



Whatcom County

COUNTY COURTHOUSE
311 Grand Avenue, Ste #105
Bellingham, WA 98225-4038
(360) 778-5010

Agenda Bill Master Report

File Number: AB2026-118

File ID:	AB2026-118	Version:	1	Status:	Adopted
File Created:	01/23/2026	Entered by:	KSmith@co.whatcom.wa.us		
Department:	Council Office	File Type:	Ordinance		
Assigned to:	Council	Final Action:	02/10/2026		
Agenda Date:	02/10/2026	Enactment #:	ORD 2026-003		
Related Files:					

Primary Contact Email: ksmith@co.whatcom.wa.us

TITLE FOR AGENDA ITEM:

Ordinance amending Whatcom County Code Section 5.40.010 to change the permit threshold for outdoor musical entertainment, amusements, and assemblies

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

none

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
01/27/2026	Council	INTRODUCED FOR PUBLIC HEARING Aye: 6 Boyle, Buchanan, Galloway, Rienstra, Scanlon, and Stremler Nay: 1 Elenbaas	Council
02/10/2026	Council	ADOPTED Aye: 7 Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler Nay: 0	
02/10/2026	Council Committee of the Whole	DISCUSSED	

Attachments: Proposed Ordinance, Whatcom County Code 5.40, Revised Code of Washington 70.108, Notice of Hearing after 1.27.2026

PROPOSED BY: CLERK OF THE COUNCIL
INTRODUCED: JANUARY 27, 2026

ORDINANCE NO. 2026-003

**AMENDING WHATCOM COUNTY CODE SECTION 5.40.010
TO CHANGE THE PERMIT THRESHOLD FOR OUTDOOR
MUSICAL ENTERTAINMENT, AMUSEMENTS AND ASSEMBLIES**

WHEREAS, Whatcom County Code Chapter 5.40 provides for the process of obtaining a permit to present outdoor, live, or recorded musical entertainment; and

WHEREAS, Chapter 5.40 currently applies to events that are expected to attract 1,000 or more persons and where a charge or contribution is required for admission; and

WHEREAS, RCW 70.108 Outdoor Music Festivals provides that permits are required for outdoor musical events where the predicted attendance is 2,000 persons or more and where the duration of the program is five hours or longer; and

WHEREAS, the council desires to support smaller festivals and events that contribute to Whatcom County's economy and support arts events in the community; and

WHEREAS, the council finds that the requirements for obtaining a permit may be onerous for smaller events; and

WHEREAS, the council believes it is appropriate to raise the attendance threshold for requiring a permit so that it matches the threshold provided for in state law.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that Whatcom County Code Section 5.40.010 is hereby amended as shown in Exhibit A.

ADOPTED this 10th day of February, 2026

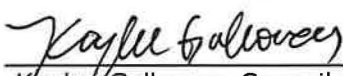
ATTEST:


Cathy Halka, Clerk of the Council

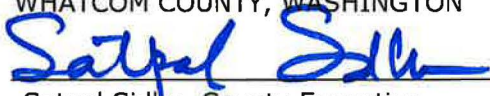
APPROVED AS TO FORM:

Kimberly Thulin by email 1/23/26 (ks)
Civil Deputy Prosecutor

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Kaylee Galloway, Council Chair

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON


Satpal Sidhu, County Executive

☒ Approved () Denied

Date Signed: 2.11.26

Exhibit A

Chapter 5.40

OUTDOOR MUSICAL ENTERTAINMENT, AMUSEMENTS AND ASSEMBLIES

Sections:

5.40.010 Permit required.

...

5.40.010 Permit required.

It is unlawful for any person, persons, organization, landowner, or lessor to allow, encourage, organize, promote, conduct, permit or cause to be advertised an entertainment, amusement, or assembly of persons wherein one of the primary purposes will be the presentation of outdoor, live, or recorded musical entertainment, which said person, persons, or corporation, organization, landowner or lessor believes or has reason to believe will attract $\pm 2,000$ or more persons, where the duration of the program is five hours or longer, and where a charge or contribution is required for admission, unless a valid county permit has been obtained for the operation of the assembly pursuant to RCW Chapter 70.108, Outdoor Music Festivals. (Prior code § 4.12.010).

...