

Subtitle I License Code

**Chapter 6.02
GENERAL PROVISIONS¹**

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6.02.330 Refund of license fee.

1. Cross-reference: For general provisions applicable to the new license code, see Chapter 6.202 of this Code.

6.02.010 Title.

This subtitle shall constitute “The License Code” of The City of Seattle, and may be cited as such.

(Ord. 48022 § 1, 1924.)

6.02.020 Power to license for regulation and/or revenue.

This entire subtitle 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. The regulations set forth in this subtitle are enacted for the purpose of promoting the health and safety of Seattle's citizens and are not intended to regulate activities or enterprises creating no hazard to property, privacy, health, safety, or security on the sole ground that they may offend moral precepts.

(Ord. 112719 § 2, 1986; Ord. 69484 § 1, 1939; Ord. 48022 § 2, 1924.)

Cases: A City ordinance, which purported to be a police regulation, but set fees greatly exceeding the actual cost of inspection and enforcement, was held invalid as an attempt to impose a revenue tax under the guise of a police regulation. **Pearson v. Seattle**, 199 Wn. 217, 90 P.2d 1020 (1939).

6.02.030 Definitions.

For the purpose of this subtitle certain words shall have the meanings specified in this section. Words used in the singular include the plural, and words used in the plural include the singular. Words used in the masculine gender include the feminine and words used in the feminine gender include the masculine.

A. “Complainant” means any person who files a complaint in writing with the Executive Services Department.

B. “Confidential” means not available for public inspection.

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C. "Director" or "Finance Director" means the Executive Services Director of The City of Seattle and shall include the Director's authorized representatives.

D. "Licensee" means the holder of any license issued in accordance with the provisions of this subtitle.

E. "Person" means any individual, partnership, company, society, association, or other group or organization, whether acting by themselves or by a servant, agent or employee.

F. "Published" means published in a daily newspaper of general circulation published in The City of Seattle.

G. "Finance Department" means the Executive Services Department.
(Ord. 118397 § 88, 1996: Ord. 117169 § 60, 1994: Ord. 105430 § 1, 1976: Ord. 102636 § 1, 1973: Ord. 48022 § 3, 1924.)

6.02.040 Administration and enforcement.

A. The Finance Director shall have general charge of, and supervision over, the administration and enforcement of this subtitle, and he or she shall exercise all the powers and perform all the duties imposed upon him or her by this subtitle, and all other ordinances relating to licenses issued for regulatory and/or revenue purposes unless administration and enforcement of such ordinance is vested in another officer or department by ordinance.

B. The Director in the discharge of such powers and duties is authorized to inspect all relevant reports, books, records and premises of any licensee; provided that the results of any such inspection shall be confidential unless a hearing is requested under the provisions of this subtitle in connection with the license held by such licensee. It shall be his or her duty to furnish monthly to the Chief of Police and Chief of the Fire Department a list of licensees, 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, theaters and other places of amusement, pawnshops, secondhand dealers, junk shops, junk wagons and all for-hire vehicles. It shall be the duty of the Chief of Police concurrently with the Director, to enforce this subtitle.
(Ord. 117169 § 61, 1994: Ord. 102636 § 14, 1973: Ord. 97956 § 5, 1969: Ord. 65426, 1935: Ord. 53079, 1927: Ord. 48022 § 19, 1924.)

6.02.050 Establishment of rules and regulations.

The Finance Director shall establish administrative rules and regulations consistent with this subtitle for the purpose of enforcing and carrying out the provisions thereof. Such rules and regulations shall be established pursuant to the requirements of the Administrative Code (Ordinance 102228)¹ as now or hereafter amended.
(Ord. 117169 § 62, 1994: Ord. 107350 § 1, 1978: Ord. 102636 § 15, 1973: Ord. 48022 § 19.1, 1924.)

1.Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

6.02.060 Assistance in enforcement.

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 Public Health 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 Finance Director and to the Chief of Police and, if a violation of Chapter 6.230 is involved, to the Director of the Department of Construction and Land Use any violations of this subtitle coming to their attention.
(Ord. 117169 § 63, 1994: Ord. 102636 § 16, 1973: Ord. 65426, 1935: Ord. 53079, 1927: Ord. 48022 § 20, 1924.)

6.02.070 Enforcement duties of Director and agents—Inspectors.

A. It is the duty of the Director and agents under the direction and supervision of the Director to assist in the enforcement of the provisions of the license laws of the City, including the apprehension and assistance in the prosecution of

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violators of the license laws of the City and the performance of such other duties as the Director may from time to time require 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. To insure compliance with the provisions of this subtitle, the Director and agents of the Director, who are commissioned as nonuniformed special police officers may issue citations and make arrests for violations of this subtitle; provided, that before making such arrests, such nonuniformed special police officers shall exhibit and display a suitable badge. Regular commissioned police officers may enforce the provisions of the license laws of the City, issue citations and make arrests for violations of this subtitle.

B. The above-named persons shall be authorized to enter and inspect premises where licensees are employed, or businesses, which are licensed under this subtitle, during the licensee's normal business hours, for the purpose of determining compliance with this subtitle.

C. The Director is authorized to procure an inspectional warrant if deemed necessary.
(Ord. 108196 § 7, 1979; Ord. 102636 § 17, 1973; Ord. 65426, 1935; Ord. 53079, 1927; Ord. 48022 § 21, 1924.)

6.02.080Hearing—Procedure.

A. In all cases in which a hearing is requested or otherwise required in accordance with the provisions of this subtitle the Finance Director shall set a date for hearing before a Hearing Examiner in the Office of Hearing Examiner which date unless otherwise provided in this subtitle shall not be later than fifteen (15) days after receipt of such request. Notice of the date, and summary of the issues involved shall be published and shall be sent by certified mail to the license applicant or licensee and to any complainant.

B. Such hearing shall be open to the public and shall be conducted and a record kept thereof by the Hearing Examiner in accordance with Administrative Code¹ of the City.

C. In the conduct of such hearing the Hearing Examiner shall have authority to issue subpoenas for the attendance of witnesses and/or production of documents, hold conferences for the settlement or simplification of issues, administer

oaths and affirmations, examine witnesses, receive and rule upon the admissibility of evidence, and take notice of judicially cognizable facts and other general, technical or scientific facts within his specialized knowledge. In ruling upon the admissibility of evidence the Hearing Examiner shall give effect to rules of privilege recognized by law and may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence, but may admit and consider any evidence which possesses probative value commonly accepted by reasonably prudent men in the conduct of their affairs.

D. Every interested party shall have the right to offer evidence, both directly and in rebuttal, and to cross-examine any witness who shall testify.

(Ord. 117169 § 64, 1994; Ord. 104202 § 4, 1975; Ord. 102636 § 18(part), 1973; Ord. 48022 § 21.1, 1924.)

1.Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

6.02.090Filing of findings of hearing.

Within twenty (20) days after any such hearing or any continuation thereof, the Hearing Examiner shall file with the Finance Director and with the City Clerk written findings of fact, conclusions and his or her decision. Such decision shall be mailed by certified mail to the license applicant or licensee and to the complainant, if any, and shall be final.

(Ord. 117169 § 65, 1994; Ord. 116368 § 185, 1992; Ord. 104202 § 5, 1975; Ord. 102636 § 18(part), 1973; Ord. 48022 § 21.2, 1924.)

6.02.100Disclaimer of City liability.

Issuance of any license pursuant to this subtitle does not constitute the creation of a duty by the City to indemnify a licensee for any wrongful acts against the public, or to guarantee the quality of goods, services, or expertise of a licensee, or to otherwise shift responsibility from the licensee to the City for proper training, conduct, or equipment of self or agents, even if specific regulations require standards of training, conduct, or inspection.

(Ord. 108196 § 5, 1979; Ord. 48022 § 21.3, 1924.)

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6.02.110 Licenses to remain in force.

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 this subtitle. (Ord. 48022 § 4, 1924.)

6.02.120 Records to be filed with City Clerk and Director.

Unless otherwise provided in this subtitle, all decisions, orders, rules, regulations, reports and records required by this subtitle to be made or kept, shall be filed with the City Clerk and a copy thereof filed in the office of the Finance Director, and shall be open to public inspection in the office of the City Clerk during normal business hours. (Ord. 117169 § 66, 1994: Ord. 102636 § 2(part), 1973: Ord. 48022 § 4.1, 1924.)

6.02.130 Computation of time.

In computing any period of time prescribed by this subtitle, the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period shall be included unless it is a Saturday, Sunday or legal holiday, in which event the last day of such period shall be the next succeeding day which is neither a Saturday, Sunday, or legal holiday. (Ord. 102636 § 2(part), 1973: Ord. 48022 § 4.2, 1924.)

6.02.140 Licenses not transferable.

No license issued under the provisions of this subtitle shall be transferable or assignable, unless specifically otherwise provided for; provided, that licenses may be transferred when an owner incorporates and retains one hundred percent (100%) ownership of stock or when a one hundred percent (100%) stockholder changes corporate form but retains one hundred percent (100%) ownership of stock. (Ord. 108307 § 1, 1979: Ord. 48022 § 5, 1924.)

Cases: A City may not exact an additional license fee merely because a licensed corporation merges with another corporation continuing in the same business. **Diamond Parking v. Seattle**, 78 Wn.2d 778, 479 P.2d 47 (1971).

6.02.150 Change of ownership—Panoram location businesses.

The Finance Director may recognize a change of ownership of any business licensed for “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, and may in granting any such application include the condition that such new or prospective owner assume and pay any lawful indebtedness of the transferor or assignor due to the City in connection with such business. (Ord. 117169 § 67, 1994: Ord. 102636 § 3, 1973: Ord. 97956 § 2, 1969: Ord. 86416, 1957: Ord. 48022 § 5-A, 1924.)

6.02.160 Licenses to be posted or carried.

All licenses issued pursuant to this subtitle 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, 1924.)

6.02.170 Business at location other than stated in license.

Unless otherwise specifically provided, no license issued under authority of this subtitle shall entitle the holder thereof to maintain or conduct the business, trade, occupation, calling, exhibition or entertainment, for which he/she had procured such license at any other place or location than that stated in such license except upon the written consent of the Finance Director. (Ord. 117169 § 68, 1994: Ord. 114245 § 2, 1988: Ord. 107157 § 1, 1978: Ord. 102636 § 4, 1973: Ord. 83906, 1955: Ord. 65357, 1935: Ord. 48022 § 9, 1924.)

6.02.180 Bonds.

A. 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 City Attorney as to form and sufficiency of the surety.

B. If the 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 subtitle, the license shall forthwith be suspended in accordance with the terms of this subtitle.
(Ord. 102390 § 1, 1973; Ord. 99725, 1971; Ord. 48022 § 10, 1924.)

6.02.190 License application—Form for certain businesses.

A. Application for the granting or renewal of:

1. Cabaret licenses;
2. Detective agency licenses;
3. Massage premises and public bath-house license;
4. Pawnbroker licenses;
5. Merchants patrol agency licenses;

shall be made in the office of the Director on a form prepared by him/her substantially as follows:

“THE CITY OF SEATTLE

Finance Department

Application for
Expiring..... 19.....

1. Name of Applicant
2. Location of Business
Telephone No.
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. H
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 Theater) Number of Seats

15. Remarks

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 thisday of, 19 . . .
Finance Director
Notary Public in and for
the State of Washington,
residing at Seattle

By”

B. If the applicant is a partnership, a partner must sign, if a Washington corporation, an officer thereof must sign, and if a foreign corporation authorized to do business in the state, its local manager or resident agent must sign. All applications must be accompanied by a receipt from the Finance Director showing payment of the required

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fee. The Director shall, as to applications for a new license, and may as to applications for a renewal license, 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 Director in determining whether to issue the license. The Chief of Police shall report to the Director as to reasons he or she may have for objecting to the issuance of the license. If the Director is satisfied that the statements in the application are true, that the applicant and all persons connected with the business are of good character, 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, that such premises are situated in a place where such businesses are not prohibited by the Zoning Ordinance¹ or other law, and that all other requirements and conditions of this subtitle and other ordinances relating to such application and to the business for which such license is sought have been met, the Director shall issue the license; otherwise shall deny the same; provided, however, that if the applicant (or if a corporation, any of its officers) has within ten (10) 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 (10) 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 issued; provided, further, however, that the Director may waive not to exceed five (5) years of such period upon satisfactory showing by the applicant of rehabilitation.

C. If any license is denied by the Director, the fee paid by the applicant shall thereupon be returned to him/her.

D. As changes in shareholders, directors and officers of a corporation occur, any application for a license made by or on behalf of such corporation under this section shall be amended by the corporation by notice in writing filed with the Director and failure to comply with such requirement shall be cause for revocation of any license issued to such corporation.

(Ord. 117169 § 69, 1994; Ord. 116368 § 186, 1992; Ord. 114207 § 8, 1988; Ord. 112900 § 1, 1986; Ord. 107157 § 2, 1978; Ord. 102636 § 5, 1973; Ord. 97956 § 3, 1969; Ord. 95318, 1966; Ord. 94330 § 1, 1965; Ord. 94188 § 1, 1965; Ord.

84319 § 1, 1955; Ord. 67473 § 1, 1937; Ord. 48022 § 11, 1924.)

1.Editor's Note: The Zoning Ordinance is codified in Title 24 of this Code.

6.02.200Police Department relieved of duty to investigate applications.

The Chief of Police and the Police Department are relieved of the duty to investigate applications for license renewals and all parts of this subtitle (Ordinance 48022) imposing such duty are superseded, provided that this provision shall not preclude the Chief of Police from making such investigation of applicants for license renewal as may be requested by the Finance Director.

(Ord. 117169 § 70, 1994; Ord. 102636 § 7, 1973; Ord. 90081, 1961; Ord. 48022 § 12-a, 1924.)

6.02.210Application procedure—Grounds for denial of license.

Application for any City license required by this title, other than those specified in Section 6.02.190 and Seattle Municipal Code Chapter 6.42, shall be made to the Director on a form prepared by him or her and shall be accompanied by a receipt from the Finance Director showing payment of the required fee. If the application is made within six (6) months of the date fixed for expiration, the fee shall be one-half ($\frac{1}{2}$) the annual fee. Except as hereinafter otherwise provided, the Director, upon receipt of proper application and compliance by the applicant with all conditions and requirements of this title and other ordinances relating to such application and to the business or activity for which such license is sought, shall issue the license; provided, that if after investigation the Director 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 that the premises in which the activity sought to be licensed will be conducted does not comply with the requirements of any ordinance relating to fire, buildings, health and sanitation or is in violation of the Zoning Ordinance,¹ he or she shall deny the license.

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(Ord. 117169 § 71, 1994; Ord. 116368 § 187, 1992; Ord. 112900 § 2, 1986; Ord. 107157 § 3, 1978; Ord. 102636 § 8, 1973; Ord. 93051, 1964; Ord. 75087 § 1, 1946; Ord. 70325, 1940; Ord. 48022 § 13, 1924.)

1. Editor's Note: The Zoning Ordinance is codified in Title 24 of this Code.

6.02.220 Notice of license application for certain businesses.

No license specified in Section 6.02.190 shall be issued prior to the filing by the applicant of satisfactory proof that he/she has caused to be published for ten (10) consecutive days notice of license application which notice shall be in such form as shall be prescribed by the Director; provided, that in lieu of such publication, an application for renewal of a license may be posted by the licensee for the above prescribed period upon the premises at which the licensed activity or business is conducted.

(Ord. 107157 § 4, 1978; Ord. 102636 § 9(part), 1973; Ord. 48022 § 13.1, 1924.)

6.02.230 Complaints or objections to application.

The Director shall, in connection with any application for a license under this subtitle, receive from any person complaints or objections made in writing or in person at the office of the Director concerning any applicant for a license, and is authorized to request and receive from all City departments and agencies such information as will tend to aid the Director in determining whether to issue or deny such license. Such information shall be confidential unless a hearing is requested on such application; provided that any such information shall be made available to the applicant upon his/her written request therefor. All information, complaints or objections so received shall be investigated and considered by the Director prior to issuing or denying such license.

(Ord. 107157 § 5, 1978; Ord. 102636 § 9(part), 1973; Ord. 48022 § 13.2, 1924.)

6.02.240 Issuance of license—Notice to complainants—Hearing.

Upon approval of the issuance of a license, the Director shall, by certified mail, give written notice of such action to all persons who have made complaints or objections concerning such application, and unless a written request for hearing is received from any such person within ten (10) days of the mailing of such notice, the Director shall issue the license. All such licenses shall be conditioned upon compliance with all applicable ordinances and regulations of the City which condition shall be stated on such license.

(Ord. 107157 § 6, 1978; Ord. 104202 § 1, 1975; Ord. 102636 § 9(part), 1973; Ord. 48022 § 13.3, 1924.)

6.02.250 Denial of license—Request for hearing.

Upon denial of a license, the Director shall, by certified mail, give written notice of such action to the applicant, which notice shall include a written report summarizing the complaints, objections and information received and considered by the Director and further stating the basis of such action. Such report shall be confidential unless the applicant requests a hearing as provided in this chapter. Any applicant whose application is denied, may within ten (10) days after mailing of notice as provided in this chapter request in writing a hearing on such action. Licenses for which renewal has been denied shall remain in effect pending the determination made as a result of such hearing. If no such request for hearing is received within the time specified, the Director's decision shall be final.

(Ord. 107157 § 7, 1978; Ord. 104202 § 2, 1975; Ord. 102636 § 9(part), 1973; Ord. 48022 § 13.4, 1924.)

6.02.260 Late renewal fee for annual licenses.

A. Any person who has held a license in the previous license year for which an annual license period is prescribed and who continues to engage in the activity shall, upon failure to make timely application for renewal of the license, pay a late renewal fee as follows:

1. If the renewal application is received after the date of expiration of the previous license but before the end of thirty (30) days into the new license year: ten percent (10%) of the annual

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license fee or Ten Dollars (\$10.00), whichever is greater;

2. If the renewal application is received after thirty (30) days into the new license year: twenty percent (20%) or Twenty-five Dollars (\$25.00), whichever is greater.

B. No annual license shall be issued until any late renewal fee has been paid; provided that payment of the late renewal fee may be waived whenever the Director finds that timely application was beyond the control of the licensee by reason of severe circumstances; for example, serious illness of the licensee, death or incapacity of an accountant or other person who retains possession of the licensee's license records, loss of business records due to theft, fire, flood or other similar acts.

C. Nothing in this section shall apply to the renewal of dog or cat licenses governed by the provisions of Section 6.16.010 of this subtitle. (Ord. 106289 § 1, 1977; Ord. 106025 § 1, 1976; Ord. 48022 § 13.5, 1924.)

6.02.270 Denial, revocation or suspension of license—Generally.

A. In addition to other penalties provided by law, the Director may deny, revoke, or suspend any license issued under the provisions of this subtitle at any time, where the same was:

1. Procured by fraud, or false representation of fact, or for the violation of, or failure to comply with, any of the provisions of this subtitle by the person holding such license, or any of his/her servants, agents, or employees, while acting within the scope of their employment; or

2. The conviction of the person holding such a license of a felony or misdemeanor involving moral turpitude or an intent to defraud, or the conviction of any agents or employees of any felony, or misdemeanor involving an attempt to defraud committed while acting within the scope of their employment; or

3. If the licensee, any of his/her 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 because of religion, race, creed, color, national origin, sex, sexual orientation, marital status, mental or sensory handicap, or age, or violate any law or ordinance relating to public morality and

decency, or with respect to the licenses specified in Section 6.02.190 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 except in accordance with the procedure provided in this subtitle.

B. The period of revocation shall be at least one (1) year, and the licensee shall not again be licensed for the same kind of business during such period. The period of suspension shall be fixed by the Director at not less than ten (10) nor more than sixty (60) days.

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

D. 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 Director. When revoked, the license shall be cancelled, and when suspended, the Director shall retain it during the period of suspension.

(Ord. 108196 § 6, 1979; Ord. 102636 § 10, 1973; Ord. 100729, 1972; Ord. 99094, 1970; Ord. 97646, 1969; Ord. 73016, 1943; Ord. 48022 § 14, 1924.)

6.02.290 Suspension or revocation procedure.

A. Actions to suspend or revoke any license shall be commenced by filing in the office of the Finance Director a written complaint setting forth in specific terms the basis therefor. Such complaint may be made by the Director, or by any member of the Finance Department, or by any other person. A copy of such complaint shall be mailed by certified mail to the licensee at his or her last address as shown by the license records of the Director, and shall be accompanied by a notice that such license may be suspended or revoked.

B. The licensee shall, within ten (10) days after receiving any such complaint, mail by certified mail to the complainant and file with the Director his or her written answer which shall admit or deny the allegations of such complaint and may set forth such defenses and/or additional matter as the licensee shall deem appropriate. If such licensee desires a hearing in such action, he or she shall request the same in his or her answer and submit the Hearing Examiner filing fee therewith. The Director shall transmit the answer and the fee to the Hearing Examiner.

C. Upon failure of any such licensee to file an answer as provided in this section, or in the event no hearing is requested, the Director shall investigate the allegations of the complaint, and if cause exists therefor may suspend or revoke such license, and otherwise he or she shall dismiss the complaint; provided, that if the Director finds upon a sufficient showing that the conduct complained of has been corrected and is unlikely to be repeated, he or she may dismiss such complaint; and provided further, that the complaint shall be dismissed where the conduct complained of has been corrected under a written agreement between the complainant and licensee approved by the Director.

D. Notice of the action of the Director summarizing his or her findings and conclusions shall be mailed by certified mail to the complainant and to the licensee.

E. In all cases in which a complaint is dismissed other than upon a written agreement between the complainant and licensee, the complainant may within ten (10) days of the mailing of the notice of the Director's action request a hearing on such dismissal, in writing together with the appropriate Hearing Examiner filing fee, which the Director shall transmit to the Hearing Examiner.

F. When a hearing has been requested by a licensee in connection with the suspension or revocation of a license, the license shall remain in effect pending the determination made as a result of such hearing; provided, that in cases involving a substantial threat to the public health, safety or welfare, the license may be summarily suspended and in such case the date for hearing shall be set within five (5) days following such suspension. (Ord. 117169 § 72, 1994; Ord. 108648 § 1, 1979; Ord. 104202 § 3, 1975; Ord. 102636 § 11, 1973; Ord. 48022 § 14.1, 1924.)

6.02.300 License plates for peddlers, vehicles and junk wagons.

A. All license plates issued with peddler, vehicle, and junk wagon licenses and all other plates and tags that may be issued with licenses, are and remain the property of the City, and if found in possession of any person other than the licensee, such plates or badges must be surrendered to the Director.

B. All such license plates and tags must be surrendered with the license to the Director in case of revocation or suspension of a license. (Ord. 107157 § 9, 1978; Ord. 102636 § 12, 1973; Ord. 48022 § 15, 1924.)

6.02.310 Use or manufacture of license plates, tags.

A. It is unlawful for any person to use or permit to be used, any license plate or tag except those issued by the Director in conformity with the provisions of this subtitle.

B. It is unlawful for any person to make or manufacture any license plates or tags except upon order of the Director.

C. All license plates issued under the provisions of this subtitle for any purpose, must be removed from the vehicle upon expiration or revocation of the license with which they were issued.

(Ord. 107157 § 10, 1978; Ord. 102636 § 13, 1973; Ord. 48022 § 16, 1924.)

6.02.320 Licenses not to be issued for fractional part of a day, week, month or year.

Unless otherwise specifically provided for in this subtitle, whenever the license fee is fixed by the day, a license may be issued for one (1) or more full days and not for two (2) half days, nor for any fractional part of one (1) day; whenever a weekly fee is prescribed, it shall mean and include a full week and no such license shall be issued for a less period than one (1) week; whenever a monthly license fee is prescribed, it shall mean a full month and no monthly license shall be issued for a less period than one (1) month; whenever the license fee is fixed at a certain fee per annum or year, it shall mean a full year and no such license shall be issued for a less period than one (1) year; provided, however, that in the event any person fails or neglects to renew his license on or before

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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 subtitle 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 (1) year.
(Ord. 48022 § 17, 1924.)

6.02.330 Refund of license fee.

A. Every annual license fee shall include a nonrefundable portion in an amount equal to twenty-five percent (25%) of the prescribed license fee or Twenty-five Dollars (\$25.00), whichever is greater. The remainder of the license fee shall be refundable only as allowed in subsection B of this section.

B. Upon proper application by the applicant or licensee made within thirty (30) days after the event upon which the request for refund is based, and determination that a refund is allowable, the Director shall authorize payment of the refundable portion of the license fee prorated as follows: one-twelfth ($\frac{1}{12}$) of the refundable portion multiplied by the number of full months remaining in the license year as of the date of application for refund. A refund is allowed whenever:

1. The license is denied or otherwise not issued, in which event the entire refundable portion of the license fee may be paid to the applicant: except that if the reason for nonissuance is that a license was not required or was issued in error, the entire license fee shall be refundable, notwithstanding subsection A;

2. A complaint for the license revocation is filed within fifteen (15) days after the license has been issued and the Hearing Examiner subsequently orders the license revoked, such refund allowable as of the date the order becomes final;

3. A licensee is prevented from continuing the activity for which the license is required for the remainder of the license period by reason of the acquisition by eminent domain of the property specified in the license as the property upon which the activity is engaged in;

4. The chapter or portion thereof requiring the license is repealed and the effective date of the repeal is prior to the expiration of the license period; or

5. The licensee does not engage at any time in the activity for which the license is re-

quired by reason of the failure or refusal of any other city, county, state or federal department or agency to issue or give any permit, license or other permission or authorization necessary in order to engage in the activity.

C. No portion of a license fee is refundable when the license period specified in this subtitle is less than one (1) year.

(Ord. 107773 § 1, 1978; Ord. 48022 § 17.1, 1924.)

Chapter 6.08 BURGLAR ALARMS

Sections:

6.08.010 License required.

6.08.020 License application.

6.08.030 Identification cards.

6.08.040 Warrant and service contract—Records.

6.08.050 Instructions in use and care of alarm system.

6.08.060 Revocation or suspension of license.

6.08.010 License required.

It is unlawful for any person to engage in, or to represent himself or herself as being engaged in, the business of selling, leasing, renting, servicing, inspecting, installing, maintaining, or repairing alarms or alarm systems for the purposes 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 Seventy-five Dollars (\$75.00) 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 to have a license to engage in, conduct or carry on the business of installing such wires, equipment, apparatus, or appliances.

(Ord. 118395 § 2, 1996; Ord. 116464 § 1, 1992; Ord. 113185 § 1(part), 1986; Ord. 110888 § 1(part), 1982; Ord. 101523

§ 1(part), 1972; Ord. 101371 § 1(part), 1972; Ord. 48022 § 305.1, 1924.)

6.08.020 License application.

Application for a burglar alarm dealer's license shall be made in accordance with Section 6.02.210 of this subtitle 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. 101523 § 1 (part), 1972; Ord. 101371 § 1 (part), 1972; Ord. 48022 § 305.2, 1924.)

6.08.030 Identification cards.

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 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 (10) years of the date of such application been convicted of any felony, or any misdemeanor 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.

B. 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 (2) years from the date of issue.

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C. Any identification card issued to a 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 under this chapter, as well as expired identification cards, shall be immediately surrendered to the Chief of Police. (Ord. 101523 § 1(part), 1972: Ord. 101371 § 1 (part), 1972: Ord. 48022 § 35.3, 1924.)

6.08.040Warranty and service contract—Records.

Burglar alarm dealers shall provide an express one (1) 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 (3) 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. 101523 § 1 (part), 1972: Ord. 101371 § 1 (part), 1972: Ord. 48022 § 305.4, 1924.)

6.08.050Instructions in use and care of alarm system.

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. 101523 § 1 (part), 1972: Ord. 101371 § 1 (part), 1972: Ord. 48022 § 305.5, 1924.)

6.08.060Revocation 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 subtitle.

(Ord. 101523 § 1 (part), 1972: Ord. 101371 § 1 (part), 1972: Ord. 48022 § 305.6, 1924.)

Chapter 6.14 DETECTIVES AND DETECTIVE AGENCIES

Sections:

6.14.010Definitions.

6.14.020License required—Certain persons prohibited.

6.14.030Detective agency license—Fee.

6.14.040Private detective license—Fee.

6.14.050Expiration of licenses.

6.14.060Private detective license—Application.

6.14.070Employees not to divulge information.

6.14.080Unlawful acts.

6.14.090Surety bond.

6.14.100Private guard license—Fee.

6.14.010Definitions.

The words and phrases used in this section, unless the context otherwise indicates, shall have the following meanings:

A. "Private detective business" means and includes 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:

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

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

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

4. The credibility of witnesses or other persons;

5. The location or recovery of lost or stolen property;

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

7. The affiliation, connection or relation of any person, firm or corporation with any union or nonunion organization, with any official mem-

ber 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;

8. The truth or falsity of any statement or representation;

9. 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 officer 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, idemnity bonds, or commercial credit, or of claimants under insurance policies.

C. 1. "Detective agency" means and includes 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. "Private detective" means and includes 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. 77699 § 1, 1949; Ord. 67473 § 2, 1937: Ord. 48022 § 89, 1924.)

6.14.020 License required—Certain persons prohibited.

It is unlawful for any person, unless duly licensed so to do pursuant to this chapter, to engage in, or to advertise or hold himself or herself out as being engaged in the private detective business; provided, that no license required by Sections 6.14.030 or 6.14.040 shall be granted to any person who within ten (10) 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 (10) 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 Finance Director may waive not to exceed five (5) years of such period upon satisfactory showing by the applicant of rehabilitation.

(Ord. 117169 § 73, 1994 Ord. 102636 § 36, 1973: Ord. 93050, 1964: Ord. 67473 § 3, 1937: Ord. 48022 § 90, 1924.)

6.14.030 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 6.14.090. The initial fee for a detective agency license shall be Five Hundred Forty Dollars (\$540.00) and may thereafter be renewed annually for a fee of Two Hundred Fifteen Dollars (\$215.00). Such license shall be obtained in conformity with Section 6.02.190 and may be revoked as prescribed by Section 6.02.270 of this subtitle.

(Ord. 113185 § 1(part), 1986: Ord. 110888 § 1(part), 1982: Ord. 93369 § 1, 1964: Ord. 88789 § 6, 1959: Ord. 67473 § 4, 1937: Ord. 48022 § 90-1, 1924.)

6.14.040 Private detective license—Fee.

It is 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 a 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 is fixed in the sum of Forty-five Dollars (\$45.00) per year; provided, that a private detective license shall without the payment of any fee therefor be issued to an individual, to one (1) member of a partnership, or firm, or to one (1) officer of a corporation holding a detective agency license, or employed by a holder of a detective agency license. On such private detective license shall be designated the number of the detective agency license by reason of which the private 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

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officer of a corporation holding, or is employed by the holder of, such detective agency license. (Ord. 113185 § 1(part), 1986: Ord. 110888 § 1(part), 1982: Ord. 106063 § 1, 1976: Ord. 67473 § 5, 1937: Ord. 48022 § 90-2, 1924.)

6.14.050 Expiration of licenses.

All annual licenses issued under Sections 6.14.030 and 6.14.040 shall expire at midnight on October 31st of each year. (Ord. 75088 § 9, 1946.)

6.14.060 Private detective license—Application.

A. Applications for private detective license shall be made to the Director on forms to be furnished by him/her for that purpose, shall be signed and verified by the applicant, and shall state his/her full name, age and residence, his/her present and previous occupations and the address of the place of business and the name of his/her employer. The Director 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 Director in determining whether or not the license shall be issued. The Chief of Police shall, within five (5) days after the date of such request, furnish a written report to the Director containing the result of his/her investigation. If the Director is satisfied that the statements contained in the application are true, that the applicant is of good moral character and has complied with all requirements of this chapter, he/she shall issue the license; otherwise the license shall be denied. Each such license shall bear the photograph of the license holder.

B. The Director 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 for a period of at least five (5) 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/she 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 (45) days.

C. Private detective licenses may be revoked as prescribed by Section 6.02.270 of this subtitle. (Ord. 109191 § 1, 1980: Ord. 107157 § 13, 1978: Ord. 102636 § 37, 1973: Ord. 98196, 1969: Ord. 94649, 1966: Ord. 67473 § 6, 1937: Ord. 48022 § 90-3, 1924.)

6.14.070 Employees not to divulge information.

It shall be 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. (Ord. 67473 § 7, 1937: Ord. 48022 § 90-4, 1924.)

6.14.080 Unlawful acts.

It shall be unlawful for any licensee under this chapter 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 employees 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 under this chapter or employee thereof to assume to act as an officer of the law without proper authority. (Ord. 67473 § 8, 1937: Ord. 48022 § 90-5, 1924.)

6.14.090 Surety bond.

Every applicant for a detective agency license at the time the application is made shall furnish to the Finance Director for filing with the City Clerk, a surety company bond running to the City, in a penal sum of Two Thousand Dollars (\$2,000.00), 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. 117169 § 74, 1994; Ord. 116368 § 188, 1992; Ord. 102636 § 38, 1973; Ord. 48022 § 91, 1924.)

6.14.100 Private guard license—Fee.

It is unlawful to engage in the 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 Thirty Dollars (\$30.00) 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 Finance Director on a similar form and shall follow the same procedure as is provided in Section 6.14.060 hereof for a private detective license; provided, anyone holding a valid merchant's patrol agency license or merchant patrolman's license under Section 6.38.020 of this subtitle shall be exempt from such license requirements.

(Ord. 117169 § 75, 1994; Ord. 113185 § 1(part), 1986; Ord. 110888 § 1(part), 1984; Ord. 106063 § 2, 1976; Ord. 102636 § 39, 1973; Ord. 94188 § 2, 1965; Ord. 88789 § 7, 1959; Ord. 77699 § 2, 1949; Ord. 48022 § 91-1, 1924.)

Chapter 6.20 EXHIBITORS OR TRADE SHOWS

Sections:

6.20.010 Trade show license.

6.20.020 Duration of license.

**6.20.030 Application; Coordination;
Records.**

6.20.040 Trade show license fee.

**6.20.050 Relation to annual City business li-
cense.**

6.20.060 Relation to Chapter 6.02.

6.20.070 Civil infraction.

6.20.100 Severability.

6.20.010 Trade show license.

A. Trade Show Defined; License Required. A trade show license is required for any organized exhibition, display, or show that lasts for not more than fourteen (14) consecutive days and involves twenty-five (25) or more participants, who sell, barter or exchange goods or services

(called a "trade show" herein). A trade show includes events that may occur within a building, a connected set of buildings, on grounds, or buildings and grounds. It includes those events that partake the character of a unified display as well as those that are open to the public or limited to a prospective clientele.

B. Trade show illustrated:

1. The term "trade show" includes in addition to its common meaning any of the following:

An antique show, boat show, sports show, hobby show, agricultural show, horticultural show, industrial show;

An art exhibit, coin, stamp, or hobby show;

A home show or recreational vehicle show;

A commercial or business fair;

A special event under permit issued pursuant to Chapter 15.52; and

Any other show or exhibition of a similar nature.

2. The term excludes:

An indoor carnival with emphasis on entertainment and amusements;

A farmer's market, "flea" market, antique mart, bazaar, or similar congregation of vendors and/or exhibitors which offers goods or services to the public at the same location on a recurrent basis more than four times per year; and

An event of similar character to those above if it is described by Rules of the Director.

C. Trade Show Accompanying Convention. A trade show that is directly associated with or ancillary to a convention or a major national meeting is exempt from the fees imposed by Section 6.20.040 when entry to the trade show is limited to those attending the convention or meeting and the immediate family or associates of the conventioners. The fees imposed by Section 6.20.040 apply if the trade show is open to the public or the convention accepts on-site registration from the public without charge or for a nominal fee.

A convention means a meeting or conference of members of an organization and registered guests that:

1. Is sponsored by an organization exempt from federal income taxes pursuant to Section 501(c) of the Internal Revenue Code of 1954, 26 USC Section 501(c) or by a church or religious organization recognized as such by the Internal Revenue Service;

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2. Offers information, education or an exchange of dialogue of common interest among those attending a convention, with the trade show related and ancillary thereto; and

3. Occurs at intervals no more often than quarterly.

A trade show need not be in the same building or on the same site as the convention that it complements.

D. Duty Upon Organizer/Promoter. It is the duty of the organizer or promoter of the trade show to secure the trade show license. The organizer or promoter is that person who has primary authority or responsibility for arranging the event or, if such a person is not identified, each person who performs important duties such as securing the location, allocating exhibit space or assignment of floor area, coordinating with participants and collection fees; and/or arranging for advertising or paying expenses.

E. Participant Defined. The term "participant" includes anyone who exhibits goods or services at any fixed location, such as a stall, booth, stand, space, section, or an identified area, for the purpose of sale, trade, barter, exchange, advertisement or providing information about goods or services that may become available, or for the distribution of samples.

(Ord. 117002 § 1(part), 1993: Ord. 116465 § 1, 1992: Ord. 110888 § 1(part), 1982: Ord. 109502 § 1(part), 1980: Ord. 107157 § 11, 1978: Ord. 106037 § 2, 1976: Ord. 104063, 1974: Ord. 101168, 1972: Ord. 97286 § 1, 1968: Ord. 96400, 1968: Ord. 93397, 1964: Ord. 92657, 1964: Ord. 92204, 1963: Ord. 91689, 1962: Ord. 84041, 1955: Ord. 83500 § 1, 1954: Ord. 82624, 1954: Ord. 81352, 1952: Ord. 77545, 1948: Ord. 75087 § 3, 1946: Ord. 72685, 1943: Ord. 71451, 1941: Ord. 65675: Ord. 65592, 1935: Ord. 64185: Ord. 61761: Ord. 59597: Ord. 48022 § 23, 1924.)

6.20.020 Duration of license.

A trade show license shall be valid for a definite period not to exceed fourteen (14) consecutive days. The duration of the license shall be determined by the number of days of the trade show. A license granted for fewer than fourteen (14) days may be extended up to the fourteen (14) day limit if the trade show is extended. The license required by this section may be revoked or suspended by the Director for any misrepresentation of goods or articles offered for sale at any such show.

(Ord. 117002 § 1(part), 1993.)

6.20.030 Application; Coordination; Records.

A. Application. A promotor or organizer of a trade show shall apply to the Director of Licenses and Consumer Affairs for a trade show license at least one (1) day before the trade show opens. The application shall identify the trade show, its location and dates, and contain or be supplemented by a listing of the name, address, and business telephone number of each participant, and identify any "used goods dealer" as defined in Section 6.288.010 H. A participant must be listed in order to be eligible for the exclusion in Sections 6.02.050 and 5.44.130 D, and identified as a "used goods dealer" for registration under Section 6.20.050 C.

B. New Information. A promotor or organizer shall supplement the listing with participants who register subsequent to the issuance of the license.

C. Information to Participants. The Director may require that a promotor or organizer distribute to each participant information about the City's business tax and the effect of a trade show license, together with a written notice of the participant's duty to report and pay City taxes in the event his or her gross receipts subject to Seattle business tax exceed Fifty Thousand Dollars (\$50,000.00) after allowable deductions, and to any participants who offer used goods for sale, a copy of Chapter 6.288.

D. Promoter's Records. The promotor or organizer shall maintain a record of all participants in the trade show which shall be available for inspection by the Director during normal business hours for the duration of the trade show and for ninety (90) days thereafter, and for verification of any requests for refunds under Section 6.30.040 C.

E. Alternative Procedure. The Director may establish an alternative procedure and forms for trade shows ancillary to a convention or national meeting, and may accept in fulfillment of ordinance requirements actions made on behalf of the promoter or organizer of the trade show by the manager or administrator of a facility where trade shows are regularly held.

(Ord. 117002 § 2(part), 1993.)

6.20.040 Trade show license fee.

A. **Basic Fee.** The fee for a trade show license shall be an amount equal to Five Dollars (\$5.00) per day for each participant in the trade show, other than those participants excluded in calculating the fee under subsections B and C. The fee shall be due upon filing of the application, but the Director for good cause may allow the promotor or organizer to pay the fee on the day that the trade show opens, or in the alternative, allow the trade show organizer to pay these fees to the facility in which the trade show will be housed. The facility is required to submit any such fees collected to the City within ten (10) days following the close of the trade show.

B. **Exclusions.** A promotor or organizer may exclude the following participants in calculating the amount of the fee if the promotor or organizer allows their participation as a public service without charge or at a reduced rate and identifies them on the application:

1. Agencies described within SMC Section 5.44.090 H and L as exempt from City business licenses;

2. Agencies described within SMC Section 5.44.110 F and I to the extent that their activities in the trade show entitle them to a deduction from gross income; and

3. A nonprofit organization that participates in the trade show as an exercise of constitutional rights guaranteed by the First and Fourteenth Amendments to the United States Constitution and confines its activities at the trade show to distributing literature or presenting a political or religious message; soliciting donations or services of volunteers; and/or by vending products such as literature, bumper stickers, or buttons with a political or religious message, that have no intrinsic value and the message is inextricably intertwined with the purposes of the organization.

C. The promotor or organizer shall not be required to pay the basic fee set out in subsection A of SMC Section 6.20.040 for a participant who currently possesses a City of Seattle business license.

D. **Adjustments.** A promotor or organizer shall within ten (10) days following the trade show pay the City any additional fee that may be due on account of nonexcluded participants who are added after the date on which the organizer or promotor filed his or her application, and may secure a refund for license fees paid in anticipation of the presence of participants who did not

appear. Only one (1) application shall be made no later than thirty (30) days after the close of the trade show. If the promotor or organizer arranges multiple trade shows in Seattle, the Director may in lieu of a refund allow the promotor or organizer a credit for the amount of the refund to be applied toward future trade shows.

**Seattle Municipal Code
June, 1998 code update file
Text provided for historic reference only.**

**See ordinances creating and amending
sections for complete text, graphics,
and tables and to confirm accuracy of
this source file.**

**For current SMC, contact
the Office of the City Clerk**

E. Late Application/Payment. There shall be surcharge of ten percent (10%) of the basic license fee in subsection A charged to any promotor or organizer who shall fail to file an application at least one (1) day before the trade show or fail to pay the fee when due.
(Ord. 117002 § 2(part), 1993.)

6.20.050 Relation to annual City business license.

A. A participant at a trade show, who (a) has been identified in a listing supplied to the City by the trade show's promotor or organizer under Section 6.20.030 and (b) limits his or her business activities in Seattle to a trade show ancillary to a convention, shall be exempt from paying the minimum business license fee required by Section 5.44.300 A on account of his or her business activities at the trade show, or in the event that the participant already has a City business license, from securing a license for a separate business location at the trade show under Section 5.44.300 B, each for the duration of the trade show license.

B. A participant at a trade show remains subject to the other provisions of Chapters 5.44 or 5.48, as the case may be, and if the gross proceeds of sales, value of products, or gross income of the participant on account of his or her business activities at the trade show or elsewhere in Seattle is equal to or exceeds Fifty Thousand Dollars (\$50,000.00) in the tax year, the participant shall file and pay the City's business or utility tax as contemplated by Chapter 5.44 or 5.48, respectively.

C. Registration of a participant at a trade show of collectibles for hobbyists sponsored by an association of such collectors or an incorporated association of dealers in such collectibles substitutes for applying for a "used goods dealers" license with respect to transactions at the trade show in that line of collectibles, but not of other objects. The trade show license shall be in lieu of the license and fees required by Sections 6.288.030 and 6.204.080. The participants are subject to Section 6.288.050 (unlawful acts) and Sections 6.288.070 through 6.288.110, inclusive (recordkeeping, reporting to police, police holds, and inspection).
(Ord. 118395 § 3, 1996; Ord. 117002 § 2(part), 1993.)

6.20.060 Relation to Chapter 6.02.

EXHIBITORS OR TRADE SHOWS 6.20.100

The following sections are expressly inapplicable: Sections 6.02.060; 6.02.190; 6.02.210; 6.02.260; 6.02.300 through 6.02.310; and 6.02.330. Otherwise, Chapter 6.02, the general provisions of this subtitle, applies to this chapter unless a particular section of this chapter modifies its application.
(Ord. 117002 § 2(part), 1993.)

6.20.070 Civil infraction.

A. The violation of or failure to comply with any of the provisions of this chapter shall be a civil infraction as contemplated by RCW Chapter 7.80, and as a Class 1 civil infraction under RCW Chapter 7.80.120(a) shall subject the violator to a maximum penalty and a default amount of Two Hundred Fifty Dollars (\$250.00) plus any statutory assessments. If the person is unable to pay the monetary penalty, the court may order performance of a number of hours of community service in lieu of a monetary penalty.

B. Each day of the trade show shall be a separate offense.

C. The failure to respond to a notice of violation is a separate civil infraction as contemplated by RCW Chapter 7.80, particularly RCW 7.80.080, and as a Class 3 civil infraction under RCW 7.80.120(d) shall subject the violator to a maximum penalty and a default amount of Fifty Dollars (\$50.00).

D. The imposition of a penalty for a civil infraction shall not relieve the promotor or organizer of the trade show of his or her liability for the license fee, but the fee shall be due and payable, with applicable interest, in addition thereto.
(Ord. 117002 § 2(part), 1993.)

6.20.100 Severability.

The provisions of this chapter are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this chapter, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this chapter, or the validity of its application to other persons or circumstances.
(Ord. 117002 § 2(part), 1993.)

**Chapter 6.36
MESSAGE PREMISES AND
BATHHOUSES**

Sections:

6.36.010 Definitions.

6.36.020 Massage premises, public bathhouse, and reducing salon licenses.

6.36.030 Massage practitioner's license.

6.36.040 Athletic massage operator's license.

6.36.050 Expiration and continuance of licenses.

6.36.060 Exemptions.

6.36.070 Massage premises attendant's license.

6.36.080 Unlawful to admit certain persons.

6.36.010 Definitions.

For the purpose of this chapter and unless the context plainly requires otherwise, the following definitions are adopted:

A. "Massage practitioner" means any person, except those excluded by Section 6.36.060 who gives massages or other treatments of the body by rubbing, kneading or manipulation.

B. "Massage premises" 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.

C. "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.

D. "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.

(Ord. 114207 § 1, 1988; Ord. 96464 § 1, 1968; Ord. 94625, 1966; Ord. 72529 § 2(part), 1943; Ord. 48022 § 171, 1924.)

6.36.020 Massage premises, public bathhouse, and reducing salon licenses.

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

A. Original application for such licenses shall be made and original licenses issued in the manner provided in Sections 6.02.190 and 6.02.210 of

this subtitle. All applications for renewal shall be filed with the Director on forms furnished by him/her for such purpose and he/she shall refer the same to the Chief of Police who shall within five (5) days furnish a written report to the Director containing the result of his/her investigation and any other matters which might aid the Finance Director in determining whether or not to issue the license.

B. The fee for a reducing salon or public bathhouse license is Three Hundred Forty Dollars (\$340.00) per year; the fee for a massage premises license is Ninety Dollars (\$90.00) per year.

C. No such license shall be granted for any massage premises, public bathhouse or reducing salon until inspection and report as to the sanitary condition thereof by the Director of Health to the Finance Director. Massage premises, public bathhouses, and reducing salons must be similarly inspected at least once a year when renewal of a license is requested, and must at all times be open to inspections by the City as to sanitary conditions and to enforce compliance with the provisions of this chapter.

D. It is unlawful for the owner, proprietor, manager, or such person in charge of any public bathhouse or reducing salon to employ in such place any person who is not at least eighteen (18) years of age and of good moral character.

E. It is unlawful for the owner, proprietor, manager, or such person in charge of any massage premises to employ in such place any person who is not at least eighteen (18) years of age.

F. It is unlawful to advertise the giving of massages or public baths by an establishment, massage practitioner or other person not licensed pursuant to this subtitle.

G. A record of all massage treatments showing the date given, the name and address of the recipient, and the name and address of the massage practitioner shall be kept and be open to inspection by the Police Department and License and Health Department inspectors at all times.

(Ord. 118395 § 4, 1996; Ord. 117169 § 76, 1994; Ord. 116464 § 2, 1992; Ord. 114207 § 2, 1988; Ord. 113185 § 1(part), 1986; Ord. 112702 § 1, 1986; Ord. 112579 § 1, 1985; Ord. 110888 § 1(part), 1982; Ord. 109502 § 1(part), 1980; Ord. 107157 § 26, 1978; Ord. 106063 § 5, 1976; Ord. 102636 § 61, 1973; Ord. 101388, 1972; Ord. 96464 § 2, 1968; Ord. 94625, 1966; Ord. 88789 § 14, 1959; Ord. 77754, 1949; Ord. 72529 § 2(part), 1943; Ord. 48022 § 172, 1924.)

6.36.030 Massage practitioner's license.

It is unlawful for any person, except as provided in Section 6.36.060, to give a massage or other treatment of the body by rubbing, kneading, or manipulation, whether in a massage premises or public bathhouse, or otherwise, without first obtaining a massage practitioner's license, the fee for which is Thirty-five Dollars (\$35.00) per year. The license application shall be made in the true name of the applicant and shall be accompanied by evidence that the applicant holds a valid State Massage Practitioner's License. If the Finance Director finds that the information in the application is true and accurate, that the applicant holds a valid State Massage Practitioner's License, and that the applicant has not been convicted of a crime involving or related to prostitution, lewd conduct, or narcotic drugs within the seven (7) years immediately prior to the date of application, the Director shall approve the application and issue the license; otherwise, the Director shall deny the application.

(Ord. 118395 § 5, 1996; Ord. 117169 § 77, 1994; Ord. 116368 § 189, 1992; Ord. 114207 § 3, 1988; Ord. 113185 § 1(part), 1986; Ord. 110888 § 1(part), 1982; Ord. 109502 § 1(part), 1980; Ord. 107157 § 27, 1978; Ord. 106063 § 6, 1976; Ord. 105734 § 1, 1976; Ord. 102636 § 62, 1973; Ord. 101388, 1972; Ord. 96464 § 3, 1968; Ord. 81479, 1952; Ord. 72529 § 2(part), 1943; Ord. 48022 § 173, 1924.)

6.36.040 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:

A. The fee for an athletic massage operator's license is Thirty-five Dollars (\$35.00) per year.

B. Application for an athletic massage operator's license or for any renewal thereof shall be made to the Finance Director on forms furnished by him/her for such purpose. It shall state the true name of the applicant, who shall be not less than eighteen (18) years of age, and as to an original application shall be accompanied by references as to the moral character and ability of the applicant from four (4) reputable citizens of the City.

C. If the Director finds the application to be in proper form and upon investigation such references to be authentic, he/she shall transmit the same to the Chief of Police.

D. The Chief of Police shall investigate the applicant's reputation and record and transmit such application, his/her written report, and all other reports thereon, to the Director of Health, who shall examine the applicant physically to ascertain if the 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.

E. If the Director of Health finds that the applicant is physically competent to give athletic massages he/she shall transmit the application, accompanied by all reports thereon, to the Finance Director. If from the reports the Finance Director deems the applicant a fit and proper person, he/she shall issue the license; otherwise he/she shall deny the license.

(Ord. 118395 § 6, 1996; Ord. 117169 § 78, 1994; Ord. 113185 § 1(part), 1986; Ord. 110888 § 1(part), 1982; Ord. 107157 § 28, 1978; Ord. 106063 § 7, 1976; Ord. 102636 § 63, 1973; Ord. 96464 § 4, 1968; Ord. 48022 § 173.1, 1924.)

6.36.050 Expiration and continuance of licenses.

All licenses issued pursuant to this chapter shall expire on December 31st of each calendar year; provided, that any massage premises and public bathhouse license issued under any other City ordinance and in effect at the time the ordinance codified in this chapter becomes effective¹ shall continue valid for a period of thirty (30) days after

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the ordinance codified in 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. 114207 § 4, 1988; Ord. 72529 § 2(part), 1943; Ord. 48022 § 175, 1924.)

1.Editor's Note: Ord. 72529 became effective on May 12, 1943; Ord. 114207 was passed by the City Council on October 24, 1988.

6.36.060Exemptions.

This chapter shall not apply to:

A. Licensed massage practitioners licensed by the State before September 1, 1988, who also hold a valid and current massage operator's license issued by The City of Seattle on or before October 14, 1988, and who are performing services within their authorized scope of practice;

B. Licensed massage practitioners originally licensed by the State on or after September 1, 1988, and who are performing services within their authorized scope of practice;

C. The practice of a profession by individuals who are licensed, certified or registered under the laws of the State, other than Chapter 18.108 RCW pertaining to licensed massage practitioners, and who are performing services within their authorized scope of practice;

D. Massage practiced at the athletic department of any institution maintained by the public funds of the State or any of its political subdivisions;

E. Massage practiced at the athletic department of any school or college approved by the State Department of Licensing by rule using recognized national professional standards.

(Ord. 114207 § 5, 1988; Ord. 96464 § 5, 1968; Ord. 75461, 1946; Ord. 72989, 1943; Ord. 72529 § 2(part), 1943; Ord. 48022 § 176, 1924.)

6.36.070Massage premises attendant's license.

A. It is 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 premises or reducing salon without a massage premises attendant's license.

B. Applications for and issuance of such licenses shall be in accordance with Section 6.02.210 of this subtitle. The Director shall refer each such application to the Chief of Police, who

shall within five (5) days furnish a written report to the Director of the results of his/her investigation, together with such other information as may aid the Director in determining whether the license should be issued or denied.

(Ord. 114207 § 6, 1988; Ord. 110888 § 1(part), 1982; Ord. 107157 § 29, 1978; Ord. 106063 § 8, 1976; Ord. 102636 § 65, 1973; Ord. 94625, 1966; Ord. 86654, 1957; Ord. 48022 § 176.1, 1924.)

6.36.080Unlawful to admit certain persons.

A. It shall be unlawful for the owner, proprietor, manager or person in charge of any public bathhouse, or for any employee of said place, to harbor, admit, receive or permit to be or remain in or about any such place, any prostitute, any 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.

B. It shall be unlawful for the owner, proprietor, manager or person in charge of any massage premises or for any employee of said place, to harbor, admit, receive or permit to be or remain in or about any such place, any prostitute, any lewd or dissolute person, any drunken or boisterous person, or any person under the influence of intoxicating liquor or narcotic drugs.

(Ord. 114207 § 7, 1988; Ord. 48022 § 178, 1924.)

Chapter 6.38 MERCHANT PATROLMEN

Sections:

6.38.010Definitions.

6.38.020Licenses required.

6.38.030License application.

6.38.040Surety bond.

6.38.010 Definitions.

A. "Merchants patrol agency" means and includes 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.

B. "Merchant patrolman" means and includes 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, 1965; Ord. 70933, 1941; Ord. 48022 § 260, 1924.)

6.38.020 Licenses required.

A. No merchant patrol agency shall engage in business within the City without a valid merchant patrol agency license, the annual fee for which shall be as follows:

1. For three (3) or fewer merchant patrolmen employed, Eighty Dollars (\$80.00) per year;

2. For four (4) or more merchant patrolmen employed, Three Hundred Twenty-five Dollars (\$325.00) per year.

B. No person shall engage in the occupation of a merchant patrolman without a valid merchant patrolman's license, the annual fee for which shall be Thirty Dollars (\$30.00); provided, that any person holding a valid detective agency license issued under Section 6.14.030 of this subtitle may engage in the activities set forth in Section 6.38.010 without complying with such license requirements. The expiration date for such licenses shall be June 30th of each year. No merchants patrol agency shall employ any person as a merchant patrolman who does not possess a valid and subsisting merchant patrolman's license. Violation of this provision shall constitute grounds for the revocation of a merchants patrolman agency license, in addition to those grounds set forth in Section 6.02.270 of this subtitle.

(Ord. 113185 § 1(part), 1986; Ord. 110888 § 1(part), 1982; Ord. 107157 § 34, 1978; Ord. 106063 § 10, 1976; Ord. 94188 § 4, 1965; Ord. 70933, 1941; Ord. 48022 § 261, 1924.)

6.38.030 License application.

Application for a merchant patrolman's license shall be made to the Director, shall be signed and verified by the applicant, and shall state his/her full name, age, residence, his/her present and previous occupations and the address of the place of business and the name of his/her employer. Before acting upon the application, the Director 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 Director in determining whether or not to issue the license. The Chief of Police shall, within five (5) days after the date of such request, furnish a written report to the Director containing the results of his/her investigation. If the Director is satisfied that the statements contained in the application are true, that the applicant is of good moral character and has complied with all requirements of this chapter, he/she shall issue the license, otherwise he/she shall deny it. Each such license issued shall bear the photograph of the license holder.

(Ord. 109191 § 2, 1980; Ord. 107157 § 35, 1978; Ord. 102636 § 80, 1973; Ord. 98196, 1969; Ord. 94188 § 5, 1965; Ord. 79080, 1950; Ord. 70933, 1941; Ord. 48022 § 262, 1924.)

Cases: An ordinance licensing merchant patrolmen is not invalid because it requires applicants to be special policemen under an ordinance restricting appointments to residents of the City or because it requires the fingerprinting of applicants. *Surry v. Seattle*, 14 Wn.2d 350, 128 P.2d 322 (1942).

6.38.040 Surety bond.

Every applicant for a merchants patrol agency license shall at the time of application furnish to the Finance Director for filing with the City Clerk, a surety company bond running to the City, in a penal sum of Two Thousand Dollars (\$2,000.00) conditioned that the licensee 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. 117169 § 79, 1994; Ord. 116368 § 190, 1992; Ord. 102636 § 81, 1973; Ord. 94188 § 6, 1965; Ord. 48022 § 262-1, 1924.)

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Chapter 6.42 PANORAMS AND PEEPSHOWS

Sections:

- 6.42.010** Panoram location license.
- 6.42.020** Panoram device license.
- 6.42.030** License fees.
- 6.42.040** License application—Report by City departments.
- 6.42.050** Inspection of panoram premises.
- 6.42.060** Issuance of licenses.
- 6.42.070** Suspension or revocation of licenses—Notice—Summary suspension or revocation.
- 6.42.080** Appeal and hearing—Mandatory stay pending review.
- 6.42.090** Applicable general provisions of the License Code.
- 6.42.100** Persons under eighteen years of age prohibited.
- 6.42.110** Specifications of premises.
- 6.42.120** Prohibited location.
- 6.42.130** Unlawful acts.

Cross-reference: For provisions on adult entertainment, see Chapter 6.280 of this Code.

6.42.010 Panoram location license.

It is unlawful to display, exhibit, expose or maintain upon any premises, any manually, mechanically, magnetically, electrically, or electronically operated device commonly known as a “panoram” or “peepshow,” which exhibits, displays, projects or illuminates photographed, videotaped or magnetically reproduced images, or exposes live entertainment to the viewer while the viewer is in a booth or stall, without a license to do so, to be designated a “panoram location license”; provided that no license is required if all such devices are contained in a single common area and are not separated by partitions, screens, booths or any other physical barrier or obstruction; provided, further, that no license is required if no fee, membership fee, deposit, purchase or other charge is paid for using or viewing the panoram or peepshow or for entering or remaining upon the premises. Each place of business shall have a separate license and the same shall at all times be conspicuously posted and maintained therein. The Finance Director shall prescribe the form of such license, number the same and shall indicate thereon the number of

such devices to be operated thereunder, and the location.

(Ord. 117169 § 80, 1994: Ord. 114895 § 3, 1989: Ord. 112900 § 3, 1986: Ord. 112719 § 3, 1986: Ord. 102636 § 107, 1973: Ord. 94505, 1966: Ord. 84319 § 2(part), 1955: Ord. 48022 § 330, 1924.)

Cases: The First Amendment was violated by schedule of fees for “panorama” machines and “peepshows” and by the ordinance’s share-holder disclosure requirements. *Acorn Investments, Inc. v. City of Seattle*, 857 F.2d 219 (9th Cir. 1989).

Seattle peepshow ordinance held constitutional against contention that it was vague, restrained freedom of speech and denied equal protection. *Bitts, Inc. v. Seattle*, 86 Wn.2d 395, 544 P.2d 1242 (1976).

6.42.020 Panoram device license.

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 6.42.010 without a license to be designated a “panoram device license” for each device. Panoram device licenses shall be issued for devices at specific locations only and shall not be transferable. The Finance Director shall prescribe the form of such licenses and number the same. Panoram device licenses shall be securely attached to each such device in a conspicuous place.

(Ord. 117169 § 81, 1994: Ord. 114895 § 4, 1989: Ord. 112719 § 4, 1986: Ord. 102636 § 108, 1973: Ord. 94505, 1966: Ord. 90012, 1961: Ord. 84319 § 2(part), 1955: Ord. 48022 § 330.1, 1924.)

6.42.030 License fees.

The license year shall be from January 1st to December 31st. All license fees shall be payable on an annual basis. Fees shall be as follows:

A. Panoram location license Forty Dollars (\$40.00) per year for each location;

B. Panoram device license Forty Dollars (\$40.00) per year for each device.

(Ord. 118395 § 7, 1996: Ord. 116464 § 3, 1992: Ord. 114895 § 5, 1989: Ord. 113185 § 1(part), 1986: Ord. 109502 § 1(part), 1980: Ord. 97286 § 7, 1968: Ord. 90012, 1961: Ord. 84319 § 2(part), 1955: Ord. 48022 § 330.2, 1924.)

6.42.040 License application—Report by City departments.

Any person seeking a panoram location license or panoram device license shall file a written application with the Director for that purpose. The Director, upon presentation of such application and before acting upon the same, shall refer such application to the Police Department, which shall make a full investigation as to the truth of the statements contained therein, and to the Fire Department, the Seattle-King County Health Department and the Department of Construction and Land Use, which shall investigate and provide information to the Director concerning compliance of the premises and devices sought to be licensed with this and other applicable City and state health, zoning, building, fire and safety ordinances and laws. (Ord. 114895 § 6, 1989; Ord. 112900 § 7(part), 1986.)

6.42.050 Inspection of panoram premises.

A. Applicants for any license authorized to be issued under this chapter shall allow the premises and devices sought to be licensed to be inspected in accordance with subsection B of this section by authorized inspectors from the Fire and Police Departments, Seattle-King County Health Department, Department of Construction and Land Use and Finance Department.

B. Licensees operating premises and devices licensed under this chapter shall hold open for routine regulatory inspections by the City during normal business hours those areas upon the premises which are accessible to the public. (Ord. 117169 § 82, 1994; Ord. 112900 § 7(part), 1986.)

6.42.060 Issuance of licenses.

A. After an investigation, the Director shall issue the applicable license or licenses authorized by this chapter if the Director finds:

1. That the business for which a license is required herein will be conducted in a building, structure and location which complies with the requirements and meets the standards of the applicable health, zoning, building, fire and safety laws of the state, and the ordinances of the City, as well as the requirements of this chapter;

2. That the applicant, his or her employee, agent, partner, director, officer, stockholder or manager has not knowingly made any false, misleading or fraudulent statement of material fact

in the application for a license, or in any report or record required to be filed with the Director;

3. That the applicant has not had a panoram location, or panoram device license revoked by the City within two (2) years of the date of the application; and

4. That the applicant, and all employees, agents, partners, directors, officers, or managers of the applicant have attained the age of eighteen (18) years.

B. The decision of the Director regarding issuance of any license shall be rendered within thirty (30) days of the date of filing of the application. (Ord. 114895 § 7, 1989; Ord. 112900 § 7(part), 1986.)

6.42.070 Suspension or revocation of licenses—Notice—Summary suspension or revocation.

A. After an investigation and upon the recommendation of the Chief of Police, Director of the Department of Construction and Land Use, Fire Chief or the Director of the Seattle-King County Health Department, the Director may, upon thirty (30) days' notice, temporarily or permanently suspend or revoke any license issued pursuant to this chapter where the Director finds that one (1) or more of the following conditions exist:

1. The license was procured by fraud or false representation of material fact in the application or in any report or record required to be filed with the Director;

2. The building, structure, equipment or location of the business for which the license was issued does not comply with the requirements of the applicable health, zoning, building, fire and safety laws of the State of Washington, and ordinances of the City of Seattle and the requirements of this chapter; or

3. The licensee, his or her employee, agent, partner, director, officer or manager has knowingly allowed or permitted in or upon the panoram premises, any violations of, or act made unlawful under, this chapter.

B. If the Director finds that any condition set forth in subsection A of this section exists, and

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that such condition constitutes an immediate threat of serious injury or damage to person or property, the Director may immediately suspend or revoke any license issued under this chapter without prior opportunity to be heard, in which event the licensee shall be entitled to a hearing in accordance with Section 6.42.080 of this chapter. The notice of immediate suspension or revocation of license given pursuant to this subsection shall set forth the basis for the Director's action and the facts supporting the Director's finding regarding the condition found to exist that constitutes an immediate threat of serious injury or damage to person or property.

C. If the Director finds that a condition of non-compliance previously found to exist under subsections A2 or A3 of this section has been corrected and is unlikely to be repeated, the Director may modify or withdraw any prior decision he/she made to revoke or suspend a license issued under this chapter.
(Ord. 112900 § 7(part), 1986.)

6.42.080 Appeal and hearing—Mandatory stay pending review.

A. Any person aggrieved by the action of the Director in refusing to issue or renew any license under this chapter or in temporarily or permanently suspending or revoking any license issued under this chapter shall have the right to appeal such action to the Hearing Examiner by filing a notice of appeal with the Director within ten (10) days of receiving notice of the action from which appeal is taken.

B. The Hearing Examiner, upon receipt of a timely notice of appeal, shall set a date for hearing such appeal. The Examiner shall hear testimony, take evidence, and may hear oral argument and receive written briefs. Except in cases of summary suspension or revocation of licenses because of immediate threat of serious injury or damage to person or property pursuant to Section 6.42.070 B of this chapter, the filing of such appeal shall stay the action of the Director, pending the decision of the Hearing Examiner. If the Department denies a license application, and if the license applicant files a notice of appeal with the Hearing Examiner, the Director shall immediately issue the license applicant a temporary license. The temporary license shall authorize the license applicant to operate a panoram in the same manner as if the license had been granted, pending the Hearing Examiner's decision. If a license applicant is issued a temporary license, the license applicant shall pay the fee charged for a panoram license under SMC Section 6.42.030 at the time the applicant receives the temporary license. If the temporary license issued under this subsection is

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still in effect at the end of a calendar year, then the license applicant must pay the fee charged for a panoram license under SMC Section 6.42.030 for the next calendar year.

1. If the Hearing Examiner affirms the Director's license denial, the temporary license shall remain in effect pending a motion for reconsideration before the Hearing Examiner and, in addition (a) if the license applicant does not timely file for judicial review, then only until the expiration of the time allowed to file an application for a writ of review under Chapter 7.16 RCW; or (b) if the license applicant does timely file an application for a writ of review, then only until the court either issues a writ or denies the writ application.

2. If the Hearing Examiner dismisses the license denial with prejudice, the Department shall immediately issue a panoram license.

3. If the Hearing Examiner dismisses the license denial without prejudice, the temporary license shall remain in effect the five (5) additional business days, at the end of which time the Department must either reissue a denial or issue a panoram license. If the Director reissues the denial, then the temporary license will continue in effect according to the procedures set forth in subsection B of this section.

C. In the conduct of such hearing the Hearing Examiner shall have authority to issue subpoenas for the attendance of witnesses and/or production of documents, hold conferences for the settlement or simplification of issues, administer oaths and affirmations, examine witnesses, receive and rule upon the admissibility of evidence, and take notice of judicially cognizable facts and other general, technical or scientific facts within his or her specialized knowledge. In ruling upon the admissibility of evidence, the Hearing Examiner shall give effect to rules of privilege recognized by law and may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence, but may admit and consider any evidence which possesses probative value commonly accepted by reasonably prudent persons in the conduct of their affairs.

D. The decision of the Hearing Examiner on an appeal from a decision of the Director shall be based upon a preponderance of the evidence. The burden of proof shall be upon the Director.

E. The Director shall stay enforcement of a decision of the Hearing Examiner affirming suspension or revocation of a license pending a

motion for reconsideration before the Hearing Examiner, and shall stay enforcement of such decision (1) if no application for judicial review is timely filed, then only until the expiration of time allowed to file such application under RCW Chapter 7.16; or (2) if an application for judicial review is timely filed, then only until a writ is issued or the application for writ has been denied. (Ord. 117585 § 1, 1995; Ord. 112900 § 7(part), 1986.)

6.42.090 Applicable general provisions of the License Code.

A. The provisions included in Seattle Municipal Code Chapter 6.02 are applicable to the administration and enforcement of all licenses required by this chapter, except that the following sections are not applicable to this chapter: Seattle Municipal Code Sections 6.02.080, 6.02.190, 6.02.200, 6.02.210, 6.02.220, 6.02.240, 6.02.250, 6.02.270, 6.02.290, 6.02.300 and 6.02.310.

B. If provisions in the specific licensing regulations of this chapter are inconsistent with the provisions of Seattle Municipal Code Chapter 6.02, the provisions in the specific licensing regulations of this chapter shall control. (Ord. 112900 § 7(part), 1986.)

6.42.100 Persons under eighteen years of age prohibited.

A. It is unlawful for any person under the age of eighteen (18) years to be in or upon any premises for which a panoram location license is required.

B. It is unlawful for any owner, operator, manager, or other person in charge of premises for which a panoram location license is required, to knowingly permit or allow any person under the age of eighteen (18) years to be in or upon such premises.

(Ord. 112900 § 4, 1986; Ord. 112719 § 5, 1986; Ord. 84319 § 2(part), 1955; Ord. 48022 § 330.3, 1924.)

6.42.110 Specifications of premises.

A. Aisle Width. Except as provided in subsection D of this section pertaining to premises having a preexisting nonconforming aisle width, the interior of the panoram or peepshow premises shall be arranged in such a manner so that each booth or stall therein is entered from a continuous main aisle at least six (6) feet in width.

B. View of Interior. The view from the continuous main aisle of any person inside a booth or stall shall not be obstructed except by a door, curtain or other screening device of no greater dimensions than that permitted in this section; and in no event may the view from the continuous main aisle into the booth or stall be obstructed, or the booth or stall be designed, in such a way as to prevent the determination of the number of persons therein.

C. Line of Sight. A line of sight unobstructed by any door, curtain or other screening device shall be provided from a point beginning sixty (60) inches in front of and sixty-six (66) inches above the center of the entrance to the booth or stall, to a line two (2) inches above the entire bottom of the back wall of the booth or stall.

D. Line of Sight—Preexisting Aisle Widths. Premises having any continuous main aisle less than six (6) feet in width as of June 1, 1986, but which is in compliance with applicable Seattle Building Code requirements and specifications as of that date for such aisle, may comply with the minimum aisle width and line of sight requirements in subsection C of this section by providing an unobstructed line of sight from a point beginning twelve (12) inches out from the aisle wall directly across from the center of the entrance to the booth or stall and sixty-six (66) inches above the aisle floor, to a line two (2) inches above the entire bottom of the back wall of the booth or stall.

E. Booth Doors—Minimum Height From Floor. In addition to providing an unobstructed line of sight as required by subsections C and D of this section, the bottom of any door, curtain or screening device shall be not less than twenty-four (24) inches above the floor of the panoram booth or stall.

F. Seating. No panoram booth or stall having a door, curtain or other screening device at its entrance shall contain any chair or other seating surface unless the door, curtain or screening device has, at a location between sixty-six (66) inches and seventy-eight (78) inches above the floor, an opening twelve (12) inches in height and at least twenty-four (24) inches in width which provides an unobstructed view through either open space or clear and clean window glass, to the side walls and back wall of the booth or stall. Any chair or seating surface in such panoram booth or stall shall not provide a seating surface more than eighteen (18) inches in either length or width and

shall not be higher than the bottom of the door, curtain or other screening device. The cumulative width of the legs or support for each such chair or seating surface shall not obstruct more than five (5) horizontal inches of the sight line required by subsections C and D of this section and there shall be no more than one (1) such chair or seating device in any panoram booth or stall.

G. Floors. The entire floor area of a panoram booth or stall must be level with the continuous main aisle. No steps or risers are allowed in any such booth or stall.

6.42.130 BUSINESS REGULATIONS

H. Locked Doors. The licensee shall not permit any doors to public areas on the premises to be locked during business hours.

I. Illumination. The licensee shall maintain illumination generally distributed in all parts of the premises available for use by the public, in compliance with the Seattle Building Code,¹ at all times when the panoram is open or when any member of the public is permitted to enter and remain therein. Illumination within each panoram booth or stall must be sufficient to allow the determination of the number of persons therein by viewing from a continuous main aisle as provided in subsections C, D and F of this section.

J. Signs. The licensee shall permanently post and maintain on the interior and exterior of each booth or stall on the panoram premises a sign stating:

Occupancy of this booth is at all times limited to only one person. Violators are subject to criminal prosecution under Seattle Municipal Code 6.42.130.

Each sign shall be conspicuously posted. The letters and numerals shall be on a contrasting background and be no smaller than three-fourths (3/4) inch in height.

K. Warning Devices. The licensee shall not operate or maintain any warning system or device, of any nature or kind, for the purpose of warning customers or patrons or any other persons occupying panoram booths or stalls located on the licensee's premises that police officers or City health, fire, licensing or building inspectors are approaching or have entered the licensee's premises.

L. Ventilation and Other Holes. All ventilation devices between booths and stalls must be covered by a permanently affixed ventilation cover. Ventilation holes may be located only within one (1) foot from the top of the wall of the panoram booth or stall or within one (1) foot from the bottom of the walls of the booth or stall. The licensee shall not permit any other holes or openings between the booths or stalls.
(Ord. 118713 § 1, 1997; Ord. 112900 § 5, 1986; Ord. 112719 § 6, 1986; Ord. 108289 § 1, 1979; Ord. 101777 § 1, 1973; Ord. 84319 § 2(part), 1955; Ord. 48022 § 330.6, 1924.)

1.Editor's Note: The Building Code is codified in Subtitle I of Title 22 of this Code.

(Seattle 12-97)

6.42.120Prohibited location.

No location license shall be issued for, nor shall any such device as described in Section 6.42.010 be used or operated in, any building or place within three hundred (300) feet of the grounds or building of any public or private elementary or secondary school.

(Ord. 112900 § 6, 1986; Ord. 84319 § 2(part), 1955; Ord. 48022 § 330.4, 1924.)

6.42.130Unlawful acts.

A. A panoram booth or stall subject to the requirements of this chapter may only be occupied by one (1) person at any one (1) time. It is unlawful for any person to occupy such a booth or stall at the same time it is occupied by any other person. The meaning of the word "occupy" shall include the presence of the person, or the insertion of any part of his or her body or any instrument held by him or her.

B. It is unlawful to stand or kneel on any chair or seating surface in a panoram booth or stall.

C. It is unlawful for any owner, operator, manager, employee or other person in charge of premises for which a panoram location license is required, to warn, or aid and abet the warning of, customers or patrons or any other persons occupying panoram booths or stalls located on the licensee's premises that police officers or city health, fire, licensing or building inspectors are approaching or have entered the licensee's premises.

(Ord. 118713 § 2, 1997; Ord. 112900 § 7(part), 1986.)

Chapter 6.48

PUBLIC GARAGE OR PARKING LOT

Sections:

6.48.010Definitions.

6.48.020License required—Fee.

6.48.030Duty toward safety, reports, and inspections.

6.48.040Signs—Posting of rates.

6.48.050Immobilization of vehicle for delinquent parking fee.

6.48.060Obstruction of egress from garage or lot.

6.48.070Removal of vehicle.

6.48.080Revocation, suspension or refusal to issue license.

6.48.090 Exits.**6.48.100 Numbers on parking stalls.****6.48.010 Definitions.**

A. "Accessory parking facility," as used in this chapter, includes any public garage or parking lot, not more than four thousand (4,000) square feet in size, to which there are multiple entrances, and in or upon which the parking, storage and keeping of motor vehicles is accessory to another business conducted on such public garage or parking lot premises.

B. For purposes of interpreting Sections 6.48.040 through 6.48.080, the terms "agent," "employee," or "contractor," shall include but not be limited to any person, firm, partnership, or corporation immobilizing vehicles on public garage or parking lot premises or removing vehicles from public garage or parking lot premises with the express, implied, written, or unwritten

permission of the licensee, whether for compensation by wage, salary, piece rate, commission or not at all.

C. "Indoor parking facility," as used in this chapter, includes any public garage or parking lot in which all of the motor vehicles are parked, stored or kept indoors.

D. "Public garage or parking lot," as used in this chapter, includes any room, building, shed, enclosure, outdoor space, uncovered plot, lot, parcel, yard or other place open to the public, where motor vehicles are parked, stored or kept, and a charge is made for such parking, storing, or keeping.

(Ord. 105177 § 1, 1975; Ord. 104297 §§ 1 and 5(part), 1975; Ord. 48022 §§ 146 and 148-F, 1924.)

6.48.020 License required—Fee.

It is unlawful for any person to own, operate, or maintain a public garage or parking lot without first having obtained a license to do so. The fee for such license is hereby fixed at the rate of Forty-five Dollars (\$45.00) per year for each one thousand (1,000) square feet of floor or ground space contained in such parking garage or parking lot and used for parking or storage purposes.

(Ord. 118395 § 8, 1996; Ord. 116464 § 4, 1992; Ord. 113185 § 1(part), 1986; Ord. 110888 § 1(part), 1982; Ord. 109502 § 1(part), 1980; Ord. 104297 § 2, 1975; Ord. 83500 § 4, 1954; Ord. 48022 § 147, 1924.)

6.48.030 Duty toward safety, reports, and inspections.

A. It is the duty of any person operating and maintaining a public garage or parking lot to keep such garage or parking lot as free as practicable from fire hazard, and to comply with all laws relating to buildings, health and sanitation.

B. It is unlawful for the owner of a public garage or parking lot, or any agent or employee of such owner to refuse admission to any public officer for the purpose of inspecting any and all motor vehicles parked, kept or stored therein, or to fail, neglect or refuse to notify the Police Department of the presence of any such vehicle believed to have been stolen, or of any indication that any other crime or violation has been committed, or is about to be committed, by persons bringing a motor vehicle into a public garage or parking lot.

(Ord. 104297 § 3, 1975; Ord. 48022 § 148, 1924.)

6.48.040 Signs—Posting of rates.

A. Except as otherwise provided in subsections B and C of this section, it is unlawful for any person to demand or collect any charge for parking or for keeping or storing any motor vehicle in any public garage or parking lot unless there is erected and maintained at or near each entrance to such public garage or parking lot a permanent sign which is adequate to apprise anyone entering for the purpose of using such garage or parking lot of the following information and conforming to the following standards:

1. The word "park" or "parking" shall be clearly displayed on the sign, and the true or assumed name of the licensee shall be clearly identified at the top or the bottom of the sign, and such signs shall contain no other advertising. Any licensee using a trade or assumed name shall, when applying for a license or renewal thereof, furnish the Director with a certified copy of the filing with the County Clerk showing such trade or assumed name.

2. Signs shall contain numbers and letters indicating the time units and rate or rates for parking which are clearly readable and visible from a distance of fifty feet (50'); provided, that, if a rate charged for any time period is higher than the rate usually charged for that time period the higher rate shall be designated on a sign in letters and numbers not less than one and one-third ($1\frac{1}{3}$) times the size of the largest letter or numeral indicating the rate usually charged, and the sign shall clearly indicate that a special rate is being charged.

3. Signs indicating more than one (1) rate and time interval shall contain figures for each rate and time interval; rates shall be listed with the shortest time interval on the top and the all-day rate on the bottom.

4. Signs shall indicate any hours when the public garage or parking lot is not open for public parking and shall specify the night parking rate or weekend parking rate when such rate(s) differ from regularly posted rates.

5. Signs shall indicate specific hours when a night rate is applicable and/or specific days and hours when a weekend rate is applicable.

6. If any rate other than an all-day rate is to be charged, the maximum rate for all-day parking must be posted.

6.48.040 BUSINESS REGULATIONS

7. All numbers and letters on such signs shall be of a contrasting color to the background thereon.

8. The bottom line of rate information shall be at least six feet (6') above the sidewalk level; provided that it may be lower if rate information cannot be obstructed at any time.

B. As to indoor parking facilities, such signs shall not be required to be erected and maintained at or near each entrance thereof and may alternatively be erected and maintained inside each entrance if:

1. Such signs are clearly readable and visible from a point within the indoor parking facility and from which point a motor vehicle can immediately and conveniently exit;

2. Such signs conform to the standards set forth in paragraphs 1 through 7 of subsection A, and in addition contain a statement indicating the immediate exit to be taken by a driver desiring to leave after reading the sign; and

3. No charge is demanded or collected for any motor vehicle which immediately exits following the reading of such a sign.

C. As to accessory parking facilities, such signs shall not be required to be maintained at or near the entrances thereof and may alternatively be erected and maintained within or immediately adjacent to each area in which motor vehicles are parked, stored or kept if:

1. Each such sign is clearly readable and visible from all points within each such area; and

2. Each such sign conforms to the standards set forth in paragraphs 1 through 8 of subsection A.

D. It is unlawful for any person to demand or collect any charge for the parking, keeping or storing of any motor vehicle in a public garage or parking lot in excess of the rates posted; provided, however, that the provisions of this section pertaining to the posting of parking rates shall not apply to rates which are determined by weekly, monthly, or longer periods of time, or to rates determined by written contract.

E. It is unlawful to demand or collect any charge for the parking, keeping or storing of any motor vehicle in a public garage or parking lot unless there is posted and maintained upon the premises of the public garage or parking lot at or near each place of payment, a public notice approved by the Finance Director. Such notice shall contain the following public convenience information:

1. The name and phone number of the licensee and the street address of the garage or lot;

2. Parking rates posted in the same order as listed on the parking sign;

3. The appropriate locations for making payment;

4. The name, address, and telephone number of the person, firm or agent authorized to impound in place or remove vehicles from the garage or lot; and

5. Any other information pertinent to the operation of the public garage or parking lot as specified by administrative regulations promulgated by the Finance Director.

(Ord. 117169 § 83, 1994; Ord. 106967 § 1, 1977; Ord. 105177 § 2, 1975; Ord. 104297 §§ 4 and 5(part), 1975; Ord. 91059, 1962; Ord. 48022 §§ 148-A and 148-B, 1924.)

6.48.050 Immobilization of vehicle for delinquent parking fee.

A. It is unlawful for anyone to remove or cause to be removed any part from a motor vehicle to immobilize such motor vehicle in order to secure payment for a delinquent parking fee or charge, and it is unlawful to restrict the movement of or immobilize any motor vehicle parked or stored in a public garage or parking lot in any manner except as provided in this section.

B. For enforcement of a storage lien for parking, keeping or storing such motor vehicle, any licensee, or an employee, agent or contractor of such licensee may immobilize such motor vehicle only by the attachment of such external device or devices, approved by the Finance Director for such purpose, as may be necessary to prevent removal of such vehicle and only if:

1. The person so immobilizing the vehicle shall affix conspicuously to the vehicle a written notice stating the name and address of the person or firm who immobilized the vehicle and the address and telephone number of a person authorized and available to release the vehicle; and

2. The person immobilizing the vehicle, or an agent, employee, or contractor authorized to release the vehicle is accessible at all times at the address and telephone number indicated on the notice; or

**Seattle Municipal Code
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3. The licensee or an agent, employee, or contractor of such licensee is on the premises authorized and able to release the vehicle within one (1) hour after the vehicle's owner, operator, or person entitled to its possession shall request its release; and

4. The vehicle is released immediately after tender of payment of posted parking charges due and unpaid at the time of the request for release together with the posted impound fee. (Ord. 117169 § 84, 1994; Ord. 104297 § 5 (part), 1975; Ord. 48022 § 148-C, 1924.)

6.48.060 Obstruction of egress from garage or lot.

It is unlawful to allow or permit motor vehicles to be parked, kept or stored in a public garage or parking lot in any manner which would prevent the removal of such vehicle or any other vehicle from the garage or lot unless the licensee, or an agent, employee, or contractor of such licensee shall remain in attendance on the premises at all times when any vehicle is parked in such manner. (Ord. 104297 § 5 (part), 1975; Ord. 48022 § 148-D, 1924.)

6.48.070 Removal of vehicle.

It is unlawful for any licensee, or any agent, employee, or contractor of such licensee to remove a vehicle from a public garage or parking lot unless the person authorized to release the vehicle is accessible at all times at the address and telephone indicated on the public information notice as specified in Section 6.48.060. (Ord. 104297 § 5 (part), 1975; Ord. 48022 § 148-E, 1924.)

6.48.080 Revocation, suspension or refusal to issue license.

In addition to such other grounds as may be provided in this subtitle for refusal to issue, revocation or suspension of the license required by Section 6.48.020, the Finance Director may refuse to issue, or may revoke or suspend such license upon a finding that a licensee has by defraud or misrepresentation, violated any provision of this chapter or any other law, ordinance, rule or regulation. (Ord. 117169 § 85, 1994; Ord. 104297 § 5 (part), 1975; Ord. 48022 § 148-G, 1924.)

6.48.090 Exits.

Each exit from a public garage or parking lot shall be clearly marked. (Ord. 106967 § 2, 1977; Ord. 105177 § 3 (part), 1975; Ord. 48022 § 148-H, 1924.)

6.48.100 Numbers on parking stalls.

It is unlawful to demand or collect any charge for the parking, keeping or storing of any motor vehicle in any public garage or parking lot in which motor vehicles park in numbered stalls, payments are placed in correspondingly numbered slots, and receipts are not dispensed to patrons, unless the numbers marked on the parking stalls are clearly readable by persons parking therein. (Ord. 105177 § 3 (part), 1975; Ord. 48022 § 148-I, 1924.)

Chapter 6.68 PENALTY

Sections:

6.68.010 Violation—Penalty.

6.68.020 Liability for violation.

6.68.010 Violation—Penalty.

Any person violating or failing to comply with any of the provisions of this subtitle 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 (\$300.00), or by imprisonment in the City Jail for a period not exceeding ninety (90) days, or by both such fine and imprisonment. (Ord. 48022 § 245, 1924.)

6.68.020 Liability for violation.

Every person concerned in any act or omission in violation of this subtitle, whether he directly performs or omits to perform any act in violation of this subtitle, or aids or 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 subtitle and shall be proceeded against and prosecuted as such. (Ord. 48022 § 246, 1924.)

6.82.010 BUSINESS REGULATIONS

Subtitle II Further Regulatory Licenses

This subtitle is intended for those provisions of the Code regarding regulatory licenses that are not a part of the original License Code (Ord. 48022) codified in Subtitle I.

**Chapter 6.82
REFRIGERATION SYSTEMS**

Sections:

6.82.010 Compliance with chapter required.

6.82.020 Definitions.

6.82.030 Mechanics or engineers—License required—Issuance by Examining Board.

6.82.050 Apprentice—Certificate of registration.

6.82.060 Supervisory and Examining Board.

6.82.070 Examinations for licenses.

6.82.100 Contractor's or service shop license—Application and issuance.

6.82.110 Applications by corporation, copartnership or association.

6.82.120 License classifications.

6.82.130 License period and expiration.

6.82.150 Late renewal fee.

6.82.180 License exemption for certain air-conditioning contractors.

6.82.190 Revocation of license.

6.82.210 Notification of unsafe or hazardous equipment.

6.82.320 Existing license continued.

6.82.330 Violation—Penalty.

6.82.010 Compliance with chapter required.

It shall be unlawful to engage in business as a refrigeration contractor, an air-conditioning contractor, or a refrigeration service shop or to accept employment or be employed as a journeyman refrigeration mechanic, an industrial refrigeration engineer, a refrigeration service shop mechanic, or as a refrigeration operating engineer, or to contract for or engage in the business of or be employed in installing, repairing, altering or servicing any refrigeration system or equipment, except in accordance and in compliance with the provisions of this chapter. (Ord. 84297 § 1, 1955.)

6.82.020 Definitions.

Words and phrases used in this chapter have the following meanings:

A. "Air-conditioning contractor" means a person who engages in the business of installation, alteration, or repairing of refrigeration equipment as defined in Sections 2.48.3 and 2.48.4 of the A.S.A. B9.1-1953 Standard Comptroller's File No. 227141.

B. "Apprentice" means a person who is employed in installation, alteration, repair, servicing or operation of refrigeration systems or equipment, as an artisan, and who is registered and is working under the direct supervision of a licensed operating engineer, industrial engineer, refrigeration mechanic or service shop mechanic.

C. "Board" means the Refrigeration Examining Board created by this chapter.

D. "Committee" means Refrigeration Advisory Committee created by this chapter.

E. "Director" means the Director of the Department of Construction and Land Use or his/her duly authorized representative.

F. "Industrial refrigeration engineer" means a full-time employee who spends a substantial portion of his time in the installation, addition to, repair, service, or operation of refrigeration systems in a building, or portion thereof, used for manufacturing, processing, or storage of materials or products, including among others, chemicals, food, candy, and ice cream factories, ice-making plants, meat-packing plants, refineries, perishable food warehouses, hotels, hospitals, restaurants, and similar occupancies and equipped with a refrigeration system, and whose duty shall be to install, add to, repair, service and operate all of his employers' refrigeration systems and equipment.

G. "Journeyman refrigeration mechanic" means a person engaged in the installation, repair or servicing as an artisan, of any refrigeration system, equipment or parts thereof.

H. "Person" means any individual, firm, corporation or association.

I. "Recognized school of technology" means one which is accredited by national or regional accrediting association.

J. "Refrigerating contractor" means a person who engages in the business of installation, alteration or repairing of refrigeration equipment and in planning, engineering and superintendence in connection therewith.

K. "Refrigeration operating engineer" means a full-time employee who spends a substantial portion of his time in the maintenance and operation of a refrigeration system in a building, or portion thereof, used for manufacturing, processing, or storage of materials or products, including among others, chemicals, food, candy, and ice cream factories, ice-making plants, meatpacking plants, refineries, perishable food warehouses, hotels, hospitals, restaurants, and similar occupancies and equipped with a refrigeration system, and whose duty shall be to operate, maintain, and keep in a safe and serviceable condition all of his employers' refrigeration systems and equipment.

L. "Refrigeration service shop" means a person engaged in the business of rendering refrigeration service on refrigeration systems or machines having a standard rating of less than one-fourth ($\frac{1}{4}$) horsepower or one-fourth ($\frac{1}{4}$) ton refrigeration effect and containing less than six (6) pounds of refrigerants and on approved self-contained systems of one (1) horsepower and less.

M. "Refrigeration service shop mechanic" means a person engaged in the installation, repair and servicing, as an artisan, of any refrigeration system or machine having a standard rating of less than one-fourth ($\frac{1}{4}$) horsepower or one-fourth ($\frac{1}{4}$) ton refrigeration effect and containing less than six (6) pounds of refrigerants and of approved self-contained systems of one (1) horsepower and less.

N. "Refrigeration system" is a combination of interconnected refrigerant-containing parts constituting one (1) closed refrigerant circuit in which a refrigerant is circulated for the purpose of extracting heat and shall include not only the direct system but also the "indirect system" as defined in the Seattle Municipal Code.

(Ord. 117425 § 2, 1994; Ord. 117169 § 86, 1994; Ord. 113702 § 3, 1987; Ord. 112964 § 1, 1986; Ord. 84297 § 2, 1955.)

6.82.030 Mechanics or engineers—License required—Issuance by Examining Board.

A. No one shall engage in the work of installation, alteration, repair or servicing of refrigeration systems or equipment as a journeyman refrigeration mechanic without a journeyman refrigeration mechanic's license or as a refrigeration service shop mechanic without a refrigeration service shop mechanic's license or as a

refrigeration operating engineer without a refrigeration operating engineer's license or as an industrial refrigeration engineer without an industrial refrigeration engineer's license issued under the provisions of this chapter; provided, that a welder may be allowed to weld on refrigeration installations and equipment without a license under the direct supervision of a licensed journeyman refrigeration mechanic or licensed industrial refrigeration engineer; provided, further that an apprentice may engage in such work without a license as herein authorized.

B. Before the Board shall permit an examination for a license as a journeyman refrigeration mechanic or as a refrigeration shop mechanic or as an industrial refrigeration engineer, the applicant shall furnish proof satisfactory to the Board of the following qualifications:

1. Three (3) years' actual full-time experience as a journeyman refrigeration mechanic or refrigeration service shop mechanic or industrial refrigeration engineer or its equivalent; or

2. Two (2) years' training in a recognized school of technology, plus two (2) years' full-time actual experience at the trade; or

3. Graduation from a recognized school of technology plus one (1) year's actual experience at the trade.

C. Licenses may be approved by the Examining Board for refrigeration operating engineers limited as to employment of such engineer in a particular location and with respect to a refrigeration system using specified types of refrigerants. A limitation to a particular location may be changed from one (1) location to another upon approval by the Examining Board and the payment of a fee of One Dollar (\$1.00). Not more than two (2) such changes of location shall be granted to a licensee without reexamination nor shall any such change of location be granted without reexamination after the expiration of one (1) year from the date of issuance of the license.

D. All applications for examinations shall be filed with the Board, accompanied by the required examination fee, and the applicant shall be examined by the Board, and if he passes, the Director shall be notified and shall, upon payment of the required license fee, issue to the applicant the proper license.

(Ord. 117425 § 3, 1994; Ord. 117169 § 87, 1994; Ord. 107158 § 12, 1978; Ord. 84297 § 3, 1955.)

6.82.030 BUSINESS REGULATIONS

6.82.050Apprentice—Certificate of registration.

No one shall be employed as an apprentice on any refrigeration installation, alteration, repair, servicing, or maintenance of refrigeration systems or equipment without a certificate of registration issued by the Board as an apprentice refrigeration mechanic, or as an apprentice industrial refrigeration engineer, or as an apprentice refrigeration operating engineer, or as an apprentice service shop mechanic. Such certificate of registration will authorize the holder to work as an apprentice under the direct supervision of a certified and licensed journeyman refrigeration mechanic, refrigeration operating engineer, industrial refrigeration engineer, or service shop mechanic. (Ord. 84297 § 4, 1955.)

6.82.060Supervisory and Examining Board.

A. There is created a Supervisory and Examining Board for the purpose of conducting examinations and certifying as to qualifications for issuance of licenses under this chapter. The Board shall consist of:

1. Chief of Environmental Health;
2. A duly authorized representative of and appointed by the Director.

B. The Director shall act as secretary of the Board. The Board shall conduct examinations and certify applicants for licenses under this chapter. (Ord. 117425 § 4, 1994; Ord. 117169 § 88, 1994; Ord. 112964 § 3, 1986; Ord. 108076 § 2, 1979; Ord. 84297 § 5, 1955.)

6.82.070Examinations for licenses.

Examinations to determine qualifications of applicants for licenses may include oral and written examinations and practical demonstrations on different phases of refrigeration designed to determine the skill and ability of the applicant to competently perform and discharge the work of installing, altering, repairing, operating and maintaining refrigeration systems and the work which a license will authorize. (Ord. 84297 § 6, 1955.)

6.82.100Contractor's or service shop license—Application and issuance.

A. Applications for a refrigeration contractor's license, an air-conditioning contractor's license, or a refrigeration service shop license shall be made to the Director on forms prescribed by him/her, and shall be accompanied by the required fee and an affidavit of the applicant or some qualified person in his/her employment that the applicant has been actively engaged in the installation, repair, alteration and/or servicing, as the case may be, of refrigeration systems, and shall also set forth the refrigerants and types of refrigerating systems with which the applicant is familiar by actual experience or education. No contractor's or service shop license shall be required to install, alter, add to, repair, or service an established refrigeration system in a building where the owner and/or operator thereof employs in the regular course of business an industrial refrigeration engineer licensed under this chapter; and no such license shall be required to repair or service an established refrigeration system in a building where the owner and/or operator thereof employs in the regular course of business a refrigeration operating engineer licensed under this chapter.

B. Upon approval of such application by the Director, he/she shall issue such license. (Ord. 117425 § 5, 1994; Ord. 117169 § 89, 1994; Ord. 107158 § 13, 1978; Ord. 102628 § 1, 1973; Ord. 84388 § 1, 1955; Ord. 84297 § 9, 1955.)

6.82.110Applications by corporation, copartnership or association.

If application for a refrigeration contractor's license, an air-conditioning contractor's license, or a refrigeration service shop license is by a corporation, copartnership, or association, or by an individual owner or operator who does not perform actual work as an artisan, the application shall designate one (1) or more individuals as officers or employees, who shall take the qualifying examinations as approved by the Refrigeration Examining Board. If the individual or individuals designated pass the examination, the license shall be issued in the name of the applicant and the individual passing the examination. The individual named in the license shall be in charge of all refrigeration installation, alteration, repair or service done by or for the corporation, copartnership or association, or by such individual owner.

Whenever any such individual is no longer associated with the corporation, copartnership or association, or such individual owner, they shall report the fact of such disassociation to the Director within thirty (30) days and the license shall be suspended until a new qualified individual is designated to perform such work in behalf of the corporation, copartnership or association or individual owner. Failure of a corporation, copartnership or association or such individual owner to report such disassociation shall be a violation of this chapter. An individual who has qualified to render service for one (1) corporation, copartnership or association, or individual owner, may on written application have his authority and qualifications to act transferred to any other licensed corporation, copartnership, or association, or individual owner with the written consent of such other corporation, copartnership or association, or individual owner.

(Ord. 117425 § 6, 1994; Ord. 117169 § 90, 1994; Ord. 102628 § 2, 1973; Ord. 84297 § 10, 1955.)

6.82.120 License classifications.

Licenses shall be classified as follows:

A. A refrigeration contractor's license shall be required except as herein provided for all persons who install, alter or repair a refrigeration system with a unit containing six (6) pounds or more of any refrigerant and actuated by a motor or engine having a standard rating of one-fourth ($\frac{1}{4}$) horsepower or more, or absorption systems having a rating of one-fourth ($\frac{1}{4}$) ton or more refrigeration effect. There shall be three (3) classes of licenses for refrigeration contractors and for journeyman refrigeration mechanics as follows:

Class A — Covering refrigeration machine using only sulphur dioxide, methyl chloride, all freons;

Class B — Covering refrigerating machines using all other refrigerants.

Class C — Covering all refrigerating machines using refrigerants included in Classes A and B.

B. Refrigeration Service Shop License. This license shall be required for any persons operating a refrigeration service shop for the purpose of installing, altering, or repairing approved selfcontained refrigeration systems or machines containing less than six (6) pounds of refrigerant or actuated by a motor having a standard rating of one (1) horsepower and less.

C. Air-conditioning Contractor's License. An air-conditioning contractor's license shall be required except as provided by this chapter for all persons who install, repair, service, alter or move approved self-contained or unit refrigeration systems as defined by Sections 2.48.3 and 2.48.4 of the A.S.A. B9.1-1953 Standard, Comptroller's File No. 227141.

(Ord. 84297 § 11, 1955.)

6.82.130 License period and expiration.

All licenses shall be issued for an annual period and shall expire on July 31st of each year. Such license may be renewed annually upon payment of the annual fee.

(Ord. 118398 § 24, 1996; Ord. 84297 § 12, 1955.)

6.82.150 Late renewal fee.

A. Any person who has held a license in the previous license year for which an annual license period is prescribed and who continues to engage in the activity shall, upon failure to make timely application for renewal of the license, pay a late renewal fee as follows:

1. If the renewal application is received after the date of expiration of the previous license but before the end of thirty (30) days into the new license year: ten percent (10%) of the annual license fee or Ten Dollars (\$10.00), whichever is greater;

2. If the renewal application is received after thirty (30) days into the new license year:

6.82.180 BUSINESS REGULATIONS

twenty percent (20%) or Twenty-five Dollars (\$25.00), whichever is greater.

B. No annual license shall be issued until any late renewal fee has been paid; provided, that payment of the late renewal fee may be waived whenever the Director or his/her duly authorized representative finds that timely application was beyond the control of the licensee by reason of severe circumstances; for example, serious illness of the licensee, death or incapacity of an accountant or other person who retains possession of the licensee's license records, loss of business records due to theft, fire, flood or other similar acts.

(Ord. 117425 § 7, 1994; Ord. 117169 § 91, 1994; Ord. 112964 § 4, 1986; Ord. 106025 § 4, 1976; Ord. 84297 § 13-A, 1955.)

6.82.180 License exemption for certain air-conditioning contractors.

No one shall perform any of the services or activities covered by this chapter without a license as herein required, except that anyone who has engaged in the business as an air-conditioning contractor for thirty (30) days or more immediately preceding the passage of the ordinance codified in this chapter¹ may continue to engage in such services or activities without a license until his application for a license is rejected by the Board because of failure to take or pass the examinations herein required; and no person shall continue to engage in such services or activities without such license unless an application for such license and examination is filed with the City Clerk and the Examining Board within thirty (30) days after the ordinance codified in this chapter takes effect.²

(Ord. 117169 § 92, 1994; Ord. 84297 § 16, 1955.)

1.Editor's Note: Ord. 84297 was passed on July 25, 1955.

2.Editor's Note: Ord. 84297 became effective on August 25, 1955.

6.82.190 Revocation of license.

Any license issued pursuant to this chapter may be revoked by the Director of Construction and Land Use for incompetence, negligence, misrepresentation, giving fraudulent information in making application for a license or permit, failure to comply with the requirements of this chapter or upon cancellation or revocation of the bond required herein. Before any bond is cancelled the surety thereon shall give the Director of Construction and Land Use and the principal

thirty (30) days' written notice of intention so to do. Upon cancellation of the bond the license shall be suspended: Provided, if a new bond of the same tenor and effect is supplied, the license shall continue effective.

(Ord. 117169 § 93, 1994; Ord. 112964 § 5, 1986; Ord. 102628 § 3, 1973; Ord. 84297 § 17, 1955.)

6.82.210 Notification of unsafe or hazardous equipment.

Any refrigeration system or equipment or any alteration or repair thereof shall at all reasonable times be subject to inspection by the Director, and if it is found on such inspection that the system or equipment, including any alteration or repairs, is unsafe or hazardous or is in a condition dangerous to life or property, written notice thereof shall be given to the owner or operator of such system or equipment and the same shall not thereafter be operated or maintained until it has been made safe and approved for operation and maintenance by the Director.

(Ord. 84297 § 19, 1955.)

6.82.320 Existing license continued.

Anyone holding a refrigeration service shop, refrigeration service shop mechanic, a refrigeration contractor, refrigeration journeyman, refrigeration operating engineer, or industrial refrigeration engineer's license under Ordinance No. 80153 as amended, and in effect at the time the ordinance codified in this chapter becomes effective,¹ shall be entitled to continue to operate under that license, and shall be entitled to renewal of the same upon paying the annual license fee herein required. Provided, that no renewal of such license shall be allowed unless application for renewal is made within thirty (30) days after the date of expiration. Any such license shall be subject to revocation under the provisions of this chapter.

(Ord. 84297 § 26, 1955.)

1.Editor's Note: Ord. 84297 became effective on August 25, 1955. It repealed Ord. 80153.

6.82.330 Violation—Penalty.

The violation of or failure to comply with any of the provisions of this chapter shall be punishable by a fine of not more than Three Hundred Dollars (\$300.00) or by imprisonment in the City Jail not to exceed ninety (90) days or by both such fine and imprisonment.

(Ord. 84297 § 24, 1955.)

Subtitle III Miscellaneous Business Regulations

Chapter 6.96 BUSINESS OWNER REGISTRATION

Sections:

6.96.015 Business owner identification for emergencies.

6.96.020 Violation—Penalty.

6.96.015 Business owner identification for emergencies.

A. An emergency contact telephone number of the owner, manager, or person in charge of every business establishment, who has authority and is able to enter such establishment when it is unoccupied or not open to the public, shall be placed in a location which is easily observable from the outside of the business premises. In the

alternative, the name of an emergency contact service which has the ability to contact the owner, manager, or person in charge of the business establishment shall be placed in a location which is easily observable from the outside of the business premises.

B. Any individual, corporation or organization providing emergency contact service to business establishments shall provide its name, address and telephone number to the Chief of Police.

(Ord. 112293 § 1, 1985; Ord. 111751 § 2, 1984.)

6.96.020 Violation—Penalty.

A. Every offense defined by this chapter or conduct made unlawful thereby shall constitute a violation. A violation may be punished by a civil fine or forfeiture not to exceed Five Hundred Dollars (\$500.00), but a conviction of a violation shall not give rise to any disability or legal disadvantage based on the conviction of a criminal offense.

B. Notwithstanding the civil nature of the penalty provided in this section for violations, nothing in this section shall deny any constitutional rights which a defendant would have were the penalty deemed criminal.

(Ord. 104563 § 1, 1975; Ord. 71614 § 2, 1942.)

Chapter 6.98 HOTEL REGISTERS

Sections:

6.98.010 Definitions.

6.98.020 Registration of guests.

6.98.030 Violation—Penalty.

Statutory Reference: For statutory provisions on hotels, lodging houses, etc., see RCW Ch. 19.48.

6.98.010 Definitions.

For the purposes 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, 1962.)

6.98.020Registration of guests.

Everyone operating, managing or keeping a hotel as defined in Section 6.98.010 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 the 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, 1962.)

6.98.030Violation—Penalty.

Anyone 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 (\$300.00) or imprisonment in the City Jail for not over ninety (90) days, or by both such fine and imprisonment. (Ord. 91072 § 3, 1962.)

**Chapter 6.100
MECHANICAL MUSIC MACHINES**

Sections:

- 6.100.010Definitions.**
- 6.100.020Gambling and indecent reproductions prohibited.**
- 6.100.030Disturbance of peace prohibited.**
- 6.100.040Violation—Penalty.**

6.100.010Definitions.

The phrase "mechanical musical machine" as used in this chapter 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, 1942.)

6.100.020Gambling and indecent reproductions prohibited.

Except as authorized by or pursuant to RCW Chapter 9.46, it is unlawful to play, or to make available for play in public any mechanical musi-

cal 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. 102835 § 8, 1973: Ord. 102458 § 9, 1973: Ord. 71881 § 2, 1942.)

6.100.030Disturbance of peace 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. 85801 § 1, 1956: Ord. 71881 § 2A, 1942.)

6.100.040Violation—Penalty.

Violation of, or failure to comply with any of the provisions of this chapter shall subject the offender to a fine not to exceed Three Hundred Dollars (\$300.00), or to imprisonment in the City Jail for not to exceed ninety (90) days, or to both such fine and imprisonment.

(Ord. 71881 § 3, 1942.)

**Chapter 6.102
TATTOOING**

Sections:

- 6.102.010Compliance with chapter required.**
- 6.102.020License required—Posting.**
- 6.102.030License fee.**
- 6.102.040Late renewal fee.**
- 6.102.050Requirements for building and operator.**
- 6.102.060Tattooing procedure regulations.**
- 6.102.070Recordkeeping.**
- 6.102.080Unlawful tattooing of minors.**
- 6.102.090Revocation or suspension of license.**
- 6.102.100Violation—Penalty.**

6.102.010 Compliance with chapter required.

It shall be unlawful to operate a tattooing shop, business or establishment or to do or practice tattooing without complying with the provisions of this chapter.

(Ord. 80818 § 1, 1952.)

6.102.020 License required—Posting.

It is unlawful to operate a tattoo shop or establishment without a tattoo shop license. Applications for such license shall be made to the Finance Director accompanied by the required fee, and shall be referred to the Chief of Police and the Director of Public Health and shall be returned to the Director within ten (10) days with their report and recommendation. No tattoo shop license shall be issued by the Director except on recommendation of such officers. The tattoo shop license shall at all times be posted in a conspicuous place in the licensed shop.

(Ord. 117169 § 94, 1994; Ord. 107158 § 14, 1978; Ord. 105007 § 3, 1975; Ord. 102627 § 3, 1973; Ord. 80818 § 8, 1952.)

6.102.030 License fee.

License fees shall be annual and licenses may be renewed upon payment of the annual fee. The annual fee for a tattoo shop license shall be Five Hundred Thirty Dollars (\$530.00). All licenses shall expire on February 28th but where application for license is made less than six (6) months before such date of expiration the amount of the fee shall be one-half ($\frac{1}{2}$) of the annual fee. The tattoo shop license shall designate the place of operation and may be transferred to a new location upon payment of ten percent (10%) of the annual fee. No license shall be issued under this chapter to any person under eighteen (18) years of age. It shall be unlawful to practice as a tattoo operator except in a licensed tattoo shop.

(Ord. 118395 § 9, 1996; Ord. 116464 § 6, 1992; Ord. 113185 § 1(part), 1986; Ord. 110888 § 1(part), 1982; Ord. 105007 § 4, 1975; Ord. 80818 § 9, 1952.)

6.102.040 Late renewal fee.

A. Any person who has held a license in the previous year for which an annual license period is prescribed and who continues to engage in the activity shall, upon failure to make timely application for renewal of the license, pay a late renewal fee as follows:

1. If the renewal application is received after the date of expiration of the previous license but before the end of thirty (30) days into the new license year: ten percent (10%) of the annual license fee or Ten Dollars (\$10.00), whichever is greater;

2. If the renewal application is received after thirty (30) days into the new license year: twenty percent (20%) or Twenty-five Dollars (\$25.00), whichever is greater.

B. No annual license shall be issued until any late renewal fee has been paid; provided, that payment of the late renewal fee may be waived whenever the Director finds that timely application was beyond the control of the licensee by reason of severe circumstances; for example, serious illness of the licensee, death or incapacity of an accountant or other person who retains possession of the licensee's records, loss of business records due to theft, fire, flood or other similar acts.

(Ord. 106025 § 3, 1976; Ord. 80818 § 9-A, 1952.)

6.102.050 Requirements for building and operator.

Every shop or establishment where tattooing is done shall be subject to the following regulations:

A. It shall be well ventilated and of sufficient size to accommodate the required equipment and business done therein, and subject to the approval of the Director of Public Health in such respects.

B. It shall not be located in or operated as a part of any place where intoxicating liquor is stored, served or sold.

C. It shall be provided with artificial light sources equivalent to at least ten (10) footcandles at a distance of thirty inches (30") from the floor throughout the room and at least twenty-five (25) footcandles at the patron level in the portion of the shop or establishment where the tattooing operation is performed.

D. Walls and ceilings shall be clean, tight, in good repair and shall be painted or otherwise finished at such intervals as will maintain the surface in a clean and sanitary condition.

E. Floors shall be constructed or covered with a smooth water-impervious material and shall be maintained in a clean and sanitary condition at all times. Floors shall be swept and wet-mopped at least once daily or oftener if necessary.

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F. A sink with hot and cold running water, soap and sanitary towels shall be located in the room where tattooing is done.

G. Toilet, urinal and hand-washing basin shall be conveniently located and accessible to patrons and operators.

H. Sufficient cabinets shall be provided for the storage of supplies and materials and the same shall be maintained in a clean and sanitary condition.

I. Sufficient facilities shall be provided for the disposition of cigarette butts and other debris.

J. Spitting on the floor shall be prohibited and signs posted to that effect. All needles, instruments and other equipment used shall be maintained in a clean and sanitary condition at all times. The tattooing unit shall be dismantled at the close of the day's operation or oftener if necessary, and the stencils, needles and tubes thoroughly cleaned by the use of a brush, soap and hot water, and an approved disinfectant.

K. All operating instruments when not in use shall be kept in a disinfectant solution approved by the Director of Public Health.

L. All cabinets and tables shall be constructed of easily cleanable material and of light-colored washable finish.

M. All operators while tattooing shall wear clean light-colored washable covering garments.

N. Each operator shall wash his hands with liquid or granulated soap or equivalent as approved by the Director of Public Health and hot water before beginning any tattooing operation. An individual brush shall be used by each operator. After washing hands as required in this subsection the operator shall rinse his hands in a bowl of antiseptic solution approved in writing by the Director of Public Health. The operator's fingernails shall be kept clean and short.

(Ord. 80818 § 2, 1952.)

6.102.060Tattooing procedure regulations.

The following additional regulations shall be complied with:

A. Tattooing shall be done only on normal healthy skin surface. No tattooing shall be done on scar tissue. No tattoo operator shall remove any tattoo marks.

B. Safety razors with individual blades for each patron shall be used for preparation of the areas to be tattooed whenever possible. If a straight-edged razor is used it shall be thoroughly

cleaned and sterilized following use on any patron.

C. Before shaving, the area to be tattooed shall be thoroughly cleaned with tincture of green soap (U.S.P.) or its equivalent as approved by the Director of Public Health. After shaving the area to be tattooed, seventy percent (70%) alcohol (rubbing alcohol) must be applied to the skin.

D. Only carbolated vaseline or its equivalent as approved by the Director of Public Health shall be used on the area to be tattooed.

E. All dyes used shall be mixed with alcohol or a stock solution of phenolized listerine which is made by adding one (1) teaspoon of liquefied phenol (carbolic acid ninety percent (90%) to one (1) pint of listerine. All dyes used shall be manufactured by a reputable dye manufacturing company and used without adulteration of the manufacturer's original formula.

F. Excess dye shall be removed from the skin with an individual sterile gauze, sterile cotton, or sterile napkin. The completed tattoo shall be washed with a piece of sterile gauze or cotton saturated with a solution of tincture of green soap or equivalent as approved by the Director of Public Health and disinfected with seventy percent (70%) alcohol. The tattooed area shall be allowed to dry and carbolated vaseline or its equivalent as approved by the Director of Public Health and sterile gauze applied.

G. Printed or mimeographed instructions approved by the Director of Public Health shall be given to each patron on the care of the skin as a precaution against infection after tattooing.

(Ord. 80818 § 3, 1952.)

6.102.070Recordkeeping.

Permanent records for each patron shall be maintained by the operator of the tattoo shop. Before any tattooing operation starts, the patron shall be required personally to enter on a record form provided for such shop the date, his name, age, serial number if he is a serviceman, and his signature. Such records shall at all times be maintained in the tattoo shop and shall be open at all reasonable times to examination by the Chief of Police and Director of Public Health or the Finance Director. The tattoo operator shall issue a receipt to each patron containing the name and address of the tattoo shop, and the signature of the operator. When the shop is closed by going out of business or by license revocation all such records

shall be turned over to the Director of Public Health.

(Ord. 117169 § 95, 1994; Ord. 105007 § 2, 1975; Ord. 102627 § 2, 1973; Ord. 80818 § 6, 1952.)

6.102.080 Unlawful tattooing of minors.

It shall be unlawful to tattoo any person under the age of eighteen (18) years without the written consent of his parent or guardian, and such written consent shall be kept on file for at least two (2) years in the tattoo shop where the operation is performed. Where there is doubt about such age the operator shall before the operation is performed obtain proof thereof.

(Ord. 80818 § 7, 1952.)

6.102.090 Revocation or suspension of license.

The Finance Director may revoke or suspend for a specified period any license issued under this chapter for violation of any provision thereof; and shall do so upon recommendation of the Director of Public Health for such reason.

(Ord. 117169 § 96, 1994; Ord. 105007 § 1, 1975; Ord. 102627 § 1, 1973; Ord. 80818 § 5, 1952.)

6.102.100 Violation—Penalty.

Violation of or failure to comply with the provisions of this chapter shall subject the offender to a fine of not to exceed 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. 80818 § 10, 1952.)

Subtitle IV New License Code

Chapter 6.202 GENERAL PROVISIONS

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6.202.030 Title.

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6.202.460 Liability insurance.

6.202.470 Penalty for violation.

6.202.480 Endorsement disclaimer.

6.202.490 Disclaimer of City liability.

6.202.500 Prosecution or proceeding under former ordinance not affected.

Severability: The provisions of this subtitle are declared to be separate and severable and the invalidity of any clause, sentence, paragraph, section, subsection, subdivision, or portion, or the application thereof to any person or circumstance shall not affect the validity of the remainder of this subtitle or the validity of its application to other persons or circumstances.

(Ord. 108934 § 1.300, 1980.)

6.202.010 Adopted.

There are adopted the general provisions for the new Seattle License Code as set forth in this chapter.

(Ord. 108934 § 1, 1980.)

6.202.020 Construction.

This chapter is enacted as an exercise of the police power of the City to protect and preserve the public peace, health, safety and welfare; and its provisions shall be liberally construed to accomplish these purposes consistently with the Fair Employment Practices Ordinance (102562), the Open Housing Ordinance (104839), the False Advertising Ordinance (43475), the Unit Pricing Ordinance (100708), the Weights and Measures Ordinance (98820), the Zoning Ordinance (86300), the Street Use Ordinance (90047), and the Criminal Code (102843)¹ of the City.

(Ord. 108934 § 1.000, 1980.)

1.Editor's Note: The Fair Employment Practices Ordinance is codified in Chapter 14.04 of this Code; the Open Housing Ordinance is codified in Chapter 14.08; the False Advertising Ordinance is codified in Chapter 7.08; the Unit Pricing Ordinance is codified in Chapter 7.12; the Weights and Measures Ordinance is codified in Chapter 7.04; The Zoning Ordinance is codified in Title 24; the Street Use Ordinance is codified in Title 15; the Criminal Code is codified in Title 12A.

6.202.030 Title.

This subtitle is the new Seattle License Code, and may be cited as such. It is referred to in this subtitle as "the new license code."

(Ord. 108934 § 1.010, 1980.)

6.202.040 Exercise of power to license for regulation.

The new license code is an exercise of the power of the City to license for regulation to preserve the public peace, health, safety, and welfare of the City.

(Ord. 108934 § 1.012, 1980.)

6.202.050 Applicability.

A. The provisions included in this chapter and numbered from Section 6.202.010 through Section 6.202.500 are generally applicable to the administration and enforcement of all licenses required by the new license code. If provisions in specific licensing regulations are inconsistent with these general provisions, the provisions in the specific licensing regulations shall control.

B. The general provisions for the new license code shall apply only to those provisions of the new license code adopted after the effective date of the ordinance codified in this chapter.¹

(Ord. 108934 § 1.015, 1980.)

1.Editor's Note: Ord. 108934 became effective May 3, 1980.

6.202.060 Definitions.

A. Except as specified otherwise in the new license code, the following definitions apply:

1. "Administrative Code" means the Administrative Code of the City (Ordinance 102228)¹ as now or hereafter amended, or its successor ordinance.

2. "Chief of Police" means the Chief of Police of City of Seattle, or his or her designated representative.

3. "City" means The City of Seattle.

4. "Conviction" means any final judgment of guilty in any court, the imposition of a fine, a plea of guilty or nolo contendere, or a finding or verdict of guilty, regardless whether imposition of sentence is deferred or the penalty is suspended. Any conviction which has been expunged pursuant to the Revised Code of Washington, (RCW) 9.92.066, as now or hereafter amended, or RCW 9.95.240, as now or hereafter amended, is not considered a conviction.

5. "Criminal Code" means the Seattle Criminal Code (Ordinance 102843),² as now or hereafter amended, or its successor ordinance.

6. "Department" means the Executive Services Department of the City.

7. "Director" means the Executive Services Director of the City or his/her designated representative.

8. "Hearing Examiner" means the Hearing Examiner of the City or his/her designated representative.

9. "License" means a valid permit required by the new license code in order to engage in a business or occupational activity in the City.

10. "Owner" means:

a. If a sole proprietorship, the proprietor;

b. If a partnership, a general or limited partner;

c. If a corporation, any person who controls or has the right to control twenty-five percent (25%) or more of the stock, assets, or other equity in the corporation;

d. If a marital community, both spouses;

e. If a joint venture, any person who is a coventurer;

f. If a trust, any trustee and, if organized pursuant to RCW Chapter 23.90, as now or hereafter amended, any person who controls or has the right to control twenty-five percent (25%) or more of the certificates of the trust;

g. If any other entity, however organized, any person who holds a legal or equitable interest in the entity.

11. "Person" means any individual, partnership, corporation, trust, incorporated or unincorporated association, marital community, joint venture, governmental entity, or other entity or group of persons however organized.

B. Unless the context clearly indicates otherwise, the singular includes the plural, and the plural includes the singular.

(Ord. 118397 § 89, 1996; Ord. 117169 § 97, 1994; Ord. 108934 § 1.020, 1980.)

1.Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

2.Editor's Note: The Criminal Code is codified in Title 12A of this Code.

The Director shall administer the new license Code. The Director and the Chief of Police shall enforce the new license code. Other City officials shall assist in enforcement of provisions as specified.

(Ord. 108934 § 1.030, 1980.)

6.202.080 Rules and regulations.

The Director shall, in accordance with provisions of the Administrative Code,¹ prescribe all rules necessary to implement, interpret, administer and enforce the new license code.

(Ord. 108934 § 1.040, 1980.)

1.Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

6.202.090 Computation of time.

In computing any period of days prescribed by the new license code, the day of the act or event from which the designated period of time runs shall not be included. The last day of the period shall be included unless it is Saturday, Sunday, or a City legal holiday, in which event the last day of such period shall be the next succeeding day which is neither a Saturday, Sunday, or City legal holiday.

(Ord. 108934 § 1.050, 1980.)

6.202.100 License—Issuance.

A. The Director shall issue the license upon finding that all the requirements and conditions of the new license code and rules and regulations prescribed under this subtitle have been satisfied, and that the applicant is qualified to hold the license.

6.202.070 Administration and enforcement.

6.202.100

BUSINESS REGULATIONS

Seattle Municipal Code
June, 1998 code update file
Text provided for historic reference only.

**See ordinances creating and amending
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(Seattle 3-97)

**For current SMC, contact
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6-39/6-50

**Seattle Municipal Code
June, 1998 code update file
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