

1                                   **Section 1 - Amendments to 41.5-102**

2   The Code of Ordinances shall be and hereby is amended by changing  
3   Sec. 41.5-102 as follows:

4

5   Sec 41.5-102 Definitions

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

9       ~~(a)~~   *Adjacent premises* means any land or parking area  
10       immediately surrounding the special event that is occurring.

11       ~~(b)~~   *Alcohol* under this chapter means events that serve or  
12       sell alcohol must obtain the appropriate permitting under  
13       chapter 6 as well as obtain police and/or security for their  
14       event.

15       ~~(c)~~   *Applicant* means an individual, resident, organization,  
16       non-profit, governmental entity or any other entity  
17       recognized by law that both sponsors the event and applies  
18       for the permit to hold the special event in the city. The  
19       applicant will update the application with the current  
20       contact person who will be in person at the event.

21       ~~(d)~~   *Assembly* means a gathering of one or more persons on a  
22       sidewalk or city property, other than a right-of-way by the  
23       city that does not interfere with the regular use of such

1 sidewalk or park property, including pedestrian or vehicular  
2 traffic.

3 ~~(e)~~ *Business day* means those days in which the city offices  
4 are open for conducting city business. A "business day" does  
5 not include Saturday, Sunday or the holidays observed by the  
6 city.

7 ~~(f)~~ *Carnival* means any aggregation of shows or riding  
8 devices, games of skill or chance, or any combination of  
9 shows and riding devices, or any combination of several  
10 enterprises, such as revolving wheels, merry-go-rounds,  
11 giant swings, panoramas, musical and theatrical  
12 entertainments or riding devices, whether carried on or  
13 engaged in or conducted in any field, park or in a building  
14 or enclosure, and whether carried on, engaged in or  
15 conducted as one (1) enterprise or by several  
16 concessionaires, and whether one (1) admission fee is  
17 charged for admission to all such shows or entertainments,  
18 or separate fee for admission is charged for each amusement.  
19 ~~The size of the carnival will determine what tier the event~~  
20 ~~will fall under. Any carnival will need to have a security~~  
21 ~~plan for adjacent premises to the carnival. Carnivals may~~  
22 ~~only operate until 8 p.m. Sunday through Thursday and 9 p.m.~~

1 ~~on Friday and Saturdays with last tickets selling 30 minutes~~  
2 ~~prior to closing.~~

3 ~~(g)~~ *Circus* means a show consisting of acrobats, trained  
4 animals, clowns, or similar forms of entertainment that is  
5 held in an arena, which may be open air or enclosed in a  
6 tent or building.

7 ~~(h)~~ *City property* means any buildings, public street, alley,  
8 sidewalk, right-of-way, city owned parks, parkway or parking  
9 lot owned, controlled or managed by the city. City property  
10 does not include real property owned by any other  
11 governmental entity.

12 ~~(i)~~ *City services* means any services provided by or through  
13 the use of city personnel including, but not limited to  
14 members of the community affairs, fire, police, public works  
15 or other department or agency required by a special event.

16 ~~(j)~~ *Coordinator* means the head of the division of special  
17 events.

18 *Crowd control* means the mitigation and protection  
19 against generalized safety risks which the city determines  
20 to be necessary given the nature, size, and geographic scope  
21 of a special event. Crowd control does not include the  
22 mitigation and protection against a particularized safety

1 risk based on a potential hostile reaction to a particular  
2 special event.

3 Crowd control costs means the cost of all services  
4 rendered by and through the city associated with crowd  
5 control at a special event.

6 ~~(k)~~ *Demonstration, march or vigil* means an assembly or  
7 protest held for a specific cause or concern.

8 ~~(l)~~ *Emergency action plan* means a plan prepared and  
9 submitted as part of ~~that is submitted during~~ the  
10 application process that identifies emergency exits, crowd  
11 managers, emergency notification methods, and how organizers  
12 will deal with emergencies, including cancellation due to  
13 inclement weather situations ~~These plans must also include~~  
14 ~~consideration for cancellation of an event due to weather~~  
15 ~~conditions that create a hazard.~~

16 ~~(m)~~ *Film production* means a film production using public or  
17 private property within the city, whether indoor or outdoor,  
18 for the purpose of producing, filming or videotaping of  
19 commercials, movies, television programs, or training tapes  
20 or films and other moving picture media for commercial, not-  
21 for-profit, educational or artistic activities shall require  
22 a permit. ~~A film production falls under a tier 5 permit.~~

1     ~~(n)~~     *Governmental event* means a special event which is  
2             conducted or sponsored by a unit of federal, state, or local  
3             government or a school district or agency on publicly owned  
4             land or property. A governmental event includes an event  
5             organized by a not-for-profit corporation acting as an agent  
6             for a special service area established by the city council.

7     ~~(o)~~     *Impact* means to impede, obstruct, impair, or interfere  
8             with normal vehicular or pedestrian traffic or city services.

9     ~~(p)~~     *Interested person* means the property owner, property  
10            management, or tenant of each property that fronts a portion  
11            of the proposed right-of-way closure area.

12    ~~(q)~~     *Legacy event* means a special event that has been held in  
13            the city on or about a certain date, on a substantially  
14            similar route, and in connection with a specific holiday or  
15            consistent theme, in substantially the same form for a  
16            minimum of three (3) consecutive years.

17    ~~(r)~~     *Letter of intent* means written notice delivered to the  
18            coordinator by a the sponsor of a legacy event stating the  
19            intention of the sponsor to submit an application for a  
20            permit to host a substantially similar special event during  
21            the following calendar year at a substantially similar  
22            specific date, time, and location ~~letter that an event~~  
23            ~~organizer would submit to the coordinator after receiving a~~

1 ~~satisfactory evaluation following their event, to reserve~~  
2 ~~the same time and spot for the following year.~~

3 ~~(s)~~ *Musical event* means any show or act, or aggregation of  
4 shows or acts, or any combination of shows or acts, or any  
5 combination of several enterprises, which provides live  
6 musical entertainment, whether carried on or engaged in or  
7 conducted in any field, park or in any other way outdoors,  
8 and whether carried on, engaged in or conducted as one (1)  
9 enterprise or by several concessionaires, and whether one  
10 (1) or no admission fee is charged for admission to all such  
11 shows or entertainments, or a separate fee for admission is  
12 charged for each entertainment.

13 ~~(t)~~ *Parade* means an activity consisting of persons, animals,  
14 vehicles or things, or any combination thereof, upon any  
15 public street, sidewalk, alley or other public place, which  
16 requires a street closing or otherwise requires authorized  
17 city employees to stop or reroute vehicular traffic because  
18 the parade will not or cannot comply with normal and usual  
19 traffic regulation or controls.

20 ~~(u)~~ *Parade unit* or *unit* means any one (1) vehicle, one (1)  
21 float or one (1) marching group.

22 ~~(v)~~ *Permit* means a document issued by the coordinator  
23 authorizing the permittee to conduct a special event in

1           accordance with the terms and conditions set forth on the  
2           permit or as subsequently modified by the coordinator.

3           ~~(w)~~     *Permittee* means the holder of a permit or a provisional  
4           permit for a special event issued under this chapter  
5           responsible for conducting, managing and organizing said  
6           event. A permittee includes any of the officers, employees,  
7           or agents of the holder.

8           ~~(x)~~     *Preliminary recommendation* means the initial review of  
9           a special event application.

10          ~~(y)~~     *Procession* means a movement of persons in an orderly,  
11          formal manner, other than a parade, from a point of origin  
12          to a point of termination on a sidewalk, that does not impede  
13          the normal flow or regulation of pedestrian or vehicular  
14          traffic.

15          ~~(z)~~     *Provisional permit* means a document issued by the  
16          coordinator to an applicant when that applicant has  
17          successfully completed the application process, but that  
18          applicant is unable to immediately demonstrate its ability  
19          to fulfill all of its obligations under this chapter.

20          ~~(aa)~~    *Public notification* means a notification that is  
21          approved by the coordinator or his or her designee. Events  
22          that require road closures, or may cause disruption for city

1 residents, businesses, churches, etc., must deliver  
2 notification to the affected parties.

3 ~~(bb)~~ Race means a competition between individuals to see  
4 which is the fastest in covering a set course. For the  
5 purposes of this ordinance, it excludes vehicle races.

6 ~~(cc)~~ Residential block party/event consists of a group of  
7 neighbors wishing to block off their street for a "get-  
8 together party". ~~Permits are not issued for personal, family  
9 or political events, i.e. birthday parties, weddings, fund  
10 raisers or political gatherings, etc.~~

11 ~~(dd)~~ Site restoration includes all work and activity required  
12 to restore the site of a special event to its condition  
13 immediately prior to the special event, including but not  
14 limited to ~~means the act or process of returning the site  
15 back to its original condition by either cleaning or  
16 removing trashit, repairing any damage or replacing surfaces  
17 or items.~~

18 ~~(ee)~~ Special event means an organized, nonpermanent, public  
19 or private gathering that utilizes public spaces, such as  
20 public roads, greenways, city services and public parks or  
21 plazas. Special events are categorized by a tier system  
22 which is described on the special events application. A  
23 special event does not include a funeral procession.



1     ~~(ff)~~ *Special events review* means the process undertaken by  
2     the coordinator to submit a permit application for review  
3     by the appropriate departments for their recommendations  
4     thereupon.

5     ~~(gg)~~ *Sponsor* means any person who applies for the special  
6     event permit and the person to whom a special event permit  
7     is issued following successful application. The sponsor is  
8     the contact person that will need to be in communication  
9     with various city staff throughout the event as well as  
10    after the event.

11    ~~(hh)~~ *Spontaneous event* means a special event for which an  
12    application cannot be completed in accordance with this  
13    ordinance because the event is in reaction to or occasioned  
14    by recent news or current matters of public concern, ~~that~~  
15    ~~is conducted solely as a procession or assembly as those~~  
16    ~~terms are defined by this chapter.~~

17

18                   **Section 2 - Amendments to Sec. 41.5-103**

19    The Code of Ordinances shall be and hereby is amended by changing  
20    Sec. 41.5-103 as follows:

21

22    Sec 41.5-103 Conflicts With This Chapter

1        The provisions of this chapter shall supersede any  
2 conflicting provision of this code with respect to the subject  
3 matter herein contained ~~To the extent a conflict exists, this~~  
4 ~~chapter controls.~~

5

6                    **Section 3 - Amendments to Section 41.5-114**

7 The Code of Ordinances shall be and hereby is amended by changing  
8 Sec. 41.5-114 as follows:

9

10        Sec 41.5-114 ~~Limitations On The~~ Provision Of City Services;  
11 Costs And Fees

12        (a) Upon the issuance ~~Issuance~~ of a special events permit  
13 the city will provide and the permittee will be  
14 responsible for the cost of city services as provided  
15 for in paragraph (b) of this section. Upon the approval  
16 of the chief of police or the head of the department  
17 providing city services, the permittee may, at its own  
18 expense, contract with the qualified third parties to  
19 provide additional services. The chief of police or a  
20 department head shall not unreasonably withhold their  
21 approval of such a request ~~or the approval of a special~~  
22 ~~event permit application does not obligate or require~~  
23 ~~the city to provide services, equipment, or personnel in~~

1 ~~support of an event, however, subject to the~~  
2 ~~availability of the same, the permittee, at its own cost,~~  
3 ~~may contract with the city to provide such services,~~  
4 ~~subject to availability, in accordance with this Section.~~  
5 ~~Except when required in the case of a tier 6 event for~~  
6 ~~the purpose of protecting an event and its attendees~~  
7 ~~from interference or disruption, the city does not~~  
8 ~~guarantee the participation of its personnel to provide~~  
9 ~~services in support of the event if the size or scope of~~  
10 ~~the event requires the provision of city volunteers.~~

11 (b) Except as provided in subsection (c) of this section, if  
12 the city or its personnel provides services, equipment,  
13 or personnel in support of a special event, the city  
14 will charge the event organizer the actual cost of:

15 (1) The wages or salaries of the city police, fire, and  
16 other personnel performing traffic control,  
17 generalized safety risk mitigation, fire safety,  
18 medical safety, and engaging in related support  
19 functions directly attributable to the special event.  
20 Staffing levels, wages and salaries shall be as  
21 established by the applicable collective bargaining  
22 agreement or pay plan adopted by the city council.  
23 The coordinator shall provide an applicant with a

1 current copy of the applicable collective bargaining  
2 agreement or salary rate schedules upon request. for  
3 ~~city personnel involved in traffic control, event~~  
4 ~~security, police services, fire safety, medical~~  
5 ~~safety, and any other facility or event support as~~  
6 ~~established by the applicable collective bargaining~~  
7 ~~agreement or pay plan adopted by the city council.~~  
8 ~~The coordinator will provide an applicant with a~~  
9 ~~current copy of applicable salary rate schedules. With~~  
10 ~~respect to a tier 6 event for which traffic control~~  
11 ~~is not required, a permittee shall be responsible only~~  
12 ~~for the actual costs incurred by the city for clean-~~  
13 ~~up or trash collection related to the special event.~~  
14 ~~The city shall bear the costs of the personnel and~~  
15 ~~equipment it determines is necessary to prevent the~~  
16 ~~disruption of or interference with a tier 6 event.;~~

17 (2) The use of city equipment, city-contracted services,  
18 and other non-personnel expenses;

19 (3) Any damage caused by or site restoration directly  
20 related to the special event, not otherwise provided  
21 by the event organizer that is required to restore  
22 the area to the same condition that existed prior to  
23 the special event;

- 1           (4) Any costs associated with the provision of  
2           additional city services beyond those contemplated by  
3           the original permit or provisional permit which are  
4           occasioned by a permittee's decision to alter the  
5           anticipated nature, scope or size of the event. In  
6           such case, ~~Whenever it appears to the coordinator~~  
7           ~~that city services will be required beyond those~~  
8           ~~contemplated by the original permit or provisional~~  
9           ~~permit,~~ the coordinator shall promptly notify the  
10          permittee to discuss the need for the additional  
11          services and afford the permittee an opportunity to  
12          respond or propose alternatives for the city's  
13          proposed provision of additional services.
- 14          (5) Any loss or damage to city property caused by the  
15          permittee or its agents; and
- 16          (6) Any other agreed upon service.
- 17          (c) Subject to advance city council approval, if the event  
18          is a governmental event or a special event which the  
19          city actively participates as a co-sponsor or is  
20          otherwise substantially involved in the organization and  
21          planning of city services, equipment or personnel may be  
22          provided to support a special event without charge.

1           (1) The city may also assess any other fees as set by  
2           separate ordinances or resolutions to recover costs  
3           associated with special events.

4           (2) If a permittee requests an estimate of the charges  
5           or fees described in subsection (b), coordinator will  
6           provide an estimate at least twenty (20) days before  
7           the start of the special event.

8           (3) A permittee shall pay to the city:

9           a. At least ten (10) days prior to the date of the  
10           special event, twenty-five (25) percent of the  
11           costs estimated by the coordinator or up to one  
12           thousand dollars (\$1,000.00), whichever is less,  
13           to be the direct and reasonable costs which will  
14           be incurred by the city to provide services and  
15           equipment for the special event.

16           b. Within thirty to forty-five (30 - 45) days from  
17           the date of the conclusion of the permitted event,  
18           the direct and reasonable costs incurred shall  
19           be billed to the permittee in an itemized bill.  
20           This amount shall include compensation for any  
21           loss/damage or site restoration to city property.  
22           Failure to remit payment in full in accordance

1                   with this ordinance and Code may impact the  
2                   ability to hold future events.

3                   ~~(4) Whenever the scope of a permitted special event~~  
4                   ~~requires or contemplates the recruitment of~~  
5                   ~~volunteers, including, but not limited to, city~~  
6                   ~~employees not otherwise assigned to the event by the~~  
7                   ~~city, the applicant shall bear all responsibility for~~  
8                   ~~the recruitment and retention of such volunteers, and~~  
9                   ~~in the case of city employee volunteers, shall be~~  
10                  ~~responsible for the full hourly cost for their~~  
11                  ~~services.~~

12                  ~~(5) Whenever it appears to a permittee that it will be~~  
13                  ~~unable to recruit sufficient volunteers in connection~~  
14                  ~~with a special event, it shall promptly notify the~~  
15                  ~~coordinator. Willful failure by the permittee to~~  
16                  ~~promptly notify the coordinator of a reasonably~~  
17                  ~~anticipated volunteer shortage shall constitute cause~~  
18                  ~~to restrict or deny a subsequent special event~~  
19                  ~~application.~~

20                  ~~(6) Whenever it appears to a city employee that a~~  
21                  ~~sufficient number of employees have not volunteered~~  
22                  ~~in connection with a special event, the city employee~~

1           ~~shall promptly notify the coordinator and the~~  
2           ~~permittee of the anticipated shortage.~~

3           ~~(7) Upon notice of an anticipated volunteer shortage,~~  
4           ~~the coordinator shall make reasonable efforts to~~  
5           ~~encourage a sufficient number of city employees to~~  
6           ~~volunteer for the event and present to the applicant~~  
7           ~~such options as may be available to increase~~  
8           ~~participation or to narrow the scope of the event, as~~  
9           ~~the case may be. Prior to the offering of any~~  
10           ~~financial incentive beyond which the applicant has~~  
11           ~~already agreed to, the coordinator shall provide the~~  
12           ~~applicant with an estimation of the cost involved and~~  
13           ~~the applicant shall agree in writing to assume full~~  
14           ~~responsibility for such costs. If the applicant~~  
15           ~~declines to incur additional expenses, the~~  
16           ~~coordinator may reduce the scope of the permit to~~  
17           ~~conform to the anticipated availability of volunteers.~~  
18           ~~In reducing the scope of the permit, the coordinator~~  
19           ~~may require that the permittee shorten the duration~~  
20           ~~of the special event; conduct the special event in a~~  
21           ~~different location, along a different route, or in a~~  
22           ~~different manner than originally contemplated; or~~



1           ~~make other such adjustments, based on the anticipated~~  
2           ~~availability of volunteers.~~

3

4           **Section 4 - Amendments to Section 41.5-116**

5       Sec. 41.5-116 of the Code of Ordinance shall be and hereby is  
6       amended as follows:

7

8       Sec. 41.5-116 Duty to Indemnify the ~~Indemnity Of City Of Aurora~~

9       ~~(a)~~ Except with respect to a tier 6 event, an applicant shall,  
10       in addition to the application provided under this division,  
11       deliver to the city an agreement, as contained in the permit  
12       application, in writing holding the city harmless from all  
13       liability resulting from ~~the operation of the special event,~~  
14       ~~and, further, shall agree to indemnify the city from all~~  
15       ~~liability resulting from~~ any injury to patrons, bystanders,  
16       passerby or any individual as a result of the operation or  
17       maintenance of the special event, when such activity was  
18       within the management, direction or control of the permittee,  
19       ~~its invitees,~~ or its agents.

20

21           **Section 5 - Amendments to Section 41.5-130**

22       Section 41.5-130 of the Code of Ordinances shall be and hereby is  
23       amended as follows:

## 1 Sec 41.5-130 Special Event Application Fees And Deadlines

2 (a) An applicant shall pay a non-refundable application fee  
3 as set by separate resolution.

4 (b) An applicant shall ~~must~~ submit a complete special event  
5 application no later than the following number of days  
6 prior to the first day of the proposed event:

7 (1) Sixty (60) ~~Ninety (90)~~ days for a tier 1 event;

8 (2) Sixty (60) days for a tier 2 event;

9 (3) Forty-five (45) ~~Sixty (60)~~ days for a tier 3 event;

10 (4) Forty-five (45) days for a tier 4 event;

11 (5) Thirty (30) days for a tier 5 event; and

12 (6) Seven (7) days for a tier 6 event.

13 (c) The coordinator may waive or reduce the deadlines set  
14 forth in paragraph (b) if the applicant demonstrates and  
15 the coordinator finds that ~~An application deadline for~~  
16 ~~a special event application may be waived by the~~  
17 ~~coordinator if the following conditions are met:~~

18 (1) The applicant can show good cause for submitting an  
19 otherwise untimely application;

20 (2) The applicant has a complete application to submit;

21 (3) No unreasonable burden on the city will be created  
22 by the waiver; and

1 (4) The applicant pays an additional fee for a late  
2 permit application as determined by city council  
3 resolution.

4  
5 **Section 6 - Amendments to Section 41.5-131**

6 Section 41.5-131 of the Code of Ordinances shall be and hereby is  
7 amended as follows:

8  
9 Sec 41.5-131 Contents of a ~~of~~ Special Event Application

10 (a) All applications shall be submitted electronically in a  
11 format approved by the coordinator. Whenever an  
12 applicant is not a natural person, the applicant shall  
13 designate an individual authorized to act on the  
14 applicant's behalf as the primary point of contact with  
15 respect to the application.

16 (b) Except as provided in subsection (c), an application  
17 must contain all of the information described in this  
18 section.

19 (c) No application for a tier 1 or tier 2 event shall be  
20 deemed complete by the coordinator without the following:

21 (1) Detailed information concerning the activities  
22 included in the special event, including:

23 a. The number of bands or other musical units;

- 1           b. The name of the owner, owners, lessee, lessees,  
2           proprietor, operator or manager of the subject  
3           premises and the music festival and, in addition  
4           thereto, the name of the proprietor, operator,  
5           promoter or manager of each entertainment or  
6           performance which collectively make up the music  
7           festival, and the legal relationship of each to  
8           the applicants of the music festival;
- 9           c. The number of theatrical performances;
- 10          d. The proposed size, location, and orientation of  
11          speakers;
- 12          e. The distance from any residential districts and  
13          how noise will affect those districts (see 29-28  
14          limitations);
- 15          f. The ancillary activities that will be associated  
16          with the event;
- 17          g. The kinds of animals anticipated to be a part of  
18          the event;
- 19          h. If the application is for a carnival or circus,  
20          the applicant must provide proof that a not-for-  
21          profit organization that provides services to  
22          the city or its residents is sponsoring the  
23          carnival or circus;

- 1 i. If the application is for a carnival or circus,  
2 such carnival or circus must meet all the  
3 requirements under federal law, including but  
4 not limited to the Animal Welfare Act (AWA), any  
5 regulations issued by the USDA or Animal and  
6 Plant Health Inspection Service (APHIS) as well  
7 as state laws, including but not limited to 820  
8 ILCS 270/1, et seq., (Aerial Exhibitors Safety  
9 Act), 430 ILCS 85/2-1, et seq., (Amusement Ride  
10 and Attraction Safety Act), 720 ILCS 5/48-10 and  
11 11 (Dangerous Animals), and any other county or  
12 city rules or regulations.
- 13 j. The types of non-emergency vehicles to be used  
14 for the event; and;
- 15 (2) Detailed information concerning:
- 16 a. If alcohol and food are to be provided as part  
17 of the special event, evidence of compliance with  
18 chapter 6 and chapter 25 of this code, as well  
19 as evidence of compliance with any other  
20 applicable, state, county, and city regulation.  
21 ~~Food and alcohol are required to comply with~~  
22 ~~chapters 6 and 25 of this Code, or any other~~

1 ~~certificates issued locally, through the county~~  
2 ~~or state.~~

3 b. The proposed location of portable sanitation  
4 facilities, including at least ten (10) percent  
5 (and at least one (1)) being ADA compliant  
6 (community events coordinator will provide event  
7 organizer with formula of minimum required  
8 portable sanitation facilities); and

9 c. Detailed information concerning public safety  
10 and emergency preparedness including, but not  
11 limited to:

12 1. Provisions for queuing event attendees on  
13 streets, sidewalks, or other city right-of-  
14 ways;

15 2. An emergency action plan described in  
16 section 41.5-160 (emergency action plan);  
17 and

18 3. Other equipment or services necessary to  
19 conduct the event with due regard to public  
20 health and safety.

21 d. The coordinator shall establish a deadline,  
22 which will depend on the tier of the event, for

1 the permittee to provide information required by  
2 subsection (c).

3 e. An application for a special event permit may be  
4 submitted no earlier than January 1st of the year  
5 the special event will be held, unless (1) the  
6 same event was held in the city during the prior  
7 calendar year, ~~in which case application letter~~  
8 ~~of intent for a special event permit may be~~  
9 ~~submitted after the event evaluation has been~~  
10 ~~completed~~, or (2) the application is submitted  
11 prior to January 1 in order to comply with the  
12 requirements of Sec. 41.5-130. In such case, an  
13 application may be submitted not more than  
14 fourteen (14) days prior to the last day an  
15 application submitted under Sec. 41.5-130 would  
16 be timely.

17 (3) In the case of a carnival, the applicant shall  
18 submit a security plan for all premises adjacent to  
19 the proposed site of the carnival. This requirement  
20 shall be in addition to all other applicable  
21 requirements of this section.

22  
23 **Section 7 - Amendments to Section 41.5-132**

1 Section 41.5-132 of the Code of Ordinances shall be and hereby  
2 is amended as follows:

3

4 Sec 41.5-132 Special Event Application Review

5 (a) Nondiscrimination: The coordinator shall consider each  
6 event permit application upon its merits and shall not  
7 discriminate based upon race, creed, color, ethnicity,  
8 religion, ancestry, sex, age, disability, national  
9 origin, sexual orientation, gender related identity,  
10 political party affiliation (or lack thereof),  
11 familial status, or marital status.

12 (b) For a tier 3 or tier 4 event, the coordinator will  
13 issue a preliminary recommendation to approve the  
14 application provided that the following conditions are  
15 met:

- 16 (1) No other approved or pending special events  
17 conflict with the proposed special event;
- 18 (2) A prior special event permit or a permit issued  
19 under any other chapter in this Code was not revoked  
20 by the city in the preceding 12 months as a result  
21 of circumstances within the applicant's control;
- 22 (3) The city has sufficient resources to address  
23 public health and safety concerns raised by the



1           special event, provided, however that refusal or  
2           unwillingness of employees to volunteer for  
3           additional work assignments required for the special  
4           event shall not be a basis for the city to determine  
5           that it lacks sufficient resources; and

6           (4) The event will not cause an unresolvable conflict  
7           in the public right-of-way or at a public facility.

8           (c) The coordinator is not required to process more than  
9           one (1) application for a tier 3 or tier 4 event per  
10          event organizer during any two-week period.

11          (d) Except as otherwise provided, when multiple tier 3 or  
12          tier 4 events are requested for the same day and  
13          location, the coordinator will prioritize applications  
14          based on the number of years a special event has been  
15          conducted in the city and receipt of a letter of  
16          intent. When two (2) or more special events have been  
17          conducted for the same number of years, applications  
18          will be reviewed on a first come, first serve basis.

19          (e) For a tier 3 or tier 4 event, the coordinator will  
20          take final action to approve or deny an application  
21          two (2) weeks prior to the first day of the special  
22          event.

1 (f) For a tier 1 or a tier 2 event, the coordinator will  
2 take final action to approve or deny an application no  
3 later than thirty (30) days after the application is  
4 deemed complete.

5 (g) During the application review period, the coordinator  
6 will engage in an interactive process with the  
7 applicants.

8

9

**Section 8 - Amendments to Sec. 41.5-134**

10 Section 41.5-134 of the Code of Ordinances shall be and hereby  
11 is amended as follows:

12

13 Sec 41.5-134 Approval Or Denial Of A Special Event Application

14 (a) If the coordinator determines that none of the  
15 conditions specified in subsection (b), (c), or (d) of  
16 this section apply, the coordinator shall approve a  
17 special event application.

18 (b) The coordinator shall deny a special event application  
19 if the applicant fails to:

20 (1) Provide a complete application;

21 (2) Provide the documentation required in section

22 41.5-131 (contents of special events application);

- 1 (3) Provide sufficient crowd control and safety  
2 measures;
- 3 (4) Provide sufficient safety, health, or portable  
4 sanitation equipment, services, or facilities that  
5 are reasonably necessary to ensure that the event  
6 will be conducted with due regard for safety and ADA  
7 accessibility;
- 8 (5) Provide sufficient waste management and recycling  
9 services (community events coordinator may provide  
10 formula);
- 11 (6) Provide sufficient off-site parking or shuttle  
12 service, or both, when required to minimize any  
13 substantial adverse impacts on general parking and  
14 traffic circulation in the vicinity of the event;
- 15 (7) Meet the requirements for submitting an  
16 application for a special event permit;
- 17 (8) Obtain the approval of any other public agency  
18 within whose jurisdiction the special event or a  
19 portion of the special event will occur;
- 20 (9) Provide a sufficient emergency action plan based  
21 on event risk factors;
- 22 (10) Obtain all other required city permits or  
23 approvals;

1 (11) Meet the conditions set forth in section 41.5-132  
2 (special event application review); or

3 (12) Provide a sufficient plan to accommodate  
4 individuals with disabilities at the event; or

5 (13) Make revisions to a pending application that the  
6 coordinator requires consistent with this chapter.

7 (c) The coordinator shall deny a special event application  
8 if the coordinator ~~it~~ determines that:

9 (1) The proposed special event or the manner in which  
10 the applicant will conduct the event will violate  
11 any applicable provision of law or ordinance,  
12 including this chapter or any condition of a permit  
13 issued thereunder ~~event will violate any local,~~  
14 ~~county, state, or federal law or regulation or~~  
15 ~~administrative rule;~~

16 (2) The resources required to ensure public safety  
17 within the special event venue or impact area will  
18 prevent the police, fire, or emergency medical  
19 services departments from providing reasonable  
20 protections to the remainder of the city;

21 (3) The concentrations of persons, animals, or  
22 vehicles within the special event venue or impact  
23 area will unduly interfere with the movement of

1 police, fire, ambulance, or other emergency  
2 vehicles;

3 (4) The event will substantially interfere with:

4 a. Any other special event for which a permit or  
5 application has already been approved; or

6 b. The provision of city services required to  
7 support scheduled or unscheduled government  
8 functions.

9 (5) The applicant demonstrates an inability or  
10 unwillingness to conduct an event in compliance with  
11 the requirements of this chapter or a condition to a  
12 permit issued under this chapter; or

13 (6) The applicant was responsible for violations of this  
14 ordinance or other applicable laws and ordinance during a  
15 prior special event conducted during the previous two (2)  
16 years ~~conducted a prior special event in a manner~~  
17 ~~that failed to receive a positive post event~~  
18 ~~evaluation in the past three (3) years.~~

19 (d) The coordinator shall approve an application if:

20 (1) None of the conditions in subsection (b) and (c)  
21 apply.

22 (e) The coordinator is not required to take action on an  
23 incomplete or untimely application, except as provided

1 in section 41.5-131 (~~Contents of special events~~  
2 ~~application~~).

3 (f) The coordinator may require application modifications.

4 In exercising this authority, the ~~community events~~  
5 coordinator will consider:

6 (1) Scope of events;

7 (2) Traffic;

8 (3) Parking;

9 (4) Other events or activities previously scheduled  
10 in close proximity; and

11 (5) Crowd control ~~Public safety~~ concerns.

12 (g) If the coordinator denies an application, the  
13 coordinator shall notify the event organizer in  
14 writing as soon as practicable. A notification sent by  
15 electronic mail complies with this subsection.

16 (h) The coordinator may deny any application which is  
17 ~~Applications that are~~ inactive for a period of thirty  
18 (30) days. ~~forty-five (45) days~~ A denial by the  
19 coordinator under this section shall require the  
20 applicant to submit a new application for a special  
21 event consistent with this chapter ~~are automatically~~  
22 ~~denied and the applicant must re-apply for a special~~  
23 ~~events permit.~~

1 (i) Whenever an applicant for a special event, other than  
2 a tier 6 special event is unable to demonstrate at the  
3 time of application that it is able to immediately  
4 satisfy all of the requirements of this chapter, but  
5 is likely to do so by the date of the special event,  
6 the coordinator may issue a provisional permit to the  
7 applicant to facilitate the ongoing planning of the  
8 event. The issuance of a provisional permit reserves  
9 the time, place, and location of a proposed special  
10 event to the applicant, and may authorize particular  
11 aspects of the application, but does not guarantee the  
12 subsequent approval of all aspects of the application  
13 unless the coordinator is satisfied that the applicant  
14 can comply with all of the requirements of this  
15 chapter. A provisional permit is subject to ongoing  
16 modification and review by the coordinator based on  
17 the applicant's demonstration, or failure to  
18 demonstrate, its ability to comply with all of the  
19 requirements of this chapter.

20 (j) In lieu of denying an application for a special event  
21 permit, other than a tier 6 special event, to an  
22 otherwise qualified applicant who has failed to  
23 demonstrate that it is able to comply with the

1 requirements of this chapter, the coordinator shall,  
2 upon the request of the applicant, issue the applicant  
3 a permit authorizing a tier 6 special event. A permit  
4 for a tier 6 special event issued by the coordinator  
5 under this paragraph shall convey no additional rights  
6 or privileges, nor impose greater obligations on the  
7 permittee than otherwise authorized by this chapter.  
8

9 **Section 9 - Amendments to Section 41.5-156**

10 Section 41.5-156 of the Code of Ordinances shall be and hereby is  
11 amended as follows:  
12

13 **Sec 41.5-156 Additional Requirements**

14 (a) A permittee shall provide sufficient portable toilets,  
15 both ADA accessible and non-accessible facilities in the  
16 immediate area of the event site based on the estimated  
17 number of attendees at the special event. This  
18 requirement shall not apply to a tier 6 event with a  
19 duration of fewer than three hours.

20 (b) A permittee shall provide a plan to accommodate enough  
21 handicap parking spots in the vicinity of the event based  
22 on the estimated number of attendees at the special event.  
23 This requirement shall not apply to tier 6 events.



- 1           (c) During a special event held at a city facility or on  
2           city streets, sidewalks, or right-of-way, a permittee  
3           may not provide or distribute, or allow another to  
4           provide or distribute glass containers or Styrofoam.
- 5           (d) If applicable, a permittee shall post a sign at each  
6           entrance and exit to a special event venue with a right-  
7           of-way closure area that is visible to all patrons  
8           entering the area that includes the amount of the entry  
9           fee, if any, standardized rules, along with language  
10          notifying patrons that if rules are violated they are  
11          subject to removal from the event and the rules of access  
12          to the right-of-way closure area. If applicable, a  
13          permittee must post the sign required by this subsection  
14          during the time the entry fee is in effect.
- 15          (e) If an entry fee is charged for a special event, a  
16          permittee may not charge an entry fee for a person that  
17          needs access to a residence within the special event  
18          impact area or right-of-way closure area or a business  
19          within a special event impact area or right-of-way  
20          closure.
- 21          (f) An Americans with Disabilities Act (ADA) compliance plan  
22          is required for any special event that interferes with  
23          accessibility on city streets, sidewalks, right-of-way,

1 or city facilities. This plan must also comply with: 71  
2 IL Admin Code, Section 400.

3 (g) In the case of a carnival, and unless the a permittee  
4 establishes an earlier closing time, the special event  
5 shall close upon and not operate after (1) the hour of  
6 8:00 p.m. on Sundays through Thursdays and (2) the hour  
7 of 9:00 p.m. on Fridays and Saturdays. The permittee  
8 shall conclude its ticket sales at least thirty (30)  
9 minutes prior to the closing time required under this  
10 paragraph.

11

12

13 **Section 10 - Amendments to Sec. 41.5-170**

14 Section 41.5-170 of the Code of Ordinances shall be and hereby  
15 is amended as follows:

16

17 Sec 41.5-170 Offense And Penalty

18 (a) A person who violates a provision of this chapter or a  
19 requirement or condition of a special permit is guilty  
20 of a separate offense for each day or part of a day  
21 during which the violation is committed or continued.

22 (b) For offense punishable by a fine not to exceed five  
23 hundred dollars (\$500.00), a culpable mental state is

1 not required for the commission of an offense under  
2 this chapter.

3 (c) Each offense is punishable by a fine not to exceed:

4 (1) Two thousand dollars (\$2,000.00) fine plus cost  
5 recovery for a violation of a provision of this  
6 chapter or a requirement or condition of a special  
7 event permit governing fire safety, zoning, or  
8 public health and sanitation, including dumping of  
9 refuse, site restoration; or

10 (2) Reserved. ~~Any event organizer/person or~~  
11 ~~organization who holds a special event, regardless~~  
12 ~~of tier, without a proper permit is subject to fines~~  
13 ~~not less than five hundred dollars (\$500.00) and not~~  
14 ~~more than ten thousand dollars (\$10,000.00) per day~~  
15 ~~of the unpermitted special event.~~

16 (3) Five hundred dollars (\$500.00) fine for all other  
17 violations of this chapter or requirement or  
18 condition of a special event permit.

19 (4) Any other offenses listed in this Code.

20