

CODE

**CITY OF REDMOND
ORDINANCE NO. 2830**

AN ORDINANCE OF THE CITY OF REDMOND,
WASHINGTON, REPEALING RMC 10.60, SPECIAL
EVENT PERMIT FEE, IN ITS ENTIRETY, AND
ADOPTING A NEW CHAPTER RMC 10.62, PERMITS
FOR SPECIAL EVENTS

WHEREAS, the City of Redmond recognizes the significant community benefits that result from special events; and

WHEREAS, special events provide cultural enrichment, promote tourism and economic vitality, and enhance community pride and identity; and

WHEREAS, the City has a role in regulating and supporting special events so that they are safe, well-planned, and protect public health and welfare; and

WHEREAS, the Redmond Parks and Recreation Department has recommended that regulations be enacted to provide for the issuance of special event permits for events conducted in the city; and

WHEREAS, the Redmond City Council has considered the recommendation of the Parks and Recreation Department and has determined to repeal RMC Chapter 10.60 and to adopt RMC Chapter 10.62 as provided in this ordinance.

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

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City Code.

Section 2. Repeal of Chapter. RMC 10.60, Permits for Special Events, is hereby repealed in its entirety as follows:

~~[CHAPTER 10.60
PERMITS FOR SPECIAL EVENTS~~

~~SECTIONS:~~

- ~~10.60.010 — SPECIAL EVENT DEFINED.~~
- ~~10.60.020 — PERMIT REQUIRED.~~
- ~~10.60.030 — PERMIT APPLICATION AND FEE.~~
- ~~10.60.040 — STANDARDS FOR DENIAL OF PERMIT.~~
- ~~10.60.050 — DEPARTMENTAL COST ANALYSIS.~~
- ~~10.60.060 — SPECIAL EVENT PERMIT FEE.~~
- ~~10.60.070 — PERFORMANCE DEPOSIT REQUIRED.~~
- ~~10.60.080 — INSURANCE REQUIRED.~~
- ~~10.60.090 — SAVE HARMLESS AGREEMENT.~~
- ~~10.60.100 — LIMITATION OF LIABILITY.~~
- ~~10.60.110 — PUBLIC ANNOUNCEMENTS REQUIRED.~~
- ~~10.60.120 — SANITATION.~~
- ~~10.60.130 — OTHER PERMITS REQUIRED.~~
- ~~10.60.140 — REVOCATION OF SPECIAL EVENT PERMIT.~~
- ~~10.60.150 — APPEAL PROCEDURE.~~

~~10.60.010 SPECIAL EVENT DEFINED.~~

~~"SPECIAL EVENT," AS USED IN THIS CHAPTER, MEANS ANY ACTIVITY WHICH OCCURS UPON PRIVATE OR PUBLIC PROPERTY THAT WILL AFFECT THE STANDARD AND ORDINARY USE OF PUBLIC STREETS, RIGHTS OF WAYS AND/OR SIDEWALKS. THIS INCLUDES, BUT IS NOT LIMITED TO, FAIRS, FESTIVALS,~~

~~FOOT RUNS, BICYCLE RUNS AND BLOCK PARTIES. PRIVATE SOCIAL GATHERINGS WHICH WILL MAKE NO USE OF CITY STREETS OTHER THAN FOR LAWFUL PARKING ARE NOT INCLUDED.~~

~~10.60.020 PERMIT REQUIRED.~~

~~NO PERSON(S) OR ORGANIZATION(S) SHALL CONDUCT A SPECIAL EVENT THAT AFFECTS THE STANDARD AND ORDINARY USE OF PUBLIC STREETS, RIGHTS OF WAY AND/OR SIDEWALKS WITHOUT FIRST HAVING OBTAINED A SPECIAL EVENT PERMIT FROM THE CITY.~~

~~10.60.030 PERMIT APPLICATION AND FEE.~~

~~AN APPLICATION FOR A SPECIAL EVENT PERMIT SHALL BE SUBMITTED TO THE PUBLIC WORKS DEPARTMENT WITH A NONREFUNDABLE APPLICATION FEE IN AN AMOUNT TO BE SET BY COUNCIL RESOLUTION NO LATER THAN NINETY DAYS PRIOR TO THE PROPOSED EVENT. THE FOLLOWING INFORMATION SHALL BE PROVIDED: PURPOSE OF THE SPECIAL EVENT; NAME, ADDRESS AND TELEPHONE NUMBER OF SPONSORING ORGANIZATION AND/OR INDIVIDUAL(S); PROPOSED DATE, LOCATION AND HOURS OF OPERATION; SCHEDULE OF PROPOSED EVENTS; AND SUCH OTHER INFORMATION AS THE PUBLIC WORKS DEPARTMENT OR ANOTHER CITY DEPARTMENT DEEMS REASONABLY~~

~~NECESSARY TO DETERMINE THAT THE PERMIT MEETS THE REQUIREMENTS OF THIS CHAPTER.~~

~~10.60.040 STANDARDS FOR DENIAL OF PERMIT.~~

~~REASONS FOR DENIAL OF A SPECIAL EVENT PERMIT INCLUDE, BUT ARE NOT LIMITED TO: THE EVENT WILL DISRUPT TRAFFIC WITHIN THE CITY BEYOND PRACTICAL SOLUTION; INTERFERE WITH ACCESS TO FIRE STATIONS AND FIRE HYDRANTS; THE LOCATION OF THE SPECIAL EVENT WILL CAUSE UNDUE HARDSHIP TO ADJACENT BUSINESSES OR RESIDENTS; THE EVENT WILL REQUIRE THE DIVERSION OF SO MANY PUBLIC EMPLOYEES THAT ALLOWING THE EVENT WOULD UNREASONABLY DENY SERVICE TO THE REMAINDER OF THE CITY; THE APPLICATION CONTAINS INCOMPLETE OR FALSE INFORMATION; THE APPLICANT FAILS TO COMPLY WITH ALL TERMS AND CONDITIONS OF THE PERMIT INCLUDING FAILURE TO REMIT ALL FEES AND DEPOSITS OR FAILURE TO PROVIDE PROOF OF INSURANCE, BONDS, AND A SAVE HARMLESS AGREEMENT TO THE CITY.~~

~~10.60.050 DEPARTMENTAL COST ANALYSIS.~~

~~THE PUBLIC WORKS DEPARTMENT SHALL SEND COPIES OF SPECIAL EVENT APPLICATIONS TO AFFECTED DEPARTMENTS. EACH DEPARTMENTAL ACTIVITY REQUIRED FOR THE SPECIAL EVENT SHALL BE ITEMIZED, SHOWING HOURLY RATE AND TOTAL~~

~~COST. COSTS SHALL ONLY REFLECT THOSE ACTIVITIES RELATED TO MANAGEMENT OF STREET USE. THE "TOTAL STREET MANAGEMENT COSTS TO THE CITY" SHALL BE THE SUM OF EACH DEPARTMENT'S COSTS.~~

~~**10.60.060 SPECIAL EVENT PERMIT FEE.**~~

~~THE PUBLIC WORKS DEPARTMENT SHALL DETERMINE THE TYPE OF EVENT AND CALCULATE THE FEE ACCORDINGLY.~~

~~(1) TYPE A IS AN EVENT WHICH IS PRIVATELY SPONSORED; THE SPONSOR WILL PAY ONE HUNDRED PERCENT OF THE "TOTAL STREET MANAGEMENT COSTS TO THE CITY."~~

~~(2) TYPE B IS AN EVENT WHICH IS COSPONSORED BY THE CITY; THE CITY WILL PAY FIFTY PERCENT (OR A NEGOTIATED PORTION) OF THE "TOTAL STREET MANAGEMENT COSTS TO THE CITY."~~

~~(3) TYPE C IS AN EVENT SPONSORED BY THE CITY; THE CITY WILL PAY ONE HUNDRED PERCENT OF THE "TOTAL STREET MANAGEMENT COSTS TO THE CITY."~~

~~**10.60.070 PERFORMANCE DEPOSIT REQUIRED.**~~

~~A PERFORMANCE DEPOSIT OF ONE HUNDRED FIFTY PERCENT OF THE SPECIAL EVENT PERMIT FEE SHALL BE REMITTED TO THE CITY BEFORE THE SPECIAL EVENT PERMIT IS ISSUED. ALL EXCESS FEES WILL BE REIMBURSED TO THE PERMITTEE WITHIN TEN BUSINESS DAYS AFTER THE EVENT HAS OCCURRED.~~

~~10.60.080 INSURANCE REQUIRED.~~

~~PERMITTEE IS REQUIRED TO OBTAIN AND PRESENT EVIDENCE OF AN APPROVED SURETY INDEMNITY BOND OR APPROVED COMPREHENSIVE LIABILITY INSURANCE NAMING THE CITY AS AN ADDITIONAL INSURED. THE INSURANCE REQUIREMENT IS A MINIMUM OF TWO HUNDRED FIFTY THOUSAND DOLLARS PERSONAL INJURY AND ONE HUNDRED THOUSAND DOLLARS PROPERTY DAMAGE AGAINST ALL CLAIMS ARISING FROM PERMITS ISSUED PURSUANT TO THIS CHAPTER. THE CITY'S RISK MANAGER MAY REQUIRE THE PERMITTEE TO OBTAIN ADDITIONAL INSURANCE COVERAGE. THE CITY SHALL NOT BE DEEMED TO HAVE ASSESSED THE RISKS THAT MAY BE APPLICABLE TO THE EVENT. PERMITTEE SHALL BE RESPONSIBLE FOR ASSESSING THE RISKS OF THE EVENT AND OBTAINING ADDITIONAL INSURANCE COVERAGE IF APPROPRIATE AND PRUDENT.~~

~~10.60.090 SAVE HARMLESS AGREEMENT.~~

~~PERMITTEE IS REQUIRED TO PROVIDE A SAVE HARMLESS AGREEMENT IN WHICH PERMITTEE AGREES TO DEFEND, PAY AND SAVE HARMLESS THE CITY, ITS OFFICERS AND EMPLOYEES, FROM ANY AND ALL CLAIMS OR LAWSUITS FOR PERSONAL INJURY OR PROPERTY DAMAGE ARISING FROM OR IN ANY WAY CONNECTED TO THE SPECIAL EVENT; EXCEPTING ANY CLAIMS~~

~~ARISING SOLELY OUT OF THE NEGLIGENT ACTS OF THE CITY,
ITS OFFICERS AND EMPLOYEES.~~

~~**10.60.100 LIMITATION OF LIABILITY.**~~

~~THIS CHAPTER SHALL NOT BE CONSTRUED AS IMPOSING UPON
THE CITY OR ITS OFFICIALS OR EMPLOYEES ANY LIABILITY
OR RESPONSIBILITY FOR ANY INJURY OR DAMAGE TO ANY
PERSON IN ANY WAY CONNECTED TO THE USE FOR WHICH
PERMITS HAS BEEN ISSUED. THE CITY AND ITS OFFICIALS
AND EMPLOYEES SHALL NOT BE DEEMED TO HAVE ASSUMED ANY
LIABILITY OR RESPONSIBILITY BY REASONS OF INSPECTIONS
PERFORMED, THE ISSUANCE OF ANY PERMIT, OR THE APPROVAL
OF ANY USE OF THE RIGHT-OF-WAY.~~

~~**10.60.110 PUBLIC ANNOUNCEMENTS REQUIRED.**~~

~~THE PERMITTEE SHALL PAY THE COST OF PUBLICATION OF
TWO ANNOUNCEMENTS ONE AND TWO WEEKS PRIOR TO THE
EVENT. PERMITTEE MAY ALSO BE REQUIRED TO SPECIFICALLY
INFORM PRIVATE PROPERTY AND BUSINESS OWNERS WHO MIGHT
BE INCONVENIENCED DURING THE EVENT.~~

~~**10.60.120 SANITATION.**~~

~~A SPECIAL EVENT PERMIT MAY BE ISSUED ONLY AFTER
ADEQUATE WASTE DISPOSAL FACILITIES HAVE BEEN
IDENTIFIED AND OBTAINED BY PERMITTEE AS AGREED TO BY~~

~~THE DIRECTOR OF PARKS AND RECREATION. PERMITTEE WILL CLEAN THE RIGHT OF WAY OF RUBBISH AND DEBRIS, RETURNING IT TO ITS PRE-EVENT CONDITION, WITHIN TWENTY-FOUR HOURS OF THE CONCLUSION OF THE EVENT. IF THE PERMITTEE FAILS TO CLEAN UP SUCH REFUSE, SUCH CLEAN-UP SHALL BE ARRANGED BY THE CITY AND THE COSTS CHARGED TO PERMITTEE.~~

~~10.60.130 OTHER PERMITS REQUIRED.~~

~~PERMITTEE SHALL OBTAIN OTHER PERMITS THAT MAY BE REQUIRED FROM OTHER JURISDICTIONS FOR THIS SPECIAL EVENT.~~

~~10.60.140 REVOCATION OF SPECIAL EVENT PERMIT.~~

~~ALL PERMITS ISSUED PURSUANT TO THIS CHAPTER SHALL BE TEMPORARY AND DO NOT VEST ANY PERMANENT RIGHTS. REASONS FOR REVOCATION OF A SPECIAL EVENT PERMIT INCLUDE, BUT ARE NOT LIMITED TO: APPLICATION CONTAINED INCOMPLETE OR FALSE INFORMATION; APPLICANT DOES NOT COMPLY WITH ALL TERMS AND CONDITIONS OF PERMIT; APPLICANT FAILS TO ARRANGE FOR OR ADEQUATELY REMIT ALL FEES, DEPOSITS, INSURANCE OR BONDS TO THE CITY; DISASTER, PUBLIC CALAMITY, RIOT OR OTHER EMERGENCY EXISTS. REVOCATION OF A SPECIAL EVENT PERMIT MAY BE~~

~~APPEALED BY THE SAME PROCESS AS AN APPEAL WHICH RESULTS FROM DENIAL OF A PERMIT.~~

~~10.60.150 APPEAL PROCEDURE.~~

~~ANY APPLICANT WHOSE SPECIAL EVENT PERMIT APPLICATION HAS BEEN DENIED OR REVOKED MAY REQUEST A REVIEW OF THIS DECISION BY THE DIRECTOR OF PUBLIC WORKS. THIS REQUEST MUST BE IN WRITING AND RECEIVED BY THE DIRECTOR WITHIN FIVE BUSINESS DAYS OF THE NOTICE OF PERMIT DENIAL OR REVOCATION. APPLICANT MAY APPEAL THE DECISION OF THE DIRECTOR OF PUBLIC WORKS TO THE CITY COUNCIL BY FILING A WRITTEN NOTICE OF SUCH APPEAL WITH THE CITY CLERK WITHIN FIVE BUSINESS DAYS OF THE NOTICE OF DENIAL OF PERMITTEE'S APPEAL BY THE DIRECTOR. THE CITY COUNCIL SHALL SET A HEARING DATE WITHIN FIFTEEN DAYS OF RECEIVING SUCH APPEAL REQUEST. AT SUCH HEARING THE APPLICANT IS ENTITLED TO BE HEARD AND PRESENT EVIDENCE IN HIS BEHALF. THE CITY COUNCIL SHALL DETERMINE WHETHER THE DENIAL OR REVOCATION OF THE PERMIT IS JUSTIFIED.]~~

Section 3. Adoption of Chapter. RMC 10.62, Permits for Special Events, is hereby adopted to read as follows:

**Chapter 10.62
PERMITS FOR SPECIAL EVENTS**

Sections:	
10.62.010	Purpose.
10.62.020	Policy.
10.62.030	Intent and limitation of liability.
10.62.040	Definitions.
10.62.050	Special event permit required.
10.62.060	Special event committee and special event permit coordinator.
10.62.070	Powers of the special event committee.
10.62.080	Exceptions to special event permit requirement.
10.62.090	Application and processing of permits and post event evaluation.
10.62.100	Conditions affecting the decision and issuance of a special event permit.
10.62.110	Standards for denial or revocation of special event permit.
10.62.120	Denial of a special event permit application - Appeal of denial or revocation.
10.62.130	Conditions of special event approval and additional permits.
10.62.140	Expressive activity special event.
10.62.150	Hold harmless.
10.62.160	Insurance required.
10.62.170	Application and permit fees, additional fees and cost recovery.
10.62.180	Refund of fees.
10.62.190	Access - By police and fire personnel.
10.62.200	Permit limited to permit holder and location.
10.62.210	Enforcement of code.
10.62.220	Applicability.

10.62.010 Purpose.

(A) It is the purpose of this code to provide for the issuance of special event permits for events conducted on the public streets, rights-of-way, and public property of the city in the interest of public health, safety and welfare; and to provide for fees,

charges and procedures required to administer the permit process.

10.62.020 Policy.

(A) It is the policy of the city, as implemented through this code and any procedures adopted hereunder, to recognize the significant community benefits that result from special events. Special events play a key role in making Redmond a dynamic place to live, work, play and visit. These events provide cultural enrichment, promote tourism and economic vitality, and enhance community pride and identity. The City of Redmond has a role in regulating and supporting special events. It is the city's goal to have successful events that are safe and well-planned, enrich and enliven the community and further the goals and reflect the values of the city. It is the city's obligation to protect public health and safety, and to ensure that impacts to the surrounding areas are addressed.

10.62.030 Intent and limitation of liability.

(A) It is the specific intent of this code and any procedures adopted hereunder to place the

obligation of complying with the requirements of this code upon the applicant, and no provision of this chapter is intended to impose any duty upon the city or any of its officers, employees or agents. The issuance of a special event permit under this chapter does not obligate or require the city to provide city services, equipment, or personnel in support of a special event.

(B) This chapter shall not be construed as imposing upon the city or its officials or employees any liability or responsibility for any injury or damage to any person in any way connected to the use for which permits have been issued. The city and its officials and employees shall not be deemed to have assumed any liability or responsibility by reasons of any inspections performed, the issuance of any permit, or the approval of any use of the right-of-way.

10.62.040 Definitions.

(A) The following words and phrases when used in this chapter shall mean:

- "Admission tax" means a tax of five percent on the amount paid for admission to a theater,

public dance or dance hall, amphitheater, auditorium, stadium, athletic park or field, cabaret, circus, carnival, swimming pool, skating rink, exhibition, amusement park or side show, picnic ground, or any other similar type of place. Also, means a charge for season tickets or subscriptions, or a cover charge to clubs, lounges or similar places (RMC 3.28).

- "Annual event" means an event produced on a recurring basis each year, scheduled on or about the same date, which may have previously complied with the permit requirements of this code.

- "Applicant" means a person, organization or agent authorized to obtain a permit on behalf of an organization, which completes the application to conduct an event governed by this chapter, and who is the primary contact for the special event. The applicant must be 21 years of age or older. The applicant shall be the person, organization, company or corporation conducting the event.

- "Demonstration" means a public display of group opinion as by a rally or march, the principle purpose of which is expressive activity.

- "Event organizer" means any person who conducts, manages, promotes, organizes, aids or solicits attendance at a special event.

- "Event participants" means persons in attendance at an event, including spectators, vendors, event staff, city staff and all others present for the purpose of the event.

- "Event management company" means an entity with expertise in managing special events.

- "Expressive activity" means the conduct of activity for which the sole or principle purpose is the expression, dissemination, or communication by verbal, literary, or auditory means of political or religious opinion, views, or ideas and for which no fee or donation is charged or required as a condition of participation in or attendance at such activity. For purposes of this chapter, expressive activity does not include fairs, festivals, concerts, performances, parades, athletic events, fundraising events, or events in which the principle purpose is entertainment.

- "Fair/festival/carnival" means a stationary event, held for one or more days.

- "Fundraising event" means a special event held by a nonprofit entity that is primarily for the purpose of fundraising for the benefit of the sponsoring organization or nonprofit.

- "Master Event business license" means a license that is applicable for events in which multiple vendors or dealers are selling goods or services at a single location, and individual vendors are not required to obtain separate business licenses, and which meets the city's criteria for dates and duration.

- "March" means an organized walk or event whose principal purpose is expressive activity in service of a public cause.

- "Nonprofit or charitable organization" means an organization, corporation or association organized and operated for the advancement, appreciation, public exhibition or performance, preservation, study and/or teaching of the performing arts, visual arts, history, science, or a public charity providing social or human services or public education and which is currently recognized by the United States of America as exempt from federal income

tax pursuant to Section 501(c)(1) or (3) of the Internal Revenue Code as now existing or hereafter amended.

- "Parade" means any organized group marching or in procession, whether on foot, animal, or vehicle, held on public streets, sidewalks, trails, and/or public place.

- "Race/run" means an organized event conducted on a public street, sidewalk, or trail in which 10 or more persons participate by walking, running, riding a bicycle, or operating a wheelchair.

- "Rally" means a gathering whose principle purpose is expressive activity, especially one intended to inspire enthusiasm for a cause.

- "Sidewalk" means that portion of a right-of-way, other than the roadway, set apart by curbs, barriers, markings, or other delineation for pedestrian travel.

- "Sign" means any sign, pennant, flag, banner, inflatable display, or other attention-seeking device.

- "Site map" means a map and plan developed by the applicant to identify the key

features and elements of the special event at the specified special event venue.

- "Special event committee" means representatives assigned by their respective department directors to represent the interests of their department or division as it relates to the issuance of special event permits.

- "Special event" means any activity including, but not limited to a fair, festival, concert, demonstration, rally, performance, show, parade, run/walk/cycle, or other publically attended activity, entertainment or celebration which is held in whole or in part upon publically owned property, streets, sidewalks, trails, walkways or on other public rights-of-way, or if occurring on private property, will nevertheless affect, impact or interfere with the standard, ordinary and normal use of public property, streets, rights-of-way, walkways, or sidewalks by the general public within the vicinity of such event and/or requires the use of city services.

- "Special event permit" means a permit issued under this chapter.

- "Special event venue" means that area or location for which a special event permit has been issued.

- "Sponsor" means the person, business, or group responsible for the special event, or the organization that provides financial or other resources for the conduct of a special event.

- "Street" means any place that is publically maintained and open for use by the public for purposes of vehicular travel, including highways.

- "Temporary use permit" means a mechanism by which the city may permit a use on a temporary basis, including: mobile services; group retail sales (swap meets, parking lot sales); retail sales such as Christmas trees, seasonal or agricultural sales; firewood; encampments; vending carts; outdoor art and craft shows and exhibits.

- "Tourism event" means any special event that furthers the city's economic development goals, and is primarily intended to attract participants from out of the immediate area and is eligible to receive funding from lodging tax funds. The receipt of lodging tax funds granted by the city

for an event may be contingent upon the issuance of a special event permit and the successful implementation of the event.

- "Traffic management plan" means a plan developed by the applicant to identify and mitigate traffic and parking impacts, to propose vehicle and pedestrian route detours, and other solutions necessary to provide for traffic safety at a special event.

- "Vendor" means any person who sells or offers to sell any goods, food, or beverages within a special event.

10.62.050 Special event permit required.

(A) Except as provided elsewhere in this chapter, any person or entity who conducts, promotes, sponsors or manages a special event that affects the standard and ordinary use of public property, streets, right-of-way, walkways, trails, and/or sidewalks, or if occurring on private property, will nevertheless affect, impact, or interfere with the standard, ordinary and normal use of public property, streets, rights-of-way, walkways, or sidewalks by the general public within the vicinity of such event and/or

requires the use of city services, shall first obtain a special event permit from the city.

10.62.060 Special event committee and special event permit coordinator.

(A) A special event committee is hereby created to carry out the provisions of this code. In order to assure working representation from appropriate departments, the special event committee shall consist of, at a minimum, one department representative from each of the following: Police - Traffic Division, Fire Prevention, Fire Operations, Park Operations Division, Development Services Division, Public Works - Civil Construction, Public Works - Traffic Operations, Recreation Division - Events, Public Works - Street Maintenance Division, Public Works - Construction Division, Economic Development - Tourism/Parking, Planning - Business Licensing, Planning - Code Compliance, Public Works - Natural Resources.

(B) The special event permit coordinator shall be from the lead department, and shall provide for the receipt of special event permit applications and fees, maintaining committee records, communications,

scheduling committee meeting times, and issuing permits on behalf of the city.

10.62.070 Powers of the special event committee.

(A) The special event committee shall have the power to:

1. Interpret and administer this code;
2. Review special event applications;
3. Represent the city, under the authority of the Mayor and the Parks and Recreation Department Director, in discussions and in maintaining agreements with the event organizer;
4. Coordinate with city departments and other government agencies for the provision of city services for special events;
5. Impose reasonable terms and conditions for granting the special event permit, and the time, venue and manner for the event, based on the provisions of this chapter;
6. Establish appropriate fees for city support services, and for the use of the special event venue, based on the provisions of this chapter;

7. Recommend approval or denial of special events permits to the Parks and Recreation Department Director, pursuant to the procedures established;

8. Prepare and adopt procedures for the purpose of administering this code, as necessary.

10.62.080 Exceptions to special event permit requirement.

(A) Although not required to be issued a special event permit, an event organizer of an activity exempted from this chapter is required to comply with all local, state and federal laws and regulations governing public safety or health. The following activities are exempt from having to obtain a special event permit:

1. Funeral procession by a licensed mortuary;

2. Public gatherings of one hundred (100) or fewer people held exclusively in a city park (or a public gathering not exceeding the stated capacity of the park space/facility), unless merchandise or services are offered for sale or trade to the public, in which case a Park Use Permit may be required;

3. Temporary sales conducted by businesses, such as holiday sales, grand opening sales, sidewalk sales, or anniversary sales that do not impact street or sidewalk rights of way (A Temporary Use Permit may be authorized by the Planning Director if the proposed use complies with the provisions in the Temporary Use code.);

4. Garage sale, rummage sales, lemonade stands and car washes;

5. Private events and social gatherings and events held entirely on private property that do not involve the use of or have an impact on public property, facilities or streets, other than for lawful parking, and do not require the provision of city public safety services;

6. Activities conducted by a government agency acting within the scope of its authority; and

7. Lawful picketing on sidewalks.

10.62.090 Application and processing of permits and post event evaluation.

(A) A special event permit must be obtained from the city to conduct a special event. The following procedure applies:

1. An application shall be submitted to the city at least 90 days prior to the date of the proposed event to allow adequate time for review.

2. Applicant is required to submit a complete application with information about the proposed event. This may include, and not be limited to, a site map/route map, event schedule and program of activities, hours of operation, security and public safety plan, emergency plan, garbage and recycling plan, traffic management plan. Specific requirements shall be determined by the special event committee.

3. The special event committee shall review the application and determine if the event can be accommodated.

4. The special event committee shall communicate or meet with applicant to discuss proposed location/routes, activities, attendance and to discuss comments received, possible terms and conditions, and fees.

5. The special event committee shall make a decision recommendation on the application and set forth any terms and conditions and fees, and notify applicant of approval.

6. Upon approval of an application for a special event permit, the special event permit coordinator shall provide the applicant with a statement of the estimated cost of city services, equipment, materials, and permit fees.

7. Upon payment of the permit fees by the applicant, the special event permit coordinator shall issue the permit.

8. Estimated city services required in connection with a special event must be paid in full by the applicant no later than thirty (30) days in advance of the event. Failure to pay may result in a denial or cancellation of city services. The special event committee shall notify the city council of approval of events.

9. As determined by the special event committee, and at least fifteen (15) days prior to the scheduled date of the special event, the applicant shall provide notification to the affected surrounding area regarding special event approval and activities of the event, date(s), times(s), location/route, and possible impacts of the event.

10. A post-event evaluation shall be conducted by the special event permit coordinator and/or special event committee. The evaluation may include a survey of affected residents and/or businesses, and a meeting with the event organizer and the special event committee.

10.62.100 Conditions affecting the decision and issuance of a special event permit.

(A) In deciding whether to approve, approve with conditions, or deny a permit, the special event committee shall determine whether all of the following criteria are met:

1. The application is complete and accurate;
2. The event, as proposed, can be conducted in a safe manner;
3. The event, as proposed, will not substantially interrupt public transportation or other vehicular and pedestrian traffic in the area of its route;
4. The event provides for adequate health, sanitation and garbage services;

5. The special event will not require the diversion of police and fire resources from their normal duties;

6. The special event will not cause irresolvable interference with previously approved and/or scheduled construction, development, maintenance, or other activities, including, but not limited to, another special event, in the public right-of-way or at a public facility;

7. The location of the event will not cause a material adverse impact, unnecessary disruption or hardship to adjacent residential or business access and traffic circulation;

8. The special event applicant has submitted the plans, as required for each specific event or activity; and

9. The applicant complies with all terms and conditions of the permit, including submitting fees and deposits, and providing proof of insurance, bonds and hold harmless to the city.

10.62.110 Standards for denial or revocation of special event permit.

(A) All permits issued pursuant to this chapter shall be temporary and do not vest any permanent rights. The reasons for denial or revocation of a special event permit by the special event committee include, and are not limited to:

1. Disruption of traffic within the city is beyond practical resolution;

2. The special event will interfere with the movement of police, fire, medical aid ambulance and/or other emergency vehicles on the streets, or access to fire stations and fire hydrants;

3. The special event will violate public health or safety laws, or will fail to conform to the requirements of law or established city policy;

4. The applicant demonstrates an inability or unwillingness to conduct a special event pursuant to the terms and conditions of this chapter;

5. The event, as proposed, will require the support or diversion of city personnel (such as police, fire, parks, and public works) that would unreasonably disrupt or deny protection or service for city functions;

6. The proposed venue cannot safely and reasonably support the number of estimated event participants;

7. The applicant has not obtained the approval of, or obtained other permits that may be required from, other public agencies within whose jurisdictions the special event or portion thereof will occur;

8. The applicant has not provided for adequate first aid, emergency medical services, participant or crowd control, or emergency response planning, based on special event risk factors;

9. The special event will create the imminent possibility of violent disorderly conduct likely to endanger public safety or to result in significant property damage;

10. Disaster, public calamity, riot, or other emergency situation exists;

11. The applicant has not paid all fees due from a previous special event;

12. The applicant has provided incomplete or false information in the application;

13. The applicant has made application fewer than 90 days prior to proposed special event date; and

14. The applicant has failed to comply with any term of this chapter or with any condition of a special event permit previously issued to the applicant.

**10.62.120 Denial of a special event permit application
- Appeal of denial or revocation.**

(A) If the special event committee makes a recommendation to deny the application for the special event permit, or revoke the permit for the special event, the applicant shall be notified in writing as soon as is reasonably practicable.

1. The denial of a special event permit may be appealed to the Hearing Examiner.

2. An appeal shall be made in writing within seven (7) calendar days of the date of the written denial. An appeal is made by filing a written petition with the special event permit coordinator, setting forth the grounds for the appeal and any documentation in support of the appeal.

3. The Hearing Examiner shall consider and decide the appeal as soon as is reasonably practicable and issue a written decision.

4. Revocation of a special event permit may be appealed by the same process as an appeal which results from a denial of a permit.

10.62.130 Conditions of special event approval and additional permits.

(A) The city may issue a special event permit in accordance with the terms of the application, or may condition the issuance of a special event permit by imposing reasonable terms and conditions. These conditions may include, but are not limited to: time, place and manner of the event; compliance with health and sanitary regulations, emergency services, and security; and other such requirements as are necessary to protect the safety and rights of persons and property, and the control of traffic. Additional permits may be required to meet the conditions established by the permit, and/or other city codes. A special event permit may include the following information, terms and conditions:

1. The conditions or restrictions on the service, use or sale of alcoholic beverages;

2. The conditions for business licenses for dealers or vendors selling goods or services;

3. The provisions for any city support services required or requested in connection with a special event;

4. In order to accommodate other concurrent events, the rights of abutting owners, and/or the needs of the public to use streets or parks, the conditions may also include: reasonable adjustments in the date, time, route or location of the proposed event; accommodations for pedestrian or vehicular traffic using the street; and limitation on the duration of the event;

5. Other information or conditions as are reasonable and necessary for the conduct of the special event, including the requirement for a professional event management company to produce an event, or for the on-site presence of the event organizer or its designated representative for all special event coordination and management purposes;

6. The applicant may be required to do a walk-through of the event site with the special event permit coordinator and/or other city personnel prior to and after the event, and to make adequate provisions for site safety, cleaning the area or route to the same condition of material preservation and cleanliness as existed prior to the special event; and

7. The applicant will be required to reimburse the city for all expenses associated with repairs for damage to property or additional clean-up necessary as a direct result of the event. These items/charges will be discussed during a walk-through with the special event permit coordinator and/or other city personnel after the event. Payment for these items/charges will be due no later than 30 days after the event.

10.62.140 Expressive activity special event.

(A) When a special event permit is sought for an expressive activity such as a demonstration, rally, or march as defined in this chapter, the following exceptions shall apply:

(1) Where the special event will not require street closures, cost recovery, pursuant to Section 10.62.170, shall be limited solely to a fee based on the cost of processing the permit application.

(2) The insurance requirement of Section 10.62.160 shall be waived, provided that the event organizer has filed with the application a verified statement that he or she intends the special event purpose to be First Amendment expression and the cost of obtaining insurance is financially burdensome and would constitute an unreasonable burden on the right of First Amendment expression. The verified statement shall include the name and address of one insurance broker or other source for insurance coverage contacted to determine premium rates for coverage.

(3) Where the special event will require temporary street closures requiring the city to provide services in the interests of public health, safety, and welfare, the special event committee may condition the issuance of the

special event permit upon payment of actual direct costs incurred by the city to a maximum of five hundred dollars. Any fee schedule adopted by the city shall contain a provision for waiver of, or a sliding scale for payment of fees for city services, including police costs, on the basis of ability to pay.

(4) The city may deny a special event permit for a demonstration, rally or march if:

(a) The special event will substantially interrupt public transportation or other vehicular and pedestrian traffic in the area of its route;

(b) The special event will cause an irresolvable conflict with construction or development in the public right-of-way or at a public facility;

(c) The special event will block traffic lanes or close streets during peak commute hours on weekdays between seven a.m. to nine a.m. and four p.m. to six p.m. on streets designated as arterials by the city's public works department;

(d) The special event will require the diversion of police employees from their normal duties;

(e) The concentration of persons, animals, or vehicles will unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets;

(f) The special event will substantially interfere with another special event for which a permit has already been granted or with the provision of city services in support of other scheduled special events; or

(g) The special event will have significant adverse impact upon residential or business access and traffic circulation in the same general venue.

(5) With regard to the permitting of expressive activity special events where the provisions in this section conflict with the provisions in any other section of this chapter, the provisions of this section shall prevail.

(6) Sections 10.62.100 and 10.62.110 of this chapter shall not apply to expressive activity special events.

10.62.150 Hold harmless.

(A) As a condition of the special event permit application under this chapter, the applicant shall agree to defend, indemnify and hold harmless the city, its officers, employees and agents, for any and all suits, claims or liabilities caused by, or arising out of any use authorized by any such permit.

10.62.160 Insurance required.

(A) Applicant is required to obtain and present evidence of comprehensive general liability insurance coverage in a form acceptable to the city, and naming the city as an additional insured. Certificates of insurance are to be submitted to the city for approval 30 days prior to the day of the event. Limits of coverage shall be determined by the city's risk manager at the time of application. The city's risk manager may require the applicant to obtain additional insurance coverage, based on the level of risk associated with the event. The city shall not be

deemed to have assessed all the risks that may be applicable to the event. Applicant shall be responsible for assessing the risks of the event and obtaining additional insurance coverage if appropriate and prudent.

10.62.170 Application and permit fees, additional fees and cost recovery.

(A) A non-refundable application fee for permit processing is required at the time of application. This fee is established by council resolution, in accordance with Ordinance No. 1480 and periodically adjusted in accordance with Resolution No. 1072, establishing the Parks and Recreation Department User Fee Schedule, and as amended by succeeding resolutions amending the schedule.

(B) Special event permit fees are based on a flat fee schedule, depending on the duration and participation level of the event. These fees are established by council resolution in accordance with Ordinance No. 1480 and periodically adjusted in accordance with Resolution No. 1072, establishing the Parks and Recreation Department User Fee Schedule, and

as amended by succeeding resolutions amending the schedule.

(C) Additional fees associated with permit conditions (i.e., other permits or licenses required, International Fire Code permits, utilities, security, etc.) are in addition to the flat fee schedule. Additional fees and city costs associated with providing support services for the special event shall be estimated in advance, documented and provided to the applicant. Those costs incurred by the city in support of the event activities including, but not limited to, city staff wages and benefits, overtime, materials, and equipment shall be the actual total costs incurred by the city, and shall be the sole responsibility of the applicant/event organizer. Payment of these additional fees and estimated costs shall be paid in full not later than thirty (30) days in advance of the event.

10.62.180 Refund of fees.

(A) Fees charged from the fee schedule are refundable, with the exception of the non-refundable application fee, if the special event is canceled after the permit is issued, and written notice is

received by the special event permit coordinator thirty (30) days prior to the date of the event. Fees charged from the fee schedule will not be refunded for event cancellation notices received within thirty (30) days of the event date.

(B) Refund of payment for direct city services may be made if the actual cost to the city for providing the service is less than the estimated cost. In that case, the city shall refund the applicant/event organizer within thirty (30) days after the event. If actual cost to the city for providing the services is greater than the estimated cost, the applicant/event organizer shall pay the additional charges within thirty (30) days after the event.

10.62.190 Access - By police and fire personnel.

(A) All police officers of the city and/or the chief of police and the fire marshal shall have free access to special events for the purpose of inspection and to enforce compliance with the provisions of this chapter and other applicable city, county and state health, zoning, building, fire and safety ordinances and laws.

10.62.200 Permit limited to permit holder and location.

(A) Any permit issued under the provisions of this chapter shall apply to a single licensee and to the location spelled out in the permit and shall not be transferable to other locations.

10.62.210 Enforcement of code.

(A) In accordance with RMC 1.14.020, all special events shall comply with city regulations in an effort to protect the public and the environment while working cooperatively with affected residents, businesses and property owners.

10.62.220 Applicability.

(A) All special events within the city shall be regulated by the provision of this chapter, regardless of whether a special event permit was obtained from the city prior to or after the effective date of the ordinance codified in this chapter.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity

or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. Effective date. This ordinance shall become effective five days after its publication, or publication of a summary thereof, in the city's official newspaper, or as otherwise provided by law.


ADOPTED by the Redmond City Council this 19th day of April, 2016.

CITY OF REDMOND



JOHN MARCHIONE, MAYOR

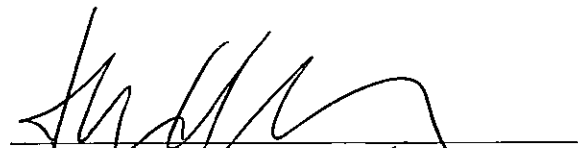
ATTEST:



MICHELLE M. HART, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:



JAMES HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK: April 5, 2016
PASSED BY THE CITY COUNCIL: April 19, 2016
SIGNED BY THE MAYOR: April 22, 2016
PUBLISHED: April 25, 2016
EFFECTIVE DATE: April 30, 2016
ORDINANCE NO.: 2830

YES: BIRNEY, CARSON, MARGESON, MYERS, SHUTZ