

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

ORDINANCE NO. _____

**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 _____ day of _____, 2026

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Cathy Halka, Clerk of the Council

Kaylee Galloway, Council Chair

APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

[Kimberly Thulin by email 1/23/26 \(ks\)](#)
Civil Deputy Prosecutor

Satpal Sidhu, County Executive

() Approved () Denied

Date Signed: _____

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 ~~12~~,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).

...