

ORDINANCE NO. 18

WHEREAS, the Board of County Commissioners are authorized to make and enforce all such police and sanitary regulations as are not in conflict with state law and provides that any violation of such regulations, ordinances or resolutions shall constitute a misdemeanor; and

WHEREAS, the Board of County Commissioners are authorized to adopt standard building codes and standard fire regulations to be applicable to all the area of any county situated outside the corporate limits of any city or town; and

WHEREAS, the Board of County Commissioners of Pacific County, Washington, has under consideration the regulation of carnivals and circuses;

NOW, THEREFORE, It is ordained that no carnival and/or circus may operate in Pacific County outside the limits of incorporated cities and towns unless said carnival and/or circus shall first obtain a permit as hereinafter provided, and shall comply with all regulations herein provided, and that the fee for such permit to meet the cost of inspection for compliance with the regulations herein provided shall be \$25.00 for each week or portion thereof which said carnival and/or circus shall operate in any one location in said county.

BE IT FURTHER ORDAINED, that the following rules shall be in full force and effect and shall at all times be kept posted in a conspicuous place where carnivals and/or circuses are being conducted.

1. No permit shall be issued to any person under twenty-one years of age.

2. Every permit issued under the provisions of this ordinance shall state in substance that such permit is issued as a police, sanitary and a fire regulation measure, and that the right of the County Commissioners of Pacific County to revoke such permit is a consideration of its issuance.

3. Any permit granted hereunder to conduct a carnival and/or circus may be revoked by the said County Commissioners upon their finding that any police, sanitary or fire regulation provided for in this Ordinance or in the state law of Washington has been violated by the permittee, and the action of said board in revoking any such permit shall be final and conclusive.

4. The revocation of any permit granted under the provisions of this Ordinance shall not preclude the imposition of further penalties as provided for in this Ordinance and the state law, but shall be considered merely as a part of the said penalties imposed for violation of the rules and regulations provided for herein and the state law of Washington.

5. All carnivals and/or circuses shall be discontinued and no part thereof shall be open to the public after the hour of 1:00 A.M., and shall remain closed until 10:00 A.M. of the same day, unless a special permit is obtained from the Board of County Commissioners to conduct said carnival and/or circus between the above mentioned hours.

6. No prostitute or person of immoral character, or a person afflicted with any venereal, contagious or infectious disease shall be employed in or knowingly be permitted to take

part in any carnival and/or circus.

7. Every carnival and/or circus and any building in which any carnival and/or circus is held shall at all times be kept in a clean, healthy and sanitary condition; and all stairways, halls, passages and rooms which are open to the public shall be kept open and well lighted during the time that said carnival and/or circus is in operation.

8. No firm, person, society, association or corporation conducting a carnival and/or circus, nor any person having charge or control thereof at any time when a carnival and/or circus is being conducted shall permit any person to bring into said carnival and/or circus, or upon the premises thereof, any intoxicating liquor, nor permit intoxicating liquor to be consumed on the premises, and no person during said time shall take or carry on to said premises or drink thereon any intoxicating liquor.

9. It is the intention to put the burden of preserving order upon the operator of the carnival and/or circus, and if any carnival or circus in Pacific County is not being operated in accordance with the rules and regulations prescribed in this Ordinance and set forth in the State Law, the permittee shall be subject to revocation of his permit, and the permittee or other individual responsible subject to such other punishment as the law and this Ordinance provides.

10. In the event it becomes necessary to secure the services of a deputy sheriff or other police officer to properly enforce these rules and regulations and to maintain order at a carnival and/or circus, all expense for such services shall be

borne by the permittee, and it is his duty to secure the services of such officer or officers as are necessary to preserve order and enforce the rules and regulations prescribed by this Ordinance and the state law.

11. No person shall be permitted to smoke or carry in his or her hand a lighted cigar, cigarette or pipe inside of any tent, building or other structure during the hours which said carnival and/or circus is open to the public.

12. If said carnival and/or circus is held within a permanent building or structure, such must be of fireproof construction when over one story in height. All buildings to which the public is admitted must have a sufficient number of exits to permit a safe evacuation of all persons therein. All exit doors in buildings of a permanent nature must be equipped with crash hardware. All canvas used in any tent or as a part of any structure must be so treated as to be fire resistant at the time the same is in use. All highly inflammable or explosive liquids or materials are to be kept in a well ventilated location and adequate fire fighting equipment must be maintained in the immediate area.

13. No carnival and/or circus shall be operated in a location which is closer than one thousand yards from any schoolhouse or church, or one hundred yards from any house, residence or other human habitation.

14. The operator of each and every carnival and/or circus shall file with the Auditor of Pacific County a cash bond of \$500.00 conditioned that such carnival and/or circus shall pay

all damages that may be done to the roads or public places in said county and shall remove all advertising matter placed within said County of Pacific within ten (10) days after the license for said carnival and/or circus has expired.

15. Any permit issued as herein provided shall be kept posted in a conspicuous place in the room in which the operator carries on or conducts his business, and no such permit shall be transferable or assignable without the consent of the Pacific County Board of County Commissioners; and no rebate or refund of money paid for a permit shall be made.

15. Any person who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$100.00 or by imprisonment in the County jail for a term not exceeding ninety (90) days or by both such fine and imprisonment.

17. An application for a permit to conduct a carnival and/or circus in Pacific County outside the limits of incorporated cities and towns shall be made in writing to the Pacific County Board of County Commissioners by filing the same with the Pacific County Auditor, and shall be accompanied by a deposit of the fee herein required. It shall be signed by the proprietor or manager of such business and verified upon oath. If the application is made on behalf of a co-partnership the names of the co-partners in full shall be given with their residences and post office addresses for a period of six months immediately prior to the date of the application. If the application is made on behalf of a corporation the names of the officers and directors

or trustees of the corporation shall be given with the residences and post office addresses of such persons for a period of six months immediately prior to the date of application, together with the location of the principal office or place of business of such corporation. The application shall state the location to be occupied; and shall also state that the applicant or applicants will abide by all rules and regulations of this Ordinance and the state law for the protection of health, morals and safety of the persons employed therein, and for the patrons thereof and for the public.

PROVIDED HOWEVER, that no application for a carnival and/or circus permit shall be issued until the Pacific County Auditor shall have investigated and reported to the Pacific County Board of County Commissioners as to the character and reputation of the applicant or applicants, and his or their fitness to conduct such business; and whether the location or place to be used as a carnival and/or circus conforms to all rules and regulation of this Ordinance and the state law, particularly in regard to fire, health, ventilation, lighting, sanitary conditions, and toilet conveniences.

18. The Sheriff of Pacific County or any peace officer is hereby authorized and directed to see that all provisions of the state law and these rules and regulations are enforced, and that any building, room or other structure wherein any permittee hereunder conducts his business shall at all times be open to inspection by the Sheriff of Pacific County, his deputies, or any peace officer.

19. If any section, sub-section, sentence, clause or

phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid by any court of competent jurisdiction such decision shall not effect the validity of the remaining portions thereof.

DATED at South Bend, Washington, this 1 day of May, 1961.

BOARD OF COUNTY COMMISSIONERS  
OF PACIFIC COUNTY, WASHINGTON

Bob Kirkman

Chairman

ATTEST:

J.R. Hads

Commissioner

Verna Jacobson  
Auditor and Ex-Officio  
Clerk of the Board of  
County Commissioners

Howard Hall

Commissioner