

2L<sup>1</sup> ORDINANCE No. 113826

2L<sup>1</sup> COUNCIL BILL No. 106564

Relating to the regulation of dance halls  
admitting persons under the age of eighteen;  
amending Seattle Municipal Code (SMC) Sections  
6.294.050, 6.294.055, 6.294.060, 6.294.070,  
6.294.080, 6.294.090, 6.294.105, 6.294.160,  
and adding new sections to SMC Chapter 6.294.

Do Pass

3-0

1-26-88

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

Introduced: <b>JAN 25 1988</b>	By: <b>RICE</b>
Referred: <b>JAN 25 1988</b>	To: <i>Public Safety</i>
Referred:	To:
Referred:	To:
Reported: <b>FEB 1 1988</b>	Second Reading: <b>FEB 1 1988</b>
Third Reading: <b>FEB 1 1988</b>	Signed: <b>FEB 1 1988</b>
Presented to Mayor: <b>FEB 2 1988</b>	Approved: <b>FEB 11 1988</b>
Returned to City Clerk: <b>FEB 16 1988</b>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

The City of

Honorable President:

Your Committee on *Pub*

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

*Do Pass*

*[Signature]*

# 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:

Do Pass

Vote 9-0

  
Committee Chair

RJP:pdk  
12/10/87  
7:ORD9.

ORDINANCE 113826

AN ORDINANCE relating to the regulation of dance halls admitting persons under the age of eighteen; amending Seattle Municipal Code (SMC) Sections 6.294.010, 6.294.040, 6.294.050, 6.294.055, 6.294.060, 6.294.070, 6.294.080, 6.294.090, 6.294.105, 6.294.160, and adding new sections to SMC Chapter 6.294.

WHEREAS, based upon all of the testimony and evidence presented to the City Council, the Council concludes that the regulations set forth herein should be enacted to protect and preserve the health, safety and welfare of the citizens of Seattle; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 6.294.010 of the Seattle Municipal Code is amended as follows:

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)) concerning the admission of persons under the age of eighteen (18) years.

Section 2. Section 6.294.040 of the Seattle Municipal Code is amended as follows:

1           6.294.040   Definitions.

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

5           A. "Director" means the Director of Licenses  
6 and Consumer Affairs of The City of Seattle or  
7 his or her authorized representative.

8           B. "Department" means the Department of  
9 Licenses and Consumer Affairs of The City of  
10 Seattle.

11           C. "Knowingly" shall have the definition set  
12 forth in SMC Section 12A.04.030B.

13           D. "Person" includes any natural person and,  
14 in addition, a corporation, partnership or an  
15 unincorporated association.

16           E. "Public dance" means any dance that is  
17 readily accessible to the public and which  
18 ((permits the entry of any persons under the age  
19 of eighteen (~~18~~) years and which)):

20           1. Is held and conducted for a profit,  
21 direct or indirect; or

22           2. Requires a monetary payment or  
23 contribution from any of the persons admitted.

24           F. (("Public dance hall" means any place  
25 where a public dance is conducted, operated or  
26 maintained and includes the premises in which  
27 the public dance is conducted, operated or  
28 maintained including but not limited to all  
parking areas, hallways, bathrooms and all  
adjoining areas on the premises accessible to



1 the public during the dance:)) "Teen dance"  
2 means any "public dance" as herein defined which  
3 permits the entry of persons under the age of  
4 eighteen (18) years.

5 G. (("Recklessly" shall have the definition set  
6 forth in SMC Section 12A.04.030C:)) "Teen dance  
7 hall" means any place where a teen dance is con-  
8 ducted, operated or maintained and includes the  
9 premises in which the teen dance is conducted,  
10 operated or maintained including but not limited  
11 to all parking areas, hallways, bathrooms and all  
12 adjoining areas on the premises accessible to the  
13 public during the dance.

14 H. "Recklessly" shall have the definition set  
15 forth in SMC Section 12A.04.030C.

16 Section 3. Section 6.294.050 of the Seattle Municipal  
17 Code is amended as follows:

18 6.294.050 Teen dance or dance hall license--  
19 Required--Exceptions.

20 A. No person shall conduct or operate a  
21 ((public)) teen dance or ((public)) teen dance  
22 hall unless the person who is conducting or oper-  
23 ating such ((public)) teen dance or hall has  
24 obtained a license in accordance with the  
25 provisions of this chapter.

26 B. Exceptions.

27 1. The requirements of this chapter shall  
28 not apply if the teen dance hall is limited to one  
hundred and fifty (150) or fewer persons.

1                   2. The requirements of this chapter shall  
2 not apply if the ((public)) teen dance is spon-  
3 sored by an accredited educational institution.

4                   3. The requirements of this chapter shall  
5 not apply if the ((public)) teen dance is spon-  
6 sored by a nonprofit tax-exempt organization, cor-  
7 poration or association recognized by the United  
8 States of America as exempt from federal income  
9 taxation pursuant to § 501(c)(1) or (3) of the  
10 Internal Revenue Code of 1954, 26 U.S.C. § 501 as  
now existing or hereafter amended.

11                   4. If the ((public)) teen dance hall is  
12 managed or operated by The City of Seattle the  
13 requirements of this chapter may be waived by the  
14 Director by rule adopted pursuant to the  
15 Administrative Code upon written application by  
16 the Superintendent of Parks and Recreation of the  
17 Seattle Center Director.

18                   Section 4. Section 6.294.055 of the Seattle Municipal  
19 Code is amended as follows:

20                   6.294.055 License - Application - Requirements.

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

- 25                   A. 1. The name and address of the applicant;  
26                   2. The names and addresses of the operator,  
27 manager and employees of the dance hall((r));  
28

1                   3. The name and address of the owner of the  
2 premises upon which the dance hall is located((~~r~~));

3                   4. An oath or affirmation that the informa-  
4 tion listed is true under penalty of perjury;

5                   B. If the answers to subsections A1 to A3 of  
6 this section involve an unincorporated association,  
7 corporation or partnership, the name of the unincor-  
8 porated association, corporation or partnership, and  
9 the names and addresses of the limited partners,  
partners, officers and directors thereof;

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

14                  D. Proof of indemnification required by  
15 Section 6.294.140;

16                  E. A statement from the applicant that the prem-  
17 ises are in compliance with all City laws including,  
18 but not limited to, Building, Zoning, Planning and  
19 Fire Codes;<sup>1</sup> and a statement that the applicant  
20 will, in the conduct and operation of the dance  
21 hall, comply with all City laws, including, but not  
limited to, the Noise Control Ordinance.

22                  F. Such other information as the Director  
23 requires by rule adopted pursuant to the Administra-  
24 tive Code for the health, safety and welfare of per-  
25 sons attending dance hall functions.

26                  Section 5. Section 6.294.060 of the Seattle Municipal  
27 Code is amended as follows:  
28

1 6.294.060 License - Denial of application.

2 The Director shall deny a license if:

3 A. The applicant has failed to comply with all  
4 state, county and City laws which shall include, but  
5 is not limited to, Building, Zoning, Planning and  
6 Fire Codes;<sup>1</sup>

7 B. The ((licensee)) applicant or any of the  
8 ((licensee's)) applicant's officers, directors,  
9 partners, operators, employees or any other person  
10 involved in the operation of the dance hall have:

11 1. Committed any act, which, if committed by  
12 a licensee, would be grounds for the suspension or  
13 revocation of a license or permit,

14 2. Been convicted within the last five (5)  
15 years of:

16 a. A felony involving a crime of vio-  
17 lence as defined in RCW 9.41.010 or any felony under  
18 RCW 9A.44, 9A.64, 69.50 or 9A.88 ((within the last  
19 five (5) years),

20 b. Contributing to the dependency or  
21 delinquency of a minor, or

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

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



1           Section 6. Section 6.294.070 of the Seattle Municipal  
2 Code is amended as follows:

3           6.294.070 License - Suspension or revocation -  
4                               Grounds.

5           A license issued pursuant to this chapter may be  
6 suspended or revoked upon a finding that any  
7 ((applicant or licensee, or any owner, officer or  
8 agent thereof:)) one or more of the following  
9 conditions exist:

10           A. ((Has omitted to disclose any material fact  
11 in the application for a license; or)) The  
12 license was procured by fraud or false represen-  
13 tation or omission of material fact in the license  
14 application;

15           B. The applicant or licensee, or any officer,  
16 directors, or agent thereof ((K)) knowingly has made  
17 any false statement or given any false information  
18 in connection with an application for a license or a  
19 renewal of a license; ((or))

20           C. ((Knowingly has failed to remove from the  
21 dance premises any person who appears to be under  
22 the influence of or affected by the use of alcohol  
23 and/or drugs or whose conduct poses a physical dan-  
24 ger to the safety of others present; or)) The  
25 licensee or any employee, agent, partner, director,  
26 officer or manager thereof has knowingly allowed or  
27 permitted:

28           1. A felony involving a crime of  
             violence as defined in RCW 9A.41.010 or any  
             felony under RCW Chapters 9A.44, 9A.64,

1           9A.88 or 69.50 to occur in or upon the  
2           dance hall premises;

3           2. A crime involving prostitution,  
4           lewd conduct, or assault on a juvenile to  
5           occur in or upon the dance hall premises;

6           3. Any act of or solicitation for  
7           sexual intercourse, sodomy, oral copulation,  
8           or masturbation to be committed in or upon  
9           the dance hall premises; or

10          4. The possession of any weapon, or the  
11          possession or consumption of alcohol and/or  
12          marijuana, cocaine, or any other controlled  
13          substance (as defined in RCW 69.50.101(d)  
14          as now exists or as hereinafter amended) in  
15          or upon the dance hall premises; or has  
16          knowingly failed to remove from such  
17          premises any person who appears to be under  
18          the influence of or affected by the use of  
19          alcohol or any controlled substance or  
20          whose conduct poses a physical danger to  
21          the safety of others present;

22          D. The licensee or any employee, agent, partner,  
23          director, officer or manager thereof ((V)) violated  
24          any of the provisions of this chapter((+)) or  
25          committed any act which is a ground for denial of a  
26          license issued pursuant to this chapter; or

27          E. ((Committed any act which is ground for  
28          denial of a license-)) The building, structure,  
            equipment or location of the business or dance for  
            which the license was issued does not comply with

1        the requirements or fails to meet the standards of  
2        the applicable health, zoning, building, or fire and  
3        safety laws and ordinances of the State of  
4        Washington and The City of Seattle, or the require-  
5        ments of this chapter.

6        Section 7. Section 6.294.080 of the Seattle Municipal  
7        Code is amended as follows:

8        6.294.080 ((Hours of operation)) Age restrictions -  
9        ((Penalty)) Identification requirements for public  
10       dances and teen dances - Penalty

11       A. No person conducting or operating a ((public))  
12       teen dance or ((person maintaining a public))  
13       teen dance hall shall ((allow)) permit, either by  
14       act or omission, any person((s)) under the age of  
15       ((sixteen ~~(16)~~)) fifteen (15) years to enter or  
16       remain on the premises without a parent or legal  
17       guardian present.

18       B. No person conducting or operating a ((public))  
19       teen dance or ((public)) teen dance hall shall  
20       ((allow persons under the age of eighteen ~~(18)~~ to  
21       enter or remain on the premises without a parent or  
22       legal guardian after two a.m. ~~((2:00 a.m.))~~ permit,  
23       either by act or omission, any person over the age  
24       of twenty (20) years to enter or remain upon the  
25       premises, except a parent or legal guardian  
26       accompanying a person under the age of eighteen (18)  
27       years, and except bona fide employees of the person  
28       conducting or operating such teen dance or teen  
      dance hall.

1 C. ((Every person who knowingly or recklessly  
2 shall allow a person to enter or remain in violation  
3 of this section shall be guilty of a misdemeanor.  
4 It is the responsibility of ~~it~~))The person conducting  
5 and/or operating a public dance or teen dance ((~~to~~))  
6 shall require identification showing the age of each  
7 person admitted or seeking to be admitted.

8 D. Any person ((under the age of eighteen ~~(18)~~  
9 years)) who shall by affirmative misrepresentation  
10 of age obtain admission to or permission to remain  
11 in any ((~~public~~)) teen dance in violation of this  
chapter shall be guilty of a misdemeanor.

12 E. Any person who knowingly or recklessly shall  
13 permit a person to enter or remain in any teen dance  
14 in violation of this chapter shall be guilty of a  
15 misdemeanor.

16 Section 8. Section 6.294.090 of the Seattle Municipal  
17 Code is amended as follows:

18 6.294.090 Readmission fee.

19 No person conducting or operating a ((~~public~~))  
20 teen dance or ((~~public~~)) teen dance hall shall per-  
21 mit any person, other than an employee, to leave the  
22 dance or dance hall and return unless that person  
23 pays a readmission fee equal to, or greater than,  
one half ( $\frac{1}{2}$ ) the original price of admission.

24 Section 9. Section 6.294.105 of the Seattle Municipal  
25 Code is amended as follows:

1           6.294.105   Fees.

2           The fee for a ((public)) teen dance hall license  
3 shall be One Hundred Twenty Dollars (\$120.00).

4           Section 10. Section 6.294.160 of the Seattle Municipal  
5 Code is amended as follows:

6           6.294.160   Operating without a license--Penalty.

7           Any person who shall conduct or operate a  
8 ((public)) teen dance or ((public)) teen dance hall  
9 without a valid license issued pursuant to this  
10 chapter shall be guilty of a misdemeanor.

11          Section 11. Chapter 6.294 of the Seattle Municipal Code  
12 is hereby amended by adding thereto new Sections 6.294.075  
13 and 6.294.085, as follows:

14          6.294.075   Security personnel

15          A. It shall be the obligation of every person  
16 licensed under this chapter to insure that an ade-  
17 quate number of qualified security personnel are  
18 employed and in attendance upon teen dance hall  
19 premises during and following each teen dance as is  
20 necessary to maintain order and insure compliance  
21 with the laws of the State of Washington and ordi-  
22 nances of the City of Seattle. An "adequate number  
23 of security personnel" shall include at least two  
24 persons trained as law enforcement personnel, which  
25 may include off-duty Seattle police officers. At no  
26 time shall fewer than twenty-five percent (25%) of  
27 the security personnel in attendance at a teen dance  
28 have training as law enforcement personnel. Those  
security personnel not having law enforcement train-

1           ing must have received formal training in crowd con-  
2           trol by an agency not associated with the licensee.

3           B. It shall be the further obligation of every  
4           person licensed under this chapter to employ during  
5           and following each teen dance at least one off-duty  
6           Seattle police officer to patrol the sidewalks and  
7           public areas abutting the teen dance hall.

8           6.294.085   Hours of operation.

9           No teen dance or teen dance hall shall be  
10          conducted, operated, or otherwise open to the  
11          public between the hours of two a.m. (2:00 a.m.)  
12          and eight a.m. (8:00 a.m.); and the exclusion or  
13          attempted exclusion during those six (6) hours  
14          of persons under eighteen (18) years of age shall  
15          not relieve any person operating, maintaining or  
16          conducting such a dance or dance hall from this  
17          prohibition.

18          Section 12. The provisions of this ordinance are declared  
19          to be separate and severable. The invalidity of any clause,  
20          sentence, paragraph, subdivision, section or portion of this  
21          ordinance, or the invalidity of the application thereof to any  
22          person or circumstance shall not affect the validity of the  
23          remainder of this ordinance or the validity of its application  
24          to other persons or circumstances.



(To be used for all Ordinances except Emergency.)

Section 13. 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 15<sup>th</sup> day of February, 1988,  
and signed by me in open session in authentication of its passage this 15<sup>th</sup> day of  
February, 1988.

  
President of the City Council.

Approved by me this 11<sup>th</sup> day of February, 1988.  
  
Mayor.

Filed by me this 16<sup>th</sup> day of February, 1988.

Attest: Norward J. Brooks  
City Comptroller and City Clerk.

(SEAL)

Published \_\_\_\_\_

By Theresa Dunbar  
Deputy Clerk.

☐ PUBLISH ☐ DO NOT PUBLISH

CITY ATTORNEY \_\_\_\_\_

C-342-X

## 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. 113826

was published on ..... February 24, 1988

.....  
Subscribed and sworn to before me on

..... February 24, 1988

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