

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE 2166

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON
AMENDING CHAPTER 5.10 OF THE SNOHOMISH MUNICIPAL CODE,
“SPECIAL EVENT PERMITS AND CONTRACTS,” BY ADDING A NEW
SUBSECTION C. 13 TO SMC 5.10.060, REGARDING PAYMENT FOR
LAW ENFORCEMENT SERVICES**

WHEREAS, the size and scope of special events that are subject to Chapter 5.10 SMC has a direct impact on City staff, especially the Police Department, which is responsible for traffic/pedestrian/citizen safety and for ensuring that street barricades are properly managed by the event staffs; and

WHEREAS, due to severe budget constraints resulting from the current economic crisis, for special events that draw very large numbers of people, the City is no longer able to provide police services and protection at no additional cost to the special event organizers or to request mutual aid from surrounding police agencies that have previously provided officers as available on a no-cost basis; and

WHEREAS, in order to provide an equitable and rationally-based means of charging special event sponsors for law enforcement services and protection at these events, the City Council finds that it is appropriate to rely on a formula based on the number of officers per 1,000 attendees, such as the formulas recommended by the Federal Emergency Management Agency (FEMA), which is 1 to 2 officers per 1,000 persons, and the International Association of Chiefs of Police (IASP), which is 2 officers per 1,000 persons; and

WHEREAS, the City Council finds that this ordinance is necessary to protect the public health, safety, and welfare;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SNOHOMISH,
WASHINGTON DO ORDAIN AS FOLLOWS:**

Section 1. Chapter 5.10 of the Snohomish Municipal Code is hereby amended by amending SMC 5.10.060 C to read as follows:

- C. The City may condition the issuance of a special events permit by imposing reasonable requirements concerning the time, place, and manner of the event, and such requirements as are necessary to protect the safety and rights of persons and property, and the control of traffic. The following conditions apply to all special events permits:
1. Alteration of the time, place, and manner of the event proposed on the application.
 2. Conditions concerning the area of assembly and disbanding of an event occurring along a route.

3. Conditions concerning accommodation of pedestrian or vehicular traffic, including restricting the event to only a portion of the street or right-of-way.

Conditions on special events permits not protected under the First and Fourteenth Amendments of the U.S. Constitution, may include, but are not limited to:

1. Requirements for the use of traffic cones or barricades.
2. Requirements for the provision of first aid or sanitary facilities.
3. Requirements for use of event monitors and providing notice of permit conditions to event participants.
4. Restrictions on the number and type of vehicles, animals, or structures at the event, and inspection and approval of floats, structures, and decorated vehicles for safety.
5. Compliance with animal protection ordinances and laws.
6. Requirements for use of garbage containers, cleanup, and restoration of City property.
7. Restrictions on the use of amplified sound and compliance with noise ordinances, regulations, and laws.
8. Notice to residents and/or businesses regarding any activity which would require street closure.
9. Restrictions on the sale and/or consumption of alcohol.
10. Elimination of an activity which cannot be mitigated to a point as to ensure public safety and welfare, or which causes undue liability to the City.
11. Requirements regarding the use of City personnel and equipment.
12. Compliance with any other applicable federal, state, or local law or regulation, including the other provisions of this Chapter.
13. Payment to the City of the cost of providing 2 police officers per 1,000 attendees; provided that:
 - a. Said number of police officers may be increased or decreased by the Chief of Police in accordance with the Chief's written assessment of the event's public safety risks based on past experience with the special event in question or with similar events; and
 - b. Said payment shall be made by paying 25% of the cost prior to issuance of the special event permit and the remaining 75% within 30 days following the special event; and

- c. For City sponsored special events, the City's financial contribution to the event may include the City absorbing some or all of the cost of providing said number of police officers.

Section 2. If any section, sentence, clause, phrase, part, or portion of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. This ordinance shall take effect 5 days after its publication by summary.

ADOPTED by the City Council and **APPROVED** by the Mayor this 20th day of January, 2009.

CITY OF SNOHOMISH

By _____
Randy Hamlin, Mayor

Attest:

Approved as to form:

By _____
Torchie Corey, City Clerk

By _____
Grant K. Weed, City Attorney