

Special Events
St. Clair

ORDINANCE NO.

CITY OF ST. CLAIR COUNTY OF ST. CLAIR, MICHIGAN

AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO REGULATE THE HOLDING OF SPECIAL EVENTS WITHIN THE CITY OF ST. CLAIR AND TO REQUIRE A PERMIT FOR THE HOLDING OF SUCH EVENTS.

THE CITY OF ST. CLAIR ORDAINS:

SECTION 1. DEFINITIONS.

For purposes of this ordinance, a “special event” shall mean a block party, festival, celebration, concert, or any similar occurrence or event to be conducted for a charitable, historical, educational or public or civic purpose and not for profit within any zoned district within the City of St. Clair, provided, however that parades and all political activities are specifically excluded from coverage under this ordinance.

SECTION 2. PERMIT REQUIRED.

No person, firm, corporation or organization shall participate in, advertise for or in any way promote, organize, control, manage, solicit or induce participation in a special event unless a permit has first been obtained from the Chief of Police. No person, firm, corporation or organization shall violate any of the terms issued for a special event or the terms of this article, nor join or participate in any permitted activity under this article over the objection of a permit holder or in any manner interfere with the progress or orderly conduct of a special event.

SECTION 3. SPECIAL EVENTS ALLOWED PURSUANT TO PERMIT.

A person, firm, corporation or organization shall be allowed to conduct a special event in any zoned area within the City of St. Clair if it has first secured a permit pursuant to this ordinance, as well as final approval from the City Council.

SECTION 4. REIMBURSEMENT FOR MUNICIPAL EXPENSES.

Applicants shall reimburse the City for the costs of city employees and for all other expenses incurred by the City in preparing for and administering the special event at rates to be periodically set by the City Council.

SECTION 5. APPLICATION FOR PERMIT.

An application for a permit for the holding of a special event shall be made upon a form provided by the Chief of Police and shall contain all of the following information:

- a. The name, residence and business address and phone number of each person and organization sponsoring the special event. If an organization, the application shall contain the name, residence and business addresses of the President or Chairman or individual who is in charge of the event thereof;
- b. Description of the activity, event or use and proposed locations.

- c. The date(s) of and starting and ending times of the activity, event or use including time required for set-up and clean-up.
- d. Whether parking is requested to be restricted or prohibited during the special event and if so, in what areas.
- e. Proposed plans to provide necessary parking, security, crowd control, traffic control, refuse disposal, utility service, sanitation facilities, private property protection and restoration, noise control, staging areas, and other areas, personnel and equipment which is or may reasonably be necessary.
- f. The type, nature and amount of any rate, fee, charge to be paid or donation made by anyone participating in or attending the activity, event or use.
- g. Copies of insurance policies naming the City and any property owners abutting the affected street(s), road(s) or public rights-of-way as named or additional insureds in amounts of coverage to be determined from time to time by resolution of the City Council and insuring the City and abutting property owners against any and all liability for damage to property and insuring the City against any and all liability for personal injury or death as a result of the activity, event or use, as a result of participation in or attendance at the activity, event or use. The City Council may, at its discretion, waive these insurance requirements.
- h. A certification, acceptable to the City that the applicant will indemnify the City for and hold it harmless from and defend it against any and all claims, lawsuits or other liability arising from or as a result of the activity, event or use.
 - I. The signature of an authorized person on behalf of the applicant.
- j. A statement of the benefit of the activity, event or use to the general public and the non-profit organization applicant and of the reasons for the activity, event or use.
- k. Such other information as the Chief of Police deems reasonably necessary in order to carry out his duties under this article.

SECTION 6. TIME OF FILING.

The application for a permit shall be filed not less than ninety (90) days prior to the scheduled date of the special event. Failure to file on time will result in the denial of a permit.

SECTION 7. LITTER COLLECTION.

Applicants shall provide for the collection and removal of all trash, garbage and litter caused by or arising out of the special event and shall advise the Chief of Police of the specific plans for same. Should the applicant fail to remove all trash, garbage and litter to the satisfaction of the City the same shall be completed by City employees and the applicant shall reimburse the City at the hourly rate set forth pursuant to Section 4.

SECTION 8. VENDORS.

All vendors participating in a special event shall comply with the provision of Chapter 18, Article IV of the Code of Ordinances.

SECTION 9. CONDITIONS IN PERMIT.

Any permit granted under this article may contain conditions reasonably calculated to reduce or minimize the dangers and hazards to vehicular or pedestrian traffic and the

public health, safety, tranquility, morals or welfare, including but not limited to, changes in time, duration, number or participants or noise levels.

SECTION 10. STANDARDS FOR ISSUANCE.

A permit shall be issued by the Clerk upon order of the Chief of Police when, from a consideration of the application and from such other information as may otherwise be obtained, he finds that all of the following circumstances exist:

- a. The applicant has not knowingly and with intent to deceive, made any false, misleading or fraudulent statements of material fact in the application for a permit or in any other document required pursuant to this ordinance.
- b. The applicant has met the standards in this article and agrees to such conditions as are imposed in the permit.
- c. The time, the duration and size of the special event will not substantially disrupt the safe movement of traffic;
- d. Any required or necessary street closure is of a size or nature such that it will not require the diversion of so great a number of police officers so as to prevent normal police protection to the City;
- e. The concentration of persons will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to that area where the special event is being held.
- f. Any required or necessary temporary street closure will not unduly interfere with the moving of fire fighting equipment on the way to a fire and further will not unduly interfere with the orderly operation of parks, hospitals, churches, schools or other public and quasi-public institutions of the City.

SECTION 11. NOTICE OF ISSUANCE OR DENIAL.

Written notice of the issuance or denial of the permit shall be provided to the applicant within thirty (30) days of receipt of an application or as soon as practicable if received less than thirty (30) days in advance of the proposed date of the special event. If a permit is denied, said written notice shall state the reason for denial.

SECTION 12. APPEALS PROCEDURE.

Upon the denial of a permit by the Chief of Police, the applicant may appeal by filing the appeal within four (4) working days, with the City Superintendent or his designated representative who shall set the appeal for hearing within three (3) working days. The City Superintendent will notify the applicant orally and in writing of the date and time of hearing. After holding a hearing, the City Superintendent may reverse, affirm or modify in any respect the determination of the Chief of Police.

SECTION 13. WAIVER OF TIME LIMITATIONS.

For good cause shown, the Chief of Police may waive the time limitation in Section 6 for filing an application and the City Superintendent may waive the time limitation as set forth in the preceding section for filing an appeal.

SECTION 14. REVOCATION OF PERMIT.

Any permit for a special event issued pursuant to this article may be revoked by the Chief of Police, City Superintendent, or a duly authorized representative, at any time when by reason of emergency, disaster, calamity, disorder, riot, extreme traffic conditions, violation of this ordinance or any permit conditions, or undue burden on public services, he determines that the health safety, tranquility, morals or welfare of the public where the safety of any property requires such revocation. Notice of revocation of the permit shall be delivered in writing to at least one person named upon the permit by personal service or by certified mail, or if the closure has commenced, orally, or in writing, by personal contact or service, or by telephone. Continuance after such notice has been delivered as unlawful.

SECTION 15. PUBLICATION.

This Ordinance shall be published in accordance with the terms, provisions and requirements of the City Charter of the City of St. Clair, Michigan, and in accordance with and to the extent required by the statutes of the State of Michigan.

SECTION 16. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall take effect on the _____ day of _____, 1997 in accordance with the provisions and requirements of the City of St. Clair. The City Clerk is hereby directed to publish this Ordinance within _____ (___) days after the date of adoption as required by Section _____ of the City Charter of the City of St. Clair.

ORDINANCE DECLARED ADOPTED

_____ **BY: CITY OF ST. CLAIR, MI**

The foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of St. Clair, County of St. Clair, State of Michigan, at a regular meeting held on the ___ day of _____, 199 ___, and public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 267 of the Public Acts of 1976, as amended, being the Open Meetings Act, and the Minutes of said meeting have been or will be made available as required by said Act.

Members Present:

Members Absent:

It was moved by Member _____ and supported by Member _____ to adopt the Ordinance.

Members voting yes:

Members voting no:

The Ordinance was declared adopted by the Mayor and has been recorded in the Ordinance Book.

Janice B. Winn, City Clerk City of St. Clair

INTRODUCED: ADOPTED: PUBLISHED: EFFECTIVE: