

ORDINANCE NO. 48 1974
Amendment to Ordinance No. 32, 1970

130
See also:
Ord. 32, 1970

WHEREAS, prior experience with outdoor music festivals, large assemblies of persons, and outdoor dances has shown that enforcement of the existing laws and regulations on dangerous and narcotic drugs, indecent exposure, intoxicating liquor, sanitation, traffic control, and incidents of disturbance of the public's peace, have been rendered most difficult by the flagrant violations thereof by a large number of persons and,

WHEREAS, Clallam County is an isolated, sparsely populated County with a small number of law enforcement personnel insufficient to adequately respond to possible problems at mass meetings without advance notice thereof, and,

WHEREAS, RCW 70.108 and RCW 67.12 allow municipalities to pass ordinances dealing with these problems, and

WHEREAS, Clallam County Ordinance No. 32, 1970, Section 1 has been shown by prior experience in Clallam County inadequate to meet the above-mentioned problems, Now, Therefore,

BE IT ORDAINED by the Board of Clallam County Commissioners that Section 1 of Clallam County Ordinance No. 32, 1970 be amended as follows:

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 200 or more persons for 8 or more consecutive hours 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 amendment to Ordinance 32, 1970. 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 VII is amended to read as follows:

SECTION 7. CONDITION NO. 3:

No permit shall be granted hereunder until the applicant shall have furnished to Clallam County evidence that he has in full force and effect a liability insurance policy in an amount of not less than \$100,000.00 bodily injury coverage per person covering any bodily injury negligently caused by any officer or employee of the festival while acting in the performance of his or her duties. The policy shall name the issuing authority of the permit as an additional named insured. In addition, the applicant shall be required to furnish evidence that he has in full force and effect a \$100,000.00 liability property damage insurance policy covering any property damage due to the negligent failure by any officer or employee of the festival to carry out duties imposed by this ordinance or any other ordinance of the County of Clallam or any State statute. The policy shall have the issuing authority of the permit as an additional named insured. In addition, no permit shall be granted until the applicant shall deposit with the issuing authority a cash deposit or surety bond. The bond or deposit shall be used to pay any costs or charges incurred to regulate health or to clean up afterwards outside the festival grounds or any extraordinary costs or charges incurred to regulate traffic or parking. The bond or other deposit shall be returned to the promoter if the issuing authority is satisfied that no claims for damage or loss will be made against said bond or deposit, or that the loss or

damage claimed is less than the amount of the deposit, in which case the uncommitted balance thereof shall be returned. Not later than 30 days after the last day of the festival. 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 an eight (8) hour rest period before his next hours on duty. Only personnel deputized by the sheriff of Clallam County shall be qualified to assume responsibilities outlined in this section.

Section 9 shall be amended to read as follows:

SECTION 9. CONDITION NO. 5:

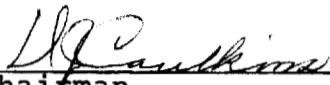
No permit shall be granted hereunder unless the applicant shall in writing upon the application for such a permit consent to allow the law enforcement and public health and fire control officers of the county to come upon the premises for which the permit has been granted for the purpose of inspection and enforcement of the terms and conditions under which the permit is granted. No permit shall be granted hereunder until the applicants shall have complied with all applicable county ordinances, rules regulations and with all applicable State statutes, State codes, rules and regulations.

SEVERABILITY CLAUSE:

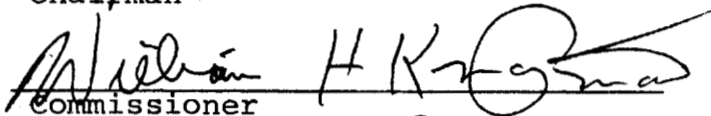
If any provision of this ordinance, or its application to any person or circumstance is held invalid, the remainder of this ordinance, or the application of the provision to other persons or

circumstances is not affected.

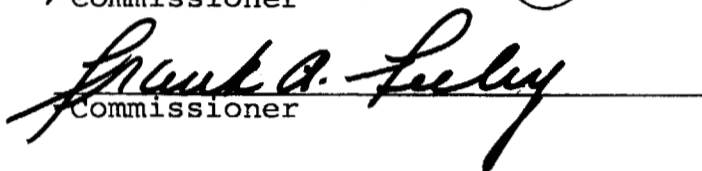
DONE IN REGULAR SESSION this 2nd day of May, 1974.



Chairman

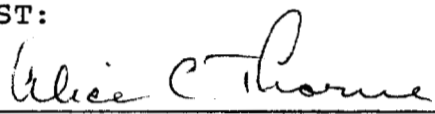


Commissioner



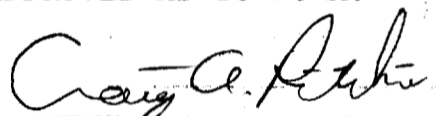
Commissioner

ATTEST:



Alice C. Thorne
Auditor, Clallam County

APPROVED AS TO FORM:



Craig A. Ritchie
Deputy Prosecuting Attorney,
Clallam County