

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE REPEALING CHAPTERS 2.41, 2.44, 2.54, 2.64, 2.68, 2.76, 2.80, AND 5.24, AND SECTION 2.04.010, AND DECODIFYING CHAPTERS 2.42, 2.52, 2.66, AND AMENDING CHAPTERS 2.48 AND 2.50 OF THE THURSTON COUNTY CODE CONCERNING THE STRUCTURE OF THE THURSTON COUNTY FAIR BOARD, THE FAIRGROUND RULES AND REGULATIONS, AND THE MANAGEMENT STRUCTURE OF THE THURSTON COUNTY FAIR AMENDING THURSTON COUNTY CODE SECTIONS 2.48.020, 2.48.030, 2.48.050, 2.48.050, 2.48.070, 2.48.080, 2.50.040, 2.50.060, 2.50.070, AND 2.50.090, AND CREATING SECTION 2.48.075, AND FOR OTHER MATTERS PROPERLY RELATED THERETO.**

**WHEREAS**, certain chapters and sections of the Thurston County Code are outdated and/or superseded by other authority; and

**WHEREAS**, duplicative and outdated code provisions should be removed from the County Code; and

**WHEREAS**, Chapter 36.37 RCW enables the Board of County Commissioners (Board) to organize and conduct county agricultural fairs; and

**WHEREAS**, the Board established the Thurston County Fair Board with Resolution No. 2359 in 1958, as amended; and

**WHEREAS**, the Board established rules and regulations for the Thurston County Fairgrounds in 1999 with the adoption of Ordinance No. 11755, as amended; and

**WHEREAS**, the Board finds it necessary to reorganize the Thurston County Fair Board to allow more youth participation; and

**WHEREAS**, due to budgetary considerations, the Thurston County Fair Manager responsibilities have been reassigned to the county manager; and

**WHEREAS**, Chapter 42.30 RCW, the Open Public Meetings Act, requires that all meetings of the governing body of a public agency shall be open and public and all persons shall be permitted to attend any meeting of the governing body of a public agency.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THURSTON COUNTY, AS FOLLOWS:**

**SECTION 1.** Chapter 2.04.010 of the Thurston County Code, related to the planning department, is hereby repealed.

**SECTION 2.** Chapter 2.41 of the Thurston County Code, related to the employment and training department, is hereby repealed.

**SECTION 3.** Chapter 2.42 of the Thurston County Code, related to the Public Health and Social Services department, is hereby decodified.

**SECTION 4.** Chapter 2.44 of the Thurston County Code, related to group insurance, is hereby repealed.

**SECTION 5.** Chapter 2.52 of the Thurston County Code, related to the air pollution control authority is hereby decodified.

**SECTION 6.** Chapter 2.54 of the Thurston County Code designating the planning department as the environmental control authority is hereby repealed.

**SECTION 7.** Chapter 2.64 of the Thurston County Code, related to the road department, is hereby repealed.

**SECTION 8.** Chapter 2.66 of the Thurston County Code, related to the department of public works, is hereby decodified.

**SECTION 9.** Chapter 2.68 of the Thurston County Code, related to the department of communications, is hereby repealed.

**SECTION 10.** Chapter 2.76 of the Thurston County Code, related to the building department, is hereby repealed.

**SECTION 11.** Chapter 2.80 of the Thurston County Code, related to the utilities department, is hereby repealed.

**SECTION 12.** Chapter 5.24 of the Thurston County Code, related to a supplemental retirement plan, is hereby repealed.

**SECTION 13.** Chapter 2.48.020, Thurston County Code, is amended to read as follows:

**2.48.020 Number of members.**

The Thurston County fair board shall consist of sixteen members, two from each one of the three Thurston County commissioner districts, who are residents and representatives of each commissioner district. The six district members shall be appointed to positions denominated 1 to 6. Positions 1 and 2 shall represent District 1, positions 3 and 4 shall represent District 2, and positions 5 and 6 shall represent District 3. The ten other members, positions 7 to 16, shall be appointed as members-at-large, who are residents and representatives of Thurston County. ~~The at large members shall be appointed to positions denominated 7 to 16.~~ An additional three youth positions may be filled by one each representing 4-H Club(s), Future Farmers of America (FFA), and Open Class Youth.

**SECTION 14.** Chapter 2.48.030, Thurston County Code, is amended to read as follows:

**2.48.030 Term of office.**

The terms for all members of the Thurston County fair board shall begin the ~~first day of January, and shall terminate on December 31st,~~ first day of September and shall terminate on the last day of August unless a successor has not been appointed and qualified, in which case the members shall continue in office until a successor is appointed for the balance of the next succeeding term.

- A. **At-Large Members.** The five at-large members in positions 7 to 11 shall be appointed to serve for ~~a term of four years~~ four year terms. The five at-large members in ~~P~~ positions 12 to 16 shall be appointed to serve two year terms. ~~for a term of two years.~~
- B. **Six District Members.** The six district members shall be appointed to serve for four year terms. ~~a term of four years.~~
- C. **Youth Members.** Youth members shall serve one year terms.

**SECTION 15.** Chapter 2.48.050, Thurston County Code, is amended to read as follows:

**2.48.050 Duties.**

The Thurston County fair board shall perform the following duties:

- ~~(1)~~A. Coordinate and promote the annual event known as the Thurston County ~~F~~fair (hereinafter fair), and any other event ~~as approved by the board of county commissioners;~~
- ~~(2)~~B. Develop ~~rules and regulations governing~~ guidelines for the ~~orderly~~ conduct of the ~~county fair event~~ and submit those ~~rules and regulations~~ guidelines to the board of county commissioners for approval as needed;
- ~~(3)~~C. Advise the ~~county fair~~ manager or designee on matters relating to the production of the annual fair ~~Thurston County fair event~~;
- ~~(4)~~D. Assist the various fair constituencies to ensure quality exhibits and programs, and to encourage citizen participation and volunteerism in both the preparation and operation of the ~~fair event~~fair;
- ~~(5)~~E. Be available to serve as lead person for assigned areas of responsibility during the fair and advise the ~~fair~~county manager or designee regarding operational issues during the ~~fair~~fair;
- ~~(6)~~F. Volunteer to assist in facilities projects and program implementation as appropriate;
- ~~(7)~~G. Engage in long-range planning for fair programs and facilities;
- ~~(8)~~H. Provide recommendations on the proposed annual operating budget;
- ~~(9)~~I. Any other duties as assigned by the board of county commissioners.

**SECTION 16.** Chapter 2.48.070, Thurston County Code, is amended to read as follows:

**2.48.070 Officers.**

The Thurston County fair board shall elect the following officers from its membership: president, vice-president, secretary, and sergeant at arms.

**SECTION 17.** Chapter 2.48.075, Thurston County Code, is created to read as follows:

**2.48.075 Meetings.**

- A. The Thurston County fair board shall meet the first Wednesday of each month at 7:00 P.M.
- B. Any meeting of the Thurston County fair board shall be subject to the Open Public Meetings Act.

**SECTION 18.** Chapter 2.48.080, Thurston County Code, is amended to read as follows:

**2.48.080 Fair management.**

- A. Fair management shall be conducted by staff designated by the board of county commissioners. These individuals may serve in temporary or permanent roles and may come from a variety of county departments. These individuals will report to the county manager or designee. There is created a position of Thurston County fair manager, who shall be appointed by the board of county commissioners. The fair manager shall serve at the pleasure of the board of county commissioners and be compensated therefor in such amount as shall be determined by the board of county commissioners. The fair manager shall report to the chief administrative officer or his/her designee.
- B. The fair management team shall:
  - ~~1. Serve as director of the Thurston County fair department;~~
  - 1. Manage, with the advice of the Thurston County fair board, the preparation, promotion and operation of the annual county fair and such other events as designated by the board of county commissioners;
  - ~~2. With oversight from the county budget and finance manager, prepare and administer the annual budget and be responsible for all funds and financial transactions of the fair department;~~
  - 2. Develop and administer a program of off-season use of the Thurston County Fairgrounds and facilities;
  - ~~3. As needed, coordinate fair staff with other county departments for the maintenance of fair facilities and the preparation of the facilities for the annual~~

Thurston County fair and other such events as designated by the board of county commissioners;

- ~~6.5.~~ Hire and supervise permanent and seasonal fair department employees;
- ~~7.6.~~ Promote and coordinate volunteer programs associated with the operation of the fair department;
- ~~8.7.~~ Perform duties as assigned by the ~~Chief Administrative Officer~~ county manager or designee.

**SECTION 19.** Chapter 2.50.040, Thurston County Code, is amended to read as follows:

**2.50.040 Penalty for violations.**

Any person refusing to comply with this chapter shall, on request of the ~~fair~~ county manager, ~~or~~ his/her designee, or designated county employee, be directed to leave the Thurston County Fairgrounds for the duration of the Thurston County Fair (hereinafter fair) or any other county sponsored event. ~~In the event of failure to comply with such request, it shall be considered to be a misdemeanor and shall be punishable as provided by state law for the commission of a misdemeanor.~~

**SECTION 20.** Chapter 2.50.060, Thurston County Code, is amended to read as follows:

**2.50.060 Booth space.**

Space shall be rented to any all persons, groups, corporations, organizations, associations or otherwise on a first come, first served basis. Those who have rented booth space shall comply with the fairground guidelines rules and regulations as set forth by the Thurston County fair board. The ~~fair~~ county manager or designee is authorized to:

- A. Specify the place where the booth is to be located on the Thurston County Fairgrounds, and the time frame in which the booth must be staffed; and
- B. Establish the amount of rent for booth space based on an established rate structure as identified in Exhibit A.

**SECTION 21.** Section 2.50.070, Thurston County Code, is amended to read as follows:

**2.50.070 Advertisement.**

No person shall post, distribute or display signs, advertisement, circulars, or printed or written matter at the Thurston County Fairgrounds except at designated booths and with prior approval from the ~~fair~~county manager or designee.

**SECTION 22.** Chapter 2.50.090, Thurston County Code, is amended to read as follows:

**2.50.090 Use of premises.**

- A. Unless authorized by the ~~fair~~county manager or designee, no person shall use the Thurston County Fairgrounds in the following manner:
  - 1. Employ a sound or voice amplifying device for any purpose;
  - 2. For storage of literature, signs, petitions, boxes, supplies, or related materials; or
  - 3. Engage in a dance, chant, or other performance intended to attract public notice.
- B. It is unlawful for any person while on the Thurston County ~~fair~~Fairgrounds during the ~~annual county~~ fair or other county event to engage in the following activities:
  - 1. Drinking of any kind of alcoholic beverage, except as authorized by the board of county commissioners as part of a demonstration, judging competition, educational exhibit, or in a controlled venue on the Thurston County ~~fair~~Fairgrounds during the fair;
  - 2. Being under the influence of alcohol or a controlled substance;
  - 3. Obstructing a fair activity or county-sponsored event;
  - 4. Engaging in disorderly behavior or creating a risk of danger or harm to any person or animal by engaging in disorderly behavior.
- C. Any person engaging in the activities set out under this section shall be in violation of this chapter and subject to the penalties set out under Section 2.50.040.

**SECTION 23. SEVERABILITY.** If any section, subsection, sentence, clause, phrase or other portion of this ordinance or its application to any person is, for any reason, declared invalid, illegal or unconstitutional in whole or in part by any court or agency of competent jurisdiction, said decision shall not affect the validity of the remaining portions hereof.

**SECTION 24. EFFECTIVE DATE.** This ordinance shall take effect immediately upon adoption.

ADOPTED: \_\_\_\_\_

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
Thurston County, Washington

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Clerk of the Board

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Chair

APPROVED AS TO FORM:

JON TUNHEIM  
PROSECUTING ATTORNEY

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Vice-Chair

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Scott Cushing  
Deputy Prosecuting Attorney

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Commissioner