

ORDINANCE NO. 4206

1
2 AN ORDINANCE relating to Business Licenses
3 and Regulations; changing the definition of
4 Amusement Place License to Public Amusement/
5 Entertainment License; adding additional
6 regulations and license requirements;
7 amending Ordinance 2625, Sections 2, 3 and 4,
8 and KCC 6.08.027; amending Ordinance 3454,
9 Section 1 and KCC 6.08.028; and adding new
10 sections.

11 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

12 SECTION 1. Ordinance 2625, Sections 2, 3 and 4, and KCC
13 6.08.027 are hereby amended as follows:

14 Standards for public amusement/entertainment license
15 issuance. (a) No public amusement/entertainment license shall
16 be issued to, maintained or renewed by any person proposing to
17 operate or maintain or in fact operating or maintaining a public
18 place within King County, outside the incorporated limits of
19 cities and towns, where an employee will not conform and abide by
20 the following requirements for his or her conduct thereon:

21 (1) No person employed in the sale or service of food
22 and/or drink in or upon the licensed or proposed licensed place
23 shall be unclothed or in such attire, costume or clothing so as
24 to expose to view any portion of the breast below the top of the
25 areola or of any portion of the pubic hair, anus, crest of the
26 buttocks, vulva or genitals.

27 (2) No person employed as a hostess, entertainer or
28 person to mingle with the patrons shall be unclothed or in such
29 attire, costume or clothing as described in subdivision (1) of
30 this subsection.

31 (3) No employee described in subdivisions (1) and (2)
32 of this subsection shall encourage or permit any person upon the
33 premises to touch, caress or fondle the breasts, buttocks, anus
or genitals of any other person.

(4) No employee as described in subdivisions (1) and
(2) of this subsection shall wear or use any device or covering
exposed to view which simulates the breast, genitals, anus, pubic

1 hair, or any portion thereof.

2 (5) No employee as described in subdivisions (1) and
3 (2) of this subsection shall perform acts of or acts which
4 simulate:

5 (A) Sexual intercourse, masturbation, sodomy,
6 bestiality, oral copulation, flagellation, or any sexual acts
7 which are prohibited by law;

8 (B) The touching, caressing or fondling of the
9 breasts, buttocks or genitals;

10 (C) The displaying of the pubic hair, anus, vulva or
11 genitals.

12 (6) No employee as described in subdivisions (1) and
13 (2) of this subsection whose breasts and/or buttocks are exposed
14 to view shall perform elsewhere in a public place than upon a
15 stage at least eighteen inches above the immediate floor level
16 and removed at least six feet from the nearest patron.

17 (7) No employee as described in subdivisions (1) and
18 (2) of this subsection shall use artificial devices or inanimate
19 objects to depict any of the prohibited activities described in
20 this subsection.

21 (8) No employee as described in subdivisions (1) and
22 (2) of this subsection shall remain in or upon the public place
23 who exposes to public view any portion of his or her genitals or
24 anus.

25 (b) No public amusement/entertainment license shall be
26 issued, maintained or renewed as set forth in subsection (a) of
27 this section where activity of any employee will follow that
28 authorized by subdivision (6) of subsection (a) of this section
29 unless:

30 (1) Admission to the public place is restricted to
31 persons of the age of twenty-one years or more; and

32 (2) The performance is not visible outside of the
33 public place so licensed.

(c) This section does not apply to:

(1) Taverns and premises maintaining liquor licenses;

or

(2) Any theater, concert hall, or similar

establishment which is primarily devoted to theatrical performances whereupon there are seats arranged so that a body of spectators has an unobstructed view of the stage for performance of artistic expression and where such performances are not incidental to the promotion of the sale of food and drink and for which a county license is otherwise in full force and effect.

(d) No public amusement or entertainment license shall be issued to, maintained or renewed by any person who has:

(1) While unlicensed, committed or aided and abetted the commission of any act for which a license is required under the provisions of this chapter; or

(2) Committed any act resulting in conviction or bail forfeiture of a felony or a crime involving moral turpitude, including but not limited to prostitution; or

(3) Been refused a license under the provisions of this chapter or had a license revoked or suspended; or

(4) Made any false statement in his application.

SECTION 2. Ordinance 3454, Section 1 and KCC 6.08.028 are hereby amended as follows:

((Topless-dancing)) Public amusement/entertainment prohibited in certain places.

Under the provisions of this chapter, no public amusement/entertainment ((place)) license shall be issued to any firm or individual that proposes to offer topless dancing, such dancing within the definitions provided in this chapter, or any activity which exposes any parts of the body(ies) of the applicant's employee(s) as described in Section 1, subsection (1) of this ordinance, if such premises will be located within two thousand feet of the premises of any church or parochial or

1 tax-supported public elementary or secondary school measured along
2 the most direct route over or across established public walks,
3 streets or other public passageway from the outer property line
4 of the church or school grounds to the nearest public entrance of
5 the premises proposed for license; provided that, for the purpose
6 of definition a church shall mean a building erected for and
7 used exclusively for religious worship and schooling or other
8 activity in connection therewith.

9 NEW SECTION. SECTION 3. Definitions. For the purpose of
10 this chapter the words and phrases used herein, unless the context
11 otherwise indicates, shall have the following meanings:

12 (a) "Public place of amusement", "Public amusement/
13 entertainment", and "Public entertainment", mean an amusement,
14 diversion, entertainment, show, performance, exhibition, display,
15 or like activities, for the use or benefit of a member or members
16 of the public, or advertised for the use or benefit of a member
17 of the public, held, conducted, operated or maintained for a pro-
18 fit, direct or indirect.

19 NEW SECTION. SECTION 4. Standards for public amusement/
20 entertainment license suspension or revocation. The Director
21 shall revoke or suspend for not less than six months any public
22 amusement/entertainment license issued under the provisions of
23 this chapter if he determines that the licensee has:

24 (a) Made any false statement or given any false information
25 in connection with an application for a license or a renewal of a
26 license;

27 (b) Knowingly allowed, harbored, admitted, received or
28 permitted in or about the premises on which the activity licensed
29 under this chapter is conducted, operated or maintained, any
30 prostitute, lewd or dissolute person, drunken or boisterous
31 persons, persons under the influence of intoxicating liquor or
32 drugs.
33

1 (c) Conducted, operated or maintained a public amusement/
 2 entertainment on premises which, in a one year period, have been
 3 the scene of arrests resulting in three convictions or bail
 4 forfeitures of felonies or crimes involving moral turpitude,
 5 including but not limited to prostitution;

6 (d) Violated any of the provisions of this chapter.

7 INTRODUCED AND READ for the first time this 12th day of
 8 March, 1979.

9 PASSED this 23rd day of April, 1979.

10 KING COUNTY COUNCIL
 11 KING COUNTY, WASHINGTON

12 Ruby Chow
 13 Chairman

14 ATTEST:

15 Deputy G. Quinn
 16 Deputy Clerk of the Council

17 APPROVED this 22 day of May, 1979.

18 [Signature]
 19 King County Executive

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