

**VILLAGE OF ROSCOE
ORDINANCE NO. 2024-03**

**AN ORDINANCE AMENDING THE CHAPTER 95 OF THE VILLAGE OF ROSCOE
CODE OF ORDINANCES RELATING TO THE PERMITTING OF SPECIAL EVENTS
WITHIN THE VILLAGE OF ROSCOE**

WHEREAS, Title XI of the Village Code of Ordinances consist of the General Regulations of the Village of Roscoe; and

WHEREAS, on July 21, 2015, the President and Board of Trustees of the Village of Roscoe approved Ordinance 2015-24, which created consistent and uniform regulations for special events taking place within the Village of Roscoe which will affect the Public rights-of-way or Village owned property, which has been subsequently amended from time to time; and

WHEREAS, the President and Board of Trustees wish to further amend several portions of said Ordinance to designate the Village’s community development coordinator to review special event permits; and

WHEREAS, it is for the benefit of the health, welfare and safety of Village residents, for the Village to review the safety and organizational plans for events taking place within the Village on its public lands, and where large numbers of people will be present; and

WHEREAS, the Village of Roscoe is authorized and empowered by statute to amend and enforce the provisions of this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD
OF TRUSTEES OF THE VILLAGE OF ROSCOE, WINNEBAGO COUNTY, ILLINOIS
AS FOLLOWS:**

Section 1. The foregoing recitals are incorporated herein as findings of the Village of Roscoe Board of Trustees.

Section 2. Chapter 95 (or such other *new* sections that shall be created for the functional organization of the Village Code) of the Village of Roscoe Code of Ordinances entitled “Special Event Permits” is hereby amended to read in its entirety as follows (with such additions or ~~deletions~~ as identified herein):

[CHAPTER 95 FOLLOWS]

§95.01 – Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Assembly Event (Public Property) shall mean any event designed, promoted or conducted in order to encourage the gathering of people upon public property at a specified location.

Assembly Event (Private Property) shall mean any activity or event taking place on private, non-residential property which is: 1) designed, promoted or intended to encourage the gathering of people in excess of the number of people typically expected at a commercial location during regular business operations; or 2) includes outdoor live entertainment or amplified sound; or 3) utilizes an outdoor parking for any activity other than parking.

Neighborhood Garage Sale: Any garage sale or rummage sale type of event that designed, promoted, or conducted as a collective event for residents of a neighborhood or subdivision; or any instance of 25 or more garage sales occurring simultaneously in one neighborhood or subdivision.

Parade shall mean a procession of any kind, which moves from place to place upon public property along a specified route and shall include any march, race, walk-a-thon, bike-a-thon, demonstration, or similar activity.

Partial Closure shall mean any limitations to the normally allowed vehicular traffic on a Village street, including but not limited to the temporarily limiting of parking to one side of a street or roadway.

Public property shall mean any park, street, alley, sidewalk, parkway or parking lot owned, controlled or managed by the Village.

Residential block event shall mean any event, including parades, designed, promoted or conducted in order to encourage a gathering of residents of a block upon a local street, or the sidewalks or parkways abutting a local street at a specified location within an area zoned R1 or R2 where the sponsors of such event reside in the block where such gathering takes place.

Special event shall mean any Assembly (Public Property), Assembly (Private Property), Neighborhood Garage Sale, Residential Block Event, or Parade as defined in this article, or any event which will necessitate the closure of Village streets, or the interference with vehicular traffic upon Village Streets. "Special event" shall not include events for which all participants use sidewalks, observe traffic safety and safety regulations and do not interfere with the safe and orderly movement of pedestrians, vehicles and funeral processions.

Sponsor shall mean the person who has applied for a permit under this article. The sponsor shall be the person to whom the permit is issued.

§95.02 – Permit Required, application.

(A) No person shall knowingly publicly promote or advertise, sponsor, engage in, conduct or participate in, any special event unless a permit therefor has first been obtained consistent with this article.

(B) For recurring special events that take place on a daily, weekly or monthly basis during a specified period of time, only one permit shall be required per calendar year. This shall not apply to private parties.

(C) *Timing of Submittals.*

(1) Assembly (Public Property) & Assembly (Private Property). The applicant for a special events permit for an Assembly shall submit an application to the ~~Police Chief~~Village Administrator, or their designee at least sixty (60) days prior to the date of the event upon forms provided by the Village; The time period shall be counted so as to exclude the day the application is submitted and the day the special event will begin.

(2) Residential Block Event. The applicant for a special events permit for a Residential Block Event shall submit an application to the ~~Police Chief~~Village Administrator, or their designee, at least thirty (30) days prior to the date of the event upon forms provided by the Village; The time period shall be counted so as to exclude the day the application is submitted and the day the special event will begin.

(3) Neighborhood Garage Sale. The applicant for a special events permit for a Neighborhood Garage Sale shall submit an application to the ~~Police Chief~~Village Administrator, or their designee, at least thirty (30) days prior to the date of the event upon forms provided by the Village; The time period shall be counted so as to exclude the day the application is submitted and the day the special event will begin.

(D) Upon processing of the application, the ~~Police Chief~~Village Administrator, or their designee, Chief of shall cause an original copy of said application to be provided to the Village Clerk for maintenance and storage in the official records of the Village of Roscoe.

(E) *Contents of Application:* Applications for any special event permit shall contain the following information:

(1) The name, address and telephone number of the sponsor and the name, address and telephone number of the sponsor's representatives who will manage or direct the special event or party and who will be present during the conduct of any such event; and in the case of a private party for which a permit is sought, the name, address and telephone number of the owner of the property at which such party will be held;

(2) The date of the event or party and the hours during which the applicant proposes to conduct the event;

- (3) The proposed location of the event or party and, if it is a parade, the route to be followed;
- (4) A reproducible diagram showing the proposed layout of the event or party including proposed, and if provided, restrooms, first aid facilities, emergency vehicle access, tents or temporary structures, utility lines, lighting and area restriction devices (including barricades or screening);
- (5) A narrative description of the event or party;
- (6) The number of persons expected to attend;
- (7) The number of vendors, merchants, exhibitors and units expected to participate and the facilities expected to accommodate them;
- (8) Whether or not fireworks will be used and a copy of the application for the State fireworks permit, and a completed Village of Roscoe Fireworks Permit Application, to be presented to the Village Board for approval or denial; and
- (9) Whether tents or other temporary structures will be used;
- (10) Whether or not electricity and water will be needed and the manner in which they are to be provided;
- (11) A statement as to other types of licenses and permits, including liquor licenses, that have been or will be applied for;
- (12) The number and type of sound amplification devices proposed to be used as part of the event activities or party;
- (13) A general statement as to the number and type of musicians or musical presentations proposed to be a part of the event or party.

(E) Application Fee:

- (1) *Assembly Events – Public & Private:* A non-refundable application fee in the amount of \$50.00 shall be submitted for any applications for a special event permit for an Assembly Event.
- (2) *Residential block event:* A non-refundable application fee in the amount of \$25.00 shall be submitted for any applications for a special event permit for a Residential block event.
- (3) *Neighborhood Garage Sale:* A non-refundable application fee in the amount of \$100.00 shall be submitted for any applications for a special event permit for a Neighborhood Garage Sale.

- (4) *Fee Waiver*: Application fees shall be waived for any special event application applied for by a Charitable Organization registered with the Illinois Attorney General's Charitable Trust Bureau.

§95.03 —Review; issuance; denial.

(A) Upon receipt of a completed application for the permit required by this article, the ~~Police Chief~~Village Administrator, or their designee, shall forward copies thereof to the applicable departments or divisions to determine compliance with the applicable Village ordinances, the effect of the event on Village resources, and the anticipated effect of the event on public health or safety.

(B) Within twenty-one (21) days after the receipt of a completed application, the ~~Police Chief~~Village Administrator, or their designee, shall notify the applicant that the Village:

(1) Will grant the permit contingent upon submission of evidence of insurance required by this chapter.

1) Will deny the permit based upon criteria set forth in subsection (c) of this section;

2) Requires a conference with the applicant to seek clarification or offer suggestions as to alterations in the permit application.

(2) The ~~Police Chief~~Village Administrator, or their designee, is empowered to deny a permit for an event only if, based upon the completed application and such clarification or alteration of the application received by the ~~Police Chief~~Village Administrator, or their designee, from the applicant, the event:

3) Will fail to comply with noise, health or safety regulations of the Village or otherwise violate applicable ordinances or State statutes;

4) Will unreasonably interfere with or restrict the delivery of Village or emergency services or business or residential activity within the proposed event area, on the proposed event area, on the proposed event route, or other areas of the Village;

5) Will unreasonably conflict in time or location with other permitted activities in the proposed event area or proposed event route; or

6) Will, with reasonable certainty, damage or destroy Village property.

(3) In addition, the ~~Police Chief~~Village Administrator, or their designee, may deny a permit if the applicant fails to attend a conference as required by subsection (B)(3) of this section or has repeatedly violated the ordinances of the Village with respect to special events within the past twelve-month period, or has failed to reimburse the Village for costs associated with the mandatory Village Staffing at a previous event.

§95.04 — Revocation; refusal to issue; emergency.

- A) The ~~Police Chief~~Village Administrator, or their designee, in addition to the grounds specified in paragraph §95.03 above, may deny or revoke a license for failure to comply with the provisions of this article, conditions placed on the face of the permit, applicable codes or ordinances of the Village, or State statute.
- B) The decision of the ~~Police Chief~~Village Administrator, or their designee, to deny or revoke a permit required by this article shall be appealable by the sponsor to the Village Board. Such appeal shall be initiated by written notice to Village Clerk before the close of the next regular Village business day after the date of service of such denial or revocation, or such appeal shall be deemed waived. The sponsor shall be given an opportunity to be heard by the Village Board upon any such denial or revocation within two (2) weeks after receipt of any such notice of appeal. The Village Board may sustain or reverse the decision of the Chief based upon the criteria set forth in subsection §95.03(C) above. The sponsor shall receive written notice of the Village Board's decision, which decision shall be a final decision for the purposes of administrative review.
- C) Notwithstanding any other provision in this Code, if in the judgment of the Village Administrator, or their designee, or the Chief of Police, or their designee, a determination that an emergency situation has been created such that the continued use of public property by a permittee will immediately threaten life, health or property, ~~the Police Chief, or his/her designee,~~ upon the issuance of a written order stating the reason for such conclusion and without notice or hearing ~~may immediately revoke~~ the permit may be immediately revoked, and ~~require order issue that~~ the use of public property- immediately cease. No person shall continue to use public property contrary to such order.

§95.05 — Conditions; insurance; contents.

- A) If a permit required by this Code is issued by the ~~Police Chief~~Village Administrator, or their designee, based on the criteria set forth above, ~~the Chief shall issue the a~~ permit shall be issued to the sponsor for activities and events as detailed in the application contingent upon submission of required insurance by the applicant; provided, however, that the ~~Police Chief~~Village Administrator, or their designee, may attach reasonable conditions to the permit directly relating to the criteria set forth in subsection §96.04(C) in order to prevent the denial of a permit and to provide for the use of Village personnel or equipment reasonably necessitated by the conduct of the event for crowd or traffic control. The use and deployment of Village personnel and equipment shall be as directed by the ~~Police Chief~~Village Administrator, or their designee.
- B) Prior to the issuance of the permit required by this article for any event that will make use of or be conducted upon on public property, the applicant will provide the ~~Police Chief~~Village Administrator, or their designee, with evidence of public liability insurance

insuring the sponsor and naming the Village of Roscoe as an additional insured with the following minimum coverage's: property damage, bodily injury including death/occurrence/aggregate, one million dollars (\$1,000,000.00); Depending on the size and scope of the event, the minimum insurance requirements may be increased or decreased at the discretion of the Village to such limits as to adequately protect the Village's interests.

C) Upon approval of the application for a permit required by this article, the permit shall include the following:

- 1) The approved application;
- 2) The conditions for the use of required Village personnel or equipment;
- 3) Route or location, time, and date of event;
- 4) Reasonable conditions for the operation of the event;
- 5) The signature of the sponsor acknowledging all requirements and responsibilities, prior to the date of the event.

D) The ~~Police Chief~~Village Administrator, or their designee, shall cause notice of permit issuance to be sent to the Village Board, the Public Works Department, Police Department and the Fire Department.

§95.06 — Liability of sponsor.

Every act or omission whatsoever of the provisions of this article by any officer, director, manager or other agent or employee of any sponsor, or any act or omission of such persons in relation to any other license or permit held by the sponsor in connection with an event held pursuant to this article, shall be deemed to be the knowing act of such sponsor. The sponsor shall be punishable in the same manner as if the act or omission had been done or omitted by the sponsor.

§95.07 — Public conduct.

- (a) No person shall unreasonably hamper, obstruct, impede, or interfere with any special event for which a permit is in effect or with any person, vehicle or animal participating or being used in such a special event.
- (b) No driver of a vehicle shall knowingly drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion, unless directed by a police officer.
- (c) The Chief of Police shall have the authority, when reasonably necessary, to restrict street access or to prohibit or restrict the parking of vehicles along a Village street or part thereof constituting a part of the route or location of a permitted special event. The Chief of Police shall approve the posting of such signs to that effect, and may require such posting as a condition of the special event permit. No person shall drive, park or leave unattended any vehicle in violation of such sign.

§95.08 – Disturbing assemblies prohibited.

No person shall disturb any lawful assemblage of people in the Village.

§95.09 – Interpretation, First Amendment protected.

It is the expressly declared legislative intention that this article shall be interpreted and administered so as to allow the fullest expression and guarantee of First Amendment rights consistent with the protection of the public health, safety and welfare of the citizens of the Village.

§95.10 - General Regulations for Special Events

In addition to any other applicable Village ordinance or Statute, the following regulations shall govern any special event authorized under a permit issued in this section:

- 1) All special events shall cease at 10:00 pm.
- 2) *Code Compliance Inspection.* . Prior to the start of an Assembly Event, the Village may require the Event Sponsor to provide evidence of completion of a Code Compliance Inspection conducted by representatives of the Winnebago County Building Department, and the Harlem Roscoe Fire Protection District.
- 3) Excepting residential block events, the Village Board of Trustees, prior to a permit being issued, must approve any street closures. Closures shall include all closures or partial closures determined to be necessary for the interest of public safety by the Police Chief.
- 4) For any Residential Block Event or Neighborhood Garage Sales requiring a street closure, the Village Administrator, or their designee, Chief of Police shall be empowered to authorize residential street closings without additional approval by the Village Board of Trustees. In such instances, 51 percent of the households located on the properties directly adjacent to the proposed street closure must agree to such closure in writing prior to a permit being granted. Depending on the size and scope of the event, the Chief of Police Village may require written approvals from additional properties not directly adjacent to the proposed street closure. However, in no case shall a street closure for a residential block event authorized under this paragraph be approved without written approval from at least 51 percent of the household located directly adjacent to the proposed street closure.
- 5) Should a sponsor request, or the Police Chief Village require, a partial street closure that includes temporarily limiting parking to one side of the street, it shall be the responsibility of the Police Department to post such notice of the closure.
- 6) Any barricades to be used on Village Property in furtherance of a special event shall be approved by the Village Director of Public Works prior to their use.

- 7) Special Event Permits are non-transferable and can only be used on the designated dates and times as printed and are required to be posted on site during the event.
- 8) The event Sponsor is responsible for ensuring that the organization and all participants and spectators abide by all conditions, ordinances, codes, and requirements of the Permit.

§95.11 - Reimbursements for Village Staffing:

After a review of the proposed size and scope of a Special Event, the Village may require Village personnel including Police and/or Public Works personnel, at the event.

- 1) The Village, at its sole discretion, shall determine the number of personnel necessary to ensure the safety of participants, minimize the inconvenience to its residents, ensure the success of the event, and reduce the public liability exposure to the Village.
- 2) The Village shall make all reasonable efforts to provide the Event Sponsor with a written estimate of Staffing Costs prior to the issuance of the Event Permit. Such estimate shall be acknowledged by the Sponsor prior to permit issuance. The issuance of an estimate, or lack thereof, shall not release the Sponsor from the duty to reimburse the Village for the use of Village resources necessary to ensure the safety of the public, or the protection of Village assets.
- 3) All Village personnel involved in advance of, during and after, the day(s) of the event will be charged back to the Sponsor at their applicable hourly rates.
- 4) The bill will be transmitted to the Sponsor within thirty (30) days after the completion of the event.
- 5) Failure to pay any outstanding amount due for Village Staffing reimbursements may result in the rejection of future applications for special event permits, or may require a deposit for projected reimbursements prior to issuance.

~~6) The requirement for the Event Sponsor(s) to reimburse the Village for the additional costs the Village incurs for the staffing and equipment necessitated by size and nature of the Special Event, shall not apply to Special Events classified as Neighborhood Garage Sales.~~

§95.99 – Penalty

Penalties for violation of any section of this Chapter shall be as set forth in Section §10.99 of the Village of Roscoe Code of Ordinances.

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Section 3. Any portion of any other ordinance in conflict with this ordinance is hereby expressly repealed to the extent of the conflict.

Section 4. All other portions of the Code of Ordinances of the Village of Roscoe shall remain in full force and effect.

Section 5. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

2024-03				
1st Read:				
PASSED BY ROLL CALL VOTE ON:				
NAME	AYE	NAY	ABSTAIN	ABSENT
Trustee William Babcock				
Trustee Stacy Mallicoat				
Trustee Susan Petty				
Trustee Justin Plock				
Trustee Michael Sima				
Trustee Michael Wright				
President Carol A. Gustafson				

APPROVED FEBRUARY 20, 2024:

ATTEST:

VILLAGE PRESIDENT

VILLAGE CLERK