

Expressive Activity (Free Speech) Permit requirements

Less than 100 attendees

- An expressive activity event, including spontaneous event, expecting fewer than 100 attendees, which will comply with traffic and safety laws (e.g. will not block roads or sidewalks) does NOT need an expressive activity event permit. It must still comply with all applicable regulations in Chapter 5.136 of the Everett Municipal Code.
- Please complete the [Small Expressive Activity Notification Form](#). This notice is to inform the City of your event so that it may continue to promote the health and safety of the community and event participants.

100 or more attendees

- Expressive activity special events that expect 100 or more attendees must obtain an [expressive activity permit](#). This document provides information about permit requirements:

Application

Event organizers must identify the event as an expressive activity event and agree to comply with the City's Expressive Activities Event regulations in their expressive activity event application.

Application Due Date

We strongly encourage you to submit your application as early as possible. However, at a minimum, expressive activity event organizers expecting 100 or more attendees must complete and submit an [expressive activity event application](#) to the City Clerk's Office at least 90 days prior to the date of the event.

Barricades

For street closures of no more than one block and that do not impact an intersection, the Everett Public Works Department will provide barricades and deliver them to the event site the day before the event. For street closures involving more than one block, the event organizer must provide barricades through private sources.

Electricity

Access to electricity is the responsibility of the event organizer. The City does not provide electricity for special events. Additional permits may be required for generators or other fuel-powered equipment.

Garbage Receptacles, Site Cleanup, and Garbage Removal

It is the event organizer's responsibility to provide garbage receptacles, site cleanup, and disposal of refuse. The City of Everett does not provide equipment or staff to assist with garbage removal or site cleanup. All associated expenses are the responsibility of the event organizer.

Event organizers will be billed for all costs incurred by the City associated with the event organizer's failure to provide sufficient garbage removal or clean-up of the site after the event. Failure to adequately clean the event site and dispose of the garbage will be considered during the review and approval process of any future event applications.

Restroom Facilities/Portable Toilets

If required, you must provide documentation in the form of a work order or an invoice that the equipment needs/services have been arranged by the event organizer. The City of Everett does not provide any equipment rentals or staff to place any equipment in event locations. These expenses are the responsibility of the event organizer.

The recommendation for provision of toilets is one for every 100 people. Under normal circumstances, most persons will use sanitation facilities once every four hours. Weather conditions and consumption of food, liquids, beer and other alcoholic beverages will increase usage by 30% to 40%.

If food is being served, restrooms with hand sinks with hot and cold running water are required to be placed within two hundred (200) feet of the food booths for use by food handlers. These facilities can be the same restrooms as the ones used by the public.

Portable restroom placement is key to the success of your event, in terms of both attendees and the surrounding neighborhood. When identifying appropriate placement locations, keep in mind neighboring businesses, residents, and pedestrian or traffic flow. For example, portable restrooms may not be placed directly outside a business entrance or high-traffic flow area. Your portable restroom placement must be included in the map(s) you provide with your permit application, which is reviewed and approved by the Street Division of Public Works.

Adequate maintenance and housekeeping must be provided. During large events requiring more than ten (10) units for more than one day, it is recommended that a service person be on standby duty at the event. This staffing enables the toilet contractor to handle adequately any sanitation problem that may arise.

Traffic Control Plan

Provide a detailed plan of traffic control with map showing placement of traffic monitors and public safety officers in critical areas. This plan needs to include an "Emergency Services Plan" (First Aid and Medical Assistance) showing a site diagram of the event for emergency access routes and a plan to mitigate fire and emergency medical emergencies. The Traffic Control Plan will be reviewed and requires approval by City traffic engineering, the police department, fire department, and Everett Transit. Volunteers must be over 18 years of age.

Any City requirements for security and crowd control will be determined by the police department and must be arranged by the event organizer in advance. Event organizers may hire either off-duty police officers or a private security firm. The event organizer will be responsible for all costs associated with security and crowd control.

Noise Control

The Mayor, or his or her designee, may grant, or grant with conditions, an exemption to the noise control code if the use of the sound amplification equipment:

- Will not constitute a public nuisance
- Will not endanger the public health or safety
- Will not endanger public property
- Is associated with an event that is open to the general public

Transportation/Parking Plan

The event organizer must provide a written plan for handling event parking for participants and spectators, and show any documentation pertaining to arrangements made with any transportation agencies such as Everett Transit, Community Transit, City Traffic Engineering that may be impacted by traffic reroutes and/or delays due to street closures. Documentation is requested no later than 4 weeks prior to the event.

Fees

There are no permits fees for expressive activity events. Costs for use of City services for security, traffic control, or first aid are the sole responsibility of the event organizer. Costs will be scaled based on the event organizer's ability to pay.

Insurance Requirements

The event organizer of an expressive activity event may either provide insurance as described in Exhibit A, or indemnify the city and provide a statement to the City Clerk that the cost of obtaining insurance would constitute an unreasonable burden on the right of First Amendment expression.

Expressive Activity Special Event Permit Denial

The city may deny an expressive activity special event if:

- The event will substantially interrupt public transportation, or vehicular or pedestrian traffic in the area of its route;
- The event will interfere with construction or developing in the public right-of-way or at a public facility;
- The event will block traffic lanes or close street during peak commute hours;
- The concentration of attendees or vehicles will unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles;
- The event will substantially interfere with another special event for which a permit has already been granted; or
- The event will have a significant adverse impact on residential or business access within the event venue.

Prior to denying an Expressive Activity Event, the City will make a good faith effort to coordinate an alternative route or event date or time within seven (7) days of the originally proposed event date so that the event may proceed in compliance with the City's Special Events regulations.

EXHIBIT 'A' – INSURANCE

INSURANCE REQUIREMENT

A. The applicant of a special event must possess or obtain commercial general liability (“CGL”) insurance and liquor liability insurance, if applicable, to protect the city against loss from liability imposed by law for damages on account of bodily injury and property damage arising from the special event and to protect the city from any and all claims and risks in connection with any activity performed by the applicant by virtue of the special event. Such insurance shall name the City of Everett, its officials, officers, employees, agents, and volunteers, and, as required, any other public entity involved in the special event, as additional insured pursuant to an endorsement. Insurance coverage must be maintained for the duration of the special event including any set up and teardown associated with the special event. Notice of cancellation shall be provided immediately to the city.

B. Except as provided in this section, CGL coverage shall be in a combined single limit of at least \$1,000,000 per occurrence and general aggregate limit of at least \$2,000,000 and endorsed to apply separately to the event. Liquor liability insurance, if applicable, shall be in the minimum amount of \$1,000,000 per occurrence. CGL coverage shall be per occurrence, and primary and non-contributory to any insurance or self-insurance of the city, and shall include a waiver of subrogation.

C. If the special event is of a demonstrated high or low-risk category, according to recognized insurance and risk management standards, the city’s risk manager may authorize a greater or lesser amount of coverage than required by this section, or may require a particular type of insurance coverage different from that specified in this section.

D. The insurance required by this section shall encompass all liability insurance requirements imposed for other permits required under other sections of this chapter and is to be provided for the benefit of the city and not as a duty, express or implied, to provide insurance protection for spectators.

E. Special events that are primarily athletic in nature (marathons, running events, triathlons, regattas and similar events) require a CGL policy, which includes athletic participant coverage providing protection for claims made by athletic participants.

F. A certificate of insurance, along with necessary endorsements, shall be filed with the City Clerk at least thirty (30) calendar days before the special event, unless the City Clerk for good cause modifies the filing requirements.

Indemnification/Hold Harmless

The Permit Holder, its employees, agents, and volunteers (collectively “Permit Holder”) shall defend, indemnify, and hold the city, its officials, officers, employees, agents, and volunteers, harmless from and against any action, or claim for loss, liability, or damage, including claims for bodily injury or death, or damage to property arising out of or resulting from (a) Permit Holder’s use, in any manner, of city right-of-way or city-owned property for the permitted special event, and (b) Permit Holder’s non-observance or non-performance of any of the terms of Permit Holder’s special event permit.