

RECEIVED

SNOHOMISH COUNTY
EXECUTIVE OFFICE

JUL 1 1982 5/1

COUNTY COUNCIL
Snohomish County, Washington



CO00029149

W.T. _____ I.C. _____
D.F. _____ S.W. _____
G.L. _____ D.J. _____

ORDINANCE NO. 82-050

RELATING TO PARADES AND RUNS, REPEALING
CHAPTER 6.66 OF THE SNOHOMISH COUNTY CODE,
AND CREATING A NEW CHAPTER 6.66 OF
THE SNOHOMISH COUNTY CODE

BE IT ORDAINED:

Section 1. That Snohomish County Code Chapter 6.66,
enacted March 17, 1982 as Ordinance No. 82-021, is repealed
in its entirety.

Section 2. That a new chapter is added to the Snohomish
County Code as follows:

CHAPTER 6.66
PARADES AND RUNS ON COUNTY PROPERTY

- 6.66.010 Definitions.
- 6.66.020 Permits required.
- 6.66.030 Parade or run for commercial purposes prohibited.
- 6.66.040 Interfering with or obstructing a parade or run prohibited.
- 6.66.050 Action contrary to permit or consent of permittee prohibited.
- 6.66.060 Police escort required.
- 6.66.070 Permit fee.
- 6.66.080 Additional fees.
- 6.66.090 Application for permit.
- 6.66.100 Submittal to the sheriff and director of public works.
- 6.66.110 Denial of permit.
- 6.66.120 Contents of permit.
- 6.66.130 Indemnity-performance bond.
- 6.66.140 Indemnity-insurance.
- 6.66.150 Appeal procedure.
- 6.66.160 Officials to be notified.
- 6.66.170 Revocation of permit.
- 6.66.180 Violations-penalty.
- 6.66.190 Severability.

6.66.010 Definitions.

1) "Parade" means any march or procession consisting of people, animals, bicycles, vehicles in excess of ten (10) in number or combinations thereof, except wedding processions and funeral processions, upon any county road, sidewalk, alley or other county property which does not comply with normal and usual traffic, regulations or controls.

2) "Run" means a sponsored, organized procession to contend in a race consisting of people, bicycles, wheelchairs, other non-motorized vehicles, or combinations thereof containing ten (10) or more persons upon a county road, sidewalk, alley or other county property. "Run" shall not include any training event or race participated in solely by members of a bona fide school track team or teams.

6.66.020 Permits required. No person shall conduct any parade or run or knowingly participate in any such parade or run upon any county road, sidewalk, alley or other county property unless or until a permit to conduct such parade or run has been obtained from the county auditor.

6.66.030 Parade or run for commercial purpose prohibited. No permit shall be issued authorizing the conduct of a parade or run which the auditor or executive finds is proposed to be held for the purpose of advertising any product, goods, wares, merchandise or events, and is designed to be held for private profit, excepting, however, political parades.

6.66.040 Interfering with or obstructing a parade or run prohibited. All persons, except those participating in the parade or run shall keep off roads, sidewalks, alleys, and other county property temporarily closed for any parade

or run. It is unlawful for any person to leave any vehicle upon any road, sidewalk, alley, or other county property knowing that the same has been cleared for parade or run purposes. It is unlawful for any pedestrian, equestrian or the operator of any vehicle to pass through or drive between the vehicles, units or floats comprising a parade authorized by this section; provided that this shall not prohibit the operation of emergency vehicles or prevent the passage of such vehicles or persons at intersections where traffic is controlled by a police officer.

6.66.050 Action contrary to permit or consent of permittee prohibited No person may knowingly join or participate in any parade or run conducted under a permit in violation of any of the terms of said permit, nor knowingly join or participate in any permitted parade or run without the consent or over the objections of the permittee, nor in any manner interfere with its progress or orderly conduct.

6.66.060 Police escort required. All parades and runs shall have a police escort which may be appointed by the county sheriff.

6.66.070 Permit fees. A fee of \$25.00 shall be submitted with the parade or run application for permit. Such fee is not refundable.

6.66.080 Additional fees. If the sheriff or director of public works, Park and Recreation Division Manager or airport manager concludes that the activity involved will result in increased costs to his respective departments, he shall advise the auditor of the estimated amount thereof. The auditor shall require payment of such estimated sum or sums from the applicant prior to issuance of the permit.

Monies collected shall be prorated to the appropriate funds according to the department incurring costs.

6.66.090 Application for permit. Any person who wants to conduct a parade or run shall apply to the county auditor for a permit not less than thirty (30) days in advance of the date of the proposed parade or run. The auditor may consider any application for a permit to conduct a parade or run which is filed less than thirty (30) days prior to the date such parade or run is to be conducted, provided that said time limit shall be waived by the Executive only in the event of an unexpected occasion. The application for such permit shall be made in writing on a form approved by the auditor. In order that adequate arrangements may be made for the proper protection of the parade or run and the public, the application shall contain the following information:

- 1) The name of the applicant, the sponsoring organization, the parade or run chairman, and the address and telephone numbers of each;
- 2) The purpose of the parade or run;
- 3) A description of the individual floats, marching units, vehicles and bands and a description of any sound amplification equipment to be used;
- 4) Such other information as is required to be included in the permit by section 6.66.120; and
- 5) Such other information as the auditor may deem reasonably necessary.

6.66.100 Submittal to sheriff and director of public works. Upon receipt of any application as provided in

section 6.66.090, the auditor forthwith shall submit copies thereof to the sheriff and the director of public works, Parks and Recreation Division Manager and/or the airport manager if it appears that such event is to be conducted upon property subject to his control. The sheriff and other public officials so notified, shall each notify the auditor of his approval or disapproval of the application with terms and estimated costs, if any, to be collected prior to the issuance of a permit.

6.66.110 Denial of permit. The auditor shall deny a parade or run permit if the auditor concludes that:

- 1) All required fees have not been paid;
- 2) The application has been disapproved by the sheriff or other public official involved;
- 3) Such parade or run will interfere with another parade or run for which a permit has previously been issued or requested;
- 4) The purpose of such parade or run or assembly is to incite violence or crime, or the overthrow of the government by force; or that such parade or run is likely to result in breaches of the peace or unlawful acts of any sort;
- 5) The information in the application is believed to be false, incomplete or misleading;
- 6) The applicant refuses to agree to comply with all conditions of the permit;
- 7) The purpose of the activity is contrary to section 6.66.030; and

8) Bond and insurance as required by sections 6.66.130 and .140 has not been filed.

6.66.120 Contents of permit. In each permit, the auditor shall specify:

- 1) The assembly area and time therefor;
- 2) The starting time;
- 3) The minimum and maximum speeds, ✓
- 4) The route of the parade or run;
- 5) The portions of any public road, sidewalk, alley, parking lot or other county property to be traversed or otherwise used by such parade or run;
- 6) The maximum number of units and the maximum and minimum intervals of space to be maintained between the units of such parade or run;
- 7) The maximum length of such parade or run in miles or fractions thereof;
- 8) The disbanding area and disbanding time;
- 9) The number of persons required to monitor the parade or run;
- 10) The number and type of vehicles, if any;
- 11) The material and maximum size of any sign, banner, placard, or carrying device therefor;
- 12) That the materials used in the construction of floats used in the parade shall be of fire-retardant materials and shall be subject to such requirements

concerning fire safety as may be determined by the fire marshall of the county;

13) That the permittee shall advise the participants in the parade or run of the terms and conditions of the permit prior to the commencement of such parade or run.

14) That any willful delay or willful stopping of any parade or run, except when reasonably required for the safe and orderly conduct of the parade or run shall constitute a violation of the permit;

15) That the vehicles and floats used in the parade may be subject to safety inspections by the sheriff and fire marshal, and such vehicles and floats may not participate in the parade or motorcade until they have successfully completed such inspection;

16) Any permitted activity will be conducted in a lawful manner; and

17) Any other requirements found by the auditor to be reasonably necessary for the protection of any person or property.

6.66.130. Indemnity - performance bond. No permit shall be issued for a parade or run until the permittee has filed with the auditor a bond approved by the county risk manager to pay for any costs reasonably anticipated to be incurred in removing debris, litter or papers from the street, or other material deposited thereon as a result of said permitted activity; provided that the risk manager, in his discretion, may in appropriate cases, make a specific finding that such a bond is not necessary at the time of the issuance of such permit and waive said bond.

6.66.140 Indemnity-Insurance. The applicant shall agree that in the event the permit is granted, the following indemnity agreement applies to the event.

The permittee assumes the risk of all damage, loss, cost and expense and agrees to indemnify and hold harmless Snohomish County from and against any and all liability which may accrue to or be sustained by Snohomish County on account of any claim, suit or action made or brought against Snohomish County for the death of or injury to persons or destruction of property involving permittee and its employees or agents sustained in connection with the performance of the permit except the sole negligence and willful misconduct of Snohomish County, its employees acting within the scope of their employment, and such indemnification shall extend to and include attorney's fees and the cost of establishing the right to indemnification hereunder in favor of Snohomish County.

Insurance: A Comprehensive General Liability insurance policy shall be filed with the county auditor prior to the issuance of the permit which names Snohomish County, its officers and employees, as an additional insured as respects activities in connection with this permit and such insurance as is carried by the permittee is primary (in place of any insurance which may be carried by Snohomish County, and the policy shall contain appropriate wording. The policy shall be approved by the risk manager.

This insurance shall contain a "Cross Liability" endorsement which reads substantially as follows: The inclusion of More Than One Insured under this Policy shall not affect the rights of any insured as respects any claim, suit or judgement made or brought by or for any other

insured or by or for any employee of any other Insured. This policy shall protect each insured in the same manner as though a separate policy had been issued to each except that nothing herein shall operate to increase the company's liability beyond the amount or amounts for which the insurer would have been liable had only one insured been named. The insurance required herein will be an amount not less than \$500,000 combined single limit bodily injury and property damage.

6.66.150 Appeal procedure. Upon a denial or revocation of a permit by the auditor pursuant to this chapter, the applicant may appeal from the determination of the auditor within five (5) days thereafter to the county executive by filing a written notice of appeal. The executive will consider the appeal within five (5) days of receipt of the notice. Upon appeal, the executive may reverse, affirm, or modify in any regard the determination of the auditor.

6.66.160 Officials to be notified. Immediately upon the granting of a permit for a parade or run, the auditor shall send a copy thereof to the following:

- 1) The executive;
- 2) The fire marshall;
- 3) The sheriff;
- 4) The director of public works, the Parks and Recreation Division Manager and/or airport manager, if such activity is conducted in whole or part upon any property under their control.

6.66.170 Revocation of permit. Any permit for a parade or run issued pursuant to this chapter may be summarily

revoked by the auditor, sheriff, or other involved public official, whenever any such official determines that the safety of the public or property requires such revocation. Notice of such revocation may be given in such manner as the revoking official deems appropriate.

6.66.180 Violations - penalty. Any person violating any provision of sections 6.66.020, 6.66.040 or 6.66.050 shall be guilty of a misdemeanor and punishable as provided in Snohomish County Code section 1.01.100.

6.66.190 Severability. If any portion of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter or the application of the provision to any other person or circumstance is not affected.

PASSED this 28th day of June, 1982.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Cliff Bailey
Chairperson

ATTEST:

Ellie Snyder
Clerk of Council

APPROVED AS TO FORM:

Robert D. Doherty
Deputy Prosecuting Attorney

() APPROVED

() VETOED

() EMERGENCY

DATE: 7-7-82

Willis D. Tucker
County Executive

PUBLISHED 6-18-82 and _____