

2-10-81  
3-23-81

Introduced by Tracy Owen

Proposed No.

81-131

WILLIAM BARDEN

ORDINANCE NO. 5410

AN ORDINANCE relating to business licenses and regulations; regulating amusement places, Title 6 of the King County Code; amending Ordinance 5304, Sections 1 and 3 and K.C.C. 6.08.005 and K.C.C. 6.08.027.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 5304, Section 1 and K.C.C. 6.08.005 are hereby amended as follows:

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

A. "Public place of amusement," "public amusement/entertainment," and "public entertainment" mean an amusement, diversion, entertainment, adult entertainment studio, show, performance, exhibition, display or like activities, for the use or benefit of a member or members of the public, or advertised for the use or benefit of a member of the public, held, conducted, operated or maintained for a profit, direct or indirect.

B. "Adult Entertainment studio" means any premises to which the public, patrons, or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms compartments, or stalls separate from the common areas of the premises, wherein an entertainer provides entertainment to a member of the public, a patron, or a member. An Adult Entertainment Studio includes, without being limited to, any premise that is physically arranged and used as such, whether advertised or represented as an entertainment studio, exotic dance studio, encounter studio, sensitivity studio, modeling studio, or any other term of like import. Adult Entertainment Studio shall not include theaters, concert halls, cabarets, or similar establishments where entertainment is performed for groups of 4 or more.

1           1. "Entertainer" means any person who provides  
2 entertainment within an Adult Entertainment Studio as defined in  
3 this ordinance whether or not a fee is charged or accepted for  
4 entertainment.

5           2. "Entertainment" means any exhibition or dance or any  
6 type, removal of articles of clothing, pantomime, modeling, or any  
7 other performance.

8           3. "Employee" means any and all persons who work in or  
9 at or render any services directly related to the operation of an  
10 Adult Entertainment Studio.

11           4. "Operator" means any person operating, conducting, or  
12 maintaining an Adult Entertainment Studio.

13           C. "Panoram" or "Peepshow" means any mechanical device,  
14 which, upon insertion of a coin or by any other means, exhibits  
15 or displays a picture or view on film.

16 ((6))D. "Public Place" means, for the purpose of this chapter,  
17 an area generally visible to public view and includes streets,  
18 sidewalks, bridges, alleys, plazas, parks, driveways, parking  
19 lots, and automobiles whether moving or not.

20           SECTION 2. Ordinance 5304, Section 3 and K.C.C. 6.08.027  
21 are hereby amended as follows:

22           Standards for public amusement/entertainment license issuance.

23           A. No public amusement/entertainment license shall be  
24 issued to, maintained or renewed by any person proposing to  
25 operate or maintain or in fact operating or maintaining a public  
26 place within King County outside the incorporated limits of cities  
27 and towns, where an employee will not conform and abide by the  
28 following requirements for his or her conduct thereon:

29           1. No person employed in the sale or service of food  
30 and/or drink in or upon the licensed or proposed licensed place  
31 shall be unclothed or in such attire, costume or clothing so as to  
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1 expose to view any portion of the breast below the top of the  
2 areola or of any portions of the pubic hair, anus, crest of the  
3 buttocks, vulva or genitals.

4 2. No person employed as a hostess, entertainer or person  
5 to mingle with the patrons shall be unclothed or in such attire,  
6 costume or clothing as described in subdivision 1. of this  
7 subsection.

8 3. No employee described in subdivisions 1. and 2. of  
9 this subsection shall encourage or permit any person upon the  
10 premise to touch, caress or fondle the breasts, buttocks, anus or  
11 genitals of any other person.

12 4. No employee as described in subdivisions 1. and 2.  
13 of this subsection shall wear or use any device or covering  
14 exposed to view which simulates the breast, genitals, anus, pubic  
15 hair, or any portion thereof.

16 5. No employee as described in subdivision 1. and 2.  
17 of this subsection shall perform acts of or acts which simulate:

18 a. Sexual intercourse, masturbation, sodomy,  
19 bestiality, oral copulation, flagellation, or any sexual acts  
20 which are prohibited by law;

21 b. The touching, caressing or fondling of the breasts,  
22 buttocks or genitals;

23 c. The displaying of the pubic hair, anus, vulva or  
24 genitals.

25 6. No employee as described in subdivisions 1. and 2.  
26 of this subsection whose breasts and/or buttocks are exposed  
27 to view shall perform elsewhere in a public place than upon a  
28 stage at least eighteen inches above the immediate floor  
29 level and removed at least six feet from the nearest patron.

30 7. No employee as described in subdivision 1. and 2.  
31 or this subsection shall use artificial devices or inanimate  
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1 objects to depict any of the prohibited activities described in  
2 this subsection.

3 8. No employee as described in subdivisions 1. and 2.  
4 of this subsection shall remain in or upon the public place who  
5 exposes to public view any portion of his or her genitals or anus.

6 B. No public amusement/entertainment license for an adult  
7 entertainment studio shall be issued, maintained or renewed by  
8 any person proposing to operate or maintain or in fact operating  
9 or maintaining an adult entertainment studio within King County,  
10 outside the incorporated limits of cities and towns, where (in  
11 addition to the requirements set forth in section A.) the  
12 following requirements are not adhered to:

13 1. There shall be posted and conspicuously displayed in  
14 the common areas of each Adult Entertainment Studio a list of any  
15 and all entertainment provided on the premises. Such list shall  
16 further indicate the specific fee or charge in dollar amounts for  
17 each entertainment listed.

18 2. Every Adult Entertainment Studio shall be physically  
19 arranged in such a manner that:

20 a. The entire interior portion of the booths, cubicles,  
21 rooms, or stalls wherein entertainment is provided is visible from  
22 the common areas of the premises. Visibility shall not be blocked  
23 or obscured by doors, curtains, drapes, or any other obstruction  
24 whatsoever.

25 b. No activity or entertainment occurring on the  
26 premises shall be visible at any time from any public place.

27 c. No operator, entertainer, or employee of an Adult  
28 Entertainment Studio shall be visible from any public place during  
29 the hours of their employment, or apparent hours of their  
30 employment on the premises.

1 d. No operator, entertainer, or employee of an Adult  
2 Entertainment Studio shall demand or collect all or any portion of  
3 a fee for entertainment before its completion.

4 e. A sign shall be conspicuously displayed in the  
5 common area of the premises, and shall read as follows:

6 THIS ADULT ENTERTAINMENT STUDIO IS REGULATED BY KING  
7 COUNTY, ENTERTAINERS ARE:

8 (1) Not permitted to engage in any type of sexual  
9 conduct;

10  
11 (2) Not permitted to expose their breast or genital  
12 areas;

13 (3) Not permitted to demand or collect all or any  
14 portion of a fee for entertainment before its  
15 completion.

16 C. No public amusement/entertainment license for a panoram  
17 or peepshow shall be issued, maintained or renewed by any person  
18 proposing to operate or maintain or in fact operating or main-  
19 taining a panoram or peepshow within King County, outside the  
20 incorporated limits of cities and towns, where (in addition to  
21 the requirements set forth in K.C.C. 6.08.027 A. and B.) the  
22 following requirements are not adhered to:

23 1. The interior of the panoram or peepshow premises shall  
24 be arranged in such a manner as to insure that customers are  
25 fully visible from the waist down, and all persons viewing such  
26 panoram pictures shall be visible from the entrance  
27 to such premises.

28 2. The licensee shall not permit any doors to public  
29 areas on the premises to be locked during business hours.  
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1           3. Any room or area on such premises shall be readily  
2 accessible at all times for inspection by any law enforcement  
3 officer or license inspector.

4           4. The licensee shall maintain adequate illumination  
5 generally distributed in all parts of the premises at all times  
6 when the panoram is open or when the public is permitted to enter  
7 or remain therein.

8        ~~((E))~~D. No public amusement/entertainment license shall be  
9 issued, maintained or renewed as set forth in subsection A. of  
10 this section where activity of any employee shall follow that  
11 authorized by subdivision 6. of subsection A. of this section  
12 unless:

13           1. Admission to the public place is restricted to persons  
14 of the age of twenty-one years or more; and

15           2. The performance is not visible outside of the public  
16 place so licensed.

17        ~~((D))~~E. This section does not apply to:

18           1. Taverns and premises maintaining liquor licenses;  
19 or

20           2. Any theater, concert hall, or similar establishment  
21 which is primarily devoted to theatrical performances whereupon  
22 there are seats arranged so that a body of spectators has an  
23 unobstructed view of the stage for performance of artistic  
24 expression and where such performances are not incidental to  
25 the promotion of the sale of food and drink and for which a  
26 county license is otherwise in full force and effect.

27        ~~((E))~~F. No public amusement or entertainment license shall be  
28 issued to, maintain or renewed by any person who has:

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

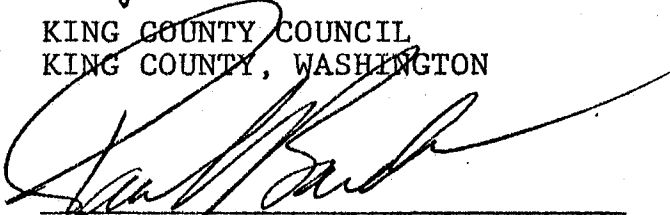
3. Been refused a license under the provisions of this chapter or had a license revoked or suspended; or

4. Made any false statement in his application.

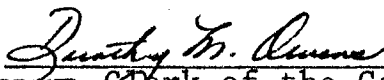
INTRODUCED AND READ for the first time this 9th day of March, 19 81.

PASSED this 13th day of April, 19 81.

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
Chairman

ATTEST:

  
DEPUTY Clerk of the Council

APPROVED this 22nd day of April, 19 81.

  
King County Executive

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