

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2010-20

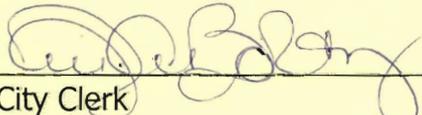
SUBJECT: Business Licensing RE: Special Events

CONFORM AS TO DATES & SIGNATURES

- (X) Filed with the City Clerk: 09/09/2010
- (X) Passed by the City Council: 10/06/2010
- (X) Signature of Mayor
- (X) Signature of City Clerk
- (X) Publication: 10/15/2010
- (X) Effective: 10/20/2010
- () Recorded: N/A

DISTRIBUTED COPIES AS FOLLOWS:

- (X) NK Herald: Emailed by jb
- (1) Ordinance Book (copy)
- (X) Code Publishing - via email if in electronic format
- () City Attorney
- () Civil Service Commission and/or Sec/Chief Examiner
- () Clerk's Department:
- () City Council
- () Finance:
- (X) Posted to Library Drive and Website



City Clerk

October 18, 2010
Date

ORDINANCE NO. 2010-20

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, AMENDING POULSBO MUNICIPAL CODE CHAPTER 5.04 BUSINESS LICENSES BY REPLACING IT WITH NEW AND REVISED LANGUAGE AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, PMC Chapter 5.04 Business Licenses is being amended to update language regarding Special Events; and NOW THEREFORE

THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 5.04.010 known as "Definitions" and Section 5.04.090 known as "Fee – Temporary and special events" are hereby amended in the Poulsbo Municipal Code to read as follows:

5.04.010 Definitions

5.04.090 Fee – Temporary and special events

5.04.010 Definitions.

D. "Special event" means any event or activity (excluding organized amateur sporting events such as little league baseball, amateur soccer, etc.) which is organized primarily for the purpose of promoting cultural, artistic or entertainment endeavors, including, but not limited to, arts and crafts fairs, cultural exhibitions, vocal or instrumental concerts, shows, festivals and camps, and is open to members of the public and/or use of all or any part of any city park. Special events are not limited to those events conducted on public streets or in public buildings but may include events occurring entirely on private property. The term "special event" does not include public service instructional classes.

E. "City clerk" means the city clerk of the city of Poulsbo or his or her designee.

5.04.090 Fee—Temporary and special events.

B. A master license shall be required for all special events held within the city limits of Poulsbo. Requirements of the special event master license are as follows:

1. The promoter, sponsor or other person, firm, company, corporation or legal entity of whatsoever nature or kind organizing, managing, operating or conducting any promotional activity or special event within the city shall obtain a special event master license to cover all dealers/vendors involved in the activity/special event.

2. Application shall be made on a form provided by the city clerk at least three months prior to the date of the event to provide adequate time for input from city departments, community services committee and/or city council if required or deemed necessary.

3. Dealers/vendors participating in a convention, show, sale or other promotional activity or special event shall be covered under the special event master license and shall not be required to have separate licenses for the event.

4. The city reserves the right to charge any sponsor of a special event direct costs incurred by the city as a result of the event. Such costs may include, but are not limited to, the cost of barricading streets, police officers to direct or block pedestrian or vehicular traffic, plan reviews, or other public safety involvement such as periodic cleanup or other services.

5. The sponsor of the special event shall provide the city clerk with a list of all participating dealers/vendors at least ten days prior to the event. The list shall include the vendor's name, business name (if appropriate), mailing address, telephone number and state sales tax number. A map or layout of booths and booth numbers and the business in that booth shall also be provided, if appropriate. Only those dealers/vendors listed on the application or its amendments are approved under the special event master license.

6. No license shall be issued to any person, firm, company or corporation to run, operate, conduct or manage any special event within the city which is in violation of any ordinance of the city or Kitsap County, or any statute of the state.

7. Any person, firm, company or corporation receiving a special event master license pursuant to this chapter may be required to provide a certificate of insurance with a comprehensive general liability policy covering bodily injury and property damage, with respect to the use and occupancy of city property with liability limits of not less than \$1,000,000, per occurrence and shall include products liability if food and/or beverage vending is part of the special event or public activity. The City shall be named as additional insured on all such policies, which policies shall in addition provide that they may not be canceled or modified for any reason without fifteen (15) days prior written notice to city. Sponsor shall provide the city with a certificate or certificates of such insurance ten (10) days prior to the date of the event. Greater or lesser coverage may be required based upon an objective assessment of risk to the public health, safety and welfare of the special event.

8. The following special events shall be exempt from the requirement to obtain a special event master license under this chapter: (a) dances or other social events conducted by schools or churches; (b) temporary sales conducted by businesses, such as holiday sales, grand opening/closing business sales or anniversary sales; (c) bazaars or arts and craft shows sponsored by churches, lodges or other nonprofit social groups; (d) garage sales and rummage sales; (e) organized amateur sporting events such as little league baseball, amateur soccer, and day camps sponsored by the city's recreation department; (f) charitable, religious or nonprofit organizations on premises under their control; and (g) other events and activities which do not directly affect or use city services.

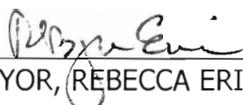
9. All applications for a special event master license shall be accompanied by a nonrefundable application fee as set forth in Section 3.12.040(D)(6).

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance or any code section adopted or amended hereby should be held to be invalid or 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 or any code section adopted or amended hereby.

Section 3. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of the attached summary, which is hereby approved.

APPROVED:



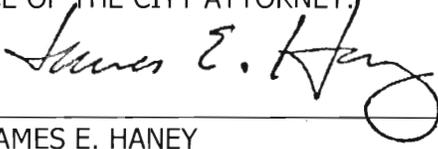
MAYOR, REBECCA ERICKSON

ATTEST/AUTHENTICATED:



CITY CLERK, JILL A. BOLTZ CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY;

BY 

JAMES E. HANEY

FILED WITH THE CITY CLERK: 09/09/2010
PASSED BY THE CITY COUNCIL: 10/06/2010
PUBLISHED: 10/15/2010
EFFECTIVE DATE: 10/20/2010
ORDINANCE NO. 2010-20

SUMMARY OF ORDINANCE NO. 2010-20

of the City of Poulsbo, Washington

On the 6th day of October, 2010, the City Council of the City of Poulsbo passed Ordinance No. 2010-20. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, AMENDING POULSBO MUNICIPAL CODE CHAPTER 5.04 BY REPLACING IT WITH NEW AND REVISED LANGUAGE AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this 12th day of October, 2010.



CITY CLERK, JILL A. BOLTZ CMC