

# Ordinance No. 00296

[Council Meeting minutes of Dec 16 2002](#)

## ORDINANCE NO. 296

AN ORDINANCE of the City Council of the City of Lakewood, Washington, establishing by emergency, a moratorium on the filing of applications for licenses, permits and approvals for new or expanded adult entertainment businesses.

WHEREAS, the City has established a comprehensive plan and zoning code which are currently the subject of litigation; and,

WHEREAS, the outcome of the litigation may be that adult entertainment establishments are prohibited in specific areas; and,

WHEREAS, to allow adult entertainment establishments to develop during the pendency of the litigation poses liability to the City; and,

WHEREAS, section 35A.63.220 of the Revised Code of Washington authorizes the City to impose a moratorium on development permits and approvals for adult entertainment businesses.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD,

WASHINGTON, DO ORDAIN as Follows:

### Section 1. Moratorium established.

A moratorium is imposed on the filing with the City or the Courts of any applications for licenses, permits and approvals for new or expanded adult entertainment businesses and adult use facilities as those terms are defined and used in the Lakewood City Code (Chapter LMC) and for adult cabaret or live business licenses, as those terms are commonly understood or defined in said Lakewood City Code.

### Section 2. Term of Moratorium.

The moratorium imposed by this Ordinance shall become effective immediately and shall continue in effect for a period of six (6) months unless repealed, extended or modified by the City Council after subsequent public hearing and entry of appropriate findings of fact pursuant to RCW 35A.63.220.

### Section 3. Severability.

If any sections, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of component jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not effect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance or its application to any other person, property or circumstance.

Section 4. Effective Date.

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 16th day of December, 2002.

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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Heidi Ann Wachter, City Attorney

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