

April 22, 1991
VN/clrk adulord.pb

Paul Barden
Lois North
Bruce Laing
Introduced by: Audrey Gruger
Proposed No.: 90-480

ORDINANCE NO. **9915**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

AN ORDINANCE relating to zoning and entertainment; adding a new section to K.C.C. 21.04; amending Resolution 25789, Section 1301 as amended, and K.C.C. 21.26.020; amending Ordinance 5138, Section 4 as amended, and K.C.C. 21.27.040; amending Resolution 25789, Section 1401 as amended, and K.C.C. 21.28.020; amending Ordinance 5137, Section 4 and K.C.C. 21.29.040; amending Resolution 25789, Section 1601 as amended and K.C.C. 21.32.020; repealing Ordinance 2986, Section 2(b) and K.C.C. 21.04.020 and substituting a new section; adding new sections to K.C.C. 6.08; amending Ordinance 4206, Section 3 as amended and K.C.C. 6.08.010; amending Ordinance 7216, Section 6 and K.C.C. 6.08.042, and Section 7 and K.C.C. 6.08.044; amending Ordinance 4270, Section 4 and K.C.C. 6.08.090; repealing Ordinance 3454, Section 1, as amended and K.C.C. 6.08.060 and Ordinance 7216, Section 11 and K.C.C. 6.08.104, and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

NEW SECTION. SECTION 1. There is added to K.C.C. 6.08 a new section to read as follows:

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

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

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

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

13 D. The requirements of this ordinance will make it less
14 likely that minors, on their way to and from the gathering
15 places set forth in Sections 4 through 6 of this ordinance will
16 become victims of the criminal and other unlawful activities
17 that have regularly and historically occurred in and around
18 adult use establishments; will make it less likely that minors
19 will gain access to adult use establishments; will make it less
20 likely that minors will be hired or otherwise work as
21 entertainers in adult entertainment establishments; and will
22 make it less likely that patrons and employees, including
23 entertainers, of adult use establishments will victimize minors
24 at or near the gathering places set forth in Sections 4 through
25 6 of this ordinance.

26 E. The use of property to operate, conduct or maintain
27 adult use establishments is not compatible with residential
28 uses due to the secondary effects such adult use establishments
29 have on residential neighborhoods. The requirements of this
30 ordinance will minimize those secondary effects by ensuring
31 that adult use establishments do not locate in close proximity
32 to residential neighborhoods, thereby protecting the character
33 of residential neighborhoods in unincorporated King County and
34 the welfare of its citizens.

1 SECTION 2. Resolution 25789, Section 1301 as amended, and
2 K.C.C. 21.26.020 are hereby amended to read as follows:

3 Any of the following types of uses which can meet the
4 following standards are permitted and allowed by this
5 classification, subject to the limitations set forth herein
6 provided that the operation of an adult use establishment shall
7 be prohibited:

8 A. Any on-premises retail enterprise dispensing food or
9 commodities (but not including automobiles, boats, trailers and
10 heavy-duty equipment) and which may involve only incidental and
11 limited fabrication or assembly of commodities;

12 B. Business offices and any type of use rendering
13 professional services or personal services to the individual,
14 provided:

15 1. The service does not involve keeping the person
16 receiving the service overnight on the premises,

17 2. The service does not include selling alcoholic
18 beverages for on-premises consumption unless accessory to
19 restaurant,

20 3. The service does not involve in whole or in part the
21 providing of recreation, recreational facilities or
22 entertainment other than moorage for private pleasure craft,

23 4. The professional service does not include kennels:

24 C. Any public utility installation relating directly to
25 local distribution of services including switching and
26 transmission stations but not including warehouses, service
27 yards or the like unless otherwise permitted by this title;

28 D. Public off-street parking facilities, whether publicly
29 or privately owned and operated, provided any area so used
30 shall not be used for a vehicle, trailer or boat sales area or
31 for the accessory storage of such vehicles;

32 E. Churches;

33 F. Public office buildings, art galleries, museums,
34 libraries, police and fire stations;

1 G. Neighborhood scale mixed use business-residential uses
2 subject to a conditional use permit, and subject to the
3 provisions and conditions governing mixed use developments in
4 the BR-N zone((-));

5 H. Specialized instruction schools((-));

6 I. Small animal hospitals or clinics, provided:

7 1. The incidental boarding of animals under treatment
8 only is allowed(+),

9 2. The portion of the building in which the animals are
10 treated or boarded is sound-proofed(+), and

11 3. There will be no burning of refuse or dead animals
12 on the premises.

13 SECTION 3. Ordinance 5138, Section 4 as amended and
14 K.C.C. 21.27.040 are hereby amended to read as follows:

15 **Permitted uses - Commercial and nonresidential.** The
16 following commercial and nonresidential uses are permitted in
17 the BR-N zone, subject to the off-street parking and
18 landscaping requirements and other general provisions and
19 exceptions as set forth in this title beginning with Chapter
20 21.46, except where modified by this chapter provided, that the
21 operation of an adult use establishment shall be prohibited:

22 A. Retail sales of food and commodities, which involve
23 only incidental and limited fabrication and assembly, and
24 excluding auto service stations, repair or sale of heavy
25 equipment, boats, tires and motor vehicles, sale of alcohol for
26 on-premises consumption except in a restaurant with a Class A
27 or Class C license from the Washington State Liquor Board, sale
28 of gasoline or other fuels, theaters, playhouses and other
29 recreation or entertainment uses, and carwashes((-));

30 B. Business offices and any type of use rendering
31 professional or personal services to individuals, such as real
32 estate or insurance brokerages, consultants, medical or dental
33 clinics and repair of jewelry, eyeglasses, clothing, household
34 appliances and tools, and excluding vehicle or tool rentals,

1 public parking lots, on-premises recreation or entertainment,
2 pet sales and veterinary clinics((-));

3 C. Public utilities, subject to provisions of Section
4 21.08.070((-));

5 D. Publicly owned off-street parking facilities less than
6 two acres in size located on any island surrounded by
7 saltwater.

8 SECTION 4. Resolution 25789, Section 1401 as amended and
9 K.C.C. 21.28.020 are hereby amended to read as follows:

10 Permitted Uses. Any of the following types of uses which
11 can meet the following standards are permitted and allowed by
12 this classification subject to the limitations set forth in
13 this section provided, that the operation of an adult use
14 establishment shall be prohibited within six hundred sixty feet
15 of any residential zone regardless of jurisdiction and,
16 provided further, that no adult use establishment shall be
17 operated concurrently within six hundred sixty feet of, nor
18 within the same structure as any other adult use establishment,
19 and provided further that no adult use establishment shall be
20 located within six hundred sixty feet of schools, licensed
21 daycare centers, public parks, community centers, public
22 libraries or churches which conduct religious or educational
23 classes for minors.

24 A. Any on-premises retail enterprise dispensing food or
25 commodities which may involve only incidental and limited
26 fabrication or assembly of commodities; provided that, the sale
27 of automobiles, trailers, boats, heavy equipment and similar
28 commodities are specifically excluded;

29 B. Business offices which may include limited fabrication,
30 assembly and repair of electronic components and devices and
31 any type of use rendering professional services or personal
32 services to the individual;

33 C. Hospitals, except mental and alcoholic hospitals;

34 D. Hotels and motels, except apartment hotels;

1 E. Enterprises providing entertainment and recreation;
2 provided, however, that the operation of an adult ((~~theater~~))
3 use establishment shall be prohibited within ((~~five~~)) six
4 hundred and sixty feet of any residential ((~~R-or-S~~)) zone
5 regardless of jurisdiction and, provided further, that adult
6 ((~~theaters~~)) use establishments shall not be operated
7 concurrently within ((~~five~~)) six hundred and sixty feet of, nor
8 within the same structure as, the operation of any other
9 ((~~theater~~)) adult use establishment, and provided further that
10 no adult use establishment shall be located within six hundred
11 sixty feet of schools, licensed daycare centers, public parks,
12 community centers or public libraries or churches which conduct
13 religious or educational classes for minors.

14 F. Lodges, private clubs and fraternal societies;

15 G. Moorage for private pleasure craft;

16 H. Mortuaries;

17 I. Any public utility installation relating directly to
18 the distribution of services including switching and
19 transmission stations, but not including warehouses, service
20 yards or the like unless otherwise permitted by this title;

21 J. Public off-street parking facilities, whether publicly
22 or privately owned and operated, provided any area so used
23 shall not be used for a vehicle, trailer or boat sales area or
24 for the accessory storage of such vehicles unless otherwise
25 permitted by this title;

26 K. Automobile rental;

27 L. Churches;

28 M. Public office buildings, art galleries, museums,
29 libraries, police and fire stations;

30 N. On-premise signs without limitations to size and the
31 number, off-premise directional signs, and billboards subject
32 to the provisions of Chapter 21.53, Signs and Billboards.

33 O. Recreational vehicle parks as provided in Chapter
34 21.09;

1 P. Household moving truck rental or trailer rental as an
2 accessory use to an automobile service station only, provided
3 that:

4 1. Not more than four trucks and eight trailers shall
5 be permitted on a station site((+))_

6 2. Whenever such uses are proposed at an existing
7 station which has a common boundary with R or S classified
8 property, the landscaping provisions set forth in Chapter 21.51
9 must be adhered to at least for that boundary((-))_

10 Q. Community scale mixed use business-residential
11 developments subject to a conditional use permit, and subject
12 to the provisions and conditions governing mixed use
13 developments in the BR-C zone;

14 R. Specialized instruction schools;

15 S. Self-service storage facilities, provided that:

16 1. The use of property shall be limited to dead
17 storage. Activities such as the servicing or repair of motor
18 vehicles, boats, trailers, lawnmowers or similar equipment is
19 prohibited((+))_

20 2. No storage of flammable liquids, highly combustible
21 or explosive materials or hazardous chemicals is
22 permitted((+))_

23 3. No residential occupancy of the storage units is
24 permitted((+))_

25 4. No business activity may be conducted within the
26 individual storage units((+))_

27 5. A manager shall be on the site at all times that the
28 lessees have access to the storage units.

29 SECTION 5. Ordinance 5137, Section 4 and K.C.C. 21.29.040
30 are hereby amended to read as follows:

31 **Permitted Uses - Commercial and nonresidential.** The
32 following commercial and nonresidential uses are permitted in
33 the BR-C zone, subject to the off-street parking and
34 landscaping requirements and other general provisions and

1 exceptions as set forth in this title beginning with Chapter
2 21.46, except where modified by this chapter:

3 A. Any use permitted in the BR-N zone;

4 B. Enterprises providing entertainment and recreation,
5 excluding gambling and adult ((theaters)) use establishments;

6 C. Sale of alcohol for on-premises consumption;

7 D. Public office buildings, art galleries, museums and
8 libraries;

9 E. Auction houses, excluding vehicles and livestock.

10 SECTION 6. Resolution 25789, Section 1601 as amended and
11 K.C.C. 21.32.020 are hereby amended to read as follows:

12 Permitted uses. The following uses only are permitted and
13 specifically provided and allowed by this chapter provided,
14 that the operation of an adult use establishment shall be
15 prohibited within six hundred sixty feet of any residential
16 zone regardless of jurisdiction and, provided further, that no
17 adult use establishment shall be operated concurrently within
18 six hundred sixty feet of, nor within the same structure as any
19 other adult use establishment, and provided further that no
20 adult use establishment shall be located within six hundred
21 sixty feet of schools, licensed daycare centers, public parks,
22 community centers, public libraries or churches which conduct
23 religious or educational classes for minors:

24 A. Any use first permitted in the C-G classification
25 provided however a dwelling shall be permitted on the same lot
26 or site on which an industrial use is located when the dwelling
27 is used exclusively by a caretaker or superintendent of such
28 enterprise and his family;

29 B. On-premise signs, off-premise directional signs, and
30 billboards subject to the provisions of Chapter 21.53, Signs
31 and Billboards((-));

32 C. Automobile body and fender works when operated and
33 maintained wholly within an entirely enclosed building;

34 D. Automobile assembly plant, when contained within a
35 wholly enclosed building;

- 1 E. Automobile painting, provided all painting, sanding and
2 baking shall be conducted wholly within an enclosed building;
- 3 F. Automotive service stations;
- 4 G. Bag cleaning and conditioning;
- 5 H. Bakeries, wholesale;
- 6 I. Banks;
- 7 J. Battery manufacture and rebuilding;
- 8 K. Bleaching and dyeing plants;
- 9 L. Blueprinting and photostating;
- 10 M. Boat building and repairing for boats not exceeding one
11 hundred ten feet in length;
- 12 N. Bottling plants;
- 13 O. Broom and brush manufacture;
- 14 P. Building materials storage yards;
- 15 Q. Carpet and rug cleaning plants;
- 16 R. Ceramic products, manufacture of wall and floor tile
17 and related small tile products, but not including bricks,
18 drain, building or conduit tile;
- 19 S. Clothes cleaning or clothes dyeing plants;
- 20 T. Contractor's storage yards;
- 21 U. Cosmetics, manufacture of;
- 22 V. Creameries and dairy products manufacture;
- 23 W. Die casting;
- 24 X. Distributing plants (jobbers);
- 25 Y. Dog pounds;
- 26 Z. Electrical appliances, manufacture and assembly of;
- 27 AA. Electric neon sign manufacturing;
- 28 BB. Electro-plating, silver, chrome, copper;
- 29 CC. Feed and fuel yards;
- 30 DD. Freight terminals;
- 31 EE. Food products manufacture, storage processing and
32 packages of, but not including the manufacturing and processing
33 of lard, pickles, sauerkraut, sausage or vinegar;
- 34 FF. Garment manufacture;
- 35 GG. Hospitals, emergency only;

1 HH. Hotels and motels;

2 II. Ice manufacturing plant;

3 JJ. Laundries;

4 KK. Machine shops with a punch press up to twenty tons
5 capacity, when contained wholly within an enclosed building and
6 the building is not closer than three hundred feet to a
7 residential or suburban zone; no drop hammer or drop forge is
8 permitted;

9 LL. Manufacture, processing, treatment or assembly of
10 articles from previously prepared materials such as bone,
11 canvas, cellophane, cork, fibre, felt, fur, feathers, glass,
12 leather, paper, metal, stone, wood, yarn, plastics and shell;

13 MM. Metal, manufacture and fabrication of products from
14 (except major structural steel forms, boiler making and similar
15 activities involving excessive noise, or major trucking in
16 terms or over-standard dimensions per unit or over-standard
17 dimensions of load);

18 NN. Parcel service delivery terminals;

19 OO. Parking lots, public provided any area so used shall be
20 improved and maintained as required by Chapter 16.74 of this
21 code;

22 PP. Pharmaceuticals, manufacturing, processing, packaging
23 and storage of, including drugs, perfumes, toiletries and soap
24 (cold mix only);

25 QQ. Plumbing supply yards;

26 RR. Prefabricated building, manufacture of (no concrete);

27 SS. Pipeline booster or pumping plant in connection with
28 water, oil, petroleum, gas, gasoline or other petroleum
29 products;

30 TT. Printing and printing ink manufacture;

31 UU. Public utility service facilities, yards or electric
32 transmission substations;

33 VV. Restaurants, including cocktail lounges;

34 WW. Rubber, fabrication of products made from finished
35 rubber;

1 XX. Self-service storage facilities;

2 YY. Storage of impounded and damaged cars, but no wrecking
3 yards;

4 ZZ. Storage for transit and transportation equipment,
5 except freight classification yards;

6 (A) Textile manufacture, processing or treatment;

7 (B) Tile, manufacture of wall and floor tile and related
8 small tile products;

9 (C) Tobacco products, manufacture of;

10 (D) Truck repairing and rental;

11 (E) Upholstering;

12 (F) Vacuum metalization;

13 (G) Warehousing;

14 (H) Accessory buildings and uses customarily incident to
15 any of the above uses, when located on the same site with the
16 main building;

17 (I) Other similar industrial enterprises or businesses as
18 set forth in Section 21.46.050 of this title;

19 (J) Planned unit development as provided in Chapter 21.56;

20 (K) Unclassified uses as provided in Chapter 21.44;

21 (L) Business and professional offices;

22 (M) Enterprises selling alcoholic beverages for on-premises
23 consumption;

24 (N) Police and fire stations, including regional police
25 pistol range training facilities provided;

26 1. The training must be conducted within an entirely
27 enclosed building, and

28 2. Noise standards pursuant to K.C.C. 12.88.020 and
29 K.C.C. 12.88.030 must be met((-));

30 (O) Interim use of agricultural crops, open field growing,
31 pasturing and grazing on five acres or more, provided:

32 1. Buildings are not permitted((-));

33 2. Any pen or structure used to confine or feed
34 livestock shall not be located closer than seventy-five feet
35 and in the case of swine or goats no closer than one hundred

1 fifty feet to any boundary property line nor closer than forty-
2 five feet to any building containing a dwelling unit or
3 accessory living quarters on the same premises((-))_L

4 3. Any pasturing or grazing shall be adequately fenced
5 and shall maintain a distance of thirty-five feet from any
6 boundary property line which is a common line with S-R or R
7 zoned property when such property is developed((-))_L

8 4. The number of livestock shall not exceed that
9 permitted in the S-R zone((-))_L

10 5. Any open-air storage of hay, straw, shavings or
11 similar organic materials shall maintain a distance of not less
12 than thirty-five feet from any boundary property line, and a
13 distance of not less than forty-five feet from any building
14 containing a dwelling unit or accessory living quarters on the
15 same premises((-))_i

16 (P) Retail stores not to exceed three thousand square feet
17 of gross floor areas ((-))_i

18 (Q) Specialized instruction schools((-))_i

19 (R) Churches and other houses of worship.

20 SECTION 7. Ordinance 2986, Section 2(b) and K.C.C.
21 21.04.020 are each hereby repealed, and the following is
22 substituted:

23 **Adult use establishment.** "Adult use establishment" means
24 an enterprise predominantly involved in the selling, renting or
25 presenting for commercial purposes of books, magazines, motion
26 pictures, films, video cassettes, cable television, live
27 entertainment, performance or activity distinguished or
28 characterized by a predominant emphasis on the depiction,
29 simulation or relation to "specified sexual activities" as
30 defined in this chapter for observation by patrons therein.
31 Examples of such establishments include, but are not limited
32 to, adult book or video stores and establishments offering
33 panorams, peep shows, or topless or nude dancing.

34 NEW SECTION. SECTION 8. There is added to K.C.C. 21.04 a
35 new section to read as follows:

1 **Residential zones.** "Residential zones" mean the following
2 zone classifications within unincorporated King County: RS,
3 RD-3600, RMHP, RM2400, RM1800, RM-900, RT, S-E, SC, S-R, GR, A-
4 R, G, G-5 and any zones within incorporated areas which permit
5 predominantly residential and associated uses.

6 SECTION 9. Ordinance 4206, Section 3, as amended, and
7 K.C.C. 6.08.010 are hereby amended to read as follows:

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

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

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

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

26 D. "Entertainment" means any exhibition or dance of any
27 type, pantomime, modeling or any other performance((-));

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

33 F. "Employee" means any and all persons, including
34 managers, entertainers, and independent contractors who work in
35 or at or render any services directly related to the operation

1 of a public place of amusement, which offers, conducts or
2 maintains adult entertainment((-));

3 G. "Operator" means any person operating, conducting or
4 maintaining an adult entertainment studio((-));

5 H. "Panoram" or "Peep show" means any device which, upon
6 insertion of a coin or by any other means, exhibits or displays
7 a picture or view by film, video, or by any other means.

8 SECTION 10. Ordinance 7216, Section 6 and K.C.C. 6.08.042
9 are hereby amended to read as follows:

10 **License Applications.**

11 A. Public Amusement/Entertainment License. All
12 applications for a public amusement/entertainment license (~~for~~
13 ~~places which offer adult entertainment~~) shall be submitted in
14 the name of the person or entity proposing to conduct such
15 public amusement/entertainment on the business premises and
16 shall be signed by such person or his agent and notarized or
17 certified as true under penalty of perjury. All applications
18 shall be submitted on a form supplied by the director, which
19 shall require the following information:

20 1. The name, home address, home telephone number, date
21 and place of birth, and social security number of the applicant
22 if the applicant is an individual((-)).

23 2. The business name, address and telephone number of
24 the establishment((-)).

25 3. The names, addresses, telephone numbers, and social
26 security numbers of any partners, corporate officers, or
27 directors; (~~shareholders who own ten percent or more of the~~
28 ~~business, or other persons who have a substantial interest or~~
29 ~~management responsibilities in connection with the business,~~
30 ~~specifying the interest or management responsibility of each.~~
31 ~~For the purpose of this subsection "substantial interest" shall~~
32 ~~mean ownership of ten percent or more of the business, or any~~
33 ~~other kind of contribution to the business of the same or~~
34 ~~greater size.))~~

1 B. Public Amusement/Entertainment License - Adult
 2 Entertainment, Peep Shows and Panorams

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

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

18 ~~((4-))~~ 2. Terms of any loans, leases, secured
 19 transactions and repayments therefore relating to the
 20 business(~~(-)~~).

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

24 ~~((B-))~~ C. Application for manager or entertainer license.
 25 All applications for a manager's or entertainer's license shall
 26 be signed by the applicant and notarized or certified to be
 27 true under penalty of perjury. All applications shall be
 28 submitted on a form supplied by the director, which shall
 29 require the following information:

30 1. The applicant's name, home address, home telephone
 31 number, date and place of birth, fingerprints, social security
 32 number, and any stage names or nicknames used in
 33 entertaining(~~(-)~~).

34 2. The name and address of each business at which the
 35 applicant intends to work as an entertainer(~~(-)~~).

1 3. With the application the applicant shall present
 2 documentation that he or she has attained the age of eighteen
 3 (18) years. Any of the following shall be accepted as
 4 documentation of age: ~~((i))~~ a. a motor vehicle operator's
 5 license issued by any state bearing the applicant's photograph
 6 and date of birth; ~~((ii))~~ b. an identification card bearing
 7 the applicant's photograph and date of birth issued by a
 8 federal or state government agency; ~~((or (iii) a certificate of~~
 9 birth)) c. an official passport issued by the United States of
 10 America.

11 4. The director shall issue the license promptly upon
 12 receipt of the completed application, evidence of
 13 fingerprinting by the department of public safety, ~~((the~~
 14 information required to be in the application, and)) the
 15 license fee, and proof of age as required in Subsection 3.
 16 above ~~((if the applicant is eighteen (18) years of age or~~
 17 elder)) ~~((r))~~;

18 ~~((c))~~ D. If any person or entity acquires, subsequent to
 19 the issuance of a public amusement/entertainment license for
 20 places offering adult entertainment, a substantial interest, as
 21 defined in Section 6.08.042 A.3, in the licensed premises,
 22 notice of such acquisition shall be provided in writing to the
 23 director forthwith. The information required to be provided
 24 pursuant to this subsection shall be that information required
 25 pursuant to subsection 6.08.042A of this chapter.

26 NEW SECTION. SECTION 11. There is added to K.C.C. 6.08 a
 27 new section to read as follows:

28 **License investigation.** The director shall refer an
 29 application for a license required in K.C.C. 6.08.020 to the
 30 building and land development division for a report on
 31 compliance with all applicable fire, building and zoning codes
 32 of King County. The manager of building and land development
 33 shall respond to the director within thirty days.

34 NEW SECTION. SECTION 12. There is added to K.C.C. 6.08 a
 35 new section to read as follows:

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

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

11 B. Proposed a place of business or establishment to be
12 licensed which could not comply with all applicable
13 requirements of the fire, building and zoning codes of King
14 County.

15 SECTION 13. Ordinance 7216, Section 7 and K.C.C. 6.08.044
16 are hereby amended to read as follows:

17 **Manager on premises.**

18 A. A licensed manager shall be on the premises of a public
19 place of amusement at all times that adult entertainment is
20 being provided((-));

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

24 C. The manager shall, upon request by any law enforcement
25 officer or business license inspector, make available for
26 inspection the entertainer licenses required to be on the
27 premises as described herein.

28 NEW SECTION. SECTION 14. There is added to K.C.C. 6.08 a
29 new section to read as follows:

30 The public entertainment/amusement license, and/or the
31 manager's license issued pursuant to this chapter shall be
32 prominently displayed on the licensed premises. Entertainer
33 licenses issued pursuant to this chapter must be immediately
34 available on the premises for inspection by any law enforcement
35 officer or business license inspector.

1 NEW SECTION. SECTION 15. There is added to K.C.C. 6.08 a
2 new section to read as follows:

3 Person under eighteen prohibited.

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

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

10 SECTION 16. Ordinance 4270, Section 4 and K.C.C. 6.08.090
11 are hereby amended to read as follows:

12 **Race tracks and dragstrips.** Applicants must submit for any
13 amusement place license for a race track or dragstrip, whether
14 automobile or otherwise, where the expected attendance will
15 exceed two thousand people at any single scheduled event,
16 (~~based on past experience or the statement of the applicant,~~
17 ~~such~~) information as deemed appropriate by the Department of
18 Public Safety to ensure that adequate traffic control and crowd
19 protection policing (~~either~~) has been arranged through
20 private security agencies or, has been contracted for with the
21 department of public safety. A written notice that the
22 applicant has complied with the requirement shall be issued by
23 the director of the department of public safety or his designee
24 before an amusement place license shall be issued provided,
25 (~~that licenses issued prior to the effective date of the~~
26 ~~ordinance codified herein shall entitle the holder of such~~
27 ~~license a period of thirty days following the effective date to~~
28 ~~comply with the traffic control and crowd protection~~
29 ~~requirement; provided further,~~) that if the applicant should
30 contract for traffic control and crowd protection policing with
31 King County, in no event should the sum agreed upon in payment
32 for such policing be less than the actual expense incurred by
33 the county in providing that service. Such consideration shall
34 be calculated for personnel resources on the hourly rate for
35 overtime under the current collective bargaining agreement,

1 plus that percentage then being paid for fringe benefits, and
 2 all sums paid under such contract shall be paid in accordance
 3 with procedures specified by the King County Office of Finance.

4 SECTION 17. Ordinance 4206, Section 4 as amended and
 5 K.C.C. 6.08.100 are hereby amended to read as follows:

6 **Standards for public amusement/entertainment license,**
 7 **manager and entertainer license, suspension or revocation.**

8 A. The director shall (~~deny~~) revoke or suspend, for not
 9 more than one year, any public amusement/entertainment license
 10 if he determines that the licensee or applicant has:

11 1. Made with the intent to mislead a(~~ny~~) materially
 12 false statement (~~(or given any false information in connection~~
 13 ~~with an)~~) in the application for a license or a renewal of a
 14 license (~~(+)~~). "Materially false statement" means any false
 15 statement, oral or written, regardless of its admissibility
 16 under the rules of evidence, which could have affected the
 17 course or outcome of the license application,

18 2. Violated or permitted or authorized any violation of
 19 any provisions of this chapter by any person(~~(+)~~);

20 B. The director shall (~~deny~~) revoke or suspend, for not
 21 more than one year, any manager's license if he determines that
 22 such manager has violated or permitted violation of any of the
 23 provisions of this chapter or has made a(~~ny~~) materially false
 24 statement (~~(or given any false information in connection with)~~)
 25 in the license application(~~(+)~~);

26 C. The director shall (~~deny~~) revoke or suspend, for not
 27 more than one year, any entertainer's license if he determines
 28 that such entertainer has violated any of the provisions of
 29 this chapter relating to entertainer conduct or has made a
 30 (~~ny~~) materially false statement (~~(or given any false~~
 31 ~~information in connection with)~~) in the license application.

32 SECTION 18. Ordinance 3454, Section 1 as amended and
 33 K.C.C. 6.08.060 and Ordinance 7216, Section 11 and K.C.C.
 34 6.08.104 are hereby each repealed.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

SECTION 19. Severability. If any section, clause or phrase of this ordinance should be held invalid or unconstitutional, the validity or constitutionality thereof shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

SECTION 20. The county council finds as a fact and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.

INTRODUCED AND READ for the first time this 11th day of June, 1990.

PASSED this 22nd day of April, 1991.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Lois North
Chair

ATTEST:

Jane Masuo
DEPUTY Clerk of the Council

APPROVED this 3rd day of May, 1991.

Jim Hill
King County Executive