

# Ordinance No. 00183

[\(Council Minutes 98/09/08\)](#)

## ORDINANCE NO.183

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Paragraph 8 of Subsection 5.16.050.A of the Lakewood Municipal Code and clarifying the provisions of the recently adopted Ordinance No. 171, relating to Standards of conduct and operation - Adult cabarets, as an emergency ordinance

WHEREAS, after an extensive review of legal issues and options, in terms of regulation of adult entertainment cabarets, and following numerous public hearings and public meetings of the City Council, the City's Planning Advisory Board and its Adult Entertainment Task Force, the City Council passed its Ordinance No. 171, establishing regulation of adult entertainment cabarets; and,

WHEREAS, following the adoption of that Ordinance, questions surfaced and legal challenges were raised that warranted clarification relating to the provisions restricting the performance of duties by managers, entertainers and other employees of adult entertainment establishments; and,

WHEREAS, since the provisions of Ordinance No. 171 and Chapter 5.16 of the Lakewood Municipal Code indicate elsewhere, other than in Paragraph 8 of Subsection 5.16.050.A of the City Code requirements and duties for managers of adult entertainment establishments, it is not necessary for the limitation on performance of duties of Paragraph 8 of Subsection 5.16.050.A of the City Code to include managers, or, for that matter, other employees of the establishments, other than entertainers; and,

WHEREAS, it is appropriate to clarify that for the purposes of the Ordinance, the restrictions on performance of duties so that the provisions specifically apply to entertainers only; and,

WHEREAS, because of the need to quickly provide the clarification called for herein, and the need to preserve the public health, safety and welfare, it is appropriate that this Ordinance be adopted as an Emergency Ordinance to be effective upon adoption.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as Follows:

Section 1. That Paragraph 8 of Subsection A of Section 5.16.050 of the Lakewood Municipal Code be, and the same is amended to read as follows:

5.16.050 Standards of conduct and operation - Adult cabarets.

A. . . . .

8. No adult cabaret entertainer shall perform any other type of work or service for the adult entertainment establishment by which the entertainer is employed other than that of an adult cabaret entertainer during any twelve (12) hour period from a time that the adult cabaret entertainer has or will work for the adult entertainment establishment as an adult cabaret entertainer. (This provision would prohibit a person from acting as an adult cabaret manager or wait-person or any other position other than adult cabaret entertainer during any twelve hour period following or preceding the time that such person acted in the capacity of an adult cabaret entertainer; and would prohibit a person from acting as an entertainer in the adult cabaret during any twelve hour period following or preceding the time that such person acted or served in the capacity as a wait-person, an adult cabaret manager or any other position other than adult cabaret entertainer at the adult cabaret.

Section 2. That all other provisions of Section 5.16.050 of the Lakewood Municipal Code shall be unchanged as a result of this

Ordinance.

Section 3. That if any portion of this Ordinance or its application to any person or circumstance is held to be invalid, the remainder and its application to any other persons or circumstances shall be unaffected.

Section 4. That this Ordinance, adopted as an Emergency Ordinance by a majority plus one of the City Council, is necessary for the preservation of public peace, safety and welfare, and shall be in full force and effect immediately upon adoption.

ADOPTED by the City Council this 8th day of September, 1998.

CITY OF LAKEWOOD

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Bill Harrison, Mayor

Attest:

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Alice M. Bush, CMC, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

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