



CITY OF ROCKFORD 2011  
SPECIAL EVENTS APPLICATION

ORDINANCES



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SPECIAL EVENTS APPLICATION

Tents, Canopies, & Carnival Ordinance

ARTICLE VII. TEMPORARY USES—TENTS, CANOPIES AND CARNIVALS

DIVISION 1. GENERALLY

Sec. 105-350. Definitions.

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

*Tent* means a nonpermanent structure, enclosure or shelter constructed of fabric or pliable material supported by any manner except by air or the contents that it protects, but not a canopy as defined by this section.

Canopy means a nonpermanent structure, enclosure or shelter constructed of fabric or pliable materials supported by any manner, except by air or the contents it protects, and is open without sidewalls or drops on 75 percent or more of the perimeter.

Nonpermanent means for the purposes of this article, a period of 90 days or less.

(Code 1970, § 6-230; Ord. No. 1987-109-0, 5-18-1987)

Sec. 105-351. Violation.

The building official shall serve notice of violation of this article on the person responsible for that tent or carnival. Such order shall direct the discontinuance of the illegal action and the abatement of the violation.

(Code 1970, § 6-238; Ord. No. 1987-109-0, 5-18-1987)

Sec. 105-352. Tent erector's license; fee; revocation.

(a) It shall be unlawful for any person, firm, or corporation to engage in the business of tent erection unless they shall first obtain and keep in full effect a license as provided in this Code. All applicants for said license shall submit application to the construction and development services division with satisfactory proof of insurance in the minimum of \$300,000.00 for bodily injury, and \$25,000.00 for property damages.

(b) The fee for said license shall be as established by the city and shall be due and payable by March 1 of each year.

(c) When any licensee, agent or employee of any such licensed business violates any provisions of this Code or any statute of this state relating to the license, the code administrator shall have the authority to order cessation of business, or the suspension or revocation of the license.

(Code 1970, § 6-231; Ord. No. 1987-109-0, 5-18-1987; Ord. No. 2008-093-0, § 105-352, 5-12-2008)



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Secs. 105-353--105-377. Reserved.

### DIVISION 2. APPROVAL

Sec. 105-378. Tent applications.

Applications are required for all tents or canopies for assembly or commercial purposes, and shall be secured from the construction and development services division for all such installations as per the provisions of this article. Applications shall be submitted to the construction and development services division and shall be reviewed by the construction and development services division and fire department to determine compliance with all city codes and state law.

(Code 1970, § 6-232; Ord. No. 1987-109-O, 5-18-1987; Ord. No. 2008-093-O, § 105-378, 5-12-2008)

Sec. 105-379. Approval, inspections fees.

(a) Inspections and fees as provided in this Code shall be required for all tent(s) and canopy applications:

(1) Tents that are to be placed on property owned by the city, a municipal corporation must be approved by the city council;

(2)

Approved applications shall be posted on the tent or canopy at the locations at all times.

(b) Applications or permits are not required for the following tents or canopy(s):

(1) One day use in conjunction with residential uses unless tent or canopy require electrical inspection due to usage of electrical equipment;

(2) Tents or canopies for private recreational use.

(3) Tents or canopies used in conjunction with funeral services.

(4) Tent that has an aggregate area less than 120 square feet or a canopy that has an aggregate area less than 400 square feet in conformance with the adopted Fire Code with amendments and does not require electrical inspection due to the usage of electrical equipment.

(Code 1970, § 6-233; Ord. No. 1987-109-O, 5-18-1987)

Sec. 105-380. Period of time.

Tents for which permits or applications are required may be erected for a period not to exceed three days in residential zoning districts, and for a period not to exceed 14 days for nonresidential zoning districts.

(Code 1970, § 6-234; Ord. No. 1987-109-O, 5-18-1987)

Sec. 105-381. Submission to City Council.

(a) All applications for tents to be erected on property owned by the city shall be forwarded to the City Council for approval or denial after review pursuant to section 105-379.

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(b) Applications denied by staff due to ordinance requirements may be appealed to the city council. Appeals shall be submitted in writing to the council clerk.  
(Code 1970, § 6-235; Ord. No. 1987-109-O, 5-18-1987)  
Secs. 105-382--105-405. Reserved.

### DIVISION 3. CARNIVAL PERMITS

Sec. 105-406. Required for installation and operation.  
Permits for carnivals shall be secured from the Construction and Development Services Division for all such installations. All carnivals must operate in compliance with codes (including zoning and noise ordinances) and all laws of the state. All rides shall have a state sticker. Permits may be obtained for a period not to exceed 14 days.  
(Code 1970, § 6-236; Ord. No. 1987-109-O, 5-18-1987; Ord. No. 2008-093-O, § 105-406, 5-12-2008)

Sec. 105-407. Approval, denial.

(a) Applications for carnivals shall be submitted to the construction and development services division and shall be reviewed by the construction and development services division and fire departments. If the carnival is to be on private property, a permit shall be issued after approval by the appropriate departments based on a review pursuant to section 105-406, payment of the required fee, and inspection. Carnivals to be placed on city property must obtain staff approval based on review pursuant to section 105-406, City Council approval, and submission of proof of insurance in the amount of \$1,000,000.00 listing the city as a coinsured party.

(b) Applications denied by staff due to ordinance requirements may be appealed to the City Council.  
(Code 1970, § 6-237; Ord. No. 1987-109-O, 5-18-1987)  
Secs. 105-408--105-427. Reserved.



## CITY OF ROCKFORD 2011 SPECIAL EVENTS APPLICATION

### Special Event Ordinance

#### **Sec. 16-290. Definitions.**

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

*Special event* means an Athletic Event, Block Party, Commercial Event, Community Event, Non-Profit or Charitable Event, Parade, Public Assembly or any planned temporary aggregation of attractions, including public entertainment, food and beverage service facilities, sales of souvenirs or other merchandise, or similar attractions, that is:

- (1) Conducted on public property; and/or
- (2) Requires special city services, including, but not limited to, any of the following: street closures, provision of barricades, temporary "no parking" signs and designations, or special police, fire or EMT protection; and/or
- (3) Not otherwise allowed under the regulations of the zoning ordinance.

#### **Sec. 16-291. Permit required.**

It shall be a violation of this Code for any person to stage, present, conduct, promote, manage, aid or solicit attendance at a Special Event without having first obtained a permit from the city, pursuant to this Ordinance and other procedures adopted by the City Council. Issuance of a permit does not obligate the city to provide city services, equipment or personnel in support of the event.

(Code 1970, § 16-291; Ord. No. 2005-48-O, 3-21-2005; Ord. No. 2008-104-O, § 16-291, 5-27-2008)

#### **Sec. 16-292. Application.**

1. Complete applications must contain the following information, which must be updated by the applicant if said information changes:
  - (a) Type and description of event;
  - (b) The name, address and daytime telephone number for the person signing the application, the person planning or organizing the event, and the organization with

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which the person is affiliated or on whose behalf the person is applying for the permit;

- (c) The name, address and daytime telephone number for individuals who shall be designated as the on-site manager the day of the event;
- (d) Proposed location, including a plat or map of the proposed area to be used, including barricades, street route plans and perimeter/security fencing;
- (e) In the case of a parade, the anticipated number of persons, vehicles, floats or other units, and number and type of animals, and the basis on which this estimate is made;
- (f) Where applicable, a map indicating the route along which the event will proceed and/or the sidewalks or lanes of traffic it will occupy;
- (g) An application for a Special Event requiring a street closing must be accompanied by a hold harmless agreement in the form designated by the city, executed by the person applying for the permit or a person duly authorized by the entity applying for the permit;
- (h) Public health plans, including, but not limited to plans for water supplies, toilet facilities and recycling;
- (i) The dates, times and location of the special event;
- (j) The estimated attendance and number of event staff;
- (k) Whether food or alcoholic beverages will be sold at the event, and if so, the number of all food vendors, alcoholic beverage vendors, and/or other vendors who will be participating in the special event or athletic event;
- (l) Whether music will be played at the event and if so, whether such music will be electronically amplified and for what hours the music will be played;
- (m) What special city services, if any, the special event will require;(n) Fire prevention and emergency medical services plan;
- (n) Security plans and/or law enforcement response;
- (o) Admission fee, donation or other consideration to be charges or requested;



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- (p) If the event is block party or other event planned within a residential area, the applicant must collect and submit with the application form a list of signatures consenting to the street closure from all neighbors whose vehicular access to their property is effected by the street closure;
- (q) Such other information that may be reasonably necessary to determine compliance with this article and city codes.
2. Applications that are not fully completed, signed and accompanied by the required fee and, if required, an executed hold harmless agreement and proof of insurance, shall be denied by the special event coordinator if said deficiencies are not corrected before the last date by which an application may be accepted. The City Administrator or his designee shall notify the applicant or responsible agent in writing as to any application deficiencies within ten business days of receipt of the application.
  3. All information provided on the application shall be complete and truthful.
  4. A non refundable processing fee and completed applications, together with all required attachments must be submitted to the Mayor's Office no later than 90 days before the proposed date of the special event. Incomplete applications and applications not submitted at least 90 days before the proposed special event shall be denied.  
(Code 1970, § 16-292; Ord. No. 2005-48-O, 3-21-2005)
  5. The person, entity or group responsible for the event shall enter into a reimbursement contract for all city services expended in the implementation of the event.

### **Sec. 16-293. Special Event Guidelines**

1. In reviewing an application the departments involved shall consider the following:
  - (a) The impact of the special event on the traffic, security, health and safety of the public and the plans of the applicant to address such impacts;
  - (b) A determination by city departments through plans for addressing any such impacts are appropriate and reasonable to address traffic, security, health and safety concerns;
  - (c) The demonstrates ability of the applicant to comply with requirements necessary to protect the safety, health and welfare of the public and any past history of the applicant in complying with such requirements;



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- (d) The location and duration of the special event and the city's ability to accommodate the event with the necessary resources; and
  - (e) Other previously approved special events; and
  - (f) The extent to which the event contributes to the economic revitalization and business development of the City.
2. Nothing in this article shall authorize the denial of a permit based upon the content of the view expressed. The city does not have the authority over the content of views expressed by the applicant or participants.

### **Sec. 16-294. Denial and Appeal**

- 1. A notice of denial shall set forth the grounds upon which the permit was denied.
- 2. Any special event permit issued pursuant to this ordinance may be revoked at any time before or during a special event if the Chief of Police, Fire Chief, City Administrator or their designee determine:
  - (a) the event cannot be conducted without violating the standards or conditions for the permit issuance;
  - (b) the event is being conducted in violation of any condition of the permit;
  - (c) the event is being conducted in a manner contrary to the proposal set forth in the application for a special event permit;
  - (d) the event poses a threat to health or safety;
  - (e) the event organizer or any person associated with the event has failed to obtain any other permit required pursuant to state or local law or codes of ordinances;
  - (f) the permit was issued in error or contrary to law or as a result of material misrepresentation of information by the applicant.
- 3. Notice of revocation shall be in writing and shall specifically set forth the reasons for revocation. In the case of an immediate threat to health or safety, verbal notification of the revocation may be provided.



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4. An applicant may appeal the denial or revocation of an application by the assistant city administrator by filing a written request for an appeal setting forth the grounds for the appeal with the Mayor's office within five (5) business days of the date of the written denial. The Mayor shall review the appeal documents and issue a decision to issue or withhold a permit within five (5) business days of receipt of the appeal documents. The decision to issue or withhold the denial shall be based solely on the criteria articulated in this ordinance and shall be a final administrative decision subject to judicial review as provided by law.

### **Sec. 16-296. Indemnification and insurance.**

1. The event applicant shall agree in writing on the form provided by the city to indemnify, save harmless, and defend the city, its agents, officers and employees, from all suits, claims, damages, or demands for injuries to persons or property to which the city may be subject to as arising out of the special event.
2. For special events occurring on public property, the applicant shall submit, with the application, a certificate of insurance evidencing general commercial liability insurance, with limits to be determined by the City naming the city as an additional insured and listing the city as the certificate holder. Each applicant shall maintain said insurance in full force and effect for the duration of the permit period. Failure of the permit holder to maintain such insurance during the periods indicated above shall result in the automatic cancellation of the permit. For purposes of this subsection, the permit shall include the time required for construction, installation and/or removal of all materials and equipment provided for the conduct of the special event until the public property has been cleared and restored.

(Code 1970, § 16-295; Ord. No. 2005-48-O, 3-21-2005)

### **Sec. 16-297 Cost Recovery**

1. The recipient of a special events permit shall reimburse the city for the use of city equipment and actual salaries of city personnel involved in public safety, event traffic control, fire safety and other event support. Where such reimbursement is required, no special event permit shall issue unless the applicant enters into a Special Event Paid Duty contract with the city.