

ORDINANCE NO. 1442

***AN ORDINANCE ADDING A NEW CHAPTER 12.22 REGARDING SPECIAL EVENTS TO  
THE GLADSTONE MUNICIPAL CODE***

**WHEREAS**, the City recognizes that special events such as festivals, parades, fun runs, and other similar events enhance the quality of life for residents and visitors to the City; and

**WHEREAS**, special events provide economic benefits to the City and promote tourism and community togetherness; and

**WHEREAS**, the City desires to establish a procedure for permitting the use of public property and right of way for special events conducted by entities other than the City; and

**WHEREAS**, these procedures will provide advance notice to the City and its residents of such special events and will also ensure proper traffic control, security, sanitation, insurance and indemnification; and

**WHEREAS**, the City Council desires to update the Code to reflect these new procedures and permit requirements for special events held on public property.

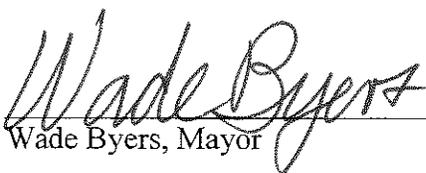
**NOW, THEREFORE**, the Common Council of the City of Gladstone ordains as follows:

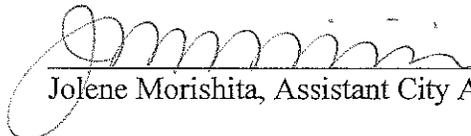
Section 1. Chapter 12.22 is added to the Gladstone Municipal Code as set forth in the attached Exhibit A to this ordinance which is incorporated by reference herein.

Section 2. This ordinance shall be effective 30 days from its passage

Adopted by the Common Council for the City of Gladstone this 11 day of February, 2014.

ATTEST:

  
Wade Byers, Mayor

  
Jolene Morishita, Assistant City Administrator



**ORDINANCE NO. 1442**  
**Exhibit "A"**

**Chapter 12.22 Use of City Property and Public Right of Way for Special Events**

**12.22.010 Definitions.**

- (1) "Applicant" means a person who files a written application for a special events permit.
- (2) "City Administrator" means the City Administrator of the City of Gladstone or designee.
- (3) "Special Event" means any temporary or ongoing activity that occurs on public property that affects the ordinary use of public streets, rights-of-way, sidewalks, traffic and other public places that is reasonably expected to cause or result in more than fifty (50) people gathering in a public place; is reasonably expected to have an uncommon impact on such public place; and/or is reasonably expected to require the provision of public services.
- (4) "Special Event Permit" means written approval from the City Administrator to hold a special event.

**12.22.020 Special Event Permit required.**

- (1) A person desiring to hold a special event shall apply for a Special Event Permit by filing a written application with the City Administrator upon a form available from the City for such purpose. It is unlawful for a person to hold or conduct a special event in the City for any purpose unless such person has obtained and has in full force and effect a permit to do so, issued by the City.
- (2) The deadline for submittal of a Special Event Permit is no less than thirty (30) calendar days prior to the proposed day of the special event. A special event application submitted less than thirty (30) calendar days may be denied as untimely.
- (3) There shall be a permit fee set by City Council Resolution.

**12.22.030 Permit Application.**

In addition to the application requirements, the following requirements apply and control:

- (1) City code requirements, including but not limited to noise and nuisance laws remain applicable at all times.
- (2) An access lane with a width of at least twelve (12) feet must be available for emergency vehicle access to any closed portions of streets. Access may be restricted only by the use of A-frame barricades.



- (3) All affected public property and public rights of way including the roadway must be cleaned and left free of litter and debris immediately after the break-down times as set forth in the special event application.
- (4) The applicant will be required to notify affected and adjoining residents in the area which will be impacted by the special event.

#### **12.22.040 Issuance of Permit.**

- (1) The City Administrator need not act on an application for a Special Event Permit prior to one hundred eighty (180) calendar days before the special event.
- (2) The City Administrator is not required to take final action on an incomplete or untimely Special Event Permit application.
- (3) The City Administrator is not required to process more than one application for a special event per organizer/applicant during any six month period.
- (4) The issuance of a Special Event Permit does not relieve any person involved in the special event from meeting any requirements or obligations imposed by other local, state or federal laws.

#### **12.22.050 Special Event Insurance, Indemnification and Liability.**

- (1) The applicant will also be responsible for providing required certificates of insurance and endorsements for general liability insurance naming the city, its elected officials, officers and employees as additional insureds and providing coverage in an amount necessary to cover any and all damage that may occur and to restore city property to its pre-event condition.
- (2) Applicant shall agree to defend and hold harmless the city, its elected officials, officers and employees from any and all claims or lawsuits for personal injury or property damage arising from or in any way connected to the event.
- (3) This chapter shall not be construed as imposing upon the city, its elected officials, officers or employees any liability or responsibility for any injury or damage to any person in any way connected to the use for which a permit has been issued. The city and its elected officials, officers and employees shall not be deemed to have assumed any liability or responsibility by reasons of inspections performed, the issuance of any permit, or the approval of any use of right of way.

#### **12.22.060 Criteria for Issuance of Permit**

- (1) All permits issued under this chapter shall be issued by the City Administrator or designee. A permit may be denied by the City Administrator taking into account any of the following:
  - (a) The proposed special event must not intrude into or over any portion of a public right of way open to vehicle or pedestrian travel in such a manner as to create a likelihood of endangering vehicles or pedestrians;



(b) In the case of special events such as fun runs, marathons, etc., or in the case of any street use which requires the closure of any public street or walkway, the proposed event must not require closure for a period longer than that established by the City Administrator;

(c) The proposed event must not unreasonably compound impacts of other activities such as events or construction on the date(s) requested;

(d) The proposed event location must not have been unreasonably impacted by the number of events in a one-year period;

(e) City personnel and resources must be available to assist with the special event as deemed necessary by the City Administrator;

(f) The proposed special event must not violate public health or safety regulations;

(g) The applicant must not have failed to comply with conditions of previously issued special event permits;

(h) The applicant must not have failed to submit all the necessary information as required for the special event application; or

(i) Such other conditions as the City Administrator deems necessary to reasonably ensure that the proposed special event does not in any way create a likelihood of endangering those who may participate or be spectators.

#### **12.22.070 Permit Exemptions.**

(1) The following activities that otherwise comply with city, state and federal laws are exempt from having to obtain a special event permit:

(a) Special Events that are sponsored or conducted by the City of Gladstone **or the Gladstone School District;**

(b) Funeral procession by a licensed mortuary;

(c) Garage, estate or yard sales, lemonade stands and car washes; and

(d) Block parties, which must be applied for through a separate city process;

(e) Senior Center space rental which must be applied for through a separate city process.

