

ORDINANCE NO. 1860

1 AN ORDINANCE relating to Model Studios, defining  
2 certain words, requiring licenses, declaring  
certain conduct as unlawful and prescribing penalties.

3 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

4 SECTION 1. DEFINITIONS.

5 A. DIRECTOR means the director of the King County Depart-  
6 ment of Executive Administration - General Services Division or  
7 his duly authorized representative.

8 B. MANAGER means a person other than a licensee, as de-  
9 fined in Section 2 below, who directly supervises and manages the  
10 activities of employees of a Model Studio.

11 C. MODEL means any person furnished for the purpose of  
12 being observed, viewed, depicted, painted or being painted upon  
13 in the course of the business of a Model Studio.

14 D. MODEL STUDIO means any premises where the primary  
15 purpose of the business is the furnishing of persons as models  
16 who pose for the purpose of:

17 (1) being sketched, painted, drawn, sculptured,  
18 photographed, or otherwise depicted; or

19 (2) being painted upon by any person, or painting upon  
20 an individual by payment of a fee, for the right to so observe,  
21 view, depict, paint or be painted, or for the right to be ad-  
22 mitted to, permitted to remain upon, or as a condition of remain-  
23 ing upon, the premises.

24 Such definition shall expressly exclude any studio which  
25 functions as a part of and under the direct supervision of an  
26 institution, the curriculum for which is approved by the Office  
27 of the State Superintendent of Public Instruction of the State of  
28 Washington, or which functions to provide models who are sketched,  
29 painted, drawn, sculptured, photographed or otherwise depicted  
30 and such depiction may be produced for commercial sale, advertis-  
31 ing or distribution.

32 E. PREMISES means the entire area utilized by the business  
33 licenses hereunder, and the public while utilizing the services.

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1 F. SUBSTANTIAL CONNECTION means

2 (1) In a sole proprietorship, the individual owns,  
3 operates, manages or conducts, directly or indirectly, the  
4 establishment; or

5 (2) In a partnership, the individual shares in any  
6 potential profits of the establishment; or

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

10 (4) The individual furnishes more than ten percent of  
11 the capital of such establishment, whether in cash, goods or  
12 services.

13 SECTION 2. MODEL STUDIO - LICENSE APPLICATION.

14 A. It shall be unlawful to conduct, operate, or manage a  
15 Model Studio unless such establishment is licensed as hereinafter  
16 provided. The fee for a Model Studio license and renewal shall  
17 be one hundred dollars per year. The license shall expire one  
18 year from issuance.

19 B. No license or renewal of license to conduct, operate,  
20 or manage a Model Studio shall be issued or renewed except upon  
21 written application to the Director, signed and sworn to by the  
22 person who intends to conduct, operate, or manage a Model Studio.  
23 Such application shall contain the following information:

24 (1) The business name, business address, and telephone  
25 number of the establishment or proposed establishment;

26 (2) In relation to each natural person having a sub-  
27 stantial connection with such establishment or proposed estab-  
28 lishment;

29 (a) True name and any other name by which  
30 commonly known:

31 (b) Residence address and telephone number;

32 (c) Date and place of birth;

33 (d) Length of residence in King County; if less

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1 than one year, prior address outside King County;

2 (e) Nature of relationship to establishment or  
3 proposed establishment;

4 (f) Within ten years of date of application, has  
5 pleaded guilty to or been convicted of violating any ordinance,  
6 resolution or law other than traffic offenses, of any juris-  
7 diction. If so, full circumstances thereof including, but not  
8 limited to date, court and case disposition.

9 (3) In relation to each corporation or partnership  
10 having a substantial connection with such establishment or pro-  
11 posed establishment:

12 (a) Name of the corporation or partnership;

13 (b) Name of registered agent and address of  
14 registered office;

15 (c) Primary office address, if different from  
16 above;

17 (d) Date and place of incorporation or organi-  
18 zation;

19 (e) Date and place of filing of Articles;

20 (f) Nature of relationship to establishment or  
21 proposed establishment;

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

25 (4) Such other and further information as the Director  
26 may reasonably require to determine the advisability of license  
27 issuance.

28 SECTION 3. MODEL STUDIO - LICENSE ISSUANCE.

29 A. Upon the filing of any application for issuance or  
30 renewal of a Model Studio license, the Director shall refer the  
31 same to the King County Department of Public Safety with a re-  
32 quest to investigate the statements contained in the appli-  
33 cation and to furnish a written report containing the results

1 of investigation, together with other information concerning the  
2 background and character of all persons having a substantial  
3 connection with such establishment, as may aid the Director in  
4 determining whether such license should be issued.

5 The Director shall also refer the application to the Seattle-  
6 King County Health Department with a request to inspect the  
7 premises or proposed premises as to its sanitary and physical  
8 conditions and to submit a written report thereon. Inspections  
9 by the Director of the Seattle-King County Health Department or  
10 his duly authorized representative shall be made in accordance  
11 with rules and regulations as are necessary and are not incon-  
12 sistent with the provisions of this ordinance, as may be adopted  
13 by said Director.

14 The Director shall also refer the application to the Dir-  
15 irector of Building Division for housing, zoning and fire in-  
16 spection of the premises with a request to submit a written re-  
17 port thereon.

18 If, from the reports and other information concerning the  
19 applicant, the premises, and persons having a substantial con-  
20 nection with such establishment or proposed establishment, the  
21 Director deems the applicant to comply with all of the conditions  
22 required for licensing hereunder, he shall issue or renew the  
23 license for which application was made.

24 B. The Director shall not issue or renew any license under  
25 this Chapter if the information received by him indicates that:

26 (1) Any knowingly false statement was made in the  
27 license application;

28 (2) Any person having a substantial connection with  
29 such establishment or proposed establishment, within ten years  
30 of the date of application, who has pleaded guilty to or been  
31 convicted of violating any ordinance, resolution or law of any  
32 jurisdiction of moral turpitude and which in the judgment of the  
33 Director would influence the conducting, operating or managing

1 the business in a lawful manner.

2 (3) Any premises on which such establishment or  
3 proposed establishment is located or sought to be located fails  
4 to meet health, safety, fire, zoning, or other valid standards  
5 established by regulations governing health and safety; provided,  
6 however, denial under this subsection shall be without prejudice  
7 to future application; or

8 (4) Another business establishment has filed for or  
9 been granted a license hereunder, the premises of which is  
10 within a radius of one mile of the proposed establishment.

11 SECTION 4. UNLAWFUL CONDUCT.

12 A. In conducting, operating or managing a licensed Model  
13 Studio the Model Studio is required to:

14 (1) Have business premises available at all times  
15 for inspection as to conditions related to licensing and conduct  
16 regulated hereunder by the Seattle King County Health Department,  
17 King County Division of General Services, King County Building  
18 Division and the King County Department of Public Safety.

19 (2) Display during business hours all licenses re-  
20 quired hereunder.

21 (3) Have a manager, licensed hereunder, or the Model  
22 Studio applicant on the premises at all times during which the  
23 Model Studio is open.

24 B. In conducting, operating or managing a licensed Model  
25 Studio, it shall be unlawful to

26 (1) employ any unlicensed manager, or model as here-  
27 inafter provided;

28 (2) permit to remain in such establishment any person  
29 who is not eighteen years of age or older;

30 (3) conduct or operate a Model Studio between the  
31 hours of 2:00 a.m. and 8:00 a.m. of the following day.

32 SECTION 5. MANAGER - LICENSE APPLICATION.

33 A. It shall be unlawful for any person to be employed as a

1 "Manager", as defined in Section 1 (D) herein, without a valid  
2 license. The fee for such license shall be twenty-five dollars  
3 per calendar year or portion thereof. Application for such  
4 license or renewal shall be made to the Director.

5 B. All applications for issuance or renewal of a manager's  
6 license shall be made to and filed with the Director on forms  
7 furnished by him for such purpose, and be accompanied both by  
8 a certified copy of applicant's birth certificate and a color  
9 photograph of the applicant approximately one inch square. Such  
10 photograph, if the license applied for is issued, shall be af-  
11 fixed thereto in a manner designed to discourage alteration or  
12 substitution of photographs.

13 This application shall state the true name of the applicant  
14 together with such other information concerning the background  
15 and character as may aid the Director in determining whether such  
16 license should be issued, but not less than that required under  
17 Section 2 (B) (2) of this ordinance. Applicants shall not be  
18 less than eighteen years of age.

19 C. If the Director finds that such application for license  
20 or renewal is in proper form, he shall refer all applications  
21 with photographs to the King County Department of Public Safety  
22 with a request to fingerprint the applicant, and to investigate  
23 the statements contained in the application, and to furnish a  
24 written report containing the results of his investigation, to-  
25 gether with such other information as may aid the Director in  
26 determining whether such license should be issued.

27 D. The Director shall examine the reports and recommend-  
28 ations described herein, and if from the reports and other in-  
29 formation concerning the background and character of the ap-  
30 plicant, the Director deems that the applicant has complied with  
31 all of the conditions required for licensing hereunder, he shall  
32 issue or renew the license applied for to the establishment for  
33 which the applicant works or desires to work.

1 E. The Director shall not issue or renew any license under  
2 this Section if the information received by him indicates that:

3 (1) any knowingly false statement was made in the  
4 application;

5 (2) the applicant, within ten years of the date of  
6 application, has pleaded guilty to or been convicted of violating  
7 any ordinance, resolution or law, of any jurisdiction involving  
8 moral turpitude and which in the judgement of the Director would  
9 influence the conducting, operating or managing the business in a  
10 lawful manner.

11 SECTION 6. MODEL - LICENSE APPLICATION.

12 A. It shall be unlawful for any person employed as a "Model"  
13 as defined in Section 1.C. herein, to do so without a valid  
14 license. The fee for such license shall be twenty-five dollars  
15 per calendar year, or portion thereof. Application for such  
16 license or renewal shall be made to the Director.

17 B. All applications shall meet the requirements for manager  
18 as set forth in Section 5, subsections B, C, D, and E of this  
19 ordinance except that any license issued under the provisions of  
20 this section shall be valid for employment in any establishment  
21 licensed hereunder.

22 C. In addition to the requirements set forth above, the  
23 Director shall refer all applications to the Seattle-King County  
24 Health Department with a request for a physical examination to  
25 ascertain if such applicant is free from contagious or infect-  
26 ious disease and make a written report thereon.

27 D. The Director may issue a temporary license for thirty  
28 days from filing of the application. Such temporary license  
29 shall not be renewable.  
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1           SECTION 7. DENIAL OR REVOCATION OF LICENSE.

2           A. Any application for issuance or renewal of a license  
3 pursuant to this ordinance shall not be accepted by the Director  
4 unless accompanied by the appropriate license fee. In the event  
5 an application for a license is refused, the amount tendered as  
6 the license fee shall not be returned to the applicant but shall  
7 go to the County to defray the cost of examination and investi-  
8 gation.

9           B. Every license issued or renewed pursuant to this ordin-  
10 ance shall expire at midnight of the day a year from the date of  
11 issuance.

12           C. In addition to other penalties provided herein or by  
13 law, the Director shall have the right to suspend or revoke any  
14 license issued pursuant to this ordinance upon showing that any  
15 establishment, premises, or person licensed hereunder has oper-  
16 ated in violation of the provisions of this ordinance or has  
17 permitted or engaged in unlawful conduct on the premises.

18           SECTION 8. RULES AND REGULATIONS.

19           The Director is hereby authorized to make and enforce such  
20 rules and regulations as are necessary and not inconsistent with  
21 the provisions of this ordinance. It shall be unlawful to  
22 violate or fail to comply with any of said rules and regu-  
23 lations. All such rules and regulations, as promulgated by the  
24 Director, shall be reduced to writing and mailed to each licen-  
25 see for his information and for distribution to his employees.

26           SECTION 9. BOARD OF APPEALS.

27           The King County Board of Appeals shall have jurisdiction  
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1 to hear appeals from the following orders of the Director:

2 a. Denial of a license.

3 b. Suspensions or revocations of licenses issued under  
4 provisions of this ordinance.

5 The aggrieved party shall have the right to appeal the  
6 aforementioned orders of the Director by giving a written notice  
7 thereof within seven days after the entry of the order appealed  
8 from. The notice of appeal shall specify an address at which  
9 the appellant may be given notice of hearing on the appeal.

10 After the filing of such appeal, the King County Board of  
11 Appeals shall set a time and place, not more than thirty days  
12 from such notice of appeal for hearing thereon. At the hearing  
13 the appellant shall be entitled to appear in person and be  
14 represented by counsel and offer such evidence pertinent and  
15 material to the action of the Director. Upon filing of notice  
16 of such appeal, the Director shall immediately submit to the  
17 King County Board of Appeals, such records, dates, reports and  
18 information as he may have in his possession supporting his  
19 order.

20 SECTION 10. PENALTY.

21 Every person as principal, agent or otherwise, who violates  
22 or fails to comply with the provisions of this ordinance shall  
23 be liable upon conviction thereof for the first offense to a  
24 fine of one hundred dollars and for any subsequent offense to a  
25 fine of two hundred and fifty dollars or to imprisonment for  
26 ninety days in County jail, or both.

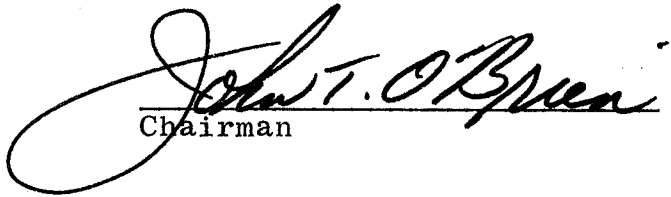
1            SECTION 11. SEVERABILITY.

2            Should any section, paragraph, sentence, clause or phrase  
3 of this ordinance or its application to any person or circum-  
4 stance be declared unconstitutional or otherwise invalid for  
5 any reason, such decision shall not affect the validity of the  
6 remaining portions of this ordinance or its application to other  
7 persons or circumstances.

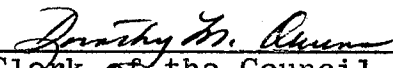
8            INTRODUCED AND READ for the first time this 5th day of  
9 February, 1973.

10           PASSED this 10th day of December, 1973.

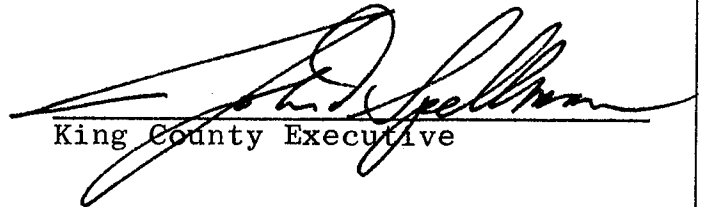
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12           KING COUNTY COUNCIL  
13           KING COUNTY, WASHINGTON

14             
15           Chairman

16           ATTEST:

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19           ACTING Clerk of the Council

20           APPROVED this 14th day of December, 1973.

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22             
23           King County Executive

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