

ORDINANCE NUMBER 120A - 02

AN ORDINANCE IMPOSING A MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS OR OTHER DEVELOPMENT PERMITS FOR CARD ROOMS WITHIN THE UNINCORPORATED AREAS OF MASON COUNTY TO BE EFFECTIVE TO THE DATE OF DECEMBER 17, 2002

WHEREAS, beginning in 1996, a series of changes were made by the Washington State Legislature and the Washington State Gambling Commission in the operation of licensed card room under RCW 9.46, by increasing the number of tables a card room may operate from five to fifteen, and in 1997 by authorizing through legislation house banks or player-funded games;

WHEREAS, these enhanced card rooms are now known in the media as mini-casinos;

WHEREAS, there has been a substantial increase in the number of applications in Washington for such gambling activities authorized by state law:

WHEREAS, RCW 9.46.295 states that cities and counties may absolutely prohibit gambling activities authorized by state law, while RCW 9.46.285 sets forth the state's exclusive authority to regulate gambling establishments;

WHEREAS, in light of the potential for enhanced card room permit applications for the unincorporated areas of Mason County and the possibility of changes in the regulations of permits for certain gambling activities by the State of Washington, Mason County should be afforded time to review the issue of gambling uses in the county, to assess impacts of such uses on the community, and to develop appropriate related local regulations for these activities;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF MASON COUNTY DOES HEREBY ORDAIN as follows:


Section 1. There is established an additional four month extension of Ordinance No. 89-01 from August 27, 2002 to December 17, 2002. Ordinance No. 89-01 provides for a moratorium on the establishment, location or permitting of card rooms, gambling establishments, and game parlors with any social card games within the unincorporated area of Mason County. During the term of this moratorium, unless earlier terminated by ordinance, the County will not accept applications for building permits or other relevant permits for the establishment or location of card rooms, gambling establishments, and game parlors with any social card games on properties within the unincorporated area of Mason County.

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Section 2. The Board adopts by incorporation the previously approved findings of fact for Ordinance No. 20-01.

DATED this 20th day of August, 2002.

Board of Commissioners
Mason County, Washington



Wesley E. Johnson, Chair



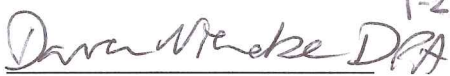
Herb Baze, Commissioner

Bob Holter, Commissioner

ATTEST:



Clerk of the Board

APPROVED AS TO FORM: ¹⁻²²⁻²⁰⁰³


Prosecuting Attorney

ORDINANCE NUMBER 20-01

AN ORDINANCE IMPOSING A MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS OR OTHER DEVELOPMENT PERMITS FOR CARD ROOMS WITHIN THE UNINCORPORATED AREAS OF MASON COUNTY TO BE EFFECTIVE FOR A PERIOD OF SIX MONTHS

WHEREAS, beginning in 1996, a series of changes were made by the Washington State Legislature and the Washington State Gambling Commission in the operation of licensed card room under RCW 9.46 by increasing the number of tables a card room may operate from five to fifteen, and in 1997 house banks or player-funded games were authorized through legislation;

WHEREAS, these enhanced card rooms are now know in the media as mini-casinos;

WHEREAS, there have been a substantial increase in the number of applications for such gambling activities authorized by state law:

WHEREAS, RCW 9.46.295 states that cities and counties may absolutely prohibit gambling activities authorized by state law, while RCW 9.46.285 sets forth the state's exclusive authority to regulate gambling establishments;

WHEREAS, in light of the potential for enhanced card room permit applications for the unincorporated areas of Mason County and the possibility of changes in the regulations of permits for certain gambling activities by the State of Washington, the County should be afforded time to review the issue of gambling uses, to assess impacts of such uses on the community, and to develop appropriate related local regulations;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF MASON COUNTY DO HEREBY ORDAIN as follows:

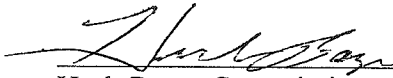
Section 1. Effective immediately, there is established a six month moratorium on the establishment, location or permitting of card rooms, gambling establishments, and game parlors with any social card games within the unincorporated area of Mason County. During the term of this moratorium, unless earlier terminated by ordinance, the County will not accept applications for building permits or other relevant permits for the establishment or location of card rooms, gambling establishments, and game parlors with any social card games within the unincorporated area of Mason County.

Section 2. The Board adopts the proposed findings of fact as Attachment A in support of this action and authorizes the Chair to sign on behalf of the Board.

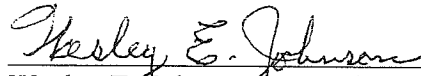
Section 3. Pursuant to RCW 36.70A.390, the Board will hold a public hearing on this moratorium on Tuesday April 17, 2001, at 9:30 a.m.

DATED this 27th day of February, 2001.

Board of Commissioners
Mason County, Washington


Herb Baze, Commissioner

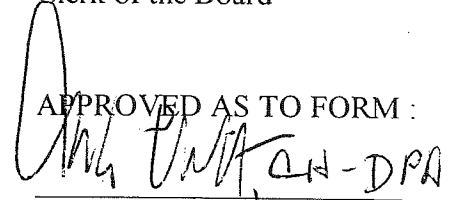
absent
Mary Jo Cady, Commissioner


Wesley E. Johnson, Commissioner

ATTEST:


Clerk of the Board

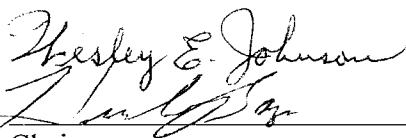
APPROVED AS TO FORM:


Prosecuting Attorney

MASON COUNTY BOARD OF COMMISSIONERS
FINDINGS OF FACT

- A. Beginning in 1996, a series of changes were made by the Washington State Legislature in the operation of licensed card rooms under RCW 9.46 by increasing the number of tables a card room may operate from five to fifteen, and in 1997 house bank or player-funded banking games were authorized through legislation.
- B. These enhanced cards rooms are now known in the media as mini-casinos.
- C. There has been a substantial increase in the number of applications for such gambling uses in Washington State.
- D. There are currently fourteen pending applications with the Washington State Gambling Commission.
- E. Two of the pending applications are for card rooms in Lacey, one is for Olympia, and eleven pending applications have not yet specified the location for their card rooms.
- F. The Washington State Gambling Commission allows applicants to switch locations unless a prohibition is in place.
- G. RCW 9.46.295 states that cities and counties may absolutely prohibit gambling activities authorized by state law, while 9.46.285 sets forth the state's exclusive authority to license and regulate gambling establishments.
- H. The City of Tumwater and eight other jurisdictions have adopted moratoria on the establishment, location, or permitting of card rooms.
- I. Forty-two jurisdictions have adopted ordinances prohibiting gambling activities.
- J. The city of Lacey adopted an ordinance December 2, 1999 prohibiting card rooms.
- K. The adoption of moratoria ordinances and ordinances prohibiting card rooms in other jurisdictions potentially shifts card room activity to jurisdictions without such ordinances.

- L. In light of the potential for enhanced card room permit applications for the unincorporated areas of Thurston County and the possibility of changes in the regulation of permits for certain gambling activities by the state of Washington, the County should be afforded time to review the issue of gambling uses, to assess impacts of such uses on the community, and to develop appropriate related local regulations.
- M. The Board finds that the best interests of the County would be served if the Board imposed a moratorium barring the permitting of card rooms, gambling establishments, and game parlors with any social card games until such matter has been carefully reviewed and the necessary code provisions ready for adoption.
- N. The Board finds that the moratorium imposed by this ordinance is necessary for the protection of the public health, safety, property, or peace.



Chair
Mason County Board of Commissioners

2.27.01

Date