

Sec. 17-210. - Public events on city property.

- (a) Persons who wish to use city owned, occupied or controlled areas or facilities for public events must first obtain a permit as described in this section from the director of finance and business operations or designee.
- (b) The director may adopt and enforce rules and regulations to protect and preserve the rights, privileges and property of the city or of its residents, and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents. The director may post signs setting forth rules and regulations and directional signs.
- (c) The director, upon receiving a completed permit application, shall provide a copy of the application to appropriate city personnel who shall provide comments as to the following factors:
  - (1) The applicant has complied with all of the requirements of this Code and any rules or regulations promulgated thereunder;
  - (2) The proposed event will not substantially or unnecessarily interfere with traffic in the area;
  - (3) The proposed event will not substantially or unnecessarily interfere with any publicly managed infrastructure project;
  - (4) The concentration of persons or things at the event will not prevent proper fire and police protection or ambulance service;
  - (5) That the proposed event or use of the property will not unreasonably interfere with or detract from the general public enjoyment of the property;
  - (6) That the proposed event and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;
  - (7) That the property has not been reserved for other use at the time requested in the application;
  - (8) That the proposed event will not entail unusual, extraordinary or burdensome expense to the city;
  - (9) The applicant and group have complied with any required permits or licenses required for the activity on the property.
- (d) The application for a permit required in this section shall include, in the discretion of the director, information reasonably calculated to allow the director to determine the appropriateness of a permit, considering the factors set forth in subsection (c) of this section. The director or designee shall determine whether a permit shall be issued.
- (e) The factors listed in subsection (c) of this section shall also apply to a permit application under section 17-207 of this article.
- (f) The permit required in this section is in addition to and not in lieu of any other license or permit required in this Code.
- (g) The director shall issue or deny a permit within 30 days of submission of the permit application.
- (h) In the event of denial of the permit application, the applicant shall have ten days to appeal such denial to the administration committee of the city council. The administration committee shall hold a hearing on the appeal in person or upon written submission, within 21 days of the filing of the appeal with the city clerk. The applicant shall be notified in writing of the date, time and place of the hearing. The administration committee shall afford the applicant the opportunity to present information in support of the application. Within ten days of the hearing, the administration committee shall issue its written decision, which may affirm or reverse the decision of the director, or affirm the application subject to certain conditions. The decision of the administration committee shall be final.
- (i) Revocation of permit. The permit may be revoked without notice if the director, the chief of police, or fire chief have cause to believe anyone participating in the public event has committed any one or more of the following acts or if the following conditions occur:

- (1) Violated any local, state or federal laws;
  - (2) Violated the terms of any permit issued;
  - (3) Violated the rules or regulations of the area or facility; or
  - (4) That the public order or the health or safety of the public would be at risk if the use continued.
- (j) The applicant or sponsoring group/organization and all individual participants shall be required to have been approved for any local, state or federal licenses or permits that are required for the activities intended to be conducted pursuant to the permit.
- (k) Any and all appropriate city departments are authorized to inspect the public event and may issue citations for any violation of this Code or any regulations pertaining to the operation of the public event.
- (l) The director, after consultation with other appropriate departments, shall have the authority to promulgate such forms, rules and regulations that the director determines are necessary or desirable for the implementation of this section. The forms, rules and regulations shall be available for inspection by the public.
- (m) Liability of permit holder. The holder of a permit required by this article as well as any sponsoring group or organization shall be liable for any loss, damage or injury sustained by any person or the city arising out of or resulting from the fault of the permit holder, his or her employees, servants or agents, or other persons participating in or attending the public event. The holder as well as any sponsoring group or organization, by acceptance of a permit, assumes full responsibility for and agrees to indemnify the city against and save it harmless from any liability arising out of or resulting from the fault of the holder as well as any sponsoring group or organization, and their employees, servants or agents, or other persons participating in or attending the public event.
- (n) The director may impose insurance requirements on the issuance of a permit under this section in order to minimize the liability of the city for injury or damage connected to or arising out of the public event.

(Ord. No. 2949, § 3, 8-5-2019)

**Editor's note**— Ord. No. 2949, § 3, adopted August 5, 2019, repealed the former § 17-210, and enacted a new § 17-210 as set out herein. The former § 17-210 pertained to special events in Gateway Park green space and derived from Code 2017, § 20-255; Ord. No. 2763, § 1, adopted April 23, 2019 and Ord. No. 2941, § 5, adopted June 3, 2019.