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Note: Final version will not be available until after the adoption of Ordinance creating Chapter 39.

CITY OF LA CROSSE SPECIAL EVENTS MANUAL (Policies & Procedures)

Adopted by: Board of Public Works 08/12/2019 Common Council mm/dd/yyyy

SPECIAL EVENT MANUAL

The City of La Crosse recognizes that special events serve an important role in our community as they enhance the lives of our citizens and attract visitors to our City. The City's goal is to encourage and help coordinate special community events, while regulating these events in a positive manner to ensure the health and safety of participants in the event, efficient management of City services and the protection of public lands and facilities.

In order to help event organizers coordinate their plans with City requirements, this Special Event Manual has been compiled and contains policies and procedures, application forms and related materials that are involved in the City's review and approval process. Please read this manual completely, even if you have previously planned events.

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All special event applications will be reviewed by City staff, with the City Clerk issuing the special event permit upon approval of all departments. If a denial is received from one or more departments, an appeal of the decision may, upon request, be submitted to the Judiciary & Administration Committee for review and determination whether to grant the permit.

A preliminary conversation with City staff may save valuable time and provide you with initial guidance in the development of your special event plan.

Definition of Special Event. *Special event* means a temporary planned occurrence on public or private property and involves at least one of the circumstances listed below:

- (1) Exclusive use of all or part of all or part of waterways, or City-owned facilities, within the City boundaries such as buildings, parks, open spaces, streets, parking lots, athletic fields, etc., but does not include normal park shelter rentals or La Crosse Center rentals.
- (2) Will involve the closing of a public way; not including neighborhood block parties pursuant to section 40-107.
- (3) Over 200 people at any one time attending the event on private property, except those situations meeting the definition of a public assembly.
- (4) City ordinances and rules require public safety support by City employees.
- (5) Will require extraordinary services by any City department.
- (6) Hours of the event extend beyond those otherwise adopted in City ordinances.
- (7) Alcohol beverages and/or food will be served or sold, merchandise or other items are sold and/or outdoor music is provided.

Examples of special events include, but are not limited to, parade or procession of any kind including a group walk or run or bicycle tour or race; festivals and carnivals; outdoor concerts; sporting events and competitions; air shows; charity fundraisers and similar events that include any of the following: alcohol beverages, food and/or merchandise vendors, outdoor music, the closure of streets or public way.

A Special Event is not intended to include private events such as family gatherings, weddings or funeral ceremonies and processions not intended for the general public or for events that do not require extraordinary services or require any City licenses or permits. For excepted events, refer to sec. 39-3 of the La Crosse Municipal Code of Ordinances.

Marches and public assemblies held for the purpose of conducting activities protected by the First Amendment to the United States Constitution are regulated under Chapter 39, Article III. The following are exempt from march or public assembly permit requirements: (1) marches and public assemblies with a group of fifty (50) people or fewer, (2) marches and public assemblies on sidewalks that do not obstruct the normal flow of pedestrian traffic or (3) protests, marches and public assemblies in response to breaking news where such protest, march or public assembly is a spontaneous and immediate response to a current event (within twelve (12) hours of the event occurring).

Who to Contact First – Application, Fees and Deadline.

The City Clerk's Office is the filing officer and coordinates the special event permit process. The City Clerk's Office is on 2nd floor of City Hall, 400 La Crosse Street, La Crosse WI 54601. The special events manual and related applications can be obtained from the City Clerk's Office or from its webpage (www.cityoflacrosse.org-Departments-City Clerk-Licenses-Special Events).

Special event fees are based on the duration, attendance and whether there will be use or closures of any public way or outdoor music as follows:

- (1) Class I: Single day event
 - a. without use or closure of public way and no outdoor music \$ 50
 - b. with use or closure of public way only one city block or less \$100
 - c. with use or closure of public way only greater than one city block \$150
 - d. with use or closure of public way <u>and/or</u> outdoor music \$200

- (2) Class II: Multiple day event
 - a. without use or closure of public way and no outdoor music. \$ 50
 - b. with use or closure of public way only one city block or less \$200
 - c. with use or closure of public way only greater than one city block \$300 \$400
 - d. with use or closure of public way and/or outdoor music.

This manual will help identify what licenses and permits might be needed in addition to the special event permit. Excepted City-organized events are exempt from fees; however, the appropriate applications must be filed for events that have a great impact on City services and resources.

A special event permit shall be filed no less than sixty (60) days before the scheduled event and no more than one (1) year in advance of the event. The City must have sufficient notice prior to an event so that staff can evaluate the potential impact such an event might have on City resources, public properties/facilities and ultimately on the public and City residents. Each event has unique characteristics and will have a different impact on the services: therefore. events will be considered on a case-by-case basis.

Only one application is required for special events that are not consecutive days but ongoing or recurring over a period of time within a calendar year (i.e. Moon Tunes every Thursday in June, July and August); however, all dates and details must be listed on the application. A new special event application may be required for any additional dates or other modifications once the initial application has been approved. Separate additional permits and/or licenses (i.e. temporary alcohol license) may be required for each ongoing occurrence including additional fees for City services.

Note: We encourage you to refrain from advertising your event until your application has been approved. Submission of an application is not a guaranteed approval for either the date or location, nor is it an automatic approval for your event. The earlier you submit an application, the higher likelihood your location may be available. All location and equipment needs are reserved on a first-come basis without regard to previously held events.

Note: No application for a Special Event Permit will be considered if the organizer has any unpaid fees from previous events.

Event Clean Up/Damages. A \$100 cash deposit is required for any event on City-owned property or public right-of-way. If there is damage to City property or clean up required after an event, the deposit will not be returned and any additional fees over and above the deposit will be invoiced to the event organizer.

Consider How Your Event Plans Work With the Community. As you begin the preliminary planning for your event, think carefully about the impacts and benefits the event brings to a community.

Following are common impacts that thoughtful planning can help reduce:

- Remember, when you close a street, even for two or three blocks, this can affect traffic for miles around as traffic is rerouted or turned away.
- Does your street closure block or impede access to police stations, fire stations, hospital emergency access routes, churches, schools, businesses or residences?
- How does your event affect the public transportation system with regard to bus routes or airport access? Are alternate routes available to accommodate the numbers of people who use public transportation?
- Are you planning to serve alcohol? How will the use of alcohol affect the tenor, participant safety and enjoyment of the event; as well as security and insurance costs?

- What type of music will be featured? How will the noise impact the surrounding neighborhood? What type of audience behaviors and crowd number may result from the type of music planned?
- Have you made plans to ensure that the event is accessible to the disabled (including, but not limited to, vision, hearing and physical limitations)? Do your booths block ramp access? Is parking readily available? Will portable toilets accommodate wheelchairs?
- What other events are occurring throughout the City on the chosen date of your event? Will they reduce attendance at your event or inhibit the ability of the City to provide necessary staffing?

Park Facilities/Land: The City establishes rental rates for City facilities and park land. Event organizers intending to use a City facility or park, or whose event precludes normal occupancy and use of a park, must reserve it separately. Contact the Parks, Recreation & Forestry Department at 608-789-7533.

The size of your event may dictate which of the City's parks are best suited for your event. Park staff will discuss your needs and find the best park to make your event successful. See attached *Shelters Available* for available facilities, capacities and fees.

Pre-booking City facilities and parks. The City of La Crosse Parks, Recreation & Forestry Department will review all events for the upcoming year and present them to the Board of Park Commissioners at their November meeting; events require approval by the Park Board. If you wish to pre-book, you must provide a request by 12:00 noon on November 1st (next business day if November 1st falls on a Saturday, Sunday or holiday) of each year with the following information:

- Organization name, contact name, address, phone and email
- Event name
- Event date 1st choice and 2nd choice

 (A second choice is required in the event that your date conflicts with any previously scheduled Parks & Rec program.)
- Indicate the facility/shelter/park you wish to reserve (If using Riverside Park, indicate areas are needed for your event. Fees are set up for each individual area requested.)
- Information explaining your event
- Registration/participant fees associated with your event

The request must be submitted to the Park, Recreation & Forestry Office, 400 La Crosse Street, La Crosse WI 54601 or email it to <u>gerloffc@cityoflacrosse.org</u>. Questions, call 608-789-7533.

Failure to submit your request for the annual November Park Board meeting will result in losing the opportunity to pre-book for the upcoming year. Open bookings begin the first business day in January on a first-come basis with Park Board approval.

Note: Parks hours are 6:00 a.m. to 11:00 p.m. Reservations are allowed between 8:00 a.m. and 10:30 p.m. Events outside of those hours must be approved by the Board of Park Commissioners.

Public Street/Right-of-Way: If your event requires use or closure of a public street or right-ofway, traffic control staff will review your request to ensure that all safety measures are met and the use/closure(s) will not adversely affect traffic flow or transit routes. There may be some limitations on the use of certain streets during peak traffic hours or construction season. We advise you visit the <u>Engineering Department/Construction Projects</u> website to ensure your route will not be affected by a construction project. If you are aware of a known conflict, plan ahead with an alternate route. A legible, detailed map of the event location, proposed street use/closure(s) and intended route, if applicable, must be presented at the time of application. A turn-by-turn list is also helpful.

The closure of any state highway requires a DOT permit (DT1479); however, these closures are not recommended. Parades or other processions that pass through a state highway require police personnel to control the intersection; intersections must remain open to traffic.

Even if your event does not require street or sidewalk closings, it may generate unusual pedestrian and/or vehicular traffic. This not only affects the event's participants but also those who live, work and shop in the area surrounding the event location. Changes in traffic flow must be considered in the planning process. In the case of large events, consider establishing parking in other sites and shuttling participants to the event.

It is permissible to mark routes on city streets, sidewalks and paths provided the markings are made with <u>WHITE</u> chalk and removed after the event. Paint of any kind is prohibited and organizer will be billed for removal costs; in addition to possibly being fined.

Parades. The City has established the following regulations and policies which are intended to control parades and processions for the purpose of protecting the general welfare and safety of the persons using the roads of the City of La Crosse:

Parade Regulations:

- *Participants.* No person who leads or participates in a parade or procession shall disobey, or encourage others to disobey, the parade regulations or public conduct policies.
- *Throwing candy.* No candy, gum, balloons or other objects shall be thrown or disbursed from parade floats or vehicles.
- Direct Sellers (merchandise sales). No licensee shall be upon any street used as a
 parade route between the time one-half hour immediately preceding the commencement
 of any scheduled parade until after the conclusion of any scheduled parade. The sale of
 any type of device that expels a projectile; such as, but not limited to, silly string,
 marshmallows or other type of projectiles are prohibited.

Public Conduct Policies:

- *Interference*. No person shall unreasonably hamper, obstruct or impede or interfere with any parade, assembly, walk/run or procession or with any person, vehicle or animal participating or used in a parade.
- Driving through parade. No person shall drive a vehicle between the vehicles or persons comprising of a parade when such vehicles or persons are in motion and are conspicuously designated as a parade; unless safely directed through by emergency personnel.
- Parking on parade route. The chief of police may prohibit or restrict the parking of vehicles along a highway, or part thereof, constituting a part of the route of a parade. The chief of police shall post signs to such effect, and no person shall park or leave unattended any vehicle in violation there.

Alcohol: If you intend to sell or serve beer (fermented malt beverages) and/or wine at your event, a <u>Temporary Class B (picnic) Retail License</u> is required and must be filed with your Special Event Application. There are eligibility requirements for a temporary alcohol license; individuals and businesses do not qualify. The fee is \$10.00 and additional liquor liability insurance is required.

Additional Information:

- Only beer (fermented malt beverage) and wine are allowed with a Temporary Class B license. Intoxicating liquors/distilled beverages are prohibited.
- Licensee must purchase alcohol from a wholesaler or fermented malt beverage from a permitted brewery or brewpub authorized to sell directly to retailers; and keep invoices for two years.
- Licensed beverage operators (bartenders) are required to be present at all times to oversee the sales and consumption of alcohol. <u>Beverage operator licenses</u> are issued by the City Clerk's Office; individuals must apply in person.
- All beverages must be served in paper, plastic or aluminum containers. Glass is prohibited on City property.
- Alcohol is prohibited in the public way, i.e. streets, sidewalks, etc., and carrying open containers of alcohol outside of the designated areas is prohibited. We encourage signs be posted that alcohol is prohibited outside of fenced/licensed area.

See attached FAQs and Excerpts from La Crosse Municipal Code Pertaining to Temporary Class B Beer/Wine Licenses and Additional Information.

Tips to organize a safe and successful event:

- Sale of beer and/or wine must be under the control of your organization at all times. You are the responsible, legally liable party if problems arise because of the improper conduct of your beverage servers.
- The legal drinking age is 21. You should require identification from anyone who appears under the age of 30. Proper identification must be issued by a governmental agency with the name, date of birth, physical description and photograph of the person presenting the identification.
- Do not sell, furnish or give beer or wine to anyone who is intoxicated.
- Identify non-drinking designated drivers and offer them free non-alcoholic beverages.
- Limit sales/service of alcoholic beverages to two (2) drinks per person at any one time.
- Provide food at your event.
- Provide adequate security at your event, especially if it is open to the public.
- Drinking alcoholic beverages on City streets is prohibited; therefore, carrying open containers outside of the area should be monitored.

Food. If you intend to offer food at your event, food-related permits may be required from the La Crosse County Health Department (608-785-9771).

Food Vendors. Food vendors are exempt from needing an Outdoor Food Stand/Mobile Food license when vending on the grounds of a permitted special event (not including parade routes) with permission from event organizers. Vendors are required to hold a food-related permit issued by La Crosse County (or State of Wisconsin) and may be required to hold a Wisconsin Seller's Permit. A complete list of all food vendors shall be filed with the City Clerk no less than fourteen (14) days before the event including their food permit I.D. number and seller permit number or reason for exemption.

Merchandise Vendors. Vendors selling goods (not food related) are exempt from a Direct Seller Permit when vending on the grounds of a permitted special event (not including parade routes) with permission from event organizers. Vendors may be required to have a Wisconsin Seller Permit. A complete list of all merchandise vendors shall be filed with the City Clerk no less than fourteen (14) days before the event including their seller permit number or reason for exemption.

Outdoor Music. Do you intend to have outdoor music/sound at your event? Noise is regulated within the corporate limits of the City of La Crosse. In general, the ordinance states that it shall be unlawful to make, continue or cause to be made or continue any noise in excess of the noise levels set forth in Sec. 32-134 of the La Crosse Municipal Code unless such noise is reasonably necessary to the preservation of life, health, safety or property. Any event with amplified sound must be respectful of their surroundings and shall end by 10:00 p.m. unless additional hours are approved by the Board of Park Commissioners when in a City park.

There may be times or events planned where strict adherence to the noise ordinance may be difficult or unreasonable due to special circumstances. Organizers shall notify nearby properties of the event so they are aware of the event and know what can be expected in regard to noise. If the City receives complaint regarding noise from your event, the Police Department has the right to require event organizer to reduce the sound volume. If the organizer fails, the organizers shall be subject to penalty as provided by the City noise ordinance. The event may also be shut down.

Sounds emanating from events held at the southside Oktoberfest grounds, Copeland Park or Riverside Park are exempt from the provisions of the noise control section but shall be subject to any conditions provided for within the permission to hold such event.

Animals. If your event will include a petting zoo or animal exhibition, it is important to know that only certain domesticated animals are allowed with a Special Event Permit (see Sec. 6-8 of the Municipal Code). Events with wild or vicious animals; see Circus, Carnival or Menagerie.

Circus, Carnival or Menagerie. If your event will have a circus, carnival including amusement rides, inflatables or animal rides or a menagerie including wild or vicious animals; a license is required of the operator and an application must be filed with the Special Event Application (see Sec. 10-277 for exceptions). A separate application is required for each circus, carnival or menagerie location and the operator must provide additional liability insurance. An application can be found on the City website: <u>www.cityoflacrosse.org</u> – Departments – Licenses or by clicking Application for Circus, Carnival or Menagerie. Additional liability insurance is required.

Fireworks. If you intend to display fireworks, contact the Fire Department at 608-789-7260. An application can be found on the City website: *www.cityoflacrosse.org - Departments - Fire Department – Building & Fire Permits* or by clicking <u>Application for Display of Firework/Pyrotechnic Special Effects</u>. Additional liability insurance is required.

Note: If displaying fireworks in a City park, you must obtain permission from the Park & Recreation Department before submitting an application to the Fire Department.

Tents. Will you be erecting a tent or other temporary structure? Tents in excess of 400 square feet require inspection by the Fire Department – Community Risk Management. An application can be found on the City website: *www.cityoflacrosse.org - Departments - Fire Department – Building & Fire Permits* or by clicking <u>Application for Tent/Structure Permit</u>. Applications must be submitted with the Special Event Application.

Note: If erecting a tent or other temporary structure in a City park, there may be additional requirements of the Park & Recreation Department.

Fire Prevention and Safety Procedures. Establishing fire prevention and safety procedures at your event is an essential component of the event planning process.

Items of concern include: general fire and public safety, crowd capacity, access for emergency vehicles, configuration and identification of all vendors cooking with flammable and combustible liquids and/or gases or potentially hazardous cooking appliances.

The Fire Department will review your application and inspect most events. Violations will need to be cleared before a permit is issued, including vendor violations.

See attached Requirement for Outdoor Festivals.

Parking. Contact the Parking Utility Office at 608-789-4908 for information on parking availability, rates and options.

Security Plan. When planning a special event, you should consider a security plan.

The security plan should include, but is not limited to: the hiring of private security companies, plans for crowd control, alcohol containment, securing valuables, protecting event participants.

The La Crosse Police Department may make additional recommendations after review of the plan and/or require special duty police officer staffing at your event.

Medical Services. When planning a special event, first aid needs should be considered.

- How many people will be attending? Medical demands vary depending on anticipated attendance. An event hosting 200 people will have different first aid needs than an event with 5,000 or more participants.
- Is your event being held during the daylight hours or will it run into the evening hours when it is dark? If it is held during nighttime hours, is there good lighting?
- What are the demographics of the anticipated crowd? Does your particular group have any potential health issues that should be taken into consideration?
- What time of the year is your event being held? Do you anticipate hot weather, cold weather, wet conditions?
- What is the length of event? A few hours, a full day or several days?
- Is there a single location for your event? Will there be multiple venues?
- Have you encountered any first aid related problems with the event in past?
- Is this an athletic or sporting event? How strenuous or dangerous is the activity?

Depending on the answers to the previous questions will determine the appropriate level of medical services for your event. However, it is recommended that every special event have a first aid kit easily accessible on the event site(s).

Risk Management/Insurance. Ensuring that appropriate risk management practices are in place is a priority for the City of La Crosse. Some areas of risk management that should be observed by special event organizers are:

- Develop volunteer management practices identify who is in charge and communicate this to all volunteers. Monitor event volunteers to ensure work is being completed.
- Be clear about the role of the La Crosse Emergency Services (Police and Fire) at your event and enhance communication throughout the event. Consult with emergency personnel for input and advice while developing the safety/risk management plan.
- Be aware of safety standards and/or inspections related to buildings, vehicles, carnival rides and tents, ensuring safe egress from tents and fenced areas.

- Have emergency plans specific to the events activities, including communication and responsibilities, coordination with authorities, weather conditions, lightning and damage to a person or property.
- Coordinate fire safety/protection for all tents and commercial cooking functions, and the safe handling of propane gas.
- Do a "walk through" of the event looking out for tent stakes and ropes, electrical connections, compressed gas cylinders like helium, cables and hoses across walkways, absence of barriers to restricted areas.

Prior to issuance of a permit, applicant shall provide the City Clerk with the following evidence of insurance:

- (1) Comprehensive general liability insurance in the amount of not less than \$1,000,000 per occurrence for bodily injury, personal injury and property damage.
- (2) Automobile liability insurance in the amount of not less than \$1,000,000 per occurrence for bodily injury, personal injury and property damage. Said policy shall cover all owned, non-owned and hired vehicles.
- (3) For events that include a Temporary Class B Alcohol License, liquor liability insurance in the amount of not less than \$1,000,000 per occurrence for bodily insurance, personal injury and property damage.

Said insurance policies shall be in force and effect at the time such event is to take place, and shall, by the acceptance of the permit, be deemed to agree to indemnify, defend and hold the City of La Crosse harmless for all damages of any variety. The coverage shall contain no special limitations on the scope of protection afforded to the City of La Crosse.

Said policy must be endorsed naming the City of La Crosse, its elected and appointed officials, officers, employees or authorized representatives or volunteers as additional insured. Proof of insurance coverage must contain the additional insured endorsement (via ISO endorsement CG2010, CG 2033 or insurer's equivalent for general liability coverage); a statement alone on the certificate is not sufficient. *Note: An example endorsement is attached.*

If a special event organizer is self-insured, it must provide evidence of alternative proof of coverage, in a form acceptable to the City Clerk. The City shall be named an additional insured.

In addition to insurance, organizers of special events shall be required to sign an agreement in which they agree to indemnify the City of La Crosse, and its departments, and hold the City and its departments, employees and agents, harmless from any liability to a person resulting from any damage or injury to property or any person which occurs in connection with the permitted event proximately caused by any actions or inactions of the event's organizer, their officers, employees or agenda, or any person under their control insofar as permitted by law.

Sanitation. Special events held in parks, in open spaces or other public way may require portable restrooms and wash stations. The number of toilet facilities is based on capacity as required by Chapter 29 of the International Building Code. Contact Community Risk Management at 608-789-7530.

Waste Management/Recycling. The City requires proper collection and disposal of solid waste and recyclables. Event organizers are responsible for managing all waste and recyclables generated at the event. Trash receptacles for each shall be placed at various locations and emptied during the event to prevent overflow. If food vendors are part of the event, waste management will require more effort and expense on the part of the organizer.

A waste management/recycling plan shall be submitted with the special event application and include plans for collection and disposal of materials during and after event, number and location of garbage/recycling containers and dumpsters; number/schedule of volunteers/staff assigned to collection and clean up. If you need assistance with your waste management/recycling plan, contact the City of La Crosse Recycle Office at 608-789-7507.

The City does not provide dumpster services for special events. If your event will generate enough trash to require a dumpster, it is the sole responsibility of the organizer to arrange for dumpsters (drop off and pick up).

Event Clean Up. Cleanup of the event grounds is the organizer's responsibility. All waste, recycling and other event materials must be removed within twelve (12) hours of the event; unless additional time is approved. All portable objects such as tents, fencing and portable toilets must be removed within twenty-four (24) hours of the event's conclusion; unless additional time is approved. If the event is held on City property and additional clean-up is required at the conclusion of the event, the cash deposit will not be returned and any additional fees over and above the deposit will be invoiced to the event organizer.

Extraordinary Services. If a special event requires more than the reasonable and necessary services provided by the City that specifically result from the event, the applicant will pay the actual costs for the use of equipment, resources or services. This may include, but is not limited to, police personnel and services, fire personnel and services, barricades, traffic control, park services and any other service necessary to ensure the protection of participants and citizens, the proper functioning of City services and the proper administration of this ordinance and policies. The City reserves the right to require advance full or partial payment of estimated extraordinary service costs prior to the event.

Modification of a Permit Application. Any Special Event Permit granted by the City is based on information provided by the applicant in the permit application. Such information constitutes conditions and limits on the Special Event if the permit is granted.

The event coordinator shall notify the City immediately if any information in the permit application is no longer complete or accurate, and provide a revised Special Event application containing the updated information along with any adjustment of fees as necessary. No additions may be made to the application within fifteen (15) days of the event. The City will promptly review the revised application and notify the organizer if the permit will stand, be revoked, be modified or be subject to any additional conditions, limitations or changes.

Enforcement. The enforcement of special event permits shall be under the jurisdiction of the Police Department and Fire Department who shall have the power to inspect any event at any time to determine compliance.

Event Cancellation. The issuance of a special event permit is conditional at all times. A permit may be revoked by the Police Department or Fire Department when necessary to protect the health, safety or welfare, to prevent a nuisance from developing or continuing, in emergency situations or due to the noncompliance of the La Crosse Municipal Code, applicable State or Federal laws or Special Event Policy and Procedures.

ATTACHMENTS:

- Shelters Available for available facilities, capacities and fees.
- FAQs and Excerpts from La Crosse Municipal Code Pertaining to Temporary Class B Beer/Wine Licenses and Additional Information.
- Fire Prevention Building Safety Requirement for Outdoor Festivals.
- Municipal Service Fees Police, Streets
- Insurance Endorsement Example
- Special Event Ordinance
- Special Event Application
- Additional Applications
 - Application for Temporary Class B Retail License (beer and/or wine)
 - Application for Circus, Carnival or Menagerie
 - o Application for Display of Fireworks/Pyrotechnic Special Effects
 - Application for Tent/Structure Permit