

Ordinance No. 120631

Council Bill No. 113801

AN ORDINANCE relating to the City's process for permitting special events; adding a new definitions section to Seattle Municipal Code Chapter 15.52; adding a definition of a "special event"; and amending various sections of SMC Chapter 15.52 pertaining thereto.

The City of Seattle  
Council Bill/Ordinance

(E)  
(D)

Pass As Amended

CF No. \_\_\_\_\_

Date Introduced:	<u>Aug 13, 2001</u>	
Date 1st Referred:	To: (committee)	<u>Public Safety</u>
<u>Aug 13, 2001</u>		<u>Technology</u>
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
<u>11-19-01</u>	<u>5-4</u>	
Date Presented to Mayor:	Date Approved:	
<u>11-20-01</u>	<u>11/26/01</u>	
Date Returned to City Clerk:	Date Published:	T.O. <input checked="" type="checkbox"/>
<u>11/26/01</u>	<u>11/26/01</u>	F.T. <input checked="" type="checkbox"/>
Date Vetted by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

10-8-01 Hold  
(Excused)

This file is complete and ready

10/22/01 Ind. pos

11-19-01 Passed As

Yes: Drage

NO LODG

Law Department

Law Dept. Review

# The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Compton  
Councilmember

## Committee Action:

Clarify  
SO number  
3-3

Pass As Amended Compton aye  
Nirastor not present  
Drago aye  
Licata abstain  
Stembridge abstain  
Pageler aye

0-8-01 Hold 2 weeks 8-0

(Excused: Nirastro)

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_  
(initial/date)

1/22/01 Ind. postponed (Compton)

1-19-01 Passed As Amended 5-4

(Yes: Drago, Compton, Mulven, Pageler, Stembridge)  
(No: Wadd, Conlin, Licata, Nirastro)

Law Department

(C)  
(D)

(V)

James  
Hammill  
Full Text

Law Dept. Review

OMP  
Review

City Clerk  
Review

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ORDINANCE 120631

AN ORDINANCE relating to the City's process for permitting special events; adding a new definitions section to Seattle Municipal Code Chapter 15.52; adding a definition of a "special event"; and amending various sections of SMC Chapter 15.52 pertaining thereto.

WHEREAS, the City's Special Events Ordinance (SMC Chapter 15.52) has served Seattle well since its enactment in 1991, providing the framework within which the Special Events Committee has annually issued approximately 200 special event permits for a wide variety of events that have immeasurably enriched our community; and

WHEREAS, the Special Events Committee, while issuing permits for approximately 2000 events in the last ten years, has denied few applications and has facilitated for more than a decade the exercise of our valued rights of assembly and free expression; and

WHEREAS, the primary purpose of parks is to provide the public the opportunity to enjoy natural beauty and recreational opportunities and the primary purpose of streets and sidewalks is to provide a public right of way for a wide variety of transportation uses; and

WHEREAS, another important use of parks, streets, sidewalks, and other public places is to provide venues for a wide variety of public events and for the public to exercise their rights of free speech and assembly; and

WHEREAS, most events in public places require no special event permit, but some require considerable advance planning by more than one City department, sometimes in conjunction with other governmental agencies, in order to adequately protect public safety; and

WHEREAS, the City has a compelling need to coordinate its planning for proposed special events in order to protect public health and safety and reduce adverse impacts such as noise, congestion, traffic, and parking problems, while guaranteeing the public's rights to free speech and assembly; and

WHEREAS, the 2001 Mardi Gras event, which resulted in a tragic loss of life and dozens of arrests, had neither applied for nor received any special event permit, and this has galvanized public concern about accountability for events that generate large crowds, cause street closures, and require large numbers of police to restore order; and

WHEREAS, the Mayor empanelled representatives of citizen groups to look at these issues, including a Special Events Task force which focused on potential improvements in the Special Events Ordinance; and





1 WHEREAS, the City has no interest in regulating events that take place on private property, but does  
2 have an interest in regulating and planning for that portion of an event that occurs in public  
3 places such as parks, streets, and sidewalks; and

4 WHEREAS, the Special Events Task Force recommended changes be made to the Special Events  
5 Ordinance, clarifying that events that may occur at least in part on private property may also  
6 have a substantial impact on public places and require substantial public services such as police  
7 for crowd or traffic control; and

8 WHEREAS, if a proposed event is reasonably anticipated to take place at least in part in public places  
9 and to require substantial public services to deal with the impacts of the event on those public  
10 places (such as the reallocation of police personnel from their standard assignments in other  
11 geographic areas of the City thereby potentially jeopardizing essential police/public safety  
12 services to those neighborhoods), the City has a legitimate interest in requiring the event  
13 organizer to plan for the event's impact upon those public places and to apply for and receive a  
14 special event permit; and

15 WHEREAS, the Special Events Committee, working with organizers of proposed events, develops  
16 reasonable permit conditions in order to protect public health and safety and reduce adverse  
17 impacts such as noise, traffic, and parking problems, while guaranteeing the public's rights to  
18 free speech and assembly; and

19 WHEREAS, the City has no interest in basing special event permitting decisions, including decisions  
20 regarding reasonable permit conditions, on the viewpoint or message of the proposed event, but  
21 does have the responsibility to develop reasonable and effective permit conditions based upon  
22 such public safety factors as anticipated crowd size; the nature of the event; anticipated crowd,  
23 pedestrian, and traffic control issues; anticipated noise, congestion, and parking problems; and  
24 the history of problems associated with the event or similar events and the event's or event  
organizer's compliance with previous permit conditions designed to deal with those issues and  
problems; and

WHEREAS, the City wants to provide event organizers with an efficient permitting process, and when  
permits are denied, prompt administrative review of permit denials; and

WHEREAS, the City Council encourages the Special Events Committee to complete by January 31,  
2002, its currently planned review of its present rules and guidelines for implementing the  
Special Events Ordinance; Now therefore:

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:



Section 1. A new section, entitled "SMC 15.52.005 Definitions," is hereby added to Chapter 15.52 as follows:

**Section 15.52.005 Definitions.**

The following terms, when used in this chapter, shall have the following meanings:

A. "Special Event" means:

1. An event planned to be held in a park or other public place that meets all three of the following criteria:
  - (a) is reasonably expected to cause or result in more than fifty (50) people gathering in a park or other public place; and
  - (b) is reasonably expected to have a substantial impact on such park or other public place; and
  - (c) is reasonably expected to require the provision of substantial public services; or
2. An event planned to be held on private property that meets all three of the following criteria:
  - (a) is reasonably expected to cause or result in more than five hundred (500) people gathering in a park or other public place; and
  - (b) is reasonably expected to have a substantial impact on such park or other public place; and
  - (c) is reasonably expected to require the provision of substantial public services; or
3. Any other planned event in a park or other public place if the event organizer requests the City to provide any public services in addition to those that would normally be provided by the City in the absence of the event.



1 B. "Park" and "public place" mean as those terms are defined in SMC Chapters 18.12 and 15.02,  
2 respectively.

3 C. "Substantial impact on a park or other public place" means an event would preclude in whole or in  
4 significant part the public's normal and customary use of such park or public place.

5 D. "Substantial public services" means a material increase in the amount, scope, or level of necessary  
6 fire, police, traffic control, crowd control, or other public services above those that would normally be  
7 required without the event. With respect to police resources, "substantial public services" means  
8 resources for crowd management or traffic control required for the event over and above the normal  
9 deployment of police in that geographic area of the city at the time of day during which the event will  
10 occur.

11 Section 2. SMC 15.52.010, Ordinance No. 115982, is amended to read as follows:

12 **Section 15.52.010 Special Events Committee.**

13 There is hereby established a Special Events Committee to identify in coordination  
14 ~~((coordinate))~~ with City departments and other governmental entities the ((provision)) nature and scope  
15 of governmental services necessary for special events ~~((occurring in parks or public places that may~~  
16 ~~require police officers to provide crowd or traffic control))~~ as defined in this chapter; to issue special  
17 event permits for such events; to determine appropriate terms and conditions for such permits; to set the  
18 applicable fees; and to administer this chapter.

19 Section 3. SMC 15.52.030, Ordinance No. 115982, is amended to read as follows:

20 **SMC 15.52.030 Powers of Special Events Committee.**

21 The Special Events Committee shall have the power:  
22  
23  
24

1 A. To interpret and administer this chapter, to establish criteria for determining whether an event  
2 meets the definition of a special event, to determine whether an event requires a special event permit,  
3 and to require, receive, and process applications for such permits;

4 B. To represent the City, under the supervision of the Mayor, in discussions and in making  
5 agreements with persons who propose an ~~((present-))~~ event that may require a special event permit  
6 ~~((police personnel to provide crowd or traffic control))~~;

7 C. To ~~((coordinate))~~ identify, in coordination with City departments and with other governmental  
8 entities, ((governments)) the ((provision)) nature and scope of governmental services necessary for such  
9 special events;

10 D. To issue special event permits for special events; determine appropriate terms and conditions as  
11 contemplated by Section 15.52.040; require, review and approve security, crowd control ~~((or))~~ and  
12 traffic control plans; identify the appropriate fee or, if applicable, apply an exemption in Section  
13 15.52.080 or an exclusion in Section 15.52.090; accept a bond, escrow account or letter of credit from a  
14 financial institution in lieu of an advance deposit of a fee; determine the appropriate insurance coverage  
15 (with the City as a named insured) that an event must obtain and require proof of compliance; work with  
16 the applicant and the Police Department to ~~((provide security under))~~ develop an approved security  
17 plan;((;)) and as authorized by Section 15.52.070 E ((15.50.070-E)), grant a refund of a fee paid;

18 E. To deny an application, issue a permit on contingency or conditions, and/or revoke a permit as  
19 contemplated by Section 15.52.060, and as consistent with Section 15.52.040;

20 F. To promulgate rules in accordance with the Administrative Code, Chapter 3.02, to implement this  
21 chapter, and to promulgate a schedule of base fees, rounded to the nearest Fifty Dollars (\$50.00), to  
22 reflect adjustments in the Consumer Price Index as contemplated by subsection A of Section 15.52.070;

1 G. To review the fee schedule and event classification periodically~~((every year))~~, project revenues,  
2 and submit recommendations to the Mayor in the City ~~((annual))~~ budget process;

3 H. To adopt rules for its own procedures; establish subcommittees for assignments; select a voting  
4 member to preside in the absence of its chair; and delegate ministerial functions to City departments;  
5 and

6 I. To perform such other functions as may be assigned by ordinance from time to time.  
7

8 Section 4. SMC 15.52.040, last amended by Ordinance No. 118409, is further amended to  
9 read as follows:

10 **SMC 15.52.040 Special Event Permits Required.**

11 A. A special event permit or authorization from the Special Events Committee is required for any  
12 special event, as defined in this chapter, except that no special event permit shall be required if the event  
13 sponsor, organizer, or other party and the City have entered into a written agreement covering the same  
14 matters as would otherwise be included in a special event permit for such an event. ~~((in a park or public~~  
15 place that is reasonably anticipated to require police personnel in order to provide crowd or traffic  
16 control.)) Such special event permit shall be in addition to any street or park use permit, or other regular  
17 permits as may be required by ordinance.

18 B. To avoid duplication, when a special event permit covers the subject matter to their satisfaction,  
19 the Director of Transportation and/or as to parks, park drives, and boulevards, the Superintendent of  
20 Parks and Recreation, respectively, may waive issuing a separate street use permit or park use permit.

21 C. When a special event permit is required, no street use permit shall issue under this title, nor shall a  
22 park use permit issue pursuant to Title 18, for such an event until the Special Events Committee has  
23 issued its special event permit therefor or otherwise authorized the issuance of the departmental permits,  
24



1 unless pursuant to subsection B the Director and/or the Superintendent waive issuance of separate  
2 permits.

3 D. When a special event permit is required, the Special Events Committee shall, after reviewing the  
4 application and if necessary meeting with the organizer, advise the organizer of all other permits that  
5 appear to be required for the event based on information contained in the application; and assist the  
6 organizer in contacting other departments to apply for all other permits in a timely manner.

7 ((D)) E. When such an event will be an exercise of rights protected by the First and  
8 Fourteenth Amendments to the United States Constitution, or Article I, Sections 3, 4, 5, or 11 of the  
9 Washington Constitution, the application shall be processed promptly, without charging a fee for  
10 political or religious activities or imposing terms or conditions that infringe constitutional freedoms, and  
11 in a manner that respects the liberties of applicants and the public.

12 Section 5. SMC 15.52.050, Ordinance No. 115982, is amended to read as follows:

13 **SMC 15.52.050 Conditions Authorized.**

14 The Special Events Committee may include in a special event permit, among other provisions,  
15 reasonable terms or conditions as to the time, place and manner of the event; the implementation of a  
16 plan presented by the applicant and approved by the Committee for crowd control, traffic control, and  
17 security; compliance with health and sanitary regulations as explicated by the Seattle-King County  
18 Health Department for the event; coordination with the Fire Department or medical personnel for  
19 emergency treatment and evacuation of people who may need immediate care, cardio-pulmonary  
20 resuscitation or ambulance service; emergency communication; fire suppression equipment with  
21 structures; maintenance of unobstructed emergency passageways; and, where traffic congestion may be  
22 anticipated, encouraging the use of transit and car pooling. In determining conditions, the Special  
23 Events Committee shall consider anticipated impacts of the event based on an assessment of the event,  
24



1 including size, scope, complexity, and history as well as the event's or event organizer's successful  
2 implementation of conditions included in previous permits. Conditions shall be based upon projected  
3 impacts on public safety, public places and public services, but shall not be based upon the programming  
4 content of the event or message that the proposed event may convey.

5 In order to accommodate other concurrent events, the rights of abutting owners and the needs  
6 of the public to use streets or parks, the conditions may include, but are not limited to, reasonable  
7 adjustments in the date, time, route or location of the proposed event; accommodations of pedestrian or  
8 vehicular traffic using the street; and limitations on the duration of the event.

9 Section 6. SMC 15.52.060, Ordinance No. 115982, is amended to read as follows:

10 **SMC 15.52.060 Processing, Denial, Revocation of Permit.**

11 A. Processing. To assist the City in planning for and assigning its police, fire, and other department  
12 personnel, the ~~((producers))~~ organizers of events subject to a special event permit are encouraged to  
13 submit their applications at least three (3) months before the scheduled event; and the Special Events  
14 Committee shall process such application within sixty (60) days of the application, if practicable.

15 B. Denial. The Special Events Committee may deny an application for a special event permit if:

16 1. The applicant supplies false or misleading information; the applicant fails to complete the  
17 application or to supply other required information or documents; or the applicant declares or shows an  
18 unwillingness or inability to comply with reasonable terms or conditions contained in the proposed  
19 permit;

20 2. The proposed event ~~((would conflict with another))~~ is proximate to another previously  
21 permitted or previously scheduled exempt event((;)) so that the combined impacts and required public  
22 services exceed what the City, after reasonable efforts have been made to accommodate both events, can



1 reasonably provide; or the proposed event would interfere with construction or maintenance work in the  
2 immediate vicinity, or unreasonably infringe upon the rights of abutting properties; or

3 3. The proposed event would unreasonably disrupt the orderly or safe circulation of traffic as  
4 would present an unreasonable risk of injury or damage to the public.

5 In the event subsection 2 or 3, above, applies, the Special Events Committee shall offer the  
6 applicant the opportunity to submit an alternative date or place for the proposed event before denying  
7 the application.

8 If the Special Events Committee denies an application, the Committee shall state in writing the  
9 reasons for its denial.

10 C. Revocation. The Special Events Committee may cancel or revoke a permit already issued((;))  
11 upon written notice to the applicant stating the grounds for revocation if:

12 1. The applicant, in the information supplied, has made misstatement of a material fact; the  
13 applicant has failed to fulfill a term or condition of the permit in a timely manner; or the check  
14 submitted by an applicant in payment of the fee for a permit has been dishonored;

15 2. The applicant requests the cancellation of the permit or cancels the event; or

16 3. An emergency or supervening occurrence requires the cancellation or termination of the  
17 event in order to protect the public health or safety.

18 The City shall refund the permit fee in the event of a revocation caused by an emergency or  
19 supervening occurrence; the City shall refund the balance of the fee less its costs incurred if the  
20 cancellation occurs at the request of an applicant who is in compliance with this chapter.

21 D. Administrative Review. An applicant may request an administrative review of a Special Events  
22 Committee denial of a special events permit application, or conditions placed upon a permit that the  
23 applicant alleges are unconstitutional or will prevent the applicant from holding the proposed event.  
24



1 Such a review shall be conducted by an Administrative Review Committee, comprised of the  
2 Superintendent of Parks and Recreation, the Director of Transportation, and the Fire Chief, or their  
3 deputies, provided that if the deputy is a member of the Special Events Committee, then the department  
4 head shall serve on the Administrative Review Committee. A request for an administrative review shall  
5 be made to the Special Events Committee in writing within three (3) business days after the denial or  
6 issuance of the permit with conditions. The Administrative Review Committee shall issue its decision  
7 within five (5) business days of its receipt of the request for review.

8 Section 7. The Special Events Committee shall complete its currently planned review of its  
9 present rules and guidelines for implementing the special events ordinance and shall submit a report  
10 thereon to the City Council by January 31, 2002, and place the rules and guidelines on the internet and  
11 widely distribute them in printed form. The Public Safety Committee will review the rules and  
12 guidelines and accept public testimony at its next meeting.

13 Section 8. The Executive shall prepare a proposal for implementing an integrated "one-stop  
14 shopping" approach for applications for special events and shall present that proposal to the City Council  
15 within six (6) months of the effective date of this ordinance.

16 Section 9. The Executive shall report to the City Council after six (6) months' experience under  
17 these amendments to the Special Events Ordinance. A written report shall be submitted to the President of  
18 the Council, with copies to all Councilmembers, within sixty (60) days after the six-month anniversary of  
19 the effective date of this ordinance, and the Council may schedule a briefing in the appropriate committee.  
20 The report should include at least the following:

- 21 a. The number of events that required special event permit applications under SMC Section  
22 15.52.005.A.2 (which includes in the definition of "special event" certain events planned to be  
23  
24



held on private property), and a description of each such event and the reason it required a special event permit application.

- b. A description of any special event permit applications that were denied or revoked during the six-month period.
- c. A discussion of any issues that arose in interpreting the language of this ordinance during the six-month period.
- d. Suggestions for additional amendments to the Special Events Ordinance or to the Special Events Handbook.

Section 10. Any act taken consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 11. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 19<sup>th</sup> day of November, 2001, and signed by me in open session in authentication of its passage this 19<sup>th</sup> day of November, 2001.

Margaret E. Pugh  
President \_\_\_\_\_ of the City Council

Approved by me this 20<sup>th</sup> day of NOVEMBER, 2001.

Paul Schell  
Mayor

Filed by me this 26<sup>th</sup> day of November, 2001.

Janith E. Phipps  
City Clerk

(Seal)







# City of Seattle

Paul Schell, Mayor

Office of the Mayor



August 10, 2001

Margaret Pageler, City Council President  
Jim Compton, Chair, Public Safety and Technology Committee  
City of Seattle  
600 Fourth Avenue, 11<sup>th</sup> Floor  
Seattle, WA 98104

Dear Council President Pageler and Councilmember Compton:

Please find attached for the Council's consideration a proposed ordinance that amends SMC 15.52, the City's existing "Special Events" ordinance. The changes proposed will help establish clear lines of accountability for the success of large special events, as well as closer collaboration between event planners and the City. My primary goal in this legislation is not to hinder the creative development of the thousands of small, community-based special events each year; but, rather, to better ensure safe large events. The intent of these proposed changes is to create a mutually beneficial collaborative framework between the City and event sponsors that enables all events to succeed through thoughtful planning.

Shortly after the alcohol-fueled violence that took place in Pioneer Square in February, I formed three citizen task forces to look into the event and give me recommendations on how this tragedy could be avoided in the future. The proposed legislation that I am forwarding to you for your consideration was one of the key recommendations from the Special Events Task Force. After reviewing the recommendations from all three task forces, I am convinced that this legislation is critical to giving the City legal authority to better ensure public safety during large events that spill onto our sidewalks.

As you know, Seattle has a rich history of successful special events in our city, drawing thousands of people together from varied backgrounds. These events are extremely important to the health and well being of our community. They build a sense of belonging and community pride. It is critical for the City to nurture and support events that build our community connections, while, at the same time, ensuring that the events are as safe as possible and that there is public accountability.

The Special Events Task Force thoroughly reviewed the City's current process for permitting special events. It identified best practices as well as gaps in the current process. The amendments that I am proposing reflect a number of the recommendations made by the task force. The essence of these changes is:

1. A new definition of "Special Event" to include events that occur wholly, or in part, within parks or other public places as well as events that are likely to have a substantial impact (spill over) on a park or other public place.

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600 Fourth Avenue, 12th Floor, Seattle, WA 98104-1873

Tel: (206) 684-4000, TDD: (206) 684-8811, Fax: (206) 684-5360, E-mail: [mayors.office@ci.seattle.wa.us](mailto:mayors.office@ci.seattle.wa.us)

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*Council President Pageler and Councilmember Compton*

August 10, 2001

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2. Clearer language on the need for public services for special events, such as fire, police, traffic control, etc.
3. The creation of a new administrative review process for applicants whose applications for special event permits have been denied.
4. Authorization for the Special Events Committee to look at the event/event organizer's compliance with previous permits when considering applications for new permits.

The changes to this ordinance are just one of a number of steps that we need to take to ensure that large events in Seattle are as safe as possible for the participants, the general public, and our police officers. I also intend to pursue other recommendations of the Special Events Task Force, including increasing resources to the Special Events Committee to better coordinate, track, screen, review, and permit special events, as well as improved customer service measures to make the process easier to navigate for event organizers.

Please contact Glenn Whitham (684-8036), who helped me coordinate the three Mardi Gras Task Forces, Virginia Anderson (684-7330), the Chair of the Special Events Task Force, or Virginia Swanson (684-8017), the Chair of the Special Events Committee, if you have any questions or concerns. Thank you for your consideration of this important legislation.

Very truly yours,

  
Paul Schell

cc: City Council Members  
Maud Daudon, Deputy Mayor  
Tom Byers, Deputy Mayor  
Chuck Clarke, Deputy Mayor  
Virginia Anderson, Director, Seattle Center  
Glenn Whitham, Strategic Planning Office  
Virginia Swanson, Department of Parks & Recreation



ORDINANCE \_\_\_\_\_

AN ORDINANCE relating to the City's process for permitting special events; adding a new definitions section to Seattle Municipal Code Chapter 15.52; adding a definition of a "special event"; and amending various sections of SMC Chapter 15.52 pertaining thereto.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A new section, entitled "SMC 15.52.050 Definitions," is hereby added to Chapter 15.52 as follows:

**Section 15.52.005 Definitions.**

The following terms, when used in this chapter, shall have the following meanings unless the context clearly provides otherwise:

A. "Special Event" means an event that:

1. occurs in whole or in part in a park or other public place or is reasonably expected to have a substantial impact on a park or other public place; and,

2. is reasonably expected to require the provision of substantial public services.

"Park" and "public place" mean as those terms are defined in SMC Chapters 18.12 and 15.02, respectively.

B. "Substantial impact on a park or other public place" means an event would cause a significant interference with the ability of the general public to use a park or other public place or would create a significant adverse impact on the physical characteristics of a park or other public place.

C. "Substantial public services" means a material increase in the amount, scope, or level of necessary Fire, Police, traffic control, crowd control, or other public services above those that would normally be required without the event.

Section 2. SMC 15.52.010, Ordinance No. 115982, is amended to read as follows:



**Section 15.52.010 Special Events Committee.**

There is hereby established a Special Events Committee to identify, in coordination with City departments and other governmental entities, the ((provision-))nature and scope of governmental services necessary for special events ((occurring in parks or public places that may require police officers to provide crowd or traffic control)) as defined in this chapter; to issue special event permits for such events; to determine appropriate terms and conditions for such permits; to set the applicable fees; and to administer this chapter.

Section 3. SMC 15.52.030, Ordinance No. 115982, is amended to read as follows:

**SMC 15.52.030 Powers of Special Events Committee.**

The Special Events Committee shall have the power:

A. To interpret and administer this chapter, to establish criteria for determining whether an event meets the definition of a special event, to determine whether an event requires a special event permit, and to require, receive, and process applications for such permits;

B. To represent the City, under the supervision of the Mayor, in discussions and in making agreements with persons who present a proposed event that may require a special events permit ((police personnel to provide crowd or traffic control));

C. To identify, in coordination with City departments and other governmental entities, ((governments)) the ((provision-))nature and scope of governmental services necessary for such special events;

D. To issue special event permits for special events; determine appropriate terms and conditions as contemplated by Section 15.52.040; require, review and approve security, crowd control ((or)) and traffic control plans; identify the appropriate fee or, if applicable, apply an exemption in Section



1 15.52.080 or an exclusion in Section 15.52.090; accept a bond, escrow account or letter of credit from a  
2 financial institution in lieu of an advance deposit of a fee; determine the appropriate insurance coverage  
3 (with the City as a named insured) that an event must obtain, and require proof of compliance; work  
4 with the applicant and the Police Department to develop ~~((provide security under-))~~ an approved security  
5 plan, and as authorized by Section 15.50.070 E, grant a refund of a fee paid;

6 E. To deny an application, issue a permit on contingency or conditions, and/or revoke a permit as  
7 contemplated by Section 15.52.60, and as consistent with Section 15.52.40;

8 F. To promulgate rules in accordance with the Administrative Code, Chapter 3.02, to implement this  
9 chapter, and to promulgate a schedule of base fees, rounded to the nearest Fifty Dollars (\$50.00), to  
10 reflect adjustments in the Consumer Price Index as contemplated by subsection A of Section 15.52.070;

11 G. To review the fee schedule and event classification every year, project revenues, and submit  
12 recommendations to the Mayor in the City annual budget process;

13 H. To adopt rules for its own procedures; establish subcommittees for assignments; select a voting  
14 member to preside in the absence of its chair; and delegate ministerial functions to City departments;  
15 and

16 I. To perform such other functions as may be assigned by ordinance from time to time.

17 Section 4. SMC 15.52.040, last amended by Ordinance No. 118409, is further amended to  
18 read as follows:

19 **SMC 15.52.040 Special Event Permits Required.**

20 A. A special event permit or authorization from the Special Events Committee is required for any  
21 special event, as defined in this chapter. ~~((in a park or public place that is reasonably anticipated to~~  
22 ~~require police personnel in order to provide crowd or traffic control.))~~ Such special event permit shall  
23 be in addition to any street or park use, or other regular permits as may be required by ordinance.  
24





1 B. To avoid duplication, when a special event permit covers the subject matter to their satisfaction,  
2 the Director of Transportation and/or as to parks, park drives, and boulevards, the Superintendent of  
3 Parks and Recreation, respectively, may waive issuing a separate use permit or park use permit.

4 C. When a special event permit is required, no street use permit shall issue under this title, nor shall a  
5 park use permit issue pursuant to Title 18 for such an event until the Special Events Committee has  
6 issued its special event permit therefor or otherwise authorized the issuance of the departmental permits,  
7 unless pursuant to subsection B the Director and/or the Superintendent waive issuance of separate  
8 permits.

9 D. When such an event will be an exercise of rights protected by the First and Fourteenth  
10 Amendments to the United States Constitution, or Article I, Sections 3, 4, 5, or 11 of the Washington  
11 Constitution, the application shall be processed promptly, without charging a fee for political or  
12 religious activities or imposing terms or conditions that infringe constitutional freedoms, and in a  
13 manner that respects the liberties of applicants and the public.

14 Section 5. SMC 15.52.050, Ordinance No. 115982, is amended to read as follows:

15 **SMC 15.52.050 Conditions Authorized.**

16 The Special Events Committee may include in a special event permit, among other provisions,  
17 reasonable terms or conditions as to the time, place and manner of the event; the implementation of a  
18 plan presented by the applicant and approved by the Committee for crowd control, traffic control, and  
19 security; compliance with health and sanitary regulations as explicated by the Seattle-King County  
20 Health Department for the event; coordination with the Fire Department or medical personnel for  
21 emergency treatment and evacuation of people who may need immediate care, cardio-pulmonary  
22 resuscitation or ambulance service; emergency communication; fire suppression equipment with  
23 structures; maintenance of unobstructed emergency passageways; and, where traffic congestion may be  
24

1 anticipated, encouraging the use of transit and car pooling. Conditions shall be based on the Special  
2 Events Committee's assessment of the planned event, including the size, nature, and history of the event,  
3 and the event or event organizer's compliance with conditions included in previous permits.

4 In order to accommodate other concurrent events, the rights of abutting owners and the needs  
5 of the public to use streets or parks, the conditions may include, but are not limited to, reasonable  
6 adjustments in the date, time, route or location of the proposed event; accommodations of pedestrian or  
7 vehicular traffic using the street; and limitations on the duration of the event.

8 Section 6. SMC 15.52.060, Ordinance No. 115982, is amended to read as follows:

9 **SMC 15.52.060 Processing, Denial, Revocation of Permit.**

10 A. Processing. To assist the City in planning for and assigning its police, fire, and other department  
11 personnel, the producers of events subject to a special event permit are encouraged to submit their  
12 applications at least three (3) months before the scheduled event; and the Special Events Committee  
13 shall process such application within sixty (60) days of the application, if practicable.

14 B. Denial. The Special Events Committee may deny an application for a special event permit if:

15 1. The applicant supplies false or misleading information; the applicant fails to complete the  
16 application or to supply other required information or documents; or the applicant declares or shows an  
17 unwillingness or inability to comply with reasonable terms or conditions contained in the proposed  
18 permit;

19 2. The proposed event would conflict with another proximate event, interfere with  
20 construction or maintenance work in the immediate vicinity, or unreasonably infringe upon the rights of  
21 abutting properties; or

22 3. The proposed event would unreasonably disrupt the orderly or safe circulation of traffic as  
23 would present an unreasonable risk of injury or damage to the public.

1 In the event subsection 2 or 3, above, applies, the Special Events Committee shall offer the  
2 applicant the opportunity to submit an alternative date or place for the proposed event before denying  
3 the application.

4 C. Revocation. The Special Events Committee may cancel or revoke a permit already issued, upon  
5 written notice to the applicant stating the grounds for revocation if:

6 1. The applicant, in the information supplied, has made misstatement of a material fact; the  
7 applicant has failed to fulfill a term or condition of the permit in a timely manner; or the check  
8 submitted by an applicant in payment of the fee for a permit has been dishonored;

9 2. The applicant requests the cancellation of the permit or cancels the event; or

10 3. An emergency or supervening occurrence requires the cancellation or termination of the  
11 event in order to protect the public health or safety.

12 The City shall refund the permit fee in the event of a revocation caused by an emergency or  
13 supervening occurrence; the City shall refund the balance of the fee less its costs incurred if the  
14 cancellation occurs at the request of an applicant who is in compliance with this chapter.

15 D. Administrative Review. An applicant may request an administrative review of a Special Events  
16 Committee denial of a special events permit application. Such a review shall be conducted by an  
17 Administrative Review Committee comprised of the Superintendent of Parks and Recreation, the  
18 Director of Transportation, and the Fire Chief, or their respective designees. A request for an  
19 administrative review shall be made to the Special Events Committee in writing within three (3)  
20 business days after the denial. The Review Committee shall issue its decision within five (5) business  
21 days of its receipt of the request for review.



1 Section 7. This ordinance shall take effect and be in force thirty (30) days from and after its  
2 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after  
3 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

4 Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2001, and signed by me in open  
5 session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

6  
7 \_\_\_\_\_  
President \_\_\_\_\_ of the City Council

8 Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2001.  
9

10 \_\_\_\_\_  
Mayor

11  
12 Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

13  
14 \_\_\_\_\_  
City Clerk

15 (Seal)  
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An Ordinance relating to the City's process for permitting special events; adding a new definitions section to Seattle Municipal Code Chapter 15.52; adding a definition of a "special event"; and amending various sections of SMC Chapter 15.52 pertaining thereto.

CB 113801





**From:** Lyn Tangen  
**To:** Allen, George; Carter, Margaret  
**Date:** 8/7/01 11:10AM  
**Subject:** Special Events Ordinance Amendments

Attached is the title for the ordinance amending SMC 15.52. The complete text of the amendment will follow. Please call me if you have any questions or problems. Thanks for your help.

Lyn Tangen  
Legal Counsel, Mayor's Office  
206.615.1473

This communication is privileged and confidential. If you are not the named recipient, please notify me you have received this message in error and destroy this communication and any attachments.

**CC:** Clarke, Chuck; Keese, Gary; Whitham, Glenn



**Margaret Carter - Fwd: Special Events Ordinance Amendments**

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**From:** George Allen  
**To:** Margaret Carter  
**Date:** 08/07/2001 12:07 PM  
**Subject:** Fwd: Special Events Ordinance Amendments

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Margaret, Is this good enough for the referral calender for this Monday?

ORDINANCE \_\_\_\_\_

AN ORDINANCE relating to the City's process for permitting special events; adding a new definitions section to Seattle Municipal Code Chapter 15.52; adding a definition of a "special event"; and amending various sections of SMC Chapter 15.52 pertaining thereto.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A new section, entitled "SMC 15.52.050 Definitions," is hereby added to Chapter 15.52 as follows:

**Section 15.52.005 Definitions.**

The following terms, when used in this chapter, shall have the following meanings unless the context clearly provides otherwise:

A. "Special Event" means an event that:

1. occurs in whole or in part in a park or other public place or is reasonably expected to have a substantial impact on a park or other public place; and,

2. is reasonably expected to require the provision of substantial public services.

"Park" and "public place" mean as those terms are defined in SMC Chapters 18.12 and 15.02, respectively.

B. "Substantial impact on a park or other public place" means an event would cause a significant interference with the ability of the general public to use a park or other public place or would create a significant adverse impact on the physical characteristics of a park or other public place.

C. "Substantial public services" means a material increase in the amount, scope, or level of necessary Fire, Police, traffic control, crowd control, or other public services above those that would normally be required without the event.

Section 2. SMC 15.52.010, Ordinance No. 115982, is amended to read as follows:

**Section 15.52.010 Special Events Committee.**

There is hereby established a Special Events Committee to identify, in coordination with City departments and other governmental entities, the ((provision-))nature and scope of governmental services necessary for special events ((occurring in parks or public places that may require police officers to provide crowd or traffic control)) as defined in this chapter; to issue special event permits for such events; to determine appropriate terms and conditions for such permits; to set the applicable fees; and to administer this chapter.

Section 3. SMC 15.52.030, Ordinance No. 115982, is amended to read as follows:

**SMC 15.52.030 Powers of Special Events Committee.**

The Special Events Committee shall have the power:

A. To interpret and administer this chapter, to establish criteria for determining whether an event meets the definition of a special event, to determine whether an event requires a special event permit, and to require, receive, and process applications for such permits;

B. To represent the City, under the supervision of the Mayor, in discussions and in making agreements with persons who present a proposed event that may require a special events permit ((police personnel to provide crowd or traffic control));

C. To identify, in coordination with City departments and other governmental entities, ((governments)) the ((provision-))nature and scope of governmental services necessary for such special events;

D. To issue special event permits for special events; determine appropriate terms and conditions as contemplated by Section 15.52.040; require, review and approve security, crowd control ((or)) and traffic control plans; identify the appropriate fee or, if applicable, apply an exemption in Section

1 15.52.080 or an exclusion in Section 15.52.090; accept a bond, escrow account or letter of credit from a  
2 financial institution in lieu of an advance deposit of a fee; determine the appropriate insurance coverage  
3 (with the City as a named insured) that an event must obtain, and require proof of compliance; work  
4 with the applicant and the Police Department to develop ~~((provide security under-))~~ an approved security  
5 plan, and as authorized by Section 15.50.070 E, grant a refund of a fee paid;

6 E. To deny an application, issue a permit on contingency or conditions, and/or revoke a permit as  
7 contemplated by Section 15.52.60, and as consistent with Section 15.52.40;

8 F. To promulgate rules in accordance with the Administrative Code, Chapter 3.02, to implement this  
9 chapter, and to promulgate a schedule of base fees, rounded to the nearest Fifty Dollars (\$50.00), to  
10 reflect adjustments in the Consumer Price Index as contemplated by subsection A of Section 15.52.070;

11 G. To review the fee schedule and event classification every year, project revenues, and submit  
12 recommendations to the Mayor in the City annual budget process;

13 H. To adopt rules for its own procedures; establish subcommittees for assignments; select a voting  
14 member to preside in the absence of its chair; and delegate ministerial functions to City departments;  
15 and

16 I. To perform such other functions as may be assigned by ordinance from time to time.

17 Section 4. SMC 15.52.040, last amended by Ordinance No. 118409, is further amended to  
18 read as follows:

19 **SMC 15.52.040 Special Event Permits Required.**

20 A. A special event permit or authorization from the Special Events Committee is required for any  
21 special event, as defined in this chapter. ~~((in a park or public place that is reasonably anticipated to~~  
22 ~~require police personnel in order to provide crowd or traffic control.))~~ Such special event permit shall  
23 be in addition to any street or park use, or other regular permits as may be required by ordinance.  
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1 B. To avoid duplication, when a special event permit covers the subject matter to their satisfaction,  
2 the Director of Transportation and/or as to parks, park drives, and boulevards, the Superintendent of  
3 Parks and Recreation, respectively, may waive issuing a separate use permit or park use permit.

4 C. When a special event permit is required, no street use permit shall issue under this title, nor shall a  
5 park use permit issue pursuant to Title 18 for such an event until the Special Events Committee has  
6 issued its special event permit therefor or otherwise authorized the issuance of the departmental permits,  
7 unless pursuant to subsection B the Director and/or the Superintendent waive issuance of separate  
8 permits.

9 D. When such an event will be an exercise of rights protected by the First and Fourteenth  
10 Amendments to the United States Constitution, or Article I, Sections 3, 4, 5, or 11 of the Washington  
11 Constitution, the application shall be processed promptly, without charging a fee for political or  
12 religious activities or imposing terms or conditions that infringe constitutional freedoms, and in a  
13 manner that respects the liberties of applicants and the public.

14 Section 5. SMC 15.52.050, Ordinance No. 115982, is amended to read as follows:

15 **SMC 15.52.050 Conditions Authorized.**

16 The Special Events Committee may include in a special event permit, among other provisions,  
17 reasonable terms or conditions as to the time, place and manner of the event; the implementation of a  
18 plan presented by the applicant and approved by the Committee for crowd control, traffic control, and  
19 security; compliance with health and sanitary regulations as explicated by the Seattle-King County  
20 Health Department for the event; coordination with the Fire Department or medical personnel for  
21 emergency treatment and evacuation of people who may need immediate care, cardio-pulmonary  
22 resuscitation or ambulance service; emergency communication; fire suppression equipment with  
23 structures; maintenance of unobstructed emergency passageways; and, where traffic congestion may be  
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1 anticipated, encouraging the use of transit and car pooling. Conditions shall be based on the Special  
2 Events Committee's assessment of the planned event, including the size, nature, and history of the event,  
3 and the event or event organizer's compliance with conditions included in previous permits.

4 In order to accommodate other concurrent events, the rights of abutting owners and the needs  
5 of the public to use streets or parks, the conditions may include, but are not limited to, reasonable  
6 adjustments in the date, time, route or location of the proposed event; accommodations of pedestrian or  
7 vehicular traffic using the street; and limitations on the duration of the event.

8 Section 6. SMC 15.52.060, Ordinance No. 115982, is amended to read as follows:

9 **SMC 15.52.060 Processing, Denial, Revocation of Permit.**

10 A. Processing. To assist the City in planning for and assigning its police, fire, and other department  
11 personnel, the producers of events subject to a special event permit are encouraged to submit their  
12 applications at least three (3) months before the scheduled event; and the Special Events Committee  
13 shall process such application within sixty (60) days of the application, if practicable.

14 B. Denial. The Special Events Committee may deny an application for a special event permit if:

15 1. The applicant supplies false or misleading information; the applicant fails to complete the  
16 application or to supply other required information or documents; or the applicant declares or shows an  
17 unwillingness or inability to comply with reasonable terms or conditions contained in the proposed  
18 permit;

19 2. The proposed event would conflict with another proximate event, interfere with  
20 construction or maintenance work in the immediate vicinity, or unreasonably infringe upon the rights of  
21 abutting properties; or

22 3. The proposed event would unreasonably disrupt the orderly or safe circulation of traffic as  
23 would present an unreasonable risk of injury or damage to the public.  
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1 In the event subsection 2 or 3, above, applies, the Special Events Committee shall offer the  
2 applicant the opportunity to submit an alternative date or place for the proposed event before denying  
3 the application.

4 C. Revocation. The Special Events Committee may cancel or revoke a permit already issued, upon  
5 written notice to the applicant stating the grounds for revocation if:

6 1. The applicant, in the information supplied, has made misstatement of a material fact; the  
7 applicant has failed to fulfill a term or condition of the permit in a timely manner; or the check  
8 submitted by an applicant in payment of the fee for a permit has been dishonored;

9 2. The applicant requests the cancellation of the permit or cancels the event; or

10 3. An emergency or supervening occurrence requires the cancellation or termination of the  
11 event in order to protect the public health or safety.

12 The City shall refund the permit fee in the event of a revocation caused by an emergency or  
13 supervening occurrence; the City shall refund the balance of the fee less its costs incurred if the  
14 cancellation occurs at the request of an applicant who is in compliance with this chapter.

15 D. Administrative Review. An applicant may request an administrative review of a Special Events  
16 Committee denial of a special events permit application. Such a review shall be conducted by an  
17 Administrative Review Committee comprised of the Superintendent of Parks and Recreation, the  
18 Director of Transportation, and the Fire Chief, or their respective designees. A request for an  
19 administrative review shall be made to the Special Events Committee in writing within three (3)  
20 business days after the denial. The Review Committee shall issue its decision within five (5) business  
21 days of its receipt of the request for review.



1 Section 7. This ordinance shall take effect and be in force thirty (30) days from and after its  
2 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after  
3 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

4 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2001, and signed by me in open  
5 session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2001.

6  
7 \_\_\_\_\_  
President \_\_\_\_\_ of the City Council

8 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2001.

9  
10 \_\_\_\_\_  
Mayor

11  
12 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2001.

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14 \_\_\_\_\_  
City Clerk

15 (Seal)  
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ORDINANCE \_\_\_\_\_

AN ORDINANCE relating to the City's process for permitting special events; adding a new definitions section to Seattle Municipal Code Chapter 15.52; adding a definition of a "special event"; and amending various sections of SMC Chapter 15.52 pertaining thereto.

WHEREAS, the City's Special Events Ordinance (SMC Chapter 15.52) has served Seattle well since its enactment in 1991, providing the framework within which the Special Events Committee has annually issued approximately 200 special event permits for a wide variety of events that have immeasurably enriched our community; and,

WHEREAS, the Special Events Committee, while issuing permits for approximately 2000 events in the last ten years, has denied few applications and has facilitated for more than a decade the exercise of our valued rights of assembly and free expression.

WHEREAS, the primary purpose of parks is to provide the public the opportunity to enjoy natural beauty and recreational opportunities and the primary purpose of streets and sidewalks is to provide a public right of way for a wide variety of transportation uses; and,

WHEREAS, another important use of parks, streets, sidewalks, and other public places is to provide venues for a wide variety of public events and for the public to exercise their rights of free speech and assembly; and,

WHEREAS, most events in public places require no special events permit, but some require considerable advance planning by more than one City department, sometimes in conjunction with other governmental agencies, in order to adequately protect public safety.

WHEREAS, the city has a compelling need to coordinate its planning for proposed special events in order to protect public health and safety and reduce adverse impacts such as noise, congestion, traffic, and parking problems, while guaranteeing the public's rights to free speech and assembly; and,

WHEREAS, the 2001 Mardi Gras event, which resulted in a tragic loss of life and dozens of arrests, had neither applied for nor received any special events permit, and this has galvanized public concern about accountability for events that generate large crowds, cause street closures, and require large numbers of police to restore order. and,

WHEREAS, the Mayor empanelled representative citizen groups to look at these issues, including a Special Event Task force which focused on potential improvements in the Special Events Ordinance. and



1 WHEREAS, the City has no interest in regulating events that take place on private property, but does  
2 have an interest in regulating and planning for that portion of an event that occurs in public  
3 places such as parks, streets, and sidewalks; and,

4 WHEREAS, the Special Events Task Force recommended changes be made to the special events  
5 ordinance, clarifying that events that may occur at least in part on private property may also have  
6 a substantial impact on public places and require substantial public services such as police for  
7 crowd or traffic control; and,

8 WHEREAS, if a proposed event is reasonably anticipated to take place at least in part in public places  
9 and to require substantial public services to deal with the impacts of the event on those public  
10 places (such as the reallocation of police personnel from their standard assignments in other  
11 geographic areas of the City thereby potentially jeopardizing essential police/public safety  
12 services to those neighborhoods), the City has a legitimate interest in requiring the event  
13 organizer to plan for the event's impact upon those public places and to apply for and receive a  
14 special event permit; and,

15 WHEREAS, the Special Events Committee, working with organizers of proposed events, develops  
16 reasonable permit conditions in order to protect public health and safety and reduce adverse  
17 impacts such as noise, traffic, and parking problems, while guaranteeing the public's rights to  
18 free speech and assembly; and,

19 WHEREAS, the City has no interest in basing special event permitting decisions, including decisions  
20 regarding reasonable permit conditions, on the viewpoint or message of the proposed event, but  
21 does have the responsibility to develop reasonable and effective permit conditions based upon  
22 such public safety factors as anticipated crowd size, the nature of the event, anticipated crowd,  
23 pedestrian, and traffic control issues, anticipated noise, congestion, and parking problems, and  
24 the history of problems associated with the event or similar events and the event or event  
organizer's compliance with previous permit conditions designed to deal with those issues and  
problems; and,

WHEREAS, the City wants to provide event organizers with an efficient permitting process, and when  
permits are denied, prompt administrative review of permit denials; and,

WHEREAS, the City Council encourages the Special Events Committee to complete by January 31,  
2002, its currently planned review of its present rules and guidelines for implementing the  
special events ordinance;

Now therefore:

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:



Section 1. A new section, entitled "SMC 15.52.005 Definitions," is hereby added to Chapter 15.52 as follows:

**Section 15.52.005 Definitions.**

The following terms, when used in this chapter, shall have the following meanings:

A. "Special Event" means:

1. A planned event that:

(a) is reasonably expected to cause or result in more than 50 people gathering in whole or in part in a park or other public place; and,

(b) will have a substantial impact on such park or other public place; and,

(c) is reasonably expected to require the provision of substantial public services; or

2. Any other planned event in a park or other public place if the event organizer requests the City to provide any public services in addition to those that would normally be provided by the City in the absence of the event.

B. "Park" and "public place" mean as those terms are defined in SMC Chapters 18.12 and 15.02, respectively.

C. "Substantial impact on a park or other public place" means an event would preclude in whole or in part the public's normal and customary use of such park or public place.

D. "Substantial public services" means an increase in the amount, scope, or level of necessary fire, police, traffic control, crowd control, or other public services above those that would normally be required without the event. With respect to police resources, "substantial public services" means resources for crowd management or traffic control required for the event over and above the normal



1 deployment of police in that geographic area of the city at the time of day during which the event will  
2 occur.

3 Section 2. SMC 15.52.010, Ordinance No. 115982, is amended to read as follows:

4 **Section 15.52.010 Special Events Committee.**

5 There is hereby established a Special Events Committee to identify in coordination ~~coordinate~~  
6 with City departments and other governmental entities the ((provision)) nature and scope of  
7 governmental services necessary for special events ((occurring in parks or public places that may require  
8 police officers to provide crowd or traffic control)) as defined in this chapter; to issue special event  
9 permits for such events; to determine appropriate terms and conditions for such permits; to set the  
10 applicable fees; and to administer this chapter.

11 Section 3. SMC 15.52.030, Ordinance No. 115982, is amended to read as follows:

12 **SMC 15.52.030 Powers of Special Events Committee.**

13 The Special Events Committee shall have the power:

14 A. To interpret and administer this chapter, to establish criteria for determining whether an event  
15 meets the definition of a special event, to determine whether an event requires a special event permit,  
16 and to require, receive, and process applications for such permits;

17 B. To represent the City, under the supervision of the Mayor, in discussions and in making  
18 agreements with persons who present a proposed event that may require a special events permit ~~((police~~  
19 ~~personnel to provide crowd or traffic control))~~);

20 C. To ~~((coordinate))~~ identify, in coordination with City departments and with other governmental  
21 entities ((governments)) the ((provision)) nature and scope of governmental services necessary for such  
22 special events;  
23  
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1 D. To issue special event permits for special events; determine appropriate terms and conditions as  
2 contemplated by Section 15.52.040; require, review and approve security, crowd control ~~((or))~~ and  
3 traffic control plans; identify the appropriate fee or, if applicable, apply an exemption in Section  
4 15.52.080 or an exclusion in Section 15.52.090; accept a bond, escrow account or letter of credit from a  
5 financial institution in lieu of an advance deposit of a fee; determine the appropriate insurance coverage  
6 (with the City as a named insured) that an event must obtain and require proof of compliance; work with  
7 the applicant and the Police Department to ~~((provide security under))~~ develop an approved security plan,  
8 and as authorized by Section 15.50.070 E, grant a refund of a fee paid;

9 E. To deny an application, issue a permit on contingency or conditions, and/or revoke a permit as  
10 contemplated by Section 15.52.60, and as consistent with Section 15.52.40;

11 F. To promulgate rules in accordance with the Administrative Code, Chapter 3.02, to implement this  
12 chapter, and to promulgate a schedule of base fees, rounded to the nearest Fifty Dollars (\$50.00), to  
13 reflect adjustments in the Consumer Price Index as contemplated by subsection A of Section 15.52.070;

14 G. To review the fee schedule and event classification every year, project revenues, and submit  
15 recommendations to the Mayor in the City annual budget process;

16 H. To adopt rules for its own procedures; establish subcommittees for assignments; select a voting  
17 member to preside in the absence of its chair; and delegate ministerial functions to City departments;  
18 and

19 I. To perform such other functions as may be assigned by ordinance from time to time.  
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Section 4. SMC 15.52.040, last amended by Ordinance No. 118409, is further amended to read as follows:

**SMC 15.52.040 Special Event Permits Required.**

A. A special event permit or authorization from the Special Events Committee is required for any special event, as defined in this chapter, except that 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 an event.

~~((in a park or public place that is reasonably anticipated to require police personnel in order to provide crowd or traffic control.))~~ Such special event permit shall be in addition to any street or park use, or other regular permits as may be required by ordinance.

B. To avoid duplication, when a special event permit covers the subject matter to their satisfaction, the Director of Transportation and/or as to parks, park drives, and boulevards, the Superintendent of Parks and Recreation, respectively, may waive issuing a separate use permit or park use permit.

C. When a special event permit is required, no street use permit shall issue under this title, nor shall a park use permit issue pursuant to Title 18 for such an event until the Special Events Committee has issued its special event permit therefor or otherwise authorized the issuance of the departmental permits, unless pursuant to subsection B the Director and/or the Superintendent waive issuance of separate permits.

D. When a special event permit is required, the Special Events committee shall, after reviewing the application and if necessary meeting with the organizer, advise the organizer of all other permits that appear to be required for the event based on information contained in the application; and assist the organizer in contacting other departments to apply for all other permits in a timely manner.



1 ((D)) E. When such an event will be an exercise of rights protected by the First and  
2 Fourteenth Amendments to the United States Constitution, or Article I, Sections 3, 4, 5, or 11 of the  
3 Washington Constitution, the application shall be processed promptly, without charging a fee for  
4 political or religious activities or imposing terms or conditions that infringe constitutional freedoms, and  
5 in a manner that respects the liberties of applicants and the public.

6 Section 5. SMC 15.52.050, Ordinance No. 115982, is amended to read as follows:

7 **SMC 15.52.050 Conditions Authorized.**

8 The Special Events Committee may include in a special event permit, among other provisions,  
9 reasonable terms or conditions as to the time, place and manner of the event; the implementation of a  
10 plan presented by the applicant and approved by the Committee for crowd control, traffic control, and  
11 security; compliance with health and sanitary regulations as explicated by the Seattle-King County  
12 Health Department for the event; coordination with the Fire Department or medical personnel for  
13 emergency treatment and evacuation of people who may need immediate care, cardio-pulmonary  
14 resuscitation or ambulance service; emergency communication; fire suppression equipment with  
15 structures; maintenance of unobstructed emergency passageways; and, where traffic congestion may be  
16 anticipated, encouraging the use of transit and car pooling. In determining conditions, the Special  
17 Events Committee shall consider anticipated impacts of the event based on an assessment of the event,  
18 including size, scope, complexity, and history as well as the event or event organizer's successful  
19 implementation of conditions included in previous permits. Conditions shall be based upon projected  
20 impacts on public safety, public places and public services, but shall not be based upon the programming  
21 content of the event or message that the proposed event may convey.

22 In order to accommodate other concurrent events, the rights of abutting owners and the needs  
23 of the public to use streets or parks, the conditions may include, but are not limited to, reasonable  
24





1 adjustments in the date, time, route or location of the proposed event; accommodations of pedestrian or  
2 vehicular traffic using the street; and limitations on the duration of the event.

3 Section 6. SMC 15.52.060, Ordinance No. 115982, is amended to read as follows:

4 **SMC 15.52.060 Processing, Denial, Revocation of Permit.**

5 A. Processing. To assist the City in planning for and assigning its police, fire, and other department  
6 personnel, the ((producers)) organizers of events subject to a special event permit are encouraged to  
7 submit their applications at least three (3) months before the scheduled event; and the Special Events  
8 Committee shall process such application within sixty (60) days of the application, if practicable.

9 B. Denial. The Special Events Committee may deny an application for a special event permit if:

10 1. The applicant supplies false or misleading information; the applicant fails to complete the  
11 application or to supply other required information or documents; or the applicant declares or shows an  
12 unwillingness or inability to comply with reasonable terms or conditions contained in the proposed  
13 permit;

14 2. The proposed event ~~would conflict with another~~ is proximate to another previously  
15 permitted or previously scheduled exempt event((s)) so that the combined impacts and required public  
16 services exceed what the City, after reasonable efforts have been made to accommodate both events, can  
17 reasonably provide; or the proposed event would interfere with construction or maintenance work in the  
18 immediate vicinity, or unreasonably infringe upon the rights of abutting properties; or

19 3. The proposed event would unreasonably disrupt the orderly or safe circulation of traffic as  
20 would present an unreasonable risk of injury or damage to the public.

21 In the event subsection 2 or 3, above, applies, the Special Events Committee shall offer the  
22 applicant the opportunity to submit an alternative date or place for the proposed event before denying  
23 the application.



1 If the Special Events Committee denies an application, the Committee shall state in writing the  
2 reasons for its denial.

3 C. Revocation. The Special Events Committee may cancel or revoke a permit already issued, upon  
4 written notice to the applicant stating the grounds for revocation if:

5 1. The applicant, in the information supplied, has made misstatement of a material fact; the  
6 applicant has failed to fulfill a term or condition of the permit in a timely manner; or the check  
7 submitted by an applicant in payment of the fee for a permit has been dishonored;

8 2. The applicant requests the cancellation of the permit or cancels the event; or

9 3. An emergency or supervening occurrence requires the cancellation or termination of the  
10 event in order to protect the public health or safety.

11 The City shall refund the permit fee in the event of a revocation caused by an emergency or  
12 supervening occurrence; the City shall refund the balance of the fee less its costs incurred if the  
13 cancellation occurs at the request of an applicant who is in compliance with this chapter.

14 D. Administrative Review. An applicant may request an administrative review of a Special Events  
15 Committee denial of a special events permit application, or conditions placed upon such application that  
16 the applicant alleges are unconstitutional or will prevent the applicant from holding the proposed event.  
17 Such a review shall be conducted by an Administrative Review Committee, comprised of the  
18 Superintendent of Parks and Recreation, the Director of Transportation, and the Fire Chief, or their  
19 respective designees. A request for an administrative review shall be made to the Special Events  
20 Committee in writing within three (3) business days after the denial. The Review Committee shall issue  
21 its decision within five (5) business days of its receipt of the request for review.

22 Section 7. The Special Events Committee shall complete its currently planned review of its  
23 present rules and guidelines for implementing the special events ordinance and shall submit a report  
24



thereon to the City Council by January 31, 2002, and place the rules and guidelines on the internet and widely distribute them in printed form.

Section 8. The Executive shall prepare a proposal for implementing an integrated "one-stop shopping" approach for applications for special events and shall present that proposal to the City Council within six (6) months of the effective date of this ordinance.

Section 9. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2001, and signed by me in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
City Clerk

(Seal)



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**STATE OF WASHINGTON – KING COUNTY**

--SS.

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138960  
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

**Affidavit of Publication**

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

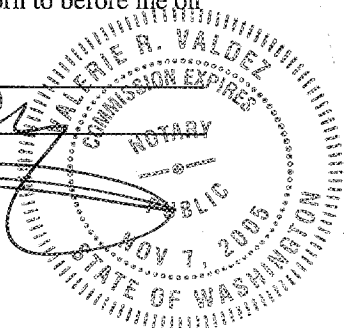
CT:120631 ORD. IN FULL

was published on

12/10/01

J. Stedman  
Subscribed and sworn to before me on  
12/10/01  
[Signature]  
Notary public for the State of Washington,  
residing in Seattle

Affidavit of Publication



## State of Washington, King County

other public place; and

(c) is reasonably expected to require provision of substantial public services; or

3. Any other planned event in a park or other public place if the event organizer requests the City to provide any public services in addition to those that would normally be provided by the City in the absence of the event.

B. "Park" and "public place" mean as those terms are defined in SMC Chapter 15.12 and 15.02, respectively.

C. "Substantial impact on a park or other public place" means an event would preclude in whole or in significant part the public's normal and customary use of such park or public place.

D. "Substantial public services" means a material increase in the amount, scope, or level of necessary fire, police, traffic control, crowd control, or other public services above those that would normally be required without the event. With respect to police resources, "substantial public services" means resources for crowd management or traffic control required for the event over and above the normal deployment of police in that geographic area of the city at the time of day during which the event will occur.

Section 2. SMC 15.52.018, Ordinance No. 115982 is amended to read as follows:

### SECTION 15.52.010 SPECIAL EVENTS COMMITTEE.

There is hereby established a Special Events Committee to identify in coordination (coordinate) with City departments and other governmental entities the (provision) nature and scope of governmental services necessary for special events (occurring in parks or public places that may require police officers to provide crowd or traffic control) as defined in this chapter; to issue special event permits for such events; to determine appropriate terms and conditions for such permits; to set the applicable fees; and to administer this chapter.

Section 3. SMC 15.52.030, Ordinance No. 115982, is amended to read as follows:

### SMC 15.52.030. POWERS OF SPECIAL EVENTS COMMITTEE.

The Special Events Committee shall have the power:

A. To interpret and administer this chapter; to establish criteria for determining whether an event meets the definition of a special event; to determine whether an event requires a special event permit; and to require, receive, and process applications for such permits.

B. To represent the City, under the supervision of the Mayor, in discussion and in making agreements with persons who propose an (present) event that may require a special event permit (police personnel to provide crowd or traffic control);

C. To (coordinate) identify, in coordination with City departments and with other governmental entities (governmental) the (provision) nature and scope of governmental services necessary for such special events;

D. To issue special event permits for special events; determine appropriate terms and conditions as contemplated by Section 15.52.040; require, review and approve security, crowd control (and) traffic control plans; identify the appropriate fee or, if applicable, apply an exemption in Section 15.52.090 or an exclusion in Section 15.52.090; accept a bond, escrow account or letter of credit from a financial institution in lieu of an advance deposit of a fee; determine the appropriate insurance coverage (with the City as named insured) that an event

owners and the needs of the public to use streets or parks, the conditions may include, but are not limited to, reasonable adjustments in the date, time, route or location of the proposed event; accommodations of pedestrian or vehicular traffic using the street; and limitations on the duration of the event. Section 6.

SMC 15.52.060, Ordinance No. 115982, is amended to read as follows:

### SMC 15.52.060 PROCESSING, DENIAL, REVOCATION OF PERMIT.

A. Processing. To assist the City in planning for and assigning its police, fire, and other department personnel, the (producers) organizers of events subject to a special event permit are encouraged to submit their applications at least three (3) months before the scheduled event, and the Special Events Committee shall process such application within sixty (60) days of the application, if practicable.

B. Denial. The Special Events Committee may deny an application for a special event permit if:

1. The applicant supplies 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 reasonable terms or conditions contained in the proposed permit;

2. The proposed event (would conflict with another) is proximate to another previously permitted or previously scheduled exempt event((,)) so that the combined impacts and required public services exceed what the City, after reasonable efforts have been made to accommodate both events, can reasonably provide; or the proposed event would interfere with construction or maintenance work in the immediate vicinity, or unreasonably infringe upon the rights of abutting properties;

3. 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.

In the event subsection 2 or 3, above, applies, the Special Events Committee shall offer the applicant the opportunity to submit an alternative date or place for the proposed event before denying the application.

If the Special Events Committee denies an application, the Committee shall state in writing the reasons for its denial.

C. Revocation. The Special Events Committee may cancel or revoke a permit already issued((,)) upon written notice to the applicant stating the grounds for revocation if:

1. The applicant, in the information supplied, has made misstatement of a material fact; the applicant has failed to fulfill a term or condition of the permit in a timely manner; or the check submitted by an applicant in payment of the fee for a permit has been dishonored;

2. The applicant requests the cancellation of the permit or cancels the event; or

3. An emergency or supervening occurrence requires the cancellation or termination of the event in order to protect the public health or safety.

The City shall refund the permit fee in the event of a revocation caused by an emergency or supervening occurrence; the City shall refund the balance of the fee less its costs incurred if the cancellation occurs at the request of an applicant who is in compliance with this chapter.

D. Administrative Review. An applicant may request an administrative review of a Special Events Committee denial of a special events permit application, or conditions placed upon a permit that the applicant alleges are unconstitutional or will prevent the applicant from

## City of Seattle

### ORDINANCE 120621

AN ORDINANCE relating to the City's process for permitting special events; adding a new definitions section to Seattle Municipal Code Chapter 15.52; adding a definition of a "special event"; and amending various sections of SMC Chapter 15.52 pertaining thereto.

WHEREAS, the City's Special Events Ordinance (SMC Chapter 15.52) has served Seattle well since its enactment in 1991, providing the framework within which the Special Events Committee has annually issued approximately 300 special event permits for a wide variety of events that have immeasurably enriched our community; and

WHEREAS, the Special Events Committee, while issuing permits for approximately 2000 events in the last ten years, has denied few applications and has facilitated for more than a decade the exercise of our valued rights of assembly and free expression; and

WHEREAS, the primary purpose of parks is to provide the public the opportunity to enjoy natural beauty and recreational opportunities and the primary purpose of streets and sidewalks is to provide a public right of way for a wide variety of transportation uses; and