



**RIDGEFIELD PARKS BOARD
MEETING AGENDA**

**Wednesday, February 13, 2019
RACC Boardroom
510 Pioneer Street, Ridgefield, WA 98642**

I. GENERAL SESSION CALL TO ORDER - 6:30 PM

- 1. Flag Salute**
- 2. Roll Call**
- 3. Late changes to the agenda**

II. PUBLIC COMMENT

Anyone requesting to speak to the Council regarding all items not subject to a specific Public Hearing may come forward at this time. Please state your name and address. Comments are limited to three minutes. Written comments may be submitted to the City Clerk prior to the meeting.

III. CONSENT AGENDA

- 1. Approval of Minutes from Wednesday, 1/16/19 Meeting**

IV. MEMBER REPORT

- 1. Innovative Parks - Floating Trails, Kim Stenbak and Beth Bicknell**

V. OLD BUSINESS

- 1. 2019 Work Plan**

VI. NEW BUSINESS

- 1. Planning Commission Meetings**
- 2. An Ordinance of the City of Ridgefield, WA Amending the Requirements and Conditions for Obtaining a Special Events Permit or Agreement for Use of City Parks and Facilities**

VII. PUBLIC COMMENT

Anyone requesting to speak to the Council regarding all items not subject to a specific Public Hearing may come forward at this time. Please state your name and address. Comments are limited to three minutes. Written comments may be submitted to the City Clerk prior to the meeting.

VIII. STAFF REPORTS

- 1. Public Works Update**

IX. FROM THE BOARD

- 1. Board Member Updates**
- 2. Council Update**
- 3. Requests from the Board for Upcoming Meetings**

X. ADJOURN

**Parks Board Agenda Packet is available at the following link:
<http://ridgefieldwa.iqm2.com/Citizens/>**



CITY OF RIDGEFIELD, WASHINGTON

Parks Board MEETING MINUTES

January 16, 2019

Regular Meeting - 6:30 PM

GENERAL SESSION CALL TO ORDER - 6:30 PM - [6:30 PM](#)

FLAG SALUTE

ROLL CALL

Attendee Name	Title	Status	Arrived
Rian Davis	Board Member	Present	
Dave Zigler	Board Member	Present	
Beth Bicknell	Board Member	Present	
Beth Wills	Board Member	Excused	
Darrin Class	Board Member	Excused	
Kimberly Stenbak	Board Member	Present	
Marie Bouvier	Board Chair	Present	

Board Members Darrin Class and Beth Wills were excused due to other conflicts.

LATE CHANGES TO THE AGENDA

None

4. Oath of Office

Chair Marie Bouvier, Kim Stenbak and Dave Zigler recited their oath of office.

5. Elections

Chair Marie Bouvier nominated Board Member Kim Stenbak as the new Chair. Board Member Rian Davis Seconded. Chair Bouvier asked for any other nominations, there were none. The vote was approved five ayes and zero nays.

Board Member Rian Davis nominated Beth Bicknell as the Vice-Chair. Marie seconded. Chair Bouvier asked for any other nominations, there were none. The vote was approved five ayes and zero nays.

PUBLIC COMMENT - [6:38 PM](#)

Chair Marie Bouvier introduced Martina Serpa, an intern who comes to us with a tremendous amount of experience. She will be helping the Parks Board with projects and assisting City Hall with events. Welcome!

CONSENT AGENDA - [6:40 PM](#)

1. Approval of Minutes from Wednesday, 11/14/18 Meeting

Minutes stand approved as submitted.

MEMBER REPORT - [6:40 PM](#)

Minutes Acceptance: Minutes of Jan 16, 2019 6:30 PM (CONSENT AGENDA)

1. Harper's Playground Tour - Update

Board Member Rian Davis, Chair Marie Bouvier, Public Works Director, Brian Kast, Councilman Sandra Day and Councilman Jennifer Lindsay met with Cody Goldberg, Founder and Executive Director of Harpers Playground for a tour of the original Harpers Playground in North Portland. They looked at their concept and gained a better understanding of how the project came together on design elements. The goal of Harpers Playground is to create inclusive play environments that target kids and adults with mobility issues.

OLD BUSINESS - [7:10 PM](#)

1. Flipbook - Review and Implementation

Chair Marie Bouvier shared a compilation of the flipbook ideas that each board member presented over the past couple of years related to Innovative Parks. All presentations have been reformatted and compiled into one book/file as a resource to developers.

NEW BUSINESS - [7:15 PM](#)

1. Parks and Trails Tour - Debrief

Lisa presented a slide show of pictures from the tour. The next step is to focus on the dog park (as a permanent park) and the new community park across from the Rousers Grocery Store.

2. 2019 Work Plan

Chair Marie Bouvier presented the work plan for 2019. She will make some final revisions and bring back to the Board for review and approval.

3. 2020 Parks Comprehensive Plan - [7:20 PM](#)

Bryan outlined the steps for meeting our planning and RCO eligibility requirements. The first step is to post an RFP and receive bids from consultants. He suggested having a board member or two help with scoring the proposals and staff's help with the selection. After the consultant is hired, their first task will be to attend a meeting for input and direction on priorities. The 2019 Work Plan will be a good starting point. Surveys will go out and community meetings will take place. The consultant will gather information from groups who frequently use the park to find out what else they would like to have. Finally, they will draft a summary and present it to the Board for review and approval prior to going to Council for adoption. In total, it is about a 9-10 month process.

PUBLIC COMMENT - [7:30 PM](#)

None

STAFF REPORTS - [7:30 PM](#)

Public Works Update

Construction at RORC should be wrapping up in February. A final walk through and punch list is scheduled for around February 8th. A formal ribbon cutting will take place most likely during the spring but we will keep you posted.

FROM THE BOARD - [7:40 PM](#)

Board Member Updates

None

Council Update

None

Requests from the Board for Upcoming Meetings

None

ADJOURN - [7:40 PM](#)

Lisa Blake, PW Administrative Assistant

Marie Bouvier, Chair

Minutes Acceptance: Minutes of Jan 16, 2019 6:30 PM (CONSENT AGENDA)

**CITY OF RIDGEFIELD
PARKS BOARD**

MEETING DATE: February 13, 2019

ITEM:

AGENDA ITEM TITLE: Innovative Parks - Floating Trails, Kim Stenbak and Beth Bicknell

SUMMARY/BACKGROUND:

STAFF CONTACT: Lisa Blake, Administrative Assistant

ATTACHMENTS:

**CITY OF RIDGEFIELD
PARKS BOARD**

MEETING DATE: February 13, 2019

ITEM:

AGENDA ITEM TITLE: 2019 Work Plan

SUMMARY/BACKGROUND:

STAFF CONTACT: Lisa Blake, Administrative Assistant

ATTACHMENTS:

**CITY OF RIDGEFIELD
PARKS BOARD**

MEETING DATE: February 13, 2019

ITEM:

AGENDA ITEM TITLE: Planning Commission Meetings

SUMMARY/BACKGROUND:

STAFF CONTACT: Lisa Blake, Administrative Assistant

ATTACHMENTS:

CITY OF RIDGEFIELD PARKS BOARD

MEETING DATE: February 13, 2019

ITEM:

AGENDA ITEM TITLE: An Ordinance of the City of Ridgefield, WA Amending the Requirements and Conditions for Obtaining a Special Events Permit or Agreement for Use of City Parks and Facilities

GOVERNING LEGISLATION:

None.

PREVIOUS COUNCIL ACTION TAKEN:

Ordinance No. 950 – Special Events (2007); Ordinance No. 1116 – Agreements for Use of Park Property & Facilities (2012)

SUMMARY/BACKGROUND:

With the addition of new City parks and the increased demand for the use of City parks for private and public events, clarification is necessary in the City ordinance regarding Special Events Permits and use of park property and facilities. Chapter 5.40, Special Events, should be updated to:

1. Clarify the timeline for filing a special event permit. Under the revised ordinance, applications must be submitted a minimum of sixty days and not more than one year prior to the event.
2. Outline priorities for scheduling of special events. Priorities for scheduling events will be given to the City, City partners, and annual or semi-annual events.
3. Identify the conditions for receipt of a special event permit. The conditions clarify safety requirements, necessary permits from other public agencies and traffic circulation requirements.
4. Identify the city official(s) who has authority to issue a special event permit. The City manager or designee has authority to issue, deny or revoke an application.

Chapter 8.18.050, Agreements for use of park property and facilities, should be updated to provide for three types of permits:

1. Conducting business. "Business" is defined as sale of goods or services. This type of permit can be issued for up to one year. The most common application is anticipated to be a food cart.

2. Concessions agreements. A concessions agreement may be recommended to City Council for the exclusive right to provide a service in a City park or facility. The most common agreement would be refreshments in connection with sporting events.
3. Temporary Park & Facility Use Permit. This type of permit would be issued for a special event in a City park, for the reserved use of a park or facility, or for an activity in a city park or facility that may expose the City to increased liability. This type of permit may be issued for a maximum of four days. A common application would be to reserve the use of Bennett Kitchen at Abrams Park, to hold a special event at Overlook Park, or to install an inflatable ride or structure.

City staff has developed a specific procedure and application for implementation of each type of permit. The information and application forms will be available on the City's website, and in hard copy at City Hall. City Staff has also created two brochures to be distributed with the permit applications that describe the application process, permit conditions and park regulations.

BUDGET/FINANCIAL IMPACTS:

None.

RECOMMENDED ACTION OR MOTION:

None. This is the first reading. Second reading is scheduled with City Council on February 28, 2019.

ORDINANCE NO. 1288

**AN ORDINANCE OF THE CITY OF RIDGEFIELD, WA AMENDING THE
REQUIREMENTS AND CONDITIONS FOR OBTAINING A SPECIAL EVENTS
PERMIT OR AGREEMENT FOR USE OF CITY PARKS AND FACILITIES**

WHEREAS, it is the policy of the City of Ridgefield to recognize the substantial community benefits that result from special events; and

WHEREAS, these events enhance cultural enrichment, promote economic vitality and

enhance community identity and pride; and

WHEREAS, it is the City's goal to provide for health, welfare and safety of the general public; and

WHEREAS, it is necessary to regulate events on the public rights-of-way, public property of the city, and the delivery of government services;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF RIDGEFIELD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. **Public Interest**. The Ridgefield City Council finds it to be in the best interests of the health and safety of the public to prescribe and enforce uniform standards for use of City Parks, public rights-of-way, and public property of the City.

Section 2. **Amending RMC Chapters 5.40 and 8.18.050**. Ridgefield Municipal Code Chapters 5.40, Special Events and 8.18.050, Agreements for Use of Park Property and Facilities, are amended as set forth herein.

Section 3. **Corrections**. The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. **Severability**. If any provision of this ordinance or its application to any person, legal entity, or circumstance is held invalid, the remainder of the ordinance or its application to other persons, legal entities, or circumstances is not affected.

Section 5. **Effective Date**. This ordinance shall be in full force and effect thirty (30) calendar days after adoption and publication pursuant to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF RIDGEFIELD, WASHINGTON THIS 28TH DAY OF FEBRUARY, 2019.

Don Stose, Mayor

ATTEST/AUTHENTICATED:

Julie Ferriss
City Clerk

APPROVED AS TO FORM:

Janean Parker, City Attorney

STAFF CONTACT: Lisa Blake, Administrative Assistant

ATTACHMENTS: Agreements to Use City Parks (PDF)
Chapter 5.Special Events_ (PDF)

8.18 – Park Rules and Regulations

8.18.050 Agreements for use of park property and facilities.

- A. The city will honor all existing agreements with organizations that are on file with the city until such time that these agreements expire.
- B. All current or future uses of park property and park facilities shall enter into an agreement with the city with such agreements to be maintained on file at the city ~~of Ridgefield City Hall under the supervision of the city clerk or his or her designee.~~
- C. All agreements shall be prepared and maintained in accordance with the following procedures:
 - 1. For existing private structures not currently covered by an existing agreement maintained and operated on park property, an annual agreement shall be required and shall be renewed at the beginning of each calendar year subject to review and approval by the city council or its designee.
 - 2. For new structures located on park property, an agreement for use of the park property shall be required and shall not exceed a maximum of five years, except that for investments in park property and/or structures in excess of fifty thousand dollars, as approved by city council, may be authorized for a longer term lease. Any structures located on park property not covered under a longer-term agreement shall be required to conform to subsection C1 of this section.
 - 3. Costs for use of a park and/or facilities shall be determined by the city council.

D. Conducting Business in City Parks and Plazas. No one shall conduct any business in a city park or on any city plaza except as is provided in this chapter. "Business" means and includes any activity which involves sale of any goods or services, whether conducted for profit or not, and regardless of by whom conducted.

- 1. Anyone desiring to conduct any business in any city park or on any city plaza shall apply to the city for a permit to do so.
- 2. The form of application for a permit provided in section D1 shall require the following information, and such additional information as is found by staff to be necessary:
 - (i) A copy of a current city business license.
 - (ii) Type of any items to be sold;
 - (iii) Description of how business will be conducted and a drawing of any vehicle or stand from which good will be sold;
 - (iv) A statement signed by the applicant agreeing to hold harmless the city and its officers and employees from any claims for injuries or damages alleged by any person to have been caused by such activity;
 - (v) If goods are to be sold from any stand or cart, proof of insurance in the amount of -- to cover claims for injury or damages suffered or alleged to have been suffered by any person as a result of such activity, which insurance policy shall name the city as an additional insured and shall provide it cannot be cancelled except after ten days' written notice to the city; and
 - (vi) Proof of application for all permits required by other public agencies such as the Health District.
- 3. No permit shall be issued if it is found that its issuance would interfere with safe use by the public of any park or plaza property, and the city may limit the number of any permits at any

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given park or plaza if it finds that such limitation is necessary to protect the public health and safety.

4. Any permit shall be conditioned as to hours of permitted operation and as to requirements found necessary, and such permit may be conditioned that it shall not be valid during any designated special event under Chapter 5.40.
5. A permit shall be valid for one year from date of issue, and may be renewed upon application, unless it is found that the permittee has failed to conform to the terms of the RMC or to the terms and conditions under which it was issued, or unless it is found that such permit is inconsistent with the public safety or public use of the park or plaza.
6. All permits issued under this chapter shall be nontransferable and may be used only by the permittee.

D.

E. Concession agreements. In addition to the permits provided for in this section, the city may recommend "concession agreements" to city council. Such agreements may be with any person or profit or nonprofit organization for the conduct of a business in a city park or on a city plaza. For the purposes of this chapter, a "concession agreement" is an instrument by which the city and the person or profit or nonprofit organization agree that the person or organization shall provide a given service for the public at a park or plaza, or at a specified area in such park or plaza, or at more than one park or plaza, and shall have the exclusive right to do so.

1. Prior to entering into any concession agreement, the city shall have determined that the public should and can best be served by a single purveyor.
2. Concession agreements may be entered into by city staff for provision of refreshments by profit or nonprofit organizations in connection with sports events which such organization conducts in any city park.
3. Any concession agreement may be revoked in the manner provided for revocation of permits by section 8.18.050(I).

F. Temporary Park and Facility Use Permits. A temporary Park and Facility Use permit is required for all special events as defined in RMC 5.40 regardless of the number of attendees; or for the reserved use of a park building or structure; and/or for activities within a park or park facility that will or may significantly impact other park users, utilizes the park and/or park facility in a manner in which it was not designed nor intended to accommodate, or exposes the City to increased liability. Permits shall be valid for the time designated, and not to exceed four days, in connection with a special event. During such event, the right-of-way shall be considered a park or plaza area.

1. Issuance of a Park and Facility Use Permit shall be expressly conditioned on the issuance of all other required city, state or county permits or licenses prior to the date of the activity or event.
2. Priority may be given for park use to local tax-exempt not-for-profit organizations operating in and providing services to the citizens of the city or organizations who have been identified as city partners. Priority may also be given to annual, semiannual or other regularly scheduled or recurring special events. If competing applications cannot be resolved on this

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basis, permits shall be granted to the earliest completed application received for the time and place requested.

3. A Park and Facility Use Permit is a license which is personal, non-assignable and is revocable at any time for violation of the terms of the permit or any local, state or federal law.

4.4. A rental and damage deposit for the use of a City park and/or facility shall be such as is adopted by the city council. All cleaning of the park and park facilities is the responsibility of the permittee and it must be left in the same condition in which it was found. Permittees are required to remove at their expense all materials, equipment, furnishings or rubbish left after use of the park or park facility. The damage deposit will be retained until all items are removed. If no damage is incurred, all items are removed and the park or park facility is clean, the deposit will be returned to the permittee. Cancellation of the Use Permit with fewer than ten (10) days prior to the scheduled event shall result in forfeiture of one-half of the deposit. All cancellations must be in writing.

5. The city shall not be liable for injuries or loss of property or vandalism resulting from the use of a city park or park facility or adjacent parking areas.

6. Notwithstanding any other provision of this chapter, the City Manager or designee may enter into an agreement or agreements on behalf of the city with any nonprofit group or City partner to provide for the use of a City park or parks.

7. A Park and Facility Use Permit shall not be required for an expressive event as defined in RMC --.

- G. A permit from or agreement with the City is required to dispense alcoholic beverages in a City park or park facility. The permittee shall be required to comply with all applicable liquor laws of the State of Washington and shall obtain all licenses and permits required by the State of Washington.

- H. A permit from or agreement with the City is required for the public display of fireworks in a city park or park facility. The permittee shall be required to comply with all applicable state and local fireworks laws and shall obtain all permits and/or licenses required by the State of Washington.

- I. The city has the right to set times and places during which a permit shall be in effect and impose any other terms or conditions for issuance of a permit as it deems appropriate.

- J. The City Manager or designee may revoke any permit issued under this chapter if it is necessary to do so to protect the public health and safety or if the permittee has violated any RMC or terms or conditions of such permit.

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Chapter 5.40 – Special Events

It is the policy of the City of Ridgefield, as implemented through this code and any procedures adopted, to recognize the substantial community benefits that result from special events. These events enhance cultural enrichment, promote economic vitality, and enhance community identity and pride. Therefore, the city will provide for the issuance of special event permits to regulate events on the public rights-of-way, public property of the city and on private property if the event will impact the delivery of government services, in the interest of public health, safety and welfare; and to provide for fees, charges and procedures required to administer the permit process.

It is the purpose of this ordinance to provide for health, welfare and safety of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this ordinance. No provisions or term used in this ordinance is intended to impose any duty whatsoever upon the city or any of its officers, agents or employees for whom the implementation or enforcement of this ordinance shall be discretionary and not mandatory. Nothing contained in this ordinance is intended to be, nor shall be construed to create or form the basis for any liability on the part of the city or its officers, agents and employees for any injury or damage connected to the use for which the permit is issued.

5.40.010 – Definitions

“Special events” means and includes any event which is to be conducted on public property or on a public rights-of-way; and, also, any event held on private property which would have a direct significant impact on traffic congestion; or traffic flow to and from the event over public streets or rights-of-way; or which would significantly impact public streets or rights-of-way near the event; or which would significantly impact the need for city-provided emergency services, such as police, fire or medical aid. It is presumed that any event on private property which involves an open invitation to the public to attend or events where the attendance is by private invitation of one hundred or more people are presumed to be an event that will have a direct significant impact on the public streets, rights-of-way or emergency services. Special events might include, but are not limited to, fun runs, roadway foot races, fundraising walks, auctions, bike-a-thons, parades, carnivals, shows, or inhabitations, filming/movie events, circuses, block parties and fairs.

“Special events protected under the First and Fourteenth Amendments” means and includes any event involving political or religious activity intended primarily for the communication or expression of ideas.

“Use” means to construct, erect, or maintain in, on, over or under any street, right-of-way, park or other public place, any building, structure, sign, equipment or scaffolding, to deface any public right-of-way by painting, spraying or writing on the surface thereof, or to otherwise occupy in such a manner as to obstruct the normal public use of any public street, right-of-way, park or other public place within the city, include a use related to special events.

5.40.020 – Permit Required

- A. A special event permit or authorization from the city is required for any event in a park, public place or on private property where it will significantly impact public sidewalks or roadways. Such special event permit shall be in addition to any street or park use, or other regular permits as may be required by ordinance.

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Issuance of a special event permit does not obligate or require the city to provide city services, equipment or personnel in support of a special event.

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- B.** When such an event will be an exercise of rights protected by the First and Fourteenth Amendments to the United States Constitution, the application shall be processed promptly, without charging a fee for political or religious activities or imposing terms or conditions that infringe constitutional freedoms, and in a manner that respects the liberty of applicants and the public.

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C. Exemptions. A special event permit is not required for the following:

1. Parades, athletic events or other special events that occur exclusively on city property and are sponsored or conducted in full by the City of Ridgefield. (An internal review process should be considered in these instances.);
2. Funeral and wedding processions;
3. Groups required by law to be so assembled;
4. Gatherings of thirty or fewer people in a city park, unless merchandise or services are offered for sale or trade;
5. Temporary sales conducted by businesses, such as holiday sales, grand opening sales, or anniversary sales;
6. Garage sales, rummage sales, estate sales or auctions;
7. The exhibition of films or motion pictures;
8. Other similar events and activities which do not directly affect or use city services or property.

Although not required to be issued a special event permit, an event organizer of an activity exempted from this chapter is required to comply with all local, state and federal laws and regulations governing public safety or health.

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8- Nothing in this section shall be construed to abrogate or limit the authority and jurisdiction of the city to enforce any other provisions of the RMC.

D. Time for filing. Application for a special event permit shall be filed with the responsible official not less than sixty (60) calendar days, nor more than one year, before the date and time when it is proposed to conduct the special event. Upon good cause shown and provided that no risk or burden to the city ensues, the responsible official has discretion to allow a later filing. Any person desiring to sponsor a parade, athletic event or special event shall be encouraged to apply for a special event permit by filing an application with the city at least ninety days prior to the date on which the event is to occur.

A-E. Scheduling. Except for a special event sponsored by the city, priority may be given for the scheduling of a special event permit to local tax-exempt not-for-profit organizations operating in and providing services to the citizens of the city or organizations who have been identified as city partners. Priority may also be given to annual, semiannual or other regularly scheduled or recurring special events. If competing applications cannot be resolved on this basis, permits shall be granted to the earliest completed application received for the time and place requested.

Waiver of application deadline: upon a showing of good cause or at the discretion of the city, the city shall consider an application that is filed after the filing deadline if there is sufficient time to process and

~~investigate the application and obtain police and city services for the event. Good cause can be demonstrated by the applicant showing that the circumstance that gave rise to the permit application did not reasonably allow the participants to file within the time prescribed, and the event is for the purpose of exercising rights under the First and/or Fourteenth Amendments of the United States Constitution.~~

5.40.030 – Grounds for denial of application.

The City may deny an application for a special event permit if:

- A. The applicant provides false or misleading information; the applicant fails to complete the application or to supply other required information or documents; or the applicant declares or shows an unwillingness or inability to comply with the reasonable terms or conditions contained in the proposed permit;
- B. The proposed event would conflict with another proximate event, interfere with construction or maintenance work in the immediate vicinity, or unreasonably infringe upon the rights of abutting property; or
- ~~C. The proposed event would unreasonably disrupt the orderly or safe circulation of traffic as would present an unreasonable risk of injury or damage to the public;.~~
- ~~D. There are not sufficient safety personnel or other necessary City staff to accommodate the event; or~~
- ~~E. The applicant failed to comply with any material term of this chapter or condition of a special event permit previously issued to the applicant.~~

In the event subsection B or C of this section applies, the city shall offer the applicant the opportunity to submit an alternative date or place for the proposed event before denying the application.

5.40.040 – Permit conditions

The following conditions apply to all special event permits:

- A. Issuance of a special event permit shall be expressly conditioned on the issuance of all other required city, state or county permits or licenses.
- B. The special event will not substantially interrupt public transportation or other vehicular and pedestrian traffic in the area of its route.
- C. The special event will not cause an irresolvable conflict with construction or development in the public right-of-way or at a public facility.
- D. The concentration of persons, animals or vehicles will not unduly interfere with the movement of police, fire, ambulance and other emergency vehicles on the streets.
- E. The special event will not substantially interfere with any other special event for which a permit has already been granted or with the provision of City services in support of other scheduled special events or unscheduled governmental functions.
- F. The special event will not have significant adverse impact upon residential or business access and traffic circulation in the same general venue.
- G. For any special event that will attract a large crowd, security must be provided for such activity in accordance with RMC 8.18.080.

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H. The event organizer is prohibited from using the words "The City of Ridgefield," the name of any city department, or a facsimile of any logo of the City without the City's written authorization.

In order to ensure that the conditions of this section are met, The responsible official city may place additional conditions on -the issuance of a special events 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. The ~~following additional~~ conditions ~~may include: apply to all special events permits:~~

- A. Alteration of the time place and manner of the event proposed on the event application;
- B. Conditions concerning the area of assembly and disbanding of an event occurring along a route;
- C. Conditions concerning accommodation of pedestrians or vehicular traffic, including restricting the event to only a portion of the street or rights-of-way; and
- G.D. Such other information and conditions as are reasonably necessary for the conduct of the special event and the enforcement of the RMC.

Conditions on special events permits not protected under the First and Fourteenth Amendments of the U.S. Constitution include, but are not limited to:

- ~~D-E.~~ Requirements for the use of traffic cones or barricades;
- ~~E-F.~~ Requirements for the provision of first aid or sanitary facilities;
- ~~F-G.~~ Requirements for use of event monitors and providing notice of permit conditions to event participants;
- G-H. Restrictions on the number and type of vehicles, animals or structures at the event, and inspection and approval of floats, structures, and decorated vehicles for fire safety;
- ~~H-I.~~ Compliance with animal protection ordinances and laws;
- ~~I-J.~~ Requirements for use of garbage containers, cleanup and restoration of city property;
- ~~J-K.~~ Restrictions on the use of amplified sound and compliance with noise ordinance, regulations and laws;
- ~~K-L.~~ Notice to residents and/or business regarding any activity which would require a street closure;
- ~~L-M.~~ Restrictions on the sale and/or consumption of alcohol;
- ~~M-N.~~ Elimination of an activity which cannot be mitigated to a point as to ensure public safety and welfare, or which causes undue liability to the city;
- ~~N-O.~~ Requirements regarding the use of city personnel and equipment;
- P. Compliance with any other applicable federal, state or local law or regulation; or
- O-Q. Payment of special event fees.

5.40.050 – Appeal procedure.

The applicant shall have the right to appeal the denial of a permit or a permit condition. The applicant shall also have the right to appeal the amount of fees or clean-up deposits imposed pursuant to the city's master fee schedule and section 5.40.090 or a determination by the city that the applicant's certificate of insurance does not comply with the requirements specific in section 5.40.080. A written notice of appeal shall be filed within three business days after receipt ~~of personal delivery~~ of a notice of denial or permit conditions from the city. The written notice of appeal shall set forth the specific grounds for the appeal and attach any relevant documents for consideration. The city manager shall ~~hear the appeal. The hearing shall be scheduled no later than thirty days after receipt of a timely and~~

~~proper notice of appeal have the authority to hear make a decision on appeal and, if~~ the decision of the city manager is final.

There is no further appeal to the city council.

5.40.060 – Exemptions from fees, indemnification agreement and insurance.

No fee, indemnification agreement or insurance requirement shall be imposed when prohibited by the First and Fourteenth Amendment to the United States Constitution. Political or religious activity intended primarily for the communication or expression of ideas shall be presumed to be a constitutionally protected event. Factors that may be considered in evaluating whether or not the fee applies include the nature of the event; the extent of commercial activity, such as the sales of food, goods, and services; product advertising or promotion, or other business participation in the event; the use or application of any funds raised; if part of any annual tradition or series, previous events in the sequence; and the public perception of the event.

5.40.070 – Indemnification agreement.

Prior to the issuance of a permit for a special event not protected under the First and Fourteenth Amendments of the U.S. Constitution, the permit applicant and authorized officer of the sponsoring organization must agree to reimburse the city for any costs incurred by it in repairing damage to city property and indemnify and defend the city, its officers, employees, and agents from all causes of action, claims or liabilities occurring in connection with the permitted event, except those which occur due to the city's sole negligence.

5.40.080 – Insurance

~~The types and amounts of insurance required shall be determined by the city based on the risk exposure of the event (liability limit requirement will be at least \$1,000,000 per occurrence), for all events. The following insurance shall be required in connection with the issuance of a permit for a special event not protected under the First and Fourteenth Amendments of the U.S. Constitution:~~

~~One million dollars commercial general liability insurance per occurrence combined single limits, two million dollars aggregate unless waived by the city.~~

The ~~public works director/city manager/~~ risk manager or designee is authorized and directed to require written proof of such insurance prior to permit issuance. The insurance policy shall be written on an occurrence basis, shall name the city as an additional insured, shall be written for a period not less than twenty-four hours prior to the event and extending for a period not less than twenty-four hours following the completion of the event, ~~and shall contain a provision prohibiting cancellation of the policy, except upon thirty days written notice to the city. The applicant shall provide the city and all additional insureds for the event with written notice of any policy cancellation within two business days of their receipt of such notice.~~

5.40.090 – Fees for city services.

- A. Upon approval of an application for a permit for a special event not protected under the First and Fourteenth Amendments of the U.S. Constitution, the Risk Manager should provide the applicant with a statement of the estimated cost of providing city personnel and equipment.

The event sponsor ~~shall~~ should be required to ~~pre-pay for the these estimated costs of the city services and equipment ten (10) days prior to the special event. City services and equipment may include~~ personnel involved in traffic control, police services, facility or street support, clean up and repair and the cost of city equipment or property, and any other ~~non-personnel expense involved in the special event as established under the master fee schedule needed, requested or required city services and the cost of operating the equipment to provide such services.~~

~~A-B.~~ If the actual cost for city services and equipment on the date(s) of the event is less than the estimated cost, the sponsor will be refunded the difference in a timely manner. If the actual cost for city services and equipment on the date(s) of the event is greater than the estimated cost, the sponsor will be billed for the difference.

~~B-C.~~ Permit Fees and fees for the use of city services and equipment may be waived in part or in full by the city if in review of the application it is found that the event is of sufficient public benefit to warrant the expenditure of city funds without reimbursement by the applicant/sponsor and would not result in the private financial gain of any individual or "for profit" entity.

5.40.100 – Cleanup deposits.

The applicant/sponsor of an event not protected under the First and Fourteenth Amendments of the U.S. Constitution involving the sale of food or beverages for immediate consumption, erection of structures, horses or other large animals, water aid stations or any other event likely to create a substantial need for a clean up, may be required to provide a cleanup deposit prior to the issuance of a special event permit.

The cleanup deposit may be returned after the event if the area used for the permitted event has been cleaned and restored to the same condition as existed prior to the event.

If the property used for the event has not been properly cleaned or restored, the applicant/sponsor shall be billed for the actual cost by the city for cleanup and restoration. The cleanup deposition shall be applied toward the payment of the bill.

5.40.110 – Revocation of permits.

Any permit issued under this chapter may be summarily revoked by the city at any time when, by reason of disaster, public calamity, riot or other emergency or exigent circumstances, the city determines the safety of the public or property requires such immediate revocation. The city may also summarily revoke any permit issued pursuant to this chapter if ~~the committee~~ it finds that the permit has been issued based upon false information or when the permittee exceeds the scope of the permit or fails to comply with any condition of the permit. Notice of such action revoking a permit shall be delivered in writing to the permittee by personal service or certified mail at the address specified by the permittee in the application. If there is an emergency requiring immediate revocation of a special event permit, the responsible official may notify the permit holder verbally of the revocation.

5.40.120 – Violation – Penalty

- A. It is unlawful for any person to sponsor or conduct a special event requiring a special event permit pursuant to this chapter unless a valid permit has been issued and remains in effect for the event. It is unlawful for any person to participate in such an event with the knowledge that

the sponsor of the event has not been issued a required, valid permit or with knowledge that a once valid permit has expired or been revoked.

- B. The special event permit authorizes the permittee/sponsor to conduct only such an event as is described in the permit, and in accordance with the terms and conditions of the permit. It is unlawful for the permittee/sponsor to willfully violate the terms and conditions of the permit, or for any event participant with the knowledge thereof to willfully violate the terms and conditions of the permit or to continue with the event if the permit is revoked or expired.
- C. Any person or organization violating the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to a penalty of a fine of not more than five hundred dollars or by imprisonment of not more than ninety days, or both such fine and imprisonment.

5.40.130 – Authority of City Manager and Responsible Official.

- A. The city manager is authorized to promulgate additional rules and regulations that are consistent with and that further the terms and requirements set forth within this chapter and the provisions of law that pertain to the conduct and operation of a special event.
- B. The city manager may delegate any or all of his or her functions under this chapter to a responsible city official.
- C. Except as provided elsewhere in this chapter, no person shall conduct, promote or manage a special event without a special event permit issued by the city manager or his/her designee ("responsible official").
- D. The responsible official is authorized to:
 - 1. Issue, deny or revoke permits for special events occurring within the city limits, pursuant to the procedures established in this chapter.
 - 2. Determine the special event venue, including the setting of reasonable boundaries for the special event venue, balancing the special event requirements and public health, safety and welfare.
 - 3. Coordinate the issuance of a special event permit with other local, state or federal public agencies in whose jurisdiction or on whose property the special event or portion thereof occurs and to issue a special event permit upon the concurrence of other public agencies involved.

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