



## Legislation Passed July 1, 2025

The Tacoma City Council, at its regular City Council meeting of July 1, 2025, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

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### **Resolution No. 41707**

A resolution authorizing the execution of an interlocal agreement with the Washington State Department of Natural Resources, for forestland response to allow for mutual assistance and cooperation in the control and suppression of wildfires, for a three-year term.

[Lee Law, Deputy Fire Chief; Sionna Stallings-Ala'ilima, Fire Chief]

### **Resolution No. 41708**

A resolution awarding a contract to Northwest Cascade, Inc., in the amount of \$1,072,421.00, plus a 20 percent contingency, budgeted from various funds, for utility and roadway improvements near the Recovery and Transfer Center, for a projected contract total of \$1,286,905.20, plus applicable taxes - Specification No. ES24-0301F.

[Max Drathman, P.E., Senior Engineering Project Manager;  
Geoffrey M. Smyth, P.E., Interim Director, Environmental Services;  
Ramiro A. Chavez, P.E. PgMP, Director/City Engineer, Public Works]

### **Ordinance No. 29045**

An ordinance amending Subtitle 6B of the Municipal Code, relating to the License Code, by amending Chapter 6B.20, entitled "Annual Business License", to increase the minimum threshold for out-of-city business license requirements; to rename Chapter 6B.130 from "Home Occupation" to "Residential Business"; to increase multiple regulatory license fees; and to clarify language; effective August 1, 2025.

[Danielle Larson, Tax and License Division Manager; Andy Cherullo, Director, Finance]

### **Ordinance No. 29046**

An ordinance amending Subtitle 6B of the Municipal Code, relating to the License Code, by adding a new Chapter 6B.240, entitled "After-Hours Clubs"; and amending Chapters 6B.70 and 6B.80, related to "Entertainment/Dancing" establishments, to update license fees, clarify language, and add new Sections 6B.70.042, entitled "Hours", and 6B.80.037, entitled "Bona fide private club evidence"; effective August 1, 2025.

[Danielle Larson, Tax and License Division Manager; Andy Cherullo, Director, Finance]



## RESOLUTION NO. 41707

1 A RESOLUTION relating to the Tacoma Fire Department; authorizing the  
2 execution of an Interlocal Agreement with the Washington State  
3 Department of Natural Resources, for forestland response to allow for  
4 mutual assistance and cooperation in the control and suppression of  
5 wildfires, for a three-year term.

6 WHEREAS the City has been experiencing a growing number of brush and  
7 wildland urban interface (“WUI”) fires due to hotter, drier, and longer summers, and

8 WHEREAS these fires often include heavy fuel loads, rugged terrain, limited  
9 or absent water supply systems, and diminished access for standard Tacoma Fire  
10 Department (“TFD”) fire engines (Type 1 engines), and

11 WHEREAS these target hazardous WUI areas are capable of fire behavior  
12 that can impact civilian and firefighter fire safety, commercial and residential  
13 infrastructure, and the livelihoods of our community members, and

14 WHEREAS this Interlocal Agreement (“Agreement”) will provide for mutual  
15 aid assistance from the Washington State Department of Natural Resources  
16 (“DNR”) to assist TFD with the suppression of wildfires within our jurisdiction  
17 which may include DNR air resources, dozers, heavy equipment, or other  
18 resources deemed necessary to contain and control WUI fires within hard to  
19 access areas within TFD’s jurisdiction, and

20 WHEREAS this Agreement allows for TFD to provide fire protection services  
21 within the jurisdiction of DNR, and for DNR to assist in fire suppression within TFD’s  
22 jurisdiction, and also establishes a process for TFD to be reimbursed by DNR for  
23 apparatus and personnel costs related to TFD providing firefighting assistance to  
24 DNR, and  
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WHEREAS many areas within the City that are at the greatest risk for WUI fires are within Very Low to Moderate range areas on the City’s Equity Index Map, and by increasing TFD’s effectiveness in responding to wildland fires within the City, carbon emissions generated by large wildfires will be reduced and air quality for our residents will be improved, and

WHEREAS staff recommends the City enter into a three-year forestland response Agreement with DNR as an avenue to increase the effectiveness of TFD’s wildland firefighting response by allowing for mutual aid from DNR; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the request of the Tacoma Fire Department, to enter into an Interlocal Agreement with the Washington State Department of Natural Resources (“DNR”), for forestland response to allow for mutual assistance and cooperation in the control and suppression of wildfires, for a three-year term, is hereby approved.



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Section 2. That the proper officers of the City of Tacoma are authorized to execute said Agreement substantially in a form on file with the City Clerk and as approved by the City Attorney's Office.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney



## RESOLUTION NO. 41708

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and  
2 the furnishing of services; authorizing the execution of a contract with  
3 Northwest Cascade, Inc., in the amount of \$1,072,421.00, plus a 20 percent  
4 contingency, budgeted from various funds, for utility and roadway  
5 improvements near the Recovery and Transfer Center, for a projected  
6 contract total of \$1,286,905.20, plus applicable taxes, pursuant to  
7 Specification No. ES24-0301F.

8 WHEREAS the City has complied with all applicable laws and processes  
9 governing the acquisition of those supplies, and/or the procurement of those  
10 services, inclusive of public works, as is shown by the attached Exhibit "A,"  
11 incorporated herein as though fully set forth, and

12 WHEREAS the Board of Contracts and Awards has concurred with the  
13 recommendation for award as set forth in the attached Exhibit "A"; Now, Therefore,

14 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

15 Section 1. That the Council of the City of Tacoma concurs with the Board of  
16 Contracts and Awards to adopt the recommendation for award as set forth in the  
17 attached Exhibit "A."  
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Section 2. That the proper officers of the City are hereby authorized to enter into a contract with Northwest Cascade, Inc., in the amount of \$1,072,421.00, plus a 20 percent contingency, budgeted from various funds, for utility and roadway improvements near the Recovery and Transfer Center, for a projected contract total of \$1,286,905.20, plus applicable taxes, pursuant to Specification No. ES24-0301F, consistent with Exhibit "A."

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney



## ORDINANCE NO. 29045

1 AN ORDINANCE relating to the license code: amending Subtitle 6B of the  
2 Municipal Code, relating to the License Code, by amending section  
3 6B.20, entitled “Annual Business License”, to increase the minimum  
4 threshold for out-of-city business requirements; to rename Chapter  
5 6B.130 from “Home Occupation” to “Residential Business”; to increase  
6 regulatory license fees; and to clarify language; effective August 1, 2025.

7 WHEREAS this recommendation from the Tax and License Division of  
8 the Finance Department is based on the City’s requirement to comply with the  
9 State Business License Model Ordinance, and

10 WHEREAS additionally, the recommendation is based on a review of  
11 Subtitle 6B of the Tacoma Municipal Code, and

12 WHEREAS the proposed amendments will provide for the following: 1)  
13 increase the minimum threshold before an out-of-city business is required to be  
14 licensed; 2) increase regulatory license fees to cover cost of review, inspection  
15 and administration of the license; 3) change the title of the “Home Occupation”  
16 license to “Residential Business” license consistent with Title 13; and 4) clarify  
17 language where needed, and

18 WHEREAS on June 3, 2025, the Government Performance and Finance  
19 Committee voted unanimously to move this proposal forward to the full  
20 City Council; Now, Therefore,

21 BE IT ORDAINED BY THE CITY OF TACOMA:

22 Section 1. That the City Council hereby adopts the Recitals of this  
23 Ordinance as its formal legislative findings.

24 Section 2. That Chapter 6B of the Tacoma Municipal Code, is hereby  
25 amended as set forth in the attached Exhibit “A.”  
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Section 3. That the City Clerk, in consultation with the City Attorney’s Office,  
is authorized to make necessary corrections to this ordinance and Exhibit “A”  
including, but not limited to, the correction of scrivener’s/clerical errors, references,  
ordinance numbering, section/subsection numbers, and any references thereto.

Section 4. That this ordinance and the amendments to the Tacoma Municipal  
Code in Exhibit “A” will take effect August 1, 2025.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

Approved as to form:  
  
\_\_\_\_\_  
Deputy City Attorney



**EXHIBIT “A”**

**CHAPTER 6B  
LICENSE CODE**

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Chapters:

- 6B.10 General License Provisions
  - 6B.20 Annual Business License
  - 6B.30 Adult Entertainment
  - 6B.40 Alarm Devices
  - 6B.50 *Repealed*
  - 6B.60 Boilers – Engineer and Fireman Certificates
  - 6B.70 Entertainment/Dancing – Liquor Served
  - 6B.80 Entertainment/Dancing – No Liquor Served and Teenage Dance
  - 6B.90 Fire Alarms and Fire Suppression Systems
  - 6B.100 *Repealed*
  - 6B.110 Garages, Fuel Stations and Marine Repair Facilities
  - 6B.120 *Repealed*
  - 6B.125 Hazardous Materials
  - 6B.130 ~~Home Occupations~~ Residential Business
  - 6B.140 Transient Accommodations
- \* \* \*

**Chapter 6B.10  
GENERAL LICENSE PROVISIONS**

\* \* \*

**6B.10.030 License definitions**

The following definitions apply to each section in this subtitle of the TMC:

“Annual business license” means a license for the privilege of doing business with the City or within the City as required by the provisions of Subtitle 6B of the TMC.

“Calendar year” means January 1 through December 31 of each year.

“Certificate of Complaint” is a document filed with the Pierce County Auditor, stating the property is in violation of Chapter 2.01 of the TMC

“Charitable organization” means any organization recognized as a nonprofit corporation under the provisions of Chapter 24.03 RCW and exempt from the Washington State business and occupation tax pursuant to RCW 82.04.3651.

“City” means the City of Tacoma and all its departments, including Tacoma Public Libraries and Tacoma Public Utilities. It does not include the Metropolitan Park District of Tacoma, Port of Tacoma, Tacoma School District, or Tacoma Housing Authority, which are separate municipal corporations.

“Department” means the Tax and License Division of the Finance Department of the City or any successor department.

“Director” means the Director of the Finance Department of the City or the Director’s designee, which shall be an employee of the Finance Department.

“Engaging in business” shall be as defined in TMC 6A.30.

“Gambling” means any activity included in the provisions of RCW 9.46.0237.



1 “Gross income” means the value proceeding or accruing by reason of the transaction of business engaged  
2 in and includes gross proceeds of sales, compensation for the rendition of services, gains realized from  
3 trading in stocks, bonds, or other evidence of indebtedness, interest, discount, rents, royalties, fees,  
4 commissions, dividends, and other emoluments, however designated, all without any deduction on  
5 account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount,  
6 delivery costs, taxes, or any other expense whatsoever paid or accrued without any deduction on account  
7 of losses.

8 “Gross receipts” has the same meaning as gross income.

9 ~~“Home based business” means a business, profession, occupation, or trade conducted for gain or support  
10 and located entirely within a residential building or a building accessory thereto, which use is accessory,  
11 incidental, and secondary to the use of the building for dwelling purposes and does not change the  
12 essential residential character or appearance of such building. The intent of this definition is to maintain  
13 consistency with home occupations as defined in Tacoma Municipal Code (“TMC”) 13.06.105, the City’s  
14 Zoning Code.~~

15 “In this City” or “within this City” includes all federal areas lying within the corporate city limits of the  
16 City.

17 “License” means any license required under the provisions of Subtitle 6B of the TMC.

18 “License certificate” means a non-transferable certificate issued by the Department required to be  
19 displayed at the place of business by all persons operating a business under the provisions of Title 6.

20 “License code” means Subtitle 6B of the TMC.

21 “License fee” means the amount charged by the City for the issuance of any license required under the  
22 provisions of Subtitle 6B. Regulatory license fees are intended solely to cover all costs of administering  
23 the required license.

24 “Licensee” means any person required to be licensed, ~~or~~ applying to be licensed, or is licensed under  
25 Subtitle 6B.

26 “Liquor” shall have the same meaning as in RCW 66.04.010.

“Mailing” or “mailed” shall mean sending the document by regular, first-class mail, postage prepaid and  
properly addressed to the last known address of the person subject to the document. The last known  
address shall be an address provided to the City by the person to whom the document is directed.

Where service is by mail, service shall be deemed complete upon the third day following the day upon  
which the notice is placed in the mail, unless the third day falls on a Saturday, Sunday, or federal legal  
holiday, in which event service shall be deemed complete on the first day other than a Saturday, Sunday,  
or legal holiday following the third day.

“Massage” or “Massage therapy” means a health care service involving the external manipulation or  
pressure of soft tissue for therapeutic purposes. Massage therapy includes techniques such as tapping,  
compressions, friction, reflexology, Swedish gymnastics or movements, gliding, kneading, shaking, and  
fascial or connective tissue stretching, with or without the aids of superficial heat, cold, water, lubricants,  
or salts. Massage therapy does not include diagnosis or attempts to adjust or manipulate any articulations  
of the body or spine or mobilization of these articulations by the use of a thrusting force, nor does it  
include genital manipulation.

“Massage business” means the operation of a business where massages are given.

“Peddling” means the same as door-to-door sales.

“Person” means any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust,  
estate, firm, co-partnership, joint venture, club, company, joint stock company, business trust, municipal



corporation, political subdivision of the state of Washington, corporation, limited liability company, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise, and the United States or any instrumentality thereof.

“Public official” means any official designated by the City Manager, or designee, authorized to enforce this chapter, including, but not limited to, officials of the Police Department, Fire Department, Public Works Department, Finance Department, or the Tacoma-Pierce County Health Department charged with the enforcement of a particular portion of this chapter.

“Records” means the books of accounts and other business-related records of a licensee subject to the City’s Tax Code or License Code. Such records include ledgers; subsidiary ledgers; invoices; receipts; registration and incorporation documents; federal, state and local tax returns; and any other records necessary to establish the amounts due under the provisions of the TMC.

“Registration” or to “register” means an identification of real properties owned by a person, for which they use, or intend to use, as rental property.

“Residential business” has the same meaning as it is defined in TMC 13.01.060.R.

“Successor” means any person to whom a licensee quitting, selling out, exchanging, or disposing of a business sells or otherwise conveys, directly or indirectly, in bulk and not in the ordinary course of business of the licensee’s business, any part of the materials, supplies, merchandise, inventory, fixtures, or equipment of the licensee. Any person obligated to fulfill the terms of a contract shall be deemed a successor to any contractor defaulting in the performance of any contract as to which such person is a surety or guarantor.

“Taxpayer” means any person subject to the provisions of Subtitle 6A, regardless of whether they owe or have previously paid taxes to the City.

“Vendor” means any person who exhibits goods or services for sale for the purpose of selling, bartering, trading, exchanging, or advertising such goods or services.

\* \* \*

**6B.10.045 Exemptions for preapproval.**

Persons applying solely for licenses 6B.20 Annual Business License, 6B.40 Alarm Devices or 6B.130 ~~Home Occupations~~Residential Business may operate based on the license application submitted for approval.

**6B.10.050 Separate licenses – When required – Rental business responsibilities.**

A. A separate license shall be obtained for each branch, establishment, or separate location in which the business, calling, profession, trade, occupation, or activity licensed by this subtitle is carried on.

B. Each different business, calling, profession, trade, occupation, or activity carried on or device situated at any one location shall be described in detail on the application for business license.

C. Each license shall authorize the licensee to carry on, pursue, or conduct only that business, calling, profession, trade, occupation, or activity, or operate the device, vehicle, or thing described in such license, and only at the location or in the manner indicated therein, except as may be specifically provided in this chapter.

D. Any person renting or making available for rent to the public any dwelling unit is only required to obtain one license for all rental business activity conducted in the City, and 1) shall register each rental property with the City of Tacoma and include an agreement certifying that each dwelling unit on the rental property complies with RCW 59.18.060, as it exists or is hereinafter amended, and does not present conditions that endanger or impair the health and safety of the tenants, and 2) provide rental property information as determined by the Director including, but not limited to, rent amounts, property type and number of dwelling units on multi-unit properties.



1 E. Any person renting or making available for rent to the public any non-dwelling unit used for commercial purposes is only required to obtain one license for all rental business activity conducted in the City and shall provide a name and contact information of an agent located in Pierce County if the owner resides outside of the State of Washington.

2 F. It is the responsibility of a licensee engaging in rental business activity, to not allow or permit their  
 3 tenant to continue illegal or hazardous conditions outlined under TMC 6B.10.145, or any applicable law,  
 4 occurring on or in said property after being provided verbal or written notice of the illegal or hazardous  
 5 condition by any public official. Violation of this section shall be a civil penalty as prescribed in TMC  
 6 6B.10.260.

7 **6B.10.060 Application for license.**

8 No license required hereunder shall be issued except upon application therefor made on forms prescribed by the City. Each application shall be accompanied by the license fee prescribed herein. The Director may require any ~~license applicant~~ licensee to provide documentation as necessary to fully determine the status of ownership, control and finances of that business. Upon approval of the application, the license shall be issued by the City and delivered to the ~~applicant~~ licensee.

9 \* \* \*

10 **6B.10.090 Renewal of license – Late payment.**

11 A. All licenses issued subsequent to the initial license period shall be deemed renewal licenses if there has been no discontinuance of the licensee’s operations or activities. No license may be issued as herein provided unless the licensee has paid in full all license fees and taxes due to the City.

12 B. Any licensee who shall fail to make payment on or prior to the due date of said license shall be subject to a penalty of 20 percent of the license fee.

13 C. Remittance that is transmitted to the City by United States mail shall be deemed filed or received on the date shown by the cancellation mark stamped by the Post Office upon the envelope containing it. The Director may allow electronic filing or telephonic filing of licenses or remittances from any licensee. Remittance which is transmitted to the City electronically or telephonically shall be deemed filed or received on the date submitted.

14 D. When a renewal license fee is not paid in full by the due date the City may close the account  
 15 administratively. Any person engaging in business without a current license is subject to penalties as  
 16 prescribed in this chapter.

17 \* \* \*

18 **6B.10.115 Hours of operation – Massage.**

19 All massage business locations or offices that offer massage therapy services, as defined by state law, shall not be open between 10:00 p.m. and 6:00 a.m. daily, provided that if a licensed massage business is physically located wholly within the premises of a larger business or location, including, but not limited to, such facilities as a salon, spa, hotel, or health care provider, then only the area where the massage business is conducted shall be closed to customers between 10:00 p.m. and 6:00 a.m. Operating a  
 20 massage business between 10:00 p.m. and 6:00 a.m. is considered unlicensed business activity.

21 \* \* \*

22 **6B.10.140 Denial or revocation – Appeal.**

23 A. Reasons for denial or revocation.

24 The Director may deny an application for a licensee, or revoke any license issued under, the provisions of Title 6 based on one or more of the following grounds:

- 25 1. The license application contained fraudulent or false representation of fact, including, but not limited to, the existence of owners who were not identified on the application.
- 26 2. The licensee has failed to comply with any provisions of this title.



3. The licensee has failed to comply with any provisions of the TMC related to the operation of the business or licensed activity.
  4. The licensee is in default of any payment of any license fee or tax under Title 6.
  5. The licensee or employee has been convicted of a crime involving the business or licensed activity.
  6. The licensee is a minor under 18 years of age.
  7. The licensee's regulatory license has been revoked.
  8. The licensee is not qualified under any specific provision of this subtitle for a particular license for which application is made.
  9. The Director has reasonable grounds to believe the licensee to be dishonest, desires such license to practice some illegal act or some act injurious to the public health or safety, or the continued conduct of the business or licensed activity for which the license was or would be issued will result in a danger to the public health, safety, or welfare.
  10. The licensee, or the licensee's agents or employees, has committed a crime or other violation of law which bears a relationship to the conduct of the business or licensed activity under the license issued or that would be issued pursuant to this subtitle. The Director may consider any relevant violation of law regardless of whether the same act was charged as a civil infraction or crime or resulted in a finding of committed or conviction or if it is deferred or subject to pretrial diversion or negotiated settlement, e.g. plea bargain. If a licensee appeals such a suspension, revocation, or denial of a license under this subsection, the violation must be proved by a preponderance of the evidence; provided, however, that a finding of not committed on a civil infraction or a verdict of not guilty on a criminal charge precludes use of that act as a basis for a violation under this chapter.
  11. The licensee, or the licensee's agents or employees, has in the conduct of the business or licensed activity violated, or the Director reasonably concludes the licensee will not comply with, any local, state, or federal law requirements relating to public health or safety. The Director may consider any relevant matter, including illegal activity associated with the licensee's operation of a current business or previously operated business, or the conduct of the licensee's patrons or employees, inside or outside a current or previously operated business, including tolerance of a public nuisance, for which the licensee can reasonably control or prevent.
  12. The conduct of the business or licensed activity has resulted in the creation of a public nuisance as defined in the TMC or in state law.
  13. The licensee or the property owner where the business is located is subject to a Chronic Nuisance action under TMC 8.30A.
  14. The ~~applicant or~~ licensee has had a license revoked, denied, or suspended three times pursuant to Subtitle 6B or by any other administrative authority.
- B. Application for new license after denial, revocation, or suspension.
- If the City denies, revokes or suspends a license, the licensee or person in control of the business may not apply for an annual business license within 12 months after the denial, revocation, or suspension unless it was due to:
1. the ~~applicant~~ licensee being a minor,
  2. a violation of a regulatory license in Subtitle 6B, and the violation has since been remedied,
  3. nonpayment of taxes or license fees pursuant to Title 6 that have since been paid, or
  4. not having a required local, state, or federal license, but which has since been obtained.
- C. A licensee may not circumvent the provisions of this chapter by applying for a license in the name of a spouse, relative, or other person, or by using shell business entities. The Director may require any ~~license applicant~~ licensee to provide documentation as necessary to fully determine the status of ownership, control, and finances of that business.



1 D. If a license is revoked or suspended due to the licensee, or the licensee's agents or employees,  
committing a violation of Chapter 8.190 TMC – Drug Crimes, in relationship to the conduct of the  
business under the license issued pursuant to this subtitle, the following procedures will be followed.

2 1. For a first violation of Chapter 8.190 TMC, the license ~~of the owner~~ shall be suspended for 30 days.  
3 During this 30-day period, the ~~owner~~-licensee shall cease all activity related to that license. At the end of  
4 the 30-day period, the license may be reinstated, provided that the licensee refrains from violating  
Chapter 8.190 TMC or other provisions of law and complies with all other legal requirements. The 30-  
day period shall run from the date of suspension unless a timely appeal is filed. In the event a timely  
5 appeal is filed but ultimately denied, the 30-day period shall begin to run the day after all appellate  
remedies have been exhausted.

6 2. If a licensee engages in business activity during any period of suspension or subsequently violates  
TMC 8.190 at any time after a first violation, the license shall be revoked for a period of one year. The  
one-year period shall run from the date of revocation unless a timely appeal is filed. In the event a timely  
7 appeal is filed but ultimately denied, the one-year period shall begin to run the day after all appellate  
remedies have been exhausted. The licensee shall not be eligible for any license from the City of Tacoma  
8 during this period. At the end of the one-year period, the licensee may apply for a new license, provided  
that the licensee complies with all requirements for such a license.

9 3. Second revocation of license. If a license is revoked for a second time due to a violation of Chapter  
10 8.190 TMC, the licensee shall never be eligible for any license to conduct or manage any business ~~or~~  
activity in the City of Tacoma.

11 E. Notice.

12 1. The Director shall notify such licensee in writing by first class mailing or hand delivery of the denial or  
revocation of the license and the grounds therefor.

13 2. Denial of a license application under this subsection shall take effect immediately upon the mailing or  
hand delivery of the denial notice, as if no license was issued.

14 3. Revocation of a license issued shall not take effect until ten days after the mailing or hand delivery of  
15 the revocation notice and, if appeal is taken as outlined, the revocation shall be stayed pending final  
action by the Hearing Examiner. A licensee shall surrender all licenses issued by the City on the effective  
16 date of such revocation.

17 F. Conditional License.

18 The Director has the discretion to issue a conditional license after a license has been revoked or denied, if  
the Director reasonably concludes the licensee is likely able to operate the business in compliance with  
local and state laws, and if the licensee agrees to comply with conditions imposed by the City.

19 1. The conditions imposed must be directed at remedying the violations in this subsection or taking  
proactive measures to prevent the violations from occurring in the future.

20 2. The term of the conditional license will start on the date of the Conditional License through December  
21 31st of the same year.

22 3. Prior to December 31st, the Conditional License will be reviewed and may be extended into the  
following calendar year if the Director determines the conditions of the license need to continue to protect  
23 public health, safety or welfare.

24 4. The licensee may appeal the conditions as provided in subsection G below. If the licensee fails to  
comply with the imposed conditions, the Director may revoke the license.

25 G. Appeal.

26 Any licensee may, within ten days from the date that the denial, revocation, or conditional license notice  
was mailed, or hand delivered to the licensee, appeal such notice by filing a written notice of appeal  
setting forth the grounds of the appeal with the City Clerk. The hearing shall be conducted in accordance  
with the procedures for hearings as set forth in TMC 1.23. The Hearing Examiner shall set a date for



1 hearing said appeal and notify the licensee by mail of the time and place of the hearing. After the hearing,  
 2 the Hearing Examiner shall, after appropriate findings of fact and conclusions of law, affirm, modify, or  
 3 overrule the denial, revocation, or conditional license, or reinstate the license, and may impose any  
 4 conditions upon the continuance of the license.

5 The decision of the Hearing Examiner shall be final. The licensee or the Director may seek review of the  
 6 decision by the Superior Court of Washington in and for Pierce County within 21 days from the date of  
 7 the Hearing Examiner's decision. If review is sought as herein prescribed, a revocation shall be stayed  
 8 pending final action by the Superior Court.

9 **6B.10.145 – Summary Suspension – Appeal.**

10 A. The Director or public official in charge is authorized to immediately stop hazardous conditions ~~that~~  
 11 ~~are in violation of the TMC~~, up to and including closing the business operation. At the order of the public  
 12 official, occupants shall be required to immediately vacate the building and cease all business activity at  
 13 the site. Such order and demand may be oral or written. A notice that the business is closed will be posted  
 14 by a public official on all entrances to the premises. Failure to comply with the orders of the Director or  
 15 public City of Tacoma official is a misdemeanor.

16 B. Such hazardous conditions may include but ~~may~~ not be limited to:

17 1. Conditions that exist that the Director or public official determine to be ~~are deemed~~ hazardous to life or  
 18 property or in violation of TMC Chapter 8 that are hazardous to public health and safety while engaging  
 19 in business activity.

20 2. The ~~owner or owner's~~ licensee or the licensee's employee or agent has knowingly permitted a violation:

- 21 a. of the Uniform Controlled Substances Act;
- 22 b. of any law against gambling;
- 23 c. of any law against sales or distribution of firearms and dangerous weapons; or
- 24 d. of any law against prostitution ~~within at~~ the licensee's business location.

25 3. Unlicensed ~~operations~~ business activity or unlawful occupancy.

26 4. Denial of entry for business license inspection.

\* \* \*

E. Appeal.

The decision of the Director shall be final. The licensee may, within ten days from the date ~~of~~ the  
 Director's decision was mailed, or hand delivered, appeal such suspension by filing a written notice of  
 appeal setting forth the grounds of the appeal with the City Clerk. The hearing shall be conducted in  
 accordance with the procedures for hearings as set forth in TMC 1.23. The Hearing Examiner shall set a  
 date for hearing said appeal and notify the licensee by mail of the time and place of the hearing. After the  
 hearing thereon, the Hearing Examiner shall, after appropriate findings of fact and conclusions of law,  
 affirm, modify, or overrule the summary suspension and reinstate the license, and may impose any terms  
 upon the continuance of the license.

The decision of the Hearing Examiner shall be final. The licensee and/or the Director may seek review of  
 the decision by the Superior Court of Washington in and for Pierce County within 21 days from the date  
 of the Hearing Examiner's decision.

\* \* \*

**6B.10.160 Refund of license fee.**

A. Revocation.

Upon revocation, suspension, or denial of any license as provided in this chapter, no portion of the license  
 fee shall be returned to the licensee.



B. License application withdrawn.

Upon licensee request to withdraw their initial application, the fee paid shall be returned to the ~~applicant~~ licensee by the City, together with notice that the application has been withdrawn; provided that no refund shall be made where the ~~applicant~~-licensee has engaged in the business activity for which the license was intended, or where inspection has been performed by any City department to review said license application.

\* \* \*

**6B.10.257 ~~Closing~~ Settlement agreement provisions.**

The Director may enter into an agreement, in writing, with any person relating to the liability of such person with respect to any license fee or penalties imposed by any of the chapters within Subtitle 6B and administered by this chapter for any license period(s). Upon approval of such agreement, evidenced by execution thereof by the Director and the person so agreeing, the agreement shall be final and conclusive as to the liability or immunity covered thereby, and, except upon a showing of fraud or malfeasance, or misrepresentation of a material fact:

A. The case shall not be reopened as to the matters agreed upon, or the agreement modified, by the Director or the licensee, and

B. In any suit, action, or proceeding, such agreement, or any determination, assessment, collection, payment, abatement, refund, or credit made in accordance therewith, shall not be annulled, modified, set aside, or disregarded.

\* \* \*

**6B.10.265 Administrative reviews by the Director of Notice of Violation or Penalty – Appeal.**

\* \* \*

C. Decision of Director.

After considering all the information provided, the Director shall determine whether a violation has occurred and shall affirm, vacate, suspend, or modify the Notice or the amount of any monetary penalty assessed. The Director’s decision shall be ~~delivered~~-mailed in writing to the appellant ~~by first class mail~~.

D. Appeals to the Hearing Examiner of Director’s decision.

Appeal of the Director’s decision shall be made within ~~10-ten calendar~~ days ~~after~~-~~from~~ the date ~~of~~ the Director’s decision ~~was mailed or hand delivered~~ by filing a written notice of appeal, clearly stating the grounds that the appeal is based on, with the City Clerk, and the City Clerk shall set a date for the hearing of such appeal before the Hearing Examiner of the City, which appeal shall be governed by TMC 1.23, and shall notify the appellant by mail, of the time and place of hearing.

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**CHAPTER 6B.20  
ANNUAL BUSINESS LICENSE**

1 \* \* \*

2 **6B.20.030 Exemptions.**

3 To the extent set forth in this section, the following persons and businesses shall be exempt from the  
4 license requirements as outlined in this chapter:

5 A. Any person or business who does not maintain a place of business within the City ~~and whose annual  
6 value of products, gross proceeds of sales, or gross income of the business in the City is equal to or less  
7 than \$2,000~~ shall be exempt from the general business license requirements of this chapter when annual  
8 value of products, gross proceeds of sales, or gross income of the business in the City is equal to or less  
9 than indicated in the table below. The exemption does not apply to regulatory license requirements.

<u>Year</u>	<u>Annual Threshold</u>
<u>2020-2025</u>	<u>\$2,000</u>
<u>2026-2029</u>	<u>\$4,000</u>

10 1. The threshold amount will be adjusted every forty-eight months on January 1, by an amount equal to  
11 the increase in the Consumer Price Index ("CPI") for "West Urban, All Urban Consumers" (CPI-U) for  
12 each 12-month period ending on June 30 as published by the United States Department of Labor Bureau  
13 of Labor Statistics or successor agency. To calculate this adjustment, the current rate will be multiplied by  
14 one plus the cumulative four-year (forty-eight month) CPI increase using each 12-month period ending on  
15 June 30 of each prior year and rounded to the nearest \$100.

16 However, if any of the annual CPI increases are more than five (5) percent, a five (5) percent increase will  
17 be used in computing the annual basis and if any of the annual CPI decreased during the forty-eight-  
18 month period, a zero (0) percent increase will be used in computing the annual basis.

19 B. A farmer, gardener, or other person selling, delivering, or peddling any fruits, vegetables, berries,  
20 eggs, or any farm produce or edibles raised, gathered, produced, or manufactured by such person as  
21 outlined in RCW 36.71.090.

22 C. An "Authority" as defined in RCW 35.82.210 as now or hereafter amended.

23 D. A federally chartered credit union as defined in WAC 458-20-190.

24 E. A person that only sells and/or distributes liquor as defined in RCW 66.08.120 as now or may hereafter  
25 be amended.

26 F. A Tribal Member conducting business activity on their own Tribal Land.

G. Any person who conducts activity for a Tribal Member or Tribe on Tribal Land.

H. A person in which the City is prohibited from licensing under the Washington State Constitution or the  
Constitution of the United States or any other exemption outlined in a local, state, or federal regulation.

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CHAPTER 6B.40  
ALARM DEVICES

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Sections:

\* \* \*

6B.40.120 License Fees.

\* \* \*

**6B.40.120** License Fees.

A. The license fees for Alarm Devices are hereby fixed as follows:

<b>Alarm System Operator or Monitoring Company License</b>	<b>Fee</b>
For one to 100 devices	\$100 per annum
For 101 to 200 devices	\$200 per annum
For 201 to 500 devices	\$400 per annum
For 501 or more devices	\$500 per annum
<b>Monitored Alarm Device</b>	\$40 per device

\* \* \*



**CHAPTER 6B.90  
FIRE ALARMS AND FIRE SUPPRESSION SYSTEMS**

1 Sections:

2 6B.90.010 License required.

3 [6B.90.015 License exemption.](#)

4 6B.90.020 Qualifications for license.

5 6B.90.030 License fees.

6 **6B.90.010 License required.**

7 It shall be unlawful for any person to engage in the business of selling, installing, maintaining, or  
8 repairing fire detection and fire alarm devices and equipment without first obtaining a license pursuant to  
9 the provisions of this chapter.

10 It shall be unlawful to sell, install, maintain, and/or perform testing of fire suppression systems and  
11 appliances, including, but not limited to, the following: (1) wet and dry sprinkler systems; (2) kitchen  
12 range hood suppression systems; (3) foam systems; (4) clean agent systems; (5) standpipes; (6)  
13 underground fire main service systems; and (7) all types of suppression systems for spray booths, rooms  
14 or areas, and the maintenance of fire extinguishers in the City without first obtaining a license pursuant to  
15 the provisions of this chapter.

16 Any business engaged in the aforementioned activity shall be subject to review. All applicable  
17 requirements of the Fire Department and the Washington State Fire Marshal's office shall be met to be  
18 eligible for licensing.

19 One license shall include and cover all employees of a licensee.

20 **[6B.90.015 License exemption.](#)**

21 [A. Any person that is licensed as a "fire protection sprinkler system contractor" as outlined in RCW  
22 18.160 is exempt from this Chapter.](#)

23 [B. Any person engaged in general merchandising or retailing at a fixed location with the sale of fire  
24 detection or fire alarm devices and equipment being but incidental to that business.](#)

25 **6B.90.020 Qualifications for license.**

26 [A. Every applicant-licensee for such license](#) who is selling or installing fire detection or fire alarm devices  
and equipment must satisfy the Director that such fire detection or fire alarm devices and equipment meet  
with the approval of the Underwriters' Laboratories.

[B. Every applicant for such license licensee](#) who is installing fire suppression systems and appliances must  
satisfy the Director that all applicable requirements of the Fire Department and the Washington State Fire  
Marshal's office shall be met to be eligible for licensing.

27 **6B.90.030 License fees.**

28 The license fees [for Fire Alarm and Fire Suppression Systems are hereby fixed as \\$90. shall be as set  
29 forth below; provided, however, that no such license fee shall be charged any person engaged in general  
30 merchandising or retailing at a fixed location with the sale of fire detection or fire alarm devices and  
31 equipment being but incidental to that business.](#)

32 Fee	\$90
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**CHAPTER 6B.110  
GARAGES, FUEL STATIONS, AND MARINE REPAIR FACILITIES**

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**6B.110.030 License fees.**

The ~~annual~~ license fees for Garages, Fuel Stations and Marine Repair Facilities ~~shall be payable in advance and~~ are hereby fixed as follows: ~~in the amounts shown in the following schedule:~~

<del>Type of license</del> <u>Description</u>	<del>Fees</del>
Automotive and/or marine vessel parts store	<del>\$ 50</del> <u>100</u>
Mobile garage	\$ 50
<u>Repair garage, first year</u>	<u>\$170</u>
Repair garage, <u>renewal</u>	\$100
<u>Service station, first year</u>	<u>\$170</u>
Service station, <u>renewal</u>	\$100
Storage garage and parking lots	<del>\$ 50</del> <u>100</u>
Vehicle part recycling facility	<del>\$100</del> <u>150</u>

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CHAPTER 6B.125  
HAZARDOUS MATERIALS

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Sections:

- 6B.125.010 License required.
- 6B.125.020 Qualifications for license.
- 6B.125.030 License fees.
- 6B.125.040 Exemptions.

\* \* \*

**6B.125.020 Qualifications for license.**

Every ~~applicant for such license~~[licensee](#) whose business activity will result in the use, manufacturing, processing, storage, or disposal of products listed in the UN Hazard Classification System shall satisfy the Director that any required permits have been obtained from the Tacoma Fire Department, the Washington State Department of Ecology, and the Tacoma Pierce County Health Department.

**6B.125.030 License fees.**

[The license fee for Hazardous Materials is hereby fixed as \\$200.](#)

<del>Hazardous Materials License</del>	<del>Fee</del>
<del>First year fee</del>	<del>\$150</del>
<del>Subsequent annual fee</del>	<del>\$90</del>

\* \* \*



CHAPTER 6B.130

~~HOME OCCUPATIONS~~ RESIDENTIAL BUSINESS

Sections:

- 6B.130.010 License required – Conditional ~~home occupation~~ residential business agreement.
- 6B.130.020 License fee.
- 6B.130.030 Exemptions.

**6B.130.010 License required – Conditional ~~home occupation~~ residential business agreement.**

A. It is unlawful for any person to engage in a ~~“home occupation residential business,” as defined in TMC 13.01.060, within a residential building or building accessory thereto~~ without first obtaining a license pursuant to the provisions of this chapter. Prior to issuance of said license, the Director must be satisfied that the applicant will be in conformance with applicable laws, including, but not limited to, the criteria set out in TMC 13.06.080, and the applicant must also manifest assent to comply with all applicable laws and regulations by entering into a Conditional ~~Home Occupation Residential Business Agreement, provided by the Director which will contain the code and regulatory requirements most directly applicable to each applicant’s situation.~~

B. Both the license and the Conditional ~~Home Occupation Residential Business~~ Agreement are personal to the original applicant and may not be assigned.

1. If there is a change of location of the licensed ~~home occupation residential business~~, the license ~~e~~ holder need not obtain a new license, but is required to enter into a new Conditional ~~Home Occupation Residential Business~~ Agreement.

2. ~~If Should~~ the type of ~~home occupation residential business activity is~~ be changed, the license ~~e~~ holder must obtain a new license and enter into a new Conditional ~~Home Occupation Residential Business~~ Agreement.

~~C. “Home occupation” means a business, profession, occupation, or trade conducted for gain or support and located entirely within a residential building or a building accessory thereto, which use is accessory, incidental, and secondary to the use of the building for dwelling purposes and does not change the essential residential character or appearance of such building. The intent of this definition is to maintain consistency with Home Occupations as defined in TMC 13.06.060.~~

**6B.130.020 License fee.**

The license fee for a ~~home occupation~~ Residential Business is a one-time fee and is hereby fixed as \$100 as follows:

<del>Home occupation license</del>	<del>\$75</del>
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**6B.130.030 Exemptions.**

The Conditional ~~Home Occupation Residential Business~~ Agreement and fee assessed by the provisions of this chapter shall not apply to:

- A. Any charitable organization;
- B. Family day cares, short term rentals, and adult family homes as defined in TMC 13.016.060;
- C. Persons engaging in business of renting or leasing real property; or
- ~~D. Persons whose gross business income is derived from service activity in or with the City generating annual gross income of less than \$1,000.~~
- ED. Farmers, gardeners, or other persons selling, delivering, or peddling any fruits, vegetables, berries, eggs, or any farm produce or edibles raised, gathered, produced, or manufactured by such person as outlined in RCW 36.71.090.

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**CHAPTER 6B.145  
LIVE/WORK AND WORK/LIVE**

1 \* \* \*

2 **6B.145.010 License Required – Special agreement.**

3 A. It is unlawful for any person to operate or engage in business activities within live/work or work/live  
4 units, as defined in TMC 13.06.700, without first obtaining a license pursuant to the provisions of this  
5 chapter. Prior to the issuance of said license, the Director must be satisfied that the ~~applicant~~ licensee will  
6 be in conformance with applicable laws, including, but not limited to, the criteria set out in TMC  
7 13.06.570 and TMC 2.02, and the ~~applicant~~ licensee must also manifest assent to comply with all  
8 applicable laws and regulations by entering into a Conditional Live/Work and Work/Live Agreement.

9 B. Both the license and the Conditional Live/Work and Work/Live Agreement are personal to the original  
10 ~~applicant~~ licensee, and may not be assigned. If there is a change of location of the licensed business to  
11 another live/work or work/live unit, the ~~licensee~~ holder need not obtain a new license, but is required to  
12 enter into a new Conditional Live/Work and Work/Live Agreement. Should the nature of the business  
13 change, the ~~licensee~~ holder must obtain a new license and enter into a new Conditional Live/Work and  
14 Work/Live Agreement.

15 **6B.145.020 License Fee.**

16 The license fee for a Live/Work or Work/Live is a one-time fee and is hereby fixed as \$100, as  
17 follows:

<del>Live/Work or Work/Live license</del>	<del>\$75</del>
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18 **6B.145.030 Exemptions.**

19 The Conditional Live/Work and Work/Live Agreement and fee assessed by the provisions of this chapter  
20 shall not apply to:

- 21 A. Any charitable organization.
- 22 B. Day cares, bed and breakfasts, and boarding homes.
- 23 C. Business of renting or leasing real property.

24 ~~D. Persons whose gross business income is derived from service activity in or with the City generating  
25 annual gross income of less than \$1,000.~~



**CHAPTER 6B.150  
OIL AND GAS DELIVERY VEHICLES**

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Sections:

6B.150.010 License required.

6B.150.015 Definitions.

6B.150.020 License fees.

6B.150.030 License requirements.

6B.150.040 Term and due date.

**6B.150.020 License fees.**

The ~~annual~~ license fee for an ~~Oil~~ and ~~Gas~~ ~~Tank~~ ~~Vehicle~~ is hereby fixed ~~as \$200. as follows:~~

Oil and Gas Tank Vehicle	\$100
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CHAPTER 6B.170  
SALES – DOOR-TO-DOOR SOLICITING

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Sections:  
6B.170.010 License required.  
6B.170.020 Definitions.  
6B.170.030 License fees.  
6B.170.040 Exemptions.  
6B.170.050 Regulations.  
6B.170.060 Criminal Background Check/Fingerprints/Photographs.  
6B.170.065 Licensing Prohibited.  
6B.170.070 Responsibility for licensing.

\* \* \*

**6B.170.020 Definitions.**

For purposes of this chapter, the following definitions shall be applied:

~~The term~~ “dDoor-to-door soliciting” or “soliciting,” whenever used in this chapter, shall mean the carrying of merchandise or the offering for sale goods or services from place to place or the making of sales and the delivering of merchandise or services sold at the same time and place. Goods or services may include, but are not limited to, burglar and fire alarm monitoring equipment or monitoring services, subscriptions for books, magazines, periodicals, newspapers or other type of publication to be delivered at a later date, whether or not collecting payment in advance for such goods or services.

“Door-to-Door Soliciting Identification Card” means a card or similar issued or approved by the Director that includes a photograph of the licensee and identifying that the person is licensed to operate in the City.

\* \* \*

**6B.170.030 License fees.**

The license fees for Door-to-Door sSoliciting ~~are~~ is a six (6) month term and hereby fixed as \$90.~~follows:~~

<b>Soliciting license</b>	<b>Fees</b>
<del>Per six (6) month period</del>	\$90

**6B.170.040 Exemptions.**

The provisions of this chapter shall not apply to:

A. Farmers, gardeners, or other persons selling, delivering, or peddling any fruits, vegetables, berries, eggs, or any farm produce or edibles raised, gathered, produced, or manufactured by such person as outlined in RCW 36.71.090.

B. Merchants, grocers, or butchers who have a regular established place of business in the City or elsewhere and who do not engage in the making of sales from vehicles upon the streets or highways of the City.

C. Bona fide school or nonprofit fundraising activities.

~~C. Veterans pursuant to RCW 73.04.050.~~

D. Persons possessing a valid license issued by the State of Washington as long as the state license requirements include fingerprinting of the applicant~~person~~ and background check and the license has been issued for the service the person is soliciting (i.e. a real estate broker with a valid State of Washington Real Estate license is soliciting real estate broker services).

**6B.170.050 Regulations.**

~~Licenses issued pursuant to this chapter for soliciting shall be numbered by the City when issued, and the licensee shall, if he uses a vehicle in such soliciting activity, display such number in Arabic numerals~~



1 sufficiently large enough to be easily read in a prominent place on such vehicle. The applicant for such  
2 license, if any scales, weights, or measures are used in selling the article to be solicited, shall present and  
3 file with the application a certificate from the Director of Public Works showing that all scales, weights,  
4 or measures to be used in the licensed activity have been tested and found accurate and correct  
5 immediately prior to the filing of said application.

6 Licensees shall carry the City issued door-to-door soliciting identification card on the person which shall  
7 be available for display upon request by a citizen or public official.

8 **6B.170.060 Criminal Background Check/Fingerprints/Photographs.**

9 A. All applicants licensees shall:

10 1. for a solicitor's license must eConsent to be fingerprinted for a state and federal criminal background  
11 check upon initial application and at least every four years. and shall s

12 2. Submit, with the application, one current full-face digital photograph of the applicant licensee,  
13 submitted electronically or consent to a full-face photograph taken by the Director.

14 3. Consent to a state and/or federal criminal background check at every license renewal.

15 **6B.170.065 Licensing prohibited.**

16 A. The Director may deny, suspend, or revoke any door-to-door solicitor's license application if the  
17 Director determines that:

18 1. Within seven years of the date of application, the licensee has had a felony conviction, bail forfeiture,  
19 or other final adverse finding involving crimes reasonably related to the applicant's ability to safely  
20 conduct door-to-door soliciting, including but not limited to, homicide, assault, sex offenses, robbery,  
21 extortion, kidnapping, harassment, malicious mischief, firearms offenses, rendering criminal assistance,  
22 and violations of the uniform controlled substances act, or is required to register as a sex offender,  
23 pursuant to RCW 9A.44.130.

24 2. Within three years of the date of application, the licensee has had a misdemeanor conviction, bail  
25 forfeiture, or other final adverse finding involving crimes reasonably related to the applicant's ability to  
26 safely conduct door-to-door soliciting, including but not limited to, assault, sex offenses, harassment,  
malicious mischief, rendering criminal assistance, obstructing a police officer, resisting arrest, and  
violations of the uniform controlled substances act or equivalent offenses under a municipal code.

3. Within three years of the date of application, the licensee has been found, either through a criminal  
conviction, bail forfeiture, or other final adverse finding (including a civil suit or administrative  
proceeding) to have exhibited past conduct in working as a door-to-door solicitor which is reasonably  
related to the applicant's fitness or ability to work as a door-to-door solicitor.

4. Within three years of the date of application, the licensee engaged in conduct which would lead the  
Director to reasonably conclude that the licensee will not comply with the provisions of the chapter and  
the safely operate as a door-to-door solicitor.

B. Any licensee whose license is denied, suspended or revoked may appeal the denial, suspension, or  
revocation, as provided in Section 6B.10.140 TMC.

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CHAPTER 6B.175  
SALES – FOOD TRUCK VENDORS

Sections:

- 6B.175.010 Purpose.
- 6B.175.020 License required.
- 6B.175.030 Definitions.
- 6B.175.040 Application requirements.
- 6B.175.050 ~~License F~~ees.
- 6B.175.060 Locations.
- 6B.175.070 Operating ~~R~~requirements.
- 6B.175.080 License or location revocation or denial.

\* \* \*

**6B.175.040 Application requirements.**

Application for a license shall be filed with the Department on forms deemed appropriate by the Director and include the current application fee. In addition, the ~~applicant~~ licensee shall:

A. Obtain and maintain commercial general liability, including products/completed operations liability insurance, naming the City of Tacoma as additional insureds for both ongoing and completed operations. Minimum liability to be maintained is \$1,000,000. The ~~applicant~~ licensee shall obtain and maintain commercial automobile liability with limits of not less than \$1,000,000 for each accident for bodily injury and property damage. If the ~~applicant~~ licensee hires employees, the ~~applicant~~ licensee shall maintain Statutory Workers Compensation and also Employers Liability with limits not less than \$1,000,000. The ~~applicant~~ licensee shall submit a certificate of insurance and copies of the additional insured endorsement(s) to the Department.

B. Comply with the inspection provisions and standards for food trucks, as set forth in WAC 246-215 and any amendments thereto. To demonstrate compliance with these requirements, the food truck vendor shall obtain plan check approval from the Tacoma-Pierce County Health Department and submit a copy of the Mobile Unit Permit to the City.

C. Submit to inspection by the Tacoma Fire Department to assure compliance with Tacoma Municipal Code (TMC”) 3.02, including, but not limited to, compliance of cooking or heating apparatus, fire extinguisher requirements, and any other requirement of TMC 3.02 related to safe operations of food truck vending operation.

\* \* \*

**6B.175.050 ~~License F~~ees.**

The license fees for a ~~f~~Food ~~T~~truck ~~V~~vendor ~~license is are~~ hereby fixed ~~as follows: as~~ \$225.

<del>Description</del>	<del>Fees</del>
<del>Annual license fee</del>	<del>\$225</del>

**6B.175.060 Locations.**

A. The City shall establish locations suitable for food truck vending. When reviewing locations the City shall consider the following non-exclusive criteria before approving the location for food truck vending.

The location, at a minimum, shall:

1. Have restroom access that meets the requirements of WAC 246-215, as approved by the Tacoma-Pierce County Health Department.
2. Be within an approved commercial zone as identified in TMC Title 13, unless approved by the City.
3. Be compatible with the public and local business interest in use of the public ways as public rights-of-way.



- 4. Not reduce the width of any pedestrian walkway below six feet or impede vehicular traffic.
- 1 5. Not hinder the use of any phone booth, mailbox, fire alarm, fire hydrant (including automatic  
2 sprinklers or standpipe connections), newspaper vending machine, bench, transit stop, or traffic signal  
3 controllers.
- 4 6. Not be within 10 feet of a driveway or bus stop sign, or within 20 feet from a crosswalk, pursuant to  
5 RCW 46.61.570, unless approved by the City.

6 B. Any given location may not be accessible to the food truck when the City approves a special event  
7 permit per TMC 11.15 that uses the same public ways unless the food truck vendor is a participant of the  
8 special event and has received permission from the person issued the special event ~~applicant~~ permit.

9 C. The right to occupy said food truck locations shall be shared in common with other City of Tacoma  
10 licensed food truck vendors which qualify for use of said areas as hereinafter set forth.

11 D. Locations shall be identified by the City with a sign that will include the approved hours licensed food  
12 truck vendors are allowed to operate. If an approved location is not identified with a permanent City sign,  
13 an A-Board sign that is approved or designed by the City must be posted by the food truck vendor prior to  
14 the location being used, and such posting shall reserve the location for that food truck vendor for the  
15 operating hours indicated on the sign.

16 The A-Board sign shall:

- 17 1. Be posted by the vendor 24 hours in advance of the location being used on the sidewalk directly next to  
18 the parking space designated by the City for food truck operations.
- 19 2. Indicate the hours the food truck vendor will be operating. Hours of operation at each location will be  
20 approved by the City.
- 21 3. Not exceed four feet high and 12 square feet on each side of the A-board.
- 22 4. Only include wording approved by the City.
- 23 5. Not contain business names, business logos, or any type of business advertising.
- 24 6. Be removed at the beginning of the food truck vendor shift by the vendor, unless the food truck will be  
25 operating at the location within the next 24 hours.

26 E. Food truck vendors or other interested parties may request a new food truck vendor location that would  
allow all licensed food truck vendors to operate ~~to~~ in the City by submitting their request on a form  
provided by the Director to the Tax & License Division. The person submitting the request for the  
location shall have the burden to prove that any proposed food truck vending activity will enhance and  
further the public interest consistent with the use of the public way by the general public and the City for  
other authorized uses and activities as outlined in ~~6B.175.060~~ this section.

\* \* \*



**CHAPTER 6B.180  
SALES – SIDEWALK VENDORS**

1 Sections:

- 2 6B.180.010 Purpose.
- 3 6B.180.020 License required.
- 4 6B.180.030 Definitions.
- 5 6B.180.040 Application requirements.
- 6 6B.180.050 [License fees](#).
- 7 6B.180.060 Issuance.
- 8 6B.180.070 *Repealed*.
- 9 6B.180.075 Tollefson Plaza.
- 10 6B.180.080 *Repealed*.
- 11 6B.180.090 No transfer.
- 12 6B.180.100 Location.
- 13 6B.180.110 Restrictions.
- 14 6B.180.120 License or location revocation or denial.

15 \* \* \*

16 **6B.180.040 Application requirements.**

17 Application for a license shall be filed with the Department on forms deemed appropriate by the Director. Such application shall contain all the information requested below, along with the current fee, to apply for the license. A decision to issue a license is based on this information, other applicable ordinances, and other requirements as may be set forth herein.

18 The [applicant licensee](#) must satisfy the following requirements before a sidewalk vending license can be issued:

19 A. Submit the name and home and business addresses of the [applicant licensee](#), and the name and address of the owner, if other than the [applicant licensee](#), of the vending business or sidewalk vending unit to be used in the operation of the sidewalk vending business.

20 B. Submit a copy of the adjacent property owner and business owner’s written approval for the sidewalk vending site(s). Written approval from a legal representative of the above party may be substituted.

21 C. If selling only nonfood items and no approval is required from the Tacoma-Pierce County Health Department, as outlined in subsection G below, submit an accurate diagram of the mobile unit. Include dimensions (length, width, and height). Show location of overhead coverage, if provided.

22 D. If selling arts and crafts, submit a signed arts and crafts certification, as provided by the City.

23 E. Submit the address of the location or locations the sidewalk vending unit will operate along with an accurate drawing which shows the public area to be used. Each [applicant licensee](#) may request up to two locations. If two locations are requested and the sidewalk vending unit will be traveling from one location to another location throughout the day, then a route path between the two locations must be submitted along with the application.

24 F. Obtain comprehensive general liability, including products/completed operations liability insurance, naming the City of Tacoma and the adjacent property owner as additional insureds for both ongoing and completed operations. Minimum liability to be maintained is \$1,000,000 public liability and property damage. If the [applicant licensee](#) hires employees, the [applicant licensee](#) shall maintain Statutory Work Compensation and also Employers Liability with limits not less than \$1,000,000. The [applicant licensee](#) shall submit a certificate of insurance and copies of the additional insured endorsement(s) to the Department.

25 G. Comply with the inspection provisions and standards for mobile food units, as set forth in WAC 246-215 and any amendments thereto. To demonstrate compliance with these requirements, the [applicant licensee](#) shall obtain plan check approval from the Tacoma-Pierce County Health Department and submit a copy of the Mobile Unit Permit to the City.



H. All sidewalk vending units in which food or beverage preparation occurs are subject to inspection by the Tacoma Fire Department to assure compliance with TMC 3.02, Fire Prevention Code, including, but not limited to, compliance of cooking or heating apparatus and fire extinguisher requirements.

**6B.180.050 License Fees.**

The license fees for sidewalk vending are hereby fixed as follows:

Description	Fees
Initial application fee	\$100
Annual license fee	\$ 50
Sidewalk vending change application fee	\$ 25

If at any time during the annual license term a vendor changes the size of the sidewalk vending area or mobile unit, location, or adds a new heating or cooking apparatus, a new application for approval must be submitted with an application fee of \$25.

**6B.180.060 Issuance.**

After the filing of a completed application for a sidewalk vending license, the applicant-licensee shall be notified by the Department of the decision on the issuance or denial of the license. In the event that two or more applications for the same location are received, the earliest application received by the Department, if approved, shall be awarded the location. Upon denial of the application, the applicant-licensee shall be so notified pursuant to Section 6B.180.120.

\* \* \*

**6B.180.075 Tollefson Plaza.**

A. Any sidewalk vendor licensed under this chapter may, in addition to the vendor’s approved location(s), operate their sidewalk vending business on Tollefson Plaza located on South 17th Street and Pacific Avenue.

B. Vendors must be at least five feet from all adjacent vendors.

C. Vendors are not required to get the approval of adjacent property owners, business owners, or vendors when operating on Tollefson Plaza.

D. Per 6B.180.100 E, during special events permitted by the City located on Tollefson Plaza, a vendor may not operate their sidewalk vending business without the permission of the person issued a special event permit applicant or special event sponsoring unit, as designated on the special event permit approved by the City.

E. A sidewalk vendor who, in the City’s sole discretion, is operating or locating in Tollefson Plaza in a manner which impedes public access, ingress, egress, or otherwise interferes with the City’s or its licensees use of Tollefson Plaza, shall be required to relocate or remove their vending business as directed by the City.

\* \* \*

**6B.180.100 Location.**

Upon receipt of a completed application for a sidewalk vending license, the City shall review the location to determine if it is suitable for sidewalk vending. In making this determination, the City shall consider the following criteria:

A. No license shall be issued for a location within 25 feet of a location for which a license has already been granted, unless agreed to by the adjacent property owner(s), adjacent business owner(s) and adjacent vendor(s) with a similar type of merchandise operating under this section.



B. The license operating location must be within an approved commercial zone as approved by the City.

1 C. The use of sidewalk vending units must be compatible with the public interest in use of the public ways as public rights-of-way.

2 D. The location of the sidewalk vending unit shall not reduce the width of any pedestrian walkway below  
3 six feet, shall not force any pedestrian walking or using a wheelchair to leave the sidewalk, and shall not  
4 restrict the sidewalk to a degree that such pedestrians are required to pass single file.

5 E. A sidewalk vendor shall not use a given location when the City approves a special event permit  
6 pursuant to TMC 11.15 that uses the same public ways unless the sidewalk vendor is a participant of the  
7 special event and has received permission from the special event ~~applicant~~ licensee.

8 F. No person or corporation shall either pay or accept payment for the written consent required for  
9 issuance or continued operation of a sidewalk vending license.

10 G. No person or corporation shall either pay or accept payment from the sidewalk vendor for the use of  
11 public property to obtain a sidewalk vending license.

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**CHAPTER 6B.220  
FOR-HIRE REGULATIONS**

1     \*\*\*

2     **6B.220.130 Definitions.**

3     For the purposes of this chapter 6B.220 of the Tacoma Municipal Code, the following terms, phrases,  
4     words, and their derivations shall have the meaning given herein; words not defined herein which are  
5     defined in Title 6, shall have the same meaning or be interpreted as provided in Title 6.

6     ~~A.~~ “Accessible for-hire vehicle” means a for-hire vehicle designed or modified to transport passengers in  
7     wheelchairs or other mobility devices where passengers can board the for-hire vehicle via a ramp or lift.

8     ~~B.~~ “Affiliated for-hire vehicle” means a for-hire vehicle licensed or associated to a particular for-hire  
9     transportation services company by using their application dispatch services, approved color scheme  
10    and/or trade name.

11   ~~C.~~ “Application” or “app” means a program or piece of software most commonly downloaded to a device  
12   including but not limited to a computer and/or a mobile device, that is designed to fulfill a particular  
13   purpose and/or provides content such as text, graphics, images, maps, communications, banking, payment  
14   services, music, software, audio, video, information or other materials available to users of the computer,  
15   mobile device and/or other device.

16   ~~D.~~ “Application dispatch” means technology that allows consumers to directly request transportation  
17   services from for-hire drivers and/or for for-hire drivers to accept compensation for transportation  
18   services via the internet using electronic devices, computer devices or mobile interfaces such as, but not  
19   limited to, smartphone and tablet applications. The app may include mapping services to show the  
20   locations of available for-hire drivers.

21   ~~E.~~ “Approved Mechanic” means a mechanic who 1) has met the automotive requirements of the National  
22   Institute for Automotive Service Excellence, 2) does not own, lease or drive a for-hire vehicle, and 3) has  
23   no financial interest, including any employment interest, in any for-hire vehicle or in any owner that owns  
24   or leases for-hire vehicles.

25   ~~F.~~ “Certificate of Safety” means a prescribed document approved by or provided by the Director  
26   completed by an approved mechanic certifying that a particular vehicle passed a uniform vehicle safety  
27   inspection, and that the vehicle is mechanically sound and fit for driving. The approved mechanic is  
28   responsible for checking that the plates, decals, customer notices as required by the City are legible and  
29   properly displayed as specified by the Director by rule.

30   ~~G.~~ “Classic car” means an automobile that was high priced when new, is currently of superior  
31   appearance, is a fine or distinctive automobile, that has been restored or maintained to current maximum  
32   professional standards of quality in every area, with components operating and appearing as new, and  
33   showing very minimal wear.

34   ~~H.~~ “Commercial activity” means the time a for-hire driver accepts a trip request through an online-  
35   enabled app or platform until the completion of the ride.

36   ~~I.~~ “Compensation” means remuneration or anything of economic value that is provided, promised,  
37   suggested, or donated primarily in exchange for services rendered.

38   ~~J.~~ “Director” means the Director of the Finance Department of the City, or any officer, agent, or  
39   employee of the City designated to act on the Director’s behalf.

40   ~~K.~~ “Dispatch Services” means a service which connects for-hire drivers to persons seeking transportation  
41   or persons engaging in peer-to-peer transportation whether via radio, phone, internet, mobile application,  
42   computer or other mechanical or electronic means.

43   ~~L.~~ “For-hire driver” means a person physically engaged in driving a for-hire vehicle that is providing or  
44   soliciting transportation services, ridesharing and/or peer-to-peer transportation, whether or not said  
45   person is the owner of or has any financial interest in the ownership of said for-hire vehicle or whether or



not the person is using an app, a dispatch service, an information service and/or similar method to provide transportation services for compensation.

1 ~~M~~-"For-hire Driver Identification Card" means a card or similar issued or approved by the Director and  
2 identifying that the driver is licensed to operate in the City.

3 ~~N~~-"For-hire Stand" shall mean that portion of any street set aside and designated as parking or standing  
4 space to be occupied by for-hire vehicles.

5 ~~O~~-"For-hire Transportation Services Company" means:

6 1. A person who owns and operates a for-hire vehicle(s) and uses their own City approved color scheme  
7 and trade name;

8 2. A person who does not own and operate a for-hire vehicle but allows other people to affiliate a for-hire  
9 vehicle to the for-hire transportation services company's color scheme, trade name and/or dispatch  
10 services.

11 3. Provided that, a transportation network company, as defined in RCW 46.04.652, is not a For-hire  
12 Transportation Services Company as defined in this chapter.

13 ~~P~~-"For-hire Vehicle" means any motor vehicle, whether a personal vehicle, fleet or commercial vehicle,  
14 held out to the public for hire or used for the transportation of persons for compensation; subject to call  
15 by the public generally, where the route traveled or destination is controlled by the customer, the  
16 compensation is calculated on the basis of an amount recorded and indicated on a taximeter, a mobile  
17 device app or an application dispatch service, by a written contract or invoice signed by both parties, or  
18 based on an initial fee, distance traveled, waiting time, or any combination thereof as permitted under this  
19 chapter, provided that, for-hire vehicle shall not mean:

20 1. School buses operating exclusively under a contract to a school district;

21 2. Ride-sharing vehicles under Chapter 46.74 RCW;

22 3. Limousine carriers licensed under Chapter 46.72A RCW;

23 4. Vehicles used by nonprofit transportation providers solely for elderly or persons with disabilities and  
24 their attendants under Chapter 81.66 RCW;

25 5. Vehicles used by auto transportation companies licensed under Chapter 81.68 RCW;

26 6. Vehicles used to provide courtesy transportation at no charge to and from parking lots, hotels, and  
rental offices; and

7. Vehicles licensed under, and used to provide "charter party carrier" and "excursion service carrier"  
services as defined in, and required by, Chapter 81.70 RCW.

8. Vehicles providing transportation services using a "Transportation Network Company" application as  
defined in RCW 46.72B.

~~Q~~-"For-hire Vehicle Endorsement" means a decal, sticker or similar identification, issued or approved by  
the City, which is prominently displayed on a for-hire vehicle.

~~R~~-"For-hire Vehicle Owner" means a person that owns a for-hire vehicle.

~~S~~-"For-hire Vehicle Plate" means a numbered metal identification plate, issued by the City, permanently  
affixed to and prominently displayed on the rear of a for-hire vehicle.

~~T~~-"Licensee" means any person or entity licensed under this chapter.

~~U~~-"Operating a for-hire vehicle" means having a passenger in a for-hire vehicle, the for-hire vehicle is  
parked in a for-hire stand, the taximeter is engaged in the for-hire vehicle, the dispatch records show the  
vehicle has been dispatched, the for-hire vehicle top light is illuminated, the trip records show that the  
for-hire vehicle has started a shift and there is no record for ending a shift, the for-hire driver is signed  
into and active on the application dispatch service, the for-hire driver has offered transportation services  
to a passenger, the for-hire driver is engaged in commercial activity or any other facts reasonably



showing that a for-hire driver has offered, or is available to offer, its services to a passenger. Operating a for-hire vehicle does not include using a personal vehicle for personal use.

~~V.~~ “Operating in the City of Tacoma” means owning, leasing, advertising, driving, occupying and/or otherwise operating a for-hire vehicle that at any time transports any passenger for compensation from a point within the geographical confines of the City of Tacoma. A for-hire transportation services company is “operating in the City of Tacoma” if it provides application dispatch services to any affiliated for-hire driver at any time for the transport of any passenger for compensation from a point within the geographical confines of the City of Tacoma. The term does not include being in control of a for-hire vehicle that is physically inoperable.

~~W.~~ “Person” means any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, co-partnership, joint venture, club, company, joint stock company, business trust, municipal corporation, political subdivision of the state of Washington, corporation, limited liability company, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise, and the United States or any instrumentality thereof.

~~X.~~ “Persons with disabilities” means any individual with a disability who has a sensory, mental, or physical impairment that substantially limits one or more of life’s major activities; is medically cognizable or diagnosable; has a record or history of such impairment; or is regarded as having such impairment. People with disabilities include ambulatory persons, whose capacities are hindered by sensory disabilities such as blindness or deafness, such mental disabilities as cognitive impairments or emotional illness, and physical disabilities that still permit the person to walk comfortably, or a combination of these disabilities. It also includes a semi-ambulatory person who requires such special aids to travel as canes, crutches, walkers, respirators, or human assistance, and a non-ambulatory person who must use wheelchairs or wheelchair-like equipment to travel.

~~Y.~~ “Taximeter” means any mechanical or electronic device or instrument which, based upon a predetermined rate or rates, automatically calculates and displays, by means of figures, a fare based on distance traveled, time elapsed, or any combination thereof.

~~Z.~~ “Waiting Time” means time during which the for-hire vehicle is under the direction of a passenger and the for-hire vehicle is not moving.

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**6B.220.120 License inspection.**

The inspection of for-hire vehicles, inspection and sealing of taximeters, the examining of the qualifications of ~~applicants~~ licensees for for-hire vehicle licenses and licenses to drive for-hire vehicles and the enforcing of the provisions of this chapter shall be under the supervision and control of the Director and may be enforced by the Chief of Police, duly appointed City of Tacoma law enforcement, ~~T~~ax and ~~L~~icense, and ~~R~~oad ~~u~~se ~~C~~ompliance ~~O~~fficers.

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**6B.220.140 Fees – License and inspection; Exemptions.**

A. The license and inspection fees for For-Hire are hereby fixed as follows:

Description	Fees
For-hire driver license	<del>\$97</del> <u>5</u>
For-hire driver license replacement	<del>\$</del> <u>10</u>
For-hire vehicle license	<del>\$75</del> <u>100</u>
For-hire vehicle replacement plate	\$25
Taximeter inspection	\$50
Taximeter inspection re-scheduling fee	\$50

\* \* \*



**6B.220.180 For-hire transportation services company – Responsibilities.**

1 The for-hire transportation services company shall:

2 A. Maintain a business address, mailing address, and email address (if available) where the owner can  
3 accept mail, and a business telephone in working order and/or an email address that can be answered  
4 during all hours of operation;

5 B. Comply, and require that all affiliated for-hire vehicle owner(s) and affiliated for-hire driver(s) comply  
6 with any applicable regulations promulgated under this chapter;

7 C. Ensure that each affiliated for-hire vehicle is insured as required pursuant to this chapter;

8 D. Provide proof of insurance to the Director required pursuant to this chapter;

9 E. Collect and store for at least two (2) years, records of service request (trip) originating in the City of  
10 Tacoma for affiliated for-hire vehicles, including daily records of for-hire vehicles in service, together  
11 with the affiliated for-hire driver's name and vehicle number (if available), and lists of all affiliated for-  
12 hire vehicles and affiliated for-hire drivers. Records may be maintained electronically;

13 F. Maintain a dispatch service, application dispatch service or contracted dispatch service, utilizing two-  
14 way radios, wireless device communication or an online-enabled application or platform capable of  
15 providing reasonably prompt service in response to requests received by telephone, internet, email,  
16 online-enabled application or platform or other request for service by a prospective passenger The use of  
17 wireless communication devices while driving shall be utilized according to RCW 46.61.667, which  
18 prohibits the holding of a wireless communications device while driving;

19 G. Provide a system for passengers to retrieve lost articles;

20 H. The for-hire transportation services company shall maintain a record of each oral or written customer  
21 complaint that the for-hire transportation services company receives regarding regulations pursuant to this  
22 chapter, about the for-hire transportation services company, affiliated for-hire vehicle owner, or affiliated  
23 for-hire drivers operating in Tacoma. Where applicable, the for-hire transportation services company  
24 should include a notice of the action taken by the for-hire transportation services company to resolve the  
25 complaint, the nature of the complaint and the disposition;

26 1. The Director may request a record of complaints received by a for-hire transportation services  
company when investigating any complaint received by the City concerning possible violations of this  
chapter or regulations adopted hereunder by the for-hire transportation services company, affiliated for-  
hire vehicle owner or affiliated for-hire drivers while operating in Tacoma;

2. The Director may recommend corrective action to be taken by the for-hire transportation services  
company, for-hire vehicle owner or for-hire driver, revoke licenses and/or assess civil administrative  
penalties as provided in this chapter; and

~~I. Review criminal background checks and driving records for every affiliated for hire driver and  
maintain records thereof if the for hire transportation services company is conducting such checks  
themselves through a third party vendor approved by the Director. If a for hire driver's background check  
or driving record results in any denial standard in accordance with 6B.220.210.A or 6B.220.300.A the  
for hire driver shall not be permitted to provide transportation services by affiliating with the for hire  
transportation services company using the for hire transportation services company application dispatch  
or dispatch services and/or approved name and color scheme.~~

I. A for-hire transportation services company must adopt a policy of nondiscrimination on the basis of  
race, color, national origin, citizenship or immigration status, families with children, creed, religious  
belief or affiliation, sex, marital status, the presence of any sensory, mental, or physical disability, age,  
honorably discharged veteran or military status, sexual orientation, gender expression or gender identity,  
the use of a trained dog guide or service animal by a person with a disability, or any other protected class



under RCW 49.60.010, with respect to passengers and potential passengers, and notify affiliated drivers of such policy.

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**6B.220.190 For-hire transportation services company – Approval of color scheme.**

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B. No two for-hire transportation services companies shall have the same colors, unless the owners provide evidence to the satisfaction of the Director that they have the right under a franchise, license, lease or other similar agreement with a for-hire transportation services company to use the color scheme of such for-hire transportation services company. If there exists any conflict between color schemes presented by a for-hire transportation services company in its application for a for-hire vehicle license with any other licensee(s) or applicant(s), the Director shall, after notice to all interested parties, and review of their respective contentions, determine the matter and advise all interested parties of the Director’s decision. The Director’s decision shall be final.

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**6B.220.200 For-hire vehicle – License application and requirements.**

A. The for-hire vehicle owner is responsible for filing with the City a for-hire vehicle license application, on forms approved by the Director and containing the information outlined in subsection B, for each for-hire vehicle that is owned by such for-hire vehicle owner and operated in Tacoma.

B. The for-hire vehicle license application shall include the following information:

- 1. Vehicle owner’s full name, home address, home and business telephone number;
- 2. Vehicle information, the make, model, year, vehicle identification number, Washington State vehicle license plate number, and any other vehicle information required by rule or regulation promulgated under this chapter;
- 3. Information as requested by the Director pertaining to any for-hire driver’s, for-hire vehicle license suspension, denial, or revocation, imposed in connection with a for-hire vehicle owned or leased by the owner within the last three (3) years;
- 4. Certificate or Proof of an Insurance policy;
  - a. If the City does not already have on file evidence that each for-hire vehicle has liability insurance that meet the requirements of this section, provide evidence with the City that each for-hire vehicle has liability insurance in an amount no less than required by RCW 46.72.050, as it exists or as hereinafter amended. The insurance policy, and any related for-hire driver contracts if applicable, must be submitted to the Director. The insurance policy shall:
    - (1) At a minimum be issued by either: a) an admitted carrier in the State of Washington with an A.M. Best Rating of not less than B VII or b) a surplus line insurers with an A.M. Best Rating of not less than B+ VII;
    - (2) Name the City of Tacoma as an additional insured;
    - (3) Provide that the insurer will notify the Director, in writing, of any cancellation and/or non-renewal at least thirty (30) days before that cancellation and/or non-renewal takes effect; and
    - (4) Not include aggregate limits, or named driver requirements or exclusions. Other limitations or restrictions beyond standard insurance services office (ISO) business auto policy form are subject to approval by the Director.
  - b. An insurance policy of underinsured motorist coverage indicating 1) a minimum combined single limit coverage of three hundred thousand dollars (\$300,000) or split level coverage of one hundred thousand dollars (\$100,000) per person, three hundred thousand dollars (\$300,000) per accident;
- 5. State of Washington vehicle registration;



6. Certificate of Safety or proof that the ~~applicant's~~ licensee's vehicle has passed a uniform vehicle safety inspection, as specified by the Director by rule;

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7. If using a for-hire transportation services company's approved color scheme and name, a letter from the for-hire transportation services company which indicates the ~~applicant~~ licensee is authorized to operate a for-hire vehicle using the for-hire transportation services company's approved color scheme and/or name;

8. If using a taximeter in the for-hire vehicle the taximeter shall have been inspected and found to be accurate and sealed, and the annual inspection fee paid according to 6B.220.140.

a. The taximeter must be sealed and in good working order and in accurate operating condition and shall at all times comply with the specifications, tolerances, and other technical requirements as adopted by the National Conference on Weights and Measures and set forth at Section 5.54 of the National Institute of Standards and Technology Handbook 44 of Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices, 2003. Every taximeter shall be inspected, sealed and certified at installation, at change in rate, and within 1 year of the last inspection. A certificate of inspection certifying compliance with this chapter shall be issued by the Director upon each required taximeter inspection and the taximeter shall upon each such inspection be sealed by the Director. Such certificate of inspection shall include:

- (1) The identifying number of the taximeter;
- (2) The make, model and license number of the for-hire vehicle in which the taximeter is installed;
- (3) The name of the for-hire transportation services company;
- (4) The date of inspection;
- (5) A certification that the taximeter has been inspected and approved as operating within the limits of accuracy as specified by this Section;
- (6) The signature of the individual making the certification; and
- (7) A copy of the certificate shall be kept on file in the office of the for-hire transportation services company.

b. No taximeter shall be used unless the same carries thereon an unbroken seal affixed thereto by the qualified taximeter repair service or the Director.

c. For the purpose of checking the accuracy of said taximeter, the for-hire vehicle to which the same is fixed shall be made available to the City of Tacoma at such times as the Director may direct; and

9. Any other documents required by regulations promulgated under this chapter.

C. The for-hire vehicle's model year shall be no more than fifteen (15) years prior to the date of application. For example, vehicles licensed effective July 1 of 2022, must be 2007 models or newer. For-hire vehicles meeting the definition of an accessible for-hire vehicle and/or classic car are not subject to a minimum vehicle age requirement.

D. The above application and information must also be completed and supplied as required during any annual license renewal.

E. The for-hire vehicle owner must inform the Director in writing within seven (7) days if any of the information provided pursuant to subsection (B) changes, ceases to be true or is superseded in any way by new information.

F. All applications for a for-hire vehicle license become void if the ~~applicant~~ licensee, for any reason other than delay caused by the City, fails or neglects to complete the application process or obtain a license within sixty (60) days of submitting an application.



**6B.220.210 For-hire vehicle – Standards for license denial; Appeal.**

1 A. The Director shall deny any for-hire vehicle license application if the Director determines that such  
2 license should not be issued pursuant to the provisions of 6B.10 of the Tacoma Municipal Code, or  
3 further if the Director determines that:

- 4 1. The applicantlicense has made any material misstatement or omission in the application for a license;  
5 2. The applicantlicense fails to meet one or more of the applicanapplicattion or vehicle requirements of a  
6 for-hire vehicle license pursuant to this chapter; or  
7 3. Within three (3) years of the date of application, the applicantlicense, or if the applicantlicense is a  
8 business entity any officer or partner, has had a conviction, bail forfeiture or other final adverse finding  
9 for offenses pertaining to criminal fraud, larceny, theft, prostitution, extortion, racketeering, robbery,  
10 violation of the Uniform Controlled Substances Act, or an offense involving moral turpitude, where such  
11 crime involved the use of a for-hire vehicle.

12 B. The Director may deny any for-hire vehicle license application if the Director determines that:

13 1. Within seven (7) years of the date of application, the applicantlicense or, if the applicantlicense is a  
14 business entity, any officer or partner, has had a conviction, bail forfeiture, or other final adverse finding  
15 involving crimes including but not limited to offenses pertaining to prostitution, gambling, physical  
16 violence, or other offenses directly related to the applicantlicense'ss honesty, integrity, or moral  
17 turpitude including but not limited to fraud, larceny, burglary, extortion, income tax evasion, delivery,  
18 possession with intent, or manufacture of controlled substances or any attempt, conspiracy, or solicitation  
19 to commit such offenses and/or reasonably related to the applicant's-licensee's ability to operate a for-hire  
20 vehicle, including but not limited to hit-and-run, reckless driving, attempting to elude a police officer,  
21 vehicular assault, vehicular homicide, driving under the influence of alcohol or controlled substances or  
22 related offense as in RCW 46.61.502, RCW 46.61.503 RCW 46.61.504, or has been a Habitual Traffic  
23 Offender as found by the Washington State Department of Licensing;

24 2. Within two (2) years of the date of application, the applicantlicense, or if the applicantlicense is a  
25 business entity any officer or partner of the applicantlicense, has been found, either through a criminal  
26 conviction, bail forfeiture or other final adverse finding (including in a civil suit or administrative  
proceeding), or it has been proven by a preponderance of the evidence regardless of whether the same act  
was charged as a civil infraction, crime or not charged or cited at all, to have exhibited past conduct in  
driving or operating a for-hire vehicle or operating a for-hire business which would lead the Director to  
reasonably conclude that the applicantlicense will not comply with the provisions of the chapter related  
to vehicle requirements and the safe operation of the vehicle;

3. Within two (2) years of the date of application, the applicantlicense, or if the applicantlicense is a  
business entity any officer, director, general partner, managing partner or principal of the  
applicantlicense, has engaged in the business of operating any for-hire vehicle within the City of  
Tacoma without a current valid license from the City of Tacoma;

4. Within twelve (12) months of the date of application, the applicantlicense has violated and/or caused  
or knowingly permitted a for-hire driver to violate, any Pierce County or City of Tacoma ordinance or  
regulation pertaining to the operation of for-hire vehicles while in that jurisdiction, if such violation  
would constitute grounds for license revocation or denial if occurring within the City; and/or

C. Denial of an annual for-hire vehicle license is subject to appeal pursuant to Chapter 6B.10.140 of the  
Tacoma Municipal Code.

\* \* \*

**6B.220.250 For-hire driver – License application and requirements.**

A. A for-hire driver must complete, sign, swear to, and file with the Director a for-hire driver license  
application on forms provided or approved by the Director to include the following information:

1. Name, aliases, residence and business addresses, residence and business telephone numbers;



2. Place and date of birth (which must be at least twenty years of age on date of application), height, weight, color of hair and eyes;
  3. Washington State driver's license number. The [applicant license](#) must present a valid Washington State driver's license or a copy thereof at time of application;
  4. ~~Documentation that a full criminal background check has been completed on the applicant through Washington State Patrol and Federal Bureau of Investigation criminal databases or through a Director approved third party vendor and was reviewed as required in 6B.220.180.I. If a criminal background check is not conducted through a Director approved third party vendor, then the for hire driver shall~~ consent to be fingerprinted ~~and the City will conduct~~ for a state and/or [national federal](#) Washington State Patrol and Federal Bureau of Investigation criminal background check;
  5. Information indicating whether or not the [applicant license](#) has ever had a for-hire driver's, or driver's license suspended, revoked, or denied and for what cause;
  6. Documentation that a copy of the [applicant license](#)'s driving abstract from the Washington State Department of Licensing was reviewed as required in 6B.220.180.I or a signed statement authorizing the Director to obtain a current copy of the [applicant license](#)'s driving abstract from the Washington State Department of Licensing;
  7. Completion of a for-hire driver training course explained in more detail in 6B.220.280;
  8. A statement under penalty of perjury of their physical and mental fitness to act as a for-hire driver;
  9. All [applicant licenses](#) for a for-hire driver's license shall include with their application one current full face digital photograph of the [applicant license](#), submitted electronically or consent to a full face photograph taken by the Director;
  10. If using a for-hire transportation services company's approved color scheme and name, a letter from the for-hire transportation services company which indicates the [applicant license](#) is authorized to operate a for-hire vehicle using the for-hire transportation services company's approved color scheme and name;
  11. Such other information as may be reasonably required by regulation promulgated under this chapter.
- B. All applications for for-hire driver's licenses become void if the [applicant license](#), for any reason other than delay caused by the City, fails or neglects to complete the application process or obtain a license within sixty (60) days of submitting an application.

**6B.220.260 For-hire driver – Criminal background check and fingerprints.**

A. All [applicant licenses](#) shall:

~~1. Consent to be fingerprinted for a for hire driver's license shall be subject to~~ a state and [national federal](#) Washington State Patrol and Federal Bureau of Investigation criminal background check [upon initial application and at least every four years.](#)

~~2. Consent to a state and/or federal criminal background check at license renewal. –Applicants previously licensed and fingerprinted will not be required to again be fingerprinted if the applicant was fingerprinted within the last five years. Applicants may submit proof that a criminal background check has been conducted by a Director approved third party vendor and reviewed by their affiliated for hire transportation services company as required in 6B.220.180.I. Proof of a criminal background check does not preclude the City from conducting a separate background check on the applicant.~~

~~If a criminal background check is not conducted through a Director approved third party vendor, then the for hire driver shall consent to be fingerprinted and the City will conduct a state and national Washington State Patrol and Federal Bureau of Investigation criminal background check.~~



~~B. Approved vendors, at a minimum must:~~

- ~~1. Include local, state and national databases;~~
- ~~2. Access at least seven years of database history; and~~
- ~~3. Demonstrate competency in providing accurate information.~~

**6B.220.270 For-hire driver – Certification of fitness to drive.**

A. The for-hire driver must certify upon initial application and thereafter upon renewal of the license on forms provided by the Director that they are physically and mentally fit to be a for-hire driver.

B. The Director may at any time require any for-hire driver licensee ~~or applicant~~ to be medically examined if it appears that the licensee has become physically or mentally unfit to be a for-hire driver.

1. If so required the medical certification and examination shall be performed by a physician licensed to practice in Washington State under Chapter 18.71 RCW and completed following that physician’s physical examination of the ~~applicant~~ licensee.

2. The scope of the certificate form and the examination shall be prescribed by the Director.

3. A United States Department of Transportation medical certification meets the requirements of this section.

**6B.220.280 For-hire driver – Training course.**

A. Upon initial application all for-hire driver ~~applicant~~ licensees are required to complete a for-hire driver training course approved by the Director.

B. For-hire driver training courses may be completed through a City of Tacoma offered class, a third party vendor approved by the Director or through a Director-approved for-hire transportation services company course. The for-hire driver may be required to pay a fee, as determined by the Director, third party vendor, or for-hire transportation services company, for the training course.

C. Content for all training courses must be submitted for approval as required by the Director. For-hire driver training courses shall include but not be limited to:

1. Information about defensive driving, use of emergency procedures and equipment for the for-hire driver’s personal safety, risk factors for crimes against for-hire drivers, enhancement of for-hire driver/passenger relations, assisting passengers with mobility disabilities, and professional conduct and communication skills; and

2. Completion of the National Safety Council Defensive Driving Course or other defensive driving course approved by the Director.

D. The Director may request a for-hire driver to take a refresher course if there are reasonable grounds, based on documented complaints and/or violations to require a refresher course.

\* \* \*

**6B.220.300 For-hire driver – Standards for license denial; Appeal.**

A. The Director shall deny any for-hire driver’s license application if the Director determines that such license should not be issued pursuant to the provisions of 6B.10 of the Tacoma Municipal Code or further determines that the ~~applicant~~ licensee:

1. Has made any material misstatement or omission in the application for a license;

2. Fails to meet requirements of a for-hire driver license pursuant to this chapter;

3. Has had a bail forfeiture, conviction, or other final adverse finding for offenses pertaining to hit-and-run, reckless driving, attempting to elude a police officer, vehicular assault, vehicular homicide, driving under the influence of alcohol or controlled substances, or related offense as in RCW 46.61.502, RCW



46.61.503 RCW 46.61.504 or anyone found to be a Habitual Traffic Offender by the Washington State Department of Licensing, criminal fraud, larceny, theft, prostitution, extortion, racketeering, robbery, violation of the Uniform Controlled Substances Act, or an offense involving moral turpitude, where such crime involved the use of a for-hire vehicle, within three (3) years of the date of application;

4. Has been convicted of a “Sex offense” or “Kidnapping” offense against a minor pursuant to RCW Title 9 or 9A or another state’s similar statute, or is a match in the United States Department of Justice national sex offender public website; or

5. Is required to register as a sex offender pursuant to RCW 9A.44.130 or another state’s similar statute.

B. The Director may deny any for-hire driver license application if the Director determines that the applicantlicensee:

1. Has had a bail forfeiture, conviction or other final adverse finding involving offenses pertaining to prostitution, gambling, physical violence, or other offenses directly related to the applicantlicensee's honesty, integrity, or moral turpitude including but not limited fraud, larceny, burglary, extortion, delivery, possession with intent, or manufacture of controlled substances or any attempt, conspiracy, or solicitation to commit such offenses, and/or any other offense directly related to the driver's ability to operate a for-hire vehicle, including without limitation to driving under the influence of alcohol or controlled substances or related offense as in RCW 46.61.502, RCW 46.61.503 or RCW 46.61.504 hit-and-run, reckless driving, attempting to elude a police officer, vehicular assault, vehicular homicide, anyone found to be a Habitual Traffic Offender by the Washington State Department of Licensing, provided that such bail forfeiture or conviction was within seven (7) years of the date of application; or

2. Has been found, either through a criminal conviction, bail forfeiture, or other final adverse finding (including in a civil suit or administrative proceeding), or it has been proven by a preponderance of the evidence regardless of whether the same act was charged as a civil infraction, crime, or not charged or cited at all to have exhibited past conduct in driving or operating a for-hire vehicle that causes the Director reasonably to conclude that the applicantlicensee will not comply with the provisions of the chapter related to driver/operator conduct and the safe operation of the vehicle.

C. Denial of issuance of a for-hire driver license is subject to appeal pursuant to 6B.10.140 of the Tacoma Municipal Code.

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**6B.220.380 License suspension and revocation – For-hire transportation services company, for-hire vehicle and for-hire driver; Appeal.**

A. If three (3) or more Class ‘A’ violations, as outlined in 6B.220.390, are found and a penalty issued to a for-hire transportation services company or its affiliated for-hire vehicle owners or for-hire drivers within any 365 day period, one or more of the for-hire vehicle licenses associated with that for-hire transportation services company may be temporarily suspended for up to a five (5) day period.

B. Any license issued under this chapter including a for-hire transportation services company license, for-hire vehicle license or for-hire driver license may be revoked or suspended by the Director pursuant to Section 6B.10.140 or 6B.10.145 of the Tacoma Municipal Code, or for a violation of the requirements otherwise provided in this chapter.

C. Any license denial, revocation or suspension may be appealed pursuant to Section 6B.10.140 or 6B.10.145 as appropriate.

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**CHAPTER 6B.230  
TEMPORARY EVENT – MULTIPLE VENDOR LICENSE**

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**6B.230.030 License fees – List of vendors.**

A. The license fee [for Multiple Vendors](#) shall be ~~\$5~~\$10 per vendor per day.

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## ORDINANCE NO. 29046

1 AN ORDINANCE amending Subtitle 6B of the Municipal Code, relating to the  
2 License Code, by adding a new Chapter 6B.240, entitled “After-Hours  
3 Clubs”; and amending Chapters 6B.70 and 6B.80, related  
4 to “Entertainment/Dancing” establishments, to update license fees,  
5 clarify language, and add new Sections 6B.70.042, entitled “Hours”,  
6 and 6B.80.037, entitled “Bona fide private club evidence”; effective  
7 August 1, 2025.

8 WHEREAS this recommendation from the Tax and License Division of the  
9 Finance Department is based on a request from the Tacoma Police Department to  
10 create a regulatory framework around after-hours social clubs, and

11 WHEREAS over the past five years there have been 27 offenses, including  
12 four homicides and 12 aggravated assaults with a gun, associated with after-hours  
13 clubs, and neighboring residents have submitted dozens of additional complaints  
14 to the City regarding noise and disturbance from neighboring residents, and

15 WHEREAS in July 2020, a shooting occurred outside an after-hours club on  
16 South 38th Street and South Yakima Avenue; and, in February 2021, four people  
17 were shot at an after-hours club on McKinley Avenue, resulting in one deceased  
18 victim; and, in April 2021, two people were shot in the early morning hours outside  
19 an after-hours club on South Tacoma Way, and

20 WHEREAS some after-hours clubs have been found serving alcohol without  
21 a valid Washington State Liquor License, and

22 WHEREAS the Tax and License Division also recommends amending the  
23 license provisions related to entertainment establishments to clarify language;  
24 update license fees; and add new sections 6B.70.042, entitled, “Hours”, to  
25 establish the hours entertainment establishments are allowed to operate; and  
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6B.80.037, entitled “Bona fide private club evidence” to establish required information of private clubs when seeking an exemption from certain license requirements, and

WHEREAS the Government Performance and Finance Committee considered this proposal at its June 3, 2025 meeting, and voted unanimously to forward the proposal to the full City Council for consideration; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the Recitals of this Ordinance as its formal legislative findings.

Section 2. That Chapter 6B of the Municipal Code is hereby amended to add a new Chapter 6B.240, entitled “After-Hours Clubs”; and amend Chapters 6B.70 and 6B.80, related to “Entertainment/Dancing” establishments, to update license fees, clarify language, and add new Sections 6B.70.042, entitled “Hours”, and 6B.80.037, entitled “Bona fide private club evidence, as set forth in the attached Exhibit “A.”



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Section 3. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance and Exhibit A, including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Section 4. That this ordinance and the amendments to the Tacoma Municipal Code in Exhibit “A” will take effect August 1, 2025.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney



## EXHIBIT "A"

### CHAPTER 6B.70

#### ENTERTAINMENT/DANCING – LIQUOR SERVED

Sections:

- 6B.70.005 Purpose.  
6B.70.010 License required.  
6B.70.020 Definitions.  
6B.70.030 Classes of entertainment.  
6B.70.040 Entertainment license fees.  
[6B.70.042 Hours](#)  
6B.70.043 Exemptions – Entertainment/dancing license.  
6B.70.045 Reports to the Fire Marshal.  
6B.70.047 Reports to the Police Chief.  
6B.70.048 Temporary events.  
6B.70.049 Requirements and term for security personnel license.  
6B.70.050 Licensing prohibited.  
6B.70.051 Exemptions – Security personnel license.  
6B.70.055 Activity not permitted at establishments – [Inspection of premises.](#)  
6B.70.060 Information required from corporations.  
6B.70.070 Construction of chapter.

\* \* \*

#### **6B.70.020 Definitions.**

A. "Dancing place" means any room, place, space, or private club in the City open for the serving of the public or members, in which the members, guests, patrons, entertainers, or other persons are permitted to, dance in the connection with the business of directly or indirectly selling liquor for consumption on or within the premises.

B. "Entertainment" means an activity where the public, members, guests, patrons, entertainers, or other persons sing, perform, or otherwise engage in musical entertainment, presentation of recorded music played on equipment which is operated by an agent or contractor of an establishment, commonly known as a "DJ" or "disc jockey," presentations by single or multiple performers, such as hypnotists, mimes, comedians; musical song or dance acts, plays, concerts, any type of contest; sporting events, exhibitions, carnival, rodeo or circus acts, demonstrations of talent; exhibitions, theatrical performances, shows, or similar amusements to which the public or members are invited or allowed to watch, listen, or participate or that is conducted for the purposes of holding the attention or, gaining the attention of or diverting or amusing guests or patrons in connection with the business of directly or indirectly selling liquor for consumption on or within the premises. "Entertainment" includes "dancing."

C. "Establishment" means any indoor or outdoor room, place, space, or private club in the City open for the serving of the public or members that provides "entertainment." [Establishment includes parking spaces or parking lots provided for or used by the establishment's customers and under the control of the licensee.](#)

D. "Liquor" shall have the same meaning as in RCW 66.04.010.

E. "Musical entertainment," as used in this chapter, shall not apply to phonographs, radios, or mechanical devices used for the reproduction of music for the listening enjoyment of the members or patrons only.

F. "Security personnel" shall mean a security guard, bouncer, door person, or any person performing similar duties who is present at an entertainment or dancing establishment to provide crowd control; protect persons or property from harm or unlawful activity; deter, observe, and detect unlawful or unauthorized activity; or supervise entry and exit at the establishment.



G. "Temporary event" means an entertainment event in duration of less than 11 days.

H. "Training program" means a program approved by the Police Chief that includes, but is not limited to, training and information about necessary force, use of proper equipment, fire safety and evacuation, report writing, fake identification, emergency response procedures, and curriculum from the Washington State Liquor and Cannabis Board's Mandatory Alcohol Server Training that can be applied to security personnel.

I. "Written safety plan" means a written document submitted with the entertainment or dancing license that includes, at a minimum, the following information about the entertainment or dancing establishment:

1. When using security personnel, identify the number of security personnel and where they will be/are located throughout the establishment.

2. Procedures for verifying security personnel are properly licensed as outlined ~~All security personnel must be licensed as required by~~ in this chapter. Records of current security personnel must be available upon request by a public official.

~~23.~~ Procedures for checking identification and searching patrons;

~~34.~~ Procedures for ensuring that only persons 21 years or older are served liquor or allowed in areas restricted to persons over 21 years;

~~45.~~ Procedures for handling violent incidents, other emergencies, and calling the Tacoma Police Department;

~~56.~~ A description of the training provided or completed by the security and other personnel, including conflict de-escalation training;

~~67.~~ Procedures for crowd control and preventing overcrowding;

~~78.~~ Procedures for disturbances outside the premises, including property adjacent to or in proximity to the establishment, from patrons entering and leaving the establishment, i.e. loitering, vandalism, noise, parking, and crowd dispersal;

~~89.~~ Current hours of operation and anticipated hours of operation; and

~~910.~~ Current contact information for the person or position responsible for addressing safety, security, or City code-related complaints by patrons or neighborhood residents.

~~1011.~~ A detailed description of the type of entertainment activity occurring at the establishment.

\* \* \*

**6B.70.040 Entertainment License fees.**

No person shall commence, conduct, manage, operate, or maintain any entertainment establishment or entertainment event without having a license to do so issued by the City. The license fees shall be as follows:

Entertainment/Dancing Class License	First Year	Renewal or Temporary
Class "A"	<del>\$2,400</del> <u>1,500</u>	<del>\$600</del> <u>1,000</u>
Class "B"	\$450	\$300
Class "C"	<del>\$180</del> <u>200</u>	<del>\$120</del> <u>150</u>

**6B.70.042 Hours**

All entertainment establishments shall be closed at or before 2:00 a.m. and shall remain closed until 6:00 a.m. on the same day unless authorized by the Director.

\* \* \*



**6B.70.049 Requirements and term for security personnel license.**

1 A. No person may work as security personnel at an entertainment or dancing establishment without obtaining a security personnel license.

2 B. Prior to a license being issued, any person meeting the definition of “security personnel” is required to:

3 1. Consent to be fingerprinted for a state and federal criminal background check upon initial application and  
4 at least every ~~Applicants previously licensed and fingerprinted will not be required to again be fingerprinted~~  
5 ~~if reapplication is received within five~~ four ~~years of initial licensing;~~

6 2. Submit with the application, one current full-face digital photograph of the licensee, submitted  
7 electronically or consent to a full-face photograph taken by the Director;

8 3. Consent to a state and/or federal criminal background check at every license renewal; and

9 ~~4.~~ Submit payment of \$50 for the security personnel license.

10 C. Proof of attendance from a training program, as defined in this chapter, that is provided by the City, must  
11 be submitted within 10 days from initial application or proof of a training program recognized by the City  
12 may be submitted with the initial application.

13 D. When using security personnel at establishment, security personnel shall wear uniforms and be readily  
14 identifiable as private security personnel.

15 E. The security personnel license shall be effective as of the first day of the month regardless of the actual  
16 date of issue and shall expire two (2) years from the effective date.

17 **6B.70.050 Licensing prohibited.**

18 A. Security Personnel Licensing.

19 The Director may deny, suspend, or revoke any security personnel license ~~application~~ if the Director  
20 determines that:

21 1. Within seven years of the date of application, the applicant has had a felony conviction, bail forfeiture, or  
22 other final adverse finding involving crimes reasonably related to the ~~applicant's licensee's~~ ability to safely  
23 provide security, including but not limited to, homicide, assault, sex offenses, robbery, extortion, kidnapping,  
24 harassment, malicious mischief, firearms offenses, rendering criminal assistance, and violations of the  
25 uniform controlled substances act, or is required to register as a sex offender, pursuant to RCW 9A.44.130

26 2. Within three years of the date of application, the ~~applicant~~ licensee has had a misdemeanor conviction, bail  
forfeiture, or other final adverse finding involving crimes reasonably related to the ~~applicant's licensee's~~  
ability to safely provide security, including but not limited to, assault, sex offenses, harassment, malicious  
mischief, rendering criminal assistance, obstructing a police officer, resisting arrest, and violations of the  
uniform controlled substances act or equivalent offenses under a municipal code;

3. Within three years of the date of application, the ~~applicant~~ licensee has been found, either through a  
criminal conviction, bail forfeiture, or other final adverse finding (including a civil suit or administrative  
proceeding) to have exhibited past conduct in working as security personnel which is reasonably related to the  
~~applicant's licensee's~~ fitness or ability to work as security personnel;

4. Within three years of the date of application, the ~~applicant~~ licensee engaged in conduct which would lead  
the Director to reasonably conclude that the ~~applicant~~ licensee will not comply with the provisions of the  
chapter and the safe operation of the entertainment and dancing establishment.

5. For any reason in Section 6B.10.140 TMC.

B. Dancing and Entertainment Licenses.

1. The Director may deny, suspend, or revoke any dancing or entertainment license application for any of  
the reasons in subsection A.



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2. The Director may deny, suspend, or revoke any dancing or entertainment license application if the Director reasonably concludes that the ~~applicant~~-licensee will not comply with the provisions of the chapter or the ~~applicant's~~-licensee's operation of the entertainment or dancing establishment will likely endanger public health or safety. The Director may consider any relevant matter including illegal activity associated with the ~~applicant's~~-licensee's operation of any other similar business activity or the conduct of the ~~applicant's~~-licensee's patrons inside or outside a similar business that ~~applicant~~-licensee operated.

- 3. The Director may deny, suspend, or revoke any license if:
  - a. the business is conducted by a manager or agent and the manager or agent could be denied a license if they were the applicant;
  - b. the business is owned by a partnership and any of the partners could be denied a license; or
  - c. the business is owned by a corporation and a director, officer, or manager of the corporation could be denied a license.
- C. Any ~~applicant~~-licensee who is ~~issued~~denied a denial, suspension, or revocation of a license under this chapter ~~or any licensee whose license is suspended or revoked~~ may appeal the denial, suspension, or revocation, as provided in Section 6B.10.140 TMC.

\* \* \*

**6B.70.055 Activity not permitted at establishments – Inspection of premises.**

A. No business activity is permitted prior to license approval. ~~Existing Applicants shall allow the premises sought to be licensed under this Chapter to be inspected by the Director and/or public officials for the purpose of ensuring public safety and that the applicant meets all licensing and other legal requirements. buildings will be subject to inspection for compliance with the code requirements for places of assembly. Buildings not meeting the requirements for an entertainment or dancing occupancy, as adopted in Title 2 or Title 3 or Title 13, shall not be permitted to be used for these purposes. Failure to grant access shall result in denial of the license application and/or cause for summary suspension of the license.~~

B. Licensees shall provide the Director and/or public officials free access to any open public areas of the establishment whenever guests, patrons, or club members are present for the purpose of inspection in accordance with TMC 6B.10.180.



CHAPTER 6B.80

ENTERTAINMENT/DANCING – NO LIQUOR SERVED AND TEENAGE DANCE

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Sections:

- 6B.80.005 Purpose.
- 6B.80.010 License required.
- 6B.80.020 Definitions.
- 6B.80.030 License fees.
- 6B.80.035 Exemptions.
- 6B.80.037 Bona fide private club evidence.
- 6B.80.040 Reports to Chief of Police.
- 6B.80.041 Temporary events.
- 6B.80.045 Reports to the Fire Marshal.
- 6B.80.050 Condition of premises – Lighting.
- 6B.80.060 Hours.
- 6B.80.070 Attendance of minors at dances.
- 6B.80.080 Conduct and inspection.
- 6B.80.090 *Repealed.*
- 6B.80.100 *Repealed.*
- 6B.80.110 Teenage Dance Committee.
- 6B.80.120 Teen dance permit – Issuance.
- 6B.80.130 Teen dance permit applications – Requirements.
- 6B.80.140 Teen dance regulations.
- 6B.80.150 *Repealed.*

\* \* \*

**6B.80.020 Definitions.**

For the purpose of this chapter, the following definitions shall apply:

“Bona fide private club” means a person operating as a non-profit organization solely for objects of social or business purposes with an established membership, and when admission is not open to the public, and in which membership is by application and regular dues are charged, and the advantages of which club belong to members, and the operation of which is not primarily for monetary gain.

“Entertainment” means any single event or series of events or an ongoing activity or business, occurring alone or as part of another business, to which the public, members, guests, or other person is invited or allowed to watch, listen, or participate or that is conducted for the purposes of holding the attention or, gaining the attention of or diverting or amusing the public, members, guests or other person patrons, including but not limited to:

- A. Dancing to live or recorded music;
- B. The presentation of recorded music played on equipment which is operated by an agent or contractor of the establishment, commonly known as a “DJ” or “disc jockey”;
- C. Presentations by single or multiple performers, such as hypnotists, mimes, comedians; musical song or dance acts, plays, concerts, any type of contest; sporting events, exhibitions, carnival, rodeo or circus acts, demonstrations of talent; shows, reviews and any other such activity, exhibition, or performance which may be attended by members of the public.

“Establishment” means ~~a business operating~~ any as a “public dance hall,” “skating rink,” “teenage dance”, ~~or indoor or outdoor room, place, space, or private club in the City open for the serving of the public or members, providing entertainment at a location, inside or outside, as defined in this chapter.~~

Establishment includes parking spaces, or parking lots provided for or used by the establishment’s customers and under the control of the licensee.



“Public dance” or “public skating party” means any organized dance or ball or any skating party to which the public generally may gain admission, with or without the payment of a fee.

1 “Public dance hall” means any building, room, hall, or cabaret in connection with any hotel dining room,  
2 restaurant or eating house, or any other place which is kept or used for public dancing or in which, for  
3 compensation paid directly or indirectly to the owner, proprietor, manager or operator thereof, men,  
4 women or children are permitted to engage in dancing, except that any public dance hall licensed as a  
5 cabaret pursuant to Chapter 6B.70 shall not be required to be licensed as a public dance hall.

6 “Security personnel” shall mean a security guard, bouncer, door person, or any person performing similar  
7 duties who is present at an entertainment, dancing or skating establishment to provide crowd control;  
8 protect persons or property from harm or unlawful activity; deter, observe, and detect unlawful or  
9 unauthorized activity; or supervise entry and exit at the establishment. ~~A commissioned law enforcement  
10 officer or any person possessing a valid security guard license issued under chapter 18.170 RCW is not  
11 “security personnel” for the purposes of this chapter and is not required to obtain a “security personnel  
12 license.”~~

13 “Skating rink” means any building, room, auditorium, hall or other place which is maintained and used  
14 for public roller skating or public ice skating in which for compensation paid directly or indirectly to the  
15 owner, proprietor, manager or operator thereof, men, women or children are permitted to engage in roller  
16 skating or ice skating.

17 In the sections pertaining to teenage dances, the following words and phrases are defined and shall be  
18 construed as hereinafter set out unless it shall be apparent from the context that they have a different  
19 meaning:

20 “Sponsor or sponsoring group” shall mean any one or more of the following:

- 21 A. Duly accredited public or private schools.
- 22 B. Governmental agencies, entities, or political subdivisions.
- 23 C. Bona fide clubs, dance halls, fraternal orders, societies, organizations or groups of persons organized  
24 and existing for or devoted primarily to the purposes of promoting and carrying on youth activities and  
25 recreational and dancing facilities, provided that such club, dance hall, order, society, group or  
26 organization has been regularly and duly organized, active, and in existence for at least one year prior to  
the time of any application for a permit for a teenage dance.

“Teenage Dance Committee” means the committee hereinafter provided for.

“Teenage dance” shall mean a special dance held under a permit authorized by the Teenage Dance  
Committee and conducted in compliance with this chapter.

“Temporary event” means an entertainment event lasting in duration of less than 11 days.

“Written safety plan” means a written document submitted with the entertainment/dancing license that  
includes, at a minimum, the following information about the entertainment and dancing establishment:

1. When using security personnel, identify the number of security personnel and where they will be/are  
located throughout the establishment.

~~2.~~ 2. Procedures for verifying All security personnel are properly ~~must be~~ licensed as required by chapter  
6B.70. Records of current security personnel must be available upon request by a public official.

~~3.~~ 3. Procedures for checking identification and searching patrons;

~~4.~~ 4. Procedures for handling violent incidents, other emergencies, and calling the Tacoma Police  
Department;

~~5.~~ 5. A description of the training provided or completed by the security and other personnel, including  
conflict de-escalation training;



- 56. Procedures for crowd control and preventing overcrowding;
- 67. Procedures for disturbances outside the premises, including property adjacent to or in proximity to the establishment, from patrons entering and leaving the establishment, i.e. loitering, vandalism, noise, parking, and crowd dispersal;
- 78. Current hours of operation and anticipated hours of operation; and
- 89. Current contact information for the person or position responsible for addressing safety, security, or City code-related complaints by patrons or neighborhood residents.
- 910. Detailed description of the entertainment to be provided at the establishment.

**6B.80.030 License fees.**

A. The license fees for an entertainment establishment are hereby fixed as follows:

<del>Square feet of dancing or skating space</del>	<del>First Year Fee</del>	<del>Renewal or Temporary Fee</del>
<del>0 to 2,999</del> Fee	<del>\$150</del> 250	<del>\$100</del> 150
<del>3,000 to 6,000</del>	<del>\$220</del>	<del>\$170</del>
<del>Over 6,000</del>	<del>\$300</del>	<del>\$250</del>

B. Annual or temporary fees for charitable organizations as defined in 6B.10.030:

Charitable Organization	<del>\$25</del> 75
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C. Fees for issuance of a teen dance permit:

Teen Dance Permit	\$125
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The Committee shall require payment of the fee from the applicant to cover the cost to the City before issuing any permit; provided, however, the Committee, within its discretion, may waive payment of this fee when all of the profits from such teenage dance are used exclusively by the sponsor for youth activities and recreation purposes.

**6B.80.035 Exemptions.**

The following types of entertainment and events are exempt from the license required by this chapter. This exemption does not relieve any establishment from complying with all other applicable laws, including, but not limited to, Title 6 and the laws related to noise levels and nuisances, particularly those contained in Title 8.

- A. Athletic events sponsored or conducted by the Washington Interscholastic Athletic Association (WIAA) or an elementary or secondary school wherein the athletic participants are students in such school;
- B. Motion picture theaters not providing live entertainment;
- C. Temporary events that are operated within an establishment licensed under this chapter; provided that such temporary event must comply with the provisions in TMC 6B.80.041 below;
- D. Entertainment sponsored by any local or state government;
- E. Entertainment provided for members and their guests at a bona fide private club; ~~having an established membership when admission is not open to the public. For purposes of this section, private club means corporations or associations operated solely for objects of national, social, fraternal, patriotic, political, or athletic nature, in which membership is by application and regular dues are charged, and the advantages of which club belong to members, and the operation of which is not primarily for monetary gain;~~



F. Entertainment provided for invited guests at a private event such as a wedding reception, banquet, or celebration where there is no admission charge or required minimum charge at the event;

G. Special Events receiving a Special Event permit issued by the City of Tacoma or Metro Parks;

H. Performances by the students at educational institutions as defined by the Education Code where such performances are part of an educational or instructional curriculum or program;

I. Book readings, book signings, poetry recitations, and any other similar entertainment consisting of the spoken word, including plays;

J Entertainment limited to the use of a radio, music recording machine, juke box, television, video games, video programs, or recorded music by an establishment that does not permit dancing;

K. Entertainment consisting of ambient or incidental music provided for guests or patrons by singers or musicians such as a piano player, harpist, strolling violinist, mariachi band, guitarist or band. If there is an admission charge required to observe or attend such entertainment, the music will not be considered ambient or incidental;

~~L. Any establishment, venue or assemblage of forty nine (49) persons or less, as described in the maximum occupancy load;~~

~~M.~~ Entertainment lawfully conducted at any business licensed under Chapter 6B.30, Adult Entertainment or Chapter 6B.70, Entertainment/Dancing – Liquor Served.

~~N.~~ Baseball, football or other athletic games.

**6B.80.037 Bona fide private club evidence.**

The exemption in 6B.80.035.E shall not be granted to a person until the clubs constitution, bylaws, house rules and any other information requested by the Director are submitted as evidence that the person meets the definition of a bona fide private club and is approved by the Director.

\* \* \*

**6B.80.080 Conduct and inspection.**

A. No person maintaining, conducting, or carrying on any establishment or having charge or control thereof, nor any person employed in and about such a place, shall allow any person under the influence of illegal substances to enter or remain in any such establishment.

B. The licensee, business owner, manager, or other responsible party shall allow entry by ~~City of Tacoma~~ public officials for the purposes of ensuring for public safety at any time the ~~facility~~ establishment is open in accordance with TMC 6B.10.180. ~~Denial of entry is cause for summary suspension of the license.~~

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**6B.80.130 Teen dance permit applications – Requirements.**

A. The application for a permit shall be accompanied by adequate proof that the place or premises where the dance is to be held has a valid Entertainment/Dancing – No Liquor Served license, or is not required to have such license but conforms with all safety regulations established by law, and must be filed with the Committee at least 30 calendar days prior to the time set for the intended dance.

B. The application for permit shall set forth therein the following minimum information:

1. The name and address of the applicant’s officers.
2. The date upon which the dance is to be held.



3. The address of the place where the dance is to be held.

4. The approximate attendance expected.

5. The minimum number of adult supervisors who will be in attendance at all times during the holding of said dance, and the names and addresses of such adults.

C. Upon the filing of each application for a teenage dance, the Committee shall cause to be made such investigation as it deems proper, and shall either deny or approve the same. If the application is approved, the permit for such dance shall then be issued by the Director. A copy of the issued permit shall be filed with the Committee. If the application for such permit is denied by the Committee, the applicant shall have the same right of appeal as provided for in Section 6B.10.~~060~~140.

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**CHAPTER 6B.240**  
**AFTER-HOURS CLUB**

Sections:

- 6B.240.010 License required.
- 6B.240.020 Definitions.
- 6B.240.030 License fee.
- 6B.240.040 Security requirements.
- 6B.240.050 Reports to the Police Chief – Written Safety Plan.
- 6B.240.060 Licensing Prohibited.
- 6B.240.070 Activity not permitted.
- 6B.240.080 Inspection of premises.

**6B.240.10 License required.**

It is unlawful for any person to operate an after-hours club in the City without first obtaining a license pursuant to the provisions of this chapter.

**6B.240.020 Definitions.**

“After-hours club” means an establishment in which patrons, whether customers, guests, or club members, congregate for the purpose of socializing between the hours of 2 a.m. and 6 a.m. After-hours club does not include businesses whose principal purpose is operating as a restaurant.

“Establishment” means any indoor or outdoor room, place, space, or private club in the City open for the serving of the public or members. Establishment includes parking spaces, or parking lots provided for or used by the after-hours club customers and under the control of the licensee.

“Security personnel” shall mean a security guard, bouncer, door person, or any person performing similar duties who is present at an after-hours club to provide crowd control; protect persons or property from harm or unlawful activity; deter, observe, and detect unlawful or unauthorized activity; or supervise entry and exit at the establishment.

“Written safety plan” means a written document submitted with the after-hours club license that includes, at a minimum, the following information about the establishment:

1. The number of security personnel and where they will be/are located throughout the establishment.
2. Procedures for verifying security personnel are properly licensed as required in TMC 6B.70. Records of current security personnel must be available upon request by a public official.
3. Procedures for checking identification and searching patrons;
4. Procedures for handling violent incidents, other emergencies, and calling the Tacoma Police Department;
5. A description of the training provided or completed by the security and other personnel, including conflict de-escalation training;
6. Procedures for crowd control and preventing overcrowding;
7. Procedures for mitigating disturbances and nuisance activities occurring outside the premises, including property adjacent to or in proximity to the establishment, from patrons entering and leaving the establishment, i.e. loitering, vandalism, noise, parking, and crowd dispersal;
8. Hours of operation; and
9. Current contact information for the person or position responsible for addressing safety, security, or City code-related complaints by patrons or neighborhood residents.



10. Detailed description of the activity to be provided at the establishment.

**6B.240.030 License fee.**

The license fee for an After-Hours Club is hereby fixed at \$300.

**6B.240.040 Security requirements.**

An after-hours club shall:

A. Employ at least two security personnel during operating hours between 2 a.m. and 6 a.m. to maintain order and ensure compliance with laws and license requirements related to the operation of the business. All security personnel must be licensed as outlined in chapter 6B.70;

B. Operate video surveillance at each point of entry and maintain all recordings for at least 5 calendar days; and

C. Take steps such as metal detectors, metal-detecting wands, or pat-downs to detect weapons and prevent them from entering the establishment.

**6B.240.050 Reports to the Police Chief – Written Safety Plan.**

A. The licensee of any establishment shall file with the license application a written safety plan, as defined in this chapter.

B. Licensees shall file their Written Safety Plans upon initial application with the Director, who shall distribute them to the Tacoma Police Department. No licensee may open to the public without filing a Written Safety Plan in accordance with this section and receiving notification that the After-Hours Club license has been approved by the City.

C. Licensees shall make an updated copy of their Written Safety Plan available for review by their employees. The safety plan shall be made available upon request by public officials, patrons, or neighborhood residents.

D. The Written Safety Plan must be reviewed at least once every year by the licensee. If there are any changes from the original Written Safety Plan filed upon initial application, an updated Written Safety Plan must be submitted to the Director with the next annual license renewal.

**6B.240.060 Licensing Prohibited.**

The Director may deny, suspend, or revoke any after-hours club license if:

1. Within seven years of the date of application, the applicant has had a felony conviction, bail forfeiture, or other final adverse finding involving crimes reasonably related to the licensee’s ability to safely operate or manage an after-hours club, including but not limited to, homicide, assault, sex offenses, robbery, extortion, kidnapping, harassment, malicious mischief, firearms offenses, rendering criminal assistance, and violations of the uniform controlled substances act, or is required to register as a sex offender, pursuant to RCW 9A.44.130

2. Within three years of the date of application, the licensee has had a misdemeanor conviction, bail forfeiture, or other final adverse finding involving crimes reasonably related to the licensee’s ability to safely operate or manage an after-hours club, including but not limited to, assault, sex offenses, harassment, malicious mischief, rendering criminal assistance, obstructing a police officer, resisting arrest, and violations of the uniform controlled substances act or equivalent offenses under a municipal code;

3. Within three years of the date of application, the licensee has been found, either through a criminal conviction, bail forfeiture, or other final adverse finding (including a civil suit or administrative proceeding) to have exhibited past conduct in working at or operating or managing an after-hours club or similar establishment which is reasonably related to the licensee’s fitness or ability to operate or manage an after-hours club;



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4. Within three years of the date of application, the licensee engaged in conduct which would lead the Director to reasonably conclude that the licensee will not comply with the provisions of the chapter and the safe operation of the after-hours club.

5. The Director reasonably concludes that the licensee will not comply with the provisions of the chapter or the licensee's operation of the establishment will likely endanger public health or safety. The Director may consider any relevant matter including illegal activity associated with the licensee's operation of any other similar business activity or the conduct of the licensee's patrons inside or outside a similar business that licensee operated or managed.

6. For any reason in TMC 6B.10.140.

7. The Director may deny, suspend, or revoke any license if:

a. the business is conducted by a manager or agent and the manager or agent could be denied a license if they were the applicant;

b. the business is owned by a partnership and any of the partners could be denied a license; or

c. the business is owned by a corporation and a director, officer, or manager of the corporation could be denied a license.

B. Any licensee who is issued a denial, suspension, or revocation of a license under this chapter may appeal the denial, suspension, or revocation, as provided in TMC 6B.10.140.

C. If the City denies, revokes or suspends a license, the licensee or person in control of the business will be denied future application for a license under this chapter.

**6B.240.070 Activity not permitted.**

No after-hours club shall:

A. Be open between 6 a.m. and 10 a.m.;

B. Allow the entry of a person under 21 years of age;

C. Sell, give, or otherwise supply liquor to any person between the hours of 2 a.m. and 6 a.m.;

D. Allow the consumption of liquor on the premises between the hours of 2 a.m. and 6 a.m.; or

E. Provide or allow entertainment activity as defined in TMC 6B.70 and 6B.80 between the hours of 2 a.m. and 6 a.m.

**6B.240.080 Activity not permitted at establishments - Inspection of premises.**

A. No business activity is permitted prior to license approval. Applicants shall allow the premises sought to be licensed under this Chapter to be inspected by the Director and/or public officials for the purpose of ensuring public safety and that the applicant meets all licensing requirements. Failure to grant access shall result in denial of the license application and/or cause for summary suspension of the license.

B. Licensees shall provide the Director and/or public officials access to any open public areas of an after-hours club whenever guests, patrons, or club members are present for the purpose of inspection in accordance with TMC 6B.10.180.

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