

ORDINANCE NO. 00187

An Ordinance relating to, regulating and licensing outdoor musical entertainments, amusements and assemblies; establishing licensing procedures therefor; and prescribing offenses and penalties.

WHEREAS it appears necessary for the protection, health and welfare of the general public in regard to outdoor musical entertainments, amusements and assemblies (hereinafter referred to as assemblies) catering to the general public, that certain rules and regulations be established, and WHEREAS there is a danger to the people attending or taking part in the gathering if proper sanitary, police and other health and safety measures are not adequately provided for; the County Council hereby finds and declares that it is necessary to pass under the police power of the county, an ordinance to regulate and license the holding of such outdoor musical assemblies

NOW, THEREFORE, BE IT ORDAINED BY THE KING COUNTY COUNCIL:

Section 1. Basic Clause - License required.

It shall be unlawful for any person, persons, corporation, organization, landowner, or lessor to allow, encourage, organize, promote, conduct, permit or cause to be advertised an entertainment, amusement, or assembly of persons wherein the primary purpose will be the presentation of outdoor, live or recorded musical entertainment which said person, persons, or corporation, organization, landowner or lessor believes or has reason to believe will attract 250 or more persons and where a charge or contribution is required for admission unless a valid county permit has been obtained for the operation of said assembly. Provided, however, that said assembly may be advertised by the sponsors and/or organizers thereof after application for such permit has been made.

Section 2. Application - Permit

Written application for outdoor musical amusements, entertainments or assembly permits shall be made to the King County License Director forty (40) or more days prior to the date upon which such assembly is scheduled to be held. Written notice of approval or disapproval of said application shall be given to the applicant no later than fifteen (15) days after the application has been filed. Permits shall not be denied providing the conditions enumerated in Section 5 are met by the applicant. Provided that no permit may be granted to anyone who has been convicted of a felony or a crime involving moral turpitude. Provided further that each application shall be accompanied by the fingerprints and a 3" x 5" photograph of each and every person having any proprietary interest in said licensed activity. The license director shall be empowered to obtain adequate photographs of all persons having any proprietary interest.

Section 3. Fee

The basic fee required shall be One Hundred and no/100 (\$100.00) Dollars for each event. No permit shall be granted for a period of more than one day expiring at midnight of that day and no permit shall be granted for consecutive days at the same location. Said basic permit fee shall be retained by the county whether a permit be granted, denied or withdrawn.

Section 4. Submission of Plans for Approval - Approving Agencies

Whenever approval by a governmental agency other than the King County License Director is required hereunder, the applicant for such approval shall be required to cooperate fully with such agencies to insure that full review of the proposals may be accomplished by the agencies within the fifteen (15) day time limit set out in Section 2 above. When any type of physical facility is required or subject to approval hereunder preliminary approval may be granted based upon specific plans proposed and submitted by the applicant. All such facilities shall be in existence five (5) or more days before the event for which an application is submitted and shall be subject to

inspection by the approving agencies or departments. Should the actual facility or construction fail to meet the standards approved in the proposed plans such preliminary approval may be withdrawn and any and all permits granted subject to such approval may be withdrawn.

Section 5. Conditions

Condition #1: Location

No permit for an outdoor musical assembly shall be granted unless said assembly is to be held in those areas of unincorporated King County which have been zoned for parks and recreation, provided, however, that a permit may be granted for other areas if a zoning variance has been granted in advance by the Executive Department for such location.

Condition #2: Sanitary Facilities

No permit shall be granted unless the applicants obtain the written approval of the Seattle-King County Health Department indicating that the applicants for said permit have complied with the health requirements of said department for like or similar facilities. Said approval shall indicate the type and adequacy of water supply to be provided, the type and adequacy of toilet, waste collection and washing facilities to be provided, and if there is to be food served on the premises the type and adequacy of food preparation and food service facilities to be provided.

Condition #3: Fire Prevention Standards

No permit shall be granted hereunder unless the applicant has shown that the King County Fire Marshal has approved fire protection devices and equipment available at such assembly. Fire prevention standards shall be as set out in the King County Code.

Condition #4: Cash Bond and Indemnification

No permit shall be issued hereunder unless the applicant has on deposit with the King County Treasurer a cash bond in the amount as set out below to save and protect the streets, pavements, bridges, road signs and other property in the county from any and all damage that may be caused by vehicles, employees, or participants in such outdoor musical assembly and to be used, if necessary, to restore the ground where such assembly is held to a sanitary condition and pay all charges and losses of the county for damages to the streets, pavements, bridgez and otherproperty. Further any extraordinary law enforcement costs incurred by the county which are the result of said activity shall be met by said cash bond. The amount of such cash bond shall be determined as follows:

For gatherings of 0 to 10,000 persons, a \$5,000 cash bond;

For gatherings of 10,000 to 20,000 persons, a cash bond of \$7,500;

For gatherings of 20,000 to 30,000 persons, a cash bond of \$10,000;

And a cash bond shall be raised in increments of \$2,500 for each additional 10,000 persons expected.

The deposit or its balance to be returned when the King County License Director certifies to the King County Treasurer that no damage has been done or that the cost of making the above mentioned repairs was less than the cash bond amount and that the balance thereof should be returned. Further, the sponsors shall be required to furnish evidence of a liability insurance policy providing for a minimum of \$100,000 bodily injury coverage per person; \$300,000 bodily injury coverage per occurrence and \$100,000 property damage covering, naming King County as an additional insured.

Condition #5: Public Safety

No permit shall be granted hereunder unless the applicant obtained the written approval of the King County Department of Public Safety indicating that the following conditions have been complied with by the applicant. That adequate traffic control and crowd protection policing have been contracted for or otherwise provided by the applicant. That traffic control and crowd control personnel shall be licensed merchant patrolmen or named persons meeting the department's requirements for becoming merchant patrolmen. That there shall be provided one traffic control person for each 400 persons expected or reasonably to be expected to be in attendance at any time during the event. Further that there shall be provided one crowd control person for each 400 persons expected or reasonably expected to be in attendance at any time during the event. Provided that if at any time during said event the size of the crowd exceeds by twenty percent (20%) the number of persons represented by the sponsors to be expected to be in attendance the King County Department of Public Safety shall have the discretion to require the sponsor to limit further admissions. Any person with more than a ten percent (10%) proprietary interest in said event shall be required to be in attendance at said activity and shall be responsible for insuring that no person shall be allowed to remain on the premises if said person is violating state or county laws. Any such person having a duty to remove law violators who wilfully fails to do so shall be deemed to be an aider or abettor of such violation.

Condition #6: Parking Facilities

Application for a permit hereunder shall be accompanied by a scale drawing showing adequate parking facilities have been made available within or adjacent to the location for which the permit is

requested. Such parking facilities shall provide parking space for one vehicle for every four persons expected or reasonably to be expected. Adequate ingress and egress shall be provided to or from such parking area to facilitate the movement of any vehicle at any time to or from the parking area. Provided, that if any non-adjacent parking facilities be approved, shuttle busses shall be used to transport the public to said event on a no-charge basis.

Section 6. Hours of Operation

No outdoor musical assembly shall be conducted in the unincorporated areas of King County during the hours of 12:01 A.M. and 9:00 A.M. Provided that no license shall be issued for more than one 24-hour period ending at midnight. The participants shall be required to have cleared the licensed area and its immediate environs no later than 1 A.M. of the day following the licensed event.

Section 7. Penalties

Any person who shall violate or fail to comply with any provision of this chapter, who shall, having obtained a permit hereunder, willfully fail to continue to comply with the terms and conditions hereunder, or who shall counsel, aid or abet such a violation or failure to comply shall be deemed guilty of a misdemeanor.

Section 8. Failure to Comply

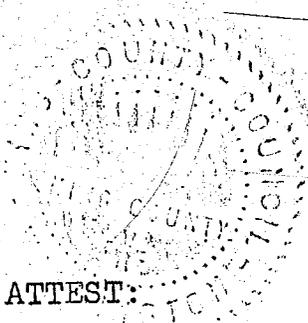
Compliance with the terms and conditions of this ordinance shall constitute the minimum health, sanitation and safety provisions and failure to comply with the terms and conditions shall constitute a public nuisance and the sponsors of said event shall be subject to all criminal and civil remedies as such.

Section 9. Severability

If any provision of this ordinance, or its application to any person or circumstances is held invalid, the remainder of this ordinance, or the application of the provision to other persons or circumstances is not affected.

INTRODUCED and read for the first time this 8th day of September, 1969.

PASSED by the Council at a regular meeting thereof on the 14th day of October, 1969.



John T. O'Brien
Chairman of the County Council

ATTEST:
Ralph R. Stender
Clerk of the Council

APPROVED this 3rd day of October, 1969.

[Signature]
King County Executive

ORDINANCE READINGS

1st 9-8-69
2nd 10-14-69
3rd 10-14-69
Effective Date.....