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COUNTY COUNCIL
Snohomish County, Washington



AMENDED

ORDINANCE NO. 86-099

GENERAL BUSINESS AND OTHER LICENSES AND
REGULATIONS: GENERAL PROVISIONS AND FEES;
KENNELS, GROOMING PARLORS AND PET SHOPS;
MASSAGE PARLORS; MASSAGE PARLOR EMPLOYEES;
EROTIC DANCE STUDIOS AND EROTIC DANCERS;
PUBLIC BATHHOUSES AND HOT TUBS; PUBLIC
BATHHOUSE AND HOT TUB EMPLOYEES; DOG AND
CAT LICENSES; AUCTIONS AND AUCTIONEERS;
SURETY AND BONDING COMPANIES; UTILITY
FRANCHISES; SEPTIC TANKS, CESSPOOLS,
AND SEWAGE PITS

BE IT ORDAINED:

Section 1. The following chapters and sections of the
Snohomish County Code are repealed:

- (1) Chapter 6.20 enacted Dec. 29, 1983, as Ordinance
No. 83-156, Sec. 2 (part).
- (2) Chapter 6.44 as adopted by resolution on February
3, 1913.
- (3) Chapter 6.48 as adopted by resolution on May 29,
1967.
- (4) Chapter 6.52 as adopted by resolution on May 22,
1950.
- (5) Section 6.07.150 enacted Nov. 11, 1982, as
Ordinance No. 82-109 SS2 (part).
- (6) Section 6.17.070 enacted Dec. 29, 1983, as
Ordinance No. 83-156, Sec. 2 (part).

Section 2. The caption of Snohomish County Code Chapter
6.01 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2
(part), is amended to read 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 Public Notice and Comment
((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 Procedure for Suspension, Revocation ((Grounds)).
- 6.01.141 Grounds for Suspension.
- 6.01.142 Grounds for 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.
- 6.01.185 Effect of Facilities Licensing Agreement.
- 6.01.190 Liability Insurance.
- 6.01.200 Bond.
- 6.01.210 Civil Penalty.
- 6.01.220 Criminal Penalties.
- 6.01.225 Public Nuisance.
- 6.01.226 Remedies Not Exclusive.
- 6.01.230 Applicability of Amendments.
- 6.01.240 Severability.

Section 3. Snohomish County Code Section 6.01.010 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

6.01.010 Definitions. In this title (~~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 or permit violation by lawful and reasonable means as determined by the Director of Budget and 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~~) 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 play 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: amphibian, fish, 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 or permit issued pursuant to any ((business)) license or permit ordinance.

(13) "Application" means any form designed by the Director of Budget and Finance for use in securing a new ((business)) license or permit 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-))~~

(14) "Bath" means any container, recepticle, or facility used for refreshing, washing or soaking all or any part of the human body. The terms includes, but is not limited to, a Finnish bath, hot tub, Japanese bath, sauna, Swedish bath,

Turkish bath, and baths provided by air, steam, vapor, water, or electric cabinet.

(15) ~~((+19+))~~ "Business premises" means the entire building in which an ~~((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-))~~

(16) ~~((+21+))~~ "Carnival" means every device, institution or ~~((ef))~~ 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.

(17) ~~((+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 a fee is charged.

(18) ~~((+23+))~~ "Commercial kennel" means a place where (a) three (3) or more adult dogs, cats or combinations thereof are kept, whether or not for compensation, including facilities known and operated as animal shelters, (b) four (4) or more litters of dogs, cats, or combinations thereof are produced in a calendar year, or (c) dogs or cats are sold; but not including small animal hospitals where pets are kept for treatment only, pet shops, private kennels, exhibitor/breeding kennels, or zoological parks.)

(19) ~~((+24+))~~ "County" means Snohomish County.

(20) ~~((+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.

(21) ~~((+26+))~~ "Darkness" means that period between one-half hour after sunset and one-half hour before sunrise.

(22) ((27)) "Director" or "Director of Finance" means the Snohomish County Director of Budget and 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-))

(23) ((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.

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

(25) "Erotic dancer" means a person who dances or otherwise performs for an erotic dance studio and whose dance or other performance emphasizes and seeks to arouse or excite the patrons' sexual desires.

(26) "Erotic dance studio" means a fixed place of business which emphasizes and seeks, through one or more erotic dancers, to arouse or excite the patrons' sexual desires.

((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-))

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

(28) "Exhibitor/breeding kennel" means a place at or adjoining a private residence where three (3) but not more than twenty (20) adult dogs, cats, or combination thereof, owned by natural persons residing on said property, are kept for the primary purpose of participating in dog shows or other organized competitions or exhibitions.

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

(30) ~~((+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.

(31) ~~((+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.

(32) ~~((+36+))~~ "Grooming parlor" means any establishment, public or private, where animals are bathed, clipped, or combed for compensation ~~((a-consideration,-for-the-purposes of-enhancing-their-aesthetic-value))~~.

(33) ~~((+37+))~~ "Health officer" means the health officer or any authorized representative of the Snohomish Health District.

(34) ~~((+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.

(35) ~~"Kennel"~~ means a commercial, exhibitor/breeding, or private kennel.

(36) ~~((+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.

(37) ~~((+40+))~~ "License" ~~((or-"permit"))~~ means any document issued by the Director of Budget and Finance which authorizes a ~~((allows-an-individual,))~~ person, ~~((or corporation))~~ to conduct an ~~((a-business-or-professional))~~ activity in Snohomish County as provided by this title.

(38) ~~((+41+))~~ "Licensee" means any person to whom a license or renewal of license has been issued pursuant to this title ~~((any-business-license-ordinance))~~.

(39) ~~((+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.

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

(41) ~~((44))~~ "Massage parlor employee ~~((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".))~~

(42) ~~((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.

(43) ~~((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.

(44) ~~((48))~~ "Operator" means any prson in actual physical control of any vessel.

(45) ~~((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.))~~

(46) ~~((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.

(47) ((+52+)) "Pawnbrokers" 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.

(48) ((+53+)) "Permit" means any document issued by the Director of Budget and Finance which authorizes a ~~((allows an individual,))~~ person ~~((or corporation))~~ to conduct an activity in Snohomish County as provided by this title ~~((of a short-duration which does not require an annual license))~~.

(49) ((+54+)) "Person" means any individual, partnership, firm, joint stock company, corporation, association, trust, estate or other legal entity.

(50) ((+55+)) "Pet shop" means a person or establishment that acquires animals for the purpose of resale to the public.

(51) ((+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 person 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.

(52) ~~((+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 natural persons residing on said property, are kept for the purpose of hunting, training, ~~((+exhibition-for-organized-shows+))~~ for field work and obedience trails or for the enjoyment of the species; but not including an exhibitor/breeding kennel. Cats kept for pest or vermin control and in conjunction with an agricultural pursuit as defined, shall not be subject to this provision.

(53) ~~((+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.

(54) ~~((+59+))~~ "Property" means any tangible property including, but not limited to good, wares, merchandise, animals, livestock, and land.

(55) "Public bathhouse or hot tub" means any place where baths or hot tubs of any kind are given or furnished to the public for or in expectation of a fee or other compensation.

~~((+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.))~~

(56) ((+61+)) "Public bathhouse or hot tub employee ((attendant))" means any person who works for a public bathhouse or hot tub ((administers to, or performs services for, patrons of a public bathhouse or who supervises the work of such a person)).

(57) ((+62+)) "Public dance" means any dance that the public generally may gain admission to or without the payment of an admission fee.

(58) ((+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.

(59) ((+64+)) "Race-type boat" means any motorboat operated at a speed in excess of thirty-five miles per hour.

(60) ((+65+)) "Rowboat" means a small boat propelled by the use of oars or paddles.

(61) ((+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)) include any training event or race participated in solely by means of a bona fide school track team or teams.

(62) ~~((+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.

(63) ~~((+68+))~~ "Safety buoy" means any buoy established as herein provided and constructed to conform to the State Uniform Waterway Marking System.

(64) ~~((+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.

(65) ~~((+70+))~~ "Sailboat" means any vessel propelled by sail or in part by sail and in part manually.

(66) ~~((+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 any 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.

(67) (({72})) "Sheriff" means the Sheriff of Snohomish County or any duly appointed deputy sheriff of Snohomish County.

(68) (({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-))

(69) (({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-))

(70) (({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.

(71) (({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.

(72) (({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 ordinary (({80})) meaning and usage in the English language.

Section 4. Snohomish County Code Section 6.01.020 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

6.01.020 License or Permit Required. Licenses or permits are required for regulation and control of certain businesses, ((and)) occupations, and activities within the

unincorporated areas of the county. This title ((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 for control and all of its provisions shall be liberally construed for the accomplishment of either or both such purposes and the protection of))~~ protect the public health, safety and welfare ~~((of persons within Snohomish County))~~. Its provisions shall be liberally construed for these purposes.

Section 5. Snohomish County Code Section 6.01.030 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

6.01.030 - Authority and Duties of the Director ~~((of Finance))~~.

(1) The director ~~((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 the 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 ~~((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.

Section 6. Snohomish County Code Section 6.01.040 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

6.01.040 - Application Procedures General.

(1) No license or permit required by this title ~~((chapter))~~ shall be issued unless written application has been made with the director ~~((Director of Finance))~~. The director ~~((Director of Finance))~~ shall provide application forms for each license/permit under this chapter, which

shall require such information as the director (~~Director of Finance~~) deems appropriate, in addition to the information required by the various licensing/permit provisions of this title (~~chapter~~), as now existing or hereafter amended.

(2) The applicant must complete (~~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. The (~~Further, the~~) investigation shall include (~~consist of~~) fingerprinting (~~and photographing~~) the applicant and, to the extent practicable, a full investigation of the truth of the statements in the application (~~and~~) 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 (~~Director of Finance~~) in writing within thirty (30) days of receipt of the application as to the results in his investigation and his recommendation as to the disposition of the (~~said~~) application. (~~or to~~) The sheriff may request an extension to complete his investigation of no more than thirty (30) days, which request shall be granted upon a showing of reasonable cause.

(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 (30) days after receipt of a copy of the application from the director (~~Director of Finance~~), inform the director (~~Director of Finance~~) in writing of the results of their respective inspections and their recommendations as to the disposition of the (~~said~~) application. (~~or to~~) A Department Director may request an extension not to exceed thirty (30) days for the purpose of

completing the (~~their~~) review or inspection, which request shall be granted upon a showing of reasonable cause.

(5) The director (~~Director-of-Finance~~) acting on behalf of the County(~~7~~) 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 from 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 title (~~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 six months (~~one-year~~) prior

to the date of making application for a license/permit 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. Issuance of a license/permit shall not be deemed to constitute approval or waiver of non-compliance by the applicant.

(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 a a ((such)) license or permit.

Section 7. Snohomish County Code Section 6.01.045 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

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

(1) The true name, home address, telephone number, and 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); i ((:))

(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 the 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 any ((a)) registered agent required under RCW 23A.08.090 ((in Snohomish County));

(9) Date and place of incorporation or organization;

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

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

Section 8. Snohomish County Code Section 6.01.046 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

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 Washington State Patrol ((Federal-Bureau-of Investigation)), Identification Section, ((Bureau)) or other agency((?and)).

(2) The director may require that applicants be photographed when applications are submitted. ~~If the director does not do so, each applicant ((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/permit, when issued, shall have affixed to it a a ((such)) photograph of the applicant, or the party signing the application, ((and such license)) shall be posted at all times in a conspicuous place in the establishment where such license/permit is enjoyed, ~~((at all times,))~~ and ~~((such license))~~ shall not be tampered with in any manner.

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

Section 9. Snohomish County Code Section 6.01.047 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

6.01.047--Investigation-Required. If the ~~((business))~~ license or permit requires an investigation, the director ((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 ((~~Director of Finance~~)), the Sheriff shall make a ((~~certify in writing to the Director of Finance his~~)) written recommendation on the issuance of the ((such)) license/permit as set out in section 6.01.040. ((~~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.~~))

Section 10. Snohomish County Code Section 6.01.050 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is repealed and reenacted to read as follows:

6.01.050---Fees. (1) A fee shall be paid in full at the time of application as set out in this section. An applicant who proposes to conduct activities at more than one location shall pay a separate fee for each location for which a license or permit may be issued. A fee is not refundable and may not be prorated.

(2) Fees for the following licenses and permits are established as follows:

STANDARD LICENSE AND PERMIT FEES

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

(i)	Private kennel	\$ 50.00 per year
(ii)	Exhibitor/breeding kennel	\$100.00 per year
(iii)	Commercial kennel, grooming parlor, pet shop	\$150.00 per year
(iv)	Combination of kennel and grooming parlor or pet shop-- each additional classification	\$ 50.00 per year

- (b) Massage Parlors and Massage Parlor employees--(Chapter 6.07 and 6.17)
- | | | |
|------|-------------------------|-------------------|
| (i) | Massage parlor | \$650.00 per year |
| (ii) | Massage parlor employee | \$100.00 per year |
- (c) Public Bathhouse or Hot-Tubs and Public Bathhouse or Hot-Tub Employees--(Chapters 6.47 and 6.49)
- | | | |
|------|---------------------------------------|-------------------|
| (i) | Public bathhouse or hot tub | \$500.00 per year |
| (ii) | Public bathhouse and hot tub employee | \$100.00 per year |
- (d) Erotic Dance Studios and Erotic Dancers--(Chapter 6.25):
- | | | |
|------|---------------------|-------------------|
| (i) | Erotic Dance Studio | \$500.00 per year |
| (ii) | Erotic Dancer | \$ 25.00 per year |
- (e) Merchant Patrolman/Private Detective--(Chapter 6.18).
- | | | |
|------|--------------------|-------------------|
| (i) | Merchant Patrolman | \$ 50.00 per year |
| (ii) | Private Detective | \$150.00 per year |
- (f) Pawnbroker/Secondhand Dealer--(Chapter 6.19).
- | | | |
|------|-------------------|-------------------|
| (i) | Pawnbroker | \$300.00 per year |
| (ii) | Secondhand Dealer | \$250.00 per year |
- (g) Private Security Agency--(Chapter 6.26).
- | | | |
|------|--------------------------|-------------------|
| (i) | Merchant Patrol Agency | \$350.00 per year |
| (ii) | Private Detective Agency | \$350.00 per year |
- (h) Amusement Devices and Game Tables--(Chapter 6.36).
- | | | |
|-------|-------------|---|
| (i) | Distributor | \$250.00 per year |
| (ii) | Location | \$ 0.00 per year |
| (iii) | Operator | \$ 50.00 per year |
| | | per amusement device/game table, up to four |

- (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 | \$ 25.00 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 | \$ 75.00 per event |
| (ii) | Parades | \$ 75.00 per event |
- (l) Boating Tournaments and Exhibitions (Chapter 6.40).
- | | | |
|-----|----------------|--------------------|
| (i) | Boating Events | \$150.00 per event |
|-----|----------------|--------------------|
- OTHER ADMINISTRATIVE FEES
- (m) Application Process (Chapter 6.01).
- | | | |
|------|------------------------------|-----------------------|
| (i) | Fingerprinting | Actual cost to county |
| (ii) | Advertisement of application | Actual cost to county |
- (n) License/Permit (Chapter 6.01).
- | | | |
|------|--------------------------------------|----------------------|
| (i) | License or permit replacement | \$ 10.00 per reissue |
| (ii) | License or permit information change | \$ 10.00 per reissue |
- (o) Weapons Qualifications (Chapter 6.18).
- | | | |
|------|--|-------------------|
| (i) | Qualified by sheriff certificate | \$ 25.00 per year |
| (ii) | Qualified by other police agency approved by sheriff | \$ 10.00 per year |
- (p) Appeal Processes of Hearing Examiner (Chapter 6.01).
- | | | |
|------|------------------------------|-------------------|
| (i) | Appeal filing fee | \$ 50.00 per case |
| (ii) | Appeal document reproduction | \$.25 per page |

Section 11. Snohomish County Code Section 6.01.060 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part) is amended to read as follows:

6.01.060--Public Notice and Comment ((Review of Application Granting)).

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

- (a)--Name ((name)) of applicant
- (b) --Location of proposed business or other activity; ((address of the business being licensed)) and
- (c)--Type ((type)) of license/permit requested.

A fee required under section 6.01.050(2) ~~((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 ~~((Director of Finance))~~ to consider denying the issuance of any ~~((business))~~ license/permit applied for. Such petition must be submitted in writing and contain ((contains)) the following information:

- (a) Name and address of petitioner~~((?))~~; and
- (b) The grounds and/or facts for requesting a denial of the license/permit.

(3) The director ~~((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 a proper cause for denial. The director ~~((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 or are not a proper cause for denial, the director ~~((Director of Finance))~~ may

issue the license/permit in accordance with section 6.01.075.

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

Section 12. Snohomish County Code Section 6.01.070 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

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 (~~((Director-of-Finance))~~) to deny the license/permit. The petitioner shall file a copy of the petition with the director (~~((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-morale,-or-will))~~) result in a violation of the zoning or license/permit code, or violation of other laws, the petition shall be summarily stricken by the director (~~((Director-of-Finance))~~) and the director (~~((Director))~~) may direct the license/permit to be issued. If the petition does set forth such allegations, the director (~~((Director-of-Finance))~~) shall direct an investigation of said allegations and may deny the license/permit if the allegations are found to be true.

Section 13. Snohomish County Code Section 6.01.075 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

6.01.075--Director (~~((of-Finance))~~) to Issue License-or-Permit. The director (~~((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.

Section 14. Snohomish County Code Section 6.01.080 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

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 ((Direeter-of-Finance)) and shall be subject to such conditions as are required by this chapter or the director ((Direeter-of-Finance)).

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

(3) Any licensee/permit-holder 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 ((Direeter-of-Finance)) without the necessity of submitting a new application by the payment of a fee to the director ((Direeter-of-Finance)) as contained in section 6.01.050(2) ((6-01-050(2)-(n)-(ii))), provided the license/permit has not expired.

Section 15. Snohomish County Code Section 6.01.100 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is repealed and reenacted to read as follows:

6.01.100---Renewal. (1) A license/permit issued under this title, except as otherwise provided, may be renewed by

the director if, upon application, it appears that the applicant meets the requirements of section 6.01.075.

(2) The director shall notify each license/permit holder by mail of the requirements of this section not less than thirty (30) days prior to expiration of the outstanding license/permit.

(3) Failure to submit a renewal application and pay the appropriate fee prior to expiration of a license/permit shall, as a condition of renewal, result in assessment of a penalty in the amount of twenty-five percent of the regular license/permit fee or \$25.00, whichever is greater.

(4) The penalty set out in this section is in addition to any civil or criminal sanctions that may be imposed for any activity, act, or conduct undertaken without a license or permit required by this title.

Section 16. Snohomish County Code Section 6.01.110 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

6.01.110--Display,--Change-of-Name. (1) Any license((~~7~~)) or permit ~~((or-certificate,))~~ issued pursuant to any ~~((business))~~ license/permit ordinance(~~(7)~~) shall be posted in a conspicuous place at the place of business of the licensee or permit holder as prescribed by the director ~~((Direector-of-Finance))~~.

(2) ~~A license-or-permit-holder ((Any-person-licensed, as-designated-by-the-Direector-of-Finance-pursuant-to-this chapter))~~ shall notify the director ~~((Direector-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.

Section 17. Snohomish County Code Section 6.01.120 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is repealed and reenacted to read as follows:

6.01.120--Inspections---Right-of-Entry. (1) Whenever necessary to enforce any of the provisions of this title, or whenever the director and/or sheriff has reasonable cause to believe that a licensee or permit holder is operating in violation of any provisions of this title, the director

and/or sheriff may enter the place of business or other activity at all reasonable times to carry out an inspection or perform any other duty imposed by this title.

(2) The director and/or sheriff shall take the following steps in conducting an inspection:

(a) If the place of business or other activity is occupied, the director and/or sheriff shall first present proper credentials to the licensee, permit holder, or other person having control of the place of business or other activity and demand entry.

(b) If the place of business or other activity is unoccupied, the director and/or sheriff shall first make reasonable effort to locate the licensee or permit holder or other person having control of the place of business or other activity and demand entry.

(3) No licensee, permit holder, or person having control of the place of business or other activity shall fail, after proper demand, to admit the director and/or sheriff while acting within the scope of his employment to any place of business or other activity licensed or permitted under this title. No person shall interfere with the director and/or sheriff in the performance of his duty.

Section 18. Snohomish County Code Section 6.01.130 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

6.01.130 - Enforcement. (1) The director (~~((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, through (~~((by-means-of))~~) investigation, (~~((or))~~) inspection, or other means that any person has failed to comply with any provision of any business license/permit ordinance, then the director (~~((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 title (~~((chapter))~~).

(2) The director (~~((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 or permit has been suspended or revoked, to be held by the director ~~((Direector-of Finance))~~ where the ~~((said))~~ license/permit could be used as evidence in an ~~((a-criminal-or))~~ administrative hearing.

Section 19. Snohomish County Code Section 6.01.135 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

6.01.135 --Notice and Order. (1) The director ~~((Direector-of-Finance))~~ shall issue a notice and order, pursuant to Section 6.01.130(1), directed to the person whom the director ~~((Direector-of-Finance))~~ has determined to be in violation of any of the terms and provisions of this chapter or ~~((business))~~ license/permit 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 ~~((Direector-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 ~~((Direector-of Finance))~~. If the director ~~((Direector-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 ~~((Direector-of-Finance))~~ to be reasonable;
- (d) A written statement of any action taken by the director ~~((Direector-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 ~~((Direector-of-Finance-))~~ and

(f) A statement advising (1) that the licensee/permit holder may appeal from the notice and order ~~((of any-action-of-the-Direeter-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 ~~((Direeter-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.

Section 20. Snohomish County Code Section 6.01.140 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

6.01.140--Procedure for Suspension, Revocation
~~((Grounds)).~~ (1) To suspend or revoke ~~((Prior-to-any proceedings-for-revocation-or-suspension-of))~~ any license or permit, the director ~~((Direeter-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(1)-(f) ~~((6.01.135(f)))~~ automatically forfeits the right of the licensee or permit holder to further administrative appeals as described in this chapter.

(3) The ~~((filing-of-the-statement-with-the))~~ director ~~((Direeter-of-Finance))~~ may rely on statements filed by the ~~((Direeter-of-Finance,))~~ Fire Marshal, Prosecuting Attorney, Sheriff or other public official alleging facts exist which constitute ~~((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 title in determining whether or not to suspend-or-revoke-a-license-or-permit ((shall-be probable-cause)). The director ((Director-of-Finance)) may also rely on ((find-that)) facts and circumstances otherwise brought to his attention in determining whether or not to suspend-or-revoke-a-license-or-permit ((constitute-probable cause))~~).

(4) The ~~((notice))~~ Notice and Order for suspension or revocation will be served as ~~set out in section 6.01.135(2) ((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 ~~((Director of-Finance))~~ as authorized by section 6.01.150.

(5) The director ~~((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.

Section 21. Snohomish County Code Section 6.01.141 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

6.01.141--Grounds-for-Suspension ((Suspension)). The director ~~((Director-of-Finance))~~ may suspend any license/permit issued ((for-any-business)) under this title ((chapter)), if there is a violation of this chapter or the applicable business license ordinance. A suspension shall be for a period of not more than thirty (30) days for the first violation and not more than sixty (60) days for the second or more violation within a one (1) ((two-(2))) year period immediately preceding the event for which action is taken.

Section 22. Snohomish County Code Section 6.01.142 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

6.01.142--Grounds-for-Revocation ((Revocation)). The director ((Director-of-Finance)) may revoke any license/permit issued under this chapter if:

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

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

(3) The licensee/permit-holder, 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/permitted activity is conducted; or

(4) The licensee/permit-holder, 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/permit-holder has knowingly violated, or advised, encouraged or assisted the violation of any court order or injunction in the course of conducting business; or

(6) ((+7+)) Three-((3))-Notice-and-Orders-have-been issued-to-the-licensee/permit-holder-within-the-previous twelve-((12))-months ((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,

(7) ((+8+)) The-licensee/permit-holder-has-failed-or refused ((Any-failure-or-refusal-on-the-part-of-any

licensee)) to obey any rule; regulation; or Notice and Order of the director (~~Director of Finance~~), Sheriff and/or their agent(s); or,

(8) (~~(9)~~) The licensee/permit-holder has failed (~~(Any failure)~~) to pay all penalties or fines (~~(within thirty (30) working days of assessment)~~) unless a formal appeal has been filed (~~(exercised by the licensee)~~) in compliance with section 6.01.150 .

Section 23. Snohomish County Code Section 6.01.150 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

6.01.150--Appeal--Hearing Examiner. (1) Any person (~~(licensee/permit-holder)~~) who has been served with a Notice and Order pursuant to section 6.01.135 or whose application for a license/permit has been denied (~~(is revoked or suspended)~~) may, within the time limited by section 6.01.140(4) file a written notice of appeal with the director (~~Director of Finance~~), together with a filing fee as stated under section 6.01.050(2) (~~(6-01-050(2)(p)(i))~~). The director (~~Director of Finance~~) shall forthwith forward to the Hearing Examiner a copy of the notice together with all files of the director (~~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, and telephone numbers;

(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 this section (~~(section 6-01-140(4))~~) shall constitute a waiver of all rights to appeal under this chapter. Enforcement of any suspension, revocation or other action, except the denial of an original application, (~~(notice of~~

violation)) shall be stayed during the pendency of an appeal.

(3) Upon receipt of a written appeal from the director (~~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(~~7-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 title (~~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 (~~Director-of-Finance~~) appealed from.

(b) The director (~~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) (~~(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 appellant (~~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) An (~~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 by certified mail-with-return-receipt-requested and by general delivery mail-to 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 provided (~~providing~~) for such purpose at the public hearing.

Section 24. Snohomish County Code Section 6.01.155 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

6.01.155--Appeal-from-Examiner's-Decision. The examiner's decision shall be final and conclusive unless within (~~thirty~~) fifteen calendar days an application for an appropriate writ is filed with the Superior Court appealing such decision. The-cost-of-transcription-of-all-records-ordered-certified-by-the-court-shall-be borne-by-the-appellant.

Section 25. Snohomish County Code Section 6.01.170 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

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/permit holder, then his guardian, executor, administrator, receiver, trustee in bankruptcy or assignee for benefit of creditors may, upon written authority from the director (~~Director-of-Finance~~),

continue the business of the licensee/permit-holder on the ~~((licensed))~~ premises for the duration of the license/permit, unless sooner terminated. Any such successor wishing to continue the license shall provide information as requested by the director ~~((Director-of-Finance))~~.

Section 26. Snohomish County Code Section 6.01.180 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

6.01.180--Limitation-of-Transfers-and Reapplications.

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

(2) No reapplication for a license/permit 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, partners, board-of-directors, or stockholders holding over 20% of the stock of any licensee/permit-holder ~~((licensed-business))~~ unless they ~~((said-personnel))~~ comply with section 6.01.040(6).

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

Section 27. Snohomish County Code Chapter 6.01 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended by adding a new section to read as follows:

6.01.185--Effect-of-Facilities-Licensing-Agreement.
A facilities licensing agreement authorizing a person to conduct an activity or event on property owned by the county shall not mitigate, excuse, or otherwise have any effect on the requirements of this title.

Section 28. Snohomish County Code Section 6.01.190 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

6.01.190---Liability-Insurance. Unless otherwise provided, such applicant for any license/permit under this title (~~((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 or activity being licensed. The certificate of insurance shall be filed with the director (~~((Director-of-Finance))~~). The director (~~((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.

Section 29. Snohomish County Code Section 6.01.200 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

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

Section 30. Snohomish County Code Section 6.01.210 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

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(~~((r))~~) for which a license or permit is required pursuant to the provisions of this title (~~((chapter))~~) while his or her license or permit is suspended or revoked, (~~((or))~~) who

fails to obtain a license or permit prior to engaging in the activity for which a license or permit is required, ~~or who otherwise violates any county license or permit law~~ shall pay a civil penalty of ~~fifty dollars (\$50.00) per day for the first violation or one hundred dollars (\$100.00) per day for the second and subsequent violations~~ ((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 or in violation of law, and shall be subject to such further penalties as set forth herein. The civil penalty may be assessed and collected by use of all appropriate legal remedies, including the procedures set out in section 6.01.135.

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

Section 31. Snohomish County Code Section 6.01.220 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

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 title ((ordinance)) shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine in any sum not exceeding ~~one thousand dollars (\$1000.00)~~ ((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 conducts ((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.

Section 32. Snohomish County Code Chapter 6.01 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended by adding a new section to read as follows:

6.01.225- Public Nuisance. Any activity, act, or conduct undertaken without a license or permit required by this title constitutes a public nuisance and such activity, act, or conduct may be abated by the director

or Sheriff by securing an appropriate order from the court.

Section 33. Snohomish County Code Chapter 6.01 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended by adding a new section to read as follows:

6.01.226---Remedies-Not-Exclusive. The remedies for violation of this title set out in this title are not exclusive.

Section 34. Snohomish County Code Section 6.01.230 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

6.01.230---Applicability-of-Amendments
~~((Applicability))~~. The adequacy of applications for licenses or permits ~~((under-prior-sections-of-the Snohomish-County-Code))~~ filed before the effective date of any amendments-to-this-title ~~((this-ordinance))~~ shall be determined by the ~~((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 the amendments ~~((this-ordinance))~~. Any license/permit issued under prior provisions of the Snohomish County Code ~~((prior-to-the-effective-date-of-this-aet))~~ shall be subject to all provisions of this title, as amended, ~~((chapter))~~ which are not in conflict with the-express terms-of any such license/permit.

Section 35. Snohomish County Code Section 6.01.240 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

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.

Section 36.. The caption of Snohomish County Code Chapter 6.06 enacted Nov. 11, 1982, as Ordinance No. 82-109 SS2 (part), is amended to read as follows:

Chapter 6.06

KENNELS, GROOMING PARLORS, PET SHOPS

Sections:

- 6.06.001 General Provisions.
- 6.06.002 Special Provisions.
- 6.06.010 License Required.
- 6.06.040 Reproduction Limitation.
- 6.06.050 Advertising Limitations.
- 6.06.060 Records Required.
- 6.06.070 (~~Grooming Parlors, Private Kennels, Commercial~~)
Kennels, Grooming Parlors, and Pet Shops -
Inspection.
- 6.06.080 Maintenance of Unsanitary, Nauseous, Foul or
Offensive Establishment--Unlawful.
- 6.06.090 Relation to Other Laws.

Section 37. Snohomish County Code Section 6.06.002 enacted Nov. 11, 1982, as Ordinance No. 82-109 SS2 (part), is amended to read as follows:

6.06.002--Special Provisions. In addition to the conditions specified in this chapter, all businesses and activities classified herein shall comply with the provisions and conditions stated in Title 9, Title 10, and Title 18 of the Snohomish County Code.

Section 38. Snohomish County Code Section 6.06.010 enacted Nov. 11, 1982, as Ordinance No. 82-109 SS2 (part), is amended to read as follows:

6.06.010--License Required. It shall hereby be unlawful for any person to keep or maintain any kennels (commercial, exhibitor/breeding, or private), grooming parlors and/or pet shops within Snohomish County without a valid ((business)) license.

Section 39. Snohomish County Code Section 6.06.020 enacted Nov. 11, 1982, as Ordinance No. 82-109 SS2 (part), is amended to read as follows:

6.06.020--License Fees. The fees for this license are established by and are contained in Section 6.01.050(2) ((6.01.050(2)+(1))).

Section 40. Snohomish County Code Section 6.06.040 enacted Nov. 11, 1982, as Ordinance No. 82-109 SS2 (part), is amended to read as follows:

6.06.040--Reproduction-Limitation. A ((The)) private kennel shall limit total dog and cat reproduction to no more than three litters ~~((per-kennel-license))~~ per year. ~~((7-er))~~ To exceed this limitation, an exhibitor/breeding or commercial kennel license ~~((status))~~ is required.

Section 41. Snohomish County Code Section 6.06.050 enacted Nov. 11, 1982, as Ordinance No. 82-109 SS2 (part), is amended to read as follows:

6.06.050--Advertising-Limitations. A ((The)) private or exhibitor/breeding kennel shall not have signs, displays and other visual representations except as ~~((not-already))~~ permitted by Title 18 of the Snohomish County Code. ~~((in-the zone))~~.

Section 42. Snohomish County Code Section 6.06.060 enacted Nov. 11, 1982, as Ordinance No. 82-109 SS2 (part), is amended to read as follows:

6.06.060--Records-Required. Each ~~((commercial-kennel, private))~~ kennel or pet shop shall prepare, maintain and make accessible to the director, county health authority, or the county animal control agency ~~((personnel))~~ a current record of all dogs and cats auctioned off, given away, sold, or otherwise disposed of and current record of those acquired as the result of natural birth or from other sources. The records shall include the origin, the age, and type of dog, or cat, and the name and address of the transferee or transferor.

Section 43. Snohomish County Code Section 6.06.070 enacted Nov. 11, 1982, as Ordinance No. 82-109 SS2 (part), is amended to read as follows:

6.06.070--((Grooming-Parlors, Private-Kennels, Commercial-Kennels-and-Pet-Shops--Inspection)) Kennels, Grooming-Parlors, and Pet-Shops--Inspection. In addition to the right of entry for inspection purposes established under Section 6.01.120, it shall be the right of the director, county health authority ~~((Snohomish-Health-District))~~ or the county animal control agency ~~((and-personnel-thereof))~~ to make or cause to be made such inspections as may be

necessary to insure compliance with provisions of this chapter. The owner or keeper of a (~~private-kennel, commercial~~) kennel, (~~pet-shop-or~~) grooming parlor, or pet shop shall admit to the premises for the purpose of making inspection, any officer, agent or employee of the director, county health authority, (Snohomish Health District) or animal control agency at any reasonable time when admission is requested.

Section 44. Snohomish County Code Section 6.06.080 enacted Nov. 11, 1982, as Ordinance No. 82-109 SS2 (part), is amended to read as follows:

~~6.06.080--Maintenance-of-Unsanitary,-Nauseous,-Foul-or Offensive-Establishment---Unlawful.~~ It shall be unlawful to keep, use or maintain within the county, a (~~private-kennel, commercial~~) kennel, pet shop or grooming parlor which is unsanitary, nauseous, foul or offensive, or in any way detrimental to public health and/or safety (~~and-in-the opinion-of-the-animal-control-agency-or-Snohomish-Health District-not-in-compliance-with-the-provisions-herein~~)).

Section 45. Snohomish County Code Chapter 6.06 enacted Nov. 11, 1982, as Ordinance No. 82-109 SS2 (part), is amended by adding a new section to read as follows:

~~6.06.090--Relation-to-Other-Laws.~~ The classification of a kennel as commercial, exhibitor/breeding, or private for the purposes of Title 6 SCC shall not affect the classification of that kennel under categories and definitions used in other titles of the Snohomish County Code.

Section 46. Snohomish County Code Section 9.03.040 enacted Dec. 10, 1980, as Ordinance No. 80-105 SS4, is amended to read as follows:

~~9.03.040--Private-kennel-Conditions.~~ In (~~all-cases requiring-the-issuance-of~~) a private kennel (~~license~~) where the animals comprising the private kennel are housed within the dwelling unit located on the lot, there shall be a requirement that the yard or some portion thereof be fenced and maintained in good repair so as to protect the animals comprising the private kennel from injury and to contain or to confine the animals upon the property and to restrict the entrance of other animals.

When an animal run or a separate structure is provided to house the adult dog or cat it shall not be located closer than thirty (30) feet to the property line or closer than thirty (30) feet to any dwelling unit on the same premises.

Section 47. The caption of Snohomish County Code Chapter 6.07 enacted Nov. 11, 1982, as Ordinance No. 82-109 SS2 (part), is amended to read as follows:

Chapter 6.07

MESSAGE PARLORS (~~(7-BODY-PAINTING-STUDIOS-AND-PUBLIC-BATHHOUSES)~~)

Sections:

- 6.07.001 General Provisions.
- 6.07.010 Exemptions.
- 6.07.020 License Required.
- 6.07.030 License Fees.
- 6.07.050 Health Authority Approval.
- 6.07.060 Investigation Required.
- 6.07.065 Fingerprinting Requirements.
- 6.07.066 Photographs Required.
- 6.07.080 Liquor, Controlled Substances--Prohibited (~~((Exceptions))~~).
- 6.07.090 Hours.
- 6.07.100 List of services--Required--Records to be Kept.
- 6.07.110 Prohibited Activity.
- 6.07.120 Employees.
- 6.07.130 Unlawful to Employ Unlicensed Person.
- 6.07.140 Unlawful to Admit Certain Persons.
- ~~((6.07.150--Unlawful-to-Advertise-Without-License--))~~

Section 48. Snohomish County Code Section 6.07.010 enacted Nov. 11, 1982, as Ordinance No. 82-109 SS2 (part), is amended to read as follows:

6.07.010--Exemptions. (~~((When-no-fee,-compensation,-or-any-other-monetary-consideration-is-charged-or-paid,-directly-or-indirectly,-the))~~) The provisions in this chapter do not apply to:

(1) Persons giving massage treatment or baths in a private residence or a private social or athletic club not open to the public generally(~~((7))~~).

(2) Athletic coaches or trainers affiliated with public or private educational institutions or athletic organizations((~~7~~)).

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

(4) Any 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 barbershops for purposes of beautification only.

Section 49. Snohomish County Code Section 6.07.020 enacted Nov. 11, 1982, as Ordinance No. 82-109 SS2 (part), is amended to read as follows:

6.07.020--License-Required. It shall be unlawful to conduct, operate, or maintain a massage parlor(~~(7-body painting-studio, or public-bathhouse)~~) without a license as provided in this chapter.

Section 50. Snohomish County Code Section 6.07.030 enacted Nov. 11, 1982, as Ordinance No. 82-109 SS2 (part), is amended to read as follows:

6.07.030--License-Fees. The fees for this license are established by and are contained in Section 6.01.050(2) (~~(6.01.050(2)(b))~~).

Section 51. Snohomish County Code Section 6.07.050 enacted Nov. 11, 1982, as Ordinance No. 82-109 SS2 (part), is amended to read as follows:

6.07.050--Health-Authority-Approval. No license or renewal of license to conduct a massage parlor(~~(7-body painting-studio, or public-bathhouse)~~) shall be issued or renewed without first having had such inspection and approval as shall be required by the county health authority having jurisdiction over the matter.

Section 52. Snohomish County Code Section 6.07.100 enacted Nov. 11, 1982, as Ordinance No. 82-109 SS2 (part), is amended to read as follows:

~~6.07.100--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 services, must be posted in a prominent place. All business transactions with customers must be conducted in accordance with the posted list of services. Daily records must be kept of the number of customers, the time of the service, and the amount of money paid by these customers for services, including gratuities. Such records shall be maintained at the premises for at least three years, and shall be open to inspection by the director, Sheriff, or county health authority (~~Snohomish County Sheriff's office or Snohomish County prosecuting attorney's office~~) during business hours.

Section 53. The caption of Snohomish County Code Chapter 6.17 enacted Dec. 29, 1983, as Ordinance No. 83-156, sec. 2 (part), is amended to read as follows:

Chapter 6.17

MESSAGE PARLOR(~~(S, BODY-PAINTING-STUDIOS~~
(~~(AND-PUBLIC-BATHHOUSE)~~) EMPLOYEES

Sections:

- 6.17.001 General Provisions.
- 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--Auditor-to-Issue-License.))~~
- 6.17.090 Prohibited Activity.

Section 54. Snohomish County Code Section 6.17.020 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

~~6.17.020--License-Required.~~ (1) 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 provided (~~prescribed~~) for in this chapter. Persons performing only custodial or janitorial functions are exempted from this requirement.

(2) 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.

~~(3) A massage parlor employee license shall entitle a massage parlor employee to work only at the business indicated on the massage parlor employee's license. If a massage parlor employee changes his or her place of employment during the license term, the license certificate must be returned to the director for reissuance, upon payment of the fee set out in section 6.01.050(2), indicating the new place of employment.~~

Section 55. Snohomish County Code Section 6.17.030 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

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

(1) Persons giving massage treatment 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.

Section 56. Snohomish County Code Section 6.17.035 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

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

Section 57. Snohomish County Code Section 6.17.060 enacted Dec. 29, 1983, as Ordinance No. 83-156, Sec. 2 (part), is amended to read as follows:

6.17.060--Health-Authority-Approval. No license or renewal of license to perform as a (~~masseur,~~) massage parlor employee (~~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-authority (~~County Health-District-Direector~~) having jurisdiction over the matter.

Section 58. Legislative-Intent. Based upon public testimony and other evidence presented to it, the Snohomish County Council makes the following findings of fact and statement of legislative intent:

(1) Erotic dance studios, if unlicensed and unregulated, will likely lead to an increase in prostitution, venereal disease, drug and alcohol offenses and other criminal activity.

(2) Erotic dance studios sometimes are fronts for or operated by persons associated with organized criminal activities and the need to scrutinize such dance studios is thereby enhanced.

(3) Erotic dance performed in close proximity to patrons of establishments in which such entertainment is provided tends to and does promote unlawful conduct and

conduct which is detrimental to the public health, safety, and welfare.

(4) The law enforcement resources available for responding to problems associated with or created by erotic dance studios are limited and are best conserved by licensing and regulating erotic dance studios and employees.

(5) On February 23, 1983, the Snohomish County Council enacted Chapter 10.04 SCC, as Ordinance No. 83-010, prohibiting certain activities of erotic dance studios said to constitute the offense of unlawful public exposure. On June 20, 1983, the Federal District Court for the Western District of Washington at Tacoma entered judgment in Sugar's, Inc. v. Snohomish County, et al., No. C83-306RT, declaring sections 10.04.020, 10.04.030, and 10.04.110 of that ordinance unconstitutional and permanently enjoining their enforcement.

(6) Snohomish County timely appealed the decision of the trial court in Sugars, Inc. v. Snohomish County to the United States Court of Appeals for the Ninth Circuit. It is currently awaiting the decision of that court.

(7) The purpose of section 59 of this ordinance is to license and regulate erotic dance studios pending a final decision in Sugars, Inc. v. Snohomish County, et al., and thereafter if the trial court decision is upheld, in order to curtail the many types of criminal activities frequently engendered by such studios, conserve law enforcement resources, and otherwise promote the public health, safety, and welfare.

(8) This ordinance represents a balancing of competing interests: the county's interests in obtaining the foregoing objectives versus the presently protected rights of erotic dance studios, dancers, and patrons.

Section 59. The following new chapter is added to Title 6 of the Snohomish County Code:

Chapter 6.25

EROTIC DANCE STUDIOS AND EROTIC DANCERS

- 6.25.010 General Provisions.
- 6.25.020 Definitions.
- 6.25.030 Erotic Dance License Required.
- 6.25.040 Prima facia Evidence of Erotic Dance Studio.
- 6.25.050 Erotic Dance License - Application, Issuance.
- 6.25.060 Other Licenses/Permits Not Waived.
- 6.25.070 Erotic Dance Studio License - Renewal.
- 6.25.080 Erotic Dancer's License.
- 6.25.090 Erotic Dancer's License - Application, Issuance.
- 6.25.100 Erotic Dancer's License - Renewal
- 6.25.110 Erotic Dance Studio Regulations.
- 6.25.120 Inspections.
- 6.25.130 Enforcement, Proceedings and Appeals.
- 6.25.140 Disclaimer.
- 6.25.150 Civil Penalty.
- 6.25.160 Criminal Penalty.
- 6.25.170 Nuisance Declared.
- 6.25.180 Nonexclusive Remedies.
- 6.25.190 Severability.

6.25.010--General-Provisions. Unless specified otherwise in this chapter, the general provisions contained in chapter 6.01 shall not apply to the licenses required under this chapter.

6.25.020--Definitions. The definitions contained in section 6.01.010 apply to the licenses and activities governed by this chapter.

6.25.030--Erotic-Dance-Studio-License-Required. No person shall operate an erotic dance studio without a valid erotic dance studio license issued by the director.

6.25.040--Prima-facia-Evidence-of-Erotic-Dance-Studio. It shall be prima facia evidence that a business is an erotic dance studio when one or more dancers displays or exposes, with less than a full opaque covering, that portion of the female breast lower than the upper edge of the areola.

6.25.050--Erotic-Dance-Studio-License---Application, Issuance.

(1) Application for an erotic dance studio license shall be made to the director on a form prepared and made available by the director.

(2) An application for an erotic dance studio license shall be signed by the applicant and shall contain or set forth the following information:

(a) The name, address, telephone number, principal occupation, and age of the applicant;

(b) The name, address, and principal occupation of the managing agent or agents of the business;

(c) The business name, business address, and business telephone number of the establishment or proposed establishment together with a description of the nature of the business and seating capacity thereof;

(d) Whether the business or proposed business is the undertaking of a sole proprietorship, partnership, or corporation. If a sole proprietorship, the application shall set forth the name, address, telephone number, and principal occupation of the sole proprietor. If a partnership, the application shall set forth the names, addresses, telephone numbers, principal occupations, and respective ownership shares of each partner, whether general, limited, or silent. If a corporation, the application shall set forth the corporate name, a copy of the articles of incorporation, and the names, addresses, telephone numbers, and principal occupations of every officer, director, and shareholder having more than twenty percent (20%) of the outstanding shares, and the number of shares held by each;

(e) The names, addresses, telephone numbers and principal occupations of every person, partnership, or corporation having any interest in the real or personal property utilized or to be utilized by the business or proposed business.

(3) Each application shall be accompanied by a non-refundable fee as provided in 6.01.050(2). The fee shall not be prorated.

(4) As soon as practicable following receipt of a completed application for an erotic dance studio license, the director shall transmit copies of the application to the sheriff, health officer, fire marshal, and division of community development.

(5) Within five days of receipt of a completed application for an erotic dance studio license and payment of the fee, the director shall issue the license.

(6) An erotic dance studio license shall expire on December 31 of the year in which it is issued.

(7) An erotic dance studio license shall not be issued to any person under the age of eighteen years.

6.25.060--Other-Licenses/Permits-Not-Waived.

(1) The issuance of an erotic dance studio license shall not be construed or act as absolving the licensee of complying with the requirements of any 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 provided by law.

(2) The filing of an application for a license under this chapter shall not give the applicant the right to engage in the activity covered prior to the issuance of a license.

6.25.070--Erotic-Dance-Studio-License--Renewal.

An erotic dance studio license may be renewed by following the application procedure set out in section 6.25.050. It shall be the duty of the licensee to make application for renewal prior to the expiration of an outstanding license.

6.25.080--Erotic-Dancer's-License. No person shall perform as an erotic dancer without a valid erotic dancer's license issued by the director.

6.25.090--Erotic-Dancer's-License---Application,
Issuance.

(1) Application for an erotic dancer's license shall be made to the director on a form prescribed by the director.

(2) An application for an erotic dancer's license shall be verified and shall contain or set forth the following information:

(a) The applicant's name, home addresses (current and former), home telephone number, date of birth, and aliases (past or present);

(b) The business name and address where the applicant intends to dance.

(3) Each applicant shall be photographed and fingerprinted as set out in section 6.01.046.

(4) Each application shall be accompanied by a non-refundable fee as provided in SCC 6.01.050(2). The fee shall not be prorated.

(5) As soon as practicable following receipt of a completed application for an erotic dancer's license, the director shall transmit copies of the application to the sheriff.

(6) Upon receipt of a completed application for an erotic dancer's license and all other materials required by this chapter, the director shall issue the license.

(7) An erotic dancer's license shall expire on December 31 of the year in which it is issued.

(8) An erotic dancer's license shall entitle an erotic dancer to perform only at the business indicated on the erotic dancer's license. If an erotic dancer changes his or her place of employment during the license term, the license certificate must be returned to the director for reissuance, upon payment of the fee set out in section 6.01.050(2), indicating the new place of employment.

(9) An erotic dancer's license shall not be issued to any person under the age of eighteen.

~~6.25.100---Dancer's-License---Renewal.~~ An erotic dancer's license may be renewed by following the application procedure set out in section 6.25.090. It shall be the duty of the licensee to make application for renewal prior to the expiration of an outstanding license.

~~6.25.110- Erotic-Dance-Studio-Regulations.~~ (1) No person shall advertise, or cause to be advertised, an erotic dance studio without a valid erotic dance studio license issued pursuant to this chapter.

(2) No later than March 1 of each year an erotic dance studio licensee shall file a verified report with the director showing the licensee's gross receipts.

(3) An erotic dance studio licensee shall maintain and retain for a period of two (2) years the names, addresses, and ages of all persons employed as erotic dancers by the licensee.

(4) No erotic dance studio licensee shall employ as an erotic dancer a person under the age of eighteen (18) years or a person not licensed pursuant to this chapter.

(5) No person under the age of eighteen (18) years shall be admitted to an erotic dance studio.

(6) An erotic dance studio shall be closed between 2:00 a.m. and 8:00 a.m.

(7) No erotic dance studio licensee shall serve, sell, distribute, or suffer the consumption or possession of any intoxicating liquor or controlled substance upon the premises of the licensee.

(8) An erotic dance studio licensee shall at all times conspicuously display all licenses required by this chapter, including licenses for the establishment and the licensed employees.

(9) All erotic dancing shall occur on a platform intended for that purpose which is raised at least eighteen inches above the level of the floor.

(10) No erotic dancing shall occur closer than six feet to any patron.

(11) No erotic dancer shall fondle or caress any patron and no patron shall fondle or caress any erotic dancer.

(12) No patron shall directly pay or give any gratuity to any erotic dancer.

(13) No erotic dancer shall solicit any pay or gratuity from any patron.

6.25.120--Inspections. All books and records required to be kept pursuant to this ordinance shall be open to inspection by the director, sheriff, or their agents during the hours when the erotic dance studio is open for business. The purpose of such inspection shall be to determine if the books and records meet the requirements of this chapter.

6.25.130--Enforcement,--Proceedings,--and--Appeal.

The director and/or sheriff are authorized and directed to enforce the terms and provisions of this chapter. The provisions of sections 6.01.130 through 6.01.180, inclusive, apply to licenses and activities governed by this chapter, except that subsections 6.01.180(2) and (3) do not apply and a license may be suspended or revoked only for violation of this chapter.

6.25.140--Disclaimer. The provisions of section 6.01.111 apply to licenses and activities governed by this chapter.

6.25.150--Civil-Penalty. The provisions of section 6.01.210 apply to licenses and activities governed by this chapter.

6.25.160--Criminal-Penalty. The provisions of section 6.01.220 apply to licenses and activities governed by this chapter.

6.25.170--Public-Nuisance-. The provisions of section 6.01.225 apply to licenses and activities governed by this chapter.

6.25.180--Nonexclusive Remedies. The provisions of section 6.01.226 apply to licenses and activities governed by this chapter.

6.25.190--Severability. If any portion of this chapter, or its application to any person or circumstance, is held invalid the remainder or application to other persons or circumstances shall not be affected.

Section 60. Snohomish County Code Section 10.04.040 enacted February 25, 1983, as Ordinance No. 83-010 (part), is amended to read as follows:

10.04.040--Exemptions. The prohibitions set forth in Section 10.04.020 and 10.04.030 shall not apply to any:

- A. "Expressive dance" as defined in Section 10.04.010;
- B. Play, opera, musical, or other dramatic work;
- C. Class, seminar, or lecture conducted for a scientific, medical or educational purpose.
- D. Nudity within a locker room or other similar activity area for changing clothing in connection with athletic or exercise activities.

E. --Activity-licensed-under-Chapter-6.25-SCC.

Section 61. Snohomish County Code Chapter 6.25 as enacted in section 59 of this ordinance is repealed.

Section 62. The following new chapter is added to Title 6 of the Snohomish County Code:

Chapter 6.47

PUBLIC BATHHOUSES AND HOT TUBS

Sections:

- 6.47.001 General Provision.
- 6.47.010 Exemptions.
- 6.47.020 License Required.
- 6.47.030 License Fees.
- 6.47.050 Health Authority Approval.
- 6.47.060 Investigation Required.
- 6.47.065 Fingerprinting Requirements.
- 6.47.066 Photographs Required.
- 6.47.080 Liquor, Controlled Substances--Prohibited.
- 6.47.090 Hours

- 6.47.100 List of Services--Required--Records to be Kept.
- 6.47.110 Prohibited Activity.
- 6.47.120 Employees.
- 6.47.130 Unlawful to Employ Unlicensed Person.
- 6.47.140 Unlawful to Admit Certain Persons.

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

6.47.010--Exemptions. The provisions in this chapter do not apply to:

(1) Baths or hot tubs located in a private residence or a private social or athletic club not open to the public generally.

(2) Baths or hot tubs located in public or private educational institutions or athletic organizations.

(3) 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.

6.47.020--License-Required. It shall be unlawful to operate or maintain a public bathhouse or hot tub without a license as provided in this chapter.

6.47.030--License-Fees. The fees for this license are established by and are contained in Section 6.01.050(2).

6.47.050--Health-Authority-Approval. No license or renewal of license to conduct a public bathhouse or hot tub shall be issued or renewed without first having had such inspection and approval as shall be required by the county health authority having jurisdiction over the matter.

6.47.060--Investigation-Required. Applicants seeking a license under this chapter shall be investigated according to the provisions outlined in section 6.01.047.

6.47.065--Fingerprinting-Requirements. Applicants seeking a license under this chapter shall be fingerprinted by the sheriff as specified in section 6.01.046(1).

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

6.47.080--Liquor--Controlled-Substances--Prohibited.

(1) Liquor, as that term is defined by the Washington State Alcoholic Beverage Control Act, shall not be distributed or consumed on any premises under regulation of this chapter, unless the premises are licensed to serve the same by the Washington State Liquor Control Board.

(2) Controlled substances, as defined by the Washington State Uniform Controlled Substances Act, shall not be distributed or consumed on any premises under regulation of this chapter.

6.47.090--Hours. All businesses shall be closed, and all service performed therein discontinued between the hours of two o'clock a.m. and eight o'clock a.m.

6.47.100--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 services, must be posted in a prominent place. All business transactions with customers must be conducted in accordance with the posted list of services. Daily records must be kept of the number of customers, the time of the service, and the amount of money paid by these customers for services, including gratuities. Such records shall be maintained at the premises for at least three years, and shall be open to inspection by the director, sheriff, or county health authority during business hours.

6.47.110--Prohibited-Activity. It shall be unlawful for any owner, proprietor, manager, 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 business license, as well as the employee license, whether the owner knew of, or encouraged the act, or whether the customer requested or acquiesced in the act.

~~6.47.120--Employees.~~ It shall be unlawful for any owner, proprietor, manager, or person in charge of any facility regulated by this chapter to employ in such establishment any person under the age of eighteen (18) years of age.

~~6.47.130--Unlawful-to-Employ-Unlicensed-Person.~~ It shall be unlawful for any owner, proprietor, manager, or person in charge of any facility regulated by this chapter, to employ in such establishment, any person who does not have a valid employee license issued pursuant to chapter 6.49 of the Snohomish County Code.

~~6.47.140--Unlawful-to-Admit-Certain-Persons.~~ It shall be unlawful for any owner, proprietor, manager, or person in charge of any facility regulated by this chapter or any employee or agent of such establishment to knowingly harbor, admit, receive or permit to be or remain in or about such premises, any person under the influences of any controlled substance, or any person who, by his conduct on such premises, tends in any way to corrupt the public peace or morals.

Section 63. The following new chapter is added to Title 6 of the Snohomish County Code:

Chapter 6.49

PUBLIC BATHHOUSE AND HOT TUB EMPLOYEES

Sections:

- 6.49.001 General Provisions.
- 6.49.020 License Required.
- 6.49.030 Exemptions.
- 6.49.035 License Fees.
- 6.49.042 Photographs Required.
- 6.49.090 Prohibited Activity.

~~6.49.001--General-Provisions.~~ Unless specified otherwise in this chapter, the general provisions contained in chapter 6.01 shall apply to this license.

~~6.49.020--License-Required.~~ (1) It shall be unlawful for any person to work for a public bathhouse or hot tub that does not possess a current and valid license as

provided by chapter 6.47 or who does not possess a license as provided for in this chapter.

(2) 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.

(3) A public bathhouse or hot tub employee license shall entitle a public bathhouse or hot tub employee to work only at the business indicated on the public bathhouse or hot tub employee's license. If a public bathhouse or hot tub employee changes his or her place of employment during the license term, the license certificate must be returned to the director for reissuance, upon payment of the fee set out in section 6.01.050(2), indicating the new place of employment.

6.49.030--Exemptions. The provisions of this chapter do not apply to:

(1) Baths or hot tubs located in a private residence or a private social or athletic club not open to the public generally;

(2) Baths or hot tubs located in public or private educational institutions or athletic organizations; or

(3) 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.

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

6.49.042--Photographs-Required. Applicants seeking a license as prescribed in this chapter shall submit photographs as specified in section 6.02.046(2).

6.49.090--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.

Section 64. Snohomish County Code Chapter 9.04 enacted Sept. 10, 1984, as Ordinance No. 84-098, Sec. 1, is repealed and reenacted to read as follows:

Chapter-9.04

DOG-AND-CAT-LICENSES

Sections:

- 9.04.010 Dog License Required.
- 9.04.020 Exemptions.
- 9.04.030 Cats to be Licensed on Voluntary Basis.
- 9.04.040 License Fees and Term.
- 9.04.050 Issuance of License Tags.
- 9.04.060 Late Penalties.
- 9.04.070. License Tag to be Affixed.

9.04.010--Dog-License-Required. All adult dogs within unincorporated areas of the county shall be licensed by their owners unless specifically exempted under section 9.04.020 of this chapter.

9.04.020--Exemptions. (1) The provisions of this chapter do not apply to:

(a) Dogs kept in duly licensed commercial kennels, exhibitor/breeding kennels, pet shops, and animal shelters, or in the custody of a veterinarian;

(b) Dogs brought into unincorporated areas of the county for a period not to exceed thirty (30) days for the sole purpose of competing in a show or competition;

(c) Dogs whose owners are non-residents temporarily visiting within the county for a period not exceeding thirty (30) days;

(d) Dogs duly licensed by a municipality located within the county.

(2) In this section, "commercial kennel" and "exhibitor/breeding kennel" have the meanings given them in Title 6 SCC.

9.04.030--Cats-to-be-Licensed-on-Voluntary-Basis. All adult cats within unincorporated areas of the county may be licensed for identification purposes by their owners on a voluntary basis through application and payment of the applicable fee to the Director of Budget and Finance.

9.04.040--License-Fees-and-Term. (1) The fee for licensing a dog under this chapter is due and payable in full on January 1 of the year for which the license is issued. The term of a dog or cat license is January 1 through December 31. The fee shall not be prorated.

(2) The fees for dog and cat licenses are established as follows:

- | | |
|--|-------------------|
| (a) Neutered male and spayed female dog | \$ 8.00 per year |
| (b) Unneutered unspayed dog | \$ 15.00 per year |
| (c) Cat license - voluntary | \$ 9.00 per year |
| (d) Senior citizen (65 or over) fees | One-half of above |
| (e) Blind or hearing impaired owner fees | No charge - free |
| (f) With private kennel license | |
| per animal | \$ 2.00 per year |
| (g) Law enforcement agency dog license | No charge - free |
| (h) Replacement of dog or cat license | |
| tag | \$2.00 per tag |

9.04.050--Issuance-of-License-Tags. Upon receipt of a completed application form and all required fees and late penalty charges, if any, the Director of Budget and Finance shall issue the appropriate license tag to the applicant. If a dog or cat license tag is lost or unreadable, the owners shall obtain a new license tag from the Director of Budget and Finance by written reapplication and payment of the applicable fee set out in Section 9.04.040.

9.04.060--Late-Penalties. (1) A late penalty shall be charged on all dog license applications submitted after February 28 of each year as set out in this section.

(2) The late penalty shall be ten dollars (\$10.00) per dog if the application is submitted during the month of March; twenty dollars (\$20.00) per dog if the application is submitted during the month of April; and thirty dollars (\$30.00) per dog if the application is submitted during or after the month of May.

(3) A late penalty shall not be charged if an application is submitted within thirty (30) days after the date the dog is acquired, becomes an adult, or enters the unincorporated area of the county.

9.04.070--License-Tag-to-be-Affixed. All dog and cat license tags issued by the Director of Budget and Finance under this chapter shall be affixed or secured at all times to the specific dog or cat for which the license tag is issued.

Section 65. Effective-Dates. The provisions of this ordinance shall take effect as follows:

(1) Sections 1 through 57 and 62 through 64, inclusive, shall take effect on January 1, 1987; provided, however, that the Director of Budget and Finance may charge the fee set out in sections 10 and 64 for licenses or permits issued for the period following January 1, 1987.

(2) Sections 58 and 59 and any provisions incorporated in them by reference shall take effect ten days after this ordinance is signed by the County Executive or otherwise enacted.

(3) Section 60 shall take effect, if at all, upon expiration of all avenues of appellate review available to Snohomish County following a final decision of the United States Circuit Court of Appeals for the Ninth Circuit or the United States Supreme Court affirming the judgment of the trial court in Sugars, Inc. v. Snohomish County, et al., United States District Court for the Western District of Washington at Tacoma, No. C83-306RT, as to the constitutionality of sections 10.04.020, 10.04.030, and 10.04.110 SCC.

(4) Section 61 shall take effect, if at all, upon expiration of all avenues of appellate review available to Sugars, Inc., following a final decision of the United States Circuit Court of Appeals for the Ninth Circuit or United States Supreme Court vacating the judgment of the trial court in Sugars, Inc. v. Snohomish County, et al., United States District Court for the Western District of Washington at Tacoma, No. C83-306RT, as to the constitutionality of sections 10.04.020, 10.04.030, and 10.04.110 SCC.

PASSED this 12th day of November 1986.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington


Chairperson

Approved as to Form:


Deputy Prosecuting Attorney

ATTEST:

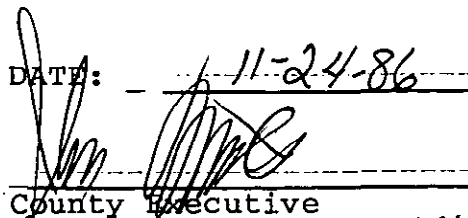

Clerk of Council

(☒) APPROVED

(☐) VETOED

(☐) EMERGENCY

DATE: 11-24-86


County Executive

PUBLISHED _____ and _____

JOHN MARTINIS
Deputy Executive

ORDINANCE RE: BUSINESS LICENSES - 62

D-10