

BOARD OF COUNTY COMMISSIONERS
CLALLAM COUNTY, WASHINGTON

Codebook
Amended by No. 48, 1974
Ordinance No. 32, 1974
Amended Ordinance 207

ORDINANCE NO. 32 1970

ASSEMBLY ORDINANCE

WHEREAS, it appears necessary for the protection, health and welfare of the general public in regard to entertainments, amusements and assemblies catering to the general public, that certain rules and regulations be established, and

WHEREAS, there is a danger to the people attending or taking part in the gatherings if proper sanitary, police and other health and safety measures are not adequately provided and danger to the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. BASIC CLAUSE:

It shall be unlawful for any person, persons, corporation, organization, landowner, or lessor to allow, encourage, organize, promote, conduct, permit or cause to be advertised an entertainment, amusement, or assembly of persons for any purpose which said person, persons, corporation, organization, landowner, or lessor believes or has reason to believe, will attract one thousand (1,000) or more persons for twelve (12) or more continuous hours or three hundred (300) or more persons for eight (8) or more continuous hours in each of two (2) or more consecutive days, or who prepares or sells tickets numbering one thousand (1,000) or more for an event of twelve (12) or more continuous hours in one day, or three hundred (300) or more for an event of eight (8) or more continuous hours on two (2) or more consecutive days at a particular location within Clallam County and outside the limits of incorporated cities and towns unless a valid and current permit has been obtained for the operating of said amusement, entertainment or assembly. Said permits shall be required for all such entertainments, amusements, and assemblies to be held thirty (30) or more days from the date of passage of this ordinance. One permit shall be required for each

entertainment, amusement or assembly. Criminal or civil liability for failure to comply with the provisions of this ordinance shall rest in all persons, corporation, organizations, landowners or lessors who are responsible for obtaining permits under this provision.

SECTION 2. DEFINITIONS:

GENERAL PUBLIC - Citizens and members of the community except in groups made up entirely of related kin.

ENTERTAINMENT - An entertaining or being entertained; specifically, amusement, hospitality given or received, the consideration of an idea, etc., keeping in mind. Something that entertains; interesting, diverting, or amusing thing, as a show or performance.

AMUSEMENT - Any act or event causing or inducing relaxation and gaiety.

ASSEMBLY - The concourse or meeting together of a considerable number of persons at the same place.

SECTION 3. LICENSING CLAUSE:

Written final application for amusement, entertainment or assembly permits shall be made to the Clallam County Board of County Commissioners and said application must be submitted thirty (30) or more days prior to the first day upon which such amusement, entertainment or assembly is to be or may be held. Approval or denial of permits as herein provided for shall be made within ten (10) days after application therefor. Permits shall not be denied provided the following conditions (1-5) are satisfactorily met by the applicant. Denial of the permit by the Board of County Commissioners shall be in writing with reasons for the denial and shall be subject to appeal to the Superior Court by action filed within ten (10) days of the denial.

SECTION 4. SUBMISSION OF PLANS FOR APPROVAL--APPROVING AGENCIES:

Whenever approval by a County government agency other than the Board of County Commissioners is required hereunder, application for such approval shall be made ten (10) or more days prior to making final application for the entertainment, amusement

or assembly permit. Approval or denial by said county agencies shall be made within ten (10) days of the date of application. 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 three (3) 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. Said inspections shall be made and approval or disapproval granted on or before the seventh day preceding the event. Should the actual facility or construction fail to meet the standards approved in the proposed plant, 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.

SECTION 5. CONDITION NO. 1 - SANITARY FACILITIES:

No permit for an entertainment, amusement, or assembly shall be granted unless the application is accompanied by the written approval of the Clallam County Health Department of the following minimum facilities:

1. Water Supply

(a) Every location for which a permit must be obtained hereunder shall have an adequate supply of water which is of a sanitary quality meeting the standards as prescribed by the Washington State Health Department.

(b) Drinking fountains or drinking facilities shall be provided to meet the standards of the Revised Code of the State of Washington.

2. Toilets and Washing Facilities

(a) Every location for which a permit must be obtained hereunder shall be provided with toilets, urinals and hand washing facilities conveniently located.

1. Separate toilet facilities shall be provided for each sex and shall be so marked.

2. Toilets must be water-flushed or fly-tight sanitary privies approved by the Health Officer.

3. The minimum number of the above facilities to be provided shall be in accordance with the orders of the Clallam County Health Department.

3. Food Preparation and Food Service Facilities

Should the applicant for a permit hereunder provide or have reason to believe that there will be provided any type of public food services for the event for which the permit is required, then the applicant shall submit with his application the approval of the Clallam County Health Department for the facilities so provided. Such facilities shall meet the specifications required by the Clallam County Health Department.

SECTION 6. CONDITION NO. 2:

No permit shall be granted hereunder unless the applicant has shown that the Clallam County Civil Defense director and the Fire Chief in the Fire District where the event is to be held has approved fire protection devices and equipment available at, in or near any building, tent, stadium or enclosure wherein or whereupon more than ten (10) persons may be expected to congregate at any time during the course of such entertainment, amusement or assembly for which a permit is hereunder required. Fire prevention standards shall be as provided by State Law.

SECTION 7. CONDITION NO. 3:

No permit shall be granted hereunder unless it shall be in an application to the Clallam County Sheriff that adequate traffic control and crowd protection policing have been contracted for or otherwise provided by the applicant. Traffic control - crowd control personnel shall be licensed merchant patrolmen or named persons submitting affidavits that they have not been convicted of a felony within the previous ten (10) years. There shall be provided one (1) traffic control-crowd control person for each two hundred (200) persons expected or reasonably to be expected to

be in attendance at any time during the event, provided that a minimum of three (3) such personnel shall be provided for any event coming within the provisions of this ordinance. Sufficient personnel shall be provided so that the above requirements will be met throughout the event without working any personnel more than twelve (12) hours without at least any eight (8) hour rest period before his next hours on duty; personnel shall be deputized by the sheriff of Clallam County prior to assuming responsibilities outlined in this section.

SECTION 8. CONDITION NO. 4:

Application for a permit under this title shall be accompanied by scale drawing showing adequate parking facilities have been made available adjacent to the location for which the permit is requested. Such parking facility shall provide parking space for one vehicle per every four persons expected or reasonably to be expected to attend the amusement, entertainment or assembly. Adequate ingress and egress shall be provided from such parking area to facilitate the movement of any vehicle at any time to or from the parking area. PROVIDED, that should buses be used to transport persons to the entertainment, amusement or assembly it shall be shown that public parking or parking as described above is available at any site from which buses are scheduled to transport persons to an event regulated by this ordinance.

SECTION 9. CONDITION NO. 5:

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 and public health and fire control 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.

SECTION 10

No entertainment, amusement or assembly coming within the provisions of Section 1 shall be conducted in the unincorporated

areas of Clallam County between the hours of 2:00 A.M. and 7:00 A.M., except as hereinafter provided. Should it be planned, advertised, or should there be reason to believe that an assembly of persons coming within the provisions of this ordinance shall create an unusual amount of noise or that it is anticipated that there will be an unusual amount of noise detrimental to the public health, safety and welfare then the Commissioners of Clallam County can set additional limitations or extensions on the hours, provided that any limitations shall not infringe on activities during daylight hours after the hour of 7:00 A.M.

SECTION 11

The provisions of this ordinance shall not apply to regularly scheduled entertainments, amusements and assemblies held at camps, parks, fairgrounds, Indian gathering places or resorts, PROVIDED, that the designed capacity provided for in such chapter is not exceeded.

SECTION 12

Application for a permit under the provisions of this ordinance shall state the number of persons expected or reasonably to be expected and/or the number of tickets printed and sold. It shall be the duty of the applicant to record the number of persons admitted to and exited from any event coming within the provisions of this ordinance in such a manner that the number of persons present can be reasonably known at any time. Failure to provide a reasonably accurate record of the number of persons present shall give public law enforcement personnel the right to reasonably estimate the number present. Should the number of persons present at any time exceed by twenty per cent (20%) or more the number for which the permit was granted it shall be the right and the duty of the public law enforcement agencies to prohibit further access to the event until such time as the number in attendance allows for compliance with the permit. A permit fee shall be filed with the application subject to the following scale:

300 to 1,000	\$ 100.00
1,000 to 5,000	500.00
5,000 and over	1,500.00

SECTION 13

Any person who shall violate or fail to comply with any provision of this chapter, or who shall, having obtained a permit hereunder, willfully fail to continue to comply with the terms and conditions hereunder, or who shall counsel, (aid or abet) such violation or failure to comply shall be deemed guilty of a misdemeanor.

SECTION 14

Compliance with the terms and conditions of this ordinance shall constitute minimum health, sanitation and safety provisions and material non-compliance with said terms and conditions shall constitute a public nuisance and be subject to all criminal, civil and equitable remedies as such.

SECTION 15

If any provision of this resolution, or its application to any person or circumstance is held invalid, the remainder of this resolution, or the application of the provision to other persons or circumstances is not affected.

DONE IN REGULAR SESSION this 6TH day of February, 1970.

Thos. H. Mansfield
Chairman

Darryl L. Lydiard DVM.
Commissioner

ATTEST:

Alice C. Thorne
ALICE C. THORNE
Auditor, Clallam County, Washington

John F. Kincaid
Commissioner

APPROVED AS TO FORM:

Nathan G. Richardson
NATHAN G. RICHARDSON
Prosecuting Attorney
Clallam County
State of Washington