



TOWN OF YOUNGSVILLE – CODE OF ORDINANCES

SPECIAL EVENT POLICY

SECTION 1. DEFINITIONS.

The following terms, as used in this resolution, shall have the following meaning:

Event organizer. An event organizer is the key person(s) and/or organization representative who schedules, coordinates the logistics, and is in charge of an event from planning, event execution, conclusion and cleanup.

Private events. Events open to a limited population based on age, membership or other pre-qualifying characteristic.

Private property. Land and/or structures owned and operated by a private individual, company, social organization or other entity that is not a government.

Public events. Events open to the general public with or without an entrance cost, without any type of pre-requisite, membership or qualifying characteristic.

Public property. Land and/or structures owned and operated by a government entity, including county facilities in and near town, the use of which may have an impact on town streets and services.

Special event permit. A permit issued by the Town of Youngsville that reviews and approves or denies the event against requirements for parking, restrooms, vendors, traffic flow/traffic control, public safety, and public health.

Street or greenway event. Any public or private event that requires the closure or partial closure of a public street right-of-way or involves participants walking, bicycling or otherwise traveling within the street right-of-way in a volume, concentration, duration or other manner greater than routine daily use. This category also applies to the use of any public greenway, regardless of whether the proposed use is exclusive or non-exclusive.

Town sponsorship. For purposes of this section, “town sponsorship” of events shall be limited to the Town Board approval of the following:

- (1) The provision of town public safety personnel for the purposes of providing traffic control and/or general event security and supervision without fees to the event organizer; and/or
- (2) The provision of town solid waste services for the purpose of the collection of trash and refuse before, after, or during an event without fees to the event organizer.

The town, by providing “town sponsorship” of an event under this section, shall not commit itself to any further legal or financial responsibility for the event. Organizers of "town sponsored" events shall still be required to meet all county, state, and local requirements and will obtain all permits necessary for the event including special event permit approval.

SECTION 2. EVENT TYPES AND THRESHOLDS FOR REVIEW.

To the extent that events of a short-term nature have an impact on the provision of public services and potentially affect public health and safety, the Town of Youngsville hereby establishes the following thresholds and review requirements for a variety of events that may occur within the town limits.

- (1) *Private events on private property.* Examples of this type of event include, but are not limited to, club meetings at private homes and weddings or receptions at churches or other nonpublic buildings. These events require a special event permit only when the expected attendance exceeds either the parking capacity of the site or 500 people.
- (2) *Private events on public property.* Examples of this type of event include, but are not limited to, family reunions, weddings, receptions, and birthday parties in town or county parks, and club meetings in the courthouse. These events require permitting if attendance is expected to exceed 100 people to ensure that the event does not interfere with the public use of the property (see section 4).
- (3) *Public events on private property.* Examples of this type of event include, but are not limited to, fundraisers and plate sales at churches or private sites that are non-ticketed events, organization yard sales, rallies at private sites, and use of privately-owned parking lots for public events such as carnivals and festivals. All events in which the general public is openly invited and there is no ticketing or preregistration require a special event permit since attendance at a public event cannot be reasonably anticipated. The purpose for requiring a permit for this type of event is to ensure the events will not create unsafe conditions and will not negatively affect the provision of public services.
- (4) *Public events on public property.* Examples include, but are not limited to, the annual Egg Hunt and public concerts. All events in which the general public is openly invited require a special event permit since attendance at a public event cannot be reasonably anticipated. The purpose for requiring a permit for this type of event is to ensure that the events will not create unsafe conditions and will not negatively affect

the provision of public services. This type of event may be eligible for town sponsorship with the approval of the Youngsville Town Board.

- (5) *Street or greenway event.* Examples include, but are not limited to, the Christmas Parade and 5k Color Run. All events in which the general public is invited require a special event permit since attendance at a public event cannot be reasonably anticipated. The purpose for requiring a permit for this type of event is to ensure that the event will not create unsafe conditions and will not negatively affect the provision of public services or unduly disrupt normal vehicular or pedestrian traffic. Additional considerations include insuring the overall enjoyment of the greenway by the general public. This type of event may be eligible for town sponsorship with the approval of the Youngsville Town Board.

SECTION 3. PUBLIC SPONSORSHIP.

The Town of Youngsville's Town Board may sponsor public events. If an event is selected for town sponsorship, the town may absorb a percentage (up to 100%) of the direct and indirect costs to the police and public works departments for the provisions of their services during the event. Event organizers seeking town sponsorship of events shall submit a written request in the special event application and make submittal at least 120 calendar days before the scheduled date of the event.

SECTION 4. IMPACT OF EVENTS ON PUBLIC USE OF TOWN PROPERTY.

The town desires to balance the interests of event organizers with the interests of those not attending the events.

No town-owned park, greenway, or facility may be closed to the general public during the event's duration, unless the Town Board authorizes, in advance, limited public access for the duration of the event. Event organizers seeking limited public access of a town-owned park, greenway, or facility shall submit a written request in the special event application and make submittal at least 120 calendar days before the scheduled date of the event.

SECTION 5. PERMIT REQUIREMENTS.

The event organizer of any event requiring a special event permit shall submit the following information on an application form provided by the town no less than 120 calendar days in advance of the event. General information demonstrating that the requirements are being met will be provided for all events requiring a special event permit as directed by the town administrator.

SECTION 6. PERMIT REVIEW.

Special event permit applications and accompanying documentation will be submitted to the police department. The police chief shall distribute this information to all necessary departments for review and comment.

SECTION 7. PIGGYBACK EVENTS.

The town recognizes that events generate an energy and volume of potential customers which may encourage multiple events at the same time or smaller events to adjoin large events. Event organizers of such “piggyback” events must obtain a special event permit from the town, even though their event might not otherwise require a permit if conducted separately.

SECTION 8. PERMIT FEES.

The Town Board may establish, and from time to time amend, a schedule of fees for special event permits and reimbursement rates for police and public works assistance at special events. The purpose of the fees is to equitably distribute the cost of administering and coordinating event preparation. The reimbursement rates are to equitably distribute the cost of cleanup and to protect the town from absorbing the cost of extraordinary events. The Town Board may also establish a requirement for additional financial security (such as a bond or letter of credit) for events which may present significant burdens on town facilities and services. Permit fees are not “waivable” by the town board nor are they included in requests for town sponsorship.

SECTION 9. PERMIT DENIAL.

The town may refuse to issue a special event permit under the following circumstances:

- (1) If the special event permit application and accompanying documentation is incomplete, insufficient, or does not provide information such that the town can verify conformance with all special event requirements and the event organizer is unable or unwilling to provide this information.
- (2) If the special event permit applicant fails to remit the fees for the administration of the special event permit.
- (3) If the town determines that it will not be able to ensure public health and safety during the event.
- (4) If the event organization has a poor record of conformance with permit requirements.

Any entity denied a permit may appeal that denial to the Town Board within 30 days of the receipt of denial.

SECTION 10. PENALTIES AND REMEDIES.

The police chief or his designee may intervene in the operation of any special event that poses a clear and present danger to the participants or the public or where state or local laws or ordinances are being violated, regardless of whether the event is properly permitted and complying with permit requirements. Intervention may include closing the event, if it is necessary in the professional judgment of the police chief or fire marshal.

SECTION 11. STREET CLOSINGS.

- (1) If the police chief finds that the permit should be issued and that, to conduct the event, it is necessary to close a street or to reroute traffic, the police chief, under direction of the town administrator, may authorize this be done. Provided, however, there shall be no closings affecting streets that are part of the state street system without the approval of the state department of transportation.
- (2) The police chief shall identify the street or portion to be affected and shall indicate the date and time when the street or portion thereof is to be closed or traffic thereon is to be limited in some way. The town administrator shall direct the police chief to have appropriate traffic control devices installed to give notice of the temporary traffic controls.
- (3) No person may operate any vehicle contrary to the traffic control devices installed in accordance with subsection (2) of this section.
- (4) The town shall offer the general public prior notice of any street closures as far in advance as possible.

SECTION 12. EXEMPTION FOR FIRST AMENDMENT-RELATED ACTIVITY.

When the principal purpose of an event is to exercise freedoms protected under the First Amendment to the United States Constitution:

- (1) The police chief shall issue or deny any request for special event permits for activities protected under the First Amendment to the United States Constitution as soon as reasonably possible. The police chief will make every reasonable effort to respond to the event organizer within 72 hours after receiving the application.
- (2) The provisions of sections 4, 5, 8 shall not apply, however First Amendment-related event organizers shall make every effort to provide information to the town such that public safety and order can be maintained throughout the event.

A denial of the permit by the police chief may be reviewed by a court of competent jurisdiction.