

# Ordinance No. 00484

[City Council Meeting Minutes of Jan 5 2009](#)

## ORDINANCE NO. 484

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 and mini casinos in the City of Lakewood, and setting a public hearing therefore on February 17, 2009

WHEREAS, since incorporation of the City of Lakewood, gambling activities and businesses have been allowed within the City; and,

WHEREAS, in recent years card rooms and mini casinos have been banned in Tacoma and in Pierce County, which has caused heightened public interest in the operations of such businesses within the City of Lakewood and in the impacts that gambling-related businesses may have upon the citizens of Lakewood; and,

WHEREAS, the City has authority to license businesses, and to plan for and zone land uses in the interests of preserving the public health, safety and welfare as established in the Washington State Constitution; and,

WHEREAS, Lakewood's City Leaders expect and anticipate that the 2009 Washington State Legislature will address, clarify and change state law in regard to municipal regulation, zoning and locating of gambling-related businesses; and,

WHEREAS, Sections 35A.63.220 and 36.70A.390 of the Revised Code of Washington authorize the City Council to establish moratoriums and interim zoning controls; and,

WHEREAS, also pursuant to Sections 35A.63.220 and 36.70A.390 of the Revised Code of Washington, a public hearing must be held within sixty (60) days after the establishment of this moratorium to make findings of fact in support of this 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 a license, permit or approval for the development or operation of any card room or mini casino, other than the renewal of licenses to businesses currently existing within 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shall become effective on the date set forth below, and shall continue in effect for a period of six (6) months, unless repealed, extended or modified by the City Council after a subsequent public hearing pursuant to state law.

Section 3. Setting Public Hearing. That a public fact finding hearing regarding this moratorium is hereby set for 7:00 p.m., or as soon thereafter as the matter can be heard, on the 17<sup>th</sup> day of February, 2009, in the City of Lakewood City Council Chambers, 6000 Main Street S.W., 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.

Section 5. Effective Date. That this Ordinance and the moratorium provided for herein shall be in full force and effect upon passage and signatures hereon.

ADOPTED by the City Council this 5<sup>th</sup> day of January, 2009.

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