

Sec II invalid per
Court decision

Introduced by: Bill Reams
74-799

ORDINANCE NO. 2187

AN ORDINANCE relating to gambling; amending Ordinance No. 2041 and amending Ordinance No. 2183; providing a tax rate, as specified, for punchboards and/or pull tabs, and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 2041, Section 1, as amended, is hereby amended to read as follows:

In accordance with Chapter 218, Laws of Washington, 1973, First Extraordinary Session, as amended, there is hereby levied upon all persons, associations and organizations who have been duly licensed to conduct or operate any games, raffles and amusement games, a tax rate of ten percent of the gross revenue received therefrom less the amount paid for or as prizes; and for the conduct or operation of any punchboards or pull tabs that are duly licensed, a tax rate of five percent of the gross receipts for such punchboards or pull tabs.

SECTION 2. Ordinance 2183, Section 2, is hereby amended to read as follows:

The operation of punchboards, pulltabs, ~~((and))~~, cardrooms operated as commercial stimulants, and social games operated by any private organization which discriminates in its membership in violation of state law ((with-regard-to-sex,-race,-creed,-color,-religion-or-national-origin)) is prohibited. The effective date of the prohibition of punchboards and pulltabs shall be May 30, 1975.

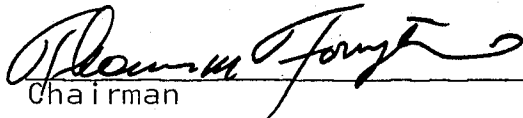
SECTION 3. The County Council finds as a fact and declares that an emergency exists and that this ordinance is necessary

1 for the immediate preservation of public peace, health or safety
2 or for the support of county government and its existing public
3 institutions.

4 INTRODUCED AND READ for the first time this 15th day of
5 October, 1974.

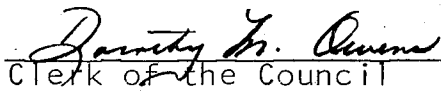
6 PASSED this 15th day of October, 1974.

7 KING COUNTY COUNCIL
8 KING COUNTY, WASHINGTON

9
10 
11 Chairman

12 ATTEST:

13 THOMAS M. FORSYTHE

14 
15 Clerk of the Council

16 DEEMED ENACTED WITHOUT
17 COUNTY EXECUTIVE'S SIGNATURE.

18 APPROVED this _____ day of DATED: October 15, 1974.

19 _____
20 King County Executive

CERTIFIED
COPY

FILED

'75 MAY 14 AM 9:49

BETTY MULLEN
CLERK
KING COUNTY WA.

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2
3
4 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR KING COUNTY
5
6 MIKE CAPELOUTO, KERMIT DYMENT)
and RICHARD G. WAGNER,)
7 Plaintiffs,) NO. 788 635
8 vs.)
9 KING COUNTY, WASHINGTON,) DECLARATORY JUDGMENT
10 Defendant.)
11

12 THIS MATTER having come before the court regularly for
13 trial; plaintiffs appearing by and through Victor V. Hoff,
14 their attorney; defendants appearing by and through Christopher
15 T. Bayley, prosecuting attorney, Douglas N. Jewett and Larry G.
16 Johnson, deputy prosecuting attorneys; the court having read the
17 pleadings and statements and argument of counsel in open court,
18 and having entered its findings of fact and conclusions of law,
19 now, therefore, it is hereby

20 ORDERED, ADJUDGED and DECREED that plaintiffs have judgment
21 against the defendant adjudging that Section 2 of Ordinance 2183
22 and Section 2 of Ordinance 2187 of the ordinances of King County
23 are invalid and void and that plaintiffs have the right to con-
24 duct social card games as commercial stimulants in accordance with
25 licenses issued by the State of Washington in the unincorporated
26 area of King County, notwithstanding Ordinance 2183 and Ordinance
27 2187.

28 DONE IN OPEN COURT this 14th day of May, 1975.

29 Presented by:

30 Victor V. Hoff
31 VICTOR V. HOFF
Attorney for Plaintiffs

James N. Bayley
JUDGE
Agreed to - March 28

32 NOTICE OF PRESENTATION RECEIVED

Douglas N. Jewett
Declaratory Judgment

REEL 810 PAGE 083

LAW OFFICES
VICTOR V. HOFF
1000 SECOND AVENUE
SEATTLE, WASHINGTON 98104
(206) 622-1577

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