

October 1, 1986
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INTRODUCED BY: Paul Barden

PROPOSED NO.: 86 - 489

ORDINANCE NO. 7832

AN ORDINANCE relating to the licensing and regulation of dance halls, including provisions for those dance halls that admit persons under age eighteen, providing penalties for non-compliance; amending Ordinance 2905, Sections 1, 2, 3, 9 & 10, and K.C.C. 6.20.010, 020, 030, 090 and 100 and adding new sections to Chapter 6.01 and 6.20, K.C.C.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

NEW SECTION. SECTION 1. There is added to Chapter 6.20 K.C.C. a new section as follows:

Findings of Fact. Based on public testimony and other evidence presented to it, the King County council makes the following findings of fact:

A. This ordinance is an exercise of the county's police power for the protection of the public welfare, health, and safety of those children that attend and patronize dance halls.

B. The county council hereby finds and declares that the pervasive problems of runaway children, drug abuse and abuse of children are problems of such magnitude that they are a matter of county-wide concern and are contributed to by unregulated dance halls.

C. As such, this ordinance adds regulations to Title 6 of the King County code relating to business licenses pertaining to dance halls that admit persons under the age of eighteen.

NEW SECTION. SECTION 2. There is hereby added to Chapter 6.20, K.C.C. a new section as follows:

General Provisions-Applicability. This ordinance is subject to the general licensing provisions of Chapter 6.01, King County Code. In the event of a conflict between this ordinance and Chapter 6.01, the provisions of this ordinance shall apply. The provisions of this ordinance shall be construed liberally for the

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1 accomplishment of the purposes thereof. Nothing contained in this
2 chapter shall be deemed to repeal or modify any of the provisions
3 of any other law or county ordinance relating to dance halls or
4 licensing.

5 SECTION 3. Ordinance 2905, section 1 and K.C.C. 6.20.010 are
6 hereby amended as follows:

7 Definitions. For the purpose of this chapter and unless the
8 context plainly requires otherwise the following definitions are
9 adopted:

10 A. "Public dance" means any dance which is open to the public
11 and which is held and conducted for a profit, direct or indirect.

12 B. "Public youth dance" means any public dance that is
13 readily accessible to the public and which permits the entry of
14 any persons under the age of eighteen years. For the purposes of
15 this ordinance, the term "public dance" shall be construed so as
16 to include all "public youth dances" except where specifically
17 indicated otherwise.

18 C. "Public dance hall" means any place where the public dance
19 is conducted, operated or maintained and includes the premises on
20 which the public dance is conducted, operated or maintained and
21 any and all areas attached to or adjacent to such premises
22 including, but not limited to, all parking areas, hallways,
23 bathrooms and all adjoining areas on the premises accessible to
24 the public during the dance.

25 SECTION 4. Ordinance 2095, Section 2, and K.C.C. 6.20.020 are
26 hereby amended as follows:

27 Dance or dance hall license or permit - Required - Exceptions.

28 A. It is unlawful for any person to conduct, operate or
29 maintain a public dance or public dance hall unless the person who
30 is conducting, operating or maintaining such public dance or
31 public dance hall has obtained a license or permit in the manner
32 prescribed in this chapter.
33

1 B. Exceptions. The requirements of this ordinance shall not
2 apply if:

3 1. The public dance is sponsored by an accredited
4 educational institution; or

5 2. The public dance is sponsored by a nonprofit tax exempt
6 organization, corporation or association recognized by the United
7 States of America as exempt from federal income taxation pursuant
8 to 501(c) (1) or (3) of the Internal Revenue Code of 1954, 26
9 U.S.C. 501 as now existing or hereafter amended.

10 C. County Agency Operation. If the public dance hall is
11 managed or operated by a King County government agency, the
12 requirements of this ordinance may be waived by the director by
13 rule adopted pursuant to Chapter 2.98, K.C.C. upon written
14 application by the chief officer of the agency.

15 SECTION 5. Ordinance 2095, Section 3 and K.C.C. 6.20.030 are
16 amended as follows:

17 Dance hall license - Application.

18 A. The person desiring to conduct, operate or maintain a
19 public dance hall on a yearly or six-month basis shall be
20 responsible for obtaining a public dance hall license from the
21 director.

22 B. Renewal applications for a public dance hall license
23 (yearly or six-month) shall be made in writing on forms provided
24 by the director at least fourteen days prior to the expiration
25 date of the existing license.

26 C. Each applicant for a license shall complete an application
27 form prepared by the director which shall include the following
28 information:

29 1. The name and address of the applicant;

30 2. If the applicant is a corporation or a partnership the
31 names and addresses of the officer or directors thereof;

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1 3. The name and address of the owner or owners of the
2 premises upon which the dance hall is located;

3 ~~((3-))~~ 4. The name of the business under which the activity
4 is to be conducted;

5 ~~((4-))~~ 5. A declaration (~~(of any arrests, convictions or~~
6 confinements)) by the applicant or, if the applicant is a
7 corporation or a partnership, the officers, directors, or
8 partners, of any conviction within the past five years from the
9 date of application of any of the crimes enumerated in K.C.C.
10 6.20.090, subparagraph A.2.; and

11 6. Any other information the director may require to aid in
12 the implementation and enforcement of this chapter.

13 NEW SECTION. SECTION 6. There is hereby added to Chapter
14 6.20, K.C.C. a new section as follows:

15 Public Youth Dance - Hours of Operation - Age Restrictions -
16 Penalty.

17 A. No person or entity conducting a public youth dance or
18 maintaining a public youth dance hall shall allow persons under
19 the age of sixteen years to enter or remain on the premises
20 without that person's parent or legal guardian present.

21 B. No person or entity conducting or operating a public youth
22 dance or public youth dance hall shall allow persons under the age
23 of eighteen years to enter or remain on the premises after 2:00
24 a.m. without that person's parent or legal guardian present.

25 C. Every person who knowingly or recklessly shall allow a
26 person to enter or remain at a public youth dance in violation of
27 this section shall be guilty of a misdemeanor. It is the sole
28 responsibility of the person or entity conducting and/or operating
29 a public youth dance to require identification showing the age of
30 each person admitted.

1 D. Any person under the age of eighteen years who shall by
 2 affirmative misrepresentation of age obtain admission to or
 3 permission to remain in any public youth dance in violation of
 4 this chapter shall be guilty of a misdemeanor.

5 NEW SECTION. SECTION 7. There is hereby added to Chapter
 6 6.20, K.C.C. a new section as follows:

7 Public Youth Dance - Readmission Fee. No person or entity
 8 conducting or operating a public youth dance or public youth dance
 9 hall shall permit any person, other than an employee, to leave the
 10 dance or dance hall and return unless that person pays a
 11 readmission fee equal to, or greater than, one-half the original
 12 price of admission.

13 SECTION 8. Ordinance 2095, Section 9 and K.C.C. 6.20.090 are
 14 amended as follows:

15 Denial of license or permit. A. The director may deny a
 16 license or permit if the applicant
 17 or if the applicant is a corporation or partnership, ((any-of))
 18 the applicant's officers, directors or partners ((have)) or any
 19 agent thereof, have:

20 1. Committed any act which, if committed by a licensee or
 21 permittee, would be grounds for the suspension or revocation of a
 22 license or permit;

23 ~~((2-)) ((Committed-any-act-resulting-in-a-conviction-of-a~~
 24 ~~felony-or-a-crime-involving-moral-turpitude-which-is-reasonably~~
 25 ~~related-to-the-license-or-permit-applied-for;))~~

26 2. Been convicted within the last five years of:

27 a. A felony involving a crime of violence as defined in
 28 RCW 9.41.010, or a felony under RCW Chapter 69.50, or any felony
 29 or misdemeanor under RCW Chapters 9A.44, 9A.64, or 9A.88;

30 b. Contributing to the dependency or delinquency of a
 31 minor; or

32 c. Assault on a juvenile.
 33

1 3. Been refused a license or permit or had a license or
2 permit revoked under the provisions of this chapter; provided,
3 however, that any applicant denied a license or permit may reapply
4 after six months if the basis for such denial no longer exists;

5 4. Committed any act for which a license is required under
6 the provisions of this chapter;

7 5. Failed to comply with the building, zoning, planning or
8 fire codes of King County, ~~((and))~~ or any rules or regulations set
9 forth by the state of Washington Liquor Control Board; or

10 6. Knowingly made any false statement in ~~((his))~~ the
11 applicant's application.

12 B. The director may deny a license if he determines that the
13 conduct, operation or maintenance of a public dance hall or public
14 dance will disturb the peace and quiet of the neighborhood in
15 which the same is located.

16 SECTION 9. Ordinance 2095, Section 10 and K.C.C. 6.20.100 are
17 hereby amended as follows:

18 Suspension or revocation of license or permit. ~~((A-))~~ The
19 director may suspend or revoke a license or permit if he
20 determines that the licensee or permittee or any of the licensee's
21 or permittee's officers, directors, ~~((or))~~ partners or agents have:

22 A. Intentionally failed to disclose any material fact in the
23 application for a license or permit, or a renewal of a license or
24 permit;

25 ~~((1-))~~ B. Knowingly made any false statement or given any
26 false information in connection with an application for a license
27 or permit or a renewal of a license or permit.

28 ~~((2-))~~ C. Failed to remove or attempt to remove from the
29 dance premises any person who appears to be under the influence of
30 or affected by the use of alcohol and/or drugs or whose conduct
31 ~~((poses))~~ reasonably appears to pose a physical danger to the
32 safety of others present;

1 ((3-)) D. Committed any act which is a ground for denial
2 of a license or a permit; or

3 ((4-)) E. Violated any of the provisions of this chapter.

4 NEW SECTION. SECTION 10. Licensing - Retroactivity. All
5 licenses issued prior to the effective date of this ordinance
6 shall entitle the holder of such license a period of thirty-five
7 days, following the effective date of the ordinance, to comply
8 with the provisions of this ordinance.

9 SECTION 11. Severability. Should any section, subsection,
10 paragraph, sentence, clause or phrase of this ordinance be
11 declared unconstitutional or invalid for any reason, such
12 declaration shall not affect the validity of the remaining portion
13 of this ordinance.

14 INTRODUCED AND READ for the first time this 25th day
15 of August, 1986.

16 PASSED this 27th day of October, 1986.

17 KING COUNTY COUNCIL
18 KING COUNTY, WASHINGTON

19 Audrey Huger
20 Chair

21 ATTEST:

22 Jessie M. Owens
23 Clerk of the Council

24 APPROVED this 31st day of October, 1986.

25 J. Hill
26 King County Executive