

**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 BY SPECIAL EVENT PERMIT, AMENDING SECTIONS 9.40.040, 9.40.050, AND 9.40.060 REGARDING SERVICE OF ALCOHOL DURING SPECIAL EVENTS; PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.**

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**WHEREAS**, there are special events held in the City which are important to the cultural fabric of Medina; and

**WHEREAS**, the City's Special Event Permit chapter (9.40 MMC) has a process where applicants may obtain a permit to hold a special event in the City under certain conditions; and

**WHEREAS**, there are special events held in the City where the sponsor desires to serve alcohol; and

**WHEREAS**, the Medina code has historically prohibited alcohol service in its parks under the Park Rules and has not routinely granted special event permits where alcohol is served; and

**WHEREAS**, in order to allow the possibility of alcohol consumption at special events in the City, including in Medina Parks, updates to the Medina Park Rules and Special Event Permit codes are 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 public events where a special events permit under chapter 9.40 MMC has been granted specifically allowing the service of alcoholic beverages during the permit period.

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**Section 2.** Section 9.40.040 of the Medina Municipal Code is hereby amended to read as follows:

**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 therefor 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; and
- I. If the event involves political or religious activity intended primarily for the communication or expression of ideas.

J. If the event will include the sale or service of alcohol.

~~J~~K. 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 \$1,000,000.00 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. If the applicant will serve alcohol at the event, then the applicant shall 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 The 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. For athletic events, the general liability insurance shall include coverage for participant liability with limits of not less than \$1,000,000.00 per occurrence with a \$2,000,000.00 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.

**Section 3.** Section 9.40.050 of the Medina Municipal Code is hereby amended to read as follows:

**9.40.050. Special event permit fees.**

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; and
- I. If alcohol will be served, 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.

**Section 4.** Section 9.40.060 of the Medina Municipal Code is hereby amended to read as follows:

#### **9.40.060. Findings required.**

- A. All permits issued under this policy shall be issued by the city manager or city manager's designee. A permit may be issued to the applicant only if all of the following criteria and conditions for issuance are met:
1. The proposed special event will not unreasonably endanger the participants, spectators, or the public;
  2. The proposed special event will not unreasonably interfere with vehicular or pedestrian traffic flow at the proposed location;
  3. The concentration of persons, spectators, animals and vehicles will not unduly interfere with proper fire and police protection of, or ambulance service to, areas where the special event will take place or areas contiguous to such area;
  4. The conduct of such special event will not unduly interfere with the movements of emergency response equipment en route to a call for service;
  5. Such special event is not to be held for the sole purpose of advertising the goods, wares or merchandise of a particular business establishment or vendor;
  6. Adequate plans for parking exist to meet the need generated by the proposed special event;
  7. Proper arrangements have been made for setup/takedown and cleanup following the special event;
  8. The proposed special event or proposed use of the street will not intrude onto or over any portion of a public 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, in the event 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;
  9. If the special event or use of the street involves an obstruction of a portion of a public sidewalk or other walkway, the city manager shall establish the specific period of the permit;
  10. In the case of special events such as fun runs, marathons, etc., or in the case of any street use which requires the closure of any public street or walkway, the proposed event or use will not require closure for a period longer than that established by the city manager;
  11. Whenever the requested permit is for an action which will require the use of any city street, or other city property, whether or not such use is connected with a special event, the applicant must agree to indemnify, defend and hold the city harmless from any and all claims for bodily injury or property damage that may arise out of or in connection with the applicant's permitted special event or use;
  12. Whenever the requested permit is for an action which will require the use of any street or other city property, whether or not such use is connected with a special event, the applicant must secure and maintain in full force and effect throughout

the duration of the permit comprehensive general liability insurance for bodily injury and property damage in such amounts as the city manager deems necessary, and shall have the City of Medina named as an additional named insured on the policy of insurance, which shall include a provision prohibiting cancellation of said policy except upon 30 days' prior written notice to the city;

13. Whenever any special event or other use requires provision of additional city services, including, but not limited to, the employment of police officers to direct or block pedestrian or vehicular traffic, or the provisions of standby aid car or fire protection services, the applicant shall agree to reimburse the city for the same;

14. If alcohol is proposed to be served that the applicant has adequate controls in place to ensure no alcohol service will be made to minors and no overservice to adults; and

1415. Such other and further conditions as the city manager deems necessary to reasonably ensure that the proposed special event does not in any way create a likelihood of endangering those who may participate or be spectators.

B. If any of the above criteria are not met by the proposal, the city manager shall deny the permit or may issue the permit with such conditions as the city manager deems necessary for the application to meet all of the criteria set forth above.

C. All conditions of the permit shall be subscribed on or attached to the permit.

D. Notwithstanding any provisions in this chapter, the city may only impose constitutionally permissible time, place and manner restrictions on special expressive events as are necessary to protect the public health, safety and welfare.

**Section 5. 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 6. 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/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

**Section 7. Publication.** This Ordinance shall be published by an approved summary consisting of the title.

**Section 8. 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 23<sup>rd</sup> DAY OF MARCH BY A VOTE OF \_\_\_ FOR, \_\_\_ AGAINST, AND \_\_\_ ABSTAINING, AND IS SIGNED IN AUTHENTICATION OF ITS PASSAGE THE 23<sup>rd</sup> DAY OF MARCH, 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