

<b>CITY OF APPLETON POLICY</b>	<b>TITLE: SPECIAL EVENT POLICY</b>	
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**I. PURPOSE**

The City is dedicated to making the special event licensing process as easy as possible for applicants. The purpose of this policy is to outline the steps that must be taken for special events to be properly licensed by the City of Appleton.

**II. POLICY**

Events and planned occurrences on City property that exceed the normal and ordinary use of such property may be considered special events and subject to review and licensing.

**III. DISCUSSION**

It is recognized that special events of all sizes often bring benefits to the community. At the same time, the City must have sufficient notice prior to a special event so that the City can evaluate the potential impact the event might have on resources of City departments, City owned properties and facilities, and ultimately on the public. Because events have unique characteristics with different potential impacts on City services, the issuance of a license is considered on a case-by-case basis and in accordance with this policy.

For licensing purposes there are three categories of special events: (i) Small Events, which are events with an anticipated attendance of under 1,000 people, (ii) Large Events, which are events with an anticipated attendance of between 1,000 and 5,000 people, and (iii) Significant Events, which are events with an anticipated attendance of over 5,000 people. Events may take place on one day or for multiple days.

The event category plus the number of days the event will occur will determine (i) the fee for the event, (ii) the license application deadline, and (iii) any other minimum resources required for the event.

**IV. DEFINITIONS**

***Anticipated attendance*** means an objective estimate made by an applicant of the total number of people who will attend a special event.

***Applicant*** means the person applying for the special event license.

***Days*** means calendar days.

***Event category*** means the size of the event, either a Small Event, Large Event or Significant Event.

***Large Event*** means a special event with an anticipated attendance of between 1,000 and 5,000 people.

***License*** means the license issued by the City Clerk to the applicant for the special event.

***Multiple day event*** means a special event that occurs on more than one day, where the days are consecutive or at a consistent interval (e.g., an event occurring on a consecutive Saturday and Sunday or an event occurring every other Tuesday), at the same start and end time and at the same location. One special event license will be issued for a multiple day event.

***Normal and ordinary use*** means the way City owned property should normally and ordinarily be used, as established by the department that of jurisdiction (e.g., a ball diamond complex's normal and ordinary use is for baseball/softball games, a public streets normal and ordinary use is for vehicular traffic, a sidewalks normal and ordinary use is for pedestrian use). Whether an event is considered within the normal and ordinary use of the property is determined by the City department that maintains jurisdiction over the property.

***Significant Event*** means a special event with an anticipated attendance of over 5,000 people.

***Single day event*** means a special event that does not meet the definition of a multiple day event.

***Small Event*** means a special event with an anticipated attendance of under 1,000 people.

***Special event* or *event*** means any planned occurrence in the public right-of-way or on public property including, but not limited to, parades, gatherings, festivals and athletic events, which are not within the normal and ordinary use of that place or which, by the nature of the event, may have a greater impact on City services or resources than would have occurred had the event not taken place. Whether the event is considered within the normal and ordinary use of the public facility or property shall be determined by the City department that maintains jurisdiction over the property. A special event may be a single day event or a multiple day event.

***Special Event License Application Form* or *application*** means the application available from the City Clerk that must be approved by the City Clerk on the recommendation of the Special Events Committee in order to obtain a license to hold a special event.

***Special Events Committee* or *Committee*** means the committee comprised of City employees representing the following City departments: Community and Economic Development, Health,

Human Resources, Fire, Legal Services, Parks, Recreation and Facility Management, Police, Public Works and Valley Transit.

## V. PROCEDURES

### A. LICENSE REQUIREMENTS.

1. Application. To obtain a special event license, the applicant must file a completed application with the City Clerk before the last applicable day before the event and pay the license fees. *See Attachment A – Fee Schedule.*
  - a. Late Applications. Late applications will not be accepted by the City Clerk unless the event is a large or significant event that has been held in the City for at least the past two (2) consecutive years and there are no changes to the event from the previous year. Late applications meeting this standard will be accepted by the City Clerk subject to a late fee. Applications submitted less than thirty (30) days before the event will not be accepted. *See Attachment A – Fee Schedule.*
  - b. Additional Reservations/Permits/Licenses. Filing an application does **NOT** reserve a park or facility and does **NOT** include applications for any other licenses or permits as may be required.
  - c. Map/Diagram of Event. A detailed map or diagram indicating the specific location and layout of the event must be submitted with the applicant. The map should also include any proposed street closures and the proposed route and direction of route, including all turns and the number of traffic lanes to be used, if applicable.
    - i. Street Closure. If an event requires a street closure, the applicant or their contractor must provide an acceptably-prepared Traffic Control Plan (TCP) to the Traffic Section for review and approval no less than four (4) weeks prior to the event. The plan must comply with the Federal Highway Administration's Manual on Uniform Traffic Control Devices, latest edition, and the City of Appleton's Temporary Traffic Control Manual, latest edition. Temporary traffic control devices/services must be provided by a contractor which has extensive experience in the industry and is approved in advance by the Traffic Section.
    - ii. Event Route. Event routes, if applicable, must be submitted with the application regardless of historical precedent. Proposed routes may be altered after the license has been issued only at the discretion of the Police Department and the Department of Public Works.
  - d. Insurance Events are required to have adequate levels of insurance as determined by the City's Risk Manager and based on the size and type of

the event. Applicants must furnish the City Clerk with a valid certificate of insurance covering any and all liability.

2. Meetings.

a. Special Events Committee Meeting.

- i. The purpose of the Special Events Committee meeting is for Committee members to plan, coordinate and discuss the City resources that will be used for an upcoming special event, to discuss interdepartmentally any concerns or problems with a special event, and to generally provide the other City departments with information that may be relevant to approving and denying special event applications.
- ii. The Committee meets once a month as determined by the City Clerk.
- iii. City departments who recommend approving or denying special event applications should ensure at least one member of their Department attends each Committee meeting.
- iv. Applicants may attend Committee meetings to discuss their proposed special event and to receive feedback regarding the likelihood of their application being approved.
- v. Applicants may request a Special Event Committee Meeting be held on a certain day or time by making the request to the City Clerk. The City Clerk will try to accommodate the request to the extent possible.

b. Department Meeting. The City Clerk may schedule a meeting if deemed necessary by the City Clerk or requested by the applicant and/or the affected City department(s) should the applicant make a request for City services. The purpose of the meeting will be to discuss the services requested. The meeting must be held no later than thirty (30) calendar days before the event. If the applicant refuses to meet at the request of the City Clerk, the license may be denied or revoked.

3. Application Review.

a. Department Review. Applications are reviewed by employees from the following City departments: Community and Economic Development, Health, Human Resources (Risk Management), Fire, Legal Services (Clerk's Office), Parks, Recreation and Facility Management, Police, Public Works and Valley Transit. Each department will recommend either

approving or denying the application. The City Clerk will issue the license upon receiving a recommendation for approval from all reviewing departments.

i. Each department must recommend approving or denying an application based on the information relevant to that department. A department's decision to recommend approving or denying an application may be based on, but is not limited to, the following:

1. Use of department resources,
2. Costs to the department,
3. Benefit to the community,
4. Any perceived public health or safety problems,
5. If the applicant has a history not complying with this policy and/or other applicable rules or regulations, which has or may have an impact on the department, and
6. Use of City property that is relevant to the department.

b. Recommendation for Denial. If a recommendation for denial is made by a department, an explanation must be provided to the City Clerk which will then be provided to the applicant.

4. Appeals Process. If an application is denied or not accepted by the City Clerk for any reason, the applicant may request the application be submitted to the Common Council by way of the Safety and Licensing Committee for review and a final determination of whether to grant the license.

5. Waiver. Some or all of the license requirements may be waived in cases where the United States Secret Service notifies the City of a proposed event in which it will be assisting with security details. It will be at the discretion of the Special Events Committee which requirements will be waived.

## B. SAFETY.

1. Security Events must have a designated head of security and may be required to have additional security personnel at the rate of one (1) security person for every 300 persons present if alcohol is available for consumption or for every 600 persons present if alcohol is not available for consumption. The Police Department has the discretion to modify these ratios as they deem necessary and the applicant will be notified of the modification as soon as reasonably possible.

a. Head of Security. The head of security must, at minimum, be: (i) 18 years of age or older, (ii) clearly identifiable as the head of security at all times

during the event, (iii) reachable by phone at all times during the event by any City employee, (iv) able to call 911 during the event, and (v) able to contact and instruct the security personnel, as applicable, during the event.

b. Security Personnel. Security personnel must, at minimum, be: (i) 18 years of age or older, (ii) clearly identifiable as security personnel at all times during the event, (iii) able to call 911 during the event, (iv) reachable at all times by the head of security during the event, and (v) be able to act on instructions from the head of security, or any other authorized person, in case of an emergency.

2. Additional Safety Features. In the event the Police Department has a reasonable and justifiable reason to request the applicant have additional safety features at the event beyond what is provided for in the application, the Police and Fire Department must let the applicant and the City Clerk know what additional safety features the event will need at the time the application is reviewed by the Police Department pursuant to paragraph V(A)3(a) above. If the applicant does not want to provide the additional security features recommended by the Police Department, the Police Department may recommend denying the event per paragraph V(A)3(b) above and the applicant may appeal pursuant to paragraph V(A)4 above.

C. SET-UP, TOILET FACILITIES AND CLEAN-UP.

1. Set-Up Time. Set-up for an event, including, but not limited to, dropping off supplies and erecting tents, shall not take place more than four (4) hours in advance of an event unless approval for earlier set-up has been granted in writing by the department director or designee with jurisdiction over the location of the event.

2. Markings. Any instructions or information about or pertaining to an event applied directly to City property, such as streets, sidewalks and curbs, must be no more than twelve (12) inches in height and two (2) feet in length. Only white, temporary (lasting no longer than thirty [30] days), water-based marking paint or landscape chalk is permitted to be used.

3. Toilets. It is the responsibility of the applicant to ensure the adequate number of toilets are available at the event.

4. Waste Receptacles. It is the responsibility of the applicant to ensure the proper number of waste receptacles are present at the event.

5. Clean-Up. It is the responsibility of the applicant to ensure the location of the event is left in the same condition it was in prior to the event. All clean-up efforts must be completed within four (4) hours after the conclusion of the event unless approval for additional clean-up time has been granted in writing by the department director or designee with jurisdiction over the location of the event.

D. FEES.

1. License Fee. Special event license fees are set based upon the amount of resources used by the City for similar events and is based on the event's anticipated attendance, whether there will be street closures, and how far in advance of the event the application is filed with the City Clerk. The license fee must be paid at the time of the application is filed with the City Clerk. *See, Attachment A – Fees.*
2. Late Fee. A late fee of will be added to all applications filed pursuant to Section V(A)(1)(a) above. *See Attachment A – Fees.*
3. Police Investigation Fee. A background check of all applicants will be conducted by the Police Department and the fee for the background check, \$7.00, is in addition to the license fees.
4. City Events. Events where the applicant is an official, employee or designated agent of the City acting on behalf of the City will not incur any fees.
5. Permits. Charges for park facilities, food sales permits, tent permit fees, etc., are to be paid **IN ADDITION** to the fees discussed in this policy.
6. Non-Refundable. All fees are non-refundable with the exception of fees for events that are cancelled by the applicant and/or the City due to weather conditions or by the City for the unforeseen or unexpected unavailability of the event venue that is not caused by an act or inaction of the applicant, in which case the fees will revert to a credit the applicant can use for rescheduling the event or for a similar event. The credit must be used within one (1) calendar year from the date of the cancelled event. No cash refunds will be given if the full value of the credit is not used by the applicant. If the event is cancelled by the applicant due to weather conditions, notification to the City Clerk must be made as soon as reasonably possible.

E. EVENT CANCELLATION. The Mayor or designee may cancel an event without prior notice for any condition affecting public health or the safety of the City, or any condition that would affect facilities, grounds, or other natural resources at risk of damage or destruction if the event were permitted to take place.

F. COMPLIANCE. The applicant is responsible for ensuring that the event complies with this policy and all applicable laws and regulations including, but not limited to, statutes, ordinances, traffic rules, park rules, health laws, fire codes, and liquor licensing regulations. Failure to comply resulting in the City providing services will result in the applicant being billed for the City provided services should the cost of services equal \$50 or more, and may also result in the applicant being prevented from obtaining a special event license in the future.

- a. In the event the City bills the applicant for services, the department director or designee with jurisdiction over the services provided will submit a bill to the applicant within thirty (30) days after the conclusion of the event. Payment is due

to the City within thirty (30) days after the date on the bill.

- b. The applicant may appeal the bill by placing the reason for the appeal in writing and submitting it to the City Clerk prior to the bill's due date. The final determination of the bill will be made by the Common Council by way of the Safety and Licensing Committee.
  
- G. ANNUAL REPORTING. By July 30 of every year, a report must be submitted by the City Clerk to the Safety and Licensing Committee and the Common Council documenting the cost of services provided to special events by City departments for the previous year.
  
- H. PRECEDENT. Nothing in this policy shall be read to take precedent over any applicable statutes or ordinances.

**ATTACHMENT A – FEES**

<b><u>SINGLE DAY EVENT LICENSE FEE</u></b>						
<b>NUMBER OF DAYS BEFORE THE EVENT</b>	<b>SMALL EVENTS<sup>1</sup> Without Street Closure</b>	<b>SMALL EVENTS<sup>1</sup> With Street Closure</b>	<b>LARGE EVENTS<sup>2</sup> Without Street Closure</b>	<b>LARGE EVENTS<sup>2</sup> With Street Closure</b>	<b>SIGNIFICANT EVENTS<sup>3</sup> Without Street Closure</b>	<b>SIGNIFICANT<sup>3</sup> EVENTS With Street Closure</b>
90+ days	\$50	\$100	\$500	\$700	\$1,000	\$1,500
60-89 days	\$60	\$150	\$600	\$750	\$1,200	\$1,700
45-59 days	\$75	\$200	\$800	\$1,000	\$1,650	\$2,500
30-44 days	\$100	\$300	\$900	\$1,000 + Late Fee*	\$1,650 + Late Fee*	\$2,500 + Late Fee*
11-29 days	\$200	\$400	Application Not Accepted	Application Not Accepted	Application Not Accepted	Application Not Accepted
10 days	Application Not Accepted	Application Not Accepted	Application Not Accepted	Application Not Accepted	Application Not Accepted	Application Not Accepted
Late Fee*	N/A	N/A	N/A	\$800	\$800	\$1,500

\* Large and Significant Events that have been held for the last two consecutive years where nothing has changed may be submitted late, subject to the late fee and the application approval process. See Paragraph A(1)A of the Special Events Policy for details.

<sup>1</sup> Small Event = Anticipated attendance of less than 1,000 people

<sup>2</sup> Large Event = Anticipated attendance of between 1,000 and 4,999 people

<sup>3</sup> Significant Event = Anticipated attendance of 5,000 people and over.

**ATTACHMENT A – FEES, Cont.**

<b>MULTIPLE DAY EVENT LICENSE FEE</b>						
<b>NUMBER OF DAYS BEFORE THE EVENT</b>	<b>SMALL EVENTS Without Street Closure</b>	<b>SMALL EVENTS With Street Closure</b>	<b>LARGE EVENTS Without Street Closure</b>	<b>LARGE EVENTS With Street Closure</b>	<b>SIGNIFICANT EVENTS Without Street Closure</b>	<b>SIGNIFICANT EVENTS With Street Closure</b>
90 days or more	\$50 total	\$100 total	\$500 total	\$700 first day + \$175 each additional day = total fee	\$1,000	\$1,500 first day + \$375 each additional day = total fee
60-89 days	\$60 total	\$150 total	\$600 total	\$750 first day + \$188 each additional day = total fee	\$1,200	\$1,700 first day + \$425 each additional day = total fee
45-59 days	\$75 total	\$200 total	\$800 total	\$1,000 first day + \$250 each additional day = total fee	\$1,650	\$2,500 first day + \$750 each additional day = total fee
30-44 days	\$100 total	\$300 total	\$900 total	\$1,000 first day fee + \$250 each additional day + Late Fee = total fee	\$1,650 + Late Fee* = total fee	\$2,500 first day + \$750 each additional day + Late Fee* = total fee
10-29 days	\$200 total	\$400 total	Application Not Accepted	Application Not Accepted	Application Not Accepted	Application Not Accepted
< 10 days	Application Not Accepted	Application Not Accepted	Application Not Accepted	Application not Accepted	Application Not Accepted	Application Not Accepted
Late Fee*	N/A	N/A	N/A	\$800	\$800	\$1,500

\* Large and Significant Events that have been held for the last two consecutive years where nothing has changed may be submitted late, subject to the late fee and the application approval process. See Paragraph A(1)A of the Special Events Policy for details.

<sup>1</sup> Small Event = Anticipated attendance of less than 1,000 people

<sup>2</sup> Large Event = Anticipated attendance of between 1,000 and 4,999 people

<sup>3</sup> Significant Event = Anticipated attendance of 5,000 people and over.