

ORDINANCE NO. 526

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, RELATING TO SPECIAL EVENTS AMENDING CHAPTER 5.10 OF THE UNIVERSITY PLACE MUNICIPAL CODE ESTABLISHING AN ALTERNATIVE PERMIT PROCESSING PROCEDURE FOR SPECIAL EVENTS; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AGREEMENTS RELATED TO PROVISIONS OF SERVICES FOR SPECIAL EVENTS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council finds that special events provide cultural enrichment, promote economic vitality, and enhance civic pride; and

WHEREAS, the City Council finds that very large special events that occur on public or private property may have an impact on public places and use substantial public services like police, fire, and public works support that may require the relocation of City personnel from standard assignments; and

WHEREAS, the City Council finds that the City of University Place has a legitimate public interest in requiring event organizers of special events to plan for and mitigate an event's impact on public spaces and public services; and

WHEREAS, the development by Pierce County of a recreational golf course with national recognition, and the expected development of the City's town center has caused the likelihood of very large regional and national scale special events within the City of University Place; and

WHEREAS, the City Council seeks to encourage special events within the City to promote local and regional economic development and to create a vibrant community; and

WHEREAS, the City Council has adopted regulations that allow for special events and seeks to amend these regulations to accommodate flexible and comprehensive planning for very large special events while protecting the public health, safety, and welfare;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Amending Chapter 5.10, Special Events, of the University Place Municipal Code to add a New Section 5.10.130. Chapter 5.10, Special Events of the University Place Municipal Code, is hereby amended to add a new section 5.10.130 as follows and renumber subsequent sections:

5.10.130. Alternative Permit Processing.

A. Scope. For certain Major Special Events where the estimated size, scope or nature of the proposed event will likely have significant impacts on public services or where the event will require multiple permits and approvals from the City, the Director may determine to modify the requirements set forth elsewhere in the City's municipal codes in accordance with this Section in order to avoid duplication and promote efficient processing and enforcement of Special Event Permits. No Special Event Permit shall be required if the event sponsor, organizer or other party and the City have entered into a written agreement covering the same matters as would otherwise be included in a special event permit for such event.

B. Permit Consolidation. To avoid duplication, when a special event permit covers the subject matter and submittal materials of a separate permit to his/her satisfaction, the Director may consolidate and waive the separate application for and issuance of multiple administrative permits and approvals, including but not limited to, right-of-way use permits, street closures, temporary sign permits, building permits for temporary structures, and sales permits. The Director may request additional information under this consolidated permit review process to ensure permit conditions are in place to protect the public health, safety, and welfare.

C. Additional Requirements. In order to efficiently process consolidated approvals under a special event permit and to address the significant impacts to City services from very large events, the Director may require additional submittals, amend permit requirements set forth in the City's municipal code, and impose additional permit conditions. The Director may include in a permit, among other provisions, reasonable terms or conditions as to the time place and manner of the event; the implementation of a plan presented by the applicant and approved by the Director for crowd control, traffic control and security; compliance with applicable health and sanitary regulations; coordination with the Fire Department for emergency treatment; emergency communication; fire suppression equipment with structures; and maintenance of unobstructed emergency passageways. In determining conditions, the Director shall consider the anticipated impacts of the event based on an assessment of the event, including size, scope, complexity and history. Conditions shall be based upon projected impacts on public safety, public places and public services.

The Director may take the following actions, if reasonably related to the potential or likely impacts to the public due to the estimated size, scope, or nature of the proposed event:

1. Require pre-application meetings to assure adequate planning;
2. Establish a reasonable schedule of timelines and deadlines for Applicant submittals and City review;
3. Allow exceptions to time limits for events and set reasonable times for pre-event preparation and post-event cleanup activities;
4. Allow exceptions to the size, number, time, and removal requirements for temporary signs based upon the size and scope of the event;
5. Require the applicant provide additional information if necessary based on the size and nature, including but not limited to, site and staging plans, parking and shuttle plans, traffic and road closure plans, security plans, emergency medical services plans, fire suppression plans, sanitation plans, and cleanup plans;
6. Place such reasonable conditions on any permit approval as may be necessary to regulate the time, place and manner of the event and implement any associated approved mitigation plans; the Director shall consider the anticipated impacts of the event based on an assessment of the size, scope, complexity, and history of the event as well as the event organizer's successful implementation of conditions in previous permits.
7. Require the applicant provide indemnification and increased insurance coverage commensurate with the potential risk related to the event and the naming of the City as an additional insured;
8. Require the applicant provide a bond, deposit, or other financial guarantee to the City, in a form approved by the City Attorney, sufficient to cover the estimated cost of cleaning, repair or restoration of public property;

D. Consolidated Permit Issuance. The City will review the application materials, plans and other submittals and the Director may approve, conditionally approve, or deny an application. The Director may deny the application if it reasonably appears that the applicant has not provided sufficient services for traffic, parking, crowd control, safety,

sanitation, medical assistance or other impacts affecting public health, safety and welfare. The Director may deny the permit if there is imminent possibility of violent disorderly conduct likely to endanger public safety or result in significant property damage.

E. Fees. Unless otherwise waived by the City Council by separate resolution or set forth in a separate cost recovery or revenue sharing agreement approved by the City Council, all City costs shall be paid for by the applicant as follows. For those permits processed under this section, the Director shall charge the actual cost of the City personnel and equipment involved in providing services for the Major Special Event, including but not limited to, adjusted permit fees for permit processing and site inspections, fire response, police or staff support during the event, equipment use, and the cost of any cleanup or repair. Prior to permit issuance, the applicant shall provide a bond, deposit, or other financial guarantee to the City, in a form approved by the City Attorney, sufficient to cover the estimated cost of the City services, equipment or personnel used for the event.

Section 2. Authorize the City Manager to Negotiate Agreements. Authorize the City Manager to negotiate agreements with event sponsors or others to address the issues contained in this Chapter with consideration to whether the permittee is a not-for profit organization providing benefits to the committee.

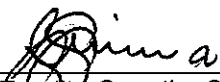
Section 3. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances by a court of competent jurisdiction shall not be affected.

Section 4. Publication and Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall be effective five (5) days after its publication.

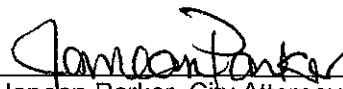
PASSED BY THE CITY COUNCIL ON JUNE 16, 2008.


Linda Bird, Mayor

ATTEST:


Emelita Genetia, City Clerk

APPROVED AS TO FORM:


Janean Parker, City Attorney

Published: 06/18/08

Effective Date: 06/23/08