

**KITTITAS COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA STAFF REPORT**

AGENDA DATE: July 19, 2011

ACTION REQUESTED: Consider a request to hold the annual WestStar - Best of the Best Roping event on August 31, 2011

BACKGROUND: The Kittitas County Board of Commissioners office received an Event application to hold the annual WestStar Best of the Best Open Roping event on August 31, 2011.

INTERACTION: The applicant has paid the \$200.00 application fee which has been deposited with the Kittitas County Treasurer's office. The applicant has requested a waiver to Kittitas County Code Chapter 5.20.100 (Penal Bond – Bond of Indemnity), stating there will be no impacts to the County roads, as the event will be held on private property.

The following County departments have reviewed and recommended approval of the WestStar Best of the Best Open Roping event: Prosecutor (per Neil Caulkins), Sheriff, Solid Waste, Public Works and Auditor.

The Public Health department said the applicant has informed them that Rod McGuire and Paradise Rose will be preparing & serving food for the event. Their department submitted a recommendation of approval for the event contingent upon meeting all the requirements for food service and bathroom facilities including payment and any late fees, if applicable.

The Fire Marshal contacted the Commissioner's office to advise them that she has their inspection next week, and she felt comfortable recommending approval of the event, conditioned upon the applicant meeting the requirements of the Fire Marshal's office.

RECOMMENDATION: Approve the WestStar Best of the Best Open Roping event; waiving the requirement of KCC 5.20.100 (Penal Bond-Bond of Indemnity), conditioned upon meeting the requirements of the Kittitas County Fire Marshal and Public Health Department.

HANDLING: Commissioners staff to notify the applicant of the Board's decision.

ATTACHMENTS: WestStar Best of the Best Open Roping event application
County Department recommendations
Kittitas County Code Chapter 5.20 – Event Permits

LEAD STAFF: Julie Kjorsvik, Clerk of the Board



Kittitas County, Washington

BOARD OF COUNTY COMMISSIONERS

EVENT APPLICATION

Thank you for your interest in holding a special event in Kittitas County. Please complete and return this application along with any other materials to the Kittitas County Board of Commissioners at least 60 days prior to the day upon the event is scheduled. Any misrepresentation in the application materials or deviation from the final agreed upon route and/or method of operation described may result in the immediate revocation of an issued permit. Specifics outlining Event Permits can be viewed at <http://www.co.kittitas.wa.us/boc/countycode/title05.asp>

Event Information

Name of event: West Star Best of the Best Open Roping
Date(s) of event: Wed, August 31, 2011
Hours of operation: 11 am - 7 pm
Description of the event: Pro-Am Roping at noon, Open Tie-Dawn at 2 pm, Open Team Roping at 4 pm
Has this event taken place before? ☒ Yes ☐ No Dates: 8 years
Estimated attendance: 400 - varies
How is your event being publicized? NWRopers News, Radio Sports News, Ropers Sports News, Daily Record, and poster
Please attach any flyers, posters, etc. with your application submission.

Contact Information

Name of the organizer/contact person: Scott J. G. Repp
Address: 1570 Robinson Canyon Road
Phone number(s): 962-4144
Email address: jorepp@fairpoint.net
Date of birth of applicant: 10/27/45

RECEIVED

JUN 21 2011

1st 2nd 3rd

If the application is made on behalf of a partnership, please submit full names with their residence and post office address for a period of six months prior to the date of application together with the location of principal office or place of business of such corporation. _____

Emergency contact name(s) and phone number(s) that can be contacted during the event:

Scott
Name

929-1355
Phone Number

Jo
Name

929-4144
Phone Number

WRITTEN PERMISSION TO ENTER EVENT SITE

I/We hereby permit law enforcement and/or County officials to enter the site for which the Event Application has been granted at the time of the event and up to five days prior to the event for the purposes of inspecting and enforcement of County Code and other applicable laws, and pursuant to my agreement and representations made in connection with this Event Application.

SWORN STATEMENT OF COMPLIANCE

I/We hereby acknowledge that I/We have read Kittitas County Code, have familiarized myself with County requirements. I/We agree that either my designated agent or I/we shall be on site at all times and shall be responsible for the operation of the event and for compliance with all legal requirements in connection with this event.

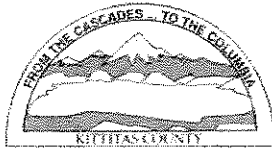
I/We understand that failure to comply with the rules, regulations and conditions set forth in Code may be deemed a gross misdemeanor and that drug or narcotics violations are crimes under RCW.

Scott Repp
Applicant Name (Print)

Scott Repp
Applicant Signature

M Jo Repp
Applicant Name (Print)

M Jo Repp
Applicant Signature



Kittitas County, Washington

BOARD OF COUNTY COMMISSIONERS

Fire Safety and Protection

If more than 50 people are expected at your event, you must complete a separate application process which can be obtained through the Kittitas County Fire Marshal's office. You may contact the Fire Marshal's office at 509-962-7000. *or 962-7657*

Will there be a temporary structure erected for the event? Yes

No

If yes, you must attach a drawing including the dimensions. The structure may require an inspection by County staff prior to the event.

Public Health/Environmental Health

Will there be food served at the event?

Yes

No

If no food will be served at the event then, no permit or application is required.

If yes, is the food and beverage that you intend on preparing and serving at the event exempt from permit requirements <http://www.co.kittitas.wa.us/health/food.asp?>

- If yes, please submit an application for exemption from permit and proof of food handlers training to the Kittitas County Public Health Department (KCPHD).

If yes, and the food or beverage is not considered exempt from permit, then does the person or organization preparing and serving the food have a food service permit, temporary food service permit, or catering permit from KCPHD?

- If yes, please provide a list of foods and beverages that you intend on having prepared and served at the event along with the name and phone number(s) of the permitted person or organization.

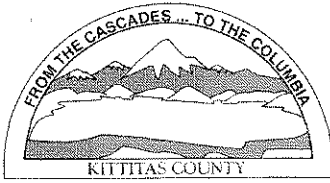
BBQ dinner
Rod McGuire, Paradise Rose (541) 993-7073

If yes, and the person or organization preparing and serving the food does not already have a food service permit.

- Then a temporary food service permit or catering permit will need to be acquired from KCPHD prior to the event.

Please allow at least 2 weeks to complete the food service permitting process.

Rod takes care of the paperwork



KITTITAS COUNTY PERMIT CENTER
411 N. RUBY STREET, ELLENSBURG, WA 98926

RECEIPT NO.: 00011244

COMMUNITY DEVELOPMENT SERVICES
(509) 962-7506

PUBLIC HEALTH DEPARTMENT
(509) 962-7698

DEPARTMENT OF PUBLIC WORKS
(509) 962-7523

Account name: 004792

Date: 6/13/2011

Applicant: SCOTT REPP

Type: check # 4305

<u>Permit Number</u>	<u>Fee Description</u>	<u>Amount</u>
MO-11-00019	FIRE MARSHAL OTHER	130.00
	Total:	130.00

Are there permanent or fixed bathroom facilities already available at the location of the event?

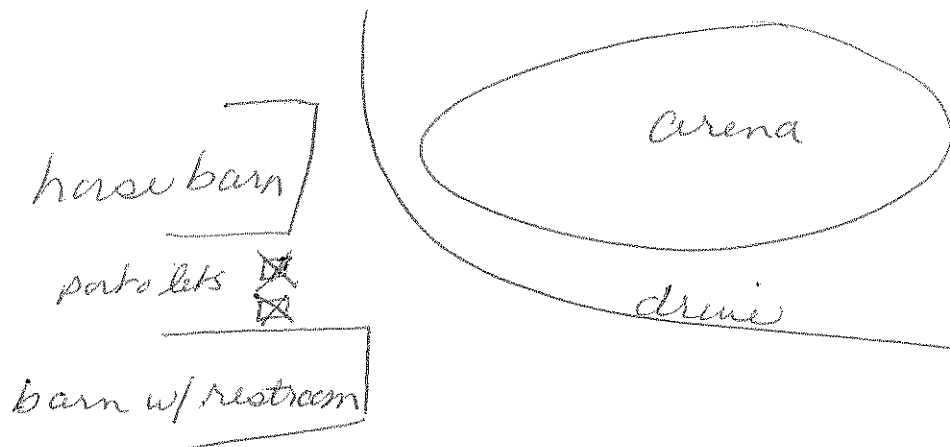
Yes

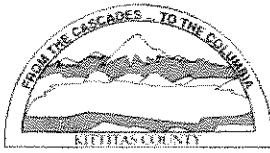
No

If yes, please provide an estimated attendance for the event, a detailed map that identifies the name and address of the physical facility that will provide lavatory facilities for the event, quantity of toilette facilities available for each gender, and the distance from the event that patrons must walk.

If no, please provide an estimated attendance for the event, specific information related to the number of portable restrooms that will be provided, the distance from the event that patrons must walk, and a service plan to ensure that sani-cans remain in a sanitary condition. You must include the location of the portable restrooms on a map/diagram of the event.

There is a barn adjacent to the arena that has a full bathroom. We also have 2 port-o-lets brought in for the event





Kittitas County, Washington

BOARD OF COUNTY COMMISSIONERS

Law Enforcement/Security/Emergency Medical Services

Will there be security on site during the event? Yes ☒ No

If yes, please provide a complete list of names and contact information for who will be providing the security.

Will Emergency Medical Services (EMS) be on site during the event? Yes ☒ No

If yes, please provide written verification from the providers.

Will there be music, sound amplification or any other noise impacts? ☒ Yes ☐ No

If yes, Kittitas County has a noise ordinance in effect (see County Code for details). If your event is scheduled for outside of the allowed time, you must submit a written letter to the Board of County Commissioners requesting a waiver and it must be included with your application materials.

PA for event
Will you have traffic control? ☒ Yes ☐ No

If yes, please provide documentation on how the traffic control will be addressed.

Radio Hall of Fame volunteer directs parking - trailers park in field to the right - cars park in field to the left
Will there be off-site parking? Yes ☒ No

If yes, please provide the location and a parking plan.

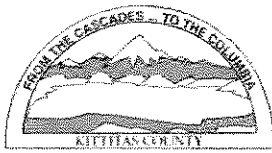
Will there be shuttle buses provided for attendees? Yes ☒ No

If yes, provide a map of their route.

Will there be alcohol served at the event? ☒ Yes ☐ No

If yes, a State permit is required from the WA State Liquor Control Board and must be submitted with your application materials.

Ellensburg American Legion is in charge. Our event has nothing to do with it.



Kittitas County, Washington

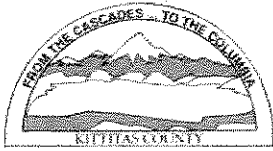
BOARD OF COUNTY COMMISSIONERS

Public Roads

Will the event obstruct, interfere or require the closure and free use of any public road, street or right-of-way? Yes ☒ No

If yes, please provide a detailed adequate traffic and detour plans at the time of submission of the application.

Will there need to be road closure or detour signs posted? Yes ☒ No



Kittitas County, Washington

BOARD OF COUNTY COMMISSIONERS

Garbage/Recycling

Do you have a plan for garbage and recycling? ☒ Yes ☐ No

A written plan for garbage and recycling must be attached to your application materials. For questions or assistance contact the Kittitas County Solid Waste Department at 509-962-7542.

*Waste Management - request additional pick up.
Plus we have our own garbage trailer.*

Insurance

Have you obtained a Certificate of Insurance, specifically naming "Kittitas County" as an insured? ☒ Yes ☐ No

A copy of the Certificate of Insurance must be included with your application materials. Kittitas County must be named as an additional insured in the amount of \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate coverage.

Penal Bond - Bond of Indemnity

A \$5,000.00 Penal Bond - Bond of Indemnity is required to be deposited with the County Treasurer to save and protect the streets, pavements, bridges, etc. from damage. The deposit or its balance will be returned once the event has been held and the Board of County Commissioners has certified no damage has been done and that the County has not incurred additional expenses

Are you submitting a \$5,000.00 Penal Bond - Bond of Indemnity with your Event Application? ☐ Yes ☒ No

If no, you must request a letter in writing to the Board of County Commissioners requesting a waiver to the Penal Bond - Bond of Indemnity and outline the specific reasons why it should not be required of your event.

No impact to road - event held on private property

County Filings and Registration

Is there a cost to attend the event? ☐ Yes ☒ No

Donation only

How much are you charging to attend your event?

\$10 donation given to Rodeo Hall of Fame - Board donates their time to assist with event - this is their annual fund raiser



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/16/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Allen Financial Insurance Group The Equestrian Group P.O. Box 9957 Phoenix AZ 85068		CONTACT NAME: Grant Allen PHONE (A/C, No, Ext): (602) 992-1570 FAX (A/C, No): (602) 992-8327 E-MAIL: gallen@eqgroup.com ADDRESS: PRODUCER CUSTOMER ID #: 00014524	
INSURED American Cowboy Team Roping Association, DBA: Scott & Jo Repp 1570 Robinson Canyon Road Ellensburg WA 98926		INSURER(S) AFFORDING COVERAGE INSURER A: American Bankers INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES CERTIFICATE NUMBER: CL115613886 REVISION NUMBER:

INSR LTR	TYPE OF INSURANCE	ADOL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Participants Excluded GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	X	SL 1131903-08	12/1/2011	12/1/2012	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DEDUCTIBLE RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A				WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Certificate holder is additional insured as premises owner with respect to the operations of the insured for coverages afforded under this policy. ACTRA PUBLIC EVENT on 08/31/11

CERTIFICATE HOLDER

Kittitas County Fairgrounds 205 W Fifth Ave Ellensburg, WA 98926	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Leighann Reed/LAP
--	--

SCOTT REPP
JO REPP
WESTSTAR RANCH
808 S MAIN ST
ELLENSBURG, WA 98926

4328

DATE 6/21/11

28-71743251
52

PAY
TO THE
ORDER OF

Kittitas County

\$ 200.00

DOLLARS



Security
Deposit on
Bank

STERLING
SAVINGS BANK



Anytime Line 1-888-678-7800
www.sterlingsavingsbank.com
Ellensburg, WA
118 W. 3rd Ave.
Ellensburg, WA 98926
The Perfect Fit Bank

FOR Aunt Lippert's

⑆004328⑆ ⑆325171740⑆ 59991307788⑆

MP



Kittitas County Office Of The Treasurer

Deanna Jo Panattoni, Treasurer

205 W 5th Avenue, Suite 102

Ellensburg, Wa 98926

Phone (509) 962-7535 Fax (509) 933-8212

Cash Receipts

Receipt Number: 2011-4719 Date: 06/22/2011

Received From: WESTSTAR RANCH - CATHERINE

Check Amount: \$200.00

Cash Amount: \$0.00

Eft Amount: \$0.00

Total Amount: \$200.00

Deputy: KATIEV Receipt Type: CHK

Template:

Comments:

WESTSTAR (SCOTT & JO REPP) SPECIAL EVENTS PERMIT APPLICATION FEE; CSR 2011-3019

<u>FundCode</u>	<u>GlCode</u>	<u>Description</u>	<u>Amount</u>
001	1632171	SPECIAL EVENTS FEE	\$200.00
Total Amount:			\$200.00

Kittitas County Treasurer's Office

Submitted By: KATIE VONDERAU



Kittitas County Office Of The Treasurer

Deanna Jo Panattoni, Treasurer

205 W 5th Avenue, Suite 102

Ellensburg, Wa 98926

Phone (509) 962-7535 Fax (509) 933-8212

Cash Suspense

Receipt Number: 2011-3019

Date: 06/22/2011

Received From: WESTSTAR RANCH

Check Amount: \$200.00

Cash Amount: \$0.00

Eft Amount: \$0.00

Total Amount: \$200.00

Deputy: CATHERINED Receipt Type: CHK

Template: COMMISSIONER! COMMISSIONERS

Comments:

WESTSTAR (SCOTT & JO REPP) SPECIAL EVENTS PERMIT APPLICATION FEE

<u>FundCode</u>	<u>GLCode</u>	<u>Description</u>	<u>Amount</u>
001	1632171	SPECIAL EVENTS FEE	\$200.00
Total Amount:			\$200.00

Kittitas County Treasurer's Office

Submitted By: CATHERINE DUNN



Memo

To: Kittitas County Board of County Commissioners

From: Kittitas County Public Health Department, James Rivard Environmental Health Supervisor

Date: July 12, 2011

RE: WestStar Best of the Best Open Roping Event Application

The WestStar Best of the Best Open Roping applicant, Scott and Jo Repp, has informed our department that Rod McGuire and Paradise Rose will be preparing and serving food for the abovementioned event. Health department staff have contacted both the event applicant and food coordinator to inform them of the permitting requirements and the penalty for not submitting the required documentation two weeks prior to the date of the event. To date we have not received permit paper work for food service at the above mentioned event.

While this is frustrating, it is not unusual as out of the state food coordinators typically have multiple activities going on and most do not begin to plan for events until a couple of weeks ahead of time.

Therefore, contingent upon the issuance of a temporary food permit and payment of any late fee penalties for the event the applicant will have met all the requirements of the Kittitas County Public Health Department prior to the date of the event including:

- Food Service
- Bathroom Facilities

Should you need additional assistance or have further questions please don't hesitate to contact me at 962-7515.

cc: Julie Kjorsvik, Clerk for the Kittitas County Commissioners Office

Julie Kjorsvik

From: Kelly Carlson
Sent: Thursday, July 14, 2011 9:22 AM
To: Julie Kjorsvik; Kirk Holmes; Ryan Berge; Chuck Reed
Subject: RE: Special Event Application - WestStar Best of the Best Open Roping

Julie,
I just spoke with Ryan and Public Works has no issue with this event.
Kelly

From: Julie Kjorsvik
Sent: Thursday, July 14, 2011 9:19 AM
To: Kelly Carlson; Kirk Holmes; Ryan Berge; Chuck Reed
Subject: FW: Special Event Application - WestStar Best of the Best Open Roping

I don't believe I have heard from your department on this event request. I am completing the Staff Report right now and would like to know your recommendation. Thank you!

Julie Kjorsvik
Clerk of the Board
Kittitas County Board of Commissioners
509-962-7508
509-962-7679 Fax
<http://www.co.kittitas.wa.us/>

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

From: Julie Kjorsvik
Sent: Wednesday, June 22, 2011 2:22 PM
To: Jerry V. Pettit; Deanna J. Panattoni; Clayton Myers; Gene Dana; Kelly Carlson; Kirk Holmes; Ryan Berge; Chuck Reed; Reno Allphin; Patti Johnson; Brenda Larsen; Linda Navarre; James Rivard
Cc: Lisa Iammarino
Subject: Special Event Application - WestStar Best of the Best Open Roping

Good afternoon,

I have attached an event application from the Repp family to hold the annual WestStar Best of the Best Open Roping event on August 31, 2011. I would like to place this event request on the July 19, 2011 Commissioner Agenda for official action. Please submit your departments written recommendation to me **no later than July 13, 2011**. If you have specific questions regarding this event, please contact the Repp's directly. Thank you.

Julie Kjorsvik
Clerk of the Board
Kittitas County Board of Commissioners
509-962-7508
509-962-7679 Fax
<http://www.co.kittitas.wa.us/>

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

From: bocc@co.kittitas.wa.us [mailto:bocc@co.kittitas.wa.us]
Sent: Wednesday, June 22, 2011 7:16 AM
To: Julie Kjorsvik
Subject: Message from 60BW-1

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id: 38eb45916c6dcdbdac24bb8719d004a14



GENE DANA, SHERIFF
KITTITAS COUNTY SHERIFF'S OFFICE

307 W. Umptanum Rd ♦ Ellensburg, WA 98926
(509) 962-7525 ♦ (509) 674-2584
FAX (509) 962-7599

June 22, 2011

Board of County Commissioners
Kittitas County Courthouse
205 West 5th Ave., Room 108
Ellensburg, WA 98926

Re: Special Event Application – WestStar Best of the Best Open Roping on
August 31, 2011

Dear Board of County Commissioners:

The WestStar Roping Event scheduled for August 31, 2011 should have no
impact for law enforcement.

Therefore, I have no issues approving their application.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Dana".

Gene Dana,
Sheriff

GD:kd



Kittitas County Solid Waste Programs

925 Industrial Way, Ellensburg, WA 98926

Telephone: (509) 962-7070

Fax: (509) 962-7087

June 22, 2011

Kittitas County Board of Commissioners
205 W 5th Ave Suite 103
Ellensburg, WA 98926

Subject: Special Event Application

Dear Board of County Commissioners,

Kittitas County Solid Waste has reviewed the Special Event application for the West Star, Best of The Best Open Roping event. The event staff has a recycling and garbage plan that meets our satisfaction.

Please contact me at [509] 962-7577 if you have any questions.

Thank you.

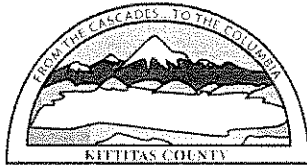
Cordially,

Reno L. Allphin
Solid Waste Specialist
Kittitas County Solid Waste

RECEIVED

JUN 23 2011

1st _____ 2nd _____ 3rd _____
KITTITAS COUNTY BOARD OF COMMISSIONERS



Kittitas County, Washington
BOARD OF COUNTY COMMISSIONERS

District One
Paul Jewell

District Two
Alan Crankovich

District Three
Obie O'Brien

June 22, 2011

Mr. and Mrs. Repp
1570 Robinson Canyon Road
Ellensburg, WA 98926

Re: Event application – WestStar Best of the Best Open Roping

Dear Mr. and Mrs. Repp,

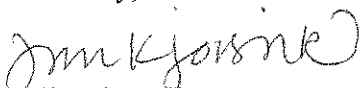
Thank you for your recent Event Application to hold the WestStar Best of the Best on August 31, 2011.

I have forwarded a copy of your application materials to various County departments for their review and recommendation on holding your event. I have asked if their department has specific questions to contact you directly.

I will be placing your event application on the July 19, 2011 Commissioner Agenda for possible Board action. It is important that you or a member of your organization attend the Commissioners Agenda Study Session on Monday July 18, 2011 at 10:30 a.m. at the Kittitas County Courthouse in Room 109, in case the Board has any questions of your event. At that time you will be advised whether or not you will need to come back again for the July 19th Agenda Session (I do not anticipate you will need to return on the 19th).

In the meantime if you have any questions please feel free to contact me at your convenience.
Thank you.

Sincerely,


Julie Kjorsvik
Clerk of the Board

Chapter 5.20

EVENT PERMITS

Sections

- 5.20.005 Legislative intent.
- 5.20.010 Basic clause.
- 5.20.015 Exceptions.
- 5.20.020 Permit application - Approval - Denial.
- 5.20.030 Application form.
- 5.20.040 Repealed.
- 5.20.041 Repealed.
- 5.20.050 Repealed.
- 5.20.060 Repealed.
- 5.20.070 Repealed.
- 5.20.080 Inspection - Enforcement.
- 5.20.090 Permit required - Fee - Regulations.
- 5.20.100 Penal bond - Bond of indemnity.
- 5.20.110 Posting.
- 5.20.120 Applicant age.
- 5.20.130 Statement of right to revoke on permit.
- 5.20.140 Grounds for revocation.
- 5.20.150 Revocation not exclusive penalty.
- 5.20.160 Closing hours.
- 5.20.170 Repealed.
- 5.20.180 Preserving order - Operator's duty.
- 5.20.190 Building construction.
- 5.20.200 Distance from habitation.
- 5.20.210 Permit posting - Nontransferability.
- 5.20.220 Permit application.
- 5.20.230 Violation - Penalty.
- 5.20.240 Compliance.
- 5.20.250 Enforcement.
- 5.20.260 Reservation.
- 5.20.270 Severability and saving.

5.20.005 Legislative intent.

The Board of County Commissioners declares it to be the public interest, and for the protection of the health, welfare and property of the residents of the county of Kittitas to provide for the orderly and lawful conduct of any assembly of persons for the primary purpose of entertainment, amusement, or sporting events or shows to be held within Kittitas County by assuring that the proper sanitary, health, fire, safety and police measures are provided and maintained. (Ord. 2009-22, 2009)

5.20.010 Basic clause.

It is unlawful for any person, corporation, organization, landowner, or lessor to allow, encourage, organize, promote, conduct, permit or cause to be advertised an entertainment, amusement, sporting event, or show or assembly of persons wherein the primary purpose will be entertainment, amusement, sporting event, or show unless a valid county permit has been obtained for the operation of said public amusement, entertainment or assembly. One such permit shall be required for each public entertainment or other amusement events. Criminal or civil liability for failure to comply with the provisions of this chapter shall rest in all persons, corporations, organizations, landowners or lessors who are responsible

for obtaining permits under this section. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 9217, 1992; Ord. 69-11 § 2, Vol. O, p. 129, 1969)

5.20.015 Exceptions.

The requirement of KCC 5.20.010 to obtain a permit shall not apply to:

1. De Minimus Exception
Persons, corporations, organizations, landowners or lessors believing that an event falling under KCC 5.20.010 will attract less than 300 person and will comply with all other county ordinances and laws of the State of Washington, assuming that such belief is reasonable.
2. Conditional Use Permit Exception
Events that occur on a parcel or parcels with a valid Conditional Use Permit that specifically contemplates and authorizes gatherings of more than 300 persons.
3. The Kittitas County Fair, events conducted on the Kittitas County Fairgrounds, or Events conducted by Kittitas County or its subdivisions.
4. Events held in connection with and upon the same lot as a building that has been permitted, including a passing final inspection, for occupancy of at least as many individuals as are reasonably anticipated at the event, inclusive of any persons that will be at the building or on the lot even if not in connection with the event. Provided that such building has received a passing fire and life safety inspection from the Kittitas County Fire Marshall's Office within the last year.

Note: The exceptions in this section only waive the requirement of obtaining a permit found in KCC 5.20.015, not the requirement for a public assembly/special event permit from the Fire Marshal, or any other requirement of this Chapter or State or local law. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 9217, 1992; Ord. 69-11 § 2, Vol. O, p. 129, 1969)

5.20.020 Permit application - Approval - Denial.

Written application for event permits shall be made to the Board of County Commissioners and the application must be submitted 60 or more days prior to the day upon which such event is to be or may be held. When available, the application should include a completed Event Application Form. Approval or denial of permits as provided for in this chapter shall be made within 45 days after application. The board of county commissioners may waive or shorten any deadlines set out in this chapter upon the request of the applicant. Denial of the permit or waiver or shortening of deadlines by the Board of County Commissioners shall be in writing with reasons for the same stated therein. Any denial of the permit shall be subject to appeal to the superior court by action filed within 10 days of the denial.

When any type of physical facility is required or subject to approval hereunder, preliminary approval may be granted based upon specific plans proposed and submitted by the applicant. All such facilities shall be in existence five or more days before event for which an application is submitted shall begin and shall be subject to inspection by the approving agencies or departments at their convenience. The inspections shall be made and approval or disapproval granted on or before the fifth day preceding the event. Failure to act by the County within said period constitutes a waiver of the before mentioned inspection by the County. Should the actual facility or construction fail to meet the standards approved in the proposed plans, such preliminary approval shall be withdrawn and any and all permits granted subject to such approval shall be withdrawn. No inspection fee or approval fee shall be charged other than the general permit fee required hereunder.

Every application made under this chapter shall be accompanied by plans for sanitary facilities, food and drink services and facilities, solid waste disposal, fire safety and protection, traffic control, parking,

security, liability insurance and a statement of the anticipated impact, including noise, of the public entertainment, amusement or assembly on the citizens and public agencies of Kittitas County.

Upon receipt of the application, the clerk for the Board of County Commissioners shall submit copies of the application to the following officers, agencies or elected officers of Kittitas County or other governmental or regulatory agencies for their input on the following:

1. The County Health Officer regarding the plan for sanitary facilities, food and drink services and facilities; and
2. The County Fire Marshal regarding fire protection and safety; and
3. The County Sheriff regarding traffic control, parking, security, noise and any other health and safety problems; and
4. The County Prosecuting Attorney regarding liability insurance; and
5. The County Auditor regarding filings or registrations for the payment of any county taxes related to the application; and
6. The County Public Works Department regarding potential impacts on roads; and
7. The County Solid Waste Programs Department regarding solid waste disposal.

The application must provide written approval of any other federal, state or local agency if the application involves an event, activity or instrumentality regulated by such agency. If any of the above county officers, agencies or elected officials of Kittitas County do not approve of the portions of the applicant's plans submitted to them; they shall set forth in writing the details supporting their disapproval. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 3, Vol. O, p. 129, 1969)

5.20.030 Application form.

Event Application Form: The Clerk of the Board of County Commissioners is hereby charged with creation of a standard "Event Application Form." The Clerk should consult with the county Health Officer, Fire Marshal, Sheriff, Prosecutor, Auditor, Public Works Director and the Solid Waste Director to ensure that the Event Application Form solicits the information necessary for them to make a recommendation on the issues enumerated in KCC 5.20.020. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 6911 § 4, Vol. O, p. 129, 1969)

5.20.040 Sanitary facilities.

Repealed by Ord. 92-17. (Ord. 69-11 § 5, Vol. O, pp. 129, 130, 1969)

5.20.041 Health, safety and administrative elements of application.

Repealed by Ord. 2009-22, 2009. (Ord. 99-06, 1999; Ord. 92-17, 1992)

5.20.050 Fire facilities.

Repealed by Ord. 92-17. (Ord. 69-11 § 6, Vol. O, p. 130, 1969)

5.20.060 Traffic control - Crowd protection.

Repealed by Ord. 92-17. (Ord. 69-11 § 7, Vol. O, p. 130, 1969)

5.20.070 Parking facilities.

Repealed by Ord. 92-17. (Ord. 69-11 § 8, Vol. O, p. 130, 1969)

5.20.080 Inspection - Enforcement.

No permit shall be granted hereunder unless the applicant shall in writing upon the application for such a permit consent to allow the law enforcement, public health, fire control, and other officers of the County

to come upon the premises for which the permit has been granted for the purpose of inspection and enforcement of the terms and conditions under which the permit is granted. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 9, Vol. O, p. 130, 1969)

5.20.090 Permit required - Fee - Regulations.

No public assembly of persons for the primary purpose of entertainment, amusement, or sporting events or shows may be held in the county outside the limits of incorporated cities and towns unless the person or persons sponsoring said event shall first obtain a permit as hereinafter provided and shall comply with all regulations and approvals herein provided and that the fee for such permit to meet the cost of administering the same shall be set by resolution of the Board of County Commissioners, but shall initially be \$200.00 for each event. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 10, Vol. O, pp. 130, 131, 1969)

5.20.100 Penal bond - Bond of indemnity.

No permit shall be issued hereunder until the applicant has on deposit with the county treasurer the sum of \$5,000 cash or bond as an indemnity to save and protect the streets, pavements, bridges, road signs and other property of the county from any and all damage that may be caused by vehicles, employees, or participants in such amusement, entertainment or assembly and to be used, if necessary, to restore the ground where such amusement, entertainment or assembly is held to a sanitary condition and pay all charges and losses to the county for damage to the streets, pavements, bridges and other property; provided further, that should the licensed event necessitate the deployment of additional county personnel, such added expense, which together with other county expense that exceeds the original permit fee shall be recoverable from the principal and/or its surety. The deposit or its balance is to be returned when the board of county commissioners certifies to the treasurer that no damage has been done and that the county did not incur additional expenses due to said licensed event or that the costs of the above have been paid by the licensee. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 11, Vol. O, p. 131, 1969)

5.20.110 Posting.

The ordinance codified in this chapter shall at all times be kept posted in a conspicuous place where an entertainment, amusement, sporting event, or show or assembly of persons wherein the primary purpose will be entertainment, amusement, sporting event, or show is being conducted. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 12, Vol. O, p. 131, 1969)

5.20.120 Applicant age.

No permit shall be issued to any person under 18 years of age. Alcohol shall be prohibited at any event where applicant is under 21 years of age at the time of the event. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 13, Vol. O, p. 131, 1969)

5.20.130 Statement of right to revoke on permit.

Every permit issued under the provisions of this chapter shall state in substance that such permit is issued as a police, sanitary and fire requisition measure, and that the right of the board of county commissioners to revoke such permit without notice or formal hearing is a consideration of its issuance. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 14, Vol. O, p. 131, 1969)

5.20.140 Grounds for revocation.

Any permit granted hereunder to conduct an event may be revoked without notice or formal hearing by the board of county commissioners upon their finding that any police, sanitary, or fire regulation provided for in this chapter or in the state law has been violated by the permittee, and the action of said board in

revoking any such permit shall be final and conclusive. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 6911 § 15, Vol. O, p. 131, 1969)

5.20.150 Revocation not exclusive penalty.

The revocation of any permit granted under the provisions of this chapter shall not preclude the imposition of further penalties as provided for in this chapter and the state law, but shall be considered merely as a part of the penalties imposed for violation of the rules and regulations provided for herein and in the state law. (Ord. 2009-22, 2009; Ord. 92-17, 1992; Ord. 69-11 § 16, Vol. O, p. 131, 1969)

5.20.160 Closing hours.

All events shall not be open to the public before the hour of 10:00 a.m., and shall remain open to the public until such time as approved by the board of county commissioners in the application process. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 17, Vol. O, p. 131, 1969)

5.20.170 Intoxicating liquor prohibited.

Repealed by Ord. 2009-22, 2009 (Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 18, Vol. O, p. 131, 1969)

5.20.180 Preserving order - Operator's duty.

It is the intention to put the burden of preserving order upon the operator of the entertainment, amusement, sporting event, or show or assembly of persons wherein the primary purpose will be entertainment, amusement, sporting event, or show in the county is not being operated in accordance with the rules and regulations prescribed in this chapter and set forth in the state law, the permittee shall be subject to revocation of his or her permit, and the permittee or other individual responsible subject to such other punishment as the law and this chapter provides. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 19, Vol. O, p. 131, 1969)

5.20.190 Building construction.

If the entertainment, amusement, sporting event, or show or assembly of persons wherein the primary purpose will be entertainment, amusement, sporting event, or show is held within a permanent building or structure, such must be of fireproof construction when over one story in height. All buildings to which the public is admitted must have a sufficient number of exits to permit a safe evacuation of all persons therein. All exit doors in buildings of a permanent nature must be equipped with crash hardware. All canvas used in any tent or as a part of any structure must be so treated as to be fire resistant at the time the same is in use. All highly inflammable or explosive liquids or materials are to be kept in a well ventilated location and adequate fire fighting equipment must be maintained in the immediate area. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 20, Vol. O, p. 132, 1969)

5.20.200 Distance from habitation.

No entertainment, amusement, sporting event, or show or assembly of persons wherein the primary purpose will be entertainment, amusement, sporting event, or show shall be operated in a location which is closer than 1,000 feet from any schoolhouse, church or residence; provided, however, that this section shall not apply if the owner of each residence or the governing body of each schoolhouse and/or church within said 1,000 feet shall waive its requirement in writing and the board of county commissioners specifically approves such location in the permit process. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 21, Vol. O, p. 132, 1969)

5.20.210 Permit posting - Non-transferability.

Any permit issued as provided in this chapter shall be kept posted in a conspicuous place and no such permit shall be transferable or assignable without the consent of the board of county commissioners; and

no rebate or refund of money paid for a permit shall be made. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 6911 § 22, Vol. O, p. 132, 1969)

5.20.220 Permit application.

An application for a permit to conduct such an event in the county outside the limits of incorporated cities and towns shall be made in writing to the board of county commissioners, and shall be accompanied by a deposit of the fee herein required. It shall be signed and verified upon oath. If the application is made on behalf of a co-partnership the names of the copartners in full, shall be given with their residences and post office addresses for a period of six months immediately prior to the date of the application, together with the location of principal office or place of business of such corporation. The application shall state the location to be occupied; and shall also state that the applicant or applicants will abide by all rules and regulations of this chapter and the state law for the protection of health, morals and safety of the persons employed therein, and for the patrons or participants thereof and for the public. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 23, Vol. O, p. 132, 1969)

5.20.230 Violation - Penalty.

Any person who violates or fails to comply with any provision of this chapter or who shall counsel, aid or abet such a violation or failure to comply shall be deemed guilty of a misdemeanor and shall be punished as provided in RCW 9A.20.021(3). Violation of this chapter shall also subject the holder of a Conditional Use Permit to revocation of that permit under KCC 17.60A.100. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 24, Vol. O, p. 132, 1969)

5.20.240 Compliance.

Compliance with the terms and conditions of this chapter shall constitute minimum health, sanitation and safety provisions and failure to comply with the terms and conditions shall constitute a public nuisance and shall be subject to all criminal, civil and equitable remedies as such. (Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 69-11 § 25, Vol. O, p. 132, 1969).

5.20.250 Enforcement.

Enforcement of this Chapter shall be through the procedure and in accordance with Title 18 KCC. (Ord. 2009-22, 2009)

5.20.260 Reservation.

The County reserves the right to add conditions or waive requirements or conditions of this Chapter as it determines to be in the best interests of the public. It shall give great weight to health and safety concerns in making conditions or granting waivers. (Ord. 2009-22, 2009)

5.20.270 Severability and savings.

If any provision of this chapter or its application to any person or property is held invalid, the remainder of this chapter or the application of the provision to other persons or property is not affected and if for any reason this code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect. (Ord. 2009-22, 2009)