blades, switch and defroster, all fully operational; (Class I)

E. Mirrors, rear and side view (2), adjustable, and free of cracks or defects; (Class I)

F. The taxicab or for-hire vehicle must be equipped with four doors, and all door latches shall be operable from both the interior and exterior of the vehicle; (Class I)

G. The windshield shall be without cracks, chips or defects that could interfere with the driver's vision. All other windows shall be intact and able to be opened and closed as intended by the manufacturer. The windows and windshield shall be maintained in a clean condition so as not to obstruct visibility; (Class I)

H. Adequate emergency braking system; (Class I)

I. Headlights shall be operable on both high and low beam. Taillights, parking lights, signal lights, back-up lights, license plate lights, emergency flashers, and interior lights shall all be operable and properly covered with factory equivalent lenses; (Class I)

J. Tires, including spare, shall be properly inflated, and have a minimum tread depth of 2/32 inches as determined by gauge, on all surfaces contacting the road, and free of visible defects; (Class I)

K. No loose items on the taxicab or for-hire vehicle dashboard or rear shelf; (Class I)

L. Horn fully operational; (Class I)

M. Interior panels free of rips or tears, interior lights, dashboard instruments and lights operating properly; (Class I)

N. Floor covering on all floor areas, no metal showing, and no torn or ripped floor mats; (Class I)

O. Upholstered area and headliner to have no rips, torn seams, holes, or burns; (Class I)

P. Seats shall be unbroken, fastened securely, and have no exposed springs, wires, or framework; (Class I)

Q. Seat belts shall be functional and readily available for passenger use; (Class I)

R. Pedals shall have rubber pads with no metal showing; (Class I)

S. The trunk or luggage area must be covered either with a factory covering or a floor carpet. This covering or carpet shall be maintained in a clean condition, free of foreign matter, offensive odors, and litter. The trunk or luggage area shall contain only the following items:

1. A spare tire (inflated);

2. Those tools or accessories necessary for the safe operation of the taxicab or for-hire vehicle;

3. Those items necessary for vehicle cleaning and passenger safety and/or convenience;

4. A serviceable tire jack. (Class I)

T. Bumpers and body molding must be in good condition and properly attached as the manufacturer intended; (Class I)

U. General body is to be free of noticeable dents, rust or holes which would impair the appearance or serviceability of the vehicle. A violation of this section is deemed to have occurred any time one or more of the following exists:

1. There are any visible dents which exceed three (3) square feet in any single area of the exterior surface of the taxicab or for-hire vehicle, provided, that the deepest point of depression is three-quarters of an inch deep or greater, or;

2. There are any visible dents which exceed four square feet of the total exterior surface of the taxicab or for-hire vehicle, provided that the deepest point of depression is three-quarters of an inch deep or greater, or;

3. There are any visible dents which exceed six lineal feet of the total exterior surface of the taxicab or for-hire vehicle, provided that the deepest point of depression is three-quarters of an inch deep or greater, or;

4. There are any areas of the exterior surface of the taxicab or for-hire vehicle that contain a hole larger than six square inches, or;

5. There is a visible dent which exceeds twelve inches square, provided that the deepest point of depression is more than two inches. (Class I)

V. Wheels and rims straight and aligned properly. Wheels must have hubcaps or covers. Rims are to be of uniform color; (Class I)

W. Two-way radio dispatch or telephone operational; (Class I)

X. Meter sealed and functioning per ordinance requirements; (Class I)

Y. Functional heater, defroster, and fan; (Class I)

Z. Consumer information board included as prescribed by the director; (Class I)

AA. Decals, posters, or any other material shall not be placed on the windows or windshield so as to obscure the driver's or passenger's view; (Class I)

BB. A toplight that is activated by the use of the meter, size of the toplight and activation as prescribed by the director; (Class I)

CC. Other reasonable requirements as may be determined by the director. (Ord. 10498 § 17, 1992).

6.64.380 Taxicab and for-hire vehicle license expiration. All taxicab and for-hire licenses shall expire on August 31st of each year. (Ord. 10498 § 18, 1992).

6.64.390 Taxicab and for-hire vehicle license plate. The director shall furnish with each taxicab or for-hire vehicle issued one or more plates, decals, or tags, bearing the taxicab or for-hire vehicle number, as assigned by the director, and the expiration year of the license. All plates, decals or tags shall remain the property of the director. (Ord. 10498 § 19, 1992).

6.64.400 Taximeter. A. Each taxicab shall be equipped with a taximeter as prescribed by the director;

B. Every taximeter shall be installed at the right side of the driver, either adjoining the cowl or dashboard of the taxicab, and, except for special service vehicles, shall contain only one fare rate;

C. The reading face of the taximeter shall at all times be well lighted and distinctly readable to passengers;

D. Upon satisfactorily passing the meter inspection, a written notice shall be plainly posted and a security seal attached to the taximeter as prescribed by the director;

E. The taximeter shall conform to the requirements prescribed in Weights and Measures Handbook #44 as now or hereafter amended.

F. The taximeter must have the capacity of storing the following information:

1. Total trips;
2. Total paid miles;
3. Total miles operated;
4. Total number of fare units and/or fare dollars;
5. Total number and/or dollars for extras. (Ord. 10498 § 20, 1992).

6.64.410 Consumer information board. Each taxicab or for-hire vehicle shall be equipped with a consumer information board, the size, material, and placement to be prescribed by the director. Such board shall include, at a minimum, the taxicab or for-hire vehicle name and number, the driver's for-hire driver's license number, the taxi hotline number and consumer survey and complaint cards. (Ord. 10498 § 21, 1990).

6.64.420 Taxicab and for-hire owner - Responsibilities. It is the responsibility of each taxicab or for-hire vehicle owner to ensure that the following conditions or requirements are met and continually maintained:

A. Proof of insurance as required in K.C.C. 6.64.350 is on file with the director; (Class M)

B. Any person driving, operating, in control of or any lessee of the taxicab or for-hire vehicle has been issued a for-hire driver's license and such license is valid; (Class M)

C. The taxicab or for-hire vehicle meets the safety standards as set forth in K.C.C. 6.64.360 at all times the vehicle is operating; (Class I or M)

D. The taxicab or for-hire vehicle meets the vehicle standards as set forth in K.C.C. 6.64.370 at all times the vehicle is operating; (Class I or M)

E. The taxicab or for-hire vehicle owner shall maintain a business address and a mailing address where he can accept mail, and a business telephone in working order that can be answered during normal business hours, Monday through Friday, and during all hours of operation. (Class I) (Ord. 10498 § 22, 1992).

6.64.430 Standards for denial - Taxicab or for-hire vehicle owner. A. The director shall deny any taxicab or for-hire vehicle owner license application if he determines that the applicant, or if a corporation, any of the officers or registered agent:

1. Has made any material misstatement in the application for a license;
2. Fails to meet any of the applicant or vehicle requirements of a taxicab or for-hire vehicle owner licensee;
3. Has had a bail forfeiture or conviction for crimes pertaining to alcohol or controlled substances within five years of the date of application where such crime involved the use of a taxicab.

B. The director may deny any taxicab or for-hire vehicle owner license application if he determines that the applicant:

1. Has had a bail forfeiture or conviction involving crimes reasonably related to the applicant's ability to operate a taxicab or for-hire business, including but not limited to prostitution, gambling, fraud, larceny, extortion, income tax evasion, provided that such bail forfeiture or conviction was within five years of the date of application;

2. Has been found to have exhibited past conduct in driving or operating a taxicab or for-hire vehicle or operating a taxicab or for-hire business which would lead the director to reasonably conclude that the applicant will not comply with the provisions of the chapter related to vehicle requirements and the safe operation of the vehicle;

3. Engaged in the business of operating any taxicab or for-hire vehicle for which a license is required while unlicensed or while such license was suspended or revoked. (Ord. 10498 § 23, 1992).

6.64.440 Standards for suspension/revocation - Taxicab or for-hire vehicle owner. A. A taxicab or for-hire vehicle owner's license shall be immediately suspended if:

1. At any time the insurance as required in K.C.C. 6.64.350 expires, lapses, is cancelled or revoked;

2. The taximeter security seal is missing, broken, or tampered with;

3. The director places the vehicle out-of-service for a violation of a vehicle standard which is found to be an immediate safety hazard as further defined in this chapter;

4. The vehicle owner fails to comply with a written Notice of Violation or Notice of Correction within the prescribed time;

5. It is discovered after license issuance that the applicant, or if a corporation, any of the officers or registered agent, failed to meet the applicant qualifications, or that the vehicle failed to meet the vehicle qualifications, at the time the license was issued.

B. The director may suspend or revoke a taxicab or for-hire vehicle owner's license if he determines that the licensee has:

1. Received a conviction or bail forfeiture for a crime which would be grounds for denial as set forth in K.C.C. 6.64.430;

2. Been found to have exhibited a record which would lead the director to reasonably conclude that the taxicab or for-hire vehicle owner licensee would not comply with the provisions of the chapter related to vehicle standards or operating requirements;

3. Allowed the operation of a taxicab or for-hire vehicle that does not meet the safety standards and the vehicle standards as set forth in this chapter;

4. Submitted a safety inspection form that was not completed by an approved mechanic facility as defined in this chapter;

5. Provided false information in connection with the annual industry reporting required in this chapter. (Ord. 10498 § 24, 1992).

6.64.450 Destruction, replacement, retirement of a taxicab. A. The taxicab vehicle owner shall notify the director within five working days whenever a taxicab is destroyed, rendered permanently inoperable, or is sold.

B. A replacement vehicle must be placed in service within sixty days of the date the original vehicle is removed from service unless prior written permission has been obtained from the director. It is the intent of this section that the director in granting such permission gives due consideration to the operating situation of the permit holder on a case-by-case basis. The following guidelines are to be used in granting permission for a permit holder to take longer than sixty days in placing a replacement vehicle in service:

1. The licensee must submit a written request for an extension of time, stating the specific reason additional time is required and identifying a plan and timetable for placing the replacement vehicle in service. Written documents sufficient to substantiate the factual information contained in the request should also be submitted;

2. The plan and timetable submitted must reflect a reasonable approach for placing the vehicle in service within the shortest possible time frame;

3. An additional period of time not to exceed sixty calendar days may be granted to a permit holder in case of severe personal illness or other similar hardship;

4. An additional period of time not to exceed thirty calendar days may be granted to a licensee in case of extensive vehicle repairs or other similar reason;

5. No extensions will be granted to any permit holder who is unable to meet the basic operational costs, including liability insurance, regulatory fees, and normal maintenance and repairs of operating a taxicab vehicle;

6. No more than one extension in time will be granted for each vehicle permit during its license year (September 1 through August 31).

C. When a permit holder permanently retires any taxicab vehicle from service and does not replace it within 60 days, the permit for each retired vehicle shall be considered abandoned and null and void. The permit holder shall immediately surrender each related taxicab plate to the director. Such abandoned permits may not be restored or transferred by any means. (Ord. 10498 § 25, 1992).

6.64.460 Surrender of vehicle license. When a vehicle has been placed out-of-service, or a taxicab or for-hire vehicle license has been suspended or revoked, the operation of the taxicab or for-hire vehicle must cease, and the vehicle license plate or decal and taxicab or for-hire vehicle license surrendered immediately to the director. (Class M) (Ord. 10498 § 26, 1992).

IV. FOR-HIRE DRIVER REQUIREMENTS AND STANDARDS

6.64.500 For-hire driver's license required. It is unlawful for any person to drive, be in control of, or operate a taxicab in the unincorporated areas of King County without first having obtained a valid for-hire driver's license. (Class M) (Ord. 10498 § 27, 1992).

6.64.510 Application. The applicant shall file an application on a form furnished by the director, which shall be signed and sworn to by the applicant and shall include: Name, height, weight, color of hair and eyes, residence address, place and date of birth, social security number, Washington State driver's license number, aliases, criminal history information, whether or not the applicant has ever had a license suspended, revoked, or denied and for what cause, and such other information as may be reasonably required. (Ord. 10498 § 28, 1992).

6.64.520 Investigation. All applicants for a for-hire driver's license shall be referred to the King County department of public safety for fingerprinting, and all applications shall be referred for a criminal background check. Information relating to the applicants' criminal history, including nonconviction data, shall be forwarded to the business license section for review. (Ord. 10680 § 1, 1992: Ord. 10498 § 29, 1992).

6.64.530 Qualifications. No person shall be issued a for-hire driver's license unless he possesses the minimum following qualifications as further defined in this chapter;

A. Must be twenty-one years of age or older;

B. Must possess a valid State of Washington driver's license;

C. Must submit a physician's certification certifying his fitness as a for-hire driver upon initial application and every three years thereafter;

D. Must submit a letter from the taxicab vehicle owner which has been approved by the service organization, if applicable, which indicates which taxicab(s) the applicant is authorized to operate;

E. Must have completed a training program offered or approved by the director;

F. Must successfully complete a written exam as further defined in this chapter;

G. Must present documentation, as required by the United States Department of Justice Immigration and Naturalization Service, that the applicant is authorized to work in the United States. (Ord. 10498 § 30, 1992).

6.64.540 Temporary permit. A. Upon application for a for-hire driver's license and successful completion of the written examination, the director may, at his discretion, issue a temporary permit which shall entitle the applicant to operate a taxicab or for-hire vehicle pending final action upon his application for a period not to exceed 60 days from the date of the application.

B. The temporary permit shall not be transferable or assignable and shall be valid only for the taxicab(s) or for-hire vehicle(s) to which it was originally issued.

C. The temporary permit shall be immediately null and void should at any time the applicant's Washington State driver's license become expired, suspended or revoked, or following the denial of an application. The permit shall remain null and void pending the resolution of any appeal as provided.

D. In cases where the applicant fails to complete the license issuance process, a temporary license will not be issued, unless the incomplete license application was filed at least two years preceding the application under consideration. (Ord. 10498 § 31, 1992).

6.64.550 Application null and void. All applications for for-hire driver's licenses shall become null and void after sixty days from the date of filing if the applicant, for any reason, fails or neglects to complete the application process or obtain a license. (Ord. 10498 § 32, 1992).

6.64.560 Medical certification. A. The medical certification examination required under K.C.C. 6.64.530 shall be performed by a licensed physician who shall certify the applicant's fitness as a for-hire driver.

B. The scope of the examination and the certificate form shall be prescribed by the director.

C. The examination shall be required upon initial application, and every three years thereafter; provided, however, the director may at any time at his discretion require any for-hire licensee or applicant to be re-examined if it appears that the licensee has become physically or mentally incapacitated to a degree so as to render the applicant or licensee unfit for a for-hire driver. (Ord. 10498 § 33, 1992).

6.64.570 Training program. A. All for-hire driver applicants are required to complete a training program providing information about the history and geography of the Puget Sound area, incentives for defensive driving and personal safety, and enhancement of driver/passenger relations, appearance and communication skills.

B. Such training shall be required upon initial application and every two years thereafter.

C. The director shall assure that this training is offered by the county and/or offered by another public or private entity. If training offered by a non-county entity, certification for purposes of obtaining or renewing a license pursuant to this chapter is contingent upon the director's approval that contents and training staff capability are equivalent to what would be provided through the county. (Ord. 10498 § 34, 1992).

6.64.580 Written examination. A. An applicant for an initial for-hire license shall be required to complete a written examination.

B. The examination will test the applicant's knowledge of the chapter requirements dealing with fare determination, driver-passenger relations, conduct including the applicant's ability to understand oral and written directions in the English language, vehicle safety requirements and driver regulations, and a satisfactory geographical knowledge of King County and surrounding areas. The content of the examination will be prescribed by the director.

C. The temporary license issued pursuant to K.C.C. 6.64.540 will not be issued until successful completion of the written examination.

D. The written examination is not required for the renewal of a for-hire driver's license unless the applicant's license has remained expired for more than one year. (Ord. 10498 § 35, 1992).

6.64.590 Driving record. Each applicant for a for-hire driver's license shall authorize the director to obtain a current copy of his driving record from the Washington State Department of Licensing. (Ord. 10498 § 36, 1992).

6.64.600 Standards for denial of a license - for-hire driver. A. The director shall deny any for-hire driver license application if he determines that the applicant:

1. Has made any material misstatement in the application for a license;
2. Fails to meet any of the qualifications of a for-hire driver;
3. Has had a bail forfeiture or conviction for crimes pertaining to alcohol or controlled substances within five years of the date of application;
4. Is required to register as a sex offender pursuant to RCW 9A.44.130.

B. The director may deny any for-hire driver license application if he determines that the applicant:

1. Has had a bail forfeiture or conviction involving crimes pertaining to prostitution, gambling, physical violence, or other crimes reasonably related to the applicant's honesty and integrity, including but not limited to fraud, larceny, burglary, extortion and/or reasonably related to his ability to operate a taxicab, provided that such bail forfeiture or conviction was within five years of the date of application;
2. Has been found to have exhibited past conduct in driving or operating a taxicab which would lead the director to reasonably conclude that the applicant will not comply with the provisions of the chapter related to driver/operator conduct and the safe operation of the vehicle;
3. Has been found to have exhibited a past driving record which would lead the director to reasonably conclude that the applicant would not operate the taxicab or for-hire vehicle in a safe manner. (Ord. 10498 § 37, 1992).

6.64.610 Standards for suspension/revocation. For-hire driver. A. A for-hire driver's license shall be immediately suspended/null and void if:

1. At any time his Washington State driver's license expires, is suspended or revoked;

2. It is discovered after license issuance that he fails to meet the qualifications of a for-hire driver;

3. He is found to be in possession of controlled substances or alcohol while in control of or while operating any taxicab or for-hire vehicle;

B. The director may suspend or revoke a for-hire driver's license if he determines that the licensee has:

1. Received a conviction or bail forfeiture for a crime which would be grounds for denial as set forth in K.C.C. 6.64.600;

2. Failed to comply with the driver standards as set forth in this chapter;

3. Been found to have exhibited a driving record which leads the director to reasonably conclude that the applicant would not operate a taxicab or for-hire vehicle in a safe manner. (Ord. 10498 § 38, 1992).

6.64.620 License issuance. The director may obtain such other information concerning the applicant's character, integrity, personal habits, past conduct and general qualifications as will show the applicant's ability and skill as a driver of a motor vehicle for hire and his honesty, integrity and character for the purposes of determining whether the applicant is a suitable person to drive a motor vehicle for hire. If the director is satisfied that the applicant for a for-hire driver's license possesses the qualifications and is a suitable person to drive a motor vehicle for hire under the provisions of this chapter, he shall issue him a for-hire driver's license. (Ord. 10498 § 39, 1992).

6.64.630 License expiration. For-hire driver. All for-hire driver's licenses shall expire one year from the date of application. (Ord. 10498 § 40, 1992).

6.64.640 For-hire driver operating standards. No driver shall operate a taxicab or for-hire vehicle in violation of any of the for-hire driver standards as set forth in this chapter. (Ord. 10498 § 41, 1992).

6.64.650 Vehicle safety standards. A. A driver, before starting each shift, shall check the lights, brakes, tires, steering, seat belts, taximeter seal, and other vehicle equipment to see that they are working properly. The driver shall also ensure that the state for-hire certificate, the county and/or city taxicab or for-hire vehicle license, vehicle registration and proof of insurance card are in the vehicle. (Class I)

B. A driver shall maintain the interior and the exterior of the taxicab or the for-hire vehicle in a clean condition and good repair. (Class I)

C. A driver shall not transport more passengers than the number of seat belts available nor more luggage than the taxicab capacity will safely and legally allow. (Class I)

D. A driver shall not drive, be in control of or operate a taxicab or for-hire vehicle that does not meet the vehicle standards as set forth in this chapter. (Class I)

E. A driver shall allow the director to inspect the taxicab or for-hire vehicle at any reasonable time or place. (Class M) (Ord. 10498 §§ 42-46, 1992).

6.64.660 Conduct standards. A. A driver shall not drink any alcoholic beverage while on duty or eight hours prior to going on duty nor have in his possession an open or unsealed container of any alcoholic beverage. (Class M)

B. A driver shall, at the end of each trip, check his vehicle for any article that is left behind by his passenger(s). Such articles are to be reported as found property on the TAXI Hotline, as well as to the service organization, and such property is to be returned to the service organization/affiliated representative at the end of the shift or sooner if possible. Unaffiliated taxicabs or for-hire vehicles shall deposit said items at the King County business license section. (Class M)

C. A driver shall have in his possession a valid for-hire driver's license at any time he is driving, in control of or operating a taxicab or for-hire vehicle and such license shall be displayed as prescribed by the director. (Class I)

D. A driver shall comply with any written Notice of Violation or Notice of Correction by the director including removal from service. (Class M)

E. A driver shall not operate a taxicab or for-hire vehicle when such taxicab or for-hire vehicle has been placed out-of-service by order of the director. (Class M)

F. A driver shall immediately surrender the vehicle license plate or decal to the director upon written notice that such vehicle is out-of-service. (Class M)

G. A driver shall not be in control of a taxicab or for-hire vehicle for more than twelve (12) consecutive hours nor for more than twelve (12) hours spread over a total of fifteen (15) hours in any 24-hour period. Thereafter, such driver shall not drive any taxicab until eight (8) consecutive hours have elapsed. (Class I)

H. A driver shall not drive, operate, or be in control of a taxicab or for-hire vehicle other than that designated on his temporary for-hire permit. (Class I)

I. A driver shall not drive, be in control of or operate a taxicab or for-hire vehicle where the customer information board, as required under the vehicle standards section of this chapter, is not present and contains the required information. (Class I)

J. A driver shall operate the taxicab or for-hire vehicle with due regard for the safety, comfort and convenience of passengers. (Class I)

K. A driver shall not solicit for prostitution nor allow the vehicle to be used for such unlawful purpose. (Class M)

L. A driver shall not knowingly allow the taxicab or for-hire vehicle to be used for the illegal solicitation, transportation, or sale, or any other activity related to controlled substances. (Class M)

M. A driver shall deposit all refuse appropriately and under no circumstances, litter. (Class I)

N. A driver shall not use offensive language, expressions, or gestures to any person while driving, operating, or in control of a taxicab or for-hire vehicle. (Class I) (Ord. 10498 §§ 47 - 60, 1992).

6.64.670 Taxicab meter/rates standards. A. A driver shall not operate a taxicab that has a taximeter which is not sealed, in good working order, or accurate. (Class M)

B. A driver must activate the taximeter at the beginning of each trip and deactivate the taximeter upon completion of the trip. Beginning of a trip means the point where the passenger is seated and the forward motion of the vehicle begins. (Class I)

C. A driver shall assure that the meter reading is visible from a normal passenger position at all times. (Class I)

D. A driver shall not operate a taxicab or for-hire vehicle that does not have the rate posted as prescribed by the director. (Class I)

E. A driver shall not ask, demand or collect any rate or fare other than as specified on the meter, required by ordinance, or pursuant to special rates or contract rates on file with the director. (Class M)

F. A driver shall complete tripsheets and shall show all trips in an accurate and legible manner as each trip occurs. (Class I)

G. A driver shall complete all items on tripsheets including:

1. Driver's name and for-hire license number;
2. Company name and vehicle name and number;
3. Vehicle for-hire license number;
4. Beginning and ending odometer reading;
5. Beginning and ending time of each shift worked;
6. Date, time, place or origin, and dismissal of each trip;
7. Fare collected;
8. Number of passengers;
9. "No shows";
10 Contract rates or special rates. (Class I)

H. A driver shall allow the director to inspect the daily trip sheet at any time while driving, in control of or operating a taxicab. (Ord. 10498 §§ 61 - 68, 1992).

6.64.680 Driver-passenger relations standards. A. A driver shall wear suitable clothes that are neat and clean, and the driver shall be well groomed at all times while on duty. The term "well groomed" shall refer to that state of personal hygiene, body cleanliness and absence of offensive body odor normally associated with bathing or showering on a regular basis, and shall mean that hair is neatly trimmed, beards and mustaches groomed and neatly trimmed at all times in order not to present a ragged appearance, and scalp and facial hair combed and brushed. The term "neat and clean" as it relates to clothes shall mean that all clothing is clean, free from soil, grease and dirt and without unrepaired rips or tears. The term "suitable clothes" shall mean full length pants, collared shirt, and shoes. It shall not be permissible for any driver to wear as an outer garment any of the following: undershirt or underwear, tank tops, body shirts (see-through mesh), swimwear, jogging or warm-up suits or sweatshirts or similar attire, shorts or trunks (jogging or bathing), sandals, or any similar clothing. (Class I)

B. A driver shall provide his customer with professional and courteous service at all times. (Class I)

C. A driver shall not refuse a request for service because of the driver's position in line at a taxicab zone; a passenger may select any taxicab in line. (Class M)

D. A driver shall at all times assist a passenger by placing luggage or packages (under fifty (50) pounds) in and out of the taxicab or for-hire vehicle. (Class I)

E. A driver shall not refuse to transport in the taxicab or for-hire vehicle any passenger's wheelchair which can be folded and placed in either the passenger, driver, or trunk compartment of the taxicab or for-hire vehicle, an assist dog or guide dog to assist the disabled or handicapped, groceries, packages or luggage when accompanied by a passenger. (Class M)

F. A driver shall provide each passenger a receipt upon payment of the fare. The receipt shall accurately show the date and time, the amount of the fare, the taxicab name and number, and the printed name and for-hire driver license number of the for-hire driver. (Class I)

G. A driver shall use the most direct available route on all trips unless the passenger specifically requests to change the route. (Class M)

H. A driver shall not permit a non-fare paying passenger, or pets, to ride in the taxicab or for-hire vehicle. Validly licensed trainees, when approved by the passenger, are exempt from this requirement. (Class I)

I. A driver shall not refuse to transport any person except when:

1. The driver has already been dispatched on another call;

2. The passenger is acting in a disorderly or threatening manner, or otherwise causes the driver to reasonably believe that his health or safety, or that of others, may be endangered;

3. The passenger cannot, upon request, show ability to pay fare. (Class M)

J. A driver shall not smoke while the taxicab or for-hire vehicle is occupied without the consent of all passengers. (Class I)

K. A driver shall be able to provide a reasonable and prudent amount of change, and if correct change is not available, no additional charge will be made to the passenger in attempting to secure the change. (Class I) (Ord. 10498 §§ 69-79, 1992).

6.64.690 Soliciting and cruising standards. A. A driver shall not cruise at Sea-Tac airport. (Class M)

B. A driver shall not drive, be in control of, or operate a taxicab or for-hire vehicle on the passenger or check-in drives at Sea-Tac airport without having on display a Port of Seattle authorized permit, when available for-hire. (Class I)

C. A driver shall not solicit on the Sea-Tac terminal drives or inside the airport terminal building. (Class I)

D. A driver may solicit passengers only from the driver's seat or standing immediately adjacent to the taxicab or for-hire vehicle, and only when the vehicle is safely and legally parked. (Class I)

E. A driver shall not use any other person to solicit passengers. (Class I)

F. A driver shall not hold himself out for designated destinations, provided that nothing shall prevent use of long-haul and short-haul lines at the airport. (Class I) (Ord. 10498 §§ 80 - 85, 1992).

6.64.695 Taxi zone standards. A. A driver while in a taxicab zone shall not leave the taxicab unattended for more than fifteen (15) minutes. Such vehicles are subject to impound by order of the director. (Class I)

B. A driver shall occupy a taxicab zone only when available for hire. (Class I)

C. A driver shall not perform engine maintenance or repairs on the taxicab while in a taxicab zone. (Class I) (Ord. 10498 §§ 86-88, 1992).

V. ENTRY STANDARDS AND RATES

6.64.700 Taxicab. Maximum number. A. The King County council finds that the safety, reliability and economic viability of privately operated taxi transportation is a matter of county concern and regulation of such transportation is an essential government function. The council further finds that the number of taxicab licenses in effect as of May 31, 1991 is sufficient to provide the public adequate taxicab service.

B. The total number of taxicab licenses issued shall not exceed the number in effect as of May 31, 1991.

C. The director may, at his discretion, issue taxicab licenses to special service vehicles used to provide transportation to disabled persons defined in K.C.C. 6.64.010.

D. The executive shall formulate and forward to the council for its approval a methodology for apportioning taxicab licenses when the total number of taxicab licenses in effect is less than the maximum number allowed. The executive shall submit this information to the council no later than April 1, 1994. (Ord. 10498 § 89, 1990).

6.64.710 Transfer of permit. Transfer (sale) of a permit to any other person is authorized. Application for transfer of a permit to another person shall include the name of the transferee, and the trade name and color scheme under which the vehicle will be operated, the sales price and other information required by the director. The transferee shall comply with all requirements of this chapter. Any transfer of a taxicab license shall be for the transfer of all licenses issued to said vehicle. If the transfer is for one vehicle license only, the remaining taxicab license shall be considered abandoned, nonrenewable or non-transferable. (Ord. 10498 § 90, 1992).

6.64.720 Industry reporting. A. Beginning January 1, 1993, the following information must be collected for each licensed taxicab:

1. Total number of trips.
2. Total paid miles.
3. Total miles driven.
4. Amount of fares collected and number of fare units.
5. Vehicle lease or rental income.
6. Costs, including:
   a. Equipment depreciation
   b. Equipment purchases
   c. Repair and maintenance costs
   d. Fuel and oil costs
   e. Other supplies
   f. Leases and service contract costs
   g. License fees and taxes
   h. Insurance
   i. Labor costs (driver salary paid or lessee income retained by lessee)
   j. Other relevant costs,

This information must be provided annually to the director on or before January 30th of each calendar year to cover the period from January 1 to December 31 of the prior year. Failure of an owner to report as required shall result in the owner being required to purchase and install a taximeter conforming to the requirements of K.C.C. 6.64.400. Said taximeter shall be capable of issuing receipts to customers.

B. Information stored on meters as required in K.C.C. 6.64.400 shall be collected at official county or city taxicab testing stations a minimum of two times per year. Other information required to be reported under this section shall be reported in a manner established by the director.

C. The director may verify operating cost information reported by the industry as required in this section of this chapter through special audits performed on a random sample basis. Failure to submit information required for a special audit to document the costs reported pursuant to this section of this chapter within two weeks of the director's request shall result in the owner being required to purchase and install a taximeter conforming to the requirements of K.C.C. 6.64.400. Said taximeter shall be capable of issuing receipts to customers.

D. Providing data verified to be false is grounds for the suspension or revocation of the license. (Ord. 10498 § 91, 1992).

6.64.730 Response times. The director shall establish a schedule of optimum average taxicab response times to requests for taxicab service at selected points within the county. The director shall periodically thereafter survey actual taxicab response times. A comparison of average actual response times to the optimum average taxicab response times shall be used as an indicator of taxicab industry performance and may be used as one criterion in evaluating and recommending rate and entry changes. The director shall publish a draft report of the optimum response times and shall provide a ten-day comment period on the schedule before finalizing the schedule. Comments received by the director shall be included in the annual report submitted to the council pursuant to K.C.C. 6.64.750. (Ord. 10498 § 92, 1992).

6.64.740 Annual report. A. On or before April 1st of each year, beginning April 1, 1993, the director shall file an annual report with the King County council based upon data, collected pursuant to K.C.C. 6.64.730 for the period between January 1 and December 31 of the preceding calendar year.

B. These reports shall include but not be limited to the following:

1. Number of taxicabs licensed in Seattle/King County during the reporting period and during the preceding year.

2. Number of drivers licensed in Seattle/King County during the reporting period and during the preceding year.

3. Numbers and nature of complaints.

4. Results of a survey of taxicab response times, changes in response times from previous reporting periods, and relationship of the actual response times to the optimum average response time established by the director pursuant to K.C.C. 6.64.760.

5. Results of annual industry reporting including total net profit as reported.

6. Results of meter readings as required in K.C.C. 6.64.720.

7. Any other recommendations deemed appropriate by the director. (Ord. 10498 § 93, 1992).

6.64.750 Determination of fares and number of licenses. King County finds and declares that fair and reasonable rates for the taxi industry should be established in the public interest and measured in terms of the taxi industry's need for revenue and the need for adequate service provided to the public as reflected by taxi service response times and other factors affecting the public's safety and welfare. (Ord. 10498 § 94, 1992).

6.64.760 Rates. A. The rates for taxicabs licensed to operate in King County shall be established by the King County council.

B. In reviewing rates the council may take into account, among other things, and with the objective of prescribing a just and reasonable rate, the following factors:

1. The recommendations of the director pursuant to K.C.C. 6.68.740, if any;

2. The public need for adequate taxi service at the lowest level of charges consistent with the provision, maintenance and continuation of such service;

3. The rates of other licensees operating in similar areas;

4. The effect of such rates upon transportation of passengers by other modes of transportation;

5. The licensee's need for revenue of a level which under honest, efficient and economical management is sufficient to cover the cost (including

all operating expenses, depreciation accruals, rents, license fees and taxes of every kind) of providing adequate taxi service, plus an amount equal to such percentage of the cost as is reasonably necessary for the replacement of deteriorated taxicabs and a reasonable profit to the licensee.

C. No taxicab shall have more than one rate on its meter.

D. Except for special or contract rates as provided for in this chapter or any per trip fee established by the Port of Seattle and set forth in any operating agreement or tariff, it shall be unlawful for anyone operating a taxicab licensed by King County to charge, demand or receive any greater or lesser rate than the following:

Meter rate

1.	Drop charge: For passengers for first 1/9 mile	$1.80
2.	Per mile: For each 1/9 mile or fraction thereof after the first 1/9 mile	.20
3.	For every one minute of waiting time	.50
4.	Extra charge for passengers over two excluding children under 12	.50

E. Special rates and contract rates.

1. Special rates as defined in this chapter shall be calculated as a percentage of the meter rate.

2. All special rates must be filed with the director on forms furnished by the director.

3. All special rates and/or contract rates shall be filed once a year at the time of application by the affiliated representative of a service company or the vehicle licensee in the case of an independent owner.

4. Licensees may change the special rates filed no more than once a year.

5. Rates for new contracts acquired or changed during the license year shall be filed within two weeks of securing such contract and prior to implementing the contracted rate.

F. Every for-hire vehicle licensee shall, before commencing operating, file all rates and charges with the director. All rates and charges shall be conspicuously displayed inside the for-hire vehicle so as to be readily discernible to the passenger. The manner of such posting will be prescribed by the director.

G. The rates specified in this section shall not apply to transportation of persons provided pursuant to a written contract which establishes a fare at a different rate for specified transportation and has been previously filed with the director; provided, that no contract may include any provision the effect of which is to directly or indirectly require exclusive use of the transportation services of the contracting taxicab vehicle.

H. It is unlawful to make any discriminatory charges to any person, or to make any rebate or in any manner reduce the charge to any person unless such is in conformity with the discounts/surcharges contained in the filed rates.

I. It is unlawful under the Americans with Disabilities Act to charge a special service vehicle rate which is different from the taxicab rates adopted in subsection D, except in those instances where the transportation of disabled persons is pursuant to a written contract as specified in subsection G. (Ord. 10498 § 95, 1992).

6.64.770 Rate study. The director shall study the effects of rates and their impact on income of drivers, owners, and service companies, the effects of

any rate increases on lease costs to drivers, study the varying markets and rate structures for service companies and independent operators, and study the scarcity or monopoly value of license. Such information shall be forwarded to the council by April 1, 1994. (Ord. 10498 § 96, 1992).

VI. PENALTIES

6.64.800 Infraction. Violation of any provisions identified in this chapter as a (Class I) shall be designated as an infraction. Any person cited for an infraction shall be subject to the Justice Court Rules of Procedures. Any person found guilty of committing an infraction shall be assessed a monetary penalty not to exceed $1,000.00. A finding that an infraction has been committed shall not give rise to any other legal disability which is based upon conviction of a crime. (Ord. 10498 § 97, 1992).

6.64.810 Misdemeanors. Violation of any of the provisions identified in this chapter as a (Class M) shall be designated as a misdemeanor and upon conviction shall be punished by a fine of not more than $1,000, or by imprisonment in the county jail for not more than 90 days, or both. (Ord. 10498 § 98, 1992).

6.64.820 Civil penalty. In addition to or as an alternative to any other penalty provided herein or by law, any person who violates any provision of any business license ordinance shall be subject to a civil penalty in an amount not to exceed $1,000 per violation to be directly assessed by the director. The director, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator; the gravity of the violation; the number of past and present violations committed and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this title. (Ord. 10498 § 99, 1992).

VII MISCELLANEOUS

6.64.900 Consumer complaint hotline. The director may establish, in conjunction with the City of Seattle and the Port of Seattle, a shared consumer complaint telephone number and complaint process. (Ord. 10498 § 100, 1992).

6.64.910 Passenger complaint process. A. Upon receiving a written complaint involving the conduct of the for-hire driver, the route of transportation, the rate charged for the transportation, passenger injury or property damage not arising from a vehicle accident, the director shall cause the following to be performed:

1. Issue a Notice of Complaint to the for-hire driver and vehicle owner, and company, if applicable, advising such person of the allegation(s) made in the complaint;
2. Require the for-hire driver, vehicle owner, and company if applicable, to respond, in writing, to the allegation(s) in the Notice of Complaint within ten days of receipt of the Notice of Complaint;
3. Investigate the allegation(s) in the written complaint and the response submitted by the for-hire driver, vehicle owner, and company, if applicable;
4. Make a finding as to the validity of the allegation(s) in the written complaint. If it is found to be a valid complaint the director shall issue a Notice and Order pursuant to the process described in K.C.C. 6.01.130.

B. Failure to respond, in writing, to a Notice of Complaint within ten days shall constitute a waiver of the for-hire driver's, vehicle owner's, and company's, if applicable, right to contest the allegation(s) in the written complaint and shall be prima facie evidence that the allegation(s) are valid.

C. Failure to comply with any Notice and Order issued as a result of the above process will result in the revocation of the license(s) involved. Such revocation will last one year from the date the license(s) is surrendered. (Ord. 10498 § 101, 1992).

6.64.920 Renewal of license, registration or permit - late penalty. A late penalty shall be charged on all applications for renewal of a license, registration or permit received later than ten working days after the expiration date of such license, registration or permit as set forth in the respective resolution or ordinance establishing the expiration date of such license, registration or permit. The amount of such penalty is fixed as follows:

For a license, registration or permit requiring a fee of fifty cents or more, but less than fifty dollars, twenty percent of the required fee;

For a license, registration or permit requiring a fee of fifty dollars or more, but less than one thousand dollars, ten percent of the required fee;

For a license, registration or permit requiring a fee of one thousand dollars or more, five percent of the required fee. (Ord. 10498 § 102, 1992).

6.64.990 Severability. Should any section, subsection paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this chapter. (Ord. 10498 § 103, 1992).

Chapter 6.68
THEATERS

Sections:

6.68.010 License required.
6.68.020 License fee - Term.
6.68.030 Transferring of license.
6.68.040 Renewal of license, registration or permit - Late penalty.
6.68.050 Application for license.
6.68.060 Penalty - Misdemeanor.
6.68.070 Civil penalty.
6.68.080 Additional enforcement.

6.68.010 License required. It is unlawful for any person to open, operate, conduct, manage, maintain or control any theater which is open to the public and which is located within the unincorporated areas of King County, Washington, without a valid and subsisting license to be known as a "theater license." (Res. 19610 § 1, 1959).

6.68.020 License Fee - Term. The fee for a theater license shall be one hundred dollars per screen per year, commencing May 1st and ending April 30th of each year, payable in advance to King County. (Ord. 10170 § 15, 1991: Res. 19610 § 2, 1959).

6.68.030 Transferring of license. No license issued under the provisions of this chapter shall be transferable or assignable, unless specifically authorized by the director. (Ord. 1888 Art. V § 67, 1974: Res. 19610 § 3, 1959).

6.68.040 Renewal of license, registration or permit - Late penalty. A late penalty shall be charged on all applications for renewal of a license, registration or permit received later than ten working days after the expiration date of such license, registration or permit as set forth in the respective resolution or ordinance establishing the expiration date of such license, registration or permit. The amount of such penalty is fixed as follows:

For a license, registration or permit requiring a fee of fifty cents or more, but less than fifty dollars - twenty percent of the required fee.

For a license, registration or permit requiring a fee of fifty dollars or more, but less than one thousand dollars - ten percent of the required fee.

For a license, registration or permit requiring a fee of one thousand dollars or more - five percent of the required fee. (Ord. 1888 Art. IV § 3, 1974).

6.68.050 Application for license. All applications for licenses under this chapter shall be made to the director. (Ord. 1888 Art. V § 68, 1974: Res. 19610 § 5, 1959).

6.68.060 Penalty - Misdemeanor. Any violation or failure to comply with the provisions of this chapter shall constitute a misdemeanor and shall be punishable as such. (Res. 19610 § 7, 1959).

6.68.070 Civil penalty. In addition to or as an alternative to any other penalty provided herein or by law any person who violates any provision of any business license ordinance shall be subject to a civil penalty in an amount not to exceed two hundred fifty dollars per violation to be directly assessed by the director. The director, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator; the gravity of the violation; the number of past and present violations committed and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this title. (Ord. 1888 Art. IV § 1, 1974).

6.68.080 Additional enforcement. Notwithstanding the existence or use of any other remedy, the director may seek legal or equitable relief to enjoin any acts or practices which constitute or will constitute a violation of any business license ordinance or other regulations herein adopted. (Ord. 1888 Art. IV § 2, 1974).

Chapter 6.72
TOBACCO VENDING MACHINES

Sections:

6.72.010 Legislative intent.
6.72.020 Definitions.
6.72.030 Prohibition.
6.72.040 Identification required.
6.72.050 License required.
6.72.060 Sanctions.
6.72.070 License application and issuance.
6.72.080 Fee.
6.72.090 Non-transferability.
6.72.100 Health warnings required.
6.72.110 Penalty for minors.
6.72.120 Severability.

6.72.010 Legislative intent. The King County council finds cigarette smoking by minors to be a continuing problem with grave social consequences. In recognition of the Surgeon General's recent report finding cigarette smoking is as addictive as cocaine and heroin, much more strenuous action to curtail the availability of cigarettes and tobacco products to minors is necessary. The National Institute on Drug Abuse and the U.S. Public Health Service have concluded that the nicotine in tobacco is a powerful, habit-forming drug and described nicotine addiction as the most widespread example of drug dependence in our country. It is imperative to take more

6.72.080 Fee. The fee for a three-year tobacco retailer's license is $210 for each tobacco retail location. (Ord. 8659 § 9, 1988).

6.72.090 Non-transferability. A tobacco retail license is non-transferable, except, if a tobacco retailer changes location, a new tobacco retail license will be issued for the new address upon receipt of an application for change of location. The license will retain the same expiration date as that previously issued. (Ord. 8659 § 10, 1988).

6.72.100 Health warnings required. It is prohibited for a retailer to sell cigarettes not in a package provided by the manufacturer with required health warnings. (Ord. 8659 § 11, 1988).

6.72.110 Penalty for minors. A. Minors are prohibited from purchasing tobacco products. Purchase by a minor of tobacco products is hereby designated an infraction.

1. In the case of a ruling that a first infraction was found to have been committed by a minor purchaser, the minor shall be required to perform up to ten hours of community service.

2. In the case of a ruling that a second or two infractions were found to have been committed by a minor purchaser, the minor purchaser shall be required to perform a minimum of fifteen hours community service.

3. In the case of a ruling that three or more infractions were found to have been committed by a minor purchaser, the minor purchaser shall be required to perform a minimum of twenty-five hours community service.

B. Smoking cessation classes can be ordered in addition to or in lieu of the community service for violations.

C. Each purchase by a minor shall constitute a separate violation. (Ord. 8659 § 13, 1988).

6.72.120 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this chapter. (Ord. 8659 § 15, 1988).

Chapter 6.76
CHARITABLE SOLICITATIONS

Sections:

6.76.010 Definitions.
6.76.020 Soliciting for private needs prohibited.
6.76.030 Permit - Required - Exemptions.
6.76.040 Permit - Application - Contents.
6.76.050 Permit - Application - Investigation.
6.76.060 Permit - Application - State registration in lieu of.
6.76.070 Permit - Issuance.
6.76.080 Permit - Fees.
6.76.090 Permit - Term.
6.76.100 Credentials.
6.76.110 Permit - Expiration - Return.
6.76.120 Written receipts required.

6.76.130 Renewal of license, registration or permit - Late penalty.
6.76.140 Permit - Suspension or revocation - Notice to director of Public Safety.
6.76.150 Books and records of permit holders.
6.76.160 Financial report.
6.76.170 Religious solicitations - Certificate of registration-Required.
6.76.180 Religious solicitations - Certificate of registration-Regulations.
6.76.190 Fraudulent misrepresentation and misstatements prohibited.
6.76.200 Violation - Penalty.
6.76.210 Civil penalty.
6.76.220 Additional enforcement.
6.76.230 Severability.

6.76.010 Definitions. The following words and terms, unless a different meaning clearly appears from the context, shall mean as follows:

A. "Charitable" means and includes the words patriotic, philanthropic, social service, welfare, benevolent, educational, civic or fraternal, either actual or purported; provided, such term shall not include "religious" and "religion," which terms shall be given their commonly accepted definitions;

B. "Contributions" means and includes alms, food, clothing, money, credit, subscription, property, financial assistance or other thing of value and including any donations under the guise of a loan of money or property;

C. "Direct gift" means and includes an outright contribution of food, clothing, money, credit, property, financial assistance or other thing of value to be used for a charitable or religious purpose and for which the donor receives no consideration or thing of value in return;

D. "Director" means the manager of the business license division of general services of the county of King;

E. "Person" means any individual, firm, partnership, corporation, company, association or joint stock association, church, religious sect, religious denomination, society, organization or league, and includes any trustee, receiver, assignee, agent or other similar representative thereof;

F. "Promoter" means any person who promotes, manages, supervises, organizes or attempts to promote, manage, supervise or organize a campaign of solicitation, but shall not include either a bona fide full-time salaried officer or employee of a charitable organization whose salary or other compensation is not computed on funds raised or to be raised, or a temporary employee who is employed to contact volunteer workers by telephone but who may not himself solicit contributors directly;

G. "Sale and benefit affair" means and includes, but is not limited to, athletic or sports event, bazaar, benefit, campaign, circus, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale, social gathering, theater or variety show, which the public is requested to patronize or attend or to which the public is requested to make a contribution for any charitable or religious purpose connected therewith;

H. "Solicit" and "solicitation" mean the request within the county directly or indirectly of money, credit, property, financial assistance or other thing of value on the plea or representation that such money, credit, property, financial assistance or other thing of value will be used for a charitable or religious purpose, and include:

1. Any oral or written request,

2. The distribution, circulation, mailing, posting or publishing of any handbill, written advertisement of publication,

3. The making of any announcement to the press, by radio or television, by telephone or telegraph concerning an appeal, assemblage, athletic or sports event, bazaar, benefit, campaign, circus, contest, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale, social gathering, theater or variety show, which the public is requested to patronize or to which the public is requested to make a contribution for any charitable or religious purpose connected therewith,

4. The sale of, offer or attempt to sell any advertisement, advertising space, book, card, chance, coupon, device, magazine, membership, subscription, ticket, admission, article or other thing in connection with which any appeal is made for any charitable or religious purpose, or where the name of any charitable or religious organization, association or person is used or referred to in any such appeal or where in connection with any such sale, any statement is made that the whole or any part of the proceeds from any such sale will go or be donated to any charitable or religious purpose.

A "solicitation" shall be deemed completed when made, whether or not the person making the same received any contribution or makes any sale referred to in this section. (Ord. 2053 § 1, 1974: Ord. 1603 § 1, 1973).

6.76.020 Soliciting for private needs prohibited. No person shall solicit contributions for himself in or upon any public street or public place in the county of King. (Ord. 1603 § 2, 1973).

6.76.030 Permit - Required - Exemptions. It is unlawful for any person to solicit contributions for any charitable purpose within the county of King without a "charitable solicitation permit" issued by the director authorizing such solicitation; provided, however, that the provisions of this section shall not apply to:

A. Solicitations by any organization operated exclusively for religious or charitable purposes and not operated for the pecuniary profit of any person, if the solicitations by such organization are conducted among the members thereof by other members or officers thereof, voluntarily and without remuneration for making such solicitations, or if the solicitations are in the form of collections or contributions at the regular assemblies, meetings or services of any such organization;

B. Any charitable organization which does not solicit and collect contributions in this county in excess of two thousand five hundred dollars in any one year period all of such fund-raising functions are carried on by persons who are unpaid for their services. (Ord. 2053 § 2, 1603 § 3, 1973).

6.76.040 Permit - Application - Contents. An application for a charitable solicitation permit shall be made to the director upon forms provided by him. Such application shall be executed under oath by the applicant, and if a promoter is involved in the solicitation, he shall likewise execute under oath such application. The application shall be submitted to the director at least thirty days prior to the time at which the permit applied for shall become effective; provided, however, that the director may for good cause shown allow the application to be submitted less than thirty days prior to the effective date of the permit applied for. The application herein required shall contain the following information or, in lieu thereof, a detailed statement of the reason or reasons why such information cannot be furnished:

A. The name and address or headquarters of the person applying for the

permit;

B. If applicant is not an individual, the names and addresses of the applicant's principal officers and managers, and a copy of the resolution, if any, authorizing such solicitation, certified to as a true and correct copy of the original by the officer having charge of applicant's records;

C. If some organization other than the applicant is to be the beneficiary of the funds solicited hereunder and if that beneficiary organization's name will be used in the campaign of solicitation, there must be filed with the director a statement signed by the board of directors or other governing body of that beneficiary organization, authorizing the use of that organization's name in the solicitation campaign;

D. The purpose for which such solicitation is to be made, the total amount of funds proposed to be raised thereby, and the use or disposition to be made of any receipts therefrom;

E. The name and address of the person or persons by whom the receipts of such solicitation shall be disbursed;

F. The names, addresses and dates of birth of the person or persons who will be in direct charge of conducting the solicitation and the names and dates of birth of all promoters connected or to be connected with the proposed solicitation;

G. An outline of the method or methods to be used in conducting the solicitation and location of any telephone solicitation headquarters;

H. The time when such solicitations shall be made, giving the dates for the beginning and ending of such solicitations;

I. The amount of any wages, fees, commissions, salaries, expenses or emoluments to be expended or paid to any person in connection with such solicitations, and the names and addresses of all such persons;

J. A financial statement for the last preceding fiscal year of any funds collected for charitable purposes by the applicant, said statement giving the amount of money so raised, together with the cost of solicitation, and final distribution of the balance. This financial statement shall be submitted on a uniform reporting form provided by the director;

K. A detailed statement of the charitable work being done by the applicant within the county of King;

L. An itemization of the estimated cost of the solicitation;

M. A statement that the cost of the solicitation will not exceed twenty percent of the total gross amount to be raised by direct gifts, fifty-five percent of the total gross amount to be raised by sale and benefit affairs; and that in either case all wages, fees, commissions, salaries and emoluments paid or to be paid to all salesmen, solicitors, collectors, conductors and managers will not exceed twenty percent of the total gross amount collected;

N. A statement to the effect that if a permit is granted, it will not be used or represented in any way as an endorsement by the county or King or by any department or officer thereof of solicitations made thereunder;

O. A statement that applicant, and if applicant is not an individual, its principal officers, and any promoter, has read and understands the provisions of this chapter;

P. Such other information as may be reasonably required by the director in order for him to determine the character of the applicant and/or promoters and agents and the kind and character of the proposed solicitation.

If, while any application is pending, or during the term of any permit granted thereon, there is any change in fact, policy or method that would alter the information given in the application, the applicant shall notify the director in writing thereof within twenty-four hours after such change. (Ord.

6.76.050 Permit - Application - Investigation. The director shall examine all applications filed under Section 6.76.040 and shall make, or cause to be made, such further investigation of the application and the applicant as the director deems necessary. Upon request by the director, the applicant shall make available for inspection by the director, or any person designated as his representative for such purpose, all of the applicant's books, records and papers at any reasonable time before the permit is granted, during the time a permit is in effect, or after a permit has expired. (Ord. 1603 § 5, 1973).

6.76.060 Permit - Application - State registration in lieu of. Sections 6.76.040 and 6.76.050 shall not apply to any person who has fully complied with the laws of the state of Washington relating to charitable solicitation and has received a valid registration provided:

A. Such person furnishes a sworn statement that state law relating to charitable solicitation has been fully complied with and that the state registration is current and has not been revoked; and

B. Such person files with the director duplicate copies of all applications for registration, correspondence, instruments, documents and papers filed with the appropriate state officer or agency; and

C. Such person pays to the director the appropriate fees specified in Section 6.76.080; and

D. Such person does not use a method of solicitation or a promotional plan in violation of this chapter.

The director shall issue a charitable solicitation permit to any person who complies with this section. (Ord. 1603 § 6, 1973).

6.76.070 Permit - Issuance. A. The director shall issue the permit provided for in Section 6.76.030 whenever he finds the following facts to exist:

1. That all of the statements made in application are true;

2. That the applicant and the officers of the organization on whose behalf charitable solicitations are to be made and all persons supervising the solicitations and any promoters connected therewith shall not, to the knowledge of the applicant and/or promoter, have had a record of arrest and conviction with any federal or state law enforcement agency involving misstatement, misrepresentation, deception or fraud;

3. That the control and supervision of the solicitation will be under responsible and reliable persons;

4. That the applicant (and if not an individual, the officers, agents or promoters) has not engaged in any fraudulent transactions or enterprises;

5. That the proposed solicitation will be conducted to finance the charitable cause described in the application, and not for purposes of private gain;

6. That the cost of raising the funds will not exceed twenty percent of the total gross amount to be raised by direct gifts, or fifty-five percent of the total gross amount to be raised by sale and benefit affairs; and that in either case all wages, fees, commissions, salaries or emoluments paid or to be paid to all salesmen, solicitors, collectors, conductors and managers will not exceed twenty percent of the total gross amount collected;

7. That the method or methods for solicitation outlined in the application do not include any of the following methods of solicitation:

a. Charitable solicitations by children under fourteen years of age

where the children will be paid for such solicitation or retain a portion of the solicited funds. This prohibition shall not apply where both of the following exist:

(1) The children are members of the organization for whose benefit the solicitation is made and

(2) All funds so solicited, less permissible costs, shall be expended locally and solely for the direct benefit of children in such organization,

b. Delivery by mail or otherwise of any unordered merchandise,

c. Solicitation by means of coin or currency boxes or receptacles except:

(1) When each such box or receptacle shall be the responsibility of a bona fide member, agent or solicitor of the soliciting organization and

(2) When such responsible person shall be required to pick up each such box or receptacle at the end of the solicitation period

(3) When the use of such boxes and receptacles in the solicitation is expressly authorized by the director;

8. That the person or organization has tax-exempt status from the government of the United States.

B. The director may request the director of the Department of Public Safety to investigate the truth of the statements in the application and all other matters which tend to aid the director in determining whether to grant the permit. The director of the Department of Public Safety shall report to the director any reasons he may have for objecting to the granting of a permit.

C. The director is authorized to make and enforce rules and regulations, not inconsistent with the provisions of this chapter, and it is unlawful to violate or not to comply with any of the rules and regulations. All of such rules and regulations as promulgated by the director from time to time shall be reduced to writing and shall be made available to applicants under this chapter. (Ord. 2053 § 3, 1974: Ord. 1603 § 7, 1973).

6.76.080 Permit - Fees.

For charitable solicitation permit where no persons soliciting will be paid for such solicitation or retain a portion of solicited funds, excepting those charitable organizations employing bona fide full-time salaried officers or employees to supervise such solicitation: .....$ 40.00

For charitable solicitation permit where independent solicitors, promoters or professional fund-raising organizations will be paid or retain a portion of the solicited funds:.....$1,000.00

For filing appeal: .....$ 10.00

(Ord. 10170 § 16, 1991: Ord. 2053 § 4, 1974: Ord. 1603 § 8, 1973).

6.76.090 Permit - Term. All charitable solicitation permits issued under this chapter shall be dated and shall bear the name and address of the person to whom issued and of the organization on whose behalf solicitation may be done and shall be valid for one year from date of issue.

If an annual permit is applied for and denied, the applicant shall be entitled to a public hearing in the manner set forth in Section 6.76.130. Such permits shall not be transferable and shall state that the same is not an endorsement by King County for the purpose of the solicitation or of the person making the same. (Ord. 2053 § 5, 1974: Ord. 1603 § 9, 1973).

6.76.100 Credentials. All persons to whom charitable solicitation permits have been issued shall furnish to each of their agents and solicitors credentials approved as to form by the director. Such credentials shall include the permit number, the name and telephone number of the permit holder, the purpose of the solicitation, the signature of the applicant, and the name, address and signature of the solicitor to whom such credentials are issued, and the period of time during which the solicitor is authorized to solicit on behalf of the permit holder. The director may authorize the use of the identification approved by the Director of the Department of Motor Vehicles for the state of Washington for any person or organization validly registered under the charitable solicitation law; provided the above information appears thereon. It is unlawful for any person to solicit under any such charitable solicitation permit without having in his possession the credentials required by this section. The credentials must be shown, upon request, to all persons solicited or to any police officer of King County or agent of the director. (Ord. 1603 § 10, 1973).

6.76.110 Permit - Expiration - Return. Any charitable solicitation permit shall be returned to the director within seven days of its date of expiration. (Ord. 1603 § 11, 1973).

6.76.120 Written receipts required. Any person receiving money or anything having a value of one dollar or more from any contributor under a solicitation made pursuant to a charitable solicitation permit shall, upon request, give to the contributor a written receipt signed by the solicitor showing plainly the name and permit number of the person under whose permit the solicitation is conducted, the date and the amount received; provided, however, that this section shall not apply to any contributions collected by means of a closed box or receptacle used in solicitation with the express approval of the director. (Ord. 1603 § 12, 1973).

6.76.130 Renewal of license, registration or permit - Late penalty. A late penalty shall be charged on all applications for renewal of a license, registration or permit received later than ten working days after the expiration date of such license, registration or permit as set forth in the respective resolution or ordinance establishing the expiration date of such license, registration or permit. The amount of such penalty is fixed as follows:

For a license, registration or permit requiring a fee of fifty cents or more, but less than fifty dollars - twenty percent of the required fee.

For a license, registration or permit requiring a fee of fifty dollars or more, but less than one thousand dollars - ten percent of the required fee.

For a license, registration or permit requiring a fee of one thousand dollars or more - five percent of the required fee. (Ord. 1888 Art. IV § 3, 1974).

6.76.140 Permit - Suspension or revocation - Notice to director of Public Safety. The director of the Department of Public Safety shall be notified by the director of the suspension or revocation of any charitable solicitation permit. (Ord. 1603 § 16, 1973).

6.76.150 Books and records of permit holders. Every person to whom a charitable solicitation permit has been issued under this chapter shall

maintain a system of accounting whereby all contributions and all disbursements are entered upon the books or records of such person's treasurer or other financial officer. For each solicitation a separate folder containing all vouchers supporting the accounting and containing a record of all contributions and disbursements will be maintained and available for inspection by the director or his agent for a period of one year from the end of the period of solicitation. (Ord. 1603 § 17, 1973).

6.76.160 Financial report. Within thirty days after completing solicitation, the holder of a charitable solicitation permit shall furnish the director with a detailed financial report and statements showing the amount raised by solicitation under the permit, the amount expended in soliciting, including a detailed account of all wages, fees, commissions and expenses allowed or paid anyone in connection with such solicitation, and a statement of the disposition of the balance, and proof of such disposition shall be furnished the director on request. All moneys or things of value collected under such permit shall be reported. The financial report required by this section shall be submitted on a uniform form provided by the director. The director shall keep the report available for inspection by the public; provided, however, the director may extend the time for filing of the report required by this section for an additional period of thirty days or longer upon proof that the filing of the report within the time specified will work unnecessary hardship on the permit holder. Any charitable organization having a one year permit shall file with the director a copy of the independent certified audit of its financial books and records within ten days after the same has been obtained. (Ord. 1603 § 18, 1973).

6.76.170 Religious solicitations - Certificate of registration - Required.

A. No person shall solicit contributions for any religious purpose within King County without a certificate of registration issued by the director; provided, however, that the provisions of this section shall not apply to solicitations by any religious organization conducted among the members thereof by other officers or members voluntarily and without remuneration for making such solicitations, or to solicitations for or collections of contributions at the regular assemblies, meetings or services of such organizations. Application for a certificate shall be made to the director upon forms provided by him. Such application shall be sworn to or affirmed, and shall contain the following information, or in lieu thereof, a statement of the reason or reasons why such information cannot be furnished:

1. The name and local address or headquarters of the person applying for the certificate;

2. If applicant is not an individual, the names and addresses of the applicant's principal officers and managers and a copy of the resolution, if any, authorizing such solicitation, certified to as a true and correct copy of the original by the officer having charge of applicant's records;

3. The purpose for which such solicitation is to be made, the total amount of funds proposed to be raised thereby, and the use or disposition to be made of any receipts therefrom;

4. The name and address of the person or persons by whom the receipts of such solicitation shall be disbursed;

5. The name and address of the person or persons who will be in direct charge of conducting the solicitation and the names of all promoters connected or to be connected with the proposed solicitation;

6. An outline of the method to be used in conducting the solicitation;

7. The time when such solicitation shall be made, giving the dates for the beginning and ending of such solicitations;

8. The estimated cost of the solicitation;

9. The amount of any wages, fees, commissions, expenses or emoluments to be expended or paid to any person in connection with such solicitations, and the names and addresses of all such persons;

10. A financial statement for the last preceding fiscal year of any funds solicited by the applicant for religious purposes from the public pursuant to a certificate of registration hereunder, said statements giving the amount of money so raised, together with the cost of raising it, and final distribution thereof;

11. A detailed statement of the religious work being done by the applicant within King County;

12. A statement to the effect that the certificate will not be used or represented in any way as an endorsement by King County or by any department or officer thereof.

B. If, while any application is pending or during the term of any certificate granted thereon, there is any change in fact, policy or method that would alter the information given in the application, the applicant shall notify the director in writing thereof within twenty-four hours after such change. (Ord. 1603 § 19, 1973).

6.76.180 Religious solicitations - Certificate of registration - Regulations. Upon receipt of such application, the director shall issue the applicant a certificate of registration. The certificate shall remain in force and effect for a period of six months after the issuance thereof, and shall be renewed upon the expiration of this period upon the filing of a new application as provided for in Section 6.76.190. Certificates of registration shall bear the name and address of the person by whom the solicitation is to be made, the number of the certificate, the date issued and a statement that the certificate does not constitute an endorsement by King County or by any of its departments or officers of the purpose or the person conducting the solicitation. All persons to whom certificates of registration have been issued shall furnish credentials to their agents and solicitors in the same manner and subject to the same conditions as set forth in Section 6.76.100 relating to credentials to solicit for charitable purposes. No person shall solicit under any such certificate of registration without such credentials in his possession, and such person shall, upon demand, present these credentials to any person solicited or to the director or his agent or to any police officer of King County. (Ord. 1603 § 20, 1973).

6.76.190 Fraudulent misrepresentation and misstatements prohibited. It is unlawful for any person to directly or indirectly solicit contributions for any purpose by misrepresentation of his name, occupation, financial condition, social condition or residence, and no person shall make or perpetrate any other misstatement, misrepresentation, deception or fraud in connection with any solicitation of any contribution for any purpose in the county of King or in any application or report filed in connection therewith. (Ord. 1603 § 21, 1973).

6.76.200 Violation - Penalty. Any person who wilfully violates any of the provisions of Sections 6.76.010 through 6.76.190 is, upon conviction thereof, punishable by a fine of not more than two hundred fifty dollars or by imprisonment in the county jail for a term of not more than ninety days, or by

both fine and imprisonment. (Ord. 1603 § 22, 1973).

6.76.210 Civil penalty. In addition to or as an alternative to any other penalty provided herein or by law any person who violates any provision of any business license ordinance shall be subject to a civil penalty in an amount not to exceed two hundred fifty dollars per violation to be directly assessed by the director. The director, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator; the gravity of the violation; the number of past and present violations committed and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this title. (Ord. 1888 Art. IV § 1, 1974).

6.76.220 Additional enforcement. Notwithstanding the existence or use of any other remedy, the director may seek legal or equitable relief to enjoin any acts or practices which constitute or will constitute a violation of any business license ordinance or other regulations herein adopted. (Ord. 1888 Art. IV § 2, 1974).

6.76.230 Severability. It is the intention of the county council that each separate provision of this chapter is independent of all other provisions therein. Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this chapter. (Ord. 1603 § 23, 1973).

Chapter 6.80
MARRIAGE LICENSES

Sections:

6.80.010 Fee.
6.80.020 Disposition of funds.

6.80.010 Fee. The fee for marriage licenses shall be increased by eight dollars for a total fee of sixteen dollars ($16.00) as authorized by HB 829, Section 1, paragraph 1 (Chapter 124, Regular Session, 46th Legislature, 1980). (Ord. 5220 § 1, 1980).

6.80.020 Disposition of funds. The county shall use the proceeds from the fee increase to pay the expenses of family court under RCW Chapter 26.12 in addition to any other funds used therefore. Fees collected shall be deposited in the same manner as other county funds and shall be maintained in a separate account. (Ord. 5220 § 2, 1980).

Chapter 6.84
SHOOTING RANGES

Sections:

6.84.020 Definitions.
6.84.030 License required.
6.84.040 Operating with a license prohibited.
6.84.050 Denial, suspension or revocation of license.
6.84.060 License fee.
6.84.070 License renewal.
6.84.080 Safety standards and specifications.
6.84.085 Liability.
6.84.090 Appeals.
6.84.200 Severability.

6.84.020 Definitions. A. "Shooting Range" means a facility designed for and providing a confined space for safe target practice with firearms. Archery ranges are specifically excluded from this definition.

B. "Range master" means a person or persons appointed by the operators of a shooting range to oversee the safe discharge of shotguns, rifles, or pistols in accordance with the design standards and safety specifications of this chapter and any additional safety specifications which may be adopted by the operators of the shooting range. (Ord. 11563 § 2, 1994, Ord. 11177 § 4, 1993).

6.84.030 License required. The operators of all shooting ranges shall apply for an operating license within three months of the effective date of this chapter (January 9, 1994), on an application form prescribed by the manager of the King County licensing and regulatory services division. The King County licensing and regulatory services division is authorized to issue such license after a determination that the design standards and safety specifications set forth in this chapter are satisfied. The licensing and regulatory services division shall base their licensing determination on the review and concurrence of the King County departments of public safety and development and environmental services or their designee. This section shall not relieve the applicant of any applicant of any obligation to obtain any other required land use or building permits or approvals, except shooting ranges in operation prior to the effective date of this chapter (January 9, 1994) shall not be required to seek new land use or building permits solely for issuance of a license. (Ord. 11177 § 5, 1993).

6.84.040 Operating without a license prohibited. No shooting range shall operate without a license issued pursuant to this chapter, provided, that clubs and ranges in existence prior to the effective date of Ordinance 11177 (January 9, 1994) may continue to operate without a license for no more than twenty-four months from the effective date, or the date permits are issued, whichever is later if needed permits are applied for within one year of notification by the King County department of licensing of facility modifications required by this chapter and the operating license application requirements set forth in K.C.C. 6.84.030 have been met. (Ord. 11563 § 3, 1994, Ord. 11177 § 6, 1993).

6.84.050 Denial, suspension or revocation of license. The manager of the licensing and regulatory services division may deny, suspend or revoke any license issued under this chapter, consistent with K.C.C. chapter 6.01, if the applicant, any of its officers, directors, partners, or members have violated any of the provisions of this chapter. (Ord. 11177 § 7, 1993).

6.84.060 License fee. A license fee of fifty dollars shall be charged for review and processing of the license application. The department of public safety and department of development and environmental services may charge additional fees, not be exceed five times the license fee, to cover the cost of review as necessary. (Ord. 11177 § 8, 1993).

6.84.070 License renewal. The operating license shall be reviewed and renewed every five years. Expansions of the level or type of shooting activity authorized by the license shall require review and issuance of a new license whenever such expansion occurs. New shooting activities shall not be permitted until authorized by a new license. Applications for license renewal shall be made in writing on forms prescribed by the manager of the licensing and regulatory services division at least thirty days prior to the expiration of the existing license. (Ord. 11177 § 9, 1993).

6.84.080 Safety standards and specifications. All shooting ranges licensed pursuant to this chapter shall comply with the following safety standards and specifications:

A. All structures, installations, operations, and activities shall be located at such a distance from property lines as will protect adjoining properties from hazard, when the ranges are used in accordance with range safety rules and standards.

B. Overhead baffles (or other constructs/devices), shall be installed at all stationary shooting positions to prevent errant rounds from escaping pistol and rifle ranges when such ranges are used in accordance with range safety rules and standards.

C. Range site design features and safety procedures shall be installed and maintained to discourage errant rounds from escaping all shooting positions, when such positions are used in accordance with range safety rules and standards.

D. A plan shall be submitted with the license application which shows the location of all buildings, parking areas and access points; safety features of the firing range; elevations of the range showing target area, backdrops or butts; and approximate location of buildings on adjoining properties.

E. A safety plan shall be submitted which cites rules for each range, sign-in procedures, and restrictions on activities in the use of ranges, and every safety plan shall prohibit loaded weapons except at shooting positions and except for holstered handguns.

F. All shooting ranges shall have a designated range master.

G. Where urban residentially zoned property or residential streets are located adjacent to property containing an outdoor shooting range, warning signs shall be installed and maintained along the shooting range property line.

H. Shooting ranges shall be used for the shooting activities they were designed to accommodate unless redesigned to safety accommodate new shooting activities.

I. The range master shall report in writing to the manager of the licensing and regulatory services division all accidents resulting from the discharge of firearms in use on the range.