

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON**

RESOLUTION NO. 2016- 032

**A RESOLUTION ADOPTING THE PACIFIC COUNTY FACILITY USE
APPLICATION PROCESS AND RESCINDING RESOLUTION 2010-035
(SPECIAL EVENT APPLICATION PROCESS), RESOLUTION 2013-070
(COURTHOUSE FACILITIES USE POLICY) AND RESOLUTION 2015-015
(PARK CAMPING FEES AND CHARGES)**

WHEREAS, Pacific County desires to promote and support special events within the County, and

WHEREAS, the County recognizes the public's desire to use county-owned facilities, parks and property for special events and small gatherings, and

WHEREAS, Pacific County desires to allow the use of county-owned facilities, parks and properties for these purposes, and

WHEREAS, it is necessary that these events be scheduled in advance and conducted as to not interfere with the daily operations or conduct of regular county business, and

WHEREAS, an application process needs to be in place allowing for review by the County to determine appropriate liability insurance, security, traffic control, and other related requirements are in place to best assure the health and safety of guests, and the integrity of the County's property is maintained.

NOW THEREFORE, IT IS HEREBY FURTHER RESOLVED by the Board of Pacific County Commissioners that the Pacific County Facilities Use Policy (Attachment A), Pacific County Facilities Use Application (Attachment B), Alcohol Policy for Facility Rentals (Attachment C) Safety Requirements Application (Attachment D) and Facilities Use Fee Schedule (Attachment E) are hereby adopted.

BE IT STILL FURTHER RESOLVED that Resolution 2010-035 (Special Event Application Process), Resolution 2013-070 (Courthouse Facilities Use Policy) And Resolution 2015-015 (Park Camping Fees and Charges) are hereby be rescinded.

PASSED by the following vote this 13th day of September, 2016 by the Board of Pacific County Commissioners meeting in regular session at South Bend, Washington, then signed by its membership and attested to by its Clerk in authorization of such passage:

3 YEA; 0 NAY; 0 ABSTAIN; and 0 ABSENT.

BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON



Frank Wolfe, Chair




Lisa Ayers, Commissioner



Steve Rogers, Commissioner

ATTEST



Marie Guernsey
Clerk of the Board

ATTACHMENT A

PACIFIC COUNTY

FACILITY USE POLICY AND PROCESS

Section 1: DECLARATIONS

1. The County allows public use of certain county owned facilities and grounds on a first-come, first-served basis in accordance with this policy. Uses will be scheduled so that the conduct of county business will not be unreasonably disrupted. These uses will be coordinated with the Department of Public Works and the Commissioners' Office.
2. It is the intent of the County to comply with the requirements of state and federal regulations that prohibit discrimination based on race, creed, color, national origin, sex, honorably discharged veteran or military status, sexual orientation, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability.
3. Official County activities have first priority for use of all facilities. Because the Courthouse is the county seat for Pacific County, unexpected events relating to county/state government may arise which could require the relocation of the event from the courthouse within 24 hours of the start of the event. Although every effort will be made to avoid a conflict, an alternative location should be arranged in the event of an unavoidable situation.
4. The County is not liable for any failure in performance of any provision of this policy.
5. Violations of this policy may result in immediate termination of the use and removal of future Applicant privileges for use of County facilities.
6. The County reserves the right to cancel any reservation without notice for any reason.
7. The County is not responsible for lost or stolen items.

Section 2: PROCESS

1. Written requests to hold an event shall be made through the Commissioners' Office.
2. Submit a Facility Use Application (Attachment B) and all applicable attachments (Attachments C, D) to the Pacific County Board of Commissioners a minimum of **60 days** prior to an event. Upon approval, a written confirmation will be mailed or emailed to the applicant.
3. Depending on the nature of your event, additional permits may be required from individual departments/offices including: Department of Community Development, Department of Public Works and the Sheriff's Office. Once your initial application is reviewed, you will be notified of any additional requirements.
4. The site and facilities may be inspected by County officials prior to opening the event to the general public to ensure that you are complying with the stated plans upon which the approval was made. If you fail to comply with those requirements, your permit may be revoked and the event closed.

Section 3: GENERAL PROVISIONS REGARDING USE OF COURTHOUSE ROTUNDA AND COURTHOUSE POND

1. Events being held in the Rotunda which may attract more than 20 people and anticipated to last longer than 15 minutes require compliance with this policy. Receptions are not allowed in the rotunda.
2. Maximum occupancy of attendance – 100 people.
3. The County will not provide tables, chairs, or any other equipment for the event.
4. Decorations shall not be attached in any way (tape, nails, tacks, wire) to any surfaces (walls, floors, railings, wood work) or furniture. All decorations shall be free standing. Helium balloons are not allowed.
5. Restrooms are available on the main floor of the Courthouse. ADA restrooms are located on the 2nd floor of the Public Safety Building directly behind the courthouse.
6. One county staff person will be responsible for opening and closing the Courthouse. Set-up and clean-up activities are the responsibility of the Applicant.
7. All chairs, equipment and accessories for the event must be provided by the Applicant. Electrical power can be made available, if needed.
8. Applicant shall not adjust heating or wall hangings.
9. The furniture shall not be rearranged.
10. The following activities are prohibited in the facility and on county grounds:
 - a. Tobacco Use, Smoking, Vaping
 - b. Weapons (law enforcement exempt)
 - c. Alcoholic beverages and/or narcotics
11. Applicant shall assume full responsibility for all damages and injuries which may occur.
12. Applicant shall provide adequate supervision for the protection of lives and property.
13. In the event of damage to County's premises or equipment caused by Applicant, the Applicant will accept the County's cost estimate of the repair or replacement and make prompt payment to the County.
14. Functions occurring in County facilities shall not violate City, County, or public authority ordinances or regulations.
15. Fire, safety, and capacity regulations of Pacific County, City of South Bend or the State of Washington must be observed.
16. Animals other than service animals are prohibited in the Courthouse Rotunda.

Section 4: USE AND DEPOSIT FEES

1. Use and deposit fees are set by resolution of the Board of County Commissioners (Attachment E).
2. Use and deposit fees are to be submitted with the application at least 60 days prior to the date of the event. If there is any required clean-up or damage to property, grounds, equipment or furniture the deposit will not be refunded.

Section 5: INDEMNIFICATION AND INSURANCE REQUIREMENTS

1. **Indemnification:** To the fullest extent permitted by law, the Applicant agrees to indemnify, defend and hold the COUNTY and its departments, elected and appointed officials, employees, agents and volunteers, harmless from and against any and all claims, damages, losses and expenses, including but not limited to court costs, attorney's fees and alternative dispute resolution costs, for any personal injury, for any bodily injury, sickness, disease or death and for any damage to or destruction of any property (including the loss of use resulting therefrom) which 1) are caused in whole or in part by any action or omission, negligent or otherwise, of the Applicant, its employees, agents or volunteers or Applicant's subcontractors and their employees, agents or volunteers; or 2) are directly or indirectly arising out of, resulting from, or in connection with this Agreement; or 3) are based upon the Applicant's use of, presence upon or proximity to the property of the COUNTY. This indemnification obligation of the Applicant shall not apply in the limited circumstance where the claim, damage, loss or expense is caused by the sole negligence of the COUNTY. This indemnification obligation of the Applicant shall not be limited in any way by the Washington State Industrial Insurance Act RCW Title 51, or by application of any other workmen's compensation act, disability benefit act or other employee benefit act, and the Applicant hereby expressly waives any immunity afforded by such acts. The foregoing indemnification obligations of the Applicant are a material inducement to COUNTY to enter into this Agreement.
2. **Insurance:** Without limiting the Applicant's indemnification of COUNTY, and prior to commencement of the event, the Applicant shall obtain, provide and maintain during the term of this Agreement, policies or insurance of the type and amounts described below and in a form satisfactory to the County.
 - a. **General Liability Insurance.** CONTRACTOR shall maintain commercial general liability insurance with at least as broad as Insurance Services Office form CG 00 0, in an amount not less than \$1,000,000 per occurrence, \$2,000,000 general aggregate, for bodily injury, personal injury, and property damage, including without limitation, blanket contractual liability.
 - b. **Waiver of Subrogation.** All insurance coverage maintained or procured pursuant to this Contract shall be endorsed to waive subrogation against COUNTY, its elected or appointed officers, agents, officials, employees and volunteers or shall specifically allow CONTRACTOR or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. CONTRACTOR hereby waives its own right of recovery against COUNTY, and shall require similar written express waivers and insurance clauses from each of its subcontractors.

The Applicant must name the COUNTY as an additional insured. The Applicant agrees that its liability insurance shall be primary and non-contributory to the COUNTY's and that the Applicant's liability insurance policy shall so state.

The County may adjust the amount of coverage required based on the details of the proposed event. If alcohol is being served additional insurance will be required (See Attachment C-Alcohol Use Policy).

Special Event Insurance may be available through the Applicant's insurance broker or can be found on-line.

Section 6: PACIFIC COUNTY CONTACT INFORMATION:

Board of County Commissioners – 360/875-9337
Department of Community Development – 360/875-9356
Department of Public Works – 360/875-9368
Sheriff's Office – 360/875-9395
Fair Office – 360/942-3713

ATTACHMENT B

Facility Use Application

Thank you for your interest in using a county-owned park, facility or property to host your special event.

Please complete and return this Application and the appropriate attachments along with fee and damage deposit to the Board of Pacific County Commissioners Office at least **60 days** prior to the first day of the scheduled event.

PLEASE TYPE OR PRINT CLEARLY IN INK.

1. Name of event: _____
2. Is this a private event (invitation only) or open to the public?
Private _____ Public _____
3. Description of event: _____

4. Location of event: _____
5. Date(s) of event: _____ Hour(s) of operation: _____
6. Has the event been held previously? _____ Date(s): _____
7. Estimated attendance: _____
8. Name Event Representative: _____
9. Home Phone: _____ Cell Phone: _____
10. Event Representative email address: _____
11. Event Representative address: _____
12. Emergency contact name and phone number: _____

Please check Yes, No or Not Applicable (NA) for the following questions.	YES	NO	NA	NOTE: All required
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Will there be alcohol served at the event?				If yes, complete Attachment C (Alcohol Use Policy), Attachment D (Security Requirements) and attach required permit from the WA State Liquor Control Board
Will County staffing be requested at the event? <i>May be required by the County.</i>				If yes, attach a list of those services and outline specific duties.
Is your event is open to the public?				If yes, complete Attachment D (Security Requirements)
Will food and beverage be served at your event and last beyond 8 pm				If yes, complete Attachment D (Security Requirements)
Will you have Emergency Medical Services (EMS) on site during the event?				
Will there be music, sound amplification or any other noise impacts?				If yes, the County has a noise ordinance in effect (see County Code for details)
Will the event obstruct, interfere or require the closure and free use of any public road, street or Right-of-Way?				If yes, attach adequate traffic and detour plans.
Will you have traffic control?				If yes, indicate how the traffic control will be addressed.
Will off-site parking be needed?				If yes, attach parking plan.
Will there be shuttle buses provided for attendees?				If yes, attach a map of their route.
Will there be tickets sold to attend the event?				If yes, please note the cost of the event.
Do you have an informational flyer advertising the event?				If yes, please attach a copy.
Will there be food served?				If yes, attach copy of food service permit.
Will additional bathroom facilities be used?				If yes, please provide specific information related to the # of sani-cans provided. Please include the location on a diagram of the event.
Do you have a plan for garbage and recycling?				If yes, attach your plan, and indicate if you will need assistance from County Solid Waste.
Will a temporary structure be erected for this event?				If yes, attach a drawing including the dimensions. The structure may require inspection prior to the event.
Have you obtained a Certificate of Insurance specifically naming Pacific County?				A copy of the Certificate of Insurance must be attached or the application will not be considered.

WRITTEN PERMISSION TO ENTER EVENT SITE FOR INSPECTION

I hereby permit law enforcement and/or Pacific County officials to enter the site for which the Application has been granted, for the purpose of inspection and enforcement of County Code and other applicable law, and pursuant to my agreement and representations made in connection with this Application.

SWORN STATEMENT OF COMPLIANCE

I hereby acknowledge that I have read and understand the requirements set forth in Pacific County Facility Use Policy and Process and this application. I agree that either my designated agent or I shall be on site at all times and shall be responsible for the operation of the event and for compliance with all legal requirements in connection with this event. I understand that failure to comply with the rules, regulations and conditions set forth in Pacific County Code may be deemed a gross misdemeanor and that drug or narcotics violations are crimes under RCW.

I swear under penalty of perjury under the laws of the State of Washington that all information contained therein is true to the best of my knowledge. As this application is the basis for use of county facilities, any material error, omission, or misrepresentation may constitute a violation of this agreement for the County may rescind the agreement and/or deny future applications by the applicant.

Signature of Applicant/Representative

Date

City & State where signed

Authorized/designated agent(s) who will be in charge at the event (please print):

Name: _____ Contact #: _____

Name: _____ Contact #: _____

Name: _____ Contact #: _____

Name: _____ Contact #: _____

FOR PACIFIC COUNTY USE ONLY

Fair/Park Manager Review: _____ Approved: Yes ___ No ___
Initials Date

Comments:

Administrative/Risk Review: _____ Approved: Yes ___ No ___
Initials Date

Comments:

Board of Pacific County Commissioners Approval: _____
Date

Additional Requirements:

ATTACHMENT C

PACIFIC COUNTY

ALCOHOL POLICY FOR FACILITY RENTALS

No alcohol is allowed in any building or on grounds owned, rented or leased by Pacific County, without the expressed written consent of Pacific County. For those functions where express approval has been granted, the following rules must be followed:

- The sale, furnishing and/or consumption of alcoholic beverages is not permitted without a valid permit issued by the Washington State Liquor and Cannabis Board and a copy of such permit shall be provided to the County at least two weeks prior to the event. The permit must be posted in a conspicuous location within the facility for the duration of the event.

NOTE: Alcoholic beverage SALES are not permitted under a BANQUET PERMIT and are only allowed under a Special Occasion License issued to a nonprofit organization.

- The PERMITTEE shall procure and maintain for the duration of the agreement Liquor Liability insurance in the amount of \$1,000,000 each occurrence. The County is to be named as an additional insured on Liquor Liability insurance. Host Liquor Liability Insurance coverage may be substituted when alcohol is being consumed, but not sold on premises with prior written approval of the County. Certificate of insurance coverage must be provided to the County at least two weeks prior to the event.
- All persons serving alcoholic beverages must be appropriately trained regarding Washington State Liquor and Cannabis Board rules and regulations regarding service of alcoholic beverages under a Banquet Permit or Special Occasion License, as may apply to the event.
- **Alcohol is allowed on County owned grounds only during licensed events or private, invitation only events.** Private, invitation only, events may serve alcohol in strictly controlled areas. Guests are not allowed to take drinks into the restrooms or outside the perimeter of the controlled area. All beverages must be served in cans, disposable cups, or plastic or metal bottles only. Absolutely no glass bottles will be allowed.
- Alcoholic beverage sales, furnishing and consumption shall comply with all Washington laws, rules and regulations, and specifically those of the Washington State Liquor and Cannabis Board. In particular, no person under the age of 21 shall be allowed to purchase, consume, furnish or possess alcoholic beverages. Valid photo identification shall be required for all persons purchasing, consuming, furnishing, or possessing alcoholic beverages. No person shall be over-served and persons exhibiting intoxication shall not be sold or furnished alcoholic beverages.

- For events using a Banquet Permit the event shall not be advertised, shall be by invitation only, and shall not be open to the public.
- The PERMITTEE will also, at its expense, comply with all requirements of the Pacific County Facility Use-Security Requirements Policy.
- **Any violation of these requirements will result in the immediate revocation of the Facility Use Agreement, closure of the PERMITTEE's event, forfeiture of the PERMITTEE's rent and deposit, and the PERMITTEE may not be allowed to serve alcohol at any future events.**

The PERMITTEE is solely and wholly responsible to ensure that all rules and regulations are followed.

- ☐ Yes, we will have alcohol at the contracted event and will abide by the Pacific County Alcohol Policy for Facility Rentals

PERMITTEE

BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON

Organization

Chairman

Printed Name

ATTEST:

Signature

Date

Clerk of the Board

Date

ATTACHMENT D

PACIFIC COUNTY FACILITY USE **SAFETY REQUIREMENTS** **APPLICATION**

Safety personnel are required for gatherings where food and beverage is served and that last beyond 8p.m. OR where alcohol is sold, furnished or consumed regardless of the time of day. Safety personnel may be required at other events which are determined by the County to warrant security. Minimum safety personnel requirements are based on the number of attendees and whether the event is public or private.

The Safety Requirements Application **must be received by the County 60 days prior to an event**. The Pacific County Board of County Commissioners and Risk Manager, in consultation with the Pacific County Sheriff's Office, will review all applications and reserve the right to adjust safety requirements as they deem necessary.

Information regarding the event:

1. The estimated number of persons attending the event: _____
2. This is a ☐ private event ☐ public event
3. Alcoholic beverages ☐ will ☐ will not be sold, furnished or consumed. The hours of alcohol service will be from _____ am/pm to _____ am/pm.
4. Live music/DJ/dancing ☐ will ☐ will not be at the event.

MINIMUM SAFETY REQUIREMENTS, UNLESS ADJUSTED BY THE COUNTY

Attendees	PRIVATE EVENTS		PUBLIC EVENTS	
	No Alcohol, with Music/Dancing	Alcohol and Music/Dancing	No Alcohol, with Music/Dancing	Alcohol and Music/Dancing
0-100	0	2	1	2
101-200	1	3	2	3
201-300	2	3	3	4
301-400	2	4	4	6
401-500	2	5	5	6

1. Safety personnel shall only serve as safety personnel and shall not be used as bartenders and/or beverage servers at the event.
2. Safety personnel will wear a vest, name tag or shirt clearly identifying them as such.
3. Safety personnel shall enforce entry limitations, such as invitation required, minimum age, excluding intoxicated person seeking admission, and facility occupancy limitations, remove individuals, and refuse entry.
4. Private events shall be by invitation only and the public shall not be permitted.

Safety will be provided by:

- ☐ Law Enforcement Entity

Jurisdiction _____

Name of Officer(s) _____

- ☐ Off-Duty Trained (CJTC or Equivalent) Law Enforcement Officer(s)

Jurisdiction _____

Name of Officer(s) _____

Note: Law Enforcement Personnel from an agency other than the Sheriff's Office, and Off-duty officers may not act in a law enforcement capacity outside of their jurisdiction and will not be in uniform unless they have been commissioned by the Pacific County Sheriff.

- ☐ Licensed and Bonded Security Company

A copy of the Company's license must be on file with the County at least two (2) weeks prior to the event.

I hereby acknowledge that I have familiarized myself with Pacific County Facility Use Safety Requirements Application. I agree that either my designated agent or I shall be on site at all times and shall be responsible for the operation of the event and for compliance with all legal requirements in connection with this event. I understand that failure to comply with the rules, regulations and conditions set forth by Pacific County will result in immediate revocation of the Facility Use Agreement, closure of the Applicant's event, forfeiture of the Applicant's rent and deposit, and may prevent me from future use of County facilities.

Date: _____

Signature

Printed Name