

Title 6
BUSINESS REGULATIONS

This title is intended for those provisions of the Code which relate to the licensing and regulation of certain business operations within the city.

Businesses in the city must also pay a business license tax. For provisions regarding the Business and Occupation Tax and the Utilities Business Tax, see Chapters 5.44 and 5.48 of this Code.

Chapters:

Subtitle I License Code

- 6.02 General Provisions
- 6.04 Auctions and Auctioneers
- 6.06 Bail Bondsmen
- 6.08 Burglar Alarms
- 6.10 Cabarets
- 6.12 Charitable Solicitations
- 6.14 Detectives and Detective Agencies
- 6.16 Dog and Cat Licenses
- 6.18 Dog Kennels
- 6.20 Exhibitors or Trade Shows
- 6.22 For-hire Drivers
- 6.24 For-hire Vehicles
- 6.26 Going Out of Business or Closing-out Sales
- 6.28 Hawkers
- 6.30 Housing Rental Agencies
- 6.32 Junk Shops and Junk Wagons
- 6.34 Locksmiths
- 6.36 Massage Parlors and Bathhouses
- 6.38 Merchant Patrolmen
- 6.40 Mobile Caterers
- 6.42 Panorams and Peepshows
- 6.44 Pawnbrokers
- 6.46 Peddlers and Solicitors
- 6.48 Public Garage or Parking Lot
- 6.50 Secondhand Dealers

REVENUE, FINANCE AND TAXATION

Fund	Ord. No.
Streetcar Fund .....	.107831
Survey and Planning Fund, Wash. R-5 .....	.93291
Survey and Planning Fund, Wash. R-13 .....	.93291
Training Operating Fund .....	.101694
Treasurer's Clearing Fund .....	.103415, 106058
Treasurer's Office Operating Fund .....	.91675
Unemployment Insurance Fund (See § 4.40.020) .....	.104083, 107063
Urban Renewal Operating Fund .....	.91953
Utility Clearing Fund .....	.92358
Voucher Fund .....	.107948
Water Demand Charge Fund .....	.106959
Waterway Operation and Maintenance Fund (See § 16.08.050) .....	.87983, 100171

Seattle Municipal Code
as adopted in 1980
For current SMC, contact
the Office of the City Clerk

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6.52	Side Sewer Contractors
6.54	Steam Engineers and Boiler Firemen
6.56	Taxicabs
6.58	Temporary Merchants
6.60	Tobacco Retailers
6.62	Used Automobile Dealer
6.64	Vehicle Rental Agency
6.66	Vehicle Wreckers
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Severability: Should any section, subsection, paragraph, sentence, clause or phrase of Subtitle I be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of Subtitle I. (Ord. 89418, 1960: Ord. 48022 § 7, 1924.)

Cases: An ordinance providing for the licensing and regulation of pool and billiard halls was not unconstitutional even though it contained no provision for a hearing upon the denial of a license application. *State ex rel. Sayles v. Superior Court*, 120 Wn. 183, 206 P. 966 (1922).

An ordinance imposing a license tax on automatic devices for the sale of goods held unconstitutional for unreasonably discriminating against businesses which sell their goods by automatic device. *Seattle v. Dencker*, 58 Wn. 501, 108 P. 1086 (1910).

A municipal ordinance, regulating the operation of jukeboxes and limiting the number of operator's licenses available, was held to be a valid exercise of the police power. *Ragan v. Seattle*, 58 Wn.2d 779, 364 P.2d 916 (1961).

An ordinance limiting hours during which barbershops could be kept open was not invalid for not requiring beauty parlors to keep the same hours. *McDermott v. City of Seattle*, 4 F. Supp. 855 (1933).

An ordinance providing that a theater license may not be granted to any person who has been convicted of a crime "involving moral turpitude" within five years of the date of application is an impermissible prior restraint and is unconstitutional. *Seattle v. Bittner*, 81 Wn.2d 747, 505 P.2d 126 (1973).

A noncriminal procedure which resulted in prior restraint of allegedly obscene films was held unconstitutional because: (1) it permitted the threat of license revocation to be used in enforcing a censor's administrative determinations, (2) it did not specify a time period in which the censor must make a decision, and (3) it failed to provide for prompt judicial review. *Fine Arts Guild v. Seattle*, 74 Wn.2d 503, 445 P.2d 602 (1968).

A manufacturer residing outside the state who contracted with wholesalers to distribute advertising matter within the city held subject to a Seattle ordinance licensing distributors of advertising matter. *Jell-O Co. v. Landes*, 20 F.2d 120 (1927).

An ordinance providing that the City Council may, at any time, at its discretion, revoke any license issued under the provisions of the ordinance, is unconstitutionally void as authorizing deprivation of property without due process of law and authorizing arbitrary and discriminating action. *Vincent v. Seattle*, 115 Wn. 475, 197 P. 618 (1921).

An ordinance prohibiting dance halls within certain areas, except those which were in lawful operation at the time the ordinance went into effect and except when conducted under the jurisdiction of certain named boards, is not objectionable as discriminatory. *Manos v. Seattle*, 146 Wn. 210, 262 P. 965 (1927).

Chapters:

Subtitle II Further Regulatory Licenses¹

- 6.76 Ambulances
- 6.78 Cabulances
- 6.80 Fumigators and Exterminators
- 6.82 Refrigeration Systems
- 6.84 Tobacco Vending Machines

Statutory Reference: For statutory provisions on the licensing powers of cities of the first class, see RCW 35.22.280 (33).

1. Cross-reference: For provisions on licensing of weighmasters, see Chapter 7.04 of this Code.

Chapters:

Subtitle III Miscellaneous Business Regulations

- 6.96 Business Owner Registration
- 6.98 Hotel Registers
- 6.100 Mechanical Music Machines
- 6.102 Tattooing
- 6.104 Towing Services for Motor Vehicles

Subtitle I License Code

Chapter 6.02

GENERAL PROVISIONS

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- 6.02.020 Power to license for regulation and/or revenue.
- 6.02.030 Definitions.
- 6.02.040 Administration and enforcement.
- 6.02.050 Establishment of rules and regulations.
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- 6.02.070 Enforcement duties of Director and agents—Inspectors.
- 6.02.080 Hearing—Procedure.
- 6.02.090 Filing of findings of hearing.
- 6.02.100 Disclaimer of city liability.
- 6.02.110 Licenses to remain in force.
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- 6.02.310 Use or manufacture of license plates, tags.
- 6.02.320 Licenses not to be issued for fractional part of a day, week, month or year.
- 6.02.330 Refund of license fee.

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.

(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 meaning 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. "Complaint" means any person who files a complaint in writing with the Department of Licenses and Consumer Affairs.

B. "Confidential" means not available for public inspection.

C. "Director" or "Director of Licenses and Consumer Affairs" means the Director of the Department of Licenses and Consumer Affairs 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

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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.

(Ord. 105430 § 1, 1976; Ord. 102636 § 1, 1973; Ord. 48022 § 3, 1924.)

6.02.040 Administration and enforcement.

A. The Director of Licenses and Consumer Affairs shall have general charge of, and supervision over, the administration and enforcement of this subtitle, and he shall in and through the Division of Licenses of the Department of Licenses and Consumer Affairs, exercise all the powers and perform all the duties imposed upon him by this subtitle, and all other ordinances relating to licenses issued for regulatory and/or revenue purposes.

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 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 of Licenses and Consumer Affairs, to enforce this subtitle.

(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 Director of Licenses and Consumer Affairs 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. 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 Director of Licenses and Consumer Affairs and to the Chief of Police any violations of this subtitle coming to their attention.

(Ord. 102636 § 16, 1973; Ord. 65426, 1935; Ord. 53079, 1927; Ord. 48022 § 20, 1924.)

6.02.070 Enforcement duties of Director and agents—Inspections.

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 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 citation 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.)

6.02.080 Hearing—Procedure.

A. In all cases in which a hearing is requested or otherwise required in accordance with the provisions of this subtitle the Director of Licenses and Consumer Affairs 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 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. 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.

6.02.090 Filing of findings of hearing.

Within twenty days after any such hearing or any continuation thereof, the Hearing Exa-

miner shall file with the Director of Licenses and Consumer Affairs, and with the City Comptroller written findings of fact, conclusions and his 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. 104202 § 5, 1975: Ord. 102636 § 18 (part), 1973: Ord. 48022 § 21.2, 1924.)

6.02.100 Disclaimer 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 or self or agents, even if specific regulations require standards of training, conduct, or inspection.

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

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 Director of Licenses and Consumer Affairs, and shall be open to public inspection in the office of the City Clerk during normal business hours. (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

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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 ownership of stock or when a one-hundred-percent stockholder changes corporate form but retains one hundred percent 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 Director of Licenses and Consumer Affairs 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. 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 payment of a license fee equivalent to ten percent of the required annual license fee, payment to be made in the manner provided for the original license, or renewal thereof, with the same right to a refund, and except upon the written consent of the Director of Licenses and Consumer Affairs.

(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 parlor and public bathhouse license;
 4. Panoram location and panoram operator license;
 5. Pawnbroker licenses;
 6. Merchants patrol agency licenses;
- shall be made in the office of the Director on a form prepared by him/her substantially as follows:

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"THE CITY OF SEATTLE

Department of Licenses and
Consumer Affairs

- 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. Has the applicant or anyone owning an interest in the business, or proposed business, ever been convicted of violating any law or ordinance relating to the use, sale or possession of narcotic drugs?
 11. State whether all persons sharing in the profits of the business are citizens of the United States
 12. Give name of each person sharing in the profits of the business who is not a citizen of the United States.
 13. Do the premises upon which the business or proposed business is to be conducted, comply with the requirements of the Building Code and those relating to health and sanitation?
 14. (If a 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 this..... day of..... 19
 Director of Licenses
 and Consumer
 Affairs

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 City Treasurer showing payment of the required 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/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 years of the date of application been convicted of any felony, or any misdemeanor involving moral turpitude or intent to defraud, or has within ten years of the date of application been released from a penal institution or from active supervision on parole as a result of any such conviction, no such license shall be issued; provided, further, however, that the Director may waive not to exceed five 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. 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.

6.02.200 Police 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 Director of Licenses and Consumer Affairs. (Ord. 102636 § 7, 1973: Ord. 90081, 1961: Ord. 48022 § 12-a, 1924.)

6.02.210 Application procedure—Grounds for denial of license.

Application for any city license required by this subtitle, other than those specified in Section 6.02.190, shall be made to the Director on a form prepared by him/her and shall be

accompanied by a receipt from the City Treasurer showing payment of the required fee. If the application is made within six months of the date fixed for expiration, the fee shall be one-half the annual fee. Except as hereinafter otherwise provided, the Director of Licenses and Consumer Affairs upon receipt of proper application and compliance by the applicant with all conditions and requirements of this subtitle 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/she shall deny the license. (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 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 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 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 days into the new license year: ten percent of the annual license fee or Ten Dollars (\$10.00), whichever is greater;

2. If the renewal application is received after thirty days into the new license year: twenty percent 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 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 nor more than sixty 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.)

6.02.280 Denial, revocation or suspension of panoram licenses.

Notwithstanding any other provision of this subtitle, the Director shall not deny any license for, or revoke or suspend any panoram location or panoram operator license unless the Director

finds the existence of conditions or circumstances relating to fire, sanitation, structural or other hazards which adversely affect the safety or health of those attending such licensed premises.

(Ord. 107157 § 8, 1978: Ord. 102971 § 1, 1974: Ord. 48022 § 14-A, 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 Director of Licenses and Consumer Affairs a written complaint setting forth in specific terms the basis therefor. Such complaint may be made by the Director of Licenses and Consumer Affairs, or by any member of the License Division, or by any other person. A copy of such complaint shall be mailed by certified mail to the licensee at his last address as shown by the license records of the Director of Licenses and Consumer Affairs and shall be accompanied by a notice that such license may be suspended or revoked.

B. The licensee shall, within ten days after receiving any such complaint, mail by certified mail to the complainant and file with the Director of Licenses and Consumer Affairs his 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 shall request the same in his answer.

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 of Licenses and Consumer Affairs shall investigate the allegations of such complaint, and if cause exists therefor may suspend or revoke such license, and otherwise he shall dismiss such 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 may dismiss such complaint; and provided further, that such 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 of Licenses and Consumer Affairs.

D. Notice of the action of the Director of Licenses and Consumer Affairs summarizing his 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 days of the mailing of the notice of the Director's action request a hearing on such dismissal.

F. When a hearing has been requested by a licensee in connection with the suspension or revocation of a license, such 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, such license may be summarily suspended and in such case the date for hearing shall be set within five days following such suspension.

(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 or more full days and not for two half days, nor for any fractional part of one day; whenever a weekly fee is prescribed, it shall mean and include a full week and no such license shall be issued for a less period than one 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 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 year; provided, however, that in the event any person fails or neglects to renew his license on or before the date of expiration thereof, or in the event that any person engages in a business, trade, occupation or calling requiring a license as in this 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 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 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 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 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 non-issuance is that a license was not required or

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was issued in error, the entire license fee shall be refundable, not withstanding subsection A;

2. A complaint for the license revocation is filed within fifteen 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 required 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 year.

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

Chapter 6.04

AUCTIONS AND AUCTIONEERS

Sections:

- 6.04.010 Auctioneer's license.
- 6.04.020 Expiration of license.
- 6.04.030 Special auction license.
- 6.04.040 Surety bond.
- 6.04.050 Posting of licenses.
- 6.04.060 Prize packages prohibited.
- 6.04.070 Unlawful to employ cappers.
- 6.04.080 Unlawful to obstruct public places--Noise-making instruments prohibited.
- 6.04.090 Record of transaction.
- 6.04.100 Unlawful to refuse to keep records.
- 6.04.110 Transcript of record to be ready for inspection.

6.04.120 Record book and merchandise subject to inspection.

6.04.130 Unlawful to remove merchandise.

6.04.140 Unlawful to receive property from certain persons.

Statutory Reference: For statutory provisions on auctioneers, see RCW 18.11.010 et seq.

6.04.010 Auctioneer's license.

It is unlawful for any person to sell, or offer for sale, any goods, wares, merchandise, or other personal property, or real property of any kind or nature, at public auction without first procuring a license so to do, to be known as an "auctioneer's license"; provided, that license shall not be required of: (A) any public officer, executor, administrator, guardian, or trustee who shall sell, or offer for sale, at public auction, any property pursuant to legal process, or (B) any person providing free services in the conduct of an auction for or on behalf of any charitable or nonprofit organization or group. The fee for such license shall be the sum of Two Hundred Fifty Dollars (\$250.00) per year and no such license shall be issued in the name of more than one person, nor in the name of any firm, company or corporation.

(Ord. 106512 § 1, 1977: Ord. 88789 § 2, 1959: Ord. 84249, 1955: Ord. 83854, 1955: Ord. 82716, 1954: Ord. 61760, 1931: Ord. 48503, 1925: Ord. 48022 § 28, 1924.)

6.04.020 Expiration of license.

All annual licenses issued under Section 6.04.010 shall expire at midnight on August 31st of each year.

(Ord. 75088 § 7, 1946.)

6.04.030 Special auction license.

It is unlawful to sell or offer for sale at public auction any goods, wares, merchandise or other personal property that has been brought into the city for the purpose of being disposed of at auction, without first procuring in addition to the auctioneer's license described in Section 6.04.010 a "special auction license," the fee for which shall be the sum of Twenty-five Dollars (\$25.00) per day. Before such special auction license shall issue there shall be filed with the Director of Licenses and Consumer Affairs a list of the goods, wares, merchandise or other personal property so brought into the city for the purpose of sale at public

auction, together with a statement of the time and place of such proposed auction sale; such list and statement shall be verified under oath by the person bringing such goods into the city for the purpose of sale at public auction; provided, that no special auction license shall be required, nor shall the provisions of this subtitle relating to such licenses apply to the sale of automobiles and/or trucks at auction when such auction is open only to dealers licensed by the state to sell new and/or secondhand automobiles and/or trucks, as either buyer or seller, and is conducted by an auctioneer licensed under Section 6.04.010, for and on behalf of a person, firm or corporation holding a valid state and city license to sell new and/or used automobiles and/or trucks.

(Ord. 104430 § 1, 1975: Ord. 102636 § 25, 1973: Ord. 81830, 1953: Ord. 48022 § 30, 1924.)

6.04.040 Surety bond.

Any applicant for an auctioneer's license shall at the time his application therefor is filed with the Director of Licenses and Consumer Affairs, execute a surety company bond running to the city in the sum of One Thousand Dollars (\$1,000.00), conditioned that the principal shall conduct the auctions in an orderly manner and abide by all the provisions of this subtitle, and all other laws or ordinances relating to public auctions and the business of auctioneer. (Ord. 102636 § 31, 1973: Ord. 48022 § 31, 1924.)

6.04.050 Posting of licenses.

It is unlawful for any auctioneer to sell or offer for sale any article or thing at auction unless he shall have his auctioneer's license posted in a conspicuous place where such auction sale is being held, and in case a special auction license is also required, then such special auction license must be posted with the auctioneer's license.

(Ord. 104430 § 2, 1975: Ord. 48022 § 32, 1924.)

6.04.060 Prize packages prohibited.

It shall be unlawful for any person at public auction to sell prize packages, or dispose of any article or thing in any form by chance or lot, or to in any way misrepresent the quantity or quality of any property which he may sell, or

offer for sale, at such public auction.
(Ord. 48022 § 33, 1924.)

6.04.070 Unlawful to employ cappers.

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

6.04.080 Unlawful to obstruct public places— Noise-making instruments prohibited.

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

6.04.090 Record of transaction.

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

- A. Date of transaction;
- B. Name of person or employee conducting same;
- C. Name, signature, age, street and house number, general description of dress, complexion, color of hair and facial appearance of person with whom transaction is had;
- D. Name of street and house number of owner of the property bought or received;
- E. Street and house number of place from which the property bought or received was last removed;
- F. Description of the property bought or

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received, which, in the case of watches shall contain the name of maker and number of both case and works, and in case of jewelry shall contain a description of all letters or marks inscribed thereon or therein;

G. Name, street and house number of all persons witnessing the transaction.
(Ord. 48022 § 36, 1924.)

6.04.100 Unlawful to refuse to keep records.

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

6.04.110 Transcript of record to be ready for inspection.

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

6.04.120 Record book and merchandise subject to inspection.

The book or other permanent record required to be kept by auctioneers by this subtitle, shall at all times be open to inspection by the Chief of Police, or his authorized agent, and all property bought or received by any auctioneer shall at all times be subject to inspection by the Chief of Police or his authorized agent.
(Ord. 48022 § 39, 1924.)

6.04.130 Unlawful to remove merchandise.

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

6.04.140 Unlawful to receive property from certain persons.

It shall be unlawful for any auctioneer, his agent or employee, to buy or receive any property from any person under eighteen years of age, or from any intoxicated person, or from any habitual drunkard, or from any person under the influence of, or addicted to, the use of narcotic drugs, or from any person who is known to be a thief or an associate of thieves, or a receiver of stolen property, or from any person whom he has reason to suspect of being dishonest or a criminal.
(Ord. 100478 § 2, 1971; Ord. 48022 § 41, 1924.)

Chapter 6.06

BAIL BONDSMEN

Sections:

- 6.06.010 Definitions.
- 6.06.020 Bail bondsman's license required.
- 6.06.030 Associate bail bondsman's license.
- 6.06.040 License expiration.
- 6.06.050 License applications.
- 6.06.060 Qualifications of licensee.
- 6.06.070 Recordkeeping.
- 6.06.080 Employment of solicitors or runners prohibited.
- 6.06.090 Duties and obligations of bondsmen.

6.06.010 Definitions.

A. "Associate bail bondsman" means any natural person who, in the business of a bail bondsman as owner, employee, servant or agent, offers to or does procure or furnish or execute appearance or appeal property bonds, or surety bonds or post cash bail.

B. "Bail bondsman" includes anyone who, as a business procures or furnishes, or as surety executes, or who represents himself by advertising or solicitation or otherwise as being in the business of procuring, furnishing or executing appearance or appeal property bonds, or surety bonds for persons charged with the violation of any law or ordinance in the municipal court of the city, any justice court, superior court or federal court therein, or who shall post cash bail for any such persons and for which service a fee is charged, demanded or received.

(Ord. 92781 § 1, 1964: Ord. 89048 § 1(part), 1960: Ord. 48022 § 331.3, 1924.)

6.06.020 Bail bondsman's license required.

It shall be unlawful to be or become a bail bondsman in the city without first having obtained a valid and subsisting license so to do to be known as a "bail bondsman's license," the annual fee for which is fixed at Two Hundred Fifty Dollars (\$250.00) per year.

(Ord. 89048 § 1(part), 1960: Ord. 48022 § 331, 1924.)

6.06.030 Associate bail bondsman's license.

A. It is unlawful to be or become an associate bail bondsman without having first obtained a valid and subsisting license so to do to be known as an "associate bail bondsman's license," the annual fee for which is Twenty Dollars (\$20.00).

B. The application for an associate bail bondsman's license by any person other than the person signing an application for a bail bondsman's license shall be accompanied by a written statement from the holder of a bail bondsman's license that the applicant is associated with such business as a partner or employee, as the case may be, and requesting the granting of a license to such applicant.

(Ord. 106063 § 13, 1976: Ord. 89048 § 1(part), 1960: Ord. 48022 § 331.1, 1924.)

6.06.040 License expiration.

The expiration date of a bail bondsman's license or an associate bail bondsman's license shall be midnight of December 31st of each year.

(Ord. 89048 § 1(part), 1960: Ord. 48022 § 331.2, 1924.)

6.06.050 License applications.

A. Applications for such licenses shall be

made to the Director of Licenses and Consumer Affairs on forms approved by him.

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

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

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

E. The Director of Licenses and Consumer Affairs shall notify the Chief of Police of all applications for bail bondsman's and associate bail bondsman's licenses. The Chief of Police shall investigate the qualifications of each applicant as prescribed in Section 6.06.060 and shall report to the Director of Licenses and Consumer Affairs as to whether the applicant is or is not so qualified.

(Ord. 102636 § 109, 1973: Ord. 89048 § 1(part), 1960: Ord. 48022 § 331.4, 1924.)

6.06.060 Qualifications of licensee.

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

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

B. To a firm or partnership whose members would be ineligible for a license as bondsman as individuals under the provisions of this subtitle, or to any corporation whose controlling shareholders or managing officers would be so ineligible.

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

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

D. Over eighteen years of age, is a citizen of the United States and a resident of the state;

E. Of good moral character, financially responsible, and has not been convicted of a felony or a misdemeanor involving moral turpitude, within fifteen years preceding such application.

(Ord. 100478 § 8, 1971: Ord. 89048 § 1(part), 1960: Ord. 48022 § 331.5, 1924.)

6.06.070 Recordkeeping.

Every bondsman shall keep a full, complete and accurate record of all bonds made, fees charged and received, and all property, money, or other thing of value demanded and taken from any person as security for such a bond. A receipt, accurately describing such property, money, or other thing of value taken as security from any person shall be issued by the bondsman to such person. Such records shall be open to inspection at any time by the Director of Licenses and Consumer Affairs or his designated representative.

(Ord. 102636 § 110, 1973: Ord. 89048 § 1(part), 1960: Ord. 48022 § 331.6, 1924.)

6.06.080 Employment of solicitors or runners prohibited.

It shall be unlawful for any bondsman as defined in this chapter to employ or hire or use anyone other than the holder of an associate bail bondsman's license to act or serve as solicitor or runner for the procurement of clients or customers.

(Ord. 89048 § 1(part), 1960: Ord. 48022 § 331.7, 1924.)

6.06.090 Duties and obligations of bondsman.

Each licensee under this chapter:

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

B. Shall not directly or indirectly pay or give or promise to pay or give to any person any compensation to secure or refer, or for securing or referring bond business or clients to or for

said bondsman or any other bondsman;

C. Shall not directly or indirectly influence or promise or in any way attempt to influence any court or any public official or any witness in any case;

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

E. Failure of any bail bondsman to comply with the conditions of any agreement which he as surety shall make in any appearance or surety bond required by a judge of any above-mentioned court, shall be cause for suspension or revocation of the bail bondsman's license. (Ord. 89048 § 1(part), 1960: Ord. 48022 § 331.8, 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 Warranty 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.

As of January 1, 1973, it shall be unlawful for any person to engage in, or to represent himself as being engaged in, the business of selling, leasing, renting, servicing, inspecting, installing, maintaining, or repairing alarms or alarm systems for the purpose of preventing or detecting burglaries or robberies without complying with the provisions of this chapter and without first obtaining a valid and subsisting license so to do to be known as a burglar alarm dealer's license, the fee for which shall be Five Dollars (\$5.00) 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. 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 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 years from the date of issue.

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 § 305.3, 1924.)

6.08.040 Warranty and service contract—Records.

Burglar alarm dealers shall provide an express one-year warranty and service contract on all equipment sold or installed by such burglar alarm dealer and under such contract shall annually inspect and service such equipment. Records of all sales, inspections and service shall be maintained by each burglar alarm dealer for a period of not less than three years and such records shall be open to inspection by any police, license, or consumer protection officer. Nothing in this section shall be deemed to require any person purchasing or having installed on his premises an alarm or alarm system to enter into a service and/or inspection contract with the seller or installer of such alarm or alarm system.

(Ord. 101523 § 1(part), 1972: Ord. 101371 § 1 (part), 1972: Ord. 48022 § 305.4, 1924.)

6.08.050 Instructions 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.)

6.08.060 Revocation or suspension of license.

Failure to comply with any provision of this

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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 6.10

CABARETS

Sections:

- 6.10.010 Definitions.
- 6.10.020 License requirements.
- 6.10.030 Application by corporation.
- 6.10.040 Employees not permitted to take refreshments with guests.
- 6.10.050 Boxes and booths to be open.
- 6.10.060 Minors.
- 6.10.070 Cabarets to be properly illuminated.
- 6.10.080 Lewd or indecent entertainment.

6.10.010 Definitions.

For the purpose of this chapter:

A. "Cabaret" means any room, place, or space open for service to the public where guests, patrons, entertainers or other persons are permitted or engaged to sing, dance, perform, or otherwise engage in musical entertainment, exhibitions, theatrical performances, shows, or similar amusements, or to present moving picture films, and where alcoholic beverages are sold directly or indirectly.

B. "Class 'A' cabaret" means any cabaret in which six or more persons are permitted or engaged to provide entertainment during one calendar day.

C. "Class 'B' cabaret" means any cabaret in which less than six but more than one persons are permitted or engaged to provide entertainment during one calendar day.

D. "Class 'C' cabaret" means any cabaret not a Class A, B, or D cabaret.

E. "Class 'D' cabaret" means any cabaret in which the entertainment is limited solely to the

presentation of moving picture films.

(Ord. 106884 § 1, 1977: Ord. 101763, 1973: Ord. 94330 § 2, 1965: Ord. 88738, 1957: Ord. 48022 § 57, 1924.)

6.10.020 License requirements.

No person shall open, conduct, manage, operate, or maintain a Class "A" cabaret, Class "B" cabaret, or Class "C" cabaret, or Class "D" cabaret without first having obtained a license in accordance with the provisions of this chapter. The annual license fees shall be as follows:

Class "A" cabaret	\$1500.00;
Class "B" cabaret	\$ 750.00;
Class "C" cabaret	\$ 500.00;
Class "D" cabaret	\$ 75.00;

provided, that the annual license fee shall be one-half the applicable fee stated above for any Class "A," "B" or "C" cabaret which at no time during the license year employs or engages any person, or persons for musical entertainment, singing, dancing, exhibitions, theatrical performances, shows, or other similar amusement more than three calendar days per calendar week; and provided further, that notwithstanding any other provision of the license code, a Class "A," "B," "C," or "D" cabaret license may be issued for a continuous period not lasting longer than seventy-two hours and taking place not oftener than four times per calendar year upon proper application to the Director and payment of a license fee of Twenty-five Dollars (\$25.00) for each such license. Cabaret licenses shall expire annually on October 31st, and shall be transferable only upon approval of the Director and payment of a transfer fee of One Hundred Dollars (\$100.00). No cabaret license shall be granted for any location within five hundred feet of any playground or park or grade or high school, or the grounds thereof.

(Ord. 107157 § 12, 1978: Ord. 106181 § 1, 1977: Ord. 102636 § 28, 1973: Ord. 102354, 1973: Ord. 101763, 1973: Ord. 95659, 1967: Ord. 94330 § 3, 1965: Ord. 88604, 1959: Ord. 65801, 1935: Ord. 64567, 1934: Ord. 48022 § 58, 1924.)

6.10.030 Application by corporation.

Each application for a cabaret license or for renewal of the same made by or on behalf of a corporation shall include a list of the names and addresses of all directors, officers and shareholders of such corporation, and if at any time changes of directors, officers or shareholders

shall occur by notice. Licenses comply ground license. (Ord. 1965: C 1924.)

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A. It shall be the duty of the proprietor, or for the admit, about age of the age cabaret or a pe make a or that obtainin therein

shall occur the list shall forthwith be amended by notice in writing filed with the Director of Licenses and Consumer Affairs, and failure to comply with this section shall be an additional ground for suspension or revocation of such license.

(Ord. 102636 § 29, 1973: Ord. 94330 § 4, 1965: Ord. 90880, 1962: Ord. 48022 § 58-A, 1924.)

6.10.040 Employees not permitted to take refreshments with guests.

It shall be unlawful for any person owning, managing, operating or conducting a cabaret to allow or permit any person employed by him in the capacity of an entertainer, servant or otherwise, to approach or accost any guest to have refreshments with such employee, as aforesaid, during the hours of their employment, nor shall any person in the premises of a cabaret approach any person who is an employee of the owner, manager or operator in the capacity of an entertainer, servant or otherwise, during the hours of such employee's employment, for the purpose of inducing any such employee to have refreshments with any guest or patron of such cabaret.

(Ord. 48022 § 59, 1924.)

6.10.050 Boxes and booths to be open.

It shall be unlawful for any person owning, operating or managing a cabaret to have, permit or maintain any boxes or booths closed by any door, screen, curtain or other device, or to have, permit or maintain any box or booth on the premises of any cabaret with entrance thereto on any side other than that side which faces the centerline of the main room.

(Ord. 48022 § 60, 1924.)

6.10.060 Minors.

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

B. It shall be unlawful for the owner, proprietor, or person in charge of any cabaret, to employ as an entertainer in such place any person who is not at least eighteen years of age and of good moral character.

(Ord. 96197 § 1, 1967: Ord. 48022 § 61, 1924.)

6.10.070 Cabarets to be properly illuminated.

After sunset every cabaret licensed under the provisions of this chapter shall be so lighted or illuminated by either gas or electricity or other means, that the intensity of such illumination shall at no time be less than three footcandles at a plane three feet above the floor, at all parts of the cabaret, and it shall be unlawful for any person in charge of a cabaret to admit any patron thereto after sunset until said place is illuminated as provided in this section. Such lighting or illumination shall be maintained thereafter throughout the entire time during which such cabaret shall be open or entertaining patrons and until such cabaret shall be cleared and closed.

(Ord. 48022 § 62, 1924.)

6.10.080 Lewd or indecent entertainment.

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

B. It shall further be unlawful for any cabaret owner, manager or operator to knowingly permit or cause any female entertainer, waitress or other female employee to appear in any cabaret with the breasts exposed to public view.

(Ord. 94348 § 1, 1965: Ord. 48022 § 63, 1924.)

Chapter 6.12

CHARITABLE SOLICITATIONS

Sections:

- 6.12.010 Purpose.**
- 6.12.020 Definitions.**
- 6.12.030 License required.**
- 6.12.040 Exemptions—Generally.**
- 6.12.050 Exemptions—Subsidiary organizations.**
- 6.12.060 License applications.**
- 6.12.070 Investigation of applications.**

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- 6.12.080 Conditions precedent to grant of license.
- 6.12.090 Issuance, denial, suspension, and revocation of licenses.
- 6.12.100 License fees.
- 6.12.110 Financial statements.
- 6.12.120 Books, records and contracts.
- 6.12.130 Identification cards.
- 6.12.140 Endorsement disclaimer.
- 6.12.150 Prohibited solicitation methods.
- 6.12.160 Soliciting for private needs—
Street musicians.

Cases: An ordinance requiring paid solicitors of funds to pay license fees, with a provision that it not apply to the Seattle Community Fund, held unconstitutional as a violation of Article 1, Section 12 of the State Constitution. *Seattle v. Rogers*, 6 Wn.2d 31, 106 P.2d 598 (1940).

Severability: The invalidity of any section, subsection, provision, clause, 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. 105430 § 3, 1976.)

6.12.010 Purpose.

The purpose of the charitable solicitation provisions of the License Code is to protect the general public and public charity in the city by: (A) requiring full public disclosure of facts relating to persons and organizations soliciting funds from the public for charitable purposes, the purposes for which such funds are solicited, and the actual use of such funds; and by (B) prohibiting deceptive and dishonest statements and conduct in the solicitation of funds for or in the name of charity.

(Ord. 105430 § 2(part), 1976; Ord. 48022 § 347.1, 1924.)

6.12.020 Definitions.

The following words and terms as used in this chapter shall have the definitions provided below unless a different meaning clearly appears from the context:

A. "Charitable" means and includes any activity or pursuit which has as its object, or which purports to have as its object, the benefit or improvement of any person economically, educationally, morally, physically, or socially, and for which full and fair consideration, financial or otherwise, is neither requested nor received from the benefiting person.

B. "Charitable organization" means any benevolent, philanthropic, patriotic, civic,

educational, social, recreational or fraternal organization, or any other person having or purporting to have a charitable purpose.

C. "Compensation" means salaries, wages, fees, commissions, bonuses or any other remuneration or valuable consideration.

D. "Contribution" means the donation, promise, or grant, for consideration or otherwise of any money, rights or property of any kind or value which is wholly or in part induced by solicitation. Reference to the dollar amount of a "contribution" or a "solicitation," in the case of a payment or promise to pay for merchandise or rights of any description, shall refer to the value of the total amount paid or promised to be paid for such merchandise, or rights, and not merely that portion of the purchase price to be applied to a charitable purpose.

E. "Cost of solicitation" means and includes all costs, expenditures, debts, obligations, compensation or other money or thing of value paid or incurred in making a solicitation for a direct gift or conducting a sale and benefit affair.

F. "Direct gift" means an outright contribution of food, clothing, money, credit, property, financial assistance or other thing of value to be used for a charitable purpose and for which the donor receives no consideration or thing of value in return.

G. "Membership" means a status or relationship in which for the payment of fees, dues, or assessments, an organization provides services and/or confers other rights or privileges, or professional standing, honor or other direct benefit, in addition to the right to vote, elect officers, or hold office in such organization; provided, that no person shall be deemed to be included within the membership of any organization where such membership is conferred for the making of a contribution pursuant to a solicitation.

H. "Parent organization" means that part of a charitable organization which coordinates, supervises, or exercises control over policy, fundraising, or expenditures or assists or advises one or more chapters, branches or affiliates of such organization operating in the city.

I. "Professional fundraiser" means any person who, for compensation, plans, conducts, or manages any drive or campaign in the city for the purpose of soliciting contributions for or on behalf of any charitable organization or charitable purpose, or who engages in the business of or holds himself or herself out to persons

in the city as independently engaged in the business of soliciting contributions for such purposes or the business of planning, conducting, managing, or carrying on any drive or campaign in the city for such solicitations; provided that the following persons shall not be deemed professional fundraisers or professional solicitors:

1. Any bona fide officer or employee of a charitable organization which maintains a permanent establishment in the state, who is employed or engaged as such officer or employee principally in connection with activities other than soliciting contributions or managing the solicitation of contributions, and whose salary or other compensation is not computed on funds raised or to be raised;

2. Any bona fide officer or employee of any radio station, television station, or newspaper acting within the scope of his or her employment.

J. "Professional solicitor" means any person other than a professional fundraiser and not specifically excluded under paragraph I of this section, who is employed from compensation by any person or charitable organization to solicit contributions for charitable purposes from persons in the city.

K. "Sale and benefit affair" means and includes but is not limited to, an athletic or sports event, a bazaar, benefit, campaign, circus, contest, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale, social gathering, theater, or variety show which the public is requested to patronize or attend or to which the public is requested to make a contribution for any charitable purpose connected therewith.

L. "Solicitation" means any oral or written request, either direct or indirect, for a contribution, including any offer or attempt to sell property, rights, services, or other thing, in connection with which:

1. An appeal is made for a charitable purpose; or

2. The name of any charitable organization is used as an inducement for consummating the sale; or

3. Any statement is made which implies that the whole or any part of the proceeds from the sale will be applied toward any charitable purpose or donated to any charitable organization.

A solicitation shall be deemed completed when

made, whether or not the person making it receives any contribution or makes any sale.

M. "Street musician" means anyone who engages in the playing of any musical instrument, or singing, or vocalizing with or without musical accompaniment in or upon any public street or public place within the city.

N. "Subsidiary organization" means any chapter, branch or affiliate of a charitable organization.

(Ord. 105430 § 2(part), 1976: Ord. 48022 § 347.2, 1924.)

6.12.030 License required.

It is unlawful for any person to solicit contributions within the city on behalf of any charitable organization or for any charitable purpose without having a charitable solicitation license issued in accordance with this chapter.

(Ord. 105430 § 2(part), 1976: Ord. 48022 § 348.1, 1924.)

6.12.040 Exemptions—Generally.

The provisions of this chapter shall not apply to:

A. Solicitations for any religious purpose;

B. Solicitations by an organization when the solicitation of contributions is confined to the membership of the organization, and when the solicitation is managed and conducted solely by officers and members of the organization who are not paid for such services;

C. Solicitations by persons requesting any contribution for the relief of named individuals other than the solicitor:

1. When the solicitation is managed and conducted solely by persons who are not paid for such services; and

2. When the contributions collected do not exceed Five Thousand Dollars (\$5,000.00) in any twelve-month period, and

3. When all of the contributions collected, without any deductions except for the actual cost of a banquet, dance, or similar social gathering, are delivered to the named beneficiary or beneficiaries;

D. Solicitations by government subdivisions which solicit funds for governmental purposes and which funds are subject to control, examination, or review by governmental agents or agencies;

E. Solicitations by any charitable organization which:

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1. Does not contract with professional fundraisers or professional solicitors, and

2. Does not solicit door-to-door, or in any public street, or any place of business open to the public or any public park, provided that for the purpose of this subparagraph², written announcements of sales, benefits, or other activities which have a charitable purpose, are not solicitations, and

3. Solicits and collects contributions in an amount less than Five Thousand Dollars (\$5,000.00) in any twelve-month period;

F. The conduct of any bingo game, raffle, amusement game, or other gambling activity regulated and licensed by the Washington State Gambling Commission pursuant to RCW Chapter 9.46 as now or hereafter amended;

G. Solicitations by radio stations, television stations or newspapers.

(Ord. 105430 § 2(part), 1976: Ord. 48022 § 348.2, 1924.)

6.12.050 Exemptions—Subsidiary organizations.

No subsidiary organization shall be required to obtain a separate charitable solicitation license if the parent organization files an application for and is issued a charitable solicitation license.

(Ord. 105430 § 2(part), 1976: Ord. 48022 § 348.3, 1924.)

6.12.060 License applications.

A. Long Form. Any charitable organization which solicits and collects in excess of Five Thousand Dollars (\$5,000.00) in any twelve-month period, or which employs professional fundraisers or professional solicitors, shall make application for a charitable solicitation license to the Director upon a form provided by the Director. The application shall be executed under oath by an officer of the charitable organization, and shall contain, but not be limited to, the following information, or in lieu thereof, a detailed statement of the reason or reasons why such information cannot be furnished:

1. The name of the charitable organization and the name under which it intends to solicit contributions;

2. The addresses of all offices maintained by the charitable organization within the city or if none, the local address and name of the person executing the application;

3. The names and addresses of all of the organization's chapters, branches, and affiliates within the city;

4. The names, addresses, and dates of birth of the organization's directors, trustees, officers and key personnel. "Key personnel" means:

a. Officers, employees or other personnel who are directly in charge of the fundraising activities of a charitable organization,

b. Officers or individuals maintaining custody of a charitable organization's financial records,

c. Officers or individuals who will have custody of contributions to a charitable organization;

5. The location of the organization's financial records relating to the solicitation conducted within the city;

6. A general statement of the methods by which solicitations will be made, including a statement as to whether solicitations will be conducted by voluntary unpaid solicitors, by paid solicitors, or both, and a brief narrative description of the promotional plan, and the location of any telephone solicitation facilities;

7. The names, addresses, and dates of birth of any professional fundraisers and professional solicitors who are acting or who have agreed to act on behalf of the charitable organization, together with a statement setting forth the terms of the arrangements for compensation of the professional fundraisers and professional solicitors;

8. The general purpose for which the charitable organization is organized;

9. Where and when the organization was legally established, the form of its organization, and its federal tax exempt status;

10. The purposes for which the contributions to be solicited will be used, the total amount of funds proposed to be raised, and the use to be made of any receipts therefrom;

11. The period of time during which the solicitation will be made;

12. Unless previously filed with the Director, a financial statement of any funds collected for charitable purposes by the applicant during the preceding fiscal year, which statement shall give the amount of money raised together with the cost of solicitation and final distribution of the balance; and

13. Such other information as may be reasonably required by the Director in the

public interest or for the protection of contributors. If, while such application is pending or prior to the conclusion of the charitable solicitation within the city, there is any change in fact, policy, or method which would alter the information given in the application, the applicant shall notify the Director in writing thereof within five days of such change excluding Saturdays, Sundays and legal holidays.

B. Short Form. Any charitable organization which solicits and collects Five Thousand Dollars (\$5,000.00) or less within any twelve-month period, and which does not employ professional fundraisers or professional solicitors may, in lieu of the form of application provided for in subsection A, make application for a charitable solicitation license by filing with the Director a short form application upon a form to be provided by the Director.

If, while such application is pending or prior to the conclusion of the charitable solicitation within the city, there is any change in fact, policy, or method which would alter the information given in the application, the applicant shall notify the Director in writing thereof within five days of such change excluding Saturdays, Sundays and legal holidays.

It is unlawful for a charitable organization which executes a "short form application" to solicit and collect in excess of Five Thousand Dollars (\$5,000.00) during the period for which the charitable solicitation license is issued or during its fiscal year or to employ any professional fundraiser or solicitor during said period.

C. State Registration in Lieu of City Application. Any charitable organization, which is currently registered as a charitable organization with the state under the provisions of RCW Chapter 19.09, as now or hereafter amended, may, in lieu of filing the completed application required by subsections A or B, make application for a charitable solicitation license by filing with the Director duplicate copies of all information, registration and financial statements, amendments, correspondence, instruments, documents, and papers filed with the Charities Section of the Division of Professional Licenses of the state in connection with such registration.

D. Renewal of Licenses. Any applicant previously granted a charitable solicitation license pursuant to this subtitle may in an application for a new charitable solicitation license incorporate by specific reference information which was submitted in the previous year's application

and which remains accurate.

(Ord. 105430 § 2(part), 1976: Ord. 48022 § 349, 1924.)

6.12.070 Investigation of applications.

The Director shall examine all charitable solicitation license applications filed under Section 6.12.060 and shall make, or cause to be made, such further investigation of the application and applicant as the Director shall deem necessary. Upon request by the Director, the applicant shall make available for inspection by the Director all the applicant's books, records, and papers at any reasonable time before the license is granted, during the time the license is in effect, and within three years after a license has expired.

(Ord. 105430 § 2(part), 1976: Ord. 48022 § 350.1, 1924.)

6.12.080 Conditions precedent to grant of license.

A charitable solicitation license shall be granted by the Director and issued in accordance with the provisions of this chapter if and only if the Director finds that the following facts exist:

A. That the application is complete, and that all of the statements made in the application are true;

B. That the charitable organization is not connected in any way, either directly or indirectly, with a professional fundraiser or a professional solicitor who has within the past ten years:

1. Been convicted of a crime involving solicitations for or on behalf of any charitable organization or charitable purpose, or

2. Been convicted of any crime involving misrepresentation, deceit, or fraud, or

3. Been found in any civil or administrative proceedings to have committed any act of misrepresentation, deceit, or fraud;

C. That neither the charitable organization nor any of its officers, trustees, directors, or principals have within the past ten years:

1. Been convicted of any crime involving solicitations for or on behalf of a charitable organization or charitable purpose, or

2. Been convicted of any crime involving misrepresentation, deceit, or fraud, or

3. Been found in any civil or administrative proceeding to have committed any act of misrepresentation, deceit, or fraud;

D. That the total cost of the solicitation for

direct gifts will not exceed twenty percent of the gross amount to be raised, or for sale and benefit affairs will not exceed fifty-five percent of the gross amount to be raised, and in any case not more than twenty percent of the gross amount to be raised shall be paid for the compensation of professional solicitors and professional fundraisers; provided, that if the total cost of the solicitation will exceed twenty percent in the case of solicitation for direct gifts, or fifty-five percent in the case of sale and benefit affairs, the Director may grant a charitable solicitation license upon a showing that:

1. Not more than twenty percent of the gross amount to be raised will be paid for compensation of professional solicitors and professional fundraisers, and

2. A method of solicitation will be used that affords full and fair disclosure to each person solicited, at the time of solicitation, of the portion of each contribution which will be given to a charitable organization or purpose;

And provided further that no such method of affording disclosure shall be used except upon the prior written approval of the Director and it shall be unlawful for a charitable organization after receiving such written approval to fail to adhere to the method of disclosure approved by the Director;

E. That the solicitation material and the general promotional plan are neither false, misleading, or deceptive, that they afford full and fair disclosure, and that they comply with any rules and regulations for charitable solicitation established by the Director pursuant to this chapter;

F. That the method or methods for solicitation outlined in the application do not include any of the following methods of solicitation:

1. Charitable solicitation by children under fourteen years of age where the children will be paid for such solicitation or retain a portion of the solicited funds. This prohibition shall not apply where both of the following exist:

a. The children are members of the organization for whose benefit the solicitation is made, and

b. All funds so solicited less permissible costs, will be expended locally and solely for the direct benefit of children in the organization,

2. Delivery by mail or otherwise of any unordered merchandise,

3. Solicitation by means of coin or

currency boxes or receptacles except:

a. When each box or receptacle is the responsibility of a person located within the state who is a bona fide member, agent, or solicitor of the soliciting organization, and

b. When the responsible person is required to pick up each box or receptacle at the end of the solicitation period, and

c. When the use of the boxes and receptacles in the solicitation is expressly authorized by the Director, and

d. When approval is obtained from the owner or occupant of the premises before any such box or receptacle is mailed or delivered to such premises for placement or display. A charitable solicitation license shall be valid only for the solicitations for which application is made and for the certain time period stated on its face which shall not extend past the solicitation date(s) given in the application, and which shall in no case exceed one year.

(Ord. 105430 § 2(part), 1976: Ord. 48022 § 350.2, 1924.)

6.12.090 Issuance, denial, suspension and revocation of licenses.

Except as otherwise specifically provided for in this chapter, the issuance, denial, suspension and revocation of charitable solicitation licenses and any hearings in connection therewith shall be governed by the general provisions of this subtitle.

(Ord. 105430 § 2(part), 1976: Ord. 48022 § 351, 1924.)

6.12.100 License fees.

A. There shall be paid to the city for a charitable solicitation license the fees set forth below:

1. For charitable organizations which solicit and collect Five Thousand Dollars (\$5,000.00) or less during their fiscal year, and which pay no compensation to professional fundraisers or professional solicitors . . . \$10.00

2. For all other charitable organizations . . . \$60.00

B. The fees in subsection A shall be paid regardless of the date of expiration of a license. (Ord. 105430 § 2(part), 1976: Ord. 48022 § 352, 1924.)

6.12.110 Financial statements.

A. Within one hundred twenty days following the close of its fiscal year, every charitable

organization which has been issued a charitable solicitation license by the city and which has solicited and collected in excess of Five Thousand Dollars (\$5,000.00) during its fiscal year, or which has paid any compensation to professional fundraisers or professional solicitors for their services in fundraising functions, shall file with the Director a financial statement upon such form or forms as may be prescribed by the Director and containing, but not limited to, the following information:

1. The gross amount of the contributions collected including written pledges;
2. The amount of the contributions distributed or to be distributed for charitable purposes with such details as to the manner of distribution as may be required by the Director;
3. The aggregate amount paid or to be paid for the cost of solicitation;
4. The amounts paid and to be paid to professional fundraisers and professional solicitors;
5. Copies of any annual or periodic reports produced by the charitable organization of its activities during or for the same fiscal period.

Whenever a charitable solicitation license has been issued to a parent organization by the city the parent shall include within its financial statement the above financial information concerning each of its subsidiary organizations operating within the city; provided that a parent organization need not include in its financial statement information concerning any subsidiary which does not solicit and collect more than Five Thousand Dollars (\$5,000.00) during its fiscal year and does not pay compensation to any professional fundraiser or professional solicitor.

B. In addition to the financial statement required by subsection A the Director may require that any charitable organization file within thirty days after the close of any period of solicitation a special report upon such form as may be prescribed by the Director and containing for the period of solicitation the information required by subsection A.

C. In lieu of filing the financial statements required by subsections A and B any charitable organization may file a financial statement relating to its Washington State or national solicitation campaign for the same period if the statement includes the same information relating to the state or national campaign for the period as that required by subsections A or B as the case may be.

D. All financial statements and reports required pursuant to subsections A, B and C shall be certified as correct by two officers authorized to sign official correspondence or documents on behalf of the charitable organization, or in the case of an individual, by such individual.

E. Failure to comply with any of the provisions of this section shall be sufficient cause to deny a subsequent charitable solicitation license. (Ord. 105430 § 2(part), 1976: Ord. 48022 § 353, 1924.)

6.12.120 Books, records and contracts.

Every charitable organization to which a charitable solicitation license has been issued shall maintain at its usual business location accurate and current books and records documenting all contributions and disbursements, and true and correct copies of all contracts between such charitable organizations and professional fundraisers, which contracts shall be in writing. Such contracts, books and records shall be retained for at least three years following the period to which they relate, and shall be available for inspection by the Director at all reasonable times.

(Ord. 105430 § 2(part), 1976: Ord. 48022 § 354, 1924.)

6.12.130 Identification cards.

A. All charitable organizations to whom charitable solicitation licenses have been issued shall furnish to each of their agents, solicitors, and fundraisers and to each of the agents, solicitors, and fundraisers of any subsidiary, identification cards approved as to form by the Director. Such identification cards shall include the name of the charitable organization, the license number of the charitable organization, date of expiration of the license, the name of the solicitor, the signature of the solicitor, the signature of an appropriate official of the organization, a statement that the organization is licensed by the city and a statement which reads: "Issuance of this card does not constitute endorsement by The City of Seattle."

B. Identification cards may be obtained upon request from the Director. The first ten cards shall be issued without charge; additional cards may be obtained upon payment of ten cents per card.

C. The Director may authorize charitable organizations which are currently registered

with the state pursuant to RCW Chapter 19.09 as now or hereafter amended or whose parent organizations are currently registered with the state and have filed current registration statements on their behalf pursuant to RCW 19.09-.090 as now or hereafter amended to use identification cards approved by the state provided that the city's solicitation license number and the expiration date of the city's license are included on such cards.

D. It is unlawful for an individual soliciting contributions for any charitable purpose to fail to have in his or her possession the identification cards required in this section to refuse to display such identification card upon the demand of any police officer of the city, any person solicited, or the Director.

E. A list of all agents, solicitors, professional fundraisers, and professional solicitors to whom identification cards have been provided shall be maintained by the licensee and shall be available for inspection by the Director and any police officer of the city.
(Ord. 105430 § 2(part), 1976: Ord. 48022 § 355, 1924.)

6.12.140 Endorsement disclaimer.

Issuance of a charitable solicitation license does not constitute endorsement or approval by the city of any charitable organization. It is unlawful for any person or charitable organization to claim, or imply, directly or indirectly, any such endorsement or approval by reason of having obtained a charitable solicitation license from the city.
(Ord. 105430 § 2(part), 1976: Ord. 48022 § 356, 1924.)

6.12.150 Prohibited solicitation methods.

A. Use of False, Misleading or Deceptive Advertisements. The Director shall have the power to order a charitable organization to cease and desist from using an advertisement that contains false, misleading or deceptive statements.

Whenever the Director determines that a charitable organization is using an advertisement that contains false, misleading or deceptive statements the Director shall issue a cease and desist order with respect to the advertisement and send a copy of the cease and desist order to the charitable organization by certified mail. The cease and desist order shall specify in detail the statements subject to the order and shall

include notice of the hearing rights granted below.

Within ten days of the mailing of a cease and desist order to a charitable organization, the organization may file with the Director a written request for a hearing or a written statement confirming that the organization will comply with the terms of the cease and desist order, in which case the organization shall inform all of its employees, agents, fundraisers and solicitors of the terms of the cease and desist order and of the organization's intention to comply. Every cease and desist order shall take permanent effect ten days after the mailing of the order unless a hearing is requested; provided, that a cease and desist order may be issued summarily in which case it shall take effect forty-eight hours excluding Saturdays, Sundays and legal holidays after the mailing of the order.

Upon the filing of a request for a hearing, the Department shall forthwith deliver a copy of the request to the Hearing Examiner who shall give notice and conduct such hearing in accordance with the procedures established in the License Code for the revocation and suspension of licenses to the extent the provisions are not inconsistent with the provisions of this section. The Hearing Examiner, based upon findings as to whether the advertisement contains statements that are false, misleading or deceptive, shall either withdraw, modify or sustain the cease and desist order. A cease and desist order which is modified or sustained by the Hearing Examiner shall take permanent force and effect from the time that the decision of the Hearing Examiner is rendered. All hearings on cease and desist orders which take effect forty-eight hours after issuance of the order shall be held within five days of a timely request for a hearing, unless a later date is agreed to by the organization, and the decision in such hearings shall be rendered within three days of the date of the hearing.

It shall be unlawful for a charitable organization which has been notified of the issuance of a cease and desist order to publish and distribute an advertisement containing statements subject to the provisions of such an order during the period that such a cease and desist order is in effect.

B. Fraudulent Misrepresentation and Misstatements Prohibited. It is unlawful for any person to directly or indirectly solicit contributions for any charitable purpose by misrepresentation of his or her name, occupation, financial

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condition, social condition or residence, and no person shall make or perpetrate any other misstatement, misrepresentation, deception, or fraud in connection with any solicitation for any charitable purpose in the city or in any application, statement or report filed in connection therewith.

C. Use of a Person's Name in Solicitations. It is unlawful for any person to use the name of any other person for the purpose of soliciting contributions for a charitable purpose from persons within the city without the written consent of such other person; provided, that such consent may be deemed to have been given by anyone who is a director, trustee, other officer, employee, agent, professional fundraiser, or professional solicitor of a person to whom a charitable solicitation license has been issued.

A person shall be deemed to have used the name of another person for the purpose of soliciting contributions if: (A) the latter person's name is listed on any stationery, advertisement, brochure, or correspondence of the charitable organization or person; or (B) the name is used in solicitation of contributions or in any attempt to gain sponsorship or endorsement of a charitable organization or its activities.

D. Use of a Similar Name, Symbol or Statement. The Director shall have the power to order a charitable organization to cease and desist from using any name, symbol or statement so closely related or similar to that known to be used by another charitable organization or governmental agency that the use thereof could confuse or mislead the public.

Whenever the Director determines that a charitable organization is using such a name, symbol or statement the Director shall issue a cease and desist order with respect to the name, symbol or statement and send a copy of the cease and desist order to the charitable organization by certified mail. The cease and desist order shall specify any name, symbol or statement subject to the order and shall include notice of the hearing rights granted below.

Within ten days of the mailing of the cease and desist order to a charitable organization, the organization may file with the Director a written request for a hearing or a written statement confirming that the organization will comply with the terms of the cease and desist order in which case such organization shall inform all of its employees, agents, fundraisers and solicitors of the terms of the cease and desist order and of

the organization's intention to comply. Every cease and desist order shall take permanent effect ten days after the mailing of the order unless a hearing is requested; provided, that a cease and desist order may be issued summarily in which case it shall take effect forty-eight hours excluding Saturdays, Sundays and legal holidays after the mailing of the order.

Upon the filing of a request for a hearing, the Department shall forthwith deliver a copy of such request to the Hearing Examiner who shall give notice and conduct such hearing in accordance with the procedures established in the License Code for the revocation and suspension of licenses to the extent the provisions are not inconsistent with the provisions of this section. The Hearing Examiner, based upon findings as to whether the name, symbol or statement are so closely related or similar to that known to be used by another charitable organization or government agency that the use thereof would confuse or mislead the public shall either withdraw, sustain, or modify a cease and desist order. A cease and desist order which is modified or sustained by the Hearing Examiner shall take permanent force and effect from the time that the decision of the hearing officer is rendered. All hearings on cease and desist orders which take effect forty-eight hours after issuance of the order shall be held within five days of a timely request for a hearing, unless a later date is agreed to by the organization, and the decision in such hearings shall be rendered within three days of the date of the hearing.

It is unlawful for a charitable organization which has been notified of the issuance of a cease and desist order to use a name, symbol or statement subject to the provisions of such an order during the period that such a cease and desist order is in effect.

(Ord. 105430 § 2(part), 1976: Ord. 48022 § 357, 1924.)

6.12.160 Soliciting for private needs—Street musicians.

A. It is unlawful for anyone to solicit contributions for himself or herself in or upon any public street or public place in the city; provided that street musicians may, subject to subsection B, passively accept donations in a receptacle provided for that purpose; and provided further that this section shall not apply to any activity conducted in accordance with a permit issued by the Market Master pursuant to

BUSINESS REGULATIONS

the provisions of Ordinance No. 102826,¹ as now or hereafter amended, or any other written permit issued therefor pursuant to ordinance.

B. It is unlawful for any street musician accepting donations as provided in subsection A to:

1. Actively beg or solicit donations by word of mouth, gestures, signs or other devices, animals, or second parties;

2. Take part in any musical performance involving more than two performers;

3. Engage in such activity before ten a.m. or after ten p.m. of any day;

4. Use any device for the reproduction or amplification of any sound.

(Ord. 105430 § 2(part), 1976; Ord. 48022 § 358.1, 1924.)

1. Editor's Note: Ord. 102826 is codified in Chapter 17.32 of this Code.

Chapter 6.14

DETECTIVES AND DETECTIVE AGENCIES

Sections:

- 6.14.010 Definitions.
- 6.14.020 License required—Certain persons prohibited.
- 6.14.030 Detective agency license—Fee.
- 6.14.040 Private detective license—Fee.
- 6.14.050 Expiration of licenses.
- 6.14.060 Private detective license—Application.
- 6.14.070 Employees not to divulge information.
- 6.14.080 Unlawful acts.
- 6.14.090 Surety bond.
- 6.14.100 Private guard license—Fee.

6.14.010 Definitions.

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 member or representative thereof, or with any person or persons seeking employment in the place of any person or persons who have quit work by reason of any strike;

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, indemnity 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 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 years of the date of application for such license has been convicted of any felony, or any misdemeanor involving moral turpitude or intent to defraud, or has within ten years of the date of application been released from a penal institution or from active supervision on parole as a result of any such conviction; provided, further, however, that the Director of Licenses and Consumer Affairs may waive not to exceed five years of such period upon satisfactory showing by the applicant of rehabilitation.

(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 Two Hundred Fifty Dollars (\$250.00) and may thereafter be renewed annually for a fee of One Hundred Dollars (\$100.00). 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. 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 Twenty Dollars (\$20.00) per year; provided, that a private detective license shall, without the payment of any fee therefor be issued to an individual, to one member of a partner-

ship, or firm, or to one 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 officer of a corporation holding, or is employed by the holder of, such detective agency license.

(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. Each application for a private detective license shall be accompanied by a recent photograph of the applicant (full face view) one-inch by one-inch in size. The 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 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 the license shall be denied. Each such license shall bear the photograph and right thumbprint of the licenseholder.

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 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 days.

C. Private detective licenses may be revoked as prescribed by Section 6.02.270 of this subtitle.

(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 persons 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 Director of Licenses and Consumer Affairs for filing with the City Comptroller, 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 subtitle, insofar as they relate to the business of detective or detective agency.

(Ord. 102636 § 38, 1973: Ord. 40822 § 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 Fifteen Dollars (\$15.00) 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 Director of Licenses and Consumer Affairs on a similar form and shall follow the same procedure as is provided in Section 6.14.060 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. 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 6.16

DOG AND CAT LICENSES

Sections:

- 6.16.010 License requirements and fees.
- 6.16.020 Exemptions from license fees.
- 6.16.030 Unlawful to refuse to show tags.
- 6.16.040 Replacement of lost tags.
- 6.16.050 Reduced fees for senior citizens and handicapped persons.
- 6.16.060 Charitable and nonprofit organizations as agents.
- 6.16.070 Exemptions for police dogs.

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6.16.010 License requirements and fees.

A. It is unlawful to have possession or custody of or to harbor or give shelter or refuge to any dog or cat without a valid "dog license" or "cat license" as the case may be, and without having conspicuously displayed on a strap or other device placed on such animal an authorized identification tag; provided, that the provisions of this section shall not apply to possession or custody of any dog or cat less than four months of age when proof of age can be and on request is submitted to a licensing or police officer; provided further, that the provisions of this section shall not apply to the temporary possession or custody of any dog or cat borrowed from the City Animal Shelter for the purpose of grooming such animal, to facilitate the chance of its adoption from the Animal Shelter.

B. Dog or cat licenses shall be issued in the name of the person having possession or custody of or harboring or sheltering or giving refuge to the animal and be serially numbered. The Director shall issue with each such license an identification tag inscribed with the word "Seattle," the license number and the year for which issued. Such licenses or identification tags shall not be transferred or used by anyone other than the person to whom issued.

C. Dog or cat licenses shall expire at midnight on March 31st. Except as herein otherwise provided, the fee for any such license hereafter issued, whether issued for the entire year or any portion thereof shall be as follows:

1. Annual Fee.

a. For each dog, Ten Dollars (\$10.00); provided, that when proof is submitted that such dog has been neutered or spayed, the fee shall be Five Dollars (\$5.00);

b. For each cat, Six Dollars (\$6.00); provided, that when proof is submitted that such cat has been neutered or spayed, the fee shall be Three Dollars (\$3.00).

2. Penalty for Late Application. If the application for such license is made and the fee therefor paid after April 30th and:

a. More than thirty days from the date of acquisition of such animal; or

b. More than thirty days after such animal has attained the age of four months; or

c. More than thirty days after the applicant's having established residence in the city, the fee shall be as follows:

For each dog:

Male or female \$15.00
Neutered male or spayed female . . \$10.00

For each cat:

Male or female \$11.00
Neutered male or spayed female . . \$8.00

3. Half-year License. If the application for such license is made and the fee therefor paid after September 30th and:

a. Within thirty days from the date of acquisition of such animal; or

b. Within thirty days after such animal has attained the age of four months; or

c. Within thirty days after the applicant's having established residence in the city, the fee shall be as follows:

For each dog:

Male or female \$5.00
Neutered male or spayed female . . \$2.50

For each cat:

Male or female \$3.00
Neutered male or spayed female . . \$1.50

4. Animals Licensed in Other Jurisdiction. If the application for such license is made and the fee paid within thirty days after the applicant's having established residence in the city, the fee shall be One Dollar (\$1.00) for each dog or cat for which a currently valid license has been issued by a jurisdiction other than The City of Seattle.

D. Any applicant claiming to come within any thirty-day period provided for in paragraphs 2, 3, and 4 of subsection C shall make such claim by affidavit in such form as shall be prescribed by the Director.

(Ord. 107946 § 1, 1979; Ord. 107157 § 14, 1978; Ord. 105361 § 1, 1976; Ord. 104048 § 1, 1974; Ord. 102636 § 41, 1973; Ord. 48022 § 95, 1924.)

6.16.020 Exemptions from license fees.

No license fee shall be required for any guide dog, dog honorably discharged from the Armed Forces, or dog or cat possessed by or in custody of a member of the diplomatic or consular corps of a country having a treaty with the United States granting immunity from local law. Applications for free licenses for such dogs or cats may be made to the Director and such evidence presented as he may require to establish eligibility and if the Director is satisfied thereof he shall issue the license for any such dog or cat free of charge and shall furnish with such license a metal tag of suitable design which, in

the case of a guide dog, shall bear the inscription "GUIDE DOG— License No. (number to be inserted) SEATTLE"; and in the case of a dog honorably discharged from the Armed Forces the metal tag shall bear an inscription substantially as follows: "DISCHARGED FROM THE ARMED FORCES— License No. (number to be inserted) SEATTLE"; and in the case of a dog or cat possessed by or in custody of the diplomatic or consular corps member shall bear the inscription "CONSULAR CORPS—License No. (number to be inserted) SEATTLE." The number on the license tag shall correspond with the number on the license and shall be attached to a strap or band which the owner or keeper shall provide and place on the animal so licensed, and the license shall continue valid from year to year without renewal. Such dogs and cats shall, however, be subject to all other ordinances regulating the keeping of dogs and cats. (Ord. 107157 § 15, 1978: Ord. 104048 § 2, 1974: Ord. 102636 § 42, 1973: Ord. 78242 § 1, 1949: Ord. 73583, 1945: Ord. 48022 § 95-A, 1924.)

6.16.030 Unlawful to refuse to show tags.

It shall be unlawful for anyone to refuse to show or exhibit at any reasonable time to any license inspector, police officer, or health official, any dog or cat in his possession or custody or any license or identification tag issued therefor. (Ord. 88650, 1959: Ord. 48022 § 95-B, 1924.)

6.16.040 Replacement of lost tags.

Lost dog or cat identification tags may be replaced by a substitute identification tag upon payment of One Dollar (\$1.00) to the City Treasurer. (Ord. 105361 § 2, 1976: Ord. 101402, 1972: Ord. 88650, 1959: Ord. 48022 § 95-C, 1924.)

6.16.050 Reduced fees for senior citizens and handicapped persons.

Any person having possession or custody of, or harboring or giving shelter or refuge to any dog or cat, and who presents with his application for a dog or cat license a senior citizen's identification card or a handicapped person's identification card issued to such person by the Department of Human Resources of the city shall be entitled to a special dog or cat license

as the case may be, for such animal, the fee for which shall be in an amount equal to fifty percent of the fee otherwise required.

(Ord. 103276 § 1, 1974: Ord. 102752 § 1, 1973: Ord. 48022 § 95-E, 1924.)

6.16.060 Charitable and nonprofit organizations as agents.

A. The Director is authorized to appoint charitable and nonprofit organizations as agents for the acceptance of applications, collection of fees, issuance of licenses, and delivery of identification tags for dog and cat licenses. Application for such appointment shall be made on forms prescribed by the Director and shall state the name, address and telephone number of such organization, the purpose for which it was organized, the name of the individual who will be responsible for the activities of such organization as agent, and the terms and conditions upon which such appointment is to be made, including provisions for collection of a service charge not exceeding Fifty Cents (\$.50) for each license issued by such agent, the payment of all license fees collected to the city, and the safekeeping of funds and identification tags in the possession of such agent.

B. Each applicant for appointment as such agent shall furnish to the Director for filing with the City Comptroller a surety bond in the penal sum of One Thousand Dollars (\$1,000.00), naming the city as obligee and conditioned to save harmless and indemnify the city from any loss or damage by reason of any failure to comply with any of the terms and conditions of such appointment. (Ord. 107157 § 16, 1978: Ord. 102792 § 1, 1973: Ord. 48022 § 95-F, 1924.)

6.16.070 Exemptions for police dogs.

The provisions of this chapter shall not be applicable to the possession or custody by the Police Department of dogs on active duty with the Department and which wear an authorized identification tag bearing the inscription "Seattle Police Department K-9 Corps." (Ord. 104388 § 1, 1975: Ord. 48022 § 95(g), 1924.)

Chapter 6.18

DOG KENNELS

Sections:

- 6.18.010 Definitions.
- 6.18.020 License required—Fees.
- 6.18.030 License applications.
- 6.18.040 Nuisance or offensive condition—
License revocation.
- 6.18.050 Refusal, suspension or revocation
of license.
- 6.18.060 Duties of Director of Public
Health.

6.18.010 Definitions.

A. "Commercial kennel" means any establishment or premises other than "veterinary hospital" or "pet shop" as defined in this section, where four or more dogs or cats or aggregate thereof are kept for commercial purposes, including but not limited to board, propagation and treatment.

B. "Pet kennel" means any establishment or premises where four or more dogs or cats or aggregate thereof over four months of age, are kept for noncommercial or for any purpose other than as defined in "commercial kennel," "veterinary hospital" or "pet shop."

C. "Pet shop" means any establishment or premises maintained for the purchase, sale or exchange of domestic pets of any type.

D. "Veterinary hospital" means any establishment or premises operated under the supervision of a duly licensed veterinarian for the medical treatment of domestic animals and pets. (Ord. 88780 § 1, 1959: Ord. 48022 § 96, 1924.)

6.18.020 License required—Fees.

It is unlawful to keep or maintain a commercial kennel, veterinary hospital, pet shop, or pet kennel within the city, without first obtaining a license therefor. The annual license fee shall be as follows:

- A. Commercial kennel \$50.00;
- B. Veterinary hospital \$25.00;
- C. Pet shop \$50.00;
- D. Pet shop, birds only. \$10.00;
- E. Pet kennel \$10.00.

A separate license shall be required for each location and activity as defined in this chapter and shall expire on midnight, December 31st,

of the year for which issued. Holders of unexpired dog kennel licenses may be allowed a pro rata credit on the fee for licenses issued under this chapter.

(Ord. 106063 § 3, 1976: Ord. 88780 § 2, 1959: Ord. 48022 § 97, 1924.)

6.18.030 License applications.

Applications for kennel licenses required by this chapter shall be made to the Director and, in the case of applications for new licenses only, shall include a finding by the Superintendent of Buildings that the proposed use is consistent with the Seattle Zoning Ordinance.¹ The Director shall, upon receipt of any application for a pet kennel license or commercial kennel license, cause to be posted in a conspicuous place at or near the proposed location of such kennel, notice advising the public of such application, and in addition shall give written notice of such application to the owner or occupant nearest to such proposed location on each side. Any owner or occupant of property within eight hundred feet of such proposed location may within ten days of the date of such notice file a written protest with the Director, which protest shall contain the address of the property occupied or owned by the protestant, and the Director shall in accordance with Section 6.02.230 of this subtitle consider such protests, if any, in determining whether to issue or deny the license. The Director, after reviewing and considering all pertinent information, may issue or deny the license in accordance with the provisions of this subtitle.

(Ord. 107157 § 17, 1978: Ord. 103437, 1974: Ord. 102636 § 43, 1973: Ord. 88780 § 3, 1959: Ord. 48022 § 98, 1924.)

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

6.18.040 Nuisance or offensive condition—
License revocation.

It is unlawful for anyone licensed or not to keep, use or maintain within the city, any commercial kennel, veterinary hospital, pet shop, or pet kennel in such manner that the same is found to be nauseous, foul or offensive, or a public or private nuisance, and upon such finding any license therefor may be revoked by the Director of Licenses and Consumer Affairs. (Ord. 102636 § 44, 1973: Ord. 88780 § 4, 1959: Ord. 48022 § 99, 1924.)

6.18.050 Refusal, suspension or revocation of license.

In addition to other regulations provided for in this subtitle, the Director of Licenses and Consumer Affairs may refuse, suspend or revoke any commercial kennel, veterinary hospital, pet shop, or pet kennel license for failure to comply with applicable city or state laws and regulations; or for obtaining such license by use of any false information, or for other cause.

(Ord. 102636 § 45, 1973: Ord. 88780 § 5, 1959: Ord. 48022 § 100, 1924.)

6.18.060 Duties of Director of Public Health.

When an application for a commercial kennel, veterinary hospital, pet shop or pet kennel license is received by the Director of Licenses and Consumer Affairs, he shall notify the city's Director of Public Health to inspect the proposed premises and if the same are found by him to be insanitary, or otherwise to adversely affect the health, safety or welfare of the public, the Director of Public Health shall report such facts to the Director of Licenses and Consumer Affairs. The report shall be attached to the application for such license and the applicant notified thereof, and no license shall be issued until a report is received from the Director of Public Health that the premises are sanitary and do not adversely affect the public health and safety. Inspections by the Director of Public Health shall be made in accordance with such rules and regulations, not inconsistent with the provisions of this subtitle, as may be adopted by the Director and filed with the City Comptroller. The Director of Public Health may inspect premises licensed under this chapter at any time.

(Ord. 102636 § 46, 1973: Ord. 98577 § 1, 1970: Ord. 88780 § 6, 1959: Ord. 48022 § 101, 1924.)

Chapter 6.20

EXHIBITORS OR TRADE SHOWS

Sections:

6.20.010 Exhibitor's license.

6.20.010 Exhibitor's license.

An exhibitor's license is required for any

antique show, trade show, boat show, sports show, hobby show, agricultural show, horticultural show, industrial show or other show or exhibition of a similar nature that is open to the public, wherein not less than seven persons under the sponsorship of another person or organization exhibit goods or articles and where any such goods or articles are sold or offered for sale at retail. The term "sale at retail" as used in this section means the sale or offer for sale of goods or articles by small quantities, in broken lots or parcels, not in bulk, and direct to consumers. Upon application and payment of a fee of Ten Dollars (\$10.00) by the sponsor of any such show or exhibition, the Director may issue to such sponsor an exhibitor's license valid for a definite period not to exceed twenty-one days, which license shall be in lieu of any other license required in connection with such show or exhibition of either exhibitor or sponsor by Sections 6.46.020, 6.50.020, or 6.58.020 of this subtitle. 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. 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.)

Chapter 6.22

FOR-HIRE DRIVERS

Sections:

- 6.22.010 License required.
- 6.22.020 Qualifications.
- 6.22.030 Photograph of applicant.
- 6.22.040 Temporary permits.
- 6.22.050 Issuance of license.
- 6.22.060 Expiration and renewal of licenses.
- 6.22.070 Fees.
- 6.22.080 Replacement of damaged license.

6.22.090 Suspension of license by municipal court.**6.22.100 License to be carried on person and exhibited upon request.****6.22.010 License required.**

It is unlawful for any person to drive a motor vehicle for hire, without first obtaining a for-hire driver's license as prescribed in this chapter; provided that:

A. This section does not apply to drivers of motor vehicles used in interstate business or operated by Metro transit system; and

B. Upon the adoption by King County of an ordinance providing for reciprocal validation of for-hire driver's licenses issued by the city of Seattle on terms equivalent to the provisions of this chapter, any person holding a valid King County for-hire driver's license on the effective date of the ordinance codified in this chapter¹ may make application to the Director of Licenses and Consumer Affairs for validation thereof. Such application shall be made on a form furnished by the Director, and such license when validated by the Director shall permit the holder thereof to drive a motor vehicle for hire within the city of Seattle during the unexpired life of the license; provided, that such validation may be suspended or revoked upon the failure of the holder of such validated license to comply with all of the regulatory provisions of this chapter or any other ordinance or regulation relating to the operation of a motor vehicle for hire within the city. The Director may renew the validation of a King County for-hire driver's license annually upon application therefor.

(Ord. 106189 § 7, 1977; Ord. 73763 § 1, 1945; Ord. 66558, 1936; Ord. 53281, 1927; Ord. 48022 § 103, 1924.)

1. Editor's Note: Ord. 106189 became effective on March 2, 1977.

Cases: Ordinance 48022 held unconstitutional to the extent it required a city driver's license of a driver engaged solely in the business of carrying passengers for hire between Seattle, Washington, and Portland, Oregon. *International Motor Transit Co. v. Seattle*, 141 Wn. 194, 251 P. 120 (1926).

6.22.020 Qualifications.

No person shall be issued a for-hire driver's license unless he possesses the following qualifications:

A. He must be at least eighteen years of age.

B. He must be free from any infirmity of

body or mind which would render him unfit for safe operation of a motor vehicle and shall have submitted to a medical examination conducted by a qualified physician licensed to practice medicine by the state and have obtained a certificate from said physician certifying as to his physical fitness. The Director of Public Health shall adopt rules, as provided for in the Administrative Code of the city,¹ delineating standards for the physical examination required in this section. Such examination and certification shall not be required for renewals of such license; but the Director of Licenses and Consumer Affairs may at any time at his discretion require any licensee to be so examined and to secure such certificate.

C. He must not be addicted to the use of intoxicating liquor or narcotic drugs; provided that such requirement shall not prevent the issuance of such license to any person otherwise qualified who is being treated under a medically supervised methadone treatment program and who shall file with the Director of Licenses and Consumer Affairs certification by the medical director of any such program that the applicant is undergoing such treatment; and provided further that it shall be the duty of any such medical director so certifying to immediately notify the Director of Licenses and Consumer Affairs of any failure of such person to continue such treatment for so long as it shall be necessary, and in that event, any for-hire driver's license issued to such person shall be subject to immediate revocation.

D. He must be a safe driver and must possess a valid Washington State operator's license.

E. The applicant shall file with the Director of Licenses and Consumer Affairs an application on a form provided by the Director which shall be signed and sworn to by the applicant. The application shall include the following information: Name, height, weight, color of hair and eyes, residence address, place and date of birth, a history of all vehicle-related violations, whether previously licensed as a for-hire driver and if so where and whether or not the license was ever suspended or revoked and for what cause, and such other information as the Director of Licenses and Consumer Affairs may require. (Ord. 104649 § 1, 1975; Ord. 102636 § 47, 1973; Ord. 100478 § 4, 1971; Ord. 100014, 1971; Ord. 97841, 1969; Ord. 89770, 1960; Ord. 80738, 1952; Ord. 74223, 1945; Ord.

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73763 § 2, 1945: Ord. 72318, 1942: Ord. 60694, 1931: Ord. 53281, 1927: Ord. 48022 § 104, 1924.)

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

6.22.030 Photograph of applicant.

Each application for a for-hire driver's license shall be accompanied by a recent photograph of the applicant (full face view) not less than two and one-half inches by two and one-half inches or larger than three inches by three inches in size. Such photograph shall be retained in the records of the Director of Licenses and Consumer Affairs.

(Ord. 104649 § 2, 1975: Ord. 102636 § 48, 1973: Ord. 95008, 1966: Ord. 73763 § 3, 1945: Ord. 53281, 1927: Ord. 48022 § 105, 1924.)

6.22.040 Temporary permits.

A. Upon application for a for-hire driver's license the Director may, pending the required examination and investigation of the qualifications of the applicant, issue a temporary for-hire driver's permit which will entitle the applicant to operate a for-hire vehicle pending action upon his application. Such temporary permit shall be good for forty-five days, but may be renewed by the Director pending result of the required examination of the qualifications of the applicant. Such permit shall not be transferable or assignable and shall be valid only with the taxicab company to which it was originally issued.

B. Whenever the holder of such temporary permit leaves the original employment, the employer shall within forty-eight hours notify the Director. Such permit may be revoked by the Director for failure to report for examination under his/her application, or for violation by the permittee of or failure to comply with conditions under which such permit is issued. Revocation or cancellation of the permit by the Director shall be final unless following appeal to the Hearing Examiner his decision shall be reversed.

(Ord. 107157 § 18, 1978: Ord. 102636 § 50, 1973: Ord. 79606, 1951: Ord. 48022 § 107, 1924.)

6.22.050 Issuance of license.

If the Director is satisfied that the applicant

possesses the qualifications and is a suitable person to drive a motor vehicle for-hire under the provisions of this chapter, he/she shall issue the for-hire driver's license, otherwise he/she shall deny the same.

(Ord. 107157 § 19, 1978: Ord. 102636 § 51, 1973: Ord. 95008, 1966: Ord. 74223, 1945: Ord. 73763 § 5, 1945: Ord. 53281, 1927: Ord. 48022 § 108, 1924.)

6.22.060 Expiration and renewal of licenses.

For-hire driver's licenses issued under this chapter shall expire on January 31st next following issuance thereof and may be renewed only during the month of January unless revoked or under suspension; provided that such license may be renewed on or before April 30th when a licensed for-hire driver is not engaged in the business or occupation of driving automobiles carrying passengers for-hire in the city of Seattle and has a valid Washington State operator's license. All renewals shall be subject to the same conditions and limitations as are required in the issuance of a for-hire driver's license and anyone licensed as a for-hire driver for four consecutive years shall furnish the Director of Licenses and Consumer Affairs with a new photograph as described in Section 6.22.030.

(Ord. 102636 § 52, 1973: Ord. 95008, 1966: Ord. 53281, 1927: Ord. 48022 § 110, 1924.)

6.22.070 Fees.

The fee for a for-hire driver's license shall be paid at the time of application and is Fifteen Dollars (\$15.00) per year. Drivers employed by the Municipality of Metropolitan Seattle (Metro) in the operation of transit buses are exempt from such fee.

(Ord. 106063 § 4, 1976: Ord. 104649 § 4, 1975: Ord. 95008, 1966: Ord. 88789 § 9, 1959: Ord. 80689, 1952: Ord. 80544, 1951: Ord. 75087 § 4, 1946: Ord. 48022 § 111, 1924.)

6.22.080 Replacement of damaged license.

When the license is worn out, damaged or otherwise unfit for use the Director of Licenses and Consumer Affairs may require the license to be replaced in the same form as the original license, at the expense of the licensee.

(Ord. 102636 § 53, 1973: Ord. 75087 § 5, 1946: Ord. 53281, 1927: Ord. 48022 § 112, 1924.)

6.22.090 Suspension of license by municipal court.

A. In addition to other reasons set forth in this chapter for revocation of licenses, or for the suspension of the same, a for-hire driver's license may be suspended for not less than ten days nor more than sixty days by the municipal court for violation of any of the provisions of this chapter relating to drivers of vehicles carrying passengers for hire, or upon conviction in any court under any law or ordinance, relating to speeding, reckless driving, drunkenness, possession or sale of intoxicating liquor, use, sale or possession of narcotic drugs, or for violation of any law or ordinance relating to overcharge for carrying passengers for hire or for fraud or the commission of an act involving moral turpitude.

B. Any driver of a for-hire motor vehicle, whose for-hire driver's license has been suspended in municipal court must surrender his license for the period of suspension, to the Director of Licenses and Consumer Affairs.
(Ord. 102636 § 54, 1973; Ord. 53281, 1927; Ord. 48022 § 113, 1924.)

6.22.100 License to be carried on person and exhibited upon request.

The for-hire driver's license shall at all times be carried on the person of the licensee; and shall on request be exhibited by the licensee to any passenger or to any peace officer or license inspector.

(Ord. 73763 § 6, 1945; Ord. 53281, 1927; Ord. 48022 § 114, 1924.)

Chapter 6.24**FOR-HIRE VEHICLES****Sections:**

- 6.24.010 Chapter purpose.
- 6.24.020 Definitions.
- 6.24.030 Fares.
- 6.24.040 License required.
- 6.24.050 Exemptions.
- 6.24.060 License expiration date.
- 6.24.070 License fee.
- 6.24.080 Insurance required.
- 6.24.090 License plates—Violations.
- 6.24.100 Rates to be filed.
- 6.24.110 Rates to be posted.

6.24.120 Receipt to be provided.**6.24.130 Unlawful acts.****6.24.010 Chapter purpose.**

The purposes of this chapter are to ensure the safety of for-hire vehicles as defined in this chapter, and to require persons operating for-hire vehicles to carry liability insurance for the protection of the public, while at the same time assuring the integrity of the taxicab transportation system.

(Ord. 107095 § 2(part), 1978; Ord. 48022 § 400, 1924.)

6.24.020 Definitions.

Except as otherwise specified, the following definitions apply:

A. "For-hire vehicle" means any pedicab or motor vehicle which carries passengers for a fee, other than a taxicab as defined in Section 6.56-.020 of this subtitle.

B. "Operate" means engage in the business of operating a for-hire vehicle by picking up any passenger within the corporate limits of Seattle, for a fee, and includes owning, leasing, or otherwise controlling the use of the for-hire vehicle.

C. "Pedicab" means a wheeled device designed for carrying passengers, which is moved by a person pedaling, and which is for hire.
(Ord. 108196 § 8, 1979; Ord. 107095 § 2(part), 1978; Ord. 48022 § 401, 1924.)

6.24.030 Fares.

For-hire vehicle fare rates shall be based upon:

A. A written contractual rate which has been filed with the Director at least three days prior to commencement of the transportation services; or

B. A flat trip charge per passenger, if the vehicle is a pedicab or has a seating capacity of ten or more passengers, per the manufacturer's rating; or

C. An hourly rate with minimum increments of one-half hour. In this case, each for-hire vehicle shall be equipped with an accurate clock visible to and readable by passengers.
(Ord. 107095 § 2(part), 1978; Ord. 48022 § 402, 1924.)

6.24.040 License required.

It is unlawful for any person to operate a for-hire vehicle without first obtaining a license to do so in accordance with the provisions of this

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chapter. A separate license shall be required for each vehicle operated.

(Ord. 107095 § 2(part), 1978: Ord. 48022 § 403, 1924.)

6.24.050 Exemptions.

The requirements of this chapter do not apply to:

A. A government entity or any person leasing or otherwise controlling the operation of a government-owned vehicle;

B. A person operating a vehicle for a public or a private school, where the vehicle is used solely for transporting students, teachers and school-authorized supervisory personnel;

C. Any hotel, motel, or similar business operating a vehicle to transport overnight guests;

D. Operation of a vehicle covered by a certificate authorizing transportation of passengers and which is issued by the Interstate Commerce Commission or the Washington Utilities and Transportation Commission;

E. Any person operating a vehicle transporting passengers between their homes or nearby termini, and their places of employment, in a single, daily round-trip, where the driver is also commuting to or from his/her place of employment.

(Ord. 107095 § 2(part), 1978: Ord. 48022 § 404, 1924.)

6.24.060 License expiration date.

For-hire vehicle licenses expire annually on August 31st.

(Ord. 107095 § 2(part), 1978: Ord. 48022 § 405, 1924.)

6.24.070 License fee.

The annual license for for each for-hire vehicle is One Hundred Dollars (\$100.00), except that the annual license fee for each pedicab is Ten Dollars (\$10.00).

(Ord. 107095 § 2(part), 1978: Ord. 48022 § 406, 1924.)

6.24.080 Insurance required.

Each applicant for a for-hire vehicle license shall file with the Director a certified copy of a policy of public liability insurance issued by an insurance company authorized to do business in the state. If such insurance coverage is obtained through the assigned risk program administered by the Washington Automobile Insurance Plan, the applicant may file a copy of the notice of

designation received from the plan specifying the company to which the applicant is assigned and the effective date of the coverage, and such notice shall be considered as evidence of insurance coverage pending filing of a copy of the policy. The policy or notice shall specify minimum coverage as prescribed by state law for passenger charter carriers pursuant to RCW 81.70-.150, as now or hereafter amended, and regulations issued thereunder. Uninsured motorist coverage shall be provided in, or supplemental to, the policy. The policy shall, by endorsement or otherwise, name the city as an additional insured and provide that the city shall be indemnified and held harmless from any loss, claim, or suit for damages or injury resulting from the use or operation of any vehicle operated under the license. Each policy shall have the premium paid and payment noted thereon, and shall provide that not less than ten days' prior written notice shall be given to the Director in the event of any change or cancellation. The insurance coverage shall be maintained in full force and effect for the full period to be covered by the license applied for, and lapse of coverage will result in summary suspension or revocation of the license.

(Ord. 107095 § 2(part), 1978: Ord. 48022 § 407, 1924.)

6.24.090 License plates--Violations.

A license plate in such form and content as prescribed by the Director shall be issued with each for-hire vehicle license, and shall be attached to the vehicle as prescribed by the Director. Whenever a for-hire vehicle license plate is lost, stolen, or destroyed, a new plate may be issued upon the payment of a replacement fee of Five Dollars (\$5.00) and the filing of an affidavit of loss. If the original plate is recovered, it shall be returned to the Director forthwith. Failure to comply with the provisions of this section is a violation.

(Ord. 107095 § 2(part), 1978: Ord. 48022 § 408, 1924.)

6.24.100 Rates to be filed.

A. Every applicant for a new for-hire vehicle license shall file with the Director a complete list of transportation and ancillary services offered and a complete schedule of fares, rates, and charges to be imposed for such services, and shall include any contract pursuant to Section 6.24.030. The services, schedule and/or contract

shall become effective on the effective date of the license.

B. The list of services and schedule of fares, rates and charges shall remain in effect until amended. Amendment shall be accomplished by filing with the Director a complete amended list and schedule, and shall be effective thirty days after filing; provided, that new or amended contracts may be filed as specified in Section 6.24.030.

C. Failure to comply with provisions of this section is a violation.
(Ord. 107095 § 2(part), 1978: Ord. 48022 § 409, 1924.)

6.24.110 Rates to be posted.

Licensees and drivers shall keep available complete and accurate schedule of effective rates for transportation and ancillary services. Such schedules shall be identical to those filed with the Director. Failure to comply with the provisions of this section is a violation.

(Ord. 107270 § 1, 1978: Ord. 107095 § 2(part), 1978: Ord. 48022 § 410, 1924.)

6.24.120 Receipt to be provided.

It is unlawful for any driver to refuse or fail to provide a customer with a receipt, as specified in this chapter, when requested. The receipt shall include the following information in legible form:

A. Names of the licensee and the vehicle driver;

B. Seattle for-hire vehicle license number;

C. Date, time and place of trip origin and dismissal; and

D. An itemized listing of charges and the total fare paid or charged.

(Ord. 107270 § 2, 1978: Ord. 107095 § 2(part), 1978: Ord. 48022 § 411, 1924.)

6.24.130 Unlawful acts.

It is unlawful for any person to:

A. Drive a for-hire vehicle unless it is licensed in accordance with the provisions of this subtitle;

B. Operate or drive a for-hire vehicle unless it is equipped and in safe condition as required by the Seattle Traffic Code, Ordinance 91910, as now or hereafter amended,¹ or RCW 46.37, as now or hereafter amended;

C. Charge a fare computed on any basis other than as permitted in Section 6.24.030;

D. Charge an amount different than the

effective rate or charge for the transportation and/or ancillary services on file with the Director;

E. Cruise or permit cruising for customers or park or pick up passengers in any taxicab zone, or permit such use of taxicab zones;

F. Use or allow the use of:

1. The word "taxicab," or "taxi," or "cab" on a for-hire vehicle or in any advertising or listing,

2. A dome light on a for-hire vehicle, or

3. Any equipment or color scheme on a for-hire vehicle in such a manner as to cause it to appear to be a taxicab;

G. Drive or cause or permit another person to drive a for-hire vehicle except a pedicab unless such person has obtained a for-hire driver license in accordance with the provisions of this chapter.

(Ord. 107095 § 2(part), 1978: Ord. 48022 § 412, 1924.)

1. Editor's Note: Traffic Code Ordinance 108200, which replaced Ord. 91910, is codified in Title 11 of this Code.

Chapter 6.26

GOING OUT OF BUSINESS OR CLOSING-OUT SALES

Sections:

6.26.010 Closing-out sale license.

6.26.020 Special sale license.

6.26.030 License fees.

6.26.040 Inventory required—Goods to be regular stock.

6.26.050 Verification of inventory.

6.26.060 Exemptions.

6.26.070 Refusal to issue license—Violations.

6.26.010 Closing-out sale license.

It is unlawful in advertising or conducting any sale of goods, wares or merchandise to represent such sale as a "closing-out sale," "going out of business sale," "liquidation sale," "quitting business sale," or any other expression or characterization which conveys the same or similar meaning or leads the public to believe that such sale is in anticipation of termination of a business, without first having filed with the Director of Licenses and Consumer Affairs the inventory

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hereinafter provided for and having obtained a license so to do, to be known as a "closing-out sale license"; provided, that any sale, the advertising or conduct of which clearly indicates the intent of closing out only a specific line, type, model or make of merchandise of a business shall not be subject to the requirements of this section. Only one such license shall be issued to any person for the same or a similar business at the same location and no such license shall be issued to any person who has not been in the business to be closed out at the same location for a period of at least six months. (Ord. 102636 § 84, 1973: Ord. 102205 § 1, 1973: Ord. 100545, 1971: Ord. 92507, 1963: Ord. 88789 § 18, 1959: Ord. 61818, 1931: Ord. 48022 § 267, 1924.)

6.26.020 Special sale license.

It is unlawful in advertising or conducting any sale of goods, wares or merchandise to represent such sale as a "fire sale," "smoke damage sale," "water damage sale," "loss of lease sale," "demolition sale," "bankrupt stock sale," "moving sale," "forced to vacate sale," or any other expression or characterization which conveys the same or similar meaning without first having filed with the Director of Licenses and Consumer Affairs the inventory hereinafter provided for and having obtained a license so to do, to be known as a "special sale license." (Ord. 102636 § 85, 1973: Ord. 102205 § 2, 1973: Ord. 48022 § 267-1, 1924.)

6.26.030 License fees.

The fee for a closing-out sale license or special sale license shall be as follows: for a period not exceeding thirty days, Fifty Dollars (\$50.00); for a period not exceeding sixty days, One Hundred Dollars (\$100.00); and for a period not exceeding ninety days, One Hundred Fifty Dollars (\$150.00). No closing-out sale license or special sale license shall be issued for a period exceeding ninety days. (Ord. 102205 § 3, 1973: Ord. 48022 § 267-2, 1924.)

6.26.040 Inventory required—Goods to be regular stock.

A. The inventory required by Sections 6.26.010 and 6.26.020 shall be complete and accurate as to the stock of goods, wares and merchandise to be sold at any sale for which a closing-out sale license or special sale license is re-

quired and shall be in such form and detail as may be required by the Director of Licenses and Consumer Affairs for the purpose of verifying such inventory as hereinafter provided and determining compliance with this chapter. Such inventory shall be signed by the person seeking the license, or by an authorized resident agent, and by affidavit he or such agent shall swear or affirm that the information therein given is full and true, and known by him or such agent to be so.

B. It is unlawful to sell, offer or expose for sale at any such sale, or to list on such inventory, any goods, wares or merchandise which are not the regular stock of the place of business, or to make any replenishments or additions to such stock for the purpose of such sale, or during the time thereof, or to fail, neglect or refuse to keep accurate records of the articles or things sold, from which records the Director of Licenses and Consumer Affairs may ascertain the kind and quantity or number sold. (Ord. 102636 § 86, 1973: Ord. 102205 § 4, 1973: Ord. 61818, 1931: Ord. 48022 § 268, 1924.)

6.26.050 Verification of inventory.

The Director of Licenses and Consumer Affairs may in his discretion verify the details of an inventory filed for the purpose of obtaining a closing-out sale license or special sale license or he may make a check and verify the items of merchandise sold during the sale, and it is unlawful for any person to whom a closing-out sale license or special sale license has been issued to fail or refuse to give the Director of Licenses and Consumer Affairs or any person designated by him for that purpose all the facts connected with the stock on hand or the proper information of goods sold, or any other information that he may require in order to make a thorough investigation of all phases connected with the sale.

(Ord. 102636 § 87, 1973: Ord. 102205 § 5, 1973: Ord. 61818, 1931: Ord. 48022 § 269, 1924.)

6.26.060 Exemptions.

The provisions of Sections 6.26.010 through 6.26.050 shall not be applicable to trustees in bankruptcy, executors, administrators, receivers or public officers acting under judicial process. (Ord. 102205 § 6, 1973: Ord. 61818, 1931: Ord. 48022 § 270, 1924.)

6.26.070 Refusal to issue license—Violations.

In addition to such other grounds as may be provided by this chapter, the Director of Licenses and Consumer Affairs may refuse to issue a closing-out sale license or special sale license if he has good reason to believe that the applicant has falsified any material fact in his application or any inventory filed therewith, and if he shall find that any licensee has violated any provision of this chapter or any law or ordinance relating to fraud or misrepresentation, he shall make a written record of such finding and may immediately revoke or suspend such license pending hearing in accordance with the procedure provided in this subtitle.

(Ord. 102636 § 88, 1973; Ord. 102205 § 7, 1973; Ord. 48022 § 270-1, 1924.)

Chapter 6.28

HAWKERS

Sections:

6.28.010 Definitions.

6.28.020 License required.

6.28.010 Definitions.

"Hawk" or "hawking" as used in this chapter and Section 6.46.150 of this subtitle shall mean the making of any public outcry, the giving of any musical or other entertainment, the ringing of any bell or the blowing of any whistle or horn, the making of any public speech, the use of any device that will magnify the human voice, or the use of any noisemaking instrument whatsoever by means of a sound truck or otherwise, for the purpose of attracting attention to any goods, wares, merchandise, article or thing (except newspapers) being sold or offered for sale, or for the purpose of advertising any business, goods, wares, merchandise, amusement, event or service. A hawker is one who does hawking.

(Ord. 90727 § 1, 1961; Ord. 48022 § 152, 1924.)

6.28.020 License required.

A. It shall be unlawful to act as a hawker or do any hawking as defined in Section 6.28.010 without first having obtained a valid and subsisting license so to do designated as a

"hawker's license," the annual fee for which shall be Fifty Dollars (\$50.00) and the expiration date of which shall be October 31st of each year. It shall be unlawful for any licensed hawker to hawk or do any hawking in any street, avenue, alley or other public place in the city or on any private property therein so closely adjacent to any such street, avenue or alley that crowds may be collected and traffic obstructed thereon, except in a permanent structure in the following areas:

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

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

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

4. Within the area bounded by the centerline of South Stacy Street, 1st Avenue South, South Forrest Street and Colorado Avenue South.

B. No hawker's license shall be required of licensed auctioneers or of persons selling property under and by virtue of an order of court.

C. No hawker's license shall be required of any peddler licensed under Section 6.46.020 unless the sound level of any device used by him for attracting attention exceeds the permissible limits under Ordinance 90007.¹

D. Section 6.46.150 insofar as inconsistent herewith is hereby superseded.

(Ord. 94568 § 1, 1966; Ord. 90727 § 2, 1961; Ord. 48022 § 153, 1924.)

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Cases: An ordinance forbidding hawking on public or private property, except upon payment of a license fee of Ten Dollars (\$10.00) per day, held void as prohibitive and unreasonable. *Seattle v. Ford*, 144 Wn. 107, 257, P. 243 (1927).

1. Editor's Note: Ord. 90007 was repealed by Ord. 106360, also regarding noise control, which is codified in Chapter 25.08 of this Code.

Chapter 6.30

HOUSING RENTAL AGENCIES

Sections:

- 6.30.010 Definitions.
- 6.30.020 License required.
- 6.30.030 License application, fee and bond.
- 6.30.040 Records and reports.
- 6.30.050 Prohibited acts and practices.
- 6.30.060 Powers of Director.
- 6.30.070 Violations.

Cases: With the exception of a surety bond provision contained therein, Ordinance 104214 is a valid exercise of the police power. *Homes Unlimited, Inc. v. City of Seattle*, 17 Wn.App. 47, 561 P.2d 1089 (1977) modified by 90 Wn.2d 154, 579 P.2d 1331 (1978).

6.30.010 Definitions.

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

A. "Customer" means any person contracting with a rental agency for the performance of such agency's services.

B. "Department" means the Department of Licenses and Consumer Affairs of the city of Seattle.

C. "Director" means the Director of Licenses and Consumer Affairs of the city of Seattle or any authorized representative of the Director.

D. "Housing accommodation" or "accommodations" includes any dwelling or dwelling unit, rooming unit, roominghouse, lot or parcel of land which is used, intended to be used, or arranged or designated to be used as, or improved with, a residential structure for one or more human beings.

E. "Landlord" means the owner of a housing accommodation or other persons authorized or empowered to rent such housing accommodation to others.

F. "Rental agency" means any individual, partnership, firm, corporation, company, society, association, or other group or organization whether organized for profit or nonprofit, who for compensation collects, offers, and/or distributes information as to housing accommodations, without substantially participating as an intermediary in negotiation of rents, terms, conditions, or other provisions of individual leases or rental agreements or entering into rental agreements on behalf of or representing either the landlord or prospective tenant. (Ord. 104214 § 1(part), 1975: Ord. 48022 § 376, 1924.)

6.30.020 License required.

No rental agency shall engage in business, solicit business or advertise within the city without a rental agency license issued in accordance with the provisions of this chapter. Rental agency licenses issued under this chapter shall expire and may be renewed annually on the anniversary of the effective date of the ordinance codified in this chapter.¹

(Ord. 104214 § 1(part), 1975: Ord. 48022 § 377, 1924.)

1. Editor's Note: Ord. 104214 became effective on February 19, 1975.

6.30.030 License application, fee and bond.

Prior to issuance of a rental agency license, the applicant shall submit to the Director a completed application in a form prescribed by the Director, together with a license fee of Two Hundred Fifty Dollars (\$250.00) and a surety bond in the amount of Five Thousand Dollars (\$5,000.00). Such surety bond shall be approved by the Director as to form and sufficiency of surety, shall be kept in force by the applicant as long as the applicant is doing business in Seattle, and shall be executed by the applicant as principal and by a surety company authorized to do business in this state as surety. (Ord. 104214 § 1(part), 1975: Ord. 48022 § 378, 1924.)

6.30.040 Records and reports.

Every rental agency shall keep and make available to customers an accurate listing of all housing accommodations to which customers are or may be referred, which shall include at least the following information for each housing accommodation:

A. The type of unit (e.g., duplex, triplex, fourplex, or multiplex);

B. Whether the unit is furnished or unfurnished;

C. The date when the unit will be available;

D. The date when the housing accommodation was most recently entered on the agency's listing records;

E. The date when the housing accommodation was last verified by the agency to be available for rent;

F. The address of the housing accommodation;

G. The name, address and telephone number of the landlord;

H. The monthly rent required by the landlord;

I. The amount and purpose of any damage, cleaning, rent or other deposit or prepayment required by the landlord;

J. The number and types of rooms;

K. Whether a written lease is required and, if so, the minimum term required by the landlord;

L. Any restrictions as to pets, children, furnishings, occupants or activities imposed by the landlord.

(Ord. 104214 § 1(part), 1975: Ord. 48022 § 379, 1924.)

6.30.050 Prohibited acts and practices.

It is unlawful for any rental agency or any agent or employee thereof to:

A. List or advertise any housing accommodation or otherwise offer or provide information about any housing accommodation without the prior written consent of the landlord;

B. Refer any customer to or list any housing accommodation which is and has been unavailable for rent for the three days immediately preceding the date of the referral;

C. Use any contract or furnish any receipt to any customer or prospective customer which does not disclose in accordance with rules and regulations adopted by the Director all material information regarding the services to be provided by the rental agency to the customer;

D. Require any customer to pay a fee or charge prior to such customer entering into a rental agreement or lease for a housing accommodation obtained from the rental agency;

E. Publish or cause to be published any advertisement for a particular housing accommodation without including in the advertisement a page, line or other code number through which

the particular housing accommodation can be easily located in the rental agency's listing records.

(Ord. 104214 § 1(part), 1975: Ord. 48022 § 380, 1924.)

6.30.060 Powers of Director.

The Director shall have the power during regular business hours to enter any premises where a rental agency business is conducted or where rental agency records are located to inspect and copy any and all books, records, papers or documents relating to the business of the rental agency. Any person who operates a rental agency in Seattle or who applies for a rental agency license shall be deemed to have given consent to such entry and inspection. It is unlawful for any person to refuse to admit the Director to the premises of a rental agency or to make the business books, records, papers or documents of the rental agency available for inspection by the Director, and any such refusal shall be grounds for the revocation or suspension of the license of such rental agency.

(Ord. 104214 § 1(part), 1975: Ord. 48022 § 381, 1924.)

6.30.070 Violations.

A. Every offense defined by Sections 6.30.020 through 6.30.060 or conduct made unlawful thereby shall constitute a violation to which the provisions of Chapters 12A.02 and 12A.04 of this Code (Seattle Criminal Code) shall be applicable.

B. Each day of violation shall constitute a separate offense.

(Ord. 104214 § 1(part), 1975: Ord. 48022 § 382, 1924.)

Chapter 6.32

JUNK SHOPS AND JUNK WAGONS

Sections:

- 6.32.010 Definitions.
- 6.32.020 Junk shop license and fee.
- 6.32.030 Expiration of junk shop license.
- 6.32.040 Junk wagon license.
- 6.32.050 Vehicles used by junk shops to be lettered.
- 6.32.060 License plates.

BUSINESS REGULATIONS

- 6.32.070 Unlawful to buy from minors.
- 6.32.080 Unlawful to buy junk during certain hours.
- 6.32.090 Junk to be held three days.
- 6.32.100 Records required—Inspections.
- 6.32.110 Police officers to be admitted.

6.32.010 Definitions.

A. "Junk" as used in this chapter, includes and means old rope, old iron, brass, copper, tin, lead, rags, empty bottles, paper, bagging, scrap metals of all kinds, and other worn out or discarded material.

B. Any store room, building, yard, enclosure or other place where junk is sold, bought, received or stored shall be deemed to be a "junk shop" within the meaning of this chapter; provided, however, that such definition shall not apply where junk is (1) purchased from a source other than a junk wagon and is in prepared form by baling, pressing, or otherwise; or in carload lots; or cut to specifications; (2) purchased from a licensed junk shop; (3) purchased directly from the industrial producer of scrap metals, by the consumer thereof. Further, this definition shall not apply to automobile wreckers where automobiles are purchased and certificate of title furnished, nor to any person, firm or corporation on account of the receipt, purchase or storage of glass or metal containers for purposes of recycling the same.

C. Any vehicle by whatsoever power propelled, used for the purpose of going from house to house, place to place, buying or offering to buy, or picking up or collecting junk and transporting such junk, wholly, or in part, within the city, regardless of where the junk may have been bought or collected, other than a vehicle used by a regularly licensed junk shop in the disposition of its own junk, is declared to be a "junk wagon," within the meaning of this chapter. (Ord. 100373 § 1, 1971; Ord. 88841 § 1, 1959; Ord. 81819, 1953; Ord. 80930, 1952; Ord. 49002, 1925; Ord. 48022 §§ 159, 161, and 162, 1924.)

6.32.020 Junk shop license and fee.

A. It shall be unlawful for any person to operate or maintain a junk shop without having a valid and subsisting license so to do to be known as a "junk shop license." The fee for a junk shop license shall be, and the same is fixed at Two Hundred Dollars (\$200.00) per year.

B. Any person operating or maintaining a

junk shop at more than one location shall procure a separate license for each and every such junk shop so operated or maintained. (Ord. 88837 § 2, 1959; Ord. 48022 § 160, 1924.)

6.32.030 Expiration of junk shop license.

All annual licenses issued under Section 6.32.020 shall expire at midnight on December 31st of each year.

(Ord. 75088 § 11, 1946.)

6.32.040 Junk wagon license.

It shall be unlawful to operate or drive a junk wagon without a junk wagon license, the fee for which shall be Twelve Dollars (\$12.00) per year. All junk wagon licenses shall expire at midnight on December 31st of each year. (Ord. 75087 § 7, 1946; Ord. 48022 § 164, 1924.)

6.32.050 Vehicles used by junk shops to be lettered.

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

6.32.060 License plates.

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

B. In case more than one person uses the same junk wagon for the collection, disposal or

transportation of junk, each such additional person shall first obtain a junk wagon license and display on such wagon the plates described and provided for in this section.

C. Seattle junk wagon plates shall remain the property of the city and it shall be unlawful for any person other than the licensee to whom the plates were issued, to possess or use any such plate. Plates, possessed or used in violation of the provisions of this section, shall be taken up by any police officer or member of the Department of Licenses and Consumer Affairs and returned to the Director.

(Ord. 107157 § 25, 1978: Ord. 102636 § 59, 1973: Ord. 89634, 1960: Ord. 48022 § 165, 1924.)

6.32.070 Unlawful to buy from minors.

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

6.32.080 Unlawful to buy junk during certain hours.

It shall be unlawful for any keeper of a junk shop, or person operating a junk wagon, to purchase any junk between the hours of seven in the afternoon of any day and seven in the forenoon of the following day. (Ord. 48022 § 168, 1924.)

6.32.090 Junk to be held three days.

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

(Ord. 48022 § 169, 1924.)

6.32.100 Records required—Inspections.

Every keeper of a junk shop shall provide and keep a book in which shall be plainly written in ink, in the English language, at the time of every purchase, a description of the article purchased, the name and residence of the person from whom such purchase is made, and the day and hour of such purchase, and such books shall at all times be open to the inspection of any police officer or member of the Department of Licenses and Consumer Affairs.

(Ord. 102636 § 60, 1973: Ord. 48022 § 166, 1924.)

6.32.110 Police officers to be admitted.

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

Chapter 6.34

LOCKSMITHS

Sections:

- 6.34.010 Master locksmith license.
- 6.34.020 Locksmith license.
- 6.34.030 License application.
- 6.34.040 Locksmith to keep records.
- 6.34.050 Name and address of maker of key or lock to be stamped thereon.
- 6.34.060 Expiration of licenses.

6.34.010 Master locksmith license.

It is unlawful for any person to engage in the business of manufacturing, fitting, cutting, altering or repairing locks or keys without first having obtained, and being the owner and holder of, a valid and subsisting license therefor, to be known as a "master locksmith license," the fee for which is fixed in the sum of Twenty-five Dollars (\$25.00) per year for each location. The license shall be posted and conspicuously displayed in the office or regular place of business of the holder thereof, or if no regular place of business be maintained shall be carried on the person of the holder thereof during business hours or which business is being carried on, and

be displayed at the request of any interested person.
(Ord. 106063 § 11, 1976: Ord. 88789 § 19, 1959: Ord. 65313 § 1, 1935: Ord. 48022 § 301, 1924.)

6.34.020 Locksmith license.

It is unlawful for any person, whether licensed as a master locksmith or not, as an artisan, workman or employee, to manufacture, cut, fit, or alter or repair keys or locks or perform work as a locksmith or keymaker without being the holder of a valid and subsisting license so to do, to be known as a "locksmith license," the fee for which is Twenty-five Dollars (\$25.00) per year.

(Ord. 106063 § 12, 1976: Ord. 88837 § 6, 1959: Ord. 65313 § 2, 1935: Ord. 48022 § 302, 1924.)

6.34.030 License application.

Any person desiring a master locksmith license or a locksmith license shall make written application therefor to the Director upon a form to be furnished by the Director for that purpose. Such application shall state the name or names and address or addresses of the person, members of the firm or partnership or officers of the corporation, for whom a license is sought, and the address at which or from which the holder of such license will carry on business. The application shall be referred to the Chief of Police, who shall investigate the truth or falsity of the statements therein contained the fitness and honesty of the applicant, and in respect of any applicant for a locksmith license shall cause the fingerprints of such applicant to be recorded and checked by the Bureau of Investigation or the Police Department. If the Chief of Police finds that any of the statements are wilfully false, or that the applicant is not an honest, fit or proper person to exercise the privileges to be granted by the license applied for, he/she shall endorse his/her disapproval upon the application and return the same to the Director, who shall deny the license; otherwise the Chief of Police shall endorse his/her approval and the Director shall issue the license, if the applicant has complied with the requirements of this chapter.

(Ord. 107157 § 36, 1978: Ord. 102636 § 94, 1973: Ord. 65313 § 3, 1935: Ord. 48022 § 303, 1924.)

6.34.040 Locksmith to keep records.

Every holder of a master locksmith license manufacturing, fitting, cutting, altering or repairing keys or locks, shall keep, or cause to be kept, a book or register which shall be open to inspection at all reasonable times by any police officer or license inspector of the city, in which the following information shall be legibly written or printed in the English language:

A. Name and address of each person, firm or corporation for whom locks or keys are made, fitted, cut, altered or repaired;

B. The kind of lock or key involved, whether for a residence, store, office or other structure, safe, motor vehicle or otherwise, giving specific address, or location and license number of motor vehicle or other information to identify each particular job.

(Ord. 65313 § 4, 1935: Ord. 48022 § 304, 1924.)

6.34.050 Name and address of maker of key or lock to be stamped thereon.

Every master locksmith shall engrave or stamp his name and address on every lock or key manufactured, altered or fitted by him or by any of his employees.

(Ord. 65313 § 5, 1935: Ord. 48022 § 305, 1924.)

6.34.060 Expiration of licenses.

All annual licenses issued under Sections 6.34.010 and 6.34.020 shall expire at midnight on May 31st of each year.

(Ord. 75088 § 4(part), 1946.)

Chapter 6.36

MASSAGE PARLORS AND BATHHOUSES

Sections:

- 6.36.010 Definitions.
- 6.36.020 Massage parlor, public bathhouse and reducing salon licenses.
- 6.36.030 Massage operator'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 parlor attendant's license.
- 6.36.080 Unlawful to admit certain persons.

6.36.010 Definitions.

A. "Athletic massage" means a massage given for the purpose of maintaining general muscle tone and limited to rubbing and kneading the muscles of the arms, back and legs to promote relaxation of the muscles and to prevent muscle cramping and excluding any massage or manipulation given for the purpose of therapeutic treatment or alteration of any physical condition.

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

C. "Massage operator" means any person, except those excluded by Section 6.36.060 and except an athletic massage operator giving an athletic massage, who gives massages or other treatments of the body by rubbing, kneading or manipulation.

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

E. "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.

F. "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. 96464 § 1, 1968: Ord. 94625, 1966: Ord. 72529 § 2(part), 1943: Ord. 48022 § 171, 1924.)

6.36.020 Massage parlor, public bathhouse and reducing salon licenses.

It is unlawful to conduct, manage, operate or work in any massage parlor, public bathhouse, or reducing salon unless such establishment is licensed as 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 days furnish a written report to the Director containing the result of his/her investigation and any other matters which might aid the Director of Licenses and Consumer Affairs in determining whether or not to issue the license.

B. The fee for a massage parlor, reducing salon, or public bathhouse license is Eighty Dollars (\$80.00) per year.

C. No such license shall be granted for any premises until inspection and report as to the sanitary condition thereof by the Director of Health to the Director of Licenses and Consumer Affairs. Licensed premises must be similarly inspected at least once a year when renewal of a license is requested, and must at all times be open to inspection as to sanitary and moral conditions by the Police and Health Departments.

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

E. It is unlawful to advertise the giving of massages or public baths in an establishment or by an operator not licensed pursuant to this subtitle.

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

(Ord. 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 operator's license.

It is unlawful for any person, except as provided in Section 6.36.060 and except for an athletic massage operator giving an athletic massage, to give a massage or other treatment of the body by rubbing, kneading or manipulation, whether in a massage parlor or public bathhouse, or otherwise, without first obtaining a massage operator's license, the fee for which is Fifteen

Dollars (\$15.00) 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 Operator's License. If the Director finds that the information in the application is true and accurate, that the applicant holds a valid State Massage Operator's License, and that the applicant has not been convicted of a directly related crime or offense within the seven years immediately prior to the date of application, the Director shall issue the license; otherwise the Director shall deny the license.

(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 Fifteen Dollars (\$15.00) per year.

B. Application for an athletic massage operator's license or for any renewal thereof shall be made to the 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 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 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

Director of Licenses and Consumer Affairs. If from the reports the Director deems the applicant a fit and proper person he/she shall issue the license; otherwise he/she shall deny the license.

(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 parlor 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 days after 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. 72529 § 2(part), 1943: Ord. 48022 § 175, 1924.)

1. Editor's Note: Ord. 72529 became effective on May 12, 1943.

6.36.060 Exemptions.

This chapter shall not apply to massage treatments or baths given in any hospital, or by physical therapists who treat patients only on written prescription of licensed physicians, or by any person licensed by the state to treat the sick, injured or infirm, or by any registered nurse under the direction of a person so licensed.

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

6.36.070 Massage parlor 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 parlor or reducing salon without a massage parlor 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 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.

C. The fee for such a massage parlor attendant's license shall be Fifteen Dollars (\$15.00) per year and such license shall expire December 31st of each year; provided that no such attendant, whether licensed or not, shall give massages or other treatments of the body by rubbing, kneading or manipulation.

(Ord. 107157 § 29, 1978: Ord. 106063 § 8, 1976: Ord. 102636 § 65, 1973: Ord. 94625, 1966: Ord. 86654, 1957: Ord. 48022 § 176.1, 1924.)

6.36.080 Unlawful to admit certain persons.

It shall be unlawful for the owner, proprietor, manager or person in charge of any massage parlor or public bathhouse, or for any employee of said place, to harbor, admit, receive or permit to be or remain in or about 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. (Ord. 48022 § 178, 1924.)

Chapter 6.38

MERCHANT PATROLMEN

Sections:

- 6.38.010 Definitions.
- 6.38.020 Licenses required.
- 6.38.030 License application.
- 6.38.040 Surety 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 merchants patrol agency license, the annual fee for which shall be as follows:

1. For three or less merchant patrolmen employed, \$50.00 per year;
2. For four or more merchant patrolmen employed, \$200.00 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 Twenty Dollars (\$20.00); 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. 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. Each application shall be accompanied by a recent photograph of the applicant (full face view) one-inch by one-inch in size. 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

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license. The Chief of Police shall, within five 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 and right thumbprint of the license holder. (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 Director of Licenses and Consumer Affairs for filing with the City Comptroller, 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 subtitle, insofar as they relate to the business of merchant patrolman or merchants patrol agency. (Ord. 102636 § 81, 1973: Ord. 94188 § 6, 1965: Ord. 48022 § 262-1, 1924.)

Chapter 6.40

MOBILE CATERERS

Sections:

- 6.40.010 Definitions.
- 6.40.020 Mobile caterer's license.
- 6.40.030 License to be in possession of employees.
- 6.40.040 Insurance—Tags or plates.
- 6.40.050 Unlawful acts.
- 6.40.060 Obstruction of street or sidewalk.
- 6.40.070 Compliance with other laws.

6.40.010 Definitions.

"Mobile caterer" means and includes anyone engaged in the business of transporting food, beverages and sundries to business and industrial establishments pursuant to prearranged schedules in trucks, vans or other motor vehicles and selling said items from the vehicles at retail at the establishments for the convenience of the employees thereof.

(Ord. 96360 § 1(part), 1968: Ord. 48022 § 369, 1924.)

6.40.020 Mobile caterer's license.

It is unlawful to operate or conduct the business of or carry on the activities of a mobile caterer without a valid and subsisting license so to do, which shall be known as a "mobile caterer's license." A separate license shall be required for each truck, van or other motor vehicle used to transport the food, beverages and sundries to the various places where such items are to be sold, and sales activity pursuant to such license shall be valid only when such vehicle is at a sales location at or adjacent to a business or industrial establishment which is part of a regular daily route followed by such vehicle, and precise descriptions of such locations and routes shall be furnished to the Director of Licenses and Consumer Affairs upon application to him for such license. The fee for each such license is fixed at Twenty-five Dollars (\$25.00) per year which license shall expire on May 31st of each year.

(Ord. 102636 § 127, 1973: Ord. 96360 § 1(part), 1968: Ord. 48022 § 370, 1924.)

6.40.030 License to be in possession of employee.

Every employee of a mobile caterer while transporting food, beverages and sundries to business and industrial establishments where said items are to be sold, and while selling the same, must have in his possession a mobile caterer's license, but the same may be issued in the name of the employer who is conducting the business of a mobile caterer. Such employer must assume responsibility for the conduct of, and all acts by, his employees while acting within the scope of their employment and while carrying on the activities of a mobile caterer. Every such employee must exhibit the mobile caterer's license in his possession on demand to any police officer, license inspector or customer. (Ord. 96360 § 1(part), 1968: Ord. 48022 § 371, 1924.)

6.40.040 Insurance—Tags or plates.

A. It shall be unlawful for anyone to use any motor vehicle to carry on the activities of a mobile caterer, or for the owner of any motor vehicle to permit such vehicle to be used for such purposes, unless the owner or mobile caterer who uses such vehicle maintains public liability and property damage insurance covering the use and operation of such vehicle while engaged in the activities of a mobile caterer, in the amounts provided in this section, and no mobile caterer's license shall be issued unless the owner of the motor vehicle or motor vehicles to be so used or the mobile caterer using such vehicles has furnished to the Director for filing with the City Comptroller a policy or policies of public liability insurance or other satisfactory evidence of insurance providing coverage for personal injury to or death of any one person in the amount of at least Fifteen Thousand Dollars (\$15,000.00), and subject to the aforesaid limit of any one person injured or killed, of at least Thirty Thousand Dollars (\$30,000.00) for personal injury to or death of two or more persons in any one accident, and for damage to property in the amount of at least Five Thousand Dollars (\$5,000.00) resulting from any one accident. Such policy or policies must contain an endorsement providing for ten days' notice to the Director in the event of any change or cancellation.

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

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

D. Such tags or plates shall remain the property of the city and shall be returned to the Director immediately upon cancellation of the insurance or upon the closing of the business. (Ord. 107157 § 39, 1978: Ord. 102636 § 128, 1973: Ord. 96360 § 1(part), 1968: Ord. 48022 § 372, 1924.)

6.40.050 Unlawful acts.

It shall be unlawful for any person, while carrying on the activities of a mobile caterer to misrepresent the quantity, quality or origin of any article or thing sold or to be sold, or to sell prize packages, or to dispose of any article or thing in any form, by chance or lot. (Ord. 96360 § 1(part), 1968: Ord. 48022 § 373, 1924.)

6.40.060 Obstruction of street or sidewalk.

It shall be unlawful for any person, while carrying on the activities of a mobile caterer, to obstruct or cause to be obstructed, the passage of any sidewalk, street, avenue, alley or other public place, by causing people to congregate at or near the place where any article is being sold or offered for sale. (Ord. 96360 § 1(part), 1968: Ord. 48022 § 374, 1924.)

6.40.070 Compliance with other laws.

Holders of mobile caterer's licenses shall comply with all state laws and city ordinances relating to, and obtain all necessary permits and licenses for, the preparation, storage, handling and sale of items sold or to be sold; provided, that no mobile caterer who has obtained a mobile caterer's license under this chapter shall be required to obtain a peddler's license under this subtitle in order to carry on the activities of a mobile caterer. (Ord. 96360 § 1(part), 1968: Ord. 48022 § 375, 1924.)

Chapter 6.42**PANORAMS AND PEEPSHOWS****Sections:**

- 6.42.010** Panoram location license.
- 6.42.020** Panoram operator license—Panoram sublicense.

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- 6.42.030 License fees.
- 6.42.040 Persons under twenty-one years of age prohibited.
- 6.42.050 Prohibited location.
- 6.42.060 Lewd and obscene subjects prohibited.
- 6.42.070 Specifications of premises.
- 6.42.080 Declaration of nuisance.

6.42.010 Panoram location license.

It is unlawful to display, exhibit, expose or maintain upon any premises any mechanical device commonly known as a "panoram" or "peepshow," which, upon the insertion of a coin or by any other means, exhibits or displays a picture or view on film, without a license to do so, to be designated a "panoram location license." A separate license is required for each place of business and the same shall at all times be conspicuously posted and maintained therein. No such panoram location license shall be issued except to a citizen of the United States who has been a resident of the city for at least five years next prior to filing application therefor. No more than one such license shall be issued for each one hundred fifty thousand of the total population of the city, as shown by the last preceding state or federal census, provided, that nothing contained in this section relating to residence, citizenship, or per capita limitation of licenses shall apply to any person now holding a valid panoram location license. The Director of Licenses and Consumer Affairs shall prescribe the form of such license, number the same and shall indicate thereon the number of such devices which may be operated thereunder, and the location.

(Ord. 102636 § 107, 1973; Ord. 94505, 1966; Ord. 84319 § 2(part), 1955; Ord. 48022 § 330, 1924.)

Cases: 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 operator license—Panoram sublicense.

A. 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 operator license."

B. No such panoram operator license shall be issued except to a citizen of the United States who has been a resident of the city for at least five years next prior to filing application therefor. Not more than one such license shall be issued for each one hundred fifty thousand of the total population of the city, as shown by the last preceding state or federal census, provided, that nothing contained in this section relating to residence, citizenship or per capita limitation of licenses shall apply to any person now holding a valid panoram operator license.

C. It shall further be unlawful to exhibit or display for use any such device without a license to be designated a "panoram sublicense" for each device. Panoram sublicenses shall be issued for specific locations only and shall not be transferable. The Director of Licenses and Consumer Affairs shall prescribe the form of such licenses and number the same. Panoram sublicenses shall be securely attached to each such device in a conspicuous place.

(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, except as hereinafter provided, which fees shall be as follows:

- | | |
|-----------------------------|--|
| A. Panoram location license | \$ 10.00 per year for each device; |
| B. Panoram sublicense | \$ 10.00 per year each device; |
| C. Panoram operator license | \$500.00 per year plus \$12.00 per month per device. |

Provided, that as to panoram operator licenses, the monthly fees shall be paid quarterly within fifteen days after the end of each quarter. (Ord. 97286 § 7, 1968; Ord. 90012, 1961; Ord. 84319 § 2(part), 1955; Ord. 48022 § 330.2, 1924.)

6.42.040 Persons under twenty-one years of age prohibited.

It shall be unlawful for anyone under the age of twenty-one years to use any device such as described in Section 6.42.010, and it shall be unlawful for any operator or owner of such device or for any manager or other person in charge of premises where such device is kept,

maintained or operated to permit or allow anyone under twenty-one years of age to use any such device.

(Ord. 84319 § 2(part), 1955: Ord. 48022 § 330.3, 1924.)

6.42.050 Prohibited 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 feet of the grounds or building of any school.

(Ord. 84319 § 2(part), 1955: Ord. 48022 § 330.4, 1924.)

6.42.060 Lewd and obscene subjects prohibited.

It is unlawful to exhibit or display by means of any such device as described in Section 6.42.010 any moving, motion or still picture or reproduction of any kind or character of an obscene, indecent or immoral nature; or wherein any scene of violence is shown or presented in a gruesome or revolting manner, or in a manner which tends to corrupt morals or which is offensive to the moral sense or which depicts venereal diseases or concerns sex subjects; or to permit or allow any sound on film, recording or similar mechanism to be used for the reproduction of any obscene song, conversation or discourse in connection with such device.

(Ord. 84319 § 2(part), 1955: Ord. 48022 § 330.5, 1924.)

6.42.070 Specifications of premises.

A. The interior of the panoram or peepshow premises and each booth therein shall be arranged in such a manner that the area from which panoram pictures or film is to be viewed is visible from the entrance to such premises.

B. Further, the interior of the panoram or peepshow premises and each booth therein shall be arranged in such a manner that any person viewing a panoram or peepshow is visible from the waist down when viewed from the entrance to the premises.

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

D. 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 Code¹ at all times when the panoram is open or when any member

of the public is permitted to enter and remain therein.

(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.

6.42.080 Declaration of nuisance.

In addition to other penalties provided for in this subtitle, any panoram picture or film which violates the provisions of Section 6.42.060 is declared to be a nuisance and may be taken up by law enforcement officer and retained as evidence and may thereafter be destroyed.

(Ord. 84319 § 2(part), 1955: Ord. 48022 § 330.7, 1924.)

Chapter 6.44

PAWNBROKERS

Sections:

- 6.44.010 Definitions.
- 6.44.020 Pawnbroker's license required—Fee.
- 6.44.030 Pawnbroker's license—Application.
- 6.44.040 Expiration of license.
- 6.44.050 Recordkeeping.
- 6.44.060 Correct name and address required.
- 6.44.070 Transcript of record to be furnished to Chief of Police.
- 6.44.080 Records to be open for inspection.
- 6.44.090 Interest and other fees.
- 6.44.100 Goods not to be removed from pawnshop.
- 6.44.110 Pawnshops to be closed during certain hours.

Cases: An ordinance which prohibited aliens from engaging in the pawnbroker business was held invalid as violating a treaty between the United States and Japan. *Asakura v. Seattle*, 265 U.S. 332 (1924).

6.44.010 Definitions.

A. "Pawnbroker," as used in this chapter, means and includes every person who takes or

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receives by way of pledge, pawn or exchange, goods, wares or merchandise, or any kind of personal property whatever, for the repayment or security of any money loaned thereon, or to loan money on deposit of personal property.

B. "Pawnshop" means and includes every place at which the business of pawnbroker is being carried on.

(Ord. 48022 § 182, 1924.)

6.44.020 Pawnbroker's license required—Fee.

A. It shall be unlawful for anyone to engage in the business of pawnbroker, or to conduct a pawnshop, without a pawnbroker's license. The fee for such license shall be Four Hundred Dollars (\$400.00) per year. Pawnbrokers' licenses shall not be issued to conduct any pawnshop located outside the area bounded by Denny Way and East Denny Way, 12th Avenue and 12th Avenue South, South King Street and Elliott Bay unless such pawnshop was lawfully conducted outside such area by a licensed pawnbroker during the year 1961.

B. No pawnbroker's license shall be issued hereafter which would increase the number of holders of such licenses to more than one for every fifteen thousand of population, according to the last preceding federal census.
(Ord. 97286 § 3, 1968: Ord. 90897, 1962: Ord. 83500 § 5, 1954: Ord. 48022 § 183, 1924.)

6.44.030 Pawnbroker's license—Application.

Application for pawnbroker's license shall be in writing filed with the Director of Licenses and Consumer Affairs in accordance with Section 6.02.190 of this subtitle.

(Ord. 102636 § 66, 1973: Ord. 88840, 1959: Ord. 81551, 1952: Ord. 63537, 1935: Ord. 48022 § 183½, 1924.)

6.44.040 Expiration of license.

All annual licenses issued under Section 6.44.020 shall expire at midnight on November 30th of each year.

(Ord. 75088 § 10, 1946.)

6.44.050 Recordkeeping.

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

1. The date of the transaction;
2. The name of the person or employee conducting the same;

3. The name, age, street and house number, and the general description of the dress, complexion, color of hair and facial appearance of the person with whom the transaction is had;

4. The name and street and house number of the owner of the property bought or received in pledge;

5. The street and house number of the place from which the property bought or received in pledge was last removed;

6. A description of the property bought or received in pledge, which, in the case of watches, shall contain the name of the maker and the number of both the works and the case, and in the case of jewelry shall contain a description of all letters and marks inscribed thereon;

7. The price paid or the amount loaned;

8. The name and street and house numbers of all persons witnessing the transaction;

9. The number of any pawn tickets issued therefor.

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

6.44.060 Correct name and address required.

Anyone who pledges, sells or consigns any property to or with a pawnshop or pawnbroker shall sign the records required to be kept by such dealer with his true name and shall include his correct residence address.

(Ord. 80275 § 1, 1951: Ord. 48022 § 184-1, 1924.)

Cases: This ordinance does not make it a criminal offense for a person selling property to a pawnbroker to orally give a false name or false address, *State v. Melrose*, 2 Wn. App. 824, 470 P.2d 552 (1970).

6.44.070 Transcript of record to be furnished to Chief of Police.

A. It shall be the duty of every pawnbroker, before twelve noon, of every business day, to report to the Chief of Police on blank form, to be furnished by the Police Department, a full, true and correct transcript of the record of all transactions had on the preceding day. It shall

also be the duty of any pawnbroker having good cause to believe any property in his possession has been previously lost or stolen, to report such fact to the Chief of Police, together with the name of the owner, if known, and the date of and name of the person from whom the same was received by such pawnbroker.

B. Every pawnbroker and every clerk, agent or employee of such pawnbroker who shall fail, neglect or refuse to make such report, or shall report any material matter falsely to the Chief of Police, shall be guilty of the violation of this subtitle.

(Ord. 48022 § 185, 1924.)

6.44.080 Records to be open for inspection.

All books and other records of any pawnbroker relating to purchase, pledge, exchange, barter or receipt of any goods, wares, merchandise or other articles or things of value, shall at all times be open for inspection by the Chief of Police, or any police officer or city detective detailed for that purpose, and all articles or things received, purchased or left in pledge with the pawnbroker shall at all times be open to a like inspection.

(Ord. 48022 § 186, 1924.)

6.44.090 Interest and other fees.

A. All pawnbrokers are authorized to charge and receive interest and other fees at the following rates for money loaned on the security of personal property actually received in pledge:

1. The interest shall not exceed:

a. For an amount loaned up to \$19.99—interest at \$1.00 per month;

b. For an amount loaned from \$20.00 to \$39.99—interest at the rate of \$1.50 per month;

c. For an amount loaned from \$40.00 to \$75.99—interest at the rate of \$2.00 per month;

d. For an amount loaned from \$76.00 to \$100.99—interest at the rate of \$2.50 per month;

e. For an amount loaned from \$101.00 to \$125.99—interest at the rate of \$3.00 per month;

f. For an amount loaned from \$126.00 or more—interest at the rate of three percent a month.

2. The fee for the preparation of documents, pledges, or reports required under the laws of the United States of America, the state

or the counties, cities, towns, or other political subdivisions thereof, shall not exceed:

a. For the amount loaned up to \$4.99—the sum of \$.50;

b. For the amount loaned from \$5.00 to \$9.99—the sum of \$2.00;

c. For the amount loaned from \$10.00 to \$19.99—the sum of \$3.00;

d. For the amount loaned from \$20.00 to \$39.99—the sum of \$4.00;

e. For the amount loaned from \$40.00 to \$74.99—the sum of \$5.00;

f. For the amount loaned from \$75.00 to \$99.99—the sum of \$7.50;

g. For the amount loaned from \$100.00 or more—the sum of \$9.00.

3. The fee for the care, maintenance, insurance relating to, preparation for storage of, and storage of personal property actually received in pledge, shall not exceed:

a. For precious jewels, jewelry, or other personal property having a value \$100.00 to \$299.99, an amount equal to one-tenth of one percent of the value thereof as agreed upon in writing between the pledgor and the pledgee;

b. For precious jewels, jewelry, or other personal property having a value exceeding \$300.00, an amount equal to one-twelfth of one percent of the value thereof as agreed upon in writing between the pledgor and the pledgee;

c. Fees under subsections 2 and 3 may be charged on time only during the term of a pledge, and every person who shall ask or receive a higher rate of interest or discount or other fees on any such loan, or on any actual or pretended sale, or redemption of personal property, or who shall sell any property held for redemption within ninety days after the period for redemption shall have expired, shall be guilty of a violation of this subtitle.

B. A copy of this section, set in twelve-point type or larger, shall be posted prominently in each premises subject to this chapter.

(Ord. 102694 § 1, 1973; Ord. 48022 § 187, 1924.)

6.44.100 Goods not to be removed from pawnshop.

A. It shall be unlawful for any pawnbroker to remove any goods, articles or thing purchased by him, or left with him, in pledge, from his store or place of business until the expiration of ten days after the same were purchased,

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received or left in pawn, unless the goods, articles or things have within the time specified, been inspected as provided in this chapter.

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

C. The fact of loaning money upon or purchasing goods from any of the classes of persons enumerated in this section shall be prima facie evidence of an intent on the part of such pawnbroker, his agent or employee, to violate this subtitle.

(Ord. 100478 § 5, 1971; Ord. 48022 § 188, 1924.)

6.44.110 Pawnshops to be closed during certain hours.

It shall be unlawful for any pawnbroker to conduct or carry on the business of pawnbroker, in whole or in part, directly or indirectly, or to open, or keep open, his pawnshop for the transaction of any business whatsoever therein, between the hours of seven p.m., and seven a.m., except from December 15th to December 25th of each year, and on Saturdays, when pawnbrokers may remain open until, but not later than ten p.m.

(Ord. 48022 § 189, 1924.)

Chapter 6.46

PEDDLERS AND SOLICITORS

Sections:

- 6.46.010 Definitions.
- 6.46.020 License required—Exceptions.
- 6.46.030 License fee.
- 6.46.040 Peddling of certain foods.
- 6.46.050 Facsimile of licenses for employees.
- 6.46.060 Surety bond.
- 6.46.070 Use of vehicle—Insurance.

- 6.46.080 Receipt or contract—Cancellation of transaction.
- 6.46.090 Disclosure of information—Misrepresentation prohibited.
- 6.46.100 False, deceptive or misleading statements.
- 6.46.110 Hours.
- 6.46.120 Selling of prize packages by peddlers prohibited.
- 6.46.130 Obstruction of street or sidewalk prohibited.
- 6.46.140 No-peddling signs.
- 6.46.150 Areas where peddling or hawking are prohibited.
- 6.46.160 Sales of certain food and goods exempted.

6.46.010 Definitions.

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

A. "Home sales party" means gatherings in private residences where goods, wares, merchandise, services, or anything of value, is sold or offered for sale, and where all persons attending as invited guests have been told, at least twenty-four hours prior to the gathering, that the purpose of such gathering is the solicitation of orders for, or sale of, such goods, wares, merchandise, services, or other thing of value.

B. "Peddler" means:

1. Any person who goes from house to house, or place to place, within the city, selling and providing immediate delivery or performance, or offering for sale and immediate delivery or performance, any goods, wares, merchandise, services, or anything of value, to persons not commercial users or sellers of such commodities or services; or

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

C. "Solicitor" means:

1. Any person who goes from house to house or place to place within the city, taking or offering to take orders for the sale of goods, wares, merchandise, services, or anything of value for future delivery or performance from

persons not commercial users or sellers of such commodities or services; or

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

D. "Peddler" and "solicitor" include any person, firm, or corporation which employs, hires, or engages others to act as peddlers or solicitors whether as employees, agents or independent contractors, but shall not include any person making solicitations for charitable or religious purposes.
(Ord. 102404 § 3, 1973: Ord. 48022 § 192, 1924.)

6.46.020 License required—Exceptions.

It is unlawful for any person to be or engage in business as a peddler or solicitor in the city without first procuring a license so to do; provided that no license shall be required for the peddling of, or soliciting orders for the sale of, newspapers, bread, fresh milk, butter, milk, or ice, nor shall any license be required of any person peddling farm or dairy produce raised or produced by such person, nor shall any license be required of any person holding a home sales party; provided further, that no license shall be required of any person who as an employee, agent, or independent contractor acts as a peddler or solicitor for or on behalf of a licensee; provided further, that no license shall be required of any person who as an employee, agent, or independent contractor acts as a peddler or solicitor for or on behalf of a regulated utility. Each license shall show the name, address and telephone number, of the licensee, or for out-of-state licensees the name, address and telephone number of their registered agent; the license number; the number of the bond, if any, filed pursuant to Section 6.46.060; the commodities or services to be peddled or for which solicitation of orders is made; and the period for which such license is issued.
(Ord. 104620 § 1, 1975: Ord. 102404 § 1, 1973: Ord. 48022 § 190, 1924.)

6.46.030 License fee.

The fee for a peddler's or solicitor's license issued to an individual is Ten Dollars (\$10.00) per year. The fee for a peddler's or solicitor's

license issued to any person, firm, or corporation which employs, hires, or engages others to act as peddlers or solicitors is:

- A. 1-8 such employees or agents \$ 25.00;
 - B. 9-49 such employees or agents \$ 50.00;
 - C. 50 or more employees or agents \$100.00.
- (Ord. 106063 § 9, 1976: Ord. 102404 § 4, 1973: Ord. 48022 § 192-1, 1924.)

6.46.040 Peddling of certain foods.

No one shall peddle tamales, sandwiches, box lunches, cakes, cookies, pies, doughnuts or similar foods, unless the same have been manufactured, prepared, produced or concocted in a place covered by a permit issued by the Director of Public Health pursuant to ordinances relating thereto; provided that before the granting of any license for the peddling of any such foods, the Director of Licenses and Consumer Affairs may require the applicant for such license to exhibit the original or a copy of such permit.

(Ord. 102636 § 68, 1973: Ord. 102404 § 5, 1973: Ord. 101239 § 1, 1972: Ord. 88837 § 3, 1959: Ord. 48022 § 193, 1924.)

6.46.050 Facsimile of licenses for employees.

Each licensee which employs, hires, or engages others to act as peddlers or solicitors shall furnish as credentials to each employee, agent, independent contractor or other person peddling or soliciting for or on behalf of such licensee, a facsimile copy of its license upon which shall appear the typed or printed name and address, and the signature of the person to whom such facsimile copy is issued. Such facsimile copies may be obtained from the Director of Licenses and Consumer Affairs upon payment of Ten Cents (\$.10) per copy. A licensee shall be responsible for the conduct and acts performed within the scope of employment or contract of any person peddling or soliciting for or on behalf of the licensee and shall maintain a list of all persons to whom facsimile copies of its license have been issued. It is unlawful for any licensee or any person to whom such facsimile copy is required to be issued to peddle or solicit without having in his possession such license or a facsimile copy thereof, which shall be shown to all prospective buyers, or to any police officer, or license officer of the city upon the request of such officer. Such facsimile copies shall be nontransferable and shall at all times remain in the possession of

the person to whom issued. Whenever any person to whom a facsimile copy has been issued by a licensee ceases to act as a peddler or solicitor for or on behalf of such licensee, notification thereof shall be given to the Director of Licenses and Consumer Affairs by the licensee and the facsimile copy issued to such person shall be surrendered to the Director of Licenses and Consumer Affairs by the licensee within two weeks of such notification.

(Ord. 102636 § 69, 1973: Ord. 102404 § 6, 1973: Ord. 48022 § 194, 1924.)

6.46.060 Surety bond.

Each applicant for a peddler's or solicitor's license shall furnish to the Director of Licenses and Consumer Affairs for filing with the City Comptroller a surety bond naming the city as obligee in the penal sum of One Thousand Dollars (\$1,000.00) if such licensee has ten or less employees, or Two Thousand Dollars (\$2,000.00) if such licensee has more than ten employees, and conditioned as follows:

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

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

C. That the aggregate liability of the surety for all claims against such bond shall not exceed the penal amount thereof;

D. That the liability of the surety may be terminated by the surety by service of written notice upon the Director of Licenses and Consumer Affairs not less than fifteen days prior to the effective date of such termination;

E. That no claim shall be made against such bond more than one year following the time when the claimant became aware, or should have become aware of the facts upon which such claim is based; provided, that in lieu of such bond, any applicant may furnish to the Director of Licenses and Consumer Affairs for filing with the City Comptroller a copy of such applicant's annual report, bank statement,

credit report, or similar proof of financial responsibility satisfactory to the Director of Licenses and Consumer Affairs together with proof that such applicant, if an out-of-state applicant, has appointed a resident agent for service of process in this state.

(Ord. 102636 § 69-A, 1973: Ord. 102404 § 7, 1973: Ord. 48022 § 194-1, 1924.)

6.46.070 Use of vehicle—Insurance.

A. It shall be unlawful for anyone to use any motor vehicle for peddling, or for the owner of any motor vehicle to permit such vehicle to be used for peddling, unless such owner maintains public liability and property damage insurance covering the use and operation of such vehicle while peddling, in the amounts provided in this section, and no peddler's license shall be issued for peddling with any motor vehicle unless the owner of the motor vehicle to be so used has furnished to the Director for filing with the City Comptroller a policy or policies of public liability insurance providing coverage for personal injury to or death of any one person in the amount of at least Ten Thousand Dollars (\$10,000.00), and subject to the aforesaid limit of any one person injured or killed, of at least Twenty Thousand Dollars (\$20,000.00) for personal injury to or death of two or more persons in any one accident, and for damage to property in the amount of at least Five Thousand Dollars (\$5,000.00) resulting from any one accident. Such policy or policies must contain an endorsement providing for ten days' notice to the Director in the event of any change or cancellation.

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

C. The Director shall issue one or more tags or plates for each motor vehicle to be used for peddling by any licensee, which tag or plate shall evidence that all required insurance has been filed and all necessary peddler's licenses obtained. The form, material and positioning of each such tag or plate shall be as prescribed by the Director. It shall be unlawful to operate or permit to be operated any such motor vehicle

without having the tags or plates required by this section conspicuously posted thereon in the manner prescribed, or to operate such vehicle with illegible or expired tags or plates.

D. Such tags or plates shall remain the property of the city and shall be returned to the Director immediately upon cancellation of the insurance or upon the closing of the business. (Ord. 107157 § 30, 1978; Ord. 102636 § 70, 1973; Ord. 91943, 1963; Ord. 48022 § 196-A, 1924.)

6.46.080 Receipt or contract—Cancellation of transaction.

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

"NOTICE TO BUYER"

"YOU, THE BUYER, MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER THE DATE OF THIS TRANSACTION. SEE THE ATTACHED NOTICE OF CANCELLATION FORM FOR AN EXPLANATION OF THIS RIGHT."

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

"NOTICE OF CANCELLATION

(enter date of transaction)

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

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

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

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

TO CANCEL THIS TRANSACTION, MAIL OR DELIVER A SIGNED AND DATED COPY OF THIS CANCELLATION NOTICE OR ANY OTHER WRITTEN NOTICE, OR SEND A TELEGRAM TO.

(Name of Seller)

AT.

(Address of seller's place of business) NOT

LATER THAN MIDNIGHT OF
(Date)

I HEREBY CANCEL THIS TRANSACTION.

.....
(Date)

....."
(Buyer's Signature)

B. The sending of any such notice of cancellation within the specified period shall operate to cancel the purchase made or contract entered into, and the seller shall thereupon, without request, refund to the buyer any deposit or payment made, and in accordance with such notice of cancellation may reclaim from the buyer at the place of delivery any goods received by the buyer under such purchase or contract. (Ord. 102404 § 10, 1973; Ord. 48022 § 194-4, 1924.)

**6.46.090 Disclosure of information—
Misrepresentation prohibited.**

Each person engaged in peddling or soliciting for the sale of goods or services at the residence of a prospective buyer, shall at the outset disclose to the prospective buyer his name and the company or product he represents, and if requested to do so shall immediately leave the premises. It is unlawful for any peddler or solicitor to make any assertion, representation or statement of fact which misrepresents the purposes for his call, or to use any plan, scheme, or ruse which misrepresents such purpose. (Ord. 102404 § 8, 1973; Ord. 48022 § 194-2, 1924.)

**6.46.100 False, deceptive or misleading
statements.**

It is unlawful for any peddler or solicitor to make or cause to be made, directly or indirectly, for the purpose of selling or procuring an order for the sale of any goods, wares, merchandise, services, or any thing of value, any assertion, representation, or statement of fact which is untrue, deceptive or misleading. (Ord. 102404 § 9, 1973; Ord. 48022 § 194-3, 1924.)

6.46.110 Hours.

It is unlawful for any person to peddle or solicit before the hour of eight a.m. of any day, or after the hour of nine p.m. of any day without the specific prior consent of the prospective buyer. (Ord. 102404 § 11, 1973; Ord. 48022 § 194-5, 1924.)

**6.46.120 Selling of prize packages by peddlers
prohibited.**

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

**6.46.130 Obstruction of street or sidewalk
prohibited.**

It is unlawful for any person, either selling, or offering for sale, any article, by peddling or soliciting in any place, to obstruct or cause to be obstructed, the passage of any sidewalk, street, avenue, alley or any other public place, by causing people to congregate at or near the place where any article is being sold or offered for sale. (Ord. 102404 § 13, 1973; Ord. 48022 § 197, 1924.)

6.46.140 No-peddling signs.

It is unlawful for any peddler or solicitor to ring the bell, or knock on the door or otherwise attempt to gain admittance for the purpose of peddling or soliciting at any residence, dwelling or apartment at which a sign bearing the words, "No Peddlers or Solicitors" or words of similar import indicating that peddlers or solicitors are not wanted on the premises, is painted, affixed or otherwise exposed to public view; provided that this section shall not apply to any peddler or solicitor who rings the bell, knocks on the door or otherwise attempts to gain admittance to such residence, dwelling or apartment at the invitation or with the consent of the occupant thereof. (Ord. 102404 § 14, 1973; Ord. 48022 § 197-1, 1924.)

**6.46.150 Areas where peddling or hawking
are prohibited.**

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

A. Beginning at the waterfront on Elliott Bay in a direct line with West Prospect Street; thence

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easterly to West Olympic Place; thence easterly along West Olympic Place to 1st Avenue West; thence northerly along 1st Avenue West to West Aloha Street; thence easterly along West Aloha and Aloha Streets to Westlake Avenue North; thence southerly along Westlake Avenue North and Westlake Avenue to 8th Avenue; thence southerly along 8th Avenue to Yesler Way; thence westerly along Yesler Way to Elliott Bay on the waterfront; thence northerly along the waterfront to a point in direct line with West Prospect Street, the place of beginning; provided, however, that within the right-of-way of Westlake Avenue between the westerly boundary of Fifth Avenue and the northerly boundary of Pine Street, peddlers holding a permit issued by the Seattle-King County Health Department under Ordinance 92987,¹ as amended, and licensed under this chapter may lawfully sell prepared foods and nonalcoholic beverages from stationary carts at locations in said right-of-way authorized by the Board of Public Works under Ordinance 90047,² as amended;

B. Within two hundred feet of any public park, school or playground;

C. Both sides of Rainier Avenue, between Bayview Street and McClellan Street;

D. Beginning at the junction of 15th Avenue Northeast and East 40th Street; thence west on East 40th Street to Brooklyn Avenue; thence north on Brooklyn Avenue to East 50th Street; thence east on East 50th Street to 15th Avenue Northeast; thence south on 15th Avenue Northeast to East 40th Street, the place of beginning, including both sides of the streets and avenues mentioned;

E. Within the area bounded by the centerline of South Stacy Street, 1st Avenue South, South Forest Street and Colorado Avenue South;

Provided, peddling in the above described areas by licensed peddlers on foot along the route of any parade for which a permit has been issued by the Police Department is authorized, while such parade is in progress and for one hour prior to commencement thereof.

Provided further, that peddlers may lawfully sell flowers within the boundaries and limits described in this section provided: (1) that such peddlers acquire a peddler's license, the fee for which shall be Ten Dollars (\$10.00) per year; (2) that such peddlers sell only at certain locations authorized by the Board of Public Works;

and (3) that sales be conducted only from a cart or temporary stand.

(Ord. 106007 § 1, 1976: Ord. 103514 § 1, 1974: Ord. 101076 § 1, 1972: Ord. 90480, 1961: Ord. 90327, 1961: Ord. 90074, 1961: Ord. 80950, 1952: Ord. 75207, 1946: Ord. 61550, 1931: Ord. 61093, 1931: Ord. 59400, 1930: Ord. 53052, 1927: Ord. 48022 § 198, 1924.)

1. Editor's Note: Ord. 92987 is codified in Chapter 10.10 of this Code.

2. Editor's Note: Ord 90047 is codified in Subtitle I of Title 15 of this Code.

6.46.160 Sales of certain food and goods exempted.

The provisions of Sections 6.46.060 and 6.46.080 shall not apply to any peddler selling food for immediate consumption or goods the price of which does not exceed Five Dollars (\$5.00) per transaction whether under single or multiple contracts.

(Ord. 105189 § 1, 1975: Ord. 48022 § 198-1, 1924.)

Chapter 6.48.

PUBLIC GARAGE OR PARKING LOT

Sections:

- 6.48.010 Definitions.
- 6.48.020 License required—Fee.
- 6.48.030 Duty toward safety, reports, and inspections.
- 6.48.040 Signs—Posting of rates.
- 6.48.050 Immobilization of vehicle for delinquent parking fee.
- 6.48.060 Obstruction of egress from garage or lot.
- 6.48.070 Removal of vehicle.
- 6.48.080 Revocation, 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 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 fixed at the rate of Five Dollars (\$5.00) per year for each one thousand square feet of floor or ground space contained in such parking garage or parking lot and used for parking or storage purposes.

(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; 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 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 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.

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 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 Director of Licenses and Consumer Affairs. 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 Director of Licenses and Consumer Affairs.

(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 Director of Licenses and Consumer Affairs 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

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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

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 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. 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 Director of Licenses and Consumer Affairs may refuse

to issue, or may revoke or suspend such license upon a finding that a licensee has by fraud or misrepresentation, violated any provision of this chapter or any other law, ordinance, rule or regulation.

(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 6.50

SECONDHAND DEALERS

Sections:

- 6.50.010 Definitions.
- 6.50.020 License required—Fee.
- 6.50.030 Transferability of license.
- 6.50.040 Recordkeeping.
- 6.50.050 Seller to sign record.
- 6.50.060 Purchasing secondhand goods from minors.
- 6.50.070 Daily transcript of record to be delivered to Chief of Police.
- 6.50.080 Secondhand goods to be kept ten days.

Cases: A previous Seattle ordinance (Ordinance 45727), which regulated dealers in secondhand goods and which excepted dealers in stoves, furniture, or the total contents of any room or house, was held to violate Article I, § 12 of the State Constitution. *Sherman, Clay and Co. v. Brown*, 131 Wn. 679, 231 P. 166 (1924).

Enactment of Ordinance 48022 §§ 199-205 on the sale of secondhand goods was within the city's power pursuant to Const. Art. 11 § 11 and the City Charter. *Sherman, Clay and Co. v. Brown*, 142 Wn. 37, 252 P. 137 (1927).

6.50.010 Definitions.

Anyone who shall as a business, engage in the purchase, sale, trade, barter or exchange of secondhand goods, other than "junk" as defined in this subtitle; or who shall keep any store, shop, room or place where secondhand goods of any kind or description, other than "junk" as defined in this subtitle, are bought, sold, traded, bartered or exchanged, including dealers in used automobile tires, is defined to be a secondhand dealer, within the meaning of this chapter.

(Ord. 77966 § 1, 1949: Ord. 72712, 1943: Ord. 48022 § 199, 1924.)

Cases: The fact that a comparatively small portion of a business deals in secondhand goods does not exempt it from the operation of Ordinance 48022. *Sherman, Clay and Co. v. Brown*, 142 Wn. 37, 252 P. 137 (1927).

6.50.020 License required—Fee.

A. It shall be unlawful for any person to engage in the business of secondhand dealer without first procuring a license so to do, to be known as a "secondhand dealer's license." The fee for such secondhand dealer's license shall be fixed at Twenty-five (\$25.00) Dollars.

B. Any person having more than one place of business where secondhand goods are bought, sold, traded, bartered or exchanged, shall be required to procure a separate license for each and every such place of business.

(Ord. 48022 § 200, 1924.)

6.50.030 Transferability of license.

A secondhand dealer's license shall not be transferable from one person to another, but the licensee may have his/her license transferred to a new location by the Director and the change of address shall be noted on the license, together with the date on which the change was made.

(Ord. 107157 § 31, 1978: Ord. 48022 § 201, 1924.)

6.50.040 Recordkeeping.

Every secondhand dealer shall keep a book in which he shall at the time of purchase of any secondhand goods, enter in the English language, written in ink, a full and accurate description of such goods so bought, together with the

name, apparent age, signature and residence of the vendor, and if the vendor shall be a minor, a statement of that fact, also the amount paid and the date and hour of purchase, and the book, as well as every article or thing purchased, shall at all reasonable times be open to inspection by the Chief of Police or any police officer of the city.

(Ord. 48022 § 202, 1924.)

6.50.050 Seller to sign record.

Anyone who sells secondhand goods to a dealer therein shall sign the record required to be kept by such dealer with his true name and shall include his correct residence address.

(Ord. 80275 § 2, 1951: Ord. 48022 § 202-1, 1924.)

6.50.060 Purchasing secondhand goods from minors.

In case secondhand goods are bought or received from any minor, the secondhand dealer, his employee or agent, buying or receiving such articles of value, shall demand and receive of such minor a written authority from the person owning such articles, giving full authority to such minor to sell the same, and such written authority shall be received and placed on file by the person receiving such goods and be a part of the record of such transaction.

(Ord. 48022 § 205, 1924.)

6.50.070 Daily transcript of record to be delivered to Chief of Police.

Every secondhand dealer shall make out and deliver to the Chief of Police, at his office, before the hour of noon of each day, a copy of the entries and transactions contained in the book of records relating to the business of the previous day.

(Ord. 48022 § 204, 1924.)

6.50.080 Secondhand goods to be kept ten days.

Secondhand goods of any kind and description bought or received by a secondhand dealer, must be held at least ten days before they are sold or offered for sale, except when the goods have been inspected by the members of the Police Department designated for that purpose and they have authorized the secondhand dealer to dispose of such goods within a less period than ten days.

(Ord. 48022 § 203, 1924.)

Chapter 6.52

SIDE SEWER CONTRACTORS

Sections:

- 6.52.010 License required—Fee.
- 6.52.020 License application—Bond.
- 6.52.030 License revocation.
- 6.52.040 Name of licensed side sewer contractor cannot be used by another.
- 6.52.050 Expiration of licenses.

6.52.010 License required—Fee.

It shall be unlawful to make any opening in any public sewer, or to connect any private drain or sewer therewith, or to lay, repair, alter or connect any private drain or sewer in a public street without side sewer contractor's license. The fee for such license is fixed in the sum of Thirty-five Dollars (\$35.00) per year, and the same may be issued to any person as defined in Section 6.02.030 of this subtitle. (Ord. 88789 § 15, 1959: Ord. 76148 § 1, 1947: Ord. 49946, 1925: Ord. 48022 § 206, 1924.)

6.52.020 License application—Bond.

A. Any person desiring a side sewer contractor's license shall make application therefor in writing to the Director upon a blank form to be furnished for that purpose. The application shall be referred to the City Engineer for his/her approval or disapproval. The applicant shall be required to present satisfactory evidence to the City Engineer that he/she is a reliable person and skilled in the laying and construction of side sewers, and that he/she has sufficient knowledge and experience to carry on the business of side sewer contractor. If the City Engineer approves the application and other requirements of this subtitle relating to side sewer contractors have been complied with, the Director shall issue the license. In the event that the application is not approved by the City Engineer, the license shall be denied.

B. Every applicant for a side sewer contractor's license must file with the City Comptroller a bond in the sum of Five Thousand Dollars (\$5,000.00) conditioned that the applicant and licensee will indemnify and save harmless the city from all claims, actions, or damages or every kind and description which may accrue

to or be suffered by any person by reason of any opening in any street, alley, avenue or other public place made by him/her or those in his/her employ, in making any connection with any public or private sewer, or for any other purpose or object whatever, and that he/she will also replace and restore such street, alley, avenue or other public place to as good a state and condition as at the time of commencement of said work, and maintain the same in good order, and that he/she will comply with all of the provisions of this subtitle and any other ordinance of the city, relating to the business of side sewer contractor. The provisions of this section shall not apply to applicants for a side sewer contractor's license who have on file with the City Comptroller a bond filed in conformance with Section 11 of Ordinance 90047,¹ in an amount of Five Thousand Dollars (\$5,000.00) or more.

(Ord. 107157 § 32, 1978: Ord. 102636 § 71, 1973: Ord. 91281, 1962: Ord. 89733, 1960: Ord. 78146 § 1, 1949: Ord. 49946, 1925: Ord. 48022 § 207, 1924.)

1. Editor's Note: Section 11 of Ord. 90047 is codified in § 15.04.050 of this Code.

6.52.030 License revocation.

In addition to other reasons set forth in this subtitle for the suspension or revocation of licenses, a side sewer contractor's license may be suspended or revoked for the following causes: Failure to observe the rules and regulations issued by the City Engineer governing the construction and laying of side sewers, fraud or misrepresentation in obtaining a side sewer contractor's license, failure to pay for labor or material used in the construction of a side sewer, fraud or misrepresentation to the owner, agent or occupant of a building for the purpose of obtaining a contract for the construction of a side sewer, or for nonpayment for work performed by the City Engineer for the payment of which a side sewer contractor may be liable.

(Ord. 78146 § 2, 1949: Ord. 49946, 1925: Ord. 48022 § 208, 1924.)

6.52.040 Name of licensed side sewer contractor cannot be used by another.

It shall be unlawful for any person not a regularly licensed side sewer contractor to use the name of a licensed side sewer

contractor, or for any person licensed as a side sewer contractor under the provisions of this chapter, to allow his name to be used by any person, firm or corporation, either for the purpose of obtaining a permit or for doing the work under his license, and it shall be the duty of every such licensed side sewer contractor to have his name and place of business recorded in the office of the City Engineer and to immediately notify him of any change in his address.

(Ord. 78146 § 3, 1949; Ord. 49946, 1925; Ord. 48022 § 209, 1924.)

6.52.050 Expiration of licenses.

All annual licenses issued under Section 6.52.010 shall expire at midnight on May 31st of each year.

(Ord. 75088 § 4(part), 1946.)

Chapter 6.54

STEAM ENGINEERS AND BOILER FIREMEN¹

Sections:

- 6.54.010 Scope.
- 6.54.020 Definitions.
- 6.54.030 License required—Fee.
- 6.54.040 Exemptions from license requirements.
- 6.54.050 Grades of licenses.
- 6.54.060 Issuance of licenses.
- 6.54.070 Special license.
- 6.54.080 Examination fees for licenses.
- 6.54.090 Duties of Department of Licenses and Consumer Affairs.
- 6.54.100 Licenses to be posted or carried.
- 6.54.110 Notice of place of employment.
- 6.54.120 Reporting of defective boilers.
- 6.54.130 Duties of steam engineers and boiler firemen.
- 6.54.140 Duties of boiler supervisor.
- 6.54.150 Observation and inspection of boilers.
- 6.54.160 Steam License Advisory Board.
- 6.54.170 Enforcement—Filing of charges.
- 6.54.180 Posting of regulations.

1. Cross-reference: For provisions on licensed steam engineers' responsibility regarding anticorrosion chemical feeding equipment in the water supply, see Chapter 21.08 of this Code; for Uniform Mechanical Code provisions on steam and hot water boilers, see Chapter 22.414.

6.54.010 Scope.

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

(Ord. 107157 § 20(part), 1978; Ord. 94595 § 2 (part), 1966; Ord. 48022 § 130(part), 1924.)

6.54.020 Definitions.

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

1. "Automatic boiler" means a boiler equipped with certain controls and limit devices as required by the Mechanical Code as amended.¹
2. "Boiler" means a closed vessel used for heating water or liquid or for generating steam or vapor by direct application of heat from combustible fuels or electricity.
3. "Boiler plant" means one or more boilers and connecting piping and vessels within the same premises.
4. "Boiler supervisor" means a steam engineer grade I, II or III whose license has been endorsed "boiler supervisor" pursuant to the provisions of this chapter or a professional engineer licensed by the state who has a boiler supervisor certificate issued under this chapter.
5. "Hot-water supply boiler" means a boiler having volume exceeding one hundred twenty gallons, or a heat input exceeding 200,000 BTU per hour or an operating temperature exceeding two hundred degrees Fahrenheit, that provides hot water to be used externally to itself.
6. "Low-pressure hot-water heating boiler" means a boiler in which water is heated for the purpose of supplying heat at pressures not exceeding one hundred sixty pounds per square inch (160 psi) and temperatures not exceeding two hundred fifty degrees Fahrenheit.
7. "Low-pressure steam-heating boiler" means a boiler operated at pressures not exceeding fifteen pounds per square inch (15 psi) for steam.

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8. "Out of service." An automatic boiler shall be "out of service" if it is manually shut down for inspection, maintenance, or repair, except for limited repairs and adjustments as set forth in Section 6.54.140 G.

9. "Power hot-water boiler" (high temperature water boiler) means a boiler used for heating water or liquid to a pressure exceeding one hundred sixty pounds per square inch (160 psi) or to a temperature exceeding two hundred fifty degrees Fahrenheit.

10. "Power steam boiler" means a boiler in which steam or other vapor is generated at pressures exceeding fifteen pounds per square inch (15 psi). For purposes of this chapter the term shall not include a small power boiler.

11. "Small power boiler" means a boiler with pressures exceeding fifteen pounds per square inch (15 psi) but not exceeding one hundred pounds per square inch (100 psi) and having less than 350,000 BTU per hour heat output.

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

13. "Water heater" means a closed vessel used for heating water by direct application of heat from combustible fuels or electricity with a nominal water-containing capacity of one hundred twenty gallons or less having a heat input not exceeding 200,000 BTU per hour and an operating temperature not exceeding two hundred degrees Fahrenheit.

(Ord. 107157 § 20, 1978: Ord. 94595 § 2 (part), 1966: Ord. 48022 § 130(part), 1924.)

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

6.54.030 License required—Fee.

It shall be unlawful to have charge of, or operate, or permit anyone to have charge of, or operate, any boiler or steam engine without a license or certificate so to do issued by the Director under this chapter. The annual fee for license or certificate shall be Six Dollars (\$6.00). All licenses and certificates shall expire at midnight on September 30th of each year, shall not be transferred or assigned and may be renewed only during the month of September. All renewals shall specify the same grade and be subject to such conditions or limitations as may

be provided under the license to be renewed. (Ord. 107157 § 21, 1978: Ord. 94595 § 2 (part), 1966: Ord. 48022 § 131, 1924.)

6.54.040 Exemptions from license requirements.

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

A. Any boiler or steam engine subject to federal regulations;

B. Nesting boilers in group II occupancies of less than six units, group I occupancies and group J occupancies as defined in the Building Code as amended or hereafter amended;¹

C. Low-pressure hot water, low-pressure steam and hot-water supply boiler plants having inputs less than 2,500,000 BTU per hour;

D. Any boiler having input less than 100,000 BTU per hour;

E. Water heaters.

(Ord. 94595 § 2(part), 1966: Ord. 48022 § 132, 1924.)

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

6.54.050 Grades of licenses.

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

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

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

Table 133-A Maximum Capacity Allowable for Grades of Licenses

Type of Equipment	GRADE I(a) Steam Engineer	GRADE II(a) Steam Engineer	GRADE III(a) Steam Engineer
Steam engine (brake horsepower)	Unlimited	1,500	250
Boilers (e) (BTU/hr input total)	Unlimited	300,000,000	50,000,000
Small power boiler	Unlimited	(x)	(x)
Type of Equipment	GRADE IV(b) Boiler Fireman	GRADE V(c) Boiler Fireman	Small Power Boiler Fireman
Steam engine (brake horsepower)	0	0	0
Boilers (e) (BTU/hr input total)	20,000,000 (b)	5,000,000 (f)	0
Small power boiler	(b)	(d)	Less than 350,000 BTU/hr output

Notes to Table 133-A

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

(b) Grade IV boiler fireman may operate a battery of not more than two boilers with a combined capacity not greater than 20,000,000 BTU per hour total input; except, that when he/she is the head fireman on duty and under the direct supervision of a licensed steam engineer hereunder, he/she may operate boilers with greater capacity but not to exceed the capacity permitted by the license of such supervising engineer.

(c) Grade V boiler fireman may not operate high-pressure steam boilers except that he/she may operate electric-powered steam generators limited to one hundred pounds per square inch (100 psi) and not exceeding two hundred kilowatts (200 KW) input.

(d) Grade V boiler fireman license shall bear endorsement "small power boiler" as certified

by Department of Licenses and Consumer Affairs examination.

(e) For license determination purposes, BTU per hour input ratings of a boiler shall be computed equal to burner input.

(f) Grade V boiler fireman may fire single boiler with a capacity not greater than that stated on his/her license.

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

*The above licenses may be subject to certain special limitations and conditions as imposed by the Department of Licenses and Consumer Affairs under the provisions of Section 6.54.090. (Ord. 108076 § 4(part), 1979; Ord. 94595 § 2 (part), 1966; Ord. 48022 § 133, 1924.)

6.54.060 Issuance of licenses.

Persons desiring a license or certificate described in Section 6.54.050 shall make written application to the Department of Licenses and Consumer Affairs on the forms provided by the Department. Such application shall include the applicant's full name and address, and if the

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applicant is an employee, the name of his/her employer. Applications shall be accompanied by a receipt showing payment to the City Treasurer of the required examination fee as provided under Section 6.54.080.

A. Applicants for a steam engineer's license, grade I, II or III shall show by competent evidence one of the following:

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

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

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

Completion of a boiler fireman's course approved by the Department of Licenses and Consumer Affairs shall be the equivalent of one year of practical experience under subsections 1 or 2 above, however, each applicant will be entitled to only one such credit.

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

C. Applicants for a grade IV boiler fireman license shall show by competent evidence one of the following:

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

2. Completion of an in-service training course in the fundamentals of boiler operation as approved by the Department of Licenses and Consumer Affairs which shall include at least

forty hours of classroom work together with eighty hours of work relating to the care and operation of boilers under the direct supervision of a steam engineer with a license of grade I, II or III, without limitations.

D. All persons applying for a license or certificate under Section 6.54.050 shall be examined by the Department of Licenses and Consumer Affairs according to the provisions of Section 6.54.090. Upon determination by the Department of Licenses and Consumer Affairs that the applicant has passed the applicable examination and is otherwise qualified under this chapter, including payment by the applicant of the annual license fee, the Director of Licenses and Consumer Affairs shall issue the license, certificate, or in the case of application for a boiler supervisor endorsement, endorse the words "boiler supervisor" on the applicant's steam engineer license.

(Ord. 108076 § 4(part), 1979: Ord. 107157 § 22, 1978: Ord. 94595 § 2(part), 1966: Ord. 48022 § 134, 1924.)

6.54.070 Special license.

Any person having been employed at least two years as a licensed steam engineer or boiler fireman operating any boiler plant the capacity of which is enlarged or changed beyond the limits of his/her license may apply to the Department of Licenses and Consumer Affairs for a special license with the limits extended to apply only to such plant. The Director of Licenses and Consumer Affairs, upon receipt of such application, shall forward the application to the Superintendent of Buildings who shall make an investigation of the changed boiler plant conditions together with such examination of the applicant as may be necessary to determine whether the applicant is qualified under the provisions of this chapter to operate such enlarged or changed boiler plant. When such investigation and examination reveal that the applicant is qualified to operate such plant in its changed condition, the Director of Licenses and Consumer Affairs shall certify approval of the application and issue such special license. (Ord. 108076 § 4(part), 1979: Ord. 107157 § 23, 1978: Ord. 94595 § 2(part), 1966: Ord. 48022 § 135, 1924.)

6.54.080 Examination fees for licenses.

The examination fees for a license or certificate described in Section 6.54.050 shall be as follows:

Grades One (I) and Two (II)	\$12.00
Grade Three (III).	8.00
Boiler supervisor endorsement on Grades One (I), Two (II) or Three (III) . .	8.00
Boiler supervisor certificate	8.00
Grade Four (IV)	5.00
Grade Five (V)	4.00
Grade small power boiler fireman	4.00
(Ord. 108076 § 4(part), 1979: Ord. 94595 § 2 (part), 1966: Ord. 48022 § 136, 1924.)	

6.54.090 Department of Licenses and Consumer Affairs.

A. In connection with the regulation and licensing of steam engineers and boiler firemen, the Department of Licenses and Consumer Affairs is authorized to perform the following:

1. Provide qualifying examinations for persons applying for steam engineer or boiler fireman licenses under this chapter. Such examinations shall be practical in their character and shall relate to those matters which will fairly test the capacity, skill, experience, and habits of sobriety of each person examined to safely operate and properly care for a boiler and/or steam engine, within the scope of the license sought.

2. Provide qualifying examinations for persons applying for a boiler supervisor endorsement or a boiler supervisor certificate as described under Section 6.54.050. Such examination shall be practical in character and shall relate to those matters which will fairly test the applicant's capacity, skill, experience, and habits of sobriety to safely use, operate, and maintain boilers and automatic boilers under applicable city and state regulations.

3. When approving of any license under this chapter, the Director of Licenses and Consumer Affairs may impose stated conditions or limitations to such license restricting the licensee to the operation and maintenance of particular equipment at a stated location, or to the operation and maintenance of a certain class of boilers or steam engines, or to specified permitted services in connection with the operation and maintenance of boilers and steam engines. Such restrictions shall be based upon the applicant's qualifications under this chapter and be reasonably related to the protection of the public

in the safe operation and maintenance of boilers and steam engines.

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

B. The Department of Licenses and Consumer Affairs may require affidavits regarding an applicant's character, training, experience and record, and such other supporting credentials as may be necessary to determine his/her fitness.

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

D. It shall be sufficient cause to refuse an original steam engineer's or boiler fireman's license, or any renewal thereof, if the applicant has ever been convicted of an offense involving moral turpitude, or if the applicant, through neglect or incompetency while in charge of a boiler or steam engine, has caused serious damage to property or has endangered the lives of others. (Ord. 108076 § 4(part), 1979: Ord. 107157 § 24, 1978: Ord. 94595 § 2(part), 1966: Ord. 48022 § 137, 1924.)

6.54.100 Licenses to be posted or carried.

Every licensed steam engineer or boiler fireman on duty shall display his license in a conspicuous place in the room wherein the boiler or steam engine is located, and such shall be effective only for the operation of the plant where it is displayed. If the licensee is in charge of, or is operating, a portable boiler or steam engine, and the posting of his license is not practicable, such license shall be carried on his person, and on demand he shall exhibit same. A boiler supervisor shall display a legible copy of his license or certificate in the boiler room of each boiler that he supervises.

(Ord. 94595 § 2(part), 1966: Ord. 48022 § 138, 1924.)

6.54.110 Notice of place of employment.

Every licensed steam engineer or boiler fireman shall keep the Boiler Operations Inspector for the city informed of any change of place of employment. Notice shall be given within twenty-four hours after leaving and/or accepting a position. Such notice shall be in writing, addressed to the Boiler Operations Inspector, 5th Floor, Seattle Municipal Building, Seattle, Washington, giving the licensee's name, number and grade of license and the name and address of the plant of last employment and of new employment.

(Ord. 94595 § 2(part), 1966: Ord. 48022 § 139, 1924.)

6.54.120 Reporting of defective boilers.

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

B. Whenever the steam engineer or boiler fireman believes any part of a boiler or steam engine to be in defective or potentially unsafe condition, he/she shall report the fact to his/her employer in writing. If immediate corrective action is not taken, he/she shall report such defective or potentially unsafe conditions to the City Boiler Inspector.

C. The City Boiler Inspector shall thereupon investigate the same, and report any lack of proper care on the part of any licensed person to the employer and the Department of Licenses and Consumer Affairs. The Department of Licenses and Consumer Affairs shall record the facts on the records of the licensee.

D. The steam engineer or boiler fireman in charge of any boiler or steam engine shall report to his/her employer and to the City Boiler Inspector any damage or injury to any such boiler or steam engine under his/her charge or care which affects the safe operation of such boiler or steam engine. Failure to make such reports to his/her employer and the City Boiler Inspector shall be sufficient cause for the suspension or revocation of the license of the person in charge.

E. It shall be the duty of every licensed steam engineer and boiler fireman to report serious negligence in the care of boilers and steam engines to his/her employer and the Boiler Operations Inspector.

(Ord. 108076 § 4(part), 1979: Ord. 94595 § 2(part), 1966: Ord. 48022 § 140, 1924.)

6.54.130 Duties of steam engineers and boiler firemen.

A licensed steam engineer and boiler fireman shall perform the following duties in connection with his/her operation and maintenance of boilers and steam engines:

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

B. Maintain and operate the equipment in a safe manner and according to nationally recognized standards such as those recommended by the American Society of Mechanical Engineers for boilers and as adopted by the City Steam License Advisory Board. Such standards shall be filed with the City Comptroller;

C. Prepare and maintain a boiler log book and record, at least daily, such pertinent boiler readings and data as may be required by the Boiler Operations Inspector and/or the senior license holder or other authorized person in charge of the boiler operation.

(Ord. 108076 § 4(part), 1979: Ord. 94595 § 2(part), 1966: Ord. 48022 § 141, 1924.)

6.54.140 Duties of boiler supervisor.

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

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

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

C. Determine the list of pertinent boiler data entries to be recorded in the boiler log book by the boiler owner or his designated representative and list such entries on the inside back cover. This list shall include such items as any unusual conditions observed, including safety shut-downs, repairs required, adjustments required and/or made. All entries shall be made in the boiler log book and shall include the signature of the person making such readings, observations, or adjustments. It shall be lawful to cross out words or sentences which should be changed or corrected but erasures shall be prohibited. The boiler supervisor's written instructions shall include the above signature requirement and the prohibition of erasures;

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

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

F. Examine each boiler and boiler log book in accord with the frequency of examinations required by Section 6.54.150. His examination shall include the testing of all control devices required for automatic boiler by the Building

Code and the testing of monitoring systems when used. He shall, in addition, inspect and test all other controls on the boiler and shall flush the low water cut-offs, if applicable, to assure that all control devices are in safe and proper operation. He shall permit continued automatic boiler operation only if his examination, inspection and testing indicate that the boiler is in a safe operating condition. No modification, revisions, or alterations to the boiler or its control devices shall be made except under his supervision. Adjustments by others without his supervision shall be limited to: (1) restoring control devices to original factory operating conditions at the set point or within the operating limits determined by the boiler supervisor as set forth in the boiler log book or (2) repair and/or adjustment of the burner system for viscosity changes or to correct fuel-air ratios to restore proper operation at the firing rate indicated in the boiler log book by the boiler supervisor, or (3) repair or adjustment of any other system not directly related to the primary safety controls or to the pressure vessel to restore such systems to proper operation condition. Entries of such repairs or adjustments shall be made in the boiler log book and shall include the signature of those making such repairs or adjustments;

G. Attend any start up of an automatic boiler out of service for more than twenty-four hours or after corrective work other than limited adjustments or repairs by others as set forth in subsection F has been performed on the boiler, its firing equipment, or its control and safety devices, and remain in constant attendance until: (1) the boiler has reached its preset operating range of pressure, and (2) the primary controls and safety devices have been proved, and (3) the boiler is acceptable to him for continued operation.

Provided, the boiler supervisor shall not be required to be in attendance during light off of original boiler equipment being installed by and under the control of the boiler manufacturer or his representative, by a boiler installation contractor making such installation under the manufacturer's written instructions and recommendations, or by a boiler or burner installer making such installations under manufacturer's written instructions and recommendations, nor shall he be required to be in attendance during light off following adjustment or authorized boiler or burner manufacturer alterations made by the above representative, contractor or installer

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within the guarantee or warranty time period during which time the representative, contractor or installer is obligated to render such service provided, however, that such representative or installer shall furnish the boiler supervisor with recommended set points or operating limits of all control devices and recommended firing rates as well as other pertinent data in writing and shall record all subsequent changes, adjustments, alterations or recommendations in the boiler log book together with his signature.

(Ord. 94595 § 2(part), 1966: Ord. 48022 § 141.5, 1924.)

6.54.150 Observation and inspection of boilers.

A. Nonautomatic Boilers and Steam Engines. No engineer or boiler fireman in charge of a boiler, boiler plant, or steam engine, for the operation of which this chapter requires a license of grade I, II, III or IV, shall leave the immediate vicinity thereof for more than twenty minutes when such boiler, boiler plant, or steam engine is being operated. No steam engineer or boiler fireman, licensed under this chapter, in charge of any boiler or steam engine shall leave the premises of his employment when such boiler or steam engine is being operated without first stopping the steam engine and shutting off all sources of heat in the boiler, or being relieved by a person duly licensed under this chapter. Provided that such attendance requirements shall not apply to the operation of small power boilers and power steam boilers having less than 1,000,000 BTU per hour input where such boilers are equipped with approved automatic burners and automatic burner safety controls in accordance with applicable provisions of Ordinance 85500 (Building Code), as amended, relating to oil burner installations (Chapter 53) and to gas piping and appliances (Chapter 54).¹ For such boilers so equipped, the attendance requirements shall be the same as that set forth for power boilers in following subsection B.

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

1. Low-pressure hot-water heating boilers, low-pressure steam heating boilers, hot-water supply boilers with a capacity of 2,500,000 to 5,000,000 BTU per hour input: monthly check by boiler supervisor;*

2. Low-pressure hot-water heating boilers, low-pressure steam heating boilers, hot-

water supply boilers with a capacity over 5,000,000 BTU per hour input: twice daily check by licensed operator and quarterly check by boiler supervisor,* or twice daily observation by owner or owner's representative,* and weekly check by boiler supervisor;

3. Power hot water boilers and power steam boilers with a capacity over 100,000 BTU per hour input: check by licensed operator* at two-hour intervals;

4. Small power boilers: twice daily check by licensed operator and semiannual check by boiler supervisor.

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

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

"Check by boiler supervisor" means inspection of all controls and safety devices pursuant to the requirements of Section 6.54.140 F.

"Observation by owner or owner's representative" means observation by the owner, his agent, or his employee, of gauges and safety devices and the logging of readings, and other functions pursuant to the requirements of Section 6.54.140 C and D.

"Check by licensed operator" means supervision of boiler with responsibility for proper operation and maintenance pursuant to the requirements of Sections 6.54.120 and 6.54.130.

"Approved monitoring system" means a monitoring system manufactured, installed, and maintained in a manner approved by the Superintendent of Buildings.

(Ord. 97241 § 1, 1968: Ord. 95820 § 1, 1967: Ord. 94595 § 2(part), 1966: Ord. 48022 § 142, 1924.)

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

6.54.160 Steam License Advisory Board.

A. There shall be a Steam License Advisory Board consisting of nine members appointed for four-year terms by the Department of Licenses and Consumer Affairs, except that upon making the first appointments the length of terms of the

members shall be staggered so that no more than three board members' terms of service expire in the same year.

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

C. The Steam License Advisory Board shall advise and assist the Department of Licenses and Consumer Affairs in the administration of the steam engineer's and boiler fireman's license examination program, and the Department of Licenses and Consumer Affairs is authorized to define the duties of and prescribe the procedure for such Board. The Steam License Advisory Board may recommend to the Department of Licenses and Consumer Affairs such revisions to the Steam Engineer's and Boiler Fireman's Ordinance as it may deem appropriate.

(Ord. 108076 § 4(part), 1979: Ord. 94595 § 2(part), 1966: Ord. 48022 § 143, 1924.)

6.54.170 Enforcement—Filing of charges.

A. The Superintendent of Buildings shall assist the Director of Licenses and Consumer Affairs in the enforcement of this chapter and in such connection they are authorized to jointly promulgate rules and regulations as may be deemed necessary to provide the means for ensuring safe and proper installation, repair, use and operation of boilers and steam engines.

B. All charges against any person licensed under the provisions of this chapter shall be filed in writing with the Department of Licenses and Consumer Affairs, who, after a thorough investigation, may recommend the suspension or revocation of the license of any person found guilty of any neglect of duty or of any act of incompetency.

(Ord. 108076 § 4(part), 1979: Ord. 102636 § 56, 1973: Ord. 94595 § 2(part), 1966: Ord. 48022 § 144, 1966.)

6.54.180 Posting of regulations.

A copy of the ordinance codified in this chapter or condensed version thereof shall be posted by the employer in every boiler and engine room where licensed operators or boiler supervisors are required.

(Ord. 94595 § 2(part), 1966: Ord. 48022 § 145, 1924.)

Chapter 6.56

TAXICABS

Sections:

- 6.56.010 Purpose.
- 6.56.020 Definitions.
- 6.56.030 License required—Fee—Expiration date.
- 6.56.040 License application.
- 6.56.050 Safety, meter and posting inspections.
- 6.56.060 Financial responsibility.
- 6.56.070 Payment of judgments.
- 6.56.080 Rates to be filed.
- 6.56.090 Changing rates.
- 6.56.100 Posting rates.
- 6.56.110 Contract rates.
- 6.56.120 License plates.
- 6.56.130 Receipt provided upon request.
- 6.56.140 Notice to passengers.
- 6.56.150 Equipment.
- 6.56.160 Packages.
- 6.56.170 Violations.
- 6.56.180 Reciprocal provisions.

6.56.010 Purpose.

It is the purpose of this chapter to require taxicab owners to obtain licenses in order to insure that they operate safe vehicles and obtain public liability insurance for the protection of the public, and conduct the taxicab business in a fair and reasonable manner.

(Ord. 108196 § 1(part), 1979: Ord. 48022 § 500, 1924.)

6.56.020 Definitions.

A. "Affiliated taxicab" means a taxicab associated with a group of taxicabs having multiple owners and operating under the same color or other identification scheme.

B. "Affiliation representative" means the person who has the authority to file rates for a group of affiliated taxicabs.

C. "Independent taxicab" means a taxicab or group of taxicabs having one owner and operating under the same color or other identification scheme.

D. "Operate" means engage in the activity of picking up any passenger for hire.

E. "Owner" means the registered owner as

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defined by RCW 46.04.460, as now or hereafter amended.

F. "Taxicab" means any motor vehicle which carries passengers for hire, where the route traveled or destination is controlled by a passenger, and the fare is based on an amount recorded and indicated on a taximeter.

G. "Taximeter" means a device which records and indicates a fare, rate, or charge calculated according to distance traveled, and may also record and indicate a fare, rate, or charge based on waiting time, extra passengers, initial charge, and such other fares, rates, or charges as are not prohibited by this subtitle or the Weights and Measures Code.¹

(Ord. 108196 § 1(part), 1979; Ord. 48022 § 501, 1924.)

1. Editor's Note: The Weights and Measures Code is codified in Chapter 7.04 of this Code.

6.56.030 License required—Fee—Expiration date.

A. It is unlawful for any person to engage in the business of operating a taxicab without first obtaining a taxicab license for each vehicle.

B. The fee for a taxicab license is Sixty Dollars (\$60.00) per year.

C. Taxicab licenses expire annually on August 31st.

(Ord. 108196 § 1(part), 1979; Ord. 48022 §§ 502, 503, and 504, 1924.)

6.56.040 License application.

Application for the taxicab license shall include at least the following information:

A. Ownership of the vehicle to be licensed;

B. Identification of the vehicle and company vehicle number;

C. Name, fictitious or otherwise, under which the vehicle is to be operated;

D. Distinguishing color scheme or other identification scheme to be used on the vehicle. (Ord. 108196 § 1(part), 1979; Ord. 48022 § 505, 1924.)

6.56.050 Safety, meter, and posting inspections.

A. All vehicles operated under the authority of this chapter may be inspected from time to time as determined by the Director in response to complaints received or observations that such inspection is desirable, for the purpose of determining proper equipment and safe condition for

the transportation of passengers, provided that inspections shall be conducted at least annually. The Director shall promulgate rules and regulations which set forth standards of safety and the scope of inspections, including but not limited to standards regarding brakes, lights, tires, glass, seat belts, and special equipment.

B. Recognizing that changing tire or wheel size, or tampering with the gears or seal of taximeters, or otherwise altering the approved operation of taximeters has sometimes occurred, and that such tampering is difficult to discover unless taximeters are closely inspected, the Director shall inspect all taximeters at least once each year, and may inspect them at any reasonable time to determine continuing compliance with this subtitle and the Weights and Measures Code.¹

C. Recognizing that proper posting of taxicab rates inside the vehicle as determined by the Director is a crucial source of consumer information regarding proper rates and other information, and that such posting cannot be checked for compliance unless the vehicle is entered for inspection, the Director shall inspect all rate-posting for proper form, location, and information at least annually, and may so inspect at any reasonable time to determine continuing compliance with this subtitle.

(Ord. 108196 § 1(part), 1979; Ord. 48022 § 506, 1924.)

1. Editor's Note: The Weights and Measures Code is codified in Chapter 7.04 of this Code.

6.56.060 Financial responsibility.

All taxicab licensees shall maintain and furnish to the Director proof of compliance with RCW Chapter 46.72, as now or hereafter amended, relating to financial responsibility. Such proof shall consist of proof of for-hire certification with the state. Additionally, all licensees shall maintain a policy of uninsured motorist coverage which runs to the benefit of passengers. The city need not be named as an additional insured. Licensees may meet the above requirements for financial responsibility through a program of self-insurance pursuant to RCW 46.29.630.

(Ord. 108196 § 1(part), 1979; Ord. 48022 § 507, 1924.)

6.56.070 Payment of judgments.

Failure to pay any judgment within thirty

days after the judgment becomes final or to make any payment pursuant to a judgment shall result in denial, suspension, or revocation of a taxicab license. No taxicab license shall be renewed if an outstanding final judgment exists. (Ord. 108196 § 1(part), 1979: Ord. 48022 § 508, 1924.)

6.56.080 Rates to be filed.

Each owner of an independent taxicab or each affiliation representative shall present proof satisfactory to the Director of authority to file rates, and shall file all rates and charges with the Director in a form as required by the Director. (Ord. 108196 § 1(part), 1979: Ord. 48022 § 510, 1924.)

6.56.090 Changing rates.

Rates may be changed by filing a new rate schedule with the Director during the months of August, November, February, and May. If the rate change does not necessitate a meter adjustment, the new rate becomes effective fifteen days after filing. If a meter adjustment is required, the new rate becomes effective for each affected taxicab when the cab meter is approved, but not sooner than fifteen days after filing the new rate; provided that no taxicab affected by the rate filing shall operate after ninety days following the filing of the new rate schedule unless its meter has been adjusted, and approved by the Director. (Ord. 108196 § 1(part), 1979: Ord. 48022 § 511, 1924.)

6.56.100 Posting rates.

Each taxicab shall have conspicuously displayed within its passenger compartment the name and number of the taxicab and the rates of fare according to a uniform system which can readily be understood by passengers, as required by the Director by rule. (Ord. 108196 § 1(part), 1979: Ord. 48022 § 513, 1924.)

6.56.110 Contract rates.

Rates may be charged pursuant to a written contract which may establish a fare for specific transportation at a different rate than the filed rate. (Ord. 108196 § 1(part), 1979: Ord. 48022 § 514, 1924.)

6.56.120 License plates.

A license plate, or plates, to be known as Seattle taxicab license plates, in such form and content as prescribed by the Director, shall be issued with each taxicab license, and shall be attached to the vehicle as prescribed by the Director. Whenever a Seattle taxicab license plate is lost, stolen or destroyed, a new license plate may be issued upon the payment of a replacement fee of Five Dollars (\$5.00) and the filing of an affidavit of loss. If the original license plate is recovered, it shall be returned to the Director promptly. Failure to comply with the provisions of this section is a violation. (Ord. 108196 § 1(part), 1979: Ord. 48022 § 520, 1924.)

6.56.130 Receipt provided upon request.

Each licensee or agent shall provide a customer with a receipt when required. The receipt shall include complete and accurate information in legible form as follows:

- A. Name of the licensee and the Seattle taxicab license number;
 - B. Signature of the driver and the (for-hire) driver's license number;
 - C. Date, time, and place of trip origin and dismissal; and
 - D. Itemized listing of charges and total fare paid or charged.
- (Ord. 108196 § 1(part), 1979: Ord. 48022 § 521, 1924.)

6.56.140 Notice to passengers.

Each licensee or agent shall display at all times a notice in the taxicab interior which is readily visible to and readable by passengers as follows:

"The driver of this taxicab is required by Seattle ordinance to give a receipt for service provided to any customer who requests a receipt. Any complaint about taxicab service or charges may be directed to the Seattle Department of Licenses and Consumer Affairs, (mailing address), (telephone number)." (Ord. 108196 § 1(part), 1979: Ord. 48022 § 522, 1924.)

6.56.150 Equipment.

A. Each taxicab shall be equipped with a taximeter installed in the vehicle in such a position that the face upon which the fare or charge is indicated is readily visible to and readable by passengers.

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B. At a minimum, each taxicab shall be equipped with either a top light, a flag attached to the taximeter, or other equipment visible from a distance of ten feet from the vehicle, approved by the Director which indicates that the taxicab is employed or unemployed.
(Ord. 108196 § 1(part), 1979: Ord. 48022 § 523, 1924.)

Cases: The flag attached to a taximeter which indicates employment on a distance fare basis need not be displayed when the taxicab is employed on an hourly fare basis. *Co-operative Cabs. Co. v. Seattle*, 151 Wn. 150, 275 P. 80 (1929).

6.56.160 Packages.

A. Passenger valises or small hand baggage which can be carried conveniently within a taxicab shall be loaded, conveyed, and unloaded from the taxicab free of charge.

B. Nothing in this chapter shall prohibit or limit the right of licensees to use taxicabs for transporting packages for hire.
(Ord. 108196 § 1(part), 1979: Ord. 48022 § 524, 1924.)

6.56.170 Violations.

It is a violation for any person to:

A. Operate or authorize any other person to operate a taxicab for which a license has not been issued;

B. Operate, or for any licensee to authorize any person to operate, a taxicab on which a Seattle taxicab license plate is not attached as required by the Director;

C. Falsify any record, document, or information required to be kept or submitted to the Director (or Hearing Examiner) by this subtitle, or by rule or regulation prescribed under this chapter;

D. Employ as a driver, or authorize the taxicab to be operated by, a person who does not have a for-hire driver's license issued by the city or King County;

E. Drive, or any licensee to authorize any person to drive, a taxicab which is not equipped and in safe condition as required by the Seattle Traffic Code¹ and RCW Chapter 46.37, as now or hereafter amended;

F. Drive, or any licensee to authorize any person to drive, a taxicab which is not equipped with seat belts for all passengers;

G. Drive, or any licensee to authorize any person to drive, a taxicab designed for the transportation of handicapped persons, unless retain-

ing locks for wheelchairs are installed and operable;

H. Charge, or authorize a driver to charge, any passenger an amount different than a fare, rate, or charge as filed pursuant to this chapter, or, if the transportation is provided pursuant to a contract, an amount different than the fare, rate, or charge set forth in the contract;

I. Use or authorize to be used, a trade name, color scheme, or other identification upon a taxicab or in any advertising or public listing, which conflicts with any other name, scheme, or identification or tends to deceive the public, and which has not been approved by the Director;

J. Carry any passenger to the destination by a route that is not the safest and most direct, unless the customer specifically authorizes the deviation or alternate route;

K. Refuse to accept as a passenger any person of proper deportment who requests transportation when the taxicab is not already carrying a passenger;

L. Operate, or authorize a person to operate, a taxicab unless it is equipped with a taximeter, the taximeter has been inspected and approved by the Director, and on which the seal has not been broken, the size of gears operating the taximeter has not been changed, the size of the wheels or tires of the taxicab has not been changed, and the taximeter has not been changed from one vehicle to another, or otherwise tampered with;

M. Activate the meter when the taxicab is not employed or fail to activate the meter at the beginning of each for-hire trip, unless the transportation is provided pursuant to a written contract;

N. Operate, or for any licensee to authorize a person to operate, a taxicab unless it is equipped, at a minimum, with either a top light, a flag attached to the taximeter, or other approved equipment which indicates whether or not the taxicab is carrying a passenger, and such equipment is in working condition and is visible from a distance of ten feet;

O. Activate any equipment which indicates that the taxicab is carrying a passenger when it is not, or to fail to activate such equipment when the taxicab is carrying a passenger;

P. Fail to post rates and other information, or provide receipts, as required by the Director;

Q. Use a taxistand for purposes other than to await the carriage of passengers for hire;

R. Operate a taxicab more than ninety days

after the filing of a new rate, unless the taxicab's taximeter has been adjusted to reflect the new rate and has been approved by the Director; or

S. Pick up additional passengers without the approval of the original passenger or to charge rates not in compliance with rates filed with the Director.

(Ord. 108196 § 1(part), 1979: Ord. 48022 § 525, 1924.)

1. Editor's Note: The Traffic Code is codified in Title 11 of this Code.

6.56.180 Reciprocal provisions.

A taxicab license may be denied, suspended, or revoked upon finding that the applicant or licensee, or owner, officer, or agent thereof has violated, or has caused or permitted a driver to violate, any King County or Port of Seattle ordinance or regulation pertaining to the operation of taxicabs while in those jurisdictions.

(Ord. 108196 § 1(part), 1979: 48022 § 526, 1924.)

Chapter 6.58

TEMPORARY MERCHANTS

Sections:

6.58.010 Definitions.

6.58.020 License required.

6.58.010 Definitions.

"Temporary merchant" as used in this chapter means any person who in any building or structure, or on any lot or premises engages temporarily in the business of selling or offering for sale at retail any goods, wares or merchandise, including those who in connection with any lecture sell or offer for sale any goods, wares or merchandise: Provided, that this section and Section 6.58.020 shall not apply to public officers selling property by authority of law, nor to persons selling farm or dairy products. (Ord. 71460 § 1, 1941: Ord. 51903, 1926: Ord. 48022 § 230, 1924.)

6.58.020 License required.

It shall be unlawful to engage in or carry on the business of a temporary merchant without a valid and subsisting license so to do, to be

known as a "temporary merchant's license." The fee for such license shall be Twenty-five Dollars (\$25.00) per day, or if the license be procured for one or more full months, Three Hundred Dollars (\$300.00) per month. Applications for temporary merchant's license shall be made pursuant to Section 6.02.190 of this subtitle, and all such applications shall state the character, kind and approximate quantity and value of the goods to be sold; the true name and address of the owner or owners thereof; the location where the business is to be conducted, and the numbers of days or months for which a license is desired; and that the applicant has or has not been convicted of a felony or any crime involving moral turpitude within fifteen years immediately preceding the date of such application. Such application shall be accompanied by an affidavit duly executed by the applicant stating that all information contained in such application is true, which affidavit shall be included in or attached to the application.

(Ord. 85557 § 1, 1956: Ord. 51903, 1926: Ord. 48022 § 231, 1924.)

Chapter 6.60

TOBACCO RETAILERS

Sections:

6.60.010 License required—Term.

6.60.020 Place of sale to be licensed.

6.60.030 Revocation or suspension of license.

6.60.010 License required—Term.

A. It is unlawful for anyone to sell, offer or expose for sale at retail any tobacco, cigars, cigarettes, or cigarette papers or wrappers without first obtaining and being the holder of a valid and subsisting license so to do, to be known as a "tobacco retailer's license," obtained according to and in compliance with, the provisions of this subtitle, for each establishment, place of business or retail vending truck in or at which the same, or any of them, are so sold, offered or exposed for sale, and without having such license conspicuously posted in the establishment, place of business or retail vending truck described therein; provided, such license issued for a retail vending truck shall be valid only when such

truck is at a fixed and definite retail sales location at a business or industrial site as a part of a fixed and definite daily route followed by such truck, and precise descriptions of such locations and routes shall be furnished to the Director of Licenses and Consumer Affairs upon application to him for such license.

B. The license year for licenses issued under this section shall be from July 1st to June 30th next succeeding, and all licenses issued under this chapter shall, subject to the right of earlier revocation, as provided by this subtitle, expire at twelve midnight June 30th next succeeding the date of issue.

C. The fee for such license shall be Ten Dollars (\$10.00) when issued on or after July 1st and prior to the next succeeding January 1st; and one-half such fee when issued on and subsequent to January 1st.

(Ord. 102636 § 82, 1973: Ord. 88789 § 17, 1959: Ord. 87546 § 1, 1958: Ord. 69823, 1940: Ord. 61850, 1931: Ord. 48022 § 263, 1924.)

6.60.020 Place of sale to be licensed.

It shall be unlawful to sell, offer or expose for sale at retail, any tobacco, cigars, cigarettes or cigarette papers or wrappers except in an establishment, place of business or retail vending truck duly licensed under this chapter.

(Ord. 87546 § 2, 1958: Ord. 61850, 1931: Ord. 48022 § 264, 1924.)

6.60.030 Revocation or suspension of license.

Any tobacco retailer's license may be revoked or suspended by the Director of Licenses and Consumer Affairs in the manner, subject to the conditions, and for the causes mentioned in Section 6.02.270 of this subtitle, or upon evidence satisfactory to the Director of the sale, furnishing or giving tobacco, cigars, cigarettes, or cigarette papers or wrappers, or any of them, directly or indirectly by the licensee or any of his servants, agents or employees acting in the scope of their employment, to any person under the age of eighteen years.

(Ord. 102636 § 83, 1973: Ord. 61850, 1931: Ord. 48022 § 266, 1924.)

Chapter 6.62

USED AUTOMOBILE DEALER.

Sections:

- 6.62.010 Definitions.
- 6.62.020 Requirements and regulations.
- 6.62.030 License application.
- 6.62.040 Surety bond.
- 6.62.050 Investigation of applicant.
- 6.62.060 License fee.
- 6.62.070 Advertising.
- 6.62.080 Revocation or suspension of license.
- 6.62.090 Secondhand dealer's license not required.

6.62.010 Definitions.

For the purpose of this chapter a "used automobile dealer" is any person conducting, engaging in, or carrying on, or holding himself out as, engaging in, conducting or carrying on, the business of buying, taking in trade or exchange for the purpose of resale, selling or offering for sale, acting as a broker, or consigning to be sold, trading or otherwise dealing in used automobiles or trucks: Provided that no one coming into possession of an automobile because of failure to comply with the terms of the mortgage or sale contract and who sells any such automobile in liquidating such indebtedness shall be deemed a used automobile dealer. (Ord. 77718 § 1, 1949: Ord. 48022 § 308, 1924.)

6.62.020 Requirements and regulations.

A. It is unlawful to engage in business as a used automobile dealer without complying with this chapter and without a used automobile dealer's license; provided, no such license shall be issued to one who is not the holder of a valid state dealer's license.

B. Such business shall be engaged in only at a fixed place of business and if more than one place of business is operated by the same person a separate license shall be required.

C. Each place of business shall be adequate for the display of at least ten automobiles and shall have an enclosed office room located thereon, or within three hundred feet therefrom.

D. If used automobiles are sold with a guaranty or warranty each such dealer shall have at one of his places of business facilities for the

service, repair and reconditioning of automobiles, or a legally enforceable contractual arrangement for such service, repair and reconditioning at a garage having such facilities.

E. Each used automobile dealer shall keep and maintain in his/her office complete and accurate books, records and files showing all purchases, sales and exchanges of automobiles or trucks made by him/her; the records shall show the name and address of the person from whom the automobile or truck is purchased or received, the make, state license number, serial number and style of any used automobile or truck received by him/her; and shall also show the date, name and address of the person to whom the automobile or truck is sold, and sale price, together with the method of sale or financing. The records shall at all times during business hours be available for inspection by any member of the Seattle Police Department or by an officer or employee of the Department of Licenses and Consumer Affairs. Each day before noon such dealer shall through the United States Post Office, with the required amount of postage, mail to the Chief of Police at his/her office in Seattle a copy of such record covering his/her operations for the next previous business day.

F. The true name of such dealer or his/her trade or assumed name, and the words "used cars" or "used automobiles or trucks" or other words indicating that used automobiles or trucks are bought, sold or dealt in shall be displayed in a conspicuous place on or near the front building line of each place of business, such name and other wording to be in letters not less than twelve inches in height and legible from a distance of not less than fifty feet: Provided, that any such dealer desiring to so use his/her trade name or assumed name shall when applying for his/her license or renewal thereof, furnish the Director with a certified copy of his/her filing with the County Clerk showing trade or assumed name.

(Ord. 107157 § 37, 1978: Ord. 102636 § 95, 1973: Ord. 79239, 1950: Ord. 77718 § 2, 1949: Ord. 48022 § 309, 1924.)

6.62.030 License application.

Application for a used automobile dealer's license shall be made to the Director of Licenses and Consumer Affairs on a form provided by him; shall be made by the applicant or by his authorized agent or representative and shall be signed and sworn to before a person authorized

to administer an oath. It shall show the location or locations where the business is to be conducted, and shall state whether or not the applicant sells used automobiles or trucks with a guaranty or warranty and if it shows that he does or intends to sell with such guaranty or warranty shall state that the applicant has on his place of business or one of his places of business facilities for the service, repair and reconditioning of automobiles or trucks, or, if it states that he has no such facilities, shall state that he has a legally enforceable contract for such service with a garage having such facilities, and shall attach to the application a written copy of the contract. It shall show the residence and business address of the applicant; and if a copartnership is the applicant it shall show the name, residence and business address of all members of the copartnership; and if the applicant is a corporation it shall show the residence and business address of all officers of the corporation; said requirement as to names, residence and business addresses shall cover a continuous period of five years immediately prior to the date of the application. It shall state whether the applicant or any member of the copartnership or any officer of the corporation has ever been convicted of a crime involving fraud, misrepresentation, embezzlement or theft, and if so, shall state the offense and date of conviction. It shall state whether or not the applicant is indebted to any person upon unsatisfied judgments in any state or federal court in the state. It shall also state whether or not the applicant or any member of the copartnership or any of the officers of the corporation have ever been adjudged a bankrupt or had a receiver appointed for liquidation of any business which applicant, members of the copartnership or officers of the corporation owned or had any financial interest in. It shall contain such other information as the Director of Licenses and Consumer Affairs may require for determining the honesty and integrity of the applicant, members of the copartnership or officers of the corporation.

(Ord. 102636 § 96, 1973: Ord. 77718 § 3, 1949: Ord. 48022 § 310, 1924.)

6.62.040 Surety bond.

The application shall be accompanied by a bond in the sum of Two Thousand Dollars (\$2,000.00) running to the city executed by the applicant and a surety company authorized to transact a surety business in the state. The

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bond shall be conditioned that any person who suffers any loss or damage by reason of theft of embezzlement on the part of such dealer or failure of title shall have a direct right of action against the surety on such bond for the recovery of his damages: Provided, however, that the aggregate liability of the surety upon the bond for all claims which may arise thereunder shall not exceed the sum of Two Thousand Dollars (\$2,000.00). Payment of any claim against the bond and report of the payment to the Director of Licenses and Consumer Affairs within three days thereof shall reduce the principal of the bond by the amount so paid. Successive recoveries against the bond shall be permitted, but whenever the recovery or recoveries on a bond and payment of claims and reports as above provided for amount to One Thousand Dollars (\$1,000.00) or more, a new bond for the sum of Two Thousand Dollars (\$2,000.00) shall be furnished to the Director of Licenses and Consumer Affairs for filing with the Comptroller or the bond originally filed shall by endorsement of its principal and surety be restored to the full amount of Two Thousand Dollars (\$2,000.00). If such new bond or endorsement is not furnished within ten days after the entry of a final judgment totaling One Thousand Dollars (\$1,000.00) or more, the license of such dealer shall be suspended until such new bond or endorsement is furnished to the Director of Licenses and Consumer Affairs, or until such judgments are satisfied of record. The surety may cancel the bond and be relieved from future liability thereon by giving thirty days' written notice to the principal and to the Director of Licenses and Consumer Affairs. Recovery of final judgment aggregating the penalty of the bond, or cancellation of the same by the surety shall automatically revoke the license of the dealer.

(Ord. 102636 § 97, 1973: Ord. 77869, 1949: Ord. 77718 § 4, 1949: Ord. 48022 § 311, 1924.)

6.62.050 Investigation of applicant.

Upon filing of the application the Director shall determine whether the applicant is a fit and proper person and is prepared to carry on the business of a used automobile dealer under the requirements of this chapter. He/she may refer the application to the Chief of Police for investigation and report. If the Director is satisfied that the applicant is a fit and proper person and

is prepared to comply with the requirements of this chapter, he/she shall issue the license. (Ord. 107157 § 38, 1978: Ord. 102636 § 98, 1973: Ord. 77718 § 5, 1949: Ord. 48022 § 312, 1924.)

6.62.060 License fee.

The annual license fee for used automobile dealer's license shall be One Hundred Dollars (\$100.00) for each place of business and shall accompany the application. All licenses shall expire at midnight on March 31st of each year. The license shall be conspicuously displayed at the place of business of the dealer.

(Ord. 88789 § 20, 1959: Ord. 77718 § 6, 1949: Ord. 48022 § 313, 1924.)

6.62.070 Advertising.

It is unlawful for any used automobile dealer to advertise for sale in any newspaper or through any other medium any automobile or truck not actually for sale at the place of business of such dealer at the time the order for the advertisement is filed with the newspaper or other medium. Within twenty-four hours after any automobile or truck which has been advertised for sale has been sold or withdrawn from sale the used automobile dealer offering the same shall request the withdrawal of any advertisement relative thereto from the newspaper or other medium. All advertisements placed by such dealer shall contain the number of the dealer's Washington State dealer's license.

(Ord. 77718 § 7, 1949: Ord. 48022 § 314, 1924.)

6.62.080 Revocation or suspension of license.

The Director of Licenses and Consumer Affairs may revoke or suspend any license in the manner or for any cause set forth in Section 6.02.270 of this subtitle and the Director may refuse to renew a license or may revoke or suspend the license for the following additional causes:

Whenever the dealer or his agent has:

A. Sold a previously licensed automobile or truck without delivering to the purchaser a properly endorsed certificate of title for the same;

B. Failed to comply with the conditions of the contract of sale as to services to be rendered or repairs to be made pursuant to any warranty or guaranty;

C. Knowingly purchased, sold or dealt in

stolen automobiles or trucks;

D. Forged a certificate of title or application pertaining thereto;

E. Suffered or permitted the cancellation of the bond or the exhaustion of the penalty thereof;

F. Misrepresented any material fact in the application for a license;

G. Failed to continuously comply with all the requirements of this chapter;

H. Failed after twenty days' written notice from the Director of Licenses and Consumer Affairs to satisfy any final judgment of record against him arising from the conduct of his business;

I. For any other cause provided in this subtitle.

(Ord. 102636 § 99, 1973; Ord. 77718 § 8, 1949; Ord. 48022 § 314-a, 1924.)

6.62.090 Secondhand dealer's license not required.

Any person who holds a valid used automobile dealer's license and who does not engage in the business of selling any used or secondhand goods or equipment except used automobiles or trucks is not required to obtain or hold a secondhand dealer's license required by Section 6.50.020 of this subtitle, but the provisions of this subtitle relating to secondhand dealers shall not be otherwise affected by this amendatory ordinance.

(Ord. 77718 § 9, 1949; Ord. 48022 § 314-b, 1924.)

Chapter 6.64

VEHICLE RENTAL AGENCY

Sections:

- 6.64.010 Definitions.
- 6.64.020 Vehicle rental agency operator's license.
- 6.64.030 Vehicle rental agency location license.
- 6.64.040 License applications.
- 6.64.050 Recordkeeping.

6.64.010 Definitions.

The following words or terms for the purpose of this chapter shall mean:

A. "Motor-driven cycle" means every motor-

cycle, including every motor scooter, with a motor which produces not to exceed five brake horsepower (developed by a prime mover, as measured by a brake applied to the driving shaft), and every bicycle with motor attached.

B. "Motor vehicle" means every vehicle, including motor-driven cycles, which is in itself a self-propelled unit and is capable of being operated or moved upon a public street or highway.

C. "Motor vehicle rental agency location" means all premises, buildings, and/or part thereof used for the display, exhibition, or advertisement of motor vehicles for rent or lease without a driver.

(Ord. 95144 § 1, 1966; Ord. 48022 § 240, 1924.)

6.64.020 Vehicle rental agency operator's license.

No person shall engage in the business of leasing or renting motor vehicles without a driver, without first obtaining a vehicle rental agency operator's license, the annual fee for which shall be One Hundred Fifty Dollars (\$150.00); provided, that the annual fee for an operator engaged in the business of leasing or renting three or less motor vehicles shall be Seventy-five Dollars (\$75.00); provided further, that the annual fee for an operator engaged in the rental of motor-driven cycles to the exclusion of other types of motor vehicles shall be One Hundred Dollars (\$100.00). No such license shall be required for the display, exhibit or advertisement for lease or rental, as an adjunct to another principal business, of motor vehicles owned or under the control of one holding a valid vehicle rental agency operator's license.

(Ord. 107157 § 33, 1978; Ord. 102636 § 77, 1973; Ord. 95144 § 2, 1966; Ord. 48022 § 241, 1924.)

6.64.030 Vehicle rental agency location license.

No person shall open up, conduct, manage, operate, or maintain a motor vehicle rental agency location without a vehicle rental agency location license, the annual fee for which shall be Fifty Dollars (\$50.00) for each location; provided, that the annual location license fee for any vehicle rental agency operator engaging in the rental of motor-driven cycles to the exclusion of other types of motor vehicles shall be Twenty-five Dollars (\$25.00) for each location,

and provided further, that no vehicle rental agency location license shall be required of a person holding a valid vehicle rental agency operator's license for the location listed on the operator's license. The location licenses shall be posted in a conspicuous place in each location. (Ord. 95317 § 1, 1966: Ord. 95144 § 3, 1966: Ord. 88789 § 16, 1959: Ord. 69681 § 4, 1939: Ord. 48022 § 242, 1924.)

6.64.040 License applications.

A. Applications for licenses issued under Sections 6.64.020 and 6.64.030 shall be made upon forms prepared and made available by the Director of Licenses and Consumer Affairs and sworn to by the applicant which shall include:

1. The name or assumed name under which the applicant is doing business, home address, and business address of the applicant;
2. A listing of all motor vehicle rental agency locations in the city which are involved in any way in the operation of the applicant's business;

3. Such other information as the Director of Licenses and Consumer Affairs shall reasonably require to effectuate the purpose of this chapter.

B. Such licenses shall expire at midnight on December 31st of each year. (Ord. 102636 § 78, 1973: Ord. 95144 § 4, 1966: Ord. 48022 § 243, 1924.)

6.64.050 Recordkeeping.

Persons holding any license issued under Sections 6.64.020 and 6.64.030 shall prepare and keep a book or other permanent record which shall contain the following information: the make, type, motor number (or identifying serial number), and state license number of all motor vehicles rented or leased by the licensee, together with the name and address of the person renting or leasing the same, and the time and place from which the rental or lease commenced and terminated. Such book or record shall be exhibited upon reasonable demand therefor to the Director of Licenses and Consumer Affairs, the Chief of Police, or their duly authorized representatives.

(Ord. 102636 § 79, 1973: Ord. 95144 § 5, 1966: Ord. 48022 § 244, 1924.)

Chapter 6.66

VEHICLE WRECKERS

Sections:

- 6.66.010 Definitions.
- 6.66.020 License required.
- 6.66.030 Premises to be enclosed.
- 6.66.040 Access within premises.
- 6.66.050 Numbering of motor vehicles acquired.
- 6.66.060 Recordkeeping.
- 6.66.070 Copies of transactions to Chief of Police.
- 6.66.080 Inspection of records.
- 6.66.090 Vehicles to be kept ten days.
- 6.66.100 Dismantling of certain vehicles prohibited.
- 6.66.110 Sale of used cars prohibited.

Severability: Should any portion of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 90316 § 2, 1961.)

6.66.010 Definitions.

"Motor vehicle wrecker," when used in this chapter, means anyone engaged in the business of buying, acquiring or dealing in motor vehicles of a type usually licensed by the state, and which motor vehicles are intended by him to be wrecked, dismantled or disassembled; or anyone who buys or sells integral secondhand parts of component material thereof, in whole or in part, and deals in secondhand motor vehicle parts; or anyone who maintains or uses any building, premises, or place to wreck, dismantle or disassemble any such motor vehicle, and who possesses for sale, offers to sell, or sells any part of any motor vehicle wrecked, dismantled, or disassembled at such building, premises or place; or anyone who stores, or who causes, suffers or allows to remain, on any lot or parcel of land, three or more motor vehicles of a type usually licensed under the laws of the state, and from which parts have been, or are to be, removed, or which for more than thirty days have not been capable of operation under their own power. (Ord. 101488 § 1, 1972: Ord. 90316 § 1(part), 1961: Ord. 48022 § 366, 1924.)

6.66.020 License required.

It is unlawful for anyone to be or to become

a motor vehicle wrecker without first having obtained, for each location at which he is or becomes a motor vehicle wrecker, an annual motor vehicle wrecker's license, which shall expire on June 30th, of each year, and the fee for which is fixed at Fifty Dollars (\$50.00).

(Ord. 90316 § 1(part), 1961: Ord. 48022 § 337, 1924.)

6.66.030 Premises to be enclosed.

A. The activities of a motor vehicle wrecker shall be conducted entirely within an enclosed building, or on premises enclosed by a view-obscuring, firm and substantial fence or a solid wall at least eight feet high, and no motor vehicle or part of a motor vehicle acquired or purchased in the course of such business shall be parked, stored or displayed on the outside of such building, fence or wall. Such fence or wall shall be maintained in firm, substantial condition and openings for access shall be not more than twenty feet wide, and shall be equipped with a substantial, solid, tight gate or door of the same height as the fence or wall. Such gate or door shall swing inwardly, or shall be parallel to the fence or wall and shall slide horizontally, and shall be kept securely closed when the establishment is not open for business. Such fence or wall shall have not more than one such opening for access to each public way upon which such premises abuts; provided, additional access openings to such public way may be provided at intervals of not less than three hundred feet.

B. Premises which may not conform with this section but at which the business of a motor vehicle wrecker was being conducted on the effective date of the ordinance codified in this chapter¹ shall conform with this section within ninety days after such effective date.

(Ord. 92986 § 1, 1964: Ord. 90316 § 1(part), 1961: Ord. 48022 § 338, 1924.)

Cases: An ordinance provision indiscriminately limiting access of motor vehicle wrecking yards to one access per public way is unreasonable and void. *Lenci v. Seattle*, 63 Wn.2d 664, 338 P.2d 926 (1964).

An ordinance requiring the activities of motor vehicle wreckers to be conducted on premises enclosed by a view-obscuring fence or wall at least eight feet high held valid against contention that such requirement is in conflict with state law, indefinite, discriminatory and unreasonable, *Lenci v. Seattle*, 63 Wn.2d 664, 338 P.2d 926 (1964).

1. Editor's Note: Ord. 92986 became effective on July 15, 1964.

6.66.040 Access within premises.

Motor vehicles, parts of motor vehicles, and any other material within a building or premises where the business of a motor vehicle wrecker is conducted shall be arranged so as to allow reasonable access to all parts of the premises and so as to permit convenient inspection thereof, and nothing within such premises shall be placed nearer than one foot to an enclosing fence or wall.

(Ord. 90316 § 1(part), 1961: Ord. 48022 § 339, 1924.)

6.66.050 Numbering of motor vehicles acquired.

Every motor vehicle wrecker shall clearly, legibly and consecutively mark with a number each motor vehicle acquired or purchased by him at the time such motor vehicle is placed on any premises at which he is licensed to engage in business as a motor vehicle wrecker.

(Ord. 90316 § 1(part), 1961: Ord. 48022 § 340, 1924.)

6.66.060 Recordkeeping.

Every motor vehicle wrecker shall keep, at a location designated by him in his license application, a record of every acquisition or purchase of a motor vehicle or part of a motor vehicle, which records shall include the following:

- A. The date;
- B. The number placed on the motor vehicle by the motor vehicle wrecker;
- C. The certificate of title number of the motor vehicle if registered in a title state, the registration number if registered in a nontitle state, or comparable identification if elsewhere registered;
- D. The name of the state and license number where the motor vehicle was last registered, or comparable information if last registered outside any state;

E. A description of the motor vehicle, including make, year, model, body type, identification number and motor number;

F. The name, age, street address, and a general description, including dress, complexion, color of hair and facial appearance, of the person with whom the transaction is had; or other identification of the seller.

(Ord. 90316 § 1(part), 1961: Ord. 48022 § 341, 1924.)

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6.66.070 Copies of transactions to Chief of Police.

Every motor vehicle wrecker shall deliver to the Chief of Police, before the hour of noon of each business day, a copy of the record of the transactions for the immediately preceding business day.

(Ord. 90316 § 1(part), 1961: Ord. 48022 § 342, 1924.)

6.66.080 Inspection of records.

The Director of Licenses and Consumer Affairs, the Chief of Police, or any police officer of the city, may enter and inspect the premises or anything on the premises of a motor vehicle wrecker, and may inspect the records of any motor vehicle wrecker at any reasonable time.

(Ord. 102636 § 113, 1973: Ord. 90316 § 1(part), 1961: Ord. 48022 § 343, 1924.)

6.66.090 Vehicles to be kept ten days.

Any motor vehicle or part of a motor vehicle acquired or purchased by a motor vehicle wrecker shall be held at least ten days before such motor vehicle or part of a motor vehicle is disassembled or offered for sale or sold unless the disassembling or offering for sale or sale of such motor vehicle or part of a motor vehicle within a lesser period than ten days has been authorized by a police officer designated for such purpose by the Chief of Police.

(Ord. 90316 § 1(part), 1961: Ord. 48022 § 344, 1924.)

6.66.100 Dismantling of certain vehicles prohibited.

It is unlawful for any motor vehicle wrecker to cause, suffer or allow anyone to use the premises on which such motor vehicle wrecker conducts his business for the purpose of dismantling or cutting up any motor vehicle or part of a motor vehicle which is not owned by such motor vehicle wrecker.

(Ord. 90316 § 1(part), 1961: Ord. 48022 § 345, 1924.)

6.66.110 Sale of used cars prohibited.

It is unlawful for any motor vehicle wrecker to park, store, or display, or to cause, suffer or allow anyone to park, store or display, any motor vehicle for sale as a used car on any premises at which he is licensed to engage in business as a motor vehicle wrecker.

(Ord. 90316 § 1(part), 1961: Ord. 48022 § 346, 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 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.)

Cross-reference Table
for the
Seattle License Code
(Ord. 48022)

This table provides the Code user with the disposition of the sections of the Seattle License Code, Ordinance 48022 as amended. For example, Section 1 of Ordinance 48022 appears in this volume as Section 6.02.010, and Section 11-A does not appear because it was repealed by Ordinance 102636.

The designation "Rx" used in this table means "repealed by."

§ of 48022	Herein	§ of 48022	Herein
1	6.02.010	22	Rx 107781
2	6.02.020	23	6.20.010
3	6.02.030	23-1	Rx 106037
4	6.02.110	23-a-23-f	Rx 106037
4.1	6.02.120	24	Rx 106160
4.2	6.02.130	25, 26	Rx 106037
5	6.02.140	26-A	Rx 106037
5-A	6.02.150	27	Rx 106037
6	6.02.160	27-A-27-C	Rx 106037
7	Severability footnote	27-D-27-L	Rx 104345
8	Not codified	28	6.04.010
9	6.02.170	29	Rx 104345
10	6.02.180	30	6.04.030
11	6.02.190	31	6.04.040
11-A, 11-B	Rx 102636	32	6.04.050
12	Rx 93051	33	6.04.060
12-a	6.02.200	34	6.04.070
13	6.02.210	35	6.04.080
13.1	6.02.220	36	6.04.090
13.2	6.02.230	37	6.04.100
13.3	6.02.240	38	6.04.110
13.4	6.02.250	39	6.04.120
13.5	6.02.260	40	6.04.130
14	6.02.270	41	6.04.140
14-A	6.02.280	42-48	Rx 104683
14.1	6.02.290	49	Rx 106037
15	6.02.300	50	Rx 92374
16	6.02.310	51	Rx 106037
17	6.02.320	52-56	Rx 105864
17.1	6.02.330	57	6.10.010
18	Rx 95114	58	6.10.020
19	6.02.040	58-A	6.10.030
19.1	6.02.050	59	6.10.040
20	6.02.060	60	6.10.050
21	6.02.070	61	6.10.060
21.1	6.02.080	62	6.10.070
21.2	6.02.090	63	6.10.080
21.3	6.02.100	63-A-63-E	Rx 105996

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§ of 48022	Herein	§ of 48022	Herein
64, 65	Rx 97956	132	6.54.040
65-A	Rx 97956	133	6.54.050
66-68	Rx 97956	134	6.54.060
69-78	Rx 107049	135	6.54.070
78-A-78-E	Rx 107049	136	6.54.080
79-81	Rx 107049	137	6.54.090
82, 83	Rx 88604	138	6.54.100
83-A, 83-B	Rx 107049	139	6.54.110
84-88	Rx 104683	140	6.54.120
89	6.14.010	141	6.54.130
90	6.14.020	141.5	6.54.140
90-1	6.14.030	142	6.54.150
90-2	6.14.040	142.5	Rx 95820
90-3	6.14.060	143	6.54.160
90-4	6.14.070	144	6.54.170
90-5	6.14.080	145	6.54.180
91	6.14.090	145-A	Rx 106007
91-1	6.14.100	146	6.48.010
92, 93	Rx 104683	147	6.48.020
94	Rx 89380	148	6.48.030
95	6.16.010	148-A	6.48.040
95-A	6.16.020	148-B	6.48.040
95-B	6.16.030	148-C	6.48.050
95-C	6.16.040	148-D	6.48.060
95-E	6.16.050	148-E	6.48.070
95-F	6.16.060	148-F	6.48.010
95-G	6.16.070	148-G	6.48.080
96	6.18.010	148-H	6.48.090
97	6.18.020	148-I	6.48.100
98	6.18.030	149-151	Rx 104345
99	6.18.040	152	6.28.010
100	6.18.050	153	6.28.020
101	6.18.060	154-158	Rx 104345
102	Rx 88780	159	6.32.010
103	6.22.010	160	6.32.020
104	6.22.020	161	6.32.010
105	6.22.030	162	6.32.010
106	Rx 104649	163	6.32.050
107	6.22.040	164	6.32.040
108	6.22.050	165	6.32.060
109	Not codified	166	6.32.100
110	6.22.060	167	6.32.070
111	6.22.070	168	6.32.080
112	6.22.080	169	6.32.090
113	6.22.090	170	6.32.110
114	6.22.100	171	6.36.010
115-117	Rx 104850	172	6.36.020
118-129	Rx 97857	173	6.36.030
130	6.54.010,	173.1	6.36.040
	6.54.020	174	Rx 105734
131	6.54.030	175	6.36.050

CROSS-REFERENCE TABLE

Herein	§ of 48022	Herein	§ of 48022	Herein
040	176	6.36.060	217-229	Rx 108138
050	176.1	6.36.070	230	6.58.010
060	177	Rx 72529	231	6.58.020
070	178	6.36.080	232-239	Rx 107095
080	179-181	Rx 105585	240	6.64.010
090	182	6.44.010	241	6.64.020
100	183	6.44.020	242	6.64.030
110	183½	6.44.030	243	6.64.040
120	184	6.44.050	244	6.64.050
130	184-1	6.44.060	245	6.68.010
140	185	6.44.070	246	6.68.020
150	186	6.44.080	247, 248	Not codified
5820	187	6.44.090	249-259	Rx 80242
160	188	6.44.100	260	6.38.010
170	189	6.44.110	261	6.38.020
180	190	6.46.020	262	6.38.030
06007	191	Rx 104620	262-1	6.38.040
8010	191-1	Rx 102404	263	6.60.010
8020	192	6.46.010	264	6.60.020
8030	192-1	6.46.030	265	Rx 70325
8040	193	6.46.040	266	6.60.030
8040	194	6.46.050	267	6.26.010
8050	194-1	6.46.060	267-1	6.26.020
8060	194-2	6.46.090	267-2	6.26.030
8070	194-3	6.46.100	268	6.26.040
8080	194-4	6.46.080	269	6.26.050
8090	194-5	6.46.110	270	6.26.060
8100	195	Rx 102404	270-1	6.26.070
104345	195-A	Rx 104345	271-275	Rx 80252
28010	196	6.46.120	276-279	Rx 92205
28020	196-A	6.46.070	280-282	Rx 104345
104345	197	6.46.130	283-296	Superseded by Washington State Liquor Act, 1933
32010	197-1	6.46.140	297, 298	Rx 89418
32020	198	6.46.150	299	Rx 106150
32010	198-1	6.46.160	299-A	Rx 106150
32050	199	6.50.010	300	Rx 106150
32040	200	6.50.020	300-A-300-E	Rx 106150
32060	201	6.50.030	300-F	Rx 102958
32100	202	6.50.040	300-G, 300-H	Rx 106150
32070	202-1	6.50.050	300-I	Rx 103373
32080	203	6.50.080	300-J, 300-K	Rx 106150
32090	204	6.50.070	301	6.34.010
32110	205	6.50.060	302	6.34.020
36010	206	6.52.010	303	6.34.030
36020	207	6.52.020	304	6.34.040
36030	208	6.52.030	305	6.34.050
36040	209	6.52.040	305.1	6.08.010
x 105734	210	Rx 49534	305.2	6.08.020
36050	211, 212	Rx 89418	305.3	6.08.030
	213	Rx 49534		
	214-216	Rx 104345		

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305.4.....	6.08.040	348.1.....	6.12.030
305.5.....	6.08.050	348.2.....	6.12.040
305.6.....	6.08.060	348.3.....	6.12.050
306, 307.....	Rx 93541	349.....	6.12.060
308.....	6.62.010	350.1.....	6.12.070
309.....	6.62.020	350.2.....	6.12.080
310.....	6.62.030	351.....	6.12.090
311.....	6.62.040	352.....	6.12.100
312.....	6.62.050	353.....	6.12.110
313.....	6.62.060	354.....	6.12.120
314.....	6.62.070	355.....	6.12.130
314-a.....	6.62.080	356.....	6.12.140
314-b.....	6.62.090	357.....	6.12.150
315-320.....	Rx 104345	358.1.....	6.12.160
321-326.....	Rx 104622	359-359.7.....	Rx 105430
327, 328.....	Rx 106150	360-368.....	Rx 100758
328-A-328-D.....	Rx 106150	369.....	6.40.010
329.....	Repealed (number not recorded)	370.....	6.40.020
330.....	6.42.010	371.....	6.40.030
330.1.....	6.42.020	372.....	6.40.040
330.2.....	6.42.030	373.....	6.40.050
330.3.....	6.42.040	374.....	6.40.060
330.4.....	6.42.050	375.....	6.40.070
330.5.....	6.42.060	376.....	6.30.010
330.6.....	6.42.070	377.....	6.30.020
330.7.....	6.42.080	378.....	6.30.030
331.....	6.06.020	379.....	6.30.040
331.1.....	6.06.030	380.....	6.30.050
331.2.....	6.06.040	381.....	6.30.060
331.3.....	6.06.010	382.....	6.30.070
331.4.....	6.06.050	383-399.....	Numbers not used
331.5.....	6.06.060	400.....	6.24.010
331.6.....	6.06.070	401.....	6.24.020
331.7.....	6.06.080	402.....	6.24.030
331.8.....	6.06.090	403.....	6.24.040
332-335.....	Rx 104861	404.....	6.24.050
336.....	6.66.010	405.....	6.24.060
337.....	6.66.020	406.....	6.24.070
338.....	6.66.030	407.....	6.24.080
339.....	6.66.040	408.....	6.24.090
340.....	6.66.050	409.....	6.24.100
341.....	6.66.060	410.....	6.24.110
342.....	6.66.070	411.....	6.24.120
343.....	6.66.080	412.....	6.24.130
344.....	6.66.090	413.....	Not codified
345.....	6.66.100	414-499.....	Numbers not used
346.....	6.66.110	500.....	6.56.010
347.....	Rx 105430	501.....	6.56.020
347.1.....	6.12.010	502.....	6.56.030
347.2.....	6.12.020	503.....	6.56.030
		504.....	6.56.030

§ of
4802

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Herein	§ of 48022	Herein
	505	6.56.040
12.030	506	6.56.050
12.040	507	6.56.060
12.050	508	6.56.070
12.060	509	Number not used
12.070	510	6.56.080
12.080	511	6.56.090
12.090	512	Not codified
12.100	513	6.56.100
12.110	514	6.56.110
12.120	515-519	Numbers not used
12.130	520	6.56.120
12.140	521	6.56.130
12.150	522	6.56.140
12.160	523	6.56.150
105430	524	6.56.160
100758	525	6.56.170
40.010	526	6.56.180
40.020		
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6.30.010		
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Seattle Municipal Code
as adopted in 1980
For current SMC, contact
the Office of the City Clerk

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 6.76

AMBULANCES

Sections:

- 6.76.010 Definitions.
- 6.76.020 Ambulance operator's base license—Required.
- 6.76.030 Ambulance plates.
- 6.76.040 Rate schedule—Recordkeeping—Taximeter.
- 6.76.050 Ambulance operator's base license—Application.
- 6.76.060 Equipment.
- 6.76.070 Two-way radios—telephone numbers.
- 6.76.080 Liability insurance.
- 6.76.090 Unlawful use of short-wave radio.
- 6.76.100 Driver and attendant—Qualifications.
- 6.76.110 Ambulance service zones—Map.
- 6.76.120 Compliance with designated ambulance service zones.
- 6.76.130 Duty when city emergency vehicle present at scene of emergency.
- 6.76.140 Authority to make rules.
- 6.76.150 Revocation or suspension of licenses.
- 6.76.160 Violation—Penalty.

Statutory reference: For statutory provisions on ambulances and ambulance personnel, see RCW 18.73.130 et seq.

Severability: If any portion of this chapter is found by any court to be unconstitutional or void, such decision shall not affect the validity of the remaining portions of this chapter.
(Ord. 90952 § 15, 1962.)

6.76.010 Definitions.

The following terms for the purpose of this chapter shall mean:

A. "Ambulance" means any motor vehicle constructed, reconstructed, arranged or used for the purpose of transporting ill, sick, or injured persons.

B. "Ambulance operator" means anyone engaging in the business of transporting ill, sick, or injured persons, or who, by advertising, representation or otherwise holds himself out as engaging in such business.

C. "Driver" means anyone in charge of, or driving, any ambulance and includes any person acting as an attendant on any ambulance as defined in this section.

(Ord. 90952 § 1, 1962.)

6.76.020 Ambulance operator's base license—Required.

It is unlawful to be or become an ambulance operator in the city without first having obtained a valid and subsisting license so to do designated as an "ambulance operator's base license," the annual fee for which license shall be Two Hundred Fifty Dollars (\$250.00) and the expiration date for which shall be August 31st of each year; and it further shall be unlawful for any ambulance operator to operate, or any driver to drive any ambulance, unless the ambulance operator shall first have obtained for such vehicle a valid and subsisting license so to do designated as an "ambulance license," the annual fee for which shall be Twenty-five Dollars (\$25.00) for each such ambulance, and the expiration date for which shall be August 31st of each year.
(Ord. 90952 § 2, 1962.)

6.76.030 Ambulance plates.

A. The Director of Licenses and Consumer Affairs shall issue with each ambulance license one or more tags or plates to be known as "Seattle ambulance plates," each such ambulance plate to bear the number of the license year for which the license is issued and the words "AMBULANCE-SEATTLE." The form, material, and positioning on the vehicle of each such plate shall be as prescribed by the Director of Licenses and Consumer Affairs. It shall be unlawful for any owner, operator or driver of an ambulance to operate any such vehicle without having conspicuously displayed thereon, as prescribed by the Director of Licenses and Consumer Affairs, such Seattle ambulance plate, or to operate any such vehicle with expired or illegible Seattle ambulance plates thereon, or to fail to comply with any regulations of the Director of Licenses and Consumer Affairs relating to such plates.

B. Seattle ambulance plates shall remain the

property of the city and it shall be unlawful for anyone other than the licensee to whom the plates were issued to possess or use any such plates. Any plates possessed or used in violation of the provisions of this chapter shall be taken up by any police officer or city employee in the Department of Licenses and Consumer Affairs and returned to the Director of Licenses and Consumer Affairs.

(Ord. 107158 § 1, 1978: Ord. 102632 § 1, 1973: Ord. 90952 § 3, 1962.)

6.76.040 Rate schedule—Recordkeeping—Taximeter.

A. It is unlawful for anyone driving or operating an ambulance to charge, demand, collect or receive any greater rate of fare for ambulance services than as provided by the schedule of maximum rates, fares and charges filed by such ambulance operator with the Director of Licenses and Consumer Affairs. Each such schedule shall be in effect on and after thirty days after the date of filing and shall not be changed for a period of at least six months from such date. Each schedule of maximum rates, fares and charges shall set forth specific amounts for all of the following elements: a base rate, a mileage rate, a time rate, an additional stretcher patient rate, an additional sit-up patient rate, and all other ancillary charges related to the services rendered.

B. The maximum rates charged for ambulance services shall include and be based upon such elements and shall be computed from the time the ambulance arrives for hire until the ambulance is discharged by the patient or his authorized representative; provided, that such rates and charges shall not apply to ambulance services rendered for the city or for any other governmental unit.

C. Every ambulance operator shall keep at the location for which his operator's license is issued, a chronological record showing each call for ambulance service ordered or made and the name and address of the person calling for the service, the name of the driver and attendant, the company name of the ambulance, the time and place of the origin and of the end of each ambulance trip, and the fee charged, and shall, upon request of any person paying an ambulance charge, furnish a receipt showing such information. Any receipt for service rendered given to the customer shall contain a statement that complaints may be referred to The City of

Seattle Department of Licenses and Consumer Affairs. Such records shall at all reasonable times be open to the inspection of the Director of Public Health, the Director of Licenses and Consumer Affairs or Chief of Police, or their designated agents.

D. It is unlawful for any person to drive or operate, or engage in the business of operating ambulances, unless each of the ambulances is equipped with a taximeter, inspected and approved by the Director of Licenses and Consumer Affairs. Approval by the Director of Licenses and Consumer Affairs shall be evidenced by his certificate, which shall be plainly posted on the taximeter. In addition, the face of the meter shall have affixed thereto a leadwire security seal, bearing The City of Seattle approval impression. If such certificate of approval or security seal is defaced, broken or removed for any purpose, it shall be unlawful to operate the taximeter, unless reinspected and approved by the Director of Licenses and Consumer Affairs. (Ord. 103881 § 1, 1974: Ord. 103513 § 1, 1974: Ord. 102632 § 2, 1973: Ord. 100957 § 1, 1972: Ord. 98639 § 1, 1970: Ord. 94622 § 1, 1966: Ord. 90952 § 4, 1962.)

6.76.050 Ambulance operator's base license—Application.

A. Application for an ambulance operator's base license shall be made to the Director of Licenses and Consumer Affairs on forms approved by him and shall be sworn to by the applicant. If the applicant is a corporation, it shall accompany the application with a list of officers, directors and stockholders of the corporation, and shall within ten days notify the Director of Licenses and Consumer Affairs in writing of any subsequent changes in officers, directors or stockholders. No new ambulance operator's base license shall be issued or an existing license transferred to any other person without the approval of the Director of Licenses and Consumer Affairs.

B. Application for an ambulance operator's base license shall show the name of the applicant together with any assumed name under which the company will operate, and for each ambulance, the company vehicle number therefor, the make, model and identifying serial number of the vehicle. The applicant shall furnish such other information as may be required by the Director of Licenses and Consumer Affairs which he deems necessary to aid in the

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enforcement of this chapter.

(Ord. 102632 § 3, 1973; Ord. 94622 § 2, 1966; Ord. 90952 § 5, 1962.)

6.76.060 Equipment.

A. Each ambulance shall be equipped and maintained at all times by the operator thereof for safe and lawful operation as an ambulance and in accordance with the laws of the city and the state, and shall be furnished with such equipment as the Director of Public Health shall deem necessary, including the following equipment, or the equivalent thereof, maintained in a workable and usable condition at all times:

1. One siren;
2. One red flashing light, (front and rear);
3. One resuscitator;
4. One oxygen tank with regulator and mask;
5. One collapsible stretcher;
6. One urinal;
7. One wool blanket;
8. Two sand bags;
9. One emesis basin;
10. One adult splint;
11. One child's leg splint;
12. One underwriter-approved fire extinguisher;
13. One bed pan;
14. Two restraint straps;
15. One plastic cover for patient;
16. Two red flares;
17. One spare size E oxygen tank;
18. Adequate supply of linen;

and an attendant's bag, which shall contain the following:

- One bandage shears
- One flashlight
- One small airway
- One large airway
- Six rolls 3-inch bandage
- Six rolls 2-inch bandage
- Two rolls 1-inch adhesive tape
- Two rolls 1½ inch adhesive tape
- Four arm splints
- Six tongue depressors
- One infant's oxygen face cone
- Two cravats
- Three 18-inch pieces of rubber tubing
- Ten 4 x 4 gauze pads

B. Any ambulance may be inspected at any reasonable time by the Chief of Police, Director of Licenses and Consumer Affairs, Director of Public Health or their agents, and the Director of Licenses and Consumer Affairs may require any ambulance to proceed to a specified location for inspection.

C. The Director of Public Health shall within ten days after notification by the Director of Licenses and Consumer Affairs of any application for an ambulance license or renewal thereof inspect as to safety and compliance with the city and state law, the following equipment:

1. Shock absorbers;
2. Tires (blowout-proof, puncture-proof, if available; adequate tread for non-skid operation through the inspection period);
3. Exits (each vehicle shall have at least two exits from the compartment where the patient is carried);
4. Glass (for pits or cracks);
5. Stretcher retaining lock;
6. Security of all auxiliary equipment;
7. Safety belts fastened to main stretcher;

and the equipment specified in the foregoing provisions of this section, and shall recommend to the Director of Licenses and Consumer Affairs the approval or denial of the application and may recommend to the Director of Licenses and Consumer Affairs the suspension or revocation of any existing license upon his finding of any violation of the provisions of this chapter. (Ord. 102632 § 4, 1973; Ord. 90952 § 6, 1962.)

6.76.070 Two-way radios—Telephone numbers.

A. Each ambulance operating under the provisions of this chapter shall be equipped with a two-way radio operating on an independent radio frequency authorized by the Federal Communications Commission. Such radio communication shall be between each such vehicle and the licensee's headquarters. The licensee's headquarters shall be staffed on a twenty-four-hour basis, with a telephone dispatcher and a licensed radio dispatcher qualified to process any and all calls. The telephone operator and the radio operator may be the same person, except under general emergency conditions.

B. Ambulance operators may publicly list or advertise telephone numbers only of telephones

located at its headquarters or stations where the operator has an ambulance stationed on twenty-four-hour availability.
(Ord. 90952 § 7, 1962.)

6.76.080 Liability insurance.

A. Every ambulance operator shall furnish to the Director of Licenses and Consumer Affairs for filing with the City Comptroller a policy or policies of public liability insurance, approved as to sufficiency by the Director of Licenses and Consumer Affairs and as to form by the City Attorney, issued by an insurance company or companies authorized to do business in the state, providing indemnity for or protection to the city as well as providing public liability insurance coverage for each and every ambulance owned, operated and/or leased by the applicant, for injury to or death of persons, passengers or otherwise, in accidents resulting from any cause by which the owner of the vehicle would be liable on account of any liability imposed upon him by law, regardless of whether the ambulance was being driven by the owner or his agent, and as against damage to the property of another, including personal property under like circumstances, in the sum of One Hundred Thousand Dollars (\$100,000.00) for the injury or death of one person, or Three Hundred Thousand Dollars (\$300,000.00) for the injury or death of more than one person in any one accident, and Fifty Thousand Dollars (\$50,000.00) for property damage.

B. Every such policy of insurance shall continue to the full amount thereof, notwithstanding any recovery thereon and shall provide that the liability of the insurer shall not be affected by the insolvency or bankruptcy of the insured. The policy shall be for the benefit of any and all judgment creditors. Each insurance policy required under this chapter shall extend for the period to be covered by the license applied for and the insurer shall be obliged to give not less than ten days' written notice to the Director of Licenses and Consumer Affairs in the event of any change or cancellation.
(Ord. 102632 § 5, 1973; Ord. 90952 § 8, 1962.)

6.76.090 Unlawful use of short-wave radio.

It shall be unlawful for any ambulance operator or driver or agent to intercept police calls by short-wave radio or otherwise for the purpose of going to the scene of an accident, or to use information received from monitoring of short-

wave radio messages not specifically directed to the ambulance operator or driver or agent, to go to the scene of the accident.
(Ord. 90952 § 9, 1962.)

6.76.100 Driver and attendant—Qualifications.¹

A. Each ambulance, while transporting an individual as a patient shall be manned by two qualified and uniformed attendants, one a driver and the other an attendant, both of whom shall be at least eighteen years of age and shall have been approved by the Public Health Department as qualified in first aid equal to or better than the requirement of an advanced Red Cross first-aid rating, and each of whom shall carry with him at all times proof of his qualifications.

B. It is unlawful to drive any ambulance or act as an attendant thereon without a for-hire driver's license obtained, issued, and conditioned in accordance with Sections 103 to 113, inclusive, of the License Code, Ordinance 48022, as amended,² or to fail to exhibit such license on request of any police officer or authorized representative of the Director of Licenses and Consumer Affairs or of the Director of Public Health.

(Ord. 104201 § 2, 1975; Ord. 102632 § 6, 1973; Ord. 90952 § 10, 1962.)

1. Editor's Note: This section is superseded by RCW 18.73.020.
2. Editor's Note: Sections 103 through 113 of the License Code are codified in Chapter 6.22 of this Code.

6.76.110 Ambulance service zones—Map.

The Director of Public Health shall prepare an official map dividing the city into emergency ambulance service zones and designate thereon the ambulance operators to serve the respective zones, and the city shall not pay for any emergency ambulance service rendered by an ambulance operator outside his designated zone unless specifically requested so to do by the city's emergency ambulance dispatching service. Such zone map may be revised by the Director from time to time and such map and revisions thereof shall be filed with the City Comptroller and be and become a part of this chapter.
(Ord. 90952 § 11, 1962.)

6.76.120 Compliance with designated ambulance service zones

It shall be unlawful for any ambulance operator to dispatch any ambulance to any injured or otherwise disabled person when such person

is on a public street outside the operator's designated zone unless directed to do so by the city's ambulance dispatching service. All calls received by any operator for emergency service on a public street outside the operator's designated zone shall be relayed by the operator to the city ambulance dispatching service.

(Ord. 90952 § 12, 1962.)

6.76.130 Duty when city emergency vehicle present at scene of emergency.

If at the scene of an emergency to which an ambulance responds there is a Fire Department aid car, mobile coronary care unit, or other city emergency vehicle, the determination of method of transportation of the victim shall be made by the officer in charge of such city vehicle, and it shall be unlawful for any ambulance driver or attendant to fail or refuse to comply with the directions of such officer with regard to method of transportation.

(Ord. 99195 § 1, 1970: Ord. 90952 § 12-A, 1962.)

6.76.140 Authority to make rules.

The Director of Licenses and Consumer Affairs may make rules and regulations consistent with this chapter and it is unlawful to violate or fail to comply with any such rules and regulations.

(Ord. 102632 § 7, 1973: Ord. 90952 § 13, 1962.)

6.76.150 Revocation or suspension of licenses.

A. Any ambulance operator's base license, or any ambulance license may be revoked or suspended by the Director of Licenses and Consumer Affairs in the manner and subject to the procedure provided in the License Code¹ for any of the following causes:

1. Violation by the licensee of any provision of this chapter or any rule or regulation promulgated under the authority of this chapter;

2. Interception by the licensee or any employee thereof of police calls by short-wave radio or otherwise, or monitoring of short-wave messages not specifically directed to the ambulance operator or his employee for the purpose of going to the scene of accidents;

3. Failure to keep record or issue receipts as required in Section 6.76.040.

B. The for-hire driver's license of any ambulance driver or attendant may be suspended or revoked in the manner and subject to the pro-

cedure provided in the License Code¹ for any of the following causes:

1. For any violation of the provisions of this chapter relating to ambulance drivers or attendants;

2. Upon conviction in any court under any law or ordinance relating to speeding, reckless driving, drunkenness, possession or sale of intoxicating liquor, use, sale or possession of narcotic drugs, or for violation of any law or ordinance relating to overcharging for carrying passengers for hire, or for the conviction of a crime involving fraud or moral turpitude.

Any suspended or revoked license shall be surrendered to the Director of Licenses and Consumer Affairs.

(Ord. 102632 § 8, 1973: Ord. 90952 § 14, 1962.)

1. Editor's Note: Provisions of the License Code regarding revocation or suspension of licenses are located in Chapter 6.02 of this Code.

6.76.160 Violation—Penalty.

Anyone violating or failing to comply with any of the provisions of this chapter shall, upon conviction thereof, be punishable by a fine of not exceeding Three Hundred Dollars (\$300.00) or imprisonment in the City Jail for not exceeding ninety days, or by both.

(Ord. 90952 § 16, 1962.)

Chapter 6.78

CABULANCES

Sections:

- 6.78.010 Definitions.
- 6.78.020 Licenses required.
- 6.78.030 Late renewal fee.
- 6.78.040 Cabulance plates.
- 6.78.050 Cabulance operator's base license—Application.
- 6.78.060 Liability insurance.
- 6.78.070 Driver qualifications.
- 6.78.080 Equipment—Inspections.
- 6.78.090 Schedule of rates.
- 6.78.100 Taximeters—Required—Exception.
- 6.78.110 Taximeters—Use required.
- 6.78.120 Taximeters—Installation requirements.
- 6.78.130 Taximeters—Unlawful use.

- 6.78.140 Recordkeeping.
- 6.78.150 Unlawful charges—Suspension of for-hire driver's license.
- 6.78.160 Direct route.
- 6.78.170 Driver convicted of driving while intoxicated—Employment prohibited.
- 6.78.180 Driver convicted of driving while intoxicated—Suspension of license.
- 6.78.190 Unlawful to refuse passenger—Unlawful to refuse to pay fare.
- 6.78.200 Baggage—Cancellation of call.
- 6.78.210 Authority to make rules.
- 6.78.220 Revocation or suspension of licenses.
- 6.78.230 Violation—Penalty.

Severability: If any portion of this chapter is found by any court to be unconstitutional or void such decision shall not affect the validity of the remaining portions of this chapter.
(Ord. 93789 § 22, 1965.)

6.78.010 Definitions.

The following terms for the purpose of this chapter shall mean:

A. "Cabulance" means any motor vehicle for hire driven by the owner or his employee and which is designated for the transportation of handicapped persons who by reason of physical or mental infirmity may not be conveniently transported on public mass transportation vehicles or in taxicabs, or who cannot drive their own automobile. This definition shall not be construed to include taxicabs, special services vehicles, ambulances or mass-transportation vehicles.

B. "Cabulance operator" means anyone engaging in the business of transporting physically or mentally infirm persons in a cabulance.

C. "Driver" means anyone in charge of, or driving any cabulance.
(Ord. 101857 § 24, 1973; Ord. 93789 § 1, 1965.)

6.78.020 Licenses required.

It is unlawful to be or become a cabulance operator in the city without first having obtained a valid and subsisting cabulance operator's base license, the annual fee for which is fixed at Two Hundred Fifty Dollars (\$250.00) and the expiration date for which is fixed as August 31st of each year; and it further shall be unlawful for any cabulance operator to operate, or any driver to drive any cabulance, unless the

cabulance operator shall first have obtained for each such vehicle a valid and subsisting cabulance license, the annual fee for which shall be Twenty-five Dollars (\$25.00), and the expiration date for which shall be August 31st of each year. Any licenses which may be issued under this chapter prior to August 31, 1965 shall be prorated and issued for a fee equal to one-twelfth of the annual license fee for the license multiplied by the number of full months which may remain in said period.
(Ord. 93789 § 2, 1965.)

6.78.030 Late renewal fee.

A. Any person who has held a license in the previous license year 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 days into the new license year: ten percent of the annual license fee or Ten Dollars (\$10.00), whichever is greater;

2. If the renewal application is received after thirty days into the new license year: twenty percent 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 any 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. 106025 § 11, 1976; Ord. 93789 § 2.1, 1965.)

6.78.040 Cabulance plates.

A. The Director of Licenses and Consumer Affairs shall issue with each cabulance license one or more tags or plates to be known as "Seattle cabulance plates," bearing the number of the license year for which the license is issued and the words "CABULANCE-SEATTLE." The form, material and positioning on the vehicle of each such plate shall be as prescribed by the Director. It shall be unlawful for any owner, operator or driver of a cabulance to operate any

such vehicle without having conspicuously displayed thereon, as prescribed by the Director of Licenses and Consumer Affairs, such Seattle cabulance plate, or to operate any such vehicle with expired or illegible Seattle cabulance plates thereon, or to fail to comply with any regulations of the Director relating to such plates.

B. Seattle cabulance plates shall remain the property of the city and it shall be unlawful for anyone other than the licensee to whom the plates were issued to possess or use any such plate. Any plates possessed, or used in violation of the provisions of this chapter, shall be taken up by any police officer or member of the Department of Licenses and Consumer Affairs and returned to the Director of Licenses and Consumer Affairs.

(Ord. 107158 § 3, 1978; Ord. 102634 § 1, 1973; Ord. 93789 § 3, 1965.)

6.78.050 Cabulance operator's base license-- Application.

Application for a cabulance operator's base license shall be made to the Director of Licenses and Consumer Affairs on forms prepared by him and shall be sworn to by the applicant. If the applicant is a corporation, it shall accompany the application with a list of the names and addresses of all officers, directors and stockholders of the corporation, and no change in such officers, directors or shareholders shall be made without first obtaining the consent of the Director of Licenses and Consumer Affairs. The application shall show the name of the applicant, together with any assumed name under which the applicant will operate, and for each cabulance, the company vehicle number therefor, the make, model and identifying color scheme, monogram or insignia and serial number of the vehicle.

(Ord. 102634 § 3, 1973; Ord. 93789 § 5, 1965.)

6.78.060 Liability insurance.

A. Every cabulance operator shall file with the City Comptroller a policy or policies of public liability insurance, approved as to sufficiency by the Director of Licenses and Consumer Affairs and as to form by the City Attorney, issued by an insurance company or companies authorized to do business in the state, providing indemnity for or protection to the city as well as providing public liability insurance coverage for each and every cabulance owned, operated and/or

leased by the applicant, for injury to or death of persons, passengers or otherwise, in accidents resulting from any cause by which the owner of the vehicle would be liable on account of any liability imposed upon him by law, regardless of whether the cabulance was being driven by the owner or his agent, and as against damage to the property of another, including personal property under like circumstances, in the sum of One Hundred Thousand Dollars (\$100,000.00) for the injury or death of one person, or Three Hundred Thousand Dollars (\$300,000.00) for the injury or death of more than one person in any one accident, and Fifty Thousand Dollars (\$50,000.00) for property damage.

B. Every such policy of insurance shall continue to the full amount thereof, notwithstanding any recovery thereon and shall provide that the liability of the insurer shall not be affected by the insolvency or bankruptcy of the assured. The policy shall be for the benefit of any and all judgment creditors. Each insurance policy required under this chapter shall extend for the period covered by the license applied for and the insurer shall be obliged to give not less than ten days' written notice to the Director of Licenses and Consumer Affairs in the event of any change or cancellation.
(Ord. 102634 § 10, 1973; Ord. 93789 § 18, 1965.)

6.78.070 Driver qualifications.

A. Each cabulance driver shall be at least eighteen years of age and shall have been approved by the Director of Public Health as qualified in first aid equal to or better than the requirement of an advanced Red Cross first-aid rating, and shall carry with him at all times proof of his qualifications.

B. It shall be unlawful for anyone to drive or to hire anyone to drive any cabulance if such driver does not have a valid for-hire driver's license obtained, issued, and conditioned in accordance with Sections 103 to 113, inclusive, of the License Code, Ordinance 48022, as amended,¹ or to fail to exhibit such license on request of any police officer or member of the Department of Licenses and Consumer Affairs.
(Ord. 104201 § 3, 1975; Ord. 102634 § 11, 1973; Ord. 93789 § 19, 1965.)

1. Editor's Note: Sections 103 through 113 of the License Code are codified in Chapter 6.22 of this Code.

6.78.080 Equipment—Inspections.

Each cabulance shall be equipped and maintained at all times by the operator thereof for safe and lawful operation as a cabulance and in accordance with the laws of the city and the state, and shall be furnished with such equipment as the Director of Licenses and Consumer Affairs shall deem necessary for such safe operation. Any cabulance may be inspected at any reasonable time by the Chief of Police or the Director of Licenses and Consumer Affairs or any representative of either and the Director of Licenses and Consumer Affairs may require any cabulance to proceed to a specified location for inspection. The Director of Licenses and Consumer Affairs shall, on application and may periodically, inspect as to safety, cleanliness, appearance and compliance with city and state law the following equipment of each cabulance:

- A. Shock absorbers;
 - B. Tires (blowout-proof, puncture-proof, if available; adequate tread for nonskid operation throughout the inspection period);
 - C. Exits (each vehicle shall have at least two exits from the compartment where the person is carried);
 - D. Glass (for pits or cracks);
 - E. Wheelchair retaining locks;
 - F. Security of all auxiliary equipment;
 - G. Safety belts.
- (Ord. 102634 § 4, 1973; Ord. 93789 § 6, 1965.)

6.78.090 Schedule of rates.

A. It is unlawful for anyone driving or engaging in the business of operating any cabulance to charge, demand, collect or receive any greater rate of fare for cabulance services than as provided by the schedule of maximum rates, fares and charges filed by such cabulance operator with the Director of Licenses and Consumer Affairs. Each such schedule shall be in effect on and after thirty days after the date of filing and shall not be changed for a period of at least six months from such date.

B. No additional passenger shall be picked up without the express consent of the original passenger. Passengers may split the total charge per any agreement they may work out among themselves, and each handicapped person may have with him a private attendant at no additional charge.

(Ord. 103880 § 1, 1974; Ord. 97192 § 1, 1968; Ord. 93789 § 7, 1965.)

6.78.100 Taximeters—Required—Exception.

A. It is unlawful for any person to drive or operate any cabulance, or engage in the business of operating cabulances, unless each such cabulance is equipped with a taximeter which has been inspected, approved and sealed by the Director of Licenses and Consumer Affairs in conformity with the National Bureau of Standards, Handbook 44—2nd Edition, as amended, a copy of which is contained in C.F. 245003 on file in the office of the City Comptroller.

B. It shall be the duty of the operator and of the driver having possession or control of the cabulance to at all times keep such taximeter accurate. Approval by the Director of Licenses and Consumer Affairs shall be evidenced by his certificate which shall be plainly posted on the taximeter for the information of the public. The Director of Licenses and Consumer Affairs shall inspect all taximeters at least once each year, and shall have the right to inspect any taximeter at any time.

C. Taximeters shall not be required on cabulances used solely for the transportation of persons under contract as contemplated by Section 6.78.090 if such cabulance is conspicuously identified on its exterior as a contract carrier in a manner approved by the Director of Licenses and Consumer Affairs.
(Ord. 102634 § 5, 1973; Ord. 94021 § 1, 1965; Ord. 93789 § 8, 1965.)

6.78.110 Taximeters—Use required.

It shall be unlawful for any person to drive or operate, or to engage in the business of operating, a cabulance or cabulances, without at all times using its taximeter to determine the fare or rate to be charged and collected except when lawfully operating under a private contract pursuant to the proviso to Section 6.78.090, and except when operating under such private contract it shall be unlawful for any person to charge, demand, collect, or receive any fare, rate or charge which is not directly based, measured and computed upon the record on the reading face of the taximeter or for any driver or operator to use or employ any other or different method of computing or measuring such distance or time charges than the methods hereinabove specifically provided.
(Ord. 93789 § 9, 1965.)

6.78.120 Taximeters—Installation requirements.

Every taximeter shall be installed at the right

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side of the driver, either adjoining the cowl or dashboard of the cabulance and at such height that the flag thereof may be readily seen by observers on the street. The reading face of the taximeter shall at all times be well lighted and distinctly readable to the passengers within the cabulance. It is unlawful to change the size of the wheels or tires of any cabulance or the gears operating the taximeter or to change the taximeter from one cabulance to another unless such taximeter is reinspected and approved by the Director of Licenses and Consumer Affairs before it is used.

(Ord. 102634 § 6, 1973: Ord. 93789 § 10, 1965.)

6.78.130 Taximeters—Unlawful use.

It is unlawful for any driver of a cabulance while carrying passengers, or while under employment, to display the flag attached to the taximeter at such position as to denote that such cabulance is not employed, or to throw the flag of the taximeter at a recording position when such vehicle is not actually employed, or to fail to throw the flag of such taximeter at a nonrecording position at the termination of each and every service; provided, when the cabulance is being operated under a private contract on file with the City Comptroller, such cabulance shall bear identification approved by the Director of Licenses and Consumer Affairs identifying it as being so engaged.

(Ord. 102634 § 7, 1973: Ord. 93789 § 11, 1965.)

6.78.140 Recordkeeping.

Every cabulance operator shall keep at the location for which his operator's license is issued a chronological record showing each call for cabulance service ordered or made and the name and address of the person calling for the service, the name of the driver who responded thereto, the company number of the cabulance, the time and place of the origin and of the end of each cabulance trip, and the fee charged, and shall upon request of any person paying a cabulance charge furnish a receipt showing such information. Such records shall at all reasonable times be open to the inspection of the Director of Licenses and Consumer Affairs or Chief of Police or the agents of either.

(Ord. 102634 § 2, 1973: Ord. 93789 § 4, 1965.)

6.78.150 Unlawful charges—Suspension of for-hire driver's license.

Any driver of a cabulance who shall charge any passenger a rate of fare other than that provided for in Section 6.78.090, shall, upon conviction thereof, be punished, in addition to the other penalties herein provided, by having his for-hire driver's license suspended by the Director of Licenses and Consumer Affairs for a period of not less than six months nor more than one year.

(Ord. 102634 § 8, 1973: Ord. 93789 § 12, 1965.)

6.78.160 Direct route.

Any driver of a cabulance employed to carry passengers to a definite point shall take the most direct route possible that will carry the passenger safely and expeditiously to his destination.

(Ord. 93789 § 13, 1965.)

6.78.170 Driver convicted of driving while intoxicated—Employment prohibited.

It shall be unlawful for anyone engaged in the business of operating a cabulance to knowingly employ a driver who has within one year been convicted of driving any motor vehicle while intoxicated.

(Ord. 93789 § 14, 1965.)

6.78.180 Driver convicted of driving while intoxicated—Suspension of license.

If any driver of a cabulance shall be convicted of driving such vehicle while under the influence of intoxicating liquor, or narcotics, the for-hire driver's license of such driver shall be suspended or revoked by the Director of Licenses and Consumer Affairs, and he shall not be granted a for-hire driver's license for a period of at least one year from the date of such conviction.

(Ord. 102634 § 9, 1973: Ord. 93789 § 15, 1965.)

6.78.190 Unlawful to refuse passenger—Unlawful to refuse to pay fare.

It is unlawful for any driver of a cabulance to refuse to accept as a passenger any person of proper deportment who requests a ride when the cabulance is unemployed; and it is unlawful for any person to refuse to pay the regular fare for a cabulance after having hired the same.

(Ord. 93789 § 16, 1965.)

6.78.200 Baggage—Cancellation of call.

Persons served with a cabulance under this chapter shall be entitled to have such valises or small hand baggage as can be conveniently carried within the vehicle, loaded, conveyed, and unloaded without charge. Persons cancelling calls for cabulances after dispatch in answer thereto, may be charged the same rate as if used. (Ord. 93789 § 17, 1965.)

6.78.210 Authority to make rules.

The Director of Licenses and Consumer Affairs may make rules and regulations consistent with this chapter and it shall be unlawful to violate or fail to comply with any such rule or regulation. (Ord. 102634 § 12, 1973; Ord. 93789 § 20, 1965.)

6.78.220 Revocation or suspension of licenses.

A. Any cabulance operator's base license or any cabulance license may be revoked or suspended by the Director of Licenses and Consumer Affairs in the manner and subject to the procedure provided in the License Code¹ for any violation of or failure to comply with any provision of this chapter or any rule or regulation promulgated under the authority of this chapter.

B. The for-hire driver's license of any cabulance driver may be suspended or revoked by the Director of Licenses and Consumer Affairs in the manner and subject to the procedure provided in the License Code¹ for any violation of or failure to comply with the provisions of this chapter or upon conviction in any court of speeding, reckless driving, drunkenness, possession or sale of intoxicating liquor, use, sale or possession of narcotic drugs, or for violation of any law or ordinance relating to overcharging for carrying passengers for hire, or upon the conviction of a crime involving fraud or moral turpitude. Any suspended or revoked license shall be surrendered to the Director of Licenses and Consumer Affairs.

(Ord. 102634 § 13, 1973; Ord. 93789 § 21, 1965.)

1. Editor's Note: The provisions of the License Code regarding revocation or suspension of licenses are codified in Chapter 6.02 of this Code.

6.78.230 Violation—Penalty.

Anyone violating or failing to comply with any of the provisions of this chapter shall, upon

conviction thereof, be punished by a fine of not exceeding Three Hundred Dollars (\$300.00) or imprisonment in the City Jail for not exceeding ninety days, or by both. (Ord. 93789 § 23, 1965.)

Chapter 6.80**FUMIGATORS AND EXTERMINATORS****Sections:**

- 6.80.010 Definitions.
- 6.80.020 Exemptions from chapter requirements.
- 6.80.030 Compliance with chapter required.
- 6.80.040 Storage requirements.
- 6.80.050 Liability insurance.
- 6.80.060 License application—Examining Board created—Duties.
- 6.80.070 License fee.
- 6.80.080 Expiration of licenses.
- 6.80.090 Certificates—application and issuance.
- 6.80.100 Revocation of license or certificate.
- 6.80.110 Notification of fumigation—Record of extermination.
- 6.80.120 Protection of public—Notification of occupants.
- 6.80.130 Fumigation of ship.
- 6.80.140 Preparation of premises—Danger signs.
- 6.80.150 Watchman.
- 6.80.160 Two persons to perform work.
- 6.80.170 Airing out and ventilation.
- 6.80.180 First-aid kit.
- 6.80.190 Authority to make rules.
- 6.80.200 Violation—Penalty.

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

6.80.010 Definitions.

Unless the context otherwise requires:

A. "Apprentice" means a person who works directly under the supervision of a fumigator, or exterminator, as a sealer, watchman or helper.

B. "Director" means the Director of Public Health of the city of Seattle, or his authorized representative.

C. "Extermination" or "exterminate" means the use of powders, sprays or baits for the destruction of rodents, vermin, fungi, insects or other pests.

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

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

F. "Fumigation" or "fumigate" means the use of fumigants in buildings, vessels or enclosed spaces for the destruction or control of insects, fungi, vermin, germs, rodents or other pests.

G. "Fumigator" means a person who engages in the actual work of liberating any fumigant in fumigating any building, vessel or enclosed space.

H. "Master exterminator" means a person who for hire engages in the business of applying powders, sprays or baits for the destruction of rodents, vermin, fungi, insects, or other pests.

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

J. "Person" means and includes persons of either sex, firms, partnerships, corporations and other associations of natural persons. (Ord. 75771 § 1, 1947: Ord. 73223 § 1, 1944.)

6.80.020 Exemptions from chapter requirements.

Fumigation of or extermination in greenhouses, mushroom houses, or horticultural or farm fumigation or extermination, or fumigation of or extermination in grain in bins or elevators or of flouring mills, shall not be subject to this chapter, if such fumigation or extermination is done by the owner or his regular and exclusive employee who holds the appropriate fumigator's or exterminator's certificate issued under this chapter; nor shall this chapter apply to fumigation or extermination under the direction and supervision of the United States Public Health Service or other federal or state authority. (Ord. 75771 § 2, 1947: Ord. 73223 § 2, 1944.)

6.80.030 Compliance with chapter required.

No one shall keep, store or use any fumigant, inflammable liquid, or poisonous solid or liquid, or powder, sprays or baits used to exterminate without complying with this chapter and all other ordinances of the city and all laws governing the keeping, storing or use of the same. (Ord. 75771 § 3, 1947: Ord. 73223 § 3, 1944.)

6.80.040 Storage requirements.

No one shall store any fumigant in any place other than a separate, well ventilated room, approved for the purpose by the Chief of the Fire Department and the Director. On all doors leading to any such room, there shall be posted conspicuous signs bearing the skull and crossbones, the words "DANGER! — FUMIGANT STORAGE" in red letters not less than two inches high on a white background. No one shall store any inflammable liquid, or poisonous solid or liquid used for extermination in any place other than a separate room approved for the purpose by the Chief of the Fire Department and the Director of Public Health; provided, that such substances for use only on the premises where stored may be kept in a separate locker approved by the Director and the Chief of the Fire Department. On all doors leading to any such room or locker there shall be posted conspicuous signs bearing the skull and crossbones, the words "DANGER! — STORAGE OF INFLAMMABLES AND POISONS" in red letters not less than two inches high on a white background. Any such room or locker shall at all times when not in charge of a competent person present thereat be securely locked against entry. (Ord. 75771 § 4, 1947: Ord. 73223 § 4, 1944.)

6.80.050 Liability insurance.

No one shall be or become a master fumigator without being the holder of a master exterminator's license; and in each case furnishing to the Director of Licenses and Consumer Affairs and keeping on file with the City Comptroller and in full force and effect a general public liability insurance policy in the minimum amount of Ten Thousand Dollars (\$10,000.00) for any one claim, and a minimum aggregate amount of not less than Fifty Thousand Dollars (\$50,000.00) for all claims arising during a policy term of one year. The policy shall be approved as to sufficiency by the Director of Licenses and Consumer Affairs and as to form by the City Attorney, and shall insure the master fumigator

or the master exterminator and, by endorsement or otherwise, the city, against liability for, and conditioned to defend from and pay, any damage sustained by any person on account of the failure of the master fumigator or master exterminator or any fumigator, exterminator, apprentice, or other persons in his employ, to comply with all laws and the ordinances of the city relating to fumigation or extermination and the storage and use of fumigants or substances used for extermination, and on account of the negligence of the master fumigator, master exterminator or any fumigator, exterminator, apprentice or other person in his employ. Any policy so filed shall be terminable only on at least thirty days' written notice to the Director of Licenses and Consumer Affairs, and on termination thereof the master fumigator's or master exterminator's license with respect to which it was issued shall be suspended until a new policy be approved and filed. Each such policy shall contain, by indorsement or otherwise, the following recital: "This policy is issued pursuant to Section 5 of Ordinance No. 73223 and is intended to comply with all the conditions and requirements thereof; any exception or limitation herein in conflict with any such condition or requirement is void." (Ord. 102625 § 1, 1973; Ord. 75771 § 5, 1947; Ord 73223 § 5, 1944.)

6.80.060 License application—Examining Board created—Duties.

A. The fee for a master fumigator's license or for a master exterminator's license shall be as provided in Section 6.80.070. Application for either such license may be made by any person and shall be filed with the Director of Licenses and Consumer Affairs on forms furnished by him/her. It shall state the true name of the applicant and shall designate an individual to qualify as an artisan, which individual shall be not less than twenty-one years of age and which application shall be accompanied by references as to the ability of such artisan from three reputable sources. If the Director of Licenses and Consumer Affairs finds the application to be proper in form and upon investigation the references to be authentic, he/she shall transmit the same to the Director of Public Health. The Director of Public Health shall investigate the artisan's and applicant's reputation and record and transmit his/her written report thereon, with the application and all reports thereon, to the Ex-

amining Board hereinafter created. The Examining Board shall examine the artisan by written and, when deemed necessary by the Examining Board, a demonstrative examination, as to fumigants, rodenticides and insecticides, and any other substance or mechanical devices other than fumigants, under whatever name known, for the destruction or control of insects, vermin, rodents, fungi, or other pests, and their uses, and antidotes; as to the hazards involved, precautionary and safety measures; the use of gas masks; the effects, residual and otherwise, upon foods and commodities; dosages and exposure periods; provisions for adequate ventilation and safe occupancy; first-aid methods; the rules and regulations of the city relating to the use of fumigants and insecticides, and such other subjects as to the Examining Board shall seem advisable. If from such examination and reports, the artisan is deemed competent as either a master exterminator or master fumigator, the Examining Board, upon presentation of a receipt from the City Treasurer showing payment of the required license fee, shall issue to the artisan a certificate of competency and remit the application, together with all reports thereon and the receipt, to the Director of Licenses and Consumer Affairs who shall thereupon issue the license to the applicant therefor; provided, that in the event an application is made for concurrent licenses as a master fumigator and master exterminator, and certificates of qualification have been granted in accordance with such applications, such licenses shall be issued upon payment of one license fee.

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

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

D. There is created an Examining Board for examination of applicants for licenses as master fumigator and master exterminator consisting of four members:

BUSINESS REGULATIONS

1. A representative of the Department of Licenses and Consumer Affairs who shall be an ex officio member of the Board;

2. The holder of a master fumigator's and a master exterminator's license who also holds a fumigator's and an exterminator's certificate;

3. A representative of the Department of Public Health;

4. A representative of the Fire Department.

E. The Mayor shall appoint the members of such Examining Board, who shall receive no compensation for their services while acting in such capacity.

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

G. Any applicant, if dissatisfied with the decision of the Board of Examiners upon his/her application, may request a hearing by the Director of Licenses and Consumer Affairs in accordance with the License Code¹ and such decision shall be subject to review in any such hearing.

(Ord. 108076 § 1, 1979; Ord. 107158 § 4, 1978; Ord. 106063 § 14, 1976; Ord. 102625 § 2, 1973; Ord. 85744 § 1, 1956; Ord. 75771 § 6, 1947; Ord. 73223 § 6, 1944.)

1. Editor's Note: The License Code provisions regarding hearings are codified in Chapter 6.02 of this Code.

6.80.070 License fee.

The fee for a master fumigator's license or for a master exterminator's license is Ninety-five Dollars (\$95.00) per year.

(Ord. 106063 § 15, 1976; Ord. 88838, 1959; Ord. 73223 § 6-A, 1944.)

6.80.080 Expiration of licenses.

A. All annual licenses issued for master fumigators under this chapter shall expire at midnight on December 31st of each year.

B. Whenever application is made for a license for master fumigators within six months of the date fixed for expiration of the annual license under this section, the fee shall be one-half the annual fee.

(Ord. 75115 §§ 4 and 5, 1946.)

6.80.090 Certificates—Application and issuance.

A. No one shall act as fumigator unless he is the holder of a fumigator's certificate, or as an exterminator unless he is a holder of an exterminator's certificate, or as an apprentice unless he is a holder of an apprentice's certificate. Each certificate shall be issued by the Director upon application accompanied by a fee of Ten Dollars (\$10.00), after a personal appearance and examination as to qualifications which shall satisfy the Director about the applicant's knowledge of the danger in the use and storage of the substance or substances for which application for certificate is made, and his knowledge of the laws and ordinances governing the use and storage of the same. No apprentice shall engage in any part of the work of fumigation except under the direct supervision of a fumigator or of the work of extermination except under the direct supervision of a fumigator or exterminator. No fumigator shall engage in the work of fumigation or any work in connection therewith except as an agent or employee of a master fumigator and no exterminator shall engage in the work of extermination or in any work in connection therewith except as an agent or employee of a master exterminator. Fumigators', exterminators' and apprentices' certificates shall expire one year from the date of issue. They shall not be re-issued except upon a new application and new examination by the Director as to qualifications; provided, that in the discretion of the Director such certificates, after the first, may be issued to a person without examination as to qualifications.

B. Nothing contained in this chapter shall prohibit the owner or occupant of any premises from using upon such premises any powder, spray or bait for the destruction of rodents, vermin, fungi, insects or other pests.

(Ord. 106063 § 16, 1976; Ord. 75771 § 7, 1947; Ord. 73223 § 7, 1944.)

6.80.100 Revocation of license or certificate.

A master fumigator's or master exterminator's license, or a fumigator's, exterminator's or apprentice's certificate, shall be revoked, whenever the Director of Health recommends such action, and finds that such action is necessary for the protection of the public health and safety or that the holder violated or failed to comply with the provisions of this chapter, but only after a

hearing before the Director of Licenses and Consumer Affairs in accordance with the License Code.¹

(Ord. 102625 § 3, 1973: Ord. 75771 § 8, 1947: Ord. 73223 § 8, 1944.)

1. Editor's Note: The License Code provisions regarding hearings are codified in Chapter 6.02 of this Code.

6.80.110 Notification of fumigation—Record of extermination.

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

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

C. Each master exterminator shall keep a record of each premises on which extermination work has been done under his direction which shall show the address of such premises and the date of application of exterminating substances used. Such records shall be open to examination by the Director or his authorized representative on request.

(Ord. 75771 § 9, 1947: Ord. 73223 § 9, 1944.)

6.80.120 Protection of public—Notification of occupants.

A. The Commissioner shall prohibit any fumigation when, in his judgment, such action is necessary to protect the public health and safety.

B. No person shall remain in any building, vessel or enclosed space during the period of fumigation thereof: Provided, that where the part to be fumigated is locked and warning signs posted as elsewhere in this chapter provided, persons may remain in other parts when deemed by the Commissioner to be safe. The master fumigator shall at least twenty-four hours prior to fumigation in writing notify every occupant

of the premises to be fumigated and every person within any surrounding area in which human life may be endangered by the fumigation of the time of fumigation. The fumigator shall immediately prior to fumigation cause a careful examination to be made of all parts of the place to be fumigated and of the surrounding area in which human life may be endangered by the fumigation to see that no persons remain therein.

C. The Commissioner may require the use of five percent chloropicrin or any warning gas in conjunction with the fumigant.

(Ord. 73223 § 10, 1944.)

6.80.130 Fumigation of ship.

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

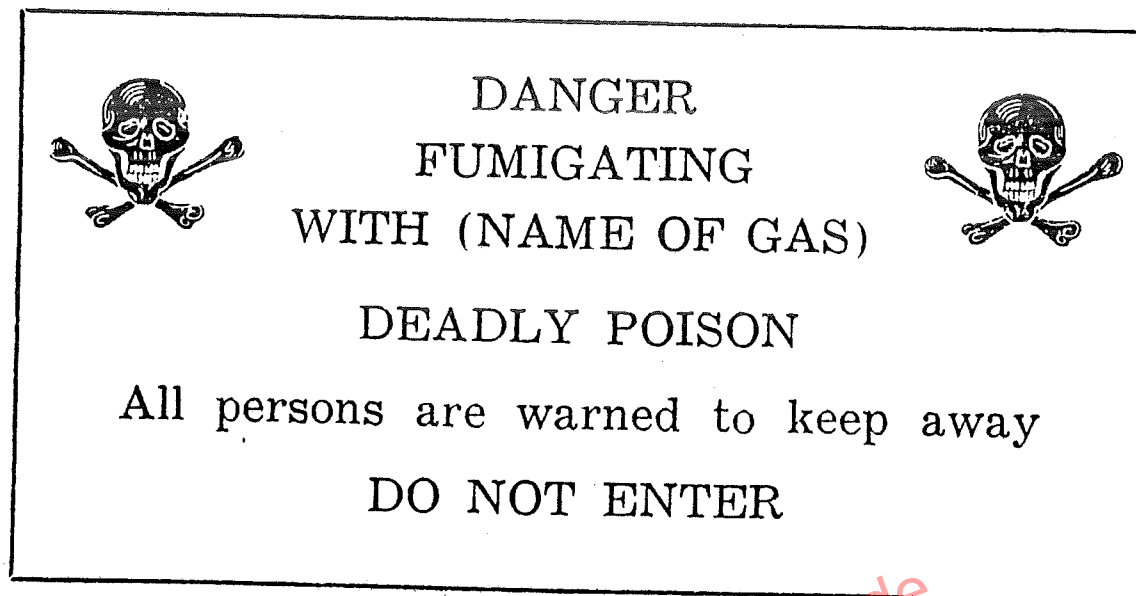
(Ord. 73223 § 11, 1944.)

6.80.140 Preparation of premises—Danger signs.

Before fumigation is commenced, the following regulations shall be complied with:

A. Danger Signs. Prior to fumigation suitable warning signs shall be posted on all doors, entrances, and exits to the premises to be fumigated, and upon all gangplanks and ladders from the dock, pier, or land to the ship, as follows:

Such signs shall be eighteen inches by thirteen inches printed in red on white background with letters in headlines at least two inches in height, in form and substance substantially as follows:



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

B. Where the Commissioner permits the presence of persons in any portion of a building while another portion thereof is being fumigated, all doors and entrance ways to the portion to be fumigated shall be posted as in subsection A.

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

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

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

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

6.80.150 Watchman.

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

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6.80.160 Two persons to perform work.

Two persons, together, shall do the fumigating and airing out. No person shall fumigate unless while so doing he wears a properly tested gas mask suitable for protection from the particular gas or fumes used. Only persons wearing such masks shall be allowed in the place to be fumigated during the placing of the chemicals, during fumigation and until the same is properly ventilated and declared safe for occupancy by the Commissioner.

(Ord. 73223 § 14, 1944.)

6.80.170 Airing out and ventilation.

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

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

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

D. The fumigator shall dispose of all empty containers, pails, tubs, canvas or other devices used in fumigation as required by the Commissioner.

(Ord. 73223 § 15, 1944.)

6.80.180 First-aid kit.

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

A. One carton of amyl nitrite pearls;

B. Two ampules of sodium nitrite, each containing 0.3 grams in 10 c.c.'s of water (3%);

C. Two ampules of sodium thiosulphate, each containing 25 grams in 50 c.c.'s of water (50%);

D. One quart of a one percent solution of sodium thiosulphate;

E. Two 10 c.c. sterile syringes; two 50 c.c. sterile syringes; two sterile intravenous needles; one tourniquet.

(Ord. 73223 § 16, 1944.)

6.80.190 Authority to make rules.

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

(Ord. 75771 § 10, 1947: Ord. 73223 § 17, 1944.)

6.80.200 Violation—Penalty.

Violation of or failure to comply with any of the provisions of this chapter or with any of the lawful rules and regulations of the Commissioner prescribed pursuant thereto 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 days, or by both such fine and imprisonment.

(Ord. 73223 § 19, 1944.)

Chapter 6.82**REFRIGERATION SYSTEMS****Sections:**

6.82.010 Compliance with chapter required.

6.82.020 Definitions.

BUSINESS REGULATIONS

- 6.82.030 Mechanics or engineers—License required—Issuance by Examining Board.
- 6.82.040 Refrigeration Advisory Committee.
- 6.82.050 Apprentice—Certificate of registration.
- 6.82.060 Supervisory and Examining Board.
- 6.82.070 Examinations for licenses.
- 6.82.080 Permit—Required for installation, alteration or repairs.
- 6.82.090 Permit—not required for minor work.
- 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.
- 6.82.140 License and examination fees.
- 6.82.150 Late renewal fee.
- 6.82.160 Applications for installation permits.
- 6.82.170 Exception to license and permit provisions.
- 6.82.180 License exemption for certain air-conditioning contractors.
- 6.82.190 Revocation of license.
- 6.82.200 Work to be inspected before covering or concealing.
- 6.82.210 Notification of unsafe or hazardous equipment.
- 6.82.220 Authority to change or remove system's refrigerant.
- 6.82.230 Permit for certain large systems—Required.
- 6.82.240 Permit—Issuance, validity and posting.
- 6.82.250 Permit and inspection fees.
- 6.82.260 Notification of unsafe system—Removal of refrigerant.
- 6.82.270 Inspection by state-approved inspector at owner's expense.
- 6.82.280 American Standard Safety Code to govern.
- 6.82.290 Self-contained refrigeration systems—Work in single-family dwellings.
- 6.82.300 City not liable.
- 6.82.310 Adoption of American Standard Safety Code—Exclusions.
- 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 Public Health or his 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, 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 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 horsepower or one-fourth-ton refrigeration effect and containing less than six pounds of refrigerants and on approved self-contained systems of one 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 horsepower or one-fourth-ton refrigeration effect and containing less than six pounds of refrigerants and of approved self-contained systems of one horsepower and less.

N. "Refrigeration system" is a combination of interconnected refrigerant-containing parts constituting one 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 Section 4.3 of the American Standard Safety Code A.S.A. B9.1-1953 for Mechanical Refrigeration on file with the City Comptroller and filed under Comptroller's File No. 227141. (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 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 years' training in a recognized school of technology, plus two years' full-time actual experience at the trade; or

3. Graduation from a recognized school of technology plus one years' 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 location to another upon approval by the Examining Board and the payment of a fee of One Dollar (\$1.00). Not more than two 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 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

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be examined by the Board, and if he passes, the Director of Licenses and Consumer Affairs shall be notified and shall, upon payment of the required license fee, issue to the applicant the proper license.

(Ord. 107158 § 12, 1978; Ord. 84297 § 3, 1955.)

6.82.040 Refrigeration Advisory Committee.

A. There is created a Refrigeration Advisory Committee to consist of nine members, eight of whom shall be selected from nominations made by the following groups: Refrigeration contractors, industrial refrigeration engineers, refrigeration mechanics, professional refrigeration engineers, refrigeration manufacturers or wholesalers, industrial refrigeration users, refrigeration service shops, and air-conditioning contractors. Each of the groups may submit a list of three names to the Mayor, and the Mayor shall from each such list appoint one person to be a member of the Refrigeration Advisory Committee, subject to confirmation by the City Council. The ninth member of the Committee shall be ex officio the Chief Plumbing Inspector. The Mayor may remove any member so appointed and any vacancy shall be filled in the same manner as the original appointment. Such committee may examine all rulings of the Director of Public Health involving interpretations of the Refrigeration Code and may make recommendations to the City Council in writing for changes in the Refrigeration Code in connection therewith or independently thereof; and act as an Advisory Committee to the Examining Board, but it shall act in an advisory capacity only.

B. No member of such Committee shall receive any compensation for services thereon. The Committee shall organize and elect a chairman and a secretary and may adopt rules and regulations. The chairman may call special meetings when deemed necessary, provided three days' written notice is given each member of the time and place of such meetings. The Committee shall meet at least once each month in regular meeting at a time and place fixed by the rules.

(Ord. 84297 § 3-a, 1955.)

6.82.050 Apprentice—Certificate of registration.

No one shall be employed as an apprentice on any refrigeration installation, alteration, repair, servicing, or maintenance of refrigeration sys-

tems 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.)

6.82.060 Supervisory 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 of Public Health;
3. The Director of the Department of Licenses and Consumer Affairs or his/her authorized representative.

B. The Director of the Department of Licenses and Consumer Affairs shall act as secretary of the Board. The Board shall conduct examinations and certify applicants for licenses under this chapter.

(Ord. 108076 § 2, 1979; Ord. 84297 § 5, 1955.)

6.82.070 Examinations 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.)

6.82.080 Permit—Required for installation, alteration or repairs.

It shall be unlawful to install, alter or repair any refrigeration system or equipment, except as hereinafter provided, without a permit issued by the Director on a form prescribed by him, provided, however, that in cases of emergency such work may be undertaken without such permit, but application therefor shall in all cases be

made to the Director within twenty-four hours or within one working day from the time when the installation, alteration or repair is starting; provided, that no permit or fee shall be required for approved self-contained refrigerators or freezers in a single-family dwelling or unit used for the purpose of storing or preserving food for home use.

(Ord. 84297 § 7, 1955.)

6.82.090 Permit—Not required for minor work.

No permit shall be required to do maintenance work or make minor repairs to refrigeration systems or equipment, such as changing belts, oiling motors, cleaning condensers, changing motors and similar work, but no such minor repair work shall be done on the refrigerant-containing portion of the system or equipment except by a licensed refrigeration mechanic or a registered refrigeration mechanic apprentice under his direct supervision, or by a licensed service shop mechanic or a registered service shop apprentice under his direct supervision, or by a licensed refrigeration operating engineer or a registered refrigeration operating engineer apprentice under his direct supervision. Said engineer and engineer apprentice shall be regularly employed by the owner or operator of the building. (Ord. 84297 § 8, 1955.)

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

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 of Licenses and Consumer Affairs 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 of Licenses and Consumer Affairs, he/she shall issue such license.

(Ord. 107158 § 13, 1978; Ord. 102628 § 1, 1973; Ord. 84388 § 1, 1955; Ord. 84297 § 9, 1955.)

6.82.110 Applications 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 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 of Licenses and Consumer Affairs within thirty 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 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. 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

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be required except as herein provided for all persons who install, alter or repair a refrigeration system with a unit containing six pounds or more of any refrigerant and actuated by a motor or engine having a standard rating of one-fourth horsepower or more, or absorption systems having a rating of one-fourth-ton or more refrigeration effect. There shall be three 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 self-contained refrigeration systems or machines containing less than six pounds of refrigerant or actuated by a motor having a standard rating of one 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. Whenever a license is issued which will expire in less than six months from the date of issuance the fee shall be one-half the annual fee. Such license may be renewed annually upon payment of the annual fee.

(Ord. 84297 § 12, 1955.)

6.82.140 License and examination fees.

Annual license and examination fees, payable in advance, are as follows:

A. License Fees:

Refrigeration contractor	
Class A	\$50.00
Class B	\$50.00
Class C	\$75.00

Air-conditioning contractor	\$50.00
Refrigeration service shop	\$25.00
Journeyman refrigeration mechanic	\$10.00
Refrigeration service shop mechanic	\$10.00
Industrial refrigeration engineer	\$10.00
Refrigeration operating engineer	\$10.00

B. Examination Fees:

Refrigeration contractor, Class A, B or C	\$10.00
Air-conditioning contractor	\$10.00
Refrigeration service shop	\$10.00
Journeyman refrigeration mechanic, Class A, B or C	\$10.00
Refrigeration service shop mechanic	\$10.00
Industrial refrigeration engineer	\$10.00
Refrigeration operating engineer	\$ 7.50

A separate license shall be required for each separate place of business of a refrigeration service shop, refrigeration contractor, or air-conditioning contractor. A valid refrigeration contractor's license, a refrigeration service shop license, or an air-conditioning contractor's license may be transferred to a new location upon payment of a sum equal to ten percent of the annual license fee.

(Ord. 106063 § 19, 1976; Ord. 84297 § 13, 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 days into the new license year: ten percent of the annual license fee or Ten Dollars (\$10.00), whichever is greater;

2. If the renewal application is received after thirty days into the new license year: twenty percent 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

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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. 106025 § 4, 1976: Ord. 84297 § 13-A, 1955.)

6.82.160 Applications for installation permits.
Applications for permits for installations shall be made to the Director and shall be accompanied by the required fee as follows:

FOR INSTALLATIONS

Each Compressor		Each Absorption Unit	
Up to ¾ HP inclusive	or	up to ½ ton refrigeration effect	\$ 2.50
1 to 2½ HP inclusive	or	½ to 1.6 ton refrigeration effect	4.00
3 to 5 HP inclusive	or	1.7 to 3.3 ton refrigeration effect	6.00
6 to 10 HP inclusive	or	3.4 to 6.6 ton refrigeration effect	10.00
11 to 25 HP inclusive	or	6.7 to 16.6 ton refrigeration effect	20.00
25 to 40 HP inclusive	or	16.7 to 27.7 ton refrigeration effect	20.00
40 HP and over	or	27.8 ton refrigeration effect and over	25.00

For Multiple Evaporator Systems:

Each additional evaporator \$1.00

For Additions or Replacements to Existing Refrigeration Systems:

Each evaporator, absorber, or condenser:

Up to ½ ton refrigeration effect	\$ 2.50
½ to 1.6 ton refrigeration effect	4.00
1.7 to 3.3 ton refrigeration effect	6.00
3.4 to 6.6 ton refrigeration effect	10.00
6.7 to 16.6 ton refrigeration effect	15.00
16.7 to 27.7 ton refrigeration effect	20.00
27.8 ton refrigeration effect and over	25.00

For Altering and Repairing:

Estimated cost based on complete cost of all materials, and labor:

\$ 500 or less	\$ 2.50
501 to 1000	4.00
1001 to 1500	6.00
1501 to 2000	10.00
2001 to 2500	15.00
2501 to 3000	20.00
3001 to 3500	25.00
3501 and over	30.00

Refrigeration equipment, which under this chapter requires a permit for installation, may, for the purposes of exhibition, display and/or demonstration, be installed by a contractor upon procurement of a temporary permit, which shall remain valid for a period not to exceed ten days. A fee in the amount of Four Dollars (\$4.00) shall be collected for each such temporary permit granted to each installing contractor. (Ord. 84297 § 14, 1955.)

6.82.170 Exception to license and permit provisions.

No license or permit shall be required for the installation, alteration or repair of an indirect refrigeration system as defined in Section 4.3 of the American Standard Safety Code for Mechanical Refrigeration, Comptroller's File No. 227141. But all such installations and repairs shall be made in conformity with the provisions of this chapter and the Director shall make such inspections as deemed necessary. (Ord. 84297 § 14-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 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 Comptroller and the Examining Board within thirty days after the ordinance codified in this chapter takes effect.² (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 Licenses and Consumer Affairs in the manner and subject to

the procedure provided in the License Code¹ upon recommendation of the Director of Public Health 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 Licenses and Consumer Affairs and the principal thirty 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. 102628 § 3, 1973: Ord. 84297 § 17, 1955.)

1. Editor's Note: The License Code provisions regarding the revocation of licenses are codified in Chapter 6.02 of this Code.

6.82.200 Work to be inspected before covering or concealing.

No refrigeration installation, alteration, or repair work shall be hidden from view in any manner nor shall any pipe installation or outlet boxes or parts thereof be concealed or covered until the same has been inspected and approved by the Director. The Director of Public Health is charged with the enforcement of this chapter and shall have jurisdiction to determine what is approved or acceptable to the authorities having jurisdiction as provided in A.S.A B9.1-1953, Comptroller's File No. 227141. Whenever any installation, alteration, or repair work is ready for inspection, the Director shall be notified in writing and he shall make inspection thereof within three days after such written notification is received except as provided hereafter regarding pressure tests. If any installation, alteration or repair work has been done in such manner as to conceal the same before it has been inspected and approved by the Director, the Director may remove or cause to be removed the obstruction so that such work may be properly inspected. Whenever any installation, alteration or repair work has been completed and approved by the Director the permit shall show such inspection and approval and shall be posted in a conspicuous place in the proximity of the compressor or absorber. The Director shall be notified at least four hours prior to a pressure test or when self-contained or unit systems are set in place. In case of emergency work the Director shall be notified on the next regular business day that

the test was applied prior to operation of the system.

(Ord. 84297 § 18, 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.)

6.82.220 Authority to charge or remove system's refrigerant.

No refrigeration system or plant shall be charged with a refrigerant nor shall any refrigerant be removed therefrom except by a licensed refrigeration mechanic or by a registered refrigeration mechanic apprentice under his direct supervision, or by a licensed service shop mechanic or a registered service shop mechanic apprentice under his direct supervision, or by a licensed refrigeration operating engineer, or by a licensed industrial refrigeration engineer, or by a registered apprentice engineer under the direct supervision of a licensed engineer; provided, that in case of fire or other emergency the refrigerant may be removed by the Chief of the Fire Department or his authorized representative. (Ord. 84297 § 20, 1955.)

6.82.230 Permit for certain large systems—Required.

It shall be unlawful to operate any refrigeration system over twenty-five horsepower, or over 16.6 tons of refrigeration effect, or which contains over one hundred fifty pounds of refrigerant, or to operate any refrigeration system with a refrigerant containing a pressure vessel over six inches in diameter with a capacity of more than five cubic feet and design working pressure under two hundred fifty psig., or over six inches in diameter having a capacity one and one-half cubic feet and design working pressure over two hundred fifty psig., without first

obtaining a permit so to do from the Director of Public Health.

(Ord. 85746 § 1(part), 1956: Ord. 84297 § 27.1, 1955.)

6.82.240 Permit—Issuance, validity and posting.

Application for the permit required in Section 6.82.230 shall be made to the Director and shall be issued only after inspection and approval as to safe operation and compliance with Section 6.82.280. Such permit, when issued, shall be valid for a period of one year, renewable annually and shall be conspicuously posted in the vicinity of the system for which issued.

(Ord. 85746 § 1(part), 1956: Ord. 84297 § 27.2, 1955.)

6.82.250 Permit and inspection fees.

A. The permit and inspection fee shall be Ten Dollars (\$10.00) for:

1. Systems with vessels over six inches in diameter having capacities over five cubic feet and design working pressure under two hundred fifty psig.;

2. Systems with vessels over six inches in diameter having capacities over one and one-half cubic feet and design working pressure over two hundred fifty psig.;

3. Systems containing over one hundred fifty pounds but not over five hundred pounds of refrigerant;

4. Systems having a motor horsepower of over twenty-five horsepower but not over one hundred horsepower;

5. Systems with refrigeration effect of over 16.6 tons but not over seventy tons.

B. The permit and inspection fee will be Fifteen Dollars (\$15.00) for:

1. Systems containing over five hundred pounds of refrigerant but not over one thousand pounds of refrigerant;

2. Systems having a motor horsepower over one hundred horsepower but not over two hundred horsepower;

3. Systems with refrigeration effect over seventy tons but not over one hundred seventy tons.

C. The permit and inspection fee will be Twenty Dollars (\$20.00) for:

1. Systems containing over one thousand pounds of refrigerant;

2. Systems having a motor horsepower of over two hundred horsepower;

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3. Systems with refrigeration effect over one hundred forty tons.

The permit and inspection fee for multiple systems on a single premises shall be based upon the total motor horsepower, total refrigerant capacity, and/or total refrigeration effect, and shall be in accordance with the above fee schedule.

On final approval of initial installation, the permit required by this chapter shall be issued for a period of one year without charge.

(Ord. 85746 § 1(part), 1956: Ord. 84297 § 27.3, 1955.)

6.82.260 Notification of unsafe system— Removal of refrigerant.

The Director shall notify the owner of any refrigeration system when the system is found to be unsafe for operation or fails to comply with Section 6.82.280, and if any refrigeration system is deemed hazardous at any time, the Director may order the refrigerant removed at the owner's expense, and such system may not be recharged or operated until all corrections required by the Director have been made and approved by him.

(Ord. 85746 § 1(part), 1956: Ord. 84297 § 27.4, 1955.)

6.82.270 Inspection by state-approved inspector at owner's expense.

When the Director gives notice that any refrigeration system is unsafe for operation, or fails to comply with Section 6.82.280, the owner may, at his own expense, have such vessel inspected by an inspector certified by the State of Washington, Department of Labor and Industries, Board of Rules, in addition to inspection by the Director. After such inspection and approval by the state-approved inspector and filing of an official report of such inspection and approval with the Director, the Director may issue a permit for operation of such system.

(Ord. 85746 § 1(part), 1956: Ord. 84297 § 27.5, 1955.)

6.82.280 American Standard Safety Code to govern.

The installation, alteration, repair, maintenance and operation of refrigeration systems and plants and all appurtenances thereto shall be in accordance with the American Standard Safety Code for Mechanical Refrigeration approved by the American Standards Association,

May 24, 1950, as A.S.A. B9.1-1953 as shown in the publication thereof filed with the City Comptroller under date of June 20, 1955 and now on file in said office under Comptroller's File No. 227141 except as otherwise provided herein.

(Ord. 84297 § 21, 1955.)

6.82.290 Self-contained refrigeration systems— Work in single-family dwellings.

A. The provisions of this chapter shall apply to the installation, alteration, servicing or repair of self-contained refrigeration systems as defined in Sections 2.48.3 and 2.48.4 of the A.S.A. B9.1-1953 Code, Comptroller's File No. 227141 except approved self-contained refrigerators or freezers of one horsepower or less using freon gas as a refrigerant when installed in residential, commercial, or industrial occupancies.

B. A permit may be issued by the Director to an owner for any work covered by this chapter in a single-family dwelling including the usual accessory buildings and quarters in connection therewith used or designed for living purposes by the owner thereof; provided such owner shall purchase all material and install the same.

(Ord. 84297 § 22, 1955.)

6.82.300 City not liable.

The city and its officers or employees engaged in performing any acts or duties under this chapter shall not be liable for any damage or injury due to or occasioned by the operation or maintenance of any refrigeration systems or appurtenances, whether or not the same has been licensed, permits issued by or inspection and approval given such system, or appurtenances by the city or its officers or employees.

(Ord. 84297 § 23, 1955.)

6.82.310 Adoption of American Standard Safety Code—Exclusions.

This chapter shall include the American Standard Safety Code for Mechanical Refrigeration A.S.A. B9.1-1953, Comptroller's File No. 227141 but excluding Section 13.2.2.1 of said Standard.

(Ord. 84297 § 25, 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 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 days or by both such fine and imprisonment.

(Ord. 84297 § 24, 1955.)

Chapter 6.84

TOBACCO VENDING MACHINES

Sections:

- 6.84.010 Definitions.
- 6.84.020 Tobacco vending machine operator's license.
- 6.84.030 Tobacco vending machine license.
- 6.84.040 License expiration date.
- 6.84.050 Late renewal fee.
- 6.84.060 Gifts or bonuses prohibited—Recordkeeping.
- 6.84.070 Machine not to be accessible to minors.
- 6.84.080 Enforcement authority.
- 6.84.090 Violation—Penalty.

Severability: Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter.

(Ord. 90145 § 9, 1961.)

6.84.010 Definitions.

A. "Person" means and includes an individual, corporation or copartnership.

B. "Tobacco vending machine" means and includes any machine or device designed or used for the vending of cigarettes, cigars, tobacco or tobacco products upon the insertion of coins, trade checks or slugs.

C. "Tobacco vending machine operator" means any person who owns and exhibits for use or operation or who leases, rents to or places with others for use or operation, any tobacco vending machine.

(Ord. 90145 § 1, 1961.)

6.84.020 Tobacco vending machine operator's license.

A. It shall be unlawful for anyone to be or become a tobacco vending machine operator without having a valid and subsisting license, to be designated as a "tobacco vending machine operator's license." The annual fee for a tobacco vending machine operator's license shall be and the same is fixed in the sum of Two Hundred Fifty Dollars (\$250.00). Provided, for any person operating fifty tobacco vending machines or less, the annual fee shall be One Hundred Dollars (\$100.00). Provided, further a tobacco vending machine operator's license shall not be required of any person owning and operating tobacco vending machines in his/her own place of business only.

B. Application for tobacco vending machine operator's license shall be made to the Director of Licenses and Consumer Affairs on forms approved by him. The Director of Licenses and Consumer Affairs upon presentation of an original application for such license, shall request the Chief of Police to make a full investigation as to the truth of the statements contained therein. The Chief of Police shall, within five days after the date of such request, furnish a written report to the Director of Licenses and Consumer Affairs containing the results of his investigation. If the Director of Licenses and Consumer Affairs is satisfied that the statements contained in such application are true and that the applicant and all persons connected with the business for which the license has been applied for are of good moral character, he/she shall issue the license.

(Ord. 107158 § 15, 1978; Ord. 102630 § 1, 1973; Ord. 90145 § 2, 1961.)

6.84.030 Tobacco vending machine license.

A. It shall be unlawful for any person to display, exhibit or expose or permit to be displayed, exhibited or exposed for use or operation, any tobacco vending machine without a valid and subsisting license to be designated as a "tobacco vending machine license." The annual fee for a tobacco vending machine license shall be, and the same is fixed in the sum of Three Dollars (\$3.00) for each such tobacco vending machine.

B. It shall be unlawful to display, exhibit or expose for use or operation in the city any tobacco vending machine unless the same shall have indelibly printed, painted, stamped or impressed thereon, the true name and address of the owner and operator thereof.

C. Applications for tobacco vending machine licenses shall be made to the Director of Licenses and Consumer Affairs on forms approved by him/her and shall show the location or locations where tobacco vending machines are to be leased, rented or placed and shall be signed by the applicant or his/her authorized agent or representative. Applications for tobacco vending machine licenses by persons owning and operating tobacco vending machines in their own place of business, shall include a sworn statement that such person does in fact, own the tobacco vending machine for which the license is sought and is operator of the place of business in which the machine is to be placed. If the Director of Licenses and Consumer Affairs finds that the applicant for a tobacco vending machine license is the holder of a valid and subsisting tobacco vending machine operator's license or is satisfied the applicant is a person owning and operating tobacco vending machines in his/her own place or business, he/she shall issue the license, otherwise he/she shall deny the same.

(Ord. 107158 § 16, 1978; Ord. 102630 § 2, 1973; Ord. 91987 § 1, 1963; Ord. 90145 § 3, 1961.)

6.84.040 License expiration date.

The expiration date of tobacco vending machine operator's licenses and tobacco vending machine licenses shall be midnight of June 30th of each year. If a tobacco vending machine operator's license or tobacco vending machine license is issued on or subsequent to January 1st in any year, the fee therefor shall be one-half the annual fee.

(Ord. 90145 § 4, 1961.)

6.84.050 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 days into the new license year: ten percent of the annual license fee or Ten Dollars (\$10.00), whichever is greater;

2. If the renewal application is received after thirty days into the new license year: twenty percent 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.

(Ord. 106025 § 7, 1976; Ord. 90145 § 4-A, 1961.)

**6.84.060 Gifts or bonuses prohibited—
Recordkeeping.**

A. It is unlawful for the holder of a tobacco vending machine operator's license, or any of his agents or employees, to make any gift or give any bonus or any advance commissions to any person licensed to sell tobacco products.

B. It shall be the duty of every operator to keep and preserve for a period of five years such books and records as will accurately reflect the amount of his gross income and commissions paid to locations. Such books and records, shall at all reasonable times be open for inspection or audit by the Director of Licenses and Consumer Affairs or his authorized agents.

(Ord. 108144 § 1, 1979; Ord. 102630 § 3, 1973; Ord. 90145 § 5, 1961.)

6.84.070 Machine not to be accessible to minors.

It is unlawful to install, or place, or permit the use of any tobacco vending machine in any establishment or portion thereof which is open

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to minors, except in a place therein where such machine is not accessible to or cannot be used by minors. Provided, that this regulation shall not apply to the installation and use by the proprietor, his agents or employees, of such tobacco vending machines behind a counter or in some other place in any such establishment inaccessible to minors; nor to the installation and use of tobacco vending machines anywhere in any establishment or portion thereof to which access by minors is prohibited by law. Provided, further, this regulation shall not apply to the installation and use of tobacco vending machines in commercial buildings or industrial plants or portions thereof where the public is not usually admitted and where such machines are for the use of employees therein.

(Ord. 91987 § 2, 1963: Ord. 90145 § 6, 1961.)

6.84.080 Enforcement authority.

The Director of Licenses and Consumer Affairs shall be primarily responsible for and it shall be his duty to enforce the provisions of this chapter, but this shall not preclude the assistance and enforcement of this chapter by the Chief of Police. The Director of Licenses and Consumer Affairs shall prescribe the form of all licenses provided for by this chapter and shall specify the positioning of tobacco vending machine licenses on the machines or device. If the Director of Licenses and Consumer Affairs shall find that any licensee or his agents, or employees, has violated any provision of this chapter or any other ordinance of the city relating to the sale or furnishing of cigarettes, cigars, tobacco or tobacco products, he shall make a written record of such finding and shall specify therein the particulars in which the ordinance has been violated and shall in the manner and subject to the procedure provided in the License Code¹ revoke the license or suspend it for a period to be fixed by him, in which event the license shall be surrendered to the Director of Licenses and Consumer Affairs. Provided, such revocation, or failure to revoke for violation of the provisions of this chapter, shall not relieve the licensee from liability for punishment under penalties provided in Section 6.84.090.

(Ord. 102630 § 4, 1973: Ord. 90145 § 7, 1961.)

1. Editor's Note: The License Code provisions regarding revocation and suspension of licenses are codified in Chapter 6.02 of this Code.

6.84.090 Violation—Penalty.

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

(Ord. 90145 § 8, 1961.)

Subtitle III Miscellaneous Business Regulations

Chapter 6.96

BUSINESS OWNER REGISTRATION

Sections:

6.96.010 Persons authorized to enter business establishment—Registration.

6.96.020 Violation—Penalty.

6.96.010 Persons authorized to enter business establishment—Registration.

The name, address and telephone number of the owner, manager or person in charge of every business establishment and, in addition, those of some other person, if any, who has authority and is able to enter such establishment when it is unoccupied or not open to the public, shall forthwith be registered with the Chief of Police. Also, a card bearing the name, address and telephone number of such owner, manager or other person in charge shall be placed on the main door of the establishment.

(Ord. 71614 § 1, 1942.)

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.)

6.98.020 Registration 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.)

6.98.030 Violation—Penalty.

Any one violating or failing to comply with the provisions of this chapter shall, upon conviction thereof be punished by a fine of not over Three Hundred Dollars (\$300.00) or imprisonment in the City Jail for not over ninety days, or by both such fine and imprisonment.

(Ord. 91072 § 3, 1962.)

Chapter 6.100

MECHANICAL MUSIC MACHINES

Sections:

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

6.100.010 Definitions.

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.)

6.100.020 Gambling 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 musical machine which is or can be used for gambling or for playing thereon a game of chance, or to play or reproduce, or to allow to be played or reproduced thereon in public, any indecent music, speeches, reproductions or pictures.

(Ord. 102835 § 8, 1973; Ord. 102458 § 9, 1973; Ord. 71881 § 2, 1942.)

6.100.030 Disturbance 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.)

6.100.040 Violation—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 days, or to both such fine and imprisonment.

(Ord. 71881 § 3, 1942.)

Chapter 6.102

TATTOOING

Sections:

6.102.010 Compliance with chapter required.

6.102.020 License required—Posting.

6.102.030 License fee.

6.102.040 Late renewal fee.

6.102.050 Requirements for building and operator.

6.102.060 Tattooing procedure regulations.

6.102.070 Recordkeeping.

6.102.080 Unlawful tattooing of minors.

6.102.090 Revocation or suspension of license.

6.102.100 Violation—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 Director of Licenses and Consumer Affairs 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 of Licenses and Consumer Affairs within ten days with their report and recommendation. No tattoo shop license shall be issued by the Director of Licenses and Consumer Affairs 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. 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 Two Hundred Dollars (\$200.00). All licenses shall expire on February 28th but where application for license is made less than six months before such date of expiration the amount of the fee shall be one-half 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 of the annual fee. No license shall be issued under this chapter to any person under eighteen years of age. It shall be unlawful to practice as a tattoo operator

except in a licensed tattoo shop. (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 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 days into the new license year: ten percent of the annual license fee or Ten Dollars (\$10.00), whichever is greater;

2. If the renewal application is received after thirty days into the new license year: twenty percent 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.

(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.

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C. It shall be provided with artificial light sources equivalent to at least ten foot-candles at a distance of thirty inches from the floor throughout the room and at least twenty-five foot-candles 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.

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.)

6.102.060 Tattooing 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-edge 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 cleansed 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 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 teaspoon of liquefied phenol (carbolic acid ninety percent) to one 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 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.)

Chapter 6.104

TOWING SERVICES FOR
MOTOR VEHICLES

Sections:

- 6.104.010 Definitions.
- 6.104.020 Licenses required.
- 6.104.030 Late renewal fee.
- 6.104.040 License application.
- 6.104.050 Investigation of applicant.
- 6.104.060 Liability insurance.
- 6.104.070 License issuance.
- 6.104.080 Rates.
- 6.104.090 Operator's license—Conditions.
- 6.104.100 Unlawful to go to accident unless called.
- 6.104.110 Unlawful to intercept certain police calls.
- 6.104.120 Unlawful payment of gratuity.
- 6.104.130 Authority to make and enforce rules.
- 6.104.140 Revocation of license.
- 6.104.150 Enforcement authority.
- 6.104.160 Violation—Penalty.

6.104.010 Definitions.

The following terms for the purpose of this chapter shall mean as follows:

A. "Operator" is anyone engaged in the business of offering towing service by use of a vehicle wrecker or by a vehicle adapted to that purpose, whereby disabled motor vehicles or vehicles parked in unauthorized places are towed or otherwise removed from the place where they are disabled or parked without authorization.

B. "Unauthorized place" is any place on private property where a vehicle is parked without the consent of the owner of such property or his agent.

(Ord. 97331 § 1, 1968; Ord. 90535 § 1, 1961.)

6.104.020 Licenses required.

No operator shall engage in business within the city or offer such service therein without first obtaining a towing operator's base license, the annual fee for which shall be One Hundred Dollars (\$100.00), and a tow truck license for each wrecker or towing truck operated by such operator, the annual fee for which shall be Twenty-five Dollars (\$25.00); provided that the expiration date for all such licenses shall be August 31st of each year, and should application

6.102.070 Recordkeeping.

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 Director of Licenses and Consumer Affairs. 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. 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 years without the written consent of his parent or guardian, and such written consent shall be kept on file for at least two 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 Director of Licenses and Consumer Affairs 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. 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 days or to both such fine and imprisonment.

(Ord. 80818 § 10, 1952.)

be made for such license within thirty days of the effective date of the ordinance codified in this chapter,¹ the annual license fee shall be prorated on the basis of the number of months remaining in the license year from the date of application for the license.

(Ord. 107158 § 17, 1978; Ord. 102631 § 1, 1973; Ord. 90535 § 2, 1961.)

1. Editor's Note: Ord. 107158 became effective on March 8, 1978.

6.104.030 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 days into the new license year: ten percent of the annual license fee or Ten Dollars (\$10.00), whichever is greater;

2. If the renewal application is received after thirty days into the new license year: twenty percent 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.

(Ord. 106025 § 8, 1976; Ord. 90535 § 2-A, 1961.)

6.104.040 License application.

Applications for licenses issued under this chapter shall be made upon blank forms prepared and made available by the Director of Licenses and Consumer Affairs and sworn to by the applicant which shall include:

A. The name or assumed name under which the applicant is doing business, home address, and proposed business address of the applicant;

B. The description including the make, model and serial number and company number,

if any, of the tow trucks owned or operated by the applicant;

C. Such other information as the Director of Licenses and Consumer Affairs shall reasonably require to effectuate the purpose of this chapter. (Ord. 102631 § 2, 1973; Ord. 90535 § 3, 1961.)

6.104.050 Investigation of applicant.

Upon application as provided for herein, the Chief of Police at the request of the Director of Licenses and Consumer Affairs shall cause an investigation to be made of each applicant and of his tow trucks proposed to be licensed under this chapter for the purpose of determining:

A. The truth of statements made by the applicant in the application;

B. Whether tow trucks proposed to be licensed under this chapter are equipped for safe and lawful operation.

(Ord. 102631 § 3, 1973; Ord. 90535 § 4, 1961.)

6.104.060 Liability insurance.

Every towing operator shall furnish to the Director of Licenses and Consumer Affairs for filing with the City Comptroller a policy or policies of public liability insurance, approved as to sufficiency by the Director of Licenses and Consumer Affairs and as to form by the City Attorney, issued by an insurance company or companies authorized to do business in the state, providing indemnity for or protection of the city as well as the owners of vehicles in the care, custody or control of the licensee, against loss, as follows:

A. A public liability policy covering fire, theft, explosion, and collision in the following amounts:

1. Fire, theft of entire automobile and contents, and explosion with a minimum coverage of Ten Thousand Dollars (\$10,000.00) for each hazard;

2. Collision subject to One Hundred Dollars (\$100.00) deductible with each accident deemed a separate claim.

B. A public liability policy covering the operation of the licensee's business, equipment or vehicles for any bodily injury or property damage with a minimum coverage of One Hundred Thousand Dollars (\$100,000.00) for any one person killed or injured in any one accident or occurrence and Three Hundred Thousand Dollars (\$300,000.00) for more than one person killed or injured in any one occurrence or accident. Such policy shall also provide Ten

Thousand Dollars (\$10,000.00) minimum limit for all damage arising out of injury to or destruction of property.

C. All such policies must contain an endorsement providing for ten days' notice to the Director of Licenses and Consumer Affairs in the event of any change or cancellation.

(Ord. 102631 § 5, 1973; Ord. 90535 § 6, 1961.)

6.104.070 License issuance.

The Director of Licenses and Consumer Affairs shall issue a license under this chapter if he finds:

A. That public liability insurance as required by this chapter has been procured;

B. That the applicant is qualified to conduct the business;

C. That the requirements of this chapter have been met.

(Ord. 107158 § 18, 1978; Ord. 102631 § 4, 1973; Ord. 90535 § 5, 1961.)

6.104.080 Rates.

The rates for wrecker, towing, or storage service for disabled motor vehicles and motor vehicles removed from unauthorized places shall be filed with the Director of Licenses and Consumer Affairs and posted and maintained on a sign at or near the entrance of each such place of business which sign shall be clearly legible from a distance of fifty feet and adequate to apprise the public of such rates and shall in addition be orally quoted by the operator, his/her agent or employee to any member of the public making a telephoned or other oral request for such information. It shall be unlawful for any operator or his/her agent or employee to demand or collect any charge for such service in excess of the rates so filed, posted or quoted, or to tow or otherwise remove a motor vehicle from an unauthorized place if the appropriate charge to which the operator is entitled pursuant to said rates has been tendered to such operator, agent or employee and the person making such tender promises to forthwith remove or secure the removal of such motor vehicle. The provisions of this section shall not apply to rates determined by weekly, monthly or longer period of time or to rates determined by agreement.

(Ord. 107158 § 19, 1978; Ord. 104849 § 1, 1975; Ord. 97331 § 2, 1968; Ord. 91141 § 1, 1962; Ord. 90535 § 7, 1961.)

6.104.090 Operator's license—Conditions.

An operator's license under this chapter may be issued subject to the following conditions:

A. The Director of Licenses and Consumer Affairs shall issue to each licensed operator tow truck plates or tags which the operator shall at all times prominently display on each wrecker or other vehicle used for towing purposes as prescribed by the Director of Licenses and Consumer Affairs.

B. Every operator, or his/her agent or employee, after towing a disabled vehicle away shall prepare a bill in duplicate. The original shall be given to the owner of such vehicle or his/her authorized representative, and the copy retained by the operator at his/her place of business for a period of six months, and shall be exhibited upon demand of the Director of Licenses and Consumer Affairs, the Chief of Police or their duly authorized representatives. This bill shall contain the following information:

1. Name, address, and place of business of the operator;

2. Name and address of person calling for and engaging the tow truck;

3. State license number and description of disabled vehicle;

4. The company number of the wrecker or other vehicle used for towing purposes;

5. Total amount to be charged for towing and storage. The time and place from which towing commenced and terminated.

C. No operator, his/her agent or employee shall go to the scene of a vehicular accident unless called by the owner of a disabled vehicle or his/her authorized representative or by a police officer.

D. No operator, his/her agent or employee shall intercept or monitor police calls by short-wave radio or otherwise for the purpose of responding to the scene of a disabled vehicle.

E. Every driver for an operator shall obtain a for-hire driver's license issued and conditioned in accordance with Sections 104 to 113 inclusive of Ordinance 48022, the License Code, as amended.¹

F. It shall be the duty of every operator, before twelve noon of every business day to make an oral report to the Chief of Police, or his/her duly authorized representative, of all such vehicles impounded by such operator, or his/her agent or employee, since the last such report, which have not been released to their

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owners, and such report shall include the description, make, model, serial number, and license number of each such vehicle.

(Ord. 107158 § 20, 1978; Ord. 102631 § 7, 1973; Ord. 99869 § 1, 1971; Ord. 90535 § 9, 1961.)

1. Editor's Note: Sections 104 through 113 of the License Code are codified in Chapter 6.22 of this Code.

6.104.100 Unlawful to go to accident unless called.

It shall be unlawful for the operator or driver of any wrecker or towing car to go to any place where a vehicular accident has occurred unless called by the owner of a disabled vehicle or his authorized representative or by a police officer. (Ord. 90535 § 12, 1961.)

6.104.110 Unlawful to intercept certain police calls.

It shall be unlawful for the operator or driver of any wrecker or towing car to intercept or monitor police calls by short-wave radio or otherwise, for the purpose of going to the scene of a disabled motor vehicle.

(Ord. 90535 § 13, 1961.)

6.104.120 Unlawful payment of gratuity.

It shall be unlawful for the operator, agent or driver of any wrecker or towing car to offer or pay a gratuity, or reward, to anyone for furnishing information as to the location of a disabled vehicle, or for anyone to accept or receive such gratuity or reward.

(Ord. 90535 § 14, 1961.)

6.104.130 Authority to make and enforce rules.

The Director of Licenses and Consumer Affairs may make and enforce reasonable rules and regulations consistent with this chapter, including provision for inspection by him or by the Chief of Police of vehicles used under this chapter.

(Ord. 102631 § 6, 1973; Ord. 90535 § 8, 1961.)

6.104.140 Revocation of license.

The grounds for the revocation of a license issued under this chapter are as follows:

A. The license was procured by fraudulent conduct or false statement of a material fact, or that a fact concerning the applicant was not disclosed at the time of his making application;

B. The licensee, his agent or representative has offered to pay or has paid directly or indirectly a gratuity or reward to any person not a bona fide employee of the operator for furnishing information as to the location of a disabled vehicle;

C. The licensee has violated any provisions of Section 6.104.090 or any of the rules and regulations as established under Section 6.104.130;

D. If any employee of the city or any of its departments has any interest, whether as an owner, operator, partner, employee or otherwise, either directly or indirectly, in the business of an operator licensed under this chapter;

E. If the licensee charges, collects, or receives any towing or storage charge greater than the rate provided for in Section 6.104.080.

(Ord. 90535 § 10, 1961.)

6.104.150 Enforcement authority.

The Director of Licenses and Consumer Affairs shall enforce this chapter with the assistance of the Chief of Police. If the Director of Licenses and Consumer Affairs shall find that any licensee has violated or failed to comply with any provision of this chapter, he shall make a written record of such finding, and shall specify therein the particulars and he may in the manner and subject to the procedure provided in the License Code, revoke or suspend the license for a period to be fixed by him, in which event the license shall be surrendered to the Director and cancelled by him in case of revocation, or returned to the licensee on expiration of the period of suspension. Provided, however, such revocation for violation of any of the provisions of this chapter shall not relieve the licensee of the penalties provided in Section 6.104.160.

(Ord. 102631 § 8, 1973; Ord. 90535 § 11, 1961.)

1. Editor's Note: The License Code provisions regarding revocation and suspension of licenses are codified in Chapter 6.02 of this Code.

6.104.160 Violation—Penalty.

Anyone violating or failing to comply with any of the provisions of this chapter shall be punishable by a fine of not exceeding Three Hundred Dollars (\$300.00) or imprisonment in the City Jail not exceeding ninety days, or by both.

(Ord. 90535 § 15, 1961.)