

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5722

AN ORDINANCE amending section 14.50.080 of the Bellevue City Code, adding a new section 14.50.085 to the Special Events Code in order to achieve consistency with the proposed amendments to section 9.18 of the Bellevue City Code relating to Noise Control; and establishing an effective date.

WHEREAS, the City generally regulates sources of noise through the Noise Control Code, BCC 9.18; and,

WHEREAS, BCC 9.18 provides for exemptions to the Noise Control Code for those noises regulated under BCC 14.50, the Special Events Code; and

WHEREAS, amendments to the Special Events Code will allow for consistency throughout the Code;

WHEREAS, it is the desire of City Council that City staff submit this ordinance to the Department of Ecology in compliance with the State Noise Control Act (Chapter 70.107 RCW) and Chapter 173-60 WAC; and

WHEREAS, the City has complied with the State Environmental Procedures Act and the City's Environmental Procedures code, now, therefore

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

Section 1. Bellevue City Code Section 14.50.080 is amended as follows:

14.50.080 Powers of the special events committee

The special events committee shall have the power to:

- A. Interpret and administer this code;
- B. Represent the city, under the authority of the city manager, in discussions and in maintaining agreements with the person(s) who represent the event;
- C. Coordinate with city departments and with other government agencies for the provision of governmental services for such special events;
- D. Establish terms and conditions, appropriate fees, and the time(s), place and manner of the event;
- E. Approve or deny special events permits;
- F. Adopt policies and procedures for administering this code as necessary; and
- G. Recommend to the city manager or his/her designee whether to grant an exemption to the Noise Control Code under BCC 9.18.020(A)(13). The special events committee shall make such recommendation to the city manager or his/her designee based on the criteria set forth in 14.50.085.

Section 2. A new section, BCC 14.50.085 is added to the Bellevue City Code as follows:

14.50.085 Exemption to the Noise Control Code

A. Upon recommendation by the Special Events Committee, the city manager or his or her designee will grant or grant with conditions an exemption to the Noise Control Code pursuant to BCC 9.18.020(A)(13) if the use of the sound amplification equipment:

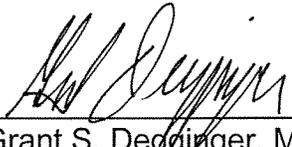
- i. will not constitute a public nuisance;
- ii. will not endanger the public health or safety;
- iii. will not endanger public property; and
- iv. is associated with an event that is open to the general public.

B. Violations of permits issued pursuant to this section shall be considered a Civil Noise Infraction enforced as set forth in BCC 9.18.

Section 3. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this 20th day of February, 2007 and signed in authentication of its passage this 20th day of February, 2007.

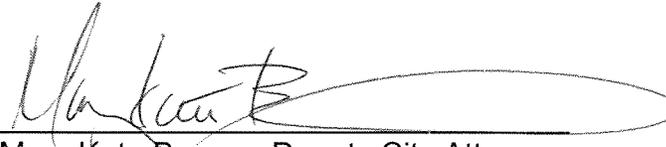
(SEAL)



Grant S. Degginger, Mayor

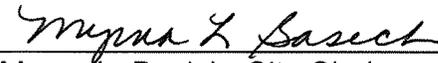
Approved as to form:

Lori M. Riordan, City Attorney



Mary Kate Berens, Deputy City Attorney

Attest:



Myrna L. Basich, City Clerk

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