

# Ordinance No. 00398

[City Council meeting minutes of Nov 21 2005](#)

## Amended ORDINANCE NO. 398

AN ORDINANCE of the City Council of the City of Lakewood, Washington, establishing a moratorium on the filing of applications for licenses, permits and approvals for card rooms in the City of Lakewood, and setting a public hearing therefore

WHEREAS, since Incorporation the City of Lakewood has allowed gambling within the City; and,

WHEREAS, neighboring communities are expected to enact a full ban on gambling at the beginning of 2006; and,

WHEREAS, a ban on card rooms in neighboring communities may result in those businesses moving to the City of Lakewood because the City of Lakewood does not have such a ban and gambling establishments located in those neighboring communities have contacted the City to inquire about moving their establishments to Lakewood; and

WHEREAS, the City of Lakewood must consider the potential impact of the resulting increase in gambling in the City of Lakewood; and,

WHEREAS, the City has been constitutionally authorized to plan for and zone land uses in the interests of preserving the public health, safety and welfare; and

WHEREAS, an increase in gambling businesses requires planning, zoning and permit regulation appropriate to the impact; and

WHEREAS, Section 35A.63.220 of the Revised Code of Washington authorizes the City Council to establish moratorium in order to consider zoning controls; and,

WHEREAS, pursuant to Section 35A.63.220 of the Revised Code of Washington, a public hearing would need to be held within sixty (60) days after the establishment of the moratorium.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON hereby resolves as follows:

Section 1. Moratorium established.

That a moratorium is hereby established on the filing with the City or the Courts any application for licenses, permits and approvals for the development of any card rooms, other than the renewal of existing business licenses in the City of Lakewood.

Section 2. Term of Moratorium.

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shall become effective on the date set forth below, and shall continue in effect for a period of six (6) months, unless repealed, extended or modified by the City Council after subsequent public hearing pursuant to RCW 35A.63.220.

Section 3. Setting Public Hearing.

That a public hearing on the proposal to establish a moratorium on the filing with the City or the Courts of any applications for licenses, permits and approvals for development of any card room, other than the renewal of existing business licenses in any part of the City is hereby set for 7:00 p.m., or as soon thereafter as the matter can be heard, at the Regular Meeting on the 17th day of January , 2006 at the City of Lakewood City Council Chambers, 6000 Main Street Southwest, Lakewood, Washington.

Section 4. Severability.

If any sections, 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 Ordinance or its application to any other person, property or circumstance.

ADOPTED by the City Council this 21<sup>st</sup> day of November, 2005.

CITY OF LAKEWOOD

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Douglas G. Richardson, Mayor

Attest:

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Alice M. Bush, MMC, City Clerk

Approved as to Form:

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Heidi Ann Wachter, City Attorney