

Amending gambling ordinance to impose tax on Fund Raising Events.

78: A: 17

# Ordinance No. 107278

AN ORDINANCE relating to gambling and amending Sections 1, 2, 4 and 6 of Ordinance 102459 to impose a tax upon Fund Raising Events.

APRIL 5, 1978 P 545 Pass

COMPTROLLER  
FILE NUMBER

28615

## Council Bill No. 99278

INTRODUCED:

MAR 27 1978

REFERRED:

MAR 27 1978

REFERRED:

REFERRED:

REFERRED:

APR 10 1978

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APR 10 1978

REFERRED:

APR 11 1978

REFERRED:

APR 19 1978

REFERRED:

PASSED OVER VETO:

BY: EXECUTIVE REQUEST

TO: PUB. SAFETY & JUSTICE

SECOND READING:

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SIGNED:

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APPROVED:

APR 19 1978

PUBLISHED:

VETO PUBLISHED:

VETO SUSTAINED:

1 Amending gambling ordinance to impose  
2 tax on Fund Raising Events.

3 ORDINANCE 107278

4 AN ORDINANCE relating to gambling and amending Sections 1, 2  
5 4, and 6 of Ordinance 102459 to impose a tax upon Fund  
6 Raising Events.

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

8 Section 1. Section 1 of Ordinance 102459, as last  
9 amended by Ordinance 104087, is further amended to read as  
10 follows:

11 Section 1. In accordance with RCW Chapter 9.46, as  
12 amended, there is hereby levied upon all persons, corpora-  
13 tions, associations, or organizations conducting or operat-  
14 ing within the City any gambling activity enumerated herein  
15 and authorized by RCW 9.46.030, as amended, including gambling  
16 activities conducted in connection with a Fund Raising Event  
17 as defined by RCW 9.46.020(23), a tax as follows:

18 ((For the conduct of bingo games, raffles and amusement  
19 games, a tax in an amount equal to ten percent (10%)  
20 of the net revenue received therefrom (gross-revenue  
21 less the amount paid for or as prizes); provided, that  
22 the conduct of such amusement games at the Seattle  
23 Center pursuant to a concession agreement with the City  
24 shall be exempt from the tax imposed by this ordinance.))

25 For the conduct of bingo games and raffles, a tax in an  
26 amount equal to ten percent (10%) of the gross revenue,  
27 less the amount paid for or as prizes, received therefrom;  
28 and

29 As of September 21, 1977, for the conduct of amusement  
30 games, a tax in an amount equal to two percent (2%) of the  
31 gross revenue, less the amount paid for or as prizes, re-  
32 ceived therefrom; and

1           For the conduct of a Fund-Raising Event, a tax in an  
2 amount equal to ten percent (10%) of the gross revenue, less  
3 the amount paid for or as prizes, received therefrom; but

4           Provided, no tax shall be imposed on bingo, raffles or  
5 amusement games when such activity or any combination there-  
6 of is conducted by a bona fide charitable or non-profit  
7 organization as defined in RCW 9.46.020(3), which organi-  
8 zation has no paid operating or management personnel and has  
9 gross income from bingo, raffles or amusement games or any  
10 combination thereof, less the amount paid for or as prizes,  
11 not exceeding Five Thousand Dollars (\$5,000) per year; and

12           Provided, further, that the conduct of amusement games  
13 at the Seattle Center pursuant to a concession agreement  
14 with the City shall be exempt from the tax imposed by this  
15 ordinance.

16           Section 2. Section 2 of Ordinance 102835, as last  
17 amended by Ordinance 103598, is further amended to read as  
18 follows:

*should  
read  
102459*

19           Section 2. Any person, corporation, association,  
20 organization, or bona fide charitable or non-profit or-  
21 ganization intending to conduct or operate in the City of  
22 Seattle any such gambling activity or Fund Raising Event as  
23 authorized by or under Section 3 of Chapter 218, Laws of  
24 Washington, 1973 1st Ex. Sess., as amended, and subject to  
25 the tax imposed by this ordinance shall, prior to the commencement  
26 of any such activity, file with the Director of Licenses and  
27 Consumer Affairs a sworn declaration of intent to conduct or  
28 operate such activity together with a copy of the license  
therefor issued in accordance with said Chapter 218, Laws of  
Washington, 1973 1st Ex. Sess., as amended, if such is  
required, and thereafter for any period covered by such

1 license, or any renewal thereof, or by such statement of  
2 intent, shall on or before the fifteenth day of the month  
3 next succeeding the end of the quarterly period in which the  
4 tax accrued, file with the Director of Licenses and Consumer  
5 Affairs a sworn return on a form to be provided and prescribed  
6 by the Director of Licenses and Consumer Affairs, and con-  
7 taining such information as the Director of Licenses and  
8 Consumer Affairs shall prescribe for the purpose of ascertain-  
ing the tax due for the preceding quarterly period.

9 As used in this ordinance, the term "quarterly period"  
10 shall mean the periods January-February-March, April-May-  
11 June, July-August-September, October-November-December and  
12 shall begin the first day of the first month and include the  
13 last day of the third month within each such period.

14 The tax imposed by this ordinance shall be due and  
15 payable in quarterly installments, and remittance therefor  
16 shall accompany each return and be made on or before the  
17 fifteenth day of the month next succeeding the quarterly  
period in which the tax accrued.

18 For each payment due, if such payment is not made  
19 within sixteen (16) days from the due date thereof, there  
20 shall be added a penalty as follows:

21 Seventeen (17) to forty (40) days delinquency,  
22 ten percent (10%) with a minimum penalty of two dollars  
23 (\$2.00); Forty-one (41) to seventy (70) days delin-  
24 quency, fifteen percent (15%) with a minimum penalty  
25 of four dollars (\$4.00); Seventy-one (71) or more  
26 days delinquency, twenty percent (20%) with a minimum  
penalty of seven dollars (\$7.00).

27 Section 3. Section 4 of Ordinance 102459, as last  
28 amended by Ordinance 103598, is further amended to read as

1 follows:

2 Section 4. It shall be the duty of every person,  
3 corporation, association, organization or bona fide chari-  
4 table or non-profit organization liable for the payment of  
5 any tax imposed by this ordinance to keep and preserve for  
6 the period of five years such books and records as will  
7 accurately reflect the amount of gross revenue received from  
8 any gambling activity or Fund Raising Event enumerated in  
9 Section 1 of this ordinance and from which can be determined  
10 the amount of tax for which such person, corporation,  
11 association, organization or bona fide charitable or non-  
12 profit organization may be liable under the provisions of  
13 this ordinance; and all such books and records, and also  
14 invoices, inventories and stocks of goods, wares and  
15 merchandise shall be open for inspection at all reasonable  
16 times by the Director of Licenses and Consumer Affairs or  
17 his duly authorized agent.

18 Section 4. Section 6 of Ordinance 102459 is amended  
19 to read as follows:

20 Section [6] 7. This ordinance shall take effect and be in  
21 force thirty days from and after its passage and approval, if  
22 approved by the Mayor, otherwise it shall take effect at the  
23 time it shall become a law under the provisions of the city  
24 charter.

25 Section 5. Ordinance 102459 is amended by adding a new  
26 Section 6 thereto to read as follows:

27 Section 6. If any clause, sentence, paragraph or part  
28 of this ordinance, or the application thereof to any person  
or circumstances, shall for any reason be adjudged by a  
court of competent jurisdiction to be invalid, such judgment  
shall not affect, impair or invalidate the remainder of this

(To be used for all Ordinances except Emergency.)

ordinance.

Section 6. Any acts pursuant to the authority and prior to the effective date of this Ordinance are hereby ratified and confirmed.

Section 7. 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 10 day of April, 1978, and signed by me in open session in authentication of its passage this 10 day of April, 1978.

Thyllis Lamphere  
President of the City Council.

Approved by me this 19 day of April, 1978.

Charles Rosen  
Mayor.

Filed by me this 19 day of April, 1978.

Attest E. L. Kinn  
City Comptroller and City Clerk.

(SEAL)

Published

By J. W. DeBruy  
Deputy Clerk.

March 28, 1978

Mr. Floyd Buchanan  
Washington Federation of Clubs  
420 Northeast Ravenna Boulevard  
Seattle, Washington 98105

Dear Mr. Buchanan:

This is to advise you that the City Council's Public Safety and Justice Committee will consider Council Bill 99278, and an Ordinance relating to gambling, and amending Sections 1, 2, 4 and 6 of Ordinance 102459 to impose a tax upon fund raising events. At 9:30 a.m., Wednesday, April 5, 1978, in the Council Chambers at 1101 Seattle Municipal Building.

You and/or your representatives are invited to be present and participate.

Sincerely,

Florence Harrell, Council Assistant  
Public Safety and Justice Committee

FH:fhc

cc: Audrey L. Olson, Director, Department of Licenses and Consumer  
Affairs  
Robert L. Hanson, Chief of Police, Seattle Police Department  
Mike Vanderslice, Office of Management and Budget

# The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported  
and Adopted

Your Committee on PUBLIC SAFETY AND JUSTICE

APR 10 1978

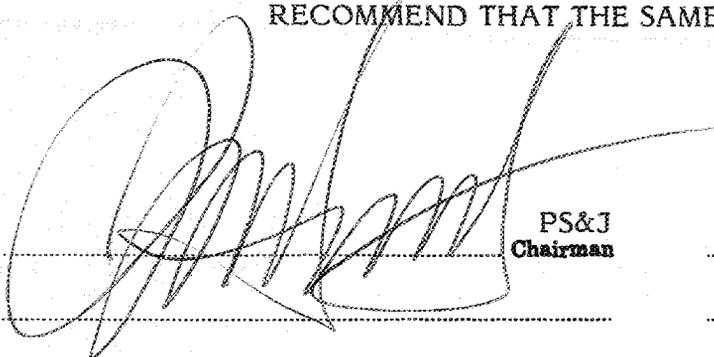
to which was referred

C.B. 99278

Amending gambling ordinance to impose tax on Fund Raising Events.

Relating to gambling and amending Sections 1, 2, 4 and 6 of Ordinance 102459 to impose a tax upon Fund Raising Events.

RECOMMEND THAT THE SAME DO PASS



PS&J  
Chairman

Chairman

Committee

Committee

# 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. 107278

was published on April 22, 1978

*S. Abbott*

Subscribed and sworn to before me on

April 22, 1978

*Richard G. Jones*  
Notary Public for the State of Washington,  
residing in Seattle.

**ORDINANCE 102459**

Amending gambling ordinance to impose tax on Fund Raising Events.

AN ORDINANCE relating to gambling and amending Sections 1, 2, 4, and 6 of Ordinance 102459 to impose a tax upon Fund Raising Events.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 1 of Ordinance 102459, as last amended by Ordinance 104857, is further amended to read as follows:

Section 1. In accordance with RCW Chapter 546, as amended, there is hereby levied upon all persons, corporations, associations or organizations conducting or operating within the City any gambling activity enumerated herein and authorized by RCW 546.030, as amended, including gambling activities conducted in connection with a Fund Raising Event as defined by RCW 546.030(23), a tax as follows:

(For the conduct of bingo games, raffles and amusement games, a tax in an amount equal to ten percent (10%) of the net revenue received therefrom (gross revenue less the amount paid for or as prizes), provided, that the conduct of such amusement games at the Seattle Center pursuant to a concession agreement with the City shall be exempt from the tax imposed by this ordinance.)

FOR THE CONDUCT OF BINGO GAMES AND RAFFLES, A TAX IN AN AMOUNT EQUAL TO TEN PERCENT (10%) OF THE GROSS REVENUE LESS THE AMOUNT PAID FOR OR AS PRIZES, RECEIVED THEREFROM; AND

AS OF SEPTEMBER 31, 1977, FOR THE CONDUCT OF AMUSEMENT GAMES, A TAX IN AN AMOUNT EQUAL TO TWO PERCENT (2%) OF THE GROSS REVENUE LESS THE AMOUNT PAID FOR OR AS PRIZES, RECEIVED THEREFROM; AND

FOR THE CONDUCT OF A FUND-RAISING EVENT, A TAX IN AN AMOUNT EQUAL TO TEN PERCENT (10%) OF THE GROSS REVENUE, LESS THE AMOUNT PAID FOR OR AS PRIZES, RECEIVED THEREFROM; BUT

PROVIDED NO TAX SHALL BE IMPOSED ON BINGO RAFFLES OR AMUSEMENT GAMES WHEN SUCH ACTIVITY OR ANY COMBINATION THEREOF IS CONDUCTED BY A BONA FIDE CHARITABLE OR NON-PROFIT ORGANIZATION AS DEFINED IN RCW 546.026(13), WHICH ORGANIZATION HAS NO PAID OPERATING OR MANAGEMENT PERSONNEL AND HAS GROSS INCOME FROM BINGO RAFFLES OR AMUSEMENT GAMES OR ANY COMBINATION THEREOF LESS THE AMOUNT PAID FOR OR AS PRIZES NOT EXCEEDING FIVE THOUSAND DOLLARS (\$5,000) PER YEAR; AND

PROVIDED FURTHER THAT THE CONDUCT OF AMUSEMENT GAMES AT THE SEATTLE CENTER PURSUANT TO A CONCESSION AGREEMENT WITH THE CITY SHALL BE EXEMPT FROM THE TAX IMPOSED BY THIS ORDINANCE.

Section 2. Section 2 of Ordinance 102459, as last amended by Ordinance 104588, is further amended to read as follows:

Section 2. Any person, corporation, association, organization, OR BONA FIDE CHARITABLE OR NON-PROFIT ORGANIZATION intending to conduct or operate in the City of Seattle any such gambling activity OR FUND RAISING EVENT as authorized by or under Section 3 of Chapter 218, Laws of Washington, 1974 1st Ex. Sess., as amended, and subject to the tax imposed by this ordinance shall, prior to the commencement of any such activity, file with the director of Licenses and Consumer Affairs a sworn declaration of intent to conduct or operate such activity together with a copy of the license therefor issued in accordance with said Chapter 218, Laws of Washington, 1974 1st Ex. Sess., as amended. IF SUCH IS REQUIRED, and thereafter for any period covered by such license or any renewal

As used in this ordinance, the term "quarterly period" shall mean the periods January-February-March, April-May-June-July-August-September, October-November-December, and shall begin the first day of the first month and include the last day of the third month within each such period.

The tax imposed by this ordinance shall be due and payable in quarterly installments, and remittance therefor shall accompany each return and be made on or before the fifteenth day of the month next succeeding the quarterly period in which the tax accrued.

For each payment due, if such payment is not made within sixteen (16) days from the due date thereof, there shall be added a penalty as follows:

Seventeen (17) to forty (40) days delinquency, ten percent (10%) with a minimum penalty of two dollars (\$2.00); Forty-one (41) to seventy (70) days delinquency, fifteen percent (15%) with a minimum penalty of four dollars (\$4.00); Seventy-one (71) or more days delinquency, twenty percent (20%) with a minimum penalty of seven dollars (\$7.00).

Section 3. Section 4 of Ordinance 102459, as last amended by Ordinance 102598, is further amended to read as follows:

Section 4. It shall be the duty of every person, corporation, association, organization OR BONA FIDE CHARITABLE OR NON-PROFIT ORGANIZATION liable for the payment of any tax imposed by this ordinance to keep and preserve for the period of five years such books and records as will accurately reflect the amount of gross revenue received from any gambling activity OR FUND RAISING EVENT enumerated in Section 1 of this ordinance and from which can be determined the amount of tax for which such person, corporation, association, organization OR BONA FIDE CHARITABLE OR NON-PROFIT ORGANIZATION may be liable under the provisions of this ordinance; and all such books and records, and also invoices, inventories, and stocks of goods, wares and merchandise shall be open for inspection at all reasonable times by the Director of Licenses and Consumer Affairs or his duly authorized agent.

Section 4. Section 5 of Ordinance 102459 is amended to read as follows:

Section 5. 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.

Section 5. Ordinance 102459 is amended by adding a new Section 6 thereto to read as follows:

Section 6. If any clause, sentence, paragraph or part of this ordinance or the application thereof to any person or circumstances, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

Section 6. Any acts pursuant to the authority and prior to the effective date of this ordinance

are hereby ratified and confirmed.

Section 7. 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 16th day of April, 1978, and signed by me in open session in authentication of its passage this 16th day of April, 1978.

PHYLLIS LAMPHERE,  
President of the City Council.

Approved by me this 19th day of April, 1978.

CHARLES ROYER,  
Mayor.

Filed by me this 19th day of April, 1978.

Attest: E. L. KIDD,  
City Comptroller and