

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

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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 (5) 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 dancehalls 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

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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.

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Subtitle III Miscellaneous Business Regulations

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6.204 License Fees

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