

CITY OF MEDINA, WASHINGTON

ORDINANCE NO. 1055

AN ORDINANCE OF THE CITY OF MEDINA, WASHINGTON, AMENDING SECTION 12.20.010 OF THE MEDINA MUNICIPAL CODE TO ALLOW ALCOHOL SERVICE FOR CITY COUNCIL DESIGNATED COMMUNITY EVENTS AND ADDING A NEW SECTION 12.20.012 REGARDING CITY COUNCIL-DESIGNATED COMMUNITY EVENTS, ESTABLISHING MEDINA DAYS AS SUCH AN EVENT, ESTABLISHING APPLICATION AND APPROVAL REQUIREMENTS FOR SALES OF ALCOHOL AT SUCH AN EVENT; PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Medina Days is an annual community event which has been important to the cultural fabric of Medina; and

WHEREAS, Medina Days has included a wine or beer garden where celebrants who are over 21 can purchase alcohol; and

WHEREAS, the Medina code has historically prohibited alcohol service in its parks under the Park Rules and this has led to the beer or wine garden being located outside the park and far from the Medina Days activities; and

WHEREAS, in order to allow the possibility of alcohol consumption at Medina Days, and other city council-initiated community events, updates to the Medina Park Rules is required; **NOW, THEREFORE**,

THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Subsection “A” of Section 12.20.010 of the Medina Municipal Code is hereby amended to read as follows:

12.20.010. Rules applying to all public parks.

The following rules shall apply and be enforced in all public parks:

- A. No alcoholic beverages shall be allowed, except for city council-designated community events consistent with the provisions in MMC 12.20.012.

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Section 2. A new section 12.20.012 is hereby added to the Medina Municipal Code to read as follows:

12.20.012 City Council-Initiated Community Events.

A. A city council-initiated community event is a special event designated as such by the city council and which is intended primarily for Medina residents, is open to the public free of charge, and is organized either by the city, a group of Medina residents, or a recognized Medina non-profit organization. The annual Medina Days celebration in August is recognized as a city council-initiated community event. The council may add other city council-initiated community events by passing a resolution with such designation.

B. A city council-initiated community event held in a public park may serve alcohol under the following conditions:

1. The city will not sponsor, pay for, or manage any alcohol sales or service.

2. The sponsor or manager of such alcohol sales or service shall be required to submit an application and obtain approval from the city for alcohol sales at the council-initiated special event. Such application shall include, at a minimum, the following information:

- a) The name, address and telephone number of the applicant;
- b) The name, address and telephone number of the person who will be directly in charge of and responsible for the alcohol sales;
- c) A full and complete description of the scope and schedule for the alcohol sales and service sought to be held during the city council-initiated community event;
- d) The proposed sales and service location, including the dimensions and plans for any structure to be erected or constructed in connection with the alcohol sales activity, and the occupancy for the location;
- e) Whether the sales and service location is proposed to utilize any city street or right-of-way and if so, the location and dimensions of the proposed use,

together with a statement as to the dimensions of remaining unobstructed street or right-of-way;

- f) Plans for the assembly and dispersal of the sales and service area, including times and locations thereof including setup/takedown times;
- g) Information about the types of alcohol (beer, wine, spirits), if there will be a restricted alcohol service area, how the applicant will avoid service to minors, how the applicant will ensure that no minors are present in the alcohol service area, and how the applicant will ensure no overservice of alcohol occurs;
- h) The following requirements shall be included in the application form:
 - (i) The applicant is required to procure and maintain for the duration of the use period insurance against claims for injuries to persons or damage to property which may arise from or occur in connection with the use of the facilities and the activities of the applicant and his or her guests, representatives, volunteers, and employees. Accordingly, the applicant shall provide proof of general liability insurance, with minimum limits of \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate, and name City of Medina as an additional insured by using ISO endorsement CG 20 11 on said policy. The applicant shall also procure and maintain for the duration of the permit Liquor Liability insurance in the amount of not less than \$1,000,000 per occurrence if the applicant is in the business of manufacturing, distributing, selling, serving or furnishing alcoholic beverages. Medina is to be named as an additional insured on the Liquor Liability insurance. If the applicant is hiring another party to sell and/or serve any alcohol such as a caterer, bartender, winery or brewery, the applicant shall require this party to have Liquor Liability insurance with limits of not less than \$1,000,000 per occurrence, listing Medina as an additional insured. All insurance policy(ies) shall contain, or be endorsed to reflect, that the applicant's insurance coverage shall be primary insurance as respects the City of Medina. Any insurance, self-insurance, or self-insured pool coverage maintained by the City of Medina shall be excess of the applicant's insurance and shall not contribute with it.
 - (ii) The applicant shall indemnify, defend, and hold harmless the City of Medina, its elected and appointed officials, its employees, volunteers, and agents from and against any and all claims, demands, suits, actions, payments and judgments as a result of injury or death of any person or property damage sustained by

applicant or any other persons which arise from and in any manner grow out of any act or omission on or about said facility by applicant, its agents, guests, or employees in the execution of permit for the service of alcohol including any and all expenses, legal or otherwise incurred by the city or its representatives in the defense of any suit or claim. Such indemnity shall not include claims arising as a result of the sole negligence of the City of Medina, its elected and appointed officials, its employees, and agents; and

- i) Any additional information, which the city manager or city manager's designee shall find reasonably necessary to determine the scope of the proposal, the responsibility of the applicant, and that the applicant has adequate controls in place to ensure no alcohol service will be made to minors and no overservice will occur for adults.
3. The city manager or city manager's designee has the discretion to deny applications for alcohol services at a city council-initiated community event if the city manager or designee concludes that the applicant would be unable to meet the insurance or indemnification requirements, the proposal is not consistent with the city council-initiated community event tradition, or the applicant does not have adequate plans in place to ensure that service of minors and/or over service of adults will not occur. The decision of the city manager or designee is final and not appealable.

Section 3. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be 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 4. Corrections. Upon the approval of the city attorney, the city clerk, and/or the code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerk errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

Section 5. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 6. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON THE 11TH DAY OF MAY BY A VOTE OF ___ FOR, ___ AGAINST, AND ___ ABSTAINING, AND IS SIGNED IN AUTHENTICATION OF ITS PASSAGE THE 11th DAY OF MAY, 2026.

Jessica Rossman, Mayor

Approved as to form:
Inslee Best Doezie & Ryder, P.S.

Attest:

Jennifer R. Robertson, City Attorney

Dawn Nations, Acting City Clerk

PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.: 1055/ AB