

**CITY OF SHEBOYGAN
ORDINANCE 18-24-25**

BY ALDERPERSONS RUST AND LA FAVE.

SEPTEMBER 16, 2024.

AN ORDINANCE amending Section 48-322 of the Sheboygan Municipal Code so as to allow special event applicants to request a Designated Outdoor Refreshment Area as part of their event.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

SECTION 1: **AMENDMENT** “Sec 48-322 General Regulations” of the Sheboygan Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 48-322 General Regulations

- (a) *Permit required.* No person shall conduct, manage, or engage in a special event, block party, or street festival without first having obtained a rental or special event permit issued by the department of public works.
- (b) *Indemnification and hold harmless.* By submitting an application and to the extent permitted by law, event organizer(s) agrees to indemnify the city of Sheboygan for, and hold it harmless from all liability, claims and demands on account of personal injuries, property damage and loss of any kind whatsoever, including workers' compensation claims arising out of or in any manner connected to the event, based on any injury, damage or loss caused by any wrongful, intentional, or negligent acts or omissions of the event organizer, its agents or employees. The event organizer shall, at its own expense, investigate all claims and demands, attend to their settlement or disposition, defend all actions based thereon, and pay all charges of attorneys and other costs and expenses arising from any such injury, damage or loss, claim, demand or action.
- (c) *Application.* Any person interested in organizing a special event, block party, or street festival shall file an application for a special event permit with the department of public works. Such complete application shall be submitted at least 60 days prior to the event's anticipated date, be signed by the applicant, and be accompanied by a non-refundable application fee as set forth in the fee schedule. Applications received less than 60 days before the event date shall incur a late fee as set forth in the fee schedule and may be denied if the city is unable to process the application within the timeframe afforded. A completed application shall include the following:
 - (1) The name, address, and telephone number for the event organizer and the

name and telephone number for the primary and secondary contacts designated by the event organizer to be the city's contact immediately before, during and after the event;

- (2) The date(s), time(s) and purpose of the special event, the activities planned for the event, and the anticipated number of participants and spectators;
 - (3) A written description of the event location or route to be traveled;
 - (4) A detailed map/diagram of the event identifying each of the following, if applicable:
 - a. Concessions area(s);
 - b. Any location(s) where alcohol will be sold and the enclosure for same;
 - c. Service tent(s);
 - d. Vendor area(s);
 - e. Other structures such as inflatables, staging, etc.;
 - f. Street or lane closures;
 - g. Garbage and recycling bins;
 - h. Parking area(s) or parking plan if relying on off-site parking;
 - i. Restroom and sanitation facilities;
 - j. Activity area(s);
 - k. Points of egress and ingress; ~~or~~
 - l. Whether the applicant desires that a Designated Outdoor Refreshment Area be designated for the event and, if so, the requested boundaries of same; or
 - m. Any other information that would be helpful for the city as it prepares for the event.
 - (5) The estimated number of attendees;
 - (6) The start and end time of the event and of activities scheduled during the special event;
 - (7) Equipment and/or services desired of the city;
 - (8) Emergency management plan (severe weather, medical emergency, etc.);
 - (9) If streets or lanes will be closed, the following information shall also be provided with the application:
 - a. The time and date during which the street will be closed;
 - b. The exact portion of the street to be closed;
 - c. A list of all adults who reside or do business on the to-be-closed portion of the street and a statement that all of the identified adults have been contacted about the temporary street closure;
 - d. A description of the steps that will be taken to ensure the safety of all concerned.
- (d) *Application review.* Received applications shall be reviewed by the department of public works for completion and compliance with this section. The application should then be circulated among the departments of city clerk, transit, city attorney, police, and fire for review and comment. Additional city officials may need to review the application as may be warranted by specific circumstances of the proposed event. City

departments should notify the department of public works that they recommend approving or denying the permit application or whether any modifications or conditions are desired and the estimated costs for extraordinary services that may be necessary for the event.

Applications to close a street or lane may be denied if:

- (1) The street sought to be closed, or portion thereof, is part of the federal, state or county trunk highway system or is a major through street as determined by the police chief or his/her designee.
- (2) Such closure will, will be likely or will tend to cause an unreasonable traffic congestion; result in a disturbance of the peace; endanger the public health, safety and welfare.
- (3) Access to a business place would be hampered.
- (4) Any adult residing or establishment conducting business at the to-be-closed portion of the street objects to the temporary street closure.

Large events, new events, or applications requesting unique or complex extraordinary services may be reviewed by city officials during a special meeting, which shall be scheduled with priority. The event organizer may be invited to participate in this meeting to answer questions and provide additional information. The purpose of the meeting will be to discuss the special event and its potential impacts, the city services requested, and the city services which may be required.

The approval of any special event permit application shall be conditioned upon the approval of all other necessary permits, licenses, and inspections by city departments.

- (e) *Appeals.* Any applicant who has been denied a special event may, upon written request to the city clerk, have the denial reviewed by the licensing, hearings, and public safety committee, which shall either affirm or reverse the initial action taken on the application. Such determination by the committee shall constitute final action.
- (f) *Cancellation and changes.* Cancellation of any event, for any reason, shall result in charges for actual services provided, forfeiture of permit fees and fees related to facility or equipment rental. Any changes to the event requiring a modification to services rendered, equipment provided, or additional city review may result in the additional charges to the applicant.
- (g) *Fees.* Fees for services, venues, equipment and the like shall be established by resolution of the common council via fee schedule. Such fees may change from time to time but in no event, shall an event organizer be required to pay a different fee than what was noted on the schedule at the time of permit approval.
- (h) *Other regulations.* Applicant shall be solely responsible for obtaining any licenses or permits otherwise required for the event, such as alcohol licenses or food service licenses.
- (i) *Compliance with laws.* Applicant shall ensure that the special event complies with all city ordinances unless their application was waived by the common council, and that the special event complies with any applicable county, state or federal regulations.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 3: EFFECTIVE DATE This Ordinance shall be in effect from and after its passage and publication according to law.

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

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Presiding Officer

Attest

Ryan Sorenson, Mayor, City of
Sheboygan

Meredith DeBruin, City Clerk, City of
Sheboygan