

## Chapter 64 SPECIAL EVENTS

### ARTICLE I. DEFINITIONS

#### Sec. 64-1. [Definitions.]

*Ongoing event.* An "ongoing event" is defined as any event that occurs partially or completely within the jurisdiction of the City of Highland consecutively for a period of time that exceeds more than two times monthly. Specific examples would include (but are not limited to): automobile races, re-occurring sporting events not affiliated with HCUSD#5, weekly music festivals, and other weekly reoccurring events). The city manager will make the final determination as to whether an event qualifies. This will be based on the totality of the circumstances presented and will require approval depending on requests of individual departments by their directors.

*Special event.* A "special event" is defined as: (1) any event, race, gathering, demonstration, or service; [(2)] occurs partially or completely within the jurisdiction of the city; (3) is expected to draw crowds in excess of 150 attendees; and (4) is expected to or could disrupt normal daily functions within the city including but not limited to traffic congestion and excess noise; or could create a public health/safety concern without proper precautions or prior planning. Activities protected by the First Amendment to the United States Constitution or by any of Sections 3, 4, and 5 of Article I of the Constitution of 1970 of the State of Illinois — including assemblages organized to consult for the common good, petition the government, exercise worship or religion, or demonstrate as a public display of sentiment for or against a person or cause for the purposes of speechmaking or address — are excluded from the definition of "special event." Funeral processions are also excluded from the definition of "special event."

*Person.* A "person" is defined as any natural person, partnership, corporation, association or organization.

*Sponsor.* A "sponsor" is defined as any person who organizes, promotes, hosts, conducts or causes the special event.

(Ord. No. 2718, § 2, 2-1-16; Ord. No. 3269, § 2, 4-17-23)

### ARTICLE II. PERMIT REQUIRED

#### Sec. 64-2. [Permit required.]

- (a) *Compliance with chapter.* It shall be unlawful for any person to sponsor a special event that requires a permit under the terms of this chapter without first having lawfully obtained such a permit. Each day of the special event that does not have a lawful permit shall be a separate violation, but only one permit is required per special event.
- (b) *Exempt properties or events.* Any special event conducted solely and entirely on property owned by the United States government, the state, the city or Highland Community Unit School District #5, and for which that entity is the sponsor, shall be exempt from the requirement of obtaining individual special event permits under this chapter, provided that these entities apply for and receive an annual permit that has been approved under this chapter by the city manager and chief of police. These entities shall, however, notify the chief of police regarding any individual events which may have a potential public safety or nuisance concern regarding the specific activity or number of possible attendees.

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- (c) *Private businesses and organizations.* Any business, club or organization that operates a facility that caters to or has the ability to host events larger than 150 attendees shall be exempt from the requirement of obtaining individual special event permits under this chapter, provided that these entities apply for and receive an annual permit that has been approved under this chapter by the city manager and chief of police. These entities shall, however, notify the chief of police of any individual events which may have a potential public safety or nuisance concern regarding specific activity or number of possible attendees. This section does not apply to businesses such as restaurants and retail establishments open to the public which host large numbers of individuals on a daily basis as their primary function. (For example, a fraternal organization that hosts several weddings or other events throughout the year will only require a yearly permit, and not a permit for each individual event. However if the same organization is hosting a rally or other event that may have attendees in an amount that would create a potential traffic safety hazard, the organization should notify the chief of police but is not required to apply for an additional permit.)
  - (d) *City manager determination.* The city manager shall have the final determination as to whether any event shall be considered a special event based on the totality of the circumstances presented.

(Ord. No. 2718, § 2, 2-1-16)

### **ARTICLE III. PERMIT APPLICATION**

#### **Sec. 64-3. [Permit application.]**

- (a) *Availability of applications.* Applications shall be available during normal business hours at the city hall or online via the city website.
- (b) *Application completion.* The sponsor must submit a fully complete application to the deputy city clerk at least 60 days prior to the event. The sponsor will be contacted if there is an incomplete application and the application will have to be completed prior to any request for approval. If the sponsor does not respond or fails to provide the required information, then the application will be denied. The sponsor shall be required to sign the application and, if they do not, then the application will be considered incomplete.
- (c) *Application information.* The application shall be in the form as approved by the city manager. At a minimum the application shall require the following information:
  - (1) The name, residence and mailing address of the sponsor. If the sponsor is a partnership, corporation, association or organization, this information shall be provided for the responsible parties of that organization that is sponsoring the event. The sponsor, or responsible party, must be at least 18 years of age.
  - (2) A statement of the kind, character, and type of proposed special event.
  - (3) The address, or legal description and ownership of the site at which the proposed special event is to be conducted.
  - (4) The date or dates and hours during which the proposed special event is to be conducted.
  - (5) An estimate of the maximum number of attendees expected at the special event for each day it is conducted.
  - (6) A detailed explanation, including drawings and diagrams where applicable, of the sponsor's plans to provide for the following items, except for any of the specific items which may be waived by the city manager:
    - a. Police and fire protection (including emergency evacuation plans);

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- b. Food and water supply and facilities;
  - c. Medical facilities and services including emergency vehicles and equipment;
  - d. Health and sanitation facilities;
  - e. Vehicle access and parking facilities
  - f. Lighting facilities;
  - g. Noise control and abatement; and
  - h. Facilities for clean-up and waste disposal;
  - i. Specific requests of the city if any.
- (d) *Application process.* The deputy city clerk shall forward fully completed applications to all city departments that have responsibilities relating to the special event application. The sponsor may be required to attend a committee meeting to discuss the special event so that any concerns or specific needs may be addressed. The sponsor must contact the deputy city clerk to request the special event permit be placed on a city council agenda. The city manager shall make a final determination on whether to approve or deny the special event permit and any services requested. The city council may announce the special event to the public.
- (e) *Transferability.* Special event permits are not transferable and are only valid for the specific properties as to which they were approved.
- (Ord. No. 2718, § 2, 2-1-16)

## **ARTICLE IV. REQUIREMENTS FOR A SPECIAL EVENT**

### **Sec. 64-4. [Requirements for a special permit.]**

- (a) *Water supply.* The special event shall have sufficient potable water for drinking, cooking, washing and other water-using facilities for peak demand conditions.
- (b) *Restroom facilities.* The special event shall have sufficient toilet facilities or portable toilets, hand washing stations, and drinking water facilities. The number and type of facilities required shall be determined on the basis of the number of attendants. All facilities shall be installed, connected, and maintained free from obstructions, leaks and defects and shall at all times be in operable condition as determined by the county public health department.
- (c) *Liquid waste disposal.* The special event shall store and dispose of liquid waste in accordance with all rules and regulations as found under local and state law.
- (d) *Solid waste disposal.* The special event shall store and dispose of solid waste in accordance with all rules and regulations as found under local and state law. The special event shall have effective control measures to minimize the presence of rodents, flies, roaches and other vermin on the premises. Poisonous materials, such as insecticides or rodenticides shall not be used in any way so as to contaminate food, equipment, or otherwise constitute a hazard to the public health.
- (e) *Food service.* If food service is made available at the special event, then it shall be delivered only through concessions operated in accordance with the rules and regulations as found under local and state law.
- (f) *Access and traffic control.* The special event shall have ingress to and egress from the premises as to ensure the orderly flow of traffic onto and off of the premises. Traffic lanes or other space shall be provided and kept open for access by emergency vehicles. Prior to the issuance of a permit, the chief of police must approve the plan for access and traffic control.

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- (g) *Parking.* The special event shall have a parking area sufficient to accommodate all motor vehicles, with at least one automobile space for every four attendees.
  - (h) *Lighting.* The special event shall have lighting of all occupied areas sufficient to ensure the safety and comfort of all attendees. Prior to the issuance of a permit, the chief of police must approve the plan for lighting.
  - (i) *Fire protection.* The sponsor shall take adequate steps, as determined by the fire chief, to ensure fire protection.
  - (j) *Noise control.* Sound producing equipment including but not limited to, public address systems, speaker systems, radios, live or broadcast musical instruments, or other live, electronic, mechanical or broadcast sound or music devices shall not be used or operated on the premises of the special event so as to cause or create any sound or noise in such a manner or with such volume as to unreasonably upset or disturb the quiet, comfort or repose of other persons between the hours as agreed and approved on the special event permit.
  - (k) *Security personnel.* The sponsor is responsible for employing, at their own expense, such security personnel as are necessary and sufficient to provide for the adequate security and protection of the maximum number of attendees at the special event and for the preservation of order and protection of property in and around the site of the special event. No special event permit shall be issued unless the chief of police is satisfied that such necessary and sufficient security personnel will be provided for the duration of the special event.
  - (l) *Insurance.* The sponsor shall obtain general liability insurance with limits of not less than \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate from a company or companies approved by the state. The insurance shall insure general liability for death or injury to persons or damage to property which may result from the special event or incidental thereto and which insurance shall remain in full force and effect in the specified amounts for the duration of the special event. For any special events where a portion of the event takes place on property owned or controlled by the city, the sponsor shall be required to provide a certificate showing the city is an additional insured.
  - (m) *Indemnification.* In consideration for the issuance of a special event permit, the sponsor shall agree to indemnify, hold harmless and defend the city, its officers and employees against any claim for loss, damage or expense sustained by any person on account of injury, death or property damage occurring by reason of or arising out of the special event. By issuing a special event permit, the city makes no guarantees and assumes no liability for the safety of participants or spectators at the special event.
  - (n) *Miscellaneous.* After review of the circumstances and attendance for a special event, the city reserves the right to require additional conditions to protect the health, safety, welfare and property of both attendees and citizens. These requirements will be in writing and will be provided in a timely manner to allow the sponsor time to comply.
  - (p) *Waiver.* After review of the circumstances and attendance for a special event, the city reserves the right for the city manager to waive requirements as found herein that are not necessary to protect the health, safety, welfare and property of either attendees or citizens. The sponsor shall provide a written request stating why a particular requirement does not apply to their special event.

(Ord. No. 2718, § 2, 2-1-16)

## **ARTICLE V. SPECIAL EVENT PERMIT DENIAL, SUSPENSION OR REVOCATION**

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**Sec. 64-5. [Special event permit denial, suspension or revocation.]**

- (a) Authority to suspend or revoke a special event permit. A special event permit may be suspended or revoked at any time without notice by the chief of police based upon the observation or identification of any actual or potential significant threat to public health, welfare, safety or morals, or any observed violation of this Code. If a special event permit is suspended, then the sponsor must suspend all special event activities until the threat or violation has been corrected to the satisfaction of the chief of police. If a special event permit is revoked, the sponsor shall immediately terminate the special event, remove all attendees of the special event, and return the premises to its pre-special event condition.
- (b) A permit may be denied, suspended or revoked if the sponsor has made any false, misleading or fraudulent statements in the application or in any supporting documentation.
- (c) A permit may be suspended or revoked if the sponsor fails to comply with any conditions impose herein or with any other applicable local, state or federal law.
- (d) A permit may be suspended or revoked if the special event creates a public or private nuisance.
- (e) A permit may be suspended or revoked if the special event contains any obscene displays or entertainment.
- (f) A permit may be suspended or revoked if any attendees at the special event cause or create a disturbance by disorderly conduct.
- (g) A permit may be suspended or revoked if any attendees at the special event unlawfully consume, sell or possess intoxicating liquor while on the premises of the special event.
- (h) A permit may be suspended or revoked if any attendees at the special event unlawfully consume, sell or possess narcotic drugs or other substances considered unlawful under local, state or federal law.
- (i) The suspension or revocation of a special event permit does not affect any other civil complaints or criminal charges that may also result from the actions causing the suspension or revocation.

(Ord. No. 2718, § 2, 2-1-16)

**ARTICLE VI. FINES AND PENALTIES FOR VIOLATIONS**

**Sec. 64-6. [Fines and penalties for violations.]**

- (a) *Fines.* A person convicted of a violation of this chapter may be punished with fines as provided in section 1-13.
- (b) *Termination of special event.* The special event may be immediately terminated by the city manager, police chief or fire chief if there is any actual or threatened incident which may pose a potential significant threat to public health, welfare, safety or morals, or any observed violation of this Code.

(Ord. No. 2718, § 2, 2-1-16)

**ARTICLE VII. CITY FEES FOR SPECIAL EVENTS AND ONGOING EVENTS**

**Sec. 64-7. Fees for special events and ongoing events.**

- (a) *Highland Public Safety Fees for Special Events:*

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- (1) Police department: The Highland Police Department will be paid at a rate of \$50.00 per officer per race event (runs or bicycle) when required for traffic control. The Highland Police Department will be paid at a rate of \$100.00 per officer per day, per event when officers are requested outside of the normal day-to-day operation.
  - (2) Emergency medical services department: No additional fees for special events unless organizers require service outside of the normal day-to-day operation.
  - (3) Fire department: No additional fees for special events unless organizers require service outside of the normal day-to-day operation.
- (b) *Highland Public Safety Fees for On-Going Events:*
- (1) Police department: The Highland Police Department will be reimbursed at a rate of 1 ½ times the rate of the officer working the ongoing event. Scheduling will be arranged and agreed upon by the organizer, the chief of police or his/her designee.
  - (2) Emergency medical services department: The Highland Emergency Medical Services Department will be paid at a rate of \$75.00 per half hour when requested for an ongoing event. The following are details of provided additional service:
    - a. Two crew members to provide medical services throughout the event.
    - b. Fuel charges of \$19.00 per hour as the truck must remain on for the entire event.
    - c. Medical supplies used during the event.
    - d. Wear and tear on the truck for idle state.

Trucks must remain in an idle state throughout the course of the event for patient comfort and to maintain moderate temperatures for medications and I.V. fluids. Scheduling will be arranged and agreed upon by the organizer and the Emergency Services Chief or his/her designee.
  - (3) Fire department: The Highland Fire Department will be reimbursed at a rate of \$19.50 per firefighter per hour working the ongoing event. Scheduling will be arranged and agreed upon by the organizer and the fire chief or his/her designee.

( Ord. No. 3269, § 3, 4-17-23)