

ORDINANCE NO. 10069AN ORDINANCE RELATING TO LICENSING COIN  
OPERATED NOVELTY AMUSEMENT DEVICES

BE IT ORDAINED by the County Council of King County  
as follows:

Section 1. NOVELTY AMUSEMENT DEVICES DEFINED

The words "Novelty Amusement Devices" shall include any coin operated machine, device, contrivance, apparatus or appliance, mechanical, electrical or hand propelled, designed to be used in whole or in part as an instrument or instrumentality for engaging in the use and exercise of skill by one or more persons in playing a game for the amusement and entertainment of the player or players and which is maintained commercially for such purpose, and payment is made by the insertion of a coin, by the player or players for such use or play, or which is maintained commercially for such purpose gratuitously as an attraction or stimulant to trade or patronage in such other line of business or endeavor which is maintained at the location of such novelty amusement device, and which is not in anywise used for the purpose of awarding any money or object of value to the player or players, and which does not contain any mechanism which varies the chance of winning free games or the number of free games which may be won, depending on the number of coins inserted into the device; provided that in no event shall a machine be licensed which is so designed and equipped as to render it of practical utility only as a device to be used for gambling.

Section 2. LICENSE REQUIRED -- OPERATION NEAR  
SCHOOLS PROHIBITED

No Novelty Amusement Device shall be operated or kept for operation in King County outside of the limits of incorporated cities and towns unless licenses for the operation thereof have been taken out as hereinafter required:

Provided, however, that in no event shall any Novelty Amusement Device be operated within five hundred feet of any school.

Section 3. OPERATION WITHOUT OWNER'S LICENSE AND PAYMENT OF ADDITIONAL FEE PROHIBITED

No owner, operator, or other person, in charge of any place of business shall operate, or permit to be in such place of business for operation, any Novelty Amusement Device unless the same shall be the property of a person, corporation or co-partnership holding an owner's license to operate the same as provided for herein, and unless there shall have been paid the additional license fees for the device and the location as provided herein; and there shall be attached to each such novelty amusement device evidence that such novelty amusement device is the property of a holder of an owner's annual license and that the license fees for the device provided for herein have been paid. The annual owner's license fee shall be \$5,000.00, and shall be paid on January 1 of each year: Provided, That for the year 1969 the license shall run from July 1 to December 31 and the fee shall be \$2,500.00.

Section 4. PROCEDURE FOR APPLICATION FOR OWNER'S LICENSE.

Applications for owner's licenses provided for herein shall be filed with Department of Building (License and Permits), accompanied by the fee provided for herein. Upon granting a license applied for, the Department of Building (License and Permits), shall forthwith transmit the amount of the license fee to the county treasurer to be by him paid into the general fund of the county. In the event any owner's license applied for shall be refused, the amount of the license fee shall be refunded to the applicant.

Section 5. PERSON - PERSON DEFINED.

The term "Person", insofar as owner's licenses are concerned, shall include any natural person, all shareholders of any corporation, and all partners of any general or limited partnership.

Section 6. RESIDENCE REQUIREMENT.

No Novelty Amusement Device Owner's License shall be issued to any person unless such person shall have been a resident of the state of Washington for at least five years prior to the application for such license. If any such person ceases to be a legal resident of the state of Washington during the term of such owner's license, such loss of residency shall cause an immediate cancellation of such owner's license and no part of the license fee shall be refunded.

Section 7. REQUIREMENT OF GOOD MORAL CHARACTER.

No owner's license shall be issued to any person who has previously been convicted of a crime involving moral turpitude.

Section 8. LOCATION LICENSE REQUIRED

It shall be unlawful for any person to display, exhibit or expose or permit to be displayed, exhibited or exposed for purpose of use, play or operation or permit to be used, played or operated for profit, any Novelty Amusement Device without having a valid Novelty Amusement Device Location License. A separate location license is required for each place of business and shall at all times be conspicuously posted and maintained in each place of business. The Department of Building (License and Permits) shall prescribe the form of such location license and shall indicate thereon the maximum number of Novelty Amusement Devices which may be displayed on such premises. Not more than one location license shall be issued for any one place of business. No such location

license shall be transferred from the premises for which it was issued during the license year without the consent of Department of Building (License and Permits). The location license fee shall be \$10.00 per year, <sup>or part thereof</sup> payable January 1 of each year.

Section 9. FINANCIAL INTEREST LOCATION PROHIBITED

No manufacturer of amusement devices, or representative of such manufacturer, and no holder of an owner's license who leases, rents or places with others any Novelty Amusement Devices, shall have any financial interest in the premises or business located thereon, which are **licensed** as a Novelty Amusement Device location. Financial interest shall mean any direct or indirect ownership of said premises or business located thereon through corporate stock ownership, partnership, trust or otherwise and no such manufacturer or representative or holder of an owner's license shall advance any money, gift, or make any loan to the owner of such premises or business located thereon.

Section 10. LOCATION DESIGNATED

The Department of Building (License and Permits) shall have the right to designate the locations wherein such Novelty Amusement Devices may be operated and it shall be unlawful to operate any such Novelty Amusement Device any place where the Department of Building (License and Permits) shall refuse the same to be operated: Provided, however, That any person feeling that the denial of the use of such Novelty Amusement Device in his place be without justification, shall be entitled to a hearing before the Department of Building (License and Permits) upon application therefor. Such person may then present such reasons as he may have why the Department of Building (License and Permits) should reconsider its action and shall also be informed by the Department of Building (License and Fees) of its reasons for denial.

Section 11. ADDITIONAL LICENSE REQUIRED FOR EACH DEVICE.

Each Novelty Amusement Device operated by an owner licensed hereunder shall be subject to an additional license fee of \$2.50 per year or part thereof. This fee shall be payable annually beginning on January 1 of each year.

Section 12. APPLICATION FOR LICENSE FOR INDIVIDUAL DEVICES

The applications for licenses provided for herein for individual Novelty Amusement Devices shall be made to the Department of Building (License and Permits) before said Novelty Amusement Devices are placed for operation. Upon application and payment of the license fee, the Department of Building (License and Permits) shall issue a license for each separate Novelty Amusement Device only to holders of the owner's license provided for herein. Licenses shall be issued to applicants holding Novelty Amusement Device owner's license only upon payment in advance of the annual Novelty Amusement Device license fee.

Section 13. LICENSE FEE EXCLUSIVE

Any device or activity licensed under this ordinance shall not be subject to payment of license fees under any other provisions of the King County Code.

Section 14. REVOCATION OF LICENSES--NOTICE OF REVOCATION--SUSPENSION OF OPERATION REQUIRED

The Department of Building (License and Permits) shall have the right to revoke any and all licenses issued hereunder should said Department of Building (License and Permits) be satisfied that the licensee or person operating any of the Novelty Amusement Devices is doing so in contravention of the spirit and letter of this Ordinance: Provided, however, That the Department of Building (License and Permits) shall give thirty (30) days written notice to said licensee or person

operating said Novelty Amusement Device to appear before the Department of Building (License and Permits) at a time and place to be designated in the notice given by said Department to show cause, if any there be, why said license or licenses should not be revoked.

Upon receiving such notice as mentioned in the preceding paragraph, the licensee or person owning the Novelty Amusement Device in controversy shall suspend operation of all Novelty Amusement Devices in his possession or under his control pending the outcome and action of the Department of Building (License and Permits) pursuant to the hearings provided for herein.

Section 15. APPEALS

Any licensee feeling aggrieved by the decision of the Department of Building (License and Permits) shall have ten (10) days in which to appeal to the Board of Appeals in accordance with Article 7 of the King County Charter.

Section 16. SEVERABILITY CLAUSE

Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

INTRODUCED and read for the first time this 14<sup>th</sup> day of July, 1969.

PASSED by the Council at a regular meeting thereof on the 14<sup>th</sup> day of July, 1969.

*John T. O'Brien*  
Chairman of the County Council

ATTEST:

*Ray Olsen*  
ACTING Clerk of the Council

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 1969.

ORDINANCE READINGS  
1st 7-14-69  
2nd 7-14-69  
3rd 7-14-69  
Effective Date \_\_\_\_\_

\_\_\_\_\_  
King County Executive