



# MEDINA, WASHINGTON

## AGENDA BILL

Monday, July 8, 2024

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**Subject:** Ordinance Amending Special Events Permit Language

**Category:** Consent

**Staff Contact:** Stephen R. Burns, City Manager and Jennifer S. Robertson, City Attorney

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### **Summary**

Every year the City of Medina participates in the Washington Cities Insurance Authority (WCIA) Audit and Annual Review. In the 2023 audit it was determined that additional language was required for the Medina Special Events Permit. The proposed language adds mandatory language for insurance, hold harmless, and clarification of the activities' intended purpose. WCIA has recommended the items listed below in red be added to Medina Municipal Code Section 9.40.040.

### **9.40.040. - Application—Form—Required information.**

Any person desiring to apply for a special event permit shall do so by filing a written application therefore with the city clerk. The application shall be made on forms provided by the city and 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 special event;
- C. A full and complete description of the special event sought to be held and the duration of such special event;
- D. The proposed location of the special event and the dimensions and plans for any structure to be erected or constructed in connection with the special event;
- E. Whether the special event will require the use of 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. The approximate number of spectators and persons who will or are expected to participate in the special event and the number and kind of vehicles, equipment and animals which will be used;
- G. If the permit sought is for the use of a city street not connected with a special event, a full and complete description of the use sought to be made of the street by the applicant and the duration of such use;
- H. Plans for the assembly and dispersal of the special event, including times and locations thereof including setup/takedown times;
- I. If the event involves political or religious activity intended primarily for the communication or expression of ideas;
- J. Included in the application form:
  1. The Applicant is required to procure and maintain for the duration of the use or rental 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 per occurrence and \$2,000,000 aggregate, and name City of Medina as an additional insured by using ISO endorsement CG 20 11 on said policy. The insurance policy 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. For athletic events, the General Liability insurance shall include coverage for participant liability with limits of not less than \$1,000,000 per occurrence with a \$2 million general aggregate.

2. 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 mission on or about said Facility by Applicant, its agents, guests or employees in the execution of this special event permit 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.

- K. Any additional information, which the city manager or city manager's designee shall find reasonably necessary to a determination of the findings required by MMC 9.40.060.

Special Events Permit Updated Language meets and supports Council's priority #1.

Council Priorities:

1. Financial Stability and Accountability
2. Quality Infrastructure
3. Efficient and Effective Government
4. Public Safety and Health
5. Neighborhood Character and Community Building

### **Attachment**

1. Ordinance No. 1028 Amending MMC Section 9.40.040 Related to the Special Event Permit Application Form.

**Budget/Fiscal Impact:** N/A

**Recommendation:** Adopt Ordinance No. 1028.

**City Manager Approval:** 

**Proposed Council Motion:** "I move to adopt Ordinance No. 1028 to revise MMC 9.40.040. - Application—Form—Required information in accordance with the WCIA audit."