



Legislation Text

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AN ORDINANCE clarifying Title 6 of the King County Code, establishing a gender neutral code and making technical corrections; and amending Ordinance 1888, Article I, Section 2, as amended, and K.C.C. 6.01.010, Ordinance 1888, Article I, Section 4, and K.C.C. 6.01.030, Ordinance 1888, Article II, Section 4, and K.C.C. 6.01.080, Ordinance 1888, Article III, Section 1, and K.C.C. 6.01.110, Ordinance 1888, Article III, Section 5, as amended, and K.C.C. 6.01.150, Ordinance 2287, Section 6, and K.C.C. 6.04.060, Resolution 12714, Section 1, as amended, and K.C.C. 6.04.170, Resolution 12714, Section 4, as amended, and K.C.C. 6.04.200, Ordinance 7216, Section 6, as amended, and K.C.C. 6.08.042, Ordinance 4270, Section 4, as amended, and K.C.C. 6.08.090, Ordinance 4206, Section 4, as amended, and K.C.C. 6.08.100, Ordinance 13548, Section 4, and K.C.C. 6.09.030, Ordinance 13548, Section 13, and K.C.C. 6.09.120, Ordinance 13548, Section 15, and K.C.C. 6.09.140, Ordinance 13548, Section 17, and K.C.C. 6.09.160, Ordinance 1294, Section 2, as amended, and K.C.C. 6.12.020, Ordinance 1294, Section 3, and K.C.C. 6.12.030, Ordinance 1294, Section 6, as amended, and K.C.C. 6.12.060, Resolution 30983, Section 3, and K.C.C. 6.16.070, Resolution 30983, Section 4, as amended, and K.C.C. 6.16.080, Resolution 30983, Section 5, as amended, and K.C.C. 6.16.090, Resolution 30983, Section 6, as amended, and K.C.C. 6.16.100, Resolution 30983, Section 9 (part), and K.C.C. 6.16.140, Resolution 30983, Section 9 (part),

as amended, and K.C.C. 6.16.180, Resolution 30983, Section 9 (part), and K.C.C. 6.16.190, Ordinance 2095, Section 9, as amended, and K.C.C. 6.20.090, Ordinance 2095, Section 10, as amended, and K.C.C. 6.20.100, Ordinance 1492, Section 1, as amended, and K.C.C. 6.24.010, Ordinance 1492, Section 5, as amended, and K.C.C. 6.24.030, Ordinance 1492, Section 9, and K.C.C. 6.24.070, Ordinance 1492, Section 11, and K.C.C. 6.24.090, Ordinance 1492, Section 12, and K.C.C. 6.24.100, Ordinance 1492, Section 17, as amended, and K.C.C. 6.24.120, Ordinance 1492, Section 19, and K.C.C. 6.24.140, Ordinance 1492, Section 22, and K.C.C. 6.24.170, Ordinance 1492, Section 24, and K.C.C. 6.24.190, Ordinance 1492, Section 26, and K.C.C. 6.24.210, Ordinance 1492, Section 28, and K.C.C. 6.24.230, Ordinance 1492, Section 32, and K.C.C. 6.24.270, Ordinance 1492, Section 33, and K.C.C. 6.24.280, Ordinance 6836, Section 7, as amended, and K.C.C. 6.26.070, Ordinance 10850, Section 6, and K.C.C. 6.26.115, Ordinance 10159, Section 26, as amended, and K.C.C. 6.27A.240, Resolution 23509, Section 4(b), and K.C.C. 6.28.080, Resolution 12750, Section 4, as amended, and K.C.C. 6.32.030, Resolution 36055, Section 5, and K.C.C. 6.36.060, Resolution 36055, Section 6, as amended, and K.C.C. 6.36.070, Resolution 36055, Section 8, and K.C.C. 6.36.090, Resolution 36055, Section 9, as amended, and K.C.C. 6.36.100, Resolution 36055, Section 10, and K.C.C. 6.36.110, Resolution 36055, Section 11, as amended, and K.C.C. 6.36.120, Resolution 36055, Section 12, as amended, and K.C.C. 6.36.130, Resolution 36055, Section 13, and K.C.C. 6.36.140, Ordinance 7919, Section 5, and K.C.C. 6.40.040, Ordinance 7919, Section 6, and K.C.C. 6.40.050, Ordinance 7919, Section 10, and K.C.C. 6.40.090, Ordinance 7919, Section 11, and K.C.C.

6.40.100, Ordinance 7919, Section 12, and K.C.C. 6.40.110, Ordinance 7919, Section 13, and K.C.C. 6.40.120, Ordinance 187, Section 5, and K.C.C. 6.52.050, Resolution 36053, Section 2, and K.C.C. 6.56.020, Resolution 36053, Section 5, and K.C.C. 6.56.050, Resolution 36053, Section 7, and K.C.C. 6.56.080, Resolution 36053, Section 8, and K.C.C. 6.56.090, Resolution 36053, Section 9, as amended, and K.C.C. 6.56.100, Resolution 36053, Section 11, and K.C.C. 6.56.120, Resolution 36053, Section 13, and K.C.C. 6.56.140, Resolution 36053, Section 14, and K.C.C. 6.56.150, Resolution 36053, Section 15, as amended, and K.C.C. 6.56.160, Resolution 36053, Section 16, and K.C.C. 6.56.170, Resolution 36054, Section 5, and K.C.C. 6.60.060, Resolution 36054, Section 6, as amended, and K.C.C. 6.60.070, Resolution 36054, Section 7, and K.C.C. 6.60.080, Resolution 36054, Section 8, and K.C.C. 6.60.090, Resolution 36054, Section 9, as amended, and K.C.C. 6.60.100, Resolution 36054, Section 11, and K.C.C. 6.60.120, Resolution 36054, Section 12, as amended, and K.C.C. 6.60.130, Resolution 36054, Section 13, as amended, and K.C.C. 6.60.140, Ordinance 10498, Sections 80-85, as amended, and K.C.C. 6.64.690, Ordinance 8659, Section 2, as amended, and K.C.C. 6.72.020, Ordinance 8659, Section 3, and K.C.C. 6.72.030, Ordinance 8659, Section 8, and K.C.C. 6.72.070, Ordinance 1603, Section 1, as amended, and K.C.C. 6.76.010, Ordinance 1603, Section 2, and K.C.C. 6.76.020, Ordinance 1603, Section 4, and K.C.C. 6.76.040, Ordinance 1603, Section 5, and K.C.C. 6.76.050, Ordinance 1603, Section 7, as amended, and K.C.C. 6.76.070, Ordinance 1603, Section 10, and K.C.C. 6.76.100, Ordinance 1603, Section 17, and K.C.C. 6.76.150, Ordinance 1603, Section 19, and K.C.C. 6.76.170, Ordinance 1603, Section 20, and K.C.C. 6.76.180,

Ordinance 1603, Section 21, and K.C.C. 6.76.190, Ordinance 11177, Section 4, and K.C.C. 6.84.020, Ordinance 11177, Section 10, and K.C.C. 6.84.080 and Ordinance 18618, Section 999, and K.C.C. 3.42.055.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 1888, Article I, Section 2, as amended, and K.C.C. 6.01.010 are each hereby amended to read as follows:

For the purpose of all business license ordinances the words and phrases used herein, unless the context otherwise indicates, shall have the following meanings:

- A. "Certificate" means any certificate or renewal of certificate issued pursuant to any business license ordinance;
- B. "Director" means for taxicabs and for-hire drivers and vehicles the manager of the records and licensing services division, department of executive services~~((;))~~ or ~~((his or her duly authorized representative))~~ designee. For all other business licenses, permits or certificates, "director" means the director of the department of permitting and environmental review~~((;))~~ or ~~((his or her duly authorized representative))~~ designee;
- C. "License" means any license or renewal of license issued pursuant to any business license ordinance;
- D. "Licensee" means any person to whom a license or renewal of license has been issued pursuant to any business license ordinance;
- E. "Permit" means any permit or renewal of permit issued pursuant to any business license ordinance;
- F. "Person" means any individual, partnership, firm, joint stock company, corporation, association, trust, estate or other legal entity;
- G. "Registrant" means any person to whom a registration or renewal of registration has been issued pursuant to any business license ordinance;
- H. "Registration" means any registration or renewal of registration issued pursuant to any business license ordinance.

SECTION 2. Ordinance 1888, Article I, Section 4, and K.C.C. 6.01.030 are each hereby amended to read as follows:

The director is authorized to make and enforce rules and regulations, not inconsistent with ~~((the provisions of))~~ any business license ordinance, and it is unlawful to violate or fail to comply with any of the rules and regulations. All ~~((of))~~ such rules and regulations as promulgated by the director shall be reduced to writing and mailed to each licensee or permit holder ~~((for his information and for distribution))~~. The licensee or permittee shall distribute such rules and regulations to ((his)) the licensee or permit holder's registrants or employees.

SECTION 3. Ordinance 1888, Article II, Section 4, and K.C.C. 6.01.080 are each hereby amended to read as follows:

Any person licensed, registered or permitted pursuant to any business license ordinance shall notify the director of any change in ~~((his))~~ address~~((,))~~ or business name, or in the officers, directors~~((,))~~ or partners of ~~((such))~~ the person, within fourteen days of any such change.

SECTION 4. Ordinance 1888, Article III, Section 1, and K.C.C. 6.01.110 are each hereby amended to read as follows:

A. The director is authorized to make such inspections and take such action as may be required to enforce ~~((the provisions of))~~ any business license ordinance.

B. Whenever necessary to make an inspection to enforce any of the provisions of any business license ordinance, or whenever the director has reasonable cause to believe that a licensee, registrant or permit holder is operating in violation of any business license ordinance, the director may enter such licensee's, registrant's or permit holder's place of business or entertainment, which is licensed, registered or permitted pursuant to any business license ordinance, at all reasonable times to inspect the same or perform any duty imposed on the director by any business license ordinance; provided, that, 1. if the place of business or entertainment is occupied, the director shall first present proper credentials and demand entry; and 2. if the place of business or

entertainment is unoccupied, the director shall first make a reasonable effort to locate the licensee, registrant or permit holder or other person(~~(s)~~) or persons having charge or control of the place of business or entertainment and demand entry.

C. No person shall fail or neglect, after proper demand, to admit the director, while acting within the scope of (~~(his)~~) the director's employment, to any place of business or entertainment licensed, registered or permitted pursuant to any business license ordinance, or to interfere with the director while in the performance of (~~(his)~~) the director's duty.

SECTION 5. Ordinance 1888, Article III, Section 5, as amended, and K.C.C. 6.01.150 are each hereby amended to read as follows:

A. The office of the hearing examiner is designated to hear appeals by parties aggrieved by actions of the director pursuant to any business license ordinance. The examiner may adopt reasonable rules or regulations for conducting its business. Copies of all rules and regulations adopted by the examiner shall be delivered to the director, who shall make them freely accessible to the public. All decisions and findings of the examiner shall be rendered to the appellant in writing, with a copy to the director.

B. For-hire transportation appeals under K.C.C. chapter 6.64 shall be filed in accordance with K.C.C. 20.22.080 and the hearing process conducted in accordance with K.C.C. chapter 20.22. Subsections C. through H. of this section do not apply to this subsection B.

C. Any person entitled to service under K.C.C. 6.01.130 may appeal any notice and order or any action of the director by filing at the office of the director within seven days from the date of service of such order, a written appeal containing;

1. A heading in the words: "Before the Office of the Hearing Examiner";
2. A caption reading: "Appeal of" giving the names of all appellants participating in the appeal;
3. A brief statement setting forth the legal interest of each of the appellants in the business or

entertainment involved in the notice and order;

4. A brief statement in concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant;
5. A brief statement in concise language of the relief sought, and the reasons why it is claimed the protested order or action should be reversed, modified((,)) or otherwise set aside;
6. The signatures of all parties named as appellants, and their official mailing addresses; and
7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

D. As soon as practicable after receiving the written appeal, the examiner shall fix a date, time and place for the hearing of the appeal. The date shall be neither less than ten days nor more than sixty days from the date the appeal was filed with the director. Written notice of the time and place of the hearing shall be given at least ten days before the date of the hearing to each appellant by the examiner either by causing a copy of the notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the appellant's address shown on the appeal.

E. At the hearing the appellant shall be entitled to appear in person and be represented by counsel and offer such evidence as is pertinent and material to the action of the director.

F. Only those matters or issues specifically raised by the appellant in the written notice of appeal shall be considered in the hearing of the appeal.

G. Failure of any person to file an appeal in accordance with ~~((the provisions of))~~ this section shall constitute a waiver of ~~((his))~~ the person's right to an administrative hearing and adjudication of the notice and order, or any portion thereof.

H. Enforcement of any notice and order of the director shall be stayed during the pendency of an appeal therefrom ~~((which))~~ that is properly and timely filed.

SECTION 6. Ordinance 2287, Section 6, and K.C.C. 6.04.060 are each hereby amended to read as follows:

A. No person shall engage in the business of selling or offering or exhibiting for sale more than three novelty amusement devices in a year without a novelty amusement device vendor's license(~~(; provided)~~). ~~((h))~~However, ~~((that))~~ the requirement for such a license shall not exist where the director determines the intent of the seller, offeror or exhibitor is not to engage in this business. In determining this intent, the director shall consider and weigh in a reasonable manner the following factors, to include but not be limited by:

1. Nature of the sale;
2. Parties to the sale;
3. Frequency of sales in the past;
4. Volume of the sale;
5. Bargaining position of the parties to the sale;
6. Position of the parties after the sale;
7. ~~((Affect))~~ Effect of the license requirement on the parties;
8. Good faith of the parties; and
9. Protection of buyer regarding servicing and maintenance of the device(s) if bond is not required.

The fee for such license shall be five hundred dollars per year payable on January 1~~((st))~~ of each year or portion thereof.

B. Each applicant for a novelty amusement device vendor's license shall file with the director a surety bond in a form approved by the director, executed by a surety company authorized to do business in this state running to the county of King, state of Washington, in the sum of ten thousand dollars conditioned that the applicant-vendor will furnish parts and ~~((repairmen))~~ repairs to any person to whom ~~((he))~~ the applicant-vendor may sell any novelty amusement device for a period of two years after the sale. The bond shall state that it is for the use or benefit of the vendee who may have a cause of action against the vendor on the bond by reason of breach of the condition.

C. The director shall deny the application for a license if the applicant fails to satisfy the surety bond

requirement.

SECTION 7. Resolution 12714, Section 1, as amended, and K.C.C. 6.04.170 are each hereby amended to read as follows:

For the purpose of this chapter ~~((the word))~~, "shuffleboard" means any game consisting of a raised table or platform in the shape of an elongated rectangle ~~((which))~~ that is supported on legs or a frame ~~((and which))~~, that has surfaces with scoring areas and ~~((which))~~ that is played by a hand-propelled ball, disk, puck or similar object~~((;))~~ and for which the winner or score is calculated by the resulting positions of such ball, disk, puck or similar object. Shuffleboards owned by establishment owners may be coin operated under the control of the establishment owner or ~~((his authorized representative))~~ designee and subject to inspection by the ~~((Division of Business Licenses))~~ director. An establishment owner ~~((of an establishment))~~ may own ~~((his own))~~ the shuffleboard to be used only on those premises. ~~((He))~~ The establishment owner shall be required to pay a location license fee.

SECTION 8. Resolution 12714, Section 4, as amended, and K.C.C. 6.04.200 are each hereby amended to read as follows:

The licenses set forth in this article shall be issued only upon written application therefor, which application shall be presented to the director, upon forms provided by ~~((him))~~ the director, and must state the names and residences of the owners and parties who operate, maintain or offer for use or play any such shuffleboard, the location where each of the same is to be operated, maintained or offered for use or play, and the number of shuffleboards at each location, and the license shall only be issued to applicants of good moral character and financial responsibility. If the applicant is a ~~((e))~~partnership, each partner must possess the above qualifications. If applicant is a corporation, the corporation must be licensed to do business in the state of Washington, and its officers, manager and/or agents must possess the qualifications set forth in this section.

SECTION 9. Ordinance 7216, Section 6, as amended, and K.C.C. 6.08.042 are each hereby amended to read as follows:

An application for a public amusement/entertainment license must be submitted in the name of the person or entity proposing to provide such public amusement/entertainment on the business premises and shall be signed by such person or ~~((his))~~ the person's agent and notarized or certified as true under penalty of perjury. All applications shall be submitted on a form supplied by the director, which shall require the following information:

A. The name, current residential and mailing addresses, and date and place of birth of the applicant if the applicant is an individual, the partners if the applicant is a partnership and the officers and directors if the applicant is a corporation;

B. The business name, address and telephone number of the establishment;

C. If the applicant is a corporation, limited liability company or partnership, the legal name of the entity, the date and place of incorporation or formation, and the name and address of any registered agent for service of process;

D. Whether the applicant proposes to serve any alcoholic beverages on the premises and the status of the business's liquor license or application for a liquor license issued by the Washington State Liquor ~~((Control~~ and Cannabis Board; and

E. The nature of the business conducted on the premises and the proposed public amusement/entertainment.

SECTION 10. Ordinance 4270, Section 4, as amended, and K.C.C. 6.08.090 are each hereby amended to read as follows:

Applicants must submit, for any amusement place license for a race track or dragstrip, whether automobile or otherwise, where the expected attendance will exceed two thousand people at any single scheduled event, information as deemed appropriate by the ~~((department of public safety))~~ sheriff's office to insure that adequate traffic control and crowd protection policing has been arranged through private security agencies or, has been contracted for with the ~~((department of public safety))~~ sheriff's office. A written notice

that the applicant has complied with the requirement shall be issued by the (~~director of the department of public safety~~) sheriff or (~~his~~) designee before an amusement place license shall be issued; provided, that if the applicant should contract for traffic control and crowd protection policing with King County, in no event should the sum agreed upon in payment for such policing be less than the actual expense incurred by the county in providing that service. Such consideration shall be calculated for personnel resources on the hourly rate for overtime under the current collective bargaining agreement, plus that percentage then being paid for fringe benefits, and all sums paid under such contract shall be paid in accordance with procedures specified by the (~~King County~~) office of (~~F~~) finance and business operations.

SECTION 11. Ordinance 4206, Section 4, as amended, and K.C.C. 6.08.100 are each hereby amended to read as follows:

The director shall revoke or suspend, for not more than one year, any public amusement/entertainment license if (~~he or she~~) the director determines that the licensee or applicant has:

- A. Obtained or renewed the license through a false, misleading or fraudulent omission or representation of material fact on the application; or
- B. Violated or permitted or authorized any violation of any provisions of this chapter by any person.

SECTION 12. Ordinance 13548, Section 4, and K.C.C. 6.09.030 are each hereby amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

A. "Adult entertainment" means a performance described in the definition of adult entertainment business in this section.

B. "Adult entertainment business" means an adult arcade, an adult club or an adult theater, each as defined in the following, or a combination of an adult arcade, an adult club or an adult theater.

- 1. "Adult arcade" means a bookstore, video store, membership club or other place:

- a. to which the public or members of a membership club are invited or admitted, whether or not a membership fee, cover charge or other consideration is required for admittance; and
 - b. that provides one or more booths for viewing a live performance, as specified in the definition of an "adult club" in subsection B.2. of this section, or motion picture films, video cassettes, cable television shows, computer-generated images or any other visual media distinguished or characterized by a predominant emphasis on performances involving nudity or sexual conduct.
2. "Adult club" means a nightclub, membership club, bar, restaurant, salon, hall, studio or other place:
 - a. to which the public or members of a membership club are invited or admitted, whether or not a membership fee, cover charge or other consideration is required for admittance, and
 - b. that provides, on a regular basis or as a substantial part of the activity on the premises, a live performance that: includes nudity; is distinguished or characterized by a predominant emphasis on depictions or simulations of sexual conduct; or otherwise constitutes an erotic performance. A place that provides such a live performance only for viewing by an individual in a booth in accordance with this chapter is an adult arcade and not an adult club.
 3. "Adult theater" means a movie theater, bookstore, video store, membership club or other place:
 - a. to which the public or members of a membership club are invited or admitted, whether or not a membership fee, cover charge or other consideration is required for admittance; and
 - b. that provides a room or other area that can accommodate more than one person for viewing motion picture films, video cassettes, cable television shows, computer-generated images or any other visual media distinguished or characterized by a predominant emphasis on performances involving nudity or sexual conduct.
 4. Notwithstanding any other provision of this chapter, "adult arcade," "adult club" and "adult theater" do not include:
 - a. a theater or performing arts institution that presents a play, opera, musical, dance or other dramatic

works that are not distinguished or characterized by a predominant emphasis on nudity or sexual conduct; or

b. an educational institution, administered, licensed or recognized as a public or private educational institution by the state of Washington, that provides a modeling session or other class or seminar depicting nudity or sexual conduct.

C. "Applicant" means a person who applies for an adult entertainment business license, an adult entertainment manager license or an adult entertainer license.

D. "Booth" means a booth, cubicle, stall, room or enclosed space in an adult arcade, that is designed, constructed or used to hold or seat a single individual.

E. "Business control person" means a partner, corporate officer, director, shareholder or other individual who has responsibility for the management of an adult entertainment business.

F. "Business license" means an adult entertainment business license.

G. "County" means King County, Washington.

H. "Customer" means a customer, patron, club member or other individual who is invited or admitted to an adult entertainment business during its hours of operation, regardless of whether ~~((he or she))~~ that individual makes a purchase or pays a fee, charge, gratuity or other consideration. However, "customer" does not include an employee or entertainer while the employee or entertainer is engaged in ~~((his or her))~~ the employee or entertainer's duties or performance.

I. "Director" means the director of the department of information and administrative services or the director's designee.

J. "Employee" means an individual, including an independent contractor, who works in or at or renders service directly related to the operation of an adult entertainment business, whether or not the person is paid compensation by the operator of the business.

K. "Entertainer" means an individual who provides live adult entertainment in an adult club, whether or not a fee, tip or other consideration is charged or accepted for the entertainment.

L. "Entertainer license" means a license for an entertainer issued under this chapter.

M. "Erotic performance" means a performance, in an adult club, that is intended to sexually stimulate a customer.

N. "Manager" means an individual who provides on-site management, direction or administration of the operation or conduct of any portion of an activity conducted in an adult entertainment business and includes an assistant manager working with or under the direction of a manager to carry out those purposes.

O. "Manager license" means a license for a manager issued under this chapter.

P. "Membership club" means a club that invites or accepts a membership application from the public.

Q. "Nudity" or "nude" means:

1. The exposure to view, by not completely covering with an opaque material, of the human (~~male or female~~) pubic region, anus, cleft of the buttocks, genitalia or any portion of the areola or nipple of the female breast;

2. The exposure to view of a device or covering that simulates the appearance of the human (~~male or female~~) pubic region, anus, cleft of the buttocks, genitalia or any portion of the areola or nipple of the female breast; or

3. The display of (~~male~~) genitalia in a discernible state of sexual stimulation, whether covered or not with opaque material.

R. "Obscene" means a performance that:

1. Taken as a whole, by an average person applying contemporary community standards, appeals to a prurient interest in sex;

2. Taken as a whole, by an average person applying contemporary community standards, depicts patently offensive representations of the sexual acts described in RCW 7.48A.010(2)(b); and

3. Taken as a whole, lacks serious literary, artistic, political or scientific value.

S. "Performance" means an exhibition, display, appearance, dance, modeling, demonstration, show,

pantomime or presentation of any kind, whether live or depicted in a motion picture film, video cassette, cable television show, computer-generated image, slide or other nonlive visual image.

T. "Person" means an individual, firm, corporation, joint venture, partnership, association, membership club, (~~fraternal~~) social organization, estate, trust or other entity or group acting as a unit.

U. "Premises" means the entire real estate parcel on which an adult entertainment business is located, including all interior areas and exterior areas such as parking areas.

V. "Satisfactory documentation" means:

1. A current, valid motor vehicle operator's license, issued by a state, bearing the applicant's photograph and date of birth;
2. A current, valid identification card bearing the applicant's photograph and date of birth issued by a federal or state government agency; or
3. A valid passport issued by the United States of America or another country.

W. "Sexual conduct" means any of the following:

1. Caressing, fondling or other erotic touching of genitalia, pubic region, buttocks, anus, female breast or artificial depictions of those anatomical areas, whether covered or not with opaque material; or
2. An act of masturbation, genital intercourse, anal intercourse, fellatio, cunnilingus, sadomasochistic abuse or bestiality.

X. "Sheriff's office" means the office of the King County sheriff.

SECTION 13. Ordinance 13548, Section 13, and K.C.C. 6.09.120 are each hereby amended to read as follows:

On the premises of an adult club, the adult club and its business license holders, business control persons, managers, employees, entertainers and customers shall adhere to the following operating requirements and standards of conduct:

A. Business license holder and business control persons responsible. The adult entertainment business

license holder and any business control persons shall be responsible for and shall assure that the conduct of the managers, entertainers, employees and customers of the adult club complies with this chapter;

B. Licensed manager required on premises. During all hours of operation, the adult club must have a licensed manager on duty stationed in a location from which the manager can view every live adult entertainment stage, stage setback area and customer area of the business;

C. Licensed manager responsible. The on-duty manager is responsible for and shall assure that the conduct of the entertainers, employees and customers of the adult club complies with this chapter;

D. Posting of licenses. The holder of the adult entertainment business license shall post the license in a conspicuous place at or near the entrance to the adult entertainment business so that the license can be easily read when the business is open. The manager shall post (~~his or her~~) the manager's license next to the business license when (~~he or she is~~) on duty as the manager. An entertainer shall provide (~~his or her~~) the entertainer's license to the manager on duty who shall maintain the entertainer's license on the premises for immediate inspection when the entertainer is on the premises. The manager shall, on request by the director or any law enforcement officer, make available for inspection the license of an entertainer on the premises;

E. Records of entertainers and employees. The adult club must maintain, on a form prescribed by the director, a record by date and shift of the name, stage name if any, entertainer license number and date of birth of each person who worked as an employee or performed as an entertainer at the club. The record of each person must be retained for at least one year after the work or performance was performed at the club;

F. Prohibited hours of operation. The business license holder, business control person or manager may not operate the adult club, or allow the adult club to be open to customers, between two a.m. and ten a.m.;

G. Minors prohibited. An individual under eighteen years old may not be in or on the premises. The business license holder, business control person or manager may not permit or allow a person under eighteen years old to be in or on the premises;

H. Alcohol prohibited without a license. An individual may not possess, consume or serve an alcoholic

beverage unless, and to the extent, the adult club is covered by a valid liquor license issued by the Washington State Liquor ((Control)) and Cannabis Board;

I. Nudity and erotic performances permitted only on stage. An individual may not expose nudity or engage in any erotic performance except on a stage meeting the facility requirements of this chapter;

J. Sexual conduct prohibited. An individual may not engage in sexual conduct;

K. Obscene performances prohibited. An individual may not engage in an obscene performance;

L. Customers prohibited onstage or in stage setback area. A customer may not enter on the stage or the stage setback area;

M. Separate restroom facilities. An employee or entertainer may not enter a customer restroom and a customer may not enter an employee and entertainer restroom;

N. Tips, gratuities and payments to entertainers. An entertainer performing on a live adult entertainment stage may not accept a tip, gratuity or other payment offered directly to the entertainer by a customer. A tip, gratuity or other payment offered to an entertainer performing on a live adult entertainment stage must be placed into a receptacle located outside the stage and stage setback area provided through a manager on duty on the premises; and

O. Warning device prohibited. A person may not operate or maintain a warning device or system for the purpose of warning or aiding and abetting the warning of an entertainer, employee, customer or other person that the police, health, fire or building inspector or other public official is approaching or entered the premises.

SECTION 14. Ordinance 13548, Section 15, and K.C.C. 6.09.140 are each hereby amended to read as follows:

On the premises of an adult arcade, the adult arcade and its business license holders, business control persons, managers, employees, entertainers and customers shall adhere to the operating requirements and standards of conduct specified in the following:

A. Business license holder and business control persons responsible. The adult entertainment business license holder and any business control person shall be responsible for and shall assure that the conduct of the managers, employees, entertainers and customers of the adult arcade complies with this chapter;

B. Licensed manager required on premises. The adult arcade must, during hours of operation, have a licensed manager on duty who is stationed in a location from which every booth and customer area of the business is visible at all times, either by direct line of sight or by continuous video monitoring;

C. Licensed manager responsible. The on-duty manager is responsible for and shall assure that the conduct of the entertainers, employees and customers of the adult arcade complies with this chapter;

D. Posting of licenses. The holder of the adult entertainment business license shall post the license in a conspicuous place at or near the entrance to the adult entertainment business so that the license can be easily read when the business is open. The manager shall post (~~(his or her)~~) the manager's license next to the business license when (~~(he or she is)~~) on duty as the manager;

E. Prohibited hours of operation. The adult arcade business license holder, business control person or manager may not operate the adult arcade or allow the adult arcade to be open to customers between two a.m. and ten a.m.;

F. Minors prohibited. An individual under eighteen years old may not be in or on the premises of the adult arcade. The adult arcade business license holder, business control person or manager may not permit or allow a person under eighteen years old to be in or on the premises;

G. Alcohol prohibited without license. An individual may not possess, consume or serve an alcoholic beverage in the adult arcade unless, and to the extent, the business is covered by a liquor license issued by the Washington State Liquor (~~(Control)~~) and Cannabis Board;

H. Live performances. A live performance provided in the arcade must be conducted in a performance area that is inaccessible to a customer and separated from an individual in a booth in accordance with the facility specifications of this chapter;

I. Obscene performances prohibited. An obscene performance may not be displayed or exhibited;

J. Sexual conduct prohibited. An individual may not engage in sexual conduct;

K. Single occupancy of booths. An individual may not be present in a booth with one or more other individuals; and

L. Warning device prohibited. A person may not operate or maintain a warning device or system for the purpose of warning or aiding and abetting the warning of an employee, customer or other person that the police, health, fire or building inspector or other public official is approaching or entered the premises.

SECTION 15. Ordinance 13548, Section 17, and K.C.C. 6.09.160 are each hereby amended to read as follows:

On the premises of an adult theater, the adult theater and its business license holders, business control persons, managers, employees and customers shall adhere to the operating requirements and standards of conduct as specified in the following:

A. Business license holder and business control persons responsible. The adult entertainment business license holder and any business control person shall be responsible for and shall assure that the conduct of the managers, employees and customers of the adult theater complies with this chapter;

B. Licensed manager required on premises. The adult theater must have, during hours of operation, a licensed manager on duty who is stationed in a location from which every viewing area and all customer areas of the business are visible at all times either by direct line of sight or by continuous video monitoring;

C. Licensed manager responsible. The on-duty manager is responsible for and shall assure that the conduct of the employees and customers of the adult theater complies with this chapter;

D. Posting of licenses. The holder of an adult entertainment business license shall post the license in a conspicuous place at or near the entrance to the adult entertainment business so that the license can be easily read when the business is open. The manager shall post ~~((his or her))~~ the manager's license next to the business license when ~~((he or she is))~~ on duty as the manager;

E. Prohibited hours of operation. The adult theater business license holder, business control person or manager may not operate the adult theater or allow the adult theater to be open to customers between two a.m. and ten a.m.;

F. Minors prohibited. An individual under eighteen years old may not be in or on the premises of the adult theater. An adult theater business license holder, business control person or manager may not permit or allow a person under eighteen years old to be in or on the premises;

G. Alcohol prohibited without license. An individual may not possess, consume or serve an alcoholic beverage in the adult theater unless, and to the extent, the business is covered by a liquor license issued by the Washington State Liquor ~~((Control))~~ and Cannabis Board;

H. Obscene performances prohibited. An obscene performance may not be displayed or exhibited in the adult theater;

I. Sexual conduct prohibited. An individual may not engage in sexual conduct; and

J. Warning device prohibited. A person may not operate or maintain a warning device or system for the purpose of warning or aiding and abetting the warning of an employee, customer or other person that the police, health, fire or building inspector or other public official is approaching or entered the premises.

SECTION 16. Ordinance 1294, Section 2, as amended, and K.C.C. 6.12.020 are each hereby amended to read as follows:

For the purpose of this chapter and unless the context plainly requires otherwise the following definitions are adopted:

A. A "billiard table" is a raised oblong felt covered table with raised cushioned edges, or any substantially similar device on which is played the game known as billiards or pool involving the use of a long tapering stick called a cue to propel pool or billiard balls;

B. A "pool table" is a billiard table with a pocket in each corner and at the middle of both sides, used for playing pool, the game wherein numbered balls are propelled into the pockets by persons using a cue;

C. An "operator" is a person who owns, operates or controls any pool or billiard table. An operator who owns or leases (~~(his)~~) the person's place of business shall be allowed to own and operate (~~(his own)~~) the person's own pool tables and billiard tables upon compliance with this chapter; and

D. A "vendor" is any person or firm or agent thereof that distributes or sells coin operated pool tables or billiard tables.

SECTION 17. Ordinance 1294, Section 3, and K.C.C. 6.12.030 are each hereby amended to read as follows:

Pool tables and billiard tables (~~(as referred to in Section 6.12.010)~~) shall be activated by the player by the insertion of a coin into a locked coin chute device or by a device under the control of the owner or (~~(his duly appointed representative)~~) designee.

SECTION 18. Ordinance 1294, Section 6, as amended, and K.C.C. 6.12.060 are each hereby amended to read as follows:

A. For pool tables and billiard tables operating in a business establishment, the fee shall be (~~(\$100.00)~~) one hundred dollars per table, up to a (~~(\$500)~~) five-hundred-dollar maximum per establishment.

All licenses shall expire one year from the date of application. Any person purchasing a coin operated pool table must show by receipt, bill of sale or contract or letter that the table was purchased from a licensed vendor before a license shall be issued to (~~(him)~~) the purchaser.

B. A vendor shall pay an annual license fee of one hundred dollars from date of issuance of license.

SECTION 19. Resolution 30983, Section 3, and K.C.C. 6.16.070 are each hereby amended to read as follows:

(~~(The following)~~) A person(s) shall not be granted a license(~~(;)~~) if one of more of the following applies to the person:

A. The person (~~(H)~~)has not been the owner of a business advertised or described in the application for a

license hereunder for a period of at least ninety days prior to the date of the application; provided, upon the death of a person doing business, ~~((his or her))~~ the person's heirs, devisees or legatees shall have the right to apply at any time for a license;

B. The person ~~((H))~~ has held a sale, as regulated by this chapter, at the location stated in the application for license within six months from the date of such applications; and

C. The person ~~((H))~~ has been convicted of violating this chapter or any part hereof, or a person who ~~((has in his))~~ employs another person for the conduct of the sale as regulated by this chapter ~~((one))~~ who has been convicted of violating this chapter within a period of one year prior to the date of the application for a license.

SECTION 20. Resolution 30983, Section 4, as amended, and K.C.C. 6.16.080 are each hereby amended to read as follows:

No license to conduct a sale ~~((, as defined herein,))~~ shall be granted except upon written application to the director which shall be signed and sworn to by the person who intends to conduct ~~((such))~~ the sale or ~~((his duly authorized agent))~~ designee. Such application shall contain the following ~~((information))~~:

A. The true name, home address and business address of the owner of the goods to be the object of the sale and the true name, home address and business address of the person who shall conduct the sale if not the owner of the goods;

B. Whether the proposed sale is to be held at the applicant's or owner's existing, regularly established place of business;

C. Description, by street address or location, and kind of building where such sale is to be held;

D. The nature of the occupancy, whether by ownership, lease or sublease~~((;))~~, and, if by lease or sublease, the effective date of the termination of ~~((same))~~ the lease or sublease;

E. The dates when such sale is to be conducted;

F. A copy of all advertisements or a statement of all advertising themes to be used in connection with such sale and a statement of the means or methods of advertising to be used in advertising such sale;

G. A full and complete statement of the facts in regard to the sale, including the reason for the urgent and expeditious disposal of goods thereby and the manner in which the sale will be conducted;

H. A complete and detailed inventory setting forth the amount and description of goods to be sold at such sale, and the date of acquisition of such goods and the name and address of the person from whom obtained and the place from which such goods were last taken. The inventory shall be attached to and become part of the required application. The director may require in addition that all goods listed upon the inventory be so described in detail by manufacturer's name and lot number, the individual number of articles so numbered, colors, sizes and otherwise that the identity of such goods with the goods listed on such inventory can be readily determined. In addition, the director may require a listing of each article to be sold together with an inventory number for each article;

I. A showing that the applicant has made a return to the King County assessor of the property in ~~((his))~~ the applicant's possession or ownership and the value thereof for tax assessment purposes, and that the applicant has paid any tax due; and

J. Such other information as the director may require.

SECTION 21. Resolution 30983, Section 5, as amended, and K.C.C. 6.16.090 are each hereby amended to read as follows:

Upon filing of the application, the director may make or cause to be made an examination, audit or investigation of the applicant and ~~((his))~~ the applicant's affairs in relation to the proposed sale. If the director finds that the statements in the application are true, that the inventory is complete, that the advertising or advertising theme set forth is not false, fraudulent, deceptive or misleading in any respect, and that the methods to be used by the applicant in conducting the sale are not such as, in the opinion of the director, will work a fraud upon the purchasers, the director shall issue a license to conduct such sale in accordance with ~~((the provisions of))~~ this chapter~~((; provided))~~. However, the director may refuse to issue a license because of the insufficiency of the information set forth in the application, but in such event the applicant shall be permitted to

file an amended application(~~(; further provided, that)~~). Also, no license shall be issued until the applicant shows that ~~((he))~~ the applicant has made a return to the King County assessor of the property in ~~((his))~~ the applicant's possession or ownership and the value thereof for tax assessment purposes and has paid any tax due.

SECTION 22. Resolution 30983, Section 6, as amended, and K.C.C. 6.16.100 are each hereby amended to read as follows:

All applications for license must be made at least sixty days and not more than ninety days before the date the sale is to commence; and the applicant shall file with the director a bond in a form approved by the director, executed by a surety company authorized to do business in this state, in an amount equal to one-half of the cost value of the goods inventoried for sale, the bond shall be approved by the director. The bond shall run to the county of King, state of Washington, and shall state that it is for the use or benefit of persons who may be damaged by the violation of this chapter by the licensee, ~~((his))~~ the licensee's employees or agents, or who may have a cause of action against the licensee, ~~((his))~~ the licensee's employees or agents, by reason of any matters arising out of the conduct of the sale. Any such person shall have, in addition to any other right of action ~~((which he may have))~~, a right of action on such bond for all damages not exceeding one thousand dollars, and the aggregate liability of the surety upon the bond for all claims ~~((which))~~ that may arise thereunder shall not exceed the sum specified in the bond. The director shall, upon compliance with all the requirements set forth in this chapter, issue a license to hold a sale as ~~((herein provided;))~~ provided in this chapter, except that any person who has been conducting a business in the same location where the sale is to be held for a period of not less than one year, prior to the date of the application for a license ~~((hereunder))~~ under this chapter, shall be excepted from the filing of the bond ~~((herein provided))~~ under this section.

SECTION 23. Resolution 30983, Section 9 (part), and K.C.C. 6.16.140 are each hereby amended to read as follows:

The license as issued pursuant to this chapter shall be valid only for the advertising, representations and sale of the particular goods, wares or merchandise described in the original application therefor, and at the

particular time, and particular place stated therein~~((s))~~ and by the particular applicant or ~~((his))~~ the particular applicant's executor or administrator, and any renewal, replenishment or substitution of such goods, wares or merchandise, ~~((or))~~ change of such time or place for such sale~~((s))~~ or change of person conducting the sale, is unlawful and shall render such license void.

SECTION 24. Resolution 30983, Section 9 (part), as amended, and K.C.C. 6.16.180 are each hereby amended to read as follows:

Suitable books and records, including total receipts of both cash and credit sales, shall be kept by the licensee and shall at all times be available to the director~~((, his inspector and investigators))~~ for inspection.

SECTION 25. Resolution 30983, Section 9 (part), and K.C.C. 6.16.190 are each hereby amended to read as follows:

A licensee, ~~((his))~~ the licensee's employees and agents shall:

A. Not sell goods at a sale for which the application was obtained unless the ~~((same was))~~ goods were listed in the inventory accompanying the application;

B. Represent to the public the true manufacture, quality and kind of ~~((said))~~ the goods. If requested by anyone, a copy of the inventory will be shown; and

C. Not cause to be sold goods ~~((which))~~ that have been falsely described or concerning which any false statement has been made.

SECTION 26. Ordinance 2095, Section 9, as amended, and K.C.C. 6.20.090 are each hereby amended to read as follows:

A. The director may deny a license or permit if the applicant or, if the applicant is a corporation or partnership, the applicant's officers, directors or partners of any agent thereof, have:

1. Committed any act ~~((which))~~ that, if committed by a licensee or permittee, would be grounds for the suspension or revocation of a license or permit;

2. Been convicted within the last five years of:

a. ~~((A))~~ a felony involving a crime of violence as defined in RCW 9.41.010, ~~((~~Ø~~))~~ a felony under ~~((RCW-C))~~ chapter 69.50 RCW(~~(;)~~) or any felony or misdemeanor under ~~((RCW-C))~~ chapter(~~(s)~~) 9A.44, 9A.64(~~(;~~)) or 9A.88 RCW;

b. ~~((C))~~ contributing to the dependency or delinquency of a minor; or

c. ~~((A))~~ assault on a juvenile(~~(;)~~);

3. Been refused a license or permit or had a license or permit revoked under ~~((the provisions of))~~ this chapter(~~(; provided,))~~. ~~((h))~~ However, ~~((that))~~ any applicant denied a license or permit may reapply after six months if the basis for such denial no longer exists;

4. Committed any act for which a license is required under ~~((the provisions of))~~ this chapter;

5. Failed to comply with the building, zoning, planning or fire codes of King County, or any rules or regulations set forth by the state of Washington Liquor ~~((Control))~~ and Cannabis Board; or

6. Knowingly made any false statement in the applicant's application.

B. The director may deny a license if ~~((he))~~ the director determines that the conduct, operation or maintenance of a public dance hall or public dance will disturb the peace and quiet of the neighborhood in which the ~~((same))~~ public dance hall or public dance is located.

SECTION 27. Ordinance 2095, Section 10, as amended, and K.C.C. 6.20.100 are each hereby amended to read as follows:

The director may suspend or revoke a license or permit if ~~((he))~~ the director determines that the licensee or permittee or any of the licensee's or permittee's officers, directors or partners or agents have:

A. Intentionally failed to disclose any material fact in the application for a license or permit, or a renewal of a license or permit;

B. Knowingly made any false statement or given any false information in connection with an application for a license or permit or a renewal of a license or permit or a renewal of a license or permit;

C. Failed to remove or attempt to remove from the dance premises any person who appears to be under

the influence of or affected by the use of either alcohol (~~(and)~~) or drugs, or both, or whose conduct reasonably appears to pose a physical danger to the safety of others present;

D. Committed any act (~~(which)~~) that is a ground for denial of a license or a permit; or

E. Violated (~~(any of the provisions of)~~) this chapter.

SECTION 28. Ordinance 1492, Section 1, as amended, and K.C.C. 6.24.010 are each hereby amended to read as follows:

For the purpose of this chapter the words and phrases used herein, unless the context otherwise indicates, shall have the following meanings:

A. "Armored-transport agencies" provide armed personnel to convey valuable articles for a fee.

B. "Contract guard or patrol agencies" includes partnerships, corporations joint ventures, as well as individuals who are self-employed, which provide (~~(privately employed guards or patrolmen)~~) private security guard or patrol services for a fee.

C. "Contract investigative agency" includes partnerships, corporations, joint ventures, as well as individuals who are self-employed which provide private investigative services for a fee, except individuals investigating bodily injury or property damage actions under the supervision of a licensed attorney.

D. "Credit investigation agencies and credit investigators" are businesses and persons who conduct investigations primarily to furnish information as to the business and financial standing and credit responsibility of persons, firms, or corporations.

E. "In-house guard forces" provide private guard services exclusively in connection with the affairs of the one business that employs them.

F. "In-house investigative forces" provide private investigative services exclusively in connection with the affairs of the one business that employs them.

G. "Private guards" are persons who protect or attempt to protect persons or property from damage, injury, loss, or any criminal act and includes "guard dogs," (~~("watchmen,")~~) "guards," "security officer,"

"protective agent," "merchant guard," and "special officer."

H. (~~"Private/merchant patrolmen" perform the same functions as guards, but do so at a number of different locations, access to which is accomplished by means of travel on public property.~~

I.) "Private investigators/detectives" are personnel who conduct investigations for a contract investigative agency, including undercover agents employed by contract agencies, but excluding in-house investigative force employees, credit investigators, insurance investigators and adjusters.

~~(I.)~~ I. "Private investigation" includes investigations by a privately employed person~~((s))~~ or persons for the purpose of obtaining information concerning:

1. Crimes or wrongs, done or threatened;
2. The identity, habits, conduct, movements, whereabouts, associations, transaction, credibility, reputation, employment history, criminal record~~((s))~~ or character of any person~~((s))~~, persons, group~~((s))~~ or business, for any purpose;
3. The location of lost or stolen property;
4. The causes and responsibility for fires, libel, slander, losses, accidents or injuries;
5. The whereabouts of missing persons.

J. "Private patrol persons" perform the same functions as private guards, but do so at a number of different locations, access to which is accomplished by means of travel on public property.

K. "Private security" includes all privately employed guards, investigators, detectives, ~~((patrolmen;))~~ patrol persons and any other personnel performing similar security functions or services.

SECTION 29. Ordinance 1492, Section 5, as amended, and K.C.C. 6.24.030 are each hereby amended to read as follows:

~~((The provisions of t))~~ This chapter shall not apply to:

A. A person employed as either an in-house guard ~~((and/))~~ or an investigator, or both, by only one employer in connection with the affairs of such employer and where there exists an employer-employee

relationship;

B. An officer or employee of the United States of America, or of this state or a political subdivision thereof, while the employee or officer is engaged in the performance of official duties;

C. A person engaged exclusively in the business of obtaining and furnishing information in relation to the financial rating of persons;

D. An attorney(~~(-at-law)~~) in performing (~~(his)~~) the attorney's duties; and

E. Admitted insurers, agents(~~(s)~~) and insurance brokers licensed by the state, performing duties in connection with insurance transacted by them.

SECTION 30. Ordinance 1492, Section 9, and K.C.C. 6.24.070 are each hereby amended to read as follows:

A. No person may engage in any private security operation outside the scope of (~~(his)~~) the person's license.

B. For the purpose of defining the scope of licenses, the following license classifications are established:

1. Class A: Contract investigative agency, covering operations as defined in (~~(Section)~~) K.C.C. 6.24.010.C.;

2. Class B: Contract guard or patrol agency, covering operations as defined in (~~(Section)~~) K.C.C. 6.24.010 I. and J.; and

3. Class C: Covering the operations included within Class A and Class B, as defined in (~~(Section)~~) K.C.C. 6.24.010.

SECTION 31. Ordinance 1492, Section 11, and K.C.C. 6.24.090 are each hereby amended to read as follows:

The director may deny a license if the applicant, if an individual, has, or if the applicant is a person other than an individual, that any of its officers, directors(~~(s)~~) or partners have:

- A. Committed any act constituting fraud;
- B. Committed any act(~~(, which)~~) that, if committed by a licensee, would be a ground for the suspension or revocation of a license under (~~(the provisions of)~~) this chapter;
- C. Committed any act resulting in conviction of a felony or a crime involving moral turpitude;
- D. A record, based upon reliable evidence, (~~(which)~~) that leads to the reasonable conclusion that the applicant is not competent to perform the duties and fulfill the responsibilities of a licensee under (~~(the provisions of)~~) this chapter;
- E. Been refused a license under (~~(the provisions of)~~) this chapter or had a license revoked(~~(; provided,)~~).
~~((h))~~However, (~~(that)~~) any applicant denied a license under (~~(the provisions of)~~) this chapter may reapply after six months if the basis for such denial no longer exists;
- F. Been an officer, director(~~(;)~~) or partner₂, who knowingly participated or acquiesced in the acts or conduct of any person(~~(, as defined by this chapter,)~~) for which that person was refused a license(~~(;)~~) or whose license was revoked under (~~(the provisions of)~~) this chapter;
- G. While unlicensed, committed or aided and abetted the commission of any act for which a license is required under (~~(the provisions of)~~) this chapter;
- H. Failed to successfully complete the firearms test specified in (~~(Section)~~) K.C.C. 6.24.240;
- I. Made any false statements in (~~(his)~~) the application; or
- J. Failed to comply with (~~(the requirements of Section)~~) K.C.C. 6.24.050.

SECTION 32. Ordinance 1492, Section 12, and K.C.C. 6.24.100 are each hereby amended to read as follows:

- A. The director may suspend or revoke a license issued under (~~(the provisions of)~~) this chapter if (~~(he)~~) the director determines that the licensee, if an individual, has, or if the licensee is a person other than an individual, that any of its officers, directors(~~(;)~~) or partners have:
 - 1. Made any false statement or given any false information in connection with an application for a

license or a renewal or reinstatement of a license;

2. Violated ~~((any of the provisions of))~~ this chapter;
3. Been convicted of a felony or any crime involving moral turpitude;
4. Illegally used, carried or possessed a dangerous weapon;
5. Violated any rule of the director adopted ~~((pursuant to his))~~ under the director's authority ~~((contained))~~ in this chapter;
6. Committed or permitted any employee to commit any act, while the license was expired, ~~((which))~~ that would be cause for the suspension or revocation of a license~~((;))~~ or grounds for the denial of an application for a license;
7. Knowingly violated, or advised, encouraged~~((;))~~ or assisted the violation of, any court order or injunction in the course of business as a licensee;
8. Acted as a runner or capper for any attorney; or
9. Committed any act ~~((which))~~ that is a ground for denial of an application for license under ~~((the provisions of))~~ this chapter.

B. The director may suspend or revoke a license issued under ~~((the provisions of))~~ this chapter if ~~((he))~~ the director determines that the licensee, if an individual, has, or if the licensee is a person other than an individual, that any of its officers, directors~~((;))~~ or partners have knowingly employed, or knowingly ~~((has in his employment))~~ employs any person who:

1. Has committed any act~~((, which))~~ that, if committed by a licensee, would be grounds for suspension or revocation of a license under ~~((the provisions of))~~ this chapter;
2. Has been convicted of a felony or any crime involving moral turpitude;
3. Has a record, based upon reliable evidence, which leads to the reasonable conclusion that the applicant is not competent to perform the duties and fulfill the responsibilities of a registrant under ~~((the provisions of))~~ this chapter; or

4. Does not possess a valid registration card issued under ~~((the provisions of))~~ this chapter.

C. The director may suspend or revoke a license issued under ~~((the provisions of))~~ this chapter if ~~((he))~~ the director determines that the licensee, if an individual, has, or any of the officers, directors, partners~~((;))~~ or employees if the licensee is a person other than an individual, have committed or used any unfair or deceptive acts or practices in the course of the licensee's business. Examples of such acts and practices are:

1. Engaging in retail installment transactions with members of the public in the state of Washington without complying with all applicable provisions of ~~((RCW))~~ chapter 63.14 RCW, as amended;

2. Using a name different from that under which ~~((he))~~ the licensee is currently licensed on any advertisement, solicitation~~((;))~~ or contract for business;

3. Knowingly making a false report to ~~((his))~~ the licensee's employer or client for whom the information was being obtained;

4. Willfully failing or refusing to render a client services or a report as agreed between the parties and for which compensation has been paid or tendered in accordance with the agreement of the parties, if required by law;

5. Making any false, deceptive or misleading representations to members of the public concerning the qualifications of employees and agents of the licensee, the nature or extent of the services provided by the licensee~~((;))~~ or the cost to members of the public of services by the licensee;

6. Manufacturing evidence;

7. Knowingly making a false statement relating to evidence or information obtained in the course of employment, or knowingly publishing a slander or libel in the course of business; or~~((;))~~

8. Accepting employment adverse to a client or former client relating to a matter with respect to which the licensee has obtained confidential information by reason of or in the course of ~~((his))~~ the licensee's employment by ~~((such))~~ the client or former client.

D. Suspension or revocation of a license issued under ~~((the provisions of))~~ this chapter shall take effect

only after the expiration of the period in which an appeal ~~((thereof))~~ of the suspension or revocation may be filed.

E. In cases of suspension, the license or registration shall be reinstated upon compliance with the violated provision~~((s))~~ or provisions of this chapter or until the period of suspension fixed by the director has expired.

In cases of revocation, the license or registration shall be canceled~~((; provided,))~~. ~~((h))~~ However, ~~((such))~~ the revocation for violation of any of the provisions of this chapter shall not relieve the licensee or registrant of the penalties otherwise provided for in this chapter.

SECTION 33. Ordinance 1492, Section 17, as amended, and K.C.C. 6.24.120 are each hereby amended to read as follows:

Applications, on forms prescribed by the director, shall be submitted by all new officers or partners. The director may suspend or revoke a license issued under ~~((the provisions of))~~ this chapter if ~~((he))~~ the director determines that at the time the person becomes an officer or partner of a licensee, any of the facts in ~~((Sections))~~ K.C.C. 6.24.090 and 6.24.100 existed as to such person.

SECTION 34. Ordinance 1492, Section 19, and K.C.C. 6.24.140 are each hereby amended to read as follows:

It is unlawful for any licensee, or ~~((his))~~ the licensee's agents, to use emergency equipment, such as sirens and flashing red or blue lights, on vehicles owned or operated by the licensee, except as specifically authorized or licensed by the state of Washington or any of its political subdivisions.

SECTION 35. Ordinance 1492, Section 22, and K.C.C. 6.24.170 are each hereby amended to read as follows:

Any licensee or officer, director or partner of a licensee shall divulge to ~~((any))~~ representatives for law enforcement ~~((officer))~~ or the prosecuting attorney~~((, or his representative))~~, any information ~~((he))~~ the licensee or officer, director or partner of the licensee may acquire as to any criminal offense, as ~~((he))~~ the licensee or

officer, director or partner of the licensee may be required by law so to do(~~(; provided,)~~). ~~((h))~~However, ~~((that he))~~ the licensee or officer, director or partner of the licensee shall not divulge to any other person any information acquired by ~~((him))~~ the licensee or officer, director or partner of the licensee except at the direction of the employer or client for whom the information was obtained.

SECTION 36. Ordinance 1492, Section 24, and K.C.C. 6.24.190 are each hereby amended to read as follows:

A. No license shall be issued under ~~((the provisions of))~~ this chapter unless the applicant files with the director a surety bond executed by a surety company authorized to do business in this state in the sum of ten thousand dollars conditioned to recover against the principal, its servants, officers, agents~~((;))~~ and employees by reason of its wrongful or illegal acts in conducting ~~((such))~~ the business licensed under ~~((the provisions of Ordinance 1492; provided,))~~ this chapter. ~~((h))~~However, ~~((that))~~ applicants requesting a Class B license, who employ four or less registrants, shall be permitted to file a five-thousand-dollar surety bond. The director shall require a certified copy of ~~((said))~~ the bond to be filed in ~~((his))~~ the director's office.

B. The bond required by this chapter shall be made payable to King County, and anyone ~~((so))~~ injured in the manners listed in subsection A. of this section ~~((by the principal, its servants, officers, agents, and employees,))~~ shall have the right and shall be permitted to sue directly upon this obligation in their own names, and this obligation shall be subject to successive suits for recovery until complete exhaustion of the face amount ~~((hereof))~~ of the bond.

SECTION 37. Ordinance 1492, Section 26, and K.C.C. 6.24.210 are each hereby amended to read as follows:

A. Every licensee shall at all times maintain on file with the director the surety bond and insurance required by this chapter in full force and effect and upon failure to do so, the license of such licensee shall be suspended and shall not be reinstated until this requirement is met.

B. The director shall deny the application for a license if the applicant fails to satisfy the surety bond or

insurance requirements.

C. The director may refuse to reinstate a license notwithstanding the licensee's compliance with this section, if, during the suspension, the director:

1. Finds any reason which would justify refusal to issue or justifies a suspension or revocation of a license; or
2. Finds performance by an applicant of any practice, while under suspension for failure to keep ~~((his))~~ the applicant's surety bond or insurance in force, for which a license is required under ~~((the provisions of))~~ this chapter ~~((is required))~~.

SECTION 38. Ordinance 1492, Section 28, and K.C.C. 6.24.230 are each hereby amended to read as follows:

A. Except as otherwise provided in this chapter, every employee of a licensee, including dispatchers, and solicitors, shall be registered with the director in the manner prescribed by ~~((the provisions of))~~ this chapter.

B. The application for registration under ~~((the provisions of))~~ this chapter shall be on a form prescribed by the director and shall include:

1. Full address, telephone number, date of birth~~((;))~~ and place of birth;
2. A listing of any and all aliases used by the applicant;
3. The name and address of the licensee and the date the employment commenced;
4. A letter from the licensee requesting that the employee be registered under ~~((his))~~ the license;
5. The title of the position occupied by the employee and a description of ~~((his))~~ the position's duties;
6. Whether or not a firearm is to be used by the employee in connection with ~~((his))~~ the employee's duties as a registrant;
7. Three recent photographs of the employee, of a type described by the director, and a classifiable set of fingerprints;
8. Employment history for five years preceding the date of the application; and

9. Such other information, evidence, statements((;)) or documents as may be required by the director.

SECTION 39. Ordinance 1492, Section 32, and K.C.C. 6.24.270 are each hereby amended to read as follows:

Upon completion of registration the director shall issue to the registered employee a registration card, which shall be carried on ((his)) the employee's person at all times. The exhibition of this card to the licensee shall be considered prima facie evidence that the person is registered by King County, under the licensee's license number.

SECTION 40. Ordinance 1492, Section 33, and K.C.C. 6.24.280 are each hereby amended to read as follows:

Each person registered under ((the provisions of)) this chapter whose employment has been terminated with the licensee shall immediately surrender ((his)) the person's registration card to the licensee, and the licensee shall surrender same within seven days thereafter to the director for cancellation. A notation stating that the registered employee was terminated and for what cause may be enclosed with the registration card. The licensee shall notify the director in writing within a reasonable time of any change in the resident address of a registered employee.

SECTION 41. Ordinance 6836, Section 7, as amended, and K.C.C. 6.26.070 are each hereby amended to read as follows:

A. The permittee's location or place of business, if a temporary fireworks stand, shall be only in those areas or zones within King County ((which)) that have been approved by the King County fire marshal((;)) or ((his duly authorized representative)) designee.

B. In those cases where the sale of fireworks is from a temporary fireworks stand, the stands of all permittees shall conform to the following minimum standards and conditions:

1. Temporary fireworks stands need not comply with all of the provisions of the King County building code; provided, however, that all such temporary fireworks stands shall be erected under the supervision of the

King County fire marshal((~~τ~~)) or ((~~his~~ ~~duly~~ ~~authorized~~ ~~representative~~)) designee, who shall require all temporary fireworks stands to be constructed in a safe manner((~~τ~~));

2. In the event any temporary fireworks stand is wired for electricity, the wiring shall conform to the electrical code of the ((~~§~~))state of Washington((~~τ~~));

3. No heating unit or device with a surface temperature capable of igniting fireworks, or having an open flame will be allowed within a fireworks stand((~~τ~~));

4. No temporary fireworks stand shall be located within twenty-five feet of any public or private street, alley, lane, or any other vehicular driving surface, fifty feet of any building or structure, or within one hundred feet of any gasoline dispensing pump or any tank where flammable liquids or flammable gases are stored((~~τ~~));

5. No vehicle parking shall be permitted within twenty-five feet of a fireworks stand, including curbside parking, and such area shall be roped or barricaded to prevent such parking((~~τ~~));

6. No smoking shall be permitted in a temporary fireworks stand or any nearer than twenty-five feet from the stand. "NO SMOKING" signs, having lettering at least two inches in height, shall be posted in a conspicuous location on all four sides of the temporary fireworks stand((~~τ~~));

7. No discharge of fireworks shall be permitted within three hundred feet of any fireworks stand. Signs to this effect shall be posted conspicuously at the stand((~~τ~~));

8. The area around such fireworks stands shall be completely free of hazardous accumulations, including dry grass, brush, or debris of any nature, for a distance of not less than twenty-five feet on all sides((~~τ~~));

9. Each temporary fireworks stand must have at least two exits, located remotely from each other, which shall be unobstructed at all times((~~τ~~));

10. Each temporary fireworks stand shall have in a readily accessible location not less than two 2A-rated fire extinguishers (two and one-half gallon water). Such extinguishers shall be UL approved((~~τ~~));

11. Each temporary fireworks stand shall be under the direct supervision of a competent adult person, eighteen years of age or older. No person under the age of sixteen shall be allowed in the stand during business hours((:));

12. Fireworks may be left in temporary fireworks stands at night providing the stand is locked and a guard is posted. Such guard shall not stay within the fireworks stand((:));

13. Fireworks removed from temporary fireworks stands at night shall be stored in an approved storage location. ((Said)) The storage location shall be approved in advance by the King County fire marshal or the fire chief of the local fire district having jurisdiction((:));

14. All unsold stock and accompanying litter shall be removed from said temporary fireworks stand by twelve noon on July 10((th)) of the permit year((:));

15. Customers shall not be permitted inside the stand((:));

16. A stand must be located either at least ((300)) three hundred feet from another fireworks stand or separated from another fireworks stand by a major arterial thoroughfare at least ((100)) one hundred feet in width((:));

17. The sale of fireworks to persons under the age of sixteen years without the presence of a parent or guardian is prohibited. A sign to this effect shall be posted conspicuously on the stand. Sellers shall require proof of age by means of display of a driver's license or photo identification card showing date of birth issued by a state, federal or foreign government. No other forms of identification shall be accepted((:)); and

18. Each stand shall prominently post a list of fireworks that may be sold to the public and stating the lawful hours for discharge. The fire marshal shall provide a copy of such notice with each retail permit issued under this chapter.

SECTION 42. Ordinance 10850, Section 6, and K.C.C. 6.26.115 are each hereby amended to read as follows:

A person commits a separate offense for each day during which ~~((he))~~ the person commits, continues, or permits a violation of any provision of this chapter.

SECTION 43. Ordinance 10159, Section 26, as amended, and K.C.C. 6.27A.240 are each hereby amended to read as follows:

A. Any remedy imposed by administrative notice and order shall be imposed following the procedure outlined in this section.

B. The notice and order shall contain:

1. A statement that the county has found the person to be in violation of this chapter, the cable rules, a franchise agreement or any applicable law, with a brief and concise description of the conditions found to be in violation;

2. A statement of any corrective action required to be taken. If the county has determined that corrective action is required, the order shall require that all corrective action commence within such time and be completed within such time as the county determines is reasonable under the circumstances;

3. A statement specifying the amount of the civil penalty assessed, if any, on account of the violation and, if applicable, the conditions on which assessment of such civil penalty is contingent;

4. A statement advising that the order shall become final unless, after the notice and order are served, any person aggrieved by the order files an appeal in accordance with K.C.C. 20.22.080.

C. Service of the notice and order shall be made upon all persons identified in the notice and order either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested. If the address of any such person cannot reasonably be ascertained, a copy of the notice and order shall be mailed to such person at the address of the location of the violation. The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this chapter. Service by certified mail shall be effective on the date of postmark.

D. Any person aggrieved by the order of the county may appeal that order in accordance with K.C.C.

20.22.080.

E.1. The appeal hearing shall be conducted on the record and the hearing examiner shall have such rule-making and other powers necessary for conduct of the hearing as specified by K.C.C. chapter 20.22. The appeal hearing shall be conducted within a reasonable time after receipt of the request for appeal. Written notice of the time and place of the hearing shall be given at least ten days prior to the date of the hearing to each appealing party, to the cable manager and to other interested person who have requested in writing that they be so notified. The county may submit a report and other evidence indicating the basis for the enforcement order.

Each party shall have the following rights, among others:

- a. to call and examine witnesses on any matter relevant to the issues of the hearing;
- b. to introduce documentary and physical evidence;
- c. to cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
- d. to impeach any witness regardless of which party first called the witness to testify;
- e. to rebut evidence against the party; and
- f. to self-represent (~~((himself or herself))~~) or to be represented by anyone of the party's choice who is

lawfully permitted to do so.

2. Following review of the evidence submitted, the hearing examiner shall make written findings and conclusions, and shall affirm or modify the order previously issued if the hearing examiner finds that a violation has occurred. The hearing examiner shall reverse the order if the hearing examiner finds that no violation occurred. The written decision of the hearing examiner shall be mailed by certified mail, postage prepaid, return receipt requested to all the parties.

F. Enforcement of any notice and order of the county issued under this chapter shall be stayed during the pendency of any appeal under this chapter.

G. An order that is subjected to the appeal procedure shall become final twenty days after mailing of the hearing examiner's decision unless within that time an aggrieved person initiates review by writ of certiorari

in King County superior court.

SECTION 44. Resolution 23509, Section 4(b), and K.C.C. 6.28.080 are each hereby amended to read as follows:

Track owners shall provide a telephone facility available for ~~((the))~~ use ~~((of himself and all track employees))~~ on-site. Telephone numbers of emergency medical services of facilities should be conspicuously posted thereon. Such telephone shall be available for emergency use at all times during which the track is in operation.

SECTION 45. Resolution 12750, Section 4, as amended, and K.C.C. 6.32.030 are each hereby amended to read as follows:

A. No heating, air-conditioning, ventilation systems and equipment installers license shall be granted until the applicant ~~((therefor))~~ has furnished a good and sufficient bond, in a form approved by the director, in the penal sum of one thousand dollars, executed by the applicant for license as principal and by ~~((sufficient surety approved by King County.))~~ a surety company authorized to do business in this state running to the county of King, state of Washington, and conditioned on the following:

~~((A.))~~ 1. That the principal will abide by the terms of this title and ordinances relating to the sale, installation, alteration or repair of heating, air-conditioning, ventilation and exhaust systems equipment~~((.))~~;

~~((B.))~~ 2. To save harmless and indemnify King County from all and any loss, damages, actions and claims of any kind or character ~~((which))~~ that may accrue to or be suffered by any person by reason of failure of the principal ~~((his))~~ or the principal's servants and agents ~~((.))~~ to abide by the terms of this title and all ordinances relating to the sale, installation, alteration or repair or heating, air-conditioning, ventilation and exhaust systems equipment.

~~((C.))~~ 3. To save harmless and indemnify all persons for damages sustained on account of the failure of the principal of such bond to comply with the terms of this title and all ordinances relating to the sale, installation, alteration or repair of heating, air-conditioning, ventilation and exhaust systems equipment~~((.))~~;

~~(D-)~~ 4. Claims shall be maintained under the bond only if the claimant serves upon the surety and King County notice of the amount of such claim and the nature thereof within six months after the principal on the bond is completed or abandoned the work giving rise to the claim, whereupon any bona fide payment of any such claim by the surety, with prompt notice thereof to King County, shall reduce the amount of the bond by the amount so provided, that if there is at one time more than one unliquidated claim under the bond, of which notice has been given as herein provided, and the total of such unliquidated claims exceeds the amount of the bond at that time, the recoveries shall be prorated so that the totals of recoveries against the surety under any circumstances shall not exceed one thousand dollars, except as the bond may be reinstated with King County.

B. In the event any such bond or extension thereof is terminated or the amount thereof reduced, any license granted under ~~((Section))~~ K.C.C. 6.32.010 shall be suspended until such time as there is filed with King County a consent of the surety to the restoration of the amount of the bond to the full sum of one thousand dollars or until the filing of a new bond in the sum of one thousand dollars, any such consent of surety or new bond is approved as provided for a new bond.

SECTION 46. Resolution 36055, Section 5, and K.C.C. 6.36.060 are each hereby amended to read as follows:

No renewal license shall issue to any junk shop owner or to any junk wagon owner until the applicant shall show that ~~((he))~~ the owner has made a return to the King County assessor of the property in ~~((his))~~ the owner's possession or ownership and the value thereof for tax assessment purposes and has paid the tax due.

SECTION 47. Resolution 36055, Section 6, as amended, and K.C.C. 6.36.070 are each hereby amended to read as follows:

Every licensee operating a junk wagon shall obtain from the director two junk wagon vehicle licenses for each vehicle to be so used. On each license there shall be stamped or painted the word "junk" and the license number of the licensee. Each license shall be securely fastened to each outer side of the vehicle. In addition, such vehicle shall also be prominently and plainly marked with the name of the licensee and the street

address of ~~((his))~~ the licensee's place of business. The vehicle marking license shall remain the property of King County, and it is unlawful for any person other than the licensee to whom the plates were issued to possess or use any such plate. Plates possessed or used in violation of ~~((the provisions of))~~ this section, or used after the junk wagon license has expired or been suspended, or if by a dealer, after ~~((his))~~ the dealer's junk shop license has expired or been suspended, shall be taken up by any ~~((police officer))~~ sheriff's deputy or the director.

SECTION 48. Resolution 36055, Section 8, and K.C.C. 6.36.090 are each hereby amended to read as follows:

It is unlawful for any junk shop or junk wagon owner, or any clerk, agent, or employee of such junk shop or junk wagon to fail, neglect~~((s))~~ or refuse to make any material entry in the records required herein, or to make any false entry therein, or to obliterate, destroy~~((s))~~ or remove from ~~((his))~~ the place of business such record within five years from the date of transaction.

SECTION 49. Resolution 36055, Section 9, as amended, and K.C.C. 6.36.100 are each hereby amended to read as follows:

All books and other records of any junk shop operator or any junk wagon operator relating to the purchase or receipt of any goods, wares, merchandise, junk, or other articles or things of value, shall be at all times open for inspection by the ~~((director of the Department of Public Safety or his))~~ sheriff or deputy; and all junk wagon operators shall at any time allow inspection of their license and junk or other articles contained in the junk wagon.

SECTION 50. Resolution 36055, Section 10, and K.C.C. 6.36.110 are each hereby amended to read as follows:

Anyone who sells or otherwise gives any property to a junk shop operator or junk wagon operator shall sign the records required to be kept by such operator with ~~((his))~~ the person's true name and shall include ~~((his))~~ the person's correct residence address.

SECTION 51. Resolution 36055, Section 11, as amended, and K.C.C. 6.36.120 are each hereby amended to read as follows:

A. It is unlawful for any person to purchase any junk from any person under the age of eighteen years, without receiving from such person a written authority from the person owning such junk, authorizing ~~((him))~~ the person selling the junk to sell the ~~((same))~~ junk. Such a written authority shall be placed on file by the person receiving such junk. It is unlawful for any junk shop operator or junk wagon operator to receive any article or thing known by ~~((him))~~ the operator to be stolen, any article or thing from any person who is under eighteen years of age; intoxicated; an habitual drunkard; addicted to the use of drugs; or from any person who is known to be a thief or a receiver of stolen property, or from any person who ~~((he))~~ the operator has reason to suspect or believe to be such.

B. It is unlawful for any ~~((keeper))~~ operator of a junk shop, or person operating a junk wagon to purchase any junk between the hours of seven p.m. and seven a.m. of the following day.

SECTION 52. Resolution 36055, Section 12, as amended, and K.C.C. 6.36.130 are each hereby amended to read as follows:

No junk shop operator or junk wagon operator shall sell or otherwise dispose of any article received or purchased by ~~((him))~~ the operator, or remove or permit the same to be removed from ~~((his))~~ the operator's place of business within ten days after receipt of the articles have been reported to the ~~((department of public safety))~~ sheriff's office as herein provided, except when the articles have been inspected by a regular member of the ~~((department of public safety))~~ sheriff's office, and ~~((he))~~ the operator has been authorized to dispose of such goods within a lesser ~~((period of))~~ time.

SECTION 53. Resolution 36055, Section 13, and K.C.C. 6.36.140 are each hereby amended to read as follows:

It is unlawful for any ~~((keeper))~~ operator of a junk shop or a junk wagon to refuse to allow any ~~((police officer))~~ sheriff's deputy to inspect ~~((his))~~ the operator's place of business or the operator's junk wagon, and all

articles of junk kept therein, or to conceal or hide away any article or thing bought or received by ~~((him))~~ the operator.

SECTION 54. Ordinance 7919, Section 5, and K.C.C. 6.40.040 are each hereby amended to read as follows:

A. ~~((Massage business—public bathhouse.))~~ All applications for a massage business/public bathhouse shall be submitted in the name of the person or entity proposing to conduct such massage business/public bathhouse on the business premises and shall be signed by ~~((such))~~ the person or ~~((his))~~ the person's agent and notarized or certified as true under penalty of perjury. All applications shall be submitted on a form supplied by the director, which shall require the following information:

1. The name, home address, home telephone number, date and place of birth~~((;))~~ and social security number of the applicant if the applicant is an individual;
2. The business name, address and telephone number of the establishment;
3. The names, addresses, telephone numbers, and social security numbers of any partners, corporate officers, shareholders who own ten percent or more of the business, or other persons who have a substantial interest or management responsibilities in connection with the business, specifying the interest or management responsibility of each. For the purpose of this subsection "substantial interest" shall mean ownership of ten percent or more of the business, or any other kind of contribution to the business of the same or greater size; and
4. Terms of any loans, leases, secured transactions and repayments therefor relating to the business;

B. ~~((Massage practitioner.))~~ All applications for a massage practitioner's license shall be signed by the applicant and notarized or certified to be true under penalty of perjury. All applications shall be submitted on a form supplied by the director, which shall require, at a minimum, the following information:

1. The applicant's name, home address, home telephone number, date and place of birth;
2. A letter from the owner of the business indicating intent to employ the applicant; and

3. Written proof that the applicant is eighteen years of age or older. Written proof shall mean the following:

a. a motor vehicle operator's license issued by any State bearing the applicant's photograph and date of birth;

b. an identification card issued by the ~~((S))~~state of Washington which bears the applicant's photograph and date of birth; or

c. a passport.

C. Applications will be submitted to a background check in accordance with the procedures of the ~~((King County department of public safety))~~ sheriff's office.

D. A license shall be issued within four weeks of receipt ~~((provided that))~~ if there are no grounds to deny the license pursuant to the sections of this code.

SECTION 55. Ordinance 7919, Section 6, and K.C.C. 6.40.050 are each hereby amended to read as follows:

A. Massage business or public bathhouse license.

1. The director shall deny any massage business/public bathhouse license applied for under ~~((the provisions of))~~ this chapter if ~~((he))~~ the director determines that the applicant has:

a. ~~((M))~~made any material misstatement in the application for a license;

b. ~~((P))~~proposed a place of business or an establishment to be licensed which would not comply with all applicable requirements of this code including but not limited to the zoning, building, health or fire codes of King County; or

c. ~~((N))~~not complied with the operating requirements set out in Section 6.40.080 of this chapter.

2. The director may deny any massage business/public bathhouse license applied for under ~~((the provisions of))~~ this chapter if ~~((he))~~ the director determines that the applicant has, within three years prior to the date of application:

a. ~~((H))~~ had any convictions or bail forfeitures ~~((which))~~ that have a direct connection with the licensed activity including, but not limited to, theft, controlled substances, prostitution, promoting or permitting prostitution, sexual offenses, consumer fraud, or obscenity; or

b. ~~((H))~~ had a massage business/bathhouse license denied or revoked by this county or any other jurisdiction.

B. Massage practitioner license.

1. The director shall deny any massage practitioner license if ~~((he))~~ the director determines that the applicant/licensee has:

a. ~~((M))~~ made any material misstatement in the application for a license; or

b. ~~((N))~~ not complied with the operating requirements set out in ~~((Section))~~ K.C.C. 6.40.080 ~~((of this chapter))~~.

2. The director may deny any massage practitioner's license if ~~((he))~~ the director determines that the applicant/licensee has:

a. ~~((H))~~ had any convictions or bail forfeitures which have a direct connection with the licensed activity including, but not limited to, theft, controlled substances, prostitution, sexual offenses, consumer fraud or obscenity, within three years prior to the date of application; or

b. ~~((H))~~ had a massage practitioner license revoked or suspended by the county or any other jurisdiction within one year prior to the date of application.

C. ~~((Effect of license denial.))~~ If any applicant has ~~((his or her))~~ the applicant's license denied ~~((pursuant to Section))~~ under K.C.C. 6.40.050 A.2.a. or ((Section 6.40.050)) B.2.a. ((of this chapter)), a license may not be granted within three years from the date of ~~((such))~~ the denial ~~((provided such))~~, if the denial was based on a conviction classified as a felony. All other convictions ~~((pursuant to Section))~~ under K.C.C. 6.40.050 A.2.a. or ((Section 6.40.050)) B.2.a. ((of this chapter)) will preclude the issuance of a license under this chapter for a period of at least one year from the date of such denial. All applicants must comply with all

application procedures, pursuant to this chapter.

SECTION 56. Ordinance 7919, Section 10, and K.C.C. 6.40.090 are each hereby amended to read as follows:

A. No massage business or public bathhouse license issued under this chapter shall be transferable from one person to another. Upon the sale or transfer of any substantial interest in a massage business/public bathhouse, the license therefore shall be null and void. A new application shall be made by any person desiring to operate or maintain the establishment and shall include a release of interest statement from the previous licensee and/or a signed lease or rental agreement for the establishment.

B. The massage practitioner license, when issued, shall be valid only for the massage establishment listed on the license(~~(; provided,)~~). ~~((h))~~However, if the practitioner provides massage solely in the client's home, the license will so note and will be valid for such purpose. Before commencing work as a massage practitioner for a new employer, a massage practitioner shall submit a letter from the new employer indicating intent to employ the applicant and must have ~~((his or her))~~ the massage practitioner's license amended by the director for a fee of ~~(((\$2.00))~~ two dollars.

SECTION 57. Ordinance 7919, Section 11, and K.C.C. 6.40.100 are each hereby amended to read as follows:

Health and sanitary requirements may include, but are not necessarily limited to, the following:

A. Each room or enclosure where massage services are performed on patrons shall be provided with adequate lighting in accordance with the building code, and in addition, at least one artificial light of not less than forty watts shall be provided in each room or enclosure where services are performed on patrons and shall be in operation when such services are performed(~~((;))~~);

B. The premises shall have equipment for disinfecting and cleaning non-disposable instruments and materials used in administering massage services. Such materials and instruments shall be cleaned after each use(~~((;))~~);

C. Hot and cold running water shall be provided at all times((-));

D. Closed cabinets shall be provided and used for the storage of all equipment, supplies and clean linens. All used disposable materials and soiled linens and towels shall be kept in covered containers or cabinets, which containers or cabinets shall be kept separate from clean storage cabinets((-));

E. Clean linen and towels shall be provided for each massage patron. No common use of towels or linens shall be permitted((-));

F. All massage tables, bathtubs, shower stalls, sauna baths, steam or bath areas and all floors shall have surfaces which may be readily cleaned((-));

G. Oils, creams, lotions or other preparations used in administering massages shall be kept in clean containers or cabinets((-));

H. Shower (~~(and)~~) or bathtub, dressing, locker and toilet facilities shall be provided upon request for all patrons served at any given time. Upon the request of a patron, the licensee shall provide the patron with facilities to lock or secure personal property. (~~(Male and female p)~~) Patrons of different genders shall not simultaneously use common shower (~~(and)~~) or bathtub, dressing, toilet and massage room facilities((-));

I. All walls, ceilings, floors, pools, showers, bathtubs, steam rooms and all other physical facilities shall be in good repair and maintained in a clean and sanitary condition. Wet and dry heat rooms, steam or vapor rooms, or steam or vapor cabinets, shower compartments, and toilet rooms shall be thoroughly cleaned each day the business is in operation. Bathtubs and showers shall be thoroughly cleaned after each use((-));

J. Each massage practitioner shall wash (~~(his or her)~~) the massage practitioner's hands in hot running water using soap or disinfectant before and after administering a massage to each patron((-));

K. No person shall consume food or beverages in massage work areas.

L. Animals, except for seeing-eye dogs, shall not be permitted in massage establishments((-));

M. A person suffering from infectious or contagious disease(~~(+)~~) or diseases shall not be treated by any licensed massage business or public bathhouse or massage practitioner. A massage practitioner who is

suffering from infectious or contagious disease~~((s))~~ or diseases shall not administer massage services~~((:))~~; and

N. All massage establishments shall continuously comply with all applicable building, fire or health ordinances and regulations.

SECTION 58. Ordinance 7919, Section 12, and K.C.C. 6.40.110 are each hereby amended to read as follows:

A. The following standards of conduct~~((/))~~ and operation must be adhered to by the owner, proprietor, manager or person in charge of any massage business or public bathhouse~~((:))~~:

1. Any person who is employed to give a massage in such establishment must be at least eighteen years of age and be validly licensed as a massage practitioner;

2. At all times during the hours held open for business~~((, and/))~~ or during the presence of patrons, or both, at least one validly licensed massage practitioner must be on the premises. Public bathhouses must have a manager or supervisor on the premises at all times during the hours held open for business and/or during the presence of patrons; and

3. Any person who is employed by such establishment must present documentation that ~~((he or she))~~ the employee has attained the age of eighteen years when an inspection pursuant to this chapter is conducted.

Any of the following shall be accepted as documentation of age:

a. a motor vehicle operator's license issued by any ~~((S))~~ state bearing the applicant's photograph and date of birth;

b. an identification card issued by the ~~((S))~~ state of Washington ~~((which bears))~~ bearing the applicant's photograph and date of birth; ~~or((:))~~

c. a passport.

~~((Any violation of this section shall be grounds for revocation or suspension of the license.))~~

B. It shall be unlawful for any employee or agent or any massage business or public bathhouse to:

1. ~~((i))~~ Intentionally touch or manipulate the genitals of a massage patron;

2. ~~((m))~~ Masturbate or fondle the genital area of a massage patron;
3. ~~((a))~~ Administer a massage to a massage patron unless such massage practitioner's sexual and genital body parts are completely covered by opaque clothing; or
4. ~~((a))~~ Administer a massage to massage patrons in the same room or enclosure at the same time.

C. Any violation of this section shall be grounds for revocation or suspension of the license.

SECTION 59. Ordinance 7919, Section 13, and K.C.C. 6.40.120 are each hereby amended to read as follows:

A. ~~((Massage business or public bathhouse license.))~~ 1. The director shall revoke or suspend a massage business/public bathhouse license if ~~((he))~~ the director determines that the licensee has:

a. ~~((F))~~ failed to comply with the applicable safety and sanitation requirements ~~((set out))~~ in ~~((Section))~~ K.C.C. 6.40.100 ~~((of this chapter)); ((or,))~~

b. ~~((F))~~ failed to comply with the applicable standards of conduct ~~((set out))~~ in ~~((Section))~~ K.C.C. 6.40.110 ~~((of this chapter)); ((or,))~~

c. ~~((F))~~ failed to comply with the applicable building, fire and zoning code provisions; or ~~((;))~~

d. ~~((E))~~ Employed persons who, within ~~((a period of))~~ one year, have been convicted of prostitution or consumer fraud stemming from activities conducted on the licensed premises, or who have been arrested for such offenses and ~~((which))~~ that lead to such convictions, ~~((provided that))~~ but only if there are two or more such convictions within one year, or two or more arrests leading to such convictions within one year.

2. The director may revoke or suspend a massage business/public bathhouse license if ~~((he))~~ the director determines that the licensee has:

a. ~~((F))~~ failed to comply with any of the operating requirements ~~((set out))~~ in ~~((Section))~~ K.C.C. 6.40.080 of this chapter; ~~((or,))~~

b. ~~((H))~~ Had any convictions or bail forfeitures which have a direct connection with the licensed

activity, including, but not limited to, consumer fraud, theft, controlled substances, prostitution, permitting or promoting prostitution, sexual offenses(,) or obscenity; or(,)

c. ((F))failed to comply with or done anything which constitutes a basis for denying a license.

3. If the director determines during an inspection that the condition of any massage business needs correction, a written notice of violation shall be issued to the supervisor, manager, owner or person in charge specifying such violations. Those same violations shall be remedied immediately or by a later date determined by the director. Failure to comply with any written notice of violation by the director to make corrections may result in suspension or revocation of the massage business.

B. ((~~Massage practitioner license.~~)) 1. The director shall suspend or revoke any massage practitioner's license if ((he)) the director determines that the licensee has((: a. F))failed to comply with the applicable standards of conduct ((set out)) in ((Section)) K.C.C. 6.40.110 ((of this chapter;)).

2. The director may suspend or revoke any massage practitioner's license if ((he)) the director determines that the licensee has:

a. ((F))failed to comply with any of the operating requirements ((set out)) in ((Section)) K.C.C. 6.40.080 ((of this chapter)); ((or,))

b. ((H))had any convictions or bail forfeitures which have a direct connection with the licensed activity including, but not limited to, theft, controlled substances, prostitution, consumer fraud, obscenity(,) or sexual offenses; or

c. ((F))failed to comply with or done anything which constitutes a basis for denying a license.

C. ((Effect of license revocation.)) If any applicant under this chapter has ((his or her)) the applicant's license revoked, a license shall not be granted under this chapter for a period of at least one year from the date of such revocation.

D. The director may suspend a license for no more than six months.

SECTION 60. Ordinance 187, Section 5, and K.C.C. 6.52.050 are each hereby amended to read as

follows:

A. ~~((Location.))~~ No permit for an outdoor musical assembly shall be granted unless the assembly is to be held in those areas of unincorporated King County ~~((which))~~ that have been zoned for parks and recreation~~((; provided.))~~. ~~((h))~~However, ~~((that))~~ a permit may be granted for other areas if a zoning variance has been granted in advance by the executive department for ~~((such))~~ the location.

B. ~~((Sanitary Facilities.))~~ No permit shall be granted unless the applicants obtain the written approval of ~~((the))~~ public health - Seattle(-) & King County ~~((health department))~~ indicating that the applicants for the permit have complied with the health requirements of the department for like or similar facilities. The approval shall indicate the type and adequacy of water supply to be provided, the type and adequacy of toilet, waste collection and washing facilities to be provided, and if there is to be food served on the premises the type and adequacy of food preparation and food service facilities to be provided.

C. ~~((Fire Prevention Standards.))~~ No permit shall be granted hereunder unless the applicant has shown that the King County fire marshal has approved fire protection devices and equipment available at such assembly. Fire prevention standards shall be as set out in K.C.C. chapter 17.04.

D. ~~((Cash Bond and Indemnification.))~~ No permit shall be issued hereunder unless the applicant has on deposit with the ~~((King County comptroller))~~ director of finance and business operations a cash bond in the amount as set out below to save and protect the streets, pavements, bridges, road signs and other property in the county from any and all damage that may be caused by vehicles, employees, or participants in such outdoor musical assembly and to be used, if necessary, to restore the ground where such assembly is held to a sanitary condition and pay all charges and losses of the county for damages to the streets, pavements, bridges and other property. Further, any extraordinary law enforcement costs incurred by the county which are the result of the activity shall be met by the cash bond. The amount of such a bond shall be determined as follows:

For gatherings of 0 to 10,000 persons, a \$5,000 cash bond;

For gatherings of 10,000 to 20,000 persons, a cash bond of \$7,500;

For gatherings of 20,000 to 30,000 persons, a cash bond of \$10,000;

And a cash bond shall be raised in increments of \$2,500 for each additional 10,000 persons expected.

The deposit or its balance to be returned when the director certifies to the King County comptroller that no damage has been done or that the cost of making the above mentioned repairs was less than the cash bond amount and that the balance thereof should be returned. Further, the sponsors shall be required to furnish evidence of a liability insurance policy providing for a minimum of one hundred thousand dollars bodily injury coverage per person; three hundred thousand dollars bodily injury coverage per occurrence and one hundred thousand dollars property damage covering, naming King County as an additional insured.

E. (~~Public Safety~~) No permit shall be granted hereunder unless the applicant obtained the written approval of the (~~King County Department of Public Safety~~) sheriff's office indicating that the following conditions have been complied with by the applicant:

1. That adequate traffic control and crowd protection policing have been contracted for or otherwise provided by the applicant;

2. That traffic control and crowd control personnel shall be licensed (~~merchant patrolmen~~) private patrol persons or named persons meeting the department's requirements for becoming (~~merchant patrolmen~~) private patrol persons;

3. That there shall be provided one traffic control person for each four hundred persons expected or reasonably to be expected to be in attendance at any time during the event; and

4. Further that there shall be provided one crowd control person for each four hundred persons expected or reasonably expected to be in attendance at any time during the event; provided that if at any time during the event the size of the crowd exceeds by twenty percent the number of persons represented by the sponsors to be expected to be in attendance the (~~King County Department of Public Safety~~) sheriff's office shall have the discretion to require the sponsor to limit further admissions.

Any person with more than a ten percent proprietary interest in the event shall be required to be in attendance at the activity and shall be responsible for insuring that no person shall be allowed to remain on the premises if the person is violating state or county laws. Any such person having a duty to remove law violators who willfully fails to do so shall be deemed to be an aider or abettor of such violation.

F. (~~(Parking Facilities.)~~) Application for a permit hereunder shall be accompanied by a scale drawing showing adequate parking facilities have been made available within or adjacent to the location for which the permit is requested. Such parking facilities shall provide parking space for one vehicle for every four persons expected or reasonably to be expected. Adequate ingress and egress shall be provided to or from such parking area to facilitate the movement of any vehicle at any time to or from the parking area. (~~(Provided, that i)~~) If any nonadjacent parking facilities (~~(be)~~) are approved, shuttle buses shall be used to transport the public to the event on a no-charge basis.

SECTION 61. Resolution 36053, Section 2, and K.C.C. 6.56.020 are each hereby amended to read as follows:

A. The term "pawnbroker" as used in this chapter, means and includes every person who takes or receives by way of pledge, pawn, or exchange goods, wares, or merchandise or any kind of personal property whatever, for the repayment of security of any money loaned thereon, or to loan money on deposit of personal property, or who makes a public display of any sign indicating that (~~(he)~~) the pawnbroker has money to loan on personal property on deposit or pledge.

B. The term "pawnshop" means and includes every place at which the business of pawnbroker is being carried on.

SECTION 62. Resolution 36053, Section 5, and K.C.C. 6.56.050 are each hereby amended to read as follows:

No renewal license shall be issued to any pawnbroker until the applicant (~~(shall show that he has made a~~)) returns to King County assessor of the property in (~~(his)~~) the applicant's possession or ownership and the

value thereof for tax assessment purposes and has paid the tax due.

SECTION 63. Resolution 36053, Section 7, and K.C.C. 6.56.080 are each hereby amended to read as follows:

Every pawnbroker shall maintain at ~~((his))~~ the pawnbroker's place of business a book in which ~~((he))~~ the pawnbroker shall at the time of such loan, purchase or sale, enter, in the English language, written in ink, the following information:

- A. The date of the transaction;
- B. The name of the person conducting the transaction and making the entries required herein;
- C. The printed name, signature, age, street and house number, the general description of the dress, complexion, color of hair and facial appearance of the person with whom the transaction is had, including the identification which the customer shall present to verify ~~((his))~~ the customer's identity, and the account or other number of such identification;
- D. The name and street and house number of the owner of the property bought or received in pledge;
- E. The street and house number of the place from which the property bought or received in pledge was last removed;
- F. A description of the property bought or received in pledge, which shall include the name of the maker of such property or manufacturer thereof and the serial number, if the article has such marks on it, or any other inscriptive or identifying marks; provided, that when the article received is furniture or the contents of any house or room, actually inspected on the premises where the sale is made, a general description of the property shall be sufficient;
- G. The price paid or the amount loaned; and
- H. The number of any pawn tickets issued therefor.

SECTION 64. Resolution 36053, Section 8, and K.C.C. 6.56.090 are each hereby amended to read as follows:

It is unlawful for any pawnbroker or any clerk, agent, or employee of such pawnbroker to fail, neglect(,) or refuse to make any material entry in this record, as required by this chapter, or to make any false entry therein, or to obliterate, destroy(,) or remove from ((his)) the pawnbroker's place of business such record within five years from date of transaction.

SECTION 65. Resolution 36053, Section 9, as amended, and K.C.C. 6.56.100 are each hereby amended to read as follows:

A. ((~~Transcript Required.~~)) It is the duty of every pawnbroker to deliver to the ((~~King County Department of Public Safety~~)) sheriff's office at the close of every business week a full, true and correct transcript of the record of all transactions occurring during the preceding week.

B. ((~~Duty to Report.~~)) It is also the duty of any pawnbroker having good cause to believe any property in ((his)) the pawnbroker's possession has been previously lost or stolen, to report such fact to the ((~~Department of Public Safety~~)) sheriff immediately, together with the name of the owner, if known, and the date and name of the person from whom the same was received by such pawnbroker.

SECTION 66. Resolution 36053, Section 11, and K.C.C. 6.56.120 are each hereby amended to read as follows:

Anyone who pledges, sells, or consigns any property to or with a pawnbroker shall sign the records required to be kept by such pawnbroker with ((his)) the seller or consignee's true name and shall include ((his)) the seller or consignee's correct residence address.

SECTION 67. Resolution 36053, Section 13, and K.C.C. 6.56.140 are each hereby amended to read as follows:

The fact of loaning money upon or purchasing goods from any of the classes enumerated in ((~~Section~~)) K.C.C. 6.56.130 shall be prima facie evidence of an intent on the part of such pawnbroker, ((his)) the pawnbroker's agent or employee, to violate this chapter.

SECTION 68. Resolution 36053, Section 14, and K.C.C. 6.56.150 are each hereby amended to read as

follows:

No pawnbroker shall sell any property held by ~~((him))~~ the pawnbroker as security for a loan until ninety days after the period for redemption shall have expired.

SECTION 69. Resolution 36053, Section 15, as amended, and K.C.C. 6.56.160 are each hereby amended to read as follows:

A. It is unlawful for any pawnbroker, ~~((his))~~ the pawnbroker's clerk or employee to receive in pledge, or purchase, any article or thing known to ~~((him))~~ the pawnbroker or the pawnbroker's clerk or employee to be stolen, any article or thing from any person who is under eighteen years of age; intoxicated; addicted to the use of drugs; or from any person who is known to be a thief, or a receiver of stolen property, or from any person who ~~((he))~~ the pawnbroker or the pawnbroker's clerk or employee has reason to suspect or believe to be such.

B. It is unlawful for any pawnbroker, ~~((his))~~ the pawnbroker's clerk or employee, to refuse to return property which has been identified as stolen or pawned without authorization, to any person the pawnbroker, ~~((his))~~ the pawnbroker's clerk or employee knows to be the rightful owner, or to charge a fee for the return of such property to the rightful owner.

1. "Identified as stolen~~((/))~~ or pawned without authorization" shall mean any property which has been reported by the rightful owner to legitimate authority as missing or stolen.

2. "The rightful owner,"~~((;))~~ unless otherwise proven, shall be considered to be the person having possession of the property prior to the theft or removal without authorization.

SECTION 70. Resolution 36053, Section 16, and K.C.C. 6.56.170 are each hereby amended to read as follows:

It is unlawful for any pawnbroker to conduct or carry on the business of the pawnbroker, in whole or in part, directly or indirectly, or to open or keep open, ~~((his))~~ the pawnshop for the transaction of any business whatsoever therein, between the hours of eight p.m. and seven a.m., except that from December 1~~((st))~~ to December 24~~((th))~~ of each year, when pawnbrokers may remain open until ten p.m.

SECTION 71. Resolution 36054, Section 5, and K.C.C. 6.60.060 are each hereby amended to read as follows:

No renewal license shall be issued to any secondhand dealer until the applicant (~~((shows that he has made a))~~) returns to the King County assessor of the property in (~~((his))~~) the applicant's possession or ownership and the value thereof for tax assessment purposes and has paid the tax due.

SECTION 72. Resolution 36054, Section 6, as amended, and K.C.C. 6.60.070 are each hereby amended to read as follows:

Any person having more than one place of business where secondhand goods are bought, sold, traded, bartered, or exchanged, shall be required to procure a separate license for each and every such place of business. A secondhand dealer's license shall not be transferable from one person to another, but the licensee may have (~~((his))~~) the license transferred to a new location by the director, and the change of address shall be noted on the license, together with the date of which the change was made.

SECTION 73. Resolution 36054, Section 7, and K.C.C. 6.60.080 are each hereby amended to read as follows:

Every secondhand dealer shall maintain at (~~((his))~~) the secondhand dealer's place of business a book in which (~~((he))~~) the secondhand dealer shall at the time of purchase of any secondhand goods enter, in the English language, written in ink, the following information:

- A. The date of the transaction;
- B. The name of the person conducting the transaction and making the entries required herein;
- C. The printed name, signature, age(~~((;))~~) and address of the person with whom the transaction is had;
- D. The address of the place from which the property was last removed;
- E. An accurate description of the property bought, which shall include the name of the maker of such property or manufacturer thereof and the serial number, if the article has such marks on it, or any other inscriptive or identifying marks(~~((; provided))~~), except that when the article received is furniture or the contents

of any house or room, actually inspected on the premises where the sale is made, the general description of the property shall be sufficient; and

F. An itemized statement of the price or amount paid for the property purchased.

SECTION 74. Resolution 36054, Section 8, and K.C.C. 6.60.090 are each hereby amended to read as follows:

It is unlawful for any secondhand dealer, or any clerk, agent, or employee of such secondhand dealer to fail, neglect, or refuse to make any material entry in this record, as required by this chapter, or to make any false entry therein, or to obliterate, destroy, or remove from ~~((his))~~ the secondhand dealer's place of business such record within five years from the date of the transaction.

SECTION 75. Resolution 36054, Section 9, as amended, and K.C.C. 6.60.100 are each hereby amended to read as follows:

A. ~~((Transcript Required.))~~ It is the duty of every secondhand dealer to deliver to the ~~((King County Department of Public Safety))~~ sheriff's office at the close of every business week a full, true~~((s))~~ and correct transcript of the record of all transactions occurring during the preceding week. Secondhand goods taken on consignment or trade-in will be recorded in the same manner as goods purchased outright.

B. ~~((Duty to Report.))~~ It is also the duty of any secondhand dealer having good cause to believe any property in ~~((his))~~ the secondhand dealer's possession has been previously lost or stolen, to report such act to the ~~((Department of Public Safety))~~ sheriff immediately, together with the name of the owner, if known, and the date and name of the person from whom the same was received by such secondhand dealer.

SECTION 76. Resolution 36054, Section 11, and K.C.C. 6.60.120 are each hereby amended to read as follows:

Anyone who sells or otherwise leaves any property with a secondhand dealer shall sign the records required to be kept by such dealer with ~~((his))~~ the seller's or leaver's true name and shall include ~~((his))~~ the seller's or leaver's correct residence address.

SECTION 77. Resolution 36054, Section 12, as amended, and K.C.C. 6.60.130 are each hereby amended to read as follows:

No dealer in secondhand goods shall sell or dispose of any article received or purchased by ~~((him))~~ the secondhand dealer or permit the same to be removed from ~~((his))~~ the secondhand dealer's place of business within ten days after the receipt of ~~((such))~~ the goods has been reported to the ~~((director of the Department of Public Safety))~~ sheriff as provided herein, except when the goods have been inspected by regular members of the ~~((Department of Public Safety))~~ appropriate sheriff personnel, and they have authorized the secondhand dealer to dispose of such goods within a lesser period of time~~((; provided))~~, except that consigned property sold at auction need only be held for three days prior to sale.

SECTION 78. Resolution 36054, Section 13, as amended, and K.C.C. 6.60.140 are each hereby amended to read as follows:

A. It is unlawful for any secondhand dealer, ~~((his))~~ the secondhand dealer's clerk or employee, to purchase or receive any article or thing known by ~~((him))~~ the secondhand dealer or the secondhand dealer's clerk or employee to be stolen, any article or thing from a person who is under eighteen years of age, intoxicated, addicted to the use of drugs, or from any person who is known to be a thief, or a receiver of stolen property, or from any person who ~~((he))~~ the secondhand dealer or the secondhand dealer's clerk or employee has reason to suspect or believe to be such.

B. It is unlawful for any secondhand dealer, ~~((his))~~ the secondhand dealer's clerk or employee to refuse to return property which has been identified as stolen or sold without authorization, to any person the secondhand dealer, ~~((his))~~ the secondhand dealer's clerk or employee, knows to be the rightful owner, or to charge a fee for the return of such property to the rightful owner.

1. "Identified as stolen or sold without authorization" shall mean any property which has been reported by the rightful owner to legitimate authority as missing or stolen.

2. "The rightful owner,"~~((;))~~ unless otherwise proven, shall be considered to be the person having

possession of the property prior to the theft or removal without authorization.

SECTION 79. Ordinance 10498, Sections 80-85, as amended, and K.C.C. 6.64.690 are each hereby amended to read as follows:

A. A driver shall load or unload passengers at Sea-Tac airport only as permitted by the Sea-Tac International Airport Schedule of Rules and Regulations.

B. A driver, when available, shall not drive, be in control of or operate a vehicle to pick up passengers at Sea-Tac airport without having on display a Port of Seattle authorized permit.

C. A driver shall not solicit on Sea-Tac property.

D. A driver of a taxicab or for-hire vehicle may solicit passengers only from the driver's seat or standing immediately adjacent to the vehicle, and only when the vehicle is safely and legally parked.

E. A driver of a taxicab or for-hire vehicle shall not use any other person to solicit passengers.

F. A driver shall not hold ~~((himself))~~ out for designated destinations.

SECTION 80. Ordinance 8659, Section 2, as amended, and K.C.C. 6.72.020 are each hereby amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

A. "Minor" means any individual who is less than ~~((18))~~ eighteen years old.

B. "Retailer" means any person, firm, association, company, partnership or corporation who operates a store, stand, booth, concession or other place at which sales are made to purchasers for consumption or use.

C. "Sales conducted in person" means payment for the purchase of the tobacco item is received directly and in person from the purchaser by the seller or ~~((his))~~ the seller's employee. Tobacco vending machines ~~((which))~~ that are located in plain view of the seller or ~~((his))~~ the seller's employee and controlled by an electronic device activated by the seller or ~~((his or her))~~ the seller's employee, upon the buyer's presentation of acceptable identification as required in K.C.C. 6.72.040, shall be deemed "sales conducted in person."

D. "Tobacco vending machine" means and includes any machine or device designated for or used for the vending of cigarettes, cigars, tobacco or tobacco products upon the insertion of coins, trade checks or slugs.

SECTION 81. Ordinance 8659, Section 3, and K.C.C. 6.72.030 are each hereby amended to read as follows:

~~((After February 1, 1989, t))~~Tobacco vending machines or any other mechanism or method of retail sales of cigarettes or other tobacco products ((which)) that do not require a sale to be conducted in person by the seller or agent of the seller are prohibited in unincorporated King County((; provided that)). However, this section shall not prohibit the installation and use of a tobacco vending machine by a proprietor, ~~((his))~~ the proprietor's agents or employees eighteen years or greater in:

A. Any premises or portion thereof to which access by minors is expressly prohibited by law, if, and only if, the tobacco vending machine is located fully within such premises from which minors are prohibited and not less than ten ~~((10))~~ feet from all entrance and/or exit ways; or

B. Commercial buildings or industrial plants or portions thereof where the public is expressly prohibited and where such machines are strictly for the use of employees therein; provided that, the area must be signed as not open to the public and no minor employees are usually admitted.

SECTION 82. Ordinance 8659, Section 8, and K.C.C. 6.72.070 are each hereby amended to read as follows:

A. Application for a tobacco retailers license shall be submitted in the name of the entity or person proposing to conduct retail tobacco sales on the business premise and shall be signed and notarized by such person or ~~((his))~~ the applicant's agent. All applications shall be submitted on a form supplied by the director and contain the following information:

1. The name, home address, home telephone number, date and place of birth, and social security number of the applicant if the applicant is an individual;
2. The names, addresses, telephone numbers, and social security numbers of any partners or corporate

officers;

3. The business name, address, and telephone number of each establishment where tobacco is retailed.

B. Upon receipt of an application for a tobacco retail license the director shall issue a license which must be prominently displayed at the location where tobacco retail sales are conducted.

SECTION 83. Ordinance 1603, Section 1, as amended, and K.C.C. 6.76.010 are each hereby amended to read as follows:

For the purposes of this chapter, ((T))the following words and terms, unless a different meaning clearly appears from the context, shall mean as follows:

A. "Charitable" means and includes the words patriotic, philanthropic, social service, welfare, benevolent, educational, civic or ((~~fraternal~~)) social, either actual or purported; provided, such term shall not include "religious" and "religion," which terms shall be given their commonly accepted definitions;

B. "Contributions" means and includes alms, food, clothing, money, credit, subscription, property, financial assistance or other thing of value and including any donations under the guise of a loan of money or property;

C. "Direct gift" means and includes an outright contribution of food, clothing, money, credit, property, financial assistance or other thing of value to be used for a charitable or religious purpose and for which the donor receives no consideration or thing of value in return;

D. "Person" means any individual, firm, partnership, corporation, company, association or joint stock association, church, religious sect, religious denomination, society, organization or league, and includes any trustee, receiver, assignee, agent or other similar representative thereof;

E. "Promoter" means any person who promotes, manages, supervises, organizes or attempts to promote, manage, supervise or organize a campaign of solicitation, but shall not include either a bona fide full-time salaried officer or employee of a charitable organization whose salary or other compensation is not computed on funds raised or to be raised, or a temporary employee who is employed to contact volunteer workers by

telephone but who may not ((himself)) solicit contributors directly;

F. "Sale and benefit affair" means and includes, but is not limited to, athletic or sports event, bazaar, benefit, campaign, circus, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale, social gathering, theater or variety show, which the public is requested to patronize or attend or to which the public is requested to make a contribution for any charitable or religious purpose connected therewith;

G. "Solicit" and "solicitation" mean the request within the county directly or indirectly of money, credit, property, financial assistance or other thing of value on the plea or representation that such money, credit, property, financial assistance or other thing of value will be used for a charitable or religious purpose, and include:

1. Any oral or written request,
2. The distribution, circulation, mailing, posting or publishing of any handbill, written advertisement of publication,
3. The making of any announcement to the press, by radio or television, by telephone or telegraph concerning an appeal, assemblage, athletic or sports event, bazaar, benefit, campaign, circus, contest, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale, social gathering, theater or variety show, which the public is requested to patronize or to which the public is requested to make a contribution for any charitable or religious purpose connected therewith,
4. The sale of, offer or attempt to sell any advertisement, advertising space, book, card, chance, coupon, device, magazine, membership, subscription, ticket, admission, article or other thing in connection with which any appeal is made for any charitable or religious purpose, or where the name of any charitable or religious organization, association or person is used or referred to in any such appeal or where in connection with any such sale, any statement is made that the whole or any part of the proceeds from any such sale will go or be donated to any charitable or religious purpose.

A "solicitation" shall be deemed completed when made, whether or not the person making the same

received any contribution or makes any sale referred to in this section.

SECTION 84. Ordinance 1603, Section 2, and K.C.C. 6.76.020 are each hereby amended to read as follows:

No person shall solicit contributions for ~~((himself))~~ the person's own self in or upon any public street or public place in the King ~~((e))~~County ~~((of King))~~.

SECTION 85. Ordinance 1603, Section 4, and K.C.C. 6.76.040 are each hereby amended to read as follows:

An application for a charitable solicitation permit shall be made to the director upon forms provided by ~~((him))~~ the director. Such an application shall be executed under oath by the applicant, and if a promoter is involved in the solicitation, ~~((he))~~ the promoter shall likewise execute under oath ~~((such))~~ the application. The application shall be submitted to the director at least thirty days prior to the time at which the permit applied for shall become effective~~((; provided, however, that))~~, but the director may for good cause shown allow the application to be submitted less than thirty days prior to the effective date of the permit applied for. The application ~~((herein required))~~ shall contain the following information or, in lieu thereof, a detailed statement of the reason or reasons why ~~((such))~~ the information cannot be furnished:

- A. The name and address or headquarters of the person applying for the permit;
- B. If applicant is not an individual, the names and addresses of the applicant's principal officers and managers, and a copy of the resolution, if any, authorizing ~~((such))~~ the solicitation, certified to as a true and correct copy of the original by the officer having charge of applicant's records;
- C. If some organization other than the applicant is to be the beneficiary of the funds solicited hereunder and if that beneficiary organization's name will be used in the campaign of solicitation, there must be filed with the director a statement signed by the board of directors or other governing body of that beneficiary organization, authorizing the use of that organization's name in the solicitation campaign;
- D. The purpose for which ~~((such))~~ the solicitation is to be made, the total amount of funds proposed to

be raised thereby, and the use or disposition to be made of any receipts therefrom;

E. The name and address of the person or persons by whom the receipts of ~~((such))~~ the solicitation shall be disbursed;

F. The names, addresses and dates of birth of the person or persons who will be in direct charge of conducting the solicitation and the names and dates of birth of all promoters connected or to be connected with the proposed solicitation;

G. An outline of the method or methods to be used in conducting the solicitation and location of any telephone solicitation headquarters;

H. The time when ~~((such))~~ the solicitations shall be made, giving the dates for the beginning and ending of ~~((such))~~ the solicitations;

I. The amount of any wages, fees, commissions, salaries, expenses or emoluments to be expended or paid to any person in connection with ~~((such))~~ the solicitations, and the names and addresses of all ~~((such))~~ the persons;

J. A financial statement for the last preceding fiscal year of any funds collected for charitable purposes by the applicant, ~~((said))~~ that statement giving the amount of money so raised, together with the cost of solicitation, and final distribution of the balance. This financial statement shall be submitted on a uniform reporting form provided by the director;

K. A detailed statement of the charitable work being done by the applicant within the King ~~((e))~~County ~~((of King))~~;

L. An itemization of the estimated cost of the solicitation;

M. A statement that the cost of the solicitation will not exceed twenty percent of the total gross amount to be raised by direct gifts, fifty-five percent of the total gross amount to be raised by sale and benefit affairs; and that in either case all wages, fees, commissions, salaries and emoluments paid or to be paid to all ~~((salesmen))~~ salespeople, solicitors, collectors, conductors and managers will not exceed twenty percent of the

total gross amount collected;

N. A statement to the effect that if a permit is granted, it will not be used or represented in any way as an endorsement by the King ~~((e))~~County ~~((of King))~~ or by any department or officer thereof of solicitations made thereunder;

O. A statement that applicant, and if applicant is not an individual, its principal officers, and any promoter, has read and understands ~~((the provisions of))~~ this chapter; and

P. Such other information as may be reasonably required by the director in order for ~~((him))~~ the director to determine the character of the applicant ~~((and/or))~~, promoters and agents, and the kind and character of the proposed solicitation.

If, while any application is pending, or during the term of any permit granted thereon, there is any change in fact, policy or method that would alter the information given in the application, the applicant shall notify the director in writing thereof within twenty-four hours after ~~((such))~~ the change.

SECTION 86. Ordinance 1603, Section 5, and K.C.C. 6.76.050 are each hereby amended to read as follows:

The director shall examine all applications filed under ~~((Section))~~ K.C.C. 6.76.040 and shall make, or cause to be made, such further investigation of the application and the applicant as the director deems necessary. Upon request by the director, the applicant shall make available for inspection by the director ~~((, or any person designated as his representative for such purpose,))~~ all of the applicant's books, records and papers at any reasonable time before the permit is granted, during the time a permit is in effect, or after a permit has expired.

SECTION 87. Ordinance 1603, Section 7, as amended, and K.C.C. 6.76.070 are each hereby amended to read as follows:

A. The director shall issue the permit provided for in ~~((Section))~~ K.C.C. 6.76.030 whenever ~~((he))~~ the director finds the following facts to exist:

1. That all of the statements made in application are true;
2. That the applicant and the officers of the organization on whose behalf charitable solicitations are to be made and all persons supervising the solicitations and any promoters connected therewith shall not, to the knowledge of the applicant and/or promoter, have had a record of arrest and conviction with any federal or state law enforcement agency involving misstatement, misrepresentation, deception or fraud;
3. That the control and supervision of the solicitation will be under responsible and reliable persons;
4. That the applicant ~~((f))~~ and, if not an individual, the officers, agents or promoters ~~((has))~~, have not engaged in any fraudulent transactions or enterprises;
5. That the proposed solicitation will be conducted to finance the charitable cause described in the application, and not for purposes of private gain;
6. That the cost of raising the funds will not exceed twenty percent of the total gross amount to be raised by direct gifts, or fifty-five percent of the total gross amount to be raised by sale and benefit affairs; and that in either case all wages, fees, commissions, salaries or emoluments paid or to be paid to all ~~((salesmen))~~ salespeople, solicitors, collectors, conductors and managers will not exceed twenty percent of the total gross amount collected;
7. That the method or methods for solicitation outlined in the application do not include any of the following methods of solicitation:
 - a. ~~((C))~~ charitable solicitations by children under fourteen years of age where the children will be paid for such solicitation or retain a portion of the solicited funds. This prohibition shall not apply where both of the following exist:
 - (1) ~~((F))~~ the children are members of the organization for whose benefit the solicitation is made; and
 - (2) ~~((A))~~ all funds so solicited, less permissible costs, shall be expended locally and solely for the direct benefit of children in such organization ~~((s))~~;
 - b. ~~((D))~~ delivery by mail or otherwise of any unordered merchandise ~~((s))~~;

c. ~~((S))~~solicitation by means of coin or currency boxes or receptacles except:

(1) ~~((W))~~when each such a box or receptacle shall be the responsibility of a bona fide member, agent or solicitor of the soliciting organization; and

(2) ~~((W))~~when such responsible person shall be required to pick up each such a box or receptacle at the end of the solicitation period; and

(3) ~~((W))~~when the use of such boxes and receptacles in the solicitation is expressly authorized by the director; and

8. That the person or organization has tax-exempt status from the government of the United States.

B. The director may request the ~~((director of the Department of Public Safety to))~~ sheriff investigate the truth of the statements in the application and all other matters ~~((which))~~ that tend to aid the director in determining whether to grant the permit. The ~~((director of the Department of Public Safety))~~ sheriff shall report to the director any reasons ~~((he))~~ the sheriff may have for objecting to the granting of a permit.

C. The director is authorized to make and enforce rules and regulations, not inconsistent with ~~((the provisions of))~~ this chapter, and it is unlawful to violate or not to comply with any of the rules and regulations. All of such rules and regulations as are promulgated by the director from time to time shall be reduced to writing and shall be made available to applicants under this chapter.

SECTION 88. Ordinance 1603, Section 10, and K.C.C. 6.76.100 are each hereby amended to read as follows:

All persons to whom charitable solicitation permits have been issued shall furnish to each of their agents and solicitors credentials approved as to form by the director. Such credentials shall include the permit number, the name and telephone number of the permit holder, the purpose of the solicitation, the signature of the applicant, and the name, address and signature of the solicitor to whom such credentials are issued, and the period of time during which the solicitor is authorized to solicit on behalf of the permit holder. The director may authorize the use of the identification approved by the Director of the Department of ~~((Motor Vehicles))~~

Licensing for the state of Washington for any person or organization validly registered under the charitable solicitation law(~~(; provided the above)~~), but only if the credentials information listed in this section appears ((thereon)) on the identification. It is unlawful for any person to solicit under any such charitable solicitation permit without having in ~~((his))~~ the person's possession the credentials required by this section. The credentials must be shown, upon request, to all persons solicited or to any ~~((police officer of King County))~~ sheriff's deputy or ~~((agent of))~~ the director.

SECTION 89. Ordinance 1603, Section 17, and K.C.C. 6.76.150 are each hereby amended to read as follows:

Every person to whom a charitable solicitation permit has been issued under this chapter shall maintain a system of accounting whereby all contributions and all disbursements are entered upon the books or records of such person's treasurer or other financial officer. For each solicitation a separate folder containing all vouchers supporting the accounting and containing a record of all contributions and disbursements will be maintained and available for inspection by the director ~~((or his agent))~~ for a period of one year from the end of the period of solicitation.

SECTION 90. Ordinance 1603, Section 19, and K.C.C. 6.76.170 are each hereby amended to read as follows:

A. No person shall solicit contributions for any religious purpose within King County without a certificate of registration issued by the director~~(; provided, however)~~, except that ((the provisions of)) this section shall not apply to solicitations by any religious organization conducted among the members thereof by other officers or members voluntarily and without remuneration for making such solicitations, or to solicitations for or collections of contributions at the regular assemblies, meetings or services of such organizations. Application for a certificate shall be made to the director upon forms provided by ~~((him))~~ the director. Such an application shall be sworn to or affirmed, and shall contain the following information, or in lieu thereof, a statement of the reason or reasons why such information cannot be furnished:

1. The name and local address or headquarters of the person applying for the certificate;
 2. If applicant is not an individual, the names and addresses of the applicant's principal officers and managers and a copy of the resolution, if any, authorizing such solicitation, certified to as a true and correct copy of the original by the officer having charge of applicant's records;
 3. The purpose for which such solicitation is to be made, the total amount of funds proposed to be raised thereby((,)) and the use or disposition to be made of any receipts therefrom;
 4. The name and address of the person or persons by whom the receipts of ((such)) the solicitation shall be disbursed;
 5. The name and address of the person or persons who will be in direct charge of conducting the solicitation and the names of all promoters connected or to be connected with the proposed solicitation;
 6. An outline of the method to be used in conducting the solicitation;
 7. The time when such solicitation shall be made, giving the dates for the beginning and ending of such solicitations;
 8. The estimated cost of the solicitation;
 9. The amount of any wages, fees, commissions, expenses or emoluments to be expended or paid to any person in connection with such solicitations, and the names and addresses of all such persons;
 10. A financial statement for the last preceding fiscal year of any funds solicited by the applicant for religious purposes from the public pursuant to a certificate of registration hereunder, said statements giving the amount of money so raised, together with the cost of raising it, and final distribution thereof;
 11. A detailed statement of the religious work being done by the applicant within King County;
 12. A statement to the effect that the certificate will not be used or represented in any way as an endorsement by King County or by any department or officer thereof.
- B. If, while any application is pending or during the term of any certificate granted thereon, there is any change in fact, policy or method that would alter the information given in the application, the applicant shall

notify the director in writing thereof within twenty-four hours after such a change.

SECTION 91. Ordinance 1603, Section 20, and K.C.C. 6.76.180 are each hereby amended to read as follows:

Upon receipt of such application, the director shall issue the applicant a certificate of registration. The certificate shall remain in force and effect for a period of six months after the issuance thereof, and shall be renewed upon the expiration of this period upon the filing of a new application as provided for in ~~((Section))~~ K.C.C. 6.76.190. Certificates of registration shall bear the name and address of the person by whom the solicitation is to be made, the number of the certificate, the date issued and a statement that the certificate does not constitute an endorsement by King County or by any of its departments or officers of the purpose or the person conducting the solicitation. All persons to whom certificates of registration have been issued shall furnish credentials to their agents and solicitors in the same manner and subject to the same conditions as set forth in ~~((Section))~~ K.C.C. 6.76.100 relating to credentials to solicit for charitable purposes. No person shall solicit under any such certificate of registration without such credentials in ~~((his))~~ the person's possession, and such person shall, upon demand, present these credentials to any person solicited or to the director ~~((or his agent))~~ or to any ~~((police officer of King County))~~ sheriff's deputy.

SECTION 92. Ordinance 1603, Section 21, and K.C.C. 6.76.190 are each hereby amended to read as follows:

It is unlawful for any person to directly or indirectly solicit contributions for any purpose by misrepresentation of ~~((his))~~ the person's name, occupation, financial condition, social condition or residence, and no person shall make or perpetrate any other misstatement, misrepresentation, deception or fraud in connection with any solicitation of any contribution for any purpose in the King ~~((e))~~County ~~((of King))~~ or in any application or report filed in connection therewith.

SECTION 93. Ordinance 11177, Section 4, and K.C.C. 6.84.020 are each hereby amended to read as follows:

- A. "Operator" means the operating license applicant, and any of its officers, directors, partners, or owners.
- B. "Range" means any individual or group of firing positions for a specific shooting type.
- C. "Range (~~master~~) safety officer" means a person or persons appointed by the operators of a shooting sports facility to oversee the safe discharge of shotguns, rifles, or handguns in accordance with the safety specifications of this chapter and any additional safety specifications which may be adopted by the operators of the shooting sports facility.
- D. "Shooting sports facility" means a facility designed and specifically delineated for safe shooting practice with firearms. Archery ranges are specifically excluded from this definition.
- E. "Shooting types" means rifle, handgun or shotgun shooting.

SECTION 94. Ordinance 11177, Section 10, and K.C.C. 6.84.080 are each hereby amended to read as follows:

All shooting sports facilities licensed pursuant to this chapter shall comply with the following safety standards and specifications:

- A. All structures, installations, operations, and activities shall be located at such a distance from property lines as will protect off-site properties from hazard, when the ranges are used in accordance with range safety rules and practices.
- B. Range site design features and safety procedures shall be installed and maintained to discourage errant rounds from escaping all shooting positions, when such positions are used in accordance with range safety rules and practices.
- C. A plan shall be submitted with the license application which shows the location of all buildings, parking areas and access points; safety features of the firing range; elevations of the range showing target area, backdrops or butts; and approximate location of buildings on adjoining properties.
- D. A safety plan shall be submitted which cites rules for each range, sign-in procedures, and restrictions

on activities in the use of ranges, and every safety plan shall prohibit loaded firearms except as provided by the range safety specifications and operating procedures.

E. All shooting sports facilities shall have a designated range (~~((master))~~) safety officer. A range (~~((master))~~) safety officer must be present whenever the shooting sports facility is open to the public and may oversee as many as three simultaneous public events within a shooting sports facility.

F. Where urban residentially zoned property or residential streets are located adjacent to property containing an outdoor shooting sports facility, warning signs shall be installed and maintained along the shooting sports facility property line.

G. Shooting sports facilities shall be used for the shooting activities they were designed to accommodate unless redesigned to safely accommodate new shooting activities.

H. The range operator shall report in writing to the manager of the records and licensing services division all on-site and off-site gunshot wounds resulting from activity at the shooting sports facility.

I. All shooting sports facilities shall provide a telephone available to range participants and spectators for the purpose of contacting emergency medical services.

J. A first-aid kit approved by the manager of the records and licensing services division shall be readily available at each shooting sports facility for emergency treatment or care of minor injuries.

SECTION 95. Ordinance 18618, Section 99, as amended, and K.C.C. 3.42.055 are each hereby amended to read as follows:

A. The procedures in this section shall apply to any investigating official except the ombuds or the judicial branch. Investigations by the ombuds shall be conducted in accordance with K.C.C. 3.42.057.

B. When an appropriate investigating official who is not the ombuds receives a report of improper governmental action, the (~~((ombuds))~~) investigating official shall respond to the reporting employee in writing within thirty days of when the report was received with either a final report or a preliminary report, with a copy of the response to the ombuds. If responding with a preliminary report, the official shall include a summary of

the status of the investigation and information obtained thus far, and identifying matters for further research or inquiry. If the identity of the reporting employee is not known, the response shall be sent to the ombuds.

C. The investigating official shall complete the investigation and issue a final report no later than one year from when the report of improper governmental action was received. If the final report concludes that there was improper governmental action, it shall include an action plan for addressing the improper governmental action and provide reasonable timelines for completing corrective actions.

D. The investigating official shall send a copy of the final report to the reporting employee and the ombuds.

E. When conducting an investigation of improper governmental action occurring within the legislative branch, the prosecutor may at any stage, issue subpoenas, administer oaths, examine witnesses, and compel the production of documents or other evidence; refer the matter to the state auditor, law enforcement authorities or other governmental agency; and issue reports; or any combination thereof, each as deemed appropriate.

F. If the investigating official determines that that the employee reporting improper governmental action has been retaliated against or is at great risk of retaliation, the investigating official may seek temporary preventive action, including but not limited to the transfer of the reporting employee to another department at the request of the reporting employee or authorizing leave with pay for the reporting employee. If the investigating official deems it necessary, the investigating official's recommendation may be made to the executive. Such a temporary preventative action may continue until the conclusion of any investigation and a permanent resolution of the matter.

G. To the extent allowed by law, investigating officials are encouraged to enter into cooperative agreements or arrangements for receiving and processing complaints with other agencies or entities that are investigating related complaints, so that duplication of functions shall be minimized and multiple redundant investigations avoided.