

SPECIAL EVENTS ORDINANCE (WORKING DRAFT)

INITIAL DRAFT: Tuesday, January 12, 2016

ARTICLE IV. APPLICATION PROCEDURES; TIMEFRAMES; CRITERIA.

Section 22-9. – Application Procedures; Timeframes.

- (a) Event Form; Information. All requests to hold events shall be made on either the standard event permit application or simplified event application forms as prescribed by the city and shall include the following information:
- (1) Type and description of the event;
 - (2) Name of the applicant and the applicant's contact person, and such contact person's address, email address, and telephone number;
 - (3) Services requested from police, fire, public services, and other city departments or divisions;
 - (4) Proposed date of the event, together with beginning and ending times;
 - (5) Proposed location, including site plan, and route map;
 - (6) Estimated numbers of event staff, participants, and spectators;
 - (7) Whether the event is free to the public, or fees are to be charged for participants or spectators;
 - (8) Signature of the applicant;
 - (9) The applicant must collect and submit with the application form comments or concerns to any street closure from nearby neighbors and/or businesses whose vehicular access to their property is affected by such street closure;
 - (10) If the application is for an activity on private property, the property owner shall sign the event application. Alternatively, an agent of the property owner may sign the event application with the property owner's authorization.
- c) Obtain from the City. A standard event permit application or simplified event application may be obtained from the city's website, Tourism and Events Department or events administrator.
- d) Event Submission; Time Limit: Event applicants shall submit completed applications to the city at least 60 calendar days for events with street closures and 30 days for all others before the event is scheduled to occur, in order to give the city sufficient time to process the application and to allow timely appeal if the application is denied. Applications submitted fewer than the required 60 or 30 calendar days before the event is scheduled to occur may be denied unless the applicant demonstrates to the events administrator that compliance within the 60 or 30 day deadline was impractical or impossible. The applicant shall include with the event application all documents required by this Section and pay all applicable fees.

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- e) Multiple Jurisdictions: Event permit applications that cross or involve multiple governmental jurisdictions shall be approved only if the applicant also obtains formal authorization from all relevant governing bodies.

Section 22-10. – Application Processing; Timeframes.

- (a) Application Review Timeframe. The overall time frame to review a standard event permit application is 30 calendar days. The overall time frame to review a simplified event application is 15 calendar days.
- (b) Receipt of Application; Administrative Review Timeframe. The events administrator shall respond to the applicant within five working days from the receipt of the application and will note whether the application is administratively complete or deficient. If the city does not issue a notice of administrative completeness within five working days, the application is deemed administratively complete. If the city issues a notice of administrative deficiencies, the administrative completeness review timeframe is suspended from the date of the notice until the city receives the missing information from the applicant.
- (c) Approval of Administratively Complete Application. Upon determining that the application is administratively complete, the events administrator shall meet with and/or circulate copies of the application to the appropriate city departments and divisions for the purpose of obtaining their approval or recommendation of denial of the application.
- (d) Considerations. In reviewing an application, the city departments and divisions involved shall consider and make decisions on applications, including permit conditions, based on the factors required of applicants in Section 22-4.
- (e) Requirements. The events administrator will notify an approved applicant that, prior to the issuance of the event permit, two additional requirements must be reviewed and approved:
 - (1) Barricade Plan; and
 - (2) Insurance as prescribed in Section 22-12.
- (f) Additional Requirements, Terms or Conditions. The events administrator or the departments or divisions involved in reviewing an application may make a request for corrections during the substantive review timeframe. By mutual written agreement, electronic or otherwise, the city and the applicant may agree to extend the substantive review and overall timeframe.
- (g) Application Withdrawn; Withdrawal. An applicant may withdraw the application prior to the issuance of an approval or denial. The city may consider an application withdrawn if the applicant fails to provide requested information or explanation of why the information cannot be provided within the specified time period of fifteen calendar days.
- (h) Event Cancellation. An applicant shall notify the events administrator immediately, once known, if an approved or permitted event will no longer occur.

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- (i) Intentional Misrepresentations. If the applicant intentionally makes a material misrepresentation on an application for an event permit, such as a significant understatement of the anticipated number of participants, the applicant shall be liable to the city for any and all costs incurred by the city as a result of the misrepresentation and the applicant shall not be allowed to receive another event permit or approval from the city unless otherwise determined by the City Manager or Tourism and Events Department Director. The city reserves the right to pursue other legal remedies against the applicant as a result of the misrepresentation.

Section 22-11. – Permit and Application Fees.

- (a) Fee. Each initial application shall be accompanied by a nonrefundable fee as approved by the City Council. Fees are not solely to defray administrative costs.
- (b) City Support Services. City support services shall be provided for events as determined by the city to protect the health and safety of the public, at cost as approved by the City Council, payable by the applicant.
- (c) Police, Fire, and Traffic Crowd Control. The organizer shall provide police and fire protection and traffic crowd control to the extent determined by the police chief, the fire chief, or their designees, and shall pay the event fees as approved by the City Council.
- (d) Exempt from Fees. Demonstrations shall be exempt from the fees set forth in this Section.

Section 22-12. – Permit or Application Approval Issuance.

- (a) Simplified Event Application Approval; Issuance of Approval. A completed simplified event application shall be approved and a written approval issued to the applicant by the events administrator upon approval by all affected departments and divisions in accordance with the provisions of and in compliance with the requirements of this chapter. The events administrator shall notify all affected departments and divisions of approved simplified event applications issued pursuant to this chapter.
- (b) Standard Event Permit Application Approval; Issuance of Permit. A completed event permit application shall be approved and an event permit shall be issued to the applicant by the events administrator upon approval by all affected departments and divisions in accordance with the provisions of and in compliance with the requirements of this chapter. The events administrator shall notify all affected departments and divisions of all event permits issued pursuant to this chapter.
- (c) Conditional Issuance. The events administrator may condition the issuance of an events permit on the applicant satisfying conditions. Any conditions imposed on an applicant should be reasonable and necessary to ensure the health and safety of event participants and other people and/or to meet the requirements in Section 22-4. For example, the events administrator may require that the applicant provide adequate restroom facilities or security, or post a bond for clean up or other costs.

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- (d) Dispersal of Event. The chief of police may disperse an event that is being conducted in a manner inconsistent with the conditions of the event permit, or if the event is in violation of any federal, state, or local law.
- (e) Additional Permits. The applicant shall be required to obtain any and all additional permits required to conduct the event or related activities, including but not limited to the following:
 - (1) Structural / building permit;
 - (2) Fireworks permit;
 - (3) Electrical permit.
 - (4) Tent permit.
 - (5) Special Event Liquor License

Section 22-13. – Permit; Liability Insurance.

Certificate of Insurance. No event permit shall be issued unless and until the applicant has submitted to the events administrator a certificate of insurance, showing the city as an additional insured on a commercial general liability and property damage occurrence policy issued by an insurance company authorized to do business in the State of Arizona, showing coverage for the event in the amount required by the Risk Management Director.

Section 22-14. – City Liability.

By issuing an event permit, the city makes no guarantees and assumes no liability for the safety of participants in or spectators of an event.

Section 22-15. – Permit Revocation.

- (a) A permit may be revoked by the Tourism and Events Department Director or City Manager designee for any of the following reasons:
 - (1) Failure to conduct the event as presented on the application;
 - (2) Failure to comply with terms and conditions of the permit;
 - (3) The event poses a threat to public health or safety;
 - (4) Declaration of a state of emergency.

Section 22-16. –Permit Denial, Appeal of Denial, Revocation, or Special Condition.

- (a) Reasons for Denial Specified. If an event permit application is denied or revoked by the city, the events administrator shall notify the applicant in writing of the action, including:
 - (1) Explanation of the applicant's right to appeal the action;

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- (2) Grounds for denial or revocation, including any citations to applicable Code provisions;
 - (3) If a denial of a permit, an explanation of the right to resubmit the application, the total amount of fees that would be assessed if the application is resubmitted, and how these fees are calculated.
- (b) Appeal. An applicant may appeal a denial, revocation, or special condition to the City Manager, based on the following:
- (1) The appeal shall be filed within 10 calendar days from the date of the permit or the condition of the permit decision;
 - (2) An appeal shall include the specific reasons for the appeal and any supporting documents;
 - (3) The City Manager, or designee, will make a decision on the appeal within 10 calendar days of receiving the appeal.
 - (4) The City Manager, or designee, may uphold, revoke, or modify a permit.
 - (5) The City Council may be petitioned for review of the decision of the City Manager, or designee.