

ORDINANCE NO. 1446

ORIGINAL

AN ORDINANCE OF THE CITY OF REDMOND,
WASHINGTON, REPEALING FROM THE REDMOND
MUNICIPAL CODE SECTION 10.40.060 "PERMITS
REQUIRED FOR PARADES AND PROCESSIONS," AND
ADDING A NEW CHAPTER PERTAINING TO "PERMITS
FOR SPECIAL EVENTS."

WHEREAS, the ever increasing number of organizations requesting use of Redmond streets, right-of-ways, and sidewalks for special events is creating an increasing financial burden on the City, and

WHEREAS, on-going City services are being adversely impacted by the City's lack of resources to deal with these special events, and

WHEREAS, such events are a vital tradition in the City of Redmond; now therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON,
HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Section 10.40.060 of the Redmond Municipal Code, "Permits Required for Parades and processions," is repealed.

SECTION 2. A new Chapter 10.60 entitled "Permits for Special Events" is hereby added to the Redmond Municipal Code to read as follows:

10.60.010 Special Event Defined. The term "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, right-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, right-of-ways, and/or sidewalks without first having obtained a Special Event Permit from the City of Redmond.

10.60.030 Permit Application and Fee. An application for a Special Event Permit shall be submitted to the Public Works Department with a non-refundable payment of \$75.00 no later than 90 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 of Redmond 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 of Redmond; 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 of Redmond.

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.

TYPE A is an event which is privately sponsored; the sponsor will pay 100% of the "total street management costs to the City."

TYPE B is an event which is co-sponsored by the City of Redmond; the City will pay 50% (or a negotiated portion) of the "total street management costs to the City."

TYPE C is an event sponsored by the City of Redmond; the City will pay 100% of the "total street management costs to the City."

10.60.070 Performance Deposit Required. A performance deposit of 150% 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 10 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 of Redmond as an additional insured. The insurance requirement is a minimum of \$250,000 personal injury and \$100,000 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 of Redmond, 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 of Redmond, 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 permit 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 of Redmond; 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. This ordinance shall be in full force and effect thirty days after passage and publication of the attached summary which is hereby approved.

CITY OF REDMOND

Doreen Marchione
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

Doris A. Schauble
CITY CLERK, DORIS SCHAUBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY *James C. Martin*

FILED WITH THE CITY CLERK: 9-15-88
PASSED BY THE CITY COUNCIL: 9-20-88
SIGNED BY THE MAYOR: 9-20-88
POSTED: PUBLISHED 9-25-88
EFFECTIVE DATE: 10-25-88
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