



AGENDA MEMORANDUM

First Reading Ordinance for the City Council Meeting of February 17, 2015
Second Reading Ordinance for the City Council Meeting of February 24, 2015

DATE: February 5, 2015
TO: Ronald L. Olson, City Manager
FROM: Floyd Simpson, Chief of Police
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886-2603

Modifying and Clarifying Parade and Special Event Permit Ordinance

CAPTION:

Ordinance repealing Chapter 49, Article 1, Division 2. "Temporary Closure of Streets"; amending Chapter 53, Article VII "Parades and Marches" in its entirety to modify and clarify parades, marches, and street events permit procedures and requirements; providing an effective date; providing for severance; providing for penalty; and providing for publication.

PURPOSE:

Further clarify the Parade and Special Event Permit Ordinance. It has not been modified since 1973.

BACKGROUND AND FINDINGS:

Modifications to the ordinance:

- Parade and March applicants and Street closure events would be required to get one city permit rather than two. All permits would be reviewed by Police and Fire Department. The Proposed Ordinance simplifies the application process for applicant by having one department handle the one application from start to finish and by consolidating the Street Closure Permitting and Parade Permitting Ordinance.
- All event applications would be required to be submitted 90 days prior to the event, rather than current 3 days. The 90 days provide the City Departments time to coordinate and prepare to ensure for the safety and welfare of the public. The 90 day requirement also allows the Police Department time to properly draft officers to staff events. Additionally, a spontaneous event permit is issued for demonstrations that express first amendment rights. Spontaneous Event permits protect free-speech. Applications for spontaneous events are due 2 business days prior to the event.
- A \$50 application fee will be assessed up front. Street closure permitting fees will remain the same and will be incorporated and billed with the cost incurred by the City. Applicants will be required to make a 20% deposit for cost of event prior to issuance of a permit. The proposed ordinance contains specific language to hold parade organizers accountable for expenses incurred by the City related to parades and related events. Currently Street Closure permitting and application fees are assessed up front. There is

no parade permitting fee. Costs incurred by the City related to the event are billed after the event.

- Currently certain events such as the Buc Days Parade do not go through the permitting process. Such events enter into a contract with the City for services. These contractual events are reviewed by traffic engineering, police, and fire. Under the proposed ordinance these events will be permitted, but allows City to reduce or waive permitting fees. Fees are agreed to contractually. These events are designated as City Supported events. City Supported Events will be designated by City Council. Such a designation is valid indefinitely unless revoked by City Council. City Supported events must meet 6 criteria including drawing a crowd of over 10,000 people.
- Provision requiring events to have adequate waste facilities and holds them responsible for clean up. This provision supplements the City anti-litter initiative.
- Neighborhood events require the consent of 75 percent of all persons residing along the street to be closed (current ordinance is 100 percent). The intent of this revision is to make the application for neighborhood events more flexible.
- A special events application can be appealed to the City Manager or designee. An appeal is due 5 business days after denial or revocation. An appeal hearing is to be scheduled within 15 days of receiving the request. Current ordinance states denied parade permits application can appeal to City Council. An appeal is due within 5 business days. An appeal hearing is to be scheduled between 3 and 8 days after the filing of the appeal.
- Allows the City to prohibit items, such as silly string (flammable), which may cause a safety hazard at parades and street events. The City would provide event organizers a list of prohibited items.
- A street closure for filming a motion picture requires City Manager approval. The City Manager is authorized to waive the street closure fees where the event will provide sufficient favorable publicity and economic benefits. The intent of this revision is to expedite the time in which motion film production can be approved. Current ordinance requires City Council approval.
- The fees for cost recovery for Traffic Engineering cost are simplified to a two tier fee structure, a set fee for events with fewer than 500 participants (small events) and a set fee for events with over 500 participants (large events). Current ordinance is a multi-tiered fee structure.
- A reoccurring event is charged a \$200 cost recovery fee to review previously approved traffic control plan. This reduces the fees assessed against reoccurring events that do not require a change to their traffic control plan. Current ordinance permitting fee remains the same even when previous years traffic control plan is used.

ALTERNATIVES:

None

OTHER CONSIDERATIONS:

Not applicable

CONFORMITY TO CITY POLICY:

Conforms to all city policies.

EMERGENCY / NON-EMERGENCY:

Non-emergency

DEPARTMENTAL CLEARANCES:

Legal

FINANCIAL IMPACT:

Operating Revenue Capital X Not applicable

Fiscal Year: 2014-2015	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				0
Encumbered / Expended Amount				0
This item				0
BALANCE				0

Fund(s): General

Comments:

RECOMMENDATION:

Staff recommends supporting changes to the ordinance.

LIST OF SUPPORTING DOCUMENTS:

Ordinance