

**CITY OF BLACK DIAMOND  
WASHINGTON**

**ORDINANCE NO. 11-966**

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**AN ORDINANCE OF THE CITY OF BLACK DIAMOND, WASHINGTON, RELATING TO REGULATION OF GAMING ACTIVITIES; REPEALING SECTIONS 9.48.060 (SKILL GAMES- PINBALL, POOL- OPERATOR'S FEES), 9.48.070 (SKILL GAME OPERATOR'S LICENSE- APPLICATION- PREREQUISITES), 9.48.080 (LICENSE- POSTING- DURATION- LICENSE STICKER), 9.48.090 (EXCEPTION), AND 9.48.100 (VIOLATION- MISDEMEANOR- LICENSE REVOCATION) OF THE BLACK DIAMOND MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

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**WHEREAS**, Sections 9.48.060 through 9.48.100 of the Black Diamond Municipal Code establish the requirements for a business to obtain an Amusement Device license from the City; and

**WHEREAS**, the above code sections require an operator's license for registering equipment with the City when businesses have games of skill in which coins are inserted for the privilege of play; and

**WHEREAS**, such requirements are unnecessary because the same information can be obtained on the business license application; and

**WHEREAS**, the City Council finds that the foregoing provisions provide unnecessary regulatory requirements and that it is in the best interests of the public health, safety and welfare to simplify the City code by repealing the foregoing provision;

**NOW, THEREFORE**, the City Council of the City of Black Diamond, Washington, do ordain as follows:

Section 1. Repeal of BDMC Sections 9.48.060 (Skill Games- Pinball, Pool- Operator's Fees), 9.48.070 (Skill Game Operator's License- Application- Prerequisites), 9.48.080 (License- Posting- Duration- License Sticker), 9.48.090 (Exception), and 9.48.100 (Violation- Misdemeanor- License Revocation). Sections 9.48.060 (Skill Games- Pinball, Pool- Operator's Fees), 9.48.070 (Skill Game Operator's License- Application- Prerequisites), 9.48.080 (License- Posting- Duration- License Sticker), 9.48.090 (Exception), and 9.48.100 (Violation-

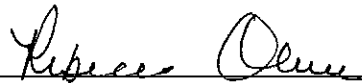
Misdemeanor– License Revocation) of the Black Diamond Municipal Code are hereby repealed in their entirety.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

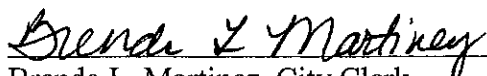
Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED** BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 15TH DAY OF SEPTEMBER, 2011.

CITY OF BLACK DIAMOND

  
\_\_\_\_\_  
Rebecca Olness, Mayor

ATTEST/AUTHENTICATED:

  
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Brenda L. Martinez, City Clerk

Approved as to form:

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Chris D. Bacha,  
Kenyon Disend PLLC  
City Attorney

Filed with the City Clerk:  
Passed by the City Council: 9/15/2011  
Ordinance No. 11-966  
Date of Publication: 9/23/2011  
Effective Date: 9/28/2011