
Kittitas County Code

Title 5 | BUSINESS LICENSES AND REGULATIONS*

Chapters

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* For the statutory provisions regarding the power of county commissioners to fix the rates of ferriage, grant grocery and other licenses as provided by law to be by them granted, see RCW 36.32.120(3). For provisions regarding the business of sewage or waste disposal device cleaning, see Chapter 13.04 KCC.

Chapter 5.04

AUCTION SALES*

Sections

- 5.04.010 Definitions.
- 5.04.020 License application.
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* For the statutory provisions regarding the power of the board of commissioners to issue a license to persons engaged in auctioneering, see RCW 36.71.080.

5.04.010 Definitions.

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

Goods, wares, and merchandise

Includes new furniture, new clothing, new hardware items, new office supplies, new office machines, new stationery, new books, and all new items of any type and nature commonly sold in retail stores, but does not include new jewelry as defined in RCW 18.12.010, and new appliances as defined in RCW 18.12.010.

Auction

The sale of goods, wares, and merchandise at private or public sale upon oral or written bids to the highest bidder and shall include all such sales although denominated as "action" sales or by any similar words.

(Ord. 99-06, 1999; Ord. Vol. L, p. 559 § 1, 1958).

5.04.020 License application.

The application for a license shall be in writing and shall be verified by the applicant under oath or affirmation. All the data and statements in the application and attached documents shall be true and correct. The application shall show the following:

1. That the sale is to be had at the applicant's regularly established place of business or at the place wherein his or her regular business has been operating for a period of at least one year prior to the application;
2. That neither applicant or any employee of applicant, who is being employed in any manner in the conduct of the auction sale, has been convicted of any violation of law relating to auction sales, auctioneering or the licensure thereof, within a period of six years precedent to the day of application;
3. The applicant's name, residence, and business address; the purpose for which the sale is to be held, the type of business in which he was engaged during the prior two years, if any, and its location; whether the applicant will personally participate at the auction sale; whether any additions to the stock to be sold at the auction have been made within a 60-day period and the name, address and occupational history for the preceding two years of any person who will participate in conducting the sale;
4. The application shall have attached thereto a detailed inventory listing each article to be sold together with an inventory number for each article;
5. The application shall also indicate whether the applicant will make or permit additions to be made to the stock described in the inventory; whether he has conducted an auction or auctions within a period of five years, and if so, a statement of where and when each of said auctions occurred. (Ord. 99-06, 1999; Vol. L, p. 559 § 2, 1958).

5.04.030 Bond.

The applicant shall file with the county commissioners a bond, in a form to be approved by them, executed by a surety company authorized to do business in the state, in an amount equal to one-half of the cost value of the articles inventoried for sale. The bond shall be approved by the county commissioners and shall run to the state and shall be conditioned that it is for the use and benefit of any person who may be damaged by a violation of this chapter, by the licensee, his or her employees or agents, or who may have a cause of action against said licensee, his or her employees, or agents by reason of any matters arising out of the conduct of the auction sale. The bond shall further provide that any person shall have, in addition to any other right of action, a right of action on such bond for all damages not exceeding \$1,000, but the aggregate liability of the surety upon the bond for all claims which may arise thereunder, shall not exceed the specified amount of the bond. (Ord. 99-06, 1999; Vol. L, p. 560 § 3, 1958).

5.04.040 Application - Proceeding statements.

The application shall contain statements to the effect that the applicant in the conduct of any auction sale will either refrain from proceedings as hereinafter set out, or will proceed as hereinafter set out as the case may be:

1. No article will be sold unless listed in the inventory unless it is listed on a supplemental inventory subsequently approved by the majority of the board of county commissioners;
2. No article shall be listed in the inventory or sold at the auction when purchased or stocked by the applicant within 60 days prior to the application for license unless specifically approved by the board of county commissioners. At the auction the applicant, or his or her employees or agents, shall represent to the public the true material, quality, and kind of article auctioned and will, if requested by anyone, show a copy of the inventory and supplemental inventory, if any;
3. No article shall be sold and auctioned which has been falsely described or concerning which any false statement was made by the applicant, his or her employees, or agents;
4. The applicant shall cause to be displayed, in a prominent place on the premises where the auction is to be conducted, notice that any article purchased may be returned for the amount paid if it is at the time, in the same condition as when purchased, and if returned within 48 hours from time of purchase. Said notice shall be prominently displayed and shall be of sufficient size to be readily discernible by the bidders;
5. Any failure to comply with any of the above provisions shall be good cause for the revoking of any license issued. (Ord. 99-06, 1999; Vol. L. p. 560 § 4, 1958).

5.04.050 Municipal license.

A license requirement by the ordinance of any municipality in which the sale is to be held, shall not amount to a compliance with this chapter, but rather such municipal license shall be considered to be in addition to the county license to be issued after terms and conditions to this chapter have been complied with. (Ord. 99-06, 1999; Vol. L, p. 560 § 5, 1958).

5.04.060 Compliance required.

The applicant will be responsible for compliance with this chapter whether he is present at or absent from the auction sale. (Ord. 99-06, 1999; Vol. L, p. 560 § 6, 1958).

5.04.070 Sales not included.

This chapter shall not apply to any sale of livestock or to any sale of secondhand articles of any type, judicial sales or government sales or sales by any executor, administrator, guardian, receiver or trustee in bankruptcy, authorized to sell by any court of competent jurisdiction. (Ord. 99-06, 1999; Vol. L, p. 561 § 7, 1958).

Chapter 5.09

DANCING AND DANCE HALLS

(Repealed by Ord. 99-06)

Chapter 5.12

FOOD HANDLING ESTABLISHMENTS

(Renumbered to Ch. 8.08 by Ord. 99-06)

Chapter 5.16

HOUSE AND BUILDING MOVES*

Sections

- 5.16.010 Definitions.
- 5.16.020 Outside city limits - Permit required.
- 5.16.030 Building move permit.
- 5.16.040 Moving permit - House mover.
- 5.16.050 Discretion of engineer.
- 5.16.060 Violation - Penalty.
- 5.16.070 Bond challenge - Compliance hearing.

* Prior legislation: Vol. M, pp. 220 - 222, 239, 240, 426, 1960; Ord. 60-1.

5.16.010 Definitions.

County

Kittitas County, Washington.

Building department

The department of building inspector and fire marshal.

County engineer

The ~~ed~~Director ^{public-} or his designee.
of ~~works~~Public
Services

Applicant

The owner of the house or building to be moved.

House mover

The person responsible for moving a house or building or other overlegal load over or across a county road, street, alley or bridge, except:

1. House trailers and machinery used for farming, road construction, or road maintenance shall be allowed to move over a standard overlegal permit;
2. A house or building or other overlegal load which has a width of less than 12 feet, a length of less than 20 feet, and a height of less than 14 feet when loaded, and which is placed on a single vehicle shall be allowed to move with a standard overlegal permit, including an overlength load longer than 20 feet if the load does not extend more than four feet beyond the rear of a regularly licensed vehicle. (Ord. 99-06, 1999; Ord. 94-8, 1994).

5.16.020 Outside city limits - Permit required.

It is unlawful for any person to transport or move a building or structure in the county to a location outside of any corporate city or town in the county if the building or structure:

1. Was or will be used for human habitation;
2. Will be located within 500 feet of any place of human habitation except that of the owner; or
3. Will be located within 500 feet of a residential subdivision platted and recorded by the county auditor, without having first secured a permit for such movement or transportation. (Ord. 99-06, 1999; Ord. 94-8, 1994).

5.16.030 Building move permit.

Applicants must obtain a building relocation permit pursuant to KCC 14.04.030. (Ord. 2000-03; Ord. 99-06, 1999; Ord. 98-23, 1998; Ord. 94-8, 1994).

5.16.040 Moving permit - House mover.

1. No moving permit shall be issued to the "house mover" until the county engineer is satisfied that the "applicant" has obtained from the building department a permit for such move or transfer as required by KCC

- 5.16.030, unless it should appear that the provisions of KCC 5.16.020 do not apply.
2. A house mover shall, before being issued a permit for house moving, place on file at the county engineer's office:
 - a. A bond in a sum to be determined by the county engineer payable to the county on account of any damages the county might suffer as the result of the exercise of such permit, and on account of any expense the county may be caused in removing or replacing any of its signs, delineators, bridge railings, or any other county property or facilities to accommodate the moving of any building or overlegal load along or across the county roads, streets, alleys, and bridges involved; said bond shall be kept on file with the ~~department of public works~~Public Services Department until the following has occurred:
 - i. House mover has completed said move and the county engineer has determined that no damage has been caused by the house mover to the roads, utilities, mailboxes, or other facilities along the route used.
 - ii. The bond shall be held for 10 days from date of compliance pursuant to KCC 5.16.070.
 - b. A certificate of insurance to cover public liability and property damage in the following amounts:
 - i. Five thousand dollars for property damage;
 - ii. Ten thousand dollars for a single injury or death;
 - iii. Twenty thousand dollars for multiple injuries or deaths, any of which might be caused by the permittee while engaged in such business as a house mover.
 3. A house mover shall, in order to be eligible for a house moving permit, have pneumatic rubber tires on all of his or her equipment which is to travel on county roads, streets, alleys, and bridges. No hard rubber tires or metal wheels will be allowed.
 4. Permit Fees.
 - a. Permits will be issued for one building or load only to be moved one time only.
 - b. Fees for moving permits shall be set by resolution of the board of county commissioners. (Ord. 99-06, 1999; Ord. 94-8, 1994).

5.16.050 Discretion of engineer.

1. The county engineer shall have the right to refuse to issue a house moving permit if the roads or bridges which are to be used are deemed by him or her to be incapable of supporting the proposed load, or for other reasons, which he or she deems to be in the best interest of the county, and the county engineer shall have the right when issuing a permit to specify the following:
 - a. The size and number of tires supporting the load;
 - b. Flagmen, pilot car, flares, signs, or any other safety devices or procedures deemed necessary by him or her;
 - c. The route to be used;
 - d. The time of the movement under the permit;
 - e. The speed of the vehicles involved.
2. The county engineer may refuse to issue a permit if previous damage caused to county properties by the house mover or any of his or her employees has not been paid in full at the time of application. (Ord. 99-06, 1999; Ord. 94-8, 1994).

5.16.060 Violation - Penalty.

Any person who moves a house or building or other overlegal load in violation of this chapter is guilty of a misdemeanor and is punishable as provided for in Chapter 1.16 KCC. (Ord. 99-06, 1999; Ord. 94-8, 1994).

5.16.070 Bond challenge - Compliance hearing.

1. The department holding the bond in escrow shall continue to hold the bond for 10 additional days following the approval by said department of compliance with the provisions governing the release of the said bond. This

10-day period shall allow for any county official or citizen of the county to challenge the validity of the compliance for just cause during the 10-day period by notifying the department holding said bond in writing of his or her challenge and stating the reasons for so doing.

2. Where such challenge has been made, the board of county commissioners shall call for a public hearing and shall cause to be advertised the time and place of said hearing in the manner usually provided for that purpose. The bond shall be held in escrow pending a decision by the board of county commissioners upon the issue of compliance with this chapter.
3. The board of county commissioners shall hear testimony upon the issue of whether the applicant or house mover has complied with the regulations applicable to the bond under challenge and shall notify the department to release the bond if they find the applicant or house mover has complied with the regulations governing said bond, or shall notify the department to forfeit the bond if they find the applicant has failed to comply with the regulations governing the bond. (Ord. 99-06, 1999; Ord. 94-8, 1994).

Chapter 5.20

EVENT PERMITS

Sections

- 5.20.005 Legislative intent.
- 5.20.010 Basic clause.
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- 5.20.41 Repealed.
- 5.20.050 Repealed.
- 5.20.060 Repealed.
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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, which the person, corporation, organization, landowner, or lessor believes or has reason to believe will attract one hundred (100) or more persons, and where a charge or contribution is required for admission or access, 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. An admissions tax shall be levied or imposed on said event in accordance with KCC chapter 3.22. 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. 2018-001, 2018; 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. Conditional Use Permit Exception

Events that occur on a parcel or parcels with a valid Conditional Use Permit that specifically contemplates and authorizes such gathering.

2. The Kittitas County Fair, events conducted on the Kittitas County Fairgrounds, or Events conducted by Kittitas County or its subdivisions.

3. 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. 2018-001, 2018; 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 [Public Works-Public Services](#) Department regarding potential impacts on roads; and
6. The County Solid Waste Programs Department regarding solid waste disposal; and
7. The County Auditor regarding the levy and imposition of any admissions tax pursuant to KCC chapter 3.22.

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. 2018-001, 2018; Ord. 2014-009, 2014; 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, [Public Works-Public Services](#) 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. 2014- 009, 2014; Ord. 2009-22, 2009; Ord. 99-06, 1999; Ord. 92-17, 1992; Ord. 6911 § 4, Vol. O, p. 129, 1969)

5.20.40 Sanitary facilities.

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

5.20.41 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. 9217, 1992; Ord. 69-11 § 9, Vol. O, p. 130, 1969)

5.20.085 Right to Limit Further Admissions.

If at any time during said event the size of the crowd exceeds by 20 percent (20%) the number of persons represented by the applicant to be expected in attendance, the Kittitas County Sheriff shall have the discretion to require the applicant to limit further admissions. (Ord. 2018-001, 2018)

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)

5.20.105 Indemnity Insurance.

1. The applicant shall agree that if the permit is granted, the following indemnity agreement applies to the event: the applicant shall assume the risk of all damage, loss, cost, and expense to defend, hold harmless and indemnify the county and its elected and appointed officials, officers, and employees from and against any and all liability which may accrue to or be sustained by Kittitas County, except for the sole negligence and willful misconduct of Kittitas County and its employees.
2. A certificate of insurance, and accompanying endorsement, shall be filed with the county prior to the issuance of the permit which names Kittitas County, its officers and employees, as an additional insured party with respect to activities in connection with this permit for no less than \$1,000,000 per occurrence. The county shall approve the certificate and may impose other insurance requirements, as deemed necessary by the county.

(Ord. 2018-001, 2018)

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. 9906, 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 7:00 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. 2014-009, 2014; 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. 9217, 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)

Chapter 5.24

POOL ROOMS, BILLIARD HALLS, BOWLING ALLEYS

(Repealed by Ord. 99-06)

Chapter 5.28

KITTITAS COUNTY FAIRGROUNDS - REGULATIONS AND LICENSING

Sections

5.28.010 Purpose.>

5.28.020 Literature, signs and soliciting signatures - Identification badges.

5.28.030 Soliciting funds and sales.

5.28.040 Activities of those not authorized by booth vendors or concessionaires.

5.28.050 Restriction on the use of designated areas.

5.28.060 Penalty.

5.28.010 Purpose.

The purpose of this chapter is to authorize the Kittitas County fair board and the general manager of the Kittitas County Fair to license and control the use of the Kittitas County Fairgrounds to further the peaceful conduct of the

Kittitas County Fair and other events on the fairgrounds, and to preserve the public safety and orderly movement of fair patrons without abridging the freedom of expression of anyone attending the fair. (Ord. 99-06, 1999; Ord. 9218 § 1, 1992).

5.28.020 Literature, signs and soliciting signatures - Identification badges.

No person shall distribute literature, display signs or solicit petition signatures without an identification badge issued by the general manager of the fairgrounds. The general manager shall issue an identification badge upon presentation of a written application containing the following information:

1. The name, address, and telephone number of the applicant and sponsoring organization, if any;
2. A description of the proposed activity; and
3. The date, hour, and duration of the proposed activity. (Ord. 99-06, 1999; Ord. 92-18 § 2, 1992).

5.28.030 Soliciting funds and sales.

No person on the Kittitas County Fairgrounds shall solicit funds or offer any merchandise or services for sale unless they have been authorized and licensed as a booth vendor or concessionaire. (Ord. 99-06, 1999; Ord. 9218 § 3, 1992).

5.28.040 Activities of those not authorized by booth vendors or concessionaires.

No person on the Kittitas County Fairgrounds, unless participating in a scheduled event or activity or unless separately licensed as a booth vendor or concessionaire or authorized by some other licensing agreement, shall:

1. Employ a sound or voice amplifying device for any purpose;
2. Use a table, chair, stand, or other structure to conduct activities described in KCC 5.28.020;
3. Store literature, signs, petitions, or related materials on the fairgrounds; or
4. Engage in a dance, chant, or other performance intended to attract public notice. (Ord. 99-06, 1999; Ord. 92-18 § 4, 1992).

5.28.050 Restriction on the use of designated areas.

The activities described in KCC 5.28.020 shall be confined to areas of the fairgrounds that are open to the general public. None of the activities described in KCC 5.28.020 shall be permitted in the following areas:

1. Parking areas;
2. Areas within 15 feet of animal enclosures, ticket counters, booths or other concession facilities, and patrons waiting in line; and
3. Restaurants, washrooms, and areas subject to separate licensing agreements. (Ord. 99-06, 1999; Ord. 92-18 § 5, 1992).

5.28.060 Penalty.

Violation of this chapter is punishable by a fine of not more than \$250.00 and a term in jail not exceeding 30 days. (Ord. 99-06, 1999; Ord. 92-18 § 6, 1992).

