

Resolution No. 2003-03

[Council meeting minutes of Feb 3 2003](#)

RESOLUTION NO. 2003-03

A RESOLUTION of the City Council of the City of Lakewood, Washington, strongly encouraging legislative action that would allow local control over the location, type and number of gambling businesses.

WHEREAS, the state has elected to take from cities typical zoning control in the case of enhanced card rooms; and,

WHEREAS, local zoning authority over business location is a traditional, local government function and responsibility; and,

WHEREAS, Washington State law has further preempted all other local authority over the regulation of gambling; and,

WHEREAS, Lakewood citizens have indicated their concern on this issue as well as their frustration with the City for not being able to exercise local control over an issue affecting our community; and,

WHEREAS, this preemption prevents any exercise of local control, which is one of the main objectives of incorporation; and,

WHEREAS, the Gambling Commission's authority may be appropriate in operational areas of gambling, the regulatory authority the Commission has been given infringes on local government home rule principles; and,

WHEREAS, current legislation leaves the City with only two options: absolutely ban gambling, which would incur significant potential liability to the City, most likely beyond its ability to pay, or allow unrestricted gambling, which raises significant concern due to the potential problems and social issues that can be attendant to these businesses.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON HEREBY RESOLVES, as follows:

Section 1. That the City of Lakewood supports home rule principles typically afforded cities and opposes any abridgement of this principle.

Section 2. That the City of Lakewood strongly supports and encourages any legislation that would repeal or amend current law and result in greater local zoning control over the location, type and number of gambling businesses.

Section 3. If any section, sentence, clause or phrase of this Resolution 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 or its application to any other person, property or circumstance.

Section 4. That this Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 3rd day of February, 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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