



CITY OF ORTING

104 Bridge St S., PO Box 489, Orting, WA 98360

Phone: (360) 893-9017 Fax (360) 893-6809

Email: recreation@cityoforting.org

City of Orting

Special Event Policy

I. **Definitions:** The following terms shall have the following meanings:

“Special event” means the following:

1. Any organized formation, parade, procession or assembly consisting of persons, animals, vehicles or any combination thereof, traveling in unison and with a common purpose upon any public street, highway, alley, sidewalk or other public way which does not comply with normal and usual traffic regulations or control; or
2. Any organized assemblage of 50 or more persons at any City-owned facility or park which is to gather for a common purpose under the direction and control of a responsible person or agency; or
3. Any other organized activity or set of activities open to the public conducted by an individual, group or entity for a common or collective use or benefit and which involves the use of public facilities or rights-of-way and the possible or necessary provision of City services ancillary thereto.

“Special events” include any event which is to be conducted on public property or public right-of-way; and, 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-ways near the event, or, which would significantly impact the need for City-provided emergency services, such as police, fire, or medial aid. It is presumed that any event on private property which involves an open invitation to the public, 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 public streets, rights-of-way or emergency services. Special events may include but are not limited to fun runs/walks, athletic competitions, bike-a-thons, parades, carnivals, city/town heritage celebrations, shows or exhibitions, holiday festivals, circuses, block parties, markets, musical entertainments, and motion picture filming.

“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.

“Special Event Permit” refers to the conditions of approval letter provided to the Applicant by the City, signed by the Applicant.

“Applicant” refers to the organization or individual named on the Special Event Application.

“City” refers to the City of Orting.

- II. **Special Event Application:** Approval from the City is required for any special event within Orting City limits. Submission of the completed Special Event Application, any additional information or documents required by the City, payment of any required fees, and formal approval from the City in the form of a Special Event Permit is required.

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 upon constitutional freedom, and in a manner that respects the liberty of applicants and the public.

- a. **Review Process:** For a special event to be considered for approval, a complete Special Event Application must be submitted to the City a minimum of ninety (90) days prior to the event date. A complete application contains the following:
- i. All questions and sections of the Special Event Application are answered. If a section or question does not apply for a particular event, an indication of Not Applicable (N/A) should be used;
 - ii. Proof of payment of the \$200 Special Event Fee;
 - iii. A detailed map and timeline of the event; and
 - iv. Proof of insurance of the event applicant and/or sponsoring organization.

After the complete Special Event Application has been received, the application will be reviewed by City department heads to determine the conditions of approval for the event or reasons for denial of the application. It may be required that the applicant meet with the City to review the Special Event Application and provide any additional information or documents required by the City to assure guidelines and preparation prior to the event.

- b. **Waiver of Application Deadline:** Upon showing of good cause or at the discretion of the City, the City shall consider an application that is submitted after the submission deadline if there is sufficient time to process and investigate the application and obtain police and other 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 applicant to submit within the time prescribed.
- c. A Special Event Application may not be required for the following:
- i. Funeral and wedding processions;
 - ii. Groups required by law to be so assembled;
 - iii. Gatherings of 30 or fewer people in City park, unless merchandise or services are offered for sale or trade;

- iv. Temporary sales conducted by businesses, such as holiday sales, grand opening sales, or anniversary sales;
- v. Garage sales and rummage sales;
- vi. The exhibition of films or motion pictures; or
- vii. Other similar events and activities which do not directly affect or use City services or right-of-way property.
- viii. Events for the purpose of exercising rights under the First and/or Fourteenth Amendments of the U.S. Constitution.

III. Conditions of Approval: After the Special Event Application has been reviewed by department heads and any other requested information or documents have been provided by the applicant, the City will provide a letter to the applicant stating the conditions of approval for the event or reasons for denial of the application. The City may condition the approval of a special event 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 applicant must agree to the conditions of approval and sign the letter. The signed letter will serve as formal approval of the special event and function as the Special Event Permit.

The following conditions apply to all Special Event Permits:

- a. Alteration of the time, place and manner of the event proposed on the Special Event Application;
- b. Conditions concerning the area of assembly and disbanding of an event occurring along a route; and
- c. Conditions concerning accommodation of pedestrians or vehicular traffic, including restricting the event to only a portion of the street or right-of-way.

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. Requirements for the use of traffic cones or barricades;
- e. Requirements for the provision of first aid or sanitary facilities;
- f. Requirements for use of event monitors and providing notice of permit conditions to event participants;
- g. 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. Compliance with animal protection ordinances and laws;
- i. Requirements for use of garbage containers, cleanup, and restoration of City property;
- j. Restrictions on the use of amplified sound and compliance with noise ordinance, regulation and laws;
- k. Notice to residents and/or businesses regarding any activity which would require a street closure;

- l. Restrictions on the sale and/or consumption of alcohol;
- m. Elimination of an activity which cannot be mitigated to a point as to ensure public safety and welfare, or which causes undue liability risk to the City;
- n. Requirements regarding the use of City personnel and equipment;
- o. Compliance with any other applicable federal, state or local law or regulation;
- p. Payment of special event fees as stated in section V. "Fees"; and
- q. Provide evidence of liability insurance and additional insurance endorsement name the City of Orting as additional insured.

IV. Application Denial or Event Cancellation

- a. **Application Denial:** The City may deny a special event application for the following reasons:
 - i. The applicant provides false or misleading information;
 - ii. The applicant fails to submit the completed Special Event Application, Special Event Application fee, detailed map and timeline, and proof of insurance ninety (90) days prior to the event date, or fails to supply other information or documents required by the City;
 - iii. The applicant shows an unwillingness or inability to comply with the reasonable terms or conditions contained in the proposed permit;
 - iv. 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;
 - v. The proposed event would unreasonably disrupt the orderly or safe circulation of traffic and would present an unreasonable risk of injury or damage to the public; or
 - vi. There are not sufficient safety personnel or other necessary City staff to accommodate the event.

In the event subsection iv. or v. above applies, the City shall offer the applicant the opportunity to submit an alternative date or place for the proposed event before denying the application. In the event subsection vi. above applies, the City shall offer the applicant the opportunity to propose an alternative method to supply necessary staffing to accommodate the event.

- b. **Event Cancellation:** The City may revoke a Special Event Permit or cancel a special event for the following reasons:
 - i. The applicant requests cancellation of the event.
 - ii. The applicant, in the information supplied, has made misstatement of a material fact or fails to fulfill a term or condition of approval for the event in a timely manner.
 - iii. The applicant fails to pay any fees required by the City, in addition to the Special Event Application fee, a minimum of thirty (30) days prior to the special event.
 - iv. The applicant fails to provide an insurance certificate citing the City of Orting as additional insured a minimum of thirty (30) days prior to the special event.

- v. The applicant fails to provide any information or documents or meet any deadlines required by the City before the event date.
 - vi. An emergency or unforeseen occurrence requires the cancellation or termination of the event in order to protect public health or safety.
- c. **Appeal Procedure:** The applicant shall have the right to appeal the denial of a special event permit or permit condition. A written Notice of Appeal shall be filed with the City within three (3) business days after receipt or 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 Council shall hear the appeal on the record provided from the designated City official and upon public comment given at the scheduled hearing before the Council. The hearing shall be scheduled no later than thirty (30) days after receipt of a timely and proper Notice of Appeal. Public comment at the appeal hearing shall be limited to three (3) minutes per individual and fifteen (15) minutes each for appellant and City respondent. The decision of the City Council is final.

If the applicant's reason for appeal includes allegations of Constitutional Amendment violations, the issue will be heard by a hearing examiner instead of the City Council. If there is insufficient time for a timely appeal to be heard by the City Council prior to the date on which the event is scheduled, the applicant may, at its own option, request that the designated City official schedule the appeal before the City Administrator or designee. The City Administrator or designee shall hold a hearing no later than five (5) business days after the filing of the appeal and will render a decision no later than one (1) business day after hearing the appeal. If the appeal is requested and heard before the City Administrator or designee, the City Administrator or designee's decision is final. There is no further appeal to the City Council.

V. **Fees**

- a. **Application Fee:** Payment of the Special Event Application fee is required for all special events. Payment must be made in the form of cash, check, or credit card payment to the City of Orting a minimum of ninety (90) days prior to the proposed event date for an event to be considered for approval.
- b. **Other Fees:** The applicant may request services be provided by the City for the special event. Refer to the Special Event Application for the list of services and corresponding fees offered by the City for special events. Requests by the applicant for services provided by the City are not guaranteed. Payment of fees for City provided services must be made a minimum of thirty (30) days prior to the special event.

VI. **Event Sponsorship:** On the Special Event Application the applicant has the option to apply for City Sponsorship of the proposed special event.

- a. **Sponsorship Requirements:** To be considered for sponsorship, the special event must meet the following requirements:
 - i. The event serves a valid municipal purpose, such as strengthening the City’s sense of community or celebrating the City’s history, and allows all citizens to reasonably participate. The event may also provide, through increased customers, additional revenues for Orting businesses, and subsequently improved tax revenues for the City.
 - ii. The organization hosting the special event must be a non-profit that is actively registered with the Secretary of State.
 - iii. The organization must complete the Special Event Application and carry their own liability insurance that complies with the terms of section IV of the Special Event Sponsorship Policy.

- b. **Sponsorship Process:** For full details on the sponsorship process refer to the City’s Special Event Sponsorship Policy. The sponsorship process must be started a minimum of ninety (90) days prior to the special event. A copy of the Special Event Sponsorship Policy can be requested by emailing recreation@cityoforting.org.

- c. **Services included in Sponsorship:** For a list of services included in special event sponsorship, refer to the Special Event Application or Special Event Sponsorship Policy. Services provided by the City to the applicant as part of the event sponsorship will be specified in the conditions of approval letter provided to the applicant after the Special Event Application has been reviewed and sponsorship has been approved.

VII. Insurance Requirements: The City Administrator is authorized and directed to require written proof of such insurance prior to permit issuance. A general liability insurance policy shall be written on an occurrence form, shall name the City of Orting as an additional insured using an endorsement at least as broad as ISO additional endorsement form CG 20 26, shall be written for a period not less than twenty-four (24) hours prior to the event and extending for a period of not less than twenty-four (24) hours following the completion of the event, or for the entire period of set up and tear down, whichever is longer. 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.

The types and amounts of insurance shall be determined by the City and based on the risk exposure of the event for all events not protected under the Frist and Fourteenth Amendments of the U.S. Constitution. Proof of insurance is required at least thirty (30) days prior to the event, by providing the City with a Certificate of Insurance along with additional insured document at least as broad as ISO form CG 20 26 naming the City of Orting as an additional insured.

- a. **Minimum Requirements:** General Liability occurrence-based insurance in the minimum amount of \$1,000,000 per occurrence and \$2,000,000 general aggregate is required for

special events. The General Liability Insurance must name the City of Orting as an ADDITIONAL INSURED using ISO form CG 20 11 or coverage at least as broad. Higher limits may be required for certain uses.

- b. **Additional Coverage:** Amounts and additional types of insurance will be determined, at the City's discretion, based on the risks associated with the event.

VIII. Community Impact

- a. **Street Closures:** The applicant may request that streets within Orting City limits be closed for the proposed special event. Requests for street closures must be clearly indicated on the Special Event Application and are not guaranteed. If the applicant is requesting the closure of WA-162, a road closure agreement will need to be obtained from the Washington State Department of Transportation (WSDOT). A copy of the road closure agreement must be provided to the City a minimum of thirty (30) days prior to the event, otherwise closure of WA-162 may not be allowed for the event.

The following guidelines apply to all street closures:

- i. No paint (including water-based) may be used on any City sidewalk, street, or paved area.
 - ii. Only Public Works staff and Police Department staff are authorized to close a street.
 - iii. Once barricades are in place, they cannot be moved unless directed by City staff and/or the Police Department.
 - iv. Street closures require advanced placement of "No Parking" signs; once signs have been placed by City staff they cannot be altered by the event organizer.
- b. **Parades:** Parades utilizing city streets during special events may be subject to additional requirements by the City, including but not limited to:
 - i. Additional event insurance coverage;
 - ii. Notification to Police, Fire, and Medical Aid of the scope, size, route and date of the parade; and
 - iii. A safety plan with approval from Police, Fire, Medical Aid, and City Public Works departments.
 - iv. If the parade route utilizes WA-162, a road closure agreement will need to be obtained from the Washington State Department of Transportation (WSDOT).
 - c. **Neighborhood Notification:** Timely neighborhood notification of a special event is required to mitigate issues, minimize impacts, and ensure affected neighbors and businesses are aware of the event activity. The applicant is responsible for notifying neighboring residents and businesses that may be impacted by the special event a minimum of thirty (30) days prior to the event date. It is also the responsibility of the applicant to ensure vendor parking does not block Orting businesses on Washington Ave., Van Scoyoc Ave. or customer parking areas next to the parks or businesses with exceptions determined by the City of Orting.

- d. **Safety Plan:** Special events with an estimated 1,000 or more individuals in attendance may be required to submit a safety plan to the City. Details regarding what the event safety plan should include will be provided to the applicant by the City a minimum of thirty (30) days prior to the event and the safety plan must be submitted to the City a minimum of fourteen (14) days before the event.
- e. **Portable Restrooms and Trash Disposal:** The applicant may request that additional portable restrooms and trash disposal be provided by the City for the proposed special event. All requests must be clearly indicated on the Special Event Application and must include instructions for placement on the event map. Fees for portable restrooms and trash disposal will apply, unless otherwise indicated by the City. The applicant may also utilize an outside vendor to supply portable restrooms for the special event. Notification of placement of portable restrooms by the vendor must be provided to the City before the event date. Depending on the size of the special event, the City may require that the applicant provide additional portable restrooms, supplied either by the City or an outside vendor.

IX. Food and Beverage Sales and Consumption:

- a. **Business License:** If food will be sold at the proposed special event, the applicant is responsible for purchasing a Blanket Vendor Permit or providing documentation to the City of a valid business license with City of Orting endorsement for every food vendor.
- b. **Health Department Requirements:** The applicant is required to account for any and all food service permits or exemption certificates; food worker card(s); L&I licensing documentation; and evidence of liability insurance, with products/completed operations coverage. Applicant is responsible for abiding by all requirements of the Tacoma-Pierce County Health Department.
- c. **Alcohol Sales/Consumption:** Sale and/or consumption of alcohol at special events taking place on City property is not allowed at this time.

X. Merchandise Vendor Sales

- a. **Blanket Vendor Permit:** If merchandise or services will be sold at the proposed special event, the applicant is responsible for purchasing a Blanket Vendor Permit or providing documentation to the City of a valid business license with City of Orting endorsement for every vendor.
- b. **Vendor Placement:** A map indicating vendor placement must be submitted by the applicant to the City no later than five (5) business days prior to the event date. The City reserves the right to limit the number of vendors and the placement of vendor booths for special events.

- c. **Vendor Set-up/Tear-down:** Applicant is responsible for ensuring that vendor set-up and tear-down does not cause lasting damage to City Property and does not endanger park and trail-users. Driving and/or parking on the Foothills Trail is prohibited. No paint (including water-based) may be used on any City sidewalk, street, or paved area.

XI. Amusement Rides and Inflatables

- a. **Inflatables:** The use of inflatable amusement structures is only allowed outside in designated areas and shall only be provided by professional vendors. The number of inflatables and their proposed location must be indicated on the Special Event Application and map of the event. Proof of Commercial General Liability Insurance with limits of at least \$1,000,000 per occurrence, and naming the City of Orting as an additional insured using ISO form CG 20 26 or coverage at least as broad, is required from the vendor, as per the Washington State Department of Labor and Industries. This insurance shall contain, or be endorsed to reflect, that the insurance coverage is primary insurance as respect the City of Orting. Any insurance, self-insurance, or self-insured pool coverage maintained by the City of Orting shall be excess of the vendor's insurance and shall not contribute with it.
- b. **Other Amusement Rides:** Apart from inflatables, the use of amusement rides, as defined in RCW 67.42.010, is not permitted for any special event at this time.