

ORDINANCE NO. 222

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, DECLARING THAT THE PUBLIC HEALTH, WELFARE AND SAFETY NECESSITATES THE CONTINUATION OF THE MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR AND ISSUANCE OF PERMITS, LICENSES, AND APPROVALS FOR SEXUALLY ORIENTED BUSINESSES, INCLUDING ADULT RETAIL ESTABLISHMENTS; ADOPTING FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City Council approved Ordinance No. 217, declaring that the public health, welfare and safety required the adoption of an immediate moratorium on the acceptance of applications for the issuance of permits, licenses and approvals for sexually oriented businesses; and

WHEREAS, pursuant to Ordinance No. 217, the City Council held a public hearing on October 5, 1998, to consider whether to continue or cancel the moratorium; and

WHEREAS, in consideration of the testimony received at the public hearing, the City Council has determined that: (1) the statements set forth in the recitals and text of Ordinance Nos. 99, 101 and 217 should be made findings of fact in support of a continued moratorium; (2) the schedules of the City Administration and Planning Commission do not permit adequate time for review of the subject matter of the moratorium until February 1999; (3) the City should, if reasonably possible, delay its final determination on what actions to take, if any, to modify its current adult entertainment land use and licensing regulations until after the "model ordinance" being jointly developed by a collection of Puget Sound area cities is

developed and reviewed by the Superior Court; and (4) the City Council needs time to review the Planning Commission recommendations after submission; and (5) the moratorium should be continued until October 5, 1999, unless earlier cancelled by the City Council, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON,
DO ORDAIN AS FOLLOWS:

Section 1. Findings of Fact. The City Council adopts the above recitals, and the findings of fact detailed in Ordinance Nos. 99, 101 and 217 as its findings of fact in support of its continuation of the moratorium adopted by Ordinance No. 217.

Section 2. Moratorium Continued. The moratorium imposed under Section 3 of Ordinance No. 217 is hereby continued until October 5, 1999, unless earlier cancelled by the City Council.

Section 3. Work Study and Direction. Pursuant to RCW 35A.63.220, the City Administration and Planning Commission are directed to develop a work plan to study the issue. The City Administration and Planning Commission are also directed to draft, consider and bring forth recommended regulations on sexually oriented businesses for consideration by the City Council.

Section 4. Ordinances on File. Pursuant to RCW 35A.12.140, the City Clerk is directed to keep on file a copy of Ordinance Nos. 99, 101 and 217 for use and examination by the public.

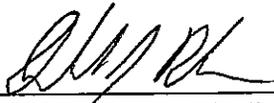
Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction,

such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. Effective Date and Publication. The City Council declares that an emergency exists necessitating that this ordinance shall become immediately effective upon passage. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and publication shall be by an approved summary thereof consisting of the title in the official newspaper of the City.

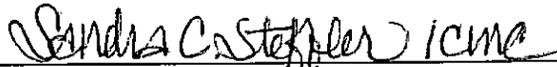
PASSED by the City Council of the City of Woodinville this 5th day of October, 1998.

APPROVED:



MAYOR, DONALD J. BROCHA

ATTEST/AUTHENTICATED:



CITY CLERK, SANDRA STEFFLER

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 

FILED WITH THE CITY CLERK: 10-5-98
PASSED BY THE CITY COUNCIL: 10-5-98
PUBLISHED: 10-12-98
EFFECTIVE DATE: 10-17-98
ORDINANCE NO. 222

