WP0128C-ORD
02/10/93

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4486

AN ORDINANCE relating to licensing of promoters for temporary special events and amending the Bellevue City Code by adding a new chapter to be designated Chapter 5.12, Temporary Special Events, consisting of twelve sections, numbered 5.12.010 through 5.12.120.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Title 5 of the Bellevue City Code is hereby amended by the addition of a new Chapter 5.12 thereto, to be designated Temporary Special Events, consisting of twelve sections, numbered 5.12.010 through 5.12.120 as follows:

5.12.010. License Requirement. It shall be unlawful for any person, group of persons, partnership, association, corporation, or any other type of business entity to act as a promoter of a temporary special event without first obtaining a temporary special event license. Examples of temporary special events include, but are not limited to, trade shows, festivals, fairs, arts and crafts shows, home shows, recreational vehicle shows, boat shows, and antique shows open to the public.

5.12.020. Definitions. As used in this chapter, the following terms have the meanings indicated:

A. "Promoter" shall mean any person, group of persons, association, partnership, corporation, or firm engaged in the business of providing to any vendor, directly, or indirectly, sales areas within a temporary special event location for the purpose of using such location during the term of a temporary special event license.

B. "Sales Area" shall mean any stall, booth, stand, space, section, unit, or specified floor area within any temporary special event location where goods or services are offered or displayed by a vendor for the purpose of sale, trade, barter, exchange or advertisement.

C. "Temporary Special Event" shall mean the congregation of a minimum of fifteen (15) vendors who rent, lease, purchase or otherwise obtain a sales area from or through a promoter for the purpose of selling, bartering, exchanging, trading or displaying goods or services at an event which is open to the public for a period not to exceed ten (10) consecutive calendar days.

D. "Temporary Special Event Location" shall mean an area, open to the public, wherein vendors congregate for the purpose of participating in a temporary special event.

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E. "Vendor" shall mean any person, association, group, partnership, corporation or firm who exhibits goods or services in a temporary special event location provided through a licensed temporary special event promoter, for the purpose of selling, bartering, trading, exchanging or advertising such goods or services.

5.12.030. Exclusion. Promoters who promote an event at which attendance is restricted and which event is not open to the public are excluded from the licensing requirement of this chapter.

5.12.040. Exemption Under Chapter 4.08. Vendors included under a promoter's temporary special event license are exempt from the provisions of BCC Chapter 4.08 for the term and activity for which the license was issued.

5.12.050. Term of License. Each license issued under this chapter shall be limited to the number of days approved for operation of the temporary special event for which the license was issued. No license shall be effective for more than ten (10) consecutive calendar days.

5.12.060. Collection by Promoter. The license fee required pursuant to Section 5.12.080 shall be collected by the promoter from each vendor who intends to be included under the promoter's temporary special event license and shall be remitted by the promoter to the City three (3) days prior to the commencement of the temporary special event. The promoter shall be personally responsible for any sums collected, or any sum which should have been collected from a vendor.

5.12.070. License Application. At the time of applying for a license pursuant to this chapter, the promoter shall submit to the Tax Office a list of the total number of vendors participating at the special temporary event for which the license is sought, which list shall include the vendors' names, addresses, and business phone numbers, together with a general description of the goods and/or services offered by each vendor.

5.12.080. License Fee. The temporary special event license fee required to obtain a license pursuant to this chapter shall be an amount equal to $5.00 a day for each vendor participating at the temporary special event for each day of the event, not to exceed a total of $40.00 for each vendor.

5.12.090. Records. A promoter of a temporary special event shall maintain a record of all vendors participating in such event, and such records shall be available for inspection by the Tax Office or its designated agent during normal business hours.

5.12.100. Administration. The City Manager, or his or her designee, shall have the power, and it shall be his/her duty, from time to time, to adopt, publish, and enforce rules and regulations not inconsistent with this chapter for the purpose of carrying out the provisions hereof.

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5.12.110. Penalties and Interest. A promoter of a special temporary event who fails to file a complete license application or who fails to remit the required license fee to the City at least three (3) days prior to such special temporary event shall have added to the license fee required by Section 5.12.080 an amount equal to ten (10) percent of such license fee. An extension of time to file the application and/or remit the license fee may be granted by the Tax Administration Manager for good cause shown. Interest may be assessed in the amount of twelve (12) percent per annum for any unpaid license fee from the date due and owing to the City. Failure to obtain a special temporary event license for a special temporary event shall render all vendors participating in the event subject to the provisions of BCC Chapter 4.08.

5.12.120. Appeal. Any promoter aggrieved by the amount of the temporary special event license fee required pursuant to this chapter or by any penalty or interest imposed pursuant to this chapter may appeal such fee, penalty or interest to the City Hearing Examiner pursuant to the procedure set forth in BCC 4.08.220.

Section 2. This ordinance shall take effect and be in force thirty (30) days after passage.

PASSED by the City Council this 16th day of February, 1993, and signed in authentication of its passage this 16th day of February, 1993.

(SEAL)

Cary Bozeman, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Richard L. Kirkby, Assistant City Attorney

Attest:

Myrna L. Basich, City Clerk

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