

# Resolution No. 2007-16

[City Council meeting minutes of Sept 4 2007](#)

## RESOLUTION NO. 2007-16

A Resolution of the City Council of the City of Lakewood, Washington, setting a public fact finding hearing pursuant to RCW 35A.63.220 to consider whether the moratorium established pursuant to Ordinance No. 398 and extended by Ordinance No. 415, Ordinance No. 427 and Ordinance No. 446 should be extended for an additional six month period.

WHEREAS, pursuant to sections 35A.63.220 and 36.70A.390 of the Revised Code of Washington, in Ordinance No. 398, the City of Lakewood established a moratorium on applications for licenses, permits and approvals for businesses classified as gambling establishments within the City; and,

WHEREAS, the original moratorium was extended pursuant to the procedure proscribed in sections 35A.63.220 36.70A.390 of the Revised Code of Washington, and

WHEREAS, since the commencement of the moratorium initiated by Ordinance No. 398 and extended by Ordinance No. 415, Ordinance No. 427, and Ordinance No. 446, work by the City of Lakewood Planning Advisory Board has commenced by not is not completed; and

WHEREAS, a recommendation from the Planning Advisory Board after proper study and consideration of the impact of gambling on the City is needed before the City can take educated action in this area; and

WHEREAS, Ordinance No. 398 was adopted on the 21<sup>st</sup> day of November, 2005, and established the moratorium for six months from the date of adoption of said Ordinance; and,

WHEREAS, Ordinance No. 398 has been extended by Ordinance No. 415, Ordinance No. 427, and by Ordinance No. 446; and

WHEREAS, such study is necessary for the City of Lakewood to determine whether a complete ban on gambling might be appropriate for the City and what the ramifications of a complete ban would be; and,

WHEREAS, in accordance with applicable laws and procedures, the City Council of the City of Lakewood may extend the existing moratorium for an additional six months after a public hearing is held if findings of fact from that public hearing are made to support renewal or extension of the moratorium.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Public Hearing Set. That a public hearing shall be held regarding the moratorium established in Ordinance No. 398, and extended by Ordinance No. 415, Ordinance No. 427, and Ordinance No. 446; said hearing is hereby set for the City Council meeting of Monday, September 17, 2007, at 7:00 p.m. in the City of Lakewood City Council Chambers.

Section 2. Moratorium Extended on Findings of Fact. Pursuant to RCW 35A.63.220 extension or renewal of this moratorium must be based upon findings of fact as established at the above-set public hearing. The purpose for this public hearing will be to consider whether to renew, extend or abandon the moratorium.

Section 3. Severability. If any sections, 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. This Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 4th day of September, 2007.

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Attest: Claudia B. Thomas, Mayor

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Alice M. Bush, MMC, City Clerk

Approved as to Form:

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Heidi Ann Wachter, City Attorney