

ORDINANCE NO.:5201

AN ORDINANCE to amend various sections of Chapter 39 regarding special event permit policies and procedures and to amend sections 4-182(b)6) and 10-280 regarding damage to property/clean up fees related to special events.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Section 39-2 is hereby amended to add definitions as follows:

Sec. 39-2. - Definitions.

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

Outdoor amplified music means vocal or instrumental sounds played through an amplifier with the likelihood of exceeding noise levels identified in sec. 32-134 of this Code.

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~~ a public 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) Public event in which ~~a~~Alcohol beverages and/or food will be served or sold, merchandise or other items are sold and/or outdoor amplified 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 amplified music, the closure of streets or public way.

SECTION II: Section 39-11(b) is hereby amended as follows:

Sec. 39-11. - Permit required.

- (b) The following events are exempt from the provisions of this Article unless otherwise specified:
 - (4) Youth, intramural and league ~~sporting~~ events that do not require extraordinary services or licenses/permits other than a park use or facility permit.

- (6) Private events held entirely on private property not requiring extraordinary services or other licenses/permits.

SECTION III: Section 39-14 is hereby amended to read as follows:

Sec. 39-14. – Damages/Clean up bond.

~~In addition to permit fees, a \$100 cash deposit is required at the time of application for any event on City-owned property or public right-of-way. If there is no damage to repair or clean up required, the deposit shall be returned. If there is damage to City property or clean up required after an event, the cost of said damage and/or clean up deposit will not be returned and any additional fees over and above the deposit will be invoiced to the event organizer following the event's conclusion.~~

SECTION IV: Section 4-182(b)(6) is hereby amended to read as follows:

- (6) ~~A cash bond in the amount of \$100.00 shall be filed with the City Clerk at the time of application for a license which bond will be used by the Director of Parks and Recreation, Forestry, Facilities and Grounds to repair any damage caused by the picnic or gathering or to clean up the park of any debris associated with the picnic or gathering. If there is no damage to repair or clean up required, the bond shall be returned. In the event damages are caused on public property or cleanup is required, the cost of either or both shall be itemized and deducted from the bond, and the balance returned will be invoiced to applicant.~~

SECTION V: Section 10-280 is hereby amended to read as follows:

Sec. 10-280. – Damages/Clean up bond.

~~In addition to the license fee, a \$250.00 cash deposit is required at the time of application to guarantee clean up and proper disposal of all rubbish, trash and other material deposited in the streets or public way of the City or upon the grounds where the exhibition is held. If the City determines the cleanup is satisfactory, the City Clerk shall refund the bond. In the event damages are caused on public property or cleanup is required, the cost of either or both shall be itemized and deducted from the bond, and the balance returned. Any fees over and above the deposit will be invoiced to the operator.~~

SECTION VI: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION VII: This ordinance shall take effect of January 1, 2022.

_____/s/_____
Mitch Reynolds, Mayor

_____/s/_____
Nikki M. Elsen, City Clerk

Passed: 12/9/2021
Approved: 12/9/2021
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