Department Policy & Procedure

Subject: **USE PERMITS FOR OUTDOOR SPECIAL EVENTS**	Number **060-P 7.1.2**
	Effective October 14, 2013
	Supersedes June 2010
Approved:	Page 1 of 8

1.0 PURPOSE

1.1 To establish the procedure for non-Department groups to obtain permits for the use of the Department's outdoor facilities (other than the Woodland Park Zoo or the Seattle Aquarium) for special events . Permit procedures for other specific locations are treated in separate policies and procedures in this series.

2.0 ORGANIZATIONS AFFECTED

2.1 Department of Parks and Recreation

2.2 Patrons of the Department's outdoor facilities

3.0 REFERENCES

3.1 Department Policy and Procedure series 060-P 7.13.1 Use Management Guidelines for Parks and Recreation Facilities.

3.2 Schedule of Fees and Charges of the Department of Parks and Recreation (revised bi-annually).

3.3 Seattle Municipal Code 25.08, Noise Control.

3.3.1 Seattle Municipal Code 25.08.520, Noise in public parks and places.

3.4 Supplemental Use Management Guidelines for Downtown Parks 060-P 7.13.1.13

3.5 If amendments to these guidelines are considered prior to 1/1/2019, the Parks department shall reference the settlement agreement resolving *Real Change et al v. City of Seattle*, United States District Court for the Western District of Washington, Case No. 2:12-cv-681.

4.0 POLICY

It is the policy of the Department that:

4.1 Outdoor special events conducted by groups outside of the Department require an approved Use Permit in addition to the normal fees and charges established by the Department (see reference 3.2).

4.2 Liability insurance will be required for all events which require a Park Use Permit, except as provided in 4.2.1 below.

4.2.1 In order to accommodate the constitutional right to assemble peaceably for political and freedom of religion, no insurance is required for constitutionally protected events, unless the event includes activities or components that could present a significant risk of injury or property damage. Examples of non-exempt activity are listed in the current Park Use brochure and application at the following link:
http://www.seattle.gov/parks/reservations/permits.htm

4.2.2 When required, minimum limits will be $1,000,000 combined single limit each occurrence, bodily injury and property damage, unless the Department sets a different amount for a particular event."

4.2.3 When insurance is required, the applicant must present a certificate a minimum of seven business days in advance of the event to verify insurance coverage. The insurance must name the City of Seattle as additional insured and indemnify the City from all claims arising from the event.

4.3 A refundable damage deposit may be required to cover possible additional costs for events which might attract large crowds or otherwise create unusual maintenance or clean-up, to insure payment of a concession fee, to cover possible damage to City-owned property, or for events which fall under the City's noise ordinance.

4.3.1 The amount of the damage deposit will approximate the anticipated costs of potential damage to or repair of the park or facility requested; staffing fees over and above routine maintenance; other additional costs anticipated based on applicants proposed set up; or damage and repair costs incurred at prior events of a similar nature. In any event, the sponsor of the event is expected to leave all Department facilities in a condition as good as that in which received.

4.4 All permit related fees and insurance, except concession fees, must be paid in full within two weeks of application approval. For events scheduled within a shorter interval, fees shall be paid and insurance provided as far in advance as practical.

4.5 Concession fees, if any, must be paid within 10 days of the event.

4.6 Permits will be denied those sponsors who have fees outstanding from previous events. (See paragraph 7.2.7)

4.7 Permissibility of events will be determined in accordance with the guidelines of reference 3.1 and the procedures in Section 7.0.

4.8 Applications submitted less than two months prior to the requested date may be denied by the Permit Coordinator at any point in the application process due to insufficient planning time for DPR. Applications for constitutionally protected events will be processed expeditiously with fewer than two months planning time.

4.9 Applications submitted less than 7 (seven) business days in advance will be assessed an additional late fee. Constitutionally protected events are exempt from this late fee.

4.10 Department staff support will normally be limited to set-up of Department equipment and supervision on the use of Department property during normal use hours and in accordance with reference 3.2. Additional Department support should be requested on the application and is subject to additional charges.

4.11 When a permit application includes a request for concessions and when the Department does not have an existing concession contract at the requested facility, the Department may grant in the permit exclusive rights for concessions to the applicant.

4.12 Per Seattle Municipal Code (Chapter 18.12.250, Parks Code), Camping is not allowed in any park except at places set aside for such purposes.

4.12.1 Camping, as deemed part of a permitted constitutionally protected event, may be allowed per requirements detailed in the Supplemental Use Management Guidelines for DOWNTOWN PARKS.

5.0 DEFINITIONS

5.1 Concession Fee - a fee of 10 percent of gross receipts. This fee is required for events where an admission entry fee is charged on site or where items are sold on site.

5.2 Constitutionally protected event – a gathering, such as a rally or demonstration, purely for political or religious expression.

5.3 MRC - the Management Review Committee which consists of the Department Superintendent, Division Directors and selected staff personnel.

5.4 Normal Use - any scheduled or unscheduled use of a facility occurring on a

one-time, seasonal or recurring basis in accordance with the intended function of that facility.

5.5 Permit Coordinator - the Sr. Parks Event Coordinator in the Recreation Division in charge of scheduling, processing and issuing the Use Permits.

5.6 Event Management Office, 7201 E. Green Lake Drive N, Seattle, WA. 98115 – or another location as designated by the Department and posted on the City website.

5.7 SMC - Seattle Municipal Code.

5.8 Special Event - any un-programmed activity and some programmed activities which preclude or in part preclude normal use of a facility and/or require labor, materials, or equipment support service beyond that provided in the budget for normal use. Including, but not limited to, activities requiring a City of Seattle Special Events Permit.

6.0 RESPONSIBILITY

6.1 The Permit Coordinator is responsible for:

6.1.1 Processing initial applications for special event use permits and setting initial fee and insurance requirements.

6.1.2 Scheduling outdoor and some indoor facilities.

6.1.3 Maintaining the CLASS Facility Booking System and file of permit applications and associated papers.

6.1.5 Serving as liaison between the applicant and the Department.

6.1.6 Receiving fees.

6.1.7 Issuing permits and distributing permit copies.

6.1.8 Securing post event evaluations from designated divisions.

6.1.9 Arranging for refunds of performance bonds when appropriate.

6.1.10 Assessing and collecting damage or staff fees related to after event reports.

6.1.11 Advising in regard to the permissibility and requirements of special events.

6.1.12 Informing affected line staff of request and responsibilities.

6.1.13 Evaluating the events when designated to do so.

6.3 The Manager, Event Management Office, as designee of the Superintendent, is responsible for:

6.3.1 Determining the final requirements for permit approval.

6.3.2 Giving final approval for permit applications. The Manager may elect to first refer unresolved problems to the MRC for disposition before approving the application.

6.3.3 Designating those who are to evaluate specific events.

6.3.4 Approving refunds of performance bonds, except that the Permit Coordinator may arrange refunds of performance bonds which only involve concession fees.

6.4 The MRC is responsible for reviewing any permit applications referred to it for disposition.

6.5 The Deputy Superintendent or their designee will assume the responsibilities of the Superintendent when the latter is unavailable.

7.0 PROCEDURE

7.1 Applications (See 8.0):

7.1.1 Applications for Park Use Permits should be submitted to the Event Management Office at least ninety (90) days prior to the requested date. (see also paragraph 4.8)

7.1.2 Applications for Park Use Permits for Constitutionally Protected events should be submitted to the Event Management Office as early as is practicable.

7.2 Before the Event, the Permit Coordinator will:

7.2.1 Evaluate the compatibility of the event with the requested site and date. Compatibility with the requested site shall be based upon criteria established in paragraph 7.1 and upon criteria established in reference 3.1.

7.2.2 Refer events of questionable compatibility or events requiring a variance to reference 3.1 to the Manager of Event Management. If further review appears necessary, the Manager may choose to refer the application to MRC for review and recommendation; or refer the application to a representative advisory council, community organization or officials of such groups who could review the application for the affected users or community population

within the time available for processing the application. In such cases the authority for the decision will remain with the Superintendent.

7.2.3 Schedule tentative events for the requested site and date and confirm the event upon receipt of an approved permit copy.

7.2.4 Inform the applicant as to fees, insurance, and performance bond requirements and propose specific amounts as far as practical. (Other Department personnel may also be consulted.)

7.2.5 Insure that the application is completely filled out, and a copy given to the applicant.

7.2.6 Enter the permit application in the CLASS Facility Booking system. The number will also be the permit number if the permit is approved.

7.2.7 Determine if the applicant or the group represented by the applicant has any outstanding fees which would preclude permit approval or has any previous permit violations which could affect approval. This information will be noted in the CLASS Facility Booking system. (Appendix 8-8-2).

7.2.8 Notify the applicant of approval or disapproval of the application at least 15 business days before the scheduled date of the event when the application is made at least two months in advance of the requested date. For events to be scheduled within a shorter interval, notice of approval or disapproval will be made as soon as practicable. The applicant will also be advised of any changes or additions to the requirements.

7.2.9 To the extent practicable, notify the applicant in writing when denying a permit for a Constitutionally Protected event. A permit for such an event is not considered to be denied until the permit coordinator makes reasonable efforts to accommodate the event based on date, time, location or other conditions.

7.2.10 Type the Permit (and obtain the signature of the Superintendent or his designee.

7.2.11 If a concession fee is required, a statement will be made in the "Conditions of Park Use" of the Permit requiring the sponsor to furnish a financial statement of all revenue received from the event along with payment of 10 percent of all revenue minus any damage deposit balance.

7.2.12 Permits will be sent via email or given in person once all fees have been paid. Park Use Permits should not be issued without complete payment.

7.3 After the Event, the Permit Coordinator will:

7.3.2 If a concession fee is required, arrange with the permit holder for payment of the fee.

7.3.3 Receive and record all comments concerning the conduct or impacts of specific events. Such comments may be submitted by Departmental staff, other departments or agencies and/or the general public. Such comments shall be considered in conjunction with applications for future events and in conjunction with the periodic review of management policies (see Policy 060-P 7.13.1, paragraph 7.3).

7.3.4 The event sponsors shall be notified that their performance in meeting the requirements and fulfilling the conditions of their use permit will be a factor in the consideration of future applications.

7.4 See the appropriate Policy and Procedure in this series for requirements applicable only to specific locations.

7.5 APPEALS AND GRIEVANCES

7.5.1 If an applicant is dissatisfied with the decision on an application for a permit, the applicant may appeal to the Seattle Parks and Recreation Superintendent or his/her designee. Appeals must be in writing and contain the following information:
A precise identification of the application;
A statement identifying the disagreement with the denial of the application;
The action requested by the applicant and the reasons supporting the action.

7.5.2 The appeal will be considered within a reasonable time. If the appeal raises issues of constitutional rights and requires immediate attention, the matter shall be heard and decided within 48 hours.

7.5.3 If practical, a matter may be resolved by telephone or by a visit of the applicant.

7.5.4 The appeal will be heard by the Superintendent or his/her designee.

7.5.5 Any appeal decisions that result in denial of a permit will be provided to the applicant in writing.

8.0 LINK TO OBTAIN APPLICATION FOR USE PERMIT

http://www.seattle.gov/parks/reservations/permits.htm