

0020.080.018
JEH/are
02/21/95

Amend RMC 5.20, Cabaret Licenses

ORDINANCE NO. 1829

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING SUBSECTION 5.20.031(A)(2) OF THE REDMOND MUNICIPAL CODE TO CLARIFY THE TYPE OF CRIMINAL CONVICTIONS FOR WHICH A CABARET LICENSE WILL BE DENIED, ADDING A NEW SUBSECTION 5.20.031(A)(3) TO ESTABLISH LIQUOR CODE VIOLATIONS AS A GROUND FOR CABARET LICENSE DENIAL, AND ADDING A NEW SECTION 5.20.045 TO ESTABLISH THE GROUNDS AND PROCESS FOR REVOKING OR SUSPENDING CABARET LICENSES.

WHEREAS, Chapter 5.20 of the Redmond Municipal Code provides for the issuance of cabaret dance licenses, and

WHEREAS, in accord with RCW 9.96A.020, the City wishes to clarify subsection 5.20.031(A)(2) as to the type of criminal convictions for which a cabaret license will be denied, and

WHEREAS, the City Council, upon recommendation of the Police Department, has determined that an additional ground for denial of a cabaret license should be liquor code violations at the establishment in question, and

WHEREAS, the City Council has also determined, based upon the recommendation of the Police Department, that criteria and a process for revoking or suspending cabaret licenses should be established so that such licenses could be revoked or suspended during their term upon violation of City Codes, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Cabaret Dance Licenses and Criminal Convictions. Subsection
5.20.031(A)(2) of the Redmond Municipal Code is hereby amended to read as follows:

- (2) The applicant or any of the applicant's officers, directors, partners, operators, employees or any other person involved in the operation of the dance or dance hall has been convicted within the last ten (10) years of:
 - (a) a felony involving a crime of violence as defined in RCW 9A.01.012(2) as it now exists or is hereafter amended or any felony under RCW Chapters 9A.44, 9A.64, 9A.88 or 9A.50, where such felony directly relates to the operation or conduct of a cabaret dance or an establishment offering cabaret dancing; or
 - (b) a crime involving prostitution, or promoting prostitution, prostitution loitering or lewd conduct, where such crime directly relates to the operation or conduct of a cabaret dance or an establishment offering cabaret dancing.

Section 2. Liquor License Violations. A new subsection 5.20.031(A)(3) is hereby added to the Redmond Municipal Code to read as follows:

- (3) The applicant or any of the applicant's officers, directors, partners, operators, employees or any other person involved in the operation of the dance or dance hall, or any combination thereof, have been cited for three (3) or more liquor license violations by Washington State Liquor Control personnel within the last year.

Section 3. Revocation or Suspension of License. A new section 5.20.045 is hereby added to the Redmond Municipal Code to read as follows:

5.20.045 Criteria for Suspension or Revocation of License.

- A. The City Clerk may suspend or revoke any and all cabaret licenses whenever:
1. Any of the conditions set forth in subsection 5.20.031(A) occurs or is found to exist during the term for which the license is issued; or
 2. The applicant or any of the applicant's officers, directors, partners, operators, employees or any other person involved in the operation of the licensed premises have obtained the license or permit by fraud, misrepresentation or concealment; or
 3. The applicant or any of the applicant's officers, directors, partners, operators, employees or any other person involved in the operation of the licensed premises have violated any provision of this Chapter in connection with said operation.
- B. The procedure to be followed in revoking or suspending a cabaret license shall be that set forth in Chapter 5.04 of the Redmond Municipal Code for suspension or revocation of a business license.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. Effective Date. This ordinance, being an administrative action, is not subject to referendum and shall take effect five (5) days after publication of an approved summary thereof consisting of the title.

CITY OF REDMOND


MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:


CITY CLERK, BONNIE MATTSON
~~CITY CLERK, DORIS SCHABLE~~

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: 

FILED WITH THE CITY CLERK:	March 15, 1995
PASSED BY THE CITY COUNCIL:	March 21, 1995
SIGNED BY THE MAYOR:	March 27, 1995
PUBLISHED:	March 29, 1995
EFFECTIVE DATE:	April 3, 1995
ORDINANCE NO. <u>1829</u>	