An Ordinance of the City of Kent, Washington, providing for the licensing and regulation of race courses in the City of Kent; providing for the payment of fees for said licenses; providing for the revocation of such licenses; and providing penalties for the violation thereof.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KENT as follows:

Section 1. Definition of terms.
   a. Motor Vehicles. The term "motor vehicle" shall mean every self-propelled device in, upon, or by which any person or property is or may be transported.
   b. Muffler. The term "Muffler" means a device consisting of a series of chambers, baffles or other mechanical designs for the purpose of receiving exhaust gases from an internal combustion engine and effective in reducing noise resulting therefrom.
   c. Race Course. The term "race course" shall mean any course wherein any contest or races, time tests, drag races, automobile performances, or stunts, or speed, power or endurance tests or other activities are conducted.
   d. Person. The term "person" shall be held and construed to mean and include natural persons of either sex, firms, co-partnerships and corporations, whether acting by themselves, by servant, agent or employee. The singular number shall include the plural, and the masculine pronoun shall include the feminine.

Section 2. License Required -- Fee. It shall be unlawful for any person to own, operate, or maintain a race course without first having obtained a license so to do, to be known as a "race course license". The fee for a race course license shall be and the same is hereby fixed at 5% of the gross income of such activity, based on the prior calendar year's receipts and income; provided that the license fee for the initial commencement of operation shall be Twenty-five ($25.00) Dollars. Such license shall be renewed annually on the 1st of each calendar year.

Section 3. Application. Application for such license shall be made to the City upon such form or forms as shall be required by the
City for this purpose. The application for such license shall contain the following information:

a. Name and address of applicant, age and date of birth.

b. Location of race course and legal description of property.

c. Description of activities to be conducted at the race course including:
   1. Type and approximate number of motor vehicles to be operated thereon at one time.
   2. Time such race course is to be operated (both hours of operation and days of week course is to be operated).
   3. Whether such activity is to be conducted as a public amusement.

Section 4. Prohibitions and Restrictions.

a. Age of licensee. No license shall be issued to any applicant unless he shall be over the age of 21 years.

b. Muffler Required. No person holding a license under this ordinance shall permit the operation of any motor vehicle upon any race course unless the same is equipped with an adequate muffler of standard or proper size and capacity for the make of such motor vehicle.

   Plan-Policing-Bond.

c. Liability Insurance. No person holding a license under this ordinance shall operate a race course, and no person shall receive a license to own, operate and maintain a race course unless prior to the issuance of such license and prior to the issuance of a building permit for that portion of any structure or building in which the racing activities are actually conducted, or in which a place is provided for spectators to observe the racing activities, he shall:

   1. Procure from a responsible liability insurance company a policy of liability insurance to protect the patrons, customers, employees and participants from loss or damage sustained as a result of the activities of the applicant conducted on or within the confines of the property for which license is sought, such policy to provide minimum limits of $100,000 for each person, $300,000 per accident or incident causing injury, death to more than one person, and $25,000 property damage. A copy of such policy shall be delivered to the City prior to the issuance of a license and annually thereafter at least thirty (30) days prior to application for renewal of the license.

   2. In order to insure a safe, free and unimpeded flow of traffic to and from the race course, submit a careful and comprehensive plan to the City showing in detail the proposed layout of the entire development and including the avenues of vehicular and pedestrian ingress and egress from the property, including such special additional means of access to and from existing streets and highways within the 2.
surrounding area as may be deemed necessary. Such plans shall show the place of installation of traffic controls necessary to permit the flow of traffic freely on existing roads. Such controls shall include automatic signal lights, stop and go signs, safety islands, channelization of existing highways to permit left turns and acceleration lanes. Such plans shall also include the method and place of connection to existing utilities including water, sewer, storm drainage, light and power, telephone, gas and such other utilities as are contemplated thereon, and the method of lighting all parking areas if the same are to be utilized during the hours of darkness.

3. In order to provide for the health, safety and general welfare of the public and to lessen the need for special police protection and control by the City, present a plan which shall comprehensively inform the appropriate administrative officials of the special safety devices, including fences, screens, barricades and other devices, to be provided to protect the spectators from flying, hurtling or rolling vehicles, wheels or other objects common to such operations; set forth the plan for fire protection and preventive devices to be installed to protect against the hazards of fire and explosion of volatile gases or vehicles; outline the plan for policing the premises including the number of personnel to be so utilized to eliminate the use of intoxicating liquors, gambling and other forms of vice which may become associated with such operation if not properly policed.

4. Provide the City with a performance bond in the sum of $10,000 to insure the construction of traffic facilities, safety devices and utilities set forth herein, and to assure the provision of the proper policing personnel to control and police activities of patrons and participants, such bond to be subject to forfeiture to the City in the event of non-compliance with the requirements of such plan as may be required upon the issuance of license provided for herein.

(a) At the discretion of the City, such bond may be released after construction of the race course, the facilities required and six months of operation of the activity.

Section 5. Inspection. The application for license, together with any accompanying plan, specifications, insurance policies, bonds, or other supporting documents, shall be referred to the Chief of Police and the City Engineer. The Chief of Police and the City Engineer shall investigate the application, the location of the race course and the proposed facilities, to ascertain if adequate provisions have been made for the protection of the residents of the City, including prospective spectators, neighboring
property owners, participants, and any persons utilizing adjoining streets, alleys and sidewalks, ascertain whether the location where it is proposed to operate such race course is properly zoned for the activity, whether the prospective plans of operation of such activity is proper with respect to the location of such activity and whether the applicant has complied with all other municipal regulations of the City of Kent. The report of the Chief of Police and of the City Engineer, together with the application for license and all supporting plans, specifications, policies, bonds and other supporting documents shall thereupon be referred to and delivered to the City Council Police Committee. The City Council Police Committee shall thereupon review the application and all supporting documents and the reports of the City Engineer and the Chief of Police, and shall thereupon either approve or disapprove of the application. If the Committee approves the application, the license, upon payment of the requisite fee therefor, shall be issued by the City Clerk. Should the application be disapproved by the said Committee no license shall issue.

Section 6. Licenses not transferable. No license issued under the provisions of this ordinance shall be transferable or assignable.

Section 7. Revocation of license. Every license issued under this ordinance is subject to the right which is hereby expressly reserved upon the part of the City to revoke the same should the licensee directly or indirectly permit the operation of the race course contrary to the provisions of this ordinance, of the license issued thereunder, other ordinances of the City of Kent, or the laws of the State of Washington. Said license may be revoked by the City Council after written notice to the licensee, which notice shall specify the ordinance or law, or permit violations, with which the licensee is charged. If after a hearing a licensee is found to be guilty of such violations. Ten (10) days notice of the hearing shall be given to the licensee. At such hearing the licensee and his attorney may present and submit evidence or witnesses
in his defense.

Section 8. Penalties. Any person violating any of the provisions of this ordinance, in addition to the revocation of his license, shall be subject to a fine or penalty of not more than Three-hundred ($300.00) Dollars, or to imprisonment in the City Jail for not to exceed 90 days, or to both such fine and imprisonment.

Section 9. Severability of provisions. Each of the provisions of this ordinance is severable, and if any provision is held invalid, the remaining provisions shall not be affected but shall remain in full force and effect.

Section 10. Effective Date. This ordinance shall be in full force and effect five (5) days from and after its passage, approval and publication as provided by law.

Attest:  
City Clerk

Approved as to form:  
City Attorney

Passed  April 1st  ,  1963
Approved  April 2nd  ,  1963
Published  April 3rd  ,  1963.