ITEM - 8

Sponsored by: Finance and Administration Committee

BILL NO. **ORDINANCE NO. 2012-DRAFT**

AN ORDINANCE AMENDING THE MUNICIPAL CODE BY REPEALING SECTION 14-309, SPECIAL EVENTS, AND ADDING A NEW ARTICLE TO CHAPTER 13 REGULATING SPECIAL EVENT LICENSES

Whereas, the City of Maryland Heights permits Special Events within city's limits for the purpose of fundraising, the sale of merchandise and/or entertainment; and

Whereas, the city wishes to protect those attending special events by making sure that appropriate safety measures are in place and municipal codes followed; and

Whereas, the regulations contained herein have been reviewed by the Finance and Administration Committee.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARYLAND HEIGHTS, MISSOURI, AS FOLLOWS:

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Section 1: Section 14-309, Special Events, of the Maryland Heights Municipal Code is hereby repealed.

Section 2: The following shall be adopted as a new article of Chapter 13, License, Taxation and Miscellaneous Business Regulations, of the Municipal Code regarding Special Event Licenses:

Special Event License

(a) Definition - Special event means a temporary event, gathering or organized activity, including but not limited to parades, bike races, marathons, walks, fireworks displays, concerts, carnivals, or other types of races and festivals, involving fifty (50) or more persons and which involves one or more of the following activities:

(1) Closing a public street;

(2) Blocking or restriction of city-owned property;

(3) Sale of merchandise, food or beverages;

(4) Erection of a tent;

(5) Installation of a stage, band-shell, trailer, van, portable building, grandstand or bleachers;

(6) Placement of portable toilets;

(7) Placement of temporary no-parking signs in a public right-of-way; or

(8) Placement of pedestrian boundary markers on city-owned property.
(9) Any public gathering in which a fee is charged or funds raised for the primary purpose of entertainment, the sale of merchandise or fund-raising and for which no business license or solicitor's permit has been issued, not including political events for candidates for public office
(10) Any temporary public gathering that requires an inspection under City of Maryland Heights Municipal Codes or St. Louis County mechanical or health codes.
(11) Any gathering of people or an event in which a radio, phonograph, loudspeaker, sound amplifier or other device which produces a volume of sound audible at a distance of more than one hundred (100) feet from the device and would violate the provision of municipal code section 14-307
(12) Bonfires or recreational fires.

(b) License required. No person shall conduct a special event unless a license has been obtained from the City Clerk or her designee. A license fee of $25 per event shall be submitted at the time the license is picked up.

(c) Special Event licenses shall be limited to four (4) events per year per organization/individual. The duration of each event shall not exceed three (3) days, unless modified by a Conditional Use Permit or Planned District Ordinance.

(d) Depending on the type of event, the applicant may be required to obtain additional permits or licenses (i.e., liquor, caterer, St. Louis County Health or Electrical Permit, fire district approval).

(d) License application. A person seeking issuance of a special event license shall file an application with the city clerk not less than fourteen (14) days before the date on which it is proposed to conduct the special event on forms provided by the city. The city clerk and/or the chief of police, where good cause is shown, shall have the authority to consider any application which is filed less than fourteen (14) days before the date such special event is proposed to be conducted.

(e) Possession of a license. The special event chairman or other person heading or leading such activity shall carry the special event license upon his person during the conduct of the event.

(f) Review and Inspections. The city clerk and the chief of police shall review and approve or deny all requests for special event licenses based upon the information provided in the application. Specific conditions may be added to approval of a license to ensure the safety of participants and residents of the City. Additionally, a special event license may be reviewed and approval given by the building commissioner, city planner, city engineer and/or the applicable fire marshal, when in the opinion of the city clerk and/or chief of police, said reviews are warranted.

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The city clerk shall cause to be made such inspections as may be necessary to ensure compliance with this section and all other ordinances relating thereto.

(g) Revocation of license. The chief of police or his designee shall have the authority to revoke a special event license for failure to comply with its provisions or if the conduct of such event endangers the safety of the public

(h) Public Safety, conveniences and litter control. Where applicable, adequate on-site restroom facilities and sold waste containers shall be provided by the applicant.

(k) No license shall be issued until the applicant produces an insurance policy naming the City of Maryland Heights as additional insured.

(l) The penalty for violation of any portion of this article is in accordance with the provisions of Section 1-13 of the Municipal Code of the City of Maryland Heights.

Section 3: This ordinance shall be in full force and effect from and after January 1, 2013.

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PASSED BY THE CITY COUNCIL THIS 6TH DAY OF DECEMBER 2012.

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MAYOR/PRESIDING OFFICER

APPROVED BY THE MAYOR THIS_____DAY OF DECEMBER 2012.

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MAYOR

ATTEST:

_____
CITY CLERK