### CITY COUNCIL
#### AGENDA BILL

**City of Black Diamond**
Post Office Box 599
Black Diamond, WA 98010

<table>
<thead>
<tr>
<th>ITEM INFORMATION</th>
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<tbody>
<tr>
<td>SUBJECT: AB15-043</td>
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<tr>
<td>Resolution approving Special Event Permit for the Lake Sawyer Community Club’s use of Lake Sawyer Regional Park as a base for its annual 4th of July fireworks display and a portion of the June 27th fun run.</td>
</tr>
<tr>
<td>Cost Impact (see also Fiscal Note):</td>
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<tr>
<td>Fund Source:</td>
</tr>
<tr>
<td>Timeline: 6/27, 7/3-7/5</td>
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**Agenda Placement:** □ Mayor □ Two Councilmembers □ Committee Chair □ City Administrator

**Attachments:** Resolution No. 15-1030 and application documents

### SUMMARY STATEMENT:
Since this is a two-day event, City Council approval of a special event permit is required (BDMC 2.59.040).

6/27/15
LSCC will conduct their annual fun run around Lake Sawyer using City streets, private property and the Lake Sawyer Park.

7/3/15-7/5/15
The Lake Sawyer Community Club (LSCC) has requested to use the Regional Park as a staging area for its annual 4th of July fireworks display. This will require use of a portion of the park over a period of three days. On July 3rd, floating rafts will be moved to the park area and basic fireworks launching pads would be constructed. On July 4th, their fireworks contractor will load the launching tubes and fireworks during the day and at approx. 7:00pm, the rafts will be towed to the center of the lake in preparation for the display. After the fireworks display the rafts would be returned to the park. On July 5th, the fireworks launching pads will be disassembled at the park and the rafts will be removed.

Last year, the City Council approved a similar request. Staff is recommending approval of the Special Event permit, with the conditions noted as attached.

### FISCAL NOTE (Finance Department): The City collects a Special Event Fee and the Lake Sawyer Community Club reimburses the City for Police and Fire services.
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:

RECOMMENDED ACTION: **MOTION to adopt Resolution No. 15-1030, approving a Special Event Permit SEP15-0003 for the Lake Sawyer Community Club 4th of July Activities.**

<table>
<thead>
<tr>
<th>RECORD OF COUNCIL ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Meeting Date</strong></td>
</tr>
<tr>
<td>June 4, 2015</td>
</tr>
</tbody>
</table>
RESOLUTION NO. 15-1030

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON APPROVING A SPECIAL EVENT PERMIT FOR THE LAKE SAWYER COMMUNITY CLUB 4th OF JULY ACTIVITIES

WHEREAS, the City regulates special events that occur on public property in order to protect the public health, safety and welfare; and

WHEREAS, Black Diamond Municipal Code 2.59.040 requires City Council approval for any special event that exceeds one day in duration; and

WHEREAS, the Lake Sawyer Community Club has also requested to use Lake Sawyer Regional Park as a staging area for its annual fireworks show, which will require use of the Park over a period of three days (SEP15-0003); and

WHEREAS, City staff has reviewed the proposed activities and placed conditions on the permits to protect the public interest and recuperate City expenses; and

WHEREAS, the City Council recognizes the importance of events sponsored by community organizations;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The Mayor is hereby authorized to execute the approval of Special Event Permit SEP15-0003 for the Lake Sawyer Community Club 4th of July activities.


CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk
Good Day Adam:

The City has completed the initial review of your special event permit application submittal for the Lake Sawyer 4th of July celebration, SEP15-0003. Please review departmental comments, which are attached above. As you may know, approval of this event must come from Black Diamond City Council, therefore, the event parameters and departmental comments will be presented to City Council on either June 4th or 19th for review and approval.

As a reminder, in accordance with the Fire Marshal’s comments regarding this event, a fire permit for the fireworks display will be required. A full submittal of all code/state & city required plans will need to be reviewed by the Fire Marshal prior to the event. Please contact me with any questions regarding fire permit submittal requirements.

Thank you for your attention in this matter.

Regards,

Sandra Wirth
Permit Technician
City of Black Diamond
360-886-5718 ph
360-886-2592 fx

Building Inspections: Mon, Tues, Wed & Thurs between 2-4p
Building Plans Examiner/Inspector: Mon & Thur 1:30-4:30p, Tues & Wed 2:30-5:00p
Permit Center Office Hours: Monday, Wednesday, Thursday 8:30-5:00p (Closed Tuesdays and Fridays)
2015 4th of July Special Event
City of Black Diamond - Department Comments
SEP15-0003

Public Works, Dan Dal Santo, Utility Superintendent, 360-886-5700, ext. 5712:

The 4 of July activities listed in this permit are approved with the following conditions.

1. The fun run route will not be allowed to go around the eastside of Frog Lake as shown on the map. The route must stay on the main road through the park. The runners shall stay on the eastside of 228th and 224th Ave SE all the way to up to the turn on SE 296th Street.
2. The Event Coordinator shall pick up a key to the lock on the gate from Scott Hanis in the Community development building located at 24301 Roberts Drive on the Friday before the event. The gate shall be opened shortly after the race starts, and one of the event coordinators must stay by the gate to prevent cars from entering the park.
3. Fun Run event signs warning motorists of the runners shall be posted along the 224th/228th Ave SE, 216th Ave SE and SE 288th St.
4. Way finding signs, or event coordinators, shall direct the runners at intersections. At a minimum event coordinators shall be positioned at the park gate at SE 312th St and the intersection of SE 296th St and 224th Ave SE.
5. After the fireworks event, the associated garbage shall be picked up in the park.
6. After the firework event, the keys shall be returned to Scott Hanis at public Works, 24301 Roberts Drive.

Fire, Robert Young, Fire Marshal, 253-735-0284:

1. All Fire Department emergency access shall be maintained during the events.
2. A Fire permit for the Fireworks Display will be required. A full submittal of all code/state & city required plans will need to be reviewed by the Fire Code Official prior to the event. Inspection of the display will be required prior to event.

Police, Jamey Kibbling, Police Chief, 253-631-1012:

The following events required an off-duty officer, as requested in the May 15th, 2015 approved service agreement:

1. June 27th, 2015: Annual Fun Run 0930-1230 1 officer assigned (3hrs) $255.00
2. July 4th, 2015: Wakeboard/Ski Competition 0730-1100 1 officer (3.5 hrs) $297.50
3. July 4th, 2015: Boat parade 1700-1900 (on-duty marine officer to attend-subject to priority calls)
4. July 4th, 2015: Fireworks show 2100-0000 2 officers assigned (3 hrs) $510.00
5. Total cost @ $85.00 hour = $1,062.50
Dear Department Reviewers:
The Community Development Department received a special event permit application from Adam Running of the Lake Sawyer Community Club, for the “2015 4th of July Independence Day Celebration,” SEP15-0003. Set-up for the 4th of July fireworks display will commence on July 3rd. Because of the July 3rd set-up and July 4th celebration, this is considered a two day event and will require Council review and approval. The hours of the 4th of July celebration are from 8am-12am. The Fun Run is scheduled for one day on Saturday, June 27th, from 10am. Other events scheduled for the 4th of July will be the water ski competition, volleyball competition, and paddle boat race. The applicant will work through the service agreement requirements with Police and Fire.

Please review the permit submittal information attached above, along with the 2014 permit which is attached above, also, and place your comments in case #SEP15-0003 in Permit Trax by May 27th. Thank you.

Regards,

Sandy Wirth
Permit Technician
City of Black Diamond
360-886-5718 ph
360-886-2592 fx

Building Inspections: Mon, Tues, Wed & Thurs between 2-4p
Building Plans Examiner/Inspector: Mon & Thur 1:30-4:30p, Tues & Wed 2:30-5:00p
Permit Center Office Hours: Monday, Wednesday, Thursday 8:30-5:00p (Closed Tuesdays and Fridays)
EVENT INFORMATION

EVENT NAME: 4th of July Activities @ Lake Sawyer by LSCC

EVENT LOCATION: Lake Sawyer

EVENT TYPE: □ Exhibition □ Protest □ Run/Walk □ Dance □ Festival □ Concert □ Party
□ Wedding □ Drama □ Parade □ Other □ Fireworks

DATE OF EVENT: (6/27) + 7/4/15 HOURS: **Vary - See Attached**

PURPOSE OF EVENT: Independence Day Celebration including a Fun Run,JE; Competition, Boat Parade and Fireworks Show

EST. ATTENDANCE: Participants **Vary** Spectators **Vary** Volunteers/Personnel 20

CITY BUS LICENSE #: __________________________ (participating commercial vendors will also require a City license)

PARKING PLANS: 6/27 @ Lake Sawyer Community Club 7/4 = NA

(Provide a drawing unless you are using an existing parking lot with sufficient stalls.)

FACILITIES TO BE USED: □ City Park □ Lake Sawyer □ Sidewalk □ Street □ Private Property
(If using private property, you must provide proof that you have permission unless you are the owner.)

CITY ASSISTANCE REQUIRED: □ Police □ Fire □ Public Works □ Other

Describe: 7/4 Marine Police needed, 6/27 Fun Run - Road Safety
(Police and Fire services require a written agreement that must be submitted with the event application.)

INSURANCE COMPANY: Canfield

(Proof of Ins. required naming City of Black Diamond as co-insured if event is taking place on City property.)

FOOD TO BE SERVED: □ YES □ NO If yes, provide copy of Health Dept approval/license.

SOUND SYSTEM: □ YES □ NO
(If liquor and music are provided a Cabaret license may be required.)

SANITATION PLANS (Sani-cans, hand washing stations, etc): **LSCC**

6/27, 7/4 = NA

PRODUCTS OR SERVICES TO BE SOLD: □ YES □ NO If yes, what?

ADMISSION FEE: □ YES □ NO If yes, how much?

HAS THE EVENT BEEN PREVIOUSLY PRODUCED? □ YES □ NO PREVIOUS DATE: 7/4/14

ANY CHANGES FROM PREVIOUS EVENT? □ YES □ NO If yes, list changes:

Will not use short cut trail for Fun Run off 312th for cyclists.

APPLICANT INFORMATION

APPLICANT: Adam Running ORGANIZATION: Lake Sawyers Community Club

MAILING ADDRESS: PO Box 191 Black Diamond WA 98010
CONTACT PHONE: 206-351-5257  FAX
EMAIL ADDRESS: agrunning@gmail.com
EMERGENCY CONTACT  Monica Stewart  PHONE 253-653-5706
  sawyersstewarts@comcast.net
SIGNATURE OF APPLICANT  DATE  5/12/15

Additional information or requirements may be requested. Please allow 3 – 4 weeks for processing.
To: Lake Sawyer Community Club  
From: Chief Kiblinger  
Date: May 15th, 2015  
RE: Outline of events for July 4th activities

June 27th, 2015; Annual Fun Run 0930-1230 1 officer assigned (3hrs) $255.00

July 4th, 2015; Wakeboard/Ski Competition 0730-1100 1 officer (3.5 hrs) $297.50

July 4th, 2015; Boat parade 1700-1900 (on-duty marine officer to attend-subject to priority calls)

July 4th, 2015; Fireworks show 2100-0000 2 officers assigned (3 hrs) $510.00

Total cost @ $85.00 hour = $1062.50
City Assistance required from (department):

Black Diamond Police Department

Organization/Person requesting Assistance:

Lake Sawyer Community Club / Adam Running, President/Assistant

Event: Date:

4th of July Activities on Lake Sawyer 7/4/2015

Please describe the event and what services will be needed:

6/27 (Saturday before) Fun Run - on duty officer to assist w/start
7/4 - Water Ski/Wake board Competition - 7:30 - 11am - 1 officer needed
7/4 - Boat Parade - 5pm-7pm - officer/police boat to lead parade
7/4 - Firework show - 9pm-Midnight - 2 officers needed

The City of Black Diamond agrees to provide these services on the requested date(s). The City of Black Diamond will bill for all services on an hourly basis per the adopted fee schedule. Per contract many city services require a 3 hour minimum billing.

Chief of Police 5/15/15

City Staff Signature, Title Date

Agrees to pay for the services the City of Black Diamond is providing.

Signature, Title Date

206-351-5257 Adam Running
CITY OF BLACK DIAMOND
Service Agreement

City Assistance required from (department):

Black Diamond Fire Department

Organization/Person requesting Assistance:

Lake Sawyer Community Club / Adam Running

Event:  Date:

July 4th Fireworks Display on Lake Sawyer  7/4/15

Please describe the event and what services will be needed:

Fire Department regulating our use of fireworks on City of Black Diamond property.

The City of Black Diamond agrees to provide these services on the requested date(s). The City of Black Diamond will bill for all services on an hourly basis per the adopted fee schedule. Per contract many city services require a 3 hour minimum billing.

City Staff Signature, Title

Robert Young, Fire Chief  5/12/15

Date

agrees to pay for the services the City of Black Diamond is providing.

Applicant Signature, Title

6-6-15

Date
South End Lake Sawyer Regional Park Multiday use Request

The main event for the Lake Sawyer Community Club July 4th activities is the fireworks display. We have contracted with Homeland Fireworks Display to put on the event. This will be the 6th year they have done so. As we did last year we are requesting the use of the regional park for the purposes of loading and unloading the four docks for the fireworks display.

On Friday, July 3rd, 2015, we would move the four floating rafts to the park at the south end of Lake Sawyer and moor them in the approximate location as marked on the attached map. Our fireworks contractor would add plywood to the top surfaces to the floating rafts and load the empty launching tubes to the floating rafts. They will remain empty overnight and nothing of value would be on the raft.

On Saturday, July 4th, 2015, our Fireworks contractor would load the tubes with the actual fireworks and wire the igniters. Charlie Wilson and his staff would attend the floating rafts with fireworks the entire day. At approximately 7:00pm the floating rafts would be towed to the center of the lake and anchored. After the fireworks display the police would be requested to give the staff a ride to the shore.

On Sunday, July 5th, 2015, the rafts will be towed to the park and launching tubes and plywood would be removed. The rafts would then be returned to their homes.
So far on 2/24:

- Keep the mute cover and cool bag frozen
- Maintain wet
- Locate gate
- No keys

Around west.

Bikers, Runners, Walkers

by Jovana Stayeva

May 27, 2015

Community Develop.
Lake Sawyer Community Club
Fun Run, Bike or Walk
Saturday June 28th
Starts at 10:00am
From LSCC Clubhouse
29006 216th Ave SE
Start & Finish location

Black Diamond Police Support

1 10:00am
Police to assist at start at the light 216th Ave SE & SE 292nd (Lake Sawyer Grocery)

2 10:10am
Have a car on 288th for a few minutes participants would be on the road

3 Have a car on 224th @ SE 304th Pl. Runners are suppose to cross the street before heading North

4 Boat Launch Road - Most dangerous corner for walkers and runners to cross back to the lake side

1. Lake Sawyer Community Club
2. Black Diamond Police Support
3. Lake Sawyer Regional Park

Bikers, Runners, Walkers
Runners & Walkers veer off of 312th for a short distance along the lake and then rejoin the Bikers at the intersection of SE 304th Pl and 224th Ave SE

X - LAKE SAWSER REGIONAL PARK
LOCATION OF STAGING AND TAKE DOWN OF BARGES 7/3 & 7/5

- EXECUTION/LEAUNCH POSITION OF FIREWORK SHOWN 7/4
Lake Sawyer 4th of July Celebration

Saturday June 27th
Annual Fun Run, Walk, Bike
10:00am Starting at the LSCC Clubhouse
29006 216th AVE SE

Join us for the 20" annual Fun Run, Walk or Bike around Lake Sawyer. The course is 5.2 miles long; the race is held rain or shine, and begins promptly at 10:00 AM so come early to check in and sign up. Children under age 10 must be accompanied by an adult and all cyclists must adhere to the rules of the road and wear helmets. Bikers will begin first with runners and walkers following. Participants will be asked to sign a liability waiver at check-in and a parent must sign for minors. Please Contact an LSCC board member for information or if you wish to help. LSCC members will participate for free with nonmembers paying 5. Tshirts will be provided courtesy of the LSCC.

Each year LSCC seeks the permission of the landowners and residents at the southeast end of the Lake for permission to use their property for the annual Fun Run around the lake. Palmer Coking Coal Co. and the nearby residences has once again graciously agreed. Please remember that this land is private and there is no permission to use this route other than the June Fun Run date provided through a Special Use Permit. At all other times during the year please respect their property and privacy rights. Please note NO SMOKING will be permitted on Palmer land. Thank you.

Saturday July 4th
Waterski/Wakeboard Competition
8:00-11:00am starting at the south end of the Lake

This is a great way to start your 4th of July. Breakout your slalom ski and join us for some turns on glassy-smooth water, or strap on your wakeboard and show us some big air. Everyone is welcome; meet the group near Duck Island at the southeast end of the lake at 8am. The action is first come, first served; skiers go first, followed by wake boarders, and wake surfers. Bring your friends and family, tie-up with your fellow LSCC members and take it all in. Spectators are welcome and encouraged, this is a fun time and we want to see you out there, but no wake please. Participants have to sign a liability waiver and a parent has to sign for those under 18. Because we were tearing it up before normal Speeding hours, the Lake Sawyer Community Club arranges a special permit with the City of Black Diamond for this event. The tow boat is allowed to exceed the normal 5 MPH speed limit, but anyone else over 5 MPH will be chased down by the officer in charge, get a talking to, and possibly even get his autograph, So go slow.
Saturday July 4th
**Volleyball Competition**
**11:30am located at Dock 200**

Get your team of neighbors and friends together to come claim the trophy. 10 teams entered last year and many more who came to watch the action. This Tourney will have 6 person teams, TWO Active Courts. Bring your own team or come as individuals and you will be assigned to a team. Spectators are welcome! The tourney gets underway at Noon and please be onsite by 11:30AM to sign up. You can drop off at Dock 200 and anchor offshore. Contact Weston Butt at 206 915 1741 for more info.

Saturday July 4th
**House and Yard Decorations**
**2-5pm**
Prices will be awarded for the best patriotic house and yard decorations. Judging will take place from 2-5pm with prices awarded during the boat parade.

Saturday July 4th
**Paddle Boat, Canoe, Kayak, Paddle Board Race**
**3:15pm at Dock 121 – Between the two islands.**
Trying to stay current with all the new water toys we are adding a new race category, Standup Boards. Three races will be held, one for the paddleboats, one for the canoes and kayaks and one for Long Boards. Race individually or as a team. Meet between the two big islands in front of Sunrise Resort at 3:15 PM. Race starts at 3:30 PM. There is no need to register, just show up and race.

Saturday July 4th
**Boat Parade**
**5:00pm**
A themed boat parade will occur as it has for years. Special prices will be awarded for the best decorated, best theme, and the most original. Boats need to be off Fred and Patty Weston's dock, #121, at 4:50pm. The parade will be led by the Black Diamond Marine Patrol boat. The parade will proceed counter clockwise around the lake. Uncle Sam has promised to attend this year with candy for the kids. Lets set a record for the number of boats in the parade!
Saturday July 4th
Fireworks Extravaganza
10:00pm

The perfect ending to a perfect day. The display will be as close to the center of the lake as possible to optimize viewing for everyone. The location of the raft is chosen for maximum safety and in an area where most residents can view the display. Remember, if you plan to view the fireworks by boat, you must stay at least 400 feet from the raft. Please utilize your navigation lights! State law mandates that all motorized vessels shall display red and green sidelights and an all round white light. Manual powered vessels (canoes, kayaks, rowboats, etc.) must at a minimum have a white light displayed, which is visible in all directions (flashlight or lantern. The Black Diamond Marine Patrol will be present to ensure the safety of all observers and enforce a safe distance from the fireworks raft.

Questions concerning the 4" of July activities should be directed to a member of the LSCC board unless otherwise noted.
# Non Profit Insurance Program

## CERTIFICATE OF INSURANCE

**Issue Date: 09/23/2014**

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**PRODUCER**

Canfield
451 Diamond Drive
Ephrata, WA 98823

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**COMPANIES AFFORDING COVERAGE**

**GENERAL LIABILITY**
American Alternative Insurance Corporation

**AUTOMOBILE LIABILITY**
American Alternative Insurance Corporation

**PROPERTY**
American Alternative Insurance Corporation
RSUI Group, Inc.

**MISCELLANEOUS PROFESSIONAL LIABILITY**

---

**INSURED**

Lake Sawyer Community Club
PO Box 191
Black Diamond, WA 98010

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**COVERAGES**

This is to certify that the policies of insurance listed below have been issued to the insured named above for the coverage period indicated. Notwithstanding any requirement, term or condition of contract or other document with respect to which this certificate may be issued or may remain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. Limits shown may have been reduced by paid claims.

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<table>
<thead>
<tr>
<th>TYPE OF INSURANCE</th>
<th>POLICY NUMBER</th>
<th>POLICY EFF DATE</th>
<th>POLICY EXP DATE</th>
<th>DESCRIPTION</th>
<th>LIMITS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GENERAL LIABILITY</strong></td>
<td>N1-A2-RL-000000013-06</td>
<td>06/01/2014</td>
<td>06/01/2015</td>
<td>COMMERCIAL GENERAL LIABILITY OCCURRENCE FORM INCLUDES STOP GAP (LIABILITY IS SUBJECT TO A $500,000 SIR PAYABLE FROM PROGRAM FUNDS)</td>
<td>PER OCCURRENCE: $5,000,000, PER MEMBER AGGREGATE: $10,000,000, PRODUCT-COMP-OP: $5,000,000, PERSONAL &amp; ADV. INJURY: $5,000,000, ANNUAL POOL AGGREGATE: $50,000,000</td>
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<tr>
<td><strong>AUTOMOBILE LIABILITY</strong></td>
<td>N1-A2-RL-000000013-06</td>
<td>06/01/2014</td>
<td>06/01/2015</td>
<td>ANY AUTO (LIABILITY IS SUBJECT TO A $500,000 SIR PAYABLE FROM PROGRAM FUNDS)</td>
<td>COMBINED SINGLE LIMIT: $5,000,000</td>
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<tr>
<td><strong>PROPERTY</strong></td>
<td>N1-A2-RL-000000013-06</td>
<td>06/01/2014</td>
<td>06/01/2015</td>
<td>ALL RISK PER OCC EXCL EQ &amp; PL EARTHQUAKE PER OCC FLOOD PER OCC (PROPERTY IS SUBJECT TO A $500,000 SIR PAYABLE FROM PROGRAM FUNDS)</td>
<td>ANNUAL POOL AGGREGATE: $55,000,000, $1,000,000, $1,000,000</td>
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<tr>
<td><strong>MISCELLANEOUS PROFESSIONAL LIABILITY</strong></td>
<td>N1-A2-RL-000000013-06</td>
<td>06/01/2014</td>
<td>06/01/2015</td>
<td>PER CLAIM (LIABILITY IS SUBJECT TO A SIR PAYABLE FROM PROGRAM FUNDS)</td>
<td>ANNUAL POOL AGGREGATE</td>
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**DESCRIPTION OF OPERATIONS / VEHICLES / SPECIAL ITEMS**

Regarding easter egg hunt at the city park on date TBD. City of Black Diamond is named as Additional Insured regarding this event only and is subject to policy terms, conditions, and exclusions. Additional Insured endorsement is attached.

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**CANCELLATION**

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

**CERTIFICATE HOLDER**
City of Black Diamond
PO Box 590
Black Diamond, WA 98010

**AUTHORIZED REPRESENTATIVE**

[Signature]

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2837817
AMERICAN ALTERNATIVE
INSURANCE COMPANY

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION
(GENERAL LIABILITY)

<table>
<thead>
<tr>
<th>Named Insured</th>
<th>Non Profit Insurance Program (NPIP)</th>
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<tbody>
<tr>
<td>Policy Number</td>
<td>Endorsement Effective</td>
</tr>
<tr>
<td>N1-A2-RL-0000013-06</td>
<td>06/01/2014</td>
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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY

This endorsement modifies insurance provided under the following:

GENERAL LIABILITY COVERAGE PART

This endorsement changes the policy effective on the inception date of the policy unless another date is indicated above.

Schedule

Person or Organization (Additional Insured). As Per Schedule on file with Canfield, Underwriting Administrator

A. With respect to the General Liability Coverage Part only, the definition of Insured in the Liability Conditions, Definitions and Exclusions section of this policy is amended to include as an Insured the Person or Organization shown in the above Schedule. Such Person or Organization is an Insured only with respect to liability for Bodily Injury, Property Damage, or Personal and Advertising Injury caused in whole or in part by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In performance of your ongoing operations; or
2. In connection with your premises owned or rented to you.

B. The Limits of Insurance applicable to the additional Insured are those specified in either the:

1. Written contract or written agreement; or
2. Declarations for this policy.

whichever is less. These Limits of Insurance are inclusive and not in addition to the Limits Of Insurance shown in the Declarations.

All other terms and conditions remain unchanged.
SPECIAL USE PERMIT

In consideration of the sum of promises contained herein, the Lake Sawyer Community Club (LSCC), P.O. Box 191, Black Diamond, Washington 98010, as the responsible party for its invitees, hereinafter and collectively referred to as “the permittee,” is hereby granted permission for the day of Saturday, June 27th, 2015 from approximately 9:00 a.m. to approximately 12:00 Noon, by PALMER COKING COAL COMPANY LLP, a Washington limited liability partnership, hereinafter referred to as “Palmer,” to undertake an organized fun run across Palmer’s land in King County, Washington, described as follows:

Portions of Section 10, Township 21 North, Range 6 East, W.M. Black Diamond, King County, Washington as shown approximately on Exhibit A attached hereto (“the premises”).

Permittee agrees to inform the participants to the fun run, that Palmer’s land and that of associated residences is private and that “No Trespassing” is permitted across Palmer’s land or that of associated residences at any time outside of the permitted 3-hour time period provided through this Special Use Permit. Please respect our company and the residents’ privacy. This permit is subject to all valid rights existing on this date.

The premises shall be maintained in a clean and sanitary condition.

Permittee acknowledges the possible existence of known and unknown natural hazards including but not limited to: Coal mine hazards, unmarked cliffs, steep slopes, steep-walled canyons, unstable slopes, collapsed areas, unstable areas, loose rocks, gravel and dirt on trails and road, tree snags, and/or water hazards.

Permittee assumes full responsibility for the safety of its invitees in avoiding the possible dangers presented by such hazard areas.

The permittee will not cut or remove any timber from the premises without permission from Palmer and will take all proper and necessary steps to protect the premises from unauthorized occupancy, trespass and damage by fire, and assumes all responsibility for the spread of fire in or from the premises and for all damage to Palmer’s property or to the land, and to the timber thereon and on adjoining lands.

Palmer may cancel this permit without notice in the event fire danger risk is high in the permitted area and Palmer elects to close the area to public and recreational users.

No smoking will be allowed on Palmer land during times of extreme fire danger.

The permittee agrees to comply strictly with applicable Federal, State, County, and Municipal laws, rules and regulations relating to all activities contemplated under this permit, including but not limited to, fire and prevention of fire, public health, environment and pollution of streams or lakes, and to assume all obligations thereby imposed upon Palmer. The permittee further agrees to indemnify and save harmless
Palmer from any loss, cost, suit or expense resulting from failure to comply with any of the provisions of any such laws, rules or regulations.

Prior to the expiration of this permit, the permittee shall have the right to remove permittee's property from the premises at permittee's own expense and shall leave the premises in a clean and sanitary condition satisfactory to Palmer. In the event of failure to do so, Palmer may remove such property and restore the premises to a clean and sanitary condition at the expense of permittee, or may appropriate such property to its own use without compensation.

Permission herein granted is not exclusive, and Palmer reserves the right to use and to grant to others the right to use said land.

The permittee shall fully repair all damage to roads and trails caused by the permittee in exercise of the privileges granted by this permit.

Prior to exercising any rights under this permit, permittee will obtain and maintain, until all obligations assumed hereunder have been performed, liability insurance issued in a form and by an insurance company acceptable to Palmer. Coverage requirements shall be as follows:

A. Commercial General Liability - Minimum limits of $1,000,000 Per Occurrence / $1,000,000 Annual Aggregate Combined Single Limit of Bodily Injury and Property Damage.

B. Issue Certificate of Insurance to: Palmer Coking Coal Company LLP
   P.O. Box 10
   Black Diamond, WA 98010
   Fax: 425-432-3883

   Providing the following: 30 days' notice of cancellation or material change in the policy (if using ACORD form, “X” out the words “endeavor to” and the last clause “but failure to mail such notice shall impose no obligation or liability of any kind upon the company.”) and a statement that the permit is from Palmer to the insured.

   Also send with certificate, as a separate form:

   Additional Insured Endorsement - Palmer Coking Coal Company LLP is to be named as additional insured on a primary basis as to Commercial General.

   Specify that Palmer is an additional insured under above policies in respect of, but only in respect of, liability arising out of the operations of the contractor under contract for Palmer.

Prior to commencement of any use under this permit, the permittee shall deliver to Palmer a certificate of insurance from the insurer(s) of said permittee certifying that coverage in not less than the above amounts is in force. The certificate of insurance shall be submitted for approval as to the insurance company writing the same, the amount and the form. Palmer reserves the right to require a certified copy of the policy, or to examine the policy itself.
The permittee will assume all risk of and indemnify and hold harmless, and at its expense, defend Palmer from and against, any claims, loss, cost, legal actions, liability or expense on account of personal injury to or death of any persons whomsoever, including but not limited to invitees of permittee and employees of Palmer, or damage to or destruction of property to whomsoever belonging, including but not limited to property of Palmer resulting partly or wholly, directly or indirectly, from permittee’s exercise of the rights herein granted, excepting only such claims, cost, damage, injury or expense which may be caused by the sole negligence of Palmer.

The permittee shall keep Palmer’s property free from liens arising in any manner out of the activities of permittee and shall promptly discharge any such liens that are legitimately asserted.

Without the written consent of Palmer, permittee shall not assign this permit or any interest therein, or sublet and no heir, executor, administrator, receiver, master, sheriff, trustee in bankruptcy, or other assignee by operation of law shall assign or sublet without such written consent.

Rights herein granted are subject to immediate suspension by Palmer for any reason whatsoever.

Rights herein granted are subject to immediate termination by Palmer in the event of default on any of the terms or conditions contained herein.

There are no oral promises made by Palmer in consideration of the execution of this permit. Any waiver by Palmer of any provision hereof must be in writing.

IN WITNESS WHEREOF, this Special Use Permit is executed in duplicate this 12 day of May, 2015.

PALMER COKING COAL COMPANY, LLP

By: 

William Komol, Manager
P.O. Box 10 / 31407 Hwy 169
Black Diamond, Washington 98010
360-886-2841 * 425-432-4700 * Fax: 425-432-3883 * PalmerCokingCoal@aol.com

By:

Adam Running, Authorized Agent for Fun Run conducted by:
LAKE SAWYER COMMUNITY CLUB
P.O. Box 191, Black Diamond, Washington 98010
AgRunning@gmail.com; 206-351-5257; 253-318-7811