



CITY OF KIRKLAND
Department of Parks & Community Services
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MEMORANDUM

To: Kurt Triplett, City Manager

From: Lynn Zwaagstra, Director
Michael Cogle, Deputy Director

Date: July 5, 2016

Subject: ORDINANCE RELATING TO SPECIAL EVENTS

RECOMMENDATION:

City Council adopts the attached ordinance amending the Kirkland Municipal Code to (1) establish separate application and permit fees for special events; (2) waive event permit fees for certain special events of one hundred or fewer participants; and (3) make such smaller events exempt from the City's limitation of two events per month at any one venue.

BACKGROUND DISCUSSION:

The City's special events policies received a significant overhaul in 2013, and while subsequent feedback from event organizers has largely been positive we have been asked to consider certain policies as they apply to smaller events. Current policies generally do not distinguish between large organized community events and smaller events that are less impactful.

The attached ordinance amends Chapter 19.24 of the Kirkland Municipal Code so that:

- 1) The City's existing combined application/permit fee would be split into a separate application fee and a separate permit fee.

Current fee: \$160 (combined application/permit fee)

Revised fees: \$ 50 application fee
\$110 permit fee

Note that fees are established administratively. Staff would like to emphasize that pre-application meetings are held with prospective event organizers to avoid having organizers spend the time and cost on an application that might be either unnecessary (i.e. an event permit is not required for the proposed activity) or likely to be denied.

- 2) The event permit fee may be waived for events of one hundred or fewer people that do not have a significant impact on public property and do not require city services.
- 3) Events of one hundred or fewer people would not be subject to the policy which limits special events to no more than two per month at any one venue.

The Council Planning & Economic Development Committee reviewed these policy issues at their meeting of April 11, 2016 and supported revisions which would result in a reduction in fees for smaller events.

ORDINANCE O-4523

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COST RECOVERY AND APPLICATION PROCEDURES FOR SMALL SPECIAL EVENTS AND AMENDING PORTIONS OF KIRKLAND MUNICIPAL CODE CHAPTER 19.24.

1 The City Council of the City of Kirkland ordains as follows:
2

3 Section 1. KMC Section 19.24.090 is hereby amended to read
4 as follows:
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6 **19.24.090 Limitations on special events.**

7 (a) No more than two special event permits shall be issued per
8 calendar month at any one venue, or along any one street. The central
9 business district and marina park shall be considered as the same. This
10 limitation shall not apply to community events designated by the city
11 council or special events that meet the criteria of KMC Section
12 19.24.190(4).

13 (b) Special events shall be limited to no more than three consecutive
14 calendar days; one additional day may be permitted for event load-in or
15 load-out.

16 (c) Athletic events, including runs and bike races, shall be restricted
17 to city streets or designated trails; sidewalks will remain open for use
18 by the general public. Organized walks may take place on city streets,
19 trails, or sidewalks.

20 (d) Athletic events held on city streets which include road closures,
21 either rolling or stationary, shall clear the street of all participants and
22 traffic control devices no later than twelve p.m.

23 (e) The director of parks and community services, in consultation with
24 the police department and the special events team, shall have the
25 authority to limit the number of participants in athletic events if deemed
26 necessary by the director to protect the health, safety and welfare of
27 both the participants and the surrounding community.

28 (f) Any applicant who objects to the limitation of the number of
29 participants in athletic events by the director of parks and community
30 services may appeal in writing (including email) to the city manager for
31 a review of that decision. The city manager will consider the appeal and
32 either affirm or reverse the decision within ten business days following
33 the city manager's receipt of the appeal or within such other time as the
34 city manager and the applicant mutually agree.
35

36 Section 2. Kirkland Municipal Code ("KMC") Section 19.24.190
37 is hereby amended to read as follows:
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39 **19.24.190 Cost recovery for special events.**

40 Upon approval of an application for a permit for a special event not
41 protected under the First and Fourteenth Amendments of the U.S.
42 Constitution, the special event coordinator should provide the applicant
43 with a statement of the estimated cost of city services and of equipment,
44 materials and permit fees.

45 (1) The full range of costs associated with special events shall be
46 documented.

47 (2) A non-refundable application fee shall be charged for all special
48 events. The amount of the application fee shall be set administratively
49 by the city manager or his or her designee.

50 (23) A special event permit fee shall be charged. The amount of the
51 permit fee shall be set administratively by the city manager or his or her
52 designee.

53 (4) The special event permit fee may be waived for special events of
54 one hundred or fewer participants that do not have a significant impact
55 on public property or facilities, and that do not require the provision of
56 city public safety services, unless merchandise or services are offered
57 for sale or trade to the public in which case a special event permit fee
58 is required.

59 (35) For special events in which benefits to recognized charitable
60 organizations are a significant component, staff time and costs
61 associated with day of event activities shall be charged based on the
62 city's published fee schedule. For all other special events, staff time and
63 costs incurred with day of event activities shall be for the full amount of
64 costs incurred by the city in connection with the event, including indirect
65 costs of staff time such as benefits and all overhead costs associated
66 with the position.

67 (46) The special event coordinator shall require payment of fees, or a
68 reasonable estimate thereof, at the time the completed application is
69 approved, unless the special event coordinator for good cause extends
70 time for payment.

71 (57) If the event organizer fails to comply with the cleanup
72 requirements of Section 19.24.140, the event organizer will be billed for
73 actual city costs for cleanup and repair of the special event area or route.

74 (68) If the event organizer fails to comply with Section 19.24.140 or
75 this section under a previously issued special event permit, the special
76 event coordinator may require the event organizer to deposit adequate
77 surety in the form of cash or bond.

78
79 Section 3. This ordinance shall be in force and effect five days
80 from and after its passage by the Kirkland City Council and publication,
81 as required by law.

82
83 Passed by majority vote of the Kirkland City Council in open
84 meeting this _____ day of _____, 2016.

85
86 Signed in authentication thereof this _____ day of
87 _____, 2016.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney