

Ordinance No. 00297

[Council meeting minutes of Jan 6 2003](#)

ORDINANCE NO. 297

AN ORDINANCE of the City Council of the City of Lakewood, Washington, establishing a six month moratorium on the filing of applications for licenses, permits and approvals for businesses classified as "Adult Entertainment" in the City of Lakewood.

WHEREAS, the City of Lakewood became incorporated on February 28, 1996; and,

WHEREAS, from the time of incorporation, there have been businesses within the City limits that, pursuant to Lakewood City Code, are "Adult Entertainment" businesses;

WHEREAS, members of the public have expressed concerns about the impact of "Adult Entertainment" businesses on the community; and,

WHEREAS, the regulation of this activity involves considerations such as potential liability to the City; and,

WHEREAS, the expense of providing public safety to the citizens of the City of Lakewood is significantly impacted by activities related to "Adult Entertainment" businesses; and,

WHEREAS, in connection hereto, the City Council believes that the study and evaluation of issues related to "Adult Entertainment" businesses including (1) land use/zoning/planning considerations, (2) business licensing considerations, (3) public safety, and (4) other considerations relevant to the impact of "Adult Entertainment" businesses on the welfare of the City will ultimately benefit the City; and,

WHEREAS, accordingly, the City needs time to consider properly and carefully all of the

factors involved in determining the appropriate role of "Adult Entertainment" businesses in the City; and,

WHEREAS, section 35A.63.220 of the Revised Code of Washington authorizes the City to establish for six month periods of time moratoriums imposed on business license and 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 hereby established on the filing with the City or the Courts or any jurisdiction for an application for licenses, permits and approvals for "Adult Entertainment" businesses within the City of Lakewood.

Section 2. Term of Moratorium. The moratorium shall be effective on the date hereof and shall continue for a period of six (6) months unless repealed, extended or modified by the City Council after a public hearing pursuant to RCW 35A.63.220.

Section 3. That a public hearing on the proposal to establish a moratorium on the filing with the City or the Courts or any other jurisdiction of any applications for licenses, permits or approvals for gambling activities within the City of Lakewood is hereby set for 7:00 p.m., or as soon thereafter as the matter may be heard, at the regular meeting of the Lakewood City Council on the 21st day of January, 2003, at the Lakewood City Council Chambers, 6000 Main Street S.W., Lakewood, Washington 98499.

Section 4. Existing Businesses Exempt. This moratorium shall not affect any existing businesses in their current level of operations, nor shall it effect any applications for new or modified "Adult Entertainment" business activities which have vested prior to the effective date of this Resolution.

Section 5. Severability. If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent 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 Resolution, nor its application to any other person, property or circumstance.

Section 6. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 6th day of January, 2003.

CITY OF LAKEWOOD

Bill Harrison, Mayor

Attest:

Alice M. Bush, CMC, City Clerk

Approved as to Form:

Heidi Ann Wachter, City Attorney

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