

## **Memorandum**

To: Yakima City Council members and City Manager  
From: Colleda Monick, Community Development Specialist  
Date: January 5, 2020  
Subject: Special Event Protocol

### **Special Event Protocol**

Yakima Municipal Code 9.70 covers the law of the City as it relates to the permitting of special events in the City of Yakima. At the beginning of 2013, the City had few rules and regulations as they related to the governing of special event permits in the City. The City's objectives to special events is to ensure public safety for the attendees, minimize risk to the City by requiring proper insurance coverage, and an easy permit process to make special events occur in the City.

The full details of the code are helpful tools to administering the special event permitting process. The details below are some of the lessons learned from nearly six years of permitting special events in the City of Yakima.

### **Pre-Application Meeting for New Events Applicants**

The City often gets calls from individuals or organizations looking to host a first time public event. It is worthwhile to invite the applicants to City Hall for a pre-application meeting to discuss key details of the event. The pre-application meeting is the perfect opportunity to assess the organizer's capabilities to successfully host a new event. History has taught us that many new applicants don't quite grasp layout issues, power needs, street closure issues, restroom needs and more. A pre-application meeting with the applicant allows the City the opportunity to work through key event details and code issues in advance which will ultimately aid the planning efforts of both parties.

### **Reoccurring Events**

It's not necessary to have a pre-application meeting for long term reoccurring events unless there is a major change in scope of new event location. Typically annual event holders know the logistics drill and unless there were major issues in the previous year, the approval of a permit for an annual event is a smooth process.

### **Permit Fee**

The permit fee for all events, regardless of size or exempted status from a City services fee, is \$50. If the permit is requested within three weeks of the event, additional \$100 is required for expedited review.

### **Exemptions to the Fee**

Exempt from the special event cost recovery fee are the following community events: Memorial Day Parade; Cinco De Mayo Parade; 4th of July Celebration; Sunfair Parade; Veterans Day Parade; Salvation Army Toy Run; Harley Owners Group Toy Run; and Christmas Light Parade.

## **Application Review**

Upon receiving a Special Event Application, Community Development reviews the key details of the application before distributing it for City departments review. The initial goal is to review the key details, location and timing to make sure it's conceptually viable. If there are issues, we try to solve those well in advance. Once the details of location and timing have been sufficiently vetted with the Community Development Specialist and the applicant, we let the applicant know that City departments will review the application and additional concerns will be addressed and communicated back to the applicant.

The following is a list of the city's Development Services Team (DST) that reviews special event requests, which includes; Community Development, Streets and Traffic, Police, Fire, Codes, Transit, Solid Waste and Recycling, and Utilities.

## **Location Review**

The location of a special event is an important consideration for the event organizer and the City. As noted above, a pre-application meeting with an organizer of a new special event should take place to review location amongst other things.

Because most of Yakima's events are held on street and sidewalks, it is important to note that we can only permit the usage of public right of way for special events. If an event organizers plans call for using an adjacent private parcel of land (which often happens on Front Street events), the City needs to ensure that that the event organizers know that our approval of the right of way doesn't include access to private property.

Private events held entirely on private property that do not involve the use of or have an impact\* on public property do not need a special event permit. The City has worked with event organizers to keep their events confined to private property to avoid the special event process. The City's code does say if a private event impacts public access to adjacent public property that a special event permit is necessary. To date, we have seen the need to require a permit for a situation like this. (An example of this would be for the Fresh Hop Ale Festival. They recently moved to a private parking lot in downtown, however, because of the increased traffic, both vehicle and foot, the city reviews the proposal.)

*\* An impact is reviewed as an interruption to the normal flow or more than the usual amount.*

## **City Special Event Application Review Process**

A simple event would be an alcohol in parks event, a Capitol Theatre street closure or a simple street closure for an event like a block party. If the event is a simple event or activity, the City's special event administrator can perform a quick review and approval process that doesn't involve the numerous City departments that typically review an application. All others go through the City's formal review process where City departments are allowed the opportunity to review the application and provide feedback (this includes Streets & Traffic, Fire, Police, Refuse, and Transit).

The typical review process involves routing the application to a variety of City departments and other partnering agencies such as the Downtown Association of Yakima and the Chamber of Commerce. In this process, the assigned department reviewer will submit comments or questions about the event and identify requirements.

## **Insurance Requirements for Special Events**

A review of the organizer's insurance to conduct a special event is a large part of the Special Event Permit process. The goal is twofold: First, we want to protect the City's financial interest in case an accident happens during the event. Second, as our partners in promoting a vibrant community, we want to ensure that our partners are also covered in case of an accident for the protection of their organization.

YMC 9.70.160 defines the insurance requirements for events in City of Yakima. The City of Yakima retains Payne West in Yakima as our insurance and risk advisor. (More information regarding insurance is included in Ryan Bleek's Memo titled, Special Events and Insurance Requirements)

## **City Services Involved in a Special Event**

Many event organizers request City services as part of their special event. The following explanation identifies each department's unique role in the review process.

- **Yakima Police Department**

When the Yakima Police Department responds to a call to address an issue at a special event, it removes them from their regular patrol beat and protecting the residents of the City. If there is another service call happening elsewhere in the City when a call is received, police response to the special event may not be timely. In order to ensure timely service, many events should have police services on site.

The Yakima Police Department is comfortable having private security (Phoenix Security for example) perform basic security services at special events (Checking IDs, patrol and guarding property for example). A combination of private security and YPD officers is often a viable solution. For many smaller events, hiring a security firm is the most economical and easy solution. However, it is important to keep in mind that when a security firm needs assistance, they call the Yakima Police Department for service. Events that feature alcohol in a public setting should always have police presence, however, exceptions are made for private events that aren't open to the general public.

The Yakima Police Department presents the following requirements for service at special events:

For larger events, those with 5,000 or more attendees, the Yakima Police Department recommends hiring four officers per day. The officers present at these events should be on-duty officers hired by the Yakima Police Department to ensure proper coverage. At least one month in advance of the start of the event, the cost of the officer hours should be communicated to the event organizer and the cost / payment of the police services should be included as a condition of receiving a permit.

For events smaller than 5,000, the Yakima Police Department, in the past, has made a case by case determination on officer needs. That determination is made after reviewing the event details as well as the history of the event. The officers for these smaller events will be off duty officers who must be directly hired by the event organizers by using Yakima Police Department contractor Extra Duty Solutions (<https://yakimapolice.org/off-duty-police-employment/>). Extra

Duty Solutions will hire the officers for off duty work and arrange billing directly with the applicant.

- **Yakima Fire Department**

The Yakima Fire Department plays three major roles in the permitting of special events:

The first role is to conduct a Fire and Life Safety Inspection prior to the opening of the event. The applicant is billed a minimum of \$100 for the inspection. After a review with YFD staff, the inspection fee is due upon issuance of any Special Event Permit. If it is a multiday event, the minimum fee will be charged each day the event is hosted. This fee was enacted by the Yakima City Council in 2017.

The second role is to review event layout details to ensure there is an adequate access points in an event layout so a fire truck or EMS vehicle can either access the event or an adjoining property. As a rule of thumb, the Yakima Fire Department will require a 20 foot fire line through the heart of any special event layout.

The third role is to review new regulations in YMC on 10.05.095 that relate to cooking under tents that are larger than 10x10 in size. This inspection is typically done at the same time as the Fire and Life Safety inspection fee above.

- **Public Works Street Division**

It is of the utmost importance to understand the energy needs of a special event before sending the application out for review by the Development Services Team (Fire, Streets, Utilities, Codes, Transit, Waste, etc). With limited available power in downtown and virtually no public outlets throughout the City, an event's location is usually determined by the accessibility of power. Further complicating the power issue for events is damage to outlets in downtown due to vandalism and age and the simple fact that all outlets are turned off throughout downtown (can be turned back on).

- Downtown has limited power that is available for public usage. Some businesses voluntarily allow power access to an event but that access is not required. City staff must be able to understand the power needs of the applicant before giving initial approval for the event location.
- Most trees in downtown have power to them that was installed to plug in tree lights. The power is not enough to power a food truck or a stage for example, but could handle low voltage uses. The power outlets operate with a light sensitive timer and are programmed to only come on at night. If arrangements are made in advance, the City's Signal Department can turn the power on for day time usage.
- The City's only power sources to support food trucks, a stage, a public address system, a lighting rig or other large need can be found in three locations. The first is Millennium Plaza, the second is in an underground well located near the entrance to the Opera House parking lot on Front Street and the third is in the north south alley in the North Front Street Historic District. The City's Signal Department staff know the capacity and challenges of each of these three locations for reference. The Capitol Theatre has high capacity plug in on both the 3<sup>rd</sup> Street and 4<sup>th</sup> Street sides of the theatre. Access can be arranged with permission from the Capitol Theatre Committee staff.

- When it is known that a City power source will be used for an event, a call to the Signal Department a few days before the event to test the power source is a requirement.
- If an event is to use generators, the applicant must identify the location and number as to not disrupt a nearby business or residence.

- **Street Closure**

Closing of city streets to conduct a special event is a challenging consideration for all special events. A thorough review of the event's site layout must be conducted and conclusions must be drawn on how the event's street closure will effect access to neighboring properties and businesses. Above that, there is also the process of how the street actually gets closed.

A few considerations:

- When reviewing an application, we take into consideration how business deliveries and handicapped access may occur during the closure. Ideally, we want to avoid shutting access for delivery services.
- Even if an event only needs a portion of a block for their event, we historically have closed the whole block to vehicle access. It's a very unnecessary hazard to have vehicle turn arounds in the open half of a closed block.
- YMC 9.70 does not allow the closure of an arterial on weekdays between 7-9 am and 4-6 pm. The City Council could allow a closure during this time with the passage of a resolution.
- City bus routes can be affected by a street closure. It is important to understand the City's bus schedule to minimize any effect to public transportation.

The closing of non-arterial streets (3<sup>rd</sup> Street, Front Street etc) can be accomplished by the event organizers. For each event, the City's streets department can create a map showing the expected location of barricades and cones to keep the event safe and closed to traffic.

The closing of Yakima Avenue for large events like Cinco de Mayo, is a coordinated effort with the event organizers and the City.

- **Street Closure Notification to Nearby Businesses and Residential Buildings**

While the City's event code ensures that nearby businesses are notified at least two weeks in advance of when a special event is occurring, a secondary process must be undertaken to make sure that parkers are alerted to an upcoming closure to avoid having cars towed. This signage has to be placed 24 hours in advance to allow for proper notification. The City's Print Shop prints street closure signage for an event that can be attached to a-frame signs, street poles or parking signs in the area to be closed by an event.

If there is a residential building within a two block distance from the special event, notice is also provided to the building as well. Often times, cars that have been towed are downtown residents who simply didn't notice signage on street.

City code requires no parking along parade routes two hours before the parade and during the parade. This is a true public safety issue as before the ordinance was passed we had people

walking into the parade route to see past the parked cars. Historically, Public Works has placed no parking signage along the route a day in advance.

- **Refuse**

Trash and grease from special event food vendors are large issues to address during review. The City has faced day after event issues in the past of vendors pouring grease into tree wells, grease on the streets and overstuffed City trash cans amongst other things.

While we have allowed small events to cart their own trash to an offsite location; however, that process will not work for large events. The City's Refuse department will rent cans and dumpsters for special events for a reasonable fee. The number of cans will vary for each event but based on past experience, those events with beer and food vendors tend to produce the largest amount of trash.

Grease is a significant issue when you have an event with many food vendors. It is important to find out how food vendors plan to deal with grease to avoid the unfortunate issues of spills in a dumpster or street drain.

- **Street Sweeping**

When events occur on downtown streets, we notify the City's Street Department of the location and date of the event so they can coordinate the City's street sweeper schedule to make the area look as good as possible for the attendees. The same goes with a possible run through after an event. Off duty street sweeping services (Saturdays & Sundays) can be arranged through the Street Department. However, this arrangement should be made at least a month in advance and the typical cost for the equipment and off duty staffing hours can be in the \$300 range.

## **First Amendment Events**

For most free speech / first amendment related marches or parades, their goal is to raise as much awareness as possible for their cause. The City is fully supportive of first amendment events and has often times invested large amounts of staff to ensure local residents and organizations are able to peacefully support their message.

First amendment events are not charged a fee for using city services. We do take special time to review event details to gain a sense of how they are being promoted and advertised. This is usually an indicator of how many people will come out for the event. For example, we have saved the City thousands of dollars in the past by requesting that a first amendment march be moved to a City sidewalk instead of an on street because of a small turnout. We can easily accommodate a march of 200 on a sidewalk as opposed to hiring a dozen officers to allow the same group to march on a closed City street.

## **5k Runs / Fun Runs / Marathons**

The City has hosted a variety of 5k and Fun Runs in the past. The planning of runs held on the streets of the City require an extensive review of the route and business access. For example, a run on Yakima Avenue at 9:00 a.m. would be much easier to pull off than a run that began at

11:00 a.m. when numerous businesses are open to the public. It is important to bring a Yakima Police Department representative into the planning from the beginning.

When reviewing a potential run application, it is important to review the cost of doing the event before working on the many details associated with it. We have found that the city service fee is enough to make organizers look to a plan B. Traditionally, the Yakima Police Department will not allow civilians to close streets so runs also require in the range of 30-40 officers to make the route safe for runners – however, an exception was made for the Yakima Mile and licensed flaggers were used.

Plan B options for organizers who don't want to pay the City service fee associated with their run is using the Yakima Greenway or Franklin Park. Organizations have held very successful runs at either of those facilities that attract both serious runners and families.

### **Potential Policy Issues for Council Consideration:**

- 1.) State Fair Park is defined as a Special Events Center under 15.04.200 as a result, it appears that it has not been a requirement for them to apply for a Special Event Permit for their events. In the past, the organization has reached out directly to YPD to assist in their specific needs. Should State Fair Park be included as an exemption under YMC 9.70.030?
- 2.) Review of Insurance Requirements. (Please see Ryan Bleek's memo, Special Events and Insurance)