

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

**AGENDA DATE:** August 16, 2011

**ACTION REQUESTED:** Consider a Special Event Application to hold the Tarp-It Annual Company Appreciation Party – September 4, 2011

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**BACKGROUND:** The Kittitas County Board of Commissioners office received an event application to hold the Tarp-It Annual Company Appreciation Party on September 4, 2011 from 5:00 p.m. to 4:30 a.m. The applicant has provided the \$200.00 application fee which was deposited with the Kittitas County Treasurer.

**INTERACTION:** The applicant is requesting a waiver to the following Kittitas County Code:

5.20.020 Permit Application – The application was submitted on July 21, 2011 which is less than 60 days prior to the event. The applicant states they were unaware of the timeline requirement, as they thought it was a 30 day timeline.

5.20.100 Penal Bond/Bond of Indemnity – The applicant states they have had the party many times in past years and it has not caused any damage to the County roads. They claim they have taken adequate measures to ensure nothing happens.

The applicant is also requesting a variance to the Noise Ordinance. Kittitas County Code Chapter 9.45.060 allows the Board of County Commissioners to grant waivers to the Noise Ordinance. They said the live music will begin at 7:30 p.m. and end at 3:00 a.m. Note that Kittitas County Code Chapter 5.20.160 (Closing Hours) states 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.

The following County departments have reviewed and recommended approval of the Tarp-It Company Appreciation Party: Sheriff (although they have emphasized that the music needs to stop at the ending time allowed on the noise variance), Solid Waste, Public Works, Auditor, and the Public Health Department. The Fire Marshal said the applicant must obtain an event permit from their office no later than August 26, 2011. The applicant included a copy of insurance from last year specifically naming Kittitas County as an insured, and they have indicated that they will provide proof of insurance for this year, as soon as they receive it.

**RECOMMENDATION:** Approve the Tarp-It Annual Appreciation Party on September 4, 2011, conditioned upon submitting and obtaining an event permit from the Kittitas County Fire Marshal by August 26, 2011; providing proof of adequate insurance for the Kittitas County Prosecutors office specifically naming Kittitas County as an additional insured; granting a waiver to 5.20.020 Permit Application and 5.20.100 Penal Bond/Bond of Indemnity, and to consider a variance to the Noise Ordinance as allowed by Kittitas County 9.45.060.

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

**ATTACHMENTS:** Event application and materials – Tarp-It, Inc.  
County department recommendations  
Kittitas County Code Chapter 5.20 – Event Permits  
Kittitas County Code Chapter 9.45 – Noise

**LEAD STAFF:** Julie Kjorsvik, Clerk of the Board



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

July 26, 2011

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

Re: Event Application for Tarp-It Company Appreciation Party on  
September 4, 2011.

Dear Board of County Commissioners:

I have reviewed the application for the annual Tarp-It Company appreciation party on September 4, 2011. This annual event is well planned out and has caused few problems for law enforcement. I would like to emphasize that the music needs to stop at the ending time allowed on the noise variance.

Due to Tarp-It's past history and good faith efforts to have a problem free event, the Sheriff's Office has no issues with approving the application as submitted.

Sincerely,

Gene Dana,  
Sheriff

RECEIVED

JUL 28 2011

*State Accredited 1997*

1st \_\_\_\_\_ 2nd \_\_\_\_\_ 3rd \_\_\_\_\_  
KITTITAS COUNTY BOARD OF COMMISSIONERS



## Kittitas County Solid Waste Programs

925 Industrial Way, Ellensburg, WA 98926

Telephone: (509) 962-7070

Fax: (509) 962-7087

August 2, 2011

Kittitas County Board of Commissioners  
205 W 5<sup>th</sup> 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 Tarp it 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,

A handwritten signature in black ink, appearing to read "R. Allphin", followed by a long horizontal line.

Reno L Allphin  
Solid Waste Specialist  
Kittitas County Solid Waste

## Julie Kjorsvik

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**From:** Kelly Carlson  
**Sent:** Monday, August 08, 2011 8:24 AM  
**To:** Julie Kjorsvik  
**Cc:** Jim Van De Venter  
**Subject:** RE: Event Application - Tarp-It

Public Works has no issues with this permit

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**From:** Julie Kjorsvik  
**Sent:** Friday, August 05, 2011 3:21 PM  
**To:** Brenda Larsen; Maria Canfield; James Rivard; Reno Allphin; Patti Johnson; Deanna J. Panattoni; Jerry V. Pettit; Kelly Carlson; Kirk Holmes; Chuck Reed; Ryan Berge  
**Subject:** RE: Event Application - Tarp-It

Just a reminder that a response is due from your department today for the Tarp-It Event application! 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.*

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**From:** Julie Kjorsvik  
**Sent:** Tuesday, July 26, 2011 8:58 AM  
**To:** Clayton Myers; Gene Dana; Brenda Larsen; Maria Canfield; James Rivard; Reno Allphin; Patti Johnson; Deanna J. Panattoni; Jerry V. Pettit; Neil Caulkins; Kelly Carlson; Kirk Holmes; Chuck Reed; Ryan Berge  
**Subject:** Event Application - Tarp-It

Attached is an event application from Tarp-It for their company appreciation party on September 4, 2011.

Our office has advised them that we cannot process their application until the \$200.00 permit fee has been received, and according to their staff a check was going to be put in yesterday's mail. However I wanted to give you a heads up on the application so that you may begin reviewing it.

Once proof of insurance has been received I will forward it to the Prosecutors office for their review as well.

Please review this application and respond to me with your departments recommendation (**in writing**) **no later than August 5<sup>th</sup>** so that I can schedule a special meeting for the Board to review this application.



## Memo

**To:** Kittitas County Board of County Commissioners

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

**Date:** August 8, 2011

**RE:** Tarp-It Company Appreciation Party Event Application

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The Tarp-It Company Appreciation Party applicant, Tim Ravet, has met all the requirements of the Kittitas County Public Health Department 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: Maria Canfield, Kittitas County Public Health Department  
Julie Kjorsvik, Clerk for the Kittitas County Commissioners Office



# KITTITAS COUNTY FIRE MARSHAL'S OFFICE

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

Office (509) 962-7657 Fax (509) 962-7682

August 6, 2011

Board of County Commissioners  
205 W. 5<sup>th</sup> Street  
Ellensburg, WA 98926

Re: Tarp-It Annual Appreciation Party

To Whom it May Concern:

In regard to the above mentioned project, I have the following comments:

- An event permit is required from the Fire Marshal's Office, and shall be submitted no later than August 26, 2011,
- Generators shall be located at least 10' from any covered tent, and electrical cords shall be placed in such a manner that they do not constitute a trip hazard,
- Portable stages and platforms shall be erected per the manufacturer's specifications,
- No open flames shall be allowed, unless requested and approved on the event permit,
- A barricade or railing shall be required at the edge of the bar area, as the drop off is greater than 30 inches. The applicant shall contact the Fire Marshal's Office no later than August 26 to provide a detail of the barricade or railing, and
- All applicable fire codes shall apply.

The intent of the IFC is to provide a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions. The requirements listed above offer a reasonable level of fire and life safety protection for this project. If you have further comments or questions, please do not hesitate to contact me at 509-962-7000.

Sincerely,

Brenda Larsen  
Kittitas County Fire Marshal  
cc: Tarp-It

**TARP - IT INC.**  
3000 WILSON CREEK ROAD  
ELLENSBURG, WA. 98926



## Covering All Of Your Tarping Needs!

August 4, 2011

1-800-827-7485

Kittitas County Code Chapter 5.20.020  
205 W 5<sup>th</sup> Suite 108  
Ellensburg, Wa. 98926

Dear Kittitas County Board of Commissioners,

This letter is a request for a waiver of the 60 days timeline requirement for our Event Application for the September 4<sup>th</sup> 2011 company party we are having. I was not aware the application needed to be turned in 60 days prior to the event I thought it was 30 days notice. Thank you for your consideration.

Sincerely,

Tim Ravet

5595 Vantage Hwy  
Ellensburg, Wa. 98926  
509-856-7285

RECEIVED

AUG 5 2011

1st \_\_\_\_ 2nd \_\_\_\_ 3rd \_\_\_\_  
KITITAS COUNTY BOARD OF COMMISSIONERS

PHONE: 1-509-962-4664  
FAX: 1-509-925-6151



**TARP - IT INC.**  
3000 WILSON CREEK ROAD  
ELLENSBURG, WA. 98926



## Covering All Of Your Tarping Needs!

July 20, 2011

1-800-827-7485

County Commissioner  
205 W 5<sup>th</sup> Suite 108  
Ellensburg, Wa. 98926

Dear County Commissioner,

This letter is a request for a noise ordinance variance on September 4<sup>th</sup>, 2011. We have scheduled our annual company appreciation party to begin at 5:00 pm and end at 4:30 am. We anticipate 650 people to be in attendance. No tickets are being sold for the event, it is by invitation.

There will be food and alcohol served. Precautions will be taken to insure minors do not consume alcohol and that all details will be handled in a legal manner. We will have all necessary permits for food and alcohol service.

There will be live music featuring the Afrodisiacs and Blackhawk starting at 7:30 pm and ending at 3:00 am. Security will be provided by Phoenix Security and Kittitas County Sheriff's off duty services.

We have parking available and CWU football team will be available to direct traffic for the parking and help with security. There will be sani-cans available and bathroom facilities in the house. Waste Management will provide a large bin to handle the cleanup of all garbage. We are not submitting a Bond of Indemnity. We have had this party many times over the past years and have had no damage to the roads and have taken adequate measures to ensure this does not happen.

A tent will be provided for food and alcohol service. A stage and all necessary equipment will be setup for the bands providing the entertainment.

Insurance will be provided naming Kittitas County and Blackhawk as additional insured.

Please feel free to call me if you have any questions regarding this request.

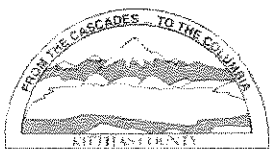
Sincerely,

Tim Ravet

5595 Vantage Hwy  
Ellensburg, Wa. 98926  
509-856-7285

PHONE: 1-509-962-4664

FAX: 1-509-925-6151



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: Tarp-It, Annual Company Appreciation Party

Date(s) of event: 9-4-11

Hours of operation: 5:00 PM - 4:30 AM

Description of the event: Annual Company Appreciation Party  
Live music, food, & drinks

Has this event taken place before? ☒ Yes ☐ No Dates: 9-6-09

Estimated attendance: 650

How is your event being publicized? It is not publicized,  
by invitation only.

*Please attach any flyers, posters, etc. with your application submission.*

#### Contact Information

Name of the organizer/contact person: Tim Ravet

Address: 5595 Vantage Hwy, Ellensburg, WA 98926

Phone number(s): 509-856-7285

Email address: tarpit@televar.com

Date of birth of applicant: 12-12-70

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JUL 21 2011

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:

Tim Ravet  
Name

509-856-7285  
Phone Number

Brenda Aitken  
Name

509-899-0542  
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.

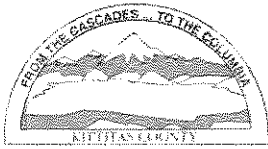
I/We understand that failure to comply with the rules, regulations and conditions set forth in Code may be deemed a gross misdemeanor and that drug or narcotics violations are crimes under RCW.

Tim Ravet  
Applicant Name (Print)

[Signature]  
Applicant Signature

\_\_\_\_\_  
Applicant Name (Print)

\_\_\_\_\_  
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.

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.

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.**

**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.



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.

Will you have traffic control? ☒ Yes ☐ No

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

Will there be off-site parking? Yes ☒ No

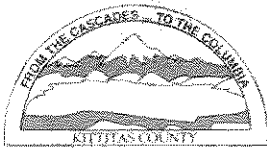
If yes, please provide the location and a parking plan.

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.



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.

### 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.

### County Filings and Registration

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

How much are you charging to attend your event?



Kittitas County, Washington

## BOARD OF COUNTY COMMISSIONERS

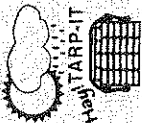
### Public Roads

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





TARP-IT, INC. 07-96  
3000 WILSON CREEK RD.  
ELLensburg, WA 98926  
(509) 962-4664

CASHMERE VALLEY BANK  
ELLensburg, WA 98926-2971  
98-460/1251

PAY TO THE ORDER OF Kittitas County Commissioners Office

\$200.00

Two Hundred and 00/100\*\*\*\*\* DOLLARS

Kittitas County Courthouse  
205 West 5th, Suite 108  
Ellensburg, WA 98926

  
AUTHORIZED SIGNATURE

MEMO

⑈034447⑈ 1225104603⑈ 13006010⑈

TARP-IT, INC.

Kittitas County Commissioners Office  
Licenses & Permits

7/25/2011

34447  
200.00

7-25-11  
TO: Catherine Dunn  
I will have a new  
certificate for you before  
August 21, 2011 when our  
policy renews. Hope this  
will get our application  
going.  
Thanks  
Brenda Butler



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: 2011-5559 Date: 07/27/2011

Received From: JULIE K. COMMISSIONERS OFFICE - JULIE

Check Amount: \$200.00

Cash Amount: \$0.00

Eft Amount: \$0.00

Total Amount: \$200.00

Deputy: KATIEV Receipt Type: CHK

Template:

Comments:

EVENT APPLICATION FEE FROM TARP-IT FOR EVENT SCHEDULED FOR SEPTEMBER 4, 2011; CSR 2011-3601

<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



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
7/25/2011

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).

<b>PRODUCER</b> Brown & Brown - Seattle 2101 Fourth Ave, Suite 600 Seattle WA 98121	<b>CONTACT</b> NAME: Marla Hogan PHONE (A/C No, Ext): 206-956-1627 FAX (A/C No): 206-956-9627 E-MAIL ADDRESS: mhogan@bnbseattle.com	
	<b>INSURER(S) AFFORDING COVERAGE</b> INSURER A: UNIGARD INSURANCE COMPANY INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
<b>INSURED</b> Tarp It, Inc. 3000 Wilson Creek Road Ellensburg WA 98926	<b>NAIC #</b>	

## COVERAGES

CERTIFICATE NUMBER: 580730112

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	Y	CM013374	8/21/2010	8/21/2011	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$50,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	<b>AUTOMOBILE LIABILITY</b> <input checked="" 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		CM013374	8/21/2010	8/21/2011	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE  DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	CM013374	8/21/2010	8/21/2011	WC STATU-TORY LIMITS <input checked="" type="checkbox"/> OTH-ER <input type="checkbox"/> WA Stop Gap E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Kititas County and Blackhawk Bank are additional insureds as their interests may appear per attached form #1403650386.

## CERTIFICATE HOLDER

## CANCELLATION

Kititas County Attn: Brenda 205 W. 5th St Ste 108 Ellensburg WA 98926	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 

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Unigard Insurance Company  
PO Box 90701, Bellevue, WA 98009-0701

Policy No.  
CM013374

Commercial Multi-Line Policy  
Endorsement

Page 1

BLANKET AI 154700

ADDITIONAL INSURED - OWNERS, LESSEES OR CUSTOMERS -  
AUTOMATIC STATUS WHEN REQUIRED IN WRITTEN AGREEMENT WITH YOU

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

Name of person or organization                      Designated project name or number

AS PER CERTIFICATES ON FILE WITH COMPANY

The Commercial General Liability Coverage Part, CG0001 is modified as follows:

A. Section II - Who is an Insured is amended to include as an additional insured any person or organization, including any person or organization shown in the schedule above, for whom you are performing operations when you and such person or organization have agreed in writing in a contract or agreement (as set forth in paragraph B below) that such person or organization be added as an additional insured on your policy. Such person or organization is an additional insured only with respect to liability for "bodily injury", "property damage", or "personal and advertising injury" caused in whole or in part by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;  
in the performance of your ongoing operations for the additional insured.

A person's or organization's status as an additional insured under this endorsement ends when your operations for that additional insured are completed.

- B.
1. The written contract or written agreement must be:
    - a. Currently in effect or becoming effective during the term of this policy; and
    - b. Executed prior to the "bodily injury", "property damage" or "personal and advertising injury".
  2. The Limits of Insurance applicable to the additional insured are those specified in the written contract or agreement or in the Declarations of this policy, whichever is less. These Limits of Insurance are inclusive of and not in addition to, the Limits of Insurance shown in the Declarations.

C. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

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09-11-09R

Unigard Insurance Company  
PO Box 90701, Bellevue, WA 98009-0701

Policy No.                      Commercial Multi-Line Policy  
CM013374                      Endorsement

Page 2

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This insurance does not apply to:

1. "Bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of, or the failure to render, any professional architectural, engineering or surveying services, including but not limited to:

a. The preparing, approving, or failing to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders, or drawings and specifications; or

b. Supervisory, inspection, architectural or engineered activities.

2. "Bodily injury" or "property damage" occurring after:

a. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) seeking coverage. at the location of the covered operations has been completed; or

b. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

D. As respects the coverage provided by this endorsement, Paragraph 4.a. Section IV Commercial General Liability is deleted and replaced by;

4. Other Insurance

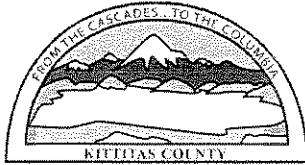
a. This insurance is primary except when b below applies. If this insurance is primary, our obligations are not affected unless any of the other insurance is also primary. Then, we will share with all that other insurance by the method described in c below. When required by written contract or agreement with the additional insured, this insurance is primary and we will not share under paragraph c below with the additional insured.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

Producer's Copy

09-11-09R

140365 0386



Kittitas County, Washington  
**BOARD OF COUNTY COMMISSIONERS**

District One  
Paul Jewell

District Two  
Alan Crankovich

District Three  
Obie O'Brien

August 1, 2011

Mr. Tim Ravet  
Tarp-It, Inc.  
5595 Vantage Hwy.  
Ellensburg, WA 98926

Re: Event Application – Annual Company Appreciation Party

Dear Mr. Ravet,

This letter is to acknowledge receipt of a check in the amount of \$200.00 that we received today for the application fee to hold the Tarp-It, Inc. annual company appreciation party on September 4, 2011. I have forwarded your application materials on to various County departments for their review and recommendation to the Board of County Commissioners. I have advised them that if they have specific questions to directly contact you.

I will be placing your event request for consideration by the Board of County Commissioners on the August 16, 2011 Agenda Session at 10:00 a.m. This meeting will be held in the Kittitas County Commissioners Auditorium, Room 109, Kittitas County Courthouse 205 West 5<sup>th</sup> Avenue Ellensburg, WA. At that time the Kittitas County Board of Commissioners will review your application materials and may take official action on your request to hold the event.

Please be advised that you or a member of your organization will need to be in attendance at the Commissioners Agenda Study Session on Monday August 15, 2011 at 10:30 a.m. in the Commissioners Auditorium, Room 109, to answer any questions the Board may have of your event application. You will be advised at that time if you will need to come back to the Agenda Session on August 16<sup>th</sup> at 10:00 a.m. Most likely, you will not have to return the next day, but I wanted you to be prepared just in case.

Please be advised that due to the application fee not being received more than 60 days prior to the day the event is to be held, you need to request a waiver (in writing) to Kittitas County Code Chapter 5.20.020 (Permit Application). You may address your letter to the attention of the Kittitas County Board of Commissioners and ask that they waive this timeline.

As a reminder, it is imperative that we have a copy of your insurance covering September 4, 2011 and specifying Kittitas County as an additional insured on the Certificate of Liability Insurance, so the Prosecutors office can review and make their formal recommendation to the Board of County Commissioners.

If you have any questions please feel free to contact our office at your convenience. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Julie Kjorsvik'.

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.  
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5.20.090 Permit required - Fee - Regulations.  
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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, Sherriff, 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)

punished by a fine of not more than \$1,000 and by imprisonment for not more than 90 days, or by both such fine and imprisonment. (Ord. 99-09, 1999; Ord. 95-6, 1995).

**9.30.080 Other liabilities and legal rights not affected.**

Nothing in this chapter shall add to or diminish any other legal rights, or liabilities, either civil or criminal, arising out of the negligent, reckless, knowing or intentional conduct of any person. (Ord. 99-09, 1999; Ord. 95-6, 1995).

**9.30.090 Effective date.**

Ordinance 95-6, codified in this chapter, shall be effective June 27, 1996, which is one year from the date of its adoption. (Ord. 99-09, 1999; Ord. 95-9, 1995).

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**Chapter 9.32**

**SHOOTING IN GRAVEL PITS**

(Repealed by Ord. 99-09)

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**Chapter 9.40**

**FIREARMS\***

**Sections**

9.40.010 Exemption from state law.

\* See RCW 9.41.050(4) relating to restrictions about carrying firearms.

**9.40.010 Exemption from state law.**

The jurisdiction of Kittitas County is and shall be exempt from the prohibitions set forth in Subsection (4) [RCW 9.41.050(4)] as enacted and as may be hereafter modified or recodified. This exemption is made under the authority of RCW 9.41.050(6). (Ord. 99-09, 1999; Ord. 94-16 § 1, 1994).

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**Chapter 9.45**

**NOISE**

**Sections**

9.45.010 Public disturbance noises.

9.45.020 Noise disturbances enumerated.

9.45.030 Presumption.

9.45.040 Exemptions.

9.45.050 Penalty.

9.45.060 Variances.

**9.45.010 Public disturbance noises.**

It is unlawful to create, or to allow property in one's possession or control to be used so as to create any loud, unpleasant, or raucous noise which unreasonably disturbs the peace, comfort, or repose of others. (Ord. 99-09, 1999; Ord. 95-14 § 1, 1995).

**9.45.020 Noise disturbances enumerated.**

Noise disturbances referred to in KCC 9.45.010 may include but are not limited to continuous or repetitive:

1. Operating motors, engines, motorcycles and snowmobiles in a capricious manner, to be plainly audible within any dwelling unit which is not the source or is generated within 200 feet of any dwelling unit;
2. Playing amplified or otherwise loud music and voice amplification either live or recorded;
3. Yelling or shouting at a continuous loud level of sound;
4. Allowing domestic animals to bark, howl or otherwise make noise either on private or commercial premises for extended periods of time;
5. Use of noise making fireworks except for duly authorized or approved public displays. (Ord. 99-09, 1999; Ord. 95-14 § 2, 1995).

**9.45.030 Presumption.**

It shall be a rebuttable presumption that any activities enumerated herein disturb the peace, comfort, or repose of others when they take place between the hours of 10:30 p.m. and 7:00 a.m. in a residential area or one containing hospitals, hostelryes, convalescent centers, or other places of repose. (Ord. 99-09, 1999; Ord. 95-14 § 3, 1995).

**9.45.040 Exemptions.**

1. The noises or sounds produced by the operations of agricultural, silviculture and mining equipment for the purpose of production or protection of crops and or other legitimate commercial products or materials are exempt from this chapter.
2. The noises or sounds produced from or in the raising of or production of livestock including the raising of livestock guardian dogs, horses, cattle, sheep, pigs, and poultry are exempt from this chapter.
3. The noise and sounds emanating from legitimate training activities located within the boundaries of the "Yakima Training Center." (Ord. 99-09, 1999; Ord. 95-14 § 4, 1995).

**9.45.050 Penalty.**

Any person violating this chapter shall, upon conviction therefore, be punishable by fine not to exceed \$500.00 or imprisonment not to exceed 90 days, or both. (Ord. 99-09, 1999; Ord. 95-14 § 5, 1995).

**9.45.060 Variances.**

From time to time, upon application to the board of county commissioners, further specific exemptions may be granted to this chapter on a fact and date specific basis. An example is the request for and granting of a festival permit. All such exemptions shall be made through proper application to the board of county commissioners and in conformance with existing provisions of the Kittitas County Code, as it now exists, or as amended in the future. (Ord. 99-09, 1999; Ord. 95-14 § 7, 1995).

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**Chapter 9.50**  
**PARKS****Sections**

- 9.50.010 Definitions.
- 9.50.020 Purpose.
- 9.50.030 Hours.
- 9.50.040 Park facilities - Liability.
- 9.50.050 Park facilities - Liability insurance.
- 9.50.060 Park facilities - Cleanup.
- 9.50.070 Concessions.
- 9.50.080 Park misuse.
- 9.50.090 Motor vehicles - Parking.