

The Consolidate Borough of  
**Quil Ceda Village**

**Public Assemblage Law**

**Ordinance No. 08.01.3**

1. **Title.** This Ordinance shall be known and cited as the "Public Assemblage Law of the Quil Ceda Village."

2. **Purpose.** This Ordinance is enacted for the purpose of protecting, preserving and assuring the health, welfare, safety and morals of the residents and inhabitants of the Quil Ceda Village and visitors therein, as well as preventing riots, disorderly crowds and/or assemblages therein, unsafe, unsanitary or other conditions leading to, creating, causing, inciting or making possible a threat to the health, welfare and safety of the municipality, its orderly administration and control by duly elected, acting or authorized officers, agents and/or employees and the prevention of spread of disease and the creation of unhealthy conditions, the violation of sanitary requirements, the elimination of excessive crowds, traffic congestion and/or other such hazards to the public safety and welfare and the preservation of the peace in said municipality, its residents, inhabitants, property owners, both public and private, and sojourners therein, together with the protection of public property in said municipality and the general health, welfare, safety and morals of the municipalities surrounding, adjacent or near to the Quil Ceda Village and tribal, state, federal, county and town roads and/or highways leading thereto and therefrom.

3. **Definitions.** As used in this Ordinance, the following terms shall have the meanings indicated:

Minimal Effect - The type of assemblage which shall not:

- A. Unreasonably impede traffic; or
- B. Cause unreasonable noise, litter or risk of safety to the inhabitants of the municipality.

Public Assemblage:

- A. Any gathering of people at a carnival, circus, music festival, concert, sporting or recreational event or other festival or public amusement, except as otherwise sponsored or licensed by the Quil Ceda Village; or
- B. Any gathering of more than twenty-five (25) persons.

4. **Permit Required.** No person, firm, corporation (public or private) or company may sponsor, conduct, operate or allow or permit the use of his property or premises, whether improved or not and whether contiguous or not, for the conduct of a public assemblage unless a permit authorizing said assemblage has been obtained from the Village Council, except as hereinafter provided. The permit fee shall be in an amount as set forth from time to time by resolution of the Village Council and shall be on file in the municipality offices.

5. **Application for Permit.**

- A. A preliminary application for such permit shall be in writing, addressed to the Village General Manager and filed with the Village Clerk at least twenty (20) days prior to the date upon which such public assemblage shall occur. The Village General Manager shall act upon the application within ten (10) days after its submission.
- B. Application shall be made by the lessee of record of real estate situate in the Village upon which said proposed public assemblage is to take place or duly authorized agent or attorney of the lessee. Persons seeking to use Village or Tribal lands for a public assemblage shall obtain a permit, license or lease.
- C. Such application shall include the following information:
  - 1. A statement of the name, age and residence address of the applicant.
  - 2. If the applicant is a corporation, the name of the corporation and the names and addresses of its directors.
  - 3. The name and address of an agent who shall be a natural person and who shall reside in or have a place of business in the County of Snohomish, WA and who shall be authorized to and shall agree by acknowledged statement to accept notices or summons issued with respect to the application or the conduct of the public assemblage in any manner involving it or arising out of the application, construction or application of this Ordinance.
  - 4. A statement containing the name, address and record owner(s) of the property(ies) where the public assemblage shall occur and the nature and interest of the applicant therein.
  - 5. The proposed dates and hours of such public assemblage.
  - 6. The expected minimum number of persons intended to use the property(ies) at one (1) time and collectively.
  - 7. The number of automobiles, motorcycles and other vehicles intended to use the property(ies) at one (1) time and collectively.
  - 8. A general explanation of the activity to be carried on and the admission fee to be charged, if any.

**6. Grant or Denial of Permit; Hearing.**

- A. If the Village General Manager is satisfied from the information supplied with the preliminary application that the potential effect of the proposed public assemblage will have minimal affect upon the public health, safety and welfare of the people and property of the Quil Ceda Village, a permit may be granted for such public assemblage.
- B. If the Village General Manager is not satisfied that the effect of the proposed public assemblage will be minimal as in Subsection A above, a detailed application for permit as is set forth in §§ 7 and 8 shall be required, and, after the submission and review thereof to the Village Council, a public hearing shall be held upon said application.

**7. Additional Permit Requirements.** Requirements for non-minimal permit applications may include the following:

- A. A map prepared by a licensed land surveyor or licensed public engineer showing the size of the property(ies); the Village district in which it is located; the names and record lessees of the adjoining properties; the street or highways abutting said property(ies);

and the size and location of any existing building and buildings or structures to be erected for the purpose of the public assemblage and use.

- B. A plan or drawing to scale prepared by a licensed public engineer or licensed land surveyor showing the method and manner in which sanitary facilities are to be provided for the disposal of human waste, garbage and other debris and the method and manner in which water will be supplied, stored and distributed to those people attending.
- C. A plan drawn to scale showing the layout of any parking area for motor vehicles, including the means of ingress and egress to such parking area.
- D. A statement containing the type, number and location of any radio device, sound amplifier or loudspeaker or sound truck or other similar sound equipment or device to be used in connection with such public assemblage and the manner and purpose of its proposed use.
- E. A statement specifying whether food or beverages are intended to be prepared, served or distributed; if food or beverages are intended to be prepared, sold or distributed, a statement specifying the method of preparation and distribution of such food or beverages and the method of disposing of garbage, trash, rubbish or any other refuse arising therefrom. If food or beverages are to be prepared, sold or distributed, a plan or drawing to scale must be attached to the application showing the buildings or other structure from which the food or beverages shall be prepared, sold or distributed.
- F. A statement specifying whether any private security guard or police will be engaged and, if so, the numbers of and duties to be performed by such persons, including the hours to be worked and areas of responsibility.
- G. A statement specifying the precautions to be utilized for fire protection, including a plan or drawing to scale specifying the location of fire lanes and water supply for fire control.
- H. A statement specifying whether any outdoor lights or signs are to be utilized and, if so, a map showing the number, location, size, type and illuminating power of such lights and signs.
- I. A statement specifying the facilities to be available for emergency treatment of any person who may require medical or nursing attention.
- J. A statement specifying whether any camping or housing facilities are planned to be available and, if so, a plan drawn to scale showing the intended number and location of the same. (The Village shall not favor housing facilities within the Village).
- K. A statement specifying the contemplated duration of the public assemblage.
- L. If the assemblage and use is to continue from one day into another, a statement specifying the camping and housing facilities available or to be made available off the premises and, if such facilities available off the premises are insufficient for camping and housing the contemplated number of people in attendance, such facilities available off the premises or to be made available to persons attending such public assemblage.

**8. Requirements for Issuance of Non-Minimal Permit.** No permit requiring a public hearing shall be acted upon and issued unless it is clearly shown that the following are provided for:

- A. Drinking water adequate in quantity and quality satisfactory to the Village General Manager as meeting the Washington State Sanitary Code. Drinking water shall be readily available to all persons attending the public assemblage. A well or spring used as a source of drinking water and the structure used for storage of drinking water shall be so constructed and located as to protect the contents against pollution. There shall be no physical connection between a pipe carrying drinking water and a pipe carrying water not of a quality satisfactory to meet the Washington State Sanitary Code for public consumption. Where a water treatment process is employed, an accurate and complete report of the process and operation thereof shall be maintained daily, and no change of the source of or in the method of treatment of a drinking water supply shall be made without first notifying the Village General Manager and securing its written approval to do so.
- B. Toilet facilities adequate for the capacity of the public assemblage. These facilities shall be so located as to be conveniently available and shall be so constructed and maintained that they will satisfy the Village General Manager and comply with the Washington State Sanitary Code. Toilet facilities for groups of people consisting of both sexes shall be arranged so that the facilities shall be separate to each sex. No sanitary facility shall be located or constructed so that it will by leakage or seepage possibly pollute a water supply, surface water or adjacent ground surface, and all shall be constructed in accordance with the requirements of the Washington State Department of Health.
- C. Adequate facilities for the satisfactory disposal or treatment and disposal of sewage shall be maintained. Such facilities shall meet with the standards and requirements of the State of Washington Department of Health.
- D. Adequate supply of food including provisions for sanitary storage, handling and protection of food and beverages until served or used. A showing must be made that, where food is to be prepared or consumed, there are facilities for washing, disinfecting and storing dishes and food utensils or that a sufficient quantity of disposable dishes, cups and utensils will be provided.
- E. Adequate off-street and off-road facilities for the contemplated number of people attending the public assemblage. Parking space shall be provided for at least one (1) car for every four (4) persons in attendance.
- F. Adequate camping or housing facilities for the contemplated number of people in attendance, if it is contemplated that the assemblage shall extend from one day to another.
- G. An adequate number of access roads to and from the site of public assemblage.
- H. Adequate medical facilities, including a first aid station. It must be shown that at least one (1) doctor shall be on duty at all times and that at least one (1) registered nurse for each five hundred (500) people in attendance will be on duty at all times.

- I. If any external fires are to be started or maintained for any purpose and for which a permit is required, such permit shall be obtained from the Village of Quil Ceda Fire District.
- J. The applicant shall furnish the municipality with a comprehensive liability insurance policy, issued by an insurance company licensed to do business within the State of Washington, insuring the Village, its officers and employees against liability for damage to person or property within limits of not less than five hundred thousand dollars (\$500,000.) for bodily injury or death of one (1) person and one million dollars (\$1,000,000.) for bodily injury or death of more than one (1) person arising out of negligence or any tort liability for which the municipality, its officers and employees might be liable and limits of not less than five hundred thousand dollars (\$500,000.) for property damage, or as determined by the Village Council and approved by the Village Attorney, arising out of negligence or any other tort liability for which the municipality, its officers and employees might be liable which might arise by reason of the granting of the permit or the existence of such assembly of persons, which said policy of insurance shall contain a provision that it shall not be cancelable without ten (10) days' prior written notice to the municipality.
- K. The applicant shall deposit with the Village Clerk cash or good surety company bond, approved by the Village Council, in the minimum sum established by the Village General Manager and conditioned that no damage will be done to any public or private property and that the applicant will not permit any litter, debris or other refuse to remain upon any public or private property after seventy-two (72) hours after the termination date of the permit, which cash shall be refunded or surety company bond canceled upon certification by the Village General Manager that all conditions of this Ordinance have been complied with.

#### **9. Additional Provisions Applicable to All Permits.**

- A. Any person holding a permit under this Ordinance and every place of public assemblage shall comply with the following provisions. Violation of any of these provisions shall be unlawful.
- B. No light on any part of premises licensed hereunder or on any place of public assemblage shall be permitted to shine beyond the property line of the premises with an intensity sufficient to disturb the peace, health, safety or comfort of any adjacent residents or the general public.
- C. No soot, cinders, smoke, fumes, gases or disagreeable or unusual odors shall be permitted to emanate from the premises so as to be detrimental to any person or to the public or which either annoys, disturbs, injures, endangers or which may disturb, injure or endanger the health, safety and welfare of any person or the public.
- D. At no time shall music be played by mechanical device or live performance which annoys, disturbs, injures, endangers or which might annoy, disturb or endanger any person or the public in their health, comfort, safety, repose and peace; or which shall violate the Noise Ordinances or regulations of the Tulalip Tribes.

E. No loud, unnecessary or unusual noise shall be permitted to be made or caused to be made or continued at any time which either annoys, disturbs, injures or endangers the comfort, repose, health, peace and safety of other persons or the public; or which shall violate the Noise Ordinances of the Tulalip Tribes.

10. **Notice of Denial.** If Quil Ceda Village shall deny an application for a permit under this Ordinance, the Clerk of Quil Ceda Village shall notify said applicant of the disapproval of said application and shall include therewith a statement for the reasons for disapproval. The notice of denial shall be sent by first-class mail. A hearing on a denied permit may be requested from the Village Council.

11. **Permits Not Transferable.** No permit issued under the provisions of this Ordinance shall be transferred or assigned to any person or used by any person other than the person to whom it was issued, nor shall such permit be used on any location other than the location stated in such permit.

12. **Revocation of Permit.** If, after the permit is issued, the Village Council determines that any of the items set forth in 8 or 9 of this Ordinance is not adhered to and accomplished within a reasonable time prior to the date or dates of such public assemblage or if the Village Council determines that any of the provisions of any section of this Ordinance has been or is being violated, then such permit shall become null and void.

13. **Penalties for Offenses.**

A. Any person who shall violate any provision of this Ordinance shall be guilty of an offense punishable by a civil enforcement penalty not exceeding two thousand dollars (\$2000). Each day's continued violation shall constitute a separate offense.

B. In addition to the above provided penalties, the Village Council may also maintain any action or proceeding in the name of the municipality in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this Ordinance.

Adopted by the Quil Ceda Village Council at a regular meeting assembled on the 5<sup>th</sup> of November, 2002, with a quorum present by a vote of 3 for and 0 against.

THE CONSOLIDATED BOROUGH OF QUIL CEDA VILLAGE

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Stanley G. Jones Sr., Village President

ATTEST:

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Marie Zackuse, Village Clerk