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| <b>CITY OF APPLETON POLICY</b>                                   | <b>TITLE:</b><br><b>SPECIAL EVENT POLICY</b>                         |   |
| ISSUE DATE: September 1996                                       | LAST UPDATE: January 2010  | SECTION: City Clerk   |
| POLICY SOURCE:<br>City Clerk                                     | AUDIENCE:<br>City employees and residents                            | TOTAL PAGES: 8  |
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#### I. PURPOSE

The City is dedicated to making the special event licensing process as easy as possible for applicants. The purpose of this policy is to outline the steps that must be taken for special events to be properly licensed by the City of Appleton.

#### II. POLICY

Events and planned occurrences on City property that exceed the normal and ordinary use of such property may be considered special events and subject to review and licensing.

#### III. DISCUSSION

It is recognized that special events of all sizes often bring benefits to the community. At the same time, the City must have sufficient notice prior to a special event so that the City can evaluate the potential impact the event might have on resources of City departments, City owned properties and facilities, and ultimately on the public. Because events have unique characteristics with different potential impacts on City services, the issuance of a license is considered on a case-by-case basis and in accordance with this policy.

For licensing purposes there are three categories of special events: (i) Small Events, which are events with an anticipated attendance of under 1,000 people, (ii) Large Events, which are events with an anticipated attendance of between 1,000 and 5,000 people, and (iii) Significant Events, which are events with an anticipated attendance of over 5,000 people. Events may take place on one day or for multiple days.

The event category plus the number of days the event will occur will determine (i) the fee for the event, (ii) the license application deadline, and (iii) any other minimum resources required for the event.

#### IV. DEFINITIONS

***Anticipated attendance*** means an objective estimate made by an applicant of the total number of people who will attend a special event.

***Applicant*** means the person applying for the special event license.

***Days*** means calendar days.

***Event category*** means the size of the event, either a Small Event, Large Event or Significant Event.

***Large Event*** means a special event with an anticipated attendance of between 1,000 and 5,000 people.

***License*** means the license issued by the City Clerk to the applicant for the special event.

***Multiple day event*** means a special event that occurs on more than one day, where the days are consecutive or at a consistent interval (e.g., an event occurring on a consecutive Saturday and Sunday or an event occurring every other Tuesday), at the same start and end time and at the same location. One special event license will be issued for a multiple day event.

***Normal and ordinary use*** means the way City owned property should normally and ordinarily be used, as established by the department that of jurisdiction (e.g., a ball diamond complex's normal and ordinary use is for baseball/softball games, a public streets normal and ordinary use is for vehicular traffic, a sidewalks normal and ordinary use is for pedestrian use). Whether an event is considered within the normal and ordinary use of the property is determined by the City department that maintains jurisdiction over the property.

***Significant Event*** means a special event with an anticipated attendance of over 5,000 people.

***Single day event*** means a special event that does not meet the definition of a multiple day event.

***Small Event*** means a special event with an anticipated attendance of under 1,000 people.

***Special event* or *event*** means any planned occurrence in the public right-of-way or on public property including, but not limited to, parades, gatherings, festivals and athletic events, which are not within the normal and ordinary use of that place or which, by the nature of the event, may have a greater impact on City services or resources than would have occurred had the event not taken place. Whether the event is considered within the normal and ordinary use of the public facility or property shall be determined by the City department that maintains jurisdiction over the property. A special event may be a single day event or a multiple day event.

***Special Event License Application Form* or *application*** means the application available from the City Clerk that must be approved by the City Clerk on the recommendation of the Special Events Committee in order to obtain a license to hold a special event.

***Special Events Committee*** means the committee comprised of City employees representing various City departments.

## V. PROCEDURES

### A. LICENSE REQUIREMENTS.

1. Application. To obtain a special event license, the applicant must file a completed application with the City Clerk before the last applicable day before the event and pay the license fees. *See Attachment A – Fee Schedule.*
  - a. Late Applications. Late applications will not be accepted unless the event is a large or significant event that has been held in the City for at least the past two (2) consecutive years and there are no changes to the event from the previous year. Late applications meeting this standard may be accepted by the City Clerk subject to a late fee. Applications submitted less than ten (10) days before the event will not be accepted. *See Attachment A – Fee Schedule.*
  - b. Additional Reservations/Permits/Licenses. Filing an application does **NOT** reserve a park or facility and does **NOT** include applications for any other licenses or permits as may be required.
  - c. Map/Diagram of Event. A detailed map or diagram indicating the specific location and layout of the event must be submitted with the applicant. The map should also include any proposed street closures and the proposed route and direction of route, including all turns and the number of traffic lanes to be used, if applicable.
    - i. Street Closure. If an event requires a street closure, the applicant or their contractor must provide an acceptably-prepared Traffic Control Plan (TCP) to the Traffic Section for review and approval no less than four (4) weeks prior to the event. The plan must comply with the Federal Highway Administration's Manual on Uniform Traffic Control Devices, latest edition, and the City of Appleton's Temporary Traffic Control Manual, latest edition. Temporary traffic control devices/services must be provided by a contractor which has extensive experience in the industry and is approved in advance by the Traffic Section.
    - ii. Event Route. Event routes, if applicable, must be submitted with the application regardless of historical precedent. Proposed routes may be altered after the license has been issued only at the discretion of the Police Department and the Department of Public Works.
  - d. Insurance Events are required to have adequate levels of insurance as determined by the City's Risk Manager and based on the size and type of the event. Applicants must furnish the City Clerk with a valid certificate of insurance covering any and all liability.

2. Meetings.

- a. Special Events Committee Meeting. Prior to filing an application, the applicant may request a meeting with the Special Events Committee at the next regularly scheduled meeting to discuss the proposed special event and receive feedback regarding the likelihood of the application being approved and have questions or concerns answered.
- b. Department Meeting. The City Clerk may schedule a meeting if deemed necessary by the City Clerk or requested by the applicant and/or the affected City Department(s) should the applicant make a request for City services. The purpose of the meeting will be to discuss the services requested. The meeting must be held no later than thirty (30) calendar days before the event. If the applicant refuses to meet at the request of the City Clerk, the license may be denied or revoked.

3. Application Review.

- a. Committee Review. Applications are reviewed by the Special Events Committee, which will recommend either approving or denying the application. The City Clerk will issue the license upon unanimous approval. The review by the committee must include, but may not be limited to, an evaluation based on the following criteria:
  - i. Use of department resources,
  - ii. Costs to the department,
  - iii. Benefit to the community,
  - iv. Any perceived public health or safety problems,
  - v. If the applicant has a history not complying with this policy and/or other applicable rules or regulations, and
  - vi. Use of City property.
- b. Recommendation for Denial. If a recommendation for denial is made, an explanation must be provided to the City Clerk which will then be provided to the applicant. The applicant may request the application be submitted to the Common Council by way of the Safety and Licensing Committee for review and a final determination of whether to grant the license.

- 4. Waiver. Some or all of the license requirements may be waived in cases where the United States Secret Service notifies the City of a proposed event in which it will be assisting with security details. It will be at the discretion of the Special Events Committee which requirements will be waived.

B. SAFETY.

1. Security. Events must have a designated head of security and must have additional security personnel at the rate of one (1) security person for every 300 persons present if alcohol is available for consumption or for every 600 persons present if alcohol is not available for consumption. The Police and Fire Departments have the discretion to modify these ratios as they deem necessary and the applicant will be notified of the modification as soon as reasonably possible.
  - a. Head of Security. The head of security must, at minimum, be: (i) 18 years of age or older, (ii) clearly identifiable as the head of security at all times during the event, (iii) reachable by phone at all times during the event by any City employee, (iv) able to call 911 during the event, and (v) able to contact and instruct the security personnel, as applicable, during the event. These requirements may be modified by the Police and Fire Departments in their discretion, and the applicant will be notified of the modification as soon as reasonably possible
  - b. Security Personnel. Security personnel must, at minimum, be: (i) 18 years of age or older, (ii) clearly identifiable as security personnel at all times during the event, (iii) able to call 911 during the event, (iv) reachable at all times by the head of security during the event, and (v) be able to act on instructions from the head of security, or any other authorized person, in case of an emergency. These requirements may be modified by the Police and Fire Departments in their discretion, and the applicant will be notified of the modification as soon as reasonably possible.
2. Additional Safety Features. The Police and Fire Departments may, at their discretion, require events have additional safety features including, but not limited to, a first aid station with a certified nurse or medical doctor, an ambulance on standby and/or professionally licensed security officers. If additional safety features are required, the applicant will be notified as soon as reasonably possible.

C. SET-UP, TOILET FACILITIES AND CLEAN-UP.

1. Set-Up Time. Set-up for an event, including, but not limited to, dropping off supplies and erecting tents, shall not take place more than four (4) hours in advance of an event unless approval for earlier set-up has been granted in writing by the department director or designee with jurisdiction over the location of the event.
2. Markings. Any instructions or information about or pertaining to an event applied directly to City property, such as streets, sidewalks and curbs, must be no more than twelve (12) inches in height and two (2) feet in length. Only white, temporary (lasting no longer than thirty [30] days), water-based marking paint or landscape chalk is permitted to be used.
3. Toilets. It is the responsibility of the applicant to ensure the adequate number of toilets are available at the event.

4. Waste Receptacles. It is the responsibility of the applicant to ensure the proper number of waste receptacles are present at the event.
5. Clean-Up. It is the responsibility of the applicant to ensure the location of the event is left in the same condition it was in prior to the event. All clean-up efforts must be completed within four (4) hours after the conclusion of the event unless approval for additional clean-up time has been granted in writing by the department director or designee with jurisdiction over the location of the event.

D. FEES.

1. License Fee. Special event license fees are set based upon the amount of resources used by the City for similar events and is based on the event's anticipated attendance, whether there will be street closures, and how far in advance of the event the application is filed with the City Clerk. The license fee must be paid at the time of the application is filed with the City Clerk. *See, Attachment A – Fees*.
2. Late Fee. A late fee of will be added to all applications filed pursuant to Section V(A)(1)a above. *See Attachment A – Fees*.
3. Police Investigation Fee. A background check of all applicants will be conducted by the Police Department and the fee for the background check, \$7.00, is in addition to the license fees.
4. City Events. Events where the applicant is an official, employee or designated agent of the City acting on behalf of the City will not incur any fees.
5. Permits. Charges for park facilities, food sales permits, tent permit fees, etc., are to be paid **IN ADDITION** to the fees discussed in this policy.
6. Non-Refundable. All fees are non-refundable with the exception of fees for events that are cancelled by the applicant and/or the City due to weather conditions or by the City for the unforeseen or unexpected unavailability of the event venue that is not caused by an act or inaction of the applicant, in which case the fees will revert to a credit the applicant can use for rescheduling the event or for a similar event. The credit must be used within one (1) calendar year from the date of the cancelled event. No cash refunds will be given if the full value of the credit is not used by the applicant. If the event is cancelled by the applicant due to weather conditions, notification to the City Clerk must be made as soon as reasonably possible.

E. EVENT CANCELLATION. The Mayor or designee may cancel an event without prior notice for any condition affecting public health or the safety of the City, or any condition that would affect facilities, grounds, or other natural resources at risk of damage or destruction if the event were permitted to take place.

F. COMPLIANCE. The applicant is responsible for ensuring that the event complies with

this policy and all applicable laws and regulations including, but not limited to, statutes, ordinances, traffic rules, park rules, health laws, fire codes, and liquor licensing regulations. Failure to comply resulting in the City providing services will result in the applicant being billed for the City provided services should the cost of services equal \$50 or more, and may also result in the applicant being prevented from obtaining a special event license in the future.

- a. In the event the City bills the applicant for services, the department director or designee with jurisdiction over the services provided will submit a bill to the applicant within thirty (30) days after the conclusion of the event. Payment is due to the City within thirty (30) days after the date on the bill.
  - b. The applicant may appeal the bill by placing the reason for the appeal in writing and submitting it to the City Clerk prior to the bill's due date. The final determination of the bill will be made by the Common Council by way of the Safety and Licensing Committee.
- G. ANNUAL REPORTING. By July 30 of every year, a report must be submitted by the City Clerk to the Safety and Licensing Committee and the Common Council documenting the cost of services provided to special events by City departments for the previous year.
- H. PRECEDENT. Nothing in this policy shall be read to take precedent over any applicable statutes or ordinances.

## ATTACHMENT A - FEES

| SINGLE DAY EVENT LICENSE FEE |   |  |   |  |  |   |
|------------------------------|---|--|---|--|--|---|
| Days before the event        | Small Events – Under 1,000 attendees<br><b>WITHOUT STREET CLOSURE</b> | Small Events – Under 1,000 attendees<br><b>WITH STREET CLOSURE</b> | Large Events – Between 1,000 and 5,000 attendees<br><b>WITHOUT STREET CLOSURE</b> | Large Events – Between 1,000 and 5,000 attendees<br><b>WITH STREET CLOSURE</b> | Significant Events – Over 5,000 attendees<br><br><b>WITHOUT STREET CLOSURE</b> | Significant Events – Over 5,000 attendees<br><br><b>WITH STREET CLOSURE</b> |
| 90 days or more              | \$50  | \$100  | \$500   | \$700  | \$1,000  | \$1,500   |
| 60-89 days                   | \$60  | \$150  | \$600   | \$750  | \$1,200  | \$1,700   |
| 45-59 days                   | \$75  | \$200  | \$800   | \$1,000  | \$1,650  | \$2,500   |
| 30-44 days                   | \$100   | \$300  | DENIED  | DENIED   | DENIED   | DENIED  |
| 11-29 days                   | \$200   | \$400  | DENIED  | DENIED   | DENIED   | DENIED  |
| < 10 days                    | DENIED  | DENIED   | DENIED  | DENIED   | DENIED   | DENIED  |
| Late Fee                     | N/A   | N/A  | \$300   | \$600  | \$600  | \$1,200   |

| MULTIPLE DAY EVENT LICENSE FEE |   |  |   |  |  |   |
|--------------------------------|---|--|---|--|--|---|
| Days before the event          | Small Events – Under 1,000 attendees<br><b>WITHOUT STREET CLOSURE</b> | Small Events – Under 1,000 attendees<br><b>WITH STREET CLOSURE</b> | Large Events – Between 1,000 and 5,000 attendees<br><b>WITHOUT STREET CLOSURE</b> | Large Events – Between 1,000 and 5,000 attendees<br><b>WITH STREET CLOSURE</b> | Significant Events – Over 5,000 attendees<br><br><b>WITHOUT STREET CLOSURE</b> | Significant Events – Over 5,000 attendees<br><br><b>WITH STREET CLOSURE</b> |
| 90 days or more                | \$50  | \$100  | \$500   | \$700 first day + \$175 each additional day                                    | \$1,000  | \$1,500 first day + \$375 each additional day                               |
| 60-89 days                     | \$60  | \$150  | \$600   | \$750 first day + \$188 each additional day                                    | \$1,200  | \$1,700 first day + \$425 each additional day                               |
| 45-59 days                     | \$75  | \$200  | \$800   | \$1,000 first day fee + \$250 each additional day                              | \$1,650  | \$2,500 first day fee + \$750 each additional day                           |
| 30-44 days                     | \$100   | \$300  | DENIED  | DENIED   | DENIED   | DENIED  |
| 10-29 days                     | \$200   | \$400  | DENIED  | DENIED   | DENIED   | DENIED  |
| < 10 days                      | DENIED  | DENIED   | DENIED  | DENIED   | DENIED   | DENIED  |
| Late Fee                       | N/A   | N/A  | \$300   | \$600  | \$600  | \$1,200   |