

LICENSES

Title 10

BUSINESS—REGULATION AND LICENSING*

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ADMINISTRATION AND ENFORCEMENT

Chapter 10.02

ADMINISTRATION AND ENFORCEMENT

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10.02.010—10.02.070 LICENSES

10.02.010 Title. This title shall constitute the "License Code" of the city of Seattle, and may be cited as such. (Ord. 48022 § 1, as amended by Ord. 64843; July 12, 1934).

10.02.020 Exercise of police power. Licenses required may be for regulation and/or revenue. This entire title shall be deemed an exercise of the power of the state of Washington and of the city of Seattle to license for regulation and/or revenue and all its provisions shall be liberally construed for the accomplishment of either or both such purposes. (Ord. 48022 § 2, as amended by Ord. 69484; September 22, 1939).

10.02.030 Person defined. The word "person" whenever used in this title shall be held and construed to mean and include natural persons of either sex, firms, copartnerships and corporations, whether acting by themselves, by servant, agent or employee. The singular number shall include the plural and the masculine pronoun shall include the feminine. (Ord. 48022 § 3; December 1, 1924).

10.02.040 Prior licenses. All licenses issued under the provisions of any ordinance hereby repealed shall remain in force and effect until the expiration thereof, unless sooner surrendered or revoked, subject, however, to all other requirements of the license code. (Ord. 48022 § 4; December 1, 1924).

10.02.050 Licenses not transferable. No license issued under the provisions of this chapter shall be transferable or assignable, unless specifically otherwise provided for. (Ord. 48022 § 5; December 1, 1924).

10.02.060 Change of ownership of certain businesses. The city council may, by resolution, recognize a change of ownership of any business licensed for "billiard and pool table" and/or "panoram location" upon the filing by the new or prospective owner of applications in the manner and form prescribed, and payment of the applicable fee required for original applications for such licenses. The city council may in the resolution granting any such application include the condition that such new or prosepctive owner assume and pay any lawful indebtedness of the transferor or assignor due to the city in connection with such business. (Ord. 48022 § 5A added by Ord. 86416 and amended by Ord. 97956 § 2; July 18, 1969).

10.02.070 Licenses to be posted or carried. All licenses issued pursuant to this title authorizing the maintenance or conducting of any occupation, business, trade or entertainment at a specified location, shall be posted in a conspicuous place at such location; provided, however, that when the licensee has no established place of business and goes from place to place or from house to house, then such license must be carried on the person of

such licensee while actually engaged in the licensed occupation, business or trade. (Ord. 48022 § 6; December 1, 1924).

10.02.080 License good only at location stated. Unless otherwise specifically provided, no license issued under authority of this title shall entitle the holder thereof to maintain or conduct the business, trade, occupation, calling, exhibition or entertainment, for which he has procured such license at any other place or location than that stated in such license, except upon the payment of a license fee equivalent to ten percent of the required annual license fee payment to be made in the manner provided for the original license or renewal thereof, with the same right to a refund, and except upon the written consent of the city comptroller as to licenses granted by him and the consent by resolution of the city council; provided that the above restrictions on licenses to a particular place or location, and the consent provision and additional fee required for a change of location shall not apply to small merry-go-rounds, carousels and similar devices licensed under Section 10.04.020, and accommodating not more than eight persons at one time, mounted permanently on wheels, and transportable without dismantling. (Ord. 48022 § 9 as amended by Ord. 83906; March 14, 1955).

10.02.090 Surety bonds. Whenever a bond is required for any amount except as otherwise specifically provided, it shall be held and construed to mean a surety company bond with the licensee as principal and some surety company authorized to do business in the state of Washington as surety. Such bond must be approved by the corporation counsel as to form and sufficiency of the surety.

If said bond is cancelled at any time during the full period to be covered by the license applied for and the licensee fails to reinstate the bond according to the provisions of this chapter, said license shall forthwith be suspended in accordance with the terms of this chapter. (Ord. 48022 § 10 as amended by Ord. 99725 and Ord. 102390 § 1; July 27, 1973).

10.02.100 Licenses granted by council—Application procedure and information required. The following licenses may be granted only by the city council:

- (1) Bowling alley licenses
- (2) Drive-in theater licenses
- (3) Employment agency licenses
- (4) For-hire car base licenses
- (5) Sightseeing car or charter bus base licenses
- (6) Theater licenses
- (7) Coffee house licenses
- (8) Billiard or pool table licenses
- (9) Cabaret licenses
- (10) Detective agency licenses

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- (11) Massage parlor and public bathhouse licenses
- (12) Operator's amusement device base licenses
- (13) Panoram location and panoram operator licenses
- (14) Pawnbroker licenses
- (15) Public dance hall licenses
- (16) Merchants patrol agency license
- (17) Coin-operated billiard and pool game licenses

Application for any of the above shall be made in the office of the city comptroller on a form prepared by him substantially as follows:

THE CITY OF SEATTLE

Office of the City Comptroller

Application for Expiring, 197....

- 1. Name of Applicant
- 2. Location of Business
- 3. Place of Business known as
- 4. Residence address of applicant

Telephone number

5. State whether Individual, Partnership or Corporation

6. If Partnership, state the names of all persons sharing in the profits of the business; if a Corporation, give the names of its officers, directors and shareholders, giving title, residence address and phone number of each.

7. How long has the applicant (or if a corporation, its officers) resided in the City of Seattle?

8. If individual or partnership, state whether applicant is of legal age

9. Has the applicant or anyone owning an interest in the business, or proposed business, ever been convicted of violating any law or ordinance

relating to the sale of intoxicating liquor, gambling, or any law or ordinance relating to public morality and decency, or for violating any law or ordinance involving an intent to defraud?

10. Has the applicant or anyone owning an interest in the business, or proposed business, ever been convicted of violating any law or ordinance relating to the use, sale or possession of narcotic drugs?

11. State whether all persons sharing in the profits of the business are citizens of the United States.

12. Give name of each person sharing in the profits of the business who is not a citizen of the United States.

13. Do the premises upon which the business or proposed business is to be conducted, comply with the requirements of the Building Code and those relating to health and sanitation?

14. (If a Billard or Pool Room) No. of Tables
 (If a Public Dance Hall) No. of square feet of Floor Space
 (If a Theater) No. of Seats
 (If a Bowling Alley) No. of Alleys

15. Remarks

16. Council notice given for

STATE OF WASHINGTON)
 COUNTY OF KING) ss.
 CITY OF SEATTLE)

....., being first duly sworn upon oath, deposes and says: I am the above named applicant, and make this affidavit for the purpose of obtaining from the City of Seattle a in accordance with the provisions of the License Code. I have personal knowledge of the matter stated in the foregoing application and the statements contained therein are true.

SUBSCRIBED AND SWORN to before me this day of, 196....

Notary Public in and for the State
 of Washington, residing at Seattle

City Comptroller

By

Deputy

If the applicant is a partnership, a partner must sign, if a Washington corporation, an officer thereof must sign, and if a foreign corporation author-

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ized to do business in the state, its local manager or resident agent must sign. All applications must be accompanied by the required fee, for which fee the applicant shall be given a receipt. The comptroller shall forward all such license applications to the city council which before acting upon the same shall request the chief of police to investigate the truth of the statements in the application and all other matters which might tend to aid the council in determining whether to grant the license. The chief shall report to the council as to reasons he may have for objecting to the granting or renewing of the license. If the council is satisfied that the statements in the application are true, that the applicant and all persons connected with the business are of good character and that the premises in which the activity sought to be licensed will be conducted comply with the requirements of all ordinances relating to buildings, fire, health and sanitation, and that such premises are situated in a place where such businesses are not prohibited by the Zoning Ordinance or other law and that all other requirements and conditions of this chapter relating to the business for which the license is sought have been met, it shall by resolution direct the city comptroller to issue such license, otherwise it shall deny the same; Provided, however, that if the applicant (or if a corporation, any of its officers) has within ten years of the date of application been convicted of any felony or any misdemeanor involving moral turpitude or intent to defraud, or has within ten years of the date of application been released from a penal institution or from active supervision on parole as a result of any such conviction, no such license shall be granted; Provided, further, however, that the city council may waive not to exceed five years of such period upon satisfactory showing by the applicant of rehabilitation. The city council may grant any license as a probationary license for such time and under such conditions as it may deem necessary to insure continued adherence to this or other ordinances, but no probationary license shall be granted to anyone not qualified for licensing under this chapter.

If any license is denied by the council, the fee paid by the applicant shall thereupon be returned to him by the comptroller. (Ord. 48022 §§ 11, 11A as amended by Ord. 93051, Ord. 94188, Ord. 94330, Ord. 95318 and Ord. 97956 §§ 3, 4; July 18, 1969).

10.02.105 Corporations to list shareholders, directors and officers. In addition to the requirements of Section 10.02.100, all applications for any license required to be filed with the city council which is made by or on behalf of a corporation, shall include a list of the names and addresses of all shareholders, directors and officers of such corporation; and as changes in said corporation by notice in writing filed with the city council; and failure to comply with this section shall be an additional ground for revocation of such license. (Ord. 94188 § 11B; September 15, 1965: prior Ord. 48022 § 11A as amended by Ord. 93051; July 14, 1964).

10.02.115 Police relieved of duty to investigate renewal applications. The chief of police and police department are relieved of the duty to investigate applications for license renewals and all parts of the License Code imposing such duty are hereby superseded, provided that this amendment shall not preclude the chief of police from making such investigation of applicants for license renewal as may be requested by the city council or the city comptroller, all as requested by the mayor and the chief of police in C. F. 241938. (Ord. 48022 § 12a added by Ord. 90081; March 13, 1961).

10.02.120 Licenses issued by comptroller—Application procedure. Application for any city license required by this title, other than those specified in Section 10.082.100, shall be made to the city comptroller on a form prepared by him, and shall be accompanied by the required fee. If the application is made within six months of the date fixed for expiration, the fee shall be one-half the annual fee. The license shall be issued by the comptroller upon proper application except as hereinafter otherwise provided, unless, after investigation, he finds good reason to believe that the applicant is dishonest or immoral or desires the license applied for in order to engage in dishonest, unlawful or immoral acts or enterprises, or unless he finds that the premises in which the activity sought to be licensed will be conducted does not comply with requirements of any ordinance relating to fire, buildings, health and sanitation or is in violation of the zoning ordinance. Anyone whose application is denied by the comptroller may appeal therefrom to the city council, whose decision shall be final. (Ord. 48022 § 13 as amended by Ord. 93501; July 14, 1964).

10.02.125 Contingent Fund "C" created.* There is created in the department of finance a fund to be designated as contingent fund "C," into which shall be paid all collections from license fees and payments accompanying applications therefor, and all police court fines, penalties and forfeitures. (Ord. 70792 § 1; April 24, 1941).

10.02.126 Repayment from fund. There may be repaid from said fund the amount of any fee paid upon application for a license which the city refuses or declines to issue, unless the ordinance under which the application is made precludes such repayment; and also when authorized by the city council, upon petition, any fee paid for a license issued but not used by the licensee. The city comptroller may make refunds from said fund for overpayments for admission taxes under Chapter 11.04 and for refunds for business tax overpayments under Chapter 11.08. Other payments may be made from said fund when authorized by ordinance. All such refunds, payments and repayments shall be made by warrant on said contingent fund "C." (Ord. 70792 § 2 as amended by Ord. 81163; July 9, 1952).

*Receipts from admission tax—See Section 11.04.120.

10.02.127 Monthly apportionment. Within ten days after the close of each calendar month, all moneys collected during such calendar month and remaining in contingent fund "C" at the end thereof, after the repayment therefrom of any sums authorized in Section 10.02.126 hereof, shall by the comptroller be apportioned to the several funds entitled thereto, as contemplated by law, and the city treasurer is authorized and directed to transfer the moneys so apportioned to the several funds entitled thereto. (Ord. 70792 § 3; April 24, 1941).

10.02.128 Repayment of fee upon acquisition of property by eminent domain or repeal of license requirement. There shall be repaid from contingent fund "C" upon petition by the licensee and authorization therefor by resolution of the city council, a prorated portion of the fee for any license issued by the city in the event a licensee has been prevented from continuing a licensed business or activity for the full period authorized by such license by reason of acquisition by eminent domain of the property upon which such business or activity is conducted or in the event the ordinance or portion thereof requiring such license has been repealed during the license year. Such repayments shall be made on a pro rata basis, determined by multiplying a sum equal to one twelfth of the annual license fee by the number of full months remaining in the license year. (Ord. 70792 § 2a added by Ord. 90268; May 24, 1961).

10.02.129 Deposit of penalty assessments. There shall be deposited into contingent fund "C" the gross proceeds of "penalty assessments" collected by the municipal court pursuant to Chapter 39 Laws of Washington 1963, and transmitted to the city treasurer who shall transmit the same to the state treasurer within ten days after the close of each calendar month. (Ord. 70792 § 3-A added by Ord. 92146; June 25, 1963).

10.02.130 Revocation and suspension. In addition to other penalties provided by law, the city council reserves unto itself the right to revoke, or suspend any license issued under the provisions of this title at any time, where the same was procured by fraud, or false representation of fact, or for the violation of, or failure to comply with, any of the provisions of this title by the person holding such license, or any of his servants, agents, or employees, while acting within the scope of their employment, or the conviction of the person holding such license of a felony, or misdemeanor involving moral turpitude or an intent to defraud, or the conviction of any of his servants, agents or employees of any felony, or misdemeanor involving an attempt to defraud committed while acting within the scope of their employment or if the licensee, any of his servants, or agents, or employees, while acting within the scope of their employment violate any law or ordinance relating to the sale or possession of intoxicating liquor, the use, possession, or sale of narcotic drugs, discrimination against any person be-

cause of race, creed, color, national origin or sex, or violate any law or ordinance relating to public morality and decency, or with respect to the licenses specified in Section 10.02.100 where the business or activity for which such license was issued has been conducted in a disorderly or improper manner, or in violation of any statute of the state or ordinance of the city or where the person conducting such business or activity is of unfit character to conduct the same, or where the purpose for which the license was issued is being abused to the detriment of the public, or where such license is being used for a purpose different from that for which it was issued. No license shall be revoked or suspended until after a hearing before the license and consumer protection committee of the city council. Notice of such hearing shall be given by delivering a copy of the notice to the holder of the license or by mailing a copy thereof to the holder at his last address as shown by the comptroller's license records, which notice shall be mailed or delivered at least three days before the date fixed for the hearing.

The period of revocation shall be at least one year, and the licensee shall not again be licensed for the same kind of business during such period or for such additional period as is fixed by the city council. The period of suspension shall be fixed by the city council at not less than ten nor more than sixty days.

Revocation or suspension may be by resolution of the city council, and shall be final.

Conviction of a violation of any provision of this chapter shall be prima facie evidence sufficient to warrant revocation or suspension of the license.

It is unlawful for any person whose license has been revoked or suspended, to keep the license issued to him in his possession or under his control, and the same shall immediately be surrendered to the city comptroller. When revoked the license shall be cancelled, and when suspended the city comptroller shall retain the same during the period of suspension. (Ord. 48022 § 14 as amended by Ord. 73016, Ord. 97646, Ord. 99094 and Ord. 100729 § 1; February 28, 1972).

10.02.140 License plates, badges and receptacles remain property of city. All license plates issued by the city comptroller, with peddlers' licenses of the Class A, B or C; all license plates of vehicle licenses and the badges issued with vehicle licenses; all plates issued with junk wagon licenses; license plates issued with boat licenses and all other plates that may be issued with certain kinds of licenses by the city comptroller and the receptacles issued with drivers' licenses, are and remain the property of the city of Seattle, and if found in possession of any person other than the licensee, such plates or badges must be surrendered to the city comptroller.

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All such license plates, badges and receptacles for drivers' licenses must be surrendered, with the license, to the city comptroller, in case of revocation or suspension of a license. (Ord. 48022 § 15; December 1, 1924).

10.02.150 Unlawful to manufacture license plates, badges or receptacles without authority. It is unlawful for any person to use or permit to be used any license plate, license badge or receptacle for drivers' licenses, except those issued by the city comptroller in conformity with the provisions of this title.

It is unlawful for any person to make or manufacture any license plates, badges or receptacles for drivers' licenses, except upon order of the city comptroller of the city of Seattle.

All license plates issued under the provisions of this title for any purpose must be removed from the vehicles upon expiration or revocation of the license with which they were issued. (Ord. 48022 § 16; December 1, 1924).

10.02.160 Licenses not to be issued for fractional part of day, week, month or year. Unless otherwise specifically provided for in the License Code, whenever the license fee is fixed by the day, a license may be issued for one or more full days and not for two half days, nor for any fractional part of one day; whenever a weekly fee is prescribed, it means and includes a full week and no license shall be issued for less period than one week; whenever a monthly license fee is prescribed, it means a full month and no monthly license fee shall be issued for a less period than one month; whenever the license fee is fixed at a certain fee per annum or year, it means a full year and no license shall be issued for a less period than one year; provided, however, that in the event any person fails or neglects to renew his license on or before the date of expiration thereof, or in the event that any person engages in a business, trade, occupation or calling requiring a license as in this title provided, but who has failed or neglected to obtain the same, then the time of delinquency may be deducted from the period of time for which the license is issued; and provided further, that no license shall be issued for a greater period than one year. (Ord. 48022 § 17; December 1, 1924).

10.02.180 Comptroller to supervise enforcement. The city comptroller shall have general charge of, and supervision over, the administration and enforcement of the License Code. It shall be his duty to furnish monthly to the chief of police and chief of the fire department a list of licenses, including the name and address, character of license and date of expiration of the following classification of license holders: Billiard and pool tables, public dance halls, cafe dances, cabarets, employment agencies, business chance brokers, theaters and other places of amusement, pawn shops sec-

ondhand dealers, junk shops, junk wagons and all for-hire vehicles. It shall be the duty of the chief of police concurrently with the city comptroller, to enforce the License Code. (Ord. 48022 § 19 as amended by Ord. 65426 and Ord. 97956 § 5; July 18, 1969).

10.02.190 Enforcement—Duties of boiler inspector, chief of fire department and plumbing inspector. The boiler inspector shall assist in the enforcement of the provisions hereof relating to stationary engineers and firemen; the chief of the fire department and members of the fire department detailed as inspectors shall assist in the enforcement of the provisions hereof, particularly with reference to gasoline stations; the plumbing inspectors of the department of health and sanitation shall assist in the enforcement of the provisions hereof relating to master plumbers and journeyman plumbers, and it shall be the duty of all department heads and the inspectors thereof to report in writing to the city comptroller and to the chief of police any violations of the License Code coming to their attention. (Ord. 48022 § 20 as amended by Ord. 65426; June 5, 1935).

10.02.200 Members of license division—Police authority. It shall be the duty of the director of licenses and other license officers of the comptroller's department, under the direction and supervision of the city comptroller, to assist in the enforcement of the provisions of the license laws of the city, including the apprehension and assistance in the prosecution of violators of the license laws of the city and the performance of such other duties as the city comptroller may from time to time require. For the purpose of enforcing the license laws of the city, the director of licenses and license inspectors and officers of the city shall have the power to make arrests for the violations thereof; provided, that before making such arrests, such officers shall exhibit and display a suitable badge.

It is unlawful for any person to refuse admission to a license officer, while acting within the scope of his employment, to any place of business or entertainment licensed under any ordinance of the city of Seattle, or to any place where licensed persons are employed, or to interfere with any license officers while in the performance of his duty. (Ord. 48022 § 21 as amended by Ord. 65426; June 5, 1935).

10.02.210 Issuance of licenses by resolution. Whenever it is provided in any city ordinance that a license shall be issued when directed and/or authorized by the city council by ordinance, such license may be issued when directed and/or authorized by resolution of the city council notwithstanding any provision in any such ordinance to the contrary. (Ord. 64843 § 1; July 12, 1934).

10.02.220 License renewal—Veterans.* Any person who is the holder of a for-hire driver's license, a journeyman plumber's license, a meat salesman's license or an engineer's license, who joins the armed forces of the United States and returns therefrom and makes application to the city comptroller for a new license of the same kind held by him at the time joining such forces, shall upon presentation of a certificate of honorable discharge be issued a new license for the calendar year upon payment of the required fee without payment of any license fee which may be due because of failure to renew such license. (Ord. 73153 § 1; March 7, 1944).

10.02.230 Penalty for violations. Any person violating or failing to comply with any of the provisions of this title shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine in any sum not exceeding three hundred dollars, or by imprisonment in the city jail for a period not exceeding ninety days, or by both such fine and imprisonment. (Ord. 48022 § 245; December 1, 1924).

10.02.240 Violations—Prosecution as principal. Every person concerned in any act or omission in violation of this title, whether he directly performs or omits to perform any act in violation of this title, or aids or

*Ordinance 73614 contained similar provisions as to the Merchant Marine but was limited in its effect to the duration of "the present war."

abets the same, whether present or absent, and every person who directly or indirectly counsels, encourages, hires, commands, induces or otherwise procures another to commit such violation is, and shall be, a principal under the terms of this title and shall be proceeded against and prosecuted as such. (Ord. 48022 § 246; December 1, 1924).

10.02.250 Severability. If any section, subsection, subdivision, sentence, clause or phrase of this title is for any reason held to be unconstitutional or void, such decision shall not affect the validity of the remaining portion of this title. (Ord. 48022 § 7; December 1, 1924).

10.02.260 Prior offenses. No prosecution now pending and no offense heretofore committed under any ordinance heretofore enacted shall be affected in any way by the passage of this title, but all such prosecutions shall be conducted to final judgment and all such offenses shall be prosecuted in the same manner as if this title had not been enacted. (Ord. 48022 § 8; December 1, 1924).

Chapter 10.03

EXPIRATION OF LICENSES

Sections:

- 10.03.010 Flower vendors and boats for hire.
- 10.03.020 Bill posters, dangerous weapons, electric sign hangers, public garages and second-hand dealers.
- 10.30.030 Billiard or pool table, kennels and wholesale peddlers.
- 10.03.040 Side sewer contractors and locksmiths.
- 10.03.060 Parcel check rooms.
- 10.03.070 Auctioneers.
- 10.03.080 Heating equipment dealers and swill collectors.
- 10.03.090 Cabarets, public dances, cafe dances, detective agencies and private detectives.
- 10.03.100 Amusements and pawnshops.
- 10.03.110 Junk dealers.
- 10.03.120 Existing licenses.
- 10.03.130 Weighmasters.
- 10.03.140 Caravaning motor vehicles.
- 10.03.150 Fumigators.
- 10.03.160 Application for license within six months of expiration date.
- 10.03.170 Existing licenses.

10.03.010 Flower vendors and boats for hire. All annual licenses issued under Section 10.38.010 of the License Code shall expire at midnight, February 28th, or on Leap Year, at midnight, February 29th of each year; and all annual licenses issued under Section 10.12.020 of the License Code shall

expire at midnight on August 31st of each year. (Ord. 75088 § 1 as amended by Ord. 77967; May 17, 1949).

10.03.020 Bill posters, dangerous weapons, electric sign hangers, public garages and second-hand dealers. All annual licenses issued under Sections 10.08.020, 10.08.030, 10.20.010, 10.30.010, 10.40.020 and 10.58.020 of the License Code shall expire at midnight March 31st of each year. (Ord. 75088 § 2 as amended by Ord. 89418; July 13, 1960).

10.03.030 Billiard or pool table, kennels and wholesale peddlers. All annual licenses issued under Sections 10.10.010, 10.28.020 and 10.80.010 of the License Code shall expire at midnight on April 30 of each year. (Ord. 75088 § 3 as amended by Ord. 97956 § 6; July 18, 1969).

10.03.040 Side sewer contractors and locksmiths. All annual licenses issued under Sections 10.54.010, 10.87.010 and 10.87.020 of the License Code (Title 10) shall expire at midnight on May 31st of each year. (Ord. 75088 § 4; June 19, 1946).

10.03.060 Parcel check rooms. All annual licenses issued under Section 10.52.020 of the License Code shall expire at midnight on July 31st of each year. (Ord. 75088 § 6; June 19, 1946).

10.03.070 Auctioneers. All annual licenses issued under Section 10.07.010 of the License Code shall expire at midnight on August 31st of each year. (Ord. 75088 § 7; June 19, 1946).

10.03.080 Heating equipment dealers and swill collectors. All annual licenses issued under Sections 10.63.020 and 10.64.010 of the License Code shall expire at midnight on September 30th of each year. (Ord. 75088 § 8 as amended by Ord. 89418; July 13, 1960).

10.03.090 Cabarets, public dances, cafe dances, detective agencies and private detectives. All annual licenses issued under Sections 10.14.020, 10.18.020, 10.18.140, 10.22.030 and 10.22.040 of the License Code shall expire at midnight on October 31st of each year. (Ord. 75088 § 9; June 19, 1946).

10.03.100 Amusements and pawnshops. All annual licenses issued under Sections 10.04.010, 10.04.020 and 10.56.020 of the License Code shall expire at midnight on November 30th of each year. (Ord. 75088 § 10; June 19, 1946).

10.03.110 Junk dealers. All annual licenses issued under Section 10.48.020 of the License Code shall expire at midnight on December 31st of each year. (Ord. 75088 § 11; June 19, 1946).

10.03.120 Existing licenses. All licenses issued under the License Code and in effect at the time this section and the preceding sections take effect, and for which a different date of expiration is fixed by this chapter shall

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continue in effect, subject to the License Code, for the unexpired period, after which, if application is made for annual renewal license and applicant is entitled thereto, renewals shall expire on the date prescribed by this chapter and if in the case of the first renewal the license is not issued for a full year, the amount of the license fee shall be prorated. (Ord. 75088 § 12; June 19, 1946).

10.03.130 Weighmasters. All annual licenses for weighmasters issued under Chapter 10.59 shall expire at midnight on April thirtieth of each year. (Ord. 75115 § 1; June 26, 1947).

10.03.140 Caravaning motor vehicles. All annual licenses for caravaning of motor vehicles issued under Chapter 10.91 shall expire at midnight on December thirty-first of each year. (Ord. 75115 § 3; June 26, 1947).

10.03.150 Fumigators. All annual licenses issued for master fumigators under Chapter 10.37 shall expire at midnight on December thirty-first of each year. (Ord. 75115 § 4; June 26, 1947).

10.03.160 Application for license within six months of expiration date. Whenever application is made for a license for weighmasters, caravaning of motor vehicles, or master fumigators within six months of the date fixed for expiration of the annual license hereunder, the fee shall be one-half the annual fee. (Ord. 75115 § 5; June 26, 1947).

10.03.170 Existing licenses. All annual licenses under Chapters 10.59, 10.91 and 10.37 and now in effect shall remain effective, subject to the provisions of the chapter under which issued, for the unexpired term, after which, if application is made for an annual renewal license and applicant is entitled thereto, renewal shall be issued to expire on the date fixed therefor under this chapter; and if, in the case of first renewal hereafter the license does not cover a full year, the amount of the license fee shall be prorated. (Ord. 75115 § 6; June 26, 1947).

Chapter 10.04

AMUSEMENTS AND AMUSEMENT PLACES*

Sections:

- 10.04.010 Amusement licenses—Requirement.
- 10.04.020 Fees.
- 10.04.030 Merry-go-rounds, ferris wheels and air swings in public parks.
- 10.04.040 Aquarium license.
- 10.04.050 Amusement riding devices—Insurance required.
- 10.04.060 Community celebration license.
- 10.04.070 Panoramic picture or view device.
- 10.04.075 Professional ice hockey.

*Amusement arcades—See Chapter 10.83 of this code.

- 10.04.080 Circus parade—Permit and license.
- 10.04.090 Circus or circus parade—Cash deposit.
- 10.04.100 Vulgar or obscene amusements prohibited.
- 10.04.110 Skating rink—Prohibited acts.
- 10.04.120 Certain amusements prohibited near parks and schools.
- 10.04.130 Bowling alleys—Prohibited locations.
- 10.04.140 Bowling alleys—Intoxicated persons prohibited.
- 10.04.150 Bowling alleys—When minors prohibited.
- 10.04.160 Miniature golf courses—Closing hours.
- 10.04.170 Miniature golf courses—Noises prohibited.
- 10.04.180 Miniature golf courses—Revocation of license.

10.04.010 Amusement licenses—Requirement.* It is unlawful to open, operate, conduct, manage, maintain or control, or be in any way connected with the opening, operation, conducting, management, maintenance or control of any place of amusement, entertainment or exhibition of the character specified in this chapter when the same is conducted for the purpose of profit, direct or indirect, and is open to the public, without a valid and subsisting license, to be known as an "amusement license," which when issued for an annual period shall expire at midnight, November thirtieth, of each year. (Ord. 48022 § 22 as amended by Ord. 75087; June 19, 1946).

10.04.020 Fees.* The fees for amusement licenses shall be as follows:

For theaters, fifteen cents per year for each seat maintained for patrons; provided that the minimum fee for such license shall be seventy-five dollars per year and the maximum three hundred dollars per year, regardless of the number of seats.

For skating rinks, natatoriums, swimming pools, or similar places, one hundred dollars per year, or ten dollars per month.

For baseball parks, where scheduled games are played between professional baseball teams and an admission fee is charged thereto, one hundred dollars per year.

For golf courses, miniature golf courses, driving courses, table tennis centers, or similar places, fifty dollars per year, or ten dollars per month.

For shooting galleries, where no music is used in connection therewith, twenty-five dollars per three months, or seventy-five dollars per year, and where music of any kind is played, forty dollars per three months or one hundred dollars per year; and it is unlawful for any person maintaining, or conducting a shooting gallery to allow or permit shooting for prizes, or to keep open for business or to allow any shooting in such gallery between the hours of twelve midnight and ten a.m. on any day.

*Expiration of licenses—See Section 10.03.100 of this code.

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For each lane of a bowling alley, box ball alley, duck pin alley, or similar game or device (in the License Code and in this section referred to as "bowling alley") fifteen dollars per year.

For merry-go-rounds, ferris wheels, air swings, shoot the chutes, go cart tracks, or similar devices, thirty dollars per month, or one hundred fifty dollars per year.

For coin operated amusement riding devices for the accommodation of not more than two persons at a time, ten dollars per year for each such device, the license to be issued in the name of the owner and operator thereof and to be known as an operator amusement riding device license. In addition, the owner of a location upon which such devices is operated shall pay ten dollars per year to cover any number of such devices; said license to be designated a location amusement riding device license and issued in the name of the owner of the location upon which said device is operated; provided, that no operator amusement riding device license shall be required of a location owner who owns such device; provided, further, the provisions of Section 10.04.050 relating to liability insurance shall not apply to the operation of coin operated amusement riding devices for the accommodation of not more than two persons at a time.

For dips, doll racks, cat racks, tooth jaw, egg ranch, dodger or any similar mechanical or ball throwing device, fifteen dollars per month or seventy-five dollars per year.

For each shuffleboard, twenty-five dollars per year.

For any circus, menagerie, trained animal show, wild west show or any similar show or combination thereof, to which an admission charge is made, fifty dollars per day.

For side shows, or any exhibition or entertainment connected with any circus, menagerie, trained animal show, wild west show, or any similar show, or any combination thereof, when a separate charge is made for admission thereto, fifteen dollars per day for each such show.

For opening, conducting, operating or maintaining any museums, exhibition of freaks of nature, curiosities, relics or any exhibition of similar character, ten dollars per month, or one hundred dollars per year.

For readings, elecutionary, theatrical or musical entertainment, lectures, and entertainments of like character, where not given in a licensed theater, the license fee shall be five dollars for each entertainment; provided, however, that when any reading, elecutionary, theatrical, or musical entertainment, or lecture, is given under the auspices of any musical, charitable, benevolent, industrial, religious or labor organization or society, no license shall be required.

Drive-in theater license: Twenty cents per year for each space provided for parking patrons' cars; provided, that the minimum fee for such license shall be seventy-five dollars per year, and the maxamum three

hundred dollars per year regardless of the number of parking spaces.

"Amusement park license": Five hundred dollars per year, and "family amusement park license": Five hundred dollars per year; provided that the provision for one-half of the license fee when application is made within six months of the expiration date shall not apply to such licenses. An amusement park is defined to be an area or enclosure wherein twenty or more rides or amusements of the type enumerated in Section 10.04.060 are operated under one management, whether all of the rides and amusements are owned and operated by the licensee or all or some of them are operated by others on a lease or concession basis. A "family amusement park" is defined to be an area or enclosure wherein twenty or more rides or amusements of the types enumerated in this section, as amended, with the exception of bowling alleys, circuses, drive-in theaters, skating rinks, or dance halls, are operated under one management, whether all of the rides or amusements are owned or operated by the licensee or by others on concession basis; and wherein tables, running water and cooking facilities are maintained for use of family, community or organization picnics; provided, no "amusement park license" or "family amusement park license" shall be issued authorizing the operation of amusement riding devices other than coin operated devices accommodating not more than two persons at a time unless liability insurance in the amount and on the conditions specified in Section 10.04.050 has been filed with the city comptroller. Such "amusement park license" or "family amusement park license" shall be in lieu of any other license required by Sections 10.04.020, 10.12.020, 10.83.030, 10.83.040 and 10.83.060.

For opening, maintaining or conducting any exhibition, show, amusement or amusement device, not specifically enumerated, described or classified in this section, five dollars per day, twenty-five dollars per week, or fifty dollars per month. (Ord. 48022 § 23 as amended by Ord. 94042, Ord. 95115, Ord. 96400, Ord. 97286 and Ord. 101168 § 1 (part); July 7, 1972).

10.04.030 Merry-go-rounds, ferris wheels and air swings in public parks. Anyone operating merry-go-rounds, ferris wheels, air swings or similar amusement riding devices within a public park of the city of Seattle under concession shall obtain a "public park amusement device license," the fee for which shall be thirty dollars per month for each device, or one hundred fifty dollars per year for each such device, but in no event shall the total fee for one year exceed five hundred dollars, and such license shall be in lieu of any other license required by Section 10.04.020 of the License Code; provided, no "public park amusement device license" shall be issued authorizing the operation of amusement riding devices unless liability insurance in the amount and on the condition specified in Section 10.04.050 herein has been filed with the city comptroller. (Ord. 48022 § 23-1 added by Ord. 85080 and amended by Ord. 92657; January 22, 1964).

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10.04.040 Aquarium license. It is unlawful to operate, manage or conduct an aquarium without an aquarium license, the fee for which shall be ten dollars per month or one hundred dollars per year. (Ord. 48022 § 23-a added by Ord. 72685 and amended by Ord. 94008; June 28, 1965).

10.04.050 Amusement riding devices—Insurance required. No license shall be issued authorizing the operation of any merry-go-round, ferris

wheel, air swing, shoot-the-chute, go-cart track or similar public amusement riding device unless the owner or operator thereof files with the city comptroller satisfactory evidence that he carries public liability insurance in the minimum amounts of one hundred thousand dollars for each person and three hundred thousand dollars for each accident for any damages or injuries which may be caused any person, whether or not such person is a passenger, rider or user of such amusement or activity, if any, operated or conducted in conjunction with amusement rides and shall, be endorsement or otherwise, protect and save harmless the city of Seattle, its officers, agents, employees, against any claim or suit for damages or injury from the use or operation of such activity.

The insurance policy or certified copy thereof, shall be approved as to sufficiency by the city comptroller and as to form by the corporation counsel. The insurance shall be maintained in full force and effect at all times during the license period and shall contain an endorsement providing for not less than ten days written notice to the city comptroller in the event of any change or cancellation. (Ord. 48022 § 23-b added by Ord. 79014; June 1, 1950 and amended by Ord. 93645; February 24, 1965).

10.04.060 Commodity celebration license. A license to be designated a community celebration license shall, when authorized by resolution of the city council, be issued by the city comptroller to any bona fide and now existing non-profit community club or organization in connection with a celebration or fete sponsored by such organization for the use of the following amusements or devices only: Merry-go-rounds, ferris wheels, air swings, shoot-the-chutes, or similar devices; and for dips, doll racks, cat racks, tooth jaw, egg ranch, or other similar mechanical or ball-throwing devices upon the following terms and conditions:

1. Application for the license shall be made to the city council on forms prescribed by the city comptroller.

2. The license shall be issued to the community club or organization sponsoring the fete or celebration.

3. The license shall cover use of the above amusements and devices by or in behalf of such organization for a period of not more than six days in the calendar year in which the license is issued; and no such amusement or device shall be operated or used on any Sunday, or between the hours of twelve-one a.m. and ten a.m., or used or permitted to be used for gambling; or include anything of an obscene or immoral nature or character whatever.

4. The license fee shall cover a period of six days, or any part thereof, in the following amounts: Where not more than six separate places of amusement or devices are maintained or conducted, seventy-five dollars for six days; where more than six but not more than twelve separate places of amusement or devices are maintained, one hundred dollars for

six days; when more than twelve but not more than eighteen such places or devices are maintained, one hundred fifty dollars for six days; when more than eighteen but not more than twenty-four such places or devices are maintained, two hundred dollars for six days; when more than twenty-four but not more than thirty such places or devices are maintained, two hundred fifty dollars for six days; and where more than thirty such places or devices are maintained, three hundred dollars for six days.

5. No such license shall be issued authorizing the operation of a merry-go-round, ferris wheel, air swing, shoot-the-chutes or similar amusement devices unless liability insurance in the amount and on the conditions specified in Section 10.04.050 be filed with the city comptroller after approval as to form by the corporation council.

6. No license shall be issued hereunder until the applicant has deposited with the city treasurer, the sum of two hundred fifty dollars in cash as an indemnity to save and protect the streets, pavements, sidewalks and other property of the city from any and all damage that may be caused by wagons, equipment, animals, or employees of such shows or celebrations, and to be used, if necessary, to restore the ground where such show or celebration is held to a sanitary condition, and pay all charges, and losses, to the city for license, light, water, or other services furnished by the city, or for damages to the city streets, pavements, sidewalks, and other property. Such deposit shall be returned by the city treasurer in the manner prescribed by ordinance for the return of such deposits, on the certificate from the board of public works that no damage has been caused to the streets, or other property of the city of Seattle, that no charges remain unpaid to the city, and all conditions have been complied with.

7. Any such license may be revoked at any time by resolution of the city council; or by the city comptroller for violation by any licensee of any provision of this title. (Ord. 48022 § 23-c, added by Ord. 80996 and amended by Ord. 95252; November 4, 1966).

10.04.070 Panoramic picture or view device. Notwithstanding anything contained in Section 10.04.020 hereof a license may be issued by the city comptroller for the operation of a mechanical device, which upon the insertion of a coin, exhibits or displays a panoramic picture or view, provided said comptroller approves such device as within the intent of this section. The annual license fee for such device to be designated as a view scope license shall be five dollars, payable in advance. The city comptroller shall prescribe the form of the license which shall at all times while the same is exhibited or maintained for use be attached thereto in a conspicuous place. (Ord. 48022 § 23-d, added by Ord. 81013; May 21, 1952).

10.04.075 Professional ice hockey. The fee for an amusement license for professional ice hockey teams sponsoring ice hockey games or for professional basketball teams sponsoring basketball games to which ad-

mission fees are charged shall be one hundred dollars per year, and Section 10.04.020 insofar as in conflict herewith is hereby superseded. (Ord. 48022 § 23-e added by Ord. 87699 and amended by Ord. 95860; June 7, 1967).

10.04.080 Circus parade—Permit and license. It shall be unlawful for any person owning, conducting or managing any circus, menagerie, trained animal show, wild west show, or a similar show, or any combination thereof, to conduct a procession or parade, on the streets within the city of Seattle without first procuring from the chief of police a permit so to do and procuring from the city comptroller a license; the license fee for each such procession, or parade, shall be two hundred fifty dollars; provided, however, that any person having procured from the city comptroller a proper license to conduct a circus, menagerie, trained animal show, wild west show, or a similar show, or any combination thereof, shall not be required, during the life of said license to secure a license for any procession, or parade; and provided, further, that no such permit, or license, shall be issued and no such circus parade, or procession, shall be conducted on any Sunday, nor on Memorial Day. (Ord. 48022 § 24; December 1, 1924).

10.04.090 Circus or circus parade—Cash deposit. No license shall be issued to any person for any circus, menagerie, trained animal show, wild west show, or a similar show, or any combination thereof, or for a circus parade, or procession on the streets within the city of Seattle, until such person has deposited with the city treasurer, the sum of two hundred fifty dollars in cash, as an indemnity to save and protect the streets, pavements, sidewalks and other property of the city from any and all damage that may be caused by wagons, equipment, animals or employees of such shows, and to be used, if necessary, to restore the ground where such show is held to a sanitary condition, and pay all charges, and losses, to the city for license, light, water, or other services furnished by the city, or for damages to the city streets, pavements, sidewalks, and other property. Such deposit shall be returned by the city treasurer in the manner prescribed by ordinance for the return of such deposits, on the certificate from the board of public works that no damage has been caused to the streets, or other property of the city of Seattle, that no charges remain unpaid to the city, and all conditions have been complied with. No license shall be issued for a carnival unless the applicant therefor shall deposit the sum of two hundred dollars in cash, with the city treasurer, to save and protect the streets, pavements, sidewalks, and other property from any and all damage that may be caused by wagons, equipment, or employees of such carnival, and to be used, if necessary, to restore the ground where such carnival is held, to a sanitary condition, and pay all charges, and losses, to the city of Seattle, for license, light, water, or other services furnished by the city, or for damages to the city streets, pavements, sidewalks, and other property. Such deposit shall be returned by the city treasurer in the

manner prescribed by ordinance for the return of such deposits, on the certificate of the board of public works, that no damage has been caused, no charges remain unpaid, and that all conditions have been complied with.* (Ord. 48022 § 25, as amended by Ord. 92204; July 18, 1963).

10.04.100 Vulgar or obscene amusements prohibited. No amusement, entertainment or exhibition of a vulgar or obscene character shall be permitted. (Ord. 48022 § 26; December 1, 1924).

10.04.110 Skating rink—Prohibited acts. It shall be unlawful for the owner, manager or other person connected with the operation of a skating rink—

A. To issue pass checks or other checks permitting patrons to leave and reenter a skating rink, or to permit a patron to return to such rink without charging him or her the usual price of admission.

*Certain carnivals prohibited—See Chapter 10.06.

B. To permit in or about a skating rink any person having in his possession, or selling, giving away or drinking any intoxicating liquor or narcotic drugs, or to permit any intoxicated person or person under the influence of drugs to remain therein.

C. To conduct a skating rink without having a floor manager whose duty it shall be to see that the conduct of the patrons and other persons congregated therein is at all times decent and orderly.

D. To allow minors under the age of sixteen years, unaccompanied by parents or guardians, to remain in a rink after the hour of ten o'clock p.m.; provided, that this regulation shall not apply to organized groups accompanied by a chaperon.

E. To keep open any skating rink or to permit skating between the hours of twelve-thirty o'clock a.m. and eight o'clock a.m. (Ord. 48022 § 26-a, added by Ord. 65607; August 21, 1935).

10.04.120 Certain amusements prohibited near parks and schools. It shall be unlawful to construct, erect, locate, open up, or maintain any moving picture theatre, or any structure for the exhibition of moving pictures, or to run, operate, exhibit or display any motion picture, or any exhibition or shows, of which a moving picture is a part, within three hundred seventy-five feet of the property line of any elementary school, or junior or senior high school with the City of Seattle, or to construct, erect, locate, open up, or maintain any dance hall, cabaret, cafe dance, merry-go-round, ferris wheel, carnival, or similar amusement within any public park, school, or playground, or within five hundred feet of the property line of any such park, school, or playground: Provided, that nothing herein contained shall be construed to prohibit the continued operation of existing moving picture shows, or theatres, or other amusements herein named, which are, at the time of the passage of this ordinance, in actual operation, so long as such operation is not at any time suspended for a longer period of time than thirty days; and provided further, that the provisions hereof shall not be construed to prohibit the maintenance, operation, or giving of any of the amusements herein named by and under the jurisdiction and control of the governing body of the school, or the Board of Park Commissioners, or to prohibit the incidental use subject to license of the premises of bona fide clubs, lodges or similar organizations for dance hall purposes. (Ord. 48022 § 27, as amended by Ord. 91754; January 15, 1963).

10.04.130 Bowling alleys—Prohibited locations. No bowling alley shall be licensed for operation in a location where such operation will, in the opinion of the City Council, disturb the peace and quiet of the neighborhood, or be operated in such manner as will unduly annoy and disturb any person in such neighborhood.

Applications for bowling alley licenses shall be filed annually with the City Council, and shall be accompanied by a receipt (or copy thereof)

showing payment of the required fee to the City Treasurer. The license shall be issued by the City Comptroller only when authorized by resolution of the City Council.

If the City Council finds after a public hearing that the operation of a bowling alley in the location for which the license is applied will disturb the peace and quiet of the neighborhood or will unduly disturb and annoy any person in such neighborhood, the application for the license in such location shall be denied. The decision of the City Council disapproving and denying the application shall be final and conclusive. (Ord. 48022 § 27-A, added by Ord. 71451; November 18, 1941).

10.04.140 Bowling alleys—Intoxicated persons prohibited. It is unlawful for any disorderly person, or any person while under the influence of, or affected by the use of, intoxicating liquor or any narcotic drug, to be or remain in any place where any bowling alley is in operation or use; and it is unlawful for any proprietor, manager or person in charge of any such place to allow or permit any person to be or remain therein whose presence is made unlawful by this section. (Ord. 48022 § 27-B, added by Ord. 71451; November 18, 1941).

10.04.150 Bowling alleys—When minors prohibited. It is unlawful for any minor under sixteen years of age to be or remain in any place where any bowling alley is operated or used, after the hour of ten o'clock in the evening from April 1st to October 1st in any year, or after the hour of nine o'clock in the evening from October 1st to April 1st in any year, unless accompanied by some adult person having said minor in charge, or unless said minor is upon some errand by permission or direction of his parents, guardian or employer; and it shall be unlawful for any proprietor, manager or person in charge of such place to permit or allow any minor to be or remain therein whose presence is made unlawful by this section: **Provided**, this section shall not prohibit the employment of minors in any place where any bowling alley is in operation or use, when such employment is otherwise lawful. (Ord. 48022 § 27-C, added by Ord. 71451; November 18, 1941).

10.04.160 Miniature golf courses—Closing hours. In all second residence districts within the City of Seattle miniature outdoor golf courses shall be closed to the use of the public between the hours of 11:45 o'clock p.m., and 7:00 o'clock a.m., and in all business and other districts where such courses are permitted, they shall be closed to the use of the public between the hours of 12:45 o'clock a.m., and 7:00 o'clock a.m., and it shall be unlawful for any owner, manager or other person in charge of such a course to allow or permit the use of, or playing on, such a course during the hours the same is closed to public use. (Ord. 60110 § 1; October 16, 1930).

10.04.170 Miniature golf courses—Noises prohibited. All miniature outdoor golf courses shall be operated and conducted in a quiet and orderly manner and no profane or boisterous language shall be permitted in or about such courses, and no radio or other musical instrument shall be used in connection therewith for the purpose of entertainment or attracting attention thereto. (Ord. 60110 § 2; October 16, 1930).

10.04.180 Miniature golf courses—Revocation of license. The golf course license of any person may be revoked by the City Council for the violation of any of the provisions of Section 10.04.160 or 10.04.170 or for failure to comply therewith. (Ord. 60110 § 3; October 16, 1930).

Chapter 10.05

BAIL BONDSMEN

Sections:

- 10.05.010 Bail bondsmen's license required.
- 10.05.020 Associate bail bondsman's license required.
- 10.05.030 Expiration of licenses.
- 10.05.040 Definitions—Bail bondsman, associate bail bondsman.
- 10.05.050 Applications for licenses.
- 10.05.060 Qualifications of licensee.
- 10.05.070 Records to be kept by licensee.
- 10.05.080 Employment of solicitors or runners prohibited.
- 10.05.090 Duties and obligations of bondsman.

10.05.010 Bail bondsman's license required. It shall be unlawful to be or become a bail bondsman in the City of Seattle without first having obtained a valid and subsisting license so to do to be known as a "bail bondsman's license", the annual fee for which is hereby fixed at two hundred fifty dollars per annum. (Ord. 48022 § 331, added by Ord. 89048; March 2, 1960).

10.05.020 Associate bail bondsman's license required. It shall be unlawful to be or become an associate bail bondsman without having first obtained a valid and subsisting license so to do to be known as an "associate bail bondsmen's license", the annual fee for which is hereby fixed at five dollars.

The application for an associate bail bondsman's license by any person other than the person signing an application for a bail bondsman's license shall be accompanied by a written statement from the holder of a bail bondsman's license that the applicant is associated with such business as a partner or employee, as the case may be, and requesting the granting of a license to such applicant. (Ord. 48022 § 331.1, added by Ord. 89047; March 2, 1960).

10.05.030 Expiration of licenses. The expiration date of a bail bondsman's license or an associate bail bondsman's license shall be midnight of December 31st of each year. (Ord. 48022 § 331.2, added by Ord. 89048; March 2, 1960).

10.05.040 Definitions—Bail bondsman, associate bail bondsman. The term "bail bondsman" shall include anyone who, as a business procures or furnishes, or as surety executes, or who represents himself by advertising or solicitation or otherwise as being in the business of procuring, furnishing or executing appearance or appeal property bonds, or surety bonds for persons charged with the violation of any law or ordinance in the Municipal Court of the City of Seattle, any Justice Court, Superior Court or Federal Court therein, or who shall post cash bail for any such persons and for which service a fee is charged, demanded or received.

"Associate bail bondsman" shall mean any natural person who, in the business of a bail bondsman as owner, employee, servant or agent, offers to or does procure or furnish or execute appearance or appeal property bonds, or surety bonds or posts cash bail. (Ord. 48022 § 331.3, as amended by Ord. 92781; March 31, 1964).

10.05.050 Applications for licenses. Applications for such licenses shall be made to the City Comptroller on forms approved by him.

Attached to the application for a bail bondsman's license shall be a list of all judgments, if any, rendered against applicant in any court during the year immediately preceding application, the date on which such judgments were satisfied, and a list of actions, if any, pending in any court on forfeited bonds furnished by the applicant.

Corporations applying, shall furnish the name of the state in which incorporated, the amount of paid-in capital, the names and addresses of all officers and of all stockholders owning ten percent or more of the corporation stock and evidence that all corporation license fees due the State of Washington have been paid.

Each applicant for a bail bondsman's license or associate bail bondsman's license shall furnish a set of the applicant's fingerprints to the chief of police, taken at the police department on forms provided and in manner prescribed by the chief of police.

The City Comptroller shall notify the chief of police of all applications for bail bondsman's and associate bail bondsman's licenses. The chief of police shall investigate the qualifications of each applicant as prescribed in Section 10.05.060 and shall report to the City Comptroller as to whether the applicant is or is not so qualified. (Ord. 48022 § 331.4, added by Ord. 89048; March 2, 1960).

10.05.060 Qualifications of licensee. In addition to the general qualifications of applicants for licenses set forth in this title, no license to engage in the business of bail bondsman or associate bail bondsman shall be issued to any of the following:

(a) To anyone who has been the holder of a license as a bondsman which has been revoked within a period of two years prior to the date of application;

(b) To a firm or partnership whose members would be ineligible for a license as bondsman as individuals under the provisions of this title, or to any corporation whose controlling shareholders or managing officers would be so ineligible;

Provided, further, that no licenses shall be issued to any applicant therefor unless such applicant is:

(c) Actively engaged in or connected with the business of executing bail and appeal bonds for which such license is sought;

(d) Over eighteen years of age, is a citizen of the United States and a resident of the state of Washington;

(e) Of good moral character, financially responsible, and has not been convicted of a felony or a misdemeanor involving moral turpitude, within fifteen years preceding such application. (Ord. 48022 § 331.5 added by Ord. 89048 and amended by Ord. 100478 § 8; December 1, 1971).

10.05.070 Records to be kept by licensee. Every bondsman shall keep a full, complete and accurate record of all bonds made, fees charged and received, and all property, money, or other thing of value demanded and taken from any person as security for such a bond. A receipt, accurately describing such property, money, or other thing of value taken as security from any person shall be issued by the bondsman to such person. Such records shall be open to inspection at any time by the city comptroller or his designated deputy. (Ord. 48022 § 331.6 added by Ord. 89048; March 2, 1960).

10.05.080 Employment of solicitors or runners prohibited. It is unlawful for any bondsman as herein defined to employ or hire or use anyone other than the holder of an associate bail bondsman's license to act or serve as solicitor or runner for the procurement of clients or customers. (Ord. 48022 § 331.7 added by Ord. 89048; March 2, 1960).

10.05.090 Duties and obligations of bondsman. Each license hereunder:

(a) Shall furnish each person for whom a bond is executed an itemized receipt showing the character of services rendered and a true itemized amount of the consideration paid or given for each item of service rendered. A copy thereof shall be retained in the file of the bondsman's office for inspection;

(b) Shall not directly or indirectly pay or give or promise to pay or give to any person any compensation to secure or refer, or for securing or referring bond business or clients to or for said bondsman or any other bondsman;

(c) Shall not directly or indirectly influence or promise or in any way attempt to influence any court or any public official or any witness in any case;

(d) Whenever any person engaged in the bonding business shall enter a city jail, police precinct or station or other place where persons in the custody of the law are detained, he shall forthwith state to the person designated by the chief of police his mission there, the name of the person or officer calling him and such name shall be recorded by the officer or employee in charge thereof;

(e) Failure of any bail bondsman to comply with the conditions of any agreement which he as surety shall make in any appearance or surety bond required by a judge of any above mentioned court, shall be cause for suspension or revocation of the bail bondsman's license. (Ord. 48022 § 331.8 added by Ord. 89048; March 2, 1960).

Chapter 10.06

CARNIVALS

Sections:

10.16.010 "Carnival" defined.

10.06.020 Carnivals prohibited.

10.06.030 Penalty for violations.

10.06.010 "Carnival" defined. "Carnivals" for the purpose of this chapter means and includes any aggregation of amusement devices, shows, entertainments, or exhibitions not operating within a duly licensed theater or a permanent auditorium. (Ord. 69534 § 1; October 14, 1939).

10.06.020 Carnivals prohibited. It is unlawful for any person, firm or corporation to open, operate, conduct, manage, maintain, show, perform in, work in, or be in any manner connected with any carnival within the limits of the city; provided, that the provisions of this chapter shall not apply to any recognized circus. (Ord. 69534 § 2; October 14, 1939).

10.06.030 Penalty for violations. Any person who violates or fails to comply with an provision of this chapter, or who counsels, aids or abets such violation or failure to comply, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine in any sum not exceeding three hundred dollars, or be imprisoned in the city jail for a term not exceeding ninety days, or by both such fine and imprisonment. (Ord. 69534 § 3; October 14, 1939).

Chapter 10.07

AUCTIONEERS

Sections:

- 10.07.010 License required—Fee.
- 10.07.020 Jewelry auction license.
- 10.07.030 Special auction license.
- 10.07.040 Bond required.
- 10.07.050 Posting license.
- 10.07.060 Prize packages—Sale by chance or lot—Misrepresentations—Prohibited.
- 10.07.070 Employment of cappers prohibited.
- 10.07.080 Obstructing public place—Noisemaking instruments—Prohibited.
- 10.07.090 Record of transaction.
- 10.07.100 Failure to keep records unlawful.
- 10.07.110 Transcript of record to be ready for inspection.
- 10.07.120 Records and merchandise to be open to inspection.
- 10.07.130 Property to be kept for five days.
- 10.07.140 Unlawful to receive property from certain persons.

10.07.010 License required—Fee.* It shall be unlawful for anyone to sell, or offer for sale, any goods, ware, merchandise, or other personal property, or real property of any kind or nature, at public auction without first procuring a license so to do, to be known as an "Auctioneer's License"; provided that no such license shall be required of any public officer, executor, administrator, guardian or trustee who shall sell, or offer for sale, at auction, any property pursuant to legal process. The fee for such license shall be the sum of Two Hundred Fifty Dollars (\$250.00) per year and no such license shall be issued in the name of more than one person, nor in the name of any firm, company or corporation. (Ord. 48022 § 28, as amended by Ord. 88789; December 8, 1959).

10.07.020 Jewelry auction license. It shall be unlawful for any person to sell, offer for sale, or attempt to sell, at public auction, any jewelry, including watches, diamonds, and all other precious stones, silverware, and all jewelry or gold, silver or other metal, of any kind or character coming under the head of, or generally known as jewelry, unless the proprietor of the store where such auction is to be held, or the owner of the jewelry to be auctioned, has first procured, in addition to the Auctioneer's License required by this chapter, a license to be known as a "Jewelry Auction License".

The fee for such Jewelry Auction License shall be, and the same is fixed in, the sum of Ten Dollars (\$10.00) per day, for each auctioneer em-

* Expiration of license—See section 10.03.070.

ployed, and no such license shall be issued for a less period than ten (10) days, not counting Sundays, nor for a greater period than fifteen (15) days, not counting Sundays. It shall be unlawful for the proprietor of any store, or the owner of any jewelry, to hold, conduct or permit such public jewelry auction without first having obtained a Jewelry Auction License, and employing or engaging auctioneers who have been duly licensed in accordance with the provisions of this Title.

No more than one Jewelry Auction License shall be issued to any person, or for the same location, during any twelve (12) months period. No Jewelry Auction License shall be issued for the months of June and/or December, or any portion thereof.

It shall be unlawful for any person to sell, offer for sale, or cause or permit to be sold, at public auction, any jewelry, as herein defined, at any time during the months of June and/or December or during any other month between the hours of seven (7) o'clock p.m. and eight (8) o'clock a.m.; Provided, that no jewelry auction license shall be required nor shall the provisions of this section relating to such licenses apply to the sale of silverware at auction if said silverware has been acquired by the auctioneer or owner for purposes other than resale. (Ord. 48022 § 29, as amended by Ord. 82716; February 1, 1954).

10.07.030 Special auction license. It is unlawful to sell or offer for sale at public auction any goods, wares, merchandise or other personal property that has been brought into the City for the purpose of being disposed of at auction, without first procuring in addition to the Auctioneer's License described in Section 10.07.010, a 'Special Auction License'; the fee for which shall be the sum of Twenty-five Dollars (\$25.00) per day. Before such Special Auction License shall issue there shall be filed with the City Comptroller, in addition to the City Treasurer's receipt showing payment for the license fee, a list of the goods, wares, merchandise or other personal property so brought into the City of Seattle for the purpose of sale at public auction, together with a statement of the time and place of such proposed auction sale; such list and statement shall be verified under oath by the person bringing such goods into the City for the purpose of sale at public auction; provided, that no Special Auction License shall be required, nor shall the provisions of this Title relating to such licenses apply to the sale of automobiles and/or trucks at auction when such auction is open only to dealers licensed by the State of Washington to sell new and/or second-hand automobiles and/or trucks, as either buyer or seller, and is conducted by an auctioneer licensed under Section 10.07.010 for and on behalf of a person, firm or corporation holding a valid State of Washington and City of Seattle license to sell new and/or used automobiles and/or trucks; Provided further that nothing in this section shall be construed as permitting a sale at public auction of jewelry brought into the City for the purpose of sale at public auction, unless the owner of such jewelry or the

person or persons conducting the sale thereof shall have obtained a Jewelry Auction License as in this chapter provided. (Ord. 48022 § 30, as amended by Ord. 81830; March 9, 1953).

10.07.040 Bond required. Any applicant for an Auctioneer's License shall at the time his application therefor is filed with the City Comptroller, execute a surety company bond running to the City of Seattle in the sum of One Thousand Dollars (\$1,000.), conditioned that the principal shall conduct the auctions in an orderly manner and abide by all the provisions of this Title, and all other laws or ordinances relating to public auctions and the business of auctioneer. (Ord. 48022 § 31; December 1, 1924).

10.07.050 Posting license. It shall be unlawful for any auctioneer to sell or offer for sale any article or thing at auction unless he shall have his Auctioneer's License posted in a conspicuous place where such auction sale is being held, and in case a Jewelry Auction License or a Special Auction License is also required, then such Jewelry Auction License or Special Auction License, or both, must be posted with the Auctioneer's License in a conspicuous place where the auction sale is being held or conducted. (Ord. 48022 § 32; December 1, 1924).

10.07.060 Prize packages—Sale by chance or lot—Misrepresentations—Prohibited. It shall be unlawful for any person at public auction to sell prize packages, or dispose of any article or thing in any form by chance or lot, or to in any way misrepresent the quantity or quality of any property which he may sell, or offer for sale, at such public auction. (Ord. 48022 § 33; December 1, 1924).

10.07.070 Employment of cappers prohibited. It shall be unlawful for any auctioneer, or other person, to directly or indirectly bid upon or employ any other person for the purpose of bidding upon, any property offered for sale at public auction, when such auctioneer or other persons have no bonafide intention of purchasing such property, but whose only purpose or intention is to induce or encourage bonafide bidders to purchase such property. (Ord. 48022 § 34; December 1, 1924).

10.07.080 Obstructing public place — Noise making instruments — Prohibited. It shall be unlawful for any person to sell, offer for sale or dispose of any property in such a manner as to obstruct in any way the free passage of persons or vehicles on any sidewalk or other public place by causing persons to congregate in front of, at or near the place where such property is being sold, offered for sale or disposed of at public auction. It shall be unlawful for any person while selling, offering for sale or disposing of any property at public auction, to cause or permit the ringing of any bell or the use of any horn or other musical or noise-making instrument for the purpose of attracting attention to such public auction. (Ord. 48022 § 35; December 1, 1924).

10.07.090 Record of transaction. It shall be the duty of every auctioneer to maintain at his place of business a book or other permanent record in which shall be legibly written in the English language at the time of receiving or purchasing any goods, wares or merchandise, the following information and data:

- (1) Date of transaction;
 - (2) Name of person or employee conducting same;
 - (3) Name, signature, age, street and house number, general description of dress, complexion, color of hair and facial appearance of person with whom transaction is had;
 - (4) Name of street and house number of owner of the property bought or received;
 - (5) Street and house number of place from which the property bought or received was last removed;
 - (6) Description of the property bought or received, which, in the case of watches shall contain the name of maker and number of both case and works, and in case of jewelry shall contain a description of all letters or marks inscribed thereon or therein;
 - (7) Name, street and house number of all persons witnessing the transaction.
- (Ord. 48022 § 36; December 1, 1924).

10.07.100 Failure to keep records unlawful. It is unlawful for any auctioneer, his agent or employee to fail, neglect or refuse to keep and maintain the record required by this chapter, or to make any false entry or record therein, or to obliterate or destroy such record, or any part thereof, or remove from his place of business any record required by this chapter. (Ord. 48022 § 37; December 1, 1924).

10.07.110 Transcript of record to be ready for inspection. It shall be the duty of every auctioneer before twelve noon, of every business day, to have prepared and ready for inspection, at the place of business of such auctioneer, by the chief of police or his authorized agent, on forms to be furnished by the police department, a full, true and accurate description of the record of all property bought or received on the preceding day. It shall also be the duty of any auctioneer having good cause to believe that any property in his possession has been previously lost or stolen, to forthwith report such fact to the chief of police, together with the name of the owner, if known, and the date when, and the name of the person from whom the property was received. Every auctioneer, his clerk or employee, who fails to make such report, or who reports any material matter falsely to the chief of police, is guilty of a violation of this chapter. (Ord. 48022 § 38; December 1, 1924).

10.07.120 Records and merchandise to be open to inspection. The book or other permanent record required to be kept by auctioneers by this chapter, shall at all times be open to inspection by the chief of police, or his authorized agent, and all property bought or received by any auctioneer shall at all times be subject to inspection by the chief of police or his authorized agent. (Ord. 48022 § 39; December 1, 1924).

10.07.130 Property to be kept for five days. It is unlawful for any auctioneer, his agent or employee, to remove any personal property bought or received by him from his place of business until the expiration of five days after same was purchased or received, unless such personal property has within such period been inspected by the chief of police or his authorized agent. (Ord. 48022 § 40; December 1, 1924).

10.07.140 Unlawful to receive property from certain persons. It is unlawful for any auctioneer, his agent or employee, to buy or receive any property from any person under eighteen years of age, or from any intoxicated person, or from any habitual drunkard, or from any person under the influence of, or addicted to, the use of narcotic drugs, or from any person who is known to be a thief or an associate of thieves, or a receiver of stolen property, or from any person whom he has reason to suspect of being dishonest or a criminal. (Ord. 48022 § 41 as amended by Ord. 100478 § 2; December 1, 1971).

Chapter 10.08 BILL POSTERS

Sections:

- 10.08.010 "Bill poster"—Defined.
- 10.08.020 License required.
- 10.08.030 Fee for license—Gross receipts—Books open to inspection.
- 10.08.040 Name of bill poster to be affixed to work.
- 10.08.050 Permission to attach advertising to public or private property.
- 10.08.060 Posting bills prohibited in certain places.
- 10.08.070 Posting of obscene advertising matter prohibited.

10.08.010 "Bill poster"—Defined. Any person who maintains, posts, affixes, pastes, paints, prints, writes, projects, or in any other manner puts advertising matter on any billboard, bulletin board, signboard, electric or illuminated sign, frame work, fence, building or structure, maintained or used for advertising purposes, shall be deemed to be a bill poster, within the meaning of this title. (Ord. 48022 § 42; December 1, 1924).

10.08.020 License required.* It shall be unlawful for any person to engage in the business of bill posting, or to exercise, carry on, or engage in, the occupation of bill posting in the City of Seattle without first having obtained from the City of Seattle a license so to do, to be known as a "Bill Poster's License"; provided, that no license shall be required of any person advertising any business, trade, or occupation carried on or conducted in any building or structure which advertising is intended and designed to give publicity to the business, trade or occupation carried on or conducted within the building or structure to or from which such advertising is attached or displayed. (Ord. 48022 § 43; December 1, 1924).

10.08.030 Fee for license—Gross receipts—Books open to inspection. Every bill poster shall pay an annual license fee of Two Hundred Fifty Dollars (\$250.00) and one per cent (1%) of the gross income derived from his business, which percentage of gross income shall, for the purpose of this chapter, be determined quarterly, March 31st, June 30th, September 30th and December 31st, and shall be payable within fifteen (15) days after the termination of each such quarter. At the end of each such quarter every bill poster shall immediately file with the City Comptroller a sworn statement setting forth the gross receipts derived from the business of such bill poster for such quarter.

The books of every bill poster shall at all times be open to inspection by the City Comptroller, or by someone designated by him, for the purpose of determining the correctness of any statement as to gross receipts. (Ord. 48022 § 44; December 1, 1924).

10.08.040 Name of bill poster to be affixed to work. It shall be unlawful for any person within the City of Seattle erecting, constructing, owning, maintaining, controlling, or using any billboard, bulletin board, signboard, electric or illuminated sign, framework, fence, building or structure upon which advertising matter is displayed in any manner, without having the name of the licensed bill poster plainly marked, printed or outlined thereon in a conspicuous place. (Ord. 48022 § 45; December 1, 1924).

10.08.050 Permission to attach advertising to public or private property. It shall be unlawful, for any person, whether licensed or not, to post, affix, paste, paint, tack, print, write or in any other manner put advertising matter of any kind on, or about any public, or private building, or structure, without first having obtained permission in writing from the owner, agent or other authorized person. (Ord. 48022 § 45; December 1, 1924).

10.08.060 Posting bills prohibited in certain places. It is unlawful to post, stick, tack, stamp, paint or otherwise affix or cause the same to be done, any notice, placard, sign, bill, card, poster, advertisement or other

* Expiration of license—See section 10.03.020.

device designed to attract the attention of the public, to or upon any sidewalk, crosswalk, curb or curbstone, pavement, lamp post, electric light, telephone, telegraph or trolley line pole, hydrant, or shade tree or tree box in any parking strip; Provided, that this section shall not apply to official bulletins and notices of the United States Government, the State of Washington, the County of King, local School or Port Districts or the City of Seattle, or other notices authorized by law, nor to certain temporary signs, banners, placards, etc., authorized under permit from the Board of Public Works pursuant to ordinance. (Ord. 48022 § 47, as amended by Ord. 83593; November 23, 1954).

10.08.070 Posting of obscene advertising matter prohibited. It shall be unlawful for any person to exhibit, post or display or cause or permit to be exhibited, posted or displayed upon any billboard any statement, words or sign of an obscene, indecent or immoral nature, or any picture, illustration or delineation of any human figure in such detail as to offend public morality and decency, or of any lewd or lascivious act, or any other matter or thing of an indecent, obscene or immoral nature or offensive to the moral sense, or of any murder, suicide, robbery, holdup, shooting, stabbing or clubbing of any human being, wherein any such act is shown in a gruesome manner or detail, or in any manner objectionable to the moral sense. (Ord. 48022 § 48; December 1, 1924).

Chapter 10.09

TRADING STAMPS

Sections:

- 10.09.010 Required to be redeemable in money.
- 10.09.020 License required—Exemptions.
- 10.09.030 Severability.
- 10.09.040 Penalty for violations.

10.09.010 Required to be redeemable in money. It shall be unlawful for any persons, except as permitted by the proviso in Section 10.09.020 hereof, to use, give, offer, issue, transfer, sell, furnish or deliver any stamp, trading stamp, certificate, card, check, ticket, coupon, or other similar device which will entitle any person, directly or indirectly, on presentation, surrender, production or return of one or more of the same, to receive any goods, wares or merchandise, free of charge or for less than the retail market price thereof, unless each of said stamps, trading stamps, certificates, cards, checks, tickets, coupons or other similar devices, shall upon presentation be redeemable in money at a designated place in the City of Seattle, and shall have legibly imprinted or written upon the face thereof the redeemable value thereof in cents, and the street and number of such

designated place within the city of Seattle, where such presentation may be made for redemption. (Ord. 7005 § 1; May 18, 1940).

10.09.020 License required—Exemptions. It is unlawful to use, give, offer, issue, transfer, sell, furnish or deliver, in, with, for or in connection with, the sale, or any contract therefor, of any goods, wares or merchandise, any stamp, trading stamp, certificate, card, check, ticket, coupon, or other similar device, which will entitle any person to procure, directly or indirectly, from any person, firm or corporation, any goods, wares or merchandise, or which shall in the alternative entitle any person to receive either money or goods, wares and merchandise free of charge or for less than the retail market price thereof, upon the presentation, production, surrender or return of any number of said stamps, trading stamps, certificates, cards, checks, tickets, coupons, or other similar devices, unless the person, firm or corporation using, giving, offering, issuing, transferring, selling, furnishing or delivering the same shall obtain from the city comptroller and be the owner and holder of a valid and subsisting license so to do. Separate licenses shall be required for each and every store or other place of business in the city of Seattle, owned, operated or conducted by such person, firm or corporation, from, or in which such use, giving, offering, issuing, transferring, selling, furnishing or delivering shall be conducted or take place.

In order to obtain such license, the person, firm or corporation applying therefor shall pay to the city treasurer of the city of Seattle, the sum of six thousand dollars. Upon such payment being made, the city treasurer shall issue his receipt therefor, which shall be presented to the city comptroller, who shall, upon the presentation thereof, issue to the person, firm or corporation making such payment, a license to use, give, offer, issue, transfer, sell, furnish or deliver, for one year, the stamps, trading stamps, certificates, cards, checks, tickets, coupons, or other similar devices, in, with, for or in connection with the sale, or any contract therefor, of any goods, wares or merchandise. Such license shall contain the name of the grantee thereof, the date of its issue, the date of its expiration, the location for which the same is issued and such license shall be used at no other place than that mentioned therein: Provided, that nothing in this section or chapter, or in any other ordinance of this city, shall apply to the issuance by a manufacturer of a premium, coupon, certificate, or similar device, or prevent such manufacturer from redeeming directly or by a retail vendor as agent, in products of such issuing manufacturer only, such premium, coupon, certificate, or similar device, which, however, shall not be issued, circulated or distributed by retail vendors except when contained in or attached to an original package. The term "manufacturer," as used in this proviso, means any vendor of an article of merchandise which is put up by or for him or it in an original package and which is sold under his or its trade name, brand or mark; provided, further, how-

10.09.030—10.10.010 LICENSES

ever, that no premium, coupon, certificate, or similar device shall be issued in connection with the sale of eggs and the products thereof, or milk and the products thereof.

Nothing herein contained shall be construed as bringing within the purview of this chapter strictly cash discount business or stamps, trading stamps, cash discount stamps, certificates, cards, checks, tickets, coupons or other similar devices which are redeemable solely in money. (Ord. 70005 § 2 as amended by Ord. 81424; October 20, 1952).

10.09.030 Severability. If any section, subsection, clause or phrase of this chapter is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this chapter. The council hereby declares that it would have passed this chapter and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more of the other sections, subsection, sentences, clauses or phrases be declared unconstitutional. (Ord. 70005 § 3; May 18, 1940).

10.09.040 Penalty for violations. Any person, firm or corporation violating or failing to comply with any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine in any sum not exceeding three hundred dollars, or by imprisonment in the city jail for a period not exceeding ninety days, or by both such fine and imprisonment. (Ord. 70005 § 4; May 18, 1940).

Chapter 10.10

BILLIARD AND POOL TABLE

Sections:

10.10.010 Billiard and pool table license and fee.

10.10.030 Minors in poolrooms.

10.10.010 Billiard and pool table license and fee. It is unlawful for any person to keep or maintain any billiard or pool table for the purpose of profit, direct or indirect, in any place open to the public, without a valid and subsisting license so to do, to be known as a "billiard and pool table license." The fee for such license shall be fifty dollars per year for each billiard or pool table so maintained. For the purposes of this section the term "billiard or pool table" includes billiard and pool games operated by the insertion of a coin, trade check or slug. For coin operated billiard and pool games operating on the effective date of the ordinance codified herein under a valid amusement license, there shall be issued an interim billiard and pool table license for the period December 1, 1972 to April 30, 1973 upon the payment on or before November 30, 1972 of a pro rata license fee in the amount of twenty-five dollars. (Ord. 48022 § 49 as amended by Ord. 88789, Ord. 95115 and Ord. 101168 § 1 (part); July 7, 1972).

10.10.030 Minors in poolrooms. It is unlawful for any minor under the age of sixteen years to be or remain in or about any public billiard or pool room between the hours of ten p.m. and six a.m. during the months of April through September and between the hours of nine p.m. and six a.m. during the months of October through March; or for the proprietor, manager or anyone in charge of any such room to permit any such minor to play pool or billiards in, or to remain in or about any such room during said hours unless such minor is accompanied by a person over the age of eighteen years having said minor in charge or is sent by a parent, guardian, or employer on some business or errand in which case such minor shall have with him the written consent of his parent, guardian or employer; provided, that nothing contained in this section shall be construed as authorizing the presence of minors in places having billiard or pool tables in connection with some other activity which is subject to more stringent regulations insofar as the presence of minors is concerned. (Ord. 48022 § 51 as amended by Ord. 92374 and Ord. 100478 § 3; December 1, 1971).

Chapter 10.12

BOATS FOR HIRE

Sections:

- 10.12.010 Boats for hire defined.
- 10.12.020 License required—Fee.
- 10.12.030 Boats to be kept in safe condition.
- 10.12.040 Record of boats rented.
- 10.12.050 Intoxicated persons not permitted to rent boats.

10.12.010 Boats for hire defined. Any boat rented to the public for pleasure, fishing, hunting or other purposes shall for the purpose of this chapter be deemed to be a boat for hire. (Ord. 48022 § 52 added by Ord. 89088).

10.12.020 License required—Fee.* It is unlawful to keep or maintain any boats for hire as a business without a valid and subsisting license so to do, to be known as a "boat for hire license." The annual fee for such a license shall be fifty dollars for each unit of twenty-five boats or fraction thereof, kept or maintained for hire; provided that the annual fee shall be twenty dollars when not more than ten boats are kept or maintained for hire. The license shall state the name of the owner of the business, the address where such boats are kept for hire and the fee for such license. (Ord. 48022 § 53 as amended by Ord. 89571; August 31, 1960).

10.12.030 Boats to be kept in safe condition. It is unlawful for anyone owning or operating boats for hire to fail to keep the same at all times in a safe condition for use. (Ord. 48022 § 54 added by Ord. 89088).

10.12.040 Record of boats rented. It shall be the duty of everyone, his agent or employee engaged in the business of operating boats for hire, to record the name and address of the person renting a boat, and the time when the renter takes possession thereof. (Ord. 48022 § 55 added by Ord. 89088).

10.12.050 Intoxicated persons not permitted to rent boats. It is unlawful for any person owning or operating boats for hire to the public to rent any boat to an intoxicated person or to permit any intoxicated person to use any such boat. (Ord. 48022 § 56 added by Ord. 89088).

Chapter 10.13

REBOUND TUMBLING DEVICE CENTERS

Sections:

- 10.13.010 Definitions.
- 10.13.020 License for centers—Fee—Expiration.
- 10.13.030 Equipment.

*Expiration of license—See Section 10.03.010 of this code.

10.13.010—10.13.030 LICENSES

- 10.13.040 Personnel.
- 10.13.050 Operation of devices.
- 10.13.060 Posting of notices.
- 10.13.070 Insurance.
- 10.13.080 Revocation or suspension of license.
- 10.13.090 Penalty for violations.

10.13.010 Definitions. The following terms as used herein, shall mean as follows:

"Rebound tumbling device" means any device of canvas, fabric or other material attached to a framework by springs, rubber coils or other elastic material, and upon which a person can jump, bounce or tumble, or otherwise exercise or perform tricks, stunts or acrobatics;

"Rebound tumbling device center" means any place of business open to the public and offering the use of a rebound tumbling device for profit, direct or indirect. (Ord. 48022 § 27-D added by Ord. 89572; August 31, 1960).

10.13.020 License for centers—Fee—Expiration. It is unlawful to open, operate, conduct, manage, maintain or control any rebound tumbling device center without a valid and subsisting rebound tumbling device center license for each such location, the annual fee for which is fixed at one hundred dollars. Such licenses shall expire at midnight on October thirty-first of each year. (Ord. 48022 § 27-E as amended by Ord. 90214; May 3, 1961).

10.13.030 Equipment. It is unlawful to operate, conduct, or carry on the business of operating a rebound tumbling device center unless:

(a) The framework of each rebound tumbling device, whether it is of metal, wood, plastic or other rigid structure, is covered with factory filled padding or equivalent and all padding is maintained in a state of good repair;

(b) The center of each rebound tumbling device is clearly marked with a cross or bull's-eye;

(c) The rebound tumbling device is strung over a pit, is level with the ground, and its bed is at least twelve feet long and six feet wide;

(d) The pit over which the rebound tumbling device is strung is at least thirty-nine inches deep at its center and constructed so as to preclude the touching of the bottom thereof while anyone is jumping, bouncing or tumbling upon, or performing tricks, stunts, or acrobatics upon, or otherwise using, said rebound tumbling device;

(e) The rebound tumbling device center is surrounded by a fence at least five feet in height, or by a structure equivalent thereto;

(f) There has been installed a lighting system adequate for use after sunset;

(g) As measured from the inside edge of the frame of each rebound tumbling device, there is at least four feet of space between ends and at least three feet of space between sides of adjacent rebound tumbling devices; and at least five feet of space between the nearest side of any rebound tumbling device and any fence;

(h) The area surrounding rebound tumbling devices shall be covered to a depth of three inches with a soft or yielding material such as pea gravel, or similar material. (Ord. 48022 § 27-F as amended by Ord. 89868; December 12, 1960).

10.13.040 Personnel. It is unlawful to conduct or carry on the business of operating a rebound tumbling device center unless there is present at all times such rebound tumbling device center is in use, a rebound device supervisor. It is unlawful to employ anyone under the age of eighteen years as a rebound tumbling device supervisor or for any such person to act as rebound tumbling device supervisor. (Ord. 48022 § 27-G added by Ord. 89572 and amended by Ord. 100478 § 1; December 1, 1971).

10.13.050 Operation of devices. It is unlawful for:

(a) Anyone conducting, managing, carrying on or owning the business of operating a rebound tumbling device center, or any employee thereof, to permit or otherwise allow more than one person to jump, bounce or tumble upon, or perform tricks, stunts or acrobatics upon, or otherwise use, a rebound tumbling device at any one time.

(b) Anyone to jump, bounce, or tumble upon, or perform tricks, stunts, or acrobatics upon, or otherwise use, a rebound tumbling device while any other person is jumping, bouncing or tumbling upon, or performing tricks, stunts or acrobatics upon, or otherwise using, the same rebound tumbling device.

(c) Anyone conducting, managing, carrying on or owning the business of operating a rebound tumbling device center, or any employee therein, to permit or otherwise allow any child six years of age or younger to jump, bounce or tumble upon, or perform tricks, stunts or acrobatics upon, or otherwise use, any rebound tumbling device, unless there is present and observing, the parent of said child or a responsible person designated by such parent. (Ord. 48022 § 27-H added by Ord. 89572; August 31, 1960).

10.13.060 Posting of notices. It is unlawful for anyone to conduct, manage, carry on or own the business of operating a rebound tumbling device center unless there is posted in a conspicuous place a sign prominently displaying thereon the requirements of Section 10.13.050 hereof; provided nothing herein shall preclude the posting of any other safety rules. (Ord. 48022 § 27-I added by Ord. 89572; August 31, 1960).

10.13.070 Insurance. It is unlawful for anyone to conduct, manage,

carry on or own the business of operating a rebound tumbling device center unless he carries and maintains for such business public liability insurance for personal injury or damages caused through use of any rebound tumbling device in limits of at least one hundred thousand dollars for any one occurrence, with a least fifty thousand dollars for any one person per occurrence, which insurance shall by endorsement or otherwise protect and save harmless the city of Seattle against any claim or suit for damage or injury sustained by anyone from the use or operation of such device and in such connection to appear and defend in said city's behalf any suit, cause or claim arising out of such damage or injury. The applicant for any such license shall submit such liability insurance to the city comptroller, for approval as to compliance with this section by the corporation counsel prior to issuance of the license. (Ord. 48022 § 27-J added by Ord. 89572; August 31, 1960).

10.13.080 Revocation or suspension of license. Failure to comply with the provisions of this chapter or any ordinance of the city of Seattle relating to the operation of such business shall be grounds for suspension or revocation of rebound tumbling device center license. (Ord. 48022 § 27-K added by Ord. 89572; August 31, 1960).

10.13.090 Penalty for violations. Any violation or failure to comply with any of the provisions of this chapter shall subject the offender to a fine in any sum not exceeding three hundred dollars or imprisonment in the city jail for a period not exceeding ninety days, or to

both such fine and imprisonment. (Ord. 48022 § 27-L added by Ord. 89572; August 31, 1960).

Chapter 10.14

CABARETS

Sections:

- 10.14.010 Definitions.
- 10.14.020 Cabaret license requirements.
- 10.14.025 List of directors, officers, and shareholders of corporation applicant.
- 10.14.030 Employees not permitted to take refreshments with guests.
- 10.14.040 Boxes and booths to be open.
- 19.14.050 Minors prohibited in cabaret.
- 10.14.060 Illumination required.
- 10.14.070 Suggestive and obscene entertainment prohibited.

10.14.010 Definitions. For the purpose of this chapter: "cabaret" means any room, place or space in the city open for service to the public in which the guests, patrons, entertainers or other persons are permitted to sing, dance, perform, or otherwise engage in musical entertainment, exhibitions, theatrical performances, shows, or similar amusements or to present moving picture films in connection with the restaurant business or the business of directly or indirectly selling food or refreshments, including alcoholic beverages.

"Class 'A' cabaret" means any cabaret in which six or more persons are engaged or employed to provide, during one calendar day, musical entertainment, singing, dancing, exhibitions, theatrical performances, shows or other similar amusement.

"Class 'B' cabaret" means any cabaret in which less than six but more than one persons are engaged or employed to provide, during one calendar day, musical entertainment, singing, dancing, exhibitions, theatrical performances, shows or other similar amusement.

"Class 'C' cabaret" means any cabaret not included in the definition of "Class 'A' cabaret" or of "Class 'B' cabaret" hereinabove set forth or of "Class 'D' cabaret" hereinafter set forth.

"Class 'D' cabaret" means any cabaret in which the entertainment, exhibition, performance, show or amusement is limited solely to the presentation of moving picture films. (Ord. 48022 § 57 as amended by Ord. 88738, Ord. 94330 and Ord. 101763 § 1; January 11, 1973).

10.14.020 Cabaret license requirements. No person shall open up, conduct, manage, operate, or maintain a Class "A" cabaret, Class "B" cabaret, Class "C" cabaret, or Class "D" cabaret without having a license so to do

10.14.025—10.14.030 LICENSES

issued by the city comptroller, the annual license fee for which shall be as follows:

Class "A" cabaret—\$1500

Class "B" cabaret—\$750

Class "C" cabaret—\$500

Class "D" cabaret—\$75;

provided, that the annual license fee shall be one-half the applicable fee stated above for any Class "A," "B" or "C" cabaret which at no time during the license year employs or engages any person, or persons for musical entertainment, singing, dancing, exhibitions, theatrical performances, shows, or other similar amusement more than three calendar days per calendar week; and provided further, that the license fee for any Class "A," "B," "C," or "D" cabaret conducted by a charitable or non-profit organization in connection with a fund-raising event lasting not longer than seventy-two hours and taking place not oftener than one each quarter calendar year, shall be twenty-five dollars for each such event.

Each license issued hereunder shall expire at midnight on the 31st day of October next following issuance thereof and shall be transferable only upon approval of the city council by resolution and payment of a transfer fee of one hundred dollars.

No cabaret license shall be granted for any location within five hundred feet of any playground or park or grade or high school, or the grounds thereof.

Closing hours, health restrictions, conduct of patrons, lighting of rooms and all general regulations of this chapter, and special regulations relating to dances and dancing, and as regards morality and decency, shall be effective as to and govern dancing in cabarets. (Ord. 48022 § 58 as amended by Ord. 88604, Ord. 95659, Ord. 101763 and Ord. 102354 § 1; July 12, 1973).

10.14.025 List of directors, officers and shareholders of corporation applicant. Each application for a cabaret license or for renewal of the same made by or on behalf of a corporation shall include a list of the names and addresses of all directors, officers and shareholders of such corporation, and if at any time changes of directors, officers or shareholders shall occur said list shall forthwith be amended by notice in writing filed with the city comptroller, and failure to comply with this section shall be an additional ground for suspension or revocation of such license. (Ord. 48022 § 58-A, added by Ord. 90880 and amended by Ord. 94330; November 26, 1965).

10.14.030 Employees not permitted to take refreshments with guests.

It shall be unlawful for any person owning, managing, operating or conducting a cabaret to allow or permit any person employed by him in the capacity of an entertainer, servant or otherwise to approach or accost any

guest to have refreshments with such employee, as aforesaid, during the hours of their employment, nor shall any person in the premises of a cabaret approach any person who is an employee of the owner, manager or operator in the capacity of an entertainer, servant or otherwise, during the hours of such employee's employment, for the purpose of inducing any such employee to have refreshments with any guest or patron of such cabaret. (Ord. 48022 § 59; December 1, 1924).

10.14.040 Boxes and booths to be open. It is unlawful for any person owning, operating or managing a cabaret to have, permit or maintain any boxes or booths closed by any door, screen, curtain or other device, or to have, permit or maintain any box or booth on the premises of

any cabaret with entrance thereto on any side other than that side which faces the center of the main room. (Ord. 48022 § 60; December 1, 1924).

10.14.050 Minors prohibited in cabaret. It is unlawful for the owner, proprietor, or manager in charge of the cabaret, or for any employee at that place, to harbor, admit, receive or permit to be or remain in and about such cabaret, a minor person under the age of eighteen years, or for any person under the age of eighteen years to be in or about any cabaret after being notified by the management or a peace officer to leave the premises, or to make any misrepresentation as to his own age or that of any other person, for the purpose of obtaining admission to any cabaret or to remain therein.

It is unlawful for the owner, proprietor, or person in charge of any cabaret, to employ as an entertainer in such place any person who is not at least eighteen years of age and of good moral character. (Ord. 48022 § 61 as amended by Ord. 96197; October 31, 1967).

10.14.060 Illumination required. After sunset every cabaret licensed under the provisions of this title shall be so lighted or illuminated by either gas or electricity or other means, that the intensity of such illumination shall at no time be less than three foot candles at a plane three feet above the floor, at all parts of said cabaret, and it shall be unlawful for any person in charge of a cabaret to admit any person therein after sunset until said place is illuminated as provided herein. Such lighting or illumination shall be maintained thereafter throughout the entire time during which such cabaret shall be open or entertaining patrons and until such cabaret shall be cleared and closed. (Ord. 48022 § 62; December 1, 1924).

10.14.070 Suggestive and obscene entertainment prohibited. It shall be unlawful in any cabaret to give, or permit any entertainment or exhibition of a lewd, suggestive, vulgar or immoral type, or to use therein any indecent or obscene language.

It shall further be unlawful for any cabaret owner, manager or operator to knowingly permit or cause any female entertainer, waitress or female employee to appear in any cabaret with the breast exposed to public view. (Ord. 94348 § 1; November 26, 1965: prior Ord. 48022 § 63; December 1, 1924).

10.15.010 LICENSES

**Chapter 10.15
COFFEE HOUSES**

Sections:

- 10.15.010 Definition.
- 10.15.020 License required—Fees.
- 10.15.030 Unlawful to permit certain persons on premises.
- 10.15.040 Closing hours.
- 10.15.050 Lighting.

10.15.010 Definition. The term COFFEE HOUSE as used in this chapter shall mean any place of public resort open to the public or operated for profit to which entry can be gained only by paying an admission charge of not less than twenty-five cents and wherein food and/or non-alcoholic beverages only are served and theatrical performances, exhibitions or shows or vocal or other music presented by persons present are

maintained or permitted; but where dancing by patrons is not permitted. (Ord. 48022 § 63-A, added by Ord. 91888; February 26, 1963).

10.15.020 License required—Fees. It is unlawful to conduct, operate, or manage any coffee house without a "Coffee House License." Application therefor shall be made to the city council on a form prepared by the city comptroller. If after investigation the council is satisfied that the statements in the application are true and that applicant is of good character it shall by resolution direct the comptroller to issue such license upon payment of a fee of fifty dollars if music will be supplied said coffee house by vocalists present or a fee of twenty-five dollars in all other cases. All such licenses shall expire on October 31st of the year in which issued and may be revoked by the comptroller for any misrepresentation made in applying for the license or for violation of this or other applicable ordinance. (Ord. 48022 § 63-B, added by Ord. 91888; February 26, 1963).

10.15.030 Unlawful to permit certain persons on premises. It is unlawful for the owner, operator or manager of any licensed coffee house to admit, receive or permit to be or to remain on his premises anyone in an intoxicated condition or anyone under the age of twenty-one whom he knows has been drinking intoxicating liquor, or anyone under the age of sixteen years unless such person is accompanied by parent or guardian, or employ anyone under the age of sixteen years in such coffee house. (Ord. 48022 § 63-C, added by Ord. 91888; February 26, 1963).

10.15.040 Closing hours. Every licensed coffee house shall close no later than twelve midnight if on the day following public schools will be operated and no later than two a.m. on other evenings. (Ord. 48022 § 63-D, added by Ord. 91888; February 26, 1963).

10.15.050 Lighting. Every licensed coffee house after sundown shall be lighted or illuminated in accordance with Section 10.14.060 of the License Code relating to cabarets. (Ord. 48022 § 63-E, added by Ord. 91888; February 26, 1963).

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Chapter 10.18

PUBLIC DANCES

Sections:

- 10.18.010 Defined.
- 10.18.020 License required—Fees.
- 10.18.030 Permit to hold public dance.
- 10.18.040 Refusal, cancellation or revocation of permits.
- 10.18.050 Supervisor of dances—Appointment and duties.
- 10.18.060 Matron to be present at public dance.
- 10.18.070 Floor manager—Duties.
- 10.18.080 Lighting intensity.
- 10.18.090 Vulgar or indecent conduct prohibited.
- 10.18.100 Minors to be accompanied by parent or guardian.
- 10.18.101 Definitions.
- 10.18.102 Teenage dance advisory board.
- 10.18.103 Permit.
- 10.18.104 Regulations.
- 10.18.105 Accounting.
- 10.18.110 Pass checks—Intoxicating liquor or drugs—Lewd persons—Discriminating against armed forces—Free passes—Prohibited.
- 10.18.120 Female employees to remain on premises.
- 10.18.130 Closing hours—Sunday dances.
- 10.18.155 Soliciting dances or purchase of refreshments prohibited.
- 10.18.160 Female employees not to dance or have refreshments with patrons.

10.18.010 Defined. The term “public dance” wherever used in this title means any dance to which the public is admitted, and which is held and conducted for a profit, direct or indirect, and the term “public dance hall” wherever used in this title means any place where public dancing, as herein defined, is permitted. (Ord. 48022 § 69; December 1, 1924).

10.18.020 License required—Fees.* It is unlawful to open up, conduct, manage, operate or maintain a public dance hall within the city of Seattle, without a valid and subsisting license so to do, to be known as a public dance hall license. The annual license fee for a public dance hall license shall be as follows:

Class A—Halls having a floor space of up to and including twenty-five hundred square feet, twenty-five dollars.

Class B—Halls having a floor space of from twenty-five hundred and one square feet to five thousand square feet, thirty-five dollars.

Class C—Halls having a floor space of from five thousand and one square feet to sixty-five hundred square feet, fifty dollars.

*Expiration of license—See Section 10.08.090 of this code.

10.18.030 LICENSES

Class D—Halls having a floor space in excess of sixty-five hundred square feet, seventy-five dollars. (Ord. 48022 § 70; December 1, 1924).

10.18.030 Permit to hold public dance. It is unlawful for any person to hold a public dance without having first obtained a permit therefor from the chief of police. The application for such permit shall be referred to the supervisor of dances, hereinafter provided for, for his recom-

mendations and report, and if the supervisor of dances shall approve the same, the chief of police may issue the permit, upon presentation to him of the city treasurer's receipt showing that the required fee has been paid and providing that a license to operate and conduct a public dance hall has been issued by the city comptroller, in conformity with the provisions of this title, or that such a license has been authorized by the city council for the hall or other place where such public dance is to be held.

The application for a dance permit shall be made in writing on forms to be provided by the police department, at least forty-eight hours before the dance, authorized thereunder, is to be held; provided however, that an annual permit may be issued for dances held and conducted in regularly established and licensed places used principally for dances. The fee for a dance permit shall be one dollar for the giving or holding of a single dance, and fifteen dollars for an annual permit; provided, however, that no dance permit be issued beyond the period for which a license is in force and effect at that time.

To any person holding a valid and subsisting dance hall license, or to whom such a license has been granted by the city council and the fee for such license has been paid, no fee shall be charged for any dance permit, if the dance or dances are to be held or conducted on the premises for which a license has been granted or issued.

No dance permit shall be transferable from one person to another, and no refunds or rebates of money paid shall be made. (Ord. 48022 § 71; December 1, 1924).

10.18.040 Refusal, cancellation or revocation of permits. The chief of police may refuse to issue a dance permit, or he may cancel or revoke any such permit after it has been issued, if he shall learn that the same was procured by fraud or false representation of facts, or that the applicant or permittee has failed to comply with the provisions and requirements of this title, or has violated any provision hereof, or for any other reason which, in the opinion of the chief of police, will be detrimental to the public peace, health or welfare. Any person may appeal to the city coun-

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cil from any decision of the Chief of Police in refusing to issue a dance permit under the provisions of this Title, or revoking a permit previously granted by him.

The City Council is authorized to review any action of the Chief of Police relative to such refusal to issue a dance permit, or the revocation of a permit previously issued, and the action of the City Council shall be final. All appeals to the City Council shall be filed with the City Council at its next regular meeting, following notice of the decision of the Chief of Police to the person affected thereby. (Ord. 48022 § 72; December 1, 1924).

10.18.050 Supervisor of dances—Appointment and duties. A member of the Police Department shall be appointed by the Chief of Police as Supervisor of Dances, and it shall be the duty of the Supervisor of Dances to investigate and report on all applications for dance hall licenses, and dance permits, and to determine whether the applicant has complied with all the regulations, ordinances and laws applicable thereto, and to make an investigation as to the character and fitness of the applicant and as to the person or persons who shall have the general management or supervision of such dance halls. He shall file a written report of such investigations with the City Council, with recommendations as to whether any license applied for shall be granted or refused. The Supervisor of Dances, or some officer specifically designated by him, shall investigate all complaints against public dance halls and public dances, and shall inspect at least once each year the public dance halls of the City.

The Supervisor of Dances shall keep a complete card index of all applicants for dance hall licenses and dance permits, with the dates of granting or rejection of the same, also a complete record of all visitations and inspections and of his recommendations and findings in relation thereto.

He shall cause any person to be prosecuted for violation of any of the regulations provided for in this Title and relating to public dance halls and public dances.

The Supervisor of Dances shall report all serious violations to the Chief of Police and to the City Council, with his recommendations with respect to revocation of any public dance hall license or dance permit. (Ord. 48022 § 73; December 1, 1924).

10.18.060 Matron to be present at public dance. It shall be unlawful to conduct or permit any public dance to be given as herein provided, unless a matron, satisfactory at all times to the Supervisor of Dances, shall be provided by the management, except that in case of dances given by responsible fraternal or labor organizations, charitable or philanthropic agencies, schools, churches, bona fide community or patriotic societies or like organizations, chaperones may, at the discretion of the Supervisor

of Dances, be substituted for matrons; provided, that their names are submitted to the Supervisor of Dances at least forty-eight (48) hours before the dance is to be held. It shall be the duty of such matron or chaperon to report any violation of the laws pertaining to public dance halls and public dancing to the Supervisor of Dances, and to keep a strict watch over the girls and patrons who frequent, and those who are employed in, such public dance halls. (Ord. 48022 § 74; December 1, 1924).

10.18.070 Floor manager—Duties. Every person conducting a public dance hall shall have a floor manager in control of the premises continuously from one-half ($\frac{1}{2}$) hour before dancing begins, until the dance hall is closed. It shall be the duty of the floor manager to see that standards of decency and good taste are maintained and that disorderly, familiar, or objectionable conduct is not tolerated, and to take effective steps promptly to remove objectionable persons and stop objectionable practices, and to co-operate with the matron in carrying out the provisions of this Title, relating to public dance halls and public dancing and in preserving order and good conduct on the part of the patrons and employees of said dance. (Ord. 48022 § 75; December 1, 1924).

10.18.080 Lighting intensity. After sunset every public dance hall shall be lighted or illuminated in such a manner and to such an extent as is usual or customary for lighting halls or rooms of like dimensions in the night time for public assemblage, before any patrons are admitted thereto, or before any dance or dancing is commenced therein; provided, however, that the intensity of such lighting or illumination shall at no time be less than a one (1) foot candle at a plane of three (3) feet above the floor of such hall at all parts thereof. Such lighting or illumination shall be maintained thereafter throughout the entire time for which such dance hall shall be open and entertaining patrons, and during any recess or other intermission, without the diminution and without interruption, until such dance hall shall be cleared and closed. Shadow and moonlight dances are hereby prohibited and declared to be unlawful. (Ord. 48022 § 76; December 1, 1924).

10.18.090 Vulgar or indecent conduct prohibited. It shall be unlawful for any person to whom a dance hall license is issued, or for any person conducting a public dance hall under license or permit from the City, to allow or permit in any public dance hall any indecent act to be committed or any disorder or conduct of a gross, violent or vulgar character, or to permit in any such dance hall any prostitute, pimp or procurer. Any member of the Police and Detective Department, or the Supervisor of Dances, shall have the power, and it shall be the duty of each of them, to cause any dance hall to be vacated whenever any provision of this Title relating to public dance halls, or public dancing, is being violated or whenever any

indecent acts shall be committed, or when any disorder or conduct of a gross, violent or vulgar character shall take place therein. (Ord. 48022 § 77; December 1, 1924).

10.18.100 Minors to be accompanied by parent or guardian. Except as expressly provided for in Sections 10.18.101 through 10.18.105 relating to teenage dances, it is unlawful:

(1) To permit any person under eighteen years of age to attend or remain at any public dance unless such person is accompanied by his parent or legal guardian;

(2) For any person to falsely represent himself to have reached the age of eighteen years in order to attend or remain at any public dance;

(3) For any person to falsely represent himself to be the parent or legal guardian of another in order that such other person may attend or remain at any public dance. (Ord. 48022 § 78, as amended by Ord. 95958; July 19, 1967).

10.18.101 Definitions. (a) "Teenage dance" means a dance to which the public is admitted upon the payment of a monetary fee or other form of admission charge; provided that attendance is restricted to persons who are at least thirteen years of age but not more than nineteen years of age or who are currently enrolled in an accredited high school.

(b) "Sponsor or sponsoring group" means any one or more of the following:

(1) Accredited public or parochial schools;

(2) Government agencies, entities or political subdivisions;

(3) Clubs, fraternal orders, societies, organizations or groups which are nonprofit corporations or associations under state law. (Ord. 48022 § 78-A added by Ord. 95958; July 19, 1967).

10.18.102 Teenage dance advisory board. (a) There is hereby created the teenage dance advisory board, hereinafter referred to as "board", to recommend to the chief of police approval or rejection of applications for permits for teenage dances and to receive financial accountings from such dances.

(b) The board shall meet regularly at least once each month and shall consist of six members, one to be designated by each of the following:

(1) Seattle police department;

(2) Seattle public school district number one;

(3) Division of licenses and standards, office of city comptroller;

(4) Seattle park board;

(5) King County juvenile court;

(6) Seattle-King County youth commission; and in addition shall have as nonvoting advisors, representatives of such groups as the board deems advisable.

(c) The member designated by the Seattle police department shall act as chairman. The board may adopt rules and regulations for its own government not inconsistent with the provisions of this title. (Ord. 48022 § 78-B added by Ord. 95958; July 19, 1967).

10.18.103 Permit. (a) No person shall conduct or sponsor any teenage dance without a permit therefor issued by the chief of police after board approval of the application for such permit.

(b) No permit to conduct or sponsor any teenage dance shall be issued except to a sponsor or sponsoring group as herein defined. Such sponsor or sponsoring group shall assume full and complete responsibility for the event, its direction, the expenditure of funds, and the accounting to the board for receipts from such teenage dance. No member or employee of any sponsor or sponsoring group, or specially retained promoter or organizer shall be permitted to realize personal profit from the proceeds of any such dance.

(c) A separate permit shall be required for each teenage dance; provided that an annual permit may be issued to a sponsor or sponsoring group to conduct teenage dances in the regularly established facilities of such sponsor or sponsoring group; provided further that the holder of any such annual permit shall furnish to the board at least twenty days prior to the date on which any dance is held thereunder notice of the time and place where each such dance is to be held.

(d) The application for a permit hereunder shall be made in writing signed by a member, who shall be at least twenty-one years of age, of the sponsor or sponsoring group on forms provided by the board at least twenty days prior to the date on which the proposed dance is to be held and shall set forth therein the following:

- (1) Names and addresses of the applicant's officers;
- (2) Time and date upon which such dance is to be held;
- (3) Address of the place where such dance is to be held;
- (4) Approximate attendance expected at such dance;
- (5) Names and addresses of at least four adult supervisors who shall be in attendance at all times during the holding of such dance and who shall be at least twenty-five years of age;
- (6) Certification that the place or premises conforms with safety regulations of the Seattle building and fire codes;
- (7) Such other information as the board deems necessary to allow it to determine compliance with this title.

(e) Upon the filing of each application hereunder, the board shall refer such application to the supervisor of dances of the police department

for his investigation and report. Upon receipt of the supervisor's report the board shall recommend approval or rejection of such application and forward the application together with its recommendation to the chief of police; provided that if the board recommends rejection of such application, it shall set forth in writing the reasons for such rejection and attach such written statement to the application. If approval of such application is recommended by the board, the permit shall be issued by the chief of police and a copy of such permit shall be filed with the board.

(f) The chief of police may refuse to issue the permit, or he may revoke or suspend such permit after it has been issued if he shall find any of the following:

(1) The applicant for a permit or the permit holder has knowingly made a false and material statement in the application for a permit or in any notice or statement required hereunder;

(2) The applicant for a permit or the permit holder has violated or permitted the violation of any of the provisions of this title or has been convicted of a felony, or of a misdemeanor involving moral turpitude;

(3) The holding of a teenage dance pursuant to the permit issued or applied for will not be consistent with the public peace, health, welfare or safety.

(g) Any person aggrieved by the decision of the chief of police revoking or suspending such permit or refusing to issue such permit may appeal such decision to the city council. (Ord. 48022 § 78-C, added by Ord. 95958; July 19, 1967).

10.18.104 Regulations. (a) No minor admitted to a teenage dance shall be permitted to leave and thereafter re-enter the dancing premises during the course of the event and no pass-out checks shall be issued.

(b) No alcoholic beverages or narcotics or dangerous drugs shall be sold, consumed or be available on or about the premises where any teenage dance is held. Admission to a teenage dance shall be denied to any person showing evidence of having consumed or being under the influence of any alcoholic beverage or narcotic or dangerous drug or who has any alcoholic beverage or narcotic or dangerous drug on his person.

(c) All dancing and the dress of the participants shall be of a socially acceptable standard and sufficient adult supervision shall be provided at all teenage dances to insure that acceptable standards of social conduct are followed.

(d) All off-street parking facilities adjacent to the premises where such a teenage dance is held and made available for use during such dance shall be lighted to an intensity of at least one foot candle at a plane three

feet above the surface of the parking facility at all parts thereof and shall be adequately supervised.

(e) No dancing at any teenage dance to which persons under fifteen years of age are admitted shall be continued after the hour of nine forty-five, p.m. and no dancing at any other teenage dance shall be continued after the hour of eleven forty-five p.m.

(f) No person over the age of nineteen years of age shall attend any teenage dance as a participant unless such person is currently enrolled in an accredited high school and has proof of such enrollment. No person shall be admitted or permitted to remain at any such dance who fails or refuses to display such proof of enrollment upon proper demand therefor. This subsection does not prohibit the attendance of chaperons, supervisors or members of the sponsor or sponsoring group.

(g) During hours of darkness, the premises where such teenage dance is held, before any person is admitted thereto and before any dancing is commenced therein, shall be lighted to an intensity of at least one foot candle at a plane three feet above the floor of such hall at all parts thereof. Such lighting shall be maintained throughout the entire time such premises are open or dancing is in progress therein, and during any recess or other intermission, without diminution or interruption until such premises are cleared and closed.

(h) It is unlawful for any person who is ineligible for admittance to any teenage dance or has no other lawful business thereat, to loiter, on, around, about, within or nearby the premises at which a teenage dance is being conducted after being instructed to move on; provided that prior to the arrest of any person under this section, he shall be given an opportunity to explain his presence and conduct. (Ord. 48022 § 78-D added by Ord. 95958; July 19, 1967).

10.18.105 Accounting. Within ten days after any teenage dance, the permit holder shall submit to the board on forms provided by such board an itemized statement of the receipts and expenditures for such dance and such statement shall also show the use made of any profits from such dance; provided that annual permit holders shall submit such statements bimonthly on or before the tenth day of each bimonthly period. (Ord. 48022 § 78-E added by Ord. 95958; July 19, 1967).

10.18.110 Pass checks—Intoxicating liquor or drugs—Lewd persons—Discriminating against armed forces—Free passes—Prohibited. It shall be unlawful:

(a) To issue pass checks, or other checks, permitting a person to leave and enter a public dance hall.

(b) To permit on the public dance hall premises any person having in his possession, or offering for sale, selling, giving away, or drinking, any intoxicating liquors.

(c) To permit any person under the influence of liquor, or drugs, to participate in or remain at any public dance hall or public dance.

(d) To permit narcotic peddlers, narcotic addicts, lewd or dissolute persons, prostitutes, idlers, loiterers or other hangers-on, to be on or about the public dance hall premises.

(e) Because of such uniform to exclude, or cause to be excluded, from any such public dance hall any person lawfully wearing the regulation uniform of the Army, Navy, or Marine Corps of the United States conforming to service requirements and regulations, whether such exclusion be directly effected by the barring of any such uniform or indirectly by barring persons entering such hall unless otherwise than in such uniform attired.

(f) For any operator or proprietor of a public dance, or anyone as agent of the same or in any way connected with a public dance, to issue or sell for less than the usual or fixed price of admission, or give away free, any pass or ticket of admission to any "public dance," which pass or ticket does not bear upon its face the date (which shall be a day certain) when the same may be used to gain admission to such dance, the true name of the person to whom issued, sold or given, written in ink upon the face thereof by the operator or person in charge of such dance, or by his agent thereunto authorized in writing.

(g) To accept for admission to any such dance any such pass or ticket presented by any other person than the one to whom so issued, sold or given and whose name appears upon the face thereof, or so to accept the same upon any other date than that appearing upon the face thereof. (Ord. 48022 § 79, as amended by Ord. 63219; December 14, 1932).

10.18.120 Female employees to remain on premises. Any female employed in or about any dance hall, shall remain in said hall at all times during the hours of her employment. (Ord. 48022 § 80; December 1, 1924).

10.18.130 Closing hours—Sunday dances. It is unlawful for any person to conduct a public dance in or to permit dancing in any cabaret, hotel, restaurant, cafe, lunchroom or tavern, or to permit or furnish any entertainment therein between the hours of four-thirty a.m. and eleven a.m. of any day.

No public dance, cafe dance or cabaret shall be conducted on Sunday within a radius of six hundred feet of any place of public worship, when a protest signed by the owners (as shown by the records of the city engineer) of at least fifty-one percent of the property lying within a radius of six hundred feet from such public dance hall, cafe dance or cabaret be filed with the city council. (Ord. 48022 § 81 as amended by Ord. 85943 and Ord. 96064; September 1, 1967).

10.18.155 Soliciting dances or purchase of refreshments prohibited. It shall be unlawful for any person in or about any public dance hall, or other place in which public dancing is conducted, to solicit dancing partners on a commission basis, direct or indirect, or to solicit the purchase of refreshments on a commission basis, direct or indirect, and it shall be unlawful for the owner, manager or other person connected with the operation of any dance hall, or any other place in which dancing is conducted, to permit or allow any such solicitation therein. (Ord. 48022 § 83-A, as amended by Ord. 65801; October 31, 1935).

10.18.160 Female employees not to dance or have refreshments with patrons. No female person employed in any public dance hall, or in or about any public dance, shall, during the hours of her employment, dance or partake of any refreshments with any patron or customer of such dance hall or dance, and no manager or operator thereof shall permit, suffer or allow any such person so to do. (Ord. 48022 § 83-B, as amended by Ord. 65801; October 31, 1935).

Chapter 10.20

DANGEROUS WEAPONS

Sections:

- 10.20.010 License required to sell dangerous weapons.
- 10.20.020 Dealer's report of sales.
- 10.20.030 Sales restricted to dealers and persons having permit.
- 10.20.040 Permit to purchase—Penalty for violation.
- 10.20.050 Display of certain weapons prohibited.

10.20.010 License required to sell dangerous weapons.* It shall be unlawful to engage in the business of selling, or to sell, at wholesale or retail, or to give away any brass or iron knuckles or other weapons which can be concealed on a person, without securing a license so to do, to be known as a "dangerous weapon license," the fee for which is hereby fixed at twenty-five dollars per annum; provided, that no such license shall be issued until application therefor shall have been approved by the chief of police. (Ord. 48022 § 84, as amended by Ord. 80406; October 24, 1951 and by Ord. 92202; July 17, 1963).

10.20.020 Dealer's report of sales. Every retail dealer in dangerous weapons, shall make out and deliver to the police department every day, before the hour of twelve o'clock noon, a legible and correct report of every sale, or gift, of dangerous weapons made during the preceding twenty-four hours, which report shall contain the date and hour of such sale or gift, the name of the purchaser with his address and age, and the kind of weapon. If the weapon was ordered by telegraph or letter from any point outside of the City of Seattle for shipment outside of the city, the

*Expiration of license—See Section 10.03.020.

telegram, letter or order (or a copy thereof), must be attached to such report.

Every wholesale dealer in dangerous weapons shall report to the police department every Monday before the hour of five o'clock p.m. all sales of dangerous weapons made during the preceding week, giving the name and address of the dealer, or other person to whom such weapons were sold, delivered or shipped. (Ord. 48022 § 85, as amended by Ord. 92202; July 17, 1963).

10.20.030 Sales restricted to dealers and persons having permit. It shall be unlawful to sell, barter or give away, any brass or iron knuckles or weapon of like character which may be concealed on a person, except to licensed dealers and to persons who have a permit to purchase such weapons; except when an order is received from, and shipment is to be made, outside of the City of Seattle. (Ord. 48022 § 86, as amended by Ord. 80406; October 24, 1951 and by Ord. 92202; July 17, 1963).

10.20.040 Permit to purchase—Penalty for violation. It shall be unlawful for anyone, except licensed dealers, to purchase any brass or iron knuckles or weapons of like character which can be concealed on the person, without first applying for and procuring a permit from the chief of police so to do. Application shall be made in writing setting forth the applicant's address, age, height, weight, complexion, nationality and such other information for identification purposes as the police department may require and the fee for which permit shall be the sum of one dollar. No such permit shall be granted to a minor or to anyone not permitted to carry a pistol or short firearm under Ch. 124, Laws of 1961.

The violation of or failure to comply with the provisions of this section shall subject the offender to a fine not to exceed three hundred dollars or imprisonment in the city jail for not more than ninety days or both. (Ord. 48022 § 87, as amended by Ord. 90475; August 14, 1961: Ord. 90475 § 2; August 14, 1961 and by Ord. 92202; July 17, 1963).

10.20.050 Display of certain weapons prohibited. It shall be unlawful for any person to exhibit for sale in show cases or windows, counters, or in any public manner, any dagger, stiletto, brass or iron knuckles, billies or weapons of like character. (Ord. 48022 § 88; December 1, 1924).

Chapter 10.22

PRIVATE DETECTIVES

Sections:

- 10.22.010 Definitions.
- 10.22.020 License required—Limitations where applicant convicted of felony or misdemeanor.
- 10.22.030 Detective agency license—Fee.
- 10.22.040 Private detective license—Fee.

- 10.22.050 Private detective license—Application.
- 10.22.060 Employees not to divulge information.
- 10.22.070 Unlawful acts.
- 10.22.080 Penalty for violations.
- 10.22.090 Bond for agency license.
- 10.22.100 Private guard license—Fee.

10.22.010 Definitions. The words and phrases used herein unless the context otherwise indicates, shall have the following meanings:

(a) The words "private detective business" shall mean and include the business of, or the representation of being engaged in the business of, making for-hire or reward investigation or investigations with reference to any of the following matters:

Detecting, discovering or revealing crime or criminals, or securing secret information or evidence relating thereto;

Discovering or revealing the identity, whereabouts, character or actions of any person or persons, thing or things;

The habits, conduct, movements, whereabouts, associations, transactions, reputations or character of any person, firm or corporation;

The credibility of witnesses or other persons;

The location or recovery of lost or stolen property;

The causes, origin or responsibility for fires or accidents or injuries to real or personal property;

The affiliation, connection or relation of any person, firm or corporation with any union or non-union organization, with any official, member or representative thereof, or with any person or persons seeking employment in the place of any person or persons who have quit work by reason of any strike;

The truth or falsity of any statement or representation;

The business of securing for hire or reward evidence to be used before authorized investigating committees, boards of award or arbitration, or in the trial of civil or criminal cases;

(b) Nothing in this chapter shall apply to any office or employee of any state, county, city or town, appointed or elected by due authority of law; to any person, firm or corporation, whose business is the furnishing of information as to the business and financial standing and credit of persons, firms or corporations; nor to any person, firm or corporation inquiring as to the personal habits and financial responsibilities of applicants for insurance, indemnity bonds, or commercial credit, or of claimants under insurance policies.

(c) 1. The words "detective agency" shall mean and include any person who as principal or employer engages in or who advertises or holds himself out as being engaged in, the private detective business.

2. The words "private detective" shall mean and include any natural

person of either sex who engages in, or who advertises or holds himself out as being engaged in, the private detective business as agent or employee of a duly licensed detective agency. (Ord. 48022 § 89, as amended by Ord. 77699; January 26, 1949).

10.22.020 License required—Limitations where applicant convicted of felony or misdemeanor. It shall be unlawful for any person, unless duly licensed so to do pursuant to this title, to engage in, or to advertise or hold himself out as being engaged in, the private detective business; provided, that no license required by Sections 10.22.030 or 10.22.040 herein shall be granted to any person who within ten years of the date of application for such license has been convicted of any felony, or any misdemeanor involving moral turpitude or intent to defraud, or has within ten years of the date of application been released from a penal institution or from active supervision on parole as a result of any such conviction; provided, further, however, that the City Council may waive not to exceed five years of such period upon satisfactory showing by the applicant of rehabilitation. (Ord. 48022 § 90, as amended by Ord. 93050; July 14, 1964).

10.22.030 Detective agency license—Fee.* It shall be unlawful to engage in business as a detective agency without having first obtained a valid and subsisting license so to do, to be known as a "detective agency license" and having on file a surety bond as required by Section 10.22.090 of this license code. The initial fee for a "detective agency license" shall be two hundred fifty dollars and may thereafter be renewed annually for a fee of one hundred dollars. Such license shall be obtained in conformity with Sections 10.02.100 and 10.02.110 and may be revoked as prescribed by Section 10.02.130 of this license code. (Ord. 48022 § 90-1 as amended by Ord. 93369; November 17, 1964).

10.22.040 Private detective license—Fee.* It shall be unlawful for any person, whether licensed as a detective agency or not, to engage in the private detective business or to act, or engage in business, as private detective without first obtaining and being the owner and holder of a valid and subsisting license so to do, to be known as a "private detective license," the fee for which shall be and hereby is fixed in the sum of five dollars per annum: Provided, that a "private detective license" shall, without the payment of any fee therefor, be issued to an individual, to one member of a partnership, or firm, or to one officer of a corporation holding a "detective agency license," or employed by the holder of a "detective agency license." One such "private detective license" shall be designated the number of the detective agency license by reason of which the "private

*Expiration of license—See Section 10.03.090

detective license" is issued, and such license shall be in force and effect only so long as such person is possessed of, or is a member of a partnership or officer of a corporation holding, or is employed by the holder of, such "detective agency license." (Ord. 48022 § 90-2 added by Ord. 67473; June 24, 1937).

10.22.050 Private detective license—Application. Applications for private detective license shall be made to the city comptroller on forms to be furnished by him for that purpose, shall be signed and verified by the applicant and shall state his full name, age and residence, his present and previous occupations and the address of the place of business and the name of his employer. Each application for a private detective license shall be accompanied by a recent photograph of the applicant (full face view) one inch by one inch in size. The city comptroller upon presentation of an application for a private detective license, and before acting upon the same, shall request the chief of police to make a full investigation as to the truth of the statements contained therein and as to any and all other matters which might tend to aid the city comptroller in determining whether or not the application shall be granted. The chief of police shall, within five days after the date of such request, furnish a written report to the city comptroller containing the results of his investigation, and if the city comptroller is satisfied that the statements contained in said application are true, that the applicant is of good moral character and has complied with all requirements of this title, he shall issue the license applied for in accordance with the provisions of this title, otherwise said applicant shall be denied. Each such license issued shall bear the photograph and right thumbprint of the license holder.

The city comptroller may upon recommendation of the chief of police pending completion of the required investigation issue a temporary permit to any applicant for a private detective license and/or private guard license who has been a resident of the state of Washington for a period of at least five years next preceding the date of application. Such temporary permit shall authorize the permittee to act either as a private detective, private guard, or both, while he is employed by, or an agent of, the detective agency specified in the permit and the same shall be valid for a period of not to exceed forty-five days.

Private detective licenses may be revoked as prescribed by Section 10.02.130 of the License Code. (Ord. 48022 § 90-3 added by Ord. 67473 and amended by Ord. 94649 and Ord. 98196 § 1; Oct. 1, 1969).

10.22.060 Employees not to divulge information. It is unlawful for any person who is or has been an employee of a detective agency to divulge to any person, other than his employer, except as his employer may direct and except as may be required by law, any information acquired

by him during such employment with respect to any of the work to which he, or any other employee of such detective agency, shall have been assigned by such detective agency, or with respect to any of the work, business or affairs of such detective agency.

10.22.070 Unlawful acts. It is unlawful for any licensee under this title to knowingly incite, encourage or aid in inciting or encouraging any person or persons who have become a party to any strike, to commit unlawful acts against the person or property of anyone, or knowingly to incite, stir up, create or aid in inciting discontent or dissatisfaction among the employees of any person, firm or corporation with the intention of having them strike, or to send letters or literature to employers offering to eliminate labor unions, or for any person to falsely state or represent that he is or has been a private detective or employed by a detective agency, or for any licensee hereunder or employee thereof to assume to act as an officer of the law without proper authority. (Ord. 48022 § 90-5 added by Ord. 67473; June 24, 1937).

10.22.080 Penalty for violations. Any person violating or failing to comply with any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine in any sum not exceeding three hundred dollars, or by imprisonment in the city jail for a period not exceeding ninety days, or by both such fine and imprisonment. (Ord. 67473 § 9; June 24, 1937).

10.22.090 Bond for agency license. Every applicant for a detective agency license shall file with the City Comptroller at the time the application is filed, a surety company bond running to the city of Seattle, in a penal sum of two thousand dollars, conditioned that the licensee will faithfully comply with all the requirements of this title, insofar as they relate to the business of detective or detective agency. (Ord. 48022 § 91; Dec. 1, 1924).

10.22.100 Private guard license—Fee. It is unlawful to engage in occupation of private guard to prevent theft or unlawful taking of goods, wares and merchandise or to purport to engage therein without a private guard license, the fee for which shall be five dollars per year and which shall expire October 31st of each year. No private guard shall operate except as an employee under a duly licensed detective agency. Application for such license shall be made to the city comptroller on a similar form and shall follow the same procedure as is provided in Section 10.22.050 for a private detective license; Provided, anyone holding a valid merchants patrol agency license or merchants patrolmans license under Section 10.73-.020 shall be exempt from such license requirements. (Ord. 48022 § 91-1 as amended by Ord. 88789 and Ord. 94188 § 2; Sept. 15, 1965).

Chapter 10.24

DISTRIBUTING ADVERTISING MATTER

Sections:

- 10.24.010 Distributor's license—Required.
- 10.24.020 Fee for distributor's license.
- 10.24.030 Distributing advertising matter in public places prohibited.
- 10.24.040 Penalty for unlawful distribution.

10.24.010 Distributor's license—Required. It is unlawful for any person to distribute, within the city of Seattle, advertising matter of any kind from house to house, without first procuring a license to do so, to be known as a "monthly distributor's license" or a "weekly distributor's license." (Ord. 48022 § 92; December 1, 1924).

10.24.020 Fee for distributor's license. The fee for a monthly distributor's license shall be the sum of twenty-five dollars, and any person holding a monthly distributor's license may employ as many persons as may be necessary to conduct the business of distributing advertising matter under such license, but such employee, while engaged in distributing, must carry on his person an identification card signed by the licensee, which card must be shown, on demand, to any member of the license division or police department of the city of Seattle.

The identification card must contain the following information: Name of the employee; number of the license; date of expiration of such license, and the signature of the licensee. The fee for a weekly distributor's license shall be the sum of five dollars per week, and must be carried by the licensee while engaged in the business of distributing advertising matter and must be shown, on demand, to any member of the license division or police department of the city of Seattle. (Ord. 48022 § 93 as amended by Ord. 88789; December 8, 1959).

10.24.030 Distributing advertising matter in public places prohibited. It is unlawful to distribute or hand out upon any street, alley or other public place within the city of Seattle, or to put on, or into any vehicle standing therein, any circular, dodger, hand bill, pamphlet, card, picture or other advertising matter designed or intended to call attention to the merits of any commercial business or to any goods, wares, merchandise, show, entertainment, service or other item of a commercial or business nature. (Ord. 89381 § 1; June 21, 1960).

10.24.040 Penalty for unlawful distribution. Anyone violating or failing to comply with the provisions of Section 10.24.030 shall be punishable by a fine not exceeding three hundred dollars or by imprisonment in the city jail for a term not exceeding ninety days, or by both such fine and imprisonment. (Ord. 89381 § 2; June 21, 1960).

10.26.010 LICENSES

Chapter 10.26
DOGS AND CATS

Sections:

- 10.26.010 License required—Fees.
- 10.26.020 Special license for guide dogs and dogs honorably discharged from armed forces.
- 10.26.030 Exhibiting animal or license upon demand.
- 10.26.040 Replacement of lost tags.

10.26.010 Licenses required—Fees. It is unlawful to have possession or custody of or to harbor or give shelter or refuge to any dog or cat without a valid "dog license" or "cat license," as the case may be, issued by the city comptroller, and without having conspicuously displayed on a strap or other device placed on such animal an authorized identification tag issued by the city comptroller; provided, that the provisions of this section shall not apply to possession or custody of any dog or cat less than four months of age when proof of age can be and on request is submitted to a licensing or police officer. Dog or cat licenses shall be issued in the name of the person having possession or custody of or harboring or sheltering or giving refuge to the animal and be serially numbered. The city comptroller shall issue with each such license an identification tag inscribed with the word "Seattle," the license number and the year for which issued. Such licenses or identification tags shall not be transferable or used by any other than the person to whom issued.

Dog or cat licenses shall expire at midnight on December 31st. The fee for any such license hereafter issued, whether issued for the entire year or any portion thereof, shall be as follows:

For each dog, ten dollars; provided, that when proof is submitted that such dog has been neutered or spayed, the fee shall be five dollars.

For each cat, six dollars; provided, that when proof is submitted that such cat has been neutered or spayed, the fee shall be three dollars.

Provided, if the application for such license is made and the fee therefor paid on or after the first day of March and:

(1) More than thirty days from the date of acquisition of such animal; or

(2) More than thirty days after such animal has attained the age of four months; or

(3) More than thirty days after the applicant's having established residence in the city:

the fees shall be as follows:

For each dog:

male or female\$12.50

neutered male or spayed female 7.50

For each cat:

male or female\$8.50
 neutered male or spayed female 5.50

Provided further that any applicant claiming to come within any such thirty day period shall make such claim by affidavit in such form as shall be prescribed by the city comptroller. (Ord. 48022 § 95 as amended by Ord. 91811, Ord. 97972, Ord. 101080, Ord. 101402 and Ord. 101856 § 1; February 13, 1973).

10.26.020 Special licenses for guide dogs and dogs honorably discharged from armed forces. No license fee shall be required for any guide dog or dog honorably discharged from the armed forces. Applications for free licenses for such dogs may be made to the city comptroller and such evidence presented as he may require to establish eligibility and if the comptroller is satisfied thereof he shall issue the license for any such dog free of charge and shall furnish with such license a metal tag of suitable design which, in the case of a guide dog, shall bear the inscription "GUIDE DOG—License No. (number to be inserted) SEATTLE"; and in the case of a dog honorably discharged from the Armed Forces the metal tag shall bear an inscription substantially as follows: "DISCHARGED FROM THE ARMED FORCES—License No. (number to be inserted) SEATTLE." The number on the license tag shall correspond with the number on the license and shall be attached to a strap or band which the owner or keeper shall provide and place on the dog so licensed, and said license shall continue valid from year to year without renewal. Such dogs shall, however, be subject to all other ordinances regulating the keeping of dogs. (Ord. 48088 § 95-a as amended by Ord. 78242; August 24, 1949).

10.26.030 Exhibiting animal or license upon demand. It is unlawful for anyone to refuse to show or exhibit at any reasonable time to any license inspector, police officer, or health official, any dog or cat in his possession or custody or any license or identification tag issued therefor. (Ord. 48022 § 95-b added by Ord. 88650; October 7, 1959).

10.26.040 Replacement of lost tags. Lost dog or cat identification tags may be replaced by a substitute identification tag upon payment of fifty cents to the city treasurer. (Ord. 48022 § 95-c added by Ord. 88650 and amended by Ord. 101402 § 2; September 15, 1972).

Chapter 10.28

DOG KENNEL

Sections:

- 10.28.010 Definitions.
- 10.28.020 Licenses required—Fees.
- 10.28.030 Applications for licenses.
- 10.28.040 Foul or offensive kennels prohibited.
- 10.28.050 Revocation of license.
- 10.28.060 Inspection of kennels.

10.28.010 Definitions. "Commercial kennel" means any establishment or premises other than "veterinary hospital" or "pet shop" as defined herein, where four or more dogs or cats or aggregate thereof are kept for commercial purposes, including but not limited to board, propagation and treatment. "Veterinary hospital" means any establishment or premises operated under the supervision of a duly licensed veterinarian for the medical treatment of domestic animals and pets. "Pet shop" means any establishment or premises maintained for the purchase, sale or exchange of domestic pets of any type. "Pet kennel" means any establishment or premises where four or more dogs or cats or aggregate thereof over four months of age, are kept for noncommercial or for any purpose other than as defined in "commercial kennel," "veterinary hospital" or "pet shop." (Ord. 48022 § 96 as amended by Ord. 88780; December 2, 1959).

10.28.020 Licenses required—Fees. On and after January 1, 1960 it is unlawful to keep or maintain a commercial kennel, veterinary hospital, pet shop or pet kennel within the city of Seattle, without having first obtained a valid and subsisting license therefor, respectively designated as follows:

Commercial kennel license	\$25.00 per year
Veterinary hospital license	25.00 per year
Pet shop license	25.00 per year
or, if birds only are kept	10.00 per year
Pet kennel license	10.00 per year

for each of which an annual license fee shall be paid in the amount above set forth.

A separate license shall be required for each location and activity as defined herein and shall expire on midnight, December 31st, of the year for which issued. Holders of unexpired dog kennel licenses may be allowed a pro rata credit on the fee for licenses issued hereunder. (Ord. 48022 § 97 as amended by Ord. 88780; December 2, 1959).

10.28.030 Applications for licenses. Applications for licenses required by this chapter shall be made to the city comptroller and shall include a finding by the superintendent of buildings that the proposed use is con-

sistent with the Seattle zoning ordinance. The city comptroller shall upon receipt of any application for a pet kennel license or commercial kennel license, cause to be posted in a conspicuous place at or near the proposed location of such kennel notice advising the public of such application, and in addition shall notify the owner or occupant nearest to such proposed location on each side, by a written notice. Any owner or occupant of property within eight hundred feet of such proposed location may within ten days of the date of such notice file a written protest with the city comptroller, which protest shall contain the address of the property occupied or owned by the protestant. If protests are so received, the city comptroller shall transmit the same to the city council for a hearing before the license committee and the applicant and protestants shall be notified in writing of the date of such hearing, after which hearing the city council may grant or deny such application. If no protests are received, the city comptroller may, except as otherwise herein provided, issue the license applied for. (Ord. 48022 § 98 as amended by Ord. 88780; December 2, 1959).

10.28.040 Foul or offensive kennels prohibited. It is unlawful for anyone whether licensed or not to keep, use or maintain within the city of Seattle, any commercial kennel, veterinary hospital, pet shop or pet kennel in such manner that the same is found to be nauseous, foul or offensive, or a public or private nuisance, and upon such finding any license therefor may be revoked by the city council. (Ord. 48022 § 99 as amended by Ord. 88780; Dec. 2, 1959).

10.28.050 Revocation of license. In addition to other regulations provided for in this title, the city council, in its discretion, may refuse, suspend or revoke any license hereunder for failure to comply with applicable city or state laws and regulations; or for obtaining such license by use of any false information, or for any other cause. (Ord. 48022 § 100 as amended by Ord. 88780; December 2, 1959).

10.28.060 Inspection of kennels. When an application for a license herein is received by the city comptroller, he shall notify the city's director of public health to inspect the proposed premises and if the same are found by him to be insanitary, or otherwise to adversely affect the health, safety or welfare of the public, the said director shall report such facts to the city comptroller. The report shall be attached to the application for such license and the applicant notified thereof, and no license shall be issued until a report is received from said director that said premises are sanitary and do not adversely affect the public health and safety. Inspections by the director of public health shall be made in accordance with such rules and regulations, not inconsistent with the provisions of this title, as may be adopted by said director and filed with the city comptroller. The director

of public health may inspect premises licensed hereunder at any time. (Ord. 48022 § 101 as amended by Ord. 88780 and Ord. 98577 § 1; February 4, 1970).

Chapter 10.30
ELECTRIC SIGN HANGING

Sections:

- 10.30.010 License required—Fee.
- 10.30.020 Application, certificate and bond.
- 10.30.030 Permit to hang sign.

10.30.010 License required—Fee.* It is unlawful for any person to erect or hang electric signs, without first taking out and procuring a license so to do, to be known as an "electric sign hanger's license." The fee for such electric sign hanger's license is twenty-five dollars per year. (Ord. 48022 § 115; December 1, 1924).

*Expiration of license—See Section 10.03.020.

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10.30.020 Application, certificate and bond. Every applicant for an electric sign hanger's license must be a bona fide resident of the state of Washington, and shall file with the City Comptroller an application for such license, accompanied by a satisfactory certificate, signed by at least two (2) responsible electricians or builders, or one of each, to the effect that said applicant is known to them to be a responsible person, skilled in the business of erecting electric signs and qualified to perform such work.

He shall also file with the City Comptroller a bond running to the City of Seattle in the penal sum of One Thousand (\$1,000) Dollars, conditioned that he will indemnify and save harmless the City of Seattle from all claims, actions or damages of every kind and description which may accrue to, or be suffered by, any person by reason of the negligent or improper erection or hanging of an electric sign, or any failure to comply with any ordinance in the City of Seattle relating to the erection and hanging of electric signs.

Upon filing such application, certificate and bond, and the payment of the license fee, the City Comptroller shall issue an Electric Sign Hanger's License, in conformity with the provisions of this Title. (Ord. 48022 § 116, as amended by Ord. 70754; April 2, 1941).

10.30.030 Permit to hang sign required. It shall be unlawful for any person having an Electric Sign Hanger's License, to erect or hang any electric sign in or over any street, avenue or alley, or other public place within the City of Seattle, without a permit therefor shall have first been issued to the owner of the premises to which such electric sign shall be attached, as provided by ordinance relating thereto, and it shall be unlawful for any person having such license to erect or hang any such electric sign in any other manner, than that prescribed by the ordinances of the city regulating the use thereof. (Ord. 48022 § 117; December 1, 1924).

Chapter 10.32

CHIMNEY SWEEPS

Sections:

- 10.32.010 License required.
- 10.32.020 Application for license—Examination.
- 10.32.030 Fee—Expiration of license.
- 10.32.040 Penalty for violations.

10.32.010 License required. It shall be unlawful to engage in business as a chimney sweep, which for the purpose of this chapter is defined as the business of cleaning furnaces, chimneys, fireplaces, hot water boilers, smoke stacks, vent ducts, grease vents and incinerators, without comply-

ing with the provisions of this chapter and without having a valid and subsisting license issued under the provisions of this chapter, which license shall be designated as a "Chimney Sweep's License." (Ord. 70420 § 1; November 27, 1940).

10.32.020 Application for license—Examination. Licenses shall be issued only to individuals who are qualified to perform the work of a chimney sweep in a competent and skillful manner. Applicants for licenses hereunder shall, before being issued a license, take an examination conducted by the Chief of the Fire Department, which shall consist of tests and questions designed to determine applicants' fitness and qualifications to perform work as chimney sweep. No person shall be eligible to take such examination who shall not have had at least six months' experience in the work of a chimney sweep, or six months' employment and service in such work under the direct and personal supervision of a chimney sweep licensed hereunder.

Applications for examination shall be made to the Chief of the Fire Department, accompanied by a fee of One Dollar (\$1.00). If the Chief of the Fire Department deems the applicant qualified and competent to engage in the work of a chimney sweep he shall issue the applicant a certificate of fitness. An annual renewal certificate of fitness entitling the applicant to a license may be issued by the Chief of the Fire Department without payment of any fee and without examination if the qualifications of the applicant continue unimpaired. (Ord. 70420 § 2; November 27, 1940).

10.32.030 Fee—Expiration of license. Applications for licenses shall be made to the City Comptroller on forms prescribed by him, accompanied by the license fee and the certificate of fitness herein provided for. The annual license fee shall be Five and No/100 Dollars (\$5.00). All licenses shall expire at the end of the calendar year in which issued; and if issued on or subsequent to the first day of July in any year shall be issued on payment of one-half of the annual license fee. (Ord. 70420 § 3; November 27, 1940).

10.32.040 Penalty for violations. Violation of or failure to comply with the provisions of this chapter shall subject the offender to a fine of not more than Three Hundred Dollars (\$300.00) or imprisonment in the City Jail for not to exceed Ninety (90) days, or to both such fine and imprisonment. (Ord. 70420 § 4, added by Ord. 72226; October 14, 1942).

Chapter 10.36
STEAM ENGINEERS AND
BOILER FIREMEN

Sections:

- 10.36.010 Scope and definitions.
- 10.36.020 License required—Fees.
- 10.36.030 Exemptions from license requirements.
- 10.36.040 Grades of licenses.
- 10.36.050 Issuance of licenses.
- 10.36.060 Special license.
- 10.36.070 Examination fees for licenses.
- 10.36.080 Civil service commission.
- 10.36.090 Licenses to be posted or carried.
- 10.36.100 Notice of place of employment.
- 10.36.110 Reporting of defective boilers.
- 10.36.120 Duties of steam engineers and boiler firemen—General.
- 10.36.130 Duties of boiler supervisor.
- 10.36.140 Attendance requirements.
- 10.36.160 Steam license advisory board.
- 10.36.170 Enforcement—Filing of charges.
- 10.36.180 Posting of chapter.
- 10.36.190 License not required—Compliance.
- 10.36.200 Change in license limits.

10.36.010 Scope and definitions. The regulation and licensing of steam engineers and boiler firemen herein and the regulations relating to the operation of boilers and steam engines as defined in this section provide the means for ensuring safe operation of such boilers and steam engines.

Words and phrases used in this chapter relating to the regulation and licensing of steam engineers and boiler firemen shall have the following meanings.

“Automatic boiler” means a boiler equipped with certain controls and limit devices as required by Sections 3.52.140 and 3.52.150 of the Building Code.

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"Boiler" means a closed vessel used for heating water or liquid, or for generating steam or vapor by direct application of heat from combustible fuels or electricity.

"Boiler plant" means one or more boilers and connecting piping and vessels within the same premises.

"Boiler supervisor" means a steam engineer grade I, II or III whose license has been endorsed "boiler supervisor" pursuant to the provisions of this chapter or a professional engineer licensed by the State of Washington who has a "boiler supervisor certificate" issued under this title.

"Hot water supply boiler" means a boiler having volume exceeding one hundred twenty gallons, or a heat input exceeding two hundred thousand BTU per hour or an operating temperature exceeding two hundred degrees Fahrenheit, that provides hot water to be used externally to itself.

"Low pressure hot water heating boiler" means a boiler in which water is heated for the purpose of supplying heat at pressures not exceeding one hundred sixty pounds per square inch and temperature not exceeding two hundred fifty degrees Fahrenheit.

"Low pressure steam heating boiler" means a boiler operated at pressures not exceeding fifteen pounds per square inch for steam.

"Out of service" means an automatic boiler shall be "out of service" if it is manually shut down for inspection, maintenance, or repair, except for limited repairs and adjustments as set forth in Section 10.36.130.

"Power hot water boiler (high temperature water boiler)" means a boiler used for heating water or liquid to a pressure exceeding one hundred sixty pounds per square inch or to a temperature exceeding two hundred fifty degrees Fahrenheit.

"Power steam boiler" means a boiler in which steam or other vapor is generated at pressures exceeding fifteen pounds per square inch. For purpose of his title the term shall not include a small power boiler.

"Small power boiler" means a boiler with pressures exceeding fifteen pounds per square inch but not exceeding one hundred pounds per square inch and having less than three hundred fifty thousand BTU per hour heat output.

"Steam engine" means all prime movers using vapors from a boiler for motive power, steam driven compressors, and steam pumps except steam pumps and similar auxiliaries used only as appurtenances for the operation of a boiler.

"Water heater" means a closed vessel used for heating water by direct application of heat from combustible fuels or electricity with a nominal water-containing capacity of one hundred twenty gallons or less having a heat input not exceeding two hundred thousand BTU per hour and an operating temperature not exceeding two hundred degrees Fahrenheit. (Ord. 94595 § 2 (part); March 3, 1966: prior Ord. 48022 § 130; December 1, 1924.)

10.36.020 License required—Fees. It shall be unlawful to have charge of, or operate, or permit anyone to have charge of, or operate, any boiler or steam engine without a license or certificate to do so issued by the City Comptroller under this title. The annual fee for license or certificate shall be six dollars. All licenses and certificates shall expire at midnight on the thirtieth day of September of each year, shall not be transferred or assigned and may be renewed only during the month of September. All renewals shall specify the same grade and be subject to such conditions or limitations as may be provided under the license to be renewed. (Ord. 94595 § 2 (part) ; March 3, 1966: prior Ord. 48022 § 131 as amended by Ord. 90282; June 5, 1961.)

10.36.030 Exemptions from license requirements. A steam engineer's or boiler fireman's license shall not be required of any person in charge of, or operating, the following:

- (a) Any boiler or steam engine subject to federal regulations.
 - (b) Heating boilers in group H occupancies of less than six units, group I occupancies and group J occupancies as defined in Sections 3.13.010, 3.14.010 and 3.15.010 respectively of the Building Code.
 - (c) Low pressure hot water, low pressure steam and hot water supply boiler plants having inputs less than two million five hundred thousand BTU per hour.
 - (d) Any boiler having input less than one hundred thousand BTU per hour.
 - (e) Water heaters.
- (Ord. 94595 § 2 (part) ; March 3, 1966: prior Ord. 48022 § 132; December 1, 1924.)

10.36.040 Grades of licenses. The grades of steam engineers' and boiler firemen's licenses shall be as follows:

Grade One	(I)	Steam engineer
Grade Two	(II)	Steam engineer
Grade Three	(III)	Steam engineer
Grade Four	(IV)	Boiler fireman
Grade Five	(V)	Boiler fireman
Grade Small Power		Boiler fireman

The scope* of each grade of license as related to the type of equipment and capacity shall be as set forth in the following table:

TABLE 133-A—MAXIMUM CAPACITY ALLOWABLE FOR GRADES OF LICENSES

Type of Equipment	GRADE I(a)		GRADE II(a)		GRADE III(a)		GRADE IV(b)		GRADE V(c)	
	Steam Engineer	Steam Engineer	Steam Engineer	Steam Engineer	Boiler Fireman	Boiler Fireman	Boiler Fireman	Boiler Fireman	Power Boiler Fireman	Small Power Boiler Fireman
Steam Engine (Brake Horse-power)	Unlimited	1,500	250	0	0	0	0	0	0	0
Boiler (e)	Unlimited	300,000,000	50,000,000	20,000,000	5,000,000	(f)				
(BTU/hr Input Total)	Unlimited	300,000,000	50,000,000	20,000,000	5,000,000	(b)	(b)	(d)	Less than 350,000 BTU hr output	
Small Power Boiler	Unlimited	(g)	(g)	(b)	(d)					

(a) A boiler supervisor endorsement on a steam engineer license shall permit the licensee to supervise automatic boilers up to the combined capacity of each individual boiler plant permitted by his steam engineer license. A boiler supervisor certificate shall permit the holder to supervise but not operate automatic boilers without any limitation as to boiler equipment or capacity thereof.

(b) Grade IV boiler fireman may operate a battery of not more than two boilers with a combined capacity not greater than twenty million BTU per hour total input; except, that when he is the head fireman on duty and under the direct supervision of a licensed steam engineer hereunder, he may operate boilers with greater capacity but not to exceed the capacity permitted by the license of such supervising engineer.

(c) Grade V boiler fireman may not operate high pressure steam boilers except that he may operate electric-powered steam generators limited to one hundred pounds per square inch and not exceeding two hundred kilowatts input.

(d) Grade V boiler fireman license shall bear endorsement "small power boiler" as certified by Civil Service Commission examination.

(e) For license determination purposes, BTU per hour input ratings of a boiler shall be computed equal to burner input. (f) Grade V boiler fireman may fire a single boiler with a capacity not greater than that stated on his license.

(g) Grades II and III steam engineer may operate any number of small power boilers provided that the combined capacity of all boilers operated does not exceed the allowable limits as stated on his license.

* The above licenses may be subject to certain special limitations and conditions as imposed by the Civil Service Commission under the provisions of Section 10.36.080. (Ord. 94595 § 2 (part); March 3, 1966; prior Ord. 48022 § 133 as amended by Ord. 81480; November 20, 1952).

10.36.050 Issuance of licenses. Persons desiring a license or certificate described in Section 10.36.040 shall make written application to the Civil Service Commission on forms provided by the commission. Such application shall include the applicant's full name and address, and if the applicant is an employee, the name of his employer. Applications shall be accompanied by a receipt showing payment to the City Treasurer of the required examination fee as provided under Section 10.36.070.

(a) Applicants for a steam engineer's license, Grade I, II or III shall show by competent evidence one of the following:

1. That he has been employed at least three years in a position directly responsible for the care and operation of boilers or steam engines, or in the design or supervision of boilers, boiler systems, boiler firing and automatic control and safety systems, or in the direct supervision of a licensed steam engineer, grade I, II or III; or

2. That he has at least three years of practical experience as a machinist apprentice in a steam engine works together with one year of employment in the direct care and operation of boilers and steam engines; or

3. That he has graduated from a recognized school of technology and has had at least one year of employment in the direct care and operation of boilers and steam engines.

Completion of a boiler fireman's course approved by the Civil Service Commission shall be the equivalent of one year of practical experience under items 1 or 2 above, however, each applicant will be entitled to only one such credit.

(b) Any licensed Grade I, II or III steam engineer may apply for a boiler supervisor endorsement on his steam engineer license. A professional engineer licensed in the State of Washington pursuant to RCW Chapter 18.43 may apply for a boiler supervisor certificate. Such applicant shall show by competent evidence that he has been employed at least three years in a position directly responsible for the care or operation of boilers or steam engines, or in the design or supervision of boilers, boiler systems, boiler firing and automatic control and safety systems, or in the direct supervision of a licensed Grade I, II or III steam engineer.

(c) Applicants for a Grade IV boiler fireman license shall show by competent evidence one of the following:

1. One year of practical experience in the care and operation of a boiler, or

2. Completion of an in-service training course in the fundamentals of boiler operation as approved by the Civil Service Commission which shall include at least forty hours of classroom work together with eighty hours of work relating to the care and operation of boilers under the direct supervision of a steam engineer with a license of Grade I, II or III, without limitations.

STEAM ENGINEERS, FIREMEN 10.36.060—10.36.080

(d) All persons applying for a license or certificate under Section 133 hereof shall be examined by the Civil Service Commission according to the provisions of Section 10.36.080. Upon certification by the commission that the applicant has passed the applicable examination and is otherwise qualified under this title, including payment by the applicant of the annual license fee, the City Comptroller shall issue the license, certificate, or in the case of applications for a boiler supervisor endorsement, endorse the words "boiler supervisor" on the applicant's steam engineer license. (Ord. 94595 § 2 (part); March 3, 1966: prior Ord. 48022 § 134 as amended by Ord. 78145; July 20, 1949).

10.36.060 Special license. Any person having been employed at least two years as a licensed steam engineer or boiler fireman operating any boiler plant the capacity of which is enlarged or changed beyond the limits of his license may apply with the Civil Service Commission for a special license with the limits extended to apply only to such plant. The commission shall upon receipt of such application make an investigation of the changed boiler plant conditions together with such examination of the applicant as may be necessary to determine whether the applicant is qualified under the provisions of this title to operate such enlarged or changed boiler plant. When such investigation and examination reveal that the applicant is qualified to operate such plant in its changed condition the commission shall certify its approval of the application to the City Comptroller who shall issue such special license. (Ord. 94595 § 2 (part); March 3, 1966: prior Ord. 48022 § 135 as amended by Ord. 78145; July 20, 1949).

10.36.070 Examination fees for licenses. The examination fees for a license or certificate described in Section 10.36.040 shall be as follows:

Grades One (I) and Two (II)	\$12.00
Grade Three (III)	8.00
Boiler Supervisor Endorsement on Grades	
One (I), Two (II), or Three (III)	8.00
Boiler Supervisor Certificate	8.00
Grade Four (IV)	5.00
Grade Five (V)	4.00
Grade Small Power Boiler Fireman	4.00

(Ord. 94595 § 2 (part); March 3, 1966: prior Ord. 48022 § 136 as amended by Ord. 90282; June 5, 1961).

10.36.080 Civil service commission. In connection with the regulation and licensing of steam engineers and boiler firemen the Civil Service Commission is hereby authorized to perform the following:

(a) Provide qualifying examinations for persons applying for steam engineer or boiler fireman licenses under this chapter. Such examinations shall be practical in their character and shall relate to those matters

which will fairly test the capacity, skill, experience, and habits of sobriety of each person examined to safely operate and properly care for a boiler and/or steam engine, within the scope of the license sought.

(b) Provide qualifying examinations for persons applying for a boiler supervisor endorsement or a boiler supervisor certificate as described under Section 10.36.040. Such examination shall be practical in character and shall relate to those matters which will fairly test the applicant's capacity, skill, experience, and habits of sobriety to safely use, operate, maintain and inspect boilers and automatic boilers under applicable city and state regulations.

(c) Certify to the City Comptroller approval or disapproval of license applications hereunder giving the applicant's name, residence, place of employment, result of examination taken, and the grade of license which he is entitled to receive; provided, that when certifying approval of any license hereunder the commission may impose stated conditions or limitations to such license restricting the licensee to the operation and maintenance of particular equipment at a stated location, or to the operation and maintenance of a certain class of boilers or steam engines, or to specified permitted services in connection with the operation and maintenance of boilers and steam engines. Such restrictions shall be based upon the applicant's qualifications hereunder and be reasonably related to the protection of the public in the safe operation and maintenance of boilers and steam engines.

(d) Recommend the suspension or revocation of the license of any steam engineer or boiler fireman found guilty of violation of the provisions of this chapter, guilty of serious negligence in connection with the operation or maintenance of boilers or steam engines, or found otherwise unfit for the performance of his duties.

The Civil Service Commission may require affidavits regarding an applicant's character, training, experience and record, and such other supporting credentials as may be necessary to determine his fitness.

The Civil Service Commission shall refuse to certify the applicant for a steam engineer's or boiler fireman's license if the result of the examination is such that in the opinion of the Civil Service Commission, he has not sufficient knowledge of, and experience in, the care or operation of boilers or steam engines, or if the applicant is found to be mentally or otherwise unfit to safely operate boilers or steam engines. The action of the Civil Service Commission shall be final.

It shall be sufficient cause to refuse an original steam engineer's or boiler fireman's license, or any renewal thereof, if the applicant has ever been convicted of an offense involving moral turpitude, or if the applicant, through neglect or incompetency while in charge of a boiler or steam engine, has caused serious damage to property or has endangered the

lives of others. (Ord. 94595 § 2 (part); March 3, 1966: prior Ord. 48022 § 137 as amended by Ord. 90282; June 5, 1961).

10.36.090 Licenses to be posted or carried. Every licensed steam engineer or boiler fireman on duty shall display his license in a conspicuous place in the room wherein the boiler or steam engine is located, and such shall be effective only for the operation of the plant where it is displayed. If the licensee is in charge of, or is operating, a portable boiler or steam engine, and the posting of his license is not practicable, such license shall be carried on his person, and on demand he shall exhibit same. A boiler supervisor shall display a legible copy of his license or certificate in the boiler room of each boiler that he supervises. (Ord. 94595 § 2 (part); March 3, 1966: prior Ord. 48022 § 138 as amended by Ord. 78145; July 20, 1949).

10.36.100 Notice of place of employment. Every licensed steam engineer or boiler fireman shall keep the Boiler Operations Inspector for the City of Seattle informed of any change of place of employment. Notice shall be given within twenty-four hours after leaving and/or accepting a position. Such notice shall be in writing, addressed to the Boiler Operations Inspector, Fifth Floor, Seattle Municipal Building, Seattle, Washington, giving the licensee's name, number and grade of license and the name and address of the plant of last employment and of new employment. (Ord. 94595 § 2 (part); March 3, 1966: prior Ord. 48022 § 139; December 1, 1924).

10.36.110 Reporting of defective boilers. Every licensed steam engineer or boiler fireman before operating any boiler shall first examine the boiler permit issued for such boiler or boilers to see that the permit is in force, and if the permit has expired he shall notify his employer. If the permit has been expired for more than ninety days, he shall notify his employer and then the City Boiler Inspector of the date of expiration. He shall note the pressure allowed by the permit and shall test the operation of the boiler and its control and safety devices for proper operation.

Whenever the steam engineer or boiler fireman believes any part of a boiler or steam engine to be in defective or potentially unsafe conditions to the City Boiler Inspector.

The City Boiler Inspector shall thereupon investigate the same, and report any lack of proper care on the part of any licensed person to the employer and the Civil Service Commission. The Civil Service Commission shall record the facts on the records of the licensee.

The steam engineer or boiler fireman in charge of any boiler or steam engine shall report to his employer and to the City Boiler Inspector any damage or injury to any such boiler or steam engine under his charge or care which affects the safe operation of such boiler or steam engine. Failure to make such reports to his employer and the City Boiler Inspector

shall be sufficient cause for the suspension or revocation of the license of the person in charge.

It shall be the duty of every licensed steam engineer and boiler fireman to report serious negligence in the care of boilers and steam engines to his employer and the Boiler Operations Inspector. (Ord. 94595 § 2 (part); March 3, 1966; prior Ord. 48022 § 140 as amended by Ord. 78145; July 20, 1949).

10.36.120 Duties of steam engineers and boiler firemen—General. A licensed steam engineer and boiler fireman shall perform the following duties in connection with his operation and maintenance of boilers and steam engines:

(a) Test the operation of the boiler and its control and safety devices periodically on a routine basis in accordance with nationally recognized standards and/or boiler and control manufacturer's written recommendations.

(b) Maintain and operate the equipment in a safe manner and according to nationally recognized standards such as those recommended by the American Society of Mechanical Engineers for boilers and as adopted by the City Steam License Advisory Board. Such standards shall be posted in the office of the Civil Service Commission and filed with the City Comptroller.

(c) Prepare and maintain a Boiler Log Book and record, at least daily, such pertinent boiler readings and data as may be required by the Boiler Operations Inspector and/or the senior license holder or other authorized person in charge of the boiler operation. (Ord. 94595 § 2 (part); March 3, 1966; prior Ord. 48022 § 141 as amended by Ord. 78145; July 20, 1949).

10.36.130 Duties of boiler supervisor. A boiler supervisor shall perform the following duties in connection with his supervision of automatic boilers:

(a) Prepare a boiler log book with his name and the telephone numbers and addresses of his home and business on the front cover. The boiler log book shall be kept on the premises and be available for inspection by the City Boiler Operations Inspector.

(b) Determine the proper light off, operating, and shut down procedure and clearly set forth such procedures in the inside front cover of the boiler log book. Determine proper firing rate and the set point or operating limits of all safety devices required on automatic boilers by the Building Code and clearly mark such set point or limits in the inside back cover of the boiler log book.

(c) Determine the list of pertinent boiler data entries to be recorded in the boiler log book by the boiler owner or his designated representative and list such entries on the inside back cover. This list shall include such

items as any unusual conditions observed, including safety shut downs, repairs required, adjustments required and/or made. All entries shall be made in the boiler log book and shall include the signature of the person making such readings, observations, or adjustments. It shall be lawful to cross out words or sentences which should be changed or corrected but erasures shall be prohibited. The boiler supervisor's written instructions shall include the above signature requirement and the prohibition of erasures.

(d) Mark certain gauges on the face thereof (not on the glass cover) with a conspicuous red area to indicate a potentially unsafe condition of the particular medium whose temperature, pressure, or vacuum is being measured. These gauges shall be, as applicable, the boiler pressure gauge, oil temperature gauge, fuel oil suction line gauge, high and low gas pressure gauges, stack temperature gauge, and the windbox pressure gauge. In addition, the water gauge glass, if applicable, shall be in red lined to indicate high and low safe water levels. He shall require that such gauges be observed by the boiler owner or his designated representative as often as safety requires but not less frequently than twice each day and such readings recorded in the boiler log book in accordance with (c) of this section. His operating instructions shall specify that gauge observations in unsafe areas shall require immediate shut down of the boiler and notification of the boiler supervisor as well as recording in the boiler log book.

(e) Require the boiler owner or his designated representatives, whose minimum age shall be eighteen years, to be properly instructed in making the required observations and entries and to carry out the boiler supervisor's written instructions applicable to such attendant functions. The names of such owner or owner representatives who have satisfactorily demonstrated to the boiler supervisor their knowledge and competency to perform the functions as required shall be listed in the boiler log book.

(f) Examine each boiler and boiler log book in accord with the frequency of examinations required by Section 10.36.140. His examination shall include the testing of all control devices required for automatic boiler by the Building Code and the testing of monitoring systems when used. He shall, in addition, inspect and test all other controls on the boiler and shall flush the low water cut-offs, if applicable, to assure that all control devices are in safe and proper operation. He shall permit continued automatic boiler operation only if his examination, inspection and testing indicate that the boiler is in a safe operating condition. No modification, revisions, or alterations to the boiler or its control devices shall be made except under his supervision. Adjustments by others without his supervision shall be limited to: (i) restoring control devices to original factory operating conditions at the set point or within the operating limits determined by the boiler supervisor as set forth in the boiler log book or (ii) repair and/or adjustment of the burner system for viscosity changes or to correct fuel-air ratios to restore proper operation at the firing rate indicated in the boiler log book by the boiler supervisor, or (iii) repair or adjustment of any other system not

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directly related to the primary safety controls or to the pressure vessel to restore such systems to proper operation condition. Entries of such repairs or adjustments shall be made in the boiler log book and shall include the signature of those making such repairs or adjustments.

(g) Attend any start up of an automatic boiler out of service for more than twenty-four hours or after corrective work other than limited adjustments or repairs by others as set forth in item (f) of this section has been performed on the boiler, its firing equipment, or its control and safety devices, and remain in constant attendance until: (i) the boiler has reached its preset operating range of pressure, and (ii) the primary controls and safety devices have been proved, and (iii) the boiler is acceptable to him for continued operation.

Provided, the boiler supervisor shall not be required to be in attendance during light off of original boiler equipment being installed by and under the control of the boiler manufacturer or his representatives, by a boiler installation contractor making such installation under manufacturer's written instructions and recommendations, or by a boiler or burner installer making such installations under manufacturer's written instructions and recommendations, nor shall he be required to be in attendance during light off following adjustment or authorized boiler or burner manufacturer alterations made by the above representative, contractor or installer within the guarantee or warranty time period during which time the representative, contractor or installer is obligated to render such service provided, however, that such representative or installer shall furnish the boiler supervisor with recommended set points or operating limits of all control devices and recommended firing rates as well as other pertinent data in writing and shall record all subsequent changes, adjustments, alterations or recommendations in the boiler log book together with his signature. (Ord. 48022 § 141.5 added by Ord. 94595; March 3, 1966).

10.36.140 Attendance requirements. NONAUTOMATIC BOILERS AND STEAM ENGINES. No engineer or boiler fireman in charge of a boiler, boiler plant, or steam engine, for the operation of which this title requires a license of grade I, II, III or IV, shall leave the immediate vicinity thereof for more than twenty minutes when such boiler, boiler plant, or steam engine is being operated. No steam engineer or boiler fireman, licensed hereunder, in charge of any boiler or steam engine shall leave the premises of his employment when such boiler or steam engine is being operated without first stopping the steam engine and shutting off all sources of heat in the boiler, or being relieved by a person duly licensed hereunder. Provided that such attendance requirements shall not apply to the operation of small power boilers and power steam boilers having less than one million BTU per hour input where such boilers are equipped with approved automatic burners and automatic burner safety controls in accordance with applicable provisions of the Building Code, as amended, relating to oil burn-

er installations (Chapter 53) and to gas piping and appliances (Chapter 54). For such boilers so equipped, the attendance requirements shall be the same as that set forth for power boilers in following subsection (b).

(b) Automatic boilers. The following provisions relating to the frequency of observation and/or inspection of boilers shall apply to the operation of automatic boilers:

(1) Low pressure hot water heating boilers, low pressure steam heating boilers, hot water supply boilers with a capacity of two million five hundred thousand to five million BTU per hour input: monthly check by boiler supervisor.*

(2) Low pressure hot water heating boilers, low pressure steam heating boilers, hot water supply boilers with a capacity over five million BTU per hour input: twice daily check by licensed operator and quarterly check by boiler supervisor,* or twice daily observation by owner or owner's representative,* and weekly check by boiler supervisor.

(3) Power hot water boilers and power steam boilers with a capacity over one hundred thousand BTU per hour input: check by licensed operator* at two hour intervals.

(4) Small power boilers: twice daily check by licensed operator and monthly check by the boiler supervisor.

Provided, that the following attendance requirements shall apply to the operation of automatic boilers equipped with an approved monitoring system*: twice daily observation by owner or owner's representative and monthly check by the boiler supervisor.

*Phrases as used in this section shall have the following meanings:

"Check by boiler supervisor" means inspection of all controls and safety devices pursuant to the requirements of Section 10.36.130(f).

"Observation by owner or owner's representative" means observation by the owner, his agent, or his employee, of gauges and safety devices and the logging of readings, and other functions pursuant to the requirements of Section 10.36.130, items (c) and (d).

"Check by licensed operator" means supervision of boiler with responsibility for proper operation and maintenance pursuant to the requirements of Sections 10.36.110 and 10.36.120.

"Approved monitoring system" means a monitoring system manufactured, installed, and maintained in a manner approved by the superintendent of buildings. (Ord. 48022 § 142 as amended by Ord. 86649, Ord. 94595, Ord. 95820 and Ord. 97241 § 1; November 21, 1968).

10.36.160 Steam license advisory board. There shall be a "steam license advisory board" consisting of nine members appointed for four year terms by the civil service commission, except that upon making the first appointments the length of terms of the members shall be staggered so that no more than three board members' terms of service expire in the same year.

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The steam license advisory board shall consist of nine members, with each of the following groups of persons to be represented by three from each group: persons who are, or have been, licensed as a steam engineer or boiler fireman; persons owning boilers or managing boilers for owners; and persons from the general public.

The steam license advisory board shall advise and assist the civil service commission in the administration of the steam engineer's and boiler fireman's license examination program, and the civil service commission is hereby authorized to define the duties of and prescribe the procedure for such board. The steam license advisory board may recommend to the civil service commission such revisions to the steam engineer's and boiler fireman's license ordinance as it may deem appropriate. (Ord. 48022 § 143 as amended by Ord. 78145 and Ord. 94595; March 3, 1966).

10.36.170 Enforcement—Filing of charges. The superintendent of buildings shall assist the city comptroller in the enforcement of this chapter and in such connection they are hereby authorized to jointly promulgate rules and regulations as may be deemed necessary to provide the means for ensuring safe and proper installation, repair, use and operation of boilers and steam engines.

All charges against any person licensed under the provisions of this title shall be filed in writing with the civil service commission, who, after a thorough investigation, may recommend the suspension or revocation of the license of any person found guilty of any neglect of duty or of any act of incompetency. (Ord. 48022 § 144 as amended by Ord. 78145 and Ord. 94595; March 3, 1966).

10.36.180 Posting of chapter. A copy of this chapter or condensed version thereof shall be posted by the employer in every boiler and engine room where licensed operators or boiler supervisors are required. (Ord. 94595 § 2 (part); March 3, 1966: prior Ord. 48022 § 145 as amended by Ord. 78145; July 20, 1949).

10.36.190 License not required—Compliance. Any person operating a boiler for which no licensed operator was required under prior city ordinances shall fully comply with the licensing provisions of this chapter within one year after its effective date. (Ord. 94595 § 3; March 3, 1966).

10.36.200 Change in license limits. Any licensed steam engineer or boiler fireman whose license limits are changed by Ordinance 94595 codified in this chapter, so that the capacity of the plant where he is employed exceeds his license limits shall upon application be certified by the Civil Service Commission for a special license issued by the City Comptroller of the same grade with limits extended to apply only to the plant where he is so employed. (Ord. 94595 § 4; March 3, 1966).

Chapter 10.37

FUMIGATORS

Sections:

- 10.37.010 Definitions.
- 10.37.020 Exemptions.
- 10.37.030 Storing and use of fumigants, flammable liquids and poisons.
- 10.37.040 Storage rooms and lockers.
- 10.37.050 Master's license—Requirement, liability insurance.
- 10.37.060 Master's license, application and fee—Certificate of competency, examinations—Examining Board.
- 10.37.065 License fee.
- 10.37.070 Fumigators, exterminators and apprentices—Certificate required.
- 10.37.080 Revocation of license or certificate—Appeal.
- 10.37.090 Notification of fumigation—Records of extermination.
- 10.37.100 Safety precautions.
- 10.37.110 Fumigation of ships.
- 10.37.120 Safety regulations required before fumigation commenced.
- 10.37.130 Watchman.
- 10.37.140 Two fumigators to work together and wear masks.
- 10.37.150 Clearing and ventilation after fumigation.
- 10.37.160 First aid and medical kit.

- 10.36.170 Rules and regulations—Authority of Director.
- 10.37.180 Severability.
- 10.37.190 Penalty for violations.

10.37.010 Definitions. Unless the context otherwise requires—

“APPRENTICE” means a person who works directly under the supervision of a fumigator, or exterminator, as a sealer, watchman or helper.

“DIRECTOR” means the Director of Public Health of the City of Seattle, or his authorized representative.

“EXTERMINATION” or “EXTERMINATE” means the use of powders, sprays or baits for the destruction of rodents, vermin, fungi, insects or other pests.

“EXTERMINATOR” means a person who for hire engages in the actual work of applying powders, sprays or baits for the destruction of rodents, vermin, fungi, insects or other pests.

“FUMIGANT” means and includes any substance which by itself or in combination with any other substance emits or liberates a gas, fume or vapor for the destruction or control of insects, fungi, vermin, germs, rodents or other pests, and is distinguished from insecticides and disinfectants which are essentially effective in the solid or liquid phases.

“FUMIGATION” or “FUMIGATE” means the use of fumigants in buildings, vessels or enclosed spaces for the destruction or control of insects, fungi, vermin, germs, rodents or other pests.

“FUMIGATOR” means a person who engages in the actual work of liberating any fumigant in fumigating any building, vessel or enclosed space.

“MASTER EXTERMINATOR” means a person who for hire engages in the business of applying powders, sprays or baits for the destruction of rodents, vermin, fungi, insects or other pests.

"MASTER FUMIGATOR" means a person who for hire engages in the business of fumigating any building, vessel or enclosed space.

"PERSON" means and includes persons of either sex, firms, partnerships, corporations and other associations of natural persons. (Ord. 73223 § 1, as amended by Ord. 75771; February 19, 1947).

10.37.020 Exemptions. Fumigation of or extermination in greenhouses, mushroom houses, or horticultural or farm fumigation or extermination, or fumigation of or extermination in grain in bins or elevators or of flouring mills, shall not be subject to this chapter, if such fumigation or extermination is done by the owner or his regular and exclusive employee who holds the appropriate Fumigator's or Exterminator's Certificate issued hereunder; nor shall this chapter apply to fumigation or extermination under the direction and supervision of the United States Public Health Service or other federal or state authority. (Ord. 73223 § 2, as amended by Ord. 75771; February 19, 1947).

10.37.030 Storing and use of fumigants, flammable liquids and poisons. No one shall keep, store or use any fumigant, inflammable liquid, or poisonous solid or liquid, or powder, sprays, or baits used to exterminate without complying with this and all other ordinances of the City and all laws governing the keeping, storing or use of the same. (Ord. 73223 § 3, as amended by Ord. 75771; February 19, 1947).

10.37.040 Storage rooms and lockers. No one shall store any fumigant in any place other than a separate, well ventilated room, approved for the purpose by the Chief of the Fire Department and the Director. On all doors leading to any such room, there shall be posted conspicuous signs bearing the skull and cross bones, the words "DANGER! FUMIGANT STORAGE" in red letters not less than two inches (2") high on a white background. No one shall store any inflammable liquid, or poisonous solid or liquid used for extermination in any place other than a separate room approved for the purpose by the Chief of the Fire Department and the Director of Public Health. Provided that such substances for use only on the premises where stored may be kept in a separate locker approved by the Director and the Chief of the Fire Department. On all doors leading to any such room or locker there shall be posted conspicuous signs bearing the skull and cross bones, the words "DANGER! STORAGE OF INFLAMMABLES AND POISONS" in red letters not less than two inches (2") high on a white background. Any such room or locker shall at all times when not in charge of a competent person present thereat be securely locked against entry. (Ord. 73223 § 4, as amended by Ord. 75771; February 19, 1947).

10.37.050 Master's license—Requirements, liability insurance.* No one shall be or become a Master Fumigator without being the holder of a

* Expiration of license—See section 10.03.150.

"Master Fumigator's License"; or a Master Exterminator without being the holder of a "Master Exterminator's License"; and in each case furnishing to and keeping on file with the City Comptroller and in full force and effect a general public liability insurance policy in the minimum amount of Ten Thousand Dollars (\$10,000.00) for any one claim, and a minimum aggregate amount of not less than Fifty Thousand Dollars (\$50,000.00) for all claims arising during a policy term of one (1) year. Said policy shall be approved as to sufficiency by the City Comptroller and as to form by the Corporation Counsel, and shall insure the master fumigator or the master exterminator and, by endorsement or otherwise, the City of Seattle, against liability for, and conditioned to defend from and pay, any damage sustained by any person on account of the failure of the master fumigator or master exterminator or any fumigator, exterminator, apprentice, or other persons in his employ (to comply with all laws and the ordinances of The City of Seattle relating to fumigation or extermination and the storage and use of fumigants or substances used for extermination, and on account of the negligence of said master fumigator, master exterminator or any fumigator, exterminator, apprentice or other person in his employ. Any policy so filed shall be terminable only on at least thirty (30) days' written notice to the City Comptroller, and on termination thereof the Master Fumigator's or Master Exterminator's License with respect to which it was issued shall be suspended until a new policy be approved and filed. Each such policy shall contain, by indorsement or otherwise, the following recital: "This policy is issued pursuant to Section 5 of Ordinance No. 73223 (Code section 10.37.050) and is intended to comply with all the conditions and requirements thereof; any exception or limitation herein in conflict with any such condition or requirement is void." (Ord. 73223 § 5, as amended by Ord. 75771; February 19, 1947).

10.37.060 Master's license, application and fee—Certificate of competency, examinations—Examining Board. The fee for a Master Fumigator's License or for a Master Exterminator's License shall be as provided in Section 10.37.065. Application for either such license may be made by any person and shall be filed with the City Comptroller on forms furnished by him. It shall state the true name of the applicant and shall designate an individual to qualify as an artisan, which individual shall be not less than 21 years of age and which application shall be accompanied by references as to the ability of such artisan from three reputable sources. If the Comptroller finds the application to be proper in form and upon investigation the references to be authentic, he shall transmit the same to the Director of Public Health. The Director shall investigate the artisan's and applicant's reputation and record and transmit his written report thereon, with the application and all reports thereon, to the examining board hereinafter created. The examining board shall examine the artisan by written, oral and, when deemed necessary by the examining board, a demonstrative

examination as to fumigants, rodenticides and insecticides, and any other substance or mechanical devices other than fumigants, under whatever name known, for the destruction or control of insects, vermin, rodents, fungi, or other pests, and their uses, and antidotes; as to the hazards involved, precautionary and safety measures; the use of gas masks; the effects, residual and otherwise, upon foods and commodities; dosages and exposure periods; provisions for adequate ventilation and safe occupancy; first aid methods; the rules and regulations of the City of Seattle relating to the use of fumigants and insecticides, and such other subjects as to the examining board shall seem advisable. If from such examination and reports, the artisan is deemed competent as either a Master Exterminator or Master Fumigator, the examining board, upon presentation of a receipt from the City Treasurer showing payment of a fee as provided in Section 10.37.065, shall issue to said artisan a certificate of competency and remit the application, together with all reports thereon and said receipt, to the City Comptroller, who shall thereupon issue the license to the applicant therefor; Provided, that in the event an application is made for concurrent licenses as a Master Fumigator and Master Exterminator, and certificates of qualification have been granted in accordance with such applications, such licenses shall be issued upon payment of one license fee.

Licensees, other than individually certified artisans, shall notify the City Comptroller when they cease to employ or be associated with an artisan certified pursuant to this section, and the City Comptroller shall suspend such license until such time as a new certified artisan is employed by or associated with such licensee.

Any license issued under this chapter as originally enacted or as amended which has not been revoked for cause may be renewed without examination, upon approval by the director, payment of the required fee and deposit of the required insurance policy.

Nothing herein contained shall affect the validity of any Master Fumigator's license or any fumigator's or apprentice's certificate issued under this chapter prior to the effective date of this amended section.

There is hereby created an Examining Board for examination of applicants for licenses as Master Fumigator and Master Exterminator consisting of four (4) members, to wit:

- (a) A Representative of the Civil Service Department who shall be an ex-officio member of the Board.
- (b) The holder of a Master Fumigator's and a Master Exterminator's license who also hold a Fumigator's and an Exterminator's certificate.
- (c) A representative of the Department of Public Health.
- (d) A representative of the Fire Department.

The Mayor, within thirty days after the effective date of this amended section, shall appoint the members of such examining board, who shall receive no compensation for their services while acting in such capacity.

The Board shall elect a chairman and a secretary and if there is any application on file shall meet at least once every three months to give examinations for and to issue certificates of competency and may meet at such other times as the chairman may direct.

Any applicant, if dissatisfied with the decision of the board of examiners upon his application, may appeal within thirty days to the City Council, by filing notice of his appeal with the City Comptroller. The action of the City Council, upon such appeal, shall be final. (Ord. 73223 § 6, as amended by Ord. 85744; December 10, 1956).

10.37.065 License fee. On and after January 1, 1960 the fee for a Master Fumigator's license or for a Master Exterminator's license shall be Seventy-Five Dollars (\$75.00) per annum and Section 10.37.060 is hereby superseded to the extent inconsistent herewith; provided that such increase in license fees shall not apply to existing licenses until the expiration date thereof. (Ord. 48022 § 6-A, added by Ord. 88838; December 14, 1959).

10.37.070 Fumigators, exterminators and apprentices—Certificate required. No one shall act as fumigator, unless he is the holder of a Fumigator's Certificate; as an Exterminator, unless he is a holder of an Exterminator's Certificate; or as an Apprentice unless he is the holder of an Apprentice's Certificate, which shall be issued by the Director upon application accompanied by a fee of One Dollar (\$1.00), after a personal appearance and examination as to qualifications which shall satisfy the Director about the applicant's knowledge of the danger in the use and storage of the substance or substances for which application for certificate is made, and his knowledge of the laws and ordinances governing the use and storage of the same. No apprentice shall engage in any part of the work of fumigation except under the direct supervision of a fumigator or of the work of extermination except under the direct supervision of a fumigator or exterminator. No fumigator shall engage in the work of fumigation or any work in connection therewith except as an agent or employee of a Master Fumigator and no exterminator shall engage in the work of extermination or in any work in connection therewith except as an agent or employee of a Master Exterminator. Fumigators', exterminators' and apprentices' certificates shall expire one (1) year from the date of issue. They shall not be reissued except upon a new application and new examination by the Director as to qualifications: Provided, that in the discretion of the Director such certificates, after the first, may be issued to a person without examination as to qualifications.

Nothing herein contained shall prohibit the owner or occupant of any premises from using upon such premises any powder, sprays or bait for the

destruction of rodents, vermin, fungi, insects or other pests. (Ord. 73223 § 7, as amended by Ord. 75771; February 19, 1947).

10.37.080 Revocation of license or certificate—Appeal. A Master Fumigator's or Master Exterminator's License, or a Fumigator's, Exterminator's or Apprentice's certificate, shall be revoked, whenever the Director recommends such action, and finds that such action is necessary

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for the protection of the public health and safety or that the holder violated or failed to comply with the provisions of this chapter, but only after a hearing before the Director at which the holder is given an opportunity to be heard and has been notified thereof by a notice of the time and place of hearing mailed or delivered to the holder at least three (3) days before the date fixed for the hearing to the address of the holder as shown on the Comptroller's records. An appeal shall be allowed to the City Council from the revocation of a license or certificate by filing a written notice of appeal with the City Comptroller and ex-officio City Clerk within ten days after notice of revocation is given the license or certificate holder. The hearing on the appeal shall be de novo as to the qualification for, or revocation of, the license or certificate. The City Council may refer the appeal to a committee for hearing and recommendation. The action of the City Council shall be final. (Ord. 73223 § 8, as amended by Ord. 75771; February 19, 1947).

10.37.090 Notification of fumigation—Records of extermination. No person shall fumigate any building or enclosed space without giving at least twenty-four (24) hours written notice thereof to the Director, Chief of the Fire Department and Chief of Police, stating the location, character and use of such building or space, type of fumigant to be used and the time when fumigation is to be performed.

No one shall fumigate any vessel without giving at least four (4) hours written notice thereof to the Director, Chief of the Fire Department, and Chief of Police, stating the location of such vessel, type of fumigant to be used and the time when fumigation is to be performed.

Each master exterminator shall keep a record of each premise on which extermination work has been done under his direction which shall show the address of such premise and the date of application of exterminating substances used. Such records shall be open to examination by the Director or his authorized representative on request. (Ord. 73223 § 9, as amended by Ord. 75771; February 19, 1947).

10.37.100 Safety precautions. The Director shall prohibit any fumigation when, in his judgment such action is necessary to protect the public health and safety.

No person shall remain in any building, vessel or enclosed space during the period of fumigation thereof; Provided, that where the part to be fumigated is locked and warning signs posted as elsewhere herein provided, persons may remain in other parts when deemed by the Director to be safe. The master fumigator shall at least twenty-four hours prior to fumigation in writing notify every occupant of the premises to be fumigated and every person within any surrounding area in which human life may be endangered by the fumigation of the time of fumigation. The fumigator shall immediately prior to fumigation cause a careful examination

to be made of all parts of the place to be fumigated and of the surrounding area in which human life may be endangered by the fumigation to see that no person remain therein.

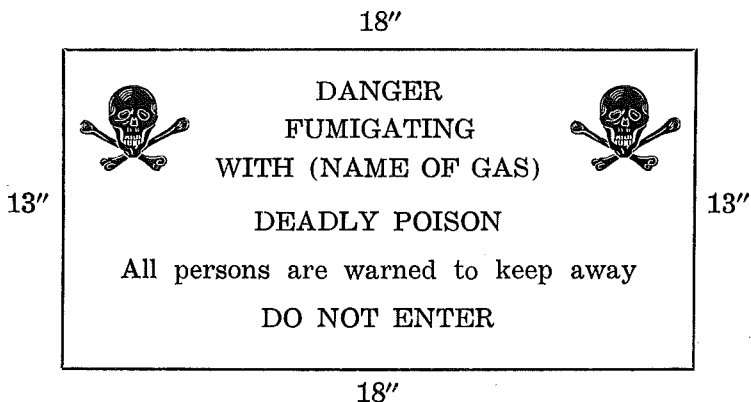
The Director may require the use of 5% chloropicrin or any warning gas in conjunction with the fumigant. (Ord. 73223 § 10; April 11, 1944).

10.37.110 Fumigation of ships. No ship shall be fumigated until the captain or other commanding officer shall have mustered the crew and caused the members thereof and all other persons therein or thereon to leave and remain away from such ship during the process of fumigation: Provided, however, where a part of a ship is not immediately adjoining or does not communicate with an occupied portion of the ship, and where after an investigation conducted by the Director and fumigator, it appears to the satisfaction of the Director and fumigator that such portion may be fumigated without danger to life or health, or without creating a fire hazard, the Director may, in his discretion, grant permission to the holder of a permit to perform fumigation without requiring all persons in other parts of such ship to leave the same, subject to such conditions and restrictions as the Director may impose. (Ord. 73223 § 11; April 11, 1944).

10.37.120 Safety regulations required before fumigation commenced. Before fumigation is commenced, the following regulations shall be complied with:

(a) **DANGER SIGNS.** Prior to fumigation suitable warning signs shall be posted on all doors, entrances, and exits to the premises to be fumigated, and upon all gangplanks and ladders from the dock, pier, or land to the ship as follows:

Such signs shall be 18" x 13" printed in red on white background with letters in headlines at least two inches in height in form and substance substantially as follows:



At night such signs shall be illuminated so as to make the reading matter thereon plainly legible.

(b) Where the Director permits the presence of persons in any portion of a building while another portion thereof is being fumigated, all doors and entrance ways to the portion to be fumigated shall be posted as above required.

(c) All moist food and liquids, except such as are sealed in air-tight containers or compartments, shall be removed from the place to be fumigated.

(d) It shall be the duty of the fumigator in charge of the work on the premises to be fumigated to make a personal inspection and examination of the premises. A thorough clean-up shall be made and all refuse, oily waste, and other needless combustible material shall be removed prior to the sealing of the premises. All cracks, crevices, openings and apertures in the walls, ceilings and floors shall be properly and securely sealed in such manner as to confine the fumigant exclusively to the building, ship or other similar enclosed space intended to be fumigated, and take all other practical precautions necessary to protect and safeguard persons that may be exposed.

(e) All fires, oil burners, flames, pilot lights, and similar sources of ignition shall be eliminated from the space under fumigation.

(f) If a fire occurs in the immediate vicinity, the Fire Chief may at his discretion cause the building under fumigation to be immediately ventilated by the fumigator. Ventilation shall take place at points furthest from the fire. (Ord. 73223 § 12; April 11, 1944).

10.37.130 Watchman. During the period of fumigation, except fumigation in a gas-tight vault or tank, a capable, alert watchman or watchmen shall remain on duty at the entrance or entrances to the building, ship or enclosed space being fumigated, who shall be supplied with an efficient gas mask of the type approved by the Director and who shall continue on duty until after the fumigation is completed, the premises properly ventilated, again safe for human occupancy, and released and approved for occupancy by the Director. Sufficient watchmen shall be provided to prevent any person without being observed from entering the building, ship or enclosed space under fumigation. (Ord. 73223 § 13; April 11, 1944).

10.37.140 Two fumigators to work together and wear masks. Two persons, together, shall do the fumigating and airing out. No person shall fumigate unless while so doing he wears a properly tested gas mask suitable for protection from the particular gas or fumes used. Only persons wearing such masks shall be allowed in the place to be fumigated during the placing of the chemicals, during fumigation and until the same is properly ventilated and declared safe for occupancy by the Director. (Ord. 73223 § 14; April 11, 1944).

10.37.150 Clearing and ventilation after fumigation. The fumigator shall, after fumigation, cause all pillows, mattresses, bedding, curtains, rugs, upholstered furniture, clothing and other similar articles to be thoroughly aired before the fumigated place is again occupied. These articles shall be thoroughly beaten and be allowed to remain in the open air or in a well ventilated space until Methyl Orange test papers indicate absence of cyanide gas. The Director may require such other tests to indicate presence of other dangerous gas as he shall deem advisable.

After fumigation of any place all doors and windows shall be opened and kept open until clearing and ventilation is completed. Mechanical ventilation by means of electric fans or blower or suction type shall be employed as and when required by the Director. Clearing and ventilation shall be conducted with due regard to the hazard to persons outside the building in the vicinity of ventilation openings. Whenever required by the Director the space fumigated after it has been once cleared and ventilated shall be heated to 75 degrees fahrenheit and again ventilated and cleared until no dangerous gases are indicated by tests required herein.

No fumigated building, space or vessel shall be released for occupancy nor shall the watchman be discharged or the danger or warning signs removed until the same has been inspected and approved for occupancy by the Director.

The fumigator shall dispose of all empty containers, pails, tubs, canvas or other devices used in fumigation as required by the Director. (Ord. 73223 § 15; April 11, 1944).

10.37.160 First aid and medical kit. The fumigator shall have as a part of his equipment a first aid kit and a medical aid kit consisting of:

1. One carton of Amyl-Nitrate pearls.
2. Two ampules of Sodium Nitrate, each containing 0.3 grams in 10 cc's of water (3%).
3. Two ampules of Sodium Thiosulphate, each containing 25 grams in 50 cc's of water (50%).
4. One quart of a 1% solution of Sodium Thiosulphate.
5. Two 10 cc sterile syringes. Two 50 cc sterile syringes. Two sterile intravenous needles. One tourniquet. (Ord. 73223 § 16; April 11, 1944).

10.37.170 Rules and regulations—Authority of Director. The Director is hereby authorized to prescribe and enforce such rules and regulations not inconsistent with the provisions of this chapter as he may from time to time deem necessary for the protection of life and public health from the keeping or use of fumigating or exterminating substances. Such rules and regulations shall have the same force and effect as the provisions of this chapter. The Director is further authorized to order the immediate cessation of any practice in connection with the use of any fumigating or

exterminating substance which he finds dangerous to the public health or safety. (Ord. 73233 § 17, as amended by Ord. 75771; February 19, 1947).

10.37.180 Severability. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the remainder of the chapter and the application of such provisions to other persons or circumstances shall not be affected thereby. (Ord. 73223 § 18; April 11, 1944).

10.37.190 Penalty for violations. Violation of or failure to comply with any of the provisions of this chapter or with any of the lawful rules and regulations of the director prescribed pursuant thereto shall be punished by a fine in any sum not exceeding three hundred dollars or by imprisonment in the city jail for a period not exceeding ninety days, or by both such fine and imprisonment. (Ord. 73233 § 19; April 11, 1944).

Chapter 10.38 FLOWER VENDORS

Sections:

10.38.010 License required — Fee — Holders of peddler's license excepted.

10.38.010 License required — Fee — Holders of peddler's license excepted.* It shall be unlawful for any person to sell, offer for sale, deal in, or distribute, at retail, either in a store, place, establishment, stand or definite location, either of a temporary or permanent nature, or by going from house to house, or place to place, any cut flowers or potted ornamental plants or flowers, without having a valid and subsisting license so to do, which license shall be known as the "flower vendor's license." The fee for each "flower vendor's license" shall be, and the same is hereby, fixed at seventy-five dollars per year; and where the sale, or offer for sale, is made in a store, place, establishment, stand or definite location, the fee shall be seventy-five dollars for each store, place, establishment, stand or location: Provided, no license shall be required from any person who sells, offers for sale, deals in, or distributes, at retail, only cut flowers or potted ornamental plants or flowers grown by such person on premises owned by him or upon which he has a valid lease, the term of which is not less than one year, other than greenhouse and/or hothouse flowers or plants: Provided, further, that any person who goes from house to house, or place to place, selling and making immediate delivery, or offering for sale and immediate delivery, any such flowers and/or plants, and who does not sell, or offer for sale, any such flowers and/or plants in any other manner, and who at the time of making such sale, or offer for sale, possesses a valid and subsisting peddler's license issued under the provisions of this title and particularly Sections 10.60.030 and 10.60.040 hereof, need not, in order to be pri-

*Expiration of license—See Section 10.03.010.

10.39.010—10.39.030 LICENSES

privileged to sell, or offer for sale, such flowers and/or plants in such manner, be the holder of a license required by this section. (Ord. 48022 § 145-A, as amended by Ord. 88789; December 8, 1959).

Chapter 10.39 MOBILE CATERERS

Sections:

- 10.39.010 Mobile caterer defined.
- 10.39.020 License required.
- 10.39.030 Possession of license.
- 10.39.040 Liability insurance.
- 10.39.050 Misrepresentation.
- 10.39.060 Obstruction of public ways.
- 10.39.070 Peddler's license required.

10.39.010 Mobile caterer defined. "Mobile caterer" means and includes anyone engaged in the business of transporting food, beverages and sundries to business and industrial establishments pursuant to prearranged schedules in trucks, vans or other motor vehicles and selling said items from the vehicles at retail at the establishments for the convenience of the employees thereof. (Ord. 48022 § 369 added by Ord. 96360; January 3, 1968).

10.39.020 License required. It is unlawful to operate or conduct the business of or carry on the activities of a mobile caterer without a valid and subsisting license so to do, which shall be known as a "mobile caterer's license". A separate license shall be required for each truck, van or other motor vehicle used to transport the food, beverages and sundries to the various places where such items are to be sold, and sales activity pursuant to such license shall be valid only when such vehicle is at a sales location at or adjacent to a business or industrial establishment which is part of a regular daily route followed by such vehicle, and precise descriptions of such locations and routes shall be furnished to the city comptroller upon application to him for such license. The fee for each such license is hereby fixed at twenty-five dollars per year which license shall expire on May 31st of each year. (Ord. 48022 § 370 added by Ord. 96360; January 3, 1968).

10.39.030 Possession of license. Every employee of a mobile caterer while transporting food, beverages and sundries to business and industrial establishments where the items are to be sold, and while selling the same, must have in his possession a "mobile caterer's license", but the same may be issued in the name of the employer who is conducting the business of a mobile caterer. Such employer must assume responsibility for the conduct of, and all acts by, his employees while acting within the scope of their em-

ployment and while carrying on the activities of a mobile caterer. Every such employee must exhibit the mobile caterer's license in his possession on demand to any police officer, license inspector or customer. (Ord. 48022 § 371 added by Ord. 96360; January 3, 1968).

10.39.040 Liability insurance. It is unlawful for anyone to use any motor vehicle to carry on the activities of a mobile caterer, or for the owner of any motor vehicle to permit such vehicle to be used for such purposes, unless the owner or mobile caterer who uses such vehicle maintains public liability and property damage insurance covering the use and operation of such vehicle while engaged in the activities of a mobile caterer, in the amounts hereinafter provided, and no mobile caterer's license shall be issued unless the owner of the motor vehicle or motor vehicles to be so used or the mobile caterer using such vehicles has filed with the city comptroller a policy or policies of public liability insurance or other satisfactory evidence of insurance providing coverage for personal injury to or death of any one person in the amount of at least fifteen thousand dollars, and subject to the aforesaid limit of any one person injured or killed, of at least thirty thousand dollars for personal injury to or death of two or more persons in any one accident, and for damage to property in the amount of at least five thousand dollars resulting from any one accident. Such policy or policies must contain an endorsement providing for ten days notice to the city comptroller in the event of any change or cancellation.

It is unlawful to operate or permit to be operated any motor vehicle in connection with the activities of a mobile caterer unless there shall accompany such vehicle a valid and subsisting certificate from the insurer setting forth the make, type and motor number or identification number of the vehicle and the name of the company providing the public liability insurance herein required and the insurance policy number or numbers.

The city comptroller shall provide one or more tags or plates for each motor vehicle to be used by any holder of a mobile caterer's license, which tag or plate shall evidence that all required insurance has been filed and all necessary mobile caterer's licenses obtained. The form, material and positioning of each tag or plate shall be as prescribed by the city comptroller. It is unlawful to operate or permit to be operated any such motor vehicle without having the tags or plates required by this section conspicuously posted thereon in the manner prescribed or to operate such vehicle with illegal or expired tags or plates.

Such tags or plates shall remain the property of the city of Seattle and shall be returned to the city comptroller immediately upon cancellation of the insurance or upon the closing of the business. (Ord. 48022 § 372 added by Ord. 96360; January 3, 1968).

10.39.050 Misrepresentation. It is unlawful for any person, while car-

10.39.060—10.40.030 LICENSES

rying on the activities of a mobile caterer to misrepresent the quantity, quality or origin of any article or thing sold or to be sold, or to sell prize packages, or to dispose of any article or thing in any form, by chance or lot. (Ord. 48022 § 373 added by Ord. 96360; January 3, 1968).

10.39.060 Obstruction of public ways. It is unlawful for any person, while carrying on the activities of a mobile caterer, to obstruct or cause to be obstructed, the passage of any sidewalk, street, avenue, alley or other public place, by causing people to congregate at or near the place where any article is being sold or offered for sale. (Ord. 48022 § 374 added by Ord. 96360; January 3, 1968).

10.39.070 Peddler's license required. Holders of mobile caterer's licenses shall comply with all state laws and city ordinances relating to, and obtain all necessary permits and licenses for, the preparation, storage, handling and sale of items sold or to be sold; Provided, that no mobile caterer who has obtained a mobile caterer's license under this title shall be required to obtain a peddler's license under this title in order to carry on the activities of a mobile caterer. (Ord. 48022 § 375 added by Ord. 96360; January 3, 1968).

Chapter 10.40 PUBLIC GARAGES

Sections:

- 10.40.010 Defined.
- 10.40.020 License required—Fee.
- 10.40.030 Maintenance and inspection.
- 10.40.040 Posting rates.

10.40.010 Defined. The term "public garage," as used in this chapter, shall be deemed to include any store room, building, shed, enclosure, yard or other place open to the public, where automobiles or other motor vehicles are stored or kept, and a charge is made for the storing and keeping of such automobiles or other motor vehicles. (Ord. 48022 § 146; December 1, 1924).

10.40.020 License required—Fee.* It shall be unlawful for any person to own, operate or maintain a public garage without having first obtained a license so to do, to be known as a "public garage license." The fee for a public garage license shall be, and the same is hereby, fixed, at the rate of five dollars per year for each one thousand square feet of floor or ground space contained in such public garage and used for storage purposes. (Ord. 48022 § 147, as amended by Ord. 83500; October 15, 1954).

10.40.030 Maintenance and inspection. It shall be the duty of any per-

*Expiration of license—See Section 10.03.040.

son operating and maintaining a public garage to keep such garage as free as practicable from fire hazard, and to comply with all the laws relating to buildings, health and sanitation.

It shall be unlawful for the owner of a public garage, his agent or employee to refuse admission to any public officer for the purpose of inspecting any and all cars stored therein, or to fail, neglect or refuse to fully cooperate with the police department of the city by notifying them of the presence of any car they believe to have been stolen, or of any indication that other crime has been committed, or is about to be committed, by persons bringing a car, or cars, into a public garage. (Ord. 48022 § 148; December 1, 1924).

10.40.040 Posting rates. It shall be unlawful to demand or collect any charge for parking or keeping of any motor vehicle in any public garage

unless there is maintained at or near the entrance of said garage a sign designating each rate to be charged for such parking or keeping and the hours applicable thereto and the name of the licensee and such sign shall be clearly legible from a distance of fifty feet and adequate to apprise anyone entering for the purpose of using such garage of such rates; and it shall be further unlawful to charge any rate other than as designated on such sign; provided, that the provisions of this section shall not apply to rates determined by weekly, monthly or longer periods of time or to rates determined by written contract. (Ord. 48022 § 148-A, added by Ord. 91059; April 11, 1962).

Chapter 10.42

GASOLINE STATIONS

Sections:

- 10.42.010 Defined.
- 10.42.020 License required—Fee.
- 10.42.030 Application for license.

10.42.010 Defined. The term “gasoline station” as used in this chapter shall mean and include every place where gasoline pumps (or other gasoline measuring devices) are maintained or used for any purpose. (Ord. 48022 § 149, as amended by Ord. 61092; May 14, 1931).

10.42.020 License required—Fee. It shall be unlawful for any person to operate any gasoline station without having a valid and subsisting license for such station, to be known as “gasoline station license.” The fee for a gasoline station license shall be and the same is hereby fixed at the sum of seven dollars and fifty cents per year for each pump (or other gasoline measuring device) used or maintained at such gasoline station. (Ord. 48022 § 150, as amended by Ord. 61092; May 14, 1931).

10.42.030 Application for license. Every person requiring a gasoline station license shall make application therefor to the City Comptroller on a form to be furnished by that officer. The application shall contain the name of the owner of the gasoline station, the location, the number of pumps (or other devices) in use, and such other information as the City Comptroller may deem necessary. The application shall be duly signed and sworn to.

Before a gasoline station license is issued, the City Comptroller shall satisfy himself that all of the provisions of the ordinance relating to construction, maintenance and location of gasoline stations, and the storage of gasoline, have been complied with. (See Title 8.) (Ord. 48022 § 151; December 1, 1924).

Chapter 10.44**HAWKERS****Sections:**

10.44.010 Hawk or hawking defined.

10.44.020 License required—Area—Exceptions.

10.44.010 Hawk or hawking defined. "Hawk" or "hawking" as used in Sections 10.44.010, 10.44.020 and 10.60.100 of this code shall mean the making of any public outcry, the giving of any musical or other entertainment, the ringing of any bell or the blowing of any whistle or horn, the making of any public speech, the use of any device that will magnify the human voice, or the use of any noise-making instrument whatsoever by means of a sound truck or otherwise, for the purpose of attracting attention to any goods, wares, merchandise, article or thing (except newspapers) being sold or offered for sale, or for the purpose of advertising any business, goods, wares, merchandise, amusement, event or service. A hawker is one who does the hawking. (Ord. 48022 § 152, added by Ord. 90727; November 20, 1961).

10.44.020 License required—Area—Exceptions. (a) It shall be unlawful to act as a hawker or do any hawking as defined in Section 10.44.010 without first having obtained a valid and subsisting license so to do designated as a "Hawker's License", the annual fee for which shall be fifty dollars and the expiration date of which shall be October 31st of each year. It shall be unlawful for any licensed hawker to hawk or do any hawking in any street, avenue, alley or other public place in the City of Seattle or on any private property therein so closely adjacent to any such street, avenue or alley that crowds may be collected and traffic obstructed thereon, except in a permanent structure in the following areas:

(1) Beginning at the waterfront on Elliott Bay in a direct line with West Prospect Street; thence easterly to West Olympic Place; thence easterly along West Olympic Place to 1st Avenue West; thence northerly along 1st Avenue West to West Aloha Street; thence easterly along West Aloha and Aloha Streets to Westlake Avenue North; thence southerly along Westlake Avenue North and Westlake Avenue to 8th Avenue; thence southerly along 8th Avenue to Yesler Way; thence westerly along Yesler Way to Elliott Bay on the waterfront; thence northerly along the waterfront to a point in direct line with West Prospect Street, the place of beginning.

(2) Both sides of Rainier Avenue, between Bayview Street and McClellan Street.

(3) Beginning at the junction of 15th Avenue N.E. and East 40th Street; thence west on East 40th Street to Brooklyn Avenue; thence

north on Brooklyn Avenue to East 50th Street; thence east on East 50th Street to 15th Avenue N.E.; thence south on 15th Avenue N.E. to East 40th Street, the place of beginning, including both sides of the streets and avenues mentioned.

(4) Within the areas bounded by the center line of South Stacy Street, 1st Avenue South, South Forrest Street and Colorado Avenue South.

(b) No Hawker's License shall be required of licensed auctioneers or of persons selling property under and by virtue of an order of court.

(c) No Hawker's License shall be required of any peddler licensed under Section 10.60.010 unless the sound level of any device used by him for attracting attention exceeds the permissible limits under Chapter 12.82. (Ord. 94568 § 1; February 23, 1966; prior Ord. 48022 § 153 added by Ord. 90727; November 20, 1961).

Chapter 10.45

HOTEL REGISTRATION

Sections:

- 10.45.010 Definitions.
- 10.45.020 Register to be kept—Inspection.
- 10.45.030 Penalty for violations.

10.45.010 Definitions. For the purpose of this chapter the word "Hotel" shall in addition to its ordinary and statutory meaning, mean and include any building or place maintained and conducted for the purpose of furnishing lodging, or lodging and food to permanent or transient guests; and the word "Guest" in addition to its ordinary meaning, means and includes anyone renting a lodging place, with or without a written contract or lease, either permanent or transient, in a "Hotel". (Ord. 91072 § 1; April 11, 1962).

10.45.020 Register to be kept—Inspection. Every one operating, managing or keeping a hotel as above defined shall require each guest at the time of his arrival to sign in ink his true name and provide his true address on a register kept for that purpose and shall keep such register as a permanent record and mark thereon the time and date of said guest's arrival and departure; provided that a husband may sign the register for his wife and family. Such record shall be kept available for inspection by any peace officer at any reasonable time, or in a police emergency at any time of day or night. No guest shall write or cause to be written in a hotel register any name other than his true name or the name by which he is generally known. (Ord. 91072 § 2; April 11, 1962).

10.45.030 Penalty for violations. Any one violating or failing to comply with the provisions of this chapter shall upon conviction thereof be punished by a fine of not over three hundred dollars or imprisonment in the city jail for not over ninety days, or by both such fine and imprisonment. (Ord. 91072 § 3; April 11, 1962).

Chapter 10.46 HOTEL RUNNERS

Sections:

- 10.46.010 Defined.
- 10.46.020 License required—Fee.
- 10.46.030 License to be carried on person—Name of hotel to be displayed.
- 10.46.040 Conduct of hotel runners.
- 10.46.050 License issued in name of hotel.

10.46.010 Defined. The term "hotel runner," as used in this chapter shall mean and include any person who engages in the business or occupation of soliciting patrons, guests or customers in any manner, for any hotel, inn, lodging house, boarding house, or for places of a similar char-

acter, whether such places be located within or without the limits of the City of Seattle. (Ord. 48022 § 154; December 1, 1924).

10.46.020 License required—Fee. It shall be unlawful for any hotel runner to solicit patrons, guests or customers for any hotel, inn, lodging house, boarding house, or for any place of similar character, at or near any railway depot, steamship landing, interurban railway station, stage or bus terminal, or at any other place, without having a license so to do, to be known as a "Hotel Runner's License." The fee for a Hotel Runner's License shall be, and the same is hereby, fixed in the sum of Ten (\$10.00) Dollars per quarter. (Ord. 48022 § 155; December 1, 1924).

10.46.030 License to be carried on person—Name of hotel to be displayed. Every person soliciting patrons, guests or customers for any hotel, inn, lodging house, boarding house, or for a place of similar character, must carry a Hotel Runner's License on his person, while acting as such hotel runner, and on demand of any member of the License Division, Police Department or prospective guest or customer, he must exhibit the same. He must also display on his hat, coat or other outer garment, a badge, ribbon or other device on which shall be written, embroidered, printed or stamped the name of the hotel, inn, lodging house, boarding house, or place of similar character, which he is representing. Such badge, ribbon or other device, must be displayed in such a manner that the name thereon can easily be read by any prospective guest or customer, when facing the hotel runner. (Ord. 48022 § 156; December 1, 1924).

10.46.040 Conduct of hotel runners. It shall be unlawful for any hotel runner, while acting as such, to use loud or boisterous language or to annoy in any way, prospective guests or customers, in inducing them to come to the hotel, inn, lodging house, boarding house, or other similar place he is representing, or to take hold of the hand baggage of any prospective customer or guest, unless requested to do so, or to use any other than an ordinary tone of voice while soliciting patrons, guests or customers. (Ord. 48022 § 157; December 1, 1924).

10.46.050 License issued in name of hotel. Hotel Runners' Licenses shall be issued in the name of the hotel, inn, lodging house, boarding house, or any other similar place, and it shall be unlawful for the owner or manager of any such hotel, inn, lodging house, boarding house, or any other and similar place, to employ or use persons in the business of soliciting patrons, guests or customers for his establishment unless each such person has with him a valid and subsisting Hotel Runner's License and wears a badge, ribbon or other device, on which the name of the hotel, inn, lodging house, boarding house, or any other similar place, is written, embroidered, printed or stamped. (Ord. 48022 § 158; December 1, 1924).

Chapter 10.47**SOLICITING CUSTOMERS OR PASSENGERS FOR HIRE****Sections:**

- 10.47.010 Locations where permitted.
- 10.47.020 Use of sidewalks—Distance from wharves and buildings.
- 10.47.030 Solicitor to stand in back of vehicle.
- 10.47.040 Unlawful for solicitor to stand or go upon gangway or roadway at wharf or railroad station when in use by passengers.
- 10.47.050 Calling out to, standing in front of or taking hold of baggage of passengers.
- 10.47.060 Unlawful to go upon wharf or into railroad station when passengers leaving or entering.
- 10.47.070 Penalty for violations.

10.47.010 Locations where permitted. It shall be unlawful for any hack, taxicab, automobile or omnibus driver, hotel runner, steamboat runner, expressman or solicitor while engaged in such occupation and soliciting customers or passengers for hire, to go upon, stand or be, or allow or permit his, or the vehicle or any vehicle under his control at such time, to stand upon or occupy any street, avenue, alley, viaduct, overhead bridge or other public place, except the following: that portion of King Street in the City of Seattle lying east of the east line of Second Avenue South and west of a line twenty (20) feet west of the west line of Third Avenue South as vacated by Ordinance No. 2849; that portion of Fourth Avenue South lying south of the south line of Jackson Street; that portion of Railroad Avenue lying west of the center line of said Railroad Avenue. (Ord. 33381 § 1; July 13, 1914).

10.47.020 Use of sidewalks—Distance from wharves and buildings. It shall be unlawful for any hack, taxicab, automobile or omnibus driver, hotel runner, steamboat runner, expressman or solicitor, while engaged in such occupation and soliciting customers or passengers for hire, to go further than three (3) feet upon the sidewalk on either the north or south side of that portion of King Street described in Section 10.47.010 of this chapter, or on either the east or west side of said Fourth Avenue South lying south of the south line of Jackson Street measuring from and being that part of the sidewalk next to and abutting upon the gutter. It shall be unlawful for any hack, automobile, taxicab or omnibus driver, hotel runner, steamboat runner, expressman or solicitor, while engaged in such occupation and soliciting customers or passengers for hire, to stand or be, or allow or permit his, or the vehicle or any vehicle under his control at such time on said Railroad Avenue west of the center line of said Railroad Avenue in front of any gangway or roadway leading into any wharf

or dock, or to allow or permit any vehicle under his control to stand less than sixteen feet from any wharf or building on the west side of Railroad Avenue. (Ord. 33381 § 2; July 13, 1914).

10.47.030 Solicitor to stand in back of vehicle. It is unlawful for any hack, taxicab, automobile, or omnibus driver, hotel runner, steamboat runner, expressman or solicitor, while engaged in such occupation and soliciting customers and passengers for hire, to stand at any place other than directly in the rear of, and within three feet of the vehicle or conveyance in use by him or under his control or for which he is soliciting customers and passengers for hire, and it shall be unlawful for any hack, taxicab, automobile or omnibus driver, hotel runner, steamboat runner, expressman or solicitor, while engaged in such occupation and soliciting customers and passengers for hire, to stand in the rear of any vehicle or conveyance not in use by him or under his control or unless he is soliciting customers and passengers for such vehicle or conveyance. (Ord. 33381 § 3; July 13, 1914).

10.47.040 Unlawful for solicitor to stand or go upon gangway or roadway at wharf or railroad station when in use by passengers. No hack, taxicab, automobile or omnibus driver, hotel runner, steamboat runner, expressman or solicitor, while acting as such, and soliciting customers or passengers for hire, shall stand or go into any gangway or roadway at any wharf or railroad station, when such gangway or roadway is being used by passengers coming from or going to such wharf or railroad station. (Ord. 33381 § 4; July 13, 1914).

10.47.050 Calling out to, standing in front of or taking hold of baggage of passengers. No hack, taxicab, automobile or omnibus driver, hotel runner, steamboat runner, expressman or solicitor soliciting customers or passengers for hire, either for himself or another, shall call out to passersby, nor shall any such hack, taxicab, automobile or omnibus driver, hotel runner, steamboat runner, expressman or solicitor purposely stand in front of, or among passengers, or take hold of the baggage of any such passenger without his or her first requesting him so to do, nor make derogatory remarks of rival houses, nor insulting remarks to passengers declining to go with him. (Ord. 33381 § 5; July 13, 1914).

10.47.060 Unlawful to go upon wharf or into railroad station when passengers leaving or entering. It is unlawful for any hack, taxicab, automobile or omnibus driver, hotel runner, steamboat runner, expressman or solicitor, while engaged in soliciting customers or passengers for hire, to go into or be upon any wharf or railroad station in the city of Seattle when such wharf or railroad station is being used by passengers leaving or entering such wharf or railroad station. (Ord. 33381 § 6; July 13, 1914).

10.47.070 Penalty for violations. Any person violating any of the provisions of this chapter is guilty of a misdemeanor and upon conviction shall

be fined in any sum not exceeding three hundred dollars or imprisoned in the city jail for a term not exceeding ninety days, or may be both fined and imprisoned. (Ord. 33381 § 7, as amended by Ord. 45820; October 3, 1923).

Chapter 10.48 JUNK DEALERS

Sections:

- 10.48.010 Junk shop, defined.
- 10.48.020 Junk shop license required—Fee.
- 10.48.030 Junk, defined.
- 10.48.040 Junkwagon, defined.
- 10.48.050 Vehicles to bear name and address of shop.
- 10.48.060 Junk wagon license required—Fee.
- 10.48.070 License plates.
- 10.48.080 Record of purchases to be kept.
- 10.48.090 Purchases from minors.
- 10.48.100 Purchases prohibited during certain hours.
- 10.48.110 Junk to be held for three days.
- 10.48.120 Police—Right of entry for inspection.

10.48.010 Junk shop, defined. Any store room, building, yard, enclosure or other place where junk is sold, bought, received or stored shall be deemed to be a junk shop within the meaning of this ordinance; provided, however, that such definition shall not apply where junk is: (1) Purchased from a source other than a junk wagon and is in prepared form by bailing, pressing, or otherwise; or in carload lots; or cut to specifications; (2) Purchased from a licensed junk shop; (3) Purchased directly from the industrial producer of scrap metals, by the consumer thereof. Further, this definition shall not apply to automobile wreckers where automobiles are purchased and certificate of title furnished, nor to any person, firm or corporation on account of the receipt, purchase or storage of glass or metal container for purposes of recycling the same. (Ord. 48022 § 159 as amended by Ord. 81819 and Ord. 100373 § 1; October 20, 1971).

10.48.020 Junk shop license required—Fee.* It is unlawful for any person to operate or maintain a junk shop without having a valid and subsisting license so to do, to be known as a "junk shop license." The fee for a junk shop license shall be fixed at two hundred dollars per year. Any person operating or maintaining a junk shop at more than one location shall procure a separate license for each and every junk shop so operated or maintained. (Ord. 48022 § 160 as amended by Ord. 88837; December 14, 1959).

10.48.030 Junk defined. The word "junk" as used in this chapter, includes and means old rope, old iron, brass, copper, tin, lead,

*Expiration of license—See Section 10.03.110.

rag, empty bottles, paper, bagging, scrap metals of all kinds, and other worn out or discarded material. (Ord. 48022 § 161; December 1, 1924).

10.48.040 Junk wagon, defined. Any vehicle, by whatsoever power propelled, used for the purpose of going from house to house, place to place, buying or offering to buy, or picking up or collecting junk and transporting such junk, wholly, or in part, within the City of Seattle, regardless of where the junk may have been bought or collected, other than a vehicle used by a regularly licensed Junk Shop in the disposition of its own junk, is declared to be a junk wagon, within the meaning of this chapter. (Ord. 48022 § 162, as amended by Ord. 88841; December 14, 1959).

10.48.050 Vehicles to bear name and address of shop. Any vehicle owned and operated by the person owning a junk shop and used in the disposition and transportation of its own junk, shall have the name and address of the junk shop painted conspicuously on both sides of the vehicle, in letters and figures not less than three (3) inches high, and a sufficient contrast in color so that the name and address may be read at a distance of at least fifty (50) feet. (Ord. 48022 § 163; December 1, 1924).

10.48.060 Junk wagon license required—Fee. It shall be unlawful to operate or drive a junk wagon without a Junk Wagon License, the fee for which shall be Twelve Dollars (\$12.00) per annum. All Junk Wagon Licenses shall expire at midnight on December 31 of each year. (Ord. 48022 § 164, as amended by Ord. 75087; June 19, 1946).

10.48.070 License plates. The City Comptroller shall furnish with each Junk Wagon License issued, one or more tags or plates to be known as Seattle Junk Wagon Plates. Each such plate shall bear the number of such license, the year for which the license is issued, and the words "JUNK WAGON, SEATTLE." The form, material and positioning on the vehicle of each such plate shall be as prescribed by the City Comptroller. It shall be unlawful for any owner, operator or driver of a Junk Wagon to operate such vehicle without having conspicuously displayed thereon, as prescribed by the City Comptroller, a Seattle Junk Wagon Plate furnished and authorized by the City Comptroller, or to operate such vehicle with expired or illegible Seattle Junk Wagon Plates thereon, or to fail to comply with any regulation of the City Comptroller relating to such plates.

In case more than one person uses the same junk wagon for the collection, disposal or transportation of junk, each such additional person shall first obtain a junk wagon license and display on such wagon the plates described and provided for in this section.

Seattle Junk Wagon Plates shall remain the property of the City of Seattle and it shall be unlawful for any person other than the licensee to whom the plates were issued, to possess or use any such plate. Plates,

possessed or used in violation of the provisions of this section, shall be taken up by any police officer or member of the Division of Licenses and Standards and returned to the City Comptroller. (Ord. 48022 § 165, as amended by Ord. 89634; September 28, 1960).

10.48.080 Record of purchases to be kept. Every keeper of a junk shop shall provide and keep a book in which shall be plainly written in ink, in the English language, at the time of every purchase, a description of the article purchased, the name and residence of the person from whom such purchase is made, and the day and hour of such purchase, and such books shall at all times be open to the inspection of any Police Officer or member of the License Division. (Ord. 48022 § 166; December 1, 1924).

10.48.090 Purchases from minors. It shall be unlawful for any person to purchase any junk from any minor under the age of eighteen (18) years, without receiving from such minor the written authority from the person owning such junk, authorizing him to sell the same, and such written authority shall be placed on file by the person receiving such junk. (Ord. 48022 § 167; December 1, 1924).

10.48.100 Purchases prohibited during certain hours. It shall be unlawful for the keeper of a junk shop, or person operating a junk wagon, to purchase any junk between the hours of seven (7) o'clock in the afternoon of any day and seven (7) o'clock in the forenoon of the following day. (Ord. 48022 § 168; December 1, 1924).

10.48.110 Junk to be held for three days. It shall be unlawful for any keeper of a junk shop to sell or expose for sale any junk, or melt up, change or alter the same in any manner within three (3) days from the time of purchasing or receiving the same, nor until the same has been in or upon the premises where the same is to be sold, exposed for sale, melted up or otherwise altered, for at least three (3) days; provided, however, that the Chief of Police, or some officer or officers detailed by him for that purpose, after examination of a specific quantity of junk may permit the same to be sold, removed, melted or otherwise disposed of, within a less period of time than that specified in this section. (Ord. 48022 § 169; December 1, 1924).

10.48.120 Police—Right of entry for inspection. It shall be unlawful for any keeper of a junk shop to refuse to allow any police officer to inspect his place of business and all articles of junk kept therein, or to conceal or hide away any article or thing bought or received by him. (Ord. 48022 § 170; December 1, 1924).

Chapter 10.50

MASSAGE AND BATHHOUSES

Sections:

- 10.50.010 Definitions.
- 10.50.020 Massage parlor, public bathhouses and reducing salon license.
- 10.50.030 Massage operator—Application for license—Certificate of competency.
- 10.50.035 Athletic massage operator's license.
- 10.50.040 Examining board.
- 10.50.050 Expiration of licenses.
- 10.50.060 Exemptions.
- 10.50.070 Mechanical massage—License required—Fee.
- 10.50.080 Unlawful to admit certain persons.

10.50.010 Definitions. (1) "Massage parlor" means any place, except a home where only residents therein are treated, where massages or other treatment of the body by rubbing, kneading or manipulation are given or furnished.

(2) "Massage operator" means any person, except those excluded by Section 10.50.060 and except an athletic massage operator giving an athletic massage, who gives massages or other treatments of the body by rubbing, kneading or manipulation.

(3) "Public bathhouse" means any place open to the public where Russian, Turkish, Swedish, hot air, vapor, electric cabinet or other baths of any kind are given or furnished; provided that such term shall not include ordinary tub baths where an attendant is not required.

(4) "Reducing salon" means any place which utilizes mechanical equipment as the exclusive means of treating the body as distinguished from treatment by rubbing, kneading, or manipulation by another person.

(5) "Athletic massage operator" means any person employed by a bona fide club or organization which has been in continuous existence and operation for a period of five years or more and which caters only to club or organization members, and who in the course of such employment gives athletic massages to such members.

(6) "Athletic massage" means a massage given for the purpose of maintaining general muscle tone and limited to rubbing and kneading the muscles of the arms, back and legs to promote relaxation of the muscles and to prevent muscle cramping and excluding any massage manipulation given for the purpose of therapeutic treatment or alteration of any physical condition. (Ord. 48022 § 171 as amended by Ord. 72529, Ord. 94625 and Ord. 96464; February 21, 1968).

10.50.020 Massage parlor, public bathhouses and reducing salon license.

10.50.030 LICENSES

It is unlawful to conduct, manage, operate or work in any massage parlor, public bathhouse, or reducing salon unless such establishment is licensed as herein provided.

(1) Original application for such licenses shall be made and original licenses issued in the manner provided in Sections 10.02.100, 10.02.115 and 10.02.120 of the license code. All applications for renewal shall be filed with the city comptroller on forms furnished by him for such purpose and he shall refer the same to the chief of police who shall within five days furnish a written report to the city comptroller containing the result of his investigation and any other matters which might aid the city comptroller in determining whether or not such application for renewal should be granted.

(2) The fee for a massage parlor license or for a reducing salon license is fixed in the sum of twenty-five dollars per year, and the fee for a public bathhouse license in the sum of five dollars per year.

(3) No such license shall be granted for any premises until inspection and report as to the sanitary condition thereof by the director of health to the city council. Licensed premises must be similarly inspected at least once a year when renewal of a license is requested, and must at all times be open to inspection as to sanitary and moral conditions by the police and health departments.

(4) It is unlawful for the owner, proprietor, manager or such person in charge of any massage parlor, public bathhouse or reducing salon to employ in such place any person who is not at least eighteen years of age and of good moral character.

(5) It is unlawful to advertise the giving of massages or public baths in an establishment or by an operator not licensed pursuant to this chapter.

(6) A record of all massage treatments showing the date given, the name and address of the recipient and the name and address of the operator shall be kept and be open to inspection by police officers and license and health department inspectors at all times. (Ord. 48022 § 172 as amended by Ord. 88789, Ord. 94625, Ord. 96464 and Ord. 101388 § 1; September 15, 1972).

10.50.030 Massage operator—Application for license—Certificate of competency. No person, except as provided in Section 10.56.060 and except for an athletic massage operator giving an athletic massage, shall give a massage or other treatment of the body by rubbing, kneading or manipulation, whether in a massage parlor or public bathhouse, or otherwise, without a license so to do, to be known as a massage operator's license, the fee for which is fixed at five dollars for the first year and at two dollars and fifty cents per year thereafter. All applications for renewal shall be filed with the city comptroller who shall refer same to the police department for a report as to character and to the health department as to physical condition. If from said reports the comptroller deems the applicant a fit and

proper person he shall issue the renewal license; otherwise he shall deny the application.

(1) Application for such license shall be made to the city comptroller on forms furnished by him for such purpose. It shall state the true name of the applicant, who shall be not less than eighteen years of age, and shall be accompanied by reference as to the moral character and ability of the applicant from four reputable persons.

(2) If the city comptroller finds the application to be in proper form and upon investigation the references to be authentic, he shall transmit the same to the chief of police.

(3) The chief of police shall investigate the applicant's reputation and record and transmit his written report thereon, the application and all reports thereon, to the director of health, who shall examine the applicant physically to ascertain if said applicant is free from contagious or infectious disease in a communicable stage, and otherwise physically fit to give massage treatments, and shall make a written report thereon.

(4) If the director of health finds that the applicant is physically competent to give massage treatments he shall transmit the application, accompanied by all reports thereon, to the examining board hereinafter created, which shall examine the applicant to ascertain his experience and competency to give massage treatments.

(5) Application for the license shall be accompanied by an examination fee of ten dollars which shall be placed in the city treasury whether the applicant passes the examination or not. The examining board shall examine the applicant by a written, oral and demonstrative examination on anatomy, physiology, hygiene, the theory and practice of massage, and the principles of first aid, and such other subjects as the director of health may deem advisable. If from such examination and the reports of the city comptroller, the chief of police and the director of health, the applicant in the judgment of the examining board is competent to be a massage operator, the board shall issue to the applicant a certificate of competency, and remit the application, together with all reports thereon, to the city comptroller who shall thereupon issue the required license. (Ord. 48022 § 173 as amended by Ord. 81479, Ord. 96464 and Ord. 101388 § 2; September 15, 1972).

10.50.035 Athletic massage operator's license. It is unlawful for any person to be employed or work as an athletic massage operator unless such person is licensed as provided in this section.

(1) The fees for an athletic massage operator's license are fixed in the sum of five dollars for an original license and in the sum of two dollars and fifty cents for each annual renewal thereof.

(2) Application for an athletic massage operator's license or for any renewal thereof shall be made to the city comptroller on forms furnished by him for such purpose. It shall state the true name of the applicant, who shall be not less than eighteen years of age, and as to an original applica-

tion shall be accompanied by references as to the moral character and ability of the applicant from four reputable citizens of the city of Seattle.

(3) If the city comptroller finds the application to be in proper form and upon investigation such references to be authentic, he shall transmit the same to the chief of police.

(4) The chief of police shall investigate the applicant's reputation and record and transmit such application, his written report, and all other reports thereon, to the director of health, who shall examine the applicant physically to ascertain if said applicant is free from contagious or infectious disease in a communicable stage and otherwise physically fit to give athletic massages, and shall make a written report thereon.

(5) If the director of health finds that the applicant is physically competent to give athletic massages he shall transmit the application, accompanied by all reports thereon, to the city comptroller. If from said reports the comptroller deems the applicant a fit and proper person he shall issue such license or renewal thereof; otherwise he shall deny the application. (Ord. 48022 § 173.1 added by Ord. 96464; February 21, 1968).

10.50.040 Examining board. There is created an examining board for massage operators, consisting of four members: A representative of the civil service department, who shall serve ex-officio, a licensed masseur, a masseuse, and a representative of the health department. The mayor shall, within thirty days after the effective date of this chapter, and from time to time thereafter, appoint the members of such board, who shall receive no compensation for their services while acting in such capacity. The board shall elect a chairman and secretary, and shall meet at least once every three months to give examinations for, and issue, certificates of competency, and at such other times as its chairman may elect.

Any applicant, dissatisfied with the decision of the examining board may, within thirty days after such decision, appeal to the city council by filing with the board and the city clerk a notice of appeal. The decision of the city council on the appeal shall be final. (Ord. 48022 § 174 as amended by Ord. 72529; April 13, 1943).

10.50.050 Expiration of licenses. All licenses issued pursuant hereto shall expire on the 31st day of December of each calendar year: provided, that any massage parlor and public bathhouse license issued under any other city ordinance and in effect at the time this chapter becomes effective shall continue valid for a period of thirty days after this chapter takes effect, and no longer, subject, however, to suspension or revocation as provided by the ordinance under which the same was issued and effective. (Ord. 48022 § 175 as amended by Ord. 72529; April 13, 1943).

10.50.060 Exemptions. This chapter shall not apply to massage treatments or baths given in any hospital, or by physical therapists who treat patients only on written prescription of licensed physicians, or by any person licensed by the state of Washington to treat the sick, injured or infirm, or by any registered nurse under the direction of a person so licensed. (Ord. 48022 § 176 as amended by Ord. 75461 and Ord. 96464; February 21, 1968).

10.50.070 Mechanical massage—License required—Fee. It shall be unlawful to operate, to assist another in the operation of, to stop or start any mechanical device used by another for health or weight reducing purposes, or to position another using such a device, in any licensed Massage Parlor or Reducing Salon, without a Massage Parlor Attendant's license.

Applications for and issuance of such licenses shall be in accordance with Sections 10.02.100 and 10.02.105 of the License Code. The City Comptroller shall refer each such application to the Chief of Police, who shall within five days furnish a written report to the City Comptroller of the results of his investigation, together with such other information as may aid the comptroller in determining whether such application should be granted or denied.

The fee for such a Massage Parlor Attendant's license shall be five dollars per year and such license shall expire December 31 of each year; provided that no such attendant, whether licensed or not, shall give massages or other treatments of the body by rubbing, kneading or manipulation. (Ord. 94625 § 3; February 23, 1966; prior Ord. 48022 § 176.1 added by Ord. 86654; November 26, 1957).

10.50.080 Unlawful to admit certain persons. It shall be unlawful for the owner, proprietor, manager or person in charge of any massage parlor or public bathhouse, or for any employee of said place, to harbor, admit, receive or permit to be or remain in or about such place, any prostitute, lewd or dissolute person, any drunken or boisterous person, or any person under the influence of intoxicating liquor or narcotic drugs, or any person whose conduct tends in any way to corrupt the public morals. (Ord. 48022 § 178; December 1, 1924).

Chapter 10.52
PARCEL CHECK ROOMS

Sections:

- 10.52.010 Defined.
- 10.52.020 License required—Fee.
- 10.52.030 Numbered checks to be given.

10.52.010 Defined. The term "Parcel Check Room," as used in this chapter, shall be deemed to mean any place where parcels, packages, grips or other articles, that may be carried by hand, are temporarily stored and a fee is charged, exacted or received. (Ord. 48022 § 179; December 1, 1924).

10.52.020 License required—Fee*. It shall be unlawful for any person to conduct, operate or maintain a parcel check room without having a valid and subsisting license so do to, to be known as a "Parcel Check Room License." The fee for such Parcel Check Room License shall be, and the same is hereby, fixed in the sum of fifteen dollars per year. (Ord. 48022 § 180; December 1, 1924).

*Expiration of license—See Section 10.03.060.

10.52.030 Numbered checks to be given. Any person operating and conducting a Parcel Check Room shall, at the time a parcel, or other article, is left for temporary storage, give to the person leaving the same, a numbered check or receipt which shall contain the name of the owner of the Parcel Check Room and the address where this Parcel Check Room is located. A duplicate of said check or receipt shall be attached to the parcel or package or other article left for storage. (Ord. 48022 § 181; December 1, 1924).

Chapter 10.54

SIDE SEWER CONTRACTORS

Sections:

- 10.54.010 License required—Fee.
- 10.54.020 Application for license—Bond.
- 10.54.030 Revocation or suspension of license.
- 10.54.040 Name of contractor not to be used by another.

10.54.010—License required—Fee.* It shall be unlawful to make any opening in any public sewer, or to connect any private drain or sewer therewith, or to lay, repair, alter or connect any private drain or sewer in a public street without "Side Sewer Contractor's License," the fee for such license is hereby fixed in the sum of thirty-five dollars per annum, and the same may be issued to any person as defined in Section 10.02.030 of this Code. (Ord. 48022 § 206, as amended by Ord. 88789; December 8, 1959).

10.54.020 Application for license—Bond. Anyone desiring a Side Sewer Contractor's License shall make application therefor in writing to the City Comptroller upon a blank form to be furnished for that purpose. The application shall be referred to the City Engineer for his approval or disapproval. The applicant shall be required to present satisfactory evidence to the City Engineer that he is reliable and skilled in the laying and construction of side sewers, and that he has sufficient knowledge and experience to carry on the business of a Side Sewer Contractor. If the City Engineer approves the application and other requirements of this chapter relating to Side Sewer Contractors have been complied with, the City Comptroller shall issue such license.

In the event that the application is not approved by the City Engineer, such license shall be denied.

Every applicant for a Side Sewer Contractor's License must file with the City Comptroller a bond in the sum of five thousand dollars conditioned that the applicant and licensee will indemnify and save harmless the City of Seattle from all claims, actions, or damages of every kind and description which may accrue to or be suffered by any person by reason of

*Expiration of license—See Section 10.03.040.

any opening in any street, alley, avenue or other public place made by him or those in his employ, in making any connection with any public or private sewer, or for any other purpose or object whatsoever, and that he will also replace and restore such street, alley, avenue or other public place to as good a state and condition as at the time of commencement of said work, and maintain the same in good order, and that he will comply with all of the provisions of this chapter and any other ordinance of the City of Seattle, relating to the business of Side Sewer Contractor. The provisions of this section shall not apply to work performed by The City of Seattle under authority of sections numbered 4, 5 and 6 of Ordinance No. 25150, approved September 20, 1910,* or to applicants for a side sewer contractor's license who have on file with the City Comptroller a bond filed in conformance with Section 19.08.050 of this code, in an amount of five thousand dollars or more. Every presently licensed Side Sewer Contractor shall increase the amount of his bond to five thousand dollars by November 30, 1962. (Ord. 48022 § 207, as amended by Ord. 91281; July 3, 1962).

10.54.030 Revocation or suspension of license. In addition to other reasons set forth in this Title for the suspension or revocation of licenses, a Side Sewer Contractor's License may be suspended or revoked for the following causes: Failure to observe the rules and regulations issued by the City Engineer governing the construction and laying of side sewers, fraud or misrepresentation in obtaining a Side Sewer Contractor's License, failure to pay for labor or material used in the construction of a side sewer, fraud or misrepresentation to the owner, agent or occupant of a building for the purpose of obtaining a contract for the construction of a side sewer, or for non-payment for work performed by the City Engineer for the payment of which a Side Sewer Contractor may be liable. (Ord. 48022 § 208, as amended by Ord. 78146; July 20, 1949).

10.54.040 Name of contractor not to be used by another. It shall be unlawful for any person not a regular licensed Side Sewer Contractor to use the name of a licensed Side Sewer Contractor, or for any person licensed as a Side Sewer Contractor under the provisions of this Title, to allow his name to be used by any person, firm or corporation, either for the purpose of obtaining a permit or for doing the work under his license, and it shall be the duty of every such licensed Side Sewer Contractor to have his name and place of business recorded in the office of the City Engineer and to immediately notify him of any change in his address. (Ord. 48022 § 209, as amended by Ord. 78146; July 20, 1949).

*Ordinance 25150 was repealed by Ordinance 68101. Present ordinances relating to Improvements are codified in Title 20.

Chapter 10.56

PAWNSHOP

Sections:

- 10.56.010 Defined.
- 10.56.020 License required—Fee—Location—Number.
- 10.56.030 Application for license.
- 10.56.040 Records to be kept.
- 10.56.050 Customer required to sign records.
- 10.56.060 Transcript of records to be furnished to police.
- 10.56.070 Records to be open for inspection.
- 10.56.080 Interest rates—Goods to be held for ninety days after period of redemption.
- 10.56.090 Removal of goods—Purchases from certain persons prohibited.
- 10.56.100 Closing hours.

10.56.010 Defined. The term "Pawnbroker" as used in this title, shall mean and include every person who takes or receives by way of pledge, pawn or exchange, goods, wares or merchandise, or any kind of personal property whatever, for the repayment or security of any money loaned thereon, or to loan money on deposit of personal property.

The term "pawnshop" means and includes every place at which the business of pawnbroker is being carried on. (Ord. 48022 § 182; December 1, 1924).

10.56.020 License required*—Fee—Location—Number. It is unlawful for anyone to engage in the business of pawnbroker, or to conduct a pawnshop, without a "pawnbroker's license." The fee for such license shall be four hundred dollars per year. Pawnbroker's licenses shall not be issued to conduct any pawnshop located outside the area bounded by Denny Way and East Denny Way, 12th Avenue and 12th Avenue South, South King Street and Elliott Bay unless such pawnshop was lawfully conducted outside such area by a licensed pawnbroker during the year 1961.

No pawnbroker's license shall be issued hereafter which would increase the number of holders of such licenses to more than one for every fifteen thousand of population, according to the last preceding federal census. (Ord. 48022 § 183 as amended by Ord. 90897 and Ord. 97286 § 3; December 4, 1968).

10.56.030 Application for license. Application for pawnbroker's license shall be in writing filed with the city council on forms furnished by the city comptroller and shall be accompanied by the required fee. The application shall be referred to the police department for recommendation. The city council may by resolution direct the issuance of the license by the city

*Expiration of license—See Section 10.03.100.

10.56.040 LICENSES

comptroller. (Ord. 48022 § 183½, as amended by Ord. 88840; December 14, 1959).

10.56.040 Records to be kept. It shall be the duty of every pawnbroker to maintain at his place of business a book or other permanent record, in which shall be legibly written, in the English language, at the time of such loan, purchase or sale, a record thereof containing:

1. The date of the transaction.
2. The name of the person or employee conducting the same.
3. The name, age, street and house number, and the general description of the dress, complexion, color of hair and facial appearance of the person with whom the transaction is had.
4. The name and street and house number of the owner of the property bought or received in pledge.

5. The street and house number of the place from which the property bought or received in pledge was last removed.
6. A description of the property bought or received in pledge, which, in the case of watches, shall contain the name of the maker and the number of both the works and the case, and in case of jewelry shall contain a description of all letters and marks inscribed thereon.
7. The price paid or the amount loaned.
8. The name and street and house numbers of all persons witnessing the transaction.
9. The number of any pawn tickets issued therefor.

It is unlawful for any pawnbroker and every clerk, agent or employee of such pawnbroker to fail, neglect or refuse to make entry in any material matter in his record, as required by this section, or to make any false entry therein or to obliterate, destroy or remove from his place of business such record. (Ord. 48022 § 184; December 1, 1924).

10.56.050 Customer required to sign records. Anyone who pledges, sells or consigns any property to or with a pawnshop or pawnbroker shall sign the records required to be kept by such dealer with his true name and shall include his correct residence address. (Ord. 48022 § 184-1 added by Ord. 80275; August 21, 1951).

10.56.060 Transcript of records to be furnished to police. It shall be the duty of every pawnbroker, before twelve noon, of every business day to report to the chief of police on blank forms, to be furnished by the police department, a full, true and correct transcript of the record of all transactions had on the preceding day. It shall also be the duty of any pawnbroker having good cause to believe any property in his possession has been previously lost or stolen, to report such fact to the chief of police, together with the name of the owner, if known, and the date of and name of the person from whom the same was received by such pawnbroker.

Every pawnbroker and every clerk, agent or employee of such pawnbroker who fails, neglects or refuses to make such report, or reports any material matter falsely to the chief of police, is guilty of a violation of this chapter. (Ord. 48022 § 185; December 1, 1924).

10.56.070 Records to be open for inspection. All books and other records of any pawnbroker relating to purchase, pledge, exchange, barter or receipt of any goods, wares, merchandise or other articles or things of value, shall at all times be open for inspection by the chief of police, or any police officer or city detective detailed for that purpose, and all articles or things received, purchased or left in pledge with said pawnbroker shall at all times be open to a like inspection. (Ord. 48022 § 186; December 1, 1924).

10.56.080 Interest rates—Goods to be held for ninety days after period of redemption. All pawnbrokers are authorized to charge and receive interest at the rate of three percent per month, from any loan on the security of personal property actually received in pledge, and every person who asks or receives a higher rate of interest or discount on any such loan, or on any actual or pretended sale or redemption of personal property, or who shall sell any property held for redemption, within ninety days after the period for redemption shall have expired, is guilty of violation of this title. (Ord. 48022 § 187; December 1, 1924).

10.56.090 Removal of goods—Purchases from certain persons prohibited. It is unlawful for any pawnbroker to remove any goods, articles or thing purchased by him, or left with him, in pledge, from his store or place of business until the expiration of ten days after the same were purchased, received or left in pawn, unless the said goods, articles or things have within the time specified, been inspected as provided in this chapter.

It is unlawful for any pawnbroker, his clerk or employee, to receive in pledge, or purchase, any article or thing from any person under eighteen years of age, or from any person who is at the time intoxicated, or from any habitual drunkard, or from any person addicted to the use of narcotic drugs, or from any person who is known to be a thief, or a receiver of stolen property, or from any person whom he has reason to suspect or believe to be such.

The fact of loaning money upon or purchasing goods from any of the classes of persons enumerated in this section shall be prima facie evidence of an intent on the part of such pawnbroker, his agent or employee, to violate this chapter. (Ord. 48022 § 188 as amended by Ord. 100478 § 5; December 1, 1971).

10.56.100 Closing hours. It is unlawful for any pawnbroker to conduct or carry on the business of pawnbroker, in whole or in part, directly or indirectly, or to open, or keep open, his pawnshop for the transaction of any business whatsoever therein, between the hours of seven p.m., and seven a.m., except from December 15th to December 25th of each year, and on Saturdays, when pawnbrokers may remain open until, but not later than ten p.m. (Ord. 48022 § 189; December 1, 1924).

Chapter 10.57

EXHIBITIONS AND SHOWS

Sections:

10.57.010 License required where goods sold at retail—Fee—Revocation.

10.57.010 License required where goods sold at retail—Fee—Revocation. An "exhibitor's license" is required for any antique show,

trade show, boat show, sports show, hobby show, agricultural show, horticultural show, industrial show or other show or exhibition of a similar nature that is open to the public, wherein not less than seven persons under the sponsorship of another person or organization exhibit goods or articles and where any such goods or articles are sold or offered for sale at retail. The term "sale at retail" as used herein means the sale or offer for sale of goods or articles by small quantities, in broken lots or parcels, not in bulk, and direct to consumers. Upon application and payment of a fee of ten dollars for each day for the duration of any such show or exhibition by the sponsor thereof, the City Comptroller may issue to such sponsor an "exhibitor's license" valid for a definite period not to exceed twenty-one days, which license shall be in lieu of any other license required in connection with such show or exhibition of either exhibitor or sponsor by Sections 10.04.020, 10.58.020, 10.60.010 or 10.66.020 of the License Code. The license required by this section may be revoked or suspended by the City Comptroller for any misrepresentation of goods or articles offered for sale at any such show. (Ord. 48022 § 23F, as amended by Ord. 92800; April 8, 1964).

Chapter 10.58

SECOND-HAND DEALERS

Sections:

- 10.58.010 Defined.
- 10.58.020 License required—Fee.
- 10.58.030 Transfer of license to new location.

- 10.58.040 Records to be kept.
- 10.58.050 Customer to sign record.
- 10.58.060 Goods to be kept ten days.
- 10.58.070 Daily transcript of records to be delivered to police.
- 10.58.080 Purchase from minors.

10.58.010 Defined. Anyone who as a business, engages in the purchase, sale, trade, barter or exchange of secondhand goods, other than "junk" as defined in this title; or who keeps any store, shop, room or place where secondhand goods of any kind or description, other than "junk" as defined in this title, are bought, sold, traded, bartered or exchanged including dealers in used automobile tires, is defined to be a secondhand dealer, within the meaning of this title. (Ord. 48022 § 199 as amended by Ord. 77966; May 17, 1949).

10.58.020 License required—Fee.* It is unlawful for any person to engage in the business of secondhand dealer without first procuring a license so to do, to be known as a "secondhand dealer's license." The fee for such secondhand dealer's license is twenty-five dollars.

Any person having more than one place of business where secondhand goods are bought, sold, traded, bartered or exchanged, shall be required to procure a separate license for each and every place of business. (Ord. 48022 § 200; December 1, 1924).

10.58.030 Transfer of license to new location. A secondhand dealer's license shall not be transferable from one person to another, but the licensee may have his license transferred to a new location by the city comptroller and the change of address shall be noted on the license, together with the date on which the change was made. (Ord. 48022 § 201; December 1, 1924).

10.58.040 Records to be kept. Every secondhand dealer shall keep a book in which he shall at the time of purchase of any secondhand goods, enter in the English language, written in ink, a full and accurate description of such goods so bought, together with the name, apparent age, signature and residence of the vendor, and if the vendor is a minor a statement of that fact, also the amount paid and the date and hour of purchase, and said book, as well as every article or thing purchased, shall at all reasonable times be open to inspection by the chief of police or any police officer of the city. (Ord. 48022 § 202; December 1, 1924).

10.58.050 Customer to sign record. Anyone who sells secondhand goods to a dealer therein shall sign the record required to be kept by such dealer with his true name and shall include his correct residence address. (Ord. 48022 § 202-1 added by Ord. 80275; August 21, 1951).

* Expiration of license—See Section 10.03.020.

10.58.060 Goods to be kept ten days. Secondhand goods of any kind and description bought or received by a secondhand dealer, must be held at least ten days before they are sold or offered for sale, except when the goods have been inspected by the members of the police department designated for that purpose and they have authorized the secondhand dealer to dispose of such goods within a less period than ten days. (Ord. 48022 § 203; December 1, 1924).

10.58.070 Daily transcript of records to be delivered to police. Every secondhand dealer shall make out and deliver to the chief of police, at his office, before the hour of noon of each day, a copy of the entries and transactions contained in the book of records relating to the business of the previous day. (Ord. 48022 § 204; December 1, 1924).

10.58.080 Purchase from minors. In case secondhand goods are bought or received from any minor, the secondhand dealer, his employee or agent, buying or receiving such articles of value, shall demand and receive of such minor a written authority from the person owning such articles, giving full authority to such minor to sell the same, and such written authority shall be received and placed on file by the person receiving such goods and be a part of the record of such transaction. (Ord. 48022 § 205; December 1, 1924).

Chapter 10.60

PEDDLERS

Sections:

- 10.60.010 License required—Exceptions.
- 10.60.020 Farmer's permit issued free.
- 10.60.030 Definitions.
- 10.60.035 Fee for licenses.
- 10.60.040 Peddling of food—License required.
- 10.60.050 Facsimile copies of license.
- 10.60.051 Surety bonds.
- 10.60.052 Immediate disclosure of nature of business required.
- 10.60.053 Misrepresentation of facts.
- 10.60.054 Receipt—Contents—Notice of cancellation.
- 10.60.055 Hours during which peddling allowed.
- 10.60.070 Peddling flags, emblems or insignia of the United States, Washington State or fraternal organization prohibited.
- 10.60.080 Sale of prize packages prohibited.
- 10.60.085 Use of motor vehicle, liability insurance required.
- 10.60.090 Unlawful to blockade streets while peddling.
- 10.60.095 Unlawful to peddle on posted premises.
- 10.60.100 Limits wherein peddling or hawking is prohibited.

10.60.010 License required—Exceptions. It is unlawful for any person to be or engage in business as a peddler or solicitor in the city of Seattle without first procuring a license so to do; provided, that no license shall be required for the peddling of, or soliciting orders for the sale of, newspapers, bread, fresh milk, buttermilk, or ice, nor shall any license be required of any person holding a farmer's permit and peddling farm or dairy produce raised or produced by such person, nor shall any license be required of any person holding a home sales party; provided further, that no license shall be required of any person who as an employee, agent, or independent contractor acts as a peddler or solicitor for or on behalf of a licensee; provided further, that no license shall be required of any person who as an employee, agent, or independent contractor acts as a peddler or solicitor for or on behalf of a regulated utility. Each license shall show the name, address and telephone number, of the licensee, or for out-of-state licensees the name, address and telephone number of their registered agents; the license number; the number of the bond, if any, filed pursuant to Section 10.60.051; the commodities or services to peddled or for which solicitation of orders is made; and the period for which such license is issued. (Ord. 48022 § 190 as amended by Ord. 102404 § 1; July 31, 1973).

10.60.020 Farmer's permit issued free. It is unlawful for any farmer or gardener to peddle fruit, vegetables, berries, butter, eggs, poultry, or any other farm or dairy produce, raised or produced by such farmer or gardener, without first securing from the city comptroller a permit so to do, to be known as a "farmer's permit," for which no fee of any kind whatsoever shall be charged. Every farmer or gardener desiring a free permit, as in this section provided, shall make application therefor to the city comptroller and execute an affidavit, to be sworn to and acknowledged that he will, during the life of said farmer's permit, peddle only such articles or things enumerated in this section, as have been raised or produced by him. The city comptroller shall then deliver to such farmer or gardener a "farmer's permit." The permit shall be of form, design and material as prescribed by the city comptroller and bear the words "farmer's permit" and the year during which the permit is issued. Farmer's permits shall be carried on the person of the holder of the permit while peddling such farm or dairy products. All farmer's permits shall expire on December 31st of the year issued. (Ord. 48022 § 191 as amended by Ord. 89635; September 28, 1960).

10.60.030 Definitions. The following words and terms, unless a different meaning clearly appears from the context, shall mean as follows:

(A) "Peddler" means:

(1) Any person who goes from house to house, or place to place, within the city of Seattle, selling and providing immediate delivery or performance, or offering for sale and immediate delivery or performance, any goods, wares, merchandise, services, or anything of value, to persons not

commercial users or sellers of such commodities or services; or

(2) Any person who, while, selling and providing immediate delivery or performance, or offering for sale and immediate delivery and performance, any goods, wares, merchandise, services or anything of value, stands or sits in a doorway, any unenclosed vacant lot, parcel of land, or in any other public place not used by such person as a permanent place of business.

(B) "Solicitor" means:

(1) Any person who goes from house to house or place to place within the city of Seattle, taking or offering to take orders for the sale of goods, wares, merchandise, services, or anything of value for future delivery or performance from persons not commercial users or sellers of such commodities or services; or

(2) Any person who, while taking or offering to take orders for the sale of goods, wares, merchandise, services, or anything of value for future delivery or performance, stands or sits in a doorway, any unenclosed vacant lot, parcel of land, or in any other public place not used by such person as a permanent place of business.

(C) The terms "peddler" and "solicitor" shall include any person, firm, or corporation which employs, hires, or engages others to act as peddlers or solicitors whether as employees, agents or independent contractors, but shall not include any person making solicitations for charitable or religious purposes.

(D) The term "home sales party" means gatherings in private residences where goods, wares, merchandise, services, or anything of value, is sold or offered for sale, and where all persons attending as invited guests have been told, at least twenty-four hours prior to the gathering, that the purpose of such gathering is the solicitation of orders for, or sale of, such goods, wares, merchandise, services, or other thing of value. (Ord. 48022 § 192 as amended by Ord. 102404 § 3; July 31, 1973).

10.60.035 Fees for licenses. The fee for a peddler's or solicitor's license issued to an individual shall be five dollars per year; provided that such license may be issued for a period of six months upon payment of three dollars; and provided further that the fee for a peddler's or solicitor's license issued to any person, firm, or corporation which employs, hires, or engages others to act as peddlers or solicitors shall be as follows:

- | | |
|--|---------|
| (1) Having 1-8 such employees or agents | \$15.00 |
| (2) Having 9-49 such employees or agents | 30.00 |
| (3) Having 50 or more such employees or agents | 50.00 |

(Ord. 48022 § 192-1 added by Ord. 102404 § 4; July 31, 1973).

10.60.040 Peddling of food—License required. No one shall peddle tamales, sandwiches, box lunches, cakes, cookies, pies, doughnuts or similar foods, unless the same have been manufactured, prepared, produced or concocted in a place covered by a permit issued by the director of public health pursuant to ordinances relating thereto; provided that before the issuance

of any license for the peddling of any such foods, the city comptroller may require the applicant for such license to exhibit the original or a copy of such permit. (Ord. 48022 § 193 as amended by Ord. 89142, Ord. 101239 and Ord. 102404 § 5; July 31, 1973).

10.60.050 Facsimile copies of license. Each licensee which employs, hires, or engages others to act as peddlers or solicitors shall furnish as credentials to each employee, agent, independent contractor, or other person peddling or soliciting for or on behalf of such licensee, a facsimile copy of its license upon which shall appear the typed or printed name and address, and the signature of the person to whom such facsimile copy is issued. Such facsimile copies may be obtained from the city comptroller upon payment of ten cents per copy. A licensee shall be responsible for the conduct and acts performed within the scope of employment or contract of any person peddling or soliciting for or on behalf of the licensee, and shall maintain a list of all persons to whom facsimile copies of its license have been issued. It is unlawful for any licensee or any person to whom such facsimile copy is required to be issued to peddle or solicit without having in his possession such license or a facsimile copy thereof, which shall be shown to all prospective buyers, or to any police officer, or license officer of the city upon the request of such officer. Such facsimile copies shall be nontransferable and shall at all times remain in the possession of the person to whom issued. Whenever any person to whom a facsimile copy has been issued by a licensee ceases to act as a peddler or solicitor for or on behalf of such licensee, notification thereof shall be given to the city comptroller by the licensee and the facsimile copy issued to such person shall be surrendered to the city comptroller by the licensee within two weeks of such notification. (Ord. 48022 § 194 as amended by Ord. 97945 and Ord. 102404 § 6; July 31, 1973).

10.60.051 Surety bonds. Each applicant for a peddler's or solicitor's license shall file with the city comptroller a surety bond naming the city as obligee in the penal sum of one thousand dollars if such licensee has ten or less employees, or two thousand dollars if such licensee has more than ten employees, and conditioned as follows:

(1) That the principal, its employees and agents, will comply with the terms of this chapter and all other applicable license and consumer protection ordinances;

(2) To save harmless and indemnify all persons who shall suffer loss or damage on account of the failure of the principal or any of its employees or agents to comply with the terms of this and other applicable license and consumer protection ordinances, or to deliver commodities or services in accordance with any agreement or contract made with such persons, and such persons shall have a right of action on such bond for any such loss or damage;

(3) That the aggregate liability of the surety for all claims against

such bond shall not exceed the penal amount thereof;

(4) That the liability of the surety may be terminated by the surety by service of written notice upon the city comptroller not less than fifteen days prior to the effective date of such termination;

(5) That no claim shall be made against such bond more than one year following the time when the claimant became aware, or should have become aware, of the facts upon which such claim is based; provided, that in lieu of such bond, any applicant may file with the city comptroller a copy of such applicant's annual report, bank statement, credit report, or similar proof of financial responsibility satisfactory to the city comptroller, together with proof that such applicant, if an out-of-state applicant, has appointed a resident agent for service of process in this state. (Ord. 48022 § 194-1 added by Ord. 102404 § 7; July 31, 1973).

10.60.052 Immediate disclosure of nature of business required. Each person engaged in peddling or soliciting for the sale of goods or services at the residence of a prospective buyer, shall at the outset disclose to the prospective buyer his name and the company or product he represents, and if requested so to do shall immediately leave the premises. It is unlawful for any peddler or solicitor to make any assertion, representation or statement of fact which misrepresents the purposes for his call, or to use any plan, scheme, or ruse which misrepresents such purpose. (Ord. 48022 § 194-2 added by Ord. 102404 § 8; July 31, 1973).

10.60.053 Misrepresentation of facts. It is unlawful for any peddler or solicitor to make or cause to be made, directly or indirectly, for the purpose of selling or procuring an order for the sale of any goods, wares, merchandise, services, or any thing of value, any assertion, representation, or statement of fact which is untrue, deceptive or misleading. (Ord. 48022 § 194-3 added by Ord. 102404 § 9; July 31, 1973).

10.60.054 Receipt—Contents—Notice of cancellation. Every sale made or order taken by a peddler or solicitor required to be licensed by this chapter shall be evidenced by a signed receipt, contract, or other signed memorandum of the transaction which shall be given to the purchaser. Such receipt, contract, or memorandum shall state the date and terms of the transaction, the amount of any payment made, the name and address of the peddler or solicitor, and in immediate proximity to the space reserved in the contract for the signature of the buyer or on the front page of the receipt if a contract is not used and in bold face type of a minimum size of ten points, the following notice:

“NOTICE TO BUYER

“YOU, THE BUYER, MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AF-

TER THE DATE OF THIS TRANSACTION. SEE THE ATTACHED NOTICE OF CANCELLATION FORM FOR AN EXPLANATION OF THIS RIGHT."

The seller must furnish each buyer, at the time he signs any sales contract or otherwise buys or agrees to buy goods or services from the seller, a completed form in duplicate, captioned "NOTICE OF CANCELLATION," which shall be attached to the contract, receipt, or memorandum and easily detachable, and which shall contain in ten point bold type the following information and statements in the same language, e.g., Spanish, as that used in such contract, receipt or memorandum:

"NOTICE OF CANCELLATION

(enter date of transaction)

"YOU MAY CANCEL THIS TRANSACTION, WITHOUT ANY PENALTY OR OBLIGATION, WITHIN THREE BUSINESS DAYS FROM THE ABOVE DATE.

"IF YOU CANCEL, ANY PROPERTY TRADED IN, ANY PAYMENTS MADE BY YOU UNDER THE CONTRACT OR SALE, AND ANY NEGOTIABLE INSTRUMENT EXECUTED BY YOU WILL BE RETURNED WITHIN 10 BUSINESS DAYS FOLLOWING RECEIPT BY THE SELLER OF YOUR CANCELLATION NOTICE, AND ANY SECURITY INTEREST ARISING OUT OF THE TRANSACTION WILL BE CANCELLED.

"IF YOU CANCEL, YOU MUST MAKE AVAILABLE TO THE SELLER AT YOUR RESIDENCE, IN SUBSTANTIALLY AS GOOD CONDITION AS WHEN RECEIVED, ANY GOODS DELIVERED TO YOU UNDER THIS CONTRACT OR SALE; OR YOU MAY IF YOU WISH, COMPLY WITH THE INSTRUCTIONS OF THE SELLER REGARDING THE RETURN SHIPMENT OF THE GOODS AT THE SELLERS EXPENSE AND RISK.

"IF YOU DO NOT AGREE TO RETURN THE GOODS TO THE SELLER OR IF THE SELLER DOES NOT PICK THEM UP WITHIN 20 DAYS OF THE DATE OF YOUR NOTICE OF CANCELLATION, YOU MAY RETAIN OR DISPOSE OF THE GOODS WITHOUT ANY FURTHER OBLIGATION.

"TO CANCEL THIS TRANSACTION, MAIL OR DELIVER A SIGNED AND DATED COPY OF THIS CANCELLATION NOTICE

OR ANY OTHER WRITTEN NOTICE, OR SEND A TELEGRAM TO

_____, AT _____

(NAME OF SELLER)

_____, NOT LATER THAN

(ADDRESS OF SELLER'S PLACE OF BUSINESS)

MIDNIGHT OF _____

(DATE)

I HEREBY CANCEL THIS TRANSACTION.

(DATE)

(BUYER'S SIGNATURE)

The sending of any such notice of cancellation within the specified period shall operate to cancel the purchase made or contract entered into, and the seller shall thereupon, without request, refund to the buyer any deposit or payment made, and in accordance with such notice of cancellation may reclaim from the buyer at the place of delivery any goods received by the buyer under such purchase or contract. (Ord. 48022 § 194-4 added by Ord. 102404 § 10; July 31, 1973).

10.60.055 Hours during which peddling allowed. It is unlawful for any person to peddle or solicit before the hour of eight o'clock a.m. of any day, or after the hour of nine o'clock p.m. of any day without the specific prior consent of the prospective buyer. (Ord. 48022 § 194-5 added by Ord. 102404 § 11; July 31, 1973).

10.60.070 Peddling flags, emblems or insignia of United States, Washington State or fraternal organizations prohibited. It is unlawful to peddle or give, and no peddler's license issued under the provisions of this chapter shall authorize the peddling, or the giving, with the request for a donation in connection therewith, of any flag, emblem, badge, shield or other insignia of the United States, state of Washington, or any fraternal organization. (Ord. 48022 § 195-A added by Ord. 71203; August 21, 1941).

10.60.080 Sale of prize packages prohibited. No peddler's license issued under the provision of this chapter shall authorize the selling of prize packages or the disposition of any article or thing in any form, by chance or lot, nor shall it permit misrepresentation of the quantity, quality or origin of any article or thing so peddled. (Ord. 48022 § 196; December 1, 1924).

10.60.085 Use of motor vehicle, liability insurance required. It is unlawful for anyone to use any motor vehicle for peddling, or for the owner of any motor vehicle to permit such vehicle to be used for peddling, unless

such owner maintain public liability and property damage insurance covering the use and operation of such vehicle while peddling, in the amounts hereinafter provided, and no peddler's license shall be issued for peddling with any motor vehicle unless the owner of the motor vehicle to be so used has filed with the city comptroller a policy or policies of public liability insurance providing coverage for personal injury to or death of any one person in the amount of at least ten thousand dollars, and subject to the aforesaid limit of any one person injured or killed, of at least twenty thousand dollars for personal injury to or death of two or more persons in any one accident, and for damage to property in the amount of at least five thousand dollars resulting from any one accident. Such policy or policies must contain an endorsement providing for ten days' notice to the city comptroller in the event of any change or cancellation.

It is unlawful to operate or permit to be operated any motor vehicle for peddling unless there shall accompany such vehicle a valid and subsisting certificate from the insurer setting forth the make, type and motor number or identification number of the vehicle and the name of the company providing the public liability insurance herein required and the insurance policy number or numbers.

The city comptroller shall provide one or more tags or plates for each motor vehicle to be used for peddling by any licensee, which tag or plate shall evidence that all required insurance has been filed and all necessary peddler's licenses obtained. The form, material and positioning of each tag or plate shall be as prescribed by the city comptroller. It is unlawful to operate or permit to be operated any such motor vehicle without having the tags or plates required by this section conspicuously posted thereon in the manner prescribed, or to operate such vehicle with illegible or expired tags or plates.

Such tags or plates shall remain the property of the city of Seattle and shall be returned to the city comptroller immediately upon cancellation of the insurance or upon the closing of the business. (Ord. 48022 § 196-A added by Ord. 91421 and amended by Ord. 91943; March 19, 1963).

10.60.090 Unlawful to blockade streets while peddling. It is unlawful for any person, either selling, or offering for sale, any article, by peddling or soliciting in any place, to obstruct or cause to be obstructed, the passage of any sidewalk, street, avenue, alley or any other public place, by causing people to congregate at or near the place where any article is being sold or offered for sale. (Ord. 48022 § 197 as amended by Ord. 102404 § 13; July 31, 1973).

10.60.095 Unlawful to peddle on posted premises. It is unlawful for any peddler or solicitor to ring the bell, or knock on the door or otherwise attempt to gain admittance for the purpose of peddling or soliciting at any residence, dwelling or apartment at which a sign bearing the words "No

10.60.100 LICENSES

Peddlers or Solicitors" or words of similar import indicating that peddlers or solicitors are not wanted on said premises, is painted, affixed or otherwise exposed to public view; provided that, this section shall not apply to any peddler or solicitor who rings the bell, knocks on the door or otherwise attempts to gain admittance to such residence, dwelling or apartment at the invitation or with the consent of the occupant thereof. (Ord. 48022 § 197-1 added by Ord. 97945 and amended by Ord. 102404 § 14; July 31, 1973).

10.60.100 Limits wherein peddling or hawking is prohibited. It is unlawful for anyone whether a licensed hawker or peddler or not, to hawk anything, except newspapers, or peddle any article or thing except newspapers, magazines, bread, fresh milk, buttermilk or ice, on any street, avenue, alley, or other public place in the city of Seattle, within the following boundaries and limits:

(a) Beginning at the waterfront on Elliott Bay in direct line with West Prospect Street; thence easterly to West Olympic Place; thence easterly along West Olympic Place to 1st Avenue West; thence northerly along 1st Avenue West to West Aloha Street; thence easterly along West Aloha and Aloha Streets to Westlake Avenue North; thence southerly along Westlake Avenue North and Westlake Avenue to 8th Avenue; thence southerly along 8th Avenue to Yesler Way; thence westerly along Yesler Way to Elliott Bay on the waterfront; thence northerly along the waterfront to a point in direct line with West Prospect Street, the place of beginning;

(b) Within two hundred feet of any public park, school or playground;

(c) Both sides of Rainier Avenue, between Bayview Street and McClellan Street;

(d) Beginning at the junction of 15th Avenue N.E. and East 40th Street, thence west on East 40th Street to Brooklyn Avenue; thence north on Brooklyn Avenue to East 50th Street; thence east on East 50th Street to 15th Avenue N.E.; thence south on 15th Avenue N.E. to East 40th Street, the place of beginning, including both sides of the streets and avenues mentioned;

(e) Within the area bounded by the centerline of South Stacy Street, 1st Avenue South, South Forest Street and Colorado Avenue South;

Provided, peddling in the above described areas by licensed peddlers on foot along the route of any parade for which a permit has been issued by the police department is authorized, while such parade is in progress and for one hour prior to commencement thereof.

Provided further, that peddlers may lawfully sell flowers within the boundaries and limits herein described provided: (1) That such peddlers acquire a peddlers license, the fee for which shall be ten dollars per year; (2) That such peddler sell only at certain locations authorized by the board

of public works; (3) That such peddlers are prohibited from selling within one hundred feet of an established florist shop, except that licensed flower vendors may peddle flowers in front of their own stores; and (4) That sales be conducted only from a cart or temporary stand.

Flower peddlers holding a peddler's license need not obtain a flower vendor's license as described in Section 10.38.010. (Ord. 48022 § 198 as amended by Ord. 90480 and Ord. 101076 § 1; June 5, 1972).

Chapter 10.61

SOLID FUEL—DEALER'S LICENSE

Sections:

- 10.61.010 Exercise of police power.
- 10.61.020 Definitions.
- 10.61.030 Aiding or abetting violations—Liability as principal.
- 10.61.040 Interpretation and construction of chapter.
- 10.61.050 Evasion or subterfuge unlawful.
- 10.61.060 Dealer's knowledge of violations presumed.
- 10.61.070 Standard weights and measures.
- 10.61.080 Police powers of inspectors.

- 10.61.090 "Solid Fuel Inspection and Enforcement Fund."
- 10.61.100 Inspectors—Duties.
- 10.61.110 Application for license—Fees.
- 10.61.120 Identification plates—Form.
- 10.61.130 Identification plates—How attached.
- 10.61.140 License to be posted.
- 10.61.150 Unlawful to make delivery in vehicle without proper identification plates.
- 10.61.160 Name, kind and grade of fuel—Definitions.
- 10.61.170 Certified weights.
- 10.61.180 Certified joint weights unlawful.
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- 10.61.200 True net weight and delivery ticket required.
- 10.61.210 Dealers outside city—Licensing.
- 10.61.220 Unlicensed sales unlawful.
- 10.61.230 Unlicensed deliveries unlawful.
- 10.61.240 Unlicensed place of business unlawful.
- 10.61.250 False advertising unlawful.
- 10.61.260 Advertisements to specify name, kind, grade and quantity.
- 10.61.270 Form and design of seals, tickets and other paper forms.
- 10.61.280 Forgery.
- 10.61.290 Counterfeiting or using other dealer's identification plate.
- 10.61.300 Use of false tags and marks unlawful.
- 10.61.310 Dealer's name on vehicle.
- 10.61.320 Peddling prohibited.
- 10.61.330 Revocation of licenses.
- 10.61.340 Chapter does not authorize violation of statute or contravention of constitutional rights.
- 10.61.350 Severability.
- 10.61.360 Penalty for violations.

10.61.010 Exercise of police power. This entire chapter shall be deemed and construed to be an exercise of the police power of the City of Seattle and the State of Washington for the preservation and protection of the public peace, health and welfare and the prevention of frauds, and all of its provisions shall be liberally construed with a view to the effectuation of such purpose. (Ord. 67614 § 1; Aug. 18, 1937).

10.61.020 Definitions. Except where clearly inconsistent with the particular context, the following words, terms and phrases as used in this chapter shall be deemed and construed to have the meanings and scope and inclusiveness in this section specified, to-wit:

"APPROVED" has reference to weighing and measuring devices officially tested, inspected and approved under chapter 10.59;

"BULK" (See "IN BULK");

"CERTIFIED WEIGHTS" shall mean such as are certified correct by the Superintendent, Inspectors, or a licensed City Weighmaster, acting under the provisions of this chapter and of chapter 10.59;

"COAL" in addition to its ordinary meaning, shall mean and include anthracite, semi-anthracite, bituminous, semi-bituminous, sub-bituminous and lignite coal, in the natural state or prepared or processed;

"COKE", in addition to its ordinary meaning, shall mean and include gashouse coke, oven coke, breeze, petroleum coke and petroleum carbon, and all solid derivatives of the foregoing when used, or usable, for purposes of heat producing combustion;

"COMPENSATION", in addition to payment in money, shall mean and include remuneration by way of check, note, draft or other negotiable instrument or evidence of indebtedness, payment in kind, extending of credit, credit entries, book credits, credit memoranda, and all credited accounts, whether oral or written, contingent or absolute, or express or implied;

"CONSUMER" shall mean and include persons purchasing and/or receiving "Solid Fuel" for combustion purposes, and not for resale;

"DEALER" shall mean and include any person selling and/or delivering "Solid Fuel" for "compensation"; or delivering the same "for hire"; or storing, holding or possessing or exhibiting the same with intent to sell; or exhibiting sample Solid Fuel to promote sales thereof;

"DEALER'S IDENTIFICATION PLATE" means a serially numbered plate issued by the City Comptroller to a "Licensed Dealer" for use on his own Vehicle in conformity with this chapter.

"DELIVER" and "DELIVERY" shall be limited in meaning to voluntary transfer of actual possession of "Solid Fuel" from one "person" to another. The place of delivery, in transactions involving a "consumer", shall presumptively be the residence of, or place of combustion by, the "consumer", and in no event, any other place unless the "consumer" is actually present and takes actual possession of the "Solid Fuel" at the time of claimed delivery.

"LICENSED CITY WEIGHMASTER" shall mean and include any person who has been designated as such pursuant to chapter 10.59 and who has qualified as therein provided;

"FOR HIRE", in addition to its ordinary meaning, shall mean and include "Compensation", direct or indirect, by whomsoever furnished, in consideration of the doing of any act or the rendering of any service;

"IN BULK" has reference to "Solid Fuel" sold and/or delivered in quantity, and not in sack, box or other container retained with contents by the consumer or consignee. Where sack, box or other container, is removed

by the deliverer at the time of delivery, such delivery shall be deemed and construed to be a delivery "in bulk";

"INSPECTOR" shall mean and include the Solid Fuel Inspectors, whose offices are hereby created, the City Comptroller as ex-officio Superintendent of Weights and Measures, the Chief Inspector of Weights and Measures, and any and all of his subordinate Inspectors of Weights and Measures by ordinance attached to the Weights and Measures Division in the office of the City Comptroller and ex-officio City Clerk;

"LICENSED DEALER" shall mean the owner, and holder, of a valid and subsisting "Solid Fuel Dealer's License" hereunder;

"MOTOR VEHICLE" shall mean and include every vehicle, as herein defined, which is self-propelled, or designed to be used in conjunction with a self-propelled unit, upon the public highways, and including "trailers" and "semi-trailers";

"CHAPTER 10.69" shall mean Seattle's Weights and Measures Ordinance, chapter 10.69;

"PERSON" shall mean and include individuals, firms, co-partnerships, associations and corporations, whether acting by themselves or by servant, agent or employee. The singular number shall include the plural; and the plural, the singular; and both shall be interchangeable. The masculine gender shall mean and include the feminine and the neuter genders; the neuter, the masculine and feminine; and each shall be interchangeable with the others; the present tense shall include the future tense;

"PLACE OF BUSINESS" shall mean and include any tract at which solid fuel is sold or offered for sale or upon which solid fuel is exposed, held or possessed for the purpose of promoting sales thereof. For the purpose of this chapter, separate or noncontiguous tracts, if used for sales purposes, that is, having a sales person in attendance, and not used solely for storage purposes by a licensed dealer, shall be deemed and construed to be separate places of business and be subject to separate licensing as such even though all be owned or controlled by the same person; and a single tract used by more than one person as a sales headquarters or as a common place of solid fuel assembly, or as a common source of solid fuel supply, or for the common storage, possession or exposure of solid fuel for purposes of sale and/or delivery shall be deemed and construed to be the separate place of business of each such person and each shall be deemed to have separately established such place of business and each shall be subject, and required, to be licensed as a dealer and as the operator of such place of business unless such persons constitute a bona-fide co-partnership doing business pursuant to written co-partnership agreement, duplicate original of which is kept on file with the City Comptroller.

"PROCESSED FUEL", in addition to its ordinary meaning, shall mean and include briquet, petroleum briquet, boulet and presto-log, and

any other compressed, manufactured, fabricated or patented fuel not sold by liquid or metered measure;

"SELL" and "SALE", in addition to their ordinary meanings, shall mean and include any transaction whereby, in consideration of compensation, of any kind, there is transferred from one "person" to another an interest in, or the title to, or the right of possession of, any "Solid Fuel";

"SEMI-TRAILER" shall mean and include every Vehicle of the Trailer type so designed and used in conjunction with a Motor Vehicle that some part of its own weight and that of its own load rests upon, or is carried by, another Vehicle;

"SOLID FUEL" shall mean and include "coal", "processed fuel", "coke" and "wood";

"SOLID FUEL DEALER'S LICENSE" means a dealer's license issued by the City Comptroller of the City of Seattle in conformity with this chapter.

"TOW" shall mean and include any Vehicle without motive power which is, or is designed to be, attached to any Vehicle other than a Motor Vehicle for the purpose of being drawn or propelled thereby;

"TRACT" shall mean and include any real property, premises or parcel of land constituting a single unit or consisting of contiguous lots in a single title or under the dominion of a common lessee, together with the structures thereon and appurtenances thereto. Within the meaning of this definition, any tract used by a licensed dealer for the exclusive purpose of storing solid fuel, and not as a branch place of business having a sales person in attendance, shall not be deemed and construed as a separate place of business, nor be subject to separate licensing;

"TRAILER" shall mean and include any Vehicle without motive power which is, or is designed to be, attached to a Motor Vehicle for the purpose of being drawn or propelled thereby;

"VEHICLE", in addition to its ordinary meaning, shall mean and include every device in, upon, or by which any person or property is, or may be, transported or drawn, and not operated or used exclusively upon stationary rails or tracks. For the purpose of this chapter, "trailers", "semi-trailers" and "tows" shall be deemed to and construed to be separate and distinct vehicles from the vehicles to which they are attached and shall be required to bear separate Dealer's Identification Plates, as such;

"WOOD", in addition of its ordinary meaning, shall mean and include sawdust and other wood products, excepting charcoal and products coming within the definition of "processed fuel". (Ord. 67614 § 2; August 18, 1937).

10.61.030 Aiding or abetting violations—Liability as principal. Every person concerned in the commission of an offense in violation of this Chapter, whether he directly commits the act constituting the offense or aids or abets in its commission, and whether present or absent, and every person who directly or indirectly counsels, encourages, hires, commands, induces or otherwise procures another to commit such an offense is a principal and shall be proceeded against and punished as such. The fact that the person aided, abetted, counseled, encouraged, hired, commanded, induced or procured could not, or did not, entertain a criminal intent shall not be a defense to any person aiding, abetting, counseling, encouraging, hiring, commanding, inducing or procuring him. (Ord. 67614 § 3; August 18, 1937).

10.61.040 Interpretation and construction of chapter. This chapter shall be construed as supplementary to existing ordinances, and not impliedly repealing the same except where a clear inconsistency exists. It is designed to be remedial in character and shall not be subject to strict construction but, on the contrary, shall be liberally construed with a view to the prevention of frauds. (Ord. 67614 § 4; August 18, 1937).

10.61.050 Evasion or subterfuge unlawful. Resort to any subterfuge, shift or device to evade the provisions of this chapter shall be unlawful and constitute a misdemeanor and be punishable as such. (Ord. 67614 § 5; August 18, 1937).

10.61.060 Dealer's knowledge of violations presumed. In the prosecution of any dealer for violation of this chapter based upon the act and/or omission of his servant, agent and/or employee, knowledge in the dealer shall be presumed, and the dealer shall have the burden of showing that he did not have actual knowledge of such act and/or omission. (Ord. 67614 § 6; August 18, 1937).

10.61.070 Standard weights and measures. As herein used, all references to quantity contemplate determination under the uniform standards established by State law and chapter 10.59 and upon weighing and measuring devices officially approved as by said chapter provided, and any and all controversies concerning the correctness of weights and measures shall be determinable thereunder and thereby. (Ord. 67614 § 7; August 18, 1937).

10.61.080 Police powers of inspectors. Police powers are hereby conferred upon all Inspectors and they are hereby invested therewith, and they are hereby designated as special policemen and authorized as such to enforce this chapter and chapter 10.59 and to make arrests, with or without warrant, for violation of, or failure to comply with, the provisions of this chapter and/or chapter 10.59, and to exercise in the fullest degree all powers conferred upon Inspectors of Weights and Measures by said

chapter 10.59; and it shall be unlawful to molest, hinder or obstruct any Inspector in the performance of his official duty or in the exercise of any power hereby conferred. (Ord. 67614 § 7; August 18, 1937).

10.61.090 "Solid Fuel Inspection and Enforcement Fund." There be, and is hereby, created in the City Treasury the Solid Fuel Inspection and Enforcement Fund, into which fund shall be paid seventy per cent (70%) of all license fees and other fees paid to the City under the provisions of this chapter. The balance of thirty per cent (30%) shall be payable into the City's General Fund as the estimated increased burden thereon occasioned by this chapter. This chapter is declared to be a police power, and not a revenue measure, and said Solid Fuel Inspection and Enforcement Fund shall be used by the City solely to pay the salaries of the Solid Fuel Inspectors whose offices are hereby created, to defray the cost of operation and maintenance (including a reasonable depreciation allowance) of automobiles used by such Inspectors, and to meet the incidental expenses incurred by the Division of Weights and Measures in the enforcement of the provisions of this chapter. Monthly bills against said fund for such expenses, other than salaries, shall be submitted to the Auditing Committee of (by) the City Comptroller before allowance of the same. It shall be unlawful to divert said Solid Fuel Inspectors from performance of their duties prescribed by this chapter or to devote their efforts or time to the performance of other city functions. (Ord. 67614 § 9; August 18, 1937).

10.61.100 Inspectors—Duties. There be, and hereby are, created, ordained and established in the Department of Finance, and attached to the Weights and Measures Division in the office of the City Comptroller and ex-officio City Clerk, the following offices and places of employment, to-wit: Four (4) Solid Fuel Inspectors, whose sole duty it shall be to enforce the provisions of this chapter, subject to the control of the City Comptroller and ex-officio City Clerk and the Chief Inspector of Weights and Measures. Such Solid Fuel Inspectors shall be subject to appointment and removal by the City Comptroller in conformity with Article XVI of the Charter. (*) Such Inspectors shall be, by the City Comptroller and at the expense of said Fund, equipped, mechanized and provided with adequate automotive service. The City Comptroller shall so distribute the work of such Inspectors and to stagger their hours of service that inspection shall be maintained on Sundays and holidays and during the evening hours of each day and during the night time, if necessary.

The City Council shall, from time to time, when it finds such additional Inspectors necessary, establish, at the cost of said Fund, such additional positions of Inspectors and provide such additional automobile equipment as the financial condition of said Fund will, in its judgment, permit. (Ord. 67614 § 10; August 18, 1937).

(*) Compensation provisions deleted.

10.61.110 Application for license—Fees. Any person desiring to obtain a Solid Fuel Dealer's License shall, in compliance with the requirements of the License Code, make application to the City Comptroller on a form prescribed by him, signed and verified by the applicant as by said Code provided and setting forth: The full name and address of the applicant, if an individual; the full names and addresses of all partners, if a co-partnership; and the full names and addresses of all of the officers, if a corporation; and the address or principal place of business of the applicant, the telephone number of each telephone used, or to be used, in the business, and if none, that fact shall be stated.

The minimum fee for each Solid Fuel Dealer's License or renewal thereof shall be, and is hereby, fixed in the sum of Twenty-five (25) Dollars for each place of business maintained by the fuel dealer, which fee shall be increased in the amount of Fifteen (15) Dollars for each fuel delivery vehicle in excess of one vehicle used in connection with each such place of business. Such license shall authorize the named licensee to sell fuel at the place of business specified in the license and shall authorize him to deliver fuel any place within the City of Seattle until the 31st day of October next following the issuance of such license, upon which date such license shall expire unless sooner revoked for cause.

The City Comptroller shall assign to each licensee a permanent serial license number which shall be used in all renewals thereof. No license number shall be duplicated, nor shall licenses be transferable except with the written consent of the City Comptroller first obtained. If the applicant desires to deliver solid fuel by vehicle, that fact shall be stated in the application, as well as the number of dealer's identification plates desired. There shall also be specified therein and separately and accurately described and identified the number and types of vehicles intended to be employed in such delivery and the trade name, model, year and type of body of each.

In respect to motor vehicles, the application shall specify motor and factory numbers, if any, and the maximum gross weight thereof, which shall be the scale weight of such motor vehicle unladen to which shall be added the maximum load to be carried thereon as set by the licensee, and shall be accompanied by the State certificates of registration of the motor vehicles showing registration for the then current year, and shall also be accompanied by proof satisfactory to the City Comptroller that the applicant holds a valid and subsisting gross weight license issued by the State of Washington for the said vehicle and for the full gross weight thereof, as provided by Section 36, Chapter 184, Laws of 1935.* Upon the failure of the applicant to comply with any of said requirements, no dealer's identification plates shall issue. As plates issue, the City Comptroller shall endorse upon the application, opposite each vehicle descrip-

* Repealed. Present similar provisions found in RCW sections 81.80.310 and 81.80.320.

tion, the special serial plate number assigned to each such vehicle under the provisions of Section 10.61.120.

If, after the license and plates have been issued, the licensee shall desire to employ additional vehicles in his business as fuel dealer, he shall so advise the City Comptroller in writing, giving therein the information hereinabove required concerning the vehicles, present the State certificates of registration of such vehicles showing registration for the then current year, and pay the addition to the fee of his Solid Fuel Dealer's License resulting from the employment of such vehicles, whereupon the City Comptroller shall issue identification plates therefor.

In case of the loss, destruction or disfiguration of any dealer's identification plate, the City Comptroller shall issue a new plate in lieu of such lost, destroyed or disfigured plate, upon payment into the City Treasury of the sum of \$1.00 for each plate and the filing of a sworn affidavit stating the facts concerning such loss, destruction or disfiguration. (Ord. 67614 § 11; August 18, 1937).

10.61.120 Identification plates—Form. Dealer's identification plates shall be of metal and shall be exclusively manufactured under the direction of the City Comptroller, shall be issued by him only and shall be transferable only together with and at the time of the transfer of the dealer's license in connection with which such plates were issued. Such plates shall be of such distinctive color as the City Comptroller may, from time to time, actually determine and shall be of such size and form and shall bear such marks or characteristics as the City Comptroller in his discretion shall specify. It shall be unlawful to use, issue, cause to be issued, or put off as true, any false or irregular dealer's identification plate. (Ord. 67614 § 12; August 18, 1937).

10.61.130 Identification plates—How attached. Each vehicle engaged in the delivery of solid fuel shall at all times bear one legally authorized current dealer's identification plate which shall be conspicuously attached to, and securely fastened on, the exterior of the left side of the cab, or, if the vehicle has no cab, on the exterior of the left side of the vehicle, and so prominently and in such manner that it can be plainly seen and read at all times by a person of normal vision at a distance of fifty (50) feet. Such plate shall be so affixed in a horizontal position at a distance of not less than three (3) feet nor more than five (5) feet from the ground, and each such plate shall be kept so clean as to be plainly seen and read at all times. It shall be unlawful for any owner thereof to fail or neglect to so attach such dealer's identification plate to any vehicle engaged in the delivery of solid fuel, or for any person to display upon any vehicle any dealer's identification plate other than the one furnished to him by the City Comptroller therefor, or lawfully transferred to him as herein provided, or to display

upon any vehicle any dealer's identification plate which in any manner has been changed, altered or disfigured, or which has become illegible. (Ord. 67614 § 13; August 18, 1937).

10.61.140 License to be posted. Every Solid Fuel Dealer's License shall be, by the licensee, at all times kept conspicuously posted on, and securely fastened to, a structure on the tract named therein, and, in the absence thereof, at the principal place of business named therein and in a place readily accessible to the public and open to public view, and it shall be unlawful to fail, refuse or neglect so to do. (Ord. 67614 § 14; August 18, 1937).

10.61.150 Unlawful to make delivery in vehicle without proper identification plates. It shall be unlawful to deliver to any consumer any solid fuel in or from any vehicle which does not lawfully bear a dealer's identification plate of the type herein provided, and lawfully issued or transferred to, and held by, the deliverer of such solid fuel; or which vehicle bears a dealer's identification plate issued to another, or one illegally issued, or one issued not in compliance with this chapter, or one issued for another vehicle; or which vehicle bears a dealer's identification plate issued in connection with, or under, a Solid Fuel Dealer's License which has expired or been revoked. (Ord. 67614 § 15; August 18, 1937).

10.61.160 Name, kind and grade of fuel—Definitions. For purposes of this chapter "name", "kind" and "grade", when used in respect to Solid Fuel, shall be deemed and construed to be used as follows:

"NAME"—The fuel type described in words of commonly accepted meaning in ordinary usage (i.e., "wood", "coke", "coal", "briquet", "boulet", etc.)

"KIND"—In respect to coal, the commonly recognized producer's trade name under which the coal is sold by the producer at the mine of origin (i.e., "Carbonado", "Renton", "Cumberland", etc.); in respect to processed fuel and coke, the marketing name used by the processor or manufacturer (i.e., "Diamond" briquet; "Gasco" coke; etc.); and in respect to wood, the name of the cut (i.e., "mill wood", "forest wood", "slab wood", "Planer ends", etc.).

"GRADE"—Used in respect to coal the graded size (i.e., "large lump", "lump", "egg", "pea", "steam", etc.) specified or recognized by State law or regulation adopted thereunder, when so specified or recognized; and, in the absence thereof, the graded size specified or recognized by Federal law or regulation adopted thereunder, of local application, force or effect, if any; and in the absence of both such State and Federal tests, that graded size recognized by prevailing local custom and common usage in the City of Seattle.

Any untrue designation in Delivery Ticket or Certified Weight of any fuel name, kind, or grade, or any such designation not conforming hereto, shall constitute a misrepresentation and misstatement of fact within the meaning of this chapter, and shall be unlawful and constitute a misdemeanor. (Ord. 67614 § 16; August 18, 1937).

10.61.170 Certified weights. It shall be unlawful to deliver to any consumer by vehicle, in bulk, any coal, processed fuel or coke unless the same shall have been weighed by a Licensed City Weighmaster upon "approved" scales, and unless the gross, tare and net weights of such vehicle and commodity shall have been entered by him upon the delivery ticket, required to be delivered to the consumer, and the impress of his Weighmaster's seal placed thereon in certification of the correctness of such weights, which certified delivery ticket shall accompany the commodity so weighed and be delivered with the same to the consumer in full conformity and compliance with the requirements of this chapter and chapter 10.59.

It shall be unlawful to furnish, deliver, use, issue, cause to be issued, or put off as true, any false, incomplete or irregularly certified delivery ticket, or one containing a misrepresentation or misstatement of fact. (Ord. 67614 § 17; August 18, 1937).

10.61.180 Certified joint weights unlawful. It shall be unlawful to deliver to any consumer, by vehicle in bulk, any coal, processed fuel or coke, or any certified delivery ticket therefor, if two or more consignments of solid fuel be carried on the delivery vehicle at the same time, whether the fuel be separated by partition boards, or not, unless each of such consignments shall have been separately weighed and certified delivery tickets issued therefor in full conformity, and compliance, with the requirements of this chapter and chapter 10.59. (Ord. 67614 § 18; August 18, 1937).

10.61.190 Jointly measured wood delivery unlawful. It shall be unlawful to deliver to any consumer, by vehicle, any wood if two or more consignments of the same be carried on the delivery vehicle at the same time, whether separated by partition boards, or not, unless each of such consignments shall have been separately measured in full conformity, and compliance, with the requirements of this chapter and chapter 10.59. (Ord. 67614 § 19; August 18, 1937).

10.61.200 True net weight and delivery ticket required. It shall be unlawful to deliver to any consumer, in bulk, any coal, processed fuel or coke, unless the same be delivered upon the basis of the true net weight thereof determined by weighing upon "approved" scales, or any wood unless the same be delivered upon the basis of the true net measure thereof, and unless such solid fuel be accompanied by a Delivery Ticket, conforming to the standard form prescribed by the City Comptroller, furnished to the consumer at the time of such delivery, stating the name, kind and quantity

(and in respect to coal, the grade) thereof delivered, together with the gross, tare and net weight, or measure, as the case may be (and the selling price of the same—if sold by the deliverer), upon which said Delivery Ticket there must be endorsed or printed the name, and license address, of the deliverer, and the correct telephone number of the telephone used by the deliverer in his business, and the number of his Solid Fuel Dealer's License issued under this chapter, and the number of the dealer's identification plate of the vehicle from which delivery was made, and the name and address of the consumer, together with the date of delivery. If the fuel delivered be a mixture of two or more kinds or grades of coal, the constituent parts thereof shall be separately weighed and identified by name, kind, grade and quantity upon such ticket. It shall be unlawful to furnish, deliver, use, issue, cause to be issued, or put off as true, any false, incomplete or irregular Delivery Ticket, or one containing a misrepresentation or misstatement of fact. (Ord. 67614 § 20; August 18, 1937).

10.61.210 Dealers outside city—Licensing. Any person engaged in the mining, production or manufacturing of Solid Fuel, or the sale or delivery of the same, whose mine or Solid Fuel establishment is located outside of the City Limits, owning and maintaining thereat any scales of ten or more tons capacity (except track scales used by common carrier railroads), who desires to certify weights in connection with the operation of such scales, shall, if selling and/or delivering to consumers in the City, procure a Solid Fuel Dealer's License in the manner heretofore provided; shall present to the City Comptroller a Certificate of Inspection and Approval of said scales executed within the preceding thirty (30) days by the State Director of Agriculture or his deputy or a sealer of weights and measures under Rem. Rev. Stat., Sec. 11620; shall comply with the provisions of Section 10.59.230 of chapter 10.59 relating to the designation of Licensed City Weighmasters and pay the fee required thereby; and shall execute, acknowledge and file with the City Comptroller on a form prescribed by the Comptroller, a written agreement covenanting that, in consideration of the privileges conferred, he will allow the inspection of his premises and of such scales by any City Inspector at any and all reasonable times, that he will faithfully comply with the provisions of this chapter and Chapter 10.59, that he will correct his said scales to conform to City standards as often as required by any Inspector, that he will without charge weigh all solid fuel submitted by Inspectors for weighing and all solid fuel delivered to Seattle consumers from his said mine or establishment and furnish full, true and correct certified weights thereof complying in all respects with the requirements of this chapter and of chapter 10.59, and that he will hold and save harmless any and all persons dealing with him as a Licensed City Weighmaster and any and all consumer consignees receiving certified weights executed by him and will pay all judgments (including a reasonable attorney's fee to

be fixed by the Court) recovered against him for any default or delict on his part in the premises. The license of any such extraterritorial licensee shall be subject to revocation in the manner specified in Section 10.61.330 and upon the grounds therein specified, or for failure to comply with such written agreement. Upon such revocation of such license the City Comptroller shall revoke the appointment as Licensed City Weighmaster, and such person shall not thereafter be eligible to be designated as such: Provided, however, that in the case of a co-partnership designations and appointment shall be limited to the members or employes of such co-partnership, and in the case of a corporation, to the officers or employes of such corporation. The written agreement hereinabove required shall be executed by the co-partnership or corporation and its designate as principals and shall be equally binding upon it and him. (Ord. 67614 § 21; August 18, 1937).

10.61.220 Unlicensed sales unlawful. It shall be unlawful for any person to sell Solid Fuel to another; or to engage in the business of selling Solid Fuel; or to establish any place of business for such purpose, or to hold himself out to the public as being engaged in the business of selling Solid Fuel; or to store, hold or possess Solid Fuel or expose the same to public view with intent to sell the same; or to exhibit sample Solid Fuel to promote sales thereof without having first applied for and obtained in the manner herein provided, and being the owner and holder of, a valid and subsisting license authorizing such person so to do, which such license, as specified in Section 10.61.110, shall be known as "Solid Fuel Dealer's License".

A separate Fuel Dealer's License shall be required for each place of business used by any person for the sale and/or exhibition of solid fuel for purposes of sale regardless of the quantity of such fuel held or possessed on the premises. (Ord. 67614 § 22; August 18, 1937).

10.61.230 Unlicensed deliveries unlawful. It shall be unlawful for any person, for hire, to deliver Solid Fuel to a consumer; or to engage in the business of delivering Solid Fuel to consumers; or to establish any place of business for such purpose, or to hold himself out to the public as being engaged in the business of delivering Solid Fuel to consumers; or to store, hold or possess Solid Fuel with intent to deliver the same to consumers without having first applied for and obtained in the manner herein provided, and being the owner and holder of, a valid and subsisting Solid Fuel Dealer's License authorizing such person so to do. (Ord. 67614 § 23; August 18, 1937).

10.61.240 Unlicensed place of business unlawful. It shall be unlawful for any person to establish or conduct a place of business required under the provisions of this chapter to be licensed for which particular place of business there has not been lawfully issued to and is not then held by the

person so doing, a valid and subsisting fuel dealer's license authorizing him so to do. A separate fuel dealer's license shall be required for each such place of business. (Ord. 67614 § 24; August 18, 1937).

10.61.250 False advertising unlawful. It shall be unlawful for any person to make, publish, disseminate, circulate or place before the public any advertisement relating to the sale and/or delivery of Solid Fuel which advertisement contains any assertion, representation or statement which is untrue, deceptive or misleading, or which falsely represents the name, kind, grade, classification, quality, origin or quantity of such Solid Fuel, or which falsely represents the conditions under which delivery will be made. (Ord. 67614 § 25; August 18, 1937).

10.61.260 Advertisements to specify name, kind, grade and quantity. It shall be unlawful for any person to make, publish, disseminate, circulate, or place before the public, any advertisement relating to the sale and/or delivery of Solid Fuel unless such advertisement contains a true, correct and complete description of such Solid Fuel by name, kind and grade, and in addition, the true and correct quantity thereof if such advertisement purports to fix a sale price for a given quantity or an amount contained in sack, box or other container. (Ord. 67614 § 26; August 18, 1937).

10.61.270 Form and design of seals, tickets and other paper forms. The City Comptroller be, and he is hereby, authorized and directed to prescribe the form and design of Licensed City Weighmaster's seals, and also size and contents of Delivery Tickets, and such other paper forms as he may, from time to time, deem necessary or expedient. All such seals and paper forms used in the sale and/or delivery of Solid Fuel shall conform to the standard forms as to form, size and content prescribed by said officer. It shall be unlawful and constitute a misdemeanor to use, utter, furnish or deliver or to have in possession with intent to use, utter, furnish or deliver, any Licensed City Weighmaster's seal, or any Delivery Ticket or other paper form not conforming to the forms prescribed by said officer. (Ord. 67614 § 27; August 18, 1937).

10.61.280 Forgery. It shall be unlawful to forge, simulate or alter any License, Dealer's Identification Plate, Licensed City Weighmaster's Seal or signature, City official's signature, or certified Delivery Ticket, or to utter, dispose of, or put off as true, any such License, Dealer's Identification Plate, Licensed City Weighmaster's seal or signature, City official's signature, or certified Delivery Ticket, knowing same to have been forged, simulated or altered; or to have any such forged, simulated or altered License, Dealer's Identification Plate, Licensed City Weighmaster's seal or signature, City official's signature, or certified Delivery Ticket, in possession with intent to use, utter or dispose of the same. (Ord. 67614 § 28; August 18, 1937).

10.61.290 Counterfeiting or using other dealer's identification plate. It shall be unlawful for any person to use, post, affix, counterfeit or imitate any Solid Fuel Dealer's License or Dealer's Identification Plate lawfully issued, or assigned, to another, or to have the same in possession with intent so to do. (Ord. 67614 § 29; August 18, 1937).

10.69.300 Use of false tags and marks unlawful. It shall be unlawful to apply, affix or attach to any sack, box or other container containing Solid Fuel any mark, tag, printing, stamp or insignia falsely representing or indicating that the same contain Solid Fuel of a particular name, kind, grade, blend and/or quantity. (Ord. 67614 § 30; August 18, 1937).

10.61.310 Dealer's name on vehicle. Each vehicle engaged in the delivery of Solid Fuel shall have the dealer's name, in plain English letters not less than six (6) inches high, conspicuously displayed upon both sides thereof, and all partition boards used in such vehicle for segregating kinds, grades or quantities of Solid Fuel shall be of such dimensions as to extend entirely across said vehicle and in height not less than four (4) inches above the fuel so divided.

It shall be unlawful to use any vehicle in the delivery of Solid Fuel that does not have the dealer's name displayed thereon or the partition boards of which are not of the required dimensions. (Ord. 67614 § 31; August 18, 1937).

10.61.320 Peddling prohibited. It shall be unlawful to go from house to house or place to place with, or carrying or transporting, Solid Fuel with intent to sell the same, or selling the same, or offering or exposing the same for sale, either at wholesale or retail; or with such intent to stand or park a vehicle containing Solid Fuel on a public highway or in a public place; or with such intent and in such vehicle so containing Solid Fuel to cruise upon public highways and in public places. (Ord. 67614 § 32; August 18, 1937).

10.61.330 Revocation of licenses. Any license issued hereunder shall be subject to revocation by the City Comptroller for fraud in its procurement; or upon conviction of the licensee of a violation of this chapter or chapter 10.59 or of any crime involving an intent to defraud; or for failure of the licensee, or of his agent or employee acting within the scope of employment, to comply with any condition, term or requirement imposed by law upon the marketer, or marketing, of Solid Fuel. No license may be revoked except after hearing before the City Comptroller, at which the licensee shall have the right to be heard and to introduce evidence in his own behalf. At least five (5) days before such hearing, the City Comptroller shall cause notice thereof to be delivered to the licensee or mailed to his license address, which notice shall state the time and place of such hearing, together with the reasons assigned for the proposed revocation. If, upon such hear-

ing, the city comptroller shall find that one or more of such reasons for revocation exist, he shall reduce his findings to writing and forthwith revoke and take up the license or licenses of the solid fuel dealer involved and all dealer's identification plates issued to him thereunder. The decision of the city comptroller upon the question of the revocation of any such license or licenses shall be final, subject only to review by the courts for arbitrary, capricious or fraudulent action.

No person whose license has been revoked shall again receive a solid fuel dealer's license, or be licensed to maintain or operate a place of business, or to sell and/or deliver solid fuel, or to engage in the business of selling and/or delivering solid fuel for a period of at least one year from the date of such revocation. (Ord. 67614 § 33; August 18, 1937).

10.61.340 Chapter does not authorize violation of statute or contravention of constitutional rights. Nothing in this chapter contained shall be deemed or construed to require any license in violation of, or to prohibit any act expressly authorized by, a valid statute, nor shall this chapter be construed to contravene any constitutional provision or impair any constitutional right. (Ord. 67614 § 34; August 18, 1937).

10.61.350 Severability. If any section, subdivision, sentence or clause of this chapter is adjudged to be unconstitutional or invalid, such adjudication shall not affect the validity of this chapter as a whole, or of any portion of this chapter the validity of which is not necessarily affected by such adjudication. (Ord. 67614 § 35; August 18, 1937).

10.61.360 Penalty for violations. Any person who shall violate, or fail to comply with, any of the provisions of this chapter, or who shall be concerned in such violation or failure to comply, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine in any sum not exceeding three hundred dollars or by imprisonment in the city jail for a period not exceeding ninety days, or by both such fine and imprisonment. (Ord. 67614 § 36; August 18, 1937).

Chapter 10.62 JITNEY BUSES

Sections:

- 10.62.010 Definitions.
- 10.62.020 Permit application.
- 10.62.030 Investigation.
- 10.62.040 Permit specifications.
- 10.62.050 Permit expiration.
- 10.62.060 Permit cancellation.
- 10.62.070 Vehicle inspection.

- 10.62.080 General regulations.
- 10.62.090 Compliance.
- 10.62.100 Penalty for violations.

10.62.010 Definitions. Unless it shall appear from the context that a different meaning is intended, the following words shall have that meaning given to them by this section.

“Street” means and includes all or any portion of the public highways and other places of the city of Seattle open to the public for the use of vehicles.

“Person” means and includes natural persons of either sex, associations, copartnerships and corporations, whether acting by themselves or by servant, agent or employee.

“Good cause” means and includes proof of careless, negligent or reckless driving, or failure to comply with the terms of this chapter or other ordinances pertaining to the operation of motor vehicles, or conviction of a crime involving moral turpitude, or the existence of a condition which, in the opinion of the city council, is detrimental to the public peace, health, safety, welfare or convenience.

“Jitney bus” means and includes every motor propelled vehicle, not operated on fixed tracks, which is used in the occupation of carrying passengers for hire and operated on any street for the purpose of affording a means of transportation similar to that ordinarily afforded by street railways, by indiscriminately accepting within the limits of the city and discharging within or without the limits of the city such persons as may offer themselves for transportation for hire along the way or course on which such vehicle is used or operated or may be running. (Ord. 40886 § 1; May 11, 1920).

10.62.020 Permit application. Any person desiring to operate a jitney bus shall apply to the city council, by filing with the city comptroller, on a form to be provided by the comptroller, an application for a jitney bus permit, which application shall describe the route over which it is desired to operate, including the specification of certain fixed termini, the schedule of the time upon which the same will be operated, the rate of fare (which shall not exceed the rates hereinafter specified) to be charged, and the capacity of the jitney bus to be used. (Ord. 40886 § 2; May 11, 1920).

10.62.030 Investigation. Immediately upon the filing of an application for a jitney bus permit as herein provided, the city comptroller shall furnish a copy thereof to the superintendent of public utilities, who shall, without delay, investigate the same and make a report thereon, in writing, to the city council, recommending either the granting of the permit applied for, with or without modification of the route, termini, schedule, rate of fare or capacity specified in said application, or the refusal of the same. The report shall set forth fully the reasons for the recommendations

therein made. Upon receipt of the report, the city council may direct the city comptroller to issue a permit in accordance with the recommendations of the superintendent of public utilities or with such modifications thereof as the city council shall specify. (Ord. 40886 § 3; May 11, 1920).

10.62.040 Permit specifications. Every jitney bus permit issued hereunder shall specify the route, with fixed termini, over which the permittee is authorized to operate a jitney bus, the schedule of time upon which the same shall be operated, the rate of fare that may be charged, and the maximum number of passengers that may be carried in such jitney bus at one time, and such permit shall authorize such permittee to operate a jitney bus upon the route so specified according to the schedule, to charge the rate of fare, and to carry not to exceed the maximum number of passengers, therein specified, but upon no other route, between no other termini, according to no other schedule, at no other rate of fare, and with no greater number of passengers: Provided, however, that the obtaining of such permit shall in no wise excuse the permittee from complying with each and all of the requirements specified in any other ordinance of the city of Seattle; and provided further, that in cases of emergency, of which the superintendent of public utilities shall be the judge, such superintendent may authorize, in writing, a deviation from such route, termini, schedule, rate of fare or maximum load, for a period not to exceed thirty days, during which said period such permittee shall obtain from the city council authority to change the route, termini, schedule, rate of fare or maximum load specified in his permit, if it is desired to deviate therefrom for a longer period than thirty days. In case of the granting by said superintendent of such authority to so deviate, the original written authorization thereof shall be filed in the office of the city comptroller, and a duly certified copy thereof must at all times be carried upon the jitney bus so operated during the period of such deviation, and shall, upon demand, be exhibited to any peace officer of the city of Seattle. (Ord. 40886 § 4; May 11, 1920).

10.62.050 Permit expiration. Every such permit shall expire at twelve midnight on the thirty-first of December of the year in which it is issued. (Ord. 40886 § 5; May 11, 1920).

10.62.060 Permit cancellation. There is, reserved to the city council the power and authority to revoke and cancel any jitney bus permit granted hereunder for good cause shown; there is also reserved to the city council the power and authority to modify the route, termini, schedule or rate of fare specified in any permit, and to cause a new permit to be issued containing a specification of the route, termini, schedule or rate of fare as modified. (Ord. 40886 § 6; May 11, 1920).

10.62.070 Vehicle inspection. The superintendent of public utilities

shall provide for the rigid inspection of each motor vehicle used as a jitney bus and, in the event that he shall deem any such motor vehicle unsafe, he shall notify the permittee thereof, in writing, of such unsafe condition; and it shall be unlawful for such permittee to operate such motor vehicle thereafter without first making the motor vehicle safe. (Ord. 40886 § 7; May 11, 1920).

10.62.080 General regulations. It shall be unlawful for any person:

(a) To drive or operate any jitney bus upon or along any street unless the person operating such jitney bus has secured a permit as herein provided to operate such bus on such street.

(b) To drive or operate a jitney bus in the city of Seattle unless there shall be attached to or adjacent to the front side of the windshield or on the front of such vehicle a copy of the permit pursuant to which the same is operated.

(c) To charge, collect or receive fares in excess of ten cents each for one continuous trip in one direction; within the city limits, or to charge any fare in excess of that specified in the permit.

(d) To fail to operate any jitney bus according to the schedule provided in the permit issued hereunder, except in case of accident or emergency.

(e) To fail, refuse or neglect to operate such jitney bus between the termini and over the entire route specified in the permit issued therefor: Provided, that between the hours of seven a.m., and eight-thirty a.m., such vehicles when inbound, may turn back upon discharging the last passenger, and between the hours of four-thirty p.m. and six p.m. outbound vehicles may turn back upon discharging the last passenger and provided further, that such vehicle may divert from the regular route to deliver passengers if consented to by the other passengers, provided that such diversion shall not interfere with the prescribed schedule of such car.

(f) To fail or refuse to comply with all traffic regulations of the police department, and violation of such regulations or of any ordinances relating to traffic shall be sufficient cause to cancel the certificate of such person.

(g) To permit any person to occupy with the driver the driver's seat in excess of its fixed seating capacity, or to ride upon the running board of such vehicle, or in any place in front of the front seat, or upon the fender, dashboard, or upon the top of the seat-backs, or to carry at any one time more than two passengers in excess of the seating capacity of such vehicle; Provided, that in counting passengers, children under six years of age shall be excluded from the count.

(h) To operate any jitney bus which has not been inspected and found to be safe by the superintendent of public utilities.

(i) To operate or drive such jitney bus during the hours that the

street lights of the city of Seattle are kept burning, unless during such hours the tonneau or rear inside portion of such jitney bus is kept continuously lighted while the top of such jitney bus is up. (Ord. 40886 § 8; May 11, 1920).

10.62.090 Compliance. No jitney bus permit shall be issued hereunder unless the applicant for same shall first comply with all of the requirements of the ordinances of the city of Seattle and laws of the state of Washington relating to "for-hire vehicles." (Ord. 40886 § 9; May 11, 1920).

10.62.100 Penalty for violation. Any person violating or failing to comply with any of the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not exceeding one hundred dollars, or imprisoned in the city jail not exceeding thirty days, or may be both so fined and imprisoned. (Ord. 40886 § 10; May 11, 1920).

Chapter 10.63

HEATING EQUIPMENT DEALERS

Sections:

- 10.63.010 Definition.
- 10.63.020 License.
- 10.63.030 Bond.
- 10.63.040 Suspension of license.

10.63.010 Definition. "Heating equipment" as used herein includes any burner, furnace or other device designed to use electricity or to burn any liquid or solid or gaseous fuel for space heating or for use with a space heating system. (Ord. 48022 § 332 as amended by Ord. 90659; Oct. 30, 1961).

10.63.020 License.* (1) It is unlawful for anyone to engage in, or to represent himself as being engaged in, the business of selling at retail, installing, altering, repairing or servicing heating equipment, without first obtaining, for each location of which such business is undertaken, a valid and subsisting license so to do, to be known as a heating equipment dealer's license, the fee for which is fifty dollars per year; provided that this section shall not apply to any person, firm or corporation required by the laws of the state of Washington to have a license to engage in, conduct or carry on the business of installing wires or equipment to convey electric current, or installing apparatus or appliances to be operated by such current. (2) Such heating equipment dealer's license shall authorize only such installing of piping or wiring as is incidental and immediately appur-

* Expiration of license—See Section 10.03.080.

10.63.030 LICENSES

tenant to heating equipment. (Ord. 48022 § 333 added by Ord. 89418 and amended by Ord. 98134 § 1; Sept. 17, 1969).

10.63.030 Bond. No heating equipment dealers license shall be granted until the applicant therefor has furnished a good and sufficient bond in the penal sum of one thousand dollars, executed by the applicant for such license as principal, and by a surety company authorized to do business as such in the state of Washington as surety, approved as to sufficiency of surety by the mayor and comptroller, and as to form by the corporation counsel, and conditioned:

(a) That the principal will abide by the terms of this and all other applicable ordinances.

(b) To save harmless and indemnify the city from any and all loss, damages, actions and claims of any kind or character which may accrue to or be suffered by any person by reason of failure of the principal, his servants or agents to abide by the terms of this and all other applicable ordinances.

(c) To save harmless and indemnify all persons for damages sustained on account of the failure of the principal of such bonds to comply with the terms of this and all other applicable ordinances, or for the failure of such principal to protect all persons with whom a contract is made, against liens for labor or material furnished in connection with such contract.

(d) That the obligations of said bond may be terminated by the surety thereon upon thirty days written notice to the comptroller.

(e) That claim shall be maintained under the bond only if the claimant shall serve upon the surety and the comptroller notice of the nature and amount of such claim within six months after the principal on the bond shall have completed or abandoned the work giving rise to the claim, whereupon any bona fide payment of any such claim by the surety with prompt notice thereof to the comptroller, shall reduce the amount of the bond by the amount so paid, provided that if there be at one time more than one unliquidated claim under the bond, of which notice has been given as herein provided, and the total of such unliquidated claims shall exceed the amount of the bond at that time, the recoveries shall be

prorated so that the total recoveries against the surety under any circumstances shall not exceed one thousand dollars, except as the bond may be reinstated by consent of the surety filed with the comptroller. (Ord. 48022 § 334 added by Ord. 89418; July 13, 1960).

10.63.040 Suspension of license. If any bond or extension thereof is terminated or the amount reduced, any license granted under this chapter shall be suspended by the city comptroller until such time as there shall be filed with the comptroller a consent of the surety to the restoration of the amount of the bond to the full sum of one thousand dollars or until the filing of a new bond in the sum of one thousand dollars. Any such consent of surety or new bond shall be approved as provided for the original bond. (Ord. 48022 § 335 added by 89418; July 13, 1960).

Chapter 10.64 SWILL COLLECTORS

Sections:

- 10.64.010 License required—Fee.
- 10.64.020 "Swill"—Defined.
- 10.64.030 Qualifications for license.

10.64.010 License required—Fee.* It is unlawful for any person to own, operate, drive or use any vehicle for the purpose of removing, collecting or transporting swill within the city of Seattle, without having a valid and subsisting license so to do, to be known as a "swill collector's license." The fee for a swill collector's license shall be fixed in the sum of five dollars per year for each and every vehicle so used.

No swill collector's license shall be used unless the applicant therefor has complied with all of the provisions contained in ordinances that are now or may hereafter be in force and effect, relating to the removal, collection and transportation of swill within the city of Seattle, and not until the director of health has approved in writing the applicant's petition for such license. (Ord. 48022 § 214; December 1, 1924).

10.64.020 "Swill"—Defined. The term "swill," as used in this title, means and includes every refuse, accumulation of animal, fruit or vegetable matter, liquid or otherwise, that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit and vegetable, except coffee grounds.

It is unlawful to place in any vessel or tank devoted to or used for the keeping or collection of swill, any coffee grounds, ashes, cans, tins, rubbish, soap, lye, glass, soil or other substance, except swill. (Ord. 48022 § 215; December 1, 1924).

*Expiration of license—See Section 10.03.080.

10.64.030 Qualifications for license. Only citizens of the United States, eighteen years or more of age, or corporation, the entire stock of which is owned in good faith in their own right by citizens of the United States, eighteen years of age or over, shall be eligible to obtain a swill collector's license. (Ord. 48022 § 216 as amended by Ord. 100478 § 6; December 1, 1971).

Chapter 10.65 CABULANCES

Sections:

- 10.65.010 Definitions.
- 10.65.020 Licenses required.
- 10.65.030 License plates.
- 10.65.040 Application for licenses.
- 10.65.050 Equipment and maintenance.
- 10.65.060 Trip records.
- 10.65.070 Rates of fare.
- 10.65.080 Taximeter required—Inspection—Exemption.
- 10.65.090 Use of taximeter required.
- 10.65.100 Installation of taximeter.
- 10.65.110 Display and operation of taximeter flag.
- 10.65.120 Suspension of for hire driver's license for overcharging.
- 10.65.130 Use of most direct route required.
- 10.65.140 Employment of driver convicted of driving while intoxicated.
- 10.65.150 Revocation or suspension of for hire driver's license for driving under influence of liquor or drugs.
- 10.65.160 Refusal to accept passenger—Refusal to pay fare.
- 10.65.170 Valises and small baggage—Cancellation of calls.
- 10.65.180 Liability insurance.
- 10.65.190 Qualifications of drivers.
- 10.65.200 Rules and regulations.
- 10.65.210 Revocation or suspension of licenses for violations—
Appeals.
- 10.65.220 Severability.
- 10.65.230 Penalty for violations.

10.65.010 Definitions. The following terms for the purpose of this chapter shall mean:

"CABULANCE": any motor vehicle for hire driven by the owner or his employee and which is designed for the transportation of handicapped persons who by reason of physical or mental infirmity may not be conveniently transported on public mass transportation vehicles or in taxicabs,

or who cannot drive their own automobile. This definition shall not be construed to include taxicabs, special services vehicles, ambulances or mass transportation vehicles.

"CABULANCE OPERATOR": Anyone engaging in the business of transporting physically or mentally infirm persons in a cabulance.

"DRIVER": anyone in charge of, or driving, any cabulance. (Ord. 93789 § 1 as amended by Ord. 101857 § 24; February 13, 1973).

10.65.020 Licenses required. It is unlawful to be or become a "cabulance operator" in the city of Seattle without first having obtained a valid and subsisting "cabulance operator's base license," the annual fee for which is fixed at two hundred fifty dollars and the expiration date for which is fixed as August 31st of each year; and it further shall be unlawful for any cabulance operator to operate, or any driver to drive any cabulance, unless said cabulance operator shall first have obtained for each such vehicle a valid and subsisting "cabulance license," the annual fee for which shall be twenty-five dollars and the expiration date for which shall be August 31st of each year. Any licenses which may be issued under this chapter prior to August 31, 1965 shall be pro-rated and issued for a fee equal to one-twelfth of the annual license fee for said license multiplied by the number of full months which may remain in said period. (Ord. 93789 § 2; April 21, 1965).

10.65.030 License plates. The city comptroller shall furnish with each cabulance license issued one or more tags or plates to be known as "Seattle cabulance plates," bearing the number of the license year for which the license is issued and the words "CABULANCE—SEATTLE." The form, material and positioning on the vehicle of each such plate shall be as prescribed by the city comptroller. It is unlawful for any owner, operator or driver of a cabulance to operate any such vehicle without having conspicuously displayed thereon, as prescribed by the city comptroller, such Seattle cabulance plate, or to operate any such vehicle with expired or illegible Seattle cabulance plates thereon, or to fail to comply with any regulations of the city comptroller relating to such plates.

Seattle cabulance plates shall remain the property of the city of Seattle and it is unlawful for anyone other than the licensee to whom the plates were issued to possess or use any such plate. Any plates possessed, or used in violation of the provisions of this chapter, shall be taken up by any police officer or member of the division of licenses and standards and returned to the city comptroller. (Ord. 93789 § 3; April 21, 1965).

10.65.040 Application for license. Application for a cabulance operator's base license shall be made to the city comptroller on forms prepared by him and shall be sworn to by the applicant. If the applicant is a corporation, it shall accompany said application with a list of the names and addresses

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of all officers, directors and stockholders of the corporation, and no change in such officers, directors or shareholders shall be made without first obtaining the consent of the city council. Said application shall show the name of the applicant, together with any assumed name under which the applicant will operate, and for each cabulance, the company vehicle number therefor, the make, model and identifying color scheme, monogram or insignia and serial number of the vehicle. (Ord. 93789 § 5; April 21, 1965).

10.65.050 Equipment and maintenance. Each cabulance shall be equipped and maintained at all times by the operator thereof for safe and lawful operation as a cabulance and in accordance with the laws of the city of Seattle and the state of Washington, and shall be furnished with such equipment as the city comptroller shall deem necessary for such safe operation. Any cabulance may be inspected at any reasonable time by the chief of police or the city comptroller or any representative of either and the city comptroller may require any cabulance to proceed to a specified location for inspection. The city comptroller shall, on application and may periodically, inspect as to safety, cleanliness, appearance and compliance with city and state law the following equipment of each cabulance:

- (a) Shock absorbers;
- (b) Tires (blowout proof, puncture proof, if available; adequate tread for non-skid operation throughout the inspection period);
- (c) Exits (each vehicle shall have at least two exits from the compartment where the person is carried);
- (d) Glass (for pits or cracks);
- (e) Wheel chair retaining locks;
- (f) Security of all auxiliary equipment;
- (g) Safety belts. (Ord. 93789 § 6; April 21, 1965).

10.65.060 Trip records. Every cabulance operator shall keep at the location for which his operator's license is issued a chronological record showing each call for cabulance service ordered or made and the name and address of the person calling for said service, the name of the driver who responded thereto, the company number of the cabulance, the time and place of the origin and of the end of each cabulance trip, and the fee charged, and shall upon request of any person paying a cabulance charge furnish a receipt showing such information. Such records shall at all reasonable times be open to the inspection of the city comptroller or chief of police or the agents of either. (Ord. 93789 § 4; April 21, 1965).

10.65.070 Rates of fare. It is unlawful for anyone driving or engaging in the business of operating any cabulance to charge, demand, collect or receive any greater or less rate of fare than the following:

As a pick-up fee for the first handicapped person in the cabulance and for the first $\frac{1}{8}$ mile, or fraction thereof\$6.75
 Thereafter for each additional $\frac{1}{8}$ mile, or fraction thereof10
 For each one minute of waiting time10
 For each additional handicapped person a pick-up fee of 2.00

(No additional passenger shall be picked up without the express consent of the original passenger.) Passengers may split the total charge per any agreement they may work out among themselves, and each handicapped person may have with him a private attendant at no additional charge.

A round trip price for a return trip on the same day as the original trip shall be the same as the price for original trip minus two dollars.

The above rates, insofar as they establish minimum rates, shall not apply to any passenger carried pursuant to a contract between the licensee and any educational or medical institution or any handicap vocational center if such contract or satisfactory evidence thereof has been theretofore filed with the city comptroller. (Ord. 93789 § 7 as amended by Ord. 97192 § 2; November 7, 1968).

10.65.080 Taximeter required—Inspection—Exemption. It is unlawful for any person to drive or operate any cabulance, or engage in the business of operating cabulances, unless each such cabulance is equipped with a taximeter which has been inspected, approved and sealed by the city comptroller in conformity with the National Bureau of Standards, Handbook 44—2nd Edition, as amended, a copy of which is contained in C. F. 245003 on file in the office of the city comptroller.

It shall be the duty of the operator and of the driver having possession or control of the cabulance to at all times keep such taximeter accurate. Approval by the city comptroller shall be evidenced by his certificate which shall be plainly posted on the taximeter for the information of the public. The city comptroller shall inspect all taximeters at least once each year, and shall have the right to inspect any taximeter at any time.

Taximeters shall not be required on cabulances used solely for the transportation of persons under contract as contemplated by Section 10.65.070 if such cabulance is conspicuously identified on its exterior as a contract carrier in a manner approved by the city comptroller. (Ord. 93789 § 8 as amended by Ord. 94021; July 8, 1965).

10.65.090 Use of taximeter required. It is unlawful for any person to drive or operate, or to engage in the business of operating, a cabulance or cabulances, without at all times using its taximeter to determine the fare or rate to be charged and collected except when lawfully operating under a private contract pursuant to the proviso to Section 10.65.070 hereof, and except when operating under such a private contract it shall be unlawful for any person to charge, demand, collect, or receive any fare, rate or charge which is not directly based, measured and computed upon the record on the reading face of said taximeter or for any driver or operator to

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use or employ any other or different method of computing or measuring such distance or time charges than the methods hereinabove specifically provided. (Ord. 93789 § 9; April 21, 1965).

10.65.100 Installation of taximeter. Every taximeter shall be installed at the right side of the driver, either adjoining the cowl or dashboard of the cabulance and at such height that the flag thereof may be readily seen by observers on the street. The reading face of the taximeter shall at all times be well-lighted and distinctly readable to the passengers within the cabulance. It is unlawful to change the size of the wheels or tires of any cabulance or the gears operating the taximeter or to change the taximeter from one cabulance to another unless such taximeter is re-inspected and approved by the city comptroller before it is used. (Ord. 93789 § 10; April 21, 1965).

10.65.110 Display and operation of taximeter flag. It is unlawful for any driver of a cabulance while carrying passengers, or while under employment, to display the flag attached to the taximeter at such a position as to denote that such cabulance is not employed, or to throw the flag of the taximeter at a recording position when such vehicle is not actually employed, or to fail to throw the flag of such taximeter at a nonrecording position at the termination of each and every service; provided, when the cabulance is being operated under a private contract on file with the city comptroller, such cabulance shall bear identification approved by the comptroller identifying it as being so engaged. (Ord. 93789 § 11; April 21, 1965).

10.65.120 Suspension of for hire driver's license for overcharging. Any driver of a cabulance who shall charge any passenger a rate of fare other than that provided for in Section 10.65.070 hereof, shall, upon conviction thereof, be punished, in addition to the other penalties herein provided, by having his for hire driver's license suspended by the city comptroller for a period of not less than six months nor more than one year. (Ord. 93789 § 12; April 21, 1965).

10.65.130 Use of most direct route required. Any driver of a cabulance employed to carry passengers to a definite point shall take the most direct route possible that will carry the passenger safely and expeditiously to his destination. (Ord. 93789 § 13; April 21, 1965).

10.65.140 Employment of driver convicted of driving while intoxicated. It is unlawful for anyone engaged in the business of operating a cabulance to knowingly employ a driver who has within one year been convicted of driving any motor vehicle while intoxicated. (Ord. 93789 § 14; April 21, 1965).

10.65.150 Revocation or suspension of for hire driver's license for driving under influence of liquor or drugs. If any driver of a cabulance shall be convicted of driving such vehicle while under the influence of intoxicating liquor, or narcotics, the for hire driver's license of such driver shall be suspended or revoked by the City Council, and he shall not be granted a for hire driver's license for a period of at least one year from the date of such conviction. (Ord. 93789 § 15; April 21, 1965).

10.65.160 Refusal to accept passenger—Refusal to pay fare. It is unlawful for any driver of a cabulance to refuse to accept as a passenger any person of proper deportment who requests a ride when the cabulance is unemployed; and it is unlawful for any person to refuse to pay the regular fare for a cabulance after having hired the same. (Ord. 93789 § 16; April 21, 1965).

10.65.170 Valises and small baggage—Cancellation of calls. Persons served with a cabulance hereunder shall be entitled to have such valises or small hand baggage as can be conveniently carried within the vehicle, loaded, conveyed, and unloaded without charge. Persons cancelling calls for cabulances after dispatch in answer thereto, may be charged the same rate as if used. (Ord. 93789 § 17; April 21, 1965).

10.65.180 Liability insurance. Every cabulance operator shall file with the City Comptroller a policy or policies of public liability insurance, approved as to sufficiency by the City Comptroller and as to form by the Corporation Counsel, issued by an insurance company or companies authorized to do business in the State of Washington, providing indemnity for or protection to the City of Seattle as well as providing public liability insurance coverage for each and every cabulance owned, operated and/or leased by the applicant, for injury to or death of persons, passengers or otherwise, in accidents resulting from any cause by which the owner of said vehicle would be liable on account of any liability imposed upon him by law, regardless of whether the cabulance was being driven by the owner or his agent, and as against damage to the property of another, including personal property under like circumstances, in the sum of one hundred thousand dollars for the injury or death of one person, or three hundred thousand dollars for the injury or death of more than one person in any one accident, and fifty thousand dollars for property damage.

Every such policy of insurance shall continue to the full amount thereof, notwithstanding any recovery thereon and shall provide that the liability of the insurer shall not be affected by the insolvency or bankruptcy of the assured. The policy shall be for the benefit of any and all judgment creditors. Each insurance policy required hereunder shall extend for the period covered by the license applied for and the insurer shall be obliged to give not less than ten days' written notice to the City

Comptroller in the event of any change or cancellation. (Ord. 93789 § 18; April 21, 1965).

10.65.190 Qualifications of drivers. (a) Each cabulance driver shall be at least twenty-one years of age and shall have been approved by the Director of Public Health as qualified in First Aid or as equal to or better than the requirement of an advanced Red Cross First Aid rating, and shall carry with him at all times proof of his qualifications.

(b) It shall be unlawful for anyone to drive or to hire anyone to drive any cabulance if such driver does not have a valid "for hire driver's license" obtained, issued, and conditioned in accordance with Chapter 10.67 of this code as amended, or to fail to exhibit such license on request of any police officer or deputy of the City Comptroller. (Ord. 93789 § 19; April 21, 1965).

10.65.200 Rules and regulations. The City Comptroller may make rules and regulations consistent with this chapter and it shall be unlawful to violate or fail to comply with any such rule or regulation. (Ord. 93789 § 20; April 21, 1965).

10.65.210 Revocation or suspension of licenses for violations—Appeals.

(1) Any cabulance operator's base license or any cabulance license may be revoked or suspended by the City Comptroller for any violation of or failure to comply with any provision of this chapter or any rule or regulation promulgated under the authority of this chapter.

(2) The "for-hire driver's license" of any cabulance driver may be suspended or revoked by the City Council for any violation of or failure to comply with the provisions of this chapter or upon conviction in any court of speeding, reckless driving, drunkenness, possession or sale of intoxicating liquor, use, sale or possession of narcotic drugs, or for violation of any law or ordinance relating to overcharging for carrying passengers for hire, or upon the conviction of a crime involving fraud or moral turpitude.

Any licensee whose license is revoked or suspended shall have the right to appeal to the City Council from such revocation or suspension, by filing with the City Council a written notice thereof within five days after the notice of entry of the order of revocation or suspension. The notice of appeal shall specify an address at which the licensee may be given notice of hearing on the appeal. The City Council shall hear the appeal, or may refer the same to a committee for hearing. At the hearing, the licensee shall be entitled to appear in person and offer evidence pertinent to the revocation or suspension; and the City Comptroller shall likewise be entitled to be heard at the hearing and to offer evidence in support of his order of revocation or suspension. The City Council shall determine by resolution whether the revocation or suspension shall be sustained, modified, or set aside and its action shall be final and conclusive. From the

time of filing the written notice of appeal until the hearing and action by the City Council, the order of the City Comptroller of revocation or suspension shall be ineffective. Any suspended or revoked license shall be surrendered to the City Comptroller. (Ord. 93789 § 21; April 21, 1965).

10.65.220 Severability. If any portion of this chapter is found by any court to be unconstitutional or void such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 93789 § 22; April 21, 1965).

10.65.230 Penalty for violations. Anyone violating or failing to comply with any of the provisions of this chapter shall, upon conviction thereof, be punished by a fine of not exceeding three hundred dollars or imprisonment in the city jail for not exceeding ninety days, or by both such fine and imprisonment. (Ord. 93789 § 23; April 21, 1965).

Chapter 10.66 TEMPORARY MERCHANTS

Sections:

10.66.010 Defined.

10.66.020 License required—Fee—Application.

10.66.010 Defined. The term “temporary merchant” as used herein means any person who in any building or structure, or on any lot or premises engages temporarily in the business of selling or offering for sale at retail any goods, wares or merchandise, including those who in connection with any lecture sell or offer for sale any goods, wares or merchandise; provided, that this section and Section 10.66.020 of the License Code shall not apply to public officers selling property by authority of law, nor to persons selling farm or dairy products. (Ord. 48022 § 230, as amended by Ord. 71460; November 27, 1941).

10.66.020 License required—Fee—Application. It shall be unlawful to engage in or carry on the business of a temporary merchant without a valid and subsisting license so to do, to be known as a “temporary merchant’s license.” The fee for such license shall be twenty-five dollars per day, or if the license procured for one or more full months, three hundred dollars per month. Applications for temporary merchant’s license shall be made pursuant to Section 10.02.100, and all such applications shall state the character, kind and approximate quantity and value of the goods to be sold; the true name and address of the owner or owners thereof; the location where the business is to be conducted, and the number of days or months for which a license is desired; and that the applicant has or has not been convicted of a felony or any crime involving moral turpitude within fifteen years immediately preceding the date of such application. Such application shall be accompanied by an affidavit duly executed by the applicant stating that all information contained in

such application is true, which affidavit shall be included in or attached to the application. (Ord. 48022 § 231 as amended by Ord. 85557; October 10, 1956).

Chapter 10.67 FOR-HIRE DRIVER

Sections:

- 10.67.010 License required.
- 10.67.020 Qualifications for a for-hire driver's license.
- 10.67.030 Fingerprints and photographs to accompany application.
- 10.67.040 Investigation of applicant.
- 10.67.050 Temporary permit.
- 10.67.060 Issuance of license.
- 10.67.070 Removal of existing licenses—Compliance with Section 10.67.020.
- 10.67.080 Expiration and renewal of licenses.
- 10.67.090 Fees.
- 10.67.100 Damaged or worn out licenses to be replaced.
- 10.67.110 Suspension of license.
- 10.67.120 License to be carried on person and exhibited on request.

10.67.010 License required. It is unlawful for any person to drive a motor vehicle carrying passengers, and incidental baggage, for hire, hereinafter referred to as a motor vehicle for-hire, without having a valid and subsisting license so to do, to be known as a fore-hire driver's license to be obtained from the city comptroller in the manner hereinafter provided; provided that the provisions of this section shall not apply to drivers of motor vehicles used in interstate business nor to drivers of motor vehicles operated by the municipal transit system. (Ord. 48022 § 103 as amended by Ord. 73763; January 22, 1945).

10.67.020 Qualification for a for-hire driver's license. No person shall be issued a for-hire driver's license unless he possess the following qualifications:

- (a) He must be at least eighteen years of age;
- (b) He must be free from any infirmity of body or mind which would render him unfit for safe operation of a motor vehicle and shall have submitted to a medical examination by the director of public health and have obtained a certificate from said director approving his qualifications hereunder. Such examination and certification shall not be required for renewals of such license; but the city comptroller may at any time at his discretion require any licensee to be so examined and to secure such certificate;
- (c) He must not be addicted to the use of in intoxicating liquor or narcotic drugs; provided that such requirement shall not prevent the issuance of such license to any person otherwise qualified who is being treated under

a medically supervised methadone treatment program and who shall file with the city comptroller certification by the medical director of any such program that the applicant is undergoing such treatment; and provided further that it shall be the duty of any such medical director so certifying to immediately notify the city comptroller of any failure of such person to continue such treatment for so long as it shall be necessary, and in that event, any for-hire driver's license issued to such person shall be subject to immediate revocation;

(d) He must be of good moral character;

(e) He must be a safe driver of a motor vehicle of the for-hire type and must possess a good knowledge of the geography of the city and the laws and ordinances relating to the driving and operation of motor vehicles for-hire. The applicant shall file with the city comptroller an application on a form approved by the city comptroller, which shall be signed and sworn to by the applicant and which shall set forth the following facts concerning the applicant: Name, height, weight, color of hair and eyes, residence address, place and date of birth, length of time a resident in the state of Washington, whether a citizen or non-citizen, last place of employment, whether previously licensed and if so where and whether or not the license was ever suspended or revoked and for what cause, and such other information as the city comptroller may require.

The applicant shall on the application give the names and mailing addresses of four persons, not relatives, who have known him for at least two years last past.

Any applicant who fails to pass a satisfactory medical examination may be re-examined after a reasonable period of time, and if following such re-examination the certificate herein required from the director of public health is issued the applicant may be licensed in accordance with the provisions of this title. (Ord. 48022 § 104 as amended by Ord. 89770, Ord. 97841, Ord. 100014 and Ord. 100478 § 4; December 1, 1971).

10.67.030 Fingerprints and photograph to accompany application. Each application for a for-hire driver's license shall be accompanied by a complete set of fingerprints of the applicant, and also by a recent photograph of the applicant (full face view) not less than two and one-half inches by two and one-half inches or larger than three inches by three inches in size. Such photograph shall be retained in the records of the city comptroller. (Ord. 95008 § 1; July 28, 1966).

10.67.040 Investigation of applicant. When an application for a for-hire driver's license, duly signed and sworn to and accompanied by the required certificates of the commissioner of health has been received by

the city comptroller, he shall investigate the statements contained therein and may obtain such other information concerning the applicant's character, integrity, personal habits, past conduct and general qualifications as will show the applicant's ability and skill as a driver of a motor vehicle for-hire, and his honesty, integrity and character for the purpose of determining whether the applicant is a suitable person to drive a motor vehicle for-hire within the city of Seattle. All applications for for-hire driver's licenses shall become null and void after six months from date

of filing, if the applicant for any reason fails or neglects to obtain a license. (Ord. 48022 § 106 as amended by Ord. 74223; August 21, 1945).

10.67.050 Temporary permit. Upon application for a For-Hire Driver's license the City Comptroller may, pending the required examination and investigation of the qualifications of the applicant, issue a temporary For-Hire Driver's permit which will entitle the applicant to operate a For-Hire motor vehicle pending action upon his application. Such temporary permit shall be good for 45 days, but may be renewed by the City Comptroller pending result of the required examination of the qualifications of the applicant. Such permit shall not be transferable or assignable and shall be valid only with the taxicab company to which it was originally issued.

Whenever the holder of such temporary permit leaves the original employment the employer shall within forty-eight hours notify the City Comptroller. Such permit may be revoked by the City Comptroller for failure to report for examination under his application, or for violation by the permittee of or failure to comply with conditions under which such permit is issued. Revocation or cancellation of said permit by the City Comptroller shall be final unless following appeal and hearing before the License Committee his decision shall be reversed by the City Council. (Ord. 48022 § 107 added by Ord. 79606; January 25, 1951.)

10.67.060 Issuance of license. If the City Comptroller is satisfied that the applicant possesses the qualifications and is a suitable person to drive a motor vehicle for-hire under the provisions of this title, he shall issue him a For-Hire Driver's License, otherwise he shall deny the same. (Ord. 95008 § 2; July 28, 1966: prior Ord. 48022 § 108 as amended by Ord. 74223; August 21, 1945.)

10.67.070 Renewal of existing licenses—Compliance with Section 10.67.020. The holder of any For-Hire Driver's License which has been renewed for four consecutive years and will expire January 31, 1950, or January 31, 1951, may be issued a new license or a renewal, to expire not later than January 31, 1952, subject to all requirements of the License Code except residence in the City of Seattle prior to January 31, 1952, and the residence requirement of Section 10.67.020 of the License Code is waived as to any such applicant for such period: Provided, that applications for new or further renewal of such licenses for the year beginning February 1, 1952, must show compliance with said Section 10.67.020. (Ord. 48022 § 109 as amended by Ord. 79402; November 2, 1950).

10.67.080 Expirations and renewals of licenses. For-Hire Driver's Licenses issued hereunder shall expire on the thirty-first day of January next following issuance thereof and may be renewed only during the month of January unless revoked or under suspension; provided that such license may be renewed on or before April 30th when a licensed for-hire driver is not engaged in the business or occupation of driving automobiles carry-

ing passengers for-hire in the City of Seattle and has a valid Washington State operator's license. All renewals shall be subject to the some conditions and limitations as are required in the issuance of a for-hire driver's license and anyone licensed as a for-hire driver for four consecutive years shall furnish the City Comptroller with a new photograph as described in Section 10.67.030. (Ord. 95008 § 3; July 28, 1966: prior Ord. 48022 § 110 as amended by Ord. 53281; June 27, 1928.)

10.67.090 Fees. The fees for a For-Hire Driver's License shall be as follows: For each original license fifteen dollars which shall be paid at the time of making application; and for each annual renewal thereafter the sum of five dollars, which shall be paid at the time of making the application for renewal. Exempt from such fees shall be drivers employed by the city in the operation of transit busses. No charge shall be made by the Health Department in connection with the physical examination of an applicant for a for-hire driver's license. (Ord. 95008 § 4; July 28, 1966: prior Ord. 48022 § 111 as amended by Ord. 88789; December 8, 1959).

10.67.100 Damaged or worn out licenses to be replaced. When the license is worn out, damaged or otherwise unfit for use the City Comptroller may require the license to be replaced in the same form as the original license, at the expense of the licensee. (Ord. 48022 § 112 as amended by Ord. 75087; June 19, 1946.)

10.67.110 Suspension of license. In addition to other reasons set forth in this title for revocation of licenses, or for the suspension of the same, a driver's license may be suspended for not less than ten days nor more than sixty days by the Police Judge for violation of any of the provisions of this title relating to drivers of vehicles carrying passengers for hire, or upon conviction in any court under any law or ordinance, relating to speeding, reckless driving, drunkenness, possession or sale of intoxicating liquor, use, sale or possession of narcotic drugs, or for violation of any law or ordinance relating to overcharge for carrying passengers for hire, or for fraud or the commission of an act involving moral turpitude.

Any driver of an automobile for hire, whose driver's license has been suspended in police court, must surrender his license for the period of suspension, to the City Comptroller. (Ord. 48022 § 113 as amended by Ord. 75087; June 28, 1927.)

10.67.120 License to be carried on person and exhibited on request. The for-hire driver's license shall at all times be carried on the person of the licensee; and shall on request be exhibited by the licensee to any passenger or to any peace officer or license inspector. (Ord. 48022 § 114 as amended by Ord. 73763; January 22, 1945.)

Chapter 10.68

VEHICLES FOR HIRE—LICENSE

Sections:

- 10.68.010 Defined.
- 10.68.020 License required.
- 10.68.030 Seattle vehicle license plates.
- 10.68.035 Unlawful to engage in business of operating for-hire cars or sightseeing cars or charter busses without licenses—Fees—Applications for licenses.
- 10.68.040 Unlawful to manufacture license plates without order from city comptroller.
- 10.68.050 Duplication of lost or damaged plates.
- 10.68.060 Application for license—Fees.
- 10.68.070 Baggage check—When required.

10.68.010 Defined. The term "vehicles for hire," as hereinafter used, shall be held and construed to mean any automobile, taxicab, coach, omnibus, truck, cart, wagon, or other vehicle of whatsoever kind or by whatsoever power propelled, used for the transportation of passengers for hire. Provided, however, that the provisions of this chapter shall not include or apply to vehicles used and run exclusively by hotel keepers in conveying guests to and from hotels free of charge or reward, if such vehicles are used exclusively for that purpose; but if any such vehicle be used in the business of more than one person for such purpose, it shall be subject to the provisions of this chapter. (Ord. 48022 § 233 as amended by Ord. 69834; March 8, 1940.)

10.68.020 License required. It is unlawful for any person to own, operate, drive, or engage in the business of picking up passengers in a vehicle for hire within the city of Seattle without having for such vehicle, a license to be known as a "vehicle license." (Ord. 48022 § 233 as amended by Ord. 101857 § 1; February 13, 1973).

10.68.030 Seattle vehicle license plates. The city comptroller shall furnish with each vehicle license issued, one or more tags or plates, to be known as Seattle vehicle license plates. Each such plate shall bear the number of such vehicle license and the year for which said license was issued and the words "Seattle Vehicle License." The form, material, and positioning on the vehicle of each such license plate shall be as prescribed by the city comptroller. It is unlawful for any owner, operator or driver of a vehicle for hire to operate such vehicle without having conspicuously displayed thereon, a Seattle vehicle license plate, furnished and authorized by the city comptroller, or to operate such vehicle with expired or illegible Seattle vehicle license plates thereon, or to fail to comply with any regulation of the city comptroller relating to such plates.

10.68.035 LICENSES

Upon the transfer of a taxicab permit to a standby vehicle as provided for in Chapter 10.69, such vehicle license plates may be placed on such standby vehicle, and such standby vehicle may be operated under the vehicle license for which such plates have been issued.

Such Seattle vehicle license plates shall be and remain the property of the city of Seattle and upon the revocation, surrender, suspension or expiration of a vehicle license, or if found in the possession of any person except as authorized herein, such plates shall be taken up by any police officer or member of the division of licenses and standards and returned to the city comptroller. (Ord. 48022 § 234 as amended by Ord. 89191 and Ord. 101857 § 2; February 13, 1973).

10.68.035 Unlawful to engage in business of operating for-hire cars or sightseeing cars or charter busses without licenses—Fees—Applications for licenses. (a) It is unlawful to engage in the business of operating any for-hire car as defined in Section 10.69.010 without first having obtained a valid and subsisting license so to do to be known as a for-hire car base license, the annual fee for which is fixed in the sum of one hundred dollars.

(b) It is unlawful to engage in the business of operating any sightseeing car or charter bus as defined in Section 10.69.010(d) without first having obtained a valid and subsisting license so to do to be known as a sightseeing car or charter bus base license, the annual fee for which is fixed in the sum of four hundred dollars.

(c) For-hire car base licenses and sightseeing car or charter bus base licenses shall expire on midnight of August 31st, of each year.

(d) Application for for-hire car base licenses shall be made to the city council on forms prescribed by the city comptroller. The city council may at its discretion, after public hearing, by resolution of the council, authorize the issuance of such licenses by the city comptroller; provided that the number of for-hire car licenses to be issued at any one time shall not exceed one for each twenty-five thousand inhabitants of the city or major fraction thereof as fixed by the last previous official state census.

(e) Application for sightseeing car or charter bus base licenses shall be made to the city council on forms prescribed by the city comptroller. The city council shall fix a time and place for hearing on the application. Notice of such hearing shall be given in writing to the applicant and to all persons holding licenses for sightseeing car or charter bus base licenses in the city. Notice shall be given to the public by publication in the official newspaper of the city not less than fifteen days prior to the date of hearing. The city council may receive any evidence, hear testimony and may call witnesses as in its discretion it may deem advisable in order to make its determination by resolution of whether the city comptroller shall be authorized to issue the sightseeing car or charter bus base license applied for. In the hearing provided, the burden of proof shall be upon the appli-

cant to establish that public convenience and necessity require such operation of the sightseeing car or charter bus service for which application has been made and that the applicant is fit, able and willing to perform such transportation of persons as proposed in the application.

In determining whether public convenience and necessity require the issuance of such sightseeing car or charter bus base license the city council shall take into consideration the following:

- (a) The number of sightseeing cars or charter buses already operating under licenses;
- (b) Whether the requirements of public convenience and necessity can be met and complied with only by the issuance of additional licenses;
- (c) Whether the increased service would result in ruinous competition;
- (d) Whether the additional service requested cannot best be rendered by the existing operators;
- (e) The financial responsibility of the applicant;
- (f) The type and condition of equipment proposed to be operated;
- (g) The character, experience and responsibility of the applicant and such other relevant factors as the city council may deem advisable, pertinent or necessary to aid in determining whether public convenience and necessity require the issuance of additional licenses;

Provided, all presently valid sightseeing car or charter bus base licenses shall continue in effect and upon any bona fide sale of the licensed business shall be transferable by and with the consent by resolution of the city council. (Ord. 48022 § 235 added by Ord. 89191 and amended by Ord. 93540 and Ord. 102360 § 1; July 16, 1973).

10.68.040 Unlawful to manufacture license plates without order from city comptroller. It is unlawful to manufacture any Seattle vehicle license plate or duplicate thereof herein provided for except by order from the city comptroller. (Ord. 48022 § 236 as amended by Ord. 89191; April 18, 1960).

10.68.050 Duplication of lost or damaged plates. Whenever a Seattle vehicle license plate becomes lost, destroyed or stolen, a duplicate may be authorized by the city comptroller at the expense of the licensee. Should the original of the ordered duplicate to be later found, such original shall be returned to the city comptroller. (Ord. 48022 § 237 as amended by Ord. 89191; April 18, 1960).

10.68.060 Application for license—Fees. Application for vehicle licenses shall be made to, and licenses issued by, the city comptroller on forms prescribed by him. Vehicle licenses shall expire at midnight on August 31st of each year. The annual license fee for each vehicle shall be fifty dollars; provided that the annual license fee for any vehicle used solely as a special services vehicle as defined in Section 10.69.010 shall be ten dollars. (Ord. 48022

10.68.070 LICENSES

§ 238 as amended by Ord. 93540 and Ord. 101857 § 3; February 13, 1973).

10.68.070 Baggage check—When required. Every driver or operator of a licensed vehicle conveying baggage for hire shall give such person for whom he shall handle or transfer baggage, a check or receipt for each piece of baggage so handled, which check or receipt shall be duplicate of the check or receipt attached to each piece of baggage and shall have stamped or printed thereon, the name and address, and if convenient, the telephone number and vehicle license number of the person issuing such a check or receipt. (Ord. 48022 § 239; December 1, 1924).

Chapter 10.69

VEHICLES FOR HIRE—PERMITS AND REGULATIONS

Sections:

- 10.69.010 Definitions.
- 10.69.020 Permit—City comptroller to issue—Applications.
- 10.69.105 List of shareholders to accompany application by corporation.
- 10.69.120 Honorably discharged veterans—Special permit.
- 10.69.130 Maximum number of taxicabs.
- 10.69.135 Additional taxicab or special services vehicle permits—Terms and conditions.
- 10.69.140 Allowable rates and charges.
- 10.69.160 Display of license number and rate card.
- 10.69.170 Taximeter—Requirement.
- 10.69.180 Taximeter—Fare must be based on.
- 10.69.190 Taximeter—Accuracy, testing and inspection.
- 10.69.200 Taximeter—Location—Changing tire size or gears or moving to other cab.
- 10.69.210 Taximeter—Display of flag.
- 10.69.220 Clock required.
- 10.69.230 Trip record—Licenses to be carried.
- 10.69.240 Inspection of vehicle—Capacity.
- 10.69.250 Driver to have valid license.
- 10.69.260 Charging excessive rates—Revocation of driver's license.
- 10.69.270 Driver to take most direct route possible.
- 10.69.300 Employment of driver previously convicted of drunk driving prohibited.
- 10.69.310 Conviction for driving while drunk or under influence of narcotics—Revocation of license.
- 10.69.320 Refusal to accept passenger or refusal to pay fare unlawful.

- 10.69.330 Leaving vehicle unattended, washing or making repairs unlawful while in stand.
- 10.69.350 No charge for carrying hand baggage—Charge for cancelling call for cab.
- 10.69.360 Number of vehicles, capacity, rates and routes to be filed.
- 10.69.370 Carrying trunks or baggage.
- 10.69.375 Rules and regulations.
- 10.69.380 Penalty for violations.
- 10.69.390 Severability.

10.69.010 Definitions. (a) The term "person" wherever used in this chapter means and includes natural persons of either sex, firms, copartnerships, associations, and corporations, whether acting by themselves, by servant, agent or employee. The singular number shall include the plural and the masculine pronoun shall include the feminine and the neuter.

(b) The term "taxicab" wherever used in this chapter means and includes every motor vehicle having a seating capacity of seven passengers or less, as per manufacturer's rating, used for the transportation of passengers for hire, and not operated exclusively over a fixed and defined route.

(c) The term "for-hire car" wherever used in this chapter means and includes every motor vehicle other than a "sightseeing car or charter bus" or "special services vehicle," having a seating capacity of seven passengers or more, as per manufacturer's rating, used for the transportation of passengers for hire, and not operated exclusively over a fixed and defined route.

(d) The term "sightseeing car or charter bus" wherever used in this chapter means a motor vehicle used as a sightseeing car or charter bus as in this subsection defined.

The term "sightseeing car" means and includes every motor vehicle having a seating capacity of nine or more passengers used for sightseeing purposes over a fixed or defined route of travel and charging a sum certain for each trip.

The term "charter bus" means and includes every motor vehicle, not continuously operated over a fixed route, that has a seating capacity of nine passengers or more, as per manufacturer's rating, and is for hire by a person or persons, by charter, for their exclusive use, the consideration for which and the points of origin and destination are determined at the time of chartering, but shall not include any "special services vehicle."

(e) The term "motor vehicle" wherever used in this chapter means and includes every self-propelled vehicle by or upon which any person may be transported or carried upon any public highway, street or alley, excepting vehicles used exclusively upon stationary rails or tracks.

(f) The term "taximeter" wherever used in this chapter means and

includes any instrument or device by which the charge for hire of a passenger carrying vehicle is mechanically measured or calculated either for the distance traveled by such vehicle or for waiting time, or for both, and upon which such calculated charges shall be indicated by means of figures.

(g) The term "special service vehicle" wherever used in this chapter means and includes every motor vehicle not operated exclusively over a fixed or defined route and used for the transportation at reduced rates of persons sixty-five years of age or older or handicapped persons as in this subsection defined.

The term "handicapped person" means and includes any person having a disabling physical or mental handicap and to whom an identification card has been issued by the department of human resources of the city of Seattle upon application therefor describing such handicap and accompanied by the certification by a medical doctor that such handicap limits such person's activities, functioning and ability to use public transportation facilities.

(h) The phrase "engage in the business of operating any taxicab, for-hire car, special services vehicle, sightseeing car, or charter bus" means the pickup and transportation of any fare-paying passenger from a point within the corporate limits of the city of Seattle, whether or not the vehicle is dispatched from a taxicab stand or office within the unincorporated limits of King County or any other municipal corporation, and whether or not the ultimate destination or route of travel is within the corporate limits of the city of Seattle, provided that nothing in this chapter shall be construed to apply to a taxicab, for hire car, special services vehicle, sightseeing car or charter bus licensed by King County or any other municipal corporation, and transporting passengers from a point within unincorporated King County or other licensing municipality to a destination outside thereof, whether or not the ultimate destination or route travelled is within the corporate limits of the city of Seattle. (Ord. 59866 § 1 as amended by Ord. 89192 and Ord. 101857 § 4; February 13, 1973).

10.69.020 Permit—City comptroller to issue—Applications. It is unlawful to engage in the business of operating any taxicab, for-hire car, special services vehicle, sightseeing car, or charter bus, without first obtaining a permit so to do from the city comptroller to be obtained in the following manner:

The applicant for such permit, in manner approved by the city comptroller, shall show in his application, the classification under which the vehicle will be operated, as "taxicab," "for-hire car," "special services vehicle," or "sightseeing car or charter bus," the yearly period for which the permit is sought and shall furnish full, true and accurate information concerning the ownership, identification, company vehicle number, the name, fictitious or otherwise, under which the vehicle is to be operated, the distinguishing color scheme, design or dress, including any monogram or insignia to be used on the vehicle and, as required by the city comptroller,

the number of days and mileage for each day of operation for any and all vehicles operated by the applicant under any permit issued under the provisions of this chapter for the year preceding the yearly period specified in the application for a permit. The applicant shall furnish such other information as may be required by the city comptroller which he deems necessary to aid in the enforcement of this chapter.

No such permit shall be issued unless the applicant therefor files with the city comptroller satisfactory evidence of a policy or policies of public liability insurance in the sum of twenty-five thousand dollars for the injury or death of one person, or fifty thousand dollars for the injury or death of more than one person in any one accident, and ten thousand dollars for property damage, issued by an insurance company or companies authorized to do business in the state of Washington. Said policy or policies shall, in addition, by endorsement or otherwise, name the city of Seattle as an additional insured and provide that the city of Seattle, its officers, agents, and employees, shall be indemnified and held harmless from any loss, or claim or suit for damages or injury from the use or operation of any vehicle or vehicles operated under such permit, and shall further provide that not less than ten days written notice shall be given to the city comptroller in the event of any change or cancellation. Such insurance shall be maintained in full force and effect for the full period to be covered by the permit applied for and failure to do so shall result in the automatic suspension of such permit.

No permit to operate a special services vehicle shall be issued unless at the time of making application therefor, the applicant files with the city comptroller the schedule of rates, fares and charges applicable to the operation of such special services vehicle during the yearly period for which the permit is sought and no such schedule shall be changed during such yearly period except upon the approval of the city council by resolution.

The city comptroller may inquire into the correctness and accuracy of the information furnished, and if he is satisfied, after investigation, that the applicant has met the various requirements of this chapter that the name under which the applicant is to operate and the color scheme used upon the vehicle do not conflict with any other so used, or tend to deceive the public, that the motor vehicle is equipped with proper state license and is properly bonded for the protection of the public as required by law, a permit in such form as shall be prescribed by the city comptroller may be issued therefor in accordance with the provisions of this chapter, authorizing the operation of said motor vehicle under the classification applied for a period ending August 31st next succeeding the date of issue, and such permit may be reissued for succeeding yearly periods to the same permit holder and for the same motor vehicle when the requirements of this chapter are otherwise met.

Transfer of a permit to any other person may be authorized only by consent of the city council for good cause shown; provided, that nothing herein shall prevent the holder of a taxicab permit from leasing such taxicab to another person or persons for use or operation. Application for transfer of a permit to another person shall state the reasons for requesting the transfer, the trade name and color scheme under which the vehicle will be operated, and a detailed description of the proposed operation of the vehicle. The city council shall be the exclusive judge in determining whether transfer of such permit and operation of the vehicle as proposed will best serve the public. Failure on the part of any permit holder to operate such vehicle in accordance with the proposed operation described in said application, shall be grounds for revocation of such permit. No permit shall be transferred to the operation of any other motor vehicle without approval of the city comptroller, and unless the motor vehicle for which the permit to operate is issued shall be sold, become obsolete, unsafe or unfit for further use, of which the city comptroller shall be the exclusive judge; provided that a permit issued for the operation of a taxicab may be transferred to another motor vehicle which has been previously inspected and approved by the city comptroller as meeting the requirements of this chapter and designated as a standby vehicle, and such standby vehicle may be operated under such permit.

No taxicab permit shall be issued for a second or succeeding year for the same taxicab or for any other taxicab under the same permit, unless the taxicab and any other taxicab for which the permit has been transferred as herein authorized, has during the yearly period covered by the permit been operated for at least ten miles per day for at least two hundred forty days of said year, and no special services vehicle permit shall be issued for a second year for the same special services vehicle or for any other special services vehicle under the same permit, unless the special services vehicle and any other special services vehicle for which the permit has been transferred as herein authorized, has during the yearly period covered by the permit been operated for at least ten miles per day for one hundred eighty days of said year, nor shall any new taxicab or special services vehicle permit be issued to any person holding a permit which lapses because of failure to meet the foregoing requirement in the next preceding year; provided, that the city council, for good cause shown, may waive the foregoing requirement, and upon such waiver the city comptroller shall be authorized to issue a new permit. (Ord. 59866 § 2 as amended by Ord. 93542, Ord. 95715, Ord. 99225, Ord. 100479 and Ord. 101857 § 5; February 13, 1973).

10.69.105 List of shareholders to accompany application by corporation. Each application for a taxicab permit of renewal or transfer made by or on behalf of a corporation under this chapter, as amended, shall include

a list of the names and addresses of all shareholders of such corporation, and no change in such shareholders shall be made without first obtaining the consent of the city council, and failure to comply with this provision shall be grounds for revocation of such permit. (Ord. 59866 § 2-i added by Ord. 87630; October 28, 1958).

10.69.120 Honorably discharged veterans—Special permit. The city comptroller is authorized to issue, subject to nonconforming provisions of this chapter, special permits authorizing the operation of taxicabs to any person who served in the Armed Forces of the United States during World War II and who has been honorably discharged and applies therefor within three months of such discharge and who, within seven months prior to the entry into such service was authorized to and was operating a taxicab in the city of Seattle and who sold his taxicab business to another; and also to any person who served in the Merchant Marine of the United States in World War II and who was in good standing at the time of his discharge or release therefrom and applies therefor within three months of such discharge or release and who, within seven months prior to entering the Merchant Marine was authorized to and was operating a taxicab in the city of Seattle and who sold his taxicab business to another; provided, that if any such person were operating more than one taxicab at the time of entering such service, the special permit shall authorize the same number of taxicabs as were operated by him before entering such services. (Ord. 74824 § 1; March 28, 1946).

10.69.130 Maximum number of taxicabs. The number of taxicabs and special services vehicles authorized to operate, and for which permits may be issued, shall be based upon the population of the city, as determined in the last preceding United States Census, at the ratio of one taxicab to each twenty-five hundred inhabitants, and one special services vehicle to each twenty-five thousand inhabitants; provided, that this limitation shall not affect taxicabs in operation under license on September 9, 1966 except as such vehicles are abandoned through inability of operators to meet the requirements of this chapter; provided, further, that notwithstanding such limitation of the total number of taxicab permits herein prescribed, the city comptroller may under the provisions of this chapter issue permits for the operation of any additional taxicabs previously licensed by King County for a period of at least two years immediately prior to annexation in territory annexed to the city and during this period continuously operated in such territory from a principal office located within the same, but in such cases no new permit or transfer of permit shall be issued based upon the sale, lease, assignment, or other transfer of any such taxicab or taxicab business, within a period of two years; and provided further that notwithstanding such limitation of the total number of special services vehicles permits herein prescribed, the city comptroller may under the provisions of

this chapter issue permits for the operation of additional special services vehicles to holders of permits for the operation of any taxicab, for-hire car, sightseeing car or charter bus.

Notwithstanding the above limitations and conditions, the city council is authorized to determine from time to time by resolution whether the public convenience and necessity requires the issuance of additional taxicab or special services vehicle permits. Applications for such additional permits and council determination of public convenience and necessity therefor shall be in conformity with the terms and conditions set forth in Section 10.69.135. (Ord. 59866 § 3 as amended by Ord. 79136, Ord. 95032 and Ord. 101857 § 7; February 13, 1973).

10.69.135 Additional taxicab or special services vehicle permits—Terms and conditions. Persons desiring additional taxicab or special services vehicle permits, as contemplated hereunder, shall make written application therefor to the city council on forms prescribed by it. Such application shall include the applicant's full name and address, and if the applicant is an employee, the name of his employer. In the case of taxicabs, applicants shall show by competent evidence that he, or one of two joint applicants, has been an operator or a joint licensee of the type of vehicle for which such additional permit is sought for at least two years next preceding said application.

Before any additional permits to operate taxicabs or special services vehicles are granted, the city council shall fix a time and place for a hearing on the application. Notice of such hearing shall be given in writing to the applicant and to all persons holding permits for taxicabs or special services vehicles as the case may be. Notice shall be given to the public by publication in the official newspaper of the city not less than fifteen days prior to the date of hearing. The city council may receive any evidence, hear testimony, and may call witnesses as, in its discretion, it may deem advisable in order to make its determination of whether additional permits shall be granted or denied. In the hearing provided, the burden of proof shall be upon the applicant to establish by clear, cogent and convincing evidence that public convenience and necessity require the operation of the service for which application has been made and that the applicant is fit, able and willing to perform such transportation of persons and property as proposed in the application.

In determining whether public convenience and necessity requires the issuance of additional permits, the city council shall take into consideration the following:

- (a) The number of taxicabs or special services vehicles as the case may be, already operating under permits;
- (b) Whether the requirements of public convenience and necessity can be met and complied with only by the issuance of additional permits;
- (c) The probable effect of increased service on local traffic conditions;

(d) Whether the increased service would result in ruinous competition;

(e) The effect on working conditions and wages paid to drivers of taxicabs or special services vehicles as the case may be;

(f) Whether the additional service requested cannot best be rendered by existing operators;

(g) The financial responsibility of the applicant;

(h) The type and condition of equipment proposed to be operated;

(i) The character, experience, and responsibility of the applicant and such other relevant facts as the city council may deem advisable, pertinent, or necessary to aid in determining whether public convenience and necessity require the issuance of such additional permits.

Such additional permits shall be issued and reissued and shall be transferable only as provided in Section 10.69.020.

Taxicabs operated pursuant to such permit shall be equipped with two-way radios operating on an independent radio frequency authorized by the Federal Communications Commission. (Ord. 59866 § 3-A added by Ord. 95032 and amended by Ord. 95715 and Ord. 101857 § 8; February 13, 1973).

10.69.140 Allowable rates and charges. It is unlawful for anyone driving or operating, or engaged in the business of operating taxicabs, for-hire cars, special service vehicles, or sightseeing cars or charter buses, to charge, demand, collect, or receive any greater or less rate of fare than the following:

TAXICAB METER RATES:

For one passenger for the first 1/5 mile or fraction thereof\$0.70

Thereafter for each additional 1/5 mile, or fraction thereof 0.10

For every one minute of waiting time 0.10

For each additional passenger 0.20

(No additional passenger shall be picked up without the express consent of the original passenger.);

provided, that the total fare computed in accordance with such rates may be paid in script by any handicapped person as defined in Section 10.69.010 or by the holder of an identification card which shall be issued by the department of human resources to persons sixty-five years of age or older whose income if married is not more than six thousand dollars per year, or if single is not more than four thousand dollars per year, which script shall be printed in the form prescribed by the city treasurer and shall be sold and redeemed by the city treasurer at a price which shall be equal to eighty percent of the face value thereof; provided further that said rates, insofar as they establish a minimum rate, shall not apply:

(1) To the transportation of handicapped students under contract with any public or private school or school district if such contract or satisfactory evidence thereof has been theretofore filed with the city comptroller; or

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(2) To the transportation in any vehicle being operated under a special services vehicle permit of persons sixty-five years of age or older or handicapped persons as defined in Section 10.69.010.

FOR-HIRE CAR RATES:

For the first two hours of driving time or fraction thereof\$18.00

For each successive hour or fraction thereof, at the
rate of\$9.00 per hour.

A flat rate shall be permitted for funerals only, provided such flat rate shall not be less than the minimum charge for two hours of driving time as hereinabove in this section provided.

SIGHTSEEING CAR RATES:

For any one trip the fare for any one passenger on account of transportation shall not exceed ten dollars or be less than two dollars, provided that children under five years of age may be transported free of charge and the fare for children from five to twelve years of age may be one-half of the adult fare.

CHARTER BUS RATES:

The charge for use of charter bus shall be a sum certain determined by agreement between the contracting persons at the time of chartering; provided that in determining said sum, waiting time may be included at an agreed rate.

It is unlawful for any driver or operator of a vehicle licensed as a sight-seeing car or charter bus to charge, demand or collect any fare in any other manner than provided for in this chapter, or when not used as a sight-seeing bus, from any passenger or person other than a person chartering the bus or his designated agent.

SPECIAL SERVICES VEHICLE RATES:

Charges for the transportation in any special services vehicle of persons sixty-five year of age or older or handicapped persons as defined in Section 10.69.010 shall be in accordance with the schedule of rates, fares and charges filed with the city comptroller by the permit holder for any such special services vehicle; provided that any such schedule of rates, fares and charges shall be uniform as to all special services vehicles having the same color scheme; and provided further that no such schedule of rates, fares and charges shall be the same as or greater than the taxicab meter rates established in this section.

Said rates shall not apply to the transportation of passengers between docks, railroad stations, hotels and airports when the passenger pays fare by means of a transfer coupon forming a part of a through ticket issued by a transportation company, but provided that when the transportation is by means of a taxicab, the taxicab meter shall be in operation. (Ord. 59866 § 4 as amended by Ord. 93887, Ord. 95501, Ord. 96433, Ord. 97839 and Ord. 101857 § 9; February 14, 1973).

10.69.160 Display of license number and rate card. Each taxicab or special services vehicle shall have conspicuously displayed within its passenger compartment a card bearing the name and number of said taxicab or special services vehicle, and the rates of fare fixed by this chapter as to any such taxicab, or the schedule of rates filed with the city comptroller for any such special services vehicle; provided that any vehicle being operated both as a taxicab and as a special services vehicle shall have displayed a card bearing the rates of fare applicable to both such types of operation. Said card shall be a form and size approved by the city comptroller and shall be posted as prescribed by him. During hours of darkness such cards shall be so illuminated as to be readily discernable by passengers. (Ord. 59866 § 5 as amended by Ord. 93542 and Ord. 101857 § 10; February 13, 1973).

10.69.170 Taximeter—Requirement. It is unlawful for any person to drive or operate, or engage in the business of operating, taxicabs, unless each of said taxicabs are equipped with a taximeter which has been inspected and approved by the city comptroller. (Ord. 59866 § 6 as amended by Ord. 62610; May 3, 1932).

10.69.180 Taximeter—Fare must be based on. Except as provided in Section 10.69.140, it is unlawful:

(a) For any person to drive or operate, or engage in the business of operating, a taxicab or taxicabs, unless a taximeter is at all times used on each of such taxicabs in determining the fare or rate to be charged and collected; or

(b) For any person operating or driving, or engaged in the business of operating, a taxicab or taxicabs, to charge, demand, collect, or receive any fare, rate or charge which is not directly based, measured and computed upon the record on the reading face of the taximeter used on such taxicab or taxicabs; or

(c) For any person to use or employ any other or different method of computing or measuring such distance or time charges than the methods hereinabove specifically provided. (Ord. 59866 § 7 as amended by Ord. 101857 § 11; February 13, 1973).

10.69.190 Taximeter—Accuracy, testing and inspection. It shall be the duty of the owner, lessees in possession, or any other person having possession or control of any taxicab to at all times keep such taximeter accurate and to have the same approved by the city comptroller before it is placed in service. Approval by the city comptroller shall be evidenced by his certificate which shall be plainly posted on the taximeter for the information of the public. The city comptroller shall inspect all taximeters at least once each year, and shall have the right to inspect them any time. (Ord. 59866 § 9 as amended by Ord. 69377; July 28, 1939).

10.69.200 Taximeter—Location—Changing tire size or gears or moving to other cab. Every taximeter shall be installed at the right side of the driver, either adjoining the cowl or dashboard of the taxicab or the partition separating the driver from the passenger compartment, and at such height that the flag thereof may be readily seen by observers on the street. The reading face of the taximeter shall at all times be well lighted and distinctly readable to the passengers within the taxicab. It is unlawful to change the size of the wheels or tires of any taxicab or the gears operating the taximeter or to change the taximeter from one taxicab to another unless such taximeter is reinspected and approved by the city comptroller before it is used. (Ord. 59866 § 10 as amended by Ord. 69377; July 28, 1939).

10.62.210 Taximeter—Display of flag. It is unlawful for any driver of a taxicab while carrying passengers or under employment to display the flag attached to the taximeter as such a position as to denote that such taxicab is not employed, or to throw the flag of the taximeter at a recording position when such vehicle is not actually employed, or to fail to throw the flag of such taximeter at a non-recording position at the termination of each and every service. (Ord. 59866 § 11; August 14, 1930).

10.69.220 Clock required. Every for-hire car shall have installed and maintained therein an accurate clock so designed and positioned as to be readily legible by any passenger. (Ord. 59866 § 12, as amended by Ord. 89192; April 18, 1960).

10.69.230 Trip record—Licenses to be carried. Every person owning or operating any taxicab, for-hire car, special services vehicle, sightseeing car, or charter bus, shall keep an accurate daily trip sheet for each shift that such equipment is operated. These trip sheets shall be kept on file for a period of five years, shall be open for inspection at all times by the city comptroller or his deputies and shall show the following information: the driver's name and for-hire driver's license number, the company name and vehicle number, the date, time and place of origin and of dismissal of each trip, the fare paid, number of passengers paying, and any other items for which a charge is made. The driver of any taxicab, special services vehicle, or for-hire car, shall on request of any passenger paying him a fare for any trip, issue a receipt showing such information for said trip. Every driver of a taxicab or special services vehicle, and every operator of a vehicle for hire, in addition to the above required information, shall cause to be entered on the trip sheet the time of beginning and end of each shift and the mileage reading of the vehicle at the beginning and end of each shift.

Every owner or operator of any taxicab, for-hire car, special services vehicle, sightseeing car or charter bus shall also cause to be at all times

carried in such vehicles permits issued by the Department of Motor Vehicles of Washington showing such vehicles to be properly bonded for the protection of the public, and also the licenses and permits issued pursuant to city ordinances. (Ord. 59866 § 13 as amended by Ord. 89192 and Ord. 101857 § 12; February 13, 1973).

10.69.240 Inspection of vehicle—Capacity. All vehicles operated under authority of this chapter shall be inspected from time to time by the city comptroller for the purpose of determining cleanliness, proper equipment, appearance and safe condition for the transportation of passengers; and the city comptroller shall at the time of such inspection, determine for the guidance of the public the classification and capacity of the vehicle inspected; and it is unlawful for any person to drive or operate, or engage in the business of operating, any taxicab, for-hire car, special services vehicle, or sightseeing car or charter bus, unless and until the same has been inspected and approved by the city comptroller. (Ord. 59866 § 14 as amended by Ord. 62610 and Ord. 101857 § 13; February 13, 1973).

10.69.250 Driver to have valid license. It is unlawful for any person owning, controlling, or engaged in the business of operating taxicabs, for-hire cars, special services vehicles, or sightseeing cars or charter buses to employ as a driver of any such vehicle, or permit any such vehicle to be driven by, a driver who does not possess a valid and subsisting for-hire driver's license. (Ord. 59866 § 15 as amended by Ord. 101857 § 14; February 13, 1973).

10.69.260 Charging excessive rates—Revocation of driver's license. Any driver of a taxicab, special services vehicle, or for-hire car who shall charge any passenger a rate of fare other than that provided for in Section 10.69.140, shall upon conviction thereof, be punished, in addition to the other penalties herein provided, by having his for-hire driver's license suspended for a period of not less than six months nor more than one year. (Ord. 59866 § 16 as amended by Ord. 101857 § 15; February 13, 1973).

10.69.270 Driver to take most direct route possible. Any driver of a taxicab, special services vehicle, or for-hire car employed to carry passengers to a definite point shall take the most direct route possible that will carry the passenger safely and expeditiously to his destination. (Ord. 59866 § 17 as amended by Ord. 101857 § 16; February 13, 1973).

10.69.300 Employment of driver previously convicted of drunk driving. It is unlawful for anyone engaged in the business of operating a taxicab, special services vehicle, for-hire car, or sightseeing car or charter bus, to knowingly employ a driver who has within one year been convicted of driv-

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ing any motor vehicle while intoxicated. (Ord. 59866 § 20 as amended by Ord. 87597 and Ord. 101857 § 17; February 13, 1973).

10.69.310 Conviction for driving while drunk or under influence of narcotics—Revocation of license. If any driver of a taxicab, for-hire car, special services vehicle, or sightseeing car or charter bus, shall be convicted of driving such vehicle while drunk or under the influence of narcotics, the for-hire driver's license of such driver shall be revoked, and he shall not be granted a for-hire driver's license for a period of at least one year from the date of such conviction. (Ord. 59866 § 21 as amended by Ord. 101857 § 18; February 13, 1973).

10.69.320 Refusal to accept passenger or refusal to pay fare unlawful. It is unlawful for any driver of a taxicab to refuse to accept as a passenger any person of proper deportment who requests a ride when the taxicab is unemployed, or for the driver of a special services vehicle to refuse to accept as a passenger any handicapped person presenting a proper identification card, or any person sixty-five years of age or older presenting a medicare card or other proof of age, who requests a ride when the special services vehicle is unemployed; and it is unlawful for any person to refuse to pay the regular fare for a taxicab, for-hire car, special services vehicle, or sightseeing car or charter bus, after having hired the same. (Ord. 59866 § 22 as amended by Ord. 73762 and Ord. 101857 § 19; February 13, 1973).

10.69.330 Leaving vehicle unattended, washing or making repairs unlawful while in stand. It is unlawful for any driver of a taxicab, for-hire or sightseeing car to leave the same unattended or to make repairs or wash his vehicle while in a taxicab stand, for-hire stand, or sightseeing car stand. (Ord. 59866 § 23; August 14, 1930).

10.69.350 No charge for carrying hand baggage—Charge for cancelling call for cab. Persons served with a taxicab or special services vehicle hereunder shall be entitled to have such valises or small hand baggage as can be conveniently carried within the vehicle loaded, conveyed and unloaded without charge. Persons cancelling calls for taxicabs, special services vehicle, or for-hire cars after dispatch in answer thereto, may be charged the same rate as if used. (Ord. 59866 § 25 as amended by Ord. 74086 and Ord. 101857 § 21; February 13, 1973).

10.69.360 Number of vehicles, capacity, rates, and routes to be filed. It is unlawful for any person to operate a sight-seeing car in the city of Seattle without first filing with the city comptroller a statement showing the number of cars to be operated, their capacity, the route or routes to be followed, and termini, rates to be charged and such other information as the

city comptroller may deem necessary for proper supervision and the public good; provided, that such statements shall be filed annually during the month of May.

It is unlawful to misrepresent the route traveled or to charge any passenger any other rate for any trip than the rate filed for such trip with the city comptroller. (Ord. 59866 § 26 as amended by Ord. 89192; April 18, 1960).

10.69.370 Carrying trunks or baggage. No trunk or baggage except as provided in Section 10.69.350 shall be carried by any taxicab or special services vehicle (Ord. 59866 § 27 as amended by Ord. 74086 and Ord. 101857 § 22; February 13, 1973).

10.69.375 Rules and regulations. The city comptroller shall have power to adopt, subject to approval by the license committee of the city council, and to enforce, such rules and regulations as are not inconsistent with this chapter and as are necessary for its enforcement. Violation of or failure to comply with any such rule or regulation shall be deemed a violation of the chapter. A copy of current rules and regulations shall be on file and available for public examination in the city comptroller's office. (Ord. 59866 § 14-a added by Ord. 93542; December 14, 1964).

10.69.380 Penalty for violations. Any person violating or failing to comply with any of the provisions of this chapter is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine in any sum not exceeding three hundred dollars, or by imprisonment in the city jail for a period not exceeding ninety days, or by both such fine and imprisonment. (Ord. 59866 § 28; August 14, 1930).

10.69.390 Severability. If any section, subsection, subdivision, sentence, clause, or phrase of this chapter, is for any reason held to be unconstitutional or void, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 59866 § 29; August 14, 1930).

Chapter 10.70

FRANCHISES

Sections:

- 10.70.010 Deposit for cost of publication.
- 10.70.020 Franchises held subject to provisions of chapter.
- 10.70.030 Information to be filed by franchise owner.
- 10.70.040 Reports to be filed annually.
- 10.70.050 Report of lease, sale or assignment of franchise.

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- 10.70.060 Assignee to report purchase or assignment.
- 10.70.070 Record of statements and reports to be kept.
- 10.70.080 Penalty for violations.

10.70.010 Deposit for cost of publication.* The applicant for the grant of any franchise or private privilege within the city of Seattle, or for the alteration, amendment, enlargement or extension of an existing franchise or private privilege within said city, shall prior to the passage of the ordinance granting, altering, amending, enlarging or extending such franchise or private privilege, pay to the publisher of the official newspaper of the city the full cost and expense of publishing said proposed ordinance in said newspaper in accordance with the City Charter and no ordinance

*Entire cost of publication to be paid by grantee—See Charter Section 13.

granting such a franchise or private privilege shall be deemed effective until such payment shall have been made and such publication completed. (Ord. 1466 § 1 as amended by Ord. 97358 § 1; January 2, 1969).

10.70.020 Franchises held subject to provisions of chapter. Any person or persons, firm or corporation which has heretofore received or which may hereafter receive a franchise from the city of Seattle, for any purpose whatsoever, shall enjoy said franchise, subject to the provisions of this chapter. (Ord. 4953 § 1; June 20, 1898).

10.70.030 Information to be filed by franchise owner. The owner or owners of each and any franchise granted by the city of Seattle shall file with the city comptroller, under oath, and upon blanks furnished by said city comptroller, a written (or printed) statement and exhibit setting forth:

1. The name of the person or persons, firm or corporations owning, holding and enjoying such franchise.
2. The character of said franchise.
3. The period of years for which said franchise was granted.
4. The date of the grant of said franchise.
5. The name of the person or persons, firm or corporations to whom the same was originally granted.
6. The date upon which said franchise was transferred to and became the property of the present claimants.
7. A statement as to whether said claimant or claimants be or are a person, persons, firm or corporation.
8. The name of the person or persons or the members of the firm claiming to own the same, or, in the case of a corporation, the name of the president, vice-president and the secretary thereof.
9. The number of the ordinance or ordinances of the city of Seattle granting or amending said franchise. (Ord. 4953 § 2; June 20, 1898).

10.70.040 Reports to be filed annually. In the month of January of each year, between the first and the fifteenth days thereof, each claimant to a franchise shall file with the city clerk a statement in all respects similar to that hereinabove required; provided, the city clerk shall not be required to retain any such statement for more than ten years. (Ord. 4953 § 3 as amended by Ord. 91058; April 11, 1962).

10.70.050 Report of lease, sale or assignment of franchise. Whenever any parties owning or claiming any franchise shall lease, sell, assign or otherwise transfer the title or control of the same, they shall notify the city comptroller of the date of such sale and the name of the person or persons, firm or corporation to whom said franchise shall have been leased, sold, assigned or otherwise transferred. (Ord. 4953 § 4; June 20, 1898).

10.70.060 Assignee to report purchase or assignment. Any person or persons, firm or corporation purchasing or becoming the assignee of any franchise granted in the city of Seattle shall, forthwith, and within ten days after the purchase or assignment of said franchise report the same to the city comptroller in form and in the manner hereinabove prescribed. (Ord. 4953 § 5; June 20, 1898).

10.70.070 Record of statements and reports to be kept. All such statements and reports made as hereinabove provided shall be properly entered in a book kept for that purpose by the city comptroller and shall be subject to like public inspection as are other public records. (Ord. 4953 § 7; June 20, 1898).

10.70.080 Penalty for violations. Any person or persons, firm or corporation claiming to own or enjoy any such franchise who shall violate or fail to comply with the provisions of this chapter shall be guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine in any sum not exceeding three hundred dollars or by imprisonment in the city jail for a period not exceeding ninety days, or by both such fine and imprisonment. (Ord. 4953 § 6 as amended by Ord. 66799; October 22, 1936).

Chapter 10.71

AUTOMOBILE RENTAL

Sections:

- 10.71.010 Definitions.
- 10.71.020 Operator's license application and fee.
- 10.71.030 Location license application and fee.
- 10.71.040 License application forms.
- 10.71.050 Records.

10.71.010 Definitions. The following words or terms for the purpose of this chapter shall mean:

"Motor driven cycle" means every motorcycle, including every motor scooter, with a motor which produces not to exceed five brake horsepower (developed by a prime mover, as measured by a brake applied to the driving shaft), and every bicycle with motor attached.

"Motor vehicle" means every vehicle, including motor driven cycles, which is in itself a self-propelled unit and is capable of being operated or moved upon a public street or highway.

“Motor vehicle rental agency location” means all premises, buildings, and/or part thereof used for the display, exhibition, or advertisement of motor vehicles for rent or lease without a driver. (Ord. 48022 § 240 as amended by Ord. 95144; September 22, 1966).

10.71.020 Operator’s license application and fee. No person shall engage in the business of leasing or renting motor vehicles without a driver, without first applying for and obtaining from the city comptroller a “vehicle rental agency operator’s license,” the annual fee for which shall be one hundred fifty dollars; provided, that the annual fee for an operator engaged in the business of leasing or renting three or less motor vehicles shall be seventy-five dollars; provided further, that the annual fee for an operator engaged in the rental of motor driven cycles to the exclusion of other types of motor vehicles shall be one hundred dollars. No such license shall be required for the display, exhibit or advertisement for lease or rental, as an adjunct to another principal business, of motor vehicles owned or under the control of one holding a valid vehicle rental agency operator’s license. (Ord. 48022 § 241 as amended by Ord. 95144; September 22, 1966).

10.71.030 Location license application and fee. No person shall open up, conduct, manage, operate, or maintain a motor vehicle rental agency location without a “vehicle rental agency location license,” the annual fee for which shall be fifty dollars for each location; provided, that the annual location license fee for any vehicle rental agency operator engaging in the rental of motor-driven cycles to the exclusion of other types of motor vehicles shall be twenty-five dollars for each location, and provided further, that no “vehicle rental agency location license” shall be required of a person holding a valid “vehicle rental agency operator’s license” for the location listed on said operator’s license. Said location licenses shall be posted in a conspicuous place in each location. (Ord. 48022 § 242 as amended by Ord. 88789, Ord. 95144 and Ord. 95317; November 25, 1966).

10.71.040 License application forms. Applications for licenses issued under Sections 10.71.020 and 10.71.030 hereof shall be made upon forms prepared and made available by the city comptroller and sworn to by the applicant which shall include:

- (1) The name or assumed name under which the applicant is doing business, home address, and business address of the applicant;
- (2) A listing of all motor vehicle rental agency locations in the city of Seattle which are involved in any way in the operation of the applicant’s business;
- (3) Such other information as the city comptroller shall reasonably require to effectuate the purpose of this title.

Such licenses shall expire at midnight on the thirty-first of December

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of each year. (Ord. 48022 § 243 as amended by Ord. 59144; September 22, 1966).

10.71.050 Records. Persons holding any license issued under Sections 10.71.020 and 10.71.030 shall prepare and keep a book or other permanent record which shall contain the following information: the make, type, motor number (or identifying serial number), and state license number of all motor vehicles rented or leased by the licensee, together with the name and address of the person renting or leasing the same, and the time and place from which the rental or lease commenced and terminated. Such book or record shall be exhibited upon reasonable demand therefor to the city comptroller, the chief of police, or their duly authorized representatives. (Ord. 48022 § 244 as amended by Ord. 95144; September 22, 1966).

Chapter 10.72

MOBILE HOME PARKS AND MOBILE HOMES

Sections:

- 10.72.010 Definitions.
- 10.72.020 Enforcement—Rules and regulations.
- 10.72.030 Existing mobile home parks.
- 10.72.040 License—Required—Posting—Fee—Expiration—Temporary encampments.
- 10.72.050 License—Application—Inspection of premises—Issuance or denial.
- 10.72.060 License—Revocation—Appeal—Hearing.
- 10.72.070 Site plan—Required—Preparation.
- 10.72.080 Site plan—Information required.
- 10.72.090 Site plan—Examination and approval
- 10.72.100 Building permit—Limited to structures on site plan.
- 10.72.110 Boundaries of lots.
- 10.72.120 Segregated areas for dependent and independent mobile homes—Driveways—Walkways.
- 10.72.130 Location and construction of service buildings.
- 10.72.140 Toilet facilities.
- 10.72.150 Laundry facilities.
- 10.72.160 Location of accessory buildings.
- 10.72.170 Storage lockers.
- 10.72.180 Water supply.
- 10.72.190 Water connections.
- 10.72.200 Surface water drainage.
- 10.72.210 Sewage disposal.
- 10.72.220 Sewer laterals.
- 10.72.230 Venting sewer lines.

- 10.72.240 Electric lighting system.
- 10.72.250 Safe and sanitary maintenance.
- 10.72.260 Lighting park and service buildings.
- 10.72.270 Heating equipment in service buildings.
- 10.72.280 Hot water in service buildings.
- 10.72.290 Cleaning and maintenance of toilet facilities.
- 10.72.300 Garbage disposal.
- 10.72.310 Unused sewer connections to be capped or plugged.
- 10.72.320 Mobile homes—Safe and sanitary maintenance.
- 10.72.330 Mobile homes—Occupying as dwelling.
- 10.72.340 Mobile homes—Parking.
- 12.72.350 Mobile homes—Permanent attachment or removal of wheels prohibited—Awnings.
- 10.72.360 Mobile homes—Plumbing.
- 10.72.370 Mobile homes—Unsafe or insanitary prohibited in parks.
- 10.72.380 Penalty for violations.
- 10.72.390 Repealer and savings clause.
- 10.72.400 Severability.

10.72.010 Definitions. For the purpose of this chapter certain words, terms and phrases are defined and shall be construed as follows:

ACCESSORY BUILDING. A building on a mobile home lot used in conjunction with a mobile home.

MOBILE HOME. A vehicle equipped as a dwelling place.

MOBILE HOME, DEPENDENT. A mobile home dependent upon toilet facilities provided in a service building.

MOBILE HOME, INDEPENDENT. A mobile home independent of toilet facilities provided in a service building.

MOBILE HOME LOT. A plot of ground within a mobile home park designated to accommodate one mobile home.

MOBILE HOME PARK. A tract of land upon which two or more mobile homes occupied as dwellings may be located.

SERVICE BUILDING. A building in a mobile home park housing community toilet, bathing or laundry facilities.

STORAGE LOCKER. A minor structure on a mobile home lot used for storage purposes. (Ord. 89715 § 1.010; November 2, 1960).

10.72.020 Enforcement—Rules and regulations. Unless otherwise provided herein the director of public health shall be responsible for the enforcement of this chapter and is authorized to adopt rules and regulations consistent with this chapter for the purpose of carrying out the provisions hereof. (Ord. 89715 § 1.020; November 2, 1960).

10.72.030 Existing mobile home parks. Nothing in this chapter shall be construed to require physical alteration of any mobile home park now legally operating. (Ord. 89715 § 1.030; November 2, 1960).

10.72.040 License—Required—Posting—Fee—Expiration—Temporary encampments. It is unlawful to operate a mobile home park without a valid and subsisting "mobile home park license" which shall be posted in a conspicuous place in the office thereof at all times. The fee for such license shall be twenty-five dollars per year, plus two dollars per year for each mobile home lot therein in excess of ten. The fee for any such license issued during the last six months of the license year shall be one-half the annual fee. Mobile home park licenses shall expire at midnight July 31st of each year, and applications for renewal shall be made at least thirty days prior to expiration.

The director of public health is authorized on application and payment only of a fee of twenty-five dollars to issue a special permit for temporary encampments of mobile homes for a period of not to exceed ten days if he finds from the application and plans submitted therewith that the requirements of this chapter relating to sanitation, fire prevention, garbage disposal, traffic, water supply, lighting and electric service will be satisfied to an extent reasonably practicable considering the nature of the site to be used, the number of mobile homes expected, the length of time of the encampment, the season of the year, and other pertinent circumstances, and that the requirements of other ordinances of the city are or will be satisfied. Temporary structures shall be authorized only by the board of public works as provided in Section 208 of the Building Code (85500). (Ord. 89715 § 2.010 as amended by Ord. 99749 § 1; March 26, 1971).

10.72.050 License—Application—Inspection of premises—Issuance or denial. Applications for mobile home park licenses and renewals thereof shall be made to the city comptroller upon forms provided by him and shall set forth the name and residence address of the applicant, the location of the mobile home park, and the number of mobile home lots to which such license applies. The city comptroller thereupon shall request the director of public health, the superintendent of buildings and the fire chief to inspect the premises therein described and the fixtures and facilities to be used. If the director of public health, superintendent of buildings and fire chief find upon inspection, that such premises, fixtures and facilities are constructed, installed, operated and maintained in compliance with this and other ap-

plicable ordinances, they shall approve the application and so notify the city comptroller who shall thereupon issue the license. If the director of public health, superintendent of buildings or fire chief find that the premises, fixtures or facilities are not constructed, installed, operated or maintained in compliance with this or any other applicable ordinance, he shall forthwith disapprove the application and so notify the applicant and the comptroller, citing the reason therefor. If, after thirty days from date of application for a new license, or, in the case of renewal, upon expiration of an existing license, approval of the director of public health, superintendent of buildings and fire chief is not forthcoming, the comptroller thereupon shall deny the license application. (Ord. 89715 § 2.020; November 2, 1960).

10.72.060 License—Revocation—Appeal—Hearing. Any mobile home park license may be revoked by the city comptroller upon the filing with him by the director of public health, the superintendent of buildings or the fire chief of a written notice stating the premises licensed or any fixtures or facilities used therein have become or are unsafe or insanitary, or that otherwise they are not being operated or maintained in compliance with the provisions of this or any other applicable ordinance; from which revocation the licensee may appeal to the city council within five days after date of notice, to him, of such revocation, whereupon a time for hearing shall be set which shall be not more than ten days after the filing of such appeal with the city council, at which time a hearing shall be had before the council, or a committee thereof, which shall confirm or disapprove such revocation. (Ord. 89715 § 2.030; November 2, 1960).

10.72.070 Site plan—Required—Preparation. It is unlawful to construct a mobile home park without first placing on file with the superintendent of buildings three complete copies of a site plan therefor, approved as hereinafter provided. Such plan shall be drawn to scale and completely dimensioned, shall be prepared by a licensed professional architect or engineer or by an owner capable of producing drawings equivalent to the conventional drawings of architects and engineers, and shall set forth the address and legal description of the mobile home park site, and the name and address of the applicant. (Ord. 89715 § 3.010; November 2, 1960).

10.72.080 Site plan—Information required. The site plan herein required shall show:

1. The dimensions of the mobile home park site.
2. The location, dimensions and number of independent and dependent mobile home lots.
3. The location, dimensions and number of automobile parking accommodations other than mobile home lots.
4. The location and width of entrances, exits, driveways and walkways.

5. The location and dimensions of Service Buildings, Accessory Buildings, Storage Lockers and other structures.
 6. The water system.
 7. The drainage system.
 8. The sewer system.
 9. The electrical system.
- (Ord. 89715 § 3.020; November 2, 1960).

10.72.090 Site plan—Examination and approval. Site and building plans and specifications shall be examined by the Superintendent of Buildings, and by the Fire Chief and the Director of Public Health, to whom the Superintendent of Buildings shall supply copies. Upon approval of the Fire Chief and the Director of Public Health, and, upon being himself satisfied that the plans conform to the requirements of this and other applicable ordinances, the Superintendent of Buildings shall approve the same. One copy of approved plans shall be retained in the office of the Superintendent of Buildings, one copy in the office of the Director of Public Health, and one copy, which shall be maintained in the Mobile Home Park office, shall be returned to the applicant. (Ord. 89715 § 3.030; November 2, 1960).

10.72.100 Building permit—Limited to structures on site plan. No building permit shall be issued for any construction in Mobile Home Parks except for such structures at such locations as are provided for in a site plan approved pursuant to this chapter. (Ord. 89715 § 4.010; November 2, 1960).

10.72.110 Boundaries of lots. The boundaries of Mobile Home Lots shall be plainly marked, and such lots shall have a minimum width of twenty-five (25) feet, and a minimum area of twelve hundred (1200) square feet. (Ord. 89715 § 4.020; November 2, 1960).

10.72.120 Segregated areas for dependent and independent mobile homes—Driveways—Walkways. Mobile Home Parks shall have segregated areas for Dependent and Independent Mobile Homes, if both are to be accommodated; there shall be surfaced and lighted driveways to each Mobile Home Lot, with a minimum width of twenty-five (25) feet; and there shall be surfaced and lighted walkways to all Service Buildings. (Ord. 89715 § 4.030; November 2, 1960).

10.72.130 Location and construction of service buildings. Mobile Home Parks shall have one or more Service Buildings located at least eight (8) feet away from any Mobile Home Lot, but within two hundred (200) feet of any Dependent Mobile Home Lot, and within five hundred (500) feet of any Independent Mobile Home Lot. Such Service Buildings shall be provided with heating equipment capable of maintaining a room temperature of seventy degrees Fahrenheit (70°F.) at an atmospheric temperature

of twenty degrees Fahrenheit (20°F.) and shall be adequately ventilated; shall have smoothly finished, light colored water resistant interior walls and ceilings and floors shall be constructed of concrete or similar impervious material and sloped to floor drains. (Ord. 89715 § 4.040; November 2, 1960).

10.72.140 Toilet facilities. Mobile Home Parks shall have toilet facilities located in Service Buildings and separate facilities, appropriately marked shall be provided for males and females in accordance with the following:

1. For Dependent Mobile Homes, toilet facilities shall be provided in the following minimum ratios:

No. Mobile Home Lots	MALES			
	Urinals	Water Closets	Lavatories	Showers
2 - 20	1	1	2	1
21 - 30	1	2	3	2
31 - 40	1	3	4	2
41 - 50	1	4	5	4
51 - 60	1	5	6	4
61 - 70	1	6	7	5

Over 70 Add one (1) additional water closet and lavatory for each additional ten (10) Mobile Home Lots or fraction thereof. (Urinals may be substituted for up to one-third ($\frac{1}{3}$) of the additional water closets required.)

Add one (1) additional shower for each additional twenty (20) Mobile Home Lots or fraction thereof.

No. Mobile Home Lots	FEMALES		
	Water Closets	Lavatories	Showers
2 - 20	2	2	1
21 - 30	3	3	2
31 - 40	4	4	2
41 - 50	5	5	4
51 - 60	6	6	4
61 - 70	7	7	5

Over 70 Add one (1) additional water closet and lavatory for each additional ten (10) Mobile Home Lots or fraction thereof.

Add one (1) additional shower for each additional twenty (20) Mobile Home Lots or fraction thereof.

2. For Independent Mobile Homes, a minimum of one (1) water closet, one (1) lavatory and one (1) shower, for males and females, respectively, shall be provided.

3. Water closets, lavatories and showers required for Independent Mobile Homes may be housed in Service Buildings for Dependent Mobile Homes.
4. Water closets shall be located in separated stalls at least three (3) feet wide in the smallest dimension. Water closets and urinals shall be flush type fixtures.
5. Showers shall be located in separated stalls, at least three (3) feet wide in the smallest dimension, and equipped with a water-proof draw curtain or door. Suitable dressing areas shall be provided. (Ord. 89715 § 4.050; November 2, 1960).

10.72.150 Laundry facilities. Mobile Home Parks shall have laundry facilities, together with laundry drying facilities and no less than one double laundry tray or automatic washing machine shall be provided for each twenty (20) Mobile Home Lots. Such laundry facilities may be in separate Service Buildings, or in Service Buildings in rooms separate from toilet facilities, but such separate rooms shall have an exterior door. (Ord. 89715 § 4.060; November 2, 1960).

10.72.160 Location of accessory buildings. One Accessory Building, the floor area of which shall not exceed three hundred (300) square feet, may be located on a Mobile Home Lot, provided that the spaces on the Mobile Home Lot and on adjoining Mobile Home Lots, reserved exclusively for the occupancy of Mobile Homes, are clearly shown on the site plan, or an amendment thereto; and provided that the Accessory Building shall be no less than eight (8) feet from any space reserved for a Mobile Home on an adjacent Mobile Home Lot, or another Accessory Building on an adjacent Mobile Home Lot, and no less than five (5) feet from any external boundary of a Mobile Home Lot which does not abut on another Mobile Home Lot. (Ord. 89715 § 4.070; November 2, 1960).

10.72.170 Storage lockers. One Storage Locker, the capacity of which shall not exceed one hundred fifty (150) cubic feet, may be located on a Mobile Home Lot. (Ord. 89715 § 4.080; November 2, 1960).

10.72.180 Water supply. A supply of safe and potable water, meeting the Standards of the State Board of Health for quality, and sufficient in quantity, shall be provided to all plumbing fixtures in Mobile Home Parks and to individual water connections which shall be provided at each Mobile Home Lot. (Ord. 89715 § 4.090; November 2, 1960).

10.72.190 Water connections. Water connections, located on the same side as the sewer lateral, shall be provided at each Mobile Home Lot, and shall consist of a riser terminating at least four (4) inches above the ground with two (2) three-quarter ($\frac{3}{4}$) inch valved outlets threaded for screw-on connections. If water connections are equipped with a shut-off valve, it shall not be a stop and waste cock. Water connections shall be

protected from freezing and from damage from Mobile Home wheels and shall have the ground surface around the riser pipe graded to divert surface drainage away from the connections. (Ord. 89715 § 4.100; November 2, 1960).

10.72.200 Surface water drainage. Each Mobile Home Park shall have a system for surface water drainage. (Ord. 89715 § 4.110; November 2, 1960).

10.72.210 Sewage disposal. All sewage and waste water from toilets, urinals, slop sinks, bath tubs, showers, lavatories, laundries, and all other sanitary fixtures in a Mobile Home Park, shall be drained to a sewage collection system and discharged to a public sewer, or where no public sewer is available, to a lawful private sewage disposal system. (Ord. 89715 § 4.120; November 2, 1960).

10.72.220 Sewer laterals. Sewer laterals shall be provided to each Mobile Home Lot. Such laterals shall be trapped and vented, terminate above grade on the same side of the lot as the water connection, be at least four (4) inches in diameter and be equipped with adequate leak and fly proof devices for coupling to Mobile Home drainage systems. Each connection to such a lateral shall be protected at its terminal with a concrete collar at least three (3) inches thick and extending from the connection in all directions. (Ord. 89715 § 4.130; November 2, 1960).

10.72.230 Venting sewer lines. Sewer lines in Mobile Home Parks shall be vented in such a manner that odor nuisances will not result. (Ord. 89715 § 4.140; November 2, 1960).

10.72.240 Electric lighting system. An electrical system for outside lighting and including service outlets to each Mobile Home Lot shall be provided. (Ord. 89715 § 4.150; November 2, 1960).

10.72.250 Safe and sanitary maintenance. Mobile Home Parks shall be maintained in a safe and sanitary condition, free from rodents, vermin, trash and litter. (Ord. 89715 § 5.010; November 2, 1960).

10.72.260 Lighting park and service buildings. Mobile Home Parks and Service Buildings shall be well lighted. (Ord. 89715 § 5.020; November 2, 1960).

10.72.270 Heating equipment in service buildings. Heating equipment in Service Buildings shall be maintained in safe and good working condition. (Ord. 89715 § 5.030; November 2, 1960).

10.72.280 Hot water in service buildings. Hot water in adequate quantities shall be supplied to all Service Building bathing fixtures, lavatories and clothes washing equipment. (Ord. 89715 § 5.040; November 2, 1960).

10.72.290 Cleaning and maintenance of toilet facilities. In Mobile

Home Parks individual toilet facilities shall be maintained in sanitary and good working condition, shower stalls and dressing areas shall be kept clean and all floors in toilet, shower and lavatory rooms which are in daily use shall be cleaned and disinfected daily, or oftener if necessary to maintain in a sanitary condition. (Ord. 89715 § 5.050; November 2, 1960).

10.72.300 Garbage disposal. All garbage and other refuse from Mobile Home Parks shall be deposited in tightly covered refuse containers of not less than twenty or more than thirty gallons capacity, or equivalent approved by the Director of Public Health, which shall be in sufficient number to provide at least one container for each two Mobile Home Lots. Such containers shall be located not more than two hundred feet from any Mobile Home Lot, and installed so as to prevent tipping, minimize spillage and container deterioration, facilitate cleaning and prevent rodent haborage. (Ord. 89715 § 5.060; November 2, 1960).

10.72.310 Unused sewer connections to be capped or plugged. Sewer connections at Mobile Home Lots, when not in use, shall be capped or plugged with a gas-tight device. (Ord. 89715 § 5.070; November 2, 1960).

10.72.320 Mobile homes—Safe and sanitary maintenance. Mobile Homes shall be maintained in a safe and sanitary condition. (Ord. 89715 § 6.010; November 2, 1960.)

10.72.330 Mobile homes—Occupying as dwelling. Mobile Homes shall not be occupied as dwellings except when in a Mobile Home Park. (Ord. 89715 § 6.020; November 2, 1960.)

10.72.340 Mobile homes—Parking. Mobile Homes occupied as dwellings in Mobile Home Parks shall be parked only on Mobile Home Lots, no less than eight feet from any Service Building, or Mobile Home or Accessory Building on an adjacent Mobile Home Lot, and no less than five feet from any exterior boundary of the Mobile Home Park. (Ord. 89715 § 6.030; November 2, 1960.)

10.72.350 Mobile homes—Permanent attachment or removal of wheels prohibited—Awnings. Mobile Homes shall not be permanently attached to any building, or to the ground, nor shall they be made stationary by removal of the wheels or otherwise. Mobile Home awnings shall be non-combustible, and shall be open on at least two sides. (Ord. 89715 § 6.040; November 2, 1960.)

10.72.360 Mobile homes—Plumbing. Plumbing in Mobile Homes shall be maintained in sanitary and good working condition, free from defects, leaks, and obstructions. (Ord. 89715 § 6.050; November 2, 1960.)

10.72.370 Mobile homes—Unsafe or insanitary prohibited in parks. Mobile Homes designated as insanitary by the Director of Public Health or as unsafe by the Fire Chief shall not be permitted to remain in a Mobile Home Park. (Ord. 89715 § 6.060; November 2, 1960.)

10.72.380 Penalty for violations. Anyone violating or failing to comply with any of the provisions of this chapter shall, upon conviction thereof, be punished by a fine in the sum not exceeding three hundred dollars, or by imprisonment in the city jail for a term not exceeding ninety days, or by both such fine and imprisonment, and each day that anyone shall continue to so violate or fail to comply shall be considered a separate offense. (Ord. 89715 § 7.020; November 2, 1960.)

10.72.390 Repealer and savings clause. Ordinance 83452, entitled: "AN ORDINANCE defining and regulating 'Trailer Parks' and 'Trailer Coaches' therein," as amended by Ordinance 84511, is hereby repealed; provided that such repeal shall not be construed as affecting the application of such ordinance to violations thereof prior to the effective date of this chapter, and such violation shall be punishable according to the provisions of the ordinance in effect on the date such violations commenced, as if this chapter had not been enacted. (Ord. 89715 § 7.010; November 2, 1960.)

10.72.400 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 89715 § 7.030; November 2, 1960.)

Chapter 10.73

MERCHANT PATROLMAN

Sections:

10.73.010 Definitions.

10.73.020 License required—Fee—Detective license not required.

10.73.030 Application for license—Investigation—Revocation.

10.73.040 Bond for merchants patrol agency license.

10.73.010 Definitions. "Merchants Patrol Agency" shall mean and include any person engaged in, or who holds himself out as being engaged in, the business of offering or providing for hire or reward, the service of guarding or protecting persons or property, money, securities and other valuables, or who patrols streets, districts, or territory for such purposes.

"Merchant Patrolman" shall mean and include any person employed by a Merchants Patrol Agency to guard or protect persons or property, money, securities or other valuables, or patrol streets, districts, or territory for such purposes. (Ord. 94188 § 3; September 15, 1965; prior Ord. 48022 § 260 added by Ord. 70933; June 12, 1941).

10.73.020 License required—Fee—Detective license not required. No Merchants Patrol Agency shall engage in business within the city of Seattle without a valid Merchants Patrol Agency License issued by the City Comptroller, the annual fee for which shall be as follows:

For three or less merchant patrolmen employed—Twenty-five dollars per year.

For four or more merchant patrolmen employed—One hundred dollars per year.

No person shall engage in the occupation of a merchant patrolman without a valid merchant patrolman's license issued by the city comptroller, the annual fee for which shall be five dollars; provided, that any person holding a valid detective agency license issued under Section 10.22.-030 may engage in the activities set forth in Section 10.73.010 without complying with such license requirements. The expiration date for such licenses shall be June 30th of each year. No merchant patrol agency shall employ any person as a merchant patrolman who does not possess a valid subsisting merchant patrolman's license. Violation of this provision shall constitute grounds for the revocation of a merchant patrol agency license, in addition to those grounds set forth in Section 10.02.130. (Ord. 48022 § 261 added by Ord. 70933 and amended by Ord. 94188 § 4; Sept. 15, 1965).

10.73.030 Application for license—Investigation—Revocation. Application for a merchant patrolman's license shall be made to the city comptroller on forms to be approved by him for that purpose, shall be signed and verified by the applicant, and shall state his full name, age, residence, his present and previous occupations, and the address of the place of business and the name of his employer. Each application for a merchant patrolman's license shall be accompanied by a recent photograph of the applicant (full face view) one inch by one inch in size. The city comptroller, upon presentation of an application for a merchant patrolman's license and before acting upon the same, shall request the chief of police to make a full investigation as to the truth of the statements contained therein and as to any and all matters which might tend to aid the city comptroller in determining whether or not the application shall be granted. The chief of police shall, within five days after the date of such request, furnish a written report to the city comptroller containing the results of his investigation, and if the city comptroller is satisfied that the statements contained in said application are true, that the applicant is of good moral character and has complied with all requirements of this title, he shall issue the license applied for in accordance with the provisions of this title, otherwise said application shall be denied. Each such license issued shall bear the photograph and right thumbprint of the license holder. (Ord. 48022 § 262 as amended by Ord. 79080, Ord. 94188 and Ord. 98196 § 2; Oct. 1, 1969).

10.73.040 Bond for merchants patrol agency license. Every applicant for a merchants patrol agency license shall file with the city comptroller at the time of application, a surety company bond running to the city of Seattle, in a penal sum of two thousand dollars, conditioned that the li-

censee will faithfully comply with all the requirements of this title, insofar as they relate to the business of merchant patrolman or merchants patrol agency. (Ord. 48022 § 2621-1 added by Ord. 94188; Sept. 15, 1965).

Chapter 10.74 TOBACCO RETAILERS

Sections:

- 10.74.010 License required—Fee—Term.
- 10.74.020 Sale restricted to licensed premises.
- 10.74.030 Revocation and suspension of licenses.

10.74.010 License required—Fee—Term. It is unlawful for anyone to sell, offer or expose for sale at retail any tobacco, cigars, cigarettes, or cigarette papers or wrappers without first obtaining and being the holder of a valid and subsisting license so to do, to be known as a "tobacco retailer's license," obtained according to and in compliance with, the provisions of this title, for each establishment, place of business or retail vending truck in or at the same, or any of them, are so sold, offered or exposed for sale, and without having such license conspicuously posted in the establishment, place of business or retail vending truck described therein; provided, such license issued for a retail vending truck shall be valid only when such truck is at a fixed and definite retail sales location at a business or industrial site as a part of a fixed and definite daily route followed by such truck, and precise descriptions of such locations and routes shall be furnished to the city comptroller upon application to him for such license.

The license year for licenses issued under this section shall be from July 1 to June 30 next succeeding, and all licenses issued hereunder shall, subject to the right of earlier revocation, as provided by this chapter, expire at twelve midnight June 30 next succeeding the date of issue.

The fee for such license shall be ten dollars when issued on or after July 1st and prior to the next succeeding January 1st, and one-half such fee when issued on and subsequent to January 1st; Provided, that a license issued under this section and in effect at the time this amended section takes effect shall be valid for the unexpired term but subject to suspension and/or revocation as if this amended section had not been adopted. (Ord. 48022 § 263 as amended by Ord. 88789; Dec. 8, 1959).

10.74.020 Sale restricted to licensed premises. It is unlawful to sell, offer or expose for sale at retail, any tobacco, cigars, cigarettes or cigarette paper or wrappers, except in an establishment, place of business or retail vending truck duly licensed hereunder. (Ord. 48022 § 264, as amended by Ord. 87546; Sept. 23, 1958).

10.74.030 Revocation and suspension of licenses. Any "tobacco retailer's license" may be revoked or suspended by the city council in the manner, subject to the conditions, and for the causes mentioned in Section

TOBACCO RETAILERS

10.74.030

10.02.130, or upon evidence satisfactory to the City Council of the sale, furnishing or giving tobacco, cigars, cigarettes, or cigarette papers or wrappers, or any of them, directly or indirectly by the licensee or any of his servants, agents or employees acting in the scope of their employment, to any person under the age of eighteen (18) years. (Ord. 48022 § 266, added by Ord. 61850; November 4, 1931).

Chapter 10.75

TOBACCO VENDING MACHINES

Sections:

- 10.75.010 Definitions.
- 10.75.020 Tobacco vending machine operator's license.
- 10.75.030 Tobacco vending machine license.
- 10.75.040 Term of license.
- 10.75.050 Citizenship of operator—Gifts to tobacco salesmen—Records.
- 10.75.060 Accessibility of machines to minors.
- 10.75.070 Enforcement by comptroller—Revocation of license.
- 10.75.080 Penalty for violations.
- 10.75.090 Severability.

10.75.010 Definitions. TOBACCO VENDING MACHINES shall mean and include any machine or device designed or used for the vending of cigarettes, cigars, tobacco or tobacco products upon the insertion of coins, trade checks or slugs.

TOBACCO VENDING MACHINE OPERATOR shall mean any person who owns and exhibits for use or operation or who leases, rents to or places with others for use or operation, any tobacco vending machine.

PERSON shall mean and include an individual, corporation or co-partnership. (Ord. 90145 § 1; April 3, 1961).

10.75.020 Tobacco vending machine operator's license. It shall be unlawful for anyone to be or become a tobacco vending machine operator without having a valid and subsisting license, to be designated as a "tobacco vending machine operator's license." The annual fee for a tobacco vending machine operator's license shall be fixed in the sum of two hundred fifty dollars. Provided, for any person operating fifty tobacco vending machines or less, the annual fee shall be one hundred dollars. Provided further, a tobacco vending machine operator's license shall not be required of any person owning and operating tobacco vending machines in his own place of business only.

Application for tobacco vending machine operator's license shall be made to the City Council on forms approved by the City Comptroller. The City Council, upon presentation of an original application for such license, shall request the Chief of Police to make a full investigation as to the truth of the statements contained therein. The Chief of Police shall, within five days after the date of such request, furnish a written report to the City Council containing the results of his investigation. If the City Council be satisfied that the statements contained in such application are true and that the applicant and all persons connected with the business for which

the license has been applied for are of good moral character, the City Council shall, by resolution, direct the City Comptroller to issue the license applied for in conformity with the provisions of this chapter. (Ord. 90145 § 2; April 3, 1961).

10.75.030 Tobacco vending machine license. It shall be unlawful for any person to display, exhibit or expose or permit to be displayed, exhibited or exposed for use or operation, any tobacco vending machine without a valid and subsisting license to be designated as a "Tobacco Vending Machine License." The annual fee for a Tobacco Vending Machine License shall be, and the same is hereby fixed in the sum of three dollars for each such tobacco vending machine.

It shall be unlawful to display, exhibit or expose for use or operation in the City of Seattle any tobacco vending machine unless the same shall have indelibly printed, painted, stamped or impressed thereon, the true name and address of the owner and operator thereof.

Applications for Tobacco Vending Machine Licenses shall be made to the City Comptroller on forms approved by him and shall show the location or locations where tobacco vending machines are to be leased, rented or placed and shall be signed by the applicant or his authorized agent or representative. Applications for Tobacco Vending Machine Licenses by persons owning and operating tobacco vending machines in their own place of business, shall include a sworn statement that such person does in fact, own the tobacco vending machine for which the license is sought and is operator of the place of business in which the machine is to be placed. If the City Comptroller finds that the applicant for a Tobacco Vending Machine License is the holder of a valid and subsisting Tobacco Vending Machine Operator's License or is satisfied the applicant is a person owning and operating tobacco vending machines in his own place of business, he shall issue the license, otherwise he shall deny the same. (Ord. 90145 § 3, as amended by Ord. 91987; April 9, 1963).

10.75.040 Term of license. The expiration date of tobacco vending machine operator's licenses and tobacco vending machine licenses shall be midnight of June thirtieth of each year. If a tobacco vending machine operator's license or tobacco vending machine license is issued on or subsequent to January first in any year, the fee therefor shall be one-half the annual fee. (Ord. 90145 § 4; April 3, 1961).

10.75.050 Citizenship of operator—Gifts to tobacco salesmen—Records. No tobacco vending machine operator's license shall be issued except to a citizen of the United States who has been a resident of the state of Washington for at least five years prior to application therefor. If the applicant for such license is a corporation, the citizenship and residence require-

ments shall apply to all officers and directors of the corporation. Provided such residence and citizenship requirements may be waived at the discretion of the city council.

It is unlawful for the holder of a tobacco vending machine operator's license, or any of his agents or employees, to make any gift or give any bonus or any advance commissions to any person licensed to sell tobacco or tobacco products.

It shall be the duty of every operator to keep and preserve for a period of five years such books and records as will accurately reflect the amount of his gross income and commissions paid to locations. Such books and records shall at all reasonable times be open for inspection or audit by the city comptroller or his authorized agents. (Ord. 90145 § 5; April 3, 1961).

10.75.060 Accessibility of machines to minors. It is unlawful to install, or place, or permit the use of any tobacco vending machine in any establishment or portion thereof which is open to minors, except in a place therein where such machine is not accessible to or cannot be used by minors. Provided, that this regulation shall not apply to the installation and use by the proprietor, his agents or employees, of such tobacco vending machines behind a counter or in some other place in any such establishment inaccessible to minors; nor to the installation and use of tobacco vending machines anywhere in any establishment or portion thereof to which access by minors is prohibited by law. Provided, further, this regulation shall not apply to the installation and use of tobacco vending machines in commercial buildings or industrial plants or portions thereof where the public is not usually admitted and where such machines are for the use of employees therein. (Ord. 90145 § 6, as amended by Ord. 91987; April 9, 1963).

10.75.070 Enforcement by comptroller—Revocation of license. The city comptroller through the division of licenses and standards of his office shall be primarily responsible for and it shall be his duty to enforce the provisions of this chapter; but this shall not preclude the assistance and enforcement of this chapter by the chief of police. The city comptroller shall prescribe the form of all licenses provided for by this chapter and shall specify the positioning of tobacco vending machine licenses on the machines or device. If the city comptroller finds that any licensee or his agents, or employees, has violated any provision of this chapter or any other ordinance of the city relating to the sale or furnishing of cigarettes, cigars, tobacco or tobacco products, he shall make a written record of such finding and shall specify therein the particulars in which the ordinance has been violated and shall, in his discretion, revoke the license or suspend it for a period to be fixed by him, in which event the license shall be surrendered to the city comptroller. Provided, such revocation, or failure to revoke for violation of the provisions of this chapter, shall not relieve the licensee from liability for punishment under penalties provided in Section

10.75.080 hereof. Any licensee whose license is revoked or suspended shall have the right to appeal to the city council from such revocation or suspension by filing with the city comptroller a written notice thereof within five days after the notice of entry of the order of revocation or suspension. The notice of appeal shall specify an address at which the licensee may be given notice of hearing on the appeal. The city council shall hear the appeal, or may refer the same to a committee for hearing. At the hearing the licensee shall be entitled to appear in person and offer evidence pertinent to the revocation or suspension; and the city comptroller shall likewise be entitled to be heard at the hearing and offer evidence in support of his order of revocation or suspension. The city council shall determine by resolution whether the revocation or suspension shall be sustained, and its action in that respect shall be final and conclusive. From the time of filing the written notice of appeal until the hearing and action by the city council, the order of the city comptroller of revocation or suspension shall be ineffective. (Ord. 90145 § 7; April 3, 1961).

10.75.080 Penalty for violations. Any violation or a failure to comply with the provisions of this chapter shall subject the offender, upon conviction, to a fine not exceeding three hundred dollars, or imprisonment in the city jail for not exceeding ninety days, or both such fine and imprisonment. (Ord. 90145 § 8; April 3, 1961).

10.75.090 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 90145 § 9; April 3, 1961).

Chapter 10.76

CLOSING OUT SALES

Sections:

- 10.76.010 License required—Fee—Inventory to be filed.
- 10.76.011 Special sale license.
- 10.76.012 Fees for special sale and closing out sale licenses.
- 10.76.020 Inventory—Requirements—Replenishments or additions to stock prohibited.
- 10.76.030 Verification of inventory.
- 10.76.040 Exemptions.
- 10.76.050 Denial or revocation of license.

10.76.010 License required—Fee—Inventory to be filed. It is unlawful in advertising or conducting any sale of goods, wares or merchandise to represent such sale as a "closing out sale," "going out of business sale," "liquidation sale," "quitting business sale," or any other expression or

characterization which conveys the same or similar meaning or leads the public to believe that such sale is in anticipation of termination of a business, without first having filed with the city comptroller the inventory hereinafter provided for and having obtained a license so to do, to be known as a "closing out sale license"; provided, that any sale, the advertising or conduct of which clearly indicates the intent of closing out only a specific line, type, model or make of merchandise of a business shall not be subject to the requirements of this section.

Only one such license shall be issued to any person for the same or a similar business at the same location and no such license shall be issued to any person who has not been in the business to be closed out at the same location for a period of at least six months. (Ord. 48022 § 267 as amended by Ord. 92507, Ord. 100545 and Ord. 102205 § 1; May 31, 1973).

10.76.011 Special sale license. It is unlawful in advertising or conducting any sale of goods, wares or merchandise to represent such sale as a "fire sale," "smoke damage sale," "water damage sale," "loss of lease sale," "demolition sale," "bankrupt stock sale," "moving sale," "forced to vacate sale," or any other expression or characterization which conveys the same or similar meaning without first having filed with the city comptroller the inventory hereinafter provided for and having obtained a license so to do, to be known as a "special sale license." (Ord. 48022 § 267-1 added by Ord. 102205 § 2; May 31, 1973).

10.76.012 Fees for special sale and closing out sale licenses. The fee for a "closing out sale license" or "special sale license" shall be as follows: for a period not exceeding thirty days, fifty dollars; for a period not exceeding sixty days, one hundred dollars; and for a period not exceeding ninety days, one hundred fifty dollars. No "closing out sale license" or "special sale license" shall be issued for a period exceeding ninety days. (Ord. 48022 § 267-2 added by Ord. 102205 § 3; May 31, 1973).

10.76.020 Inventory—Requirements—Replenishments or additions to stock prohibited. The inventory required by Sections 10.76.010 and 10.76.011 shall be complete and accurate as to the stock of goods, wares and merchandise to be sold at any sale for which a "closing out sale license" or "special sale license" is required, and shall be in such form and detail as may be required by the city comptroller for the purpose of verifying such inventory as hereinafter provided and determining compliance with this chapter. Such inventory shall be signed by the person seeking the license, or by an authorized resident agent, and by affidavit he or such agent shall swear or affirm that the information therein given is full and true, and known by him or such agent to be so.

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It is unlawful to sell, offer or expose for sale at any such sale, or to list on such inventory, any goods, wares or merchandise which are not the regular stock of the place of business, or to make any replenishments or additions to such stock for the purpose of such sale, or during the time thereof, to fail, neglect or refuse to keep accurate records of the articles or things sold, from which records the city comptroller may ascertain the kind and quantity or number sold. (Ord. 48022 § 268 added by Ord. 61818 and amended by Ord. 102205 § 4; May 31, 1973).

10.76.030 Verification of inventory. The city comptroller may in his discretion verify the details of an inventory filed for the purpose of obtaining a "closing out sale license" or "special sale license," or he may make a check and verify the items of merchandise sold during the sale, and it is unlawful for any person to whom a "closing out sale license" or "special sale license" has been issued to fail or refuse to give the city comptroller or any person designated by him for that purpose all the facts connected with the stock on hand or the proper information of goods sold, or any other information that he may require in order to make a thorough investigation of all phases connected with the sale. (Ord. 48022 § 269 added by Ord. 61818 and amended by Ord. 102205 § 5; May 31, 1973).

10.76.040 Exemptions. The provisions of Sections 10.76.010 through 10.76.030 shall not be applicable to trustees in bankruptcy, executors, administrators, receivers or public officers acting under judicial process. (Ord. 48022 § 270 added by Ord. 61818 and amended by Ord. 102205 § 6; May 31, 1973).

10.76.050 Denial or revocation of license. In addition to such other grounds as may be provided by this chapter, the city comptroller may refuse to issue a "closing out sale license" or "special sale license" if he has good reason to believe that the applicant has falsified any material fact in his application or any inventory filed therewith, and if he finds that any licensee has violated any provision of this chapter or any law or ordinance relating to fraud or misrepresentation, he shall make a written record of such finding and may immediately revoke or suspend such license pending hearing in accordance with the procedure provided in this chapter. (Ord. 48022 § 270-1 added by Ord. 102205 § 7; May 31, 1973).

Chapter 10.78

CHARITY AND RELIGIOUS SOLICITATIONS

Sections:

- 10.78.010 Definitions.
- 10.78.020 Soliciting for private needs.

- 10.78.030 Charitable solicitation permit required—Exemptions.
- 10.78.040 Application for charitable solicitation permit.
- 10.78.050 Investigation by comptroller of charitable solicitation permit applications.
- 10.78.060 Standards for comptroller's action in granting or denying applications for charitable solicitation permits.
- 10.78.070 Fees for charitable solicitation permit.
- 10.78.080 Charitable solicitation permit—Granting is not endorsement by city.
- 10.78.090 Agents and solicitors for charitable solicitation permit holders—Credentials for solicitors.
- 10.78.100 Return of permit upon expiration.
- 10.78.110 Written receipts required.
- 10.78.120 Public hearing after denial of application for a permit.
- 10.78.130 Revocation of permits—Hearing.
- 10.78.140 Notice of suspension or revocation of permit to chief of police.
- 10.78.150 Books and records of permit holders.
- 10.78.160 Financial report due upon completion of solicitation.
- 10.78.170 Religious solicitations—Registration and certificate required.
- 10.78.180 Certificate of registration—Contents—Credentials for solicitors—Exemptions.
- 10.78.190 Fraudulent misrepresentation and misstatements prohibited.
- 10.78.200 Penalty for violation.

10.78.010 Definitions The following words and terms, unless a different meaning clearly appears from the context, shall mean as follows: (A) (1) "Solicit" and "solicitation" mean the request within the city directly or indirectly for money, credit, property, financial assistance, or other thing of value on the plea or representation that such money, credit, property, financial assistance, or other thing of value will be used for a charitable or religious purpose, and shall include:

- (a) Any oral or written request;
- (b) The distribution, circulation, mailing, posting or publishing of any handbill, written advertisement, or publication;
- (c) The making of any announcement to the press, by radio or television, by telephone or telegraph concerning an appeal, assemblage, athletic or sports event, bazaar, benefit, campaign, circus, contest, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale, social gathering, theater or variety show, which the public is requested to patronize or to which the public is requested to make a contribution for any charitable or religious purpose connected therewith;

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(d) The sale of, offer or attempt to sell, any advertisement, advertising space, book, card, chance, coupon, device, magazine, membership, merchandise, subscription, ticket, admission, article, or other thing in connection with which any appeal is made for any charitable or religious purpose, or where the name of any charitable or religious organization, association, or person is used or referred to in any such appeal as an inducement or reason for making any such sale, or when or where in connection with any such sale, any statement is made that the whole or any part of the proceeds from any such sale will go or be donated to any charitable or religious purpose.

(2) A "solicitation" as defined herein shall be deemed completed when made, whether or not the person making the same received any contribution or makes any sale referred to in this section.

(B) "Charitable" means and includes the words patriotic, philanthropic, social service, welfare, benevolent, educational, civic, or fraternal, either actual or purported; provided, such term shall not include "religious" and "religion" which terms shall be given their commonly accepted definitions.

(C) "Contributions" means and includes the food, clothing, money, credit subscription, property, financial assistance, or other thing of value, and including any donations under the guise of a loan of money or property.

(D) "Direct gift" means and includes an outright contribution of food, clothing, money, credit, property, financial assistance or other thing of value to be used for a charitable or religious purpose and for which the donor receives no consideration or thing of value in return.

(E) "Sale and benefit affair" means and includes, but not be limited to, athletic or sports event, bazaar, benefit, campaign, circus, contest, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale; social gathering, theater, or variety show which the public is requested to patronize or attend, or to which the public is requested to make a contribution for any charitable or religious purpose connected therewith.

(F) "Person" means any individual, firm, partnership, corporation, company, association, or joint stock association, church, religious sect, religious denomination, society, organization or league, and includes any trustee, receiver, assignee, agent, or other similar representative thereof.

(G) "Promoter" means any person who promotes, manages, supervises, organizes, or attempts to promote, manage, supervise, or organize a campaign of solicitation.

(H) "Comptroller" means the city comptroller of the city of Seattle. (Ord. 48022 § 347 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.020 Soliciting for private needs. No person shall solicit contributions for himself in or upon any public street or public place in the city of Seattle. (Ord. 48022 § 348 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.030 Charitable solicitation permit required—Exemptions. It is unlawful for any person to solicit contributions for any charitable purpose within the city of Seattle without a “charitable solicitation permit” issued by the comptroller authorizing such solicitation. Provided, however, that the provisions of this section shall not apply to solicitations by any organization operated exclusively for religious or charitable purposes and not for the pecuniary profit of any person, if the solicitations by such organization are conducted among the members thereof by other members or officers thereof, voluntarily and without remuneration for making such solicitations, or if the solicitations are in the form of collections or contributions at the regular assemblies, meetings, or services of any such organization. (Ord. 48022 § 349 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.040 Application for charitable solicitation permit. An application for “charitable solicitation permit” shall be made to the comptroller upon forms provided by him. Such application shall be executed under oath by the applicant and, if a promoter is involved in the solicitation, he shall likewise execute under oath such application. The application shall be submitted to the comptroller at least thirty days prior to the time at which the permit applied for shall become effective; provided, however, that the comptroller may for good cause shown allow the application to be submitted less than thirty days prior to the effective date of the permit applied for. The application herein required shall contain the following information, or in lieu thereof, a detailed statement of the reason or reasons why such information cannot be furnished:

(a) The name and address or headquarters of the person applying for the permit;

(b) If applicant is not an individual, the names and addresses of the applicant's principal officers and managers, and a copy of the resolution, if any, authorizing such solicitation, certified to as a true and correct copy of the original by the officer having charge of applicant's records;

(c) The purpose for which such solicitation is to be made, the total amount of funds proposed to be raised thereby, and the use or disposition to be made of any receipts therefrom;

(d) The name and address of the person or persons by whom the receipts of such solicitations shall be disbursed;

(e) The name, address and date of birth of the person or persons who will be in direct charge of conducting the solicitation and the names of all promoters connected or to be connected with the proposed solicitation;

(f) An outline of the method or methods to be used in conducting the solicitations, and location of any telephone solicitation headquarters;

(g) The time when such solicitations shall be made, giving the dates for the beginning and ending of such solicitations;

(h) The amount of any wages, fees, commissions, salaries, expenses

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or emoluments to be expended or paid to any person in connection with such solicitations, and the names and addresses of all such persons;

(i) A financial statement for the last preceding fiscal year of any funds collected for charitable purposes by the applicant, said statement giving the amount of money so raised, together with the cost of solicitations, and final distribution of the balance. This financial statement shall be submitted on a uniform reporting form provided by the comptroller;

(j) A detailed statement of the charitable work being done by the applicant within the city of Seattle;

(k) An itemization of the estimated cost of the solicitation;

(l) A statement that the cost of the solicitation for direct gifts shall not exceed twenty percent of the total gross amount to be raised, or for sale and benefit affairs shall not exceed fifty-five percent of the total gross amount to be raised; and that in both types of solicitations all wages, fees, commissions, salaries and emoluments to be paid to all salesmen, solicitors, collectors, conductors, and managers will not exceed twenty percent of the total gross amount to be raised;

(m) A statement to the effect that if a permit is granted, it will not be used or represented in any way as an endorsement by the city of Seattle or by any department or officer thereof, of solicitations made thereunder;

(n) A statement that applicant, and if applicant is not an individual, its principal officers, and any promoter, has read and understands the provisions of this chapter;

(o) Such other information as may be reasonably required by the comptroller in order for him to determine the character of the applicant and/or promoters and agents and the kind and character of the proposed solicitation and whether such solicitation is in the interest of, and not inimical to, the public welfare.

If, while any application is pending, or during the term of any permit granted thereon, there is any change in fact, policy, or method that would alter the information given in the application, the applicant shall notify the comptroller in writing thereof within twenty-four hours after such change. (Ord. 48022 § 350 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.050 Investigation by comptroller of charitable solicitation permit applications. The comptroller shall examine all applications filed under Section 10.78.040 and shall make, or cause to be made, such further investigation of the application and the applicant as the comptroller shall deem necessary. Upon request by the comptroller, the applicant shall make available for inspection by the comptroller or any person designated as his representative for such purpose, all of the applicant's books, records and papers at any reasonable time before the permit is granted, during the time a permit is in effect, or after a permit has expired. (Ord. 48022 § 351 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.060 Standards for comptroller's action in granting or denying applications for charitable solicitation permits. (A) The comptroller shall issue the permit provided for in Section 10.78.030 whenever he finds the following facts to exist:

- (1) That all of the statements made in the application are true;
- (2) That no promoter, sponsor, agent or person in any way connected, either directly or indirectly, with a charitable solicitation, as herein defined, has a record of conviction with any federal or state law enforcement agency involving misstatement, misrepresentation, deception or fraud;
- (3) That the control and supervision of the solicitation will be under responsible and reliable persons;
- (4) That the applicant (and if not an individual, the officers, agents and promoters) has not engaged in any fraudulent transactions or enterprises;
- (5) That the proposed solicitation will be conducted to finance the charitable cause described in the application, and not for purposes of private gain;
- (6) That the cost of raising the funds will not exceed twenty percent of the total gross amount to be raised by direct gifts, or fifty-five percent of the total gross amount to be raised by sale and benefit affairs, and that in either case all wages, fees, commissions, salaries or emoluments paid or to be paid to all salesmen, solicitors, collectors, conductors, and managers, will not exceed twenty percent of the total gross amount collected. If it appears that the cost of soliciting will exceed the percentages listed above and, except for that, the permit would otherwise be granted, the comptroller shall forward such application to the city council for its approval or disapproval by resolution upon a showing that special reasons make a cost higher than said twenty percent, or said fifty-five percent, or said twenty percent, respectively, reasonable in the particular case;
- (7) That the method or methods for solicitation outlined in the application do not include any of the following methods of solicitation:
 - (a) Solicitations from patrons at any theater, or other place of public performance, where admissions are charged for the privilege of attending;
 - (b) Solicitation by children under fourteen years of age except where both of the following exist:
 - (1) the children are members of the organization for whose benefit the solicitation is made; and
 - (2) all funds so solicited, less permissible costs, shall be explained locally and solely for the direct benefit of children in such organization;
 - (c) Delivery by mail or otherwise of any unordered merchandise;
 - (d) Solicitation by means of coin or currency boxes or receptacles, except:
 - (1) When each such box or receptacle shall be serially numbered and the comptroller advised of the number and location of each; and

(2) When each such box or receptacle shall be the responsibility of a bona fide member, agent or solicitor of the soliciting organization; and

(3) When such responsible person shall be required to pick up each such box or receptacle at the end of the solicitation period and report the amount of money in each box or receptacle to the comptroller; and

(4) When the use of such boxes and receptacles in the solicitation is expressly authorized by the comptroller; and

(B) The comptroller may request the chief of police to investigate the truth of the statements in the application and all other matters which might tend to aid the comptroller in determining whether to grant the permit. The chief of police shall report to the comptroller any reasons he may have for objecting to the granting of a permit. (Ord. 48022 § 352 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.070 Fees for charitable solicitation permit. There shall be paid to the comptroller of the city of Seattle the fees set forth below:

For charitable solicitation permit where no persons soliciting will be paid for such solicitation or retain a portion of solicited funds:\$10.00

For charitable solicitation permit where solicitors or promoters will be paid or retain a portion of the solicited funds:\$500.00

For filing appeal:\$10.00
(Ord. 48022 § 353 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.080 Charitable solicitation permit—Granting is not endorsement by city. All charitable solicitation permits shall be dated and bear the name and address of the person to whom issued and of the organization on whose behalf solicitation may be done and shall be valid for the time certain stated on its face, which shall not exceed one hundred twenty days. Such permit shall not be transferable and shall state that the same is not an endorsement by the city of Seattle for the purpose of the solicitation or of the persons making the same. (Ord. 48022 § 354 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.090 Agents and solicitors for charitable solicitation permit holders—Credentials for solicitors. All persons to whom charitable solicitation permits have been issued shall furnish to each of their agents and solicitors, as credentials, facsimile copy of the permit upon which shall appear the name, address, age, sex and signature of the agent or solicitor to whom such credentials are issued. A list of all agents or solicitors to whom facsimile copies have been provided shall be maintained by the permittee and shall be available for inspection by the comptroller, his authorized agents, and any police officer of the city of Seattle. Provided, however, as an alternative, facsimile copies of the permit, with the name, address, age, sex and signature of the agent or solicitor shall be furnished

by the comptroller upon payment of ten cents per copy. It is unlawful for any person to solicit under any such permit without having in his possession the credentials required by this section. Said credentials must be shown, upon request, to all persons solicited or to any police officer of the city of Seattle or agent of the city comptroller. (Ord. 48022 § 355 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.100 Return of permit upon expiration. Any charitable solicitation permit shall be returned to the comptroller within seven days of its date of expiration. (Ord. 48022 § 356 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.110 Written receipts required. Any person receiving money or anything having a value of one dollar or more from any contributor under a solicitation made pursuant to a charitable solicitation permit shall upon request give to the contributor a written receipt signed by the solicitor showing plainly the name and permit number of the person under whose permit the solicitation is conducted, the date, and the amount received. Provided, however, that this section shall not apply to any contributions collected by means of a closed box or receptacle used in solicitation with the express approval of the comptroller where it is impractical to determine the amount of such contributions. (Ord. 48022 § 357 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.120 Public hearing after denial of application for a permit. Within seven days from the date of the mailing of a notice that his application for a charitable solicitation permit has been denied, any applicant may file a written request for a public hearing which shall be held in the manner and subject to the procedure provided in the License Code. (Ord. 48022 § 358 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.130 Revocation of permits—Hearing. Whenever it is shown, or whenever the comptroller or one of his agents has knowledge, that any person to whom a charitable solicitation permit has been issued has violated any of the provisions of this chapter, or any promoter, agent or solicitor of a permit holder has misrepresented the purpose of the solicitation, the comptroller may immediately suspend the permit and give the permit holder written notice by registered special delivery mail of a hearing to be held within two days of such suspension to determine whether or not the permit should be revoked. Such notice shall contain a statement of the facts upon which the comptroller has acted in suspending the permit. At the hearing, held by the comptroller or his agent, the permit holder, and any other interested person, shall have the right to present evidence as to the facts upon which the comptroller based the suspension of the permit,

and any other facts which may aid the comptroller or his agent in determining whether this chapter has been violated and whether the purpose of the solicitation has been misrepresented. If, after such hearing, the comptroller or his agent finds that this chapter has been violated, or the purpose of the solicitation has been misrepresented, he shall within two days after the hearing file in the comptroller's office for public inspection and serve upon the permit holder, a written statement of the facts upon which he bases such finding and shall immediately revoke the permit; otherwise he shall within two days after the hearing give to the permit holder a written statement cancelling the suspension of the permit and stating his findings. (Ord. 48022 § 359 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.140 Notice of suspension or revocation of permits to chief of police. The chief of police shall be notified forthwith by the comptroller of the suspension or revocation of any charitable solicitation permit. (Ord. 48022 § 359.1 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.150 Books and records of permit holders. Every person to whom a charitable solicitation permit has been issued shall maintain a system of accounting whereby all contributions and all disbursements are entered upon the books or records of such person's treasurer or other financial officer. For each solicitation a separate folder containing all vouchers supporting said accounting and containing a record of all contributions and disbursements will be maintained and available for inspection by the comptroller or his agent for a period of one year from the end of the period of solicitation. (Ord. 48022 § 359.2 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.160 Financial report due upon completion of solicitation. Within thirty days after completing solicitation, the holder of a charitable solicitation permit shall furnish the comptroller with a detailed financial report and statements showing the amount raised by solicitation under the permit, the amount expended in soliciting, including a detailed account of all wages, fees, commissions and expenses allowed or paid anyone in connection with such solicitation, and a statement of the disposition of the balance, and proof of such disposition shall be furnished the comptroller on request. All moneys or things of value collected under such permit shall be reported. The financial report required by this section shall be submitted on a uniform reporting form provided by the comptroller. The comptroller shall keep said report available for inspection by the public. Provided however, the comptroller may extend the time for the filing of the report required by this section for an additional period of thirty days or longer upon proof that the filing of the report within the time specified will work unnecessary hardship on the permit holder. Failure to comply with this section shall be good and sufficient cause to deny the applicant a subsequent permit to

solicit for charitable purposes. (Ord. 48022 § 359.3 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.170 Religious solicitations—Registration and certificate required.

(A) No person shall solicit contributions for any religious purpose within the city of Seattle without a certificate of registration issued by the comptroller; provided, however, that the provisions of this section shall not apply to solicitations by any religious organization conducted among the members thereof by other officers or members voluntarily and without remuneration for making such solicitations, or to solicitations for or collections of contributions at the regular assemblies, meetings, or services of such organization. Application for a certificate shall be made to the comptroller upon forms provided by him. Such application shall be sworn to, or affirmed, and shall contain the following information, or in lieu thereof, a statement of the reason or reasons why such information cannot be furnished:

(a) The name and local address or headquarters of the person applying for the certificate;

(b) If applicant is not an individual, the names and addresses of the applicant's principal officers and managers and a copy of the resolution, if any, authorizing such solicitation, certified to as a true and correct copy of the original by the officer having charge of applicant's records;

(c) The purpose for which such solicitation is to be made, the total amount of funds proposed to be raised thereby, and the use or disposition to be made of any receipts therefrom;

(d) The name and address of the person or persons by whom the receipts of such solicitations shall be disbursed;

(e) The name and address of the person or persons who will be in direct charge of conducting the solicitation and the names of all promoters connected or to be connected with the proposed solicitation;

(f) An outline of the method or methods to be used in conducting the solicitations;

(g) The time when such solicitations shall be made, giving the dates for the beginning and ending of such solicitation;

(h) The estimated cost of the solicitation;

(i) The amount of any wages, fees, commissions, expenses or emoluments to be expended or paid to any person in connection with such solicitations, and the names and addresses of all such persons;

(j) A financial statement for the last preceding fiscal year of any funds solicited for religious purposes from the public pursuant to a certificate of registration hereunder by the applicant, said statement giving the amount of money so raised, together with the cost of raising it, and final distribution thereof;

(k) A detailed statement of the religious work being done by the applicant within the city of Seattle;

(1) A statement to the effect that the certificate will not be used or represented in any way as an endorsement by the city of Seattle or by any department or officer thereof.

(B) If, while any application is pending, or during the term of any certificate granted thereon, there is any change in fact, policy, or method that would alter the information given in the application, the applicant shall notify the comptroller in writing thereof within twenty-four hours after such change. (Ord. 48022 § 359.4 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.180 Certificate or registration—Contents—Credentials for solicitors—Exemptions. Upon receipt of such application, the comptroller shall forthwith issue the applicant a certificate of registration. The certificate shall remain in force and effect for a period of six months after the issuance thereof, and shall be renewed upon the expiration of this period upon the filing of a new application as provided for in Section 10.78.170. Certificates of registration shall bear the name and address of the person by whom the solicitation is to be made, the number of the certificate, the date issued, and a statement that the certificate does not constitute an endorsement by the city of Seattle or by any of its departments or officers, of the purpose or the person conducting the solicitation. All persons to whom certificates of registration have been issued shall furnish credentials to their agents and solicitors in the same manner and subject to the same conditions as set forth in Section 10.78.090 hereof relating to the furnishing of facsimile copies of permits to solicit for charitable purposes. No person shall solicit under any such certificate of registration without having such credentials in his possession, and such person shall, upon demand, present these credentials to any person solicited or to the comptroller or his agent or to any police officer of the city of Seattle. (Ord. 48022 § 359.5 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.190 Fraudulent misrepresentation and misstatements prohibited. It is unlawful for any person to directly or indirectly solicit contributions for any purpose by misrepresentation of his name, occupation, financial condition, social condition, or residence, and no person shall make or perpetrate any other misstatement, misrepresentation, deception, or fraud in connection with any solicitation of any contribution for any purpose in the city of Seattle, or in any application or report filed in connection therewith. (Ord. 48022 § 359.6 added by Ord. 101838 § 1 (part); February 13, 1973).

10.78.200 Penalty for violation. Notwithstanding the provisions of Section 10.02.230 of the License Code, any person who violates any of the provisions of this chapter shall upon conviction thereof be punishable by a fine of not more than five hundred dollars or by imprisonment in the city

jail for a term of not more than six months, or by both such fine and imprisonment. (Ord. 48022 § 359.7 added by Ord. 101838 § 1 (part) ; February 13, 1973).

Chapter 10.80

WHOLESALE PEDDLERS

Sections:

- 10.80.010 License required—Fee.
- 10.80.020 Defined.
- 10.80.030 Exemptions—Farmer's permit.

10.80.010 License required—Fee.* It is unlawful for any person to engage in or carry on the business of "wholesale peddler," as herein defined, without first obtaining from the city comptroller and being the holder of a valid and subsisting license so to do, to be known as a "wholesale peddler's license." The fee for such license shall be, and the same is hereby, fixed in the sum of one hundred fifty dollars per year. (Ord. 48022 § 280 added by Ord. 62281; February 24, 1932).

10.80.020 Defined. The term "wholesale peddler" means and includes any person who sells, or offers for sale, from any cart, wagon, automobile or other vehicle, any fruit, vegetables, garden produce, butter, eggs, cheese, game or poultry, to any person for the purpose of resale, or to any hotel or restaurant. (Ord. 48022 § 281 added by Ord. 62281; February 24, 1932).

10.80.030 Exemptions—Farmer's permit. The provisions of this chapter shall not apply to any dealer having a store or other establishment place of business within the city and serving regular customers upon substantially fixed routes, nor to the sale by any farmer or producer, or by any regular employee of such farmer or producer, of any fruit, vegetables, garden produce, butter, eggs, cheese or poultry raised or produced by such farmer or producer, providing he has obtained from the city comptroller a farmer's permit so to do.

It is unlawful for any farmer or producer or any of his regular employees to engage in the business of wholesale peddling, unless he has filed with the city comptroller an affidavit, duly sworn to and acknowledged that he will peddle only such farm or dairy products as are raised by himself, and having obtained a farmer's permit so to do; the city comptroller shall furnish to the applicant for a farmer's permit a metal plate of suitable design with a proper number thereon and it shall also contain the year for which it was issued, each farmer's permit will expire on December 31st of each year.

*Expiration of license—See Section 10.03.030.

10.83.010 LICENSES

Each applicant for a farmer's permit shall furnish suitable proof that he is a bona fide farmer and producer and the city comptroller may investigate and verify the applicant's statements. (Ord. 48022 § 282 added by Ord. 62281; February 24, 1932).

Chapter 10.83

AMUSEMENT ARCADES AND DEVICES

Sections:

- 10.83.010 Definitions.
- 10.83.020 Arcade license—Requirement.
- 10.83.030 Location license—Requirement.
- 10.83.040 Operator's license—Requirement.
- 10.83.050 Wholesale distributor's license—Requirement.
- 10.83.060 Fees—Application and issuance license.
- 10.83.070 Name of wholesale distributor and operator to be on amusement device.
- 10.83.080 Gambling or pay-off devices prohibited.
- 10.83.090 Play by minors prohibited.
- 10.83.100 Only one class of license for each licensee.
- 10.83.110 Issuance of slugs, trade checks or trade certificates prohibited.
- 10.83.120 Prohibited within three hundred feet of schools.
- 10.83.130 Revocation of licenses—Appeals.
- 10.83.140 Penalty for violations.

10.83.010 Definitions. AMUSEMENT ARCADE means a place where twenty or more coin operated amusement devices are exhibited for play and where vending machines, weight lifting devices, shuffleboards, scales, punching bags, mechanical music machines, amusement rides, shooting galleries, or similar devices are exhibited or exposed for play or use by the public.

AMUSEMENT DEVICE means any machine or device designed to be operated or used for playing a game upon the insertion of a coin, trade check or slug, as hereinafter provided, and which is played or operated only for amusement and entertainment, but shall not mean or include any machine or device used exclusively for the vending of merchandise;

OPERATOR means any person who leases or rents to or places with others any amusement device for use, play or operation;

PERSON means and includes an individual, corporation, co-partnership or association;

WHOLESALE DISTRIBUTOR means any person who engages in the business of selling, exchanging, or offering or exhibiting for sale or ex-

change, any amusement device. (Ord. 48022 § 299 as amended by Ord. 91721 and Ord. 102300 § 1; July 2, 1973).

10.83.020 Arcade license—Requirement. It is unlawful to operate or conduct, own, or be employed in, an amusement arcade unless a valid "amusement arcade license" has been procured for, and is conspicuously displayed in, each such amusement arcade. No such amusement arcade license shall be issued except to a citizen of the United States who has been a resident of the city of Seattle for at least five years next prior to filing application therefor. Not more than one such license shall be issued for each one hundred fifty thousand of the total population of the city, as shown by the last preceding state or federal census, provided, that nothing contained in this section relating to residence, citizenship, or per capita limitation of licenses shall apply to any person now holding a valid amusement arcade license. (Ord. 94505 § 1; January 20, 1966: prior Ord. 48022 § 299-A added by Ord. 83500; October 15, 1954).

10.83.030 Location license—Requirement. It is unlawful for the owner or proprietor of any place or establishment 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, in any such place or establishment any amusement device without having a valid and subsisting license, to be designated as "location amusement device 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 city comptroller shall prescribe the form of the location license, shall designate a number therefor, and shall indicate thereon the number of such devices which may be exhibited, exposed, used or played thereunder. (Ord. 48022 § 300 as amended by Ord. 89852 and Ord. 102300 § 2; July 2, 1973).

10.83.040 Operator's license—Requirement. It is unlawful for anyone to be or become an operator without having a valid and subsisting license, to be designated as "operator's amusement device base license." Each operator shall be issued such a base license with a number designated by the city comptroller. The base license shall designate the number of amusement devices which may be leased, rented or placed thereunder. Not more than one such operator's base license shall be issued for each fifteen thousand of the total population of the city, as shown by the last preceding state or federal census.

No such operator's base license shall be issued except to a citizen of the United States who has been a resident of the city of Seattle for at least five years prior to application therefor; providing that such residence and citizenship requirements shall not apply to prevent the renewal of a valid and subsisting operator's amusement device base license.

10.83.050 LICENSES

No such operator's base license shall be transferred; provided that on a bona fide sale of the holder's business, his right to such license may be transferred with the consent by resolution of the city council. No transfer shall be effective until the transferee has procured such an operator's base license and necessary sub-licenses.

It is unlawful for anyone to install, place, display or exhibit, or to lease, rent or place with others, for use, play or operation in any place or establishment any amusement device without a valid and subsisting "amusement device sub-license" for each such device. The sub-license shall consist of a metal plate, with a number designated by the city comptroller, and shall be affixed to the device for which it is issued, in a conspicuous place under glass, the form and type of which shall be prescribed by said comptroller and upon which shall be imprinted the following words:

"City of Seattle—Amusement Device License,
For the year " (giving year of
issue), "No."

No such sub-license shall be transferred during the license year from the location to which the sub-license was issued without the consent by resolution of the city council.

The sub-license required by this section shall be obtained by and issued only to the holder of a "location license" who owns or is purchasing the amusement device for which such sub-license is issued, or to the holder of an "operator's license" who is leasing, renting or placing with another the amusement device for which such sub-license is issued, and any sub-license issued to the holder of a "location license" shall become void upon any transfer of ownership or title to such amusement device, whether by sale or otherwise, or upon any repossession of such device by the seller thereof. Any holder of a "location license" applying for a sub-license in accordance with this section shall submit a bill of sale, contract, or other evidence satisfactory to the city comptroller that he owns or is making a bona-fide purchase of the amusement device for which such sub-license is to be issued.

It is unlawful for any operator in any place not covered by the required "location license" to display or exhibit for use or play, or to lease or rent to another for display or exhibition for use or play therein, any amusement device. (Ord. 48022 § 300-A as amended by Ord. 92659 and Ord. 102300 § 3; July 2, 1973).

10.83.050 Wholesale distributor's license—Requirement. It is unlawful for any person to be or become a wholesale distributor without having a valid and subsisting license, to be designated as "wholesale distributor's amusement device license," which license shall at all times be conspicuously posted and maintained at the place of business of the distributor in Seattle; provided, only one such license shall be required for each person engaged

in such business without regard to the number of individual salesmen employed by him; and if no place of business is maintained in Seattle, the license or a copy shall be carried by each salesman and exhibited to any city license inspector or any policemen on request. (Ord. 48022 § 300-b as added by Ord. 70384; October 30, 1940).

10.83.060 Fees—Application and issuance of license. The license year shall be from January 1st to December 31st. All license fees shall be payable on an annual basis except as hereinafter provided, which fees shall be as follows:

Wholesale distributor's amusement device license	\$500.00 per year
Amusement arcade license	200.00 per year
Location amusement device license	10.00 for each device per year
Operator's amusement device base license.....	500.00 plus \$12.00 per month per device
Amusement device sub-license	10.00 for each device per year

Provided, that as to operator's amusement device base licenses the monthly fees for devices played by insertion of one cent coins only shall be two dollars and fifty cents per month per device, and provided further that operator's amusement device base license monthly fees shall be paid quarterly within fifteen days after the end of each quarter.

Application for operator's amusement device base license, or transfer thereof, shall be filed with the city council which may grant or refuse the same, and its decision thereon shall be final and conclusive. If the city council approves the granting or transfer of the license, it shall by resolution direct the city comptroller to issue or transfer the license, which shall be held subject to all provisions of this chapter. An operator of amusement devices shall not have in use, play or operation in the city of Seattle more than one hundred such devices at any one time; not more than eight sub-licenses shall be issued for any location except in connection with an "amusement arcade license" under Section 10.83.020; and not more than one operator shall maintain pinball or mechanical music machine sub-licenses in any one location. Any operator of amusement devices who shall apply for and receive any amusement device sub-license plate for use at a specified location, shall, when the use of such plate is discontinued, return same within forty-eight hours to the city comptroller. It is unlawful for the owner or other person in charge of any place or location to permit or allow to be used, played or operated in such place any amusement device not having attached thereto a valid and subsisting amusement device sub-license plate issued therefor.

Application for all other licenses hereunder shall be made to the city comptroller, accompanied by a receipt of the city treasurer showing that the applicant has paid the required fee for the license, and shall be made on forms to be prescribed by the city comptroller.

If the city comptroller finds that the license applied for is for the sale, lease or display of a device or machine which may be legally licensed, sold, displayed and operated under the provisions of, and according to the standards laid down by, this code, he shall issue to the applicant the license applied for, and shall notify the city treasurer, and the latter shall thereupon pay into the general fund of the city treasury the fee received from the applicant; otherwise, the application shall be rejected by the city comptroller and the fee refunded. (Ord. 48022 § 300-C as amended by Ord. 89852, Ord. 97286 and Ord. 102300 § 5; July 2, 1973).

10.38.070 Name of wholesale distributor and operator to be on amusement device. It is unlawful for any person to sell, exchange, display or exhibit for use or operation, or to lease, rent to, or place with another for display, exhibition, use or operation any amusement device unless the same shall have indelibly printed, painted, stamped or impressed thereon the name and address of the wholesale distributor; and, if rented, leased, displayed or exhibited by an operator, the name and address of the operator shall also be indelibly printed, painted, stamped or impressed thereon. (Ord. 48022 § 300-D as amended by Ord. 89852; December 13, 1960).

10.83.080 Gambling or pay-off devices prohibited. Except as authorized by or pursuant to Chapter 218, Laws of Washington, 1973 1st Ex. Sess., it is unlawful to sell, operate or use, or permit to be operated or used, or to possess, exhibit or display with intent that the same shall be sold, operated or used, any amusement device which is so designed and equipped as to render it of practical utility only as a device to be used for gambling or for playing a game of chance or which may be used for playing a game in which the element of chance predominates over skill, including particularly so-called multiple coin pinball machines which 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; or to sell, or display for purpose of sale, or to keep, maintain or operate, or permit to be kept, maintained or operated, any amusement device which is constructed or which may be used to pay off in cash, checks or tokens, or in any manner whatsoever; and no license shall be issued for operation or use of any such device. This prohibition shall not apply to any amusement device, other than a multiple coin pinball machine, which is so constructed, operated and designed as to only permit automatically, winning of not more than nine free games in one operation, and upon which no more than nine free games may be accumulated, and the privilege of playing such free games shall not constitute a pay-off as herein defined; provided that

such free games shall be removable from such device only by the complete playing thereof, and it shall be unlawful for anyone to exchange or transfer the privilege of playing free games won on amusement devices licensed hereunder for any consideration, direct or indirect. (Ord. 48022 § 300-E as amended by Ord. 91721, Ord. 97957 and Ord. 102458 § 8; August 22, 1973).

10.83.090 Play by minors prohibited. It is unlawful for anyone under the age of eighteen years to play or operate any amusement device as defined by the License Code; and it is unlawful for any operator or any owner of any such amusement device or for any manager or other person in charge of premises where any such amusement device is kept, maintained or operated, or permitted to be kept, maintained or operated, to permit or allow any person under eighteen years of age to play or operate any amusement device; provided that such shall not apply to "family amusement parks" defined and licensed as such under Section 10.04.020, wherein no pinball games are operated and no extra games, plays, rewards, or things of value are given by or in connection with the operation of any coin-operated amusement device. (Ord. 48022 § 300-F as amended by Ord. 89852 and Ord. 100478 § 7; December 1, 1971).

10.83.100 Only one class of license for each licensee. Except as provided in Section 10.03.020 no wholesale distributor's license shall be issued to or held by the holder of an operator's license, a location license or an amusement arcade license. No operator's license shall be issued to the holder of a wholesale distributor's license or of a location license. No location license shall be issued to or held by the holder of a wholesale distributor's license or of an operator's license.

No manufacturer of amusement devices, or representative of such manufacturer, and no holder of an operator's license therefor who leases or rents to or places with others any such amusement device for use, play, or operation in any public place, or any person financially interested in such licensed business, whether resident or nonresident, shall have any financial interest, direct or indirect, in the business of any such licensed location; nor shall any such manufacturer, manufacturer's representative, or holder of an operator's license own any of the property upon which such licensed location conducts its business; nor shall any such licensed location, under any arrangement whatsoever, conduct its business upon property in which any such manufacturer, manufacturer's representative, or holder of an operator's license therefor has any interest; nor shall any such manufacturer, manufacturer's representative, or holder of an operator's license advance money or moneys worth, or make any gift, to any licensed location under any arrangement whatsoever; nor in such connection shall any licensed location receive, under any arrangement whatsoever, any advance of money, moneys worth or gift; provided, that nothing in this sec-

tion shall prohibit the seller of any such amusement device from retaining a security interest in such device for the purpose of securing payment of the purchase price.

Financial interest, direct or indirect, as used in this section includes any interest whether by stock ownership, mortgage, lien, or through interlocking directors or otherwise. (Ord. 48022 § 300-G as amended by Ord. 87384 and Ord. 102300 § 5; July 2, 1973).

10.83.110 Issuance of slugs, trade checks or trade certificates prohibited. It is unlawful for the holder of any license issued under this chapter to issue or circulate slugs, trade checks or trade certificates for use in playing any amusement device, or to permit the use and playing in any such device of any such slugs, checks or certificates. (Ord. 48022 § 300-H as amended by Ord. 78614; January 11, 1950).

10.83.120 Prohibited within three hundred feet of schools. No location amusement device license shall be issued for, nor shall any amusement device be used or operated in, any building or place within three hundred feet of the grounds or buildings of any school. (Ord. 48022 § 300-I as amended by Ord. 89852; December 13, 1960).

10.83.130 Revocation of licenses—Appeals. If the city comptroller finds that any licensee has violated any provision of this chapter, he shall make a written record of such finding and shall specify therein the particulars in which this chapter has been violated and shall, in his discretion revoke the license or suspend it for a period to be fixed by him, in which event the license shall be surrendered to the comptroller and cancelled by him in case of revocation, or returned to the licensee on expiration of the period of suspension; and in case of an operator's license the comptroller shall remove the license plate from any licensed amusement device; provided, such revocation, or failure to revoke for violation of the provisions of this chapter, shall not relieve the licensee from liability for punishment under penalties provided in Section 10.83.140 hereof. Any licensee whose license is revoked or suspended shall have the right to appeal to the city council from such revocation or suspension by filing with the city comptroller a written notice thereof within five days after the entry of the order of revocation or suspension. The notice of appeal shall specify an address at which the licensee may be given notice of hearing on the appeal. The city council shall hear the appeal, or may refer the same to a committee for hearing. At the hearing the licensee shall be entitled to appear in person and offer evidence pertinent to the revocation or suspension; and the city comptroller shall likewise be entitled to be heard at the hearing and offer evidence in support of his order of revocation or suspension. The city council shall determine by resolution whether the revocation or suspension shall be sustained, and its action in that respect

shall be final and conclusive. From the time of filing the written notice of appeal until the hearing and action by the city council, the order of the comptroller of revocation or suspension shall be ineffective. (Ord. 48022 § 300-j as amended by Ord. 89852; December 13, 1960).

10.83.140 Penalty for violations. Any violation or failure to comply with any of the provisions of this chapter shall constitute a misdemeanor, and upon conviction thereof shall subject the offender to a fine in any sum not exceeding three hundred dollars or imprisonment in the city jail for a period not exceeding ninety days, or to both such fine and imprisonment. (Ord. 48022 § 300-k added by Ord. 70384; October 30, 1940).

Chapter 10.87

LOCKSMITHS

Sections:

- 10.87.010 Master locksmith license required—Fee.
- 10.87.020 Locksmith license required—Fee.
- 10.87.030 Application for license—Approval by chief of police.
- 10.87.040 Records to be kept.
- 10.87.050 Name and address of locksmith to be stamped on all keys and locks.

10.87.010 Master locksmith license required—Fee. It is unlawful for any person to engage in the business of manufacturing, fitting, cutting, altering or repairing locks or keys without first having obtained, and being the owner and holder of, a valid and subsisting license therefor, to be known as a "master locksmith license," the fee for which is hereby fixed in the sum of fifteen dollars per year for each location. Said license shall be posted and conspicuously displayed in the office or regular place of business of the holder thereof, or if no regular place of business be maintained shall be carried on the person of the holder thereof during business hours or while business is being carried on, and be displayed at the request of any interested person. (Ord. 48022 § 301 as amended by Ord. 88789; December 8, 1959).

10.87.020 Locksmith license required—Fee.* It is unlawful for any person, whether licensed as a master locksmith or not, as an artisan, workman, or employee, to manufacture, cut, fit, alter or repair keys or locks or perform work as a locksmith or keymaker without being the holder of a valid and subsisting license so to do, to be known as a "locksmith license," the fee for which is fixed in the sum of five dollars per year. (Ord. 48022 § 302 as amended by Ord. 88837; December 14, 1959).

*Expiration of licenses—See Section 10.03.040.

10.87.030 Application for license—Approval by chief of police. Any person desiring a master locksmith license or a locksmith license shall make written application therefor to the city comptroller upon a form to be furnished by said comptroller for that purpose. Such application shall state the name or names, and address or addresses, of the person, members of the firm or partnership, or officers of the corporation, for whom a license is sought, and the address at which or from which the holder of such license will carry on business. The application shall be referred to the chief of police, who shall investigate the truth or falsity of the statements therein contained, the fitness and honesty of the applicant, and in respect of any applicant for a locksmith license shall cause the finger prints of such applicant to be recorded and checked by the bureau of investigation of the police department. If the chief of police finds that any of said statements are wilfully false, or that the applicant is not an honest, fit or proper person to exercise the privileges to be granted by the license applied for, he shall endorse his disapproval upon the application and return the same to the city comptroller, who shall refuse the license; otherwise the chief of police shall endorse his approval and the city comptroller shall issue the license, if the applicant has complied with the requirements of this chapter. (Ord. 48022 § 303 added by Ord. 65313; April 10, 1935).

10.87.040 Records to be kept. Every holder of a master locksmith license manufacturing, fitting, cutting, altering or repairing keys or locks, shall keep, or cause to be kept, a book or register which shall be open to inspection at all reasonable times by any police officer or license inspector of the city, in which the following information shall be legibly written or printed in the English language:

(1) Name and address of each person, firm or corporation for whom locks or keys are made, fitted, cut, altered or repaired;

(2) The kind of lock or key involved, whether for a residence, store, office or other structure, safe, motor vehicle or otherwise, giving specific address, or location and license number of motor vehicle or other information to identify each particular job. (Ord. 48022 § 304 added by Ord. 65313; April 10, 1935).

10.87.050 Name and address of locksmith to be stamped on all keys and locks. Every master locksmith shall engrave or stamp his name and address on every lock or key manufactured, altered or fitted by him or by any of his employees. (Ord. 48022 § 305 added by Ord. 65313; April 10, 1935).

Chapter 10.88 BURGLAR ALARMS

Sections:

10.88.010 License—Required.

10.88.020 License—Application.

- 10.88.030 Identification card.
- 10.88.040 Warranty and service contract—Inspection of equipment.
- 19.88.050 Instructions for use.
- 10.88.060 Revocation or suspension of license.

10.88.010 License—Required. As of January 1, 1973, it shall be unlawful for any person to engage in, or to represent himself as being engaged in, the business of selling, leasing, renting, servicing, inspecting, installing, maintaining, or repairing alarms or alarm systems for the purpose of preventing or detecting burglaries or robberies without complying with the provisions of this chapter and without first obtaining a valid and subsisting license so to do to be known as a burglar alarm dealer's license, the fee for which shall be five dollars per year; provided that such license shall not be required of any person for the purpose of installing wires or equipment to convey electric current, or installing apparatus or appliances to be operated by such current and who is required by the laws of the state of Washington to have a license to engage in, conduct or carry on the business of installing such wires, equipment, apparatus or appliances. (Ord. 48022 § 305.1 added by Ord. 101371 and amended by Ord. 101523 § 1 (part); October 20, 1972).

10.88.020 License—Application. Application for a burglar alarm dealer's license shall be made in accordance with Section 10.02.120 and shall include the name and address of the applicant; the names and addresses of the owners thereof, or in the case of a corporation, names and addresses of the officers of such corporation; the type of service offered by such applicant; and such other information relating to the background of the owners or, in the case of a corporation, the officers of the applicant as shall be reasonably necessary to determine the qualifications of the applicant for such license. (Ord. 48022 § 305.2 added by Ord. 101371 and amended by Ord. 101523 § 1 (part); October 20, 1972).

10.88.030 Identification card. Every person engaged in the installation, servicing, or selling of an alarm or alarm system at a location other than the address of the applicant stated on the burglar alarm dealer's license, under the authority of which he is working, shall apply to the chief of police for an identification card which shall be of such form, design, and material as shall be prescribed by the chief of police and which shall be carried by each such person and upon request displayed to any customer, police officer, or license officer. Every person required to have a burglar alarm dealer's license or a license required by the laws of the state of Washington to install wires or equipment to convey electric current or apparatus or appliances to be operated by such current shall submit with his application for an identification card proof that he is a holder of such license. No identification card shall be issued to any person who has within ten years of the date of such application been convicted of any felony, or any mis-

demeanor involving moral turpitude or intent to defraud. A temporary identification card shall be granted any person not having such a conviction on Seattle police department records. A permanent identification card shall be issued following a complete review of available criminal record sources.

Identification cards shall be nontransferable and shall at all times be kept in the possession of the person to whom issued. Identification cards shall be valid for a period of two years from the date of issue.

Any identification card issued to person who ceases to be employed by any licensee, or in connection with a license which has been suspended or revoked, or in connection with a license the holder of which has ceased to engage in the business licensed hereunder, as well as expired identification cards, shall be immediately surrendered to the chief of police. (Ord. 48022 § 305.3 added by Ord. 101371 and amended by Ord. 101523 § 1 (part); October 20, 1972).

10.88.040 Warranty and service contract—Inspection of equipment. Burglar alarm dealers shall provide an express one-year warranty and service contract on all equipment sold or installed by such burglar alarm dealer and under such contract shall annually inspect and service such equipment. Records of all sales, inspections and service shall be maintained by each burglar alarm dealer for a period of not less than three years and such records shall be open to inspection by any police, license, or consumer protection officer. Nothing in this section shall be deemed to require any person purchasing or having installed on his premises an alarm or alarm system to enter into a service and/or inspection contract with the seller or installer of such alarm or alarm system. (Ord. 48022 § 305.4 added by Ord. 101371 and amended by Ord. 101523 § 1 (part); October 20, 1972).

10.88.050 Instructions for use. Burglar alarm dealers shall provide in connection with any alarm or alarm system sold or installed complete oral and written instructions and demonstration in the proper care and use of any such alarm system and shall furnish to the chief of police at his request a current copy of all such written instructions. (Ord. 48022 § 305.5 added by Ord. 101371 and amended by Ord. 101523 § 1 (part); October 20, 1972).

10.88.060 Revocation or suspension of license. Failure to comply with any provision of this chapter shall be grounds for revocation or suspension of any burglar alarm dealer's license, and upon such a finding the chief of police or any consumer protection officer may recommend revocation or suspension of such license in accordance with and subject to the provisions of this chapter. (Ord. 48022 § 305.6 added by Ord. 101371 and amended by Ord. 101523 § 1 (part); October 20, 1972).

LICENSES

Chapter 10.89

TWO-WAY RADIO BASE STATION TRANSMISSION SERVICE

Sections:

- 10.89.010 Permits authorized.
- 10.89.020 Application for permit.
- 10.89.030 Covenant to protect and save city harmless.
- 10.89.040 Reconstruction, relocation and repair.
- 10.89.050 Reservation of rights by city.
- 10.89.060 Privilege not assignable or transferable.

- 10.89.070 Acceptance to be filed by grantee.
- 10.89.080 Public liability insurance.
- 10.89.090 Costs of inspection.

10.89.010 Permits authorized. The Board of Public Works may grant permits to construct, maintain and operate on and over the streets, alleys and public highways of the City of Seattle (hereinafter referred to as streets) upon existing poles, fixtures, equipment, antenna or wires necessary for the operation, conduct and maintenance of two-way radio base station transmission service and to go upon any such street to perform any work thereon subject to the terms of such permit, which shall include the right to attach such fixtures to such poles upon permission from the owners thereof. (Ord. 89226 § 1; April 26, 1960).

10.89.020 Application for permit. Application for such permit shall be made on forms provided by the City Engineer and shall be filed with the City Engineer, together with plans and specifications drawn to an accurate scale, such plans and specifications being made conformable to such reasonable rules and regulations as the City Engineer may prescribe, and showing the exact location, character, position, dimension and height of the work proposed to be done. The City Engineer may approve or disapprove such application and shall transmit the application with accompanying plans and specifications and affidavit to the Board of Public Works, which prior to the granting of the permit, may require such modifications or changes as it deems necessary to properly protect the public in the use authorized in said permit, and if the same be granted, fix the time or times within and during which said work shall be done. When such application has been granted by the Board of Public Works a permit allowing such installation and maintenance shall be issued from the office of the City Engineer who shall have authority to supervise, regulate and direct the construction and who shall keep a record of the permit and the work done thereunder. (Ord. 89226 § 2; April 26, 1960).

10.89.030 Covenant to protect and save city harmless. By acceptance of said permit, any grantee thereof shall thereby covenant and agree for himself, his successors and assigns, with the City of Seattle, to at all times protect and save harmless the said City of Seattle from all claims, actions, suits, liability, loss, costs, expenses or damages of every kind or description which may accrue to, or be suffered by, any person or persons or property, and to appear and defend at their own cost and expense any action or suit instituted or begun against the City for damages, by reason of the erection, construction, reconstruction, relocation, replacing, readjustment, repair, maintenance, operation, use of every two-way radio base station transmission installation authorized hereunder, or anything that has been done or may at any time be done by said Grantees, their successors and assigns, by virtue of this ordinance, and in case judgment shall be rendered

ered against said City in any such suit or action, said Grantees, their successors and assigns, shall fully satisfy such judgment within ninety (90) days after such action or suit shall have been finally determined, if determined adversely to the City. (Ord. 89226 § 3; April 26, 1960).

10.89.040 Reconstruction, relocation and repair. After construction of such two-way radio base station transmission service installation, said grantees, their successors and assigns, shall not erect, construct, reconstruct, relocate, replace, readjust, or repair said installation, except under the supervision and control of, and in strict accordance with plans and specifications theretofore approved by the Board; and the said Grantees, their successors and assigns, when directed to do so by the Board, shall at their own cost and expense, reconstruct, relocate, replace, readjust or repair said installation in strict accordance with plans and specifications approved by the Board, whenever such reconstruction, relocation, replacement, readjustment or repair shall, in the judgment of the Board, be necessary or convenient because of deterioration or unsafe conditions of said installation; because of the installation, erection, construction, reconstruction, replacement, maintenance, operation or repair of any and all municipally owned public utilities, or for any other cause. (Ord. 89226 § 4; April 26, 1960).

10.89.050 Reservation of rights by city. Such grant is temporary and is subject to the primary use by the City of Seattle of said public place, and the City expressly reserves the right to require the said Grantees, their successors and assigns, to remove said installation at the Grantee's sole cost and expense upon ninety (90) days notice when declared necessary by ordinance of the City of Seattle. (Ord. 89226 § 5; April 26, 1960).

10.89.060 Privilege is not assignable or transferable. The privilege granted by such permit shall not be assignable or transferable by operation of law, nor shall said Grantees, their successors or assigns, assign, transfer, mortgage, pledge or encumber the same, without the consent of the Board of Public Works by resolution. (Ord. 89226 § 6, April 26, 1960).

10.89.070 Acceptance to be filed by grantee. At the time of issuance of said permit, any grantee thereof shall file with the Board of Public Works a written acceptance thereof, accepting the benefits and privileges thereby granted, subject to all terms, conditions, restrictions, restraints, specifications and requirements imposed by this chapter. Any Grantee thereof shall also at the time of issuance of said permit file in the office of the City Comptroller a good and sufficient bond in the sum of One Thousand Dollars (\$1,000.00) executed by a surety company authorized and qualified to do business in the State of Washington, conditioned that the Grantees, their successors and assigns, strictly comply with each and every provision of such permit; provided that whenever in the judgment of the Mayor

of the City of Seattle any bond or bonds filed pursuant to the provisions hereof shall be deemed insufficient to fully protect the City of Seattle, the Grantees, their successors or assigns, shall, upon demand by said Mayor, furnish a new or additional bond in such amount as may be specified by said Mayor. (Ord. 89226 § 7; April 26, 1960).

10.89.080 Public liability insurance. So long as any grantee thereof shall exercise any right, privilege or authority granted by such permit, they shall provide and maintain in full force and effect public liability insurance providing coverage for all claims for damage to persons or property arising out of the construction, maintenance or operation of any two-way radio base station transmission installation authorized hereunder, naming the City as an additional insured, providing for a limit of not less than One Hundred Thousand Dollars (\$100,000.00) for all damages arising out of bodily injuries to or death of one person, and subject to that limit for each person, a total limit of not less than Three Hundred Thousand Dollars (\$300,000.00) for all damages arising out of bodily injuries to or death of two or more persons in any one accident; and property damage liability insurance providing for a limit of not less than Twenty Thousand Dollars (\$20,000.00) for all damage arising out of injury to or destruction of property in any one accident. A copy of such policy or certificate evidencing the same shall be filed in the office of the City Comptroller prior to issuance of any such permit and shall provide for ten (10) days notice to the City of any change, cancellation or lapse thereof. (Ord. 89226 § 8; April 26, 1960).

10.89.090 Costs of inspection. The said Grantees, their successors and assigns, shall pay to the City of Seattle such amount as the Board of Public Works shall determine is justly chargeable by said City as the cost of inspection of any such installation. (Ord. 89226 § 9; April 26, 1960).

Chapter 10.90

USED AUTOMOBILE DEALERS

Sections:

- 10.90.010 Definitions.
- 10.90.020 License required—Regulations—Records.
- 10.90.030 Application for license.
- 10.90.040 Bond required.
- 10.90.050 Investigation of applicant.
- 10.90.060 Fee for license—Term—Posting.
- 10.90.070 Advertising.
- 10.90.080 Revocation of license.
- 10.90.090 Second-hand dealer's license not required.

10.90.010 Definitions. For the purpose of this chapter a "used automobile dealer" is any person conducting, engaging in, or carrying on, or holding himself out as, engaging in, conducting or carrying on the business of buying, taking in trade or exchange for the purpose of resale, selling or offering for sale, acting as a broker, or consigning to be sold, trading or otherwise dealing in used automobiles or trucks: Provided that no one coming into possession of an automobile because of failure to comply with the terms of the mortgage or sale contract and who sells any such automobile in liquidating such indebtedness shall be deemed a used automobile dealer. (Ord. 48022 § 308, added by Ord. 77718; February 3, 1949).

10.90.020 License required—Regulations—Records. (a) It is unlawful to engage in business as a used automobile dealer without complying with this chapter and without a used automobile dealer's license issued by the City Comptroller: Provided, no such license shall be issued to one who is not the holder of a valid State dealer's license.

(b) Such business shall be engaged in only at a fixed place of business and if more than one place of business is operated by the same person a separate license shall be required for each.

(c) Each place of business shall be adequate for the display of at least ten (10) automobiles and shall have an enclosed office room located thereon, or within three hundred (300) feet therefrom.

(d) If used automobiles are sold with a guaranty or warranty each such dealer shall have at one of his places of business facilities for the service, repair and reconditioning of automobiles, or a legally enforceable contractual arrangement for such service, repair and reconditioning at a garage having such facilities.

(e) Each used automobile dealer shall keep and maintain in his office complete and accurate books, records and files showing all purchases, sales and exchanges of automobiles or trucks made by him, said records shall show the name and address of the person from whom the automobile or

truck is purchased or received, the make, state license number, serial number and style of any used automobile or truck received by him; and shall also show the date, name and address of the person to whom said automobile or truck is sold, and sale price, together with the method of sale or financing. Said records shall at all times during business hours be available for inspection by any member of the Seattle Police Department or by any officer or employee of the City Comptroller. Each day before noon such dealer shall through the United States Post Office, with the required amount of postage, mail to the Chief of Police at his office in Seattle a copy of such record covering his operations for the next previous business day.

(f) The true name of such dealer or his trade or assumed name, and the words "used cars" or "used automobiles or trucks" or other words indicating that used automobiles or trucks are bought, sold or dealt in shall be displayed in a conspicuous place on or near the front building line of each place of business, such name and other wording to be in letters not less than twelve inches in height and legible from a distance of not less than fifty feet: Provided, that any such dealer desiring to so use his trade name or assumed name shall when applying for his license or renewal thereof, furnish the City Comptroller with a certified copy of his filing with the County Clerk showing trade or assumed name. (Ord. 48022 § 309, as amended by Ord. 79239; August 22, 1950).

10.90.030 Application for license. Application for a used automobile dealer's license shall be made to the City Comptroller on a form provided by him; shall be made by the applicant or by his authorized agent or representative and shall be signed and sworn to before a person authorized to administer an oath. It shall show the location or locations where the business is to be conducted, and shall state whether or not the applicant sells used automobiles or trucks with a guaranty or warranty and if it shows that he does or intends to sell with such guaranty or warranty shall state that the applicant has on his place of business or one of his places of business facilities for the service, repair and reconditioning of automobiles or trucks, or, if it states that he has no such facilities, shall state that he has a legally enforceable contract for such service with a garage having such facilities, and shall attach to the application a written copy of said contract. It shall show the residence and business address of the applicant; and if a copartnership is the applicant it shall show the name, residence and business address of all members of the copartnership; and if the applicant is a corporation it shall show the residence and business address of all officers of the corporation; said requirement as to names, residence and business addresses shall cover a continuous period of five years immediately prior to the date of the application. It shall state whether the applicant or any member of the copartnership or any officer of the corporation has ever been convicted of a crime involving fraud, misrepresentation, embezzlement or theft, and if so, shall state

the offense and date of conviction. It shall state whether or not the applicant is indebted to any person upon unsatisfied judgments in any state or federal court of the State of Washington. It shall also state whether or not applicant or any member of the copartnership or any of the officers of the corporation have ever been adjudged a bankrupt or had a receiver appointed for liquidation of any business which applicant, members of the co-partnership or officers of the corporation owned or had any financial interest in. It shall contain such other information as the City Comptroller may require for determining the honesty and integrity of the applicant, members of the co-partnership or officers of the corporation. (Ord. 48022 § 310, added by Ord. 77718; February 3, 1949).

10.90.040 Bond required. The application shall be accompanied by a bond in the sum of Two Thousand Dollars (\$2000.00) running to the City of Seattle executed by the applicant and a surety company authorized to transact a surety business in the state of Washington. Said bond shall be conditioned that any person who suffers any loss or damage by reason of theft or embezzlement on the part of such dealer or failure of the title shall have a direct right of action against the surety on such bond for the recovery of his damages: Provided, however, that the aggregate liability of the surety upon the bond for all claims which may rise thereunder shall not exceed the sum of Two Thousand Dollars (\$2,000.00). Payment of any claim against the bond and report of the payment to the City Comptroller within three (3) days thereof shall reduce the principal of the bond by the amount so paid. Successive recoveries against said bond shall be permitted, but whenever the recovery or recoveries on a bond and payment of claims and reports as above provided for amount to One Thousand Dollars (\$1,000.00) or more, a new bond for the sum of Two Thousand Dollars (\$2,000.00) shall be filed with the Comptroller or the bond originally filed shall by endorsement of its principal and surety be restored to the full amount of Two Thousand Dollars (\$2,000.00). If such new bond or endorsement is not filed within ten (10) days after the entry of a final judgment totaling One Thousand Dollars (\$1,000.00), or more, the license of such dealer shall be suspended until such new bond or endorsement is filed with the City Comptroller, or until such judgments are satisfied of record. The surety may cancel said bond and be relieved from future liability thereon by giving thirty (30) days written notice to the principal and to the City Comptroller. Recovery of final judgment aggregating the penalty of said bond, or cancellation of the same by the surety shall automatically revoke the license of the dealer. (Ord. 48022 § 311, as amended by Ord. 77869; April 6, 1949).

10.90.050 Investigation of applicant. Upon filing of the application the City Comptroller shall determine whether the applicant is a fit and proper person and is prepared to carry on the business of a used automobile dealer

under the requirements of this chapter. He may refer the application to the Chief of Police for investigation and report. If the Comptroller is satisfied that the applicant is a fit and proper person and is prepared to comply with the requirements of this chapter he may issue a license to the applicant. (Ord. 48022 § 312, added by Ord. 77718; February 3, 1949).

10.90.060 Fee for license—Term—Posting. The annual license fee for "Used Automobile Dealer's License" shall be One Hundred Dollars (\$100.00) for each place of business and shall accompany the application. All licenses shall expire at midnight on the 31st day of March of each year. The license shall be conspicuously displayed at the place of business of the dealer. (Ord. 48022 § 313, as amended by Ord. 88789; December 8, 1959).

10.90.070 Advertising. It is unlawful for any used automobile dealer to advertise for sale in any newspaper or through any other medium any automobile or truck not actually for sale at the place of business of such dealer at the time the order for the advertisement is filed with the newspaper or other medium. Within twenty-four (24) hours after any automobile or truck which has been advertised for sale has been sold or withdrawn from sale the used automobile dealer offering the same shall request the withdrawal of any advertisement relative thereto from the newspaper or other medium. All advertisements placed by such dealer shall contain the number of the dealer's Washington state dealer's license. (Ord. 48022 § 314, added by Ord. 77718; February 3, 1949).

10.90.080 Revocation of license. The City Council may revoke or suspend any license in the manner or for any cause set forth in Section 10.02.130 of this Title and the City Comptroller may refuse to renew a license and the City Council may revoke or suspend the license for the following additional causes.

Whenever the dealer or his agent has:

- (a) Sold a previously licensed automobile or truck without delivering to the purchaser a properly endorsed certificate of title for the same.
- (b) Failed to comply with the conditions of the contract of sale as to services to be rendered or repairs to be made pursuant to any warranty or guaranty.
- (c) Knowingly purchased, sold or dealt in stolen automobiles or trucks.
- (d) Forged a certificate of title or application pertaining thereto.
- (e) Suffered or permitted the cancelation of the bond or the exhaustion of the penalty thereof.
- (f) Misrepresented any material fact in the application for a license.
- (g) Failed to continuously comply with all the requirements of this title.

(h) Failed after twenty days written notice from the City Comptroller to satisfy any final judgment of record against him arising from the conduct of his said business.

(i) For any other cause provided in this Title. (Ord. 48022 § 314-a, added by Ord. 77718; February 3, 1949).

10.90.090 Second-hand dealer's license not required. Any person who holds a valid used automobile dealer's license and who does not engage in the business of selling any used or second-hand goods or equipment except used automobiles or trucks is not required to obtain or hold a second-hand dealer's license required by Section 10.58.020 of this Title, but the provisions of this Title relating to second-hand dealers shall not be otherwise affected by this chapter. (Ord. 48022 § 314-b, added by Ord. 77718; February 3, 1949).

Chapter 10.92
DELIVERY PERMITS

Sections:

- 10.92.010 Issuance.
- 10.92.020 Application for permit.
- 10.92.030 Form of permit and identification card.
- 10.92.040 Display of identification card—Cancellation of permit for violations.
- 10.92.050 Use of loading zones authorized.
- 10.92.060 Fee.

10.92.010 Issuance. The City Comptroller, subject to the approval of the Traffic Division of the Police Department in each case, is hereby authorized to issue "Service or Delivery Permits and Motor Vehicle Identification Cards," hereinafter referred to as "Delivery Permits," to persons regularly using motor vehicles in connection with service calls for supplies, tools or equipment weighing over twenty-five pounds, or using motor vehicles for delivery or pick-up of goods, wares and merchandise over such weight and making at least five such calls or deliveries per day. (Ord. 48022 § 315, as amended by Ord. 73039; January 4, 1944).

10.92.020 Application for permit. Any person desiring a delivery permit shall apply to the City Comptroller on a form prescribed and furnished by, and filed with him. The application shall set forth under oath and over signature of the applicant the number of motor vehicle trucks, express vehicles, or commercial vehicles, used by the applicant in the City; the

make, model, year, motor number and license number of each motor vehicle for which delivery permit is required; and a statement that the applicant will agree to accept full responsibility for any violation of the conditions of the delivery permit or of this title by any driver or operator of any motor vehicle for which the same is issued. (Ord. 48022 § 316 as amended by Ord. 73039; January 4, 1944).

10.92.030 Form of permit and identification card. Upon the filing of a proper application therefor, the city comptroller shall cause to be issued a delivery permit in substantially the following form:

Date Issued..... Permit No.....
 SERVICE OR DELIVERY PERMIT
 AND IDENTIFICATION CARD
 Permittee..... Address.....
 Type of Service or Delivery Rendered.....
 Signature of Permittee.....
 Make..... Model..... Year..... Motor No..... License No.....

City Comptroller and ex officio City Clerk.

Such delivery permits shall expire on December thirty-first of each calendar year. Those issued for each calendar year shall be uniform in size and color, but the color of the material on which they are written and/or printed shall be changed at the beginning of each calendar year. (Ord. 48022 § 317 added by Ord. 69359; July 21, 1939).

10.92.040 Display of identification card—Cancellation of permit for violations. No loading zone shall be used by any motor vehicle unless the delivery permit is so displayed as to be clearly visible from the street through the windshield during the entire period of use of the loading zone; and no delivery permit shall be issued for any motor vehicle nor shall any motor vehicle be used in any devillery zone pursuant to any delivery permit unless the name of the person to whom the delivery permit is issued is painted or displayed on the motor vehicle in contrasting colors in letters not less than two inches high on both sides of the outside of the body of the motor vehicle.

In addition to any penalty provided for violation of this title the city comptroller may, at his option, and shall upon recommendation of the traffic division of the police department, cancel any delivery permit issued for any motor vehicle in which said permit is not painted or displayed as required herein, or for any such vehicle using a loading zone for a period exceeding twenty minutes, or using a loading zone while not actually engaged in making a service call or a pickup or delivery of goods, wares and merchandise. It is unlawful to display any delivery permit except on a motor vehicle for which the same was issued. (Ord. 48022 § 318 as amended by Ord. 73039; January 4, 1944).

10.92.050 Use of loading zones authorized. Any person who is the owner and holder of a valid and subsisting delivery permit issued pursuant to this chapter shall be authorized to occupy any loading zone with any vehicle in which said permit is properly displayed for a period not exceeding twenty minutes while actually engaged in delivery of service or pick-up or delivery of merchandise; provided, that no permit or identification card shall be required for the use of loading zones for periods not exceeding thirty minutes by trucks, express vehicles or properly marked commercial vehicles while actually engaged in loading or unloading of passengers or articles or materials. (Ord. 48022 § 319 added by Ord. 69359; July 21, 1939).

10.92.060 Fee. The fee for each delivery permit is fixed in the sum of three dollars per year; provided, such permits shall be issued to department heads of the city government for use by inspectors acting for the city in the delivery of inspection service without the payment of fees therefor. Upon a showing satisfactory to the city comptroller, he may issue duplicate permits to replace cards lost or stolen upon the payment of a fee of fifty cents each. (Ord. 48022 § 320 added by Ord. 69359; July 21, 1939).

Chapter 10.93

MOTOR VEHICLE WRECKER

Sections:

- 10.93.010 Motor vehicle wrecker defined.
- 10.93.020 License required—Fee.
- 10.93.030 Enclosure of premises.
- 10.93.040 Location of vehicles and parts.
- 10.93.050 Numbering of vehicles.
- 10.93.060 Records—Information required.
- 10.93.070 Records—Delivery to police.
- 10.93.080 Inspection of premises.
- 10.83.090 Vehicle to be held ten days.
- 10.93.100 Dismantling unowned vehicles.
- 10.93.110 Display of vehicles for sale.
- 10.93.120 Penalty for violations.
- 10.93.130 Severability.

10.93.010 Motor vehicle wrecker defined. The term “motor vehicle wrecker,” when used in this chapter, means anyone engaged in the business of buying, acquiring or dealing in motor vehicles of a type usually licensed by the state of Washington, and which motor vehicles are intended by him to be wrecked, dismantled or disassembled; or anyone who buys or sells integral secondhand parts of component material thereof, in whole or in part, and deals in secondhand motor vehicle parts; or anyone who maintains or uses any building, premises, or place to wreck, dismantle or dis-

assemble any such a motor vehicle, and who possesses for sale, offers to sell, or sells any part of any motor vehicle wrecked, dismantled, or disassembled at such building, premises or place; or anyone who stores, or who causes, suffers or allows to remain, on any lot or parcel of land, three or more motor vehicles of a type usually licensed under the laws of the state of Washington, and from which parts have been, or are to be, removed, or which for more than thirty days have not been capable of operation under their own power. (Ord. 48022 § 366 added by Ord. 90316 and amended by Ord. 101488 § 1; October 17, 1972).

10.93.020 License required—Fee. It is unlawful for anyone to be or to become a motor vehicle wrecker without having first obtained, for each location at which he is or becomes a motor vehicle wrecker, an annual motor vehicle wrecker's license, which shall expire on June 30th of each year, and the fee for which is fixed at fifty dollars. (Ord. 48022 § 337 added by Ord. 90316; June 12, 1961).

10.93.030 Enclosure of premises. The activities of a motor vehicle wrecker shall be conducted entirely within an enclosed building, or on premises enclosed by a view obscuring, firm and substantial fence or a solid wall at least eight feet high, and no motor vehicle or part of a motor vehicle acquired or purchased in the course of such business shall be parked, stored or displayed on the outside of such building, fence or wall. Such fence or wall shall be maintained in firm, substantial condition and openings for access shall be not more than twenty feet wide, and shall be equipped with a substantial solid, tight gate or door of the same height as the fence or wall. Such gate or door shall swing inwardly, or shall be parallel to the fence or wall and shall slide horizontally, and shall be kept securely closed when the establishment is not open for business. Such fence or wall shall have not more than one such opening for access to each public way upon which such premises abuts; provided, additional access openings to such public way may be provided at intervals of not less than three hundred feet.

Premises which may not conform with this section but at which the business of a motor vehicle wrecker was being conducted on the effective date of this section* shall conform with this section within ninety days after such effective date. (Ord. 48022 § 338 added by Ord. 90316 and amended by Ord. 92986; June 16, 1964).

10.93.040 Location of vehicles and parts. Motor vehicles, parts of motor vehicles, and any other material within a building or premises where the business of a motor vehicle wrecker is conducted shall be arranged so as to allow reasonable access to all parts of the premises and so as to permit convenient inspection thereof, and nothing within such premises shall

*July 12, 1961.

be placed nearer than one foot to an enclosing fence or wall. (Ord. 48022 § 339 added by Ord. 90316; June 12, 1961).

10.93.050 Numbering of vehicles. Every motor vehicle wrecker shall clearly, legibly and consecutively mark with a number each motor vehicle acquired or purchased by him at the time such motor vehicle is placed on any premises at which he is licensed to engage in business as a motor vehicle wrecker. (Ord. 48022 § 340 added by Ord. 90316; June 12, 1961).

10.93.060 Records — Information required. Every motor vehicle wrecker shall keep, at a location designated by him in his license application, a record of every acquisition or purchase of a motor vehicle or a part of a motor vehicle, which records shall include the following:

- (a) The date;
- (b) The number placed on the motor vehicle by the motor vehicle wrecker;
- (c) The certificate of title number of the motor vehicle if registered in a title state, the registration number if registered in a nontitle state or comparable identification if elsewhere registered;
- (d) The name of the state and license number where the motor vehicle was last registered, or comparable information if last registered outside any state;
- (e) A description of the motor vehicle, including make, year, model, body type, identification number and motor number;
- (f) The name, age, street address, and a general description, including dress, complexion, color of hair and facial appearance, of the person with whom the transaction is had; or other identification of the seller. (Ord. 48022 §341 added by Ord. 30316; June 12, 1961).

10.93.070 Records—Delivery to police. Every motor vehicle wrecker shall deliver to the chief of police, before the hour of noon of each business day, a copy of the record of the transactions for the immediately preceding business day. (Ord. 48022 § 342 added by Ord. 90316; June 12, 1961).

10.93.080 Inspection of premises. The city comptroller, the chief of police, or any police officer of the city, may enter and inspect the premises or anything on the premises of a motor vehicle wrecker, and may inspect the records of any motor vehicle wrecker at any reasonable time. (Ord. 48022 § 343 added by Ord. 90316; June 12, 1961).

10.93.090 Vehicle to be held ten days. Any motor vehicle or part of a motor vehicle acquired or purchased by a motor vehicle wrecker shall be held at least ten days before such motor vehicle or part of a motor vehicle is disassembled or offered for sale or sold unless the disassembling or of-

MOTOR VEHICLE WRECKER 10.93.100

fering for sale or sale of such motor vehicle or part of a motor vehicle within a lesser period than ten days has been authorized by a police officer designated for such purpose by the chief of police. (Ord. 48022 § 344 added by Ord. 90316; June 12, 1961).

10.93.100 Dismantling unowned vehicles. It is unlawful for any motor vehicle wrecker to cause, suffer or allow anyone to use the premises on

which such motor vehicle wrecker conducts his business for the purpose of dismantling or cutting up any motor vehicle or part of a motor vehicle which is not owned by such motor vehicle wrecker. (Ord. 48022 § 345, added by Ord. 90316; June 12, 1961).

10.93.110 Display of vehicles for sale. It is unlawful for any motor vehicle wrecker to park, store or display, or to cause, suffer or allow anyone to park, store or display, any motor vehicle for sale as a used car on any premises at which he is licensed to engage in business as a motor vehicle wrecker. (Ord. 48022 § 346, added by Ord. 90316; June 12, 1961).

10.93.120 Penalty for violations. Anyone violating or failing to comply with the requirements of this chapter shall upon conviction thereof be subject to a fine not exceeding three hundred dollars or imprisonment in the City Jail not exceeding ninety days, or to both such penalties, and each day's violation or failure to comply shall constitute a separate offense. (Ord. 90316 § 3; June 12, 1961).

10.93.130 Severability. Should any portion of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 90316 § 2; June 12, 1961).

Chapter 10.94

ACTION CAMERAS

Sections:

- 10.94.010 Definitions.
- 10.94.020 License required—Term.
- 10.94.030 Fee.
- 10.94.040 Application for license.
- 10.94.050 Unlawful to obstruct street.
- 10.94.060 Minimum age and residence requirements.

10.94.010 Definitions.

ACTION CAMERA: Any camera or other equipment used for taking action photographs.

ACTION PHOTOGRAPH: Any photograph taken for sale on any street or public place.

ACTION PHOTOGRAPHER: Any person who shall, on a street or other public place, take any action photograph.

PLACE OF BUSINESS: Any structure in which facilities for the sale of equipment for developing and printing action photographs are maintained. (Ord. 48022 § 321, added by Ord. 70065; June 7, 1946).

10.94.020 License required—Term. No person shall take any action photograph unless he, his principal or employer is the owner and holder of a valid and subsisting license so to do, to be known as an "Action Photographer's License," which shall authorize the person therein named to operate the action cameras therein specified. No person shall take any action photograph unless, while so engaged, he shall carry on his person an identification card, signed by the person licensed to operate the action camera being used. Such card shall be shown on demand to any law enforcing officer of the city, and shall contain the following information: Name, signature and address of place of business of licensee; name and address of holder of identification card; number of license; and the number of action cameras authorized to be operated by said licensee and description of each.

Each action photographer's license shall expire on the 31st day of May of each year. (Ord. 48022 § 322, added by Ord. 70065; June 7, 1940).

10.94.030 Fee. The fee for an action photographer's license is hereby fixed in the sum of one hundred dollars per year for one action camera, and fifty dollars per year for each additional action camera to be operated under the license applied for. (Ord. 48022 § 323, added by Ord. 70065; June 7, 1940).

10.94.040 Application for license. Any person desiring an action photographer's license shall make application therefor under oath to the city comptroller on a form to be furnished by that officer. The application shall contain the name of the applicant, the name under which, and the street address at which, the business is to be conducted, the number of action cameras to be used and description or identification of each, and such other information as the city comptroller may deem necessary. No action photographer's license shall be issued to any person who does not have a place of business within the city and who has not been a resident of the city for at least six months prior to issuance of said license. (Ord. 48022 § 324 added by Ord. 70065; June 7, 1940).

10.94.050 Unlawful to obstruct street. It is unlawful to obstruct or cause to be obstructed, or to in any way interfere with the full use of any street or other public place by reason of the operation of an action camera. (Ord. 48022 § 325 added by Ord. 70065; June 7, 1940).

10.94.060 Minimum age and residence requirements. No action camera shall be operated by any person under the age of eighteen years, or by any person who has resided in the city less than six months immediately prior thereto. (Ord. 48022 § 326 added by Ord. 72460; March 9, 1943).

Chapter 10.95
MOTOR VEHICLE TOWING SERVICE

Sections:

- 10.95.010 Definitions.
- 10.95.020 Licenses required—Fees.
- 10.95.030 Application for licenses—Information.
- 10.95.040 Investigation of applicant.
- 10.95.050 Issuance of licenses.
- 10.95.060 Liability insurance.
- 10.95.070 Rates for towing and storage.
- 10.95.080 Rules and regulations.
- 10.95.090 Conditions subject to which license is issued.
- 10.95.100 Revocation of license.
- 10.95.110 Enforcement—Appeal from revocation or suspension of license.
- 10.95.120 Call required before going to scene of accident.
- 10.95.130 Monitoring police calls.
- 10.95.140 Paying for information of accidents unlawful.
- 10.95.150 Penalty for violations.

10.95.010 Definitions. The following terms for the purpose of this chapter shall mean as follows:

“Operator” is anyone engaged in the business of offering towing service by use of a vehicle wrecker or by a vehicle adapted to that purpose, whereby disabled motor vehicles or vehicles parked in unauthorized places are towed or otherwise removed from the place where they are disabled or parked without authorization.

“Unauthorized place” is any place on private property where a vehicle is parked without the consent of the owner of such property or his agent. (Ord. 90535 § 1 as amended by Ord. 97331 § 1; December 31, 1968).

10.95.020 Licenses required—Fees. No operator shall engage in business within the city of Seattle or offer such service therein without first applying for and obtaining from the city comptroller a “Towing Operator’s Base License,” the annual fee for which shall be one hundred dollars, and a “Tow Truck License” for each wrecker or towing truck operated by such operator, the annual fee for which shall be twenty-five dollars; provided that the expiration date for all such licenses shall be August 31st of each year, and should application be made for such license within thirty days of the effective date of this chapter (August 12, 1962), the annual license fee shall be prorated on the basis of the number of months remaining in the license year from the date of application for the license. (Ord. 90535 § 2; September 12, 1961).

10.95.030 Application for licenses—Information. Applications for licenses issued hereunder shall be made upon blank forms prepared and made

available by the city comptroller and sworn to by the applicant which shall include:

- (1) The name or assumed name under which the applicant is doing business, home address, and proposed business address of the applicant;
- (2) The description including the make, model and serial number and company number, if any, of the tow trucks owned or operated by the applicant;
- (3) Such other information as the city comptroller shall reasonably require to effectuate the purpose of this chapter. (Ord. 90535 § 3; September 12, 1961).

10.95.040 Investigation of applicant. Upon application as provided for herein, the chief of police at the request of the city comptroller shall cause an investigation to be made of each applicant and of his tow trucks proposed to be licensed hereunder for the purpose of determining:

- (1) The truth of statements made by the applicant in the application;
- (2) Whether tow trucks proposed to be licensed hereunder are equipped for safe and lawful operation. (Ord. 90535 § 4; September 12, 1961).

10.95.050 Issuance of licenses. The city comptroller may issue a license hereunder if he finds:

- (1) That public liability insurance as required by this chapter has been procured;
- (2) That the applicant is qualified to conduct the business;
- (3) That the requirements of this chapter have been met. (Ord. 90535 § 5; September 12, 1961).

10.95.060 Liability insurance. Every towing operator shall file with the city comptroller a policy or policies of public liability insurance, approved as to sufficiency by the city comptroller and as to form by the corporation counsel, issued by an insurance company or companies authorized to do business in the state of Washington, providing indemnity for or protection of the city of Seattle as well as the owners of vehicles in the care, custody or control of the licensee, against loss, as follows:

- (1) A public liability policy covering fire, theft, explosion, and collision in the following amounts:

Fire, theft of entire automobile and contents, and explosion with a minimum coverage of ten thousand dollars for each hazard,

Collision subject to one hundred dollars deductible with each accident deemed a separate claim;

- (2) A public liability policy covering the operation of the licensee's business, equipment or vehicles for any bodily injury or property damage with a minimum coverage of one hundred thousand dollars for any one person killed or injured in any one accident or occurrence and three hundred thousand dollars for more than one person killed or injured in any one oc-

currence or accident. Such policy shall also provide ten thousand dollars minimum limit for all damage arising out of injury to or destruction of property;

(3) All such policies must contain an endorsement providing for ten days' notice to the city comptroller in the event of any change or cancellation. (Ord. 90535 § 6; September 12, 1961).

10.95.070 Rates for towing and storage. The rates for wrecker, towing, or storage service for disabled motor vehicles and motor vehicles removed from unauthorized places shall be filed with the city in the office of the city comptroller and posted and maintained on a sign at or near the entrance of each such place of business which sign shall be clearly legible from a distance of fifty feet and adequate to apprise the public of such rates, and it is unlawful for any operator or his agent or employee to demand or collect any charge for such service in excess of the rates so filed and posted, or to tow or otherwise remove a motor vehicle from an unauthorized place if the appropriate charge to which the operator is entitled pursuant to said rates has been tendered to such operator, agent or employee and the person making such tender promises to forthwith remove or secure the removal of such motor vehicle. The provisions of this section shall not apply to rates determined by weekly, monthly or longer period of time or to rates determined by agreement. (Ord. 90535 § 7 as amended by Ord. 91141 and Ord. 97331 § 2; December 31, 1968).

10.95.080 Rules and regulations. The city comptroller may make and enforce reasonable rules and regulations consistent with this chapter, including provision for inspection by him or by the chief of police of vehicles used hereunder. (Ord. 90535 § 8; September 12, 1961).

10.95.090 Conditions subject to which license is issued. An operator's license hereunder may be issued subject to the following conditions:

(1) The city comptroller shall prepare and issue to a licensed operator tow truck plates or tags which the operator shall at all times prominently display on each wrecker or other vehicle used for towing purposes as prescribed by the city comptroller;

(2) Every operator, his agent or employee, after towing a disabled vehicle away shall prepare a bill in duplicate, the original shall be given to the owner of such vehicle or his authorized representative and the copy retained by the operator at his place of business for a period of six months, and shall be exhibited upon the demand of the city comptroller, the chief of police or their duly authorized representatives. This bill shall contain the following information:

- (a) Name, address, and place of business of the operator,
- (b) Name and address of person calling for and engaging the tow truck,
- (c) State license number and description of disabled vehicle,

(d) The company number of the wrecker or other vehicle used for towing purposes,

(e) Total amount to be charged for towing and storage. The time and place from which towing commenced and terminated;

(3) No operator, his agent or employee shall go to the scene of a vehicular accident unless called by the owner of a disabled vehicle or his authorized representative or by a police officer;

(4) No operator, his agent or employee shall intercept or monitor police calls by short wave radio or otherwise for the purpose of responding to the scene of a disabled vehicle;

(5) Every driver for an operator shall obtain a for hire driver's license issued and conditioned in accordance with Sections 10.67.020 through 10.67.110 of the license code, as amended;

(6) It shall be the duty of every operator, before twelve noon of every business day to make an oral report to the chief of police, or his duly authorized representative, of all vehicles impounded by such operator, his agent or employee, since the last such report, which have not been released to their owners, and such report shall include the description, make, model, serial number, and license number of each such vehicle. (Ord. 90535 § 9 as amended by Ord. 99869 § 1; April 29, 1971).

10.95.100 Revocation of license. The grounds for the revocation of a license issued hereunder are as follows:

(1) The license was procured by fraudulent conduct or false statement of a material fact, or that a fact concerning the applicant was not disclosed at the time of his making application;

(2) The licensee, his agent or representative has offered to pay or has paid directly or indirectly a gratuity or reward to any person not a bona fide employee of the operator for furnishing information as to the location of a disabled vehicle;

(3) The licensee has violated any provisions of Section 10.95.090 hereof or any of the rules and regulations as established under Section 10.95.080 hereof;

(4) If any employee of the city or any of its departments has any interest, whether as an owner, operator, partner, employee or otherwise, either directly or indirectly, in the business of an operator licensed under this chapter;

(5) If the licensee charges, collects, or receives any towing or storage charge greater than the rate provided for in Section 10.95.070 of this chapter. (Ord. 90535 § 10; September 12, 1961).

10.95.110 Enforcement—Appeal from revocation or suspension of license. The city comptroller through the division of licenses and standards of his office shall enforce this chapter with the assistance of the chief of police. If the city comptroller finds that any licensee has violated or failed to comply with any provision of this chapter, he shall make a written record of such finding, and shall specify therein the particulars and he may revoke or suspend the license for a period to be fixed by him, in which event the license shall be surrendered to said comptroller and cancelled by him in case of revocation, or returned to the licensee on expiration of the period of suspension; provided, however, such revocation for violation of any of the provisions of this chapter shall not relieve the licensee of the penalties provided in Section 10.95.150 hereof. Any licensee whose license is revoked or suspended shall have the right to appeal to the city council from such revocation or suspension by filing with the city comptroller a written notice thereof within five days after the entry of the order of revocation or suspension. The notice of appeal shall specify an address at which the licensee may be given notice of hearing on the appeal. The city council shall hear the appeal, or may refer the same to a committee for hearing. At the hearing the licensee shall be entitled to appear in person and offer evidence pertinent to the revocation or suspension; and the city comptroller shall likewise be entitled to be heard at the hearing and offer evidence in support of his order of revocation or suspension. The city council shall determine by resolution whether the revocation or suspension shall be sustained, and its action in that respect shall be final and conclusive. From the time of filing the written notice of appeal until the hearing and

action by the city council, the order of the comptroller of revocation or suspension shall be ineffective. (Ord. 90535 § 11; September 12, 1961).

10.95.120 Call required before going to scene of accident. It is unlawful for the operator or driver of any wrecker or towing car to go to any place where a vehicular accident has occurred unless called by the owner of a disabled vehicle or his authorized representative or by a police officer. (Ord. 90535 § 12; September 12, 1961).

10.95.130 Monitoring police calls. It is unlawful for the operator or driver of any wrecker or towing car to intercept or monitor police calls by short wave radio or otherwise, for the purpose of going to the scene of a disabled motor vehicle. (Ord. 90535 § 13; September 12, 1961).

10.95.140 Paying for information of accidents unlawful. It is unlawful for the operator, agent or driver of any wrecker or towing car to offer or pay a gratuity, or reward, to anyone for furnishing information as to the location of a disabled vehicle, or for anyone to accept or receive such gratuity or reward. (Ord. 90535 § 14; September 12, 1961).

10.95.150 Penalty for violations. Anyone violating or failing to comply with any of the provisions of this chapter shall be punishable by a fine of not exceeding three hundred dollars or imprisonment in the city jail not exceeding ninety days, or by both. (Ord. 90535 § 15; September 12, 1961).

Chapter 10.96

MECHANICAL MUSIC MACHINES

Sections:

- 10.96.010 Location license required—Fee.
- 10.96.020 Location license required.
- 10.96.030 Distributors' sublicenses required—Fee.
- 10.96.040 Vendor's license—Fee.
- 10.96.050 Expiration of licenses.
- 10.96.055 Residence and citizenship requirements.
- 10.96.060 Defined.
- 10.96.070 Gambling or indecent reproductions unlawful.
- 10.96.080 Loud playing prohibited.
- 10.96.090 Penalty for violation of Sections 10.96.060 through 10.96.080.

10.96.010 Location license required—Fee. It is unlawful for the owner or proprietor of any place or establishment to install, place or exhibit, or permit to be installed, placed or exhibited, for use or play by the public in

any such place or establishment any coin operated mechanical music machine without a valid and subsisting "location music machine license", the fee for which is fixed at fifteen dollars per year. (Ord. 48022 § 327 as amended by Ord. 85795, Ord. 97286 and Ord. 99473 § 1; December 3, 1970).

10.96.020 Location license required. It is unlawful for anyone to lease, rent or place with others, for use, play or operation in any public place or establishment, any coin operated mechanical music machine without a valid and subsisting "mechanical music machine operator's license," the fee for which is hereby fixed at two hundred fifty dollars per year.

No manufacturer of mechanical music machines or representative of such manufacturer, and no person engaged in the business of selling at wholesale or retail, or leasing, renting or placing with others any mechanical music machine, or any person financially interested in any such business, whether resident or nonresident, shall have any financial interest, direct or indirect, in the business of any holder of a "location music machine license," or own any of the property upon which the holder of a "location music machine license" conducts his business, or advance money or money's worth, or make any gift to any holder of a "location music machine license" under any arrangement whatsoever; nor in such connection shall any holder of a "location music machine license," under any arrangement whatsoever, receive any advance of money, money's worth or gift from any manufacturer or manufacturer's representative or person engaged in the business of selling at wholesale or retail, or leasing, renting or placing with others any mechanical music machine, or conduct his business upon property in which any such person has any interest; nor shall any person have any financial interest, direct or indirect, in more than one company, firm or corporation engaged in the business of leasing, renting or placing with others any mechanical music machine.

"Financial interest, direct or indirect," as used in this section, includes any interest whether by stock ownership, mortgage, lien, or through interlocking directors or otherwise; provided that nothing in this section shall prohibit the seller of any such mechanical music machine from retaining a security interest in such machine for the purpose of securing payment of the purchase price.

Not more than one mechanical music machine operator's license shall be issued for each ten thousand of the total population of the city, as shown by the last preceding state or federal census. (Ord. 48022 § 328 as amended by Ord. 87384 and Ord. 99473 § 2; December 3, 1970).

10.96.030 Distributors' sublicenses required—Fee. It is unlawful for anyone to install, place or exhibit, or to lease, rent or place with others, for use, play or operation in any public place or establishment, any coin operated mechanical music machine without a valid and subsisting "mechanical music machine sublicense" for each such machine, the fee for which is

fixed at fifteen dollars per year for each such license, which "mechanical music machine sublicense" shall be in the form of a metal or plastic tag issued by the city comptroller for a specific location and shall be valid only when attached to such mechanical music machine in a conspicuous place near an indelible printed, stamped or impressed statement containing the name and address of the person holding the sublicense for such mechanical music machine.

The sublicense required by this section shall be obtained by and issued only to the holder of a "location license" who owns or is purchasing the mechanical music machine for which such sublicense is issued, or to the holder of an "operator's license" who is leasing, renting or placing with another the mechanical music machine for which such sublicense is issued, and any sublicense issued to the holder of a "location license" shall become void upon any transfer of ownership or title to such mechanical music machine, whether by sale or otherwise, or upon any repossession of such machine by the seller thereof. Any holder of a "location license" applying for a sublicense in accordance with this section shall submit a bill of sale, contract, or other evidence satisfactory to the city comptroller that he owns or is making a bona fide purchase of the mechanical music machine for which such sublicense is to be issued.

Not more than one hundred fifty mechanical music machine sublicenses shall be issued to any one operator; and no sublicense shall be transferred during the license year from the location for which such sublicense was issued except upon the giving of written notice thereof to the city comptroller by either the holder of such sublicense or by the holder of the "location music machine license" for such location. (Ord. 48022 § 328-a as amended by Ord. 87384, Ord. 97286 and Ord. 99473 § 3; December 3, 1970).

10.96.040 Vendor's license—Fee. It is unlawful to engage in the business of selling at wholesale or retail any coin operated mechanical music machine without a valid and subsisting "mechanical music machine vendor's license," the fee for which is fixed at ten dollars per year. (Ord. 48022 § 328-b added by Ord. 85795; December 31, 1956).

10.96.050 Expiration of licenses. All licenses issued pursuant to Sections 10.96.010, 10.96.020, 10.96.030 and 10.96.040, shall expire on December 31st of each year. (Ord. 48022 § 328-c added by Ord. 85795; December 31, 1956).

10.96.055 Residence and citizenship requirements. No mechanical music machine operator's license shall be issued except to a citizen of the United States who has been resident of the city of Seattle for at least five years prior to application therefor; provided, that such residence and citizenship requirements shall not apply to prevent the renewal of a valid and subsisting operator's license. (Ord. 48022 § 328-d added by Ord. 87384; July 24, 1958).

10.96.060 Defined. The phrase "mechanical musical machine" as used herein means any machine or device so constructed or installed that music, songs, speeches, or any sound on film is reproduced through a mechanical speaker in a public place. (Ord. 71881 § 1; May 6, 1942).

10.96.070 Gambling or indecent reproductions unlawful. Except as authorized by or pursuant to Chapter 218, Laws of Washington, 1973 1st Ex. Sess., it is unlawful to play, or to make available for play in public any mechanical musical machine which is or can be used for gambling or for playing thereon a game of chance, or to play or reproduce, or to allow to be played or reproduced thereon in public, any indecent music, speeches, reproductions or pictures. (Ord. 71881 § 2 as amended by Ord. 102458 § 9; August 22, 1973).

10.96.080 Loud playing prohibited. It is unlawful to use or operate, or permit to be played, used or operated, any mechanical music machine in such a manner as to disturb the peace, quiet or comfort of occupants of adjacent or neighboring premises, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room or chamber in which such machine is operated. (Ord. 71881 § 2-a added by Ord. 85801; December 31, 1956).

10.96.090 Penalty for violation of Sections 10.96.060 through 10.96.080. Violation of, or failure to comply with, any of the provisions of Sections 10.96.060 through 10.96.080, inclusive, shall subject the offender to a fine not to exceed three hundred dollars, or to imprisonment in the city jail for not to exceed ninety days, or to both such fine and imprisonment. (Ord. 71881 § 3; May 6, 1942).

Chapter 10.98

PANORAM OR PEEPSHOW

Sections:

- 10.98.010 Location license required.
- 10.98.020 Operator's license required.
- 10.98.030 Fees.
- 10.98.040 Use by minors prohibited.
- 10.98.050 Prohibited within three hundred feet of schools.
- 10.98.060 Obscene or gruesome reproductions prohibited.
- 10.98.070 Interior to be visible from outside—Inspection.
- 10.98.080 Violations—Nuisance.
- 10.98.090 Penalty for violations.

10.98.010 Location license required. It is unlawful to display, exhibit, expose or maintain upon any premise any mechanical device commonly

known as a "panoram" or "peepshow," which, upon the insertion of a coin or by any other means, exhibits or displays a picture or view on film, without a license to do so, to be designated "panoram location license." A separate license is required for each place of business and the same shall at all times be conspicuously posted and maintained therein. No such panoram location license shall be issued except to a citizen of the United States who has been a resident of the city of Seattle for at least five years next prior to filing application therefor. No more than one such license shall be issued for each one hundred fifty thousand of the total population of the city, as shown by the last preceding state or federal census, provided, that nothing contained in this section relating to residence, citizenship, or per capita limitation of licenses shall apply to any person now holding a valid panoram location license. The city comptroller shall prescribe the form of such license, number the same and shall indicate thereon the number of such devices which may be operated thereunder, and the location. (Ord. 48022 § 330 added by Ord. 84319 and amended by Ord. 94505 § 2; January 20, 1966).

10.98.020 Operator's license required. It is unlawful to own and exhibit or display for use, or to place by lease or otherwise for use, exhibit or display with another, any device described in Section 10.98.010 without a license to be designated a "panoram operator license."

No such panoram operator license shall be issued except a citizen of the United States who has been a resident of the city of Seattle for at least five years next prior to filing application therefor. Not more than one such license shall be issued for each one hundred fifty thousand of the total population of the city, as shown by the last preceding state or federal census provided, that nothing contained in this section relating to residence, citizenship, or per capita limitation of licenses shall apply to any person now holding a valid panoram operator license.

Is shall further be unlawful to exhibit or display for use any such device without a license to be designated a "panoram sublicense" for each device. Panoram sublicenses shall be issued for specific locations only and shall not be transferable. The city comptroller shall prescribe the form of such license and number the same. Panoram sublicenses shall be securely attached to each such device in a conspicuous place. (Ord. 48022 § 330 added by Ord. 84319 and amended by Ord. 94505 § 3; January 20, 1966).

10.98.030 Fees. The license year shall be from January 1st to December 31st. All license fees shall be payable on an annual basis, except as hereinafter provided, which fees shall be as follows:

Panoram location license \$10.00 per year for each device

Panoram sublicense \$10.00 per year for each device

Panoram operator license \$500.00 per year plus \$12.00 per month per device

10.98.040 10.98.090 LICENSES

Provided, that as to panoram operator licenses, the monthly fees shall be paid quarterly within fifteen days after the end of each quarter. (Ord. 48022 § 320.2 as amended by Ord. 90012 and Ord. 97286 § 7; December 4, 1968).

10.98.040 Use by minors prohibited. It is unlawful for anyone under the age of twenty-one years to use any device such as described in Section 10.98.010 hereof, and it is unlawful for any operator or owner of such device or for any manager or other person in charge of premises where such device is kept, maintained or operated to permit or allow anyone under twenty-one years of age to use any such device. (Ord. 48022 § 330.3 added by Ord. 84319; August 11, 1955).

10.98.050 Prohibited within three hundred feet of school. No location license shall be issued for, nor shall any such device as described in Section 10.98.010 be used or operated in, any building or place within three hundred feet of the grounds or building of any school. (Ord. 48022 § 330.4 added by Ord. 84319; August 11, 1955).

10.98.060 Obscene or gruesome reproductions prohibited. It is unlawful to exhibit or display by means of any such device as described in Section 10.98.010 any moving, motion or still picture or reproduction of any kind or character of an obscene, indecent or immoral nature, or wherein any scene of violence is shown or presented in a gruesome or revolting manner, or in a manner which tends to corrupt morals or which is offensive to the moral sense or which depicts venereal diseases or concerns sex subjects; or to permit or allow any sound on film, recording or similar mechanism to be used for the production of any obscene song, conversation or discourse in connection with such device. (Ord. 48022 § 330.5 added by Ord. 84319; August 11, 1955).

10.98.070 Interior to be visible from outside—Inspection. The interior of the panoram or peepshow premises shall be arranged in such a manner that the area from which panoram pictures or film is to be viewed and, from the waist down, any person viewing such panoram pictures or film is visible from the entrance to such premises. The licensee shall not permit any doors to public areas on the premises to be locked during business hours. Any room or area on such premises shall be readily accessible at all times for inspection by any law enforcement officer. The licensee shall maintain minimum illumination generally distributed in all parts of the premises at all times when the panoram area is open or when the public is permitted to enter or remain therein. (Ord. 48022 § 330.6 added by Ord. 84319 and amended by Ord. 101777 § 1; January 17, 1973).

10.98.080 Violations—Nuisance. In addition to other penalties provided for herein, any panoram picture or film which violates the provi-

sions of Section 10.98.060 is declared to be a nuisance and may be taken up by any law enforcement officer and retained as evidence and may thereafter be destroyed. (Ord. 48022 § 330.7 added by Ord. 84319; August 11, 1955).

10.98.090 Penalty for violations. Anyone violating, or failing to comply with, any of the provisions of this chapter, shall, upon conviction thereof be fined not exceeding three hundred dollars and imprisoned in the city jail not exceeding ninety days, or both. (Ord. 84319 § 3; August 11, 1955).

Chapter 10.99 AMBULANCES

Sections:

- 10.99.010 Definitions.
- 10.99.020 Licenses required—Fees.
- 10.99.030 License plates.
- 10.99.040 Rates and charges.
- 10.99.050 Application for license.
- 10.99.060 Equipment and maintenance of ambulance—Inspection.
- 10.99.070 Communication equipment—Telephone listing.
- 10.99.080 Liability insurance.
- 10.99.090 Intercepting police calls.
- 10.99.100 Driver and attendant—Qualifications.
- 10.99.110 Service zones.
- 10.99.120 Responding to calls outside service zones.
- 10.99.125 Authority of city official at scene of emergency.
- 10.99.130 Rules and regulations.
- 10.99.140 Revocation or suspension of licenses.
- 10.99.150 Severability.
- 10.99.160 Penalty for violations.

10.99.010 Definitions. The following terms for the purpose of this chapter shall have the following meanings:

“Ambulance operator” means anyone engaging in the business of transporting ill, sick, or injured persons, or who, by advertising, representation or otherwise holds himself out as engaging in such business.

“Ambulance” means any motor vehicle constructed, reconstructed, arranged or used for the purpose of transporting ill, sick, or injured persons.

“Driver” means anyone in charge of, or driving, any ambulance and

10.99.020—10.99.030 LICENSES

includes any person acting as an attendant on any ambulance as herein defined. (Ord. 90952 § 1, February 15, 1962).

10.99.020 License required—Fees. It is unlawful to be or become an ambulance operator in the city of Seattle without first having obtained a valid and subsisting license so to do designated as an "ambulance operator's base license," the annual fee for which license shall be two hundred fifty dollars and the expiration date for which shall be August 31st of each year; and it further is unlawful for any ambulance operator to operate, or any driver to drive any ambulance, unless said ambulance operator shall first have obtained for such vehicle a valid and subsisting license so to do designated as an "ambulance license," the annual fee for which shall be twenty-five dollars for each such ambulance, and the expiration date for which shall be August 31st of each year. (Ord. 90952 § 2; February 15, 1962).

10.99.030 License plates. The city comptroller shall furnish with each ambulance license issued, one or more tags or plates to be known as "Seattle ambulance plates," each such ambulance plate to bear the number of the license year for which the license is issued and the words "AMBULANCE—SEATTLE." The form, material and positioning on the vehicle of each such plate shall be as prescribed by the city comptroller. It is unlawful for any owner, operator or driver of an ambulance to operate any such vehicle without having conspicuously displayed thereon, as prescribed by the city comptroller, such Seattle ambulance plate, or to operate any such vehicle with expired or illegible Seattle ambulance plates thereon, or to fail to comply with any regulations of the city comptroller relating to such plates.

Seattle ambulance plates shall remain the property of the city of Seattle and it is unlawful for anyone other than the licensee to whom the plates were issued to possess or use any such plate. Any plates possessed or used in violation of the provisions of this chapter, shall be taken by any police officer or city employee in the division of licenses and standards and returned to the city comptroller. (Ord. 90952 § 3; February 15, 1962).

10.99.040 Rates and charges. It is unlawful for anyone driving or operating an ambulance to charge, demand, collect or receive any greater or less rate of fare computed by the use of a taximeter than the following:

BASE RATE:

Response to call and including two-thirds mile\$35.00

MILEAGE RATE:

For each additional one-third mile or fraction thereof..... .50

TIME RATE:

Waiting time or standby time at the request of the person hiring the ambulance or elapsed time necessitated by conditions beyond control of the operator at loading and/or discharge points or during the actual trip, for each three and three-quarter minute period or fraction thereof..... 1.00

ADDITIONAL STRETCHER PATIENTS:

For each additional stretcher patient..... 16.00

ADDITIONAL SIT-UP PATIENTS:

For each additional sit-up patient..... 10.00

REBATES:

It is unlawful for any ambulance operator to give directly or indirectly, or cause to be given, any rebates, commissions, reserve rebates, or any reduced rates or cash discounts to any person, or persons, or groups of any nature.

TOTAL CHARGE:

The total charge shall be the sum of the appropriate "base rate" plus the "mileage rate" applied to the distance actually traveled with patient or patients, plus the "time rate" applied to requested or necessary waiting, standby time or trip time. All rates are to be computed from the time the ambulance arrives for hire until the ambulance is discharged by the patient or his authorized representative: Provided, that such rates and charges shall not apply to ambulance services rendered for the city or for any other governmental unit.

Every ambulance operator shall keep at the location for which his operator's license is issued a chronological record showing each call for ambulance service ordered or made and the name and address of the person calling for said service, the name of the driver and attendant, the

company number of the ambulance, the time and place of the origin and of the end of each ambulance trip, and the fee charged, and shall upon request of any person paying an ambulance charge furnish a receipt showing such information. Any receipt for service rendered given to the customer shall contain a statement that complaints may be referred to the city of Seattle division of licenses and standards. Such records shall at all reasonable times be open to the inspection of the director of public health, the city comptroller or chief of police or their designated agents.

It is unlawful for any person to drive or operate or engage in the business of operating, ambulances, unless each of said ambulances are equipped with a taximeter inspected and approved by the city comptroller. Approval by the city comptroller shall be evidenced by his certificate which shall be plainly posted on the taximeter. In addition, the face of the meter shall have affixed thereto a lead-wire security seal bearing the city of Seattle approval impression. If such certificate of approval or security seal is defaced, broken, or removed for any purpose, it is unlawful to operate the taximeter unless reinspected and approved by the city comptroller. (Ord. 90952 § 4 as amended by Ord. 94622, Ord. 95714, Ord. 98639 and Ord. 100957 § 1; May 3, 1972).

10.99.050 Application for license. Application for an ambulance operator's base license shall be made to the city comptroller on forms approved by him and shall be sworn to by the applicant. If the applicant is a corporation, it shall accompany said application with a list of officers, directors and stockholders of the corporation, and shall within ten days notify the city comptroller in writing of any subsequent changes in officers, directors or stockholders. No new ambulance operator's base license shall be issued or an existing license transferred to any other person without the consent of the city council by resolution.

Application for an ambulance operator's base license shall show the name of the applicant, together with any assumed name under which the company will operate, and for each ambulance, the company vehicle number therefor, the make, model and identifying serial number of the vehicle. The applicant shall furnish such other information as may be required by the city comptroller which he deems necessary to aid in the enforcement of this chapter. (Ord. 90952 § 5 as amended by Ord. 94622; March 16, 1966).

10.99.060 Equipment and maintenance of ambulance—Inspection. Each ambulance shall be equipped and maintained at all times by the operator thereof for sale and lawful operation as an ambulance and in accordance with the laws of the city of Seattle and the state of Washington, and shall be furnished with such equipment as the director of public

Health shall deem necessary, including the following equipment, or the equivalent thereof, maintained in a workable and usable condition at all times:

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|---|---|
| (a) One siren; | (j) One adult splint; |
| (b) One red flashing light, (front and rear); | (k) One child's leg splint; |
| (c) One resuscitator; | (l) One underwriter approved fire extinguisher; |
| (d) One oxygen tank with regulator and mask; | (m) One bed pan; |
| (e) One collapsible stretcher; | (n) Two restraint straps; |
| (f) One urinal; | (o) One plastic cover for patient; |
| (g) One wool blanket; | (p) Two red flares; |
| (h) Two sand bags; | (q) One spare size E Oxygen tank; |
| (i) One emesis basin; | (r) Adequate supply of linen. |

and an attendant's bag, which shall contain the following:

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|------------------------------|-----------------------------------|
| One bandage shears | 2 rolls 1½-inch adhesive tape |
| One flashlight | 4 arm splints |
| One small airway | 6 tongue depressors |
| One large airway | 1 infant's oxygen face cone |
| 6 rolls 3-inch bandage | 2 cravats |
| 6 rolls 2-inch bandage | 3 18-inch pieces of rubber tubing |
| 2 rolls 1-inch adhesive tape | 10 4 x 4 gauze pads |

Any ambulance may be inspected at any reasonable time by the Chief of Police, City Comptroller, Director of Public Health or their agents, and the City Comptroller may require any ambulance to proceed to a specified location for inspection.

The Director of Public Health shall within ten days after notification by the City Comptroller of any application for an ambulance license or renewal thereof inspect as to safety and compliance with the city and state law, the following equipment:

- (a) Shock absorbers;
- (b) Tires (blowout proof, puncture proof, if available; adequate tread for non-skid operation through the inspection period);
- (c) Exits (each vehicle shall have at least two exits from the compartment where the patient is carried);
- (d) Glass (for pits or cracks);
- (e) Stretcher retaining lock;
- (f) Security of all auxiliary equipment;
- (g) Safety belts fastened to main stretcher;

and the equipment specified in the foregoing provisions of this section, and shall recommend to the City Comptroller the approval or denial of said application and may recommend to the City Comptroller the suspension

or revocation of any existing license upon his finding of any violation of the provisions of this chapter. (Ord. 90952 § 6; February 15, 1962.)

10.99.070 Communication equipment—Telephone listing. Each ambulance operating under the provisions of this chapter shall be equipped with a two-way radio operating on an independent radio frequency authorized by the Federal Communications Commission. Such radio communication shall be between such vehicle and the licensee's headquarters. The licensee's headquarters shall be staffed on a twenty-four hour basis, with a telephone dispatcher and a licensed radio dispatcher qualified to process any and all calls. The telephone operator and the radio operator may be the same person, except under general emergency conditions.

Ambulance operators may publicly list or advertise telephone numbers only of telephones located at their headquarters or stations where the operator has an ambulance stationed on twenty-four hour availability. (Ord. 90952 § 7; Feb. 15, 1962).

10.99.080 Liability insurance. Every ambulance operator shall file with the city comptroller a policy or policies of public liability insurance, approved as to sufficiency by the city comptroller and as to form by the corporation counsel, issued by an insurance company or companies authorized to do business in the State of Washington, providing indemnity for or protection to the city of Seattle as well as providing public liability insurance coverage for each and every ambulance owned, operated and/or leased by the applicant, for injury to or death of persons, passengers or otherwise, in accidents resulting from any cause by which the owner of said vehicle would be liable on account of any liability imposed upon him by law, regardless of whether the ambulance was being driven by the owner or his agent, and as against damage to the property of another, including personal property under like circumstances, in the sum of one hundred thousand dollars for the injury or death of one person, or three hundred thousand dollars for the injury or death of more than one person in any one accident, and fifty thousand dollars for property damage.

Every such policy of insurance shall continue to the full amount thereof, notwithstanding any recovery thereon and shall provide that the liability of the insurer shall not be affected by the insolvency or bankruptcy of the insured. The policy shall be for the benefit of any and all judgment creditors. Each insurance policy required hereunder shall extend for the period to be covered by the license applied for and the insurer shall be obliged to give not less than ten days' written notice to the city comptroller in the event of any change or cancellation. (Ord. 90952 § 8; Feb. 15, 1962).

10.99.090 Intercepting police calls. It is unlawful for any ambulance operator or driver or agent to intercept police calls by short wave radio or otherwise for the purpose of going to the scene of an accident, or to use information received from monitoring of short wave radio messages not specifically directed to the ambulance operator or driver or agent, to go to the scene of the accident. (Ord. 90952 § 9; Feb. 15, 1962).

10.99.100 Driver and attendant—Qualifications. (a) Each ambulance, while transporting an individual as a patient shall be manned by two qualified and uniformed attendants, one a driver and the other an attendant, both of whom shall be at least twenty-one years of age and shall have been approved by the public health department as qualified in first aid or as equal to or better than the requirement of an advanced Red Cross first

aid rating, and each of whom shall carry with him at all times proof of his qualifications.

(b) It is unlawful to drive any ambulance or act as an attendant thereon without a "for hire driver's license" obtained, issued, and conditioned in accordance with Sections 10.67.010 to 10.67.110, inclusive, of the License Code, or to fail to exhibit such license on request of any police officer or deputy of the city comptroller or of the director of public health. (Ord. 90952 § 10; Feb. 15, 1962).

10.99.110 Service zones. The director of public health shall prepare an official map dividing the city into emergency ambulance service zones and designate thereon the ambulance operators to serve the respective zones, and the city shall not pay for any emergency ambulance service rendered by an ambulance operator outside his designated zone unless specifically requested so to do by the city's emergency ambulance dispatching service. Such zone map may be revised by said director from time to time and such map and revisions thereof shall be filed with the city comptroller and be and become a part of this chapter. (Ord. 90952 § 11; Feb. 15, 1962).

10.99.120 Responding to calls outside service zone. It is unlawful for any ambulance operator to dispatch any ambulance to any injured or otherwise disabled person when such person is on a public street outside said operator's designated zone unless directed to do so by the city's ambulance dispatching service. All calls received by any operator for emergency service on a public street outside the operator's designated zone shall be relayed by the operator to the city ambulance dispatching service (Ord. 90952 § 12; Feb. 15, 1962).

10.99.125 Authority of city official at scene of emergency. If at the scene of an emergency to which an ambulance responds there is a fire department aid car, mobile coronary care unit, or other city emergency vehicle, the determination of method of transportation of the victim shall be made by the officer in charge of such city vehicle, and it is unlawful for any ambulance driver or attendant to fail or refuse to comply with the directions of such officer with regard to method of transportation. (Ord. 90952 § 12A; as added by Ord. 99195 § 1; Aug. 21, 1970).

10.99.130 Rules and regulations. The city comptroller may make rules and regulations consistent with this chapter and it is unlawful to violate or fail to comply with any such rules and regulations. (Ord. 90952 § 8; Feb. 15, 1962).

10.99.140 Revocation or suspension of licenses. (1) Any ambulance operator's base license, or an ambulance license may be revoked or suspended by the city comptroller for any of the following causes:

(a) Violation by the licensee of any provision of this chapter or any rule or regulation promulgated under the authority of this chapter;

(b) Interception by the licensee or any employee thereof of police calls by short wave radio or otherwise, or monitoring of short wave messages not specifically directed to the ambulance operator or his employee for the purpose of going to the scene of accidents;

(c) Failure to keep record or issue receipts as required in Section 10.99.040 of this chapter.

(2) The "for hire driver's license" of any ambulance driver or attendant may be suspended or revoked for any of the following causes:

(a) For any violation of the provisions of this chapter relating to ambulance drivers or attendants;

(b) Upon conviction in any court under any law or ordinance relating to speeding, reckless driving, drunkenness, possession or sale of intoxicating liquor, use, sale or possession of narcotic drugs, or for violation of any law or ordinance relating to overcharging for carrying passengers for hire, or for the conviction of a crime involving fraud or moral turpitude.

Any licensee whose license is revoked or suspended shall have the right to appeal to the city council from such revocation or suspension, by filing with the city council a written notice thereof within five days after the notice of entry of the order of revocation or suspension. The notice of appeal shall specify an address at which the licensee may be given notice of hearing on the appeal. The city council shall hear the appeal, or may refer the same to a committee for hearing. At the hearing, the licensee shall be entitled to appear in person and offer evidence pertinent to the revocation or suspension; and the city comptroller shall likewise be entitled to be heard at the hearing and to offer evidence in support of his order of revocation or suspension. The city council shall determine by resolution whether the revocation or suspension shall be sustained, and its action in that respect shall be final and conclusive. From the time of filing the written notice of appeal until the hearing and action by the city council, the order of the city comptroller of revocation or suspension shall be ineffective. Any suspended or revoked license shall be surrendered to the city comptroller. (Ord. 90952 § 14; Feb. 15, 1962).

10.99.150 Severability. If any portion of this chapter is found by any court to be unconstitutional or void, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 90952 § 15; Feb. 15, 1962).

10.99.160 Penalty for violations. Anyone violating or failing to comply with any of the provisions of this chapter shall, upon conviction thereof, be punishable by a fine of not exceeding three hundred dollars or imprisonment in the city jail for not exceeding ninety days, or by both. (Ord. 90952 § 16; Feb. 15, 1962).

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