

CHAPTER 5

SPECIAL EVENTS

SECTION:

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6-5-1: **DEFINITION:** any event that interferes with the normal flow of pedestrian or vehicular traffic, or involves alcohol where over 25 people of the age of 21 or older are present, or restricts access to a public property or public right-of-way, or requires medical or security presence, and is within a City owned property or park, except for persons operating under a concession agreement approved by the Council, will constitute a special event. (Ord. 14-0423-1, 4-23-14)

6-5-2: **SPECIAL EVENT PERMIT REQUIRED:** Unless exempted by state or federal law, it is unlawful for any person to conduct a special event, with or without charge for admission, on City owned property or parks without first applying for and being granted a special event permit for the specific special event and its venue. All permits issued pursuant to this chapter are nontransferable and expire at the completion of the given special event. (Ord. 14-0423-1, 4-23-14)

6-5-3: **LIMITATION OF PERMITS:** A special event shall be limited to no more than four (4) consecutive days in duration. (Ord. 14-0423-1, 4-23-14)

6-5-4: **APPLICATION PROCEDURE:** An application for special event permit shall be made in writing to the City Clerk on forms provided by the City. (Ord. 14-0423-1, 4-23-14)

- A. **Filing Period:** Application materials must be completed and submitted to the City not less than thirty (30) days prior to the scheduled first day of the special event, unless the City makes an exception based upon the showing of a good cause by the applicant that the application material may be submitted in less than thirty (30) days prior to the scheduled first day of the special event. Incomplete applications will be returned to the applicant and noted accordingly.
- B. **Decision:** The application materials will be reviewed by the City Clerk in light of the standards provided in this chapter. The City Clerk will mail the applicant comments and decision (i.e., approval, approval with changes, or cause[s] for denial) within five (5) business days from date of complete application submission.

- C. Permit Issuance: An applicant shall be issued a special event permit for the given special event upon the approval and signature of the City Clerk, and upon the fulfillment of the fee, insurance, and indemnity requirements.
- D. Base Fee: Any entity or individual desiring to conduct operation of concessions or a special event on or within City Parks, must pay a fee as part of the concession agreement or special event request. The fee for such agreement shall be fixed by resolution of the City Council. All fees due the city as a result of a special event must be paid in full no later than five (5) days prior to the first day of the special event.
- E. City Equipment/Services Fee: If the applicant requests city equipment and/or services in conjunction with the special event or if city equipment and/or services are deemed necessary by the City Clerk or City Administrator to protect the public's health, safety and welfare during the special event, the applicant shall be responsible for a fee equal to the expense of such city equipment and/or services. The City Clerk shall provide the applicant with an estimate of equipment/service fees based on city salaries and equipment costs.
- F. Waiver Of Fees: The City may waive all or a portion of the fees disclosed in this subsection in the case of a nonprofit organization or other governmental agency applicant, when the City determines it is in the city's interest to waive such fees. (Ord. 14-0423-1, 4-23-14)

6-5-5: **STANDARDS FOR ISSUANCE:** The City Clerk shall issue a permit as provided for under this chapter when, from consideration of the application and from such other information as may otherwise be deemed necessary, he or she finds that the conduct of the special event will not substantially interrupt the safe and orderly movement of traffic contiguous to its venue, the special event will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such assembly areas, and the special event is not for an unlawful purpose. (Ord. 14-0423-1, 4-23-14)

6-5-6: **INSURANCE REQUIREMENTS:** The City may, in its sole discretion, require an applicant at its sole cost and expense, to obtain and maintain in full force and effect throughout the entire term of the permitted special event, public liability insurance in a minimum amount of one million dollars (\$1,000,000.00) per person and one million dollars (\$1,000,000.00) per accident. Certificates of such insurance shall be filed concurrently with the application for the special event. Such certificates shall be subject to the approval of the city attorney and shall contain an endorsement stating that the city of Victor is named as an additional insured and that such insurance will not be canceled or altered by the insurance company or applicant without ten (10) days' prior written notice of such intended alteration or cancellation to the city. Current certificates of such insurance shall be kept on file at all times during the term of the special event. (Ord. 14-0423-1, 4-23-14)

6-5-7: **INDEMNITY:** The applicant shall indemnify, defend and hold harmless the city, its officers, agents and employees from any and all demands, claims or liability of any nature caused by or arising out of or connected with the permitted special event. (Ord. 14-0423-1, 4-23-14)

6-5-8: **EXEMPTIONS:** When the city is the applicant for a special event, the city shall be exempt from the requirements of this chapter. (Ord. 14-0423-1, 4-23-14)

6-5-9: **APPLICABLE LAW:** The special event permit is subject to other applicable city, state, federal or other governmental permits, tax regulations or laws. (Ord. 14-0423-1, 4-23-14)

6-5-10: **PENALTY:** Any person violating any of the sections of this chapter shall be guilty of a misdemeanor and subject to penalty as provided in this Code. (Ord. 14-0423-1, 4-23-14)