

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 346

AN ORDINANCE regulating cabarets; providing for the licensing thereof, defining offenses and providing penalties.

THE CITY COUNCIL OF THE CITY OF BELLEVUE DO ORDAIN AS FOLLOWS:

Section 1. Definitions:

- a. "Cabaret" shall mean any room, place or space whatsoever in the City of Bellevue in which any music, singing, dancing or other similar entertainment is permitted in connection with any hotel, restaurant, cafe, club, tavern, eating place, directly or indirectly selling, serving, or providing the public, with or without charge, food, or liquor. The words "music and entertainment" as used herein, shall not apply to radios or mechanical devices.
- b. "Liquor" shall mean all beverages defined in R.C.W. 66.04.200.
- c. "Person" shall mean one or more natural persons of either sex, firms, co-partnerships and corporations; whether acting by themselves or by servant, agent or employee.

Section 2. It is hereby declared to be unlawful for any person to conduct, manage or operate a cabaret unless such person is the holder of a valid and subsisting license from the City of Bellevue so to do, obtained in the manner herein provided.

Section 3. No license shall be issued to:

1. A person who is not a citizen of the United States, except when in contravention of treaty.
2. A person who has not resided in the State of Washington for at least one month prior to making application.
3. A person who has been convicted of a felony within five years prior to filing his application.
4. A person whose place of business is conducted by a manager or agent, unless such manager or agent possesses the same qualifications required of the licensee.
5. A co-partnership, unless all the members thereof shall be qualified to obtain a license as provided herein.
6. A person who has been convicted of a violation of any federal or state law or city ordinance concerning the manufacture, possession, or sale of liquor subsequent to

the passage of the Washington State Liquor Act, or shall have forfeited his bond to appear in court to answer charges of any such violation.

7. A corporation, unless all of the officers, directors and stockholders thereof shall be qualified to obtain a license as provided herein. Such license shall be issued to the manager or other directing head thereof.

Section 4. Any person desiring such a license shall file written application with the City Council on forms provided by the City Clerk for that purpose. The City Council, upon presentation of such application and before acting upon the same, shall refer such application to the Police Department for a full investigation as to the truth of the statements contained therein, and as to any or all other matters which might tend to aid the said City Council in determining whether or not such application should be granted. After the Police Department shall have reported back to the Council the result of such investigation, if the Council be satisfied that the statements contained in such application are true, the Council shall direct the City Clerk to issue the license applied for; provided, however, that if the Council shall not be satisfied that the application should be granted, then the Council shall, upon at least ten (10) days notice to the applicant, hold a hearing upon such application, at which time the applicant shall be given an opportunity to prove by competent evidence that the applicant and all persons having an interest in the proposed cabaret are of good moral character, and that none of them have ever been convicted of any of the above-mentioned offenses as herein provided. If after such hearing the Council shall find from a preponderance of the evidence that the foregoing facts have been established, it shall direct the City Clerk to issue the license applied for. If after such hearing the Council shall find that the foregoing facts have not been established by the evidence, the application shall be denied. The action of the City Council upon such hearing shall be final.

Section 5. Any person desiring to have music in a cabaret without dancing, shall first procure a "cabaret music license" at a cost of \$ 25.⁰⁰ per year.

Section 6. Any person desiring to have music in a cabaret with dancing, shall first procure a "cabaret dance license" at a cost of \$ 50.⁰⁰ per year.

Section 7. There shall be no prorating of the aforementioned fees, and such licenses shall expire on the 31st day of December of each year; except that in the event that the original application be made subsequent to June 30th, then one-half of the annual license fee may be accepted for the remainder of said year. Said licenses shall not be assignable.

Section 8. The City Council reserves unto itself the power to revoke any license issued under the provisions of this ordinance at any time where the same was procured by fraud or false representation of fact; or for the violation of any of, or failure to comply

with, the provisions of this ordinance by the person holding such license or any of his servants, agents or employees; or the conviction of the person holding such license of any crime or offense involving moral turpitude or the conviction of any of his servants, agents or employees of any crime or offense involving moral turpitude committed on the premises in which his cabaret is conducted; or in the event that it is determined that the further operation of said cabaret would be detrimental to the public peace, health or welfare of the City of Bellevue. Before revoking any such license, the City Council shall, upon at least ten (10) days notice to the licensee, hold a hearing concerning such revocation, at which time the licensee shall be entitled to be heard and introduce the testimony of witnesses. The action of the City Council, after such hearing, relative to such revocation shall be final.

Section 9. Any license issued pursuant to this ordinance shall be subject to any rules or regulations of the Washington State Liquor Control Board relating to the sale of intoxicating liquor.

Section 10. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$250.00 or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment.

Section 11. This Ordinance shall take effect and be in force five (5) days after its passage, approval and legal publication.

PASSED by the City Council on this 18th day of January, 1960, and signed in authentication of its passage this 18th day of January, 1960.

Kenneth Bellack
Mayor

Approved as to Form:
[Signature]
City Attorney

FILED
CITY OF BELLEVUE
DATE Jan. 19, 1960
CITY CLERK [Signature]

(SEAL)

Attest:
[Signature]
City Clerk

Published January 21, 1960