

## **Chapter 16.50, Tenino Municipal Code**

### **SPECIAL EVENTS PERMITS**

#### **16.50.001 - Definitions.**

When used in this Chapter, the City defines the words and phrases listed below as follows:

“Applicant” means any person or organization who seeks a Special Event Permit from the City to conduct or sponsor an event governed by this chapter.

“Athletic event” means an occasion in which a group of persons gather to engage in or watch a sport or form of physical exercise on a City street, sidewalk, alley, or other street right-of-way or park which obstructs, delays, or interferes with the normal flow of pedestrian or vehicular traffic, or does not comply with traffic laws and controls. Athletic events include, but are not limited to, bicycle or foot races.

“City” means the Mayor of the City of Tenino, or the Mayor’s designee.

“City Street” means every way, lane, road, street, boulevard, and every way or place in the City open as a matter of right to public vehicular traffic inside the City limits.

“In-kind contributions” means any physical donation and/or labor provided directly to the City that benefits the citizens of the City.

“Other special event” means a street fair, arts and craft show, carnival, rally, dance, or other event that occurs on a City street, sidewalk, alley, or other street right-of-way or park which obstructs, delays, or interferes with the normal flow of pedestrian or vehicular traffic, or does not comply with traffic laws and controls.

“Parade” means a march, walk, or procession consisting of any number of persons, animals, vehicles, or a combination thereof, on any City street, sidewalk, alley, or other street right-of-way or park which obstructs, delays, or interferes with the normal flow of pedestrian or vehicular traffic, or does not comply with traffic laws and controls.

“Permit application fee” means the fee to be paid by the Applicant at the time the application is filed with the City. The fee shall be set by the City Council, published in the City’s Consolidated Fee Schedule, and shall cover the actual costs of processing Special Event Applications and administering the provisions of this chapter.

“Permittee” means any person or organization that has been issued a Special Event Permit by the City. The permittee shall have authority, subject to approval by the City, to determine participation in commercial activities during a Special Event.

“Refundable deposit” means the amount of money required of a Permittee to be held by the City as a deposit in order to assure adequate cleanup of the special event site. The

Permittee shall forfeit any such deposit if the City's streets, sidewalks, alleys, or other street rights-of-way or park have not been restored to their pre-event condition, less normal wear and tear.

"Sidewalk" means that property between the curb lines or the lateral lines of a City street and the adjacent property, set aside and intended for the use of pedestrians or such portion of private property parallel and in proximity to a City street and dedicated to use by pedestrians.

"Special Event Permit" means the permit issued by the City after the Applicant has met all applicable reviews and requirements as set forth in this Chapter.

### **16.50.005 – Permit required.**

No person or organization may conduct or sponsor a parade, athletic event, or other special event in the City of Tenino which will necessitate the use of a street, sidewalk, alley, or other public right-of-way or park, unless they shall first obtain a Special Event Permit from the City.

### **16.50.010 – Permit Applications – how made.**

A. Any person desiring to conduct or sponsor a parade, athletic event, or other Special Event shall apply for a Special Event Permit by making application on a form provided by the City.

B. The application shall set forth the following information:

1. The name, address, telephone number, and e-mail address of the person or organization seeking to conduct or sponsor the event.
2. The name, address, and telephone number of an emergency contact.
3. The type of activity planned.
4. The date(s) when the event will take place, including start and end times.
5. Any route to be travelled, the starting and ending points, and any rest stop locations. A map of such route must be included.
6. The approximate number of participants and staff or volunteers.
7. The number and type of animals or vehicles taking part in the event.
8. A statement as to whether the parade will occupy all or only a portion of the width of streets proposed to be traversed.

9. The location by streets of any assembly areas.
10. Whether food and/or beverages will be sold.
11. Although not required, a copy of any brochure, poster, flyer, or mailing advertising the event is often very helpful.

C. The application must be signed by either the person who is actually making the request, or by the authorized agent of the organization making the request. By signing the application, the person is agreeing to comply with the terms and conditions of the permit.

### **16.50.015 – Permit Applications – timelines for submission.**

A. Sussex Avenue or Wichman Street. Applications for a Special Event Permit involving Sussex Ave or Wichman Street must be submitted a minimum of four (4) months in advance, with six (6) months being preferable. These permits must be coordinated with the Washington State Department of Transportation and the City may not issue any permit until permission is received from WSDOT.

B. All other public ways and places. Applications for a Special Event Permit involving any other public way or place within the City limits must be submitted not less than 20 working days prior to the date of the event. Applications may be submitted up to six months prior to the date of the event.

C. Applications are date/time stamped when received and shall be processed solely on a “first come, first served” basis.

### **16.50.020 – Permit - issuance.**

A. Within 10 City working days of receipt of the application, the City shall approve, conditionally approve, or deny an application based on the recommendations of the City Department(s) involved in the review process of the application. Grounds for denial are shown in § 16.50.025, below. If the application is denied or conditionally approved, the City shall inform the Applicant of the ground for denial, or the reason for a change in the date, time, route, or location of the event. The Applicant shall also be notified of any conditions contained in the permit at the time the application is approved.

B. Immediately upon issuance or denial of a permit, the City shall send a copy thereof to the members of the City Council, Police Department, Fire Department, and Public Works Department.

C. The City shall only issue a Special Event Permit after the application has been approved and all required documentation has been provided. The permit shall only be approved after a review by the appropriate City Department, which may include any, or

all, of the following: Building Official, City Hall, Department of Public Works, Fire Department, Police Department

### **16.50.025 – Permit – denial.**

A Special Event Permit shall be denied based upon a determination that:

- A. The event would seriously endanger public safety.
- B. The event would seriously inconvenience the general public.
- C. There is not sufficient public safety personnel or other necessary City staff to accommodate the event.
- D. The Applicant failed to complete the application form after having been notified of additional information or documents being required.
- E. Information contained in the application, or supplemental information provided by the Applicant, is found to be false in any material detail.
- F. The event would conflict with a previously-scheduled event.

### **16.50.030 Permit - conditions.**

The City may condition the issuance of a Special Event Permit by imposing reasonable requirements concerning the time, place, and manner of the event, and such requirements as are necessary to protect the safety and rights of persons and property, and the control of traffic. Such conditions may include, but are not limited to:

- A. Alteration of the date, time, route, or location of the event proposed on the event application.
- B. Conditions concerning the area of assembly and disbursal of an event occurring along a route.
- C. Conditions concerning accommodation of pedestrian or vehicular traffic, including restricting the event to only a portion of the street.
- D. Requirements for the use of traffic cones or barricades.
- E. Requirements for the provision of first aid or sanitary facilities.
- F. Requirements for use of event monitors and providing notice of permit conditions to event participants.
- G. Restrictions on the number and/or type of vehicles, animals, or structures at the event.

- H. Compliance with animal protection ordinances and laws.
- I. Requirements for the use of garbage containers and the cleanup and restoration of City property.
- J. Restrictions on the use of amplified sound.
- K. Twenty-four (24) hour advance notice to residents and/or businesses regarding any activity which would require a street closure.
- L. Pre-event signage regarding street closure, detours, and routing plan.

#### **16.50.035 – Indemnification.**

- A. Prior to the issuance of a Special Event Permit, the Applicant or authorized officer of the sponsoring organization must agree to reimburse the City for any costs incurred by the City in repairing damage to City property occurring in connection with the permitted event that exceed the damage deposit.
- B. Permittee must agree to defend, indemnify, save and hold harmless the City, its appointed and elective officers, agents and employees from and against all loss or expense, including, but not limited to judgements, settlements, attorney's fees, and costs by reason of any and all claims and demands upon the City, its elected or appointed officials or employees for damages because of personal or bodily injury, including death at an time resulting therefrom, sustained by any person or persons and on account of damage to property including loss of use therefrom, arising out of any activity under or in connection with this event, except only such injury as shall have been occasioned solely by the negligence of the City, its appointed or elected officers or employees.

#### **16.50.040 – Insurance required.**

- A. Applicant shall provide the City with proof of commercial general liability insurance in the amount of \$1,000,000.00 combined single limit per occurrence, and an endorsement naming the City of Tenino as an additional insured. The insurance coverage shall extend at least one day before and one day after the event with the certificate of insurance provided to the City before any permit shall issue.
- B. In the case of any special event activity on City-owned property that has been leased, the lessee shall also be named as an additional insured, and written approval from the lessee for the requested activity shall be provided to the City before any permit shall issue.

#### **16.50.045 – Exemptions.**

- A. No provision of this Chapter shall apply to funeral processions or to groups required by law to be so assembled.

B. Because experience has shown that there are benefits to the City such that certain events should be exempted from the requirement to pay deposits, deposits shall not be required for the following events when sponsored by the organizations indicated:

1. Any event sponsored by the Tenino Branch, Timberland Regional Library
2. Bible Boot Camp (Heritage Baptist Church)
3. Four Square Mile Music Festival (Adam Craig Foundation)
4. Mary Bridge Children’s Courage Ride (Precision Sport Consulting)
5. Mayfaire (Barony of Glymm Mere)
6. Oregon Trail Days (Tenino Chamber of Commerce)
7. Raise for Rowyn Bike/Foot Race (Raise for Rowyn Foundation)
8. Seattle-to-Portland Bicycle Race (Cascade Bicycle Club)
9. Other events that, in the discretion of the Mayor, provide similar benefits to the City.

**16.50.050 – Grievance procedure.**

Any person aggrieved by the determination of the City in denying an application for a permit, conditions imposed upon approval of an application for a permit, or revoking a permit, may lodge a grievance regarding such determination with the Clerk/Treasurer for hearing in front of the City Council. The City Council shall have full discretion in determining whether and how to hear and resolve such grievance, and such determination shall be final.

**16.50.055 – Violation – penalty.**

Any violation of this chapter by any promoter, sponsor, or organizer of an event subject to this chapter, or by any participant in an event subject to this chapter shall be a misdemeanor and shall be punished in accordance with the “General Penalty” provisions of TMC 1.16.01

**16.50.060 Severability.**

Each separate provision of this chapter is independent of all other provisions. If any provision of this chapter, or any part thereof, is declared invalid, all other provisions, or parts thereof, remain valid and enforceable.