

**CITY OF BURIEN
WASHINGTON
ORDINANCE NO. 540**

**AN ORDINANCE OF THE CITY OF BURIEN,
WASHINGTON, RELATING TO SPECIAL EVENTS;
AMENDING TITLE 12 BMC; PROVIDING THAT THE
CITY MANAGER MAY WAIVE DEPARTMENTAL
SERVICES IMPOSED BY CITY CLERK AS OPPOSED TO
CITY COUNCIL BY RESOLUTION OR ORDINANCE;
ESTABLISHING CRITERIA FOR GRANTING OF A
WAIVER OF DEPARTMENTAL SERVICES CHARGES;
AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, Section 12.15.140(1) of the Burien Municipal Code provides that departmental services charges imposed by the City Clerk may be waived by the City Council by resolution or ordinance; and

WHEREAS, it has been determined appropriate for the City Manager to waive fees rather than the City Council; and

WHEREAS, BMC 12.15 does not provide criteria for which a waiver of departmental services fees imposed by the City Clerk for special events may be granted; and

WHEREAS, the City Council finds that it is in the best interest of the public health, safety and welfare to amend 12.15.140(1) relating to special events permitting as set forth below;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amending Section 12.15.140 Cost Recovery for Special Events. Title 12.15.140(1) of the Burien Municipal Code is hereby amended to read as follows:

(1) Except as otherwise provided in this chapter or when funded or waived by the ~~City Council~~ City Manager ~~by resolution or ordinance~~, for any special event, the City Clerk shall impose a fee for departmental services charges. Factors that may be considered in evaluating whether the fee should be completely or partially waived include (1) the extent of use of public property or right of way, (2) the extent of use of city services or facilities, (3) whether the City is sponsoring or co-sponsoring the event, and (4) whether the event is sponsored by an organization for the necessary support of the poor or infirm.

(2) The City Clerk shall require payment of departmental service charges, based upon a reasonable estimate thereof, at the time the completed application is approved, unless the City Clerk for good cause extends time for payment.

(3) If the event organizer fails to clean the special event venue or route of the special event both during and upon completion of the special event and to return the area or route to the same condition of material preservation and cleanliness as existed prior to the special event, the event organizer will be billed for actual City costs for cleanup and repair of the area or route occasioned by the special event. If the event organizer failed to comply with such requirements under a previously issued special event permit, the City Clerk may require the event organizer to deposit adequate surety in the form of cash or bond.

Section 2. Effective Date. This ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after adoption.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 3RD DAY OF MAY, 2010, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 3RD DAY OF MAY, 2010.

CITY OF BURIEN

/s/ Joan McGilton, Mayor

ATTEST/AUTHENTICATED:

/s/ Monica Lusk, City Clerk

Approved as to form:

/s/ Craig Knutson, City Attorney

Filed with the City Clerk: May 3, 2010

Passed by the City Council: May 3, 2010

Ordinance No. 540

Date of Publication: May 6, 2010