

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2022-07

SUBJECT: Special Event Ordinance Update

CONFORM AS TO DATES & SIGNATURES

- ☒ Filed with the City Clerk: 05/04/2022
- ☒ Passed by the City Council: 05/11/2022
- ☒ Signature of Mayor
- ☒ Signature of City Clerk
- ☒ Publication: 05/16/2022
- ☒ Effective: 05/21/2022
- ☐ Recorded: _____

DISTRIBUTED COPIES AS FOLLOWS:

- ☒ NK Herald: (Seattle Times) 05/12/2022
- ☒ Code Publishing
- ☐ City Attorney
- ☒ Clerk's Department:
- ☐ City Council
- ☐ Finance:
- ☒ Posted to Library Drive and Website
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- ☐ _____

Rhiannon Fernandez

City Clerk

05/12/2022

Date

ORDINANCE NO. 2022-07

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, AMENDING THE POULSBO MUNICIPAL CODE 5.30.020 TO UPDATE THE DEFINITION OF ADMINISTRATOR AND ADD THE DEFINITION OF SPORTING EVENT; PMC SECTIONS 5.30.030 AND 5.30.040 TO UPDATE THE OFFICE FOR SUBMITTING A PERMIT TO; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 5.30 of the Poulsbo Municipal Code ("PMC") regulates Special Event Licenses within the City; and

WHEREAS, the City created the new position of Special Event Coordinator in the Parks & Recreation department whose duties include administering the special event permit process; and

WHEREAS, the City desires to amend the title of PMC Section 5.30.020 to update the change in the administrator and to add a definition of sport events; and

WHEREAS, the City desires to amend the title of PMC Section 5.30.030 to update which office to submit their applications to; and

WHEREAS, the Community Services Committee reviewed these proposed code amendments at their April 13, 2022, committee meeting and recommended approval by the City Council; NOW THEREFORE,

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

Section 1. Amendment. Subsection 5.30.020 of the Poulsbo Municipal Code are hereby amended to read as follows (~~strikethroughs~~ indicate deletions, **bolding** indicates additions):

5.30.020 Definitions

- A. "Administrator" means the **Parks & Recreation Director** ~~City Clerk~~ or **their** ~~his/her~~ designee.
- B. "Applicant" means the person, organization, company, non-profit, corporation managing, running operating, sponsoring, or conducting the special event and has authority to do so.

- C. "Block party" means an event that involves blocking any part of a residential street to hold an event which is open to the public.
- D. "Carnival" means a traveling enterprise offering amusements, such as circuses, or an organized program of entertainment or exhibition.
- E. "City property" means land the city owns that has the capacity and capability to hold an event.
- F. "Parade" means any march or procession consisting of people, animals, bicycles, vehicles, or combination thereof, except funeral processions, upon any city street, state highway, or sidewalk which does not comply with normal and usual traffic regulations or controls.
- G. "Parks" means any site owned by the city designed or developed for recreational use by the public.
- H. "Permit" means a document issued by the city granting permission to engage in an activity not allowed without a permit.
- I. "Right-of-way (ROW)" means any road, public parking lot, city street, highway, boulevard or place in the city open as a matter of right to public travel and shall include arterials, neighborhood streets, alleys, bicycle paths and pedestrian ways; including streets or portions thereof which are designated as portions of the state highway system.
- J. "Run" means an organized procession to contend in a race consisting of people, bicycles, or other vehicular devices or combination thereof upon a city street, state highway, or sidewalk.
- K. "Special Events" include any activity which is to be conducted on public property or on a public right-of-way; 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 right-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 100 or more people are each presumed to be an event that will have a direct significant impact on the public streets, right-of-way or emergency services. Special events might include, but are not limited to, fun runs/walks, athletic competitions, auctions, bike-a-thons, public fundraisers, parades, carnivals, festivals, shows or exhibitions, film/movie events, circuses, block parties and fairs.
- L. "Special Event Permit" means a required permit for an activity requiring a permit.

- M. "Special Events protected under the First and Fourteenth Amendments" include any event involving political or religious activity intended primarily for the communication or expression of ideas.
- N. **"Sporting event" means any football, soccer, baseball, lacrosse, rugby, golf or tennis match, any boxing, wrestling, shooting or swimming contest, any foot, cycle, motor, boat or horse race, and any other lawful sporting contest, competition, tournament or game usually attended by the public.**
- ~~N.O.~~ "Street dance" means any organized formation of a dance on any public right-of-way.
- ~~O.P.~~ "Tourism" means economic activity resulting from tourists, which may include sales of overnight lodging, meals, tours, gifts, or souvenirs.
- ~~P.Q.~~ "Use" shall mean 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, including a use related to special events.
- ~~Q.R.~~ "Vendor" means any person or company offering a service or sale of product.

Section 2. Amendment. Subsection 5.30.030(B) and (C) of the Poulsbo Municipal Code are hereby amended to read as follows (~~strikethroughs~~ indicate deletions, **bolding** indicates additions):

5.30.030 Permit – Required

- B. There shall be a nonrefundable administrative fee to process each application submitted, which is to be paid to the city as set forth in Section 3.12.040(J). The fee is due upon when the application packet is submitted to the ~~city clerk's~~ **parks & recreation** office. Each application shall be for only one event.
- C. An application for a special event permit shall be filed with the ~~city clerk's~~ **parks & recreation** office no less than 90 calendar days, and no more than one calendar year, before the date when the proposed special event is to take place. If the special event permit application packet is received by the ~~city clerk's~~ **parks & recreation** office less than 90 calendar days, but more than 45 calendar days, in advance of the event, and the application requires no road closures, then the city may expedite the application with the payment by the applicant of an additional nonrefundable administrative processing fee as set forth in Section 3.12.040(J).

Section 3. Amendment. Subsection 5.30.040(A) of the Poulsbo Municipal Code are hereby amended to read as follows (~~strikethroughs~~ indicate deletions, **bolding** indicates additions):

5.30.040 Permit - Application Requirements

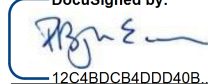
- A. The special event permit application shall be submitted to the ~~city clerk's~~ **parks & recreation** office. Such application shall state and include, at a minimum, the following information:

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance 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.

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

PASSED by the Poulsbo City Council this 11th day of May, 2022.

APPROVED:

DocuSigned by:

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MAYOR, BECKY ERICKSON

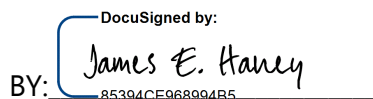
ATTEST/AUTHENTICATED:

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CITY CLERK, RHIANNON FERNANDEZ CMC

APPROVED AS TO FORM:
OFFICE OF CITY ATTORNEY:

DocuSigned by:
BY: 
85394CE968994B5...

JAMES E. HANEY

OGDEN MURPHY WALLACE, PLLC

FILED WITH THE CITY CLERK: 05/02/2022

PASSED BY THE CITY COUNCIL: 05/11/2022

PUBLISHED: 05/16/2022

EFFECTIVE DATE: 05/21/2022

ORDINANCE NO. 2022-07

SUMMARY OF ORDINANCE NO. 2020-07


of the City of Poulsbo, Washington

On the 11th day of May, 2022, the City Council of the City of Poulsbo, passed Ordinance No. 2022-07. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, AMENDING THE POULSBO MUNICIPAL CODE 5.30.020 TO UPDATE THE DEFINITION OF ADMINISTRATOR AND ADD THE DEFINITION OF SPORTING EVENT; PMC SECTIONS 5.30.030 AND 5.30.040 TO UPDATE THE OFFICE FOR SUBMITTING A PERMIT TO; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

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

DATED this 11th day of May, 2022.

DocuSigned by:

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CITY CLERK, RHIANNON FERNANDEZ