

2F  
ORDINANCE No. 112373

*Law Department*

2L  
COUNCIL BILL No. 104965

The City of Seattle

AN ORDINANCE relating to the licensing and regulation of dance halls that admit persons under the age of eighteen; providing minimum age restrictions; requiring a license for operation; providing penalties for noncompliance; and adding a new chapter 6.294 to the Seattle Municipal Code.

*Engrossed Bill*

Honorable President:

Your Committee on \_\_\_\_\_

to which was referred the within Council report that we have considered the same

*7-22-85 Held in full*

COMPTROLLER FILE No. \_\_\_\_\_

Introduced: <i>01-01-85</i>	By: <i>ER</i>
Referred:	To: <i>PS.</i>
Referred:	To:
Referred:	To:
Reported: <i>JUL 29 1985</i>	Second Reading: <i>JUL 29 1985</i>
Third Reading: <i>JUL 29 1985</i>	Signed: <i>JUL 29 1985</i>
Presented to Mayor: <i>JUL 30 1985</i>	Approved: <i>07-31-85</i>
Returned to City Clerk:	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained: <i>OK</i>

REC'D UMB JUL 30 1985

*Department*

# The City of Seattle--Legislative Department

## REPORT OF COMMITTEE

Date Reported  
and Adopted

President:

Committee on \_\_\_\_\_

was referred the within Council Bill No. \_\_\_\_\_

we have considered the same and respectfully recommend that the same:

*85 held in full Council one week*

*Vote 8-0*

\_\_\_\_\_  
Committee Chair

ORDINANCE 112373

AN ORDINANCE relating to the licensing and regulation of dance halls that admit persons under the age of eighteen; providing minimum age restrictions; requiring a license for operation; providing penalties for noncompliance; and adding a new chapter 6.294 to the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is added to the Seattle Municipal Code a new chapter 6.294 as follows:

Section 6.294.010. Purpose of Chapter.

This chapter is an exercise of police power for the protection of the public welfare, health, and safety of those children that attend and patronize dance halls. The City Council hereby finds and declares that the pervasive problems of runaway children, drug abuse and abuse of children are problems of such magnitude that they are a matter of City concern and are contributed to by unregulated dance halls; as such this chapter shall regulate dance halls that admit persons under the age of eighteen.

Section 6.294.020. Construction of Chapter - Election of Other Remedies.

The provisions of this chapter shall be construed liberally for the accomplishment of the purposes thereof. Nothing contained in this chapter shall be deemed to repeal or modify any of the provisions of any other law of the municipal code relating to dance halls or licensing.

Section 6.294.030. Conflict - Applicable Chapter.

This chapter is subject to the general provisions of the New License Code, Chapter 6.202. In the event of a conflict between this chapter and Chapter 6.202 the provisions of this chapter shall apply.

1  
2 Section 6.294.040. Definitions.

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

5 A. "Public dance" means any dance that is readily  
6 accessible to the public and which permits the entry of any  
7 persons under the age of eighteen years and which:

8 1. Is held and conducted for a profit, direct or  
9 indirect; or

10 2. Requires a monetary payment or contribution from  
11 any of the persons admitted.

12 B. "Public dance hall" means any place where a public  
13 dance is conducted, operated or maintained and includes the  
14 premises in which the public dance is conducted, operated or  
15 maintained including but not limited to all parking areas,  
16 hallways, bathrooms and all adjoining areas on the premises  
17 accessible to the public during the dance.

18 C. "Person" includes any natural person and, in  
19 addition, a corporation, partnership or an unincorporated  
20 association.

21 D. "Director" means the Director of Licenses and  
22 Consumer Affairs of The City of Seattle or his or her  
23 authorized representative.

24 E. "Department" means the Department of Licenses and  
25 Consumer Affairs of The City of Seattle.

26 F. "Knowingly" shall have the definition set forth in  
27 SMC § 12A.04.030(B).

28 G. "Recklessly" shall have the definition set forth in  
SMC § 12A.04.030(C).

1           Section 6.294.050. Dance or Dance Hall License -  
2 Required; Exceptions.

3 A. No person shall conduct or operate a public dance or  
4 public dance hall unless the person who is conducting or  
5 operating such public dance or public dance hall has obtained  
6 a license in accordance with the provisions of this chapter.

7 B. Exceptions.

8           1. A license is not required if the occupancy of  
9 the dance hall is limited to one hundred and fifty  
10 or fewer persons.

11           2. A license is not required if the public dance is  
12 sponsored by an accredited educational institution.

13           3. A license is not required if the public dance is  
14 sponsored by a nonprofit tax exempt organization,  
15 corporation or association recognized by the United  
16 States of America as exempt from federal income taxa-  
17 tion pursuant to § 501(c)(1) or (3) of the Internal  
18 Revenue Code of 1954, 26 U.S.C. § 501 as now existing  
19 or hereafter amended.

20           4. If the public dance hall is managed or operated  
21 by The City of Seattle the license requirements of this  
22 Chapter may be waived by the Director by rule adopted  
23 pursuant to the administrative code upon written  
24 application by the Superintendent of Parks and  
25 Recreation or the Seattle Center Director.

26           Section 6.294.055 License - Application - Requirements.

27 The person desiring to conduct and/or operate a public dance  
28 shall be responsible for obtaining a public dance hall  
license. Each applicant shall complete an application which  
shall include the following information:

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- A. (1) The name and address of the applicant.
- (2) The name and address of the operator of the dance hall.
- (3) The name and address of the owner of the premises upon which the dance hall is located.
- (4) An oath or affirmation that the information listed is true under penalty of perjury.

B. If the answers to .055(A) (1)-(3) involve an unincorporated association, corporation or partnership, the name of the unincorporated association, corporation or partnership, and the names and addresses of the limited partners, partners, officers and directors thereof.

C. A statement of any and all measures used to insure that adequate traffic control and crowd protection, both within and without the premises, will be maintained.

D. Proof of indemnification required by Section 6.294.140.

E. A statement from the applicant that the premises are in compliance with all City laws including, but not limited to, building, zoning, planning and fire codes.

F. Such other information as the Director requires by rule adopted pursuant to the Administrative Code for the health, safety and welfare of persons attending dance hall functions.

Section 6.294.060. License - Denial of Application.

The Director shall deny a license if:

- A. The applicant has failed to comply with all State, County and City laws which shall include, but is not limited to, building, zoning, planning and fire codes.

1           B. The licensee or any of the licensee's officers,  
2 directors, partners, operators or any other person involved in  
3 the operation of the dance hall have:

4           1. Committed any act, which, if committed by  
5 a licensee, would be grounds for the suspension or  
6 revocation of a license or permit;

7           2. Been convicted of:

8           (a) A felony involving a crime of violence  
9 as defined in RCW 9.41.010 or any felony under  
10 RCW 9A.44, 9A.64, 69.50 or 9A.88 within the last  
11 5 years.

12           (b) Contributing to the dependency or  
13 delinquency of a minor.

14           (c) A crime involving prostitution, lewd  
15 conduct, or assault on a juvenile within the  
16 last 5 years.

17           C. The applicant has been refused a license or  
18 had a license revoked under the provisions of this chapter;  
19 provided, however, that any applicant denied a license may  
20 reapply if the basis for such denial no longer exists.

21           Section 6.294.070. License--Suspension or Revocation -  
22 Grounds.

23           A license may be suspended or revoked upon a finding that any  
24 applicant or licensee, or any owner, officer or agent thereof:

25           A. Has omitted to disclose any material fact in the  
26 application for a license; or

27           B. Knowingly has made any false statement or given  
28 any false information in connection with an application for a  
license or a renewal of a license; or

          C. Knowingly has failed to remove from the dance  
premises any person who appears to be under the influence of

1 or affected by the use of alcohol and/or drugs or whose con-  
2 duct poses a physical danger to the safety of others present;  
3 or

4 D. Violated any of the provisions of this chapter;  
5 or

6 E. Committed any act which is a ground for denial of  
7 a license.

8 Section 6.294.080. Hours of Operation - Age  
9 Restrictions - Penalty.

10 A. No person conducting a public dance or person  
11 maintaining a public dance hall shall allow persons under the  
12 age of sixteen to enter or remain on the premises without a  
13 parent or legal guardian present.

14 B. No person conducting or operating a public dance  
15 or public dance hall shall allow persons under the age of  
16 eighteen to enter or remain on the premises without a parent  
17 or legal guardian after 2:00 a.m.

18 C. Every person who knowingly or recklessly shall  
19 allow a person to enter or remain in violation of this  
20 section shall be guilty of a misdemeanor. It is the respon-  
21 sibility of the person conducting and/or operating a public  
22 dance to require identification showing the age of each person  
23 admitted.

24 D. Any person under the age of eighteen years who  
25 shall by affirmative misrepresentation of age obtain admission  
26 to or permission to remain in any public dance in violation of  
27 this chapter shall be guilty of a misdemeanor.

28 Section 6.294.090. Readmission Fee.

No person conducting or operating a public dance or public  
dance hall shall permit any person, other than an employee, to



1 leave the dance or dance hall and return unless that person  
2 pays a readmission fee equal to, or greater than, one-half the  
3 original price of admission.

4 Section 6.294.100. Access - Peace Officer - Director.

5 All peace officers of The City of Seattle and/or the Director  
6 shall have free access to public dances and dance halls when a  
7 dance is being conducted for the purpose of inspection and to  
8 enforce compliance with the provisions of this ordinance.

9 Section 6.294.105. Fees.

10 The fee for a public dance hall license shall be One Hundred  
11 Twenty Dollars.

12 Section 6.294.110. Licensing - Retroactivity.

13 All licenses issued prior to the effective date of the  
14 ordinance codified herein shall entitle the holder of such  
15 license a period of thirty-five days, following the effective  
16 date of the ordinance, to comply with the provisions of this  
17 chapter.

18 Section 6.294.120. License Limited to License and  
19 Location.

20 Any license issued under the provisions of this chapter shall  
21 apply to a single licensee and to a single location only and  
22 shall not be transferable to other locations or to other  
23 persons.

24 Section 6.294.130. License - Renewal.

25 Each license issued by the Director shall be valid for a  
26 period of one year.

27 Section 6.194.140. Indemnification.

28 A. The Licensee shall indemnify and hold the City  
harmless from any and all losses, claims, actions, or damages  
suffered by any person or persons by reason of or resulting

1 from any negligence of the Licensee or its agents, employees,  
2 or patrons or on account of any act or omission of the  
3 Licensee in its exercise of its license or use or occupancy of  
4 the Premises. In the event any suit or action is brought  
5 against the City, the Licensee shall, upon notice of the com-  
6 mencement thereof, defend the same, at no cost and expense to  
7 the City, and promptly satisfy any final judgment adverse to  
8 the City or to the City and the Licensee jointly; Provided,  
9 that in the event the City determines that one or more prin-  
10 ciples of governmental or public law are involved, the City  
11 retains the right to participate in such action. The above  
12 liability shall not be diminished by the fact, if it be a  
13 fact, that any such death, injury, damage, loss, cost, or  
14 expense may have been, or may be alleged to have been, contri-  
15 buted to by the negligence of the City or its officers,  
16 employees, or agents; Provided, however, that nothing con-  
17 tained in this Section shall be construed as requiring the  
18 Licensee to indemnify the City against liability for damages  
19 arising out of bodily injury to persons or damage to property  
20 caused by or resulting from the sole negligence of the City or  
21 its officers, employees, or agents.

22 B. As a condition precedent to obtaining a license,  
23 the Licensee shall, at no expense to the City, secure and  
24 maintain during the full term of this Agreement, general  
25 comprehensive liability insurance issued by one or more com-  
26 panies authorized to do business in the State of Washington,  
27 which insurance shall be subject to the approval of the City  
28 Attorney as to company, form, coverage, and which insurance  
must fully protect the City from any and all claims and risks

1 in connection with any activity performed by the Licensee by  
2 virtue of this Agreement and provide the following minimum  
3 coverage:

- 4 a. \$1,000,000 per person, per occurrence.  
5 b. \$1,000,000 annual aggregate.

6 Said policy must specifically name The City of Seattle as an  
7 additional insured party thereunder in the following manner:

8 "The City of Seattle is an additional insured  
9 for all coverages provided by this policy of  
10 insurance and shall be fully and completely pro-  
11 tected by this policy and for any claim, suit,  
injury, death, damage or loss of any sort  
sustained by a person, organization or cor-  
poration in connection with any activity upon or  
use or occupancy of establishments regulated by  
this section.

12 "The coverages provided by this policy to the  
13 City or any other named insured shall not be  
14 terminated, reduced, or otherwise changed in any  
15 respect without providing at least thirty (30)  
days prior written notice to The Director of  
Licensing and Consumer Affairs of The City of  
Seattle.

16 C. The Licensee shall deliver to the Director of  
17 Licenses and Consumer Affairs of The City of Seattle a copy of  
18 all policies required under this provision and all endorse-  
19 ments thereto or other evidence to the reasonable satisfaction  
20 of the Director of Licenses and Consumer Affairs that the  
21 Licensee has secured or renewed and is maintaining insurance  
as required by this section.

22 The "ACORD" form of Certification of Insurance shall not be  
23 submitted as such evidence, and shall not be deemed to be  
24 satisfactory evidence unless the following changes are made on  
25 such form:

26 The wording on the top of the form:

27 "This certificate is issued as a matter of infor-  
28 mation only and confers no rights upon the cer-  
tificate holder."

1 shall be deleted in its entirety.

2 The wording at the bottom of the form:

3 "Should any of the above described policies be can-  
4 celled before the expiration date thereof, the  
5 issuing company will endeavor to mail thirty (30)  
6 days written notice to the below named certificate  
7 holder, but failure to mail such notice shall impose  
8 no obligation of any kind upon the company."

9 shall be changed to read:

10 "Should any of the above described policies be can-  
11 celled, reduced as to coverage, or otherwise changed  
12 before the expiration date thereof, the issuing com-  
13 pany shall provide written notice of such action to  
14 the Director of Licensing and Consumer Affairs of The  
15 City of Seattle.

16 D. The procuring of the insurance required by this  
17 section shall not be construed to limit Licensee's liability  
18 hereunder.

19 E. Licensee shall provide for the prompt and effi-  
20 cient handling of all claims for injury, death, damage or loss  
21 arising out of the acts or omissions of Licensee during the  
22 term of this section. Licensee agrees that all such claims,  
23 whether processed by Licensee or its insurer, either directly  
24 or by means of an agent, will be handled by a person with a  
25 permanent office within the corporate limits of Seattle.

26 Section 6.294.150. Authority of the Director.

27 A. The Director is authorized to:

- 28 1. Make rules for the interpretation and  
implementation of this ordinance pursuant  
to the Administrative Code;
2. Grant, renew, deny suspend or revoke  
licenses according to the terms of this  
chapter;

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3. Collect fees for the application or transfer process according to the terms of these chapters.

Section 6.294.160. Operating Without a License-Penalty.

Any person who shall conduct or operate a public dance or public dance hall without a valid license issued pursuant to this chapter shall be guilty of a misdemeanor.

Section 2. Severability - Should any part of this Chapter be adjudged invalid for any reason, such adjudication shall not affect the validity of this chapter as a whole or any other part thereof.

(To be used for all Ordinances except Emergency.)

Section...2... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 29<sup>th</sup> day of July, 1985,  
and signed by me in open session in authentication of its passage this 29<sup>th</sup> day of July, 1985.

*[Handwritten Signature]*  
President of the City Council.

Approved by me this 31<sup>st</sup> day of July, 1985.

*[Handwritten Signature]*  
Mayor.

Filed by me this 31<sup>st</sup> day of July, 1985.

*[Handwritten Signature]*  
Attest: City Comptroller and City Clerk.

(SEAL)

Published.....

By *[Handwritten Signature]*  
Deputy Clerk.

# City of Seattle

ORDINANCE 121713

AN ORDINANCE relating to the licensing and regulation of dance halls that admit persons under the age of eighteen; providing minimum age restrictions; requiring a license for operation; providing penalties for noncompliance; and adding a new chapter 6.294 to the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is added to the Seattle Municipal Code a new chapter 6.294 as follows:

## Section 6.294.010. Purpose of Chapter.

This chapter is an exercise of police power for the protection of the public welfare, health, and safety of those children that attend and patronize dance halls. The City Council hereby finds and declares that the pervasive problems of runaway children, drug abuse and abuse of children are problems of such magnitude that they are a matter of City concern and are contributed to by unregulated dance halls; as such this chapter shall regulate dance halls that admit persons under the age of eighteen.

## Section 6.294.020. Construction of Chapter - Election of Other Remedies.

The provisions of this chapter shall be construed liberally for the accomplishment of the purposes thereof. Nothing contained in this chapter shall be deemed to repeal or modify any of the provisions of any other law of the municipal code relating to dance halls or licensing.

Section 6.294.030. Conflict - Applicable Chapter. This chapter is subject to the general provisions of the New License Code, Chapter 6.202. In the event of a conflict between this chapter and Chapter 6.202 the provisions of this chapter shall apply.

## Section 6.294.040. Definitions.

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

- A. "Public dance" means any dance that is readily accessible to the public and which permits the entry of any persons under the age of eighteen years and which:
1. Is held and conducted for a profit, direct or indirect; or
  2. Requires a monetary payment or contribution from any of the persons admitted.
- B. "Public dance hall" means any place where a public dance is conducted, operated or maintained and includes the premises in which the public dance is conducted, operated or maintained including but not limited to all parking areas, hallways, bathrooms and all adjoining areas on the premises accessible to the public during the dance.
- C. "Person" includes any natural person and, in addition, a corporation, partnership or an unincorporated association.
- D. "Director" means the Director of Licenses and Consumer Affairs of The City of Seattle or his or her authorized representative.
- E. "Department" means the Department of Licenses and Consumer Affairs of The City of Seattle.
- F. "Knowingly" shall have the definition set forth in SMC § 12A.04.030(B).
- G. "Recklessly" shall have the definition set forth in SMC § 12A.04.030(C).

## Section 6.294.050. Dance or Dance Hall License - Required; Exceptions.

corporation or association recognized by the United States of America as exempt from federal income taxation pursuant to § 501(c)(1) or (3) of the Internal Revenue Code of 1954, 26 U.S.C. § 501 as now existing or hereafter amended.

4. If the public dance hall is managed or operated by The City of Seattle the license requirements of this Chapter may be waived by the Director by rule adopted pursuant to the administrative code upon written application by the Superintendent of Parks and Recreation or the Seattle Center Director.

## Section 6.294.055 License - Application - Requirements.

The person desiring to conduct and/or operate a public dance shall be responsible for obtaining a public dance hall license. Each applicant shall complete an application which shall include the following information:

- A. (1) The name and address of the applicant.  
(2) The name and address of the operator of the dance hall.  
(3) The name and address of the owner of the premises upon which the dance hall is located.  
(4) An oath or affirmation that the information listed is true under penalty of perjury.

B. If the answers to 6.294(A)(1)-(3) involve an unincorporated association, corporation or partnership, the name of the unincorporated association, corporation or partnership, and the names and addresses of the limited partners, partners, officers and directors thereof.

C. A statement of any and all measures used to insure that adequate traffic control and crowd protection, both within and without the premises, will be maintained.

D. Proof of indemnification required by Section 6.294.140.

E. A statement from the applicant that the premises are in compliance with all City laws including, but not limited to, building, zoning, planning and fire codes.

F. Such other information as the Director requires by rule adopted pursuant to the Administrative Code for the health, safety and welfare of persons attending dance hall functions.

## Section 6.294.060. License - Denial of Application.

The Director shall deny a license if:

A. The applicant has failed to comply with all State, County and City laws which shall include, but is not limited to, building, zoning, planning and fire codes.

B. The licensee or any of the licensee's officers, directors, partners, operators or any other person involved in the operation of the dance hall have:

1. Committed any act, which, if committed by a licensee, would be grounds for the suspension or revocation of a license or permit;
2. Been convicted of:
  - (a) A felony involving a crime of violence as defined in RCW 9A.41.010 or any felony under RCW 9A.44, 9A.64, 9A.50 or 9A.88 within the last 5 years.
  - (b) Contributing to the dependency or delinquency of a minor.
  - (c) A crime involving prostitution, lewd conduct, or assault on a juvenile within the last 5 years.

H. Knowingly has made any false statement or given any false information in connection with an application for a license or a renewal of a license; or

I. Knowingly has failed to remove from the dance premises any person who appears to be under the influence of or affected by the use of alcohol and/or drugs or whose conduct poses a physical danger to the safety of others present; or

J. Violated any of the provisions of this chapter; or

K. Committed any act which is a ground for denial of a license.

**Section 6.294.080. Hours of Operation - Age Restrictions - Penalty.**

A. No person conducting a public dance or person maintaining a public dance hall shall allow persons under the age of sixteen to enter or remain on the premises without a parent or legal guardian present.

B. No person conducting or operating a public dance or public dance hall shall allow persons under the age of eighteen to enter or remain on the premises without a parent or legal guardian after 2:00 a.m.

C. Every person who knowingly or recklessly shall allow a person to enter or remain in violation of this section shall be guilty of a misdemeanor. It is the responsibility of the person conducting and/or operating a public dance to require identification showing the age of each person admitted.

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

**Section 6.294.090. Readmission Fee.**

No person conducting or operating a public dance or public dance hall shall permit any person, other than an employee, to leave the dance or dance hall and return unless that person pays a readmission fee equal to, or greater than, one-half the original price of admission.

**Section 6.294.100. Access - Peace Officer - Director.**

All peace officers of The City of Seattle and/or the Director shall have free access to public dances and dance halls when a dance is being conducted for the purpose of inspection and to enforce compliance with the provisions of this ordinance.

**Section 6.294.105. Fees.**

The fee for a public dance hall license shall be One Hundred Twenty Dollars.

**Section 6.294.110. Licensing - Retroactivity.**

All licenses issued prior to the effective date of the ordinance codified herein shall entitle the holder of such license a period of thirty-five days, following the effective date of the ordinance, to comply with the provisions of this chapter.

**Section 6.294.120. License Limited to License and Location.**

Any license issued under the provisions of this chapter shall apply to a single licensee and to a single location only and shall not be transferable to other locations or to other persons.

**Section 6.294.130. License - Renewal.**

Each license issued by the Director shall be valid for a period of one year.

**Section 6.194.140. Indemnification.**

that in the event the City determines that one or more principles of governmental or public law are involved, the City retains the right to participate in such action. The above liability shall not be diminished by the fact, if it be a fact, that any such death, injury, damage, loss, cost, or expense may have been, or may be alleged to have been, contributed to by the negligence of the City or its officers, employees, or agents; Provided, however, that nothing con-

tained in this Section shall be construed as requiring the Licensee to indemnify the City against liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the City or its officers, employees, or agents.

B. As a condition precedent to obtaining a license, the Licensee shall, at no expense to the City, secure and maintain during the full term of this Agreement, general comprehensive liability insurance issued by one or more companies authorized to do business in the State of Washington, which insurance shall be subject to the approval of the City Attorney as to company, form, coverage, and which insurance must fully protect the City from any and all claims and risks in connection with any activity performed by the Licensee by virtue of this Agreement and provide the following minimum coverage:

- a. \$1,000,000 per person, per occurrence.
- b. \$1,000,000 annual aggregate.

Said policy must specifically name The City of Seattle as an additional insured party thereunder in the following manner:

"The City of Seattle is an additional insured for all coverages provided by this policy of insurance and shall be fully and completely protected by this policy and for any claim, suit, injury, death, damage or loss of any sort sustained by a person, organization or corporation in connection with any activity upon or use or occupancy of establishments regulated by this section.

"The coverages provided by this policy to the City or any other named insured shall not be terminated, reduced, or otherwise changed in any respect without providing at least thirty (30) days prior written notice to The Director of Licensing and Consumer Affairs of The City of Seattle.

C. The Licensee shall deliver to the Director of Licenses and Consumer Affairs of The City of Seattle a copy of all policies required under this provision and all endorsements thereto or other evidence to the reasonable satisfaction of the Director of Licenses and Consumer Affairs that the Licensee has secured or renewed and is maintaining insurance as required by this section.

The "ACORD" form of Certification of Insurance shall not be submitted as such evidence, and shall not be deemed to be satisfactory evidence unless the following changes are made on such form:

**The wording on the top of the form:**

"This certificate is issued as a matter of information only and confers no rights upon the certificate holder."

shall be deleted in its entirety.

**The wording at the bottom of the form:**

"Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail thirty (30) days written notice to the below named certificate holder, but failure to mail such notice shall impose no obligation of any kind upon the company."

shall be changed to read:

"Should any of the above described policies be cancelled, reduced as to coverage, or otherwise changed before the expiration date thereof, the issuing company shall provide written notice of such action to the Director of Licensing and Consumer Affairs of The City of Seattle."



Section 6.294.150. Authority of the Director.

A. The Director is authorized to:

1. Make rules for the interpretation and implementation of this ordinance pursuant to the Administrative Code;
2. Grant, renew, deny suspend or revoke licenses according to the terms of this chapter;
3. Collect fees for the application or transfer process according to the terms of these chapters.

Section 6.294.160. Operating Without a License-Penalty.

Any person who shall conduct or operate a public dance or public dance hall without a valid license issued pursuant to this chapter shall be guilty of a misdemeanor.

Section 2. Severability - Should any part of this Chapter be adjudged invalid for any reason, such adjudication shall not affect the validity of this chapter as a whole or any other part thereof.

Section 2. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 29th day of July, 1985, and signed by me in open session in authentication of its passage this 29th day of July, 1985.

NORMAN B. RICE,  
President of the City Council.

Approved by me this 31st day of July, 1985.

CHARLES ROYER,  
Mayor.

Filed by me this 31st day of July, 1985.

Attest: TIM HILL,  
City Comptroller and City Clerk.

Seal By: THERESA DUNBAR,  
Deputy Clerk.

Publication ordered by TIM HILL, Comptroller and City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, August 1, 1985.

COUNCIL BILL No. 104965

AN ORDINANCE relating to the licensing and regulation of dance halls that admit persons under the age of eighteen; providing minimum age restrictions; requiring a license for operation; providing penalties for noncompliance; and adding a new chapter 6.294 to the Seattle Municipal Code.

WP

The City of

Original Bill

Public Safety Code - July 9, 1985

COMPTROLLER FILE No. 294010

Introduced: <u>July 1, 1985</u>	By: <u>Rice</u>
Referred: <u>July 1, 1985</u>	To: <u>Public Safety</u>
Referred:	To:
Referred:	To:
Reported: <u>JUL 29 1985</u>	Second Reading: <u>JUL 29 1985</u>
Third Reading: <u>JUL 29 1985</u>	Signed: <u>JUL 29 1985</u>
Presented to Mayor: <u>JUL 30 1985</u>	Approved:
Returned to City Clerk:	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:



Honorable President:

Your Committee on \_\_\_\_\_

to which was referred the within Council report that we have considered the same

PASS AS

7-22-95 Hold in File

Department

# The City of Seattle--Legislative Department

Date Reported  
and Adopted

## REPORT OF COMMITTEE

President:

Committee on

*Public Safety*

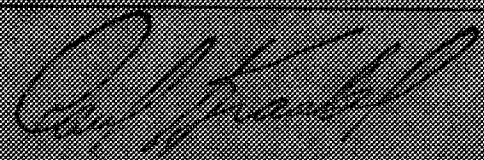
as referred the within Council Bill No.

*104965*

we have considered the same and respectfully recommend that the same:

**PASS AS ENGROSSED**

*15 Hold in Full Council one week*



Committee Chair

1           Section 6.294.050. Dance or Dance Hall License -  
2 Required; Exceptions.

3 A. No person shall conduct or operate a public dance or  
4 public dance hall unless the person who is conducting or  
5 operating such public dance or public dance hall has obtained  
6 a license in accordance with the provisions of this chapter.

7 B. Exceptions.

8           1. A license is not required if the occupancy of  
9 the dance hall is limited to one hundred and fifty  
10 or fewer persons.

11           2. A license is not required if the public dance is  
12 sponsored by an accredited educational institution.

13           3. A license is not required if the public dance is  
14 sponsored by a nonprofit tax exempt organization,  
15 corporation or association recognized by the United  
16 States of America as exempt from federal income taxa-  
17 tion pursuant to § 501(c)(1) or (3) of the Internal  
18 Revenue Code of 1954, 26 U.S.C. § 501 as now existing  
19 or hereafter amended.

20           Section 6.294.055 License - Application - Requirements.

21 The person desiring to conduct and/or operate a public dance  
22 shall be responsible for obtaining a public dance hall  
23 license. Each applicant shall complete an application which  
24 shall include the following information:

25           A. (1) The name and address of the applicant.

26           (2) The name and address of the operator of the  
27 dance hall.

28           (3) The name and address of the owner of the  
premises upon which the dance hall is located.

(4) An oath or affirmation that the information  
listed is true under penalty of perjury.

1  
2 B. If the answers to .055(A) (1)-(3) involve an  
3 unincorporated association, corporation or partnership, the  
4 name of the unincorporated association, corporation or  
5 partnership, and the names and addresses of the limited  
6 partners, partners, officers and directors thereof.

7 C. A statement of any and all measures used to  
8 insure that adequate traffic control and crowd protection,  
9 both within and without the premises, will be maintained.

10 D. Proof of indemnification required by Section  
11 6.294.140.

12 E. A statement from the applicant that the premises  
13 are in compliance with all City laws including, but not  
14 limited to, building, zoning, planning and fire codes.

15 F. Such other information as the Director requires  
16 by rule adopted pursuant to the Administrative Code for the  
17 health, safety and welfare of persons attending dance hall  
18 functions.

19 Section 6.294.060. License - Denial of Application.

20 The Director shall deny a license if:

21 A. The applicant has failed to comply with all  
22 State, County and City laws which shall include, but is not  
23 limited to, building, zoning, planning and fire codes.

24 B. The licensee or any of the licensee's officers,  
25 directors, partners, operators or any other person involved in  
26 the operation of the dance hall have:

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

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2. Been convicted of:

(a) A felony involving a crime of violence as defined in RCW 9.41.010 or any felony under RCW 9A.44, 9A.64, 69.50 or 9A.88 within the last 5 years.

(b) Contributing to the dependency or delinquency of a minor.

(c) A crime involving prostitution, lewd conduct, or assault on a juvenile within the last 5 years.

C. The applicant has been refused a license or had a license revoked under the provisions of this chapter; provided, however, that any applicant denied a license may reapply if the basis for such denial no longer exists.

Section 6.294.070. License--Suspension or Revocation - Grounds.

A license may be suspended or revoked upon a finding that any applicant or licensee, or any owner, officer or agent thereof:

A. Has omitted to disclose any material fact in the application for a license; or

B. Knowingly has made any false statement or given any false information in connection with an application for a license or a renewal of a license; or

C. Knowingly has failed to remove from the dance premises any person who appears to be under the influence of or affected by the use of alcohol and/or drugs or whose conduct poses a physical danger to the safety of others present; or

D. Violated any of the provisions of this chapter; or

1 E. Committed any act which is a ground for denial of  
2 a license.

3 Section 6.294.080. Hours of Operation - Age  
4 Restrictions - Penalty.

5 A. No person conducting a public dance or person  
6 maintaining a public dance hall shall allow persons under the  
7 age of sixteen to enter or remain on the premises without a  
8 parent or legal guardian present.

9 B. No person conducting or operating a public dance  
10 or public dance hall shall allow persons under the age of  
11 eighteen to enter or remain on the premises without a parent  
12 or legal guardian after 2:00 a.m.

13 C. Every person who knowingly or recklessly shall  
14 allow a person to enter or remain in violation of this  
15 section shall be guilty of a misdemeanor. It is the respon-  
16 sibility of the person conducting and/or operating a public  
17 dance to require identification showing the age of each person  
18 admitted.

19 D. Any person under the age of eighteen years who  
20 shall by affirmative misrepresentation of age obtain admission  
21 to or permission to remain in any public dance in violation of  
22 this chapter shall be guilty of a misdemeanor.

23 Section 6.294.090. Readmission Fee.

24 No person conducting or operating a public dance or public  
25 dance hall shall permit any person, other than an employee, to  
26 leave the dance or dance hall and return unless that person  
27 pays a readmission fee equal to, or greater than, one-half the  
28 original price of admission.

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Section 6.294.100. Access - Peace Officer - Director.

All peace officers of The City of Seattle and/or the Director shall have free access to public dances and dance halls when a dance is being conducted for the purpose of inspection and to enforce compliance with the provisions of this ordinance.

Section 6.294.105. Fees.

The fee for a public dance hall license shall be One Hundred Twenty Dollars.

Section 6.294.110. Licensing - Retroactivity.

All licenses issued prior to the effective date of the ordinance codified herein shall entitle the holder of such license a period of thirty-five days, following the effective date of the ordinance, to comply with the provisions of this chapter.

Section 6.294.120. License Limited to License and Location.

Any license issued under the provisions of this chapter shall apply to a single licensee and to a single location only and shall not be transferable to other locations or to other persons.

Section 6.294.130. License - Renewal.

Each license issued by the Director shall be valid for a period of one year.

Section 6.194.140. Indemnification.

A. The Licensee shall indemnify and hold the City harmless from any and all losses, claims, actions, or damages suffered by any person or persons by reason of or resulting from any negligence of the Licensee or its agents, employees, or patrons or on account of any act or omission of the



1  
2 Licensee in its exercise of its license or use or occupancy of  
3 the Premises. In the event any suit or action is brought  
4 against the City, the Licensee shall, upon notice of the com-  
5 mencement thereof, defend the same, at no cost and expense to  
6 the City, and promptly satisfy any final judgment adverse to  
7 the City or to the City and the Licensee jointly; Provided,  
8 that in the event the City determines that one or more prin-  
9 ciples of governmental or public law are involved, the City  
10 retains the right to participate in such action. The above  
11 liability shall not be diminished by the fact, if it be a  
12 fact, that any such death, injury, damage, loss, cost, or  
13 expense may have been, or may be alleged to have been, contri-  
14 buted to by the negligence of the City or its officers,  
15 employees, or agents; Provided, however, that nothing con-  
16 tained in this Section shall be construed as requiring the  
17 Licensee to indemnify the City against liability for damages  
18 arising out of bodily injury to persons or damage to property  
19 caused by or resulting from the sole negligence of the City or  
20 its officers, employees, or agents.

21 B. As a condition precedent to obtaining a license,  
22 the Licensee shall, at no expense to the City, secure and  
23 maintain during the full term of this Agreement, general  
24 comprehensive liability insurance issued by one or more com-  
25 panies authorized to do business in the State of Washington,  
26 which insurance shall be subject to the approval of the City  
27 Attorney as to company, form, coverage, and which insurance  
28 must fully protect the City from any and all claims and risks  
in connection with any activity performed by the Licensee by  
virtue of this Agreement and provide the following minimum  
coverage:

- 1
- 2 a. \$1,000,000 per person, per occurrence.
- 3 b. \$1,000,000 annual aggregate.

4 Said policy must specifically name The City of Seattle as an  
5 additional insured party thereunder in the following manner:

6 "The City of Seattle is an additional insured  
7 for all coverages provided by this policy of  
8 insurance and shall be fully and completely pro-  
9 tected by this policy and for any claim, suit,  
10 injury, death, damage or loss of any sort  
11 sustained by a person, organization or cor-  
12 poration in connection with any activity upon or  
13 use or occupancy of establishments regulated by  
14 this section.

15 "The coverages provided by this policy to the  
16 City or any other named insured shall not be  
17 terminated, reduced, or otherwise changed in any  
18 respect without providing at least thirty (30)  
19 days prior written notice to The Director of  
20 Licensing and Consumer Affairs of The City of  
21 Seattle.

22 C. The Licensee shall deliver to the Director of  
23 Licenses and Consumer Affairs of The City of Seattle a copy of  
24 all policies required under this provision and all endorse-  
25 ments thereto or other evidence to the reasonable satisfaction  
26 of the Director of Licenses and Consumer Affairs that the  
27 Licensee has secured or renewed and is maintaining insurance  
28 as required by this section.

The "ACORD" form of Certification of Insurance shall not be  
submitted as such evidence, and shall not be deemed to be  
satisfactory evidence unless the following changes are made on  
such form:

The wording on the top of the form:

"This certificate is issued as a matter of infor-  
mation only and confers no rights upon the cer-  
tificate holder."

shall be deleted in its entirety.

1                   The wording at the bottom of the form:

2                   "Should any of the above described policies be can-  
3                   celled before the expiration date thereof, the  
4                   issuing company will endeavor to mail thirty (30)  
5                   days written notice to the below named certificate  
6                   holder, but failure to mail such notice shall impose  
7                   no obligation of any kind upon the company."

8 shall be changed to read:

9                   "Should any of the above described policies be can-  
10                   celled, reduced as to coverage, or otherwise changed  
11                   before the expiration date thereof, the issuing com-  
12                   pany shall provide written notice of such action to  
13                   the Director of Licensing and Consumer Affairs of The  
14                   City of Seattle.

15                   D.     The procuring of the insurance required by this  
16                   section shall not be construed to limit Licensee's liability  
17                   hereunder.

18                   E.     Licensee shall provide for the prompt and effi-  
19                   cient handling of all claims for injury, death, damage or loss  
20                   arising out of the acts or omissions of Licensee during the  
21                   term of this section. Licensee agrees that all such claims,  
22                   whether processed by Licensee or its insurer, either directly  
23                   or by means of an agent, will be handled by a person with a  
24                   permanent office within the corporate limits of Seattle.

25                   Section 6.294.150. Authority of the Director.

26                   A.     The Director is authorized to:

- 27                   1.     Make rules for the interpretation and  
28                   implementation of this ordinance pursuant  
                 to the Administrative Code;
2.     Grant, renew, deny suspend or revoke  
                 licenses according to the terms of this  
                 chapter;
3.     Collect fees for the application or  
                 transfer process according to the terms of  
                 these chapters.

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Section 6.294.160. Operating Without a License-Penalty.

Any person who shall conduct or operate a public dance or public dance hall without a valid license issued pursuant to this chapter shall be guilty of a misdemeanor.

ORDINANCE

AN ORDINANCE relating to the licensing and regulation of dance halls that admit persons under the age of eighteen; providing minimum age restrictions; requiring a license for operation; providing penalties for noncompliance; and adding a new chapter 6.294 to the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is added to the Seattle Municipal Code a new chapter 6.294 as follows:

Section 6.294.010. Purpose of Chapter.

This chapter is an exercise of police power for the protection of the public welfare, health, and safety of those children that attend and patronize dance halls. The City Council hereby finds and declares that the pervasive problems of runaway children, drug abuse and abuse of children are problems of such magnitude that they are a matter of City concern and are contributed to by unregulated dance halls; as such this chapter shall regulate dance halls that admit persons under the age of eighteen.

Section 6.294.020. Construction of Chapter - Election of Other Remedies.

The provisions of this chapter shall be construed liberally for the accomplishment of the purposes thereof. Nothing contained in this chapter shall be deemed to repeal or modify any of the provisions of any other law of the municipal code relating to dance halls or licensing.

Section 6.294.030. Conflict - Applicable Chapter.

This chapter is subject to the general provisions of the New License Code, Chapter 6.202. In the event of a conflict between this chapter and Chapter 6.202 the provisions of this chapter shall apply.

1           Section 6.294.040. Definitions.

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

4           A. "Public dance" means any dance that is open to the  
5 public and which permits the entry of any persons under the  
6 age of eighteen years and which:

7                   1. Is held and conducted for a profit, direct or  
8 indirect; or

9                   2. Requires a monetary payment or contribution from  
10 any of the persons admitted.

11           B. "Public dance hall" means any place where a public  
12 dance is conducted, operated or maintained and includes the  
13 premises in which the public dance is conducted, operated or  
14 maintained including but not limited to all parking areas,  
15 hallways, bathrooms and all adjoining areas on the premises  
16 accessible to the public during the dance.

17           C. "Person" includes any natural person and, in  
18 addition, a corporation, partnership or an unincorporated  
19 association.

20           D. "Director" means the Director of Licenses and  
21 Consumer Affairs of The City of Seattle or his or her  
22 authorized representative.

23           E. "Department" means the Department of Licenses and  
24 Consumer Affairs of The City of Seattle.

25           F. "Knowingly" shall have the definition set forth in  
26 SMC § 12A.04.030(B).

27           G. "Recklessly" shall have the definition set forth in  
28 SMC § 12A.04.030(C).

1           Section 6.294.050. Dance or Dance Hall License -  
2 Required; Exceptions.

3       A. No person shall conduct or operate a public dance or  
4 public dance hall unless the person who is conducting or  
5 operating such public dance or public dance hall has obtained  
6 a license in accordance with the provisions of this chapter.

7       B. Exceptions.

8           1. A license is not required if the occupancy of  
9 the dance hall is limited to one hundred and fifty  
10 persons.

11           2. A license is not required if the public dance is  
12 sponsored by an accredited educational institution.

13           Section 6.204.055 License - Application - Requirements.

14       The person desiring to conduct and/or operate a public dance  
15 shall be responsible for obtaining a public dance hall  
16 license. Each applicant shall complete an application which  
17 shall include the following information:

18           A. (1) The name and address of the applicant.

19           (2) The name and address of the operator of the  
20 dance hall.

21           (3) The name and address of the owner of the  
22 premises upon which the dance hall is located.

23       B. If the answers to .030(1)(a)-(c) involve an  
24 unincorporated association, corporation or partnership, the  
25 name of the unincorporated association, corporation or  
26 partnership, and the names and addresses of the limited  
27 partners, partners, officers and directors thereof.

1 C. A statement of any and all measures used to  
2 insure that adequate traffic control and crowd protection,  
3 both within and immediately without the premises, will be  
4 maintained.

5 D. Proof of indemnification required by Section  
6 6.294.140.

7 E. A statement from the applicant that the premises  
8 are in compliance with all City laws including, but not  
9 limited to, building, zoning, planning and fire codes.

10 F. Such other information as the Director requires  
11 by rule adopted pursuant to the Administrative Code to ensure  
12 the health, safety and welfare of persons attending dance hall  
13 functions.

14 Section 6.294.060. License - Denial of Application.

15 The Director shall deny a license if:

16 A. The applicant has failed to comply with all  
17 State, County and City laws which shall include, but is not  
18 limited to, building, zoning, planning and fire codes.

19 B. The licensee or any of the licensee's officers,  
20 directors, partners, operators or any other person involved in  
21 the operation of the dance hall have:

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

25 2. Been convicted of:

26 (a) A felony involving a crime of violence  
27 upon a minor or any felony under RCW 9A.44, 9A.64  
28 or 9A.88 within the last 5 years.

(b) Contributing to the dependency or  
delinquency of a minor.



1 (c) A crime involving prostitution, lewd  
2 conduct, or assault on a juvenile within the  
3 last 5 years.

4 C. The applicant has been refused a license or  
5 had a license revoked under the provisions of this chapter;  
6 provided, however, that any applicant denied a license may  
7 reapply if the basis for such denial no longer exists.

8 Section 6.294.070. License--Suspension or Revocation -  
9 Grounds.

10 A license may be suspended or revoked upon a finding that any  
11 applicant or licensee, or any owner, officer or agent thereof:

12 A. Has omitted to disclose any material fact in the  
13 application for a license; or

14 B. Knowingly has made any false statement or given  
15 any false information in connection with an application for a  
16 license or a renewal of a license; or

17 C. Knowingly has failed to remove from the dance  
18 premises any person who appears to be under the influence of  
19 or affected by the use of alcohol and/or drugs or whose con-  
20 duct poses a physical danger to the safety of others present;  
21 or

22 D. Violated any of the provisions of this chapter;  
23 or

24 E. Committed any act which is a ground for denial of  
25 a license.

26 Section 6.294.080. Hours of Operation - Age Restrictions  
27 - Penalty.

28 A. No person conducting a public dance or person  
maintaining a public dance hall shall allow persons under the  
age of sixteen to enter or remain on the premises without a  
parent or legal guardian present.

1           B. No person conducting or operating a public dance  
2 or public dance hall shall allow persons under the age of  
3 eighteen to enter or remain on the premises without a parent  
4 or legal guardian after 2:00 a.m.

5           C. Every person who knowingly or recklessly shall  
6 allow a person to enter or remain in violation of this  
7 section shall be guilty of a misdemeanor. It is the respon-  
8 sibility of the person conducting and/or operating a public  
9 dance to check the identification of each person admitted.

10           D. Any person under the age of eighteen years who  
11 shall by affirmative misrepresentation of age obtain admission  
12 to or permission to remain in any public dance in violation of  
13 this chapter shall be guilty of a misdemeanor.

14           Section 6.294.090. Readmission Fee.

15 No person conducting or operating a public dance or public  
16 dance hall shall permit any person, other than an employee, to  
17 leave the dance or dance hall and return unless that person  
18 pays a readmission fee equal to, or greater than, one-half the  
19 original price of admission.

20           Section 6.294.100. Access - Peace Officer - Director.

21 All peace officers of The City of Seattle and/or the Director  
22 shall have free access to public dances and dance halls when a  
23 dance is being conducted for the purpose of inspection and to  
24 enforce compliance with the provisions of this ordinance.

25           Section 6.294.105. Fees.

26 The fee for a public dance hall license shall be (\_\_\_\_\_).

27           Section 6.294.110. Licensing - Retroactivity.

28 All licenses issued prior to the effective date of the  
ordinance codified herein shall entitle the holder of such  
license a period of thirty-five days, following the effective  
date of the ordinance, to comply with the provisions of this  
chapter.

1           Section 6.294.120. License Limited to License and  
2 Location.

3 Any license issued under the provisions of this chapter shall  
4 apply to a single licensee and to a single location only and  
5 shall not be transferable to other locations or to other  
6 persons.

7           Section 6.294.130. License - Renewal.

8 Each license issued by the Director shall be valid for a  
9 period of one year.

10          Section 6.194.140. Indemnification.

11           A. The Licensee shall indemnify and hold the City  
12 harmless from any and all losses, claims, actions, or damages  
13 suffered by any person or persons by reason of or resulting  
14 from any negligence of the Licensee or its agents, employees,  
15 or patrons or on account of any act or omission of the  
16 Licensee in its exercise of its license or use or occupancy of  
17 the Premises. In the event any suit or action is brought  
18 against the City, the Licensee shall, upon notice of the com-  
19 mencement thereof, defend the same, at no cost and expense to  
20 the City, and promptly satisfy any final judgment adverse to  
21 the City or to the City and the Licensee jointly; Provided,  
22 that in the event the City determines that one or more prin-  
23 ciples of governmental or public law are involved, the City  
24 retains the right to participate in such action. The above  
25 liability shall not be diminished by the fact, if it be a  
26 fact, that any such death, injury, damage, loss, cost, or  
27 expense may have been, or may be alleged to have been, contri-  
28 buted to by the negligence of the City or its officers,  
employees, or agents; Provided, however, that nothing con-

1 tained in this Section shall be construed as requiring the  
2 Licensee to indemnify the City against liability for damages  
3 arising out of bodily injury to persons or damage to property  
4 caused by or resulting from the sole negligence of the City or  
5 its officers, employees, or agents.

6 B. As a condition precedent to obtaining a license,  
7 the Licensee shall, at no expense to the City, secure and  
8 maintain during the full term of this Agreement, general  
9 comprehensive liability insurance issued by one or more com-  
10 panies authorized to do business in the State of Washington,  
11 which insurance shall be subject to the approval of the City  
12 Attorney as to company, form, coverage, and which insurance  
13 must fully protect the City from any and all claims and risks  
14 in connection with any activity performed by the Licensee by  
15 virtue of this Agreement and provide the following minimum  
16 coverage:

- 17 a. \$1,000,000 per person, per occurrence.
- 18 b. \$1,000,000 annual aggregate.

19 Said policy must specifically name The City of Seattle as an  
20 additional insured party thereunder in the following manner:

21 "The City of Seattle is an additional insured  
22 for all coverages provided by this policy of  
23 insurance and shall be fully and completely pro-  
24 tected by this policy and for any claim, suit,  
25 injury, death, damage or loss of any sort  
26 sustained by a person, organization or cor-  
27 poration in connection with any activity upon or  
28 use or occupancy of establishments regulated by  
this section.

"The coverages provided by this policy to the  
City or any other named insured shall not be  
terminated, reduced, or otherwise changed in any  
respect without providing at least thirty (30)  
days prior written notice to The Director of  
Licensing and Consumer Affairs of The City of  
Seattle.

1           C.    The Licensee shall deliver to the Director of  
2 Licenses and Consumer Affairs of The City of Seattle a copy of  
3 all policies required under this provision and all endorse-  
4 ments thereto or other evidence to the reasonable satisfaction  
5 of the Director of Licenses and Consumer Affairs that the  
6 Licensee has secured or renewed and is maintaining insurance  
7 as required by this section.

8 The "ACORD" form of Certification of Insurance shall not be  
9 submitted as such evidence, and shall not be deemed to be  
10 satisfactory evidence unless the following changes are made on  
11 such form:

12       The wording on the top of the form:

13       "This certificate is issued as a matter of infor-  
14 mation only and confers no rights upon the cer-  
15 tificate holder."

16 shall be deleted in its entirety.

17       The wording at the bottom of the form:

18       "Should any of the above described policies be can-  
19 celled before the expiration date thereof, the  
20 issuing company will endeavor to mail thirty (30)  
21 days written notice to the below named certificate  
22 holder, but failure to mail such notice shall impose  
23 no obligation of any kind upon the company."

24 shall be changed to read:

25       "Should any of the above described policies be can-  
26 celled, reduced as to coverage, or otherwise changed  
27 before the expiration date thereof, the issuing com-  
28 pany shall provide written notice of such action to  
the Director of Licensing and Consumer Affairs of The  
City of Seattle.

          D.    The procuring of the insurance required by this  
section shall not be construed to limit Licensee's liability  
hereunder.

          E.    Licensee shall provide for the prompt and effi-  
cient handling of all claims for injury, death, damage or loss  
arising out of the acts or omissions of Licensee during the

1 term of this section. Licensee agrees that all such claims,  
2 whether processed by Licensee or its insurer, either directly  
3 or by means of an agent, will be handled by a person with a  
4 permanent office in the Seattle area.

5 Section 6.294.150. Authority of the Director.

6 A. The Director is authorized to:

- 7 1. Make rules for the interpretation and  
8 implementation of this ordinance pursuant  
9 to the Administrative Code;
- 10 2. Grant, renew, deny suspend or revoke  
11 licenses according to the terms of this  
12 chapter;
- 13 3. Collect fees for the application or  
14 transfer process according to the terms of  
15 these chapters.  
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(To be used for all Ordinances except Emergency.)

Section...2.. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 29<sup>th</sup> day of July, 1985,  
and signed by me in open session in authentication of its passage this 29<sup>th</sup> day of  
July, 1985.

President..... of the City Council.

Approved by me this..... day of....., 19 .....

Mayor.

Filed by me this..... day of....., 19 .....

Attest:.....  
City Comptroller and City Clerk.

(SEAL)

Published.....

By.....  
Deputy Clerk.

# Affidavit of Publication

## STATE OF WASHINGTON KING COUNTY—SS.

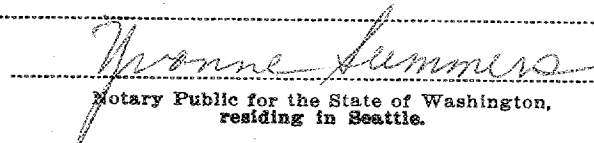
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a \_\_\_\_\_  
Ordinance No. 112373  
\_\_\_\_\_

was published on August 1, 1985  
\_\_\_\_\_  
\_\_\_\_\_



Subscribed and sworn to before me on  
August 1, 1985

  
Notary Public for the State of Washington,  
residing in Seattle.



TIME AND DATE STAMP

**SPONSORSHIP**

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY  
THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

*James B. Rice*

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FOR CITY COUNCIL PRESIDENT USE ONLY**

COMMITTEE(S) REFERRED TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
PRESIDENT'S SIGNATURE