

EXHIBIT "G"

Accessory Uses, Temporary Use and Events

(attached)

Chapter 18A.36

ACCESSORY DEVELOPMENT

Sections:

18A.36.010 Purpose.

18A.36.020 General Provisions for Accessory Uses and Structures.

18A.36.030 Cargo Container Storage.

18A.36.040 Mobile Food Service.

18A.36.050 Cafeteria.

18A.36.060 General Accessory Use List.

18A.36.070 Residential Accessory Use List.

18A.36.010 Purpose.

The purpose of this Chapter is to identify certain uses and structures that may be established accessory to a principal use and to establish standards and conditions for regulating such uses and structures. (Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.36.020 General Provisions for Accessory Uses and Structures.

- A. In all zones, there shall be no limit as to the number of accessory uses allowed on a lot provided:
 - 1. The use is not prohibited from locating in the zone classification;
 - 2. The use meets all applicable development regulations; and
 - 3. The use is accessory to a lawfully established principal use, except that structures typically accessory to a residence, such as garages, greenhouses and storage buildings, may be permitted without a principal use up to a maximum of 576 total square feet. Fences and retaining walls shall not be considered a principal use and shall not be limited to the 576 square feet maximum when no principal use is located on site.
- B. In residential zones, on lots of less than 1 acre in size, detached accessory structures shall not exceed 2,000 total square feet, except that the area of a detached Accessory Dwelling Unit (ADU) shall not apply.
- C. All accessory uses must be customarily incidental and subordinate to the principal building or use of the lot upon which it is located.
- D. At such time as the principal use or structure is discontinued, all accessory uses and structures to the principal use or structure shall also be discontinued or removed.
- E. Where there is a question regarding the inclusion or exclusion of a particular accessory use within any zone classification, the Director shall have the authority to make the final determination. The determination shall be based upon the general standards of this Section and an analysis of the compatibility of the use or structural size and placement with consideration of the predominant surrounding land use pattern and with the permitted principal uses of the zone classification.

(Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.36.030 Cargo Container Storage.

- A. Schools and public safety facilities shall be permitted to utilize a cargo container or containers for the storage of emergency equipment necessary to meet federal requirements or regulations when a Level F1 Fence, per PCC 18J.15.040 H.5., or Level L2 landscape buffer, per PCC 18J.15.040 H.2., surrounds the cargo container(s), except when the cargo container is not visible off site or from any parking lot open to the public.
- B. Industrial sites and animal and crop production use types may contain cargo containers used for the storage of materials associated with the use on the site. They may not be used for the storage of hazardous materials.
- C. Religious Assembly uses and Community Service uses such as food banks shall be permitted to utilize a cargo container or containers for storage purposes when a Level F1 Fence, per PCC 18J.15.040 H.5., or Level L2 landscape buffer, per PCC 18J.15.040 H.2., surrounds the cargo container(s), except when the cargo container is not visible off site or from any parking lot open to the public, additional fencing and landscaping is not required.
- D. ~~Single-family residential uses located on lots greater than 2.5 acres in rural zone classifications shall be permitted to utilize a cargo container for storage purposes when a Level F1 Fence, per PCC 18J.15.040 H.5.; or Level L2 landscape buffer, per PCC 18J.15.040 H.2.; surrounds the cargo container(s); provided the cargo container shall not be visible from any County arterial road. A cargo container authorized pursuant to this subsection shall be painted and have any corporate identification, symbol or logos removed.~~ N/A

(Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.36.040 Mobile Food Service.

Mobile food service, i.e., espresso trucks and lunch wagons, are permitted in commercial and industrial zone classifications and shall not be subject to the off-street parking standards of Chapter 18A.35 PCC or design standards of Chapter 18J.15 PCC unless they exceed more than two hours per day per site. (Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.36.050 Cafeteria.

- A. Within commercial buildings which are established with a principal use, other than eating and drinking establishments, eating facilities such as cafeterias, espresso bars, cafes, and delis that do not serve alcohol, do not have drive-through facilities, and are no larger than 1,500 square feet shall be permitted.
- B. Within the EC and CE zones, cafeterias, espresso bars, cafes, delis, and other eating establishments that are attached to or are a part of a building for another use allowed in the zone, and do not serve alcohol and do not have drive-through facilities, shall be allowed. The part of the structure used for this purpose shall not exceed 15 percent of the square footage of the structure. (Applies to Business Park Zone.)

(Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.36.060 General Accessory Use List.

- A. The following uses may be allowed accessory to principal uses found in one or more use categories.
 - 1. Antennae and satellite dishes for private telecommunication services;
 - 2. Decks and patios;

3. Storage of equipment used for on-site landscape and grounds maintenance;
4. Food service facilities for use primarily by employees with no exterior advertisement of the facility;
5. Incidental storage of equipment, raw materials and finished products sold or manufactured on site and storage of agricultural products produced on site;
6. Non-commercial recreational facilities and areas (indoor or outdoor), including swimming pools, for exclusive use by employees, patrons, or residents, depending upon the principal land use;
7. On-site hazardous waste treatment and storage;
8. Private docks and mooring facilities;
9. Retaining walls, free-standing walls, and fences;
10. Small-scale composting facility which meets State and local solid waste regulations;
11. Solid waste impoundments;
12. Waste-to-energy facilities designed to burn less than 12 tons per day;
13. Dwelling units used exclusively for caretakers or superintendents and their families and housing for agricultural workers on the same site as the commercial agricultural activity;
14. Wind power electrical generation equipment meeting the following standards in all categories except residential. See PCC 18A.36.070 for standards specific to residential use:
 - a. Non-turbine/generators are permitted subject to the following standards:
 - (1) Noise generation:
 - (a) Noise generated from the unit may not exceed 57 dBA (sound pressure level in decibels) at the adjacent property lines when adjacent to residential use or urban or rural residential zoning;
 - (b) Noise generated from the unit may not exceed 60 dBA at the adjacent property lines when adjacent to urban or rural commercial uses or zoning; and
 - (c) Noise generated from the unit may not exceed 65 dBA at the adjacent property lines when adjacent to urban or rural industrial uses or zoning.
 - (2) Support structures are permitted and must comply with the development standards;
 - (3) Must be in compliance with applicable county, state and federal regulations; and
 - (4) Must comply with all bulk requirements of the zone classification to include, but not limited to, height and setbacks.
 - b. Freestanding wind turbine/generators are permitted subject to the provided standards:
 - (1) Noise generation:
 - (a) Noise generated from the unit may not exceed 57 dBA (sound pressure level in decibels) at the adjacent property lines when adjacent to residential use or urban or rural residential zoning;
 - (b) Noise generated from the unit may not exceed 60 dBA at the adjacent property lines when adjacent to urban or rural commercial uses or zoning; and
 - (c) Noise generated from the unit may not exceed 65 dBA at the adjacent property lines when adjacent to urban or rural industrial uses or zoning.

- (2) The rated capacity may not exceed 10 kilowatts, except when documentation is submitted to the Planning and Land Services Department justifying the need for greater kilowatt generators whose primary use is electricity generation to be used on the project site;
 - (3) Support structures are permitted and must comply with the development standards;
 - (4) Setback requirement that is consistent with zoning or 50 foot minimum setback to center of turbine/generator, whichever is greater;
 - (5) Height requirement that is consistent with the zoning; or 50 foot setback increases for every foot greater than maximum height stipulated by the Zoning Code, but not to exceed a maximum height of 100 feet;
 - (6) The outer and innermost guy wires must be clearly visible through the use of covers, flagging or other methods to a height of 6 feet above the guy wire anchors;
 - (7) The guy wire anchors must be a minimum of 20 feet from all property lines; and
 - (8) Must be in compliance with applicable county, state and federal regulations.
15. Maintenance of the equipment, vehicles, and machinery used to support a principal use; and
16. Personal hobby activities, limited to uses and activities permitted to take place within a residence or residential accessory structure per appropriate building and fire codes.
- a. Personal hobby activities shall be undertaken for personal use only and shall not be used to generate income of any sort.
 - b. Personal hobby activities may not include uses that together would constitute a dwelling unit.

(Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.36.070 Residential Accessory Use List.

The following structures and uses may be allowed accessory to a residence:

- A. Carports or garages for the sole use of occupants of premises and their guests, attached or detached (without fee to guests), for storage of motor vehicles, boats, recreational vehicles, and/or planes;
- B. Greenhouse for private and non-commercial use;
- C. Storage buildings for yard maintenance equipment and household goods;
- D. Agricultural activities, such as gardens and orchards for private, non-commercial use;
- E. A Bed and Breakfast shall be allowed, on a parcel upon which the bed and breakfast proprietor resides, within a legally established single-family dwelling or accessory structure when the following criteria are met:
 1. Not more than five guest rooms are provided;
 2. Not more than ten travelers are lodged at any time;
 3. Lodging for each guest does not exceed two weeks; and
 4. Compensation of any kind is paid for the lodging.
- F. Animals, subject to the following requirements:
 1. Any combination of five dogs or cats that individually exceed seven months of age are permitted. Any combination of six or more dogs or cats that individually exceed seven months of age are permitted pursuant to PCC 18A.33.260 D., Animal Production, Boarding and Slaughtering.

2. No person shall have, maintain, or possess any wolf, fox, chimpanzee, or other exotic, vicious, or poisonous animal or reptile except as set forth in Chapter 6.16 PCC.
3. Urban Area Requirements.
 - a. For lots less than one-half acre:
 - (1) Two small livestock are allowed, all other livestock are prohibited; and
 - (2) Five or fewer small animals, excluding dogs and cats allowed pursuant to F.1. above, are allowed. Rooster, peacocks, and male turkeys are prohibited.
 - b. For lots from one-half acre to less than 5 acres:
 - (1) Two small livestock are allowed and other livestock shall not exceed 2 which are 12 months or more of age; and
 - (2) Twelve or fewer small animals, excluding dogs and cats allowed pursuant to F.1. above, are allowed per acre. Roosters, peacocks, and male turkeys are prohibited on lots less than one acre.
 - c. For lots 5 acres or greater in size, there shall be no restriction on the number of livestock and small animals kept.
 - d. Animal enclosures such as, but not limited to, cages, barns, stables, and coops shall not be located in a front yard, and shall be setback as follows from adjacent residential property lines that are not held in common ownership:
 - (1) 15 feet for poultry or rabbits;
 - (2) 10 feet for other small animals and small livestock;
 - (3) 45 feet for livestock; and
 - (4) 75 feet for kennels and catteries.
 - (5) For purposes of this Section, a fenced area where animals are free roaming is not considered an animal enclosure.
4. Rural Area Requirements. (Not applicable to Tehaleh)
 - ~~a. For lots less than one-half acre:
 - (1) Two small livestock are allowed, all other livestock are prohibited; and
 - (2) No more than 24 small animals, excluding dogs and cats allowed pursuant to F.1. above, are allowed.~~
 - ~~b. For lots one-half acre or greater in size, there shall be no restriction on the number of small livestock, livestock or small animals kept.~~
 - ~~c. Animal enclosures such as, but not limited to, cages, barns, stables, and coops shall not be located in a front yard, and shall be setback as follows from adjacent residential property lines that are not held in common ownership:
 - (1) 5 feet for poultry or rabbits;
 - (2) 10 feet for other small animals and small livestock;
 - (3) 45 feet for livestock; and
 - (4) 75 feet for kennels and catteries.
 - (5) For purposes of this Section, a fenced area where animals are free roaming is not considered an animal enclosure.~~
5. Best Management Practices on lots less than one-half acre.
 - a. Manure shall be collected and stored in covered containers. Animal manure shall not be deposited or allowed to accumulate in any ditch, ravine, stream, river, pond, marine water, or surface of the ground, or on any road right-of-way where it may become a nuisance or menace to health as determined by the Tacoma-Pierce County Health Department.

- b. All critical area buffers and setbacks, building department, solid waste, aquifer recharge and health department regulations apply.
- G. ~~Motor tracks subject to the following restrictions:~~ (Not applicable to Tehaleh)
 - ~~1. Rural zones only;~~
 - ~~2. Parcels must be equal to or exceed 5 contiguous acres in size;~~
 - ~~3. Track shall be within an area not to exceed 2 acres in size;~~
 - ~~4. No portion of the usable track may be within 50 feet of any property line and no closer than 250 feet to a principal residential structure on any abutting property;~~
 - ~~5. The track shall only be utilized during daylight hours; no earlier than 8 a.m. and no later than 6 p.m. year round; and~~
 - ~~6. Use of the track is limited to the occupant(s) of the single-family residence.~~
- H. The parking of one vehicle up to 18,000 pounds gross vehicle weight used by the resident for commercial purposes may be allowed provided the vehicle is parked wholly within the driveway or another location specifically designed to accommodate vehicle parking. The allowable gross vehicle weight shall increase to 30,000 pounds for lots which are greater than 5 acres in size when located within a rural zone classification. The vehicle may exceed 18,000 pounds gross vehicle weight if under contract with local authorities, such as the Sheriff and/or State Patrol, to provide assistance to automobile accidents or provide assistance during inclement weather conditions.
- I. Wind power electrical generation equipment meeting the following standards shall be allowed accessory to a single-family residence:
 - 1. The equipment may not exceed more than one unit per principal residence, and shall have a total rating of less than 10kW under normal wind conditions;
 - 2. Equipment shall not be located in a front yard setback. All equipment shall comply with setbacks of the zone classification;
 - 3. Height limits for the underlying zone shall apply. The height limit may be exceeded provided the equipment is set back one additional foot for every foot said equipment exceeds the height limitation of the underlying zone classification;
 - 4. Minimum distance between the ground and any protruding blades shall not be less than 15 feet as measured from the lowest point of the arc of the blades;
 - 5. The outer and innermost guy wires must be clearly visible through the use of covers, flagging or other methods to a height of 6 feet above the guy wire anchors;
 - 6. Guy wire anchors must be a minimum of 10 feet from all property lines;
 - 7. Must be in compliance with applicable county, state and federal regulations;
 - 8. Equipment shall not be installed along the major axis of an existing microwave communications link where the operation system is likely to produce an unacceptable level of electromagnetic interference, unless the applicant provides sufficient evidence satisfactory to the Planning Director indicating that the degree of expected interference is insignificant;
 - 9. All equipment shall be located and installed in compliance with the guidelines of the Federal Aviation Regulations if located on property adjacent to an airport runway approach or clearance zone;
 - 10. Noise generated at any property line shall not exceed that allowed under Chapter 8.76 PCC; and
 - 11. In urban zones, power lines for a detached unit shall be located underground.
- J. Home-Based Day-Care facilities operate from a residence and are required to comply with the following standards:

1. Outdoor recreation shall be enclosed by a Department of Social and Health Services (DSHS) approved fence;
 2. Play equipment shall not be located in any required front or interior yard setback area; and
 3. The maximum number of individuals receiving daycare services at the facility shall not exceed 12 individuals.
- K. Home Occupation and Cottage Industry provided the following standards are met.
1. General Standards. These general standards apply to all home occupation and cottage industries:
 - a. The activity shall not create noticeable glare, noise, odor, vibration, smoke, dust, heat, or cause interference with radio or television receivers at or beyond the property lines;
 - b. Activities shall be performed completely inside the residence, an accessory structure, or a combination of the two;
 - c. Structures used for a cottage industry shall comply with building and fire code requirements for permits, occupancy, and inspection;
 - d. The activity shall be clearly incidental and secondary to the residential use of the property and shall not change the residential character of the dwelling or neighborhood;
 - e. Manufacturing shall be limited to the small-scale assembly of already manufactured parts but does not preclude production of small, individually handcrafted items, furniture, or other wood items;
 - f. Customers and clients are allowed between the hours of 6 a.m. and 9 p.m. and sales in connection with the home occupation are limited to merchandise handcrafted on site or items accessory to a service (i.e., hair care products for beauty salon);
 - g. Signage is regulated by Title 18B PCC, Development Regulations – Signs;
 - h. Off-street parking shall include one space per non-resident employee and one for each related vehicle (unless the employee drives the cottage industry vehicle only) in addition to the parking required for the single-family residence according to PCC 18A.35.040, Off-Street Parking; and
 - i. Use of hazardous materials or equipment must comply with the requirements of the Uniform Building Code and the Uniform Fire Code.
 2. Home Occupations may be allowed in urban and rural zones with issuance of a Home Occupation Permit and when in compliance with the following standards, in addition to the general standards:
 - a. The home occupation shall be limited to an area not more than 500 square feet or a size equivalent to 50 percent of total floor area of the living space within the residence, whichever is less;
 - b. Only the resident can perform the home occupation;
 - c. One vehicle up to 18,000 pounds gross vehicle weight is allowed; and
 - d. There shall be no outside display or storage of materials, merchandise, or equipment.
 3. Cottage Industry Level I may be allowed in urban and rural zones with approval of an Administrative Use Permit (AUP) and compliance with the following standards:
 - a. The cottage industry shall be limited to 1,000 square feet or a size equivalent to 50 percent of total floor area of the living space within the residence, whichever is less;

- b. Two non-resident employees are permitted;
 - c. Two 18,000 pounds gross vehicle weight vehicles are allowed; and
 - d. A Level 3 landscaping buffer shall be provided between cottage industry activities and neighboring residential dwellings. See PCC 18J.15.050 for landscape buffer standards.
4. ~~Cottage Industry Level II may be allowed in rural zones only upon issuance of a~~ (Not applicable to Conditional Use Permit (CUP) and compliance with the following standards: Tehaleh)
- ~~a. The cottage industry shall be limited to 1,500 square feet or a size equivalent to 50 percent of total floor area of the living space within the residence; whichever is less. Properties which are 5 acres or greater may exceed this requirement at the Examiner's discretion;~~
 - ~~b. Four non-resident employees are allowed;~~
 - ~~c. Three 18,000 pounds gross vehicle weight vehicles and one vehicle in excess of 18,000 pounds gross vehicle weight are allowed;~~
 - ~~d. Activities and outside storage of materials and equipment are allowed provided the site is sufficiently screened;~~
 - ~~e. Activities involving outdoor events, such as wedding facilities, shall be limited to six outdoor events per year, with no more than one event per month; properties which are greater than 10 acres in size may exceed this standard at the Hearing Examiner's discretion;~~
 - ~~f. Outside material and vehicle storage shall be screened from neighboring residential dwellings with a Level 3 landscape buffer and F1 fencing. See PCC 18J.15.040 for landscape and fence buffer standards; and~~
 - ~~g. A Level 3 landscape buffer shall be provided between cottage industry activities and neighboring residential dwellings. See PCC 18J.15.040 for landscape buffer standards.~~
- L. Accessory Dwelling Unit (ADU).
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- 1. The establishment of an ADU shall be subject to the following general requirements:
 - a. One ADU shall be allowed per lot of record as an accessory use in conjunction with any detached single-family structure in all zones. ADUs shall not be permitted on lots created under Chapter 18J.17PCC, Small Lot Design. ADUs shall not be included in density calculations.
 - b. An ADU shall be converted to another permitted use or shall be removed if one of the two dwelling units is not owner occupied.
 - c. An ADU shall be permitted as a second dwelling unit attached to, or detached from, the principal dwelling.
 - d. A detached ADU may be any dwelling permitted in the applicable land use classification.
 - e. New construction of a detached ADU or conversion of an existing detached structure to an ADU shall not be permitted within the required front, side, or rear yard setback. An exception to the required rear yard setback may be allowed if the rear yard abuts an alley.
 - f. If an ADU is created by constructing a new detached structure, the building height of the ADU shall not be greater than the principal dwelling's building height, unless the ADU is above a detached garage.
 - 2. Size. An ADU shall be no greater than 1,000 square feet when located in an Urban Growth Area. When located outside an Urban Growth Area, the size may increase to 1,250 square feet.

Chapter 18A.38

TEMPORARY DEVELOPMENT

Sections:

- 18A.38.010 Purpose.**
- 18A.38.020 Temporary Uses Allowed-Number of Days Allowed.**
- 18A.38.030 Temporary Use/Duration and Frequency.**
- 18A.38.040 Temporary Housing Community.**
- 18A.38.050 Temporary Structures.**

18A.38.010 Purpose.

The purpose of this Chapter is to establish allowed temporary uses and structures, and provide standards and conditions for regulating such uses and structures. (Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.38.020 Temporary Uses Allowed-Number of Days Allowed.

- A. The numbers in this Table represent the cumulative number of days the specific temporary use may be allowed on an individual property within any 12-month period. It is the applicant's discretion as to how the days are utilized throughout the 12-month period. A temporary use as listed below shall not be subject to parking provisions contained within Chapter 18A.35 PCC or the landscaping provisions of Chapter 18J.15 PCC. Produce and flower sales that are considered a permanent use as described in 18A.33.260 A., Agritourism, may be subject to Title 18J PCC, Development Regulations – Design Standards and Guidelines, and parking provisions when the time frames specified herein are exceeded.

Table 18A.38.020-1. Temporary Uses Allowed-Number of Days Allowed						
Temporary Use Types and Number of Days Allowed	Urban Centers	Urban Districts	Urban Residential	Resource Lands	Rural Centers	Rural Residential
Produce (1)	120	120		120	120	120
Flowers (1)	30	30		30	30	30
Fireworks (1)(2)	14	14			14	
Christmas Trees (1)	45	45		45	45	45
Carnivals/Circuses (1)	14	14			14	
Community Festivals (1)	14	14	14	14	14	14
Garage Sales (3)	8	8	8	8	8	8
Parking Lot Sales (1)	14	14			14	
Camping and Recreational Vehicle Use (4)	120	120	120	120	120	120
Temporary Events (150 or more people)	(refer to Events, Chapter 18A.40 PCC)					

Urban Centers = Business Park, Neighborhood Center, and Community Center Zones of Tehaleh
 Urban Residential = Residential and Multi-Family Zones of Tehaleh

Table 18A.38.020-1. Temporary Uses Allowed-Number of Days Allowed						
Temporary Use Types and Number of Days Allowed	Urban Centers	Urban Districts	Urban Residential	Resource Lands	Rural Centers	Rural Residential
Temporary Housing Communities	(refer to Temporary Housing Communities, PCC 18A.38.040)					
<p>Temporary uses for any number of people and not advertised as open to the public with or without a fee, or temporary uses sponsored by tax-exempt organizations, public schools, or municipal entities shall not be subject to the standards set forth in this Chapter. Examples of such temporary uses include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Family reunions/picnics; • Weddings, Birthdays, Anniversaries; • Sporting or other fund raising events sponsored and held on school grounds; • Business or Corporate Retreats; • Organized religious events; and • Activities conducted in a public park or on public lands with approval of the local governing agencies. <p>Activities which have been authorized through an approved discretionary land use permit shall not be subject to the standards set forth in this Chapter.</p>						

Footnotes:

- (1) Occupying recreational vehicles in conjunction with this temporary use is limited to guard, caretaker, and similar functions which prohibit public entry into the vehicle. The number of days the recreational vehicle is allowed on the site shall be the same as the associated temporary use.
- (2) Actual number of days fireworks sales are allowed is subject to Chapter 5.08 PCC and Washington State requirements.
- (3) Garage sales are not subject to affidavit requirements of 18A.38.030 A.1.
- (4) Camping and recreational vehicles shall meet the standards set forth in PCC 18A.38.010, 18A.38.020, 18A.38.030, and 18A.38.050 E.

(Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.38.030 Temporary Use/Duration and Frequency.

A. Temporary uses shall be limited in duration and frequency as follows:

1. Any proponent of a temporary use shall file an affidavit with the Planning and Land Services Department which specifies the type of use, location, and specified days and hours of operation of the proposed temporary use. The affidavit form is available at the Department.
2. The duration of the temporary use shall include the days the use is being set up and established as well as when the event actually takes place.
3. A parcel may host no more than three temporary uses within a calendar year; provided the time periods specified in PCC 18A.38.020, Temporary Uses Allowed-Number of Days Allowed, are not exceeded. Multiple temporary uses may occur on a parcel concurrently provided the time periods in PCC 18A.38.020 are not exceeded.
4. Recreational vehicles, travel trailers, or tents shall not be used as a permanent place of abode, or dwelling, for indefinite periods of time, except as stipulated in PCC 18J.15.200 for mobile home parks. Occupancy of a recreational vehicle, travel trailer or tent, or combination thereof, for more than 120 days in any 12-month period shall be considered permanent occupancy.
5. Temporary parking lots associated with a temporary use shall not remain longer than the associated temporary use.

(Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.38.040 Temporary Housing Community.

- A. A Temporary Housing Community is intended to provide temporary housing/shelter for more than a family as defined in PCC 18.25.030 and may house up to 60 adults no longer than 90 consecutive days. The following requirements must be met prior to permitting a temporary housing community:
1. Must be confined to a single parcel of land.
 2. Shall house no more than 60 adults.
 3. The minimum distance between the temporary housing community shall be no less than 1 linear mile between other similar operations.
 4. Shall not be located closer than 100 feet from any dwelling on adjacent parcels.
 5. Shall not be located closer than 1 linear mile from any public or private schools. However, this locational criteria shall not apply if such facilities already exist on the site or are planned as part of the temporary housing community.
 6. A site may only host one temporary housing community per calendar year.
 7. Shall not be located closer than one-half mile from any group home, retirement home, senior center, licensed day care, or other vulnerable population. However, this locational criteria shall not apply if such facilities already exist on the site or are planned as part of the temporary housing community.
 8. Issuance of a Site Specific Information Letter (SSIL) shall be required prior to set-up, construction or occupancy of any tents or other temporary structures or housing facilities on the lot, parcel, or tract of land hosting the event.
 9. Set-up time for the host site shall not be included in the 90 days. Specified set-up times will be determined in the review of the Site Specific Information Letter.
 10. The event shall comply with all conditions of approval as set forth under a Site Specific Information Letter. Such conditions shall be based on expected or potential impacts of the event related to traffic, waste management, public health, noise effects on surrounding properties, public safety, and any other issues identified by the County.
 11. Prior to issuance of the SSIL, any and all other local, state and federal regulatory agencies, fees, permits or conditions of approval shall be met by the applicant as well as the following:
 - a. That adequate provisions have been made for on-site sanitary waste and potable water;
 - b. That provisions are made to ensure habitable conditions during inclement weather;
 - c. That the site is within reasonable walking distance (1/4 mile measured along sidewalks or roads) to public transportation;
 - d. That a security plan is in place and resources are available to implement it; and
 - e. That the sponsors have developed a transitional plan for relocation of the residents of the community.

(Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.38.050 Temporary Structures.

- A. **Temporary Construction Buildings.** Temporary structures for the storage of tools and equipment, or containing supervisory offices in connection with major construction projects, may be established and maintained during the progress of such construction on such projects. Such buildings shall be removed within 30 days after completion of the project or 30 days following completion of work.

- B. Temporary Real Estate Office.** One temporary real estate sales office may be located on any new subdivision in any zone; provided the activities of such office shall pertain only to the selling of lots within the approved divisions of land of 5 or more lots or phase of division upon which the office is located. The temporary real estate office shall be removed at the end of a 3-year period measured from the date of the recording of the map of the land division upon which such office is located.
- C. Temporary Housing Unit During Construction.** A temporary housing unit during construction may be placed on a lot or tract of land in any zone for occupancy during the period of time necessary to construct a permanent use or structure on the same lot or tract or abutting property leased or owned by the applicant. Existing dwelling units may be converted to a temporary housing unit. A temporary housing unit is subject to the following:
1. The unit is removed from the site within 30 days after final inspection of the project, or within one year from the date the unit is first moved to the site, whichever may occur sooner.
 2. The unit is not located in any required yard.
 3. A permit is issued by the Building Division prior to occupancy of the unit on the construction site.
- D. Temporary Housing Unit for Family.** A temporary housing unit for family is permitted in all zones subject to the following regulations:
1. A permit for a temporary housing unit for family may be issued by the Building Division if the applicant satisfies the criteria set forth in PCC 18A.38.050 D.2. below and attests by affidavit that:
 - a. The information furnished with the application is true and correct.
 - b. That the standards and conditions set forth in the permit will remain satisfied as long as the temporary housing unit remains on the site.
 2. The following are the minimum standards applicable to a temporary housing unit for family.
 - a. The temporary housing unit shall be occupied by the parent or parents of the occupants of the dwelling, or not more than one individual who is a close relative of the occupants of the principal dwelling.
 - b. An occupant of the temporary housing unit because of age, disability, prolonged infirmity, or other similar incapacitation is unable to independently maintain a separate type of residence without human assistance.
 - c. The temporary housing unit must bear the HUD 3280 seal.
 - d. In the event the Health Department requires the installation of separate water supply and/or sewerage disposal systems, said requirements shall not at a later time constitute grounds for the continuance or permanent location of a temporary housing unit beyond the length of time authorized in the permit or renewal of said permit.
 - e. Prior to the issuance of a permit, the County shall review the application and may require the installation of such fire protection/detection equipment as may be deemed necessary as a condition to the issuance of the temporary housing permit.
 - f. The temporary housing unit shall be removed from the lot or tract of land not more than 30 days from the date the permit expires or occupancy ceases.

3. Permits shall be valid for the period of time the parent or close relative resides in the temporary housing unit; provided, that after obtaining initial approval, annual renewals of the temporary housing permit must be obtained from the Building Official. When obtaining a renewal, the Building Official shall confirm by affidavit from the applicant that the requirements specified herein are satisfied. Application for renewals must be made 60 days before the expiration of the current permit. Renewals of said permits shall be automatically granted if the applicant is in compliance with the provisions herein and no notice of such renewal is required.
- E. **Temporary Occupancy of Recreational Vehicle, Travel Trailer or Tent.** A recreational vehicle, tent, or travel trailer located on a lot of record may be temporarily occupied, for the time period noted in PCC 18A.38.020, subject to compliance with the standards set forth in this Section. Recreational vehicles, travel trailers, or tents located within an approved recreational vehicle park are not subject to the standards set forth in this Section. See PCC 18J.15.210 for regulations applicable to recreational vehicle parks.
1. Temporary occupancy of a recreational vehicle, tent, and/or travel trailer is permitted in all zones when in compliance with the following:
 - a. Within the urban growth area, only a recreational vehicle, tent, or travel trailer located on a lot developed with a principal dwelling unit may be occupied for the temporary period noted in PCC 18A.38.020. Provided that, however, urban lots located on a Shoreline of the State and within a Shoreline Environment that permits residential or recreational use may host a recreational vehicle, travel trailer, or tent for the temporary period noted in PCC 18A.38.020, whether the lot is developed or undeveloped. All other recreational vehicles, tents, or travel trailers on undeveloped lots located within the urban growth area shall not be occupied for any period of time.
 - b. Within the rural area, occupancy of a recreational vehicle, tent, or travel trailer may be allowed regardless of whether or not a principal dwelling unit exists on the lot.
 - c. A recreational vehicle or travel trailer parked on a public or private roadway or the right-of-way or easement for that roadway shall not be occupied.
 - d. Recreational vehicles shall not be placed in critical areas or their associated buffers.
 - e. The recreational vehicle, travel trailer, or tent shall be removed from the lot or tract of land on which it is located within 14 days of the expiration of the temporary occupancy period, except that a recreational vehicle and/or travel trailer may remain on site unoccupied if the person or entity in control of the property is the legal or registered owner.
 - f. A recreational vehicle, travel trailer or tent may be occupied for up to 14 days per year without a temporary use permit.
 2. An approval for the temporary occupancy of a tent, travel trailer, or recreational vehicle is valid for a maximum of 120 days when in compliance with PCC 18A.38.050 E.1. above. Extensions of this approval may be granted by the Director on a case-by-case basis, when needed, in situations of undue hardship and provided that efforts to relocate or acquire permanent housing are underway. This time period shall be reduced accordingly by the length of time any other recreational vehicle, travel trailer, or tent was occupied on the same lot as the subject request during the 12 months immediately prior to the request.

- F. **Temporary Storage in Cargo Containers.** Cargo Containers may be placed in the following zones: Employment Center zones, to include Community Employment (CE), Employment Center (EC), and Employment Services (ES), and Urban Center zones, to include Community Center (CC) and Mixed Use District (MUD), when the following standards are complied with:
1. Materials stored within cargo containers must be directly related to an approved commercial and/or industrial use on site;
 2. No storage of hazardous materials may take place within cargo containers;
 3. Cargo containers may not be rented for personal or commercial storage uses;
 4. Cargo containers must be in compliance with bulk requirements of Development Regulations;
 5. Cargo containers may not encumber required parking, aisle or landscaping, and may not block Emergency Vehicle Access or established vehicle routes;
 6. No more than five cargo containers may be used for storage associated with industrial uses at a time;
 7. No more than two cargo containers may be used for storage associated with commercial uses at one time; and
 8. Cargo containers may not be on any site in excess of 180 days within any 12-month period. (Applies to Business Park, Neighborhood Center and Community Center Zones of Tehaleh)
- G. **Public Nuisance Abatement.**
1. **Designated Public Nuisance Sites.**
 - a. Pierce County Public Works and Utilities may arrange for the placement of machinery/equipment on designated public nuisance site or sites otherwise arranged by Pierce County as a temporary use. With authorization provided in either a Superior Court ordered Warrant of Abatement or from the Planning Director, temporary on-site activities and/or processes (i.e., waste staging, screening, processing, shredding, chipping, recycling, car crushing) will accommodate public nuisance abatement efforts.
 - b. Designated property(s) and subsequent on-site activities/processing shall only occur on a temporary basis in order to abate public nuisances as defined in Chapter 8.08 PCC, Public Nuisances, and shall not exceed 180 days unless a time extension is granted. Time extensions may be granted by the Director on a case by case basis. Requests must be submitted in writing, provide justification for the extension, and specify the additional time needed.
 - c. Designated property(s) as described shall not be exempt from applicable local, state or federal requirements related to public health and safety.
 2. **Emergency Proclamation/Declared Disaster.**
 - a. Pierce County may designate either private or public property with authorization of property owner or appropriate controlling agency for the purpose of temporarily receiving, staging and processing waste generated during or after an Executive/State proclaimed Emergency or Federal declaration of Disaster. Designated property may be predetermined or selected at the time of the proclaimed/declared Emergency or Disaster to accommodate emergent debris removal efforts posing an immediate threat to public health and safety or hindering recovery efforts.

- b. For the purpose of this Section, an Emergency proclamation or declaration of Disaster may be made by any of the following: Pierce County Executive, Pierce County Council, Washington State Governor, or the President of the United States.
- c. Designated property shall only be utilized during, and immediately following a proclaimed Emergency or declared Disaster; not to exceed 180 days unless a time extension is granted. Time extensions may be granted by the Director on a case by case basis. Requests must be submitted in writing, provide justification for the extension, and specify the additional time needed. Every reasonable effort will be utilized to return the property to its pre-use condition within one year after on-site recovery operations cease.
- d. Designated property as described shall not be exempt from applicable local, state or federal requirements related to public health and safety.

H. **Shoreline Accessory Uses.** Please refer to the Shoreline Management Use Regulations, Title 20 PCC, for accessory use standards applicable within a regulated shoreline area. (Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

Chapter 18A.40

EVENTS

Sections:

- 18A.40.005 Purpose.**
- 18A.40.010 Applicability.**
- 18A.40.020 Exemptions.**
- 18A.40.040 Application and Approval.**
- 18A.40.050 Event Announcement.**
- 18A.40.060 Review Required.**
- 18A.40.070 Operation Standards.**
- 18A.40.080 Outdoor Music Festivals.**
- 18A.40.090 Aquatic Events.**
- 18A.40.100 Insurance.**
- 18A.40.110 Compliance.**

18A.40.005 Purpose.

This Chapter provides regulations for the permitting of temporary events to insure an adequate level of safety and compatibility while accommodating events that serve to enhance our quality of life. Examples of events include, but are not limited to, fairs, concerts, tourism at farms, movies, dances, races, regattas, parades, runs, walks, festivals, sporting events, street fairs, arts and crafts shows, carnivals, circuses or similar transient amusement or recreational activities, rallies, and rodeos. (Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.40.010 Applicability.

This Chapter shall apply to the following:

- A. Temporary events where the activity is not designated or intended as a permanent use, and the event is expected to result in any one or more of the following effects:
 - 1. Gathering of 150 persons or more at any one time.
 - 2. Disruption of the ordinary and normal use of a public facility or public right-of-way.
 - 3. Requires increased public service above what would be normally required in the absence of the event including, but not limited to, fire, police, traffic control, and crowd control measures.
- B. **Outdoor Music Festivals.** Outdoor entertainment, amusement and/or assembly, which attracts, or it is reasonably anticipated will attract, 1,000 or more persons, in which the presentation of outdoor, live or recorded musical entertainment is or is anticipated to be a major activity is subject to additional regulations set forth in PCC 18A.40.080.
- C. **Aquatic Events.** Events on water shall also be subject to the regulations set forth in PCC 18A.40.090.

(Ord. 2014-42 § 2 (part), 2014; Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.40.020 Exemptions.

This Chapter shall not apply to the following:

- A. Funeral processions.
- B. Groups required by law to be so assembled.

- C. Assembly of persons or event on school or public park grounds.
 - D. Established permanent places of worship.
 - E. Other activities and events deemed by the Director to be exempt.
- (Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.40.040 Application and Approval.

A. Approval Required.

- 1. An event may not operate until an event approval has been issued as provided in this Chapter.
- 2. An event approval shall not be issued to any person under 18 years of age.
- 3. An event approval shall not be transferable or assignable without the consent of the Director.

B. Application.

- 1. Event permit applications shall be submitted to Planning and Land Services (PALS) 90 or more days prior to the first day of the event for which the application pertains.
- 2. The County may accept one event application spanning a series of periodic dates for events such as outdoor concert series or farmer/art markets that have identical event set-up and dismantle times, site plans, and service providers.
- 3. If event plans vary significantly from day-to-day or have multiple distinct event types (e.g., a parade with a separate festival) that may be best managed as separate events, the County may require separate applications for the specific event types.
- 4. An event or events that take place more often than 90 total calendar days per year per project site shall not be considered a temporary use and shall be considered a principal use subject to all applicable regulations for such principal use.

C. Approval Issuance.

- 1. Subsequent to the filing of an application, the County shall, without unreasonable delay, approve or deny an application.
- 2. The Director shall have the authority to impose conditions upon the approval that promote public safety and are consistent with the purposes of this Chapter.
- 3. If the application is denied, the Director shall inform the applicant of the grounds for denial.

D. Modification of Approval. The Director may modify an approval by imposing additional conditions, or by modifying or removing existing conditions, as necessary to promote public safety and accomplish the purposes of this Chapter.

E. Duration of Approval. Approvals are valid for the duration of the event(s), as specified in the approval.

(Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.40.050 Event Announcement.

- A. The applicant may be required to provide event information to nearby residents and businesses. The announcement shall be provided at least seven days prior to the event, and at a minimum, shall include the following information:
 - 1. Date and time of event;
 - 2. Type of activities to be held at the event; and
 - 3. Mobile number that is staffed by an event representative throughout the event set-up, event duration, and dismantle.

- B. The event approval shall, at all times, be kept posted in a conspicuous place where the event is being conducted.

(Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.40.060 Review Required.

Event applications may be reviewed by the following departments, and may be reviewed by others as deemed appropriate by the Director:

- A. **Pierce County Planning and Land Services.** Planning and Land Services is responsible for processing all event applications, reviewing applications for compliance with the submittal standards for structures and membranes, and shall determine if adequate parking, ingress and egress facilities are provided.
- B. **Pierce County Fire Prevention Bureau.**
 - 1. Written approval of the County Fire Marshal is required, indicating that reasonable access will be available at all times during the operation of the event for transporting fire and emergency equipment to the site, and to other persons and properties in the vicinity of the proposed event.
 - 2. All events must comply with the applicable provisions of the Pierce County Fire Code, Chapter 15.12 PCC, as enacted or thereafter amended.
 - 3. Each event operating amusement rides shall provide to the Fire Marshal certification that all rides have been inspected for safety by a recognized safety inspection program approved by the current liability insurance carrier. Safety inspections shall be made annually and each ride which passes the safety inspection shall be stamped for proper documentation.
 - 4. The Pierce County Fire Marshal is authorized to inspect all event venues and equipment for compliance with all applicable Uniform Fire Code requirements, and may also inspect for amusement ride safety certification, electrical inspection certification, and daily amusement ride inspection reports.
- C. **Tacoma-Pierce County Health Department (TPCHD).**
 - 1. The Tacoma-Pierce County Health Department reviews the application for compliance with applicable regulations pertaining to environmental health.
 - 2. The Tacoma-Pierce County Health Department, or its equivalent, may inspect all event premises and all applicable equipment for compliance with all applicable health regulations.
- D. **Pierce County Risk Management.** The Department of Risk Management reviews event applications to ensure that adequate insurance is provided.
- E. **Pierce County Sheriff.**
 - 1. The Sheriff determines if adequate traffic control and crowd protection policing have been contracted for by the applicant.
 - 2. In the event it becomes necessary to secure the services of a deputy sheriff to properly enforce the provisions of this Chapter or to maintain order at an event, all expense for such services shall be borne by the applicant and it is the applicant's duty to secure the service of such officer or officers as are necessary to preserve order.
 - 3. If alcoholic beverages will be furnished and/or sold at the event, a permit from the Washington State Department of Liquor Control is required in addition to an event approval. The County Sheriff and State representatives will review the event plans and alcohol management strategies before the license is approved. If the event will take place on public park land; within a county-owned facility; or other county

managed property, a letter of authorization to serve alcohol from an authorized representative of the managing County department shall be provided. Both the Sheriff and managing County department may place restrictions on the way in which alcohol is managed at the event.

4. All grounds and any building, room or other structure wherein the event is held shall at all times be open to inspection by the Sheriff, his deputies, or any other government official(s).

- F. **Pierce County Public Works and Utilities.** Each application to hold a parade, motorcade, run, or assembly within the public right-of-way shall be reviewed by the Public Works and Utilities Department.

(Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.40.070 Operation Standards.

The following general standards shall apply to all events subject to review under this Chapter, unless otherwise specified in the approval.

A. Duration and Hours of Operation.

1. Each project site may host an event or events for no more than 90 total calendar days per year.
2. All events shall be discontinued and no part thereof shall be open after the hour of 1 a.m., and shall remain closed until 10 a.m. of the same day unless different hours are approved by the Director.

B. Duty of Preserving Order. The applicant shall preserve order.

C. Amplified Sound. The event shall comply with Chapter 8.76 PCC, Noise Pollution Control. Additionally, the applicant shall carefully assess the environment in which the event is proposed to take place in order to develop a plan that best limits the impact of sound generated by event activities to the surrounding neighborhood.

1. Issues to be considered include, but are not limited to:
 - a. The direction of speakers;
 - b. Use of directional speaker systems with cut-off points;
 - c. Placement of smaller sound systems in specific locations throughout the venue rather than far-ranging single amplification systems;
 - d. Placement of speakers and sound system devices; and
 - e. The use of amplified music during the set-up and dismantle of the event.
2. A schedule for sound checks (short time periods of excessive noise), if planned as part of the event, shall be authorized as part of the approval.
3. Unless otherwise stated, issuance of an event approval will serve as approval to use amplified sound within the event venue as outlined in the application. Decibel readings at pre-determined locations may be required throughout the event. Where sound exceeds the approved decibel/sound limits, the Sheriff or Health Department shall require that the sound be reduced or discontinued.

(Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.40.080 Outdoor Music Festivals.

An outdoor music festival is any outdoor entertainment, amusement and/or assembly, which attracts, or it is reasonably anticipated will attract, one thousand or more persons, in which the presentation of outdoor, live or recorded musical entertainment is or is anticipated to be a major activity. All outdoor music festivals are subject to the regulations set forth in this Chapter, unless otherwise specified in this Section:

- A. No approval shall be granted for an Outdoor Music Festival of more than one day's duration.
- B. Outdoor music festivals shall not be open to the public before the hour of 10 a.m. and shall not remain open to the public after 12 midnight of the same day.
- C. No firm, person, society, association or corporation conducting an outdoor music festival, nor any person having charge or control thereof at any time when an outdoor music festival is being conducted, shall permit any person to bring into said outdoor music festival, 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 onto said premises or drink thereon intoxicating liquor.
- D. No approval shall be granted for an outdoor music festival unless the application is accompanied by the written approval of the Sheriff of Pierce County indicating that the following conditions have been complied with by the applicant.
 - 1. That adequate traffic control and crowd protection policing have been contracted for by the applicant. Traffic control and crowd control personnel shall be commissioned peace officers, licensed merchant patrolmen, or named persons meeting the Pierce County Sheriff's requirements for becoming merchant patrolmen. One such person shall be provided for each 200 persons reasonably expected to be in attendance at any time during the event for the purpose of crowd control, and one such person shall be provided for the purpose of traffic control for every 400 persons reasonably expected to be in attendance; provided, that no less than 20 percent of the traffic and crowd control personnel shall be commissioned police officers or deputy sheriffs: provided further, that any commissioned police officer or deputy sheriff who is employed and compensated by the promoter of an outdoor music festival shall not be eligible and shall not receive any benefits whatsoever from any public pension or disability plan of which he is a member for the time he is so employed or for any injuries received during the course of such employment.
 - 2. It shall be the duty of policing personnel other than commissioned police officers or deputy sheriffs to report any violations of the law to the Pierce County Sheriff or his deputies.
- E. No outdoor music festival shall be operated in a location which is closer than 500 yards from any school, church, house, residence or other place of permanent human habitation.
- F. No application for an outdoor music festival permit shall be issued until the Pierce County Sheriff shall have fingerprinted, investigated the character and reputation of the applicant or applicants, and his or their fitness to conduct such business. Every application shall be accompanied by the fingerprints and a 3-inch by 5-inch photograph of each and every person having any proprietary interest of 10 percent or more in said licensed activity.

(Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.40.090 Aquatic Events.

All events on water are subject to the regulations set forth in this Chapter, unless otherwise specified in this Section:

- A. An individual or organization planning to hold a regatta, race, or aquatic event which by its nature circumstances or location may introduce extra or unusual hazards to the safety of life on the waters of the County, shall submit an application to the Department. The application shall, at a minimum, be reviewed by the Sheriff, Parks and Recreation, and Risk Management.

- B. Where such events are to be held regularly or repeatedly in a single area by an individual or organization, the Department may, subject to conditions, grant a permit for such series of events for a fixed period of time, not to exceed one year.
 - C. Applications shall include the following details.
 - 1. Name and address of the sponsoring organization.
 - 2. Name, address, and telephone number of person or persons in charge of the event.
 - 3. Nature and purpose of the event.
 - 4. Information as to general interest.
 - 5. Estimated number and types of vessels participating.
 - 6. Estimated number of spectator vessels.
 - 7. Estimated number of persons, participants, and all others.
 - 8. Minimum number of vessels and persons furnished by sponsoring organization to patrol the event.
 - 9. A time schedule and description of activities.
 - 10. A scale drawing showing the boundaries of the event, various water courses, or areas to be utilized by participants, officials, and spectators.
 - D. Upon receiving an application to hold a regatta, race, or aquatic event, the Sheriff and Parks and Recreation shall take the following actions or make the following determinations:
 - 1. That the proposed regatta, race, or aquatic event may be held at the proposed location with safety to life;
 - 2. That the interest of safety of life and property requires changes in the application before it can be approved;
 - 3. That the event requires no regulation or patrol at the proposed location;
 - 4. That the application is to be recommended for approval or rejection by the County Executive for stated reasons; and
 - 5. The recommendations shall be sent to the Department at least 30 days prior to event.
 - E. The Department may, before taking action on the application, require the applicant to petition or poll the property owners on the lake who could be affected by the event. The Department may also require that the applicant post notice in the local paper and/or at the proposed site of the event, prior to taking action on the application.
 - F. The Sheriff may close for general use any part or whole of a lake for the purpose of the aquatic event.
 - G. If the Sheriff deems safety requires, one or more Sheriff's Department vessels may be assigned to the event for the purpose of enforcing not only the event regulations, but also for assistance work and the enforcement of laws generally. The Sheriff may charge a fee for services provided under this Section.
 - 1. Nothing in the provisions of this Section shall be construed to mean that the operator of a vessel competing in a race, regatta, or trials, which has been duly authorized, or an operator engaged in industrial development and testing of experimental and product vessels, shall be prohibited from attempting to obtain high speed on approved racing and testing courses, nor while so engaged shall such vessels or operators be required to comply with RCW 79A.60.130.
- (Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.40.100 Insurance

- A. Prior to event permit approval, Pierce County Risk Management shall find that Commercial General Liability insurance and a separate additional Insured Endorsement for the Host Organization and all contracted service providers has been provided.
 1. If the event includes the use of alcohol, Liquor Liability Insurance will also be required.
- B. Minimum policy limits are generally \$1 million per occurrence with a \$2 million aggregate; however, the County reserves the right to adjust policy limits according to the level of risk associated with the event.
 1. Events operating amusement rides shall provide a Certificate of Insurance showing evidence of Comprehensive General Public Liability and Property Damage Liability Insurance with limits of not less than \$10 million per occurrence.
 2. Each policy and endorsement must include the County, its officer, employees, volunteers and agents as additionally named insured.
 3. Insurance coverage must be primary and maintained for the duration of the event including set-up and dismantle dates and times.
- C. The applicant and all contracted service providers that have paid employees must also submit proof of Workers Compensation Insurance with a minimum policy limit of \$1 million.
- D. If the event has pollution or environmental exposure, an Environmental Insurance Policy will be required with a minimum limit of \$1 million naming the County as an additional insured.
- E. If a service provider indicates their insurance is already on file with the County Risk Management Department, that information shall be included with the submission of insurance documents. Examples of common service providers include: Professional Event Organizer, Medical Services, Private Security Company, Parking/Shuttle Company, Equipment Rental Company, Power/Lighting Company, Staging/Production Services Company, Sanitation Services, Pyrotechnic/Special Effects Provider, Catering/Bar Service.

(Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)

18A.40.110 Compliance

- A. The Applicant is responsible for complying with the requirements of this Chapter. No provision is intended to impose any obligation upon the County, or its officers, employees, or agents.
- B. It is the applicant's responsibility to insure that all equipment and devices used in the event comply with all applicable State and Federal regulations.
- C. The applicant shall insure that any and all devices used for the purposes of gambling are duly licensed pursuant to State and County laws and regulations.
- D. It is unlawful for any person, persons, corporation, organization, landowner, or lessor to allow, encourage, organize, promote, conduct, permit, cause to be advertised or participate in an event, unless an event approval has been obtained from the Planning and Land Services (PALS) for the operation of said event.
- E. See Chapter 18.140 PCC for enforcement and penalty provisions.

(Ord. 2013-85 § 1 (part), 2013; Ord. 2013-30s2 § 5 (part), 2013)