

Chapter 7.5 SPECIAL EVENTS*

***Editor's note:** Section 1 of Ord. No. 4374, adopted July 19, 1988, repealed former Ch. 7.5, pertaining to cable television (specifically, the cable television advisory board) and originating from Ord. No. 3619, § 1, adopted June 12, 1984.

Sec. 7.5-1. Definition.

Any event or activity which meets the criteria established below, that will not be a permanent use of the land involved, without the use or construction of any permanent structures or fixtures, and that will occur only periodically for a short period of time shall be considered as a special event. Such special events must not adversely affect other property or persons in the vicinity.

(Ord. No. 5070, § 1, 2-16-93)

Sec. 7.5-2. Exclusion from permit requirements; exception.

City-initiated or sponsored outdoor special events shall be excluded from the special events permit requirements, with the exception of those special events which include contracted food and beverage service and/or contracted amusements.

(Ord. No. 5070, § 1, 2-16-93)

Sec. 7.5-3. Criteria for establishment.

To establish a permissible special event, one (1) or more of the following three (3) criteria shall be met:

- (1) A special event exists when a minimum of twenty-five (25) per cent of the gross money from the event is given to a nonprofit organization. An affidavit from the nonprofit organization attesting to this fact must be on file prior to issuance of any permits.
- (2) Seasonal events shall be considered special events. A carnival is not considered a seasonal event.
- (3) A special event in conjunction with a for-profit business when such business is located within three hundred (300) feet of the special event.
- (4) Such special events shall be subject to the following requirements:
 - a. The activities taking place in conjunction with the special event must normally be allowed in the zoning district where the subject property is located, unless the event is operated by and primarily benefits nonprofit or governmental organizations.
 - b. All applicable ordinances, codes and permits shall be applied for and complied with as to insure conformance to use.
 - c. Signed statements are required from the police, fire, planning, health, traffic, building inspection and code enforcement departments stating the department is satisfied the event will not "adversely affect other property or persons in the vicinity". Specific consideration shall be given to traffic management, parking, fire protection, noise, lighting, security, sanitation, and the overall health, safety and general welfare.
 - d. Outside displays may occur for the limited duration of the special event or activity where such display may normally be prohibited.
 - e. Temporary facilities, such as tents, portable trailers or stages, shall be allowed and be limited in their existence to the duration of such special event. Sleeping quarters for security purposes shall be allowed for the duration of the special event.
 - f. The special event, or any temporary facilities associated with the event, shall not be allowed to occupy any required parking spaces for any use which may be located on the same site as the special event.
 - g. Access to off-street paved parking must exist. If such access does not exist, it must be demonstrated that, at a minimum, designated parking areas exist and that on-street parking is discouraged. On-street parking shall be prohibited for required parking for the special event.
 - h. The applicant shall post two hundred dollars (\$200.00) as a deposit for clean-up. If the site is cleaned without the city's involvement after the special event takes place, the two hundred dollars (\$200.00) shall be refunded. If the site is not cleaned, the two hundred dollars (\$200.00) will be utilized to fund the cleaning of the site.
 - i. A site plan shall be provided by the applicant showing the layout of the site and any other information which may be pertinent.

j. Any sign associated with the special event must meet the requirements established in Article IX, "Signs", of the unified development code.

k. The special event permit shall be issued by the chief building official and shall be posted in a visible location on the subject property for the entire duration of the special event, if all requirements of this chapter are met and all required signatures have been obtained.

l. Applicants requesting to sell alcoholic beverages during the special event shall erect signs, provided by the city, which provide notification and information of the proposed event on the subject property. Signs shall be placed at the direction of the director of planning or designee. Signs must be posted two (2) calendar days prior to the start date of the special event and shall remain posted until the first day of the event. Signs shall be removed by the applicant.
(Ord. No. 5070, § 1, 2-16-93)

Sec. 7.5-4. Sale of alcoholic beverages for on-site consumption permitted.

A special event may involve the sale of alcoholic beverages for on-site consumption only. If the use is otherwise allowed in the zoning district, no specific use permit as defined in the unified development code is required.
(Ord. No. 5070, § 1, 2-16-93)

Sec. 7.5-5. Duration.

Any proposed special event or activity on the same lot or tract of land shall be limited in duration to a period of four (4) weeks per occurrence unless the sale and on-site consumption of alcoholic beverages is involved, in which event the duration of alcoholic beverage sales shall be no more than fourteen (14) consecutive days. There shall not be more than two (2) occurrences of the same event by the same operator or sponsor at the same location in any single calendar year. Any such occurrence of the same event by the same operator or sponsor at the same location shall be separated by a minimum three-month time period.
(Ord. No. 5070, § 1, 2-16-93)

Sec. 7.5-6. Extension of time.

In the event that the chief building official denies a special event permit or a person or organization desires additional time or duration beyond the fourteen (14) days allowed for events involving alcoholic beverages or the four (4) weeks per occurrence or more than two (2) occurrences per calendar year or less separation than three (3) months, then the request must be acted upon by the city council. Such request, with any supporting information, plans or documents deemed appropriate or necessary, shall be forwarded to the city council for decision. The city council action shall be final and, if approved, shall be an approval for such calendar year. The city council shall specify the time or requirements and safeguards it deems necessary.
(Ord. No. 5070, § 1, 2-16-93)

Sec. 7.5-7. Garage sales.

Nothing contained herein shall supersede the garage sale ordinance established in the City Code of Ordinances, nor does this chapter apply to garage sales.
(Ord. No. 5070, § 1, 2-16-93)

Sec. 7.5-8. Vested rights.

Nothing contained herein shall be construed as creating any vested rights.
(Ord. No. 5070, § 1, 2-16-93)