

ORDINANCE NO. 2839

AN ORDINANCE ADDING CHAPTER 12.33 (SPECIAL EVENTS) TO TITLE 12 (STREETS, SIDEWALKS AND PUBLIC PLACES) AND AMENDING CHAPTER 18.85 (BOLM-SCHUHKRAFT PARK PAVILION RESERVATION) OF TITLE 18 (FEES AND CHARGES TO BE ASSESSED) OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA, ILLINOIS TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE BY PROVIDING POLICY AND PROCEDURE FOR PUBLIC PLACES WITHIN THE CITY OF COLUMBIA

**Adopted by the
City Council
of the
City of Columbia, Illinois
this 7th day of February, 2011**

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Illinois, this 7th day
of February, 2011**

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FEB 07 2011

J. Ronald Colyer
 City Clerk

AN ORDINANCE ADDING CHAPTER 12.33 (SPECIAL EVENTS) TO TITLE 12 (STREETS, SIDEWALKS AND PUBLIC PLACES) AND AMENDING CHAPTER 18.85 (BOLM-SCHUHKRAFT PARK PAVILION RESERVATION) OF TITLE 18 (FEES AND CHARGES TO BE ASSESSED) OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA, ILLINOIS TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE BY PROVIDING POLICY AND PROCEDURE FOR PUBLIC PLACES WITHIN THE CITY OF COLUMBIA

WHEREAS, there is a need to adopt and periodically update a set of rules to clarify and communicate the mutual considerations and concerns that are an integral part of the community; and,

WHEREAS, the Corporate Authorities of the City have found and determined and do hereby declare that it is in the public interest, health, safety and welfare of the citizens of the city that Title 12 (Streets, Sidewalks and Public Places) of the City's Municipal Code be amended so as to adopt language governing special events within the city.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

Section 1. The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

Section 2. Chapter 12.33 (SPECIAL EVENTS) of Title 12 (STREETS, SIDEWALKS AND PUBLIC PLACES) of the City of Columbia, Illinois Municipal Code is hereby added to read as follows:

SPECIAL EVENTS

- Sections:**
- 12.33.010** Definitions.
 - 12.33.020** Fees.
 - 12.33.030** Permits.
 - 12.33.040** Permit approval.
 - 12.33.050** Insurance requirements.
 - 12.33.060** Set-up/clean-up.
 - 12.33.070** Restrooms.

12.33.010 DEFINITIONS.

A special event is any outdoor or seasonal event including, but not limited to a picnic, parade, carnival, craft fair, art fair, bicycle/motorcycle/vehicle ride, run/walk, car show, wedding or other reception, or any other event held on public property which is open to attendance by the general public and/or may require special consideration from any or all of the following City departments:

- Columbia Police Department (CPD);
- Columbia Volunteer Fire Department (CVFD);
- Department of Public Works (DOPW);
- Columbia Emergency Medical Service (EMS); and
- Community & Economic Development Department (CEDD).

12.33.020 FEES.

- 1) All applications for special event permits shall be accompanied by a nonrefundable fee in an amount to be set by City ordinance from time to time;
- 2) Additional fees may be charged for services requiring City-provided assistance from CPD, CVFD, DOPW, EMS, and/or CEDD (assessment of these fees to be approved by City Council);
- 3) The balance of such fees, if any, must be paid by a check or money order in the proper amount no less than fourteen days in advance of the event;
- 4) There shall be no exemption of payment of the nonrefundable fee granted to charitable or non-profit organizations;
- 5) The special event application fee is non-refundable and permits that are issued are non-transferrable;
- 6) The subleasing or transfer of a permit is prohibited; and
- 7) A refundable security deposit in the amount of two times the application fee will be used to pay for all damages to property and equipment, and any damages in excess of the security deposit shall be billed to the applicant and shall be paid by said applicant upon receipt.

12.33.030 PERMITS.

No group, association or organization desiring to use park facilities for a particular purpose, as defined in Section 12.33.010, shall use any park facility without first obtaining a special events permit.

- 1) Applications for a special events permit must be filed with the City Clerk no less than fourteen days prior to the first day of the special event;
- 2) Applicants must be over 18 years of age. Applicants and their guests must fully comply with the requirements of any special conditions attached to the permit, rules, all local ordinances, codes and regulations, as well as all State and Federal Laws;
- 3) Final event details must be submitted at least fourteen days before the scheduled event. Details are to include all components of the event such as type of event, expected attendance, staging, tent usage, name of rental companies, entertainment, electricity needs, etc.;
- 4) The permit may be revoked or terminated at any time by the City if the applicant(s) and/or their guest(s) breaches any of these rules, violates any other laws, ordinances, rules, or regulations, or if the City, in the exercise of its sole and absolute discretion, deems it necessary to revoke the permit to ensure the public's health, safety, welfare, or enjoyment of the public property;
- 5) Permission will be required for any person or group to bring and use an electrical device with special power requirements;
- 6) Applicants must provide the following information (as applicable):
 - a. Traffic and parking plan (parking area, street closing or one-way restrictions, traffic control points where police assistance may be needed and overflow parking areas), anticipated crowds, and estimated attendance;
 - b. Contingency plans for rain (relocation or rescheduling of events, alternative parking areas, method of notifying the public of changes);
 - c. Proof of liability insurance with the City of Columbia named as an additional insured in the minimum amount of \$1,000,000;
 - d. Refundable security deposit to protect City facilities;

- e. Supplemental liquor license;
 - f. Plans for toilet facilities;
 - g. A list of for-profit vendors and sales tax numbers (to verify sales tax is collected and remitted);
 - h. Name and phone number of person in charge of event, and secondary contact; and
 - i. Special request(s) for specified City-provided assistance from CPD, CVFD, DOPW, EMS and CEDD.
- 7) Applicants must have a copy of the signed permit with them at the event.

12.33.040 PERMIT APPROVAL.

- 1) The Director of Community and Economic Development shall review and may approve certain special events provided that the events are requested by an existing licensed business within the City, are held on City property and do not require the coordination of City departments as defined under Section 12.33.010;
- 2) All other requests for special events not approved by the Director of Community and Economic Development shall go before the City Council for approval; and
- 3) Applications will be considered on a first come, first served basis from the actual date and time a completed application and fee are received by the City.

12.33.050 INSURANCE REQUIREMENTS.

- 1) The City of Columbia requires the group or individual to obtain a special event insurance policy;
- 2) The City shall be named as an additional insured in the minimum amount of \$1,000,000;
- 3) The applicant hereby agrees to indemnify and hold the City and its officers, employees and agents harmless from any and all claims for damages or injuries to persons or property resulting from the issuance of the permit or their use of the park or pavilion, and the applicant will be responsible for the group's behavior and actions at all times;

- 4) The City assumes no liability or responsibility for loss of property or for injury or damage to person(s) or property that may be sustained while on City-owned premises, and the applicant hereby releases and agrees to hold the City harmless from the same; and
- 5) The City expressly disclaims any warranty or representation as to the suitability or condition of the park or pavilion, and the applicant and applicant's guests enter at their own risk.

12.33.060 SET-UP/CLEAN-UP.

- 1) Set-up cannot begin before park opening;
- 2) Breakdown and clean-up must end by park closing, except as set forth under Section 12.32.20;
- 3) Events involving entertainment or sound equipment must end by park closing or 9 P.M., whichever occurs first, except as set forth under Section 12.32.20;
- 4) If a tent or other temporary facility will be used or erected, the applicant shall obtain all necessary permits or approvals from the City of Columbia Building Inspection Department prior to the event;
- 5) Applicant is allowed to erect or locate a tent or temporary structure immediately prior to the scheduled event and to leave the tent or temporary structure in place after the conclusion of the scheduled event for a reasonable time without incurring additional rental charges from the City, so long as its presence does not conflict or interfere with the City's, the public's, or another applicant's use of the park or other facility;
- 6) Temporary signage shall be permitted as provided for in the sign ordinance of the city or as otherwise approved by City Council;
- 7) Clean-up must occur during the event as needed and litter picked up. All trash accumulated during the event must be placed in receptacles for City pick-up; and
- 8) At the conclusion of the event, a representative of the City will inspect the area. If the applicant has not cleaned up the event premises and restored it to its original condition, the City will clean up the event premises and charge the applicant for the service.

12.33.070 RESTROOMS.

- 1) If portable toilets are to be used, this must be indicated on the application form;
- 2) Portable restroom facilities must be set up and removed with 24 hours of the event. Location must be coordinated with the DOPW;
- 3) Applicant shall provide adequate and sanitary portable restroom facilities from a company licensed by the Monroe County Health Department in such quantity and type as required by all applicable federal, state or local laws;
- 4) Said portable restroom facilities are required to be present and operational at all times during the event, but they may be installed immediately prior to the scheduled event and removed within a reasonable time after the conclusion of the event without incurring additional rental charges from the City;
- 5) All portable restroom facilities shall be relocated or moved at the request of the City to minimize their disruption on the public or their unsightliness;
- 6) Applicant shall obtain all necessary permits or approvals from the Monroe County Health Department prior to the event; and
- 7) Applicant is responsible for contacting the Monroe County Health Department to find out if they comply with the Health Department's rules and regulations.

Section 3. Chapter 18.85 (BOLM-SCHUHKRAFT PARK PAVILION RESERVATION) of Title 18 (FEES AND CHARGES TO BE ASSESSED) of the City of Columbia, Illinois Municipal Code is hereby amended to read as follows:

PARK FACILITY RESERVATION

Sections:

- 18.85.001 Bolm-Schuhkraft Park Pavilion Reservation.**
- 18.85.002 Bolm-Schuhkraft Park Baseball Diamond/Field/Court Reservation.**
- 18.85.003 A.C. Metter Memorial Park Pavilion Reservation.**

Section 18.85.001 BOLM-SCHUHKRAFT PARK PAVILION RESERVATION

Bolm-Schuhkraft Park Pavilion Reservation

- 1) All applications for reservations of pavilions shall be accompanied by a nonrefundable fee in an amount to be set by City ordinance from time to time for each pavilion being reserved prior to a permit being issued for the use of said pavilion;

(Ordinance No. 2719, Amended, 04/20/2009, New Rates 09/10.; Ord. No. 2550, Amended, 04/16/2007, New Fee Ord.; Ord. 2352, Amended, 04/18/2005, Fee Increase.; 18.85.001 (Ord. 2249), Amended, 04/05/2004, Fee increase.; 18.85.001 (Ord. 2038), Amended, 04/01/2002, Fees and Charges for City Services and Business Licenses)

Section 18.85.002 BOLM-SCHUHKRAFT PARK BASEBALL DIAMOND/FIELD/COURT RESERVATION

Bolm-Schuhkraft Park Baseball Diamond/Field/Court Reservation

- 1) All applications for reservations of baseball diamonds, athletic fields or courts shall be accompanied by a nonrefundable fee in an amount to be set by City ordinance from time to time for each baseball diamond, athletic field or court being reserved prior to a permit being issued for the use of said diamond, field or court;

(Ordinance No. 2719, Amended, 04/20/2009, New Rates 09/10.; Ord. No. 2550, Amended, 04/16/2007, New Fee Ord.; Ord. 2352, Amended, 04/18/2005, Fee Increase.; 18.85.002 (Ord. 2249), Amended, 04/05/2004, Fee increase.; 18.85.002 (Ord. 2038), Amended, 04/01/2002, Fees and Charges for City Services and Business Licenses)

Section 18.85.003 A.C. METTER MEMORIAL PARK PAVILION RESERVATION

A.C. Metter Memorial Park Pavilion Reservation

- 1) All applications for reservations of pavilions shall be accompanied by a nonrefundable fee in an amount to be set by City ordinance from time to time for each pavilion being reserved prior to a permit being issued for the use of said pavilion;

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall be in full force and effect from and after its passage and publication in pamphlet form, as provided by law.

Alderman Niemietz moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Ebersohl, and the roll call vote was as follows:

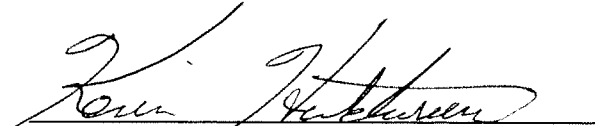
YEAS: Aldermen Ebersohl, Agne, Niemietz, Row, Hejna, Stumpf and Roessler.

NAYS: Alderman Oberkfell.

ABSENT: None.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor, this 7th day of February, 2011.



KEVIN B. HUTCHINSON, Mayor

ATTEST:



J. RONALD COLYER, City Clerk

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF MONROE)

CERTIFICATE OF TRUE COPY

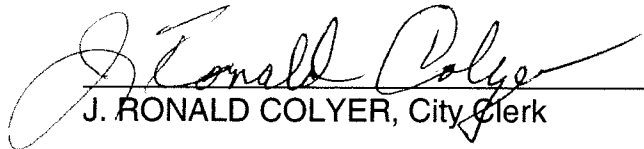
I, J. Ronald Colyer, hereby certify that I am the duly elected and acting City Clerk of the City of Columbia, Illinois, and as such I am the keeper of the books, records, files and corporate seal of said City.

I do further certify that Ordinance No. 2839, entitled:

“AN ORDINANCE ADDING CHAPTER 12.33 (SPECIAL EVENTS) TO TITLE 12 (STREETS, SIDEWALKS AND PUBLIC PLACES) AND AMENDING CHAPTER 18.85 (BOLM-SCHUHKRAFT PARK PAVILION RESERVATION) OF TITLE 18 (FEES AND CHARGES TO BE ASSESSED) OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA, ILLINOIS TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE BY PROVIDING POLICY AND PROCEDURE FOR PUBLIC PLACES WITHIN THE CITY OF COLUMBIA”

to which this certificate is attached, is a true, perfect, complete and correct copy of said ordinance as adopted at a regular meeting of the Columbia, Illinois, City Council held on the 7th day of February, 2011.

IN WITNESS WHEREOF, I have made and delivered this certificate for the uses and purposes hereinabove set forth this 7th day of February, 2011.



J. RONALD COLYER, City Clerk

(SEAL)