

Ordinance No. ~~123456~~ 123493

Council Bill No. 117068

AN ORDINANCE relating to adult entertainment licenses and other licenses; amending Sections 6.202.180, 6.202.280, 6.270.070, 6.270.080 and 6.270.090 of the Seattle Municipal Code to establish deadlines for reviewing applications for adult entertainment licenses; require that applicants present written evidence that they are the owner, operator, or lessee of the premises; clarify that review for compliance with City development regulations including zoning and building codes occurs as part of the development regulation process rather than the licensing process; clarify standards for the review of applications for adult entertainment manager and adult entertainer licenses; and provide that an adult entertainment license application be denied to an applicant that is currently the subject of an adult entertainment license suspension or revocation order.

Related Legislation File:

Date Introduced and Referred: Dec. 6, 2010	To: (committee): Finance and Budget
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 12.13.10	Date Presented to Mayor: 12.15.10
Date Signed by Mayor: 12.16.10	Date Returned to City Clerk: 12.17.10
Published by Title Only <input type="checkbox"/>	Date Vetoed by Mayor:
Published in Full Text <input checked="" type="checkbox"/>	Date Passed Over Veto:
Date Veto Published:	Date Returned Without Signature:

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Golden

Committee Action:

Date	Recommendation	Vote
12/07	Do Pass	Y - JG, NL, M'03

This file is complete and ready for presentation to Full Council.

Full Council Action:

Date	Decision	Vote
12.13.10	Passed	9-0

Law Department

ORDINANCE 123493

1  
2 AN ORDINANCE relating to adult entertainment licenses and other licenses; amending Sections  
3 6.202.180, 6.202.280, 6.270.070, 6.270.080 and 6.270.090 of the Seattle Municipal Code  
4 to establish deadlines for reviewing applications for adult entertainment licenses; require  
5 that applicants present written evidence that they are the owner, operator, or lessee of the  
6 premises; clarify that review for compliance with City development regulations including  
7 zoning and building codes occurs as part of the development regulation process rather  
8 than the licensing process; clarify standards for the review of applications for adult  
9 entertainment manager and adult entertainer licenses; and provide that an adult  
10 entertainment license application be denied to an applicant that is currently the subject of  
11 an adult entertainment license suspension or revocation order.

12 WHEREAS, on July 19, 2010 the U.S. District Court ruled that Seattle's adult entertainment  
13 premises license code was facially unconstitutional because it failed to establish time  
14 limits for acting upon a license application; and

15 WHEREAS, portions of the Seattle Municipal Code (SMC) that relate to the regulation of adult  
16 entertainment licenses need to be amended to include deadlines for reviewing adult  
17 entertainment license applications; and

18 WHEREAS, it has been determined that other portions of the SMC relating to adult  
19 entertainment licensing should be amended to clarify that compliance with zoning and  
20 building codes is determined as part of the development regulation process rather than the  
21 licensing process, to provide that an applicant for an adult entertainment premises license  
22 must show that the applicant is the current owner, operator or lessee of the premises, and  
23 to clarify standards for the review of applications for adult entertainment manager and  
24 adult entertainer licenses; NOW, THEREFORE,

25 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

26 **Section 1.** Section 6.202.180 of the Seattle Municipal Code, enacted by Ordinance  
27 108934, is amended to read as follows:

28 **6.202.180 Change of Location**

A. Reinspection is required for every change of location, if a building, fire, health, or  
license site inspection of premises was required by the new license code at the original location.

An inspection fee shall be imposed for each inspection visit to the new site.



1 B. Whenever a licensee changes the location of any activity for which a license is  
2 required, the Director shall reissue the license upon finding that:

3 1. The licensee has submitted the license to the Director for the change, and any change  
4 of location and inspection fees imposed by the new license code have been paid; and

5 2. The new location is in compliance with all provisions of the new license code relating  
6 to the premises (~~and with applicable zoning, building, fire, and health ordinances, and laws,~~  
7 ~~rules and regulations promulgated thereunder~~)).

9 C. Nothing in this Section 6.202.180 is intended to authorize activities, actions or  
10 conditions that do not comply with other requirements of the Seattle Municipal Code or other  
11 applicable law, including but not limited to applicable development regulations (including but  
12 not limited to zoning and building codes), fire and health ordinances, laws, rules and regulations.

13 **Section 2.** Subsection B of Section 6.202.280 of the Seattle Municipal Code, which  
14 section was last amended by Ordinance 117586, is amended to read as follows:

15 **6.202.280 Continuation of business while complaint hearing decision pending.**

16 \* \* \*

17 B. If the Department denies an adult entertainment license governed by ~~((SMC))~~ Chapter  
18 6.270, and if the license applicant files a notice of appeal with the Hearing Examiner, the  
19 Director shall immediately issue the license applicant a temporary license. The temporary license  
20 shall authorize the license applicant to operate an adult entertainment establishment or perform  
21 as a manager or entertainer, in the same manner as if the license had been granted, pending the  
22 Hearing Examiner's decision, provided the licensee has obtained whatever other licenses, permits  
23 or approvals are required by law for such operation or performance.



1           1. If the Hearing Examiner affirms the Director's license denial, the temporary license  
2 shall remain in effect (a) until the expiration of the time allowed to file a motion for  
3 reconsideration before the Hearing Examiner, or if a timely motion for reconsideration has been  
4 filed, ~~((pending a))~~ until the Hearing Examiner renders a decision on the motion for  
5 reconsideration ~~((before the Hearing Examiner))~~ and, (b) in addition, ~~((a) if the license applicant~~  
6 does not timely file for judicial review, then only)) until the expiration of the time allowed to file  
7 an application for a writ of review under Chapter 7.16 RCW ~~((; or (b)))~~, or if the license applicant  
8 does timely file an application for a writ of review, then only until the superior court ~~((either~~  
9 issues a writ or denies the writ application)) enters judgment on, dismisses, or otherwise disposes  
10 of the writ.

11  
12           2. If the Hearing Examiner ~~((dismisses))~~ reverses the adult entertainment license denial  
13 with prejudice, the Department shall immediately issue an adult entertainment license.

14           3. If the Hearing Examiner ~~((dismisses))~~ reverses the adult entertainment license denial  
15 without prejudice, the temporary license shall remain in effect for five ~~((5))~~ additional business  
16 days, at the end of which time the Department must either reissue a denial or issue an adult  
17 entertainment license. If the Director reissues the denial, then the temporary license will continue  
18 in effect according to the procedures set forth in this subsection ~~((B of this section))~~ 6.202.280.B.

19           4. Notwithstanding ~~((SMC))~~ Section 6.202.210, if a license applicant is issued a  
20 temporary license, the license applicant shall pay the fee charged for an adult entertainment  
21 license under ~~((SMC))~~ Section 6.270.060 at the time the applicant receives the temporary license.  
22 If the temporary license issued under this subsection 6.202.280.B is still in effect at the end of a  
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1 calendar year, then the license applicant must pay the fee charged for an adult entertainment  
2 license under ~~((SMC))~~ Section 6.270.060 for the next calendar year.

3 **Section 3.** Subsection A of Section 6.270.070 of the Seattle Municipal Code, which  
4 section was last amended by Ordinance 123361, is amended to read as follows:

5 **6.270.070 License applications.**

6 A. Adult Entertainment Premises License. All applications for an adult entertainment  
7 premises license shall be submitted in the name of the person proposing to conduct such adult  
8 entertainment on the premises, ~~((and))~~ shall be signed by such person and notarized or certified  
9 as true under penalty of perjury, and shall be accompanied by written evidence sufficient to show  
10 that such person is the owner, operator, or lessee of the premises. All applications shall be  
11 submitted on a form supplied by the Director of Finance and Administrative Services, and shall  
12 require the following information:  
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14 \* \* \*

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17 **Section 4.** Section 6.270.080 of the Seattle Municipal Code, enacted by Ordinance  
18 114225, is amended to read as follows:

19 **6.270.080 License — Applicant investigation.**

20 The Director shall investigate an application for a license required in ~~((subsection A~~  
21 ~~of))~~ Section 6.270.070 by requesting criminal records ~~((and a confirmation of zoning~~  
22 ~~compliance))~~ from appropriate City agencies. ~~((The Director shall investigate an application for~~  
23 ~~a license required in subsection B of Section 6.270.070 by requesting criminal records from~~  
24 ~~appropriate City agencies.))~~  
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1           **Section 5.** Section 6.270.090 of the Seattle Municipal Code, enacted by Ordinance  
2 114225, is amended to read as follows:

3           **6.270.090 Issuance of Licenses**

4           A.       Adult entertainment premises license. Within 30 days of receipt by the Director of a  
5 complete application for an adult entertainment premises license, including all submittals and  
6 information required by this Chapter 6.270, the Director shall issue or deny the adult  
7 entertainment premises license. If the Director fails to issue or deny the license within the 30  
8 day period, the license is deemed issued on the last day of the 30 day period. ((After an  
9 investigation, the)) The Director shall deny ((issue)) the ((applicable)) adult entertainment  
10 premises license ((or licenses authorized by this chapter)), and shall notify the applicant in  
11 writing of the reasons for denial and the opportunity to appeal, if the Director finds any of the  
12 following:

13           1.       The application does not meet the requirements of this Chapter 6.270; or  
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15           ((1. That the business for which a license is required herein will be conducted in a  
16 building, structure and location which complies with the requirements and meets the standards of  
17 the applicable health, zoning, building, fire and safety laws of the State, the ordinances of the  
18 City, as well as the requirements of this chapter;))

19           2.       ((That the)) The applicant, his or her employee, agent, partner, director, officer,  
20 ((stockholder)) or manager has ((not)) knowingly made any false, misleading or fraudulent  
21 omission or statement of material fact in the application for a license, or in any report or record  
22 required to be filed with the Director; or



1           3.       ~~((That the))~~ The applicant ~~((, and all))~~ or any ~~((employees, agents, partners,~~  
2 ~~directors, officers, or managers))~~ employee, agent, partner, director, officer, or manager of the  
3 applicant ~~((have))~~ has not attained the age of ~~((eighteen (18)))~~ 18 years~~((-))~~; or

4           4.       The applicant or his or her employee, agent, partner, director, officer, or manager  
5 is currently the subject of a final adult entertainment premises license suspension or revocation  
6 order issued pursuant to this Chapter 6.270 that became final less than one year prior to the date  
7 that the pending application was submitted; or

8           5.       The applicant has not provided written evidence that the applicant is the current  
9 owner, operator, or lessee of the premises to be licensed; or

10           6.       The license may be otherwise denied under Section 6.202.230.

11           B.       Adult Entertainment Manager's and Adult Entertainer's Licenses. Within three business  
12 days of receiving a complete application, including all submittals and information required by  
13 this Chapter 6.270, the Director shall issue or deny an adult entertainment manager's license or  
14 an adult entertainer's license. If the Director fails to issue or deny the license within the three  
15 day period, the license is deemed issued on the last day of the three day period. The Director  
16 shall deny an application for an adult entertainment manager's license or an adult entertainer's  
17 license, and shall notify the applicant in writing of the reasons for the denial and the opportunity  
18 to appeal, if the Director finds any of the following:

19           1.       The applicant is less than 18 years old; or

20           2.       The applicant has failed to provide any of the submittals or information required  
21 to be supplied according to this Chapter 6.270; or



1           3. The applicant has knowingly made any false, misleading or fraudulent statement  
2 or omission of material fact in the application for a license; or

3           4. The applicant is currently the subject of a final license suspension or revocation  
4 order issued pursuant to this Chapter 6.270 that became final less than one year prior to the date  
5 that the pending application was submitted; or

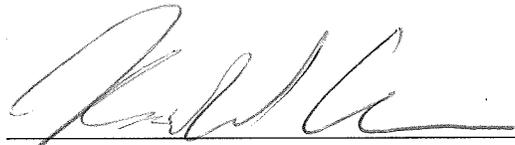
6           5. The license may be otherwise denied under Section 6.202.230.

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8           **Section 6.** This ordinance shall take effect and be in force 30 days from and after its  
9 approval by the Mayor, but if not approved and returned by the Mayor within ten days after  
10 presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.



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Passed by the City Council the 13<sup>th</sup> day of December, 2010, and  
signed by me in open session in authentication of its passage this  
13<sup>th</sup> day of December, 2010.

  
\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this 16<sup>th</sup> day of December, 2010.

  
\_\_\_\_\_  
Michael McGinn, Mayor

Filed by me this 17<sup>th</sup> day of December, 2010.

  
\_\_\_\_\_  
City Clerk

(Seal)



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Finance and Administrative Services	Denise Movius/4-9259	Greg Shiring/6-4085

**Legislation Title:**

AN ORDINANCE relating to adult entertainment licenses and other licenses; amending Sections 6.202.180, 6.202.280, 6.270.070, 6.270.080 and 6.270.090 of the Seattle Municipal Code to establish deadlines for reviewing applications for adult entertainment licenses; require that applicants present written evidence that they are the owner, operator, or lessee of the premises; clarify that review for compliance with City development regulations including zoning and building codes occurs as part of the development regulation process rather than the licensing process; clarify standards for the review of applications for adult entertainment manager and adult entertainer licenses; and provide that an adult entertainment license application be denied to an applicant that is currently the subject of an adult entertainment license suspension or revocation order.

**Summary of the Legislation:** This Council Bill establishes a 30-day deadline for acting on an adult entertainment premise license application, requires that a license applicant show that the applicant is the current owner, operator or lessee of the premises for which the applicant is applying, provides that review for compliance with zoning and building codes occur as part of the land use regulatory process rather than the licensing process, and clarifies standards for the review of license applications for adult entertainment managers and entertainers.

**Background:** (Include a brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable.)

On July 19, the U.S. District Court ruled that Seattle's adult entertainment premises license code was facially unconstitutional because it did not establish a short, fixed deadline for acting upon a license application. The attached Council Bill corrects that problem and clarifies other related issues in the Seattle Municipal Code, thereby reinstating the City's ability to regulate and issue adult entertainment premise licenses.

Please check one of the following:

X  **This legislation does not have any financial implications.**





**City of Seattle**  
Office of the Mayor

November 16, 2010

Honorable Richard Conlin  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that establishes a 30-day deadline for acting on an adult entertainment premise license application, requires a license applicant to show that the applicant is the current owner, operator, or lessee of the premises for which the applicant is applying, provides that review for compliance with zoning and building codes occur as part of the land use regulatory process rather than the licensing process, and clarifies standards for the review of license applications for adult entertainment managers and entertainers.

On July 19, 2010, the U.S. District Court ruled that Seattle's adult entertainment premises license code was facially unconstitutional because it did not establish a short, fixed deadline for acting upon a license application. The attached proposed Bill amends the Seattle Municipal Code to correct that problem as well as provide further clarification or related issues.

Passage of this legislation will allow the City to regulate and issue adult entertainment premise licenses in accordance with the District Court's recent ruling. Should you have questions, or desire a briefing on this matter, please contact Revenue and Consumer Protection Division Director, Denise Movius, at 684-9259.

Sincerely,

Michael McGinn  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor  
Office of the Mayor  
600 Fourth Avenue, 7<sup>th</sup> Floor  
PO Box 94749  
Seattle, WA 98124-4749

Tel (206) 684-4000  
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TDD (206) 615-0476  
mike.mcgin@seattle.gov



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**STATE OF WASHINGTON – KING COUNTY**

--SS.

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264924

No.

CITY OF SEATTLE, CLERKS OFFICE

**Affidavit of Publication**

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 12<sup>th</sup> 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

CT:123493 ORDINANCE

was published on

12/24/10

The amount of the fee charged for the foregoing publication is the sum of \$ 409.50, which amount has been paid in full.



Affidavit of Publication

*[Handwritten signature]*

Subscribed and sworn to before me on

12/27/10

*[Handwritten signature]*

Notary public for the State of Washington,  
residing in Seattle

# City of Seattle

## ORDINANCE 123493

AN ORDINANCE relating to adult entertainment licenses and other licenses; amending Sections 6.202.180, 6.202.280, 6.270.070, 6.270.080 and 6.270.090 of the Seattle Municipal Code to establish deadlines for reviewing applications for adult entertainment licenses; require that applicants present written evidence that they are the owner, operator, or lessee of the premises; clarify that review for compliance with City development regulations including zoning and building codes occurs as part of the development regulation process rather than the licensing process; clarify standards for the review of applications for adult entertainment manager and adult entertainer licenses; and provide that an adult entertainment license application be denied to an applicant that is currently the subject of an adult entertainment license suspension or revocation order.

WHEREAS, on July 19, 2010 the U.S. District Court ruled that Seattle's adult entertainment premises license code was facially unconstitutional because it failed to establish time limits for acting upon a license application; and

WHEREAS, portions of the Seattle Municipal Code (SMC) that relate to the regulation of adult entertainment licenses need to be amended to include deadlines for reviewing adult entertainment license applications; and

WHEREAS, it has been determined that other portions of the SMC relating to adult entertainment licensing should be amended to clarify that compliance with zoning and building codes is determined as part of the development regulation process rather than the licensing process, to provide that an applicant for an adult entertainment premises license must show that the applicant is the current owner, operator or lessee of the premises, and to clarify standards for the review of applications for adult entertainment manager and adult entertainer licenses; NOW, THEREFORE,

### BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 6.202.180 of the Seattle Municipal Code, enacted by Ordinance 108934, is amended to read as follows:

#### 6.202.180 Change of Location

A. Reinspection is required for every change of location, if a building, fire, health, or license site inspection of premises was required by the new license code at the original location. An inspection fee shall be imposed for each inspection visit to the new site.

B. Whenever a licensee changes the location of any activity for which a license is required, the Director shall reissue the license upon finding that:

1. The licensee has submitted the license to the Director for the change, and any change of location and inspection fees imposed by the new license code have been paid; and

2. The new location is in compliance with all provisions of the new license code relating to the premises (and with applicable zoning, building, fire, and health ordinances, and laws, rules and regulations promulgated thereunder).

C. Nothing in this Section 6.202.180 is intended to authorize activities, actions or conditions that do not comply with other requirements of the Seattle Municipal Code or other applicable law, including but not limited to applicable development regulations (including but not limited to zoning and building codes), fire and health ordinances, laws, rules and regulations.

Section 2. Subsection B of Section 6.202.280 of the Seattle Municipal Code, which section was last amended by Ordinance 117586, is amended to read as follows:

6.202.280 Continuation of business while complaint hearing decision pending.

# State of Washington, King County

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B. If the Department denies an adult entertainment license governed by ((SMC)) Chapter 6.270, and if the license applicant files a notice of appeal with the Hearing Examiner, the Director shall immediately issue the license applicant a temporary license. The temporary license shall authorize the license applicant to operate an adult entertainment establishment or perform as a manager or entertainer, in the same manner as if the license had been granted, pending the Hearing Examiner's decision, provided the licensee has obtained whatever other

licenses, permits or approvals are required by law for such operation or performance.

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

2. If the Hearing Examiner ((dismisses)) reverses the adult entertainment license denial with prejudice, the Department shall immediately issue an adult entertainment license.

3. If the Hearing Examiner ((dismisses)) reverses the adult entertainment license denial without prejudice, the temporary license shall remain in effect for five ((5)) additional business days, at the end of which time the Department must either reissue a denial or issue an adult entertainment license. If the Director reissues the denial, then the temporary license will continue in effect according to the procedures set forth in this subsection ((B of this section)) 6.202.280.B.

4. Notwithstanding ((SMC)) Section 6.202.210, if a license applicant is issued a temporary license, the license applicant shall pay the fee charged for an adult entertainment license under ((SMC)) Section 6.270.060 at the time the applicant receives the temporary license. If the temporary license issued under this subsection 6.202.280.B is still in effect at the end of a calendar year, then the license applicant must pay the fee charged for an adult entertainment license under ((SMC)) Section 6.270.060 for the next calendar year.

Section 3. Subsection A of Section 6.270.070 of the Seattle Municipal Code, which section was last amended by Ordinance 123361, is amended to read as follows:

#### 6.270.070 License applications.

A. Adult Entertainment Premises License. All applications for an adult entertainment premises license shall be submitted in the name of the person proposing to conduct such adult entertainment on the premises, ((and)) shall be signed by such person and notarized or certified as true under penalty of perjury, and shall be accompanied by written evidence sufficient to show that such person is the owner, operator, or lessee of the premises. All applications shall be submitted on a form supplied by the Director of Finance and Administrative Services, and shall require the following information:

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Section 4. Section 6.270.080 of the Seattle Municipal Code, enacted by Ordinance 114225, is amended to read as follows:

6.270.080 License — Applicant investigation.

The Director shall investigate an application for a license required in ((subsection A of)) Section 6.270.070 by requesting criminal records (and a confirmation of zoning compliance) from appropriate City agencies. ((The Director shall investigate an application for a license required in subsection B of Section 6.270.070 by requesting criminal records from appropriate City agencies.))

Section 5. Section 6.270.090 of the Seattle Municipal Code, enacted by Ordinance 114225, is amended to read as follows:

#### 6.270.090 Issuance of Licenses.

A. Adult entertainment premises license. Within 30 days of receipt by the Director of a complete application for an adult entertainment premises license, including all submittals and information required by this Chapter 6.270, the Director shall issue or deny the adult entertainment premises license. If the Director fails to issue or deny the license within the 30 day period, the license is deemed issued on the last day of the 30 day period. ((After an investigation, the)) The Director shall deny ((issue)) the ((applicable)) adult entertainment premises license ((or licenses authorized by this chapter)), and shall notify the applicant in writing of the reasons for denial and the opportunity to appeal, if the Director finds any of the following:

1. The application does not meet the requirements of this Chapter 6.270; or

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

2. ((That the)) The applicant, his or her employee, agent, partner, director, officer, ((stockholder)) or manager has ((not)) knowingly made any false, misleading or fraudulent omission or statement of material fact in the application for a license, or in any report or record required to be filed with the Director; or

3. ((That the)) The applicant ((and all)) or any ((employees, agents, partners, directors, officers, or managers)) employee, agent, partner, director, officer, or manager of the applicant ((have)) has not attained the age of ((eighteen (18)) 18 years ((:)) or

4. The applicant or his or her employee, agent, partner, director, officer, or manager is currently the subject of a final adult entertainment premises license suspension or revocation order issued pursuant to this Chapter 6.270 that became final less than one year prior to the date that the pending application was submitted; or

5. The applicant has not provided written evidence that the applicant is the current owner, operator, or lessee of the premises to be licensed; or

6. The license may be otherwise denied under Section 6.202.230.

B. Adult Entertainment Manager's and Adult Entertainer's Licenses. Within three business days of receiving a complete application, including all submittals and information required by this Chapter 6.270, the Director shall issue or deny an adult entertainment manager's license or an adult entertainer's license. If the Director fails to issue or deny the license within the three day period, the license is deemed issued on the last day of the three day period. The Director shall deny an application for an adult entertainment manager's license or an adult entertainer's license, and shall notify the applicant in writing of the reasons for the denial and the opportunity to appeal, if the Director finds any of the following:

1. The applicant is less than 18 years old; or

2. The applicant has failed to provide any of the submittals or information required to be supplied according to this Chapter 6.270; or

3. The applicant has knowingly made any false, misleading or fraudulent statement or omission of material fact in the application for a license; or

4. The applicant is currently the subject of a final license suspension or revocation order issued pursuant to this Chapter 6.270 that became final less than one year prior to the date that the pending application was submitted; or

5. The license may be otherwise denied under Section 6.202.230.

Section 6. This ordinance shall take effect and be in force 30 days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 13th day of December, 2010, and signed by me in open session in authentication of its passage this 13th day of December, 2010.

Richard Conlin  
President of the City Council  
Approved by me this 16th day  
December, 2010.

Michael McGinn, Mayor  
Filed by me this 17th day of December  
2010.

(Seal) Monica Martinez-Simmons  
City Clerk  
Publication ordered by the City Clerk  
Date of publication in the Seattle Da  
December 24, 2010