

Repealed by 2265

ORDINANCE NO. 2236

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON, RELATING TO GAMBLING AND INCORPORATING CHAPTER 218, LAWS OF WASHINGTON, 1973 1ST EX. SESSION BY REFERENCE, LEVYING A TAX ON THE GROSS REVENUE THEREFROM, PROVIDING PENALTIES AND REPEALING ANY AND ALL ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the legislature of the State of Washington has heretofore adopted Chapter 218, Laws of 1973, First Extraordinary Session, relating to gambling, and

WHEREAS, pursuant to Section 7 of said Chapter 218 the County of King has heretofore adopted its Substitute Ordinance No. 1758 relating to gambling throughout the incorporated and unincorporated areas of said county, and

WHEREAS, the City of Kirkland is an incorporated, non-charter code city located within King County and hereby elects to likewise levy a tax upon the gross revenue of bingo, raffles and amusement games as hereinafter set forth,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KIRKLAND DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 218, Laws of Washington, 1973 First Extraordinary Session, is hereby incorporated in total by reference as though fully set forth, including any and all definitions contained in Section 2 therein; Provided, however, that until further notice and action by the Washington State Gambling Commission, the operation of punch boards and pull-tabs is hereby prohibited in all respects.

Section 2. In pursuance of King County Substitute Ordinance No. 1758 passed on August 13, 1973, the City of Kirkland a non-charter code city, hereby elects and does hereby levy a tax upon the gross revenue of bingo, raffles and amusement games which shall be imposed upon and collected from bona fide charitable and nonprofit organizations duly licensed by the Washington State Gambling Commission to conduct such activities. The rate of tax imposed hereby shall be seven (7%) percent of the gross revenue received by the bona fide charitable or nonprofit organization engaged in and licensed in the aforementioned activities and operating within the limits of the City of Kirkland.

Section 3. The administration and collection of the tax imposed by this ordinance shall be by the Director of Administration and Finance and pursuant to the rules and regulations as may be adopted from time to time by the Washington State Gambling

Commission. The Director of Administration and Finance shall adopt and publish such rules and regulations as may be reasonably necessary to enable the collection of the tax imposed hereby.

Section 4. The City Manager is further authorized and directed to enter into any contracts or agreements with King County for the collection and distribution of the tax imposed on bingo, raffles and amusement games which are conducted within the territorial limits of the City of Kirkland.

Section 5. It shall be the responsibility of all officers, directors and managers of any organization conducting bingo, raffles and amusement games to provide access, at all reasonable times, to such financial records as the City Manager, his authorized representative or law enforcement representative of the City of Kirkland, may require in order to determine full compliance with this ordinance and all rules and regulations adopted or hereafter adopted by the State of Washington Gambling Commission.

Section 6. Any officer, director or manager of any organization duly licensed by the State of Washington Gambling Commission to conduct bingo, raffles and amusement games who fails, neglects or refuses to pay the tax as required by this ordinance shall be held financially responsible therefor, and in addition thereto shall be guilty of a misdemeanor.

Section 7. Should any section, paragraph, sentence, clause or phrase of this ordinance or its application to any person, organization or circumstance be declared unconstitutional or otherwise invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this ordinance or its application to other persons, organizations or circumstances.

Section 8. The following chapter, sections and subsections of the Kirkland Municipal Code (KMC) together with any and all ordinances or parts of ordinances in conflict herewith are hereby repealed:

KMC Chapter 7.48
Section 11.20.050
11.20.060
11.20.070
11.20.080
11.20.090
11.20.100
Subsection 11.32.050 (28)

Section 9. This ordinance shall be in force and take effect five days from and after its passage by the Council and publication as required by law.

PASSED by the Kirkland City Council in regular meeting on the 4th day of September, 1973.

SIGNED in authentication thereof on the 4th day of September, 1973.

William E. Woods
Mayor.

Attest:

Tom Aderson
Director of Administration and Finance
(ex officio City Clerk)

Approved as to form:

Ray E. [Signature]
City Attorney