

**Ordinance No. 87546**

AN ORDINANCE relating to the retail sale of tobacco products, and amending Sections 261 and 264 of the License Code (Ordinance 48022) to conditionally permit such sale from retail vending trucks at certain locations.

*4/16/58*

*KLLB NO. 231041*

**Council Bill No. 231041**

INTRODUCED: SEP 15 1958	BY: Latham
REFERRED: SEP 15 1958	TO: License
REFERRED:	
REPORTED: SEP 22 1958	SECOND READING: SEP 22 1958
THIRD READING: SEP 22 1958	SIGNED: SEP 22 1958
PRESENTED TO MAYOR: SEP 24 1958	APPROVED: SEP 24 1958
REFD. TO CITY CLERK: SEP 24 1958	FURNISHED: OCT 14 1958
VEHICLE BY MAYOR:	VEHO FURNISHED:
PASSED OVER VEHO:	VEHO SUSTAINED:
ENROLLMENT:	BY:
VOL. _____	PAGE _____

ORDINANCE 87546

AN ORDINANCE relating to the retail sale of tobacco products, and amending Sections 263 and 264 of the License Code (Ordinance 48022) to conditionally permit such sale from retail vending trucks at certain locations.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 263 of the License Code (Ordinance 48022) be amended to read as follows:

Section 263. LICENSE REQUIRED FOR RETAILERS OF TOBACCO, ETC.:  
It shall be unlawful for anyone to sell, offer or expose for sale at retail any tobacco, cigars, cigarettes or cigarette papers or wrappers without first obtaining and being the holder of a valid and subsisting license so to do, to be known as a "Tobacco Retailer's License", obtained according to, and in compliance with, the provisions of Ordinance 48022 (The License Code) and this ordinance, for each establishment, place of business or retail vending truck in or at which the same, or any of them, are so sold, offered or exposed for sale, and without having such license conspicuously posted in the establishment, place of business or retail vending truck described therein; Provided, such license issued for a retail vending truck shall be valid only when such truck is at a fixed and definite retail sales location at a business or industrial site as a part of a fixed and definite daily route followed by such truck, and precise descriptions of such locations and routes shall be furnished to the City Comptroller upon application to him for such license.

The license year for licenses issued under this section shall be from July 1 to June 30 next succeeding, and all licenses issued hereunder shall, subject to the right of earlier revocation, as provided by this ordinance, expire at twelve midnight June 30 next succeeding the date of issue.

The fee for such license shall be Three Dollars (\$3.00) when issued on or after July 1st and prior to the next succeeding January 1st, and one-half such fee when issued on and subsequent to January

1st; Provided, that a license issued under this section and in effect at the time this amendatory ordinance takes effect shall be valid for the unexpired term but subject to suspension and/or revocation as if this amendatory ordinance had not been adopted.

Section 2. That Section 264 of the License Code (Ordinance 48022) be amended to read as follows:

Section 264. UNLAWFUL TO SELL TOBACCO, ETC. EXCEPT FROM LICENSED PLACE: It shall be unlawful to sell, offer or expose for sale at retail, any tobacco, cigars, cigarettes or cigarette papers or wrappers except in an establishment, place of business or retail vending truck duly licensed hereunder.

Section 3. 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 22 day of September, 1958, and signed by me in open session in authentication of its passage this 22 day of September, 1958.

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

Approved by me this 23 day of September, 1958.

Jordan S. Clinton  
Mayor.

Filed by me this 23 day of September, 1958.

E. J. Granderson  
Attest: \_\_\_\_\_  
City Comptroller and City Clerk.

(SEAL)

Published OCT 18 1958

By W. A. Penne  
Deputy Clerk.

ASSISTANT CORPORATION COUNSEL

ALFRED L. NEWBOULD  
JOHN A. LOGAN  
G. GRANT WILCOX  
ANTHONY ARNTSON  
CHARLES L. CONLEY  
GEORGE T. MCGILLIVRAY  
RAYMOND H. SIDERIUS  
WILLIAM W. BROWN  
FRANK W. DRAPER  
JOHN P. HARRIS

THE CITY OF SEATTLE  
LAW DEPARTMENT

515 COUNTY-CITY BUILDING

A. C. VAN SOELEN, CORPORATION COUNSEL

CITY PROSECUTOR  
BRUCE MACDOUGALL

JUNIOR ASSISTANTS  
THOMAS J. OWENS  
ARTHUR T. LANE  
C. D. FRANSEN  
PETER K. STEERE

SECRETARY  
FAYE FORDE

CLAIM AGENT  
JOHN F. COOPER

September 12, 1958

Re: C. F. 235045.

License Committee  
City Council  
Seattle, Washington

Honorable Members:

Pursuant to your request we have prepared and herewith transmit proposed ordinance relating to the retail sale of tobacco products, and amending Sections 263 and 264 of the License Code (Ordinance 48022) to conditionally permit such sale from retail vending trucks at certain locations. For your convenience all new material has been underlined.

C. F. 235045 which accompanied your request is herewith returned.

Yours very truly,

A. C. VAN SOELEN,  
Corporation Counsel,

*Arthur T. Lane*  
BY: ARTHUR T. LANE,  
Assistant.

ATL:GC  
ENC. 2

# The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported  
and Adopted

SEP 22 1958

Your Committee on License

to which was referred C.B. 78997,

relating to the retail sale of tobacco products,  
and amending Sections 263 and 264 of the License Code (Ordinance  
48022) to conditionally permit such sale from retail vending  
trucks at certain locations,

RECOMMENDS THAT THE SAME DO PASS.

*Jones*

ACTING Chairman

Chairman

Committee

Committee

**ORDINANCE NO. 87546**

AN ORDINANCE relating to the retail sale of tobacco products, and amending Sections 263 and 264 of the License Code (Ordinance 48022) to conditionally permit such sale from retail vending trucks at certain locations.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 263 of the License Code (Ordinance 48022) be amended to read as follows:

Section 263. LICENSE REQUIRED FOR RETAILERS OF TOBACCO, ETC. It shall be unlawful for ANYONE to sell, offer or expose for sale at retail any tobacco, cigars, cigarettes, or cigarette papers or wrappers without first obtaining and being the holder of a valid and subsisting license so to do, to be known as a "Tobacco Retailer's License," obtained according to, and in compliance with, the provisions of Ordinance 48022 (The License Code) and this ordinance, for each establishment, place of business OR RETAIL VENDING TRUCK IN OR AT WHICH the same, or any of them, are so sold, offered or exposed for sale, and without having such license conspicuously posted in the establishment, place of business OR RETAIL VENDING TRUCK described therein; PROVIDED, SUCH LICENSE ISSUED FOR A RETAIL VENDING TRUCK SHALL BE VALID ONLY WHEN SUCH TRUCK IS AT A FIXED AND DEFINITE RETAIL SALES LOCATION AT A BUSINESS OR INDUSTRIAL SITE AS A PART OF A FIXED AND DEFINITE DAILY ROUTE FOLLOWED BY SUCH TRUCK, AND PRECISE DESCRIPTIONS OF SUCH LOCATIONS AND ROUTES SHALL BE FURNISHED TO THE CITY COMPTROLLER UPON APPLICATION TO HIM FOR SUCH LICENSE.

The license year for licenses issued under this section shall be from July 1 to June 30 next succeeding, and all licenses issued hereunder shall, subject to the right of earlier revocation, as provided by this ordinance, expire at twelve midnight June 30 next succeeding the date of issue.

The fee for such license shall be Three Dollars (\$3.00) when issued on or after July 1st and prior to the next succeeding January 1st, and one-half such fee when issued on and subsequent to January 1st; Provided that a license issued under this section and in effect at the time this amendatory ordinance takes effect shall be valid for the unexpired term but subject to suspension and/or revocation as if this amendatory ordinance had not been adopted.

Section 2. That Section 264 of the License Code (Ordinance 48022) be amended to read as follows:

# Affidavit of Publication

STATE OF WASHINGTON, } ss.  
COUNTY OF KING

M. E. Brown, being first duly sworn, on oath deposes and says that he is the business manager and one of the publishers of The Daily Journal of Commerce, a daily newspaper. That said newspaper is a legal newspaper and it is now and has been for more than six months prior to the date of the 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 said newspaper. That the said Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of said King County.

That the annexed is a true copy of .....  
Ordinance No. 87546

....., as it was published in the regular issue (and not in supplement form) of said newspaper on the 18th day of October, 1958, and that said newspaper was regularly distributed to its subscribers during all of said period.

*M. E. Brown*

Subscribed and sworn to before me this

18th day of October, 1958

*James R. Bloomfield*

Notary Public in and for the State of Washington, residing at Seattle. (This form officially sanctioned by Washington State Press Association.) affidavit Form D.