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ORDINANCE NO. 1276

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING SECTIONS 9.30.010, 9.30.030, 9.30.060, AND 9.30.070 OF THE REDMOND MUNICIPAL CODE DEALING WITH GAMBLING AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the regulation of gambling by the City is limited by Chapter 9.46, Gambling, of the Revised Code of Washington, and

WHEREAS, Chapter 9.46 RCW has recently been amended by the State legislature, and it is necessary to clarify City regulations and make them consistent with State laws, now, therefore,

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

Section 1. Section 9.30.010 of the Redmond Municipal Code is hereby amended to read as follows:

9.30.010 State Statutes Adopted by Reference. The following statutes of the State of Washington as they now exist or are hereafter amended are adopted by reference pursuant to the authority contained in RCW 35A.12.140:

RCW 9.46.010	Legislative declaration
RCW 9.46.020	Definitions
RCW 9.46.030	Certain gambling activities authorized
RCW 9.46.110	Taxation of gambling activities
RCW 9.46.120	Restrictions as to management or operation personnel - restriction as to leased premises
RCW 9.46.130	Inspection and audit of premises, paraphernalia, books, and records - Reports for the Commission.
RCW 9.46.150	Injunctions - Voiding of licenses, permits, or certificates.
RCW 9.46.195	Obstruction of public servant in administration or enforcement as violation - penalty.
RCW 9.46.210	Enforcement - Commission as a law enforcement agency.
RCW 9.46.230	Seizure and disposition of gambling devices - owning, buying, selling, etc., gambling devices or records - penalties.
RCW 9.46.240	Gambling information, transmitting or receiving as violation - penalty.
RCW 9.46.250	Gambling property or premises - Common nuisances, abatement - Termination of mortgage, contract, or lease.
RCW 9.46.260	Proof of possession as evidence of knowledge of its character.
RCW 9.46.270	Chapter as exclusive authority for taxation of gambling activities.
RCW 9.46.295	Licenses as legal authority to engage in activities for which issued - exception.

Not less than one copy of the above statutes shall be kept on file in the office of the City Clerk for use and examination by the public.

Section 2. Section 9.30.030 of the Redmond Municipal Code is hereby amended to read as follows:

9.30.030 Unlawful Practices. In addition to the unlawful offenses contained in the State laws adopted by reference in Section 9.30.10, the following practices shall be unlawful within the City, and each violation thereof shall constitute a misdemeanor:

(A) Conducting gambling activities prohibited by the City or without a license issued by the Washington State Gambling Commission;

(B) Violating or knowingly causing, aiding, abetting or conspiring with another to cause any association or organization to violate any provision of this chapter;

(C) Operating any activity authorized in accordance with Chapter 9.46 of the Revised Code of Washington, directly or indirectly, and in the course of such operation:

- (1) Employ any device, game or artifice to defraud;
or
- (2) Make any untrue statement of a material fact, or omit to state a material fact necessary in order to make the statement made not misleading, in the light of the circumstances under which the statement is made; or
- (3) Engage in any act, practice, or course of operation as would operate as a fraud or deceit upon any person.

Section 3. Section 9.30.060(4) of the Redmond Municipal Code is hereby amended to read as follows:

- (4) For the conduct or operation of a card room for social card games as a commercial stimulant upon any premises, a tax per year in an amount equal to twelve percent of the gross revenue from such card games.

Section 4. Section 9.30.070 of the Redmond Municipal Code is hereby amended to read as follows:

9.30.070 Administration and Collection of Tax. The administration and collection of the tax imposed by this chapter shall be by the City Clerk pursuant to rules and regulations as may be adopted by the Washington State Gambling Commission. In this connection, the City Clerk's office shall have the authority to adopt, publish and enforce such rules and regulations not inconsistent with this chapter as are necessary to enable the collection of the tax imposed by this chapter, and prescribe and issue the appropriate forms for determination and declaration of the amount of tax to be paid. It shall be the responsibility of all officers, directors and managers or any organization conducting gambling activities to provide access to such financial records as the City Clerk, her authorized representative, or law enforcement offices may require in order to determine compliance with this chapter. Furthermore, the City shall have the power to enter into a contract with King County for the collection of the tax imposed on gambling activities conducted within Redmond.

Section 5. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum and shall take effect five (5) days after its publication, or publication of a summary thereof, in the City's official newspaper.

APPROVED:

Doreen Marchione
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

Doris A. Schaub
CITY CLERK, DORIS A. SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY *Ray C. Martin*

FILED WITH THE CITY CLERK: October 23, 1985
PASSED BY THE CITY COUNCIL: November 5, 1985
SIGNED BY THE MAYOR: November 6, 1985
PUBLISHED: November 10, 1985
EFFECTIVE DATE: November 15, 1985
ORDINANCE NO. 1276