

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 385-13

AN ORDINANCE

amending Chapter 24 of the City Code as it relates to special event permits; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 24 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 24-71. Required; application; conditions for issuance.

(a) Whenever any person shall desire to temporarily block a portion of any public street or sidewalk ~~that is not outside of the downtown area as described in section 24-73,~~ and is for any purpose other than the collection of signatures on a petition or the dissemination of information, or work under a permit issued by the director of public works under article II, division 2 for a closing not exceeding thirty (30) days, such person shall make application on a form to be supplied by the city to the city manager not less than ten (10) days prior to the next city council meeting preceding the date the person shall desire to use such street or sidewalk. A twenty-five dollar (\$25.00) processing fee will be required with the application. The city manager may issue a permit with conditions to such person to use a portion of such street or sidewalk to such extent and for such time as the city manager shall find to be reasonably necessary, provided that the city manager shall find that the following conditions exist:

- (1) No safety hazard will be created as determined by the director of public works or his designate, and
- (2) No obstruction will be created that would unreasonably interfere with police, fire or health protection of the city, and
- (3) No unreasonable interference with the normal uses of the abutting property will be created.

(b) The person making an application to the city manager shall, as a part of the application, present evidence that all users or owners or occupants of property abutting the area to be used have been notified of the use, the dates and time of such use and their right to protest under this section.

...

Sec. 24-73. Special event ~~Downtown street use~~ permits.

(a) The city manager shall designate a city event committee to assist with the issuance of special event permits. The city event committee is authorized to close any public street, sidewalk or public place as follows:

- (1) Any event in the downtown area;
- (2) For any event that is ticketed, has entry fees, for-profit or otherwise excludes the general public;
- (3) For any event at a city park if submitted by the director of the parks and recreation department; and
- (4) For any event in other public places if submitted by the city manager.

~~City council authorization is required to close any street in the downtown area. For purposes of this article, "downtown area" means the area bound on the north by Park Avenue, on the east by College Avenue, on the south by Elm Street and on the west by Providence Road. Issuance of a special event permit does not obligate or require the city to provide services, equipment or personnel in support of an event. The city manager may cancel or postpone a special event permit if the manager thinks that any denial condition listed in this section exists, or is likely to exist, or to otherwise protect people and property in the city. The city event committee may promulgate forms and regulations to assist applicants that are not inconsistent with this section. The city event committee may request detailed plans, evidence, maps or other documentation to evaluate the application.~~

(b) The city event committee shall not consider closing any area as set out in subsection (a) above for any of the following:

- (1) The day before, or the day of, any scheduled University of Missouri home football game; and
- (2) Any event that requires city services, equipment or support that is outside the ordinary course of business of the city.

Any closures of this kind shall require an agreement negotiated by the city manager with the event organizer and the agreement must be approved by the city council. ~~Any person~~

wishing to have the city council close a street in the downtown area for a special event may file a written application for a street closure and street use permit with the city manager on a form supplied by the city manager's office. The application must be filed at least ten (10) days before the regularly scheduled city council meeting at which the request will be considered.

(c) Applications for a special event permit shall be considered in the order that the application is received. Multiple applications shall be given an order of priority by the applicant if submitted by one applicant, or shall be selected at random if it cannot determine the order in which applications have been received. Applications for special event permits shall be submitted ninety (90) days prior to the first day of the event. A one hundred dollar (\$100.00) processing fee will be required with the application. As part of the application, the applicant shall present evidence that all owners or occupants of property abutting the street to be closed have been notified of the proposed street closure and over fifty percent (50%) must give consent for an application to be considered their right to address the city council in opposition to the street closure. Upon request by the city event committee, applicants shall submit detailed plans, evidence or maps to be used to evaluate the application and to address any denial condition concerns. The city event committee shall approve or deny the application as soon as possible but no later than forty-five (45) days before the first day of the event. Any person aggrieved by a denial of a permit by the city event committee may file an appeal within five (5) days following such denial with the city council to be acted upon at the next regular council meeting after said appeal is filed.

(d) The city event committee shall grant a special event permit unless it is determined that one or more of the denial conditions listed in subsection (d)(1) or (d)(2) below requires denial. The city event committee shall accept timely written comments from the downtown community improvement district board as to any of the denial conditions listed below if the event is in the community improvement district area.

- (1) The city event committee shall deny a special event permit to an applicant who fails to:
 - a. Provide a completed and signed application; or
 - b. Meets the requirements for submitting an application for a special event permit; or
 - c. Provide a sufficient traffic control plan; or
 - d. Provide a plan or evidence of sufficient monitors, event staff, volunteers or security for crowd control and safety; or
 - e. Provide a plan or evidence of sufficient sanitation or portable sanitation equipment, services or facilities that are reasonably necessary to

ensure that the event will be conducted with due regard for safety, health and the public welfare; or

f. Provide a plan or evidence of sufficient waste management services; or

g. Provide sufficient off-site parking or shuttle service, or both, when required to minimize any substantial adverse impacts on general parking and traffic circulation in the vicinity of the event as determined by the city event committee; or

h. Obtain the written approval of any other public agency within whose jurisdiction the special event or portion of the special event will occur; or

i. Provide a sufficient public safety plan based on event risk factors including but not limited to, on-site medical personnel, emergency preparedness for adverse weather conditions, temperature, fire, or other potential health and public safety concerns; or

j. Obtain all other required city permits; or

k. Provide insurance to protect the city against loss from liability imposed by law for damages on account of bodily injury and property damage arising from the special event that impacts or occurs on city property. The amount, if the insurance is required, shall be determined by the city and the insurance shall name the city as an additional insured and must be maintained for the duration of the special event. The city manager may waive or require a substitute to the insurance requirement only if the event organizer demonstrates that it is impossible or impractical to obtain insurance coverage.

(2) The city event committee shall deny a special event permit if it determines that:

a. The event will violate any local, state or federal law or regulation; or

b. The resources required to ensure public safety within the special event venue or district will prevent the police, fire or emergency medical service departments from providing reasonable protections to the remainder of the city; or

c. The concentrations of persons, animals, or vehicles within the special event venue or district will unduly interfere with the movement of police, fire, ambulance or other emergency vehicles; or

d. The event will substantially interfere with any other special event for which a permit has been granted, or the combination of events, although they do not interfere, diminishes public safety resources to unacceptable levels in the determination of the city; or

e. The event will interfere with scheduled and unscheduled government functions, including, but not limited to, construction of buildings (public and private), road and utility work, street closures, or any other reason to protect safety, health and the public welfare in the city; or

f. The event organizer demonstrates an inability or an unwillingness to conduct an event in compliance with the requirements of this chapter, or to comply with a condition to a permit issued under this chapter; or

g. The event organizer conducted a prior special event in a manner that failed to substantially comply with city code requirements.

(e) The city council shall not close a street or sidewalk and issue a street special use permit when an applicant appeals the denial of a permit or in approving an agreement unless it determines that:

- (1) No safety hazard will be created, and
- (2) No obstruction will be created that would unreasonably interfere with police, fire or health protection of the city, and
- (3) No unreasonable interference with the normal uses of the abutting property will be created.

~~(e) The city council normally shall not close a street and issue a street use permit when the street requested to be closed is within seven hundred fifty (750) feet of a street that the council has previously closed for the same time, unless the holder of the earlier street use permit has been notified and consents to the subsequent street closure.~~

~~(f) The holder of a street use permit must obtain all other required city licenses and permits. The special event committee appointed by the city manager will advise the permit holder of additional licenses and permits that are required based upon information provided by the permit holder. The following restrictions and obligations apply after a street or sidewalk closure has been granted as part of a special use permit:~~

- (1) No vendors may operate within the closed street without the permission of the special event permit holder. This subsection shall not prevent the owners of businesses adjacent to the closed street from selling items on the sidewalk as otherwise permitted by law.

(2) No peddler shall conduct peddling within seven hundred fifty (750) feet of a street closed under this section without the written permission of the city manager. The manager shall not give such written permission without first consulting with the special event permit holder to determine whether such peddling will interfere with the special event to be held on the closed street.

(3) No unreasonable interference with the normal uses of the abutting property will be created. Access to businesses that abut the street closure shall be maintained during the normal business hours of the affected business. No entry fee shall be charged to a person who resides or operates a business in the closed street area or to a customer of or person making delivery to a business or residence in the closed street area.

~~(g) No vendors may operate within the closed street without the permission of the street use permit holder. This subsection shall not prevent the owners of businesses adjacent to the closed street from selling items on the sidewalk as otherwise permitted by law.~~

~~(h) No peddler shall conduct peddling within seven hundred fifty (750) feet of a street closed under this section without the written permission of the city manager. The manager shall not give such written permission without first consulting with the street use permit holder to determine whether such peddling will interfere with the special event to be held on the closed street.~~

~~(i) Access to businesses that abut the street closure shall be maintained during the normal business hours of the affected business.~~

~~(j) No street use permit holder or other person shall block off a street in a manner that prevents the free movement of pedestrians into and out of the closed street area.~~

~~(k) No entry fee shall be charged to a person who resides or operates a business in the closed street area or to a customer of or person making delivery to a business or residence in the closed street area.~~

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2014.

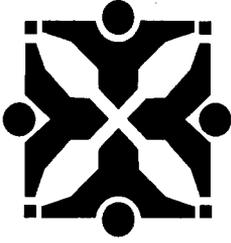
ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



Source: City Manager

Agenda Item No:

To: **City Council**
From: **City Manager and Staff**

Council Meeting Date: Dec 16, 2013

Re: Special Event Permits

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration an ordinance amending Chapter 24 of the City Code as it relates to special event permits.

DISCUSSION:

The city of Columbia has become a popular destination for charitable 5k's, festivals and events; and, while the city wants to accommodate these special events for our community, the costs and time, both in people and resources, is becoming difficult to manage. Hence, the city's Special Event Committee, working with the Community Improvement District, has been reviewing best practices for special event permitting.

Due to recent event tragedies, it is now more important than ever to properly plan and prepare to have the safest event possible. Public safety is the number one priority in reviewing special event applications. Staff is proposing an application that evaluates plans for public safety, security, traffic control, accessibility and liability prevention techniques at the highest level. The proposed ordinance includes many of the recommendations outlined in the January 11, 2012 letter from the Downtown Community Improvement District, including, but not limited to the following:

- A \$25 processing fee will be required with the event application for persons desiring to temporarily block a portion of any public street or sidewalk that is not located in the downtown area; i.e., a neighborhood block party.
- The City Manager shall designate a city event committee of city staff to assist with the issuance of special event permits according to the criteria set forth in the ordinance.
- Applications for special event permits shall be submitted 90 days prior to the first day of the event.
- A \$100 processing fee will be required with the event application.
- The applicant shall present evidence that all owners or occupants of property abutting the street to be closed have been notified or the proposed street closure and over 50% must give consent for an applicant to be considered.
- There are provisions specifically applicable for the "downtown area" (CID boundaries).
- The application form includes yes/no boxes and provides an area for additional comments.
- The application includes hyperlinks, where applicable.
- There shall be no unreasonable interference with the normal uses of abutting properties.

FISCAL IMPACT:

Unknown at this time.

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

n/a

SUGGESTED COUNCIL ACTIONS:

Motion to approve the legislation.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?		Federal or State mandated?	
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?		Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?		Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	
One Time	\$0.00	Requires add'l FTE Personnel?		Primary Vision, Strategy and/or Goal Item #	
Operating/ Ongoing	\$0.00	Requires add'l facilities?		Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?		Fiscal year implementation Task #	

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The District · Downtown Community Improvement District
 11 South 10th Street · Columbia, MO 65201 · (573) 442-6816
DiscoverTheDistrict.com



September 18, 2013

Mr. Mayor and City Council:

We understand that Council has requested the Community Improvement District Board address the issue of street closures within the CID boundaries.

Council should be aware that the CID Board has already brought together all interested parties to draft a set of recommendations regarding street closures and has already forwarded those recommendations to you.

In August of 2011, when Council was considering changes to the street closure ordinance, the CID Board asked for 60 days to review the proposal and offer comments. A CID committee was formed of both board members and interested parties (including both Julie Rader and Richard King). This committee met throughout September and October of 2011 and hosted a series of public meetings. The CID Board voted to approve a set of recommendations on January 10, 2012 and a letter was sent to Council with those recommendations on January 11, 2012.

Although the City's Special Events Committee has been working to incorporate these suggestions into a special event application, the Council has not yet taken action on our recommendations. I have enclosed our original letter for your review.

It is our belief that the simple tasks of formalizing the application process and requiring the applications be submitted earlier than 10 days out will address many of the current problems. That will give both the CID and the SEC time to work through the details of the event prior to the request going to Council.

Finally, it is important to point out that current city ordinance does not allow either the CID Board or the Special Events Committee to set aside applications because they are incomplete or because they violate internal policies. City ordinance reserves this right for Council. In fact, an applicant may bypass recommendations made by either group and appeal directly to Council. Thus, Council will always be in a position of sifting through individual street closure applications until it explicitly allows these two groups more responsibility when it comes to special events.

If you have any questions, please feel free to contact me at (573) 442-6816. Thank you for your help.

Sincerely,

Carrie Gartner
 Downtown Community Improvement District

CID Board

Blake Danuser
 Bingham's

Adam Dushoff
 Addison's

Tony Grove
 Grove Construction

Christina Kelley
 Makes Scents

Richard King
 The Blue Note

Tom Mendenhall
 The Lofts at 308 Ninth

Michael McClung
 Déjà vu, Resident

Allan Moore
 Moore & Shryock

John Ott
 Paramount Building

Tom Schwarz
 Landmark Bank

Deb Sheals
 Historic Preservation Consulting

Ben Wade
 Guitarfinder

Michael Wagner
 Boone County National Bank

Marti Waigandt
 808 Cherry

Andrew Waters
 Columbia Daily Tribune



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January 11, 2012

Mr. Mayor and City Council:

The Downtown Community Improvement District voted to submit the following recommendations regarding street closures to Council:

- Any street closure must receive at least 51% of signatures from abutting business owners.
- Application must be received by Council 45 days out from the event.
- Ordinance should apply to the CID boundaries.
- "Yes", "No" and "Comment" boxes should be added to the signature form.
- Instructions/web link explaining the process should be added to the signature form.
- Some kind of generic notification should be placed on street barricades by the city to let customers know they can access the businesses.
- Recommend considering an application fee structured the way Des Moines' is.
- Recommend adding an indemnification clause in the ordinance.

The vote was unanimous except for Tom Brinker, who abstained.

Please feel free to contact me if you have any questions and thank for all your time on this.

Sincerely,

Carrie Gartner, PhD
Director
Downtown Community Improvement District

CID Board

Larry Colgin
Landmark Bank

Blake Danuser
Binghams

Adam Dushoff
Addison's

Christina Kelley
Makes Scents

Richard King
The Blue Note

Michael McClung
Déjà vu, Resident

Allan Moore
Moore & Shryock

John Ott
Paramount Building

Jennifer Perlow
PS: Gallery

Deb Sheals
Historic Preservation
Consulting

Michael Wagner
Boone County National Bank

Marti Waigandt
808 Cherry

Erin Waggoner
Swank Boutique

Skip Walther
Walther, Antel, Stamper &
Fischer