

ORDINANCE No. **111433**

COUNCIL BILL No. **103920**

Law Department

AN ORDINANCE relating to the Seattle Center Department; amending Section 17.16.020 of the Seattle Municipal Code to revise the fees and charges and the application of certain terms and conditions for the use of certain Seattle Center facilities.

11-15-83 Pass as Engrossed

COMPTROLLER FILE No. _____

Introduced: SEP 26 1983	By:
Referred: SEP 20 1983	To: <i>Budget</i>
Referred:	To:
Referred:	To:
Reported: NOV 28 1983	Second Reading: NOV 28 1983
Third Reading: NOV 28 1983	Signed: NOV 28 1983
Presented to Mayor: NOV 29 1983	Approved: DEC 2 1983
Returned to City Clerk: DEC 2 1983	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

OK

Tab 10

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ORDINANCE **111433**

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AN ORDINANCE relating to the Seattle Center Department; amending Section 17.16.020 of the Seattle Municipal Code to revise the fees and charges and the application of certain terms and conditions for the use of certain Seattle Center facilities.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Effective January 1, 1984, Section 17.16.020 of the Seattle Municipal Code is amended as follows:

Section 17.16.020. The Director of the Seattle Center Department is authorized to charge and collect fees for the use, on and after January 1, 1984, of certain Seattle Center facilities and services and equipment provided to the users thereof, and to condition such use on compliance with certain general terms and conditions, all as specified in Exhibit B-1984.

(To be used for all Ordinances except Emergency.)

Section 2. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 20th day of November, 1983
and signed by me in open session in authentication of its passage this 20th day of November, 1983

James Williams
President of the City Council.

Approved by me this 2nd day of December, 1983

Charles Royer
Mayor.

Filed by me this 2nd day of December, 1983.

Tim Hill
Attest: City Comptroller and City Clerk.

(SEAL)

Published.....

By *Teresa Dunbar*
Deputy Clerk.



Memorandum

Date Oct. 24, 1983

To Greg Nickels, Legislative Assistant

From Lucy Gaskill-Gaddis *LG*

Subject Seattle Center 1984 License Fee Schedule- amended from original submittal

Please replace the 1984 license fee schedule submitted with the budget with this amended one attached. The Center forgot to include the new rates for the Bagley Wright Theater and the Pacific Arts Center Hall. John Greiner, who is reviewing the Center's budget, is aware of these changes. Since the schedule is listed only as an exhibit, I think this replacement is all that is needed. If you have any questions, please let me know.

EXHIBIT B - 1984
AMENDED

PROPOSED 1984
SEATTLE CENTER
LICENSE FEE SCHEDULE

1. DEFINITIONS

- a. "Nonprofit Organizations" means organizations, corporations or associations which are currently recognized by the United States of America as exempt from federal income taxation pursuant to Section 501 (c)(3) of the Internal Revenue Code of 1954, 26 U.S.C. 501, as now existing or hereafter amended, or a division, department or instrumentality of state or local government devoted to the arts. Copy of certificate to be supplied to Seattle Center.

CATEGORY B - License Fees apply as follows:

1. To any nonprofit performing art organization that presents its own company as a solo performance or event open to the general public, or its own company in consort with or in conjunction with another entertainer, "headliner" or performing group.
 2. To any other nonprofit organization presenting its own performing art event produced within its own organization and open to the general public.
 3. Either nonprofit organization (1 or 2 above) that presents to the general public a special entertainer, "headliner" or performing group independently of or not in conjunction with a performance of their own company, shall pay applicable fees as indicated in Category A.
- b. "Competitions" - Those events requiring judging, playoff, and/or preliminary games or contests prior to a final or main event on the same day and where the admission charge for the final or main event includes admission to the preliminary activities.
- c. "Conventions" - Those nonprofit national or international associations periodically convened as prescribed by organizational by-laws, but specifically excluding corporate or commercial business and state or regional conventions.
- d. "School Performances" - School performances are defined as cultural programs staged primarily for elementary, junior and senior high school students between the hours of 8 a.m. and 1 p.m., Monday through Friday, except on recognized Washington State holidays. School performances may be scheduled and confirmed in advance if the facility has the same program booked

for a performance on the preceding, succeeding, or the same day. Performances other than those specified above will not be confirmed more than ninety (90) days in advance unless scheduled under Category A.

2. MOVE IN/OUTS

- a. On the day of the event, no additional license fee charge will be made for a Move In/Out accomplished between 7 a.m. and 12 midnight. Applicable overtime charges will be assessed outside of those hours.
- b. For Move In/Out purposes, the tenant who has an event scheduled on any particular day will be given preference over any other tenant.

3. PERCENTAGE LICENSE FEE

Percentage license fees apply to gross sales of admission tickets from all sources, less admission taxes and/or Washington State Athletic Commission taxes. If collection of admission taxes is excepted, then percentage applies to total sales. Admission sales for all events must be substantiated by a ticket manifest and certified Box Office Statement.

4. LICENSE FEE PAYMENT

Payment of license fee(s) is required before the event and upon signing of the Licensing Agreement. If fee is to be calculated on a percentage, the advance payment will be based on the applicable minimum fee and the percentage will be collected at the time of the event.

5. CONTINGENCY FEE

A contingency deposit may be required to cover labor, equipment, services, damage, or any other incidental charges incurred during the event. Any portion of the contingency deposit not utilized will be refunded.

6. CANCELLATION CHARGE

Licensed events cancelled sixty (60) days or less before scheduled date will be subject to a cancellation charge of 100 percent of the paid fee or the daily minimum license fee for each cancelled event, performance or show day. Deposits or paid fees are not transferable to a subsequent date or facility. When major events covering multiple days and facilities and licensed two or more years in advance cancel less than eighteen (18) months before the event, cancellation fee shall be 50 percent of the deposited license fee.

7. REHEARSALS

- a. On performance days, preference for rehearsal purposes will be given to that tenant in the facility who has a performance scheduled. There will be no charge for rehearsals in the facility on performance days between 8 a.m. and 4 p.m.

- b. Rehearsals with an audience: applicable license fee applies as in Category A or B.

8. EVENT PERIODS

- a. Spectator/entertainment events in major facilities are defined as performances and consist of four (4) consecutive hours or fraction thereof conducted during a morning, afternoon or evening period, and includes ingress and egress time of patrons attending the event.
- b. Meetings, dinner dances, animal shows, competitions, trade shows, expositions, sales and events in Conference Center, Northwest Rooms and Mercer Forum consist of eight (8) consecutive hours between the hours of 7 a.m. and 12 midnight, unless otherwise specified on the Licensing Agreement.
- c. Rehearsal Hall use permitted upon payment of the fee specified in Category A or B consists of four (4) consecutive hours.
- d. Meetings and exhibits for international and national convention groups as defined herein consist of twelve (12) consecutive hours between the hours of 7 a.m. and 12 midnight in all facilities.
- e. Accumulated overtime fee for any one facility shall not exceed the basic or minimum rental fee.

9. INCLUSIONS

Services provided by Seattle Center in consideration of payment of applicable license fees shall include heat or air conditioning as provided in accordance with federal or state guidelines; general illumination; normal clean-up; standard approved seating configurations; facility's standard sound system and use of the equipment as is available to the facility as described in the Event Service Manual; the readerboard associated with the facility; the services of a custodian and matron, if required, but not to exceed eight (8) consecutive regular time hours; a stage and sound technician as required in the Arena, Bagley Wright Theatre, Coliseum, Opera House or Playhouse, but not to exceed four (4) hours without charge for one (1) performance per day. Charges will be assessed for variations from these standard provisions at rates in effect at the time of utilization.

CATEGORY C: SPECIAL FEES

1. CATERING

(The following applies when a waiver of service rights is approved by the Center and its official Caterer.) Where a caterer not under contract with the City for the providing of food, beverage and other services at Seattle Center renders such service(s) in any Seattle Center facility or area at the request of a lessee or licensed user of a Seattle Center facility or area, said licensed user or lessee shall pay to the City an amount equal to the percentage of revenue from the sale of food, beverages, liquor, and other services that would be payable had the Seattle Center's official caterer provided such service pursuant to its contract with the City.

2. RADIO AND TELEVISION

Radio and television broadcasts may be made with the prior permission of the Director, subject to the payment of license fees in amounts specified by the Director, or his designated representative.

3. RECEPTIONS

The charge for receptions in the foyers or lobbies of the Opera House or Playhouse before or after performances is \$150.00 per hour or fraction thereof.

4. LOBBY EXHIBITS

When foyers or lobbies of the Opera House or Playhouse are used, with the permission of the Director, for commercial exhibits or displays other than for novelty sales purposes, additional charges will be made as follows:

OPERA HOUSE: \$500.00 per day including Move In/Out days

PLAYHOUSE: \$300.00 per day including Move In/Out days

5. MISCELLANEOUS FACILITIES

License fees for miscellaneous facilities, Center House, Seattle Center grounds areas or facilities not specifically designated or covered elsewhere in this schedule may be negotiated by the Director.

6. CONVENTION CONSIDERATION (See: 1c)

a. One 12-hour day use of the Northwest Rooms will be included with every two (2) full days' rental of the Coliseum.

b. One 12-hour day use of the Mercer Forum will be included with every two (2) full days' rental of either the Arena or Exhibition Hall.

7. DISCOUNTS

- a. For multiple day public popular entertainment events in the Coliseum where anticipated gross ticket sales for each performance exceed \$150,000, the Director may at his discretion adjust the percentage rental fee for each performance after the first day's performance(s) to any level below 12 percent so long as the return to the City shall be no less than \$15,000 per performance.
- b. For promotional purposes on a one-time only basis for each new customer, the Director or his designee may at their discretion offer introductory discounts of up to 50 percent of established fees for Mercer Forum and Conference Center rooms.
- c. Customers scheduling a meal function of 1000 people or more in Exhibition Hall shall be granted free use of the Mercer Forum rooms on the day of the catered event subject to availability.
- d. The Director may, at his discretion, negotiate or otherwise enter into special agreements with national and international conventions, wherein facility rental fees may be less than specified herein but not less than 50% of established fees, in order to meet known competition, and where total fees, from all sources including concessions, parking or Monorail operations would make such an agreement economically viable or financially acceptable to the City.

8. LATE PAYMENT CHARGES

Late payment charges will be assessed at the rate of 1.5% per month on outstanding accounts.

ORDINANCE 111403

AN ORDINANCE relating to the Seattle Center Department, amending Section 17.14.030 of the Seattle Municipal Code to revise the fees and charges and the application of certain terms and conditions for the use of certain Seattle Center facilities.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Effective January 1, 1984, Section 17.14.030 of the Seattle Municipal Code is amended as follows:

Section 17.14.020. The Director of the Seattle Center Department is authorized to charge and collect fees for the use, on and after January 1, 1984, of certain Seattle Center facilities and services and equipment provided to the users thereof, and to condition such use on compliance with certain general terms and conditions, all as specified in Exhibit B-1984.

Section 2. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor, otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council this 20th day of November, 1983 and signed by me in open session in authentication of its passage this 25th day of November, 1983. *James D. Johnston* President of the City Council.

Approved by me this 2nd day of December, 1983. *Charles Royer* Mayor.

Filed by me this 2nd day of December, 1983. *Jim Hill* Attest: City Comptroller and City Clerk.

(SEAL)

By *Francesa Dunbar* Deputy Clerk.

Publication ordered by JIM HILL, Comptroller and City Clerk. Date of official publication in Daily Journal of Commerce, Seattle, December 8, 1983. (C-427)

C-457

Affidavit of Publication

STATE OF WASHINGTON
KING COUNTY—SS.

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 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

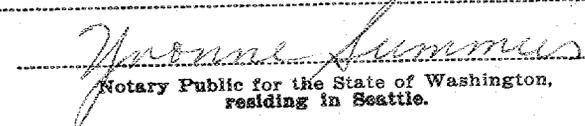
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

Ordinance No. 111433

was published on December 8, 1983



Subscribed and sworn to before me on
December 8, 1983



Notary Public for the State of Washington,
residing in Seattle.

CATEGORY A: FACILITY LICENSE FEE SCHEDULE

	LICENSE FEE ¹	ADDITIONAL PERFORMANCE ON SAME DAY	FREE ADMISSION ² EACH PERF	OVERTIME ⁶ PER HOUR	MOVE IN/OUT ³		REHEARSALS OTHER THAN PERFORMANCE DAY		WEEKDAY FEE (M-T-W)
					FIRST 2 DAYS PER DAY	THIRD DAY OR MORE PER DAY	8am-4pm	4pm-12 Midnight	
Arena	12% \$1500 min.	12% \$750 min.	\$3500	\$150	\$750	\$1500	\$500	\$1000	---
1/2 Arena	12% 1000 min.	12% 500 min.	3000	100	500	1000	300	700	---
Bagley Wright Theatre	900	450	---	100	450	900	350	550	---
Coliseum	12% 3000 min.	12% 1500 min.	10,000	300	1500	3000	1000	2000	---
Exhibition Hall ¹⁹	12% 1500 min.	12% 750 min.	---	150	750	1500	500	1000	---
Flag Pavilion	600	---	---	60	300	600	---	---	---
A	400	---	---	40	200	400	---	---	---
B	200	---	---	20	100	200	---	---	---
Opera House	8% 1700 min.	8% 850 min.	3000	200	850	1700	500	1200	---
Rehearsal Hall ¹⁴	200	---	---	50	---	---	---	---	---
Playhouse	700	350	---	100	350	700	250	450	---
Conference Center	450	---	---	30	250	450	---	---	225
A	100	---	---	15	50	100	---	---	50
B	60	---	---	15	30	60	---	---	30
C	60	---	---	15	30	60	---	---	30
D	30	---	---	10	15	30	---	---	15
E	30	---	---	10	15	30	---	---	15
F	60	---	---	15	30	60	---	---	30
G	60	---	---	15	30	60	---	---	30
H	100	---	---	15	50	100	---	---	50
Mercer Forum	720	---	---	40	400	720	---	---	360
I	100	---	---	15	50	100	---	---	50
II	110	---	---	15	55	110	---	---	55
III	90	---	---	15	45	90	---	---	45
IV	100	---	---	15	50	100	---	---	50
V	100	---	---	15	50	100	---	---	50
VI	110	---	---	15	55	110	---	---	55
VII	100	---	---	15	50	100	---	---	50
VIII	90	---	---	15	45	90	---	---	45
Northwest Rooms	1062	---	---	100	590	1062	---	---	---
Alki	200	---	---	20	100	200	---	---	---
Misqually	100	---	---	15	50	100	---	---	---
Olympic	150	---	---	15	75	150	---	---	---
Rainier	200	---	---	20	100	200	---	---	---
San Juan	330	---	---	40	165	330	---	---	---
Orcas ¹⁰	40	---	---	15	30	40	---	---	---
Lopez	120	---	---	15	60	120	---	---	---
Fidalgo	80	---	---	15	40	80	---	---	---
Shaw	90	---	---	15	45	90	---	---	---
Snoqualmie	200	---	---	20	100	200	---	---	---
PAC Hall	250	---	---	25	125	250	100	150	---

CATEGORY B: FACILITY LICENSE FEE SCHEDULE
FOR NON-PROFIT ORGANIZATIONS
PRESENTING PERFORMING ARTS EVENTS

	LICENSE FEE ¹	EACH ADDITIONAL PERFORMANCE ON SAME DAY	SCHOOL PERFORMANCES ⁵	OVERTIME PER HOUR ⁶	MOVE IN/OUT ³			REHEARSALS OTHER THAN PERFORMANCE DAY	
					FIRST 2 DAYS PER DAY	THIRD DAY OR MORE PER DAY	8am-4pm	4pm-midnight	
Opera House	\$1200	\$600	\$600	\$120	\$600	\$1200	\$400	\$800	
Rehearsal Hall ⁴	100	---	---	25	---	---	---	---	
Playhouse	350	175	175	50	175	350	150	200	
Bagley Wright Theatre	450	225	225	75	225	450	200	250	

1. See General Terms and Conditions, Section 8a-d
2. Public entertainment events only.
3. See General Terms and Conditions, Section 2.
4. See General Terms and Conditions, Section 8c.
5. See General Terms and Conditions, Section 1d.
6. See General Terms and Conditions, Section 8e.
7. See General Terms and Conditions, Section 1a.
8. Does not apply on move-in or out days.
On multiple days set-up must remain the same for all days.
9. For meetings in full theatre style, rental fee plus 15¢ per chair.
10. No fee when used as foyer.