ORDINANCE NO. 1851


WHEREAS, the Legislature of the State of Washington has heretofore adopted Chapter 218, Laws of 1973, First Extraordinary Session as amended by Chapter 41, Laws of 1973, Second Extraordinary Session, relating to gambling; and

WHEREAS, Section 11 of Chapter 218, Laws of Washington, 1973 First Extraordinary Session authorize any City by Ordinance to provide for the taxing of any authorized gambling activities, and

WHEREAS, the City of Kent is an incorporated, non-charter code city located within King County and hereby elects to 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 KENT, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Chapter 218, Laws of Washington, 1973 First Extraordinary Session and Chapter 41, Laws of Washington, 1973 Second Extraordinary Session, are hereby incorporated in total by reference as though fully set forth, including any and all definitions contained in Section 2 of said Chapter 218; PROVIDED, however, that until further notice and action by the Kent City Council the operation of punch boards and pull-tabs is hereby prohibited in all respects.

Section 2. The City of Kent, a non-charter code city, hereby elects to and does hereby levy a tax upon the gross revenue of bingo, raffles and amusement games which shall be im-
posed upon and collected from bonafide 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 bonafide charitable or nonprofit organization engaged in and licensed in the aforementioned activities and operating within the limits of the City of Kent.

Section 3: The administration and collection of the tax imposed by this Ordinance shall be by the Director of Finance and City Treasurer and pursuant to the rules and regulations as may be adopted from time to time by the Washington State Gambling Commission. The Director of Finance may adopt and publish such additional rules and regulations as may be reasonably necessary to enable the collection of the tax imposed hereby.

Section 4: The Mayor and City Clerk are further authorized 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 Kent. In the event such contracts or agreements are entered into, then in that event the rules and regulations for the collection and distribution of taxes on bingo, raffles and amusement games shall be those adopted and published by the King County Department of Executive Administration, Controller Division.

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 Mayor, her authorized representative, or law enforcement representative of the City of Kent 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 and upon conviction thereof shall be punished by imprisonment in the City.
jail for not more than ninety (90) days or by a fine of not more than two hundred fifty (250) dollars, or both such fine and imprisonment.

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. Any and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 9. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication, as provided by law.

ATTEST:

ISABEL HOGAN, MAYOR

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

DONALD E. MIRK, CITY ATTORNEY

PASSED the 17th day of December, 1973
APPROVED the 18th day of December, 1973
PUBLISHED the 21st day of December, 1973

I hereby certify that this is a true copy of Ordinance No. 1832, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

SEAL

MARIE JENSEN, CITY CLERK