

## CHAPTER 95: SPECIAL EVENTS PERMITS

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### § 95.01 DEFINITIONS.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**ASSEMBLY.** Any event designed, promoted or conducted in order to encourage the gathering of people upon public property at a specified location and shall include any farmer's market, flea market, ceremony, show, demonstration, exhibition, street dance, pageant, party, circus, concert, sporting event, game or similar activity, except that a residential block event or parade shall not be considered an assembly for the purposes of this chapter.

**PARADE.** A procession of any kind, which moves from place to place upon public property along a specified route and shall include any march, race, walk-a-thon, bike-a-thon, demonstration, or similar activity.

**PARTIAL CLOSURE.** Any limitations to the normally allowed vehicular traffic on a Village street, including but not limited to the temporarily limiting of parking to one side of a street or roadway.

**PUBLIC PROPERTY.** Any park, street, alley, sidewalk, parkway or parking lot owned, controlled or managed by the Village.

**RESIDENTIAL BLOCK EVENT.** Any event, including parades, designed, promoted or conducted in order to encourage a gathering of residents of a block upon a local street, or the sidewalks or parkways abutting a local street at a specified location within an area zoned R1 or R2 where the sponsors of such event reside in the block where such gathering takes place.

***SPECIAL EVENT.*** Any residential block event, assembly, or parade held on public property as defined in this chapter in which 50 or more people are expected to attend, or any event which will necessitate the closure of Village streets, or the interference with vehicular traffic upon Village streets. ***SPECIAL EVENT*** shall not include events for which all participants use sidewalks, observe traffic safety and safety regulations and do not interfere with the safe and orderly movement of pedestrians, vehicles and funeral processions.

***SPONSOR.*** The person who has applied for a permit under this chapter. The ***SPONSOR*** shall be the person to whom the permit is issued.

***VILLAGE SPONSORED EVENT.*** Any special event that has been explicitly designated by resolution of the Village of Roscoe Board of Trustees as a Village sponsored event.

(Ord. 2015-33, passed 9-1-2015)

## **§ 95.02 PERMIT REQUIRED, APPLICATION.**

(A) No person shall knowingly publicly promote or advertise, sponsor, engage in, conduct or participate in, any special event unless a permit therefor has first been obtained consistent with this chapter.

(B) For recurring special events that take place on a daily, weekly or monthly basis during a specified period of time, only one permit shall be required per calendar year. This shall not apply to private parties.

(C) The applicant for a special events permit shall submit an application to the Police Chief at least 30 days prior to the date of the event upon forms provided by the Village; the time period shall be counted so as to exclude the day the application is submitted and the day the special event will begin.

(D) Upon processing of the application, the Chief of Police shall cause an original copy of the application to be provided to the Village Clerk for maintenance and storage in the official records of the Village of Roscoe.

(E) The application shall contain the following information:

(1) The name, address and telephone number of the sponsor and the name, address and telephone number of the sponsor's representatives who will manage or direct the special event or party and who will be present during the conduct of any such event; and in the case of a private party for which a permit is sought, the name, address and telephone number of the owner of the property at which such party will be held;

(2) The date of the event or party and the hours during which the applicant proposes to conduct the event;

(3) The proposed location of the event or party and, if it is a parade, the route to be followed;

(4) A reproducible diagram showing the proposed layout of the event or party including proposed, and if provided, restrooms, first aid facilities, emergency vehicle access, tents or temporary structures, utility lines, lighting and area restriction devices (including barricades or screening);

(5) A narrative description of the event or party;

(6) The number of persons expected to attend;

(7) The number of vendors, merchants, exhibitors and units expected to participate and the facilities expected to accommodate them;

(8) Whether or not fireworks will be used and a copy of the application for the state fireworks permit, and a completed Village of Roscoe Fireworks Permit Application, to be presented to the Village Board for approval or denial; and

(9) Whether tents or other temporary structures will be used;

(10) Whether or not electricity and water will be needed and the manner in which they are to be provided;

(11) A statement as to other types of licenses and permits, including liquor licenses, that have been or will be applied for;



(12) The number and type of sound amplification devices proposed to be used as part of the event activities or party; and

(13) A general statement as to the number and type of musicians or musical presentations proposed to be a part of the event or party.

(F) *Application fee.* No Application Fee shall be required for submission of a special event permit application.

(Ord. 2015-33, passed 9-1-2015) Penalty, see § 95.99

### **§ 95.03 REVIEW; ISSUANCE; PAYMENT; DENIAL.**

(A) Upon receipt of a completed application for the permit required by this chapter, the Police Chief shall forward copies thereof to the applicable departments or divisions to determine compliance with the applicable Village ordinances, the effect of the event on Village resources, and the anticipated effect of the event on public health or safety.

(B) Within 21 days after the receipt of a completed application, the Police Chief shall notify the applicant that the Village:

(1) Will grant the permit contingent upon submission of evidence of insurance required by this chapter;

(2) Will deny the permit based upon criteria set forth in division (C) of this section; and/or

(3) Requires a conference with the applicant to seek clarification or offer suggestions as to alterations in the permit application.

(C) (1) The Police Chief is empowered to deny a permit for an event only if, based upon the completed application and such clarification or alteration of the application received by the Police Chief from the applicant, the event:

(a) Will fail to comply with noise, health or safety regulations of the Village or otherwise violate applicable ordinances or state statutes;

(b) Will Unreasonably interfere with or restrict the delivery of Village or emergency services or business or residential activity within the proposed event area, on the proposed event area, on the proposed event route, or other areas of the Village;

(c) Will unreasonably conflict in time or location with other permitted activities in the proposed event area or proposed event route; or

(d) Will, with reasonable certainty, damage or destroy Village property.

(2) In addition, the Police Chief may deny a permit if the applicant fails to attend a conference as required by division (B)(3) of this section or has repeatedly violated the ordinances of the Village with respect to special events within the past 12-month period, or has failed to reimburse the Village for costs associated with the mandatory Village staffing at a previous event.

(Ord. 2015-33, passed 9-1-2015)

### **§ 95.04 REVOCATION; REFUSAL TO ISSUE; EMERGENCY.**

(A) The Police Chief, in addition to the grounds specified in paragraph § 96.03 above, may deny or revoke a license for failure to comply with the provisions of this chapter, conditions placed on the face of the permit, applicable codes or ordinances of the Village, or state statute.

(B) The decision of the Police Chief to deny or revoke a permit required by this chapter shall be appealable by the sponsor to the Village Board. Such appeal shall be initiated by written notice to Village Clerk before the close of the next regular Village business day after the date of service of such denial or revocation, or such appeal shall be deemed waived. The sponsor shall be given an opportunity to be heard by the Village Board upon any such denial

or revocation within two weeks after receipt of any such notice of appeal. The Village Board may sustain or reverse the decision of the Chief based upon the criteria set forth in § 95.03(C) above. The sponsor shall receive written notice of the Village Board's decision, which decision shall be a final decision for the purposes of administrative review.

(C) Notwithstanding any other provision in this code, if in the judgment of the Police Chief, an emergency situation has been created such that the continued use of public property by a permittee will immediately threaten life, health or property, the Police Chief, or his/her designee, upon the issuance of a written order stating the reason for such conclusion and without notice or hearing may immediately revoke the permit and require the use of public property to immediately cease. No person shall continue to use public property contrary to such order.

(Ord. 2015-33, passed 9-1-2015)

#### **§ 95.05 CONDITIONS; INSURANCE; CONTENTS.**

(A) If a permit required by this code is issued by the Police Chief based on the criteria set forth above, the Chief shall issue the permit to the sponsor for activities and events as detailed in the application contingent upon submission of required insurance by the applicant; provided, however, that the Police Chief may attach reasonable conditions to the permit directly relating to the criteria set forth in § 95.04(C) in order to prevent the denial of a permit and to provide for the use of Village personnel or equipment reasonably necessitated by the conduct of the event for crowd or traffic control. The use and deployment of Village personnel and equipment shall be as directed by the Police Chief.

(B) Prior to the issuance of the permit required by this chapter, the applicant will provide the Police Chief with evidence of public liability insurance insuring the sponsor and naming the Village of Roscoe as an additional insured with the following minimum coverage's: property damage, bodily injury including death/occurrence/aggregate, \$1,000,000; property damage, except that insurance shall not be required for residential block events.

(C) Upon approval of the application for a permit required by this chapter, the permit shall include the following:

- (1) The approved application;
- (2) The conditions for the use of required Village personnel or equipment;
- (3) Route or location, time, and date of event;
- (4) Reasonable conditions for the operation of the event; and
- (5) The signature of the sponsor acknowledging all requirements and responsibilities, prior to the date of the event.
- (6) The Police Chief shall cause notice of permit issuance to be sent to the Village Board, the Public Works Department, and the Fire Department.

(Ord. 2015-33, passed 9-1-2015)

#### **§ 95.06 LIABILITY OF SPONSOR.**

Every act or omission whatsoever of the provisions of this chapter by any officer, director, manager or other agent or employee of any sponsor, or any act or omission of such persons in relation to any other license or permit held by the sponsor in connection with an event held pursuant to this chapter, shall be deemed to be the knowing act of such sponsor. The sponsor shall be punishable in the same manner as if the act or omission had been done or omitted by the sponsor.

(Ord. 2015-33, passed 9-1-2015)



## **§ 95.07 PUBLIC CONDUCT.**

(A) No person shall unreasonably hamper, obstruct, impede, or interfere with any special event for which a permit is in effect or with any person, vehicle or animal participating or being used in such a special event.

(B) No driver of a vehicle shall knowingly drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion, unless directed by a police officer.

(C) The Chief of Police shall have the authority, when reasonably necessary, to restrict street access or to prohibit or restrict the parking of vehicles along a Village street or part thereof constituting a part of the route or location of a permitted special event. The Chief of Police shall approve the posting of such signs to that effect, and may require such posting as a condition of the special event permit. No person shall drive, park or leave unattended any vehicle in violation of such sign.

(Ord. 2015-33, passed 9-1-2015) Penalty, see § 95.99

## **§ 95.08 DISTURBING ASSEMBLIES PROHIBITED.**

No person shall disturb any lawful assemblage of people in the Village.

(Ord. 2015-33, passed 9-1-2015) Penalty, see § 95.99

## **§ 95.09 INTERPRETATION, FIRST AMENDMENT PROTECTED.**

It is the expressly declared legislative intention that this chapter shall be interpreted and administered so as to allow the fullest expression and guarantee of First Amendment rights consistent with the protection of the public health, safety and welfare of the citizens of the Village.

(Ord. 2015-33, passed 9-1-2015)

## **§ 95.10 GENERAL REGULATIONS FOR SPECIAL EVENTS.**

In addition to any other applicable Village ordinance or statute, the following regulations shall govern any special event authorized under a permit issued in this section:

(A) All special events shall cease at 10:00 p.m.

(B) *Excepting residential block events.* The Village Board of Trustees, prior to a permit being issued, must approve any street closures. Closures shall include all closures or partial closures determined to be necessary for the interest of public safety by the Police Chief.

(C) For any residential block event requiring a street closure, the Chief of Police shall be empowered to authorize residential street closings without additional approval by the Village Board of Trustees. In such instances. Fifty-one percent of the residents located on the properties adjacent to the proposed street closure must agree to such closure in writing prior to a permit being granted.

(D) Should a sponsor request, or the Police Chief require, a partial street closure that includes temporarily limiting parking to one side of the street, it shall be the responsibility of the Police Department to post such notice of the closure.

(E) Any barricades to be used on Village property in furtherance of a special event shall be approved by the Village Director of Public Works prior to their use.

(F) Special event permits are non-transferable and can only be used on the designated dates and times as printed and are required to be posted on site during the event.

(G) The event sponsor is responsible for ensuring that the organization and all participants and spectators abide by all conditions, ordinances, codes, and requirements of the permit.

(Ord. 2015-33, passed 9-1-2015) Penalty, see § 95.99

#### **§ 95.11 REIMBURSEMENTS FOR VILLAGE STAFFING.**

After a review of the proposed size and scope of an event, the Village may require Village personnel including police and/or public works personnel, at the event.

(A) The Village, at its sole discretion, shall determine the number of personnel necessary to ensure the safety of participants, minimize the inconvenience to its residents, ensure the success of the event, and reduce the public liability exposure to the Village.

(B) The Village shall make all reasonable efforts to provide the event sponsor with a written estimate of staffing costs prior to the issuance of the event permit. Such estimate shall be acknowledged by the sponsor prior to permit issuance. The issuance of an estimate, or lack thereof, shall not release the sponsor from the duty to reimburse the Village for the use of Village resources necessary to ensure the safety of the public, or the protection of Village assets.

(C) All Village personnel involved in advance of, during and after, the day(s) of the event may be charged back to the sponsor at their applicable hourly rates.

(D) The bill will be transmitted to the sponsor within 30 days after the completion of the event.

(E) Failure to pay any outstanding amount due for Village staffing reimbursements may result in the rejection of future applications for special event permits, or may require a deposit for projected reimbursements prior to issuance.

(Ord. 2015-33, passed 9-1-2015) Penalty, see § 95.99

#### **§ 95.12 VILLAGE SPONSORED EVENTS.**

The following special events are designated as "Village sponsored events" for the purposes of the Village's special event permitting process:

(A) Event: Memorial Day Parade;

(B) Event: Roscoe Fall Festival Parade; and

(C) Event: Roscoe Christmas Parade.

(Ord. 2015-33, passed 9-1-2015)

#### **§ 95.99 PENALTY.**

Penalties for violation of any section of this chapter shall be as set forth in § 10.99 of the Village of Roscoe Code of Ordinances.

(Ord. 2015-33, passed 9-1-2015)