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ORDINANCE NO. 345

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON REPEALING TITLE 5.05 OF THE SHORELINE MUNICIPAL CODE AND ADOPTING A NEW SECTION 5.07 REGARDING SPECIALTY BUSINESS LICENSES

WHEREAS, on July 31, 1995 the Shoreline City Council passed Ordinance No. 34 adopting Title 6 of the King County Code as the City's Interim Business Licenses and Regulation Code; and

WHEREAS, many of the regulations adopted at that time had not been amended for more than ten years; and

WHEREAS, the King County Code as adopted was not a general business licensing requirement, but simply listed a series of types of businesses to be licensed; and

WHEREAS, until January 1, 2002 King County handled the issuance of these specialty business licenses and administered Title 5.05 of the Shoreline Municipal Code; and

WHEREAS, on January 1, 2002 the City of Shoreline assumed responsibility for the issuance and administration of its specialty business licenses, with the exception of taxicabs; and

WHEREAS, the City Council has determined that certain specialty business licenses should no longer be required; and

WHEREAS, the City Council has determined that the regulations administering the licensing program for the remaining businesses should be updated and available to the public as part of the Shoreline Municipal Code; and

WHEREAS, the City Council wishes to retain King County as the licensing authority for taxicabs and for-hire vehicles;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Repeal. Chapter 5.05 of the Shoreline Municipal Code is hereby repealed.

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Section 2. New Chapter: Regulatory Business Licenses. A new Chapter 5.07 "Regulatory Business Licenses" is added to the Shoreline Municipal Code as follows:

Section 5.07.000 REGULATORY BUSINESS LICENSES

Section 5.07.010	Chapter and purpose
Section 5.07.020	Definitions—general
Section 5.07.030	License required—fee—term—notices
Section 5.07.040	License application—form
Section 5.07.050	License application—other requirements
Section 5.07.060	License application—approval or disapproval procedure--appeals
Section 5.07.070	License—display—nontransferability—responsibility
Section 5.07.080	License renewal—late fee
Section 5.07.090	License—revocation
Section 5.07.100	Violation—penalty
Section 5.07.110	Additional enforcement
Section 5.07.200	Public Dances
Section 5.07.300	Regulated Massage Businesses
Section 5.07.400	Pawnbrokers
Section 5.07.500	Secondhand Dealers
Section 5.07.600	Solicitors
Section 5.07.700	Taxis—businesses and drivers

5.07.010 Chapter and purpose. This chapter provides license requirements for certain businesses and activities that require an extra level of scrutiny because they may have impacts on the health, safety and welfare of the community.

5.07.020 Definitions—general

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meaning given in this section.

A. "Business" is any commercial enterprise, profession or activity conducted by any person or persons on any premises in the City.

B. "City" means the City of Shoreline, Washington.

C. "Clerk" means such city employees or agents as the city manager shall designate to administer this chapter, or any designee thereof.

D. "Conviction" means an adjudication or conviction of guilt and occurs at such time as a plea of guilty has been accepted or a verdict of guilty has been filed, notwithstanding the pendency of any future proceeding including but not limited to sentencing or disposition, post-trial or post-factfinding motions, and appeals. Conviction also means a bail forfeiture and includes all instances in which a plea of nolo contendere is the basis for the conviction and all proceedings in which the sentence has been deferred or suspends.

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E. "License" is legal permission to operate or own a specified thing, or the holder for any use or period of time of any similar privilege, wherever relevant to any provision of this chapter or other law or ordinance.

F. "Person" includes individual natural persons, partnerships, joint ventures, societies, associations, clubs, trustees, trusts or corporations, or any officer, agent, employee, or any kind of personal representative of any officer, agent, employee thereof, in any capacity, acting either for himself, or any other person, under either personal appointment or pursuant to the law.

G. "Premises" includes all lands, structures and places, and also any personal property which is either affixed to or is otherwise used in connection with any such business conducted on such premises.

5.07.030 License required—Fee—Term—Notices

A. It is unlawful for any person to engage in any business as provided in this chapter within the city limits, without first obtaining a license pursuant to the provisions of this chapter.

B. The fees associated with the licenses described in this section shall be as follows:

Type of license	Fee per year
Regulated Massage Businesses **Massage Manager**	**$150** **$25**
Public Dance	**$100/event**
Pawnbroker	**$500**
Secondhand	**$40**
Master Solicitor **Solicitor**	**$100** **$25**

C. All registrations shall be renewable on the 31st day of December of each year. The clerk shall send notice of renewals to each license holder by December 1st of each year.

D. Fees becoming due for less than one year shall be prorated on a quarterly basis.

E. A duplicate license shall be issued by the clerk to replace any license previously issued, which has been lost, stolen, defaced or destroyed, upon the paying to the clerk of a fee of $5.00.

F. Any notice required by this chapter to be mailed to any license holder shall be sent by ordinary mail, addressed to the license holder shown by the records of the clerk or, if no such address is shown, to such address as the clerk is able to ascertain by reasonable effort. Failure of the license holder to receive such mailed notice shall not release the license holder from any fee or penalties thereon, nor shall such failure of the business to operate extend any time limit set by the provisions of this chapter.

5.07.040 License Application—form.

A. Every person required to have a business license under the provisions of this chapter shall submit a written application for such license to the clerk upon a form provided by the clerk.
B. The clerk shall issue a receipt to the applicant for the money paid in advance subject to the following conditions. A receipt shall not be construed as the approval of the clerk for the issuance of a licenses, nor shall it entitle or authorize the applicant to open or maintain the business permitted by that license.

5.07.050 License application—Other Requirements. In addition to the business license, other permits or licenses may be required for certain businesses.

5.07.060 License application—approval or disapproval procedure--appeals. The clerk shall collect all license fees and shall issue licenses in the name of the city to all persons qualified under the provisions of this chapter and shall:

A. Adopt all forms and prescribe the information required to implement this chapter.
B. Submit all applications to the appropriate departments for their endorsements as to compliance by applicant with all city regulations which they have the duty of enforcing.
C. Provide the license or notify the applicant of the rejection of his application; upon denial of any application, state in writing the reasons therefor and the process for appeal thereof, and deliver this to the applicant.
D. Deny any application for a license upon written findings that the issuance conflicts with this chapter or with other city regulations.
    1. Whenever any such application is denied, the applicant may appeal the decision to the hearing examiner or other designated hearing body as may hereafter be established by the city council for the hearing of such appeals, by filing a notice of appeal with the clerk within fourteen (14) days of receiving notice of the action from which appeal is taken.
    2. The hearing body, upon receipt of a timely notice of appeal, shall set a date for a hearing of such appeal within 30 days from the date of such receipt, unless extended by mutual agreement or for good cause shown. The hearing shall be de novo. The hearing body shall hear testimony, take evidence and may hear oral argument and receive written briefs.
    3. The decision of the hearing body on an appeal from a decision of the clerk shall be based upon a preponderance of the evidence. The burden of proof shall be on the city.
    4. Any person aggrieved by the decision of the hearing examiner or other designated hearing body shall have the right to appeal the decision to the superior court by writ of certiorari filed and served upon the city within fourteen (14) calendar days after the date of the hearing examiner's or other hearing body's decision.

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5.07.070 License—display—nontransferability—responsibility

A. Upon receipt of the license, it shall be retained on premises where it may be inspected at any time.

B. Licenses issued under the provisions of this chapter shall not be transferable or assignable.

C. The agents or other representatives of nonresidents who are doing business in the city shall be personally responsible for the compliance of their principals and the businesses they represent.

5.07.080 License renewal—late fee. A late penalty shall be charged on all applications for renewal of a license received later than ten (10) working days after the expiration date of such license. The amount of such penalty is fixed as follows:

A. For a license requiring a fee of less than $50, 20 per cent of the required fee.

B. For a license requiring a fee of more than $50, 10 per cent of the required fee.

5.07.090 License—revocation.

A. Any license issued under the provisions of this chapter may be revoked by the clerk if the further operation of the business would be in violation of any federal or state law or any ordinance or regulation of the city. The clerk shall cause to be served upon such parties as may be deemed to be interested therein such reasonable notice as many be determined to be proper of intention to revoke such license.

B. Whenever any such license is revoked, the license holder may appeal such action as described in 5.07.060(D). The filing of such an appeal shall stay the action of the clerk.

5.07.100 Violation—penalty. Any violation of this chapter shall constitute a misdemeanor and the punishment shall be as provided by the laws of the State of Washington.

5.07.110 Additional enforcement. Notwithstanding the existence or use of any other remedy, the clerk 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.

PUBLIC DANCES

5.07.200 Definitions
5.07.205 Exemptions
5.07.210 License Required
5.07.220 License—application
5.07.230 License—investigation
5.07.240 License—prerequisites

5.07.250 Dance Hall regulations
5.07.260 Denial of license

5.07.200 Definitions.

A. For the purposes of this chapter, "public dance" means any dance that is accessible to the public and which:
   1. Permits the entry of any persons under the age of eighteen; and
   2. Is held and conducted for a profit, either direct or indirect.

B. "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.

5.07.205 Exemptions. The following types of public dances shall be considered exempt:

A. Those sponsored by tax exempt non-profit organizations.

B. Those in which the number of participants is limited to one hundred and fifty (150) or less.

5.07.210 License Required. 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 in the manner prescribed in this chapter.

5.07.220 License Application.

A. The person desiring to conduct, operate or maintain a public dance hall shall be responsible for obtaining a public dance hall license.

B. For one-night public dances, a license must be obtained at least fourteen days prior to the date the dance is to be held.

5.07.230 License—investigation. Upon the filing of an application for a public dance hall license, the clerk shall refer the same to the Shoreline Police Department for investigation of the statements contained in such application.

5.07.240 License—prerequisites. Applicants must comply with the building, zoning, planning and fire codes of the City of Shoreline and with any rules or regulations set forth by the State of Washington Liquor Control Board.

5.07.250 Dance Hall Regulations.

A. Security Attendant Required. The owner or operator of every dance shall be required to hire at his own expense a security attendant or attendants, as required by the chief of police of the city, necessary to maintain good order in each dance.

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B. Floor Manager. Every person conducting a public dance shall have a floor manager in control of the premises continuously from one-half hour before dancing begins until the dance hall is closed. It shall be the duty of the floor manager to cooperate in carrying out the provisions of this chapter relating to public dances and in preserving order and good conduct on the part of the patrons and employees of the dance and to immediately notify the police of any suspected illegal activities on the part of patrons or employees of the dance.

C. Lighting. After sunset, before any patrons are admitted thereto, every public dance hall shall be lighted or illuminated in such a manner and to such an extent as is usual or customary for lighting halls or rooms of like dimensions in the nighttime for public assemblies. Such lighting or illumination shall be maintained thereafter throughout the entire time for which such dance hall is open and entertaining patrons, and during any recess or other intermission, without diminution or interruption until such dance hall is cleared and closed.

D. Police responsibilities.

1. Any member of the police department of the city shall have the power and the duty to cause any dance hall to be vacated whenever any provision of this chapter is being violated.
2. The chief of police or some officer specifically designated by him/her shall investigate all complaints against public dances.

E. Closing Hours. All public dances and all music therein shall cease and terminate on or before midnight; provided, however, that upon application and for good cause shown, the police chief may grant permission to hold or continue a dance after the times provided above if he finds that the same may be conducted without any violation of this chapter.

F. Entry for Inspections. All city officials shall have free access to public dances for the purposes of inspecting and enforcing compliance with the provisions of this section.

5.07.260 Denial of license.

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

1. 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 69.50, or any felony or misdemeanor under RCW 9A.44, 9A.64 or 9A.88;
   b. Contributing to the delinquency of a minor; or
   c. Assault.
2. Failed to comply with the building, zoning, planning or fire codes of the City of Shoreline, or any rules or regulations set forth by the State of Washington Liquor Control Board; or
3. Knowingly made any material misstatement in the applicant's application.

B. The clerk 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.

REGULATED MASSAGE BUSINESSES

5.07.300 Definitions
5.07.305 Business License Required
5.07.310 License for massage practitioners
5.07.315 License for managers
5.07.320 License applications
5.07.325 Requirements for licensing/operations
5.07.330 Standards for denial of application
5.07.335 Standards of suspension or revocation
5.07.340 Transfer of licenses and change of location
5.07.345 Standards of safety and sanitation
5.07.350 Standards of conduct/operation
5.07.355 Internal warning systems prohibited

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

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

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

C. "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, tapping or any other manipulations with or without the aids of superficial heat, cold, water, lubricants, or salts, and including the use of equipment, machinery or appliances.

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

E. "Regulated massage business" means the operation of a business at which massage are given; provided that the owner is not a licensed massage practitioner.

5.07.305 Business License Required.

A. It is unlawful to conduct, operate or maintain a regulated massage business unless such establishment or premises is licensed as hereinafter provided.

B. Businesses employing the following are exempt:

1. Physicians, surgeons, chiropractors, osteopaths, acupuncturists, or physical therapists who are duly licensed or certified to practice their respective professions in the State of Washington;
2. 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;
3. Persons authorized by the laws of this state as barbers and cosmetologists, provided such massage as is practiced is within their authorized scope of practice;

4. Members of the athletic department of any institution maintained by the public funds of the state, or any of its political divisions; or
5. Members of the athletic departments of any school or college accredited by the Northwest Association of Secondary and Higher Schools.
6. Students enrolled in schools of massage performing such practices of massage as are incidental to their course of study.

5.07.310 License for massage practitioners. It is unlawful for any person to perform a massage or represent himself as a massage practitioner without first applying for, receiving and being in possession of a current, valid Washington State massage practitioner's license.

5.07.315 License for managers. It is unlawful for any person to manage a regulated massage business without first applying for and receiving a city massage manager license. It is provided, however, that if the person who will be serving as the manager of the regulated massage business will also be working in the regulated massage business as a licensed massage practitioner and has a valid massage practitioner's license pursuant to Section 5.07.310 of this Code, said person shall not be required to obtain a Massage Manager license.

5.07.320 License applications.

A. Regulated Massage Businesses. Any person who does not possess a current, valid Washington State Massage Practitioner's License who seeks to operate or conduct a Regulated Massage Businesses must first apply for, receive and possess a Regulated Massage Businesses license. All applications for a massage business license or license renewal shall be submitted in the name of the person or entity proposing to manage or maintain such Regulated Massage Businesses shall be signed by such person or his legally authorized agent and certified as true under penalty of perjury. All applications shall be submitted on a form supplied by the clerk.

B. Massage manager. Any person who does not possess a current, valid Washington State Massage Practitioner's License who seeks to manage the activities of a regulated massage business must apply for, receive and possess a Massage Manager's License. All applications for a massage manager's license or license renewal shall be signed by the applicant and certified to be true under penalty of perjury. All applications shall be submitted on a form supplied by the clerk.

C. Background checks. All applications for regulated massage business or massage manager licenses submitted pursuant to the chapter will be submitted to a background check in accordance with the procedures of the Shoreline Police Department.

5.07.325 Requirements for licensing/operation. The clerk shall refer applications to the Seattle-King County Health Department and the 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. All licensees shall:

A. Comply with the applicable safety and sanitation requirements of Section 5.07.345 of this chapter;

B. 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 Shoreline Police Department;

C. Allow any police officer or representative of the City of Shoreline, or fire marshal's office entry to the premises during the hours the Regulated Massage Businesses is open for business, upon presentation of proper identification, for purposes of inspecting the premises;

D. 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;

E. Comply with the applicable standards of conduct requirements set out in Section 5.07.350 of this chapter;

F. Comply with the applicable provisions of the City of Shoreline building, fire and zoning codes;

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

H. 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

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

5.07.330 Standards for denial of application.

A. The clerk shall deny any regulated massage business license applied for under the provisions of this chapter if he determines that the applicant has:

1. Made any material misstatement in the application for a license;
2. 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; or
3. Not complied with the operating requirements set out in Section 5.07.350 of this chapter.

B. The clerk may deny any regulated massage business license or massage manager 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:

1. 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
2. Had a regulated massage business license or manager massage license denied or revoked by the City of Shoreline.

C. Effect of license denial. If any applicant has his or her license denied pursuant to Section 5.07.330B1 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 5.07.330B1 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.

5.07.335. Standards of suspension or revocation.

A. The clerk shall revoke or suspend a regulated massage business license or massage manager license if he determines that the licensee has:

1. Failed to comply with the applicable safety and sanitation requirements set out in Section 5.07.345 of this chapter; or,

2. Failed to comply with the applicable standards of conduct set out in Section 5.07.350 of this chapter; or,

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

4. 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.

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

B. If it is determined during an inspection that the condition of any regulated 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 city. Failure to comply with any written notice of violation by the city to make corrections may result in suspension or revocation of the Regulated Massage Business Licenses.

5.07.340 Transfer of licenses and change of location. No regulated massage business license issued under this chapter shall be transferable from one person to another. Upon the sale or transfer of any substantial interest in a Regulated Massage Businesses, 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.

5.07.345 Standards of 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 service animals, 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 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.

5.07.350 Standards of conduct/operation.

A. Regulated Massage businesses must have a manager on the premises at all times during the business hours.

B. It shall be unlawful for any employee or agent of any regulated massage business 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 unclothed massage patrons in the same room or enclosure at the same time.

C. Any violation of this section shall be grounds for revocation or suspension of the massage business and massage operator's license.

5.07.355 Internal warning systems prohibited. Any business required to be licensed under this chapter shall not install any device that is designed as an internal warning system and no persons shall use any device for alerting persons in other portions of the building.

PAWNBROKERS

5.07.400 License required.
5.07.405 Pawnbroker and pawnshop defined.
5.07.410 Application for license.
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5.07.445 Seller or consignee to give true name and address.
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5.07.465 Certain transactions prohibited.
5.07.470 Pawnshop to be closed during certain hours.
5.07.475 State of Washington Requirements

5.07.400 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.

5.07.405 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.

5.07.410 Application for license. All applications for issuance or renewal of a pawnbroker's license shall be made to and be filed with the clerk 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 pawnshop, together with such other information as the license division deems appropriate. The application shall then be referred to the Shoreline Police Department for investigation, report and recommendation. If, from the reports and other information available, the clerk deems the applicant to be a fit and proper person, the director shall issue or renew the license applied for.

5.07.415 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.

5.07.420 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.

5.07.425 Records required. Every pawnbroker shall maintain at his place of business a book or other medium for electronic reporting in which he shall at the time of such loan, purchase or sale, enter, 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.

5.07.430 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.

5.07.435 Transcript to be furnished.

A. Transcript Required. It is the duty of every pawnbroker to deliver to the Shoreline Police Department 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 Shoreline Police Department 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.

5.07.440 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 Shoreline Police Department; and all articles or things received, purchased or left in pledge with the pawnbroker shall at all times be open to a like inspection.

5.07.445 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.

5.07.450 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.

5.07.455 Prima facie evidence of violation. The fact of loaning money upon or purchasing goods from any of the classes enumerated in Section 5.07.450 shall be prima facie evidence of an intent on the part of such pawnbroker, his agent or employee, to violate this chapter.

5.07.460 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.

5.07.465 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.

5.07.470 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.

5.07.475 State of Washington requirements. For statutory provisions regarding business regulations of pawnbrokers, see RCW 19.60.

SECONDHAND DEALERS

5.07.500 License required.
5.07.505 Secondhand dealer and secondhand goods defined.
5.07.510 Application for a license.
5.07.515 Personal property tax return.
5.07.520 More than one shop - Change of location.
5.07.525 Records required.
5.07.530 Compliance required.
5.07.535 Transcript to be furnished.
5.07.540 Records and articles to be available for inspection.
5.07.545 Seller to give true name and address.
5.07.550 No sale within ten days.
5.07.555 Certain transactions prohibited.
5.07.560 State of Washington requirements

5.07.500 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 Shoreline without first obtaining a "secondhand dealer's license" pursuant to the provisions of this chapter.

5.07.505 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, except for the following:

1. Those persons who resell their own previously rented merchandise.
2. Those persons who sell used books and media, including but not limited to audiotapes and CDs, that have an individual value of under $1,000.
3. Those persons engaged in the business of selling used or secondhand motor vehicles or boats.
4. Any tax-exempt non-profit organization. A copy of the current 501(C)3 form attesting to its non-profit status shall be considered to demonstrate the application of this section and the right to such exemption.
5.. Public sales of household items by the owner conducted not more than three times a year.

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.

5.07.510 Application for a license. All applications for issuance or renewal of secondhand dealer's license shall be made to and be filed with the clerk on forms furnished for such purpose. The application shall be referred to the Shoreline Police Department 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 clerk shall issue or renew the license applied for.

5.07.515 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.

5.07.520 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 clerk, and the change of address shall be noted on the license, together with the date on which the change was made.

5.07.525 Records required. Every secondhand dealer shall maintain at his place of business a book or other medium for electronic reporting in which he shall at the time of purchase of any secondhand goods enter 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.

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5.07.530 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.

5.07.535 Transcript to be furnished.

A. Transcript Required. It is the duty of every secondhand dealer to deliver to the Shoreline Police Department 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 Shoreline Police Department 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.

5.07.540 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 Shoreline Police Department; and all articles or things received or purchased shall at all times be open to a like inspection.

5.07.545 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.

5.07.550 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 Shoreline Police Department as provided herein, except when the goods have been inspected by regular members of the Shoreline Police Department, 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.

5.07.555. 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.

C. "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.

D. "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.

5.07.560 State of Washington requirements. For statutory provisions regarding business regulations of secondhand dealers, see RCW 19.60.

SOLICITORS

5.07.610 Definitions
5.07.620 License application
5.07.630 License Application--exemptions
5.07.640 License Regulations--order requirements
5.07.650 Carrying license required

5.07.610 Definitions.

A. A "master solicitor" is a person or firm which employs or uses agents or employees to act as solicitors.

B. A "solicitor" is any person who sells, offers for or exposes for sale or who trades, deals or traffics in any services, magazines, periodicals or any other personal property at retail in the city, by going from house to house or by indiscriminately approaching individuals; provided, however, that this subsection shall not be deemed applicable to any salesman or canvasser who solicits trade from wholesale or retail dealers in the city.

5.07.620 License application.

A. Any person seeking to engage in business as a master solicitor shall file a written application for such license with the clerk on the form provided.

B. Any person seeking to engage in business as a solicitor shall file a written application for such license with the Clerk on the form provided.

5.07.630 License Application—Exemptions

A. This chapter shall not apply to the selling of personal property at wholesale to dealers in such articles or commodities, shall not apply to persons who deliver daily or weekly newspapers, and shall not apply to any organization, association or corporation desiring to solicit, or have solicited in its name, donations of money or property or financial assistance of any kind or desiring to sell or distribute any item of literature or merchandise for a tax-exempt non-profit organization. Any person or organization claiming an exemption under this section shall file with the clerk a copy of the current 501(C)3 form attesting to its non-profit status, which shall be considered to demonstrate the application of this section and the right to such exemption.

B. This chapter shall not apply to bona fide candidates, campaign workers and political committees campaigning on behalf of candidates or on ballot issues and persons soliciting signatures of registered voters on petitions to be submitted to any governmental agency.

5.07.640 License Regulations—Order Requirements. All orders taken by licensed solicitors shall be in writing, in duplicate, stating the name of the solicitor, as it appears on the license, the solicitors permit number as issued under this chapter, the

address of both the solicitor and his employer, the terms of the order of agreement, and the amount of money or checks paid to the solicitor. One copy of such order or agreement shall be given to the purchaser.

5.07.650 Carrying license required. The solicitor's license shall be carried at all times when soliciting or canvassing in the city and shall be exhibited whenever requested to do so by a police officer, any city official, or any persons solicited or canvassed.

TAXIS—BUSINESSES AND DRIVERS

5.07.710 Authority to adopt.
5.07.720 Adoption of Administrative Rules
5.07.730 Adoption of certain other laws

5.07.710 Authority to adopt. Pursuant to RCW 31.21.180, 35A.11.020, and 35A21.160, the City adopts by reference Title 6.64 of the King County Code (Exhibit A) as presently constituted or hereinafter amended. Exhibit A is hereby incorporated by reference as if fully set forth herein.

5.07.720 Adoption of Administrative Rules. Hereby further adopted by reference are any and all implementing administrative rules now in effect regarding taxis—businesses and drivers, that have been adopted either pursuant to King County Code, Chapter 2.98, Rules of County Agencies, or elsewhere in the King County Code except that, unless the context requires otherwise, any reference to the "County" or to "King County" shall refer to the City of Shoreline, and any reference to County staff shall refer to the City Manager or designee.

5.07.730 Adoption of Certain Other Rules. To the extent that any provision of the King County Code, or any other law, rule or regulation referenced in the attached regulations, is necessary or convenient to establish the validity, enforceability or interpretation of Chapter 6.64 of the King County Code, then such provision of the King County Code, or other law, rule or regulation, is hereby adopted by reference.

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 pre-empted 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 the title shall be published in the official newspaper and the ordinance shall

take effect 30 days after publication.

PASSED BY THE CITY COUNCIL ON JANUARY 26, 2004.

Mayor Ronald B. Hansen

ATTEST:

Sharon Mattioli, CMC
CityClerk

APPROVED AS TO FORM:

Ian Sievers
City Attorney

Date of Publication: January 29, 2004
Effective Date: February 28, 2004

ORIGINAL

EXHIBIT A

Chapter 6.64
TAXIS - BUSINESSES AND DRIVERS

I. GENERAL PROVISIONS

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

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6.64.200 Service organization registration.
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III. VEHICLE LICENSE REQUIREMENTS AND STANDARDS

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6.64.310 Application.
6.64.320 Required documents.
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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 services and his or her 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. 14199 § 121, 2001: 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

Taxicab	$240.00
Taxicab late fee	24.00
For-hire vehicle	240.00
For-hire vehicle late fee	17.50
Vehicle equipment change	50.00
Change of owner: Sept/Feb	240.00
Mar/Aug	120.00
Replace taxicab plate	10.00

b. For-hire driver

Taxicab and for-hire license	60.00
Late fee	10.00
ID photo	5.00
Fingerprinting	per charge authorized by RCW 10.97.100
Replacement license	5.00
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. (Ord. 13334 § 2, 1998: 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).

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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. For a person holding a for-hire license on the effective date of this ordinance:

1. The director shall deny any for-hire driver license application if the director determines that the applicant:

a. has made any material misstatement in the application for a license;

b. fails to meet any of the qualifications of a for-hire driver;

c. has had a bail forfeiture or conviction for a crime pertaining to alcohol or a controlled substance within five years of the date of application; or

d. is required to register as a sex offender under RCW 9A.44.130.

2. The director may deny any for-hire driver license application if the director determines that the applicant:

a. has had a bail forfeiture or conviction involving a crime 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 or extortion or reasonably related to the person's ability to operate a taxicab, if the bail forfeiture or conviction was within five years of the date of application;

b. has been found to have exhibited past conduct in driving or operating a taxicab that would lead the director to reasonably conclude that the applicant will not comply with the provisions of the chapter related to driver and operator conduct and the safe operation of the vehicle; or

c. has been found to have exhibited a past driving record that would lead the director to reasonably conclude that the applicant would not operate the taxicab or for-hire vehicle in a safe manner.

B. For a person applying for a for-hire license on or after the effective date of this ordinance:

1. The director shall deny any for-hire driver license application if the director determines that the applicant:

a. has made any material misstatement in the application for a license;

b. fails to meet any of the qualifications for a for-hire driver;

c. has had, within five years of the date of application, a bail forfeiture or conviction for a crime pertaining to alcohol or a controlled substance;

d. is required to register as a sex offender under RCW 9A.44.130; or

e. has had, within five years of the date of application, a bail forfeiture or conviction involving vehicular assault or vehicular homicide; or

f. has had, within five years of the date of application, a bail forfeiture or conviction involving reckless driving.

2. The director may consider and deny any for-hire driver license application if the director determines that the applicant:

a. has had, within five years of the date of application, a bail forfeiture or conviction involving a crime pertaining to:

(1) prostitution;

(2) gambling;

(3) physical violence;

(4) use of a machine gun in a felony (RCW 9.41.225);

(5) felonies not defined by Title 9A. RCW, if the maximum sentence of imprisonment authorized by law upon the first conviction of such felony is twenty years or more (RCW 9.94A.035);

(6) criminal attempt when the crime attempted is murder in the first, murder in the second, or arson in the first (RCW 9A.28.020);

(7) criminal conspiracy when the object of the conspiratorial agreement is murder in the first (RCW 9A.28.040);

(8) murder in the first (RCW 9A.32.030);

(9) murder in the second (RCW 9A.32.050);

(10) homicide by abuse (RCW 9A.32.055);

(11) manslaughter in the first (RCW 9A.32.060);

(12) assault in the first (RCW 9A.36.011);

(13) assault of a child in the first (RCW 9A.36.120);

(14) kidnapping in the first (RCW 9A. 40.020);

(15) rape in the first (RCW 9A.44.040) ;

(16) rape in the second (RCW 9A.44.050);

(17) rape of a child in the first (RCW 9A.44.073);

(18) rape of a child in the second (RCW 9A.44.076) ;

(19) child molestation in the first (RCW 9A.44.083);

(20) arson in the first (RCW 9A.48.020);

(21) burglary in the first (RCW 9A.52.020);

(22) robbery in the first (RCW 9A.56.200);

(23) rendering criminal assistance in the first if to a person who has committed or is being sought for murder in the first or any class A felony or equivalent juvenile offense (RCW 9A.76.070);

(24) bail jumping if the person was held for, charged with, or convicted of murder in the first (RCW 9A.76.170);

(25) leading organized crime as defined by RCW 9A.82.060 (1) (a);

(26) malicious placement of an explosive in the first (RCW 70.74.270);

(27) malicious explosion of a substance in the first (RCW 70.74.280);

(28) malicious explosion of a substance in the second (RCW 70.74.280);

(29) homicide by watercraft (RCW 79A.60.050); or

(30) any crime directly related to the occupation of for-hire driver including:

(a) crimes concerning honesty and integrity, including but not limited to fraud, larceny, burglary and extortion; or

(b) ability to operate a taxicab;

b. has been found to have exhibited past conduct in driving or operating a taxi that would lead the director to reasonably conclude that the applicant will not comply with the provisions of the chapter related to driver and operator conduct and the safe operation of the vehicle; or

c. has been found to have exhibited a past driving record that would lead the director to reasonably conclude that the applicant would not operate the taxicab or for-hire vehicle in a safe manner. (Ord. 13984 § 1, 2000: 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).