

ORDINANCE NO. 233

REPEALED

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON ESTABLISHING A MORATORIUM ON THE ESTABLISHMENT OF NEW PARIMUTUEL OFF-TRACK BETTING FACILITIES AS A PRINCIPLE USE OR ACCESSORY USE TO EXISTING COMMERCIAL ESTABLISHMENTS WITHIN THE CITY OF SHORELINE, AND DECLARING AN EMERGENCY**

WHEREAS, on November 23, 1998 the City Council enacted Shoreline's first Comprehensive Plan, with framework goals supporting a diverse economy to assure economic development and to enhance the quality of life within the City of Shoreline; and

WHEREAS, the City has recently evaluated whether it will permit gambling within the City limits during its moratoria and passage of development regulations prohibiting new social card rooms as a stimulant for commercial food and drink establishments; and

WHEREAS, the City Council is concerned about the proliferation of gambling establishments and the impacts they may have upon the community, and

WHEREAS, the Council entered findings in support of Ordinance 223 that gambling had a potential for significant secondary social and economic impacts on the community and business environment and it was necessary to prohibit new gambling establishments for the preservation of the public safety and welfare; and

WHEREAS, RCW 35A.63.220 authorizes cities to enact moratoria on land use matters to preserve the status quo while new plans or regulations are considered and prepared; and

WHEREAS, the City wishes to preserve the status quo to allow time to consider whether additional land use regulations may be necessary or appropriate to regulate the location of parimutuel off-track betting; and

WHEREAS, an emergency is declared to exist in order to protect the public health, safety and welfare;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1.** Findings of Fact. The "WHEREAS" clauses above shall constitute findings of fact and are incorporated by reference as if fully set forth herein.

**Section 2.** Moratorium Established. A moratorium is hereby established on the initiation or operation of facilities for parimutuel off track betting on horse meets as a principle land use or an accessory use to any existing commercial establishment. Such parimutuel betting on horse meets is prohibited during the moratorium, and no applications for building permits, or any other permit or approvals, associated with the conduct of this business or operation shall be accepted during the effective period of this moratorium.

**Section 3. Term.** The moratorium established by this ordinance shall terminate six months after passage unless earlier repealed or renewed according to law.

**Section 4. Severability.** Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstances, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

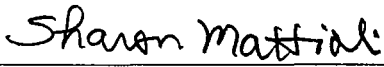
**Section 5. Enforcement.** Violations of this ordinance are punishable under chapter 18.50 SMC.

**Section 6. Effective Date.** This ordinance, as a public emergency ordinance necessary for the protection of the public health, safety, and welfare, shall take effect and be in full force immediately upon its adoption.


**PASSED BY THE CITY COUNCIL ON MARCH 27, 2000.**

  
\_\_\_\_\_  
Mayor Scott Jepsen

**ATTEST:**

  
\_\_\_\_\_  
Sharon Mattioli, CMC  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Ian R. Sievers  
City Attorney

Date of Publication: March 31, 2000  
Effective Date: March 27, 2000