

**CITY OF SNOHOMISH  
Snohomish, Washington**

**ORDINANCE 2256**

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON  
AMENDING THE CITY'S BUSINESS AND LICENSING REGULATIONS,  
AS SET FORTH IN TITLE 5 OF THE SNOHOMISH MUNICIPAL CODE  
(SMC), REPEALING CHAPTER 5.64 SMC "BIKINI CLUBS" AND  
PROVIDING FOR SEVERABILITY**

**WHEREAS**, in accordance with the City's right, duty, and authority to enact laws for the protection of the public health, safety, and general welfare, the City has established regulations for adult-oriented businesses; and

**WHEREAS**, the City Council finds that it is appropriate to review and amend the Snohomish Municipal Code (SMC) from time to time as circumstances warrant; and

**WHEREAS**, pursuant to Ordinance 1791 adopted by the City Council in 1995, the Snohomish Adult Use Study Committee was established to determine if there were secondary land use impacts related to adult businesses or adult clubs; to determine the nature of these impacts on the community; and to develop recommendations for future action to address such impacts, including revised regulations for adult use businesses and adult clubs; and

**WHEREAS**, following from the work of the Snohomish Adult Use Study Committee and attendant review by the Planning Commission, the City Council passed Resolution 956, which confirmed and ratified land use regulations for adult entertainment businesses as adopted in Ordinance 1867, and adopted Ordinances 1880 and 1898, which established an admissions tax and business regulations for certain adult entertainment businesses, including adult motion picture theaters, adult drive-in theaters, adult cabarets, adult panorams, bikini clubs, bath houses, body shampoo parlors, tattoo parlors, and body studios; and

**WHEREAS**, the City Council has determined and hereby finds that bikini clubs have not been and are unlikely to be established within the City, and therefore business regulations for these uses are not meaningful or necessary to protect the public health, safety, and welfare; and

**WHEREAS**, according to the land use regulations in Title 14 SMC, no adult use may be established except in that portion of the Industry land use designation bounded by Bonneville Avenue, State Route 9, and Seventh Street; and

**WHEREAS**, amendments to regulations governing the licensing and operation of specific adult uses will not affect the potential location where these or other adult uses are permitted to locate; and

**WHEREAS**, WAC 197-11-800(19) exempts adoption of ordinances relating solely to governmental procedures, which contain no substantive standards regarding use or modification of the environment, from environmental review under the State Environmental Policy Act (SEPA), RCW Chapter 43.21C; and

**WHEREAS**, on May 7, 2013, following notice as required by law, a public hearing was held before the City Council and all who wished to be heard were heard; and

**WHEREAS**, the City Council has determined and hereby finds that the amendments to the Snohomish Municipal Code adopted in this ordinance will preserve the public health, safety, and welfare of Snohomish residents;

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

**Section 1.** Chapter 5.64 SMC, entitled “BIKINI CLUBS”, is hereby repealed in its entirety.

**Section 2. Severability.** If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

**Section 3. Effective Date.** This ordinance shall be effective five days after adoption and publication by summary.

**ADOPTED** by the City Council and **APPROVED** by the Mayor this 7<sup>th</sup> day of May, 2013.

CITY OF SNOHOMISH

By \_\_\_\_\_  
KAREN GUZAK, MAYOR

ATTEST:

APPROVED AS TO FORM:

By \_\_\_\_\_  
TORCHIE COREY, CITY CLERK

By \_\_\_\_\_  
GRANT K. WEED, CITY ATTORNEY

Date of Publication: \_\_\_\_\_

Effective Date (5 days after publication): \_\_\_\_\_