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COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

ORDINANCE NO. 83-156

GENERAL BUSINESS LICENSES
AND REGULATIONS

BE IT ORDAINED:

Section 1. The following chapters of the Snohomish County Code adopted by Ordinance 82-109 on October 19, 1982, are repealed:

- (1) Chapter 6.01
- (2) Chapter 6.17
- (3) Chapter 6.19
- (4) Chapter 6.20
- (5) Chapter 6.26
- (6) Chapter 6.36
- (7) Chapter 6.37
- (8) Chapter 6.38
- (9) Chapter 6.39
- (10) Chapter 6.40

PROVIDED, that this repealer shall not affect the terms of any license issued under any of the foregoing chapters, which terms shall apply until expiration of such license. Extensions and renewals of any license made after the effective date of this ordinance shall be controlled by this ordinance.

Section 2. New sections and chapters are added to the Snohomish County Code as follows:

Chapter 6.01
General Licensing Provisions

Sections:

6.01.010	Definitions.
6.01.020	License or Permit Required.
6.01.030	Authority and Duties of the Director of Finance.
6.01.040	Application-Procedures-General.
6.01.045	Application-Form and Content.
6.01.046	Application-Photographs or Fingerprinting Requirements.
6.01.047	Investigation Required.
6.01.050	Fees-Refunds.
6.01.060	Review of Application Granting.
6.01.070	Protest by Public Officials.
6.01.075	Director of Finance to Issue License or Permit.
6.01.080	Forms, Terms of License, Duplicate.
6.01.100	Renewal.
6.01.110	Display, Change of Name.
6.01.111	Disclaimer.
6.01.120	Inspection-Right of Entry.
6.01.130	Enforcement.
6.01.135	Notice and Order.
6.01.140	Suspension, Revocation Grounds.
6.01.141	Suspension.
6.01.142	Revocation.
6.01.150	Appeal-Hearing Examiner.
6.01.155	Appeal from Examiner's Decision.
6.01.170	Death or Incapacity of Licensee.
6.01.180	Limitation of Transfers and Reapplications.
6.01.190	Liability Insurance.
6.01.200	Bond.
6.01.210	Civil Penalty.
6.01.220	Criminal Penalties.
6.01.230	Applicability.
6.01.240	Severability.

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

(1) "Abatement" means the termination of any business license violation by lawful and reasonable means as determined by the Director of Finance or his duly appointed representative.

(2) "Adult dog or cat" means any dog or cat six (6) months of age or older.

(3) "Agricultural pursuits" means where land is primarily used in the production of crops and livestock or fur farming.

(4) "Amusement" means any act or event causing or inducing relaxation and gaiety.

(5) "Amusement device" means any coin-operated or remote controlled machine, device, contrivance, apparatus or appliance, mechanical, electrical or hand propelled, designed to be used in whole or part as an instrument or instrumentally for engaging in the use and exercise of skill by one or more persons in playing a game for the amusement and entertainment of the player or players and which is maintained commercially for such purpose.

(6) "Amusement device distributor" means any person who leases or rents to, or places with others, any amusement device for use, play or operation.

(7) "Amusement device facility" means any place that contains more than five amusement devices.

(8) "Amusement device or game table operator" means any person who owns, leases or rents an amusement device, game table, or combination thereof and operates such device(s) or game table(s) on premises owned or leased by said person.

(9) "Animal" means any member of the classes: reptile, bird, or mammal, except man.

(10) "Animal control agency" means the Snohomish County animal control agency created and perpetuated to enforce the

provisions of the Snohomish County Code and laws of the state of Washington as they pertain to animal welfare.

(11) "Animal control officer" means any individual employed, contracted or appointed by the animal control agency for the purpose of enforcing this code or any other code.

(12) "Applicant" means any person, partnership and/or corporation who is applying for a new license issued pursuant to any business license ordinance.

(13) "Application" means any form designed by the Director of Finance for use in securing a new business license or on a renewal basis.

(14) "Auction" means verbal exchanges between an auctioneer and the members of his or her audience, constituting a series of invitations for offers for the sale of goods, or real property made by the audience, and the acceptance of the highest or most favorable offer by the auctioneer.

(15) "Auctioneer" means a person who sells goods or real estate at public auction for another on commission or for recompense, or one who conducts an auction for another on commission or for recompense.

(16) "Auction house" means any facility where property of others is sold by auction.

(17) "Body painting studio" means the operation of a business where paint, powder, or similar material is applied to the body of another person with the hands or the use of equipment or appliances in connection with the foregoing.

(18) "Body painting studio attendant" means any person who administers to, or performs services for, patrons of a body painting studio or who supervises the work of another person administering to or performing services for such patrons.

(19) "Business premises" means the entire building in which a licensed activity or business is located together with the entire tract of land under one ownership upon which the building is located.

(20) "By-bid" or "by-bidding" means any bidding by prearrangement with the auctioneer or owner so as to raise the price of the item being sold at auction.

(21) "Carnival" means every device, institution of assemblage of devices or institutions the purpose whereof is that of providing entertainment, amusement, sport, pasttime or merriment for the patrons thereof and shall include roller coaster, merry-go-rounds, swings, Ferris wheel, games of shooting, throwing, pitching, phenomenal exhibitions or everything of like character.

(22) "Circus" means any institution whose general occupation is that of exhibiting wild animals, feats, horsemanship, animal stunts, acrobatic or aquatic sports for admission to which fee is charged.

(23) "Commercial kennel" means a place where three (3) or more adult dogs, cats or combinations thereof whether or not for compensation, including facilities known and operated as animal shelters, but not including small animal hospitals where pets are kept for treatment only, pet shops, private kennels, or zoological parks.

(24) "County" means Snohomish County.

(25) "Dance hall" means any room, hall, pavilion, boat, float, building or other structure kept or used for the purpose of conducting therein public dances or dancing. It shall include, but not be limited to, those facilities offering dance opportunities as a significant, although not necessary primary purpose, such as taverns, bars, or clubs.

(26) "Darkness" means that period between one-half hour after sunset and one-half hour before sunrise.

(27) "Director of Finance" means the Snohomish County Director of Finance or his duly authorized representative.

(28) "Domesticated animal" means any animal including dogs, cats, rabbits, horses, mules, asses, cattle, lambs, sheep, or other animals made to be domestic.

(29) "Engaged in business" means, includes, and has reference to a particular occupation or continuing course of commercial activity in which a person is regularly or habitually engaged for the purpose of livelihood or gain.

(30) "Entertainment" means any act or event causing amusement, diversion or the agreeable passing of time.

(31) "Euthanasia" means the humane destruction of an animal by a method that is painless to such animal either by causing instant painless unconsciousness and subsequent death or immediate death.

(32) "Examiner" means the County Hearing Examiner or other hearing examiner appointed by the Snohomish County Council.

(33) "Fire Marshal" means the Snohomish County Fire Marshal or any of his authorized representatives.

(34) "Float" means (1) with respect to boating tournaments or exhibitions, any anchored man-made structure unattached to the shore where any vessel may dock; or (2) with respect to parades, a low, flat, decorated vehicle for carrying exhibits, tableaux, etc. in a parade.

(35) "Game tables" for the purpose of this ordinance, shall include, but not be limited to pool tables, billiard tables, shuffleboard, air hockey, foosball and any other similar games where a fee is charged for the playing of or operation of the table.

(36) "Grooming parlor" means any establishment, public or private, where animals are bathed, clipped, combed for a consideration, for the purposes of enhancing their aesthetic value.

(37) "Health officer" means the health officer or any authorized representative of the Snohomish Health District.

(38) "Idling speed" means that speed of any motorboat while underway resulting while its propulsion machinery is set at the machine's slowest possible speed.

(39) "Length" as it refers to vessels means the overall distance measured in a straight line parallel to the centerline from the foremost part of the vessel to the aftermost part of the vessel, excluding bowsprits, bumpkins, rudders, outboard motors and brackets, and similar fittings and attachments.

(40) "License" or "permit" means any document issued by the Director of Finance which allows an individual, person, or corporation to conduct a business or professional activity in Snohomish County as provided by this title.

(41) "Licensee" means any person to whom a license or renewal of license has been issued pursuant to any business license ordinance.

(42) "Massage" means the treatment of a human body by another person by rubbing, kneading, hitting or any other manipulation, including the use of equipment, machinery, or appliances in connection with the foregoing.

(43) "Massage parlor" means any place where massages are given or furnished for, or in expectation of, any fee, compensation or monetary consideration.

(44) "Massage parlor attendant" means any person who administers to, or performs services for, patrons of a massage parlor or who supervises the work of a masseur or masseuse or other person administering to, or performing services to such patrons.

(45) "Masseur or masseuse" means a person engaged in the practice of massage and shall be referred to herein only as "masseur".

(46) "Merchant patrol business" means and includes the business of, or the representation of being engaged in the business of, guarding or protecting persons or other persons' property, or patrolling streets, districts or territory for such purposes, for hire or reward, as a business and as an independent contractor.

(47) "Motorboat" means any vessel underway under propulsion in whole or in part by machinery. The term shall include seaplanes while taxiing and/or while otherwise not subject to any valid state or federal law or regulation governing the operation of seaplanes.

(48) "Operator" means any person in actual physical control of any vessel.

(49) "Owner" means any person having an interest in or right of possession of any property or business, or any person having control, custody or possession of an animal.

(50) "Pack of dogs" means a group of three or more dogs running upon land, either public or private, not that of their owner, when such dogs are not restrained or controlled.

(51) "Parade" means any march or procession consisting of people, animals, bicycles, vehicles in excess of ten (10) in number or combinations thereof, except wedding processions and funeral processions, upon any county road, sidewalk, alley or other county property which does not comply with normal and usual traffic, regulations or controls.

(52) "Pawnbroker" means every person engaged in whole or in part in the business of loaning money upon the taking or receiving of personal property as security for the repayment of such loans or every person who shall keep any store, shop, room or place where such goods are so taken or received, shall be deemed to be a pawnbroker.

(53) "Permit" means any document issued by the Director of Finance which allows an individual, person or corporation to conduct an activity of a short duration which does not require an annual license.

(54) "Person" means any individual, partnership, firm, joint stock company, corporation, association, trust, estate or other legal entity.

(55) "Pet shop" means person or establishment that acquires animals for the purpose of resale to the public.

(56) "Private detective business" means and includes the business of, or the representation of being engaged in the business of, making for hire or reward, investigation or investigations with reference to any of the following matters:

- ((a) The practice of detecting, discovering or revealing crime or criminals, or securing secret information or evidence relating thereto;

- (b) The practice of discovering or revealing the identity, whereabouts, character or actions of any person or persons, thing or things;

- (c) The habits, conduct, movements, whereabouts, associations, transactions, reputations, or character of any person, firm or corporation;
- (d) The credibility of witnesses or other persons;
- (e) The location or recovery of lost or stolen property;
- (f) The causes, origin or responsibility for fires or accidents or injuries to real or personal property with the consent of the authority having jurisdiction;
- (g) The truth or falsity of any statement or representation;
- (h) The business of securing for hire or reward, evidence to be used before authorized investigation committees, boards of award or arbitration, or in the trial of civil or criminal causes.

None of these activities as listed above shall include or permit any interference with any legal law enforcement responsibility or activity.

(57) "Private/hobby kennel" means a place at or adjoining a private residence where at least three licensed animals and not more than ten (10) adult dogs, cats, or combinations thereof, owned by persons residing on said property, are kept for the purpose of hunting, training, exhibition for organized shows, for field work and obedience trials or for the enjoyment of the species. Cats kept for pest or vermin control and in conjunction with an agricultural pursuit as defined, shall not be subject to this provision.

(58) "Private security agency" means a "merchant patrol agency" or a "private detective agency", and is further defined as, unless the context otherwise indicates, either a:

- (a) "Merchant patrol agency". Any person who as principal or employer engages in or who advertises or holds himself out as being engaged in the merchant patrol business; or a

(b) "Private Detective agency". Any person who as principal or employer engages in, or who advertises or holds himself out as being engaged in the private detective business.

(59) "Property" means any tangible property including, but not limited to goods, wares, merchandise, animals, livestock, and land.

(60) "Public bathhouse" means any place where baths or facilities for baths of any kind whatever are given or furnished and the terms shall include, but not be limited to: Finnish baths; Russian baths; Sauna baths; Swedish baths; Turkish baths; baths by hot air, steam, vapor, water, or electric cabinet, hot tubs, etc.; provided, that such term shall not include ordinary tub or shower baths where attendant is not required.

(61) "Public bathhouse attendant" means any person who administers to, or performs services for, patrons of a public bathhouse or who supervises the work of such a person.

(62) "Public dance" means any dance that the public generally may gain admission to or without the payment of an admission fee.

(63) "Public event/assembly" means any gathering or assembly of one hundred or more persons who have been charged admission or made a contribution towards the costs of such gathering or assembly at a single place for the purpose of amusement, entertainment, education or similar common purpose. Such definition shall not include any assembly or gathering conducted for religious, political, or other constitutionally accepted purpose.

(64) "Race-type boat" means any motorboat operated at a speed in excess of thirty-five miles per hour.

(65) "Rowboat" means a small boat propelled by the use of oars or paddles.

(66) "Run" means a sponsored, organized procession to contend in a race consisting of people, bicycles, wheelchairs, other non-motorized vehicles, or combinations thereof containing ten (10) or more persons upon a county road, sidewalk, alley or other county property. "Run" shall

not include any training event or race participated in solely by means of a bona fide school track team or teams.

(67) "Running at large" means that an animal or animals are off the premises of the owner and not under control of either the owner or competent person authorized by the owner.

(68) "Safety buoy" means any buoy established as herein provided and constructed to conform to the State Uniform Waterway Marking System.

(69) "Safety buoy line" means the straight line between any two safety buoys or the straight line between any safety buoy and the point on the shoreline closest to such safety buoys.

(70) "Sailboat" means any vessel propelled by sail or in part by sail and in part manually.

(71) "Secondhand dealer" means every person engaged in whole or in part in the business of purchasing, selling, trading, or bartering, secondhand personal property including metal, junk, or melted metals; provided, that the term shall not apply to any person who:

- (a) Is engaging in an activity which requires a license under Chapter 46.70 RCW, motor vehicle dealers, or Chapter 46.80 RCW, motor vehicle wreckers;
- (b) Is engaged in the purchase and/or sale of bottles, cans, or other materials solely as a part of the process of recycling such bottles, cans, or other materials;
- (c) Any person conducting a sale of second hand personal property under any legal forfeiture, foreclosure, liquidation, or any repossession pursuant to the terms of any contract of sale or incidental to any legal action.
- (d) Any person conducting a sale at auction who is licensed as an auctioneer under Chapter 6.20 or is conducting an auction or sale at auction exempt from securing a state license under

Section 6, Chapter 205, Law of 1982 and amendments.

(72) "Sheriff" means the Sheriff of Snohomish County or any duly appointed deputy sheriff of Snohomish County.

(73) "Shoreline" means the land bordering any existing body of water.

(74) "Under control" means that an animal is either under voice, signal, or physical control so as to be restrained from approaching a bystander or causing damage to property and said animal is presumed not to be under control if injuries or damages result.

(75) "Vessel" means any type of watercraft used or capable of being used as a means of marine transportation.

(76) "Vicious" means that an animal is acting in an unruly manner or the propensity to do any act which might endanger the safety of any person, animal, or property of another.

(77) "Visible" as it refers to the hours of darkness, means capable of being seen on a dark night with a clear atmosphere; as it refers to the daylight hours, means capable of being seen on a dull day with the atmosphere clear of fog, haze, or rain.

(78) "Water-ski" means to plane over the water with or without any floating device while being towed by any vessel. The term shall include water-skiing, freeboarding, aquaplaning and similar devices and/or activities.

(79) "Wharf" means any manmade structure attached to the shore and to which any vessel may dock.

All other terms, phrases or words not defined by this chapter shall be known by their common and legal meaning and usage in the English language.

6.01.020 License or Permit Required. Licenses or permits are required for regulation and control of certain businesses and occupations. This chapter shall be deemed an exercise of the police power of the State of Washington and of the County of Snohomish to license/permit for regulation and/or control and all of its provisions shall be liberally

construed for the accomplishment of either or both such purposes and the protection of the health, safety and welfare of persons within Snohomish County.

6.01.030 Authority and Duties of the Director of Finance.

(1) The Director of Finance is authorized to make and enforce rules and regulations, consistent with the provisions of any business license/permit ordinance or state law and necessary for the performance of purposes stated in section 6.01.020 and the provisions of this chapter. All rules and regulations promulgated by the Director of Finance shall be reduced to writing and mailed or otherwise delivered to each licensee or permit holder for his information and for distribution to his employees.

(2) The Director of Finance shall have the authority to suspend or revoke any business license or permit issued upon a showing of violation of any of the provisions of any business license/permit ordinance; provided, however, that such suspension or revocation shall not relieve the licensee, or permit holder of the other penalties provided for in this chapter.

6.01.040 Application-Procedures-General.

(1) No license or permit required by this chapter shall be issued unless written application has been made with the Director of Finance. The Director of Finance shall provide application forms for each license/permit under this chapter, which shall require such information as the Director of Finance deems appropriate, in addition to the information required by the various licensing/permit provisions of this chapter, as now existing or hereafter amended.

(2) The applicant must prepare and sign the application. If the application is for a partnership, a partner must sign and the names of the partners in full shall be given with their current residences. If the application is for a corporation, an authorized officer thereof must sign and the names of the current residences of all of the officers and directors or trustees of the corporation shall be given together with the location of the principal office or place of business of such corporation.

All applicants must have a registered agent who resides in Snohomish County.

(3) For those licenses or permits which require an investigation, such investigation shall be conducted by the Sheriff in accordance with the criteria outlined in section 6.01.047. Further, the investigation shall consist of fingerprinting and photographing the applicant, a full investigation of the truth of the statements in the application, and all other matters which might tend to aid in the determination of whether to grant the license/permit. The Sheriff shall then inform the Director of Finance in writing within thirty (30) days of receipt of the application as to the results of his investigation and his recommendation as to the disposition of said application or to request an extension to complete his investigation of no more than thirty (30) days.

(4) For those licenses or permits which require additional reviews or inspections for compliance with appropriate codes for building, zoning, fire and health or any other statute or regulation, each appropriate Department Director will, within thirty days after receipt of a copy of the application from the Director of Finance, inform the Director of Finance in writing of the results of their respective inspections and their recommendations as to the disposition of said application or to request an extension not to exceed thirty days for the purpose of completing their review.

(5) The Director of Finance acting on behalf of the County, shall approve or deny all applications for licenses or permits required hereunder.

(6) No license/permit shall be issued pursuant to the provisions of this ordinance to the following persons:

- (a) Any person who is under 18 years of age at the time of the application except as may specifically otherwise be provided in this title.
- (b) Any person who has been convicted of a felony or misdemeanor, excluding minor traffic violations, if the felony or misdemeanor for which he was convicted directly relates to the

license sought or any activity to be conducted hereunder, and

(1) the time elapsed since the felony is less than ten years from date of application; or

(2) the time elapsed since the misdemeanor is less than three years from date of application.

This subsection shall not preclude the consideration of any prior conviction of a felony or misdemeanor as a factor in determining whether or not a license or permit should be issued.

- (c) Any person who is not qualified under any specific provision of this ordinance for any particular license/permit for which application is made.
- (d) Any partnership or corporation having as a partner, member of the board of directors, corporate officer or stockholder holding over 20% of the stock, anyone of whom does not meet the qualifications of this section.
- (e) Any person whose license/permit is under suspension or revocation at the time of application for a license/permit.
- (f) Any person who has had a license/permit revoked within a period of one year prior to the date of making application for a license hereunder.
- (g) Any person who at the time of application is in default in the payment of any sum due Snohomish County for any license/permit.
- (h) Any person who has any outstanding penalties or fines related to any license/permit issued by Snohomish County.

(7) No license/permit shall be issued unless the premises where the activity is to be conducted complies with the requirements of all governmental agencies, including, but not limited to, federal, state, city and county laws or ordinances relating to buildings, fire, health, sanitation, zoning, taxation, public safety, and all other requirements and conditions specifically set forth in other sections of this ordinance.

(8) The filing of an application for a license/permit shall not give the applicant any right to engage in the activity covered prior to the issuance of such license or permit.

6.01.045 Application - Form and Content. All application forms for business licenses or permit activities shall be designed by the Director of Finance. Such applications shall contain at the minimum the following required items:

(1) The true name, home address, telephone number, and the age of the applicant;

(2) The name, address, and telephone number of the business premises or proposed business premises if different than the response given in section 6.01.045(1).

(3) Whether the applicant is a sole proprietorship, partnership or corporation. If a partnership, the application shall set forth names, addresses and telephone numbers of all persons, whether general or limited partners, sharing in the profits of said business and the respective ownership share of each. If a corporation, it shall set forth the name, residence address and telephone number of each of its officers, directors and shareholders, and the number of shares held by each if there are fewer than ten shareholders. It shall set forth all persons having any interest in the real or personal property at the premises, and any persons sharing in the proceeds of the business;

(4) Whether the applicant or anyone owning an interest in the business or proposed business has ever been convicted or forfeited bail to any crime, the name of the court in which the case was filed, the circumstances and the disposition of the case;

(5) If applicant is a sole proprietorship or a partnership, stating whether the proprietor or the partners are of legal age;

(6) The principal occupation of the proprietor of the proposed business if a sole proprietorship; if a partnership, the principal occupation of all partners; and if a corporation, the principal business enterprises of such corporation;

(7) All assumed names or aliases which have been or are used by any person whose name appears on the application;

(8) Name, address and telephone number of a registered agent in Snohomish County ;

(9) Date and place of incorporation or organization;

(10) Name, address and telephone number of person to contact in case of an emergency; and

(11) Such other information as the Director of Finance may reasonably require in connection with the application.

6.01.046 Application - Photographs or Fingerprinting Requirements. If the specific license or permit requires photographs or fingerprints:

(1) Such applicants, or party signing the application, must submit to fingerprinting by the Sheriff or arrangements as prescribed by the Sheriff with other local law enforcement agencies, and such fingerprints shall be

retained in the application file, a copy of which may be forwarded to the Federal Bureau of Investigation, Identification Bureau; and

(2) Such applicants, or party signing the application, shall submit four (4) 2" x 2" photographs taken within the last six months of the date of application showing 3 full face and 1 full length front-facing shot. These photographs shall be provided at the expense of the applicant. The license, when issued, shall have affixed to it such photograph of the applicant, or the party signing the application, and such license shall be posted in a conspicuous place in the establishment where such license is enjoyed, at all times, and such license shall not be tampered with in any manner.

(3) On renewal of a license requiring photographs, applicants must submit new photographs as described in section 6.01.046(2). Resubmission for fingerprinting by the Sheriff is left at the discretion of the Sheriff if no significant changes have occurred.

6.01.047 Investigation Required. If the business license or permit requires an investigation, the Director of Finance shall forward to the Sheriff the applicant's application with any supporting documents. The Sheriff shall investigate the following:

(1) Whether any outstanding criminal violations/charges exist.

(2) Whether any legitimate complaints exist regarding the applicant's past business practices that would have any bearing or effect on the issuance of the license/permit under consideration.

(3) Whether the person is prohibited by law from engaging in this type of activity.

(4) Whether the application should otherwise be disapproved based upon public safety considerations.

Within thirty working days following the receipt of the application from the Director of Finance, the Sheriff shall certify in writing to the Director of Finance his written recommendation on the issuance of such license/permit. The Sheriff may request additional time not to exceed thirty working days to continue his investigation if such request is made in writing giving reasons for such extension.

6.01.050 Fees -. A non-refundable fee shall be charged at the time an application is accepted for review. Applications which are obviously incomplete shall not be accepted for review.

(2) The fees for the following business licenses and permits are established as follows:

GENERAL BUSINESS

(a) Kennels, Grooming Parlors, and Pet Shops (Chapter 6.06).

- | | | |
|------|--|--------------------|
| (i) | Private/hobby Kennels | \$ 50.00 per year |
| (ii) | Commercial Kennels, Grooming Parlors, and Pet Shops* | \$ 150.00 per year |

* A commercial operation of a dual nature shall be charged with only a single license fee for each separate place of operation.

(b) Massage Parlors, Body Painting Studios, and Public Bathhouses (Chapter 6.07).

- | | | |
|-------|-----------------------|--------------------|
| (i) | Massage Parlors | \$ 500.00 per year |
| (ii) | Body Painting Studios | \$ 500.00 per year |
| (iii) | Public Bathhouses | \$ 500.00 per year |

PROFESSIONAL & OCCUPATIONAL

(c) Auctioneer - Auctions (Chapter 6.16).

(i) Auctioneer \$ 25.00 per year

(d) Massage Parlor, Body Painting Studio and Public
Bathhouse Employees (Chapter 6.17).

(i) Employees \$ 100.00 per year

(e) Merchant Patrolman/Private Detective (Chapter 6.18).

(i) Merchant Patrolman \$ 25.00 per year
(ii) Private Detective \$ 50.00 per year

(f) Pawnbroker/Secondhand Dealer (Chapter 6.19).

(i) Pawnbroker \$ 500.00 per year
(ii) Secondhand Dealer \$ 100.00 per year

POLICE & PROTECTIVE

(g) Private Security Agency (Chapter 6.26).

(i) Merchant Patrol Agency \$ 350.00 per year
(ii) Private Detective Agency \$ 350.00 per year

AMUSEMENT & RECREATION

(h) Amusement Devices and Game Tables (Chapter 6.36).

(i) Distributor \$ 300.00 per year
(ii) Location \$ 150.00 per year
(iii) Operator \$ 50.00 per year
per amusement
device/game table

(i) Public Events/Assemblies (Chapter 6.37)

(i) Public Events/Assemblies \$ 200.00 per event

(j) Dance/Dance Hall (Chapter 6.38).

- (i) Single Dance \$ 20.00 per event
- (ii) Dance Hall - Annually \$ 200.00 per year
- (iii) Dance Hall - Quarterly \$ 50.00 per quarter

(k) Fun Runs and Parades (Chapter 6.39).

- (i) Fun Runs \$ 50.00 per event
- (ii) Parades \$ 50.00 per event

(l) Boating Tournaments and Exhibitions (Chapter 6.40).

- (i) Boating Events \$ 30.00 per event

OTHER ADMINISTRATIVE FEES

(m) Public Notification.

- (Chapter 6.01.060(1)) \$ 4.00/license or permit

(n) License/Permit (Chapter 6.01.080).

- (i) Replacement \$ 10.00/action
- (ii) Trade or corporate name change \$ 10.00/action

(o) Weapons Qualifications.

(Chapter 6.18.120(c))

- (i) Qualified by Snohomish County Sheriff \$25.00/year
- (ii) Qualified by another jurisdiction and approved by the Sheriff \$ 20.00/year

(p) Appeals.

- (i) Filing \$ 50.00/appeal
(Chapter 6.01.150(1))
- (ii) Reproduction Costs \$ 0.25/page
(Chapter 6.01.150(3)(c))

6.01.060 Review of Application Granting.

(1) Public Notification - Prior to the issuance of any new business license or permit, the Director of Finance shall publish monthly in a local newspaper a list of new business license/permit applications that contains the following information:

- name of applicant
- address of the business being licensed
- type of license requested

A fee required under section 6.01.050(2)(m) shall be paid by each applicant to cover this cost in addition to the business license/permit fees.

(2) Public Comment - Prior to issuance of any new license or permit, any citizen or business in Snohomish County may petition the Director of Finance to consider denying the issuance of any business license/permit applied for. Such petition must be submitted in writing and contains the following information:

(a) Name and address of petitioner.

(b) The grounds and/or facts for requesting a denial of the license/permit.

(3) The Director of Finance shall cause an investigation of all protests and alleged facts and may deny the license/permit if the allegations are true and are proper cause for denial. The Director of Finance shall submit a copy of any protests to the applicant in person or by certified mail who may respond thereto in writing within ten days of receipt of such protest. If such statements are untrue, the Director of Finance may issue the license/permit.

(4) Petitions by the public must be submitted to the Director of Finance within five working days following the date of publication for proper consideration.

6.01.070 Protest by Public Officials. The Sheriff, Director of Community Development, Community Planning, Prosecuting Attorney, Director of Public Works, Fire Marshal, Health District Director or any other county official, while an application is pending for any license/permit provided for under the provisions of this chapter, may petition the Director of Finance to deny the license/permit. The petitioner shall file a copy of the petition with the Director of Finance who shall promptly submit a copy of the petition to the applicant in person or by certified mail. The applicant may respond thereto in writing within ten days of receipt of the petition. If the petition fails to set forth in detail alleged facts that show the issuance of the license/permit will harm the public health, safety or morals, or will result in a violation of the zoning or license code, or violation of other laws, the petition shall be summarily stricken by the Director of Finance and the Director may direct the license/permit to be issued. If the petition does set forth such allegations, the Director of Finance shall direct an investigation of said allegations and may deny the license/permit if the allegations are found to be true.

6.01.075 Director of Finance to Issue License or Permit. The Director of Finance shall issue the desired business license or permit to the applicant if it appears that:

(1) The statements in the application are true and complete; and

(2) No valid petition has been filed by a public official or public within the prescribed time as established in sections 6.01.060 and 6.01.070 of this chapter; and

(3) All necessary fees have been paid; and

(4) The requirements specified in this chapter and the chapter relating to the specific business license or permit have been satisfied.

6.01.080 Forms, Terms of License, Duplicate. (1) All licenses, or permits issued pursuant to any business license/permit ordinance, shall be in a form prescribed by the Director of Finance and shall be subject to such conditions as are required by this chapter or the Director of Finance.

(2) Any license/permit issued pursuant to the provisions of this ordinance except those licenses for which a shorter term is herein specified, shall expire one year from the date of issuance unless sooner revoked in the manner provided for in this ordinance.

(3) Any licensee who makes a change in trade or corporate name or who loses or misplaces his license or permit or wishes to revise his license may obtain a new license or permit from the Director of Finance without the necessity of submitting a new application by the payment of a fee to the Director of Finance as contained in section 6.01.050(2)(n)(ii), provided the license/permit has not expired.

6.01.100 Renewal. (1) All licenses issued pursuant to the provisions of this chapter, except as otherwise specifically provided, may be renewed at the expiration of the term thereof in the same manner as provided in Section 6.01.080. Any licensee who shall fail to submit application or make payment on or prior to the expiration date of said license shall be subjected to penalty payments in the following amounts.

- (a) One to ten days inclusive - no penalty;
- (b) Eleven days to thirty days inclusive - a penalty of ten percent of the license fee or \$25.00, whichever is greater;
- (c) Over thirty days - cancelled. No person may continue to operate or work subsequent to the expiration date of this license.

The Director of Finance shall review all applications for renewal and cause such investigation, as he deems necessary, to be conducted.

(2) Any license issued subsequent to the initial license period shall be deemed a renewal license if there are no breaks in the licensee's operations or activities from the original date of issuance, or unless otherwise provided.

6.01.110 Display, Change of Name. (1) Any license, permit or certificate, issued pursuant to any business license/permit ordinance, shall be posted in a conspicuous place at the place of business of the licensee or permit holder as prescribed by the Director of Finance.

(2) Any person licensed, as designated by the Director of Finance pursuant to this chapter shall notify the Director of Finance of any change in his address, business name, or in the officers, directors, or partners of such person, within fourteen (14) days of any such change and shall comply with section 6.01.080.

6.01.111 Disclaimer. No license/permit issued by Snohomish County shall be construed as an endorsement by Snohomish County, including any endorsement of any licensee or activity incidental to any licensed activity. The county assumes no liability or responsibility of any sort as a result of the issuance of any license/permit.

6.01.120 Inspection - Right of Entry. By making application for the privilege of having any license(s)/permit(s) included in this title, each applicant authorizes the Sheriff and/or any other appropriate county official to enter all licensed premises, or any premises in any way connected physically or otherwise with a licensed business, including vehicles used in connection therewith, at any time during normal business hours as filed with the Director of Finance.

(1) Such public official described in this section is authorized to make such inspections and take such action as may be required to enforce the provisions of any business license/permit ordinance.

(2) Whenever necessary to make an inspection to enforce any of the provisions of any business license/permit

ordinance, or whenever such public official has reasonable cause to believe that a licensee or permit holder is operating in violation of any business license ordinance, such other public official described in this section may enter such licensee's or permit holder's place of business or entertainment, which is licensed, pursuant to any business license/permit ordinance, at all reasonable times to inspect the same or perform any duty imposed on such public official by any business license/permit ordinance provided, that,

(a) if the place of business or entertainment is occupied, such public official shall first present proper credentials and demand entry; and

(b) if the place of business or entertainment is unoccupied, such public official shall first make a reasonable effort to locate the licensee, permit holder or other person(s) having charge or control of the place of business or entertainment as recorded with the Director of Finance and demand entry.

(3) No person shall fail, refuse or neglect, after proper demand, to admit such public official while acting within the scope of his employment, to any place of business or entertainment licensed, registered or permitted, pursuant to any business license/permit ordinance, or to interfere with such public official while in the performance of his duty.

6.01.130 Enforcement. (1) The Director of Finance and/or Sheriff is authorized and directed to enforce the terms and provisions of all business license/permit ordinances. If it is determined, by means of investigation or inspection, that any person has failed to comply with any provision of any business license/permit ordinance, then the Director of Finance and/or Sheriff may issue a notice and order recording such findings, specifying therein the particulars of any such violation or failure to comply, to take such lawful action as may be required to enforce the provisions of any business license/permit ordinance issued under this chapter.

(2) The Director of Finance and the Sheriff shall have the right to pick up and hold a license or permit when a

violation of this chapter has been committed or any license has been suspended or revoked, to be held by the Director of Finance where said license/permit could be used as evidence in a criminal or administrative hearing.

6.01.135 Notice and Order. (1) The Director of Finance shall issue a notice and order, pursuant to Section 6.01.130(1), directed to the person whom the Director of Finance has determined to be in violation of any of the terms and provisions of this chapter or business license ordinance. The notice and order shall contain:

- (a) The street address, when available, and a legal description sufficient for identification of the premises upon which the violation occurred;
- (b) A statement that the Director of Finance has found a violation of this chapter or the terms of any business license/permit/ordinance, with a brief and concise description of the conditions found to be a violation of such business license/permit;
- (c) A statement of any action taken or required to be taken as determined by the Director of Finance. If the Director of Finance has determined to assess a civil penalty, the order shall so state and require that the penalty be paid within a certain time from the date of the order as determined by the Director of Finance to be reasonable;
- (d) A written statement of any action taken by the Director of Finance.
- (e) A statement that failure to comply with the instructions or remedies outlined in the Notice and Order will constitute sufficient grounds for suspension or revocation of the license by the Director of Finance.
- (f) A statement advising (1) that the licensee may appeal from the notice and order of any action of the Director of Finance to the Snohomish County Hearing Examiner, provided the appeal is made in writing as provided in this chapter and

filed with the Director of Finance within ten (10) days from the date of service of such notice and order; and (2) the failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

(2) The notice and order, and any amended or supplemental notice and order, shall be served upon the person either personally or by mailing a copy of such notice and order by certified mail with return receipt requested to such person at his address as it appears on the license or permit. Service by certified mail in the manner herein provided shall be effective on the date of the mailing. Proof of service of the notice and order shall be made at the time of service by a notarized verification or a written declaration under penalty of perjury executed by the person effecting service, declaring the time, date, and manner in which service was made.

6.01.140 Suspension, Revocation Grounds. (1) Prior to any proceedings for revocation or suspension of any license or permit, the Director of Finance must issue a Notice and Order as prescribed in section 6.01.135 of this chapter.

(2) Failure to comply with any Notice and Order or the failure to appeal such action as described in section 6.01.135(f) automatically forfeits the right of the license or permit holder to further administrative appeals as described in this chapter.

(3) The filing of a statement with the Director of Finance by the Director of Finance, Fire Marshal, Prosecuting Attorney, Sheriff or other public official alleging that a licensee has committed, permitted, or failed to perform any act which is grounds for suspension or revocation of a license/permit under this chapter or any business license ordinance shall be probable cause. The Director of Finance may also find that facts and circumstances otherwise brought to his attention constitute probable cause. !

(4) The notice for suspension or revocation will be served or mailed by certified mail to the last business address on file. Such shall constitute sufficient notice. The notice shall specify the grounds for the suspension or revocation. Such suspension or revocation shall become

effective ten days from the date of the first attempt of the post office to deliver to the address specified by license/permit or in the case of personal service, ten days from the date of service, unless the person affected thereby files a written appeal with the Director of Finance as authorized by section 6.01.150.

(5) The Director of Finance shall notify the Sheriff and the Prosecuting Attorney and any appropriate county department of any action taken by him relative to the suspension or revocation of any license/permit issued under this chapter.

6.01.141 Suspension. The Director of Finance may suspend any license/permit issued for any business under this chapter if there is a violation of this chapter or the applicable business license ordinance. A suspension shall be for a period of thirty (30) days for the first violation and sixty (60) days for the second or more violation within a two (2) year period immediately preceding the event for which action is taken.

6.01.142 Revocation. The Director of Finance may revoke any license/permit issued under this chapter if:

(1) The license/permit was procured by fraud or false representation of any fact; or

(2) The licensee has violated or failed to comply with any of the provisions of this chapter or any business license ordinance; or

(3) The licensee, or any of his servants, agents, or employees acting within the scope of their employment, commits a felony or misdemeanor in connection with any business activity conducted incidental to the license/permit or on the premises upon which a licensed activity is conducted; or

(4) The licensee, or any of his servants, agents, or employees acting within the scope of their employment, have violated any law or resolution relating to the sale or

possession of intoxicating liquor; the use, possession or sale of narcotic or dangerous drugs or violated any law or resolution relating to public morality and decency; or

(5) Any business operating without a license as required by this chapter or contrary to law, constitutes a nuisance and may be abated by the Director of Finance or Sheriff, including closing of such business or activity upon which such operation or activity occurs or seeking an order to abate or enjoin such unlawful operation or activity; or

(6) Any licensee has knowingly violated, or advised, encouraged or assisted the violation of any court order or injunction in the course of conducting business; or

(7) Action to suspend would result in more than two suspensions for violation of this chapter within the two-year period immediately preceding the event for which action is taken; or,

(8) Any failure or refusal on the part of any licensee to obey any rule; regulation; or Notice and Order of the Director of Finance, Sheriff and/or their agent(s); or,

(9) Any failure to pay all penalties or fines within thirty (30) working days of assessment unless a formal appeal has been exercised by the licensee in compliance with section 6.01.150.

6.01.150 Appeal - Hearing Examiner. (1) Any licensee/permit holder who has been served with a Notice and Order pursuant to section 6.01.135 or whose license/permit is revoked or suspended may, within the time limited by section 6.01.140(4) file a written notice of appeal with the Director of Finance, together with a filing fee as stated under section 6.01.050(2)(p)(i). The Director of Finance shall forthwith forward to the Hearing Examiner a copy of the notice together with all files of the Director of Finance with respect to such license/permit. Such written notice or appeal shall contain:

(a) The names of all appellants participating in the appeal;

(b) A brief statement setting forth the action protested and reasons why it is claimed the action should be reversed, modified or otherwise set aside;

(c) The signatures of all parties named as appellants and their official mailing addresses;

(d) The verification of at least one appellant as to the truth of the matters stated in the appeal.

(2) Failure to file a notice of appeal in accordance with section 6.01.140(4) shall constitute a waiver of all rights to appeal under this chapter. Enforcement of any suspension, revocation or other notice of violation shall be stayed during the pendency of an appeal.

(3) Upon receipt of a written appeal from the Director of Finance the Hearing Examiner shall set a place and time for hearing, not more than thirty calendar days from such receipt. Notice of the date, time and place of the hearing shall be mailed to the appellant, and the licensee if not the appellant by the Examiner at least fifteen calendar days prior to the hearing date. The appeal shall be processed in accordance with the provisions of Chapter 2.02, and amendments of the Snohomish County Code unless otherwise specified by this chapter.

(a) The Hearing Examiner shall preside over hearings of appeals and shall have the power and authority to make all final determinations in matters relating to this chapter including the authority to alter, modify, reverse or affirm the violation and actions of the Director of Finance appealed from.

(b) The Director of Finance shall coordinate and assemble the findings and comments of the other county departments and governmental agencies

having an interest in the suspension or revocation and shall prepare a report summarizing the factors involved and the department's findings and recommendations.

- (c) At least seven (7) calendar days prior to the scheduled hearing, the report shall be filed with the Hearing Examiner and copies thereof shall be mailed to the appellant and made available for public inspection. Copies thereof shall be provided to interested parties upon payment of reproduction costs. Costs for reproduction are set and contained in section 6.01.050(2)(p)(ii).
- (d) Prior to rendering a decision on any matter, the Hearing Examiner shall hold at least one public hearing thereon. At the commencement of the hearing, the Hearing Examiner shall give oral notice regarding the register as provided for in Section 2.02.160.
- (e) Within fifteen (15) calendar days of the conclusion of a hearing, unless a longer period is agreed to in writing or verbally on the record at the public hearing by the licensee, the Hearing Examiner shall render a written decision which shall include at least the following:
 - (i) Findings based upon the record and conclusions therefrom which support the decision.
 - (ii) Issue an appropriate order setting forth the manner by which the decision shall be carried out.
 - (iii) A statement which indicates the procedures for appealing an examiner's decision.

- (f) Not later than five (5) calendar days following the rendering of a written decision, copies thereof shall be mailed to the appellant and other parties of record in the case. "Parties of record" shall include the appellant and all other persons who specifically request notice of decision by signing a register providing for such purpose at the public hearing.

6.01.155 Appeal from Examiner's Decision. The examiner's decision shall be final and conclusive unless within thirty calendar days an application for an appropriate writ is filed with the Superior Court appealing such decision.

6.01.170 Death or Incapacity of Licensee. In the event of the incapacity, death, receivership, bankruptcy, or assignment for benefit of creditors of any licensee, then his guardian, executor, administrator, receiver, trustee in bankruptcy or assignee for benefit of creditors may, upon written authority from the Director of Finance, continue the business of the licensee on the licensed premises for the duration of the license, unless sooner terminated. Any such successor wishing to continue the license shall provide information as requested by the Director of Finance.

6.01.180 Limitation of Transfers and Reapplications.

(1) No individual may transfer a license issued pursuant to this chapter: Provided, that in the event of the withdrawal of a partner, the license may be transferred to the remaining partner or partners.

(2) No reapplication for a license shall be made within a period of ninety days following a denial of such license.

(3) No change shall be made in the management or officers of any licensed business unless said personnel comply with section 6.01.040(6).

(4) Unless otherwise specifically provided, no licensee shall change location without reapplying for a license. No portion of any license fee shall be refundable.

6.01.190 Liability Insurance. Unless otherwise provided, such applicant for any license under this ordinance shall at all times maintain in full force and effect a policy of bodily injury/property damage liability insurance to cover said applicant, his servants, agents, or employees in the conduct of the business being licensed. The certificate of insurance shall be filed with the Director of Finance. The Director of Finance must be given written notice in the event of cancellation of said policy either by the company or the insured.

Insurance certificates provided by any insurance company or underwriter containing the language "endeavor to" and "but failure to mail such notice shall impose no obligation or liability of any kind upon the company" or similar language will not be acceptable.

6.01.200 Bond. Unless otherwise provided, such applicant for any license under this ordinance shall at all times maintain in full force and effect any bonding requirements set forth by any business license ordinance. A bond shall be filed with the Director of Finance with written endorsements that the Director of Finance must be notified in writing in the event of cancellation by either the Bonding Agency or the licensee.

6.01.210 Civil Penalty. In addition to or as an alternative to any other penalty provided herein or by law, any person who engages in any activity, for which a license is required pursuant to the provisions of this chapter, while his or her license is suspended or revoked, or who fails to obtain a license prior to engaging in the activity for which a license is required, shall pay a penalty equal to fifty percent (50%) of the license fee or twenty-five (\$25.00) dollars, whichever is greater, for each day of operation without a license, and shall be subject to such further penalties as set forth herein.

All civil penalties assessed will be enforced and collected in accordance with the procedure specified in this chapter.

6.01.220 Criminal Penalties. Except as otherwise specifically provided for, any person violating or failing to comply with any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine in any sum not exceeding two hundred fifty dollars (\$250.00) or by imprisonment in the county jail for a period not exceeding ninety (90) days or both. Each day that any person operates any business, calling, profession, trade, occupation or activity licensed or permitted in violation of any provisions of this chapter shall constitute a separate offense and be punished as such.

6.01.230 Applicability. The adequacy of applications for licenses or permits under prior sections of the Snohomish County Code filed before the effective date of this ordinance shall be determined by Code provisions in effect on the date of filing such application. All applications filed after the effective date of this ordinance shall be processed in accordance with the terms of this ordinance. Any license/permit issued under prior provisions of the Snohomish County Code prior to the effective date of this act shall be subject to all provisions of this chapter which are not in conflict with any such license/permit.

6.01.240 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of any business license/permit ordinance be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of such business license/permit ordinance.

Chapter 6.17

MESSAGE PARLORS, BODY PAINTING STUDIOS AND PUBLIC BATHHOUSE EMPLOYEES

Sections:

6.17.001 General Provisions.

6.17.020 License Required
6.17.030 Exemptions
6.17.035 License Fees.
6.17.141 Fingerprinting Requirement.
6.17.042 Photographs Required.
6.17.050 Investigation Required.
6.17.060 Health Authority Approval.
6.17.070 Director of Finance to Issue License.
6.17.090 Prohibited Activity.

6.17.001 General Provisions. Unless specified otherwise in this chapter, the general provisions contained in chapter 6.01 shall apply to this license.

6.17.020 License Required. It shall be unlawful for any person to work for a massage parlor, body painting studio, or public bathhouse that does not possess a current and valid license as provided by chapter 6.07 or who does not possess a license as prescribed for in this chapter. Persons performing only custodial or janitorial functions are exempted from this requirement.

All licenses required herein shall be invalid as to any premises during any period in which the employer is not engaged in business whether by reason of choice or failure of the employer to operate a business or by reason of lapse, suspension or revocation of employer's license.

6.17.030 Exemptions. When no fee, compensation, or any other monetary consideration is charged or paid, directly or indirectly, for such services, the provisions of this chapter do not apply to:

(1) Persons giving massage treatments or baths in a private residence or a private social or athletic club not open to the public generally;

(2) Athletic coaches or trainers affiliated with public or private educational institutions or athletic organizations;

(3) Students enrolled in schools of massage performing such practices of massage as are incidental to their course of study.

(4) Massage treatments given in any hospital, duly licensed nursing or convalescent home, or by physical therapists duly licensed, who treat patients only upon written prescription of a licensed doctor of medicine, or by any other person licensed by the State of Washington to treat the sick, injured, or infirm, or by any nurse under the direction of a person so licensed.

(5) Licensed beauty operators and barbers who perform only such acts of massage as are customarily given in beauty salons and barber shops for purposes of beautification only.

6.17.035 License Fees. The fees for this license are established by and are contained in section 6.01.050(2)(d).

6.17.041 Fingerprinting Requirement. Applicants seeking a license as prescribed by this chapter shall be fingerprinted by the Sheriff as specified in section 6.01.046(1).

6.17.042 Photographs Required. Applicants seeking a license as prescribed in this chapter shall submit photographs as specified in section 6.01.046(2).

6.17.050 Investigation Required. Applicants seeking a license under this chapter shall be investigated according to the procedures outlined in section 6.01.047 of the general provisions.

6.17.060 Health Authority Approval. No license or renewal of license to perform as a masseur, massage parlor attendant, body painting studio attendant, or public bathhouse attendant shall be issued or renewed without first having had such examination and approval as shall be required by the County Health District Director having jurisdiction over the matter.

6.17.070 Director of Finance to Issue License.

(1) The Director of Finance shall issue an employee license to the applicant therefor if it appears that:

- (a) The statements in the application are true and complete; and
- (b) The applicant has complied with all of the requirements of this chapter; and
- (c) The applicant is of good moral character. Lack of good moral character will be presumed if such person:

1) has been convicted of a felony within the limitations described below:

- (a) The felony conviction involves sex exposure or contact, or any other crime directly relating to the operation of any business regulated herein; and
- (b) The defendant is institutionalized or on probation or parole in connection with the judgement and sentence; or
- (c) Not more than ten years have elapsed from the date of application to the date of conviction; or

2) has been convicted of any misdemeanor within the limitations described below:

- (a) The conviction involves sex exposure or contact, or any other crime directly relating to the operation of any business regulated herein; and
- (b) The defendant is institutionalized or on probation or parole in connection with the judgement and sentence.

If the above requirements are not met, then the license shall be denied. An application shall also be denied when, during the pendency of the application, an event occurs which would require suspension or revocation of the applicant's license.

(2) No person shall engage in practice as a masseur, masseuse, massage parlor attendant, body painting studio attendant, or public bathhouse attendant until a license has been approved in the manner specified by this chapter.

(3) No license shall be issued to any person required to be listed upon any application nor to any business premises during any period of suspension pursuant to action under this chapter, nor for a period of six (6) months following the date of a revocation pursuant to the terms of this chapter.

6.17.090 Prohibited Activity. It shall be unlawful for any employee or agent of any facility to intentionally touch or manipulate the genitals of a customer in any manner, and such activity shall be grounds for revocation of the employee's license.

Chapter 6.19

PAWNBROKERS AND SECONDHAND DEALERS

Sections:

- 6.19.001 General Provisions.
- 6.19.010 License Required.
- 6.19.020 License Fees.
- 6.19.021 Investigation Required.
- 6.19.022 Fingerprinting Required.
- 6.19.030 Records of Transactions.
- 6.19.040 Signing Records.
- 6.19.050 Reports to Sheriff.
- 6.19.070 Removing Goods from Shop.
- 6.19.080 Receiving Goods from Certain People Unlawful.
- 6.19.090 Owner of Stolen Goods Entitled to Attorney

Fees and Costs When Required to Bring Action
for Recovery.

6.19.100 Hours of Operation.

6.19.110 Penalty for Violations.

6.19.001 General Provisions. Unless specified otherwise in this chapter, the general provisions contained in chapter 6.01 shall apply to this chapter.

6.19.010 License Required. It is unlawful for any person to engage in a business as a pawnbroker or secondhand dealer without first having obtained a license to do so; provided, that the intermittent seller of personal property whose total sales are less than five hundred dollars per year shall be exempt from the requirements of this chapter.

6.19.020 License Fees. The fees for these licenses are established by and are contained in section 6.01.050(2)(f).

6.19.021 Investigation Required. Applicant's seeking a license under this chapter shall be investigated according to the procedures outlined in section 6.01.047 of the general provisions.

6.19.022 Fingerprinting Required. Applicants seeking a license as prescribed by this chapter shall be fingerprinted by the Sheriff as specified in section 6.01.046(1).

6.19.030 Records of Transactions.

(1) It shall be the duty of every pawnbroker and secondhand dealer doing business to maintain in his place of business a book or other permanent record in which is legible written in the English language, at the time of each loan or purchase by the pawnbroker or secondhand dealer, a record thereof containing:

(a) The date of the transaction;

(b) The name of the person or employee conducting the same;

- (c) The name; age; address; general description of the dress, complexion, color of hair; and facial appearance of the person with whom the transaction is made with;
- (d) The name and address of the owner of the property bought or received in pledge;
- (e) The address of the place from which the property was bought or received in pledge, if different than (d) above;
- (f) A description of the property bought or received in pledge, which in the case of watches shall contain the name of the maker and the number of both the works and the case, and in the case of jewelry shall contain a description of all letters and marks inscribed thereon; provided, that when the article bought or received is furniture, or the contents of any house or room actually inspected on the premises, a general record of the transaction shall be sufficient;
- (g) The price paid or the amount loaned;
- (h) The names and addresses of all persons witnessing the transaction; and
- (i) The number of any pawn ticket issued therefor.

(2) Any individual seeking to sell or put up an item as collateral for a loan from a pawnbroker or secondhand dealer must produce proper identification which bears his signature and photograph. Any of the following pieces of identification is allowable:

- (a) Driver's license of any state or "identocard" issued by the Washington State Department of Licensing pursuant to RCW 46.20.117;
- (b) United States active duty military identification; or
- (c) Passport.

6.19.040 Signing Records. Anyone who pledges, sells or consigns any property to or with a pawnbroker or secondhand dealer, shall sign the records required to be kept by such dealer with his true name and shall include his current residential address.

6.19.050 Reports to Sheriff.

(1) It is the duty of every pawnbroker and secondhand dealer to have ready for Sheriff's inspection by twelve noon of every business day, a blank form to be furnished by the sheriff's office, filled in with the true and correct description of the record of all transactions had on the preceding day. A copy of such records to be forwarded at the conclusion of each business week to the Snohomish County Sheriff.

(2) It is also the duty of any pawnbroker or secondhand dealer having good cause to believe that any property in his possession was previously lost or stolen, to report the fact to the sheriff, together with the name of the owner, if known, the date and the name of the person from who the same was received by the pawnbroker or secondhand dealer.

6.19.070 Removing goods from shop. No property bought or received in pledge by any pawnbroker or secondhand dealer shall be removed from his place of business, except when redeemed by the owner thereof, within ten days after the receipt thereof shall have been reported to the Sheriff as herein provided, or pursuant to other procedures as outlined by Sheriff.

6.19.080 Receiving goods from certain people unlawful.

(1) it is unlawful for any pawnbroker or secondhand dealer, his clerk, or employee, to receive in pledge or purchase, any article or thing from any person under eighteen years of age, unless with parental permission, or from any person who is at the time intoxicated from the use of alcohol or other drugs or from any person who is known to be a thief, or a receiver of stolen property, or from any person whom he has reason to suspect or believe to be such.

(2) The fact of loaning money upon or purchasing goods from any of the classes of persons enumerated in this section shall be prima facie evidence of an intent on the part of the pawnbroker or secondhand dealer, his agent or employee, to violate this chapter.

6.19.090 Owner of stolen goods entitled to attorney fees and costs when required to bring action for recovery. Whenever the owner of stolen goods locates said stolen goods in the possession of a pawnbroker or secondhand dealer, and is forced to bring an action for replevin to recover possession thereof, the owner shall be entitled to reasonable attorney fees and costs in connection with said replevin action.

6.19.100 Hours of Operation. It is unlawful for any pawnbroker or secondhand dealer to conduct or carry on the business of pawnbroker or secondhand dealer, in whole or in part, directly or indirectly, or to open, or keep open his premises for the transaction of any business whatsoever therein between the hours of eight p.m. and five a.m. unless special permission be given by the Director of Finance following approval by the sheriff and prosecutor.

6.19.110 Penalty for Violations. Every pawnbroker or secondhand dealer and every clerk, agent or employee of such pawnbroker or secondhand dealer, who shall:

(1) Fail to make an entry of any material matter in his book or record kept as provided in Section 6.19.030; or,

(2) Make any false entry therein; or

(3) Falsify, obliterate, destroy or remove from his place of business such book or record; or

(4) Report any material matter falsely to the sheriff;
or

(5) Having forms provided therefor, shall fail before noon of each day to furnish the sheriff with a full, true and correct transcript of the record of all transactions had on the previous day, it being the intent of this section that Saturday's business may be reported on Monday; or

(6) Fail to report forthwith to the sheriff the possession of any property which he may have good cause to believe has been lost or stolen, together with the name of the owner, if known, the date when, the name of the person from whom the same was received by him; or

(7) Remove, or allow to be removed from his place of business, except upon redemption by the owner thereof, any property received, within ten days after receipt thereof shall have been reported to the sheriff; or

(8) Receive any property from any person under the age of eighteen years, any habitual criminal, any person in an intoxicated condition, any known thief or receiver of stolen property, or any known associate of such thief or receiver of stolen property, whether such person be acting in his own behalf or as the agent or another, and any person who having a duty to do so fails to provide a true name and correct address;

shall be guilty of a misdemeanor and be punished as provided in Section 6.01.220.

Chapter 6.20

AUCTIONEER - AUCTIONS

Sections:

- 6.20.001 General Provisions.
- 6.20.010 License Required.
- 6.20.020 License Fees.
- 6.20.030 Exceptions.
- 6.20.040 Investigaion Required.
- 6.20.060 Bonding Requirements.
- 6.20.080 Records Required.
- 6.20.090 Receipt Required.
- 6.20.130 Prohibited Bidding.
- 6.20.140 False Representation Prohibited.

6.20.001 General Provisions. Unless specified otherwise in this chapter, the general provisions contained in chapter 6.01 shall apply to this license.

6.20.010 License Required. No personal property whether new or used shall be sold at auction in the county except in compliance with the provisions of this chapter. It is unlawful to sell, or cause or permit to be sold at auction any personal property, whether new or used, in the county unless such sale is conducted by an individual who has applied for and obtained an auctioneer's license from the county Director of Finance.

6.20.020 License Fees. The fees for this license are established by and are contained in section 6.01.050(2)(c).

6.20.030 Exceptions. All sales at auction in Snohomish County outside the limits of incorporated cities and towns, shall be conducted only by regularly licensed auctioneers, except government sales; sales on their premises by private farming tools or implements, or livestock, or any produce grown or raised by them; sales had under and by virtue of legal process; sales of property of deceased persons by administrators or executors; and except those sales of livestock conducted by a market agency or daler in a public stockyard, duly registered and qualified as such market agency or dealer and as such public stockyards, respectively, under the Federal Packers and Stockyards Act.

6.20.040 Investigation Required. Applicant's seeking a license under this chapter shall be investigated according to the procedures outlined in section 6.01.047 of the general provisions.

6.20.060 Bond Required. No auctioneer's license shall be issued until the applicant shall have filed with the Director of Finance of Snohomish County a good and sufficient license bond in the sum of five thousand dollars, as security, conditioned that said license fee shall not permit any fraud or imposition to be practiced upon bidders or purchasers of property from him, and that he will comply with all the terms and conditions of the ordinances of the county of Snohomish relating to auctioneers and will render a true and strict account of his sales to the person or persons employing him to make the sale.

6.20.080 Records Required. Every auctioneer shall keep a record which is open to inspection by the Director of Finance or Sheriff during regular business hours. Such records shall indicate:

(1) The names and addresses of individuals selling or purchasing the items sold.

(2) The general description of items placed for auction.

(3) The amount such items were sold for.

(4) Such records shall be made in the English language, in ink, in a clean and legible manner.

6.20.090 Receipt Required. Every person licensed under the terms and provisions hereof as an auctioneer shall, whenever any personal property is put in his hands for sale, give to the owner or person turning the said property over to said auctioneer for sale, a receipt containing a general description of all property entrusted to said auctioneer for sale.

6.20.130 Prohibited Bidding. No auctioneer shall, at any auction sale, cause or permit any fictitious or by-bid to be made or received, or announce any bid other than that of a bona fide bidder.

6.20.140 False Representation Prohibited. False representation or statements made by an auctioneer or by any persons with such auctioneer's knowledge, consent or connivance, shall, in addition to the penalties provided in this chapter, constitute sufficient grounds for a revocation by the Director of Finance of said auctioneer's license.

Chapter 6.26

PRIVATE SECURITY AGENCIES

Sections:

- 6.26.001 General Provisions.
- 6.26.010 License Required.
- 6.26.020 License Restricted.
- 6.26.030 Bond Required.
- 6.26.040 Investigation Required.
- 6.26.041 Fingerprinting Required.
- 6.26.042 Photographs Required.
- 6.26.050 License Fees.

- 6.26.060 List of Services - Required Records to be Kept.
- 6.26.070 Unlawful to Employ Unlicensed Persons.
- 6.26.080 Unlawful to Advertise Without License.
- 6.26.090 Advertisements - Solicitations of Business.
- 6.26.110 Prohibition Against Divulging Confidential Information.
- 6.26.120 Detective Agency/Private Detective Chapter not Applicable - When.
- 6.26.130 Certain Practices Prohibited.
- 6.26.140 Procedures Required of Licensees.

6.26.001 General Provisions. Unless specified otherwise in this chapter, the general provisions contained in chapter 6.01 shall apply to this license.

6.26.010 License Required. It shall be unlawful for any person to engage in business as a merchant patrol agency or private detective agency in the unincorporated area of Snohomish County without a valid license to do so.

6.26.020 License Restricted. Except where a person is currently in possession of both a valid merchant patrol agency license and a private detective agency license, it shall be unlawful for:

1. A merchant patrol agency to provide services other than those of a merchant patrol business; or for
2. A private detective agency to provide services other than those of a private detective business.

6.26.030 Bond Required. For each license applied for, the applicant shall file with the Director of Finance at the time of application a license bond running to the County of Snohomish, State of Washington, in a sum of five thousand dollars, conditioned that the license will faithfully comply with all the requirements of this chapter, insofar as they relate to the business.

Upon the effective date of any cancellation of any license bond furnished hereunder, any license shall without action by any county officer be suspended and remain suspended until the effective date of inception of a replacement license bond filed with the Director of Finance of the type and form specified for the original license bond.

6.26.040 Investigation Required. Applicant's seeking a license under this chapter shall be investigated according to the procedures outlined in section 6.01.047 of the general provisions.

6.26.041 Fingerprinting Required. Applicant's seeking a license as prescribed by this chapter shall be fingerprinted by the sheriff as specified in section 6.01.046(1).

6.26.042 Photographs Required. Applicant's seeking a license as prescribed by this chapter shall submit photographs as specified in section 6.01.046(2).

6.26.050 List of Services - Required - Records to be Kept. A list of all services offered with a brief description of what the service entails, along with the cost for such service, must be on file. All business transactions with customers must be conducted in accordance with the aforementioned list of services. Records must be kept of the number, names, and addresses of customers; the type of the service provided, and the amount of money paid by these customers for services. Such records shall be open to inspection by the Director of Finance or the Snohomish County Sheriff at all reasonable times.

6.26.070 Unlawful to Employ Unlicensed Persons. It shall be unlawful for any owner, proprietor, manager or person in charge of any business regulated by this chapter to employ in such business any person who does not have a valid employee license issued pursuant to Chapter 6.18 of the Snohomish County Code.

6.26.080 Unlawful to Advertise without License. It shall be unlawful to advertise the services of any merchant patrol or private detective business unless a proper license has been first secured according to this chapter.

6.26.090 Advertisements - Solicitations of Business.

(1) Every advertisement by the licensee or solicitation of business shall contain his company name and address as they appear in the records of the Director of Finance.

(2) Licensees and employees of private security agencies shall assure that their literature or sales presentation shall be accompanied by an accurate and clear description of the services which the licensee does in fact offer or provide, and shall comply with all applicable federal, state, and local consumer protection legislation including, but not limited to, RCW Chapter 63.14.

(3) Licensees and employees of private security agencies performing sales presentations to members of the public shall not carry visible weapons.

(4) A violation of any of the above provisions shall constitute grounds for license revocation proceedings, both as against the employee and the agency.

6.26.110 Prohibition Against Divulging Confidential Information. To the extent permitted by state law, it is unlawful for any person who is or has been a principal, agent or employee of a detective agency to divulge to any person, other than his employer or a law enforcement agency, except as his employer may direct and except as may be required by law, any information acquired by him during his employment with respect to any of the work to which he, or any other employee of the detective agency, shall have been assigned by the detective agency, or with respect to any of the work, business or affairs of the detective agency.

6.26.120 Detective Agency/Private Detective - Chapter not Applicable - When. Nothing in this chapter shall apply to any officer or employee of any state, county, city or town, appointed or elected by due authority of law; to any person, firm, or corporation whose business is the furnishing of information as to the business and financial standing and credit of persons, firms or corporations; nor to any person, firm or corporation inquiring as to the personal habits and financial responsibilities of applicants for insurance, indemnity bonds, or commercial credit, or of claimants under insurance policies.

6.26.130 Certain Practices Prohibited.

(1) It is unlawful for any licensee to represent to members of the public in any way, either directly or indirectly or by implication, that the licensee is an official or semiofficial law enforcement organization or that employees, agents or solicitors of the licensee are authorized by the State of Washington or any of its political subdivisions to act as law enforcement officers, including, by way of example but not limited to, the following conduct:

(a) Use of any name or initials in the course of business which has the capacity or tendency to convey said representation to members of the consuming public, including, but not limited to, any name using the words "police", "department", "Snohomish County Police", or "Snohomish County Detective";

(b) Use of any uniform, badge, insignia, business card, stationery or any other device, object, or type of apparel which is not readily distinguishable to average members of the consuming public from such devices, objects, or types of apparel which are used by authorized law enforcement officers;

(c) Use of any uniform, badge, insignia, title, or identification card, or make any statement with the intent to give an impression the the licensee is connected in any way with the federal government, a

state government, or any political subdivision of either; or

(d) Use of any letterhead, advertisement, or other printed matter, or in any manner illegally represents that the licensee is an instrumentality of the federal government, state government, or any political subdivision of either.

(2) It is unlawful for any licensee to engage in any acts, practices, or conduct which hampers the operation or activities of authorized law enforcement and public safety officers.

(3) A violation of any of the above provisions shall constitute grounds for license revocation proceedings, both as against the employee and the agency.

6.26.140 Procedures Required of Licensees.

Licensees shall perform private security services in such fashion that no interference with the Snohomish County Sheriff's office or other law enforcement agencies will result. Regarding this end, licensees shall:

(1) Recommend to their customers that, in the event of a police problem, the customer should first call their respective police department;

(2) If a customer calls about a law enforcement problem, to instruct the customer to call their Sheriff's office if possible; and if not possible, the licensee will notify the Sheriff's office;

(3) Instruct its employees that, if a situation involving possible Sheriff's office interest is observed, the employee will immediately notify the Sheriff's office;

(4) If sign of entry is noticed by an employee while on duty, to instruct such employees to immediately notify the Sheriff's office;

(5) Use all reasonable efforts to inform and advise their present and prospective officers, directors, partners, agents, representatives, employees, and all other persons acting under, for, or on behalf of the licensee, of the provisions of this chapter, and direct them to comply therewith;

(6) A violation of any of the above provisions shall constitute grounds for license revocation proceedings, both as against the employee and the agency.

Chapter 6.36

AMUSEMENT DEVICES AND GAME TABLES

- 6.36.001 General Provisions.
- 6.36.010 Payoffs Prohibited.
- 6.36.020 Operation Without License Prohibited.
- 6.36.030 Amusement Device
Distributor's License Required.
- 6.36.040 Amusement Device
Location License Required.
- 6.36.050 Operator's License for Number of
Amusement Devices and/or Game Tables Required.
- 6.36.060 Investigation Required.
- 6.36.070 License Fees.
- 6.36.100 Nuisance.
- 6.36.110 Additional Enforcement.
- 6.36.120 Exclusions.

6.36.001 General Provisions. Unless specified otherwise in this chapter, the general provisions contained in chapter 6.01 shall apply to this chapter.

6.36.010 Payoffs prohibited. No amusement device or game table shall be used for the purpose of awarding any

money or object of value other than free games or extended play, to the player or players, and shall not contain any mechanism which varies the chance of winning free games or the number of free games which may be won, depending on the number of coins inserted into the device; provided that in no event shall a machine be licensed which is so designed and equipped as to render it of practical utility only as a device to be used for gambling.

6.36.020 Operation without licenses prohibited. No owner, distributor, operator, or other persons in charge of any place of business shall distribute, operate, lease, sell or rent any amusement device or game table without first securing the appropriate license or licenses as required by this chapter.

6.36.030 Amusement device distributor's license required. A distributor's license is required for any person or business that leases, rents, sells or places with others any amusement device.

6.36.040 Amusement device location license required. A location license is required for any person or business who possesses or operates five (5) or more amusement devices on any premises. Amusement device distributors are prohibited from leasing, renting, selling or placing on any premises where the owner or person in charge has not first secured a valid location license. A separate location license is required for each place of business. Not more than one location license shall be issued for any one place of business; provided, however, such location license may be transferred from the premises for which it was issued during the license year with the consent of the Director of Finance.

6.36.050 Operator's license for number of amusement devices and/or game tables required. No owner, operator or other person in charge of any place of business may own, lease, rent or make accessible to any possible user, any amusement device or game table on premises owned, leased or occupied by said person unless he has first secured a license showing the number of amusement devices and/or game tables.

To increase the number of any amusement devices or game tables at any location, the owner, operator or other person in charge must first secure a revised license in accordance with section 6.01.080 before any such equipment is received on said location.

6.36.060 Investigation Required. Applicant's seeking a license under this chapter shall be investigated according to the procedures outlined in section 6.01.047 of the general provisions.

6.36.070 License Fees. The fees for this license are established by and are contained in section 6.01.050 (2)(h).

6.36.100 Nuisance. Any operation of amusement device or gaming tables without a license as required by this chapter or contrary to law, or any activities on the premises where any such device and/or table is kept in such a manner as to constitute a nuisance may be abated by the sheriff or the Director of Finance, including closing of any premises upon which such operation or nuisance occurs, seizure of any devices or table being so unlawfully operated, or seeking an order to abate or enjoin such unlawful operation or nuisance. Disposal of any property seized shall be as provided in RCW 7.48.090 through 7.48.110.

6.36.110 Additional enforcement. Notwithstanding the existence or use of any other remedy, the Director of Finance may seek legal or equitable relief to enjoin any acts or practices which constitute or will constitute a violation of this chapter.

6.36.120 Exclusion. The definitions in this chapter shall not include any amusement game or gambling device as defined in RCW 9.46.020(1) or 9.46.020(9) and amendments, or any game or other activity subject to the provisions of Snohomish County Code chapter 4.50. Nothing in this chapter shall legalize any activity which shall constitute gambling under RCW 9.46.020(8), or any other conduct or activity prohibited by law.

Chapter 6.37

PUBLIC EVENTS/ASSEMBLIES

Sections:

- 6.37.001 General Provisions.
- 6.37.010 Permit Required.
- 6.37.020 Permit - Exceptions.
- 6.37.025 Permit Fee.
- 6.37.030 Submission of Plans for Approval.
- 6.37.035 Investigation Required.
- 6.37.040 Conditions for Permit Issuance.
- 6.37.050 Employment of Enforcement Officer.
- 6.37.060 Intoxicants.
- 6.37.070 Hours of Operation.
- 6.37.080 Liability Insurance Required.
- 6.37.100 Non-compliance Deemed Nuisance.

6.37.001 General Provisions. Unless specified otherwise in this chapter, the general provisions contained in chapter 6.01 shall apply to this permit.

6.37.010 Permit Required. It is unlawful for any person, persons, corporation, organization, or any other legal entity, landowner, or lessor to allow, encourage, organize, promote, conduct, permit, or cause to be advertised, a public event/assembly unless a valid permit has been obtained from the Director of Finance.

6.37.020 Permit - Exceptions. A permit will be issued without charge to any grange, patriotic, fraternal or community non-profits organization if the public event/assembly is not conducted for private benefit or profit.

6.37.025 Permit Fee. The fees for this permit are established by and contained in section 6.01.050(2)(i).

6.37.030 Submission of Plans for Approval. In addition to the requirements specified in section 6.01.040 of the

general provisions, applicants seeking a permit for a public event/assembly must submit a plan that:

- (1) describes the location of the activity
- (2) specifies whether any existing or proposed structures will be used
- (3) steps for complying with conditions or requirements described in section 6.37.040 of this chapter.

Whenever approval by a county department or government agency other than the Director of Finance is required, the applicant seeking such approval shall cooperate fully with such departments/agencies to insure full review within the time limits established.

If preliminary approval has been granted based on written plans which include the use of certain structures and should the actual facility or construction fail to meet the standards approved in the proposed plans such preliminary approval may be withdrawn and any and all permits granted subject to such approval may be withdrawn.

6.37.035 Investigation Required. Applicant's seeking a license under this chapter shall be investigated according to the procedures outlined in section 6.01.047 of the general provisions.

6.37.040 Conditions for permit Issuance. The following conditions shall be satisfied before a public events/assemblies license is issued:

(1) Location

No permit for any public event/assemble shall be granted if the activity, in the judgement of the Director of Finance, adversely impacts the surrounding residential area or physical environment or creates adverse noise, dust, or light impacts.

Furthermore, that the outside perimeter for such activity shall not be less than 500 yards from any place of abode, commercial building, or farm building, unless approval from the occupant has been obtained.

(2) Sanitary Facility Requirements

No permit for a public event/assembly shall be granted unless the application is accompanied by the written approval of the Snohomish Health District that the minimum health standards or requirements for the following have been met, but are not limited to:

- (a) Water Supply
- (b) Toilets
- (c) Food Preparation
- (d) Waste Disposal
- (e) Medics and Emergency First Aid

(3) Fire Protection Device, Equipment Required

No permit shall be granted hereunder unless the applicant has shown that the Snohomish County Fire Marshall has approved that fire protection devices and equipment are available at, in or near any building, tent, stadium or enclosure wherein or whereupon more than ten persons may be expected to congregate at any time during the course of such public event/assembly for which a permit is hereunder required. Fire prevention standards are set out in Title 16 of the Snohomish County Code.

(4) Traffic, Crowd Control Personnel Requirements.

No permit shall be granted without the written approval by the Sheriff that adequate traffic control/crowd protection services have been contracted for or otherwise provided for by the applicant. Traffic control - crowd

control personnel shall be licensed merchant patrolmen or individuals approved by the Sheriff. There shall be provided one traffic control/crowd control person for each three hundred (300) persons expected or reasonably expected to be in attendance at any time during the event/assembly provided that a minimum of three such personnel shall be provided for any event/assembly coming within the provisions of this chapter. Sufficient personnel shall be provided so that the above requirements will be met throughout the public event/assembly without working any personnel more than twelve hours without at least an eight hour rest period before his next hours on duty. It shall be the duty of such policing personnel to report any violations of the laws to the Snohomish County Sheriff or his deputies.

(5) Parking Facilities.

Application for a permit hereunder shall be accompanied by a scale drawing showing that 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. Provided, that if any nonadjacent parking facilities be approved, shuttle buses shall be used to provide free transportation for the public to the location of the public event/assembly.

(6) Lighting.

In the event that the activity shall continue after sundown, the applicant shall provide for the illumination of the grounds and parking area to a minimum light intensity of 0.1 foot candles.

(7) Waiver or Exception.

If the event is sponsored on County property, respective department directors may waive certain conditions or

requirements outlined in section 6.37.040 if in their opinion such activity can be conducted safely and without additional expense to the county. It is the responsibility of the department director to notify the Director of Finance of such waiver in writing.

6.37.050 Employment of Enforcement Officer.

In the event it becomes necessary to secure the services of a deputy sheriff or other police officer to properly enforce these rules and regulations and to maintain order at a public event/assembly, all expense for such services shall be borne by the permit holder and it is his duty to secure the service of such officer or officers as are necessary to preserve order and enforce the rules and regulations prescribed by this chapter and the state law.

6.37.060 Intoxicants. The sale, possession and consumption of alcoholic beverages upon the grounds shall be prohibited unless permits from the Washington State Liquor Control Board have been obtained.

6.37.070 Hours of Operation. No public event/assembly coming within the provisions of this chapter shall be conducted in the unincorporated areas of Snohomish County between the hours of two a.m. and six a.m.

6.37.080 Liability Insurance Required. The applicant shall agree that in the event the permit is granted, the following indemnity agreement applies to the event.

The permit holder assumes the risk of all damage, loss, cost and expense and agrees to indemnify and hold harmless Snohomish County from and against any and all liability which may accrue to or be sustained by Snohomish County on account of any claim, suit or action made or brought against destruction of property involving the permit holder and its employees or agents sustained in connection with the performance of the permit except the sole negligence and willful misconduct of Snohomish County, its employees acting within the scope of their employment, and such indemnification hereunder in favor of Snohomish County.

Insurance: A certificate of comprehensive general liability insurance policy shall be filed with the county Director of Finance prior to the issuance of the permit which names Snohomish County, its officers and employees, as an additional insured as respects activities in connection with this permit. The certificate shall be approved by the risk manager.

This insurance shall contain a "cross liability" endorsement which reads substantially as follows:

The inclusion of more than one insured under this policy shall not affect the rights of any insured as respects any claim, suit or judgment made or brought by or for any other insured. This policy shall protect each insured in the same manner as though a separate policy had been issued to each except that nothing herein shall operate to increase the company's liability beyond the amounts for which the insurer would have been liable had only one insured been named. The insurance required herein will be an amount not less than one million dollars combined single limit bodily injury and property damage.

In addition, applicant must comply with language under section 6.01.090.

6.37.100 Noncompliance Deemed Nuisance. Compliance with the terms and conditions of this chapter shall constitute minimum health, sanitation and safety provisions, and material noncompliance with the terms and conditions shall constitute a public nuisance and be subject to all criminal, civil, and equitable remedies as such.

Chapter 6.38

DANCES AND DANCE HALLS

Sections:

6.38.001 General Provisions.

6.38.010 License Required.
6.38.020 License - Exceptions.
6.38.025 License Fee.
6.38.040 Intoxicated Person & Liquor Prohibited.
6.38.050 Lighting Required.
6.38.070 Hours.
6.38.080 Posting - Transfer
6.38.090 Parking Lots.
6.38.100 Duty of Preserving Order.
6.38.110 Employment of Police Officer.
6.38.120 Smoking Prohibited.
6.38.140 Adherence to State Law.

6.38.001 General Provisions. Unless specified otherwise in this chapter, the general provisions contained in chapter 6.01 shall apply to this license.

6.38.010 License Required. It is unlawful for any person to conduct, operate or maintain a public dance or dance hall unless the person who is conducting, operating or maintaining such activities has obtained a license in the manner prescribed in this chapter.

6.38.020 License - Exception. A license may be issued without charge for grange, patriotic, fraternal or community dances, when not conducted for private benefit or profit.

6.38.025 License Fee. The fees for this license are established by and contained in section 6.01.050(2)(j).

6.38.040 Intoxicated Persons and Liquor Prohibited. Any applicant operating a dance hall or conducting a public dance where liquor is served must comply with all applicable State and local laws governing the use of alcoholic beverages and any rules or regulations established by the Washington State Liquor Control Board.

6.38.050 Lighting Required. All buildings, halls, rooms, pavilions or other places in which public dances are carried on, as well as all halls, corridors and rooms leading thereto or connected therewith shall at all times while open to the public be well lighted.

6.38.070 Hours. No public dance shall be conducted nor dance hall kept open between the hours of two o'clock a.m. and six o'clock a.m. unless a special permit is

obtained from the Director of Finance as approved by the County Executive.

6.38.080 Posting - Transfer. All licenses granted hereunder shall be kept posted in a conspicuous place on the licensed premises. No license granted hereunder shall be transferrable, nor shall any dancy hall or public dance be conducted at any place other than that specified in the license therefore.

6.38.090 Parking Lots. All parking lots used in conjunction with any cabaret, public dance or dance hall shall at all times while open to the public, be well lighted and such parking lots shall at all times be kept in a clean, and sanitary codition.

6.38.100 Duty of Preserving Order. The burden of preserving order in any cabaret, dance hall or at any public dance is upon the licensee, and if any cabaret, dance hall or public dance, or any parking lot used in conjunction with any cabaret, dance hall or public dance is not being operated in accordance with the rules and regulations prescribed in this chapter, the license shall be subject to revocation and the licensee or other individual responsible subject to such other punishment as the law and this chapter provides.

6.38.110 Employment of Police Officer. In the event it becomes necessary to secure the services of a deputy sheriff or other police officer to properly enforce these rules and regulations and to maintain order in a cabaret, dance hall, or public dance, all expense for such service shall be borne by the licensee, and it is his duty to secure the services of such officer or officers as hare necessary to preserve order and enforce the rules and regulations prescribed in this chapter and the state law.

6.38.120 Smoking Prohibited. No person shall be permitted to smoke, or carry in his or her hand a lighted cigar, cigarette or pipe while on the dance floor.

6.38.140 Adherence to State Law. All owners an manager, or both, must adhere strictly to RCW 67.12.010 through 67.12.070.

Chapter 6.39

PARADES AND RUNS
ON COUNTY PROPERTY

Sections:

- 6.39.010 General Provisions.
- 6.39.020 Permits Required.
- 6.39.030 Parade or run for
commercial purposes prohibited.
- 6.39.040 Interfering with or obstructing a
parade or run prohibited.
- 6.39.050 Action contrary to permit or consent
of Permittee Prohibited.
- 6.39.060 Police escort required.
- 6.39.070 Permit Fee.
- 6.39.080 Additional Fees.
- 6.39.090 Application for permit.
- 6.39.100 Submittal to the sheriff and director of
of public works.
- 6.39.110 Denial of permit.
- 6.39.120 Contents of permit.
- 6.39.130 Indemnity-performance bond.
- 6.39.140 Indemnity-insurance.
- 6.39.150 Officials to be notified.

6.39.010 General provisions. Unless specified otherwise in this chapter, the general provisions contained in chapter 6.01 shall apply to this license.

6.39.020 Permits required. No person shall conduct any parade or run or knowingly participate in any such parade or run upon any county road, sidewalk, alley or other county property unless or until a permit to conduct such parade or run has been obtained from the Director of Finance.

6.39.030 Parade or run for commercial purpose prohibited. No permit shall be issued authorizing the conduct of a parade or run which the Director of Finance finds is proposed to be held for the sole purpose of advertising any product, goods, wares, merchandise or events, and is designed to be held for private profit, excepting, however, political parades.

6.39.040 Interfering with or obstructing a parade or run prohibited. All persons, except those participating in the parade or run shall keep off roads, sidewalks, alleys

and other county property temporarily closed for any parade or run. It is unlawful for any person to leave any vehicle upon any road, sidewalk, alley, or other county property knowing that the same has been cleared for parade or run purposes. It is unlawful for any pedestrian, equestrian or the operator of any vehicle to pass through or drive between the vehicles, units or floats comprising a parade authorized by this section; provided that this shall not prohibit the operation of emergency vehicles or prevent the passage of such vehicles or persons at intersections where traffic is controlled by a police officer.

6.39.050 Action contrary to permit or consent of permittee prohibited. No person may knowingly join or participate in any permitted parade or run without the consent or over the objections of the permit holder, nor in any manner interfere with its progress or orderly conduct.

6.39.060 Police escort required. All parades and runs shall have a police escort which may be appointed by the Sheriff.

6.39.070 Permit fees. The fees for this license are established by and are contained in section 6.01.050(2)(k).

6.39.080 Additional fees. If the sheriff or director of public works, director of the office of community affairs, or airport manager conclude that the activity involved will result in increased costs to his respective department, he shall advise the Director of Finance of the estimated amount thereof. The Director of Finance shall require payment of such estimated sum or sums from the applicant prior to issuance of the permit. Such monies collected by the Director of Finance shall be placed in a trust until the event is concluded. Departments will submit their final billing to the Director of Finance within five working days following the conclusion of the event. Should additional payment be required, the Director of Finance shall issue a formal bill to the permit holder. In the event that a refund is due the Director of Finance shall issue a refund to the permit holder. Furthermore, the Director of Finance shall credit the appropriate department based on their final billing.

6.39.090 Application for permit. Any person who wants to conduct a parade or run shall apply to the Director of Finance for a permit not less than sixty days in advance of

the date of the proposed parade or run. The application for such permit shall be made in writing on a form approved by the Director of Finance.

In order that adequate arrangements may be made for the proper protection of the parade or run and the public, the application shall contain the following questions and conditions:

1. The name of the applicant, the sponsoring organization, the parade or run chairperson, and the address and telephone numbers of each;
2. The purpose of the parade or run;
3. A description of the individual floats, marching units, vehicles and bands and a description of any sound amplification equipment to be used (parades only);
4. The assembly area and time therefor;
5. The starting time;
6. The minimum and maximum speeds (parades only),
7. The route of the parade or run;
8. The portions of any public road, sidewalk, alley, parking lot or other county property to be traversed or otherwise used by such parade or run;
9. The maximum number of units and the maximum and minimum intervals of space to be maintained between the units of such parade or run (parades only);
10. The maximum length of such parade or run in miles or fractions thereof;
11. The disbanding area and disbanding time;
12. The number of persons required to monitor the parade or run;
13. The number and type of vehicles involved, if any;

14. The material and maximum size of any sign, banner, placard, or carrying device therefor (parades only);

15. That the materials used in the construction of floats used in the parade shall be of fire-retardant materials and shall be subject to such requirements concerning fire safety as may be determined by the fire marshal of the county (parades only);

16. That the permittee shall advise the participants in the parade or run of the terms and conditions of the permit prior to the commencement of such parade or run;

17. That any willful delay or willful stopping of any parade or run, except when reasonably required for the safe and orderly conduct of the parade or run shall constitute a violation of the permit;

18. That the vehicles and floats used in the parade may be subject to safety inspections by the sheriff and fire marshal, and such vehicles and floats may not participate in the parade or motorcade until they have successfully completed such inspection;

19. Any permitted activity will be conducted in a lawful manner; and

20. Any other requirements found by the auditor to be reasonably necessary for the protection of any person or property.

6.39.100 Submittal to sheriff and director of public works. Upon receipt of any application as provided in section 6.39.090, the Director of Finance forthwith shall submit copies thereof to the sheriff and the director of public works, director of office of community affairs and/or the airport manager if it appears that such event is to be conducted upon property subject to his control. The sheriff and other public officials so notified, shall each notify the Director of Finance in writing within thirty days of his approval or disapproval of the application with terms and estimated costs, if any, to be collected prior to the issuance of a permit.

6.39.110 Denial of permit. The Director of Finance shall deny a parade or run permit if the Director of Finance concludes that:

1. The applicant has not satisfied the general provisions contained in Chapter 6.01 of the Snohomish County Code; or

2. Such parade or run dance will interfere with another parade or run for which a permit has previously been issued or requested; or

3. The applicant refuses to agree to comply with all conditions of the permit; or

4. The purpose of the activity is contrary to section 6.39.030; or

5. Bond and insurance as required by sections 6.39.130 and .140 has not been fulfilled.

6.39.120 Contents of permit. On each permit, the Director of Finance shall specify:

1. Name of permit holder;

2. Address;

3. Name of sponsoring organization if other than permit holder;

4. Date the event begins and concludes;

5. Statement of whether all conditions have been met as required in section 6.39.090. If not, what conditions have not been addressed;

6. Signature of permit holder;

7. Approval by Director of Finance.

6.39.130 Indemnity - Performance Bond. No permit shall be issued for a parade or run until the applicant has filed with the Director of Finance a bond approved by the county risk manager to pay for any costs reasonably anticipated to be incurred in removing debris, litter or papers from the street, or other material deposited thereon as a result of said permitted activity; provided that the risk manager, at his discretion, may in appropriate cases, make a specific finding that such a bond is not necessary at the time of the issuance of such permit and waive said bond.

6.39.140 Indemnity Insurance. The applicant shall agree that in the event the permit is granted, the following indemnity agreement applies to the event.

The permit holder assumes the risk of all damage, loss, cost and expense and agrees to indemnify and hold harmless Snohomish County from and against any and all liability which may accrue to or be sustained by Snohomish County on account of any claim, suit or action made or brought against Snohomish County for the death or or injury to persons or destruction of property involving the permit holder and its employees or agents sustained in connection with the performance of the permit except the sole negligence and willful misconduct of Snohomish County, its employees acting within the scope of their employment, and such indemnification shall extend to and include attorney's fees and the cost of establishing the right to indemnification hereunder in favor of Snohomish County.

Insurance: A certificate of comprehensive general liability insurance policy shall be filed with the county Director of Finance prior to the issuance of the permit which names Snohomish County, its officers and employees, as an additional insured as respects activities in connection with this permit. The certificate shall be approved by the risk manager.

This insurance shall contain a "cross liability" endorsement which reads substantially as follows:

The inclusion of more than one insured under this policy shall not affect the rights of any insured as respects any claim, suit or judgement made or brought by or for any other insured or by or for any other insured. This policy shall protect each insured in the same manner as though a separate policy had been issued to each except that nothing herein shall operate to increase the company's liability beyond the amount or amounts for which the insurer would have been liable had only one insured been named. The insurance required herein will be an amount not less than five hundred thousand dollars combined single limit bodily injury and property damage.

In addition, applicant must comply with language under section 6.01.190.

6.39.150 Officials to be Notified. Immediately upon the granting of a permit for parade or run, the Director of Finance shall send a copy thereof to the following:

1. The executive;
2. The fire marshal;
3. The sheriff;
4. The director of public works, the director of the office of community affairs, and/or airport manager, if such activity is conducted in whole or part upon any property under their control.

Chapter 6.40

BOATING EXHIBITIONS/TOURNAMENTS

Sections:

- 6.40.001 General Provisions.
- 6.40.010 General - Sponsoring.
- 6.40.020 Participation.
- 6.40.030 Boating Exhibition, Tournament Permits Authorized.
- 6.40.040 Permit Application.
- 6.40.050 Permit - Fee.
- 6.40.060 Permit Applications - Referral.
- 6.40.070 Permit Issuance.
- 6.40.080 General Conditions of Use.
- 6.40.085 Insurance Requirements.
- 6.40.090 Restricted Area Designation - Effect.

6.40.001 General Provisions. Unless specified otherwise in this chapter, the general provisions contained in chapter 6.01 shall apply to this license.

6.40.010 General - Sponsorship. It shall be unlawful for any person to sponsor any vessel and/or water-ski regattas, tournaments, exhibitions, races or other events upon or in any lake within Snohomish County, unless a permit has been issued in accordance with this chapter.

6.40.020 Participation. It shall be unlawful for any person to participate in any vessel and/or water-ski regattas, tournaments, exhibitions, races or other events upon or in any lake within Snohomish County, except in accordance with a permit issued pursuant to this chapter.

6.40.030 Boating Exhibition, Tournament Permits Authorized. The county may by permit authorize the conduct of vessel and/or water-ski regattas, tournaments, races, or other events upon or in any lake in Snohomish County not otherwise restricted by state or federal regulation; provided, that such permits shall not authorize motorboat regattas, tournaments, races or other events upon or in lakes where motorboats are otherwise prohibited. Such permits shall be supplementary to any assembly permit otherwise required.

Within the area designated for the event and during the time specified in the permit, all or part of the sections of this code relating to operator qualifications or equipment qualifications may be waived; provided, that such waiver is requested in writing by the sponsor and noted upon the permit.

6.40.040 Permit Application. Any person desiring to sponsor such events shall apply to the Director of Finance and comply with Section 6.01.040 of chapter 6.01 general provisions of Title 6 Business Licenses and Regulations.

The application must be submitted at least sixty days in advance of the commencement of such events for a permit. In addition, the following information shall be provided:

- (1) The name and address of sponsor;
- (2) The lake and the general water area of said lake where said events shall be held; (3) The hours and dates of such events including the hours and dates of any trial practices or preliminary events;
- (4) The type or nature and extent of such events;
- (5) Plans drawn to scale showing the course and outer restricted area; the outer restricted area to be of such size as to permit safe passage of any vessel or swimmer outside its perimeter; all such plans to show the nature and location of all buoys and markers and other floating devices

that are existing or to be temporarily placed upon the water;

(6) The provisions that shall be made by the sponsor for patrolling to prevent the unauthorized entry of non-participants into the water areas;

(7) The safety and rescue measures that shall be provided by the sponsor to insure the safety of the life, limb, and property of participants and other persons;

(8) All concessions and incidental activities to be conducted in connection with the event;

(9) Land area under control of applicant and promoters for the purpose of accomodating anticipated crowds and preventing pressure of trespassers on private property;

(10) Such other information as the County may require to full inform it of the nature and extent of such event.

6.40.050 Permit - Fee. The fees for this permit are established by and are contained in section 6.01.050 (2)(1).

In addition, the applicant shall pay the cost of publication and of posting of notice provided for herein. No permit shall be issued hereunder unless the applicant demonstrates that he will meet the conditions, limitations and restrictions of this chapter. Said application fee shall be non-refundable.

6.40.060 Permit Applications Referral. Upon receipt of an application for permit, the Director of Finance shall refer copies of the application:

(1) To the park and recreation director for his comments on desirability of the event and for the posting of notices at each public access to the lake involved,

(2) To the county sheriff for comments on the qualifications of patrol personnel, on traffic safety and on noise problems,

(c) To the health district for comments on the adequacy of sanitation facilities. 6.40.070 Permit Issuances. Permits hereunder may be issued when it is determined by the Director of Finance that the permit when taken in

conjunction with all other applications and permits issued during the same calendar year for the subject lake will not result in a frequency or duration of such activity as will cause an unreasonable interference with other water users on the lake and that when the conditions of the permit are met, there will be no unreasonable hazard to the safety, comfort and repose of others, whether water users, landowners or road users on or in the vicinity of the lake, and that the conditions in the permit will not contain a lesser standard than that specified in this chapter.

6.40.080 General Conditions of Use. Permits for any regatta, tournament race or other event are subject to the following minimum limitations and conditions;

(1) That the plan, map and text showing the course restricted area, location of buoys and markers and other safety equipment, shore and upland under control of the applicants, with parking areas located thereon, together with attendant and participant areas and toilet facilities, shall when approved or approved as modified bind the applicants and promoters to the stated locations, terms and conditions;

(2) That all buoys, markers and other safety equipment, and toilet facilities shall be in place not later than two (2) hours prior to time specified for any activity permitted by the permit;

(3) That the qualifications of the traffic-control persons, crowd-control persons and restricted-area patrol persons specified in the permit have been approved by the sheriff in accordance with the conditions of the permit and of this chapter and that such persons are on duty not later than one (1) hour prior to the period specified on the permit for which their use will be required. Use of alcohol, narcotic drugs by any of the above-specified personnel during any period for which they are required to be on duty shall void the permit;

(4) That during any competition emergency medical aid at the stations specified in the permit;

(5) That the applicant and promoters shall remove all temporary placed equipment immediately at the termination of

permitted events and shall remain liable for damages sustained as a result of their failure to do so and for the cost of removal;

(6) That applicant is responsible for control and cleanup of any oil spill or other pollution caused by the event;

(7) That applicant must meet any health department requirements that are applicable.

(8) That any special conditions imposed are complied with.

6.40.085 Insurance Requirements. The applicant shall agree that in the event the permit is granted, the following indemnity agreement applies to the event.

The permit holder assumes the risk of all damage, loss, cost and expense and agrees to indemnify and hold harmless Snohomish County from and against any and all liability which may accrue to or be sustained by Snohomish County on account of any claim, suit or action made or brought against Snohomish County for the death of or injury to persons or destruction of property involving the permit holder and its employees or agents sustained in connection with the performance of the permit except the sole negligence and willful misconduct of Snohomish County, its employees acting within the scope of their employment, and such indemnification shall extend to and include attorney's fees and the cost of establishing the right to indemnification hereunder in favor of Snohomish County.

Insurance: A certificate of comprehensive general liability insurance policy shall be filed with the Director of Finance prior to the issuance of the permit which names Snohomish County, its officers and employees, as an additional insured respects activities in connection with this permit. The certificate shall be approved by the risk manager.

This insurance shall contain a "cross liability" endorsement which reads substantially as follows:

The inclusion of more than one insured under this policy shall not affect the rights of any insured as respects any

claim, suit or judgment made or brought by or for any other insured or by or for any employee of any other insured. This policy shall protect each insured in the same manner as though a separate policy had been issued to each except that nothing herein shall operate to increase the company's liability beyond the amount or amounts for which the insurer would have been liable had only one insured been named. The insurance required herein will be an amount not less than five hundred thousand dollars combined single limit bodily injury and property damage. In addition, applicant must comply with language under section 6.01.190 and the policy will include coverage for any damage caused by wake or any motorboat operating as a result or as a participant in any event within the restricted area.

6.40.090 Restricted Area Designation - Effect. When buoys and markers provided for in the permit are installed and in place during the period of time specified in the permit, it shall be unlawful for any person or vessel to be in the restricted area of the water unless such person is an applicant or promoter or participant in the permitted activity or is a county administrative or law enforcement person or a person providing emergency aid.

Section 3. This ordinance shall be effective January 1, 1984.

Passed this 23rd day of December 1983.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Cliff Bailey
Chairperson D-3

Approved as to Form:

Deputy Prosecuting Attorney

ATTEST:

Ellie Snyder
Clerk of Council

(☒) APPROVED
() VETOED
() EMERGENCY

DATE: Dec. 29, 1983

[Signature]
for County Executive

PUBLISHED _____ and _____

ORDINANCE RE: BUSINESS LICENSES - 75