

**Special Events Ordinance and Policies and Procedures Manual.**

*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.

Special event policies and procedures will streamline the process for both event organizers and City staff. The permitting process will promote equitable and efficient use of City staff resources through proper planning for such events and will help protect public health, safety and welfare. It is the event organizer's responsibility to ensure that event attendees are provided with a safe and enjoyable event and to make sure that the event venue, the other people in the area and the surrounding neighborhoods are safe and not unduly impacted.

The special event ordinance: defines several terms used throughout the special event legislation, explains when a permit is necessary along with providing some exemptions, provides application process and requirements, defines classes of permits (to determine fees based on duration and whether there are closures of public way or outdoor music), explains investigation requirements, issuance of license and enforcement, revocation and appeal. The ordinance contains the basic authorities and the policies & procedures will contain more detail.

The policies and procedures manual incorporates all relevant information, rules and requirements and necessary applications to assist event organizers through the planning process. The policies and procedures manual will be approved by the Board of Public Works and the Common Council with the City Clerk having the ability to modify as necessary.

When filing an application for a special event, all relevant applications must be filed with the City Clerk's Office as a package no less than 60 days before the event.\* Filing everything at once will allow departments to review the event as a package rather than piecemeal as applications are filed one at a time. The special event application will incorporate closures of the public way, parade/run/walk/processions and outdoor music. Additional needs will be by separate application i.e. temporary alcohol license, carnival, etc. but must be filed at the same times as the special event application. \*If filed less than 60 days but more than 15 days, fees double. In no circumstance may an application be filed less than 15 days prior to a special event.

## **Marches and Public Assemblies.**

*March* means a group of persons, of any number, moving from one place to another on a public way or public place, which requires a street closing or otherwise requires police officers to stop, reroute or alter the normal flow of vehicle or pedestrian traffic because marchers are unlikely to comply with traffic regulations and controls. A march is for the purpose of conducting activities which are protected by the Constitution. All circumstances which do not meet the specific definition of a march will be reviewed as a special event. A parade does not constitute a march and shall be reviewed as a special event under Article II of this Chapter.

*Public assembly* means an organized public gathering or group of persons, of any number, which is reasonably anticipated to obstruct the normal flow of vehicular or pedestrian traffic upon a public way or the normal use of a public place because those assembled will not comply with the traffic regulations or controls, or with other public place use laws or policies, and will be located in one place, but does not meet the definition of march. A public assembly is the purpose of conducting activities which are protected by the Constitution. All circumstances which do not meet the specific definition of a public assembly will be reviewed as a special event.

The following will be exempt and not require a march or public assembly permit: (1) groups of fifty (50) people or fewer (2) marches and public assemblies on sidewalks that do not obstruct the normal flow of pedestrian traffic (3) protests, marches and public assemblies in response to breaking news where such protest, march or public assembly is a spontaneous and immediate (within twelve (12) hours of the event occurring) response to a current event.

Unless exempt, applications for marches and public assemblies must be filed with the City Clerk's Office no less than 5 business days before the event. There is currently no filing fee for marches and public assemblies but the City reserves the right to charge for extraordinary costs.

## **Closure of Public Ways/Short-Term Street Privilege Permits.**

Sec. 40-107 authorizes closure of public ways for block parties and other recreational uses. An amendment was prepared to add special event details and definitions and to clean up the section to correspond to the special event process.

Neighborhood block parties will not be required to license as a special event; they will be by separate application and approved by the Street Department (with review by Police). The block party application was modified and includes a fee of \$35.00. The City Clerk will serve as the filing officer and will route the applications and supporting documents to Streets.

All other closures will be required to apply for a special event license and the Street Department will be part of the review team.

## **Parades, Run/Walks or Other Processions.**

Because the parade, run/walk or other processions is part of the special event application, we are removing all permit requirements from the parade ordinance and re-directing to the special event process. We chose to leave a parade ordinance in Chapter 40 since they are street and sidewalk related and include only regulations and basis for denial.

Because parades are part of the special event, we are repealing the insurance requirements for parades in Sec. 2-2 and eliminating parade fees from the fee schedule.

## **Special Event Outdoor Cabaret Ordinance.**

We are repealing the special event outdoor cabaret (SEOC) ordinance because outdoor music will be included in a special event permit. The City Clerk's office will no longer be notifying property owners within 1,000 feet. Instead, organizers shall notify property owners of the event and the amplified sound details; however, they must adhere to noise control levels. If complaints are received, Police may instruct music to be turned down or shut down for non-compliance. We will no longer grant permissions to exceed noise control; however, events in the following locations are exempt from noise control levels: Oktoberfest Grounds, Copeland Park and Riverside Park.

Because we are eliminating the SEOC, we are amending the fee schedule to eliminate the SEOC fee. Special event fees are being incorporated into the fee schedule.

Because we are eliminating the SEOC, we created an ordinance to repeal the SEOC insurance requirements in Sec. 2-2 and replace it with insurance requirements for special events. The City's consultant TE Brennan recommends comprehensive general liability, automobile liability and, when there are alcohol sales, liquor liability insurance. Policy limits for each will be \$1 million per occurrence and the City of La Crosse will be named additional insured.

## **Temporary Class B Beer/Wine**

The only change made to the temporary alcohol section is to change the filing date from 15 days to 60 days making it consistent with the deadline for special event applications since everything will be filed as a package. If an alcohol license is filed separately and under 60 days, double fee will be charged per Sec. 4-18; however, in no situation may an application be filed less than 15 days prior to a special event.

## **Vendors.**

Merchandise vendors will be exempt from a Direct Seller Permit when vending on the grounds of a permitted special event (not including parade routes); however, the organizer must list all vendors on their application and assure each holds a valid Wisconsin Seller's Permit, if necessary. Merchandise vendors are currently exempt when participating in festivals.

Food vendors will be exempt from an Outdoor Food Stand/Mobile Food Unit License when vending on the grounds of a permitted special event (not including parade routes); however, the organizer must list all vendors on their application and assure each holds a valid food-related permit issued by La Crosse County or State of Wisconsin and a Wisconsin Seller's Permit, if necessary. Food vendors are currently exempt when participating in festivals.

Fire Prevention will perform inspections of all vendors when conducting their event inspection.

## **Animals**

If an event includes animals, certain domesticated animals will be allowed without additional permits i.e. petting zoo animals and semi-domesticated reindeer for Rotary Lights. These animals are allowed only at permitted special events not to include private residential events.

An amendment to Ch. 6 will allow "petting zoo" animals and reindeer only when part of a permitted special event; along with a few other exceptions i.e. public zoo or aquarium and animals under control of DNR or veterinarian.

If an event has exotic or wild animals, they are allowed at special events with an approved Carnival, Circus or Menagerie (CCM) license and an exception for this was included in Sec. 6-9.

## **Carnival, Circus or Menagerie**

Wild animals will be permitted with a CCM license. An ordinance to repeal and recreate of Ch. 10, Art. VIII will clean up that section: added definitions, deadline 60 days, change fee structure eliminating seating capacity fees for circuses and make all fees per day/per location.

## **Research.**

Research of other municipalities included Appleton, Eau Claire, Green Bay, Kenosha, Madison, Menasha, Mukwonago, Onalaska, Oshkosh and Wausau.

## **Fees.**

Other municipalities' fees were used as a guide while also considering our current fee. The fees recoup the staff costs for coordinating resources and services; the real costs for hosting events. Proposed is a Class I and Class II scale depending on if the event is one day or multiple. Within the class will be price differences depending on the use/closure of public way or outdoor music.