

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO GAMBLING.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Kirkland Municipal Code Chapter 7.48 is hereby amended by the addition of a new section to read as follow:

(S) 7.48.017 Prohibition of certain card rooms.

(1) The conduct of a social card game as a commercial stimulant is prohibited within the City of Kirkland. The term "commercial stimulant" means an activity operated in connection with an established business, with the purpose of increasing the volume of sales of food or drink for consumption on that business premises.

This Section is an exercise of the City's authority under state law to prohibit gambling activities (see RCW 9.46.295). In turn, a license issued by the State to engage in gambling activities is not legal authority to engage in the conduct of social card games as a commercial stimulant anywhere within the City of Kirkland.

Should there be any change in the terminology used by the State in issuing a gambling license, this Section should be liberally construed so as to prohibit that category of gambling activities which is most similar to what is presently licensed as a card game under RCW 9.46.070(2).

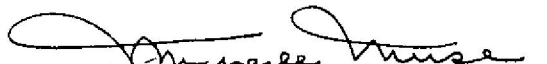
(2) Any person who engages in or carries on an activity in violation of this Section shall be guilty of a gross misdemeanor. Each day of violation shall be considered a separate crime.

(3) If any provision of this Section or its application to any person or circumstance is held invalid, the remainder of this Section, or the application of the provision to other persons or circumstances is not affected.

Section 2. This Ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 20th day of April, 1999.

Signed in authentication thereof this 20th day of April, 1999.


MAYOR

Attest:

Deputy S. Cloney
City Clerk

Approved as to Form:

Paul Bond
City Attorney

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