

SPECIAL EVENTS

Sections:

- Definitions.
- Permit – Required.
- Application – Fees and expenses.
- Application – Timing and contents.
- Plan review by city departments.
- Issuance or denial of permit.
- Revocation of permit.
- Authorization to enforce rules and regulations.
- Violation – Penalty.

Definitions.

A. Parade. Any march or procession consisting of people, animals, bicycles, vehicles or any combination thereof upon any public or private street or roadway which does not comply with normal and usual traffic regulations or controls, as determined by the RMC or RCW Title [46](#).

B. Roadway. Any private driveway or walkway which is utilized by the public as access to a place of business or residence.

C. Race. Any organized contest of people, bicycles, or other vehicles or combination thereof upon a public street.

D. Special Event. Any outdoor or indoor assemblage of persons organized by any person, firm, organization or corporation which will generate or invite public participation and/or spectators, includes, but is not limited to, fun runs, foot races, fund-raising walks, bikeathons, parades, carnivals, food fairs, shows, exhibitions, circuses, street dances, flea markets, auctions and fairs. Special events are not limited to those conducted on public streets, but include also those events that may occur entirely on private property where public peace, health, safety and welfare may be affected. Special events do not include indoor assemblage of persons where the room that is to be used has been approved for assemblage use pursuant to the Uniform Building Code (such as banquet rooms, convention rooms, etc. This is not inclusive of the normal course of business.).

E. Street or Streets. Any public right-of-way or portions thereof, in the City, dedicated to the public use.

F. Street Dance. Any organized dance on any public or private street or roadway, or public or private parking lot.

G. Sponsor. The person, firm, organization or corporation who is promoting the special event and who applies to the City for a permit to hold said event.

Permit – Required.

Conditions to be observed:

A. It is unlawful for any person, firm, organization, corporation, association, society, landowner or lessor to knowingly allow, conduct, promote, maintain, or cause to be advertised a special event unless a valid permit has been obtained from the City of Roy.

B. It is unlawful for any person who holds a special event permit to conduct a special event in violation of the terms of the permit.

Application – Fees and expenses.

There shall be paid by the applicant at the time the application is filed with the city, a nonrefundable fee as stated in RMC 4-10-3(a) for each special event, except that said fee shall be waived for a special event sponsored by a nonprofit tax exempt organization. This fee is in addition to the costs imposed for traffic control and other purposes elsewhere in this chapter.

Application – Timing and contents.

Any application for a special event permit shall be in writing and filed with the City at least 45 days prior to the scheduled event. The application form shall be provided by the city and shall include, at a minimum, the following:

A. Identification of Applicant. The name, address and telephone number of the applicant:

1. If the applicant is a natural person enter the applicant's date of birth.

2. If the applicant is a firm, organization, or business enter the title of the agent who is making the application;

B. Description of Event. A full and complete description of the special event sought to be held and the duration of such event (not to exceed 14 days);

C. Location of Event. The proposed location of the special event and the dimensions and design (and, if appropriate, temporary building locations and plans) for any structures involved with the special event;

D. Use of Streets. Whether the special event will require the use of any city street or roadway and if so, the location and dimensions of the proposed use, together with a statement as to the dimensions of remaining unobstructed street or roadway;

E. Estimated Attendance. An estimate of the number of persons who will or who are expected to attend the special event;

F. Traffic Mitigation. Proposed plans to mitigate any potential traffic circulation problems that could be created by the special event;

G. Plot Plan with Access and Egress Shown. A plot plan showing the location of outdoor facilities and/or activities, existing and

proposed structures, dimensions, adjacent uses and property lines, and provision for adequate parking and ingress/egress to be maintained during the course of the temporary event;

H. Routes. If the permit sought involves the use of any street or a roadway which connects to a street the proposed route(s) on the application and/or site plan will include starting and termination points, location of assembly areas, specific access point to the street, security and traffic-control provisions;

I. Address and Land Ownership. An address of the land to be occupied, the name and address of the owner thereof, and a document showing either the applicant's right to occupy the lands (such as a lease or rental agreement) or the consent of said owner to the issuance of a permit, if the land be owned by a person other than the applicant;

J. Cleanup Plans. Plans for cleaning up debris and litter resulting from the special event;

K. Hold Harmless Agreement. The plan shall include an agreement signed by the applicant promising to indemnify, hold harmless and defend the city, its elected and appointed officials and its employees and agent from any and all claims, demands and causes of action of any kind or character, including the cost of defending against claims and reasonable attorneys' fees, where such claim arises in whole or in part out of the activities for which a permit is issued; provided, that nothing shall require a licensee to indemnify, hold harmless or defend the city from claims arising out of the sole negligence of the city;

L. Liability Insurance. Whenever the permit is for an activity that will require the use of any City street or other City property, the applicant shall secure and maintain in full force and effect throughout the duration of the permit, a comprehensive liability insurance policy for bodily injury and property damage with limits of not less than \$1,000,000 per occurrence covering potential liability arising from the special event. A copy of the policy shall be filed with the City Clerk at least two weeks prior to the date of the event. The policy shall name the City of Roy, its elected and appointed officials and its employees and agents as additional insured.

The policy shall include a provision prohibiting cancellation of the policy except upon 30 days' prior written notice to the city.

The policy must be approved by the city prior to the city's issuing the special event permit;

M. Such other information as the City Council may require to determine compliance with all of the requirements before a permit can be issued.

Plan review by city departments.

A. Traffic/Crowd Control. The Chief of Police or his designee may require special event permits to include any reasonable traffic/crowd control measures to insure the peace, health and safety of the public who use city streets and private property.

If, in the opinion of the Chief of police or his designee, extra police officers and/or qualified crowd control personnel will be needed at the special event to provide for public safety, the permittee shall be responsible for the full cost of the extra police officers and/or qualified crowd control personnel.

Prior to issuance of the permit, the Chief of Police or his designee shall determine the cost of the extra police officers for the special event and the permittee shall be required to pay the cost of the extra police officers or the permittee shall submit to the Chief of Police or his designee a preliminary list of security personnel 7 days prior to the event. The final security list shall be provided to Roy Police Department or given to the on duty officer the day of the event (a faxed list is permissible). The list of security personnel shall be sufficiently complete to allow identification of any person named in the list. Security personnel should be clearly identified by distinct clothing or security badges.

If extra police officers are used and the actual cost of the extra police officers is more than the amount paid at the time the permit was issued, the City shall bill the permittee for the extra cost and the permittee shall pay the City for such services within 30 days from the date of the expense statement.

B. Public Works. The Public Works Director or his designee may impose upon any special event permit any requirements necessary to secure the peace, health and safety of the public and the integrity of the City's water and street systems.

If, for any reason, employees of the Public Works Department are required to respond to any need created by the special event, the permittee shall be responsible for the expense of such employees, at normal working day rates and at overtime rates for time incurred outside normal working hours, and the permittee shall pay the City for such expenses incurred within 30 days from the date of the expense statement.

C. Building Official. The Building Official may require, as a condition of any special event permit, such safety regulations as authorized by the Uniform Building Code.

D. City Clerk. It shall be the responsibility of the City Clerk upon direction of the Mayor, to coordinate the response of the various departments' reviews of the proposal; issue a permit; assure the permittee is aware of the department's recommendations with regard to specific conditions of the permit; establish time limitations on the event, insure compliance of the conditions and requirements as set forth in this chapter.

Issuance or denial of permit.

In reviewing the application, plot plan, department comments and recommendations, for the purpose of determining whether the permit should be issued or denied, the City Council shall make such review in conformance with the following review criteria:

A. Standards of Issuance:

1. No permit for a special event shall be issued if the event presents to the participants, spectators, or noninvolved public a threat of serious injury or harm greater than what is naturally associated with or is to be expected from an event of a similar kind.

2. The time, hours, location and size of the special event may not unnecessarily adversely impact the city or disrupt movement of traffic within the city.

3. Adequate parking must be made available within or adjacent to the location for which the permit is requested. The parking facilities shall be of sufficient size to meet the needs of the estimated attendance. Adequate lawful access for ingress and egress shall be provided to and from such parking areas.

4. The proposed event or use of the street will not intrude onto or over any portion of a public or private right-of-way open to vehicle or pedestrian travel in such a manner as to create a likelihood of endangering vehicles or pedestrians. In addition, if the requested permit involves encroachment or partial obstruction of a sidewalk or other walkway open to the public, a minimum of three feet of unobstructed sidewalk or other walkway shall be maintained at all times.

5. The City Council shall limit to a reasonable period the specific duration of the permit where an obstruction denies access for ingress and egress to adjacent businesses or residences.

6. The proposed modes of on-site signs and advertising for the special event shall be submitted with the application. All designs, locations, and structural plans for signs and advertising shall be reviewed and approved by the Public Works director or his designee, and the building official prior to use.

7. The Chief of Police may require any other reasonable conditions that is deemed necessary to reasonably insure that the proposed special event does not in any way create a likelihood of endangering participants, spectators or the noninvolved public.

8. All conditions relative to the issuance of the permit shall be subscribed on and/or attached to the permit.

B. Standards of Denial. The City Council shall deny a special event permit where:

1. All of the criteria for issuance of a permit have not been met as set forth in subsection (A) of this section;

2. Application for the permit was not submitted within the specified time period in order to allow an adequate review process

for such proposal; or, additional requested or required details of the event were not submitted within the time specified by the community development director or his designee;

3. The sponsor knowingly made any false statement in the application.

C. Within 20 business days after the filing of an application, the City Council shall either approve or deny the permit. Any denial shall set forth in detail the specific grounds therefore, the applicant shall have five days after receipt of such denial, or such additional time as the City Council shall grant, to correct the deficiencies set forth, and the Mayor shall approve or deny the permit within five days after receipt of such corrections. Any denial of the permit, with corrections, shall set forth in detail the specific grounds therefore.

D. Any permit granted pursuant to this chapter shall be posted in a conspicuous place on the site of the special event, and such permit shall not be transferable or assignable without the consent of the issuing authority.

Revocation of permit.

A. All permits issued pursuant to this chapter may be revoked without notice by the Mayor and/or designee where the permitted special event becomes, for any reason, dangerous to the peace, health or safety of persons or a risk to property or if any structure or obstruction permitted becomes insecure or unsafe or the integrity of the city services are in danger.

B. If any event for which a permit has been revoked is not immediately discontinued, the Public Works Director may remove, or may order to be removed, any structure or obstruction or cause to be made, without obligation to do so, such repairs upon the structure or obstruction as may be necessary to render the same secure and safe, or adjourn the special event. The cost and expense of such removal, repair or adjournment shall be assessed against the permittee, including all professional fees and fees associated with the enforcement of the collection thereof.

Authorization to enforce rules and regulations.

The Public Works Director in partnership with the Chief of Police or their designee is authorized to interpret and enforce all requirements, rules, regulations and conditions and to implement the purpose and intent of this chapter.,

Violation – Penalty.

Any person, firm or corporation violating RMC 4-10 shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined by a sum not to exceed \$1,000, or by imprisonment for a term of not to exceed 90 days, or by both such fine and imprisonment.

Special event permit fee.

The fee for a special event permit shall be \$50.00 for all events requiring street closures and \$25.00 for all events not requiring street closure. The applicant shall also be billed for any necessary Police, Public Works, or other City personnel or services required as a result of the special event. If the cost for city personnel or services is known prior to the special event, payment of that fee is required prior to the special event permit being issued. No additional special event permits shall be issued for an applicant until all previous fees have been paid.