

ARTICLE 15.03 SPECIAL USE PERMITS; PARK FEES
--

Sec. 15.03.001 Special event permits

(a) Special event permit. A special event permit will constitute specific authorization from the city council for the use of a city-owned or operated park under the circumstances identified in this section. Each permit shall be granted by the city council in the form of an ordinance which shall specifically describe the type of activity authorized and the terms of use for city parks and facilities. The ordinance granting the permit shall stipulate that the administrator may revoke authorization for the use of the city park if any provision of the ordinance is violated. In the event of a conflict between the provisions of this chapter and an ordinance granting a special use permit, the ordinance granting the special use permit shall control.

(b) Activities requiring a special event permit. The following activities will only be permitted within a park owned or operated by the city if the city council has first approved a special event permit in accordance with this section:

- (1) Any use or activity that will have 50 or more participants. This includes, but is not limited to: concerts, plays, carnivals, fairs, festivals, parties, reunions, or other community events.
- (2) Use of fireworks, firecrackers, and explosives.
- (3) Any activity that utilizes bounce houses, dunking booths, petting zoos, rock climbing walls, trackless trains, waterslides, or any recreational equipment that could require significant ground disturbance.
- (4) Any activity that requires the provision of goods or services for money, except for transactions involving a tax exempt organization that do not in any way impede the public's normal use and enjoyment of the park.

(c) Application. The administrator shall promulgate the form that shall be utilized by applicants to seek a special use permit. All applications must be received at least 60 days in advance of the proposed use. The application shall contain the following information and attachments:

- (1) The name of the applicant, or, if the applicant is a corporation or other corporate entity, the name of the entity and its authorized representative.
- (2) A detailed statement that clearly identifies:
 - (A) The proposed use of the park.
 - (B) The anticipated number of participants for the event.
 - (C) A plan to ensure that city property is protected and that the park is returned to the same condition that it was in prior to the event.
 - (D) A specific list of any provisions of this chapter that the applicant is seeking to have waived for the event.

- (3) Evidence of liability insurance with bodily injury limits of not less than \$100,000.00 per occurrence.
- (4) An executed indemnification and hold harmless covenant, the form of which shall be furnished to the applicant at the time of the request for an application for a special event permit.
- (5) A plan that clearly details how police protection will be provided for the event, in accordance with the following guidelines:
 - (A) For events with fewer than 50 participants, one state-licensed peace officer will be required.
 - (B) For events with 50 to 200 participants, two state-licensed peace officers will be required.
 - (C) For events with more than 200 participants, four state-licensed peace officers will be required.
 - (D) All peace officers utilized for event police protection must be approved by the city police department before serving and must be at the designated activity for the entire term of the activity. All costs relating to the provision of such peace officers shall be borne by the applicant for the special use permit.

(d) Administrative review of application. The administrator shall have the sole authority to determine when an application is complete. The administrator shall have the right to require the submission of additional information from the applicant in order to ensure that all of the information required by subsection (c) above is provided. If the administrator finds that all of the information required by subsection (c) has been provided with the application, he shall place the application on the agenda of a future city council meeting for consideration.

