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Special Event Street Use and Block Party Permits

7-7-1 Special Event Street Use and Block Party Permits

Sec. 7-7-1 Special Event Street Use and Block Party Permits.

- (a) **Purpose.** The streets in possession of the Village of Bangor are primarily for the use of the public for vehicular travel. However, under proper circumstances, the Village Board may grant a permit for a special street use, subject to reasonable municipal regulation and control. Therefore, this Chapter is enacted to regulate and control the use of streets pursuant to a Special Event Street Use/Block Party Permit to the end that the health, safety and general welfare of the public and the good order of the Village of Bangor can be protected and maintained. Said authority to regulate is contained in Sec. 349.185, Wis. Stats.
- (b) **Permit Required.** It is unlawful for a special event to take place without a Special Event Street Use/Block Party Permit. The Village Board, in its discretion, shall determine whether a proposed event is most appropriately licensed under this Chapter or the provisions of Section 7-8-1 governing Large Public Gatherings/Assemblies Permits.
- (c) **Definitions.** As used in this Chapter:
- (1) **Processions, Parades, Runs, Walks, Marathons, Bicycles Races, Etc.** Shall have their usual and customary meaning, and are special events under this Chapter.
 - (2) **Highways or Streets.** Has the meaning set forth in Sec. 340.01, Wis. Stats., and also includes areas owned by the Village of Bangor which are used primarily for pedestrian or vehicular traffic.
 - (3) **Special Events.**
 - a. Community events such as parades on Village streets, athletic events, charity walks and runs, music festivals, and other events that meet the definition in this Chapter. Such events are allowed subject to the reasonable requirements of this Chapter and of the policies and procedures of the Village pertaining to parks and recreation. The Village Board finds such requirements necessary to promote the equitable use of limited public lands, to allow for the efficient use of limited Village staff resources through proper planning for such events, and to protect the public health, safety and welfare.

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- b. Specifically, a special event shall mean a scheduled public gathering of persons, on Village streets or property, to which the public is invited and over five hundred (500) persons are expected to attend in a single day; or at which over six (6) half barrels of beer are to be present; and which will reasonably require, based on Village of Bangor policies and procedures, the provision of Village support services to accommodate the event on public property. A special event is open to the public at a predetermined location on public property, including, but not limited to, Village parks, streets, and sidewalks. (Note: exceptionally large assemblies shall also be subject to the requirements of Title 7, Chapter 8 of this Code of Ordinances.)

(d) **Exceptions.**

- (1) This Chapter shall not apply to any of the following:
 - a. Any march, public assembly, or other activity protected by the First Amendment to the United States Constitution.
 - b. Village-sponsored events.
 - c. Funeral processions or military convoys.
 - d. Events exempted by contract with the Village of Bangor.
- (2) Any parade, etc., sponsored by any agency of the federal or state government, acting in its governmental capacity within the scope of its authority, shall be required to obtain a permit, however, it shall be exempt from the permit fee and insurance requirements contained herein.

(e) **Application.** A written application for a Special Event Street Use/Block Party Permit by persons or groups desiring the same shall be made on a form provided by the Village Administrator and shall be filed with the Village Administrator. A non-refundable application fee as prescribed by Section 1-3-1 shall be paid at the time of application. The Village Board may approve an agreement with a permit holder that provides for actual cost recovery by the Village in lieu of the fees stated in Section 1-3-1. The application shall set forth the following information regarding the proposed street use:

- (1) The name, address and telephone number of the applicant or applicants.
- (2) If the proposed street use is to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorizing responsible heads of such organization.
- (3) The name, address and telephone number of the person or persons who will be responsible for conducting the proposed use of the street.
- (4) The date and duration of time for which the requested use of the street is proposed to occur.
- (5) An accurate description of that portion of the street proposed to be used, including a map.
- (6) The approximate number of persons for whom use of the proposed street area is requested, or the estimated number of participants or units comprising the usage.
- (7) The proposed use, described in detail, for which the Special Event Street Use/Block Party Permit is requested.

- (8) The assembly area, starting point, route to to be traveled and the termination point, as applicable.
 - (9) Copy of a current tax exempt identification number, if applicable.
 - (10) Any additional information which Village officials find necessary for a fair determination as to whether a permit should be issued.
- (f) **When Application Must Be Made.** A written application for a permit for any above-described function on the streets, highways or other public grounds under the jurisdiction of the Village shall be made by one of the organizers or officers to the Village Administrator no less than seven (7) days prior to the Village Board meeting at which the application is to be considered.
- (g) **Recommendations of Governmental Agencies.** The Village Administrator shall submit a copy of the application to the Police Department, other pertinent law enforcement agencies as necessary, and Director of Public Works for their recommendations.
- (h) **Representative at Meeting.** The person or representative of the group making application for a Special Event Street Use/Block Party Permit shall be present when the Village Board gives consideration to the granting of said Special Event Street Use/Block Party Permit to provide any additional information which is reasonably necessary to make a fair determination as to whether a permit should be granted.
- (i) **Discretionary Denial of Special Event Street Use/Block Party Permit.** An application for a Special Event Street Use/Block Party Permit may be denied if:
- (1) The proposed street or public property use is primarily for private or commercial gain.
 - (2) The proposed street or public property use would violate any federal or state law or any Ordinance of the Village of Bangor.
 - (3) The proposed street or public property use will substantially hinder the movement of police, fire or emergency vehicles, constituting a risk to persons or property.
 - (4) The application for a Special Event Street Use/Block Party Permit does not contain the information required above.
 - (5) The application requests a period for the use of the street or public property in excess of five (5) days.
 - (6) If sufficient supervision would not be provided as to reasonably assure the orderly conduct of the usage.
 - (7) The policing of the usage will require so large a number of persons and vehicles, including ambulances, as to prevent adequate service of the needs of the rest of the municipality.
 - (8) The usage will seriously hinder the movement of police and fire and other emergency vehicles as to create a substantial risk to persons and property.
 - (9) The conduct of the usage will substantially interrupt the safe and orderly movement of other traffic contiguous to its route.
 - (10) The usage is so poorly organized that participants are likely to engage in unsafe or destructive activity.

- (11) The proposed use could equally be held in a public park or other location. In addition to the requirements that the application for a Special Event Street Use/Block Party Permit shall be denied, as hereinabove set forth, the Village Board may deny a permit for any other reason or reasons if it concludes that the health, safety and general welfare of the public cannot adequately be protected and maintained if the permit is granted.
- (j) **Alcohol Sales.** It is the responsibility of the Special Event Street Use/Block Party Permit holder to obtain a Temporary Class "B" Fermented Malt Beverage license per Title 7, Chapter 2 of this Code of Ordinances, if alcohol is to be sold at the special event. The license holder shall, in addition to all other requirements of the law, the Village fermented malt beverage and/or liquor license, and this Section, take reasonable steps to ensure that alcohol beverages are consumed only by persons who are of legal drinking age, and not by persons who are not of age or who are intoxicated. Reasonable steps shall include, but not be limited to, the use of barriers and fences to enclose the area where alcohol is to be consumed, and supervision of the area by security and staff personnel. Failure to take reasonable steps and use them at all times when alcohol is sold is grounds for termination of the event, issuance of a Village ordinance citation, or denial of the fermented malt beverage or liquor license or Special Event Street Use/Block Party Permit in the future.
- (k) **Parks-Public Grounds.** A Special Event Street Use/Block Party Permit shall not exempt the permit holder or guests from the requirements of Title 12 of this Code of Ordinances regulating parks and public grounds.
- (l) **Public Streets and Sidewalks.** All use of public streets and sidewalks for special events shall be on routes approved by the Village Board or designee. The Village Board may designate what streets and sidewalks or what portions thereof may be used for a special event. It shall be the duty of the permit holder to obey any such designation when made. Failure to obey shall be a violation of this Subsection by the permit holder and may result in the termination of the event or issuance of a Village ordinance citation. A future Special Event Street Use/Block Party Permit may be denied based on a past violation of this Section.
- (m) **Insurance.** The applicant for a Special Event Street Use/Block Party Permit may be required to indemnify, defend and hold the Village Board and its employees and agents harmless against all claims, liability, loss, damage or expense incurred by the Village on account of any injury to or death of any person or any damage to property caused by or resulting from the activities for which the permit is granted. As evidence of the applicant's ability to perform the conditions of the permit, the applicant shall be required to furnish a Certificate of Comprehensive General Liability Insurance with the Village of Bangor. The Special Event Street Use/Block Party Permit holder shall provide proof of liability and property damage insurance in the amount of at least One Million Dollars (\$1,000,000.00) per occurrence, with the Village of Bangor listed as an additional named insured. The applicant may also be required to furnish a performance bond or make a cash deposit with the Village of Bangor (all or some of which may be refunded post-event) prior to being granted the permit.

- (n) **Special Community Event Exception.** The requirements of Subsections (i) and (o) are not applicable to certain community events recognized by the Village Board as falling within this exception. Open consumption and/or sales of alcoholic beverages may be allowed for these limited community events.
- (o) **Consent to Conducting a Block Party.** In addition to the fee required by this Section, each application for a permit for a residential neighborhood block party shall be accompanied by a petition designating the proposed area of the street to be used and time for said block party proposed use, said petition to be signed by not less than sixty percent (60%) of the residents over eighteen (18) years of age residing along that portion of the street designated for the proposed block party. Said petition shall be verified and shall be submitted in substantially the following form:

PETITION FOR STREET USE PERMIT FOR BLOCK PARTY

We, the undersigned residents of the _____ hundred block of _____ Street in the Village of Bangor, hereby consent to the _____ recreational or business use of this street for a block party between the hours of _____ and _____ on _____, the _____ day of _____, 20____, for the purpose of _____ and do hereby consent to the Village of Bangor to grant a Special Event Street Use/Block Party Permit for use of the said portion of said street for block party use and do hereby agree to abide by such conditions of such use as the Village of Bangor shall attach to the granting of the requested Special Event Street Use/Block Party Permit. We further understand that the permit will not be granted for longer than twelve (12) hours on the date hereinabove specified, and agree to remove from the street prior to the end of said period all equipment, vehicles and other personal property placed or driven thereon during the block party event for which a permit is granted.

We designate _____ as the responsible person or persons who shall apply for an application for a Special Event Street Use/Block Party Permit.

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(p) **Charge for Increased Costs.**

- (1) Where the Village Board determines that the cost of municipal services incident to the staging of the usage will be significantly increased because of the usage, the Village Board may require the permittee to make an additional payment into the general fund of the Village of Bangor, in an amount equal to the increased costs.
- (2) An applicant for a permit may be required to pay to the Village, before the permit is issued, a traffic-control fee in an amount established by the Director of Public Works or designee. The traffic-control fee shall be based on consideration of the following information which shall serve as a standard to guide his/her discretion in setting the fee:
 - a. The route for the event;
 - b. The time of day the event or public assembly is to take place;
 - c. The date and day of the week proposed;
 - d. The general traffic conditions in the area requested, both vehicular and pedestrian, with special attention being given to the rerouting of vehicles or pedestrians normally using the requested area;
 - e. The number of marked and unmarked intersections along the route requested, together with the traffic-control devices present;
 - f. The number of marked and unmarked intersections and traffic-control devices if traffic must be completely rerouted from the area;
 - g. The estimated number of participants and vehicles;
 - h. The nature, composition, format, and configuration of the event or public assembly;
 - i. The anticipated weather conditions;
 - j. The estimated time or duration of the event or public assembly;
 - k. The plan of the applicant for emergency medical services;
 - l. Sufficient parking near the route to accommodate the number of vehicles reasonably expected, including provisions arranged for and made by the applicant for handicapped parking; and
 - m. Applicable fees as stated in Section 1-3-1.
- (3) The traffic-control fee shall cover the cost to the Village of providing sufficient officers to regulate traffic and maintain public order incident to the proposed event, march or public assembly. The fee shall not be increased by consideration of the nature, substance, or content of the subject matter or speech for which the event, march or public assembly is organized.

- (q) **Cleanup Requirements.** The holder of any Special Event Street Use/Block Party Permit issued under this Section shall return the street to the condition that existed prior to the use, by the time the permit expires. The Village will make such restoration in the event that the permit holder fails to do so and bill the permittee for the cost incurred by the Village in performing this work. Failure to make timely payment within a reasonable time after

receiving the statement for cleaning work shall constitute grounds for refusal to grant the permit holder any other permit in the future.

- (r) **Termination of a Special Event Street Use/Block Party Permit.** A Special Event Street Use/Block Party Permit for an event in progress may be terminated by the Village President, Village Administrator or a law enforcement officer if the health, safety and welfare of the public appears to be endangered by activities generated as a result of the event or the event is in violation of any of the conditions of the permits or ordinances of the Village of Bangor. The Village President, Village Administrator or a law enforcement officer has the authority to revoke a permit or terminate an event in progress if the event organizers fail to comply with any of the regulations in the street use policy or conditions stated in the permit.

