

CURRENT SECTION 3-70 AS AMENDED

Sec. 3-70. - Special event permit.

The office of permits and licenses is authorized to issue special events permits to persons holding or participating in a special event at a ~~licensed~~ special events facility or at a city-sanctioned event held in ~~Thurman Springs Park~~~~the city square~~ or the campus of the "Coach" George E. Ford Center for the sale and consumption of beer, wine or spirituous liquors for special events, in the manner set forth below:

- (1) *Type of permits.* There shall be ~~the following types of special events permits: an annual special events facility permit and a temporary special event permit. No citizen may apply for a temporary special event permit except for an event held at a licensed special events facility or at a city-sanctioned event held in the city square or the campus of the "Coach" George E. Ford Center.~~
 - a. Annual special events facility permit. An annual special events facility permit shall permit the holder of said permit to host special events and serve and sell alcoholic beverages at a specified location or locations and shall be valid for three hundred sixty-five (365) days following the date of issuance ~~for one annual fee, irrespective of the number of events actually hosted;~~
 - b. Temporary special event permit. A temporary special event permit shall permit the holder of said permit to serve and sell alcohol at a ~~licensed~~ special event facility or facilities or at a city-sanctioned event held in ~~Thurman Springs Park~~~~the city square~~ or the campus of the "Coach" George E. Ford Center on the dates of a special event and shall be valid only on the dates specified on the permit, said event not to exceed three (3) days. Such permits for city-sanctioned events shall be subject to the terms and conditions which the council deem advisable. ~~The holder of an annual special events facility permit shall not need to obtain a temporary special event permit to host special events at such holder's special events facility.~~
 - c. Temporary special event permit to serve alcohol. A temporary special event permit shall permit the holder of said permit to serve alcohol at the campus of the "Coach" George E. Ford Center on the dates of the special event and shall be valid only on the dates specified on the permit, said event not to exceed three (3) days.
- (2) *Application.* A person seeking issuance of an annual special events facility permit and/or a temporary special event permit shall file an application with the office of permits and licenses on a form provided by the city.
- (3) *Filing periods.* An application for an annual special events facility permit may be filed at any time. An application for a temporary special event permit shall be filed with the permits and licenses clerk not less than fourteen (14) days nor more than sixty (60) days before the dates on which the special event is proposed.
- (4) *Contents of application annual special events facility permit.* In addition to the requirements for all other licenses under this Code, the application for an annual special events facility permit shall set forth the following information:
 - a. The location or locations of the premises on which alcoholic beverages are proposed to be sold and served;
 - b. The nature and proposed use of the premises on which the applicant proposes to sell and serve alcoholic beverages (i.e., business establishment used for wedding receptions);
 - c. The estimated number of special events during a calendar year on which the applicant proposes to sell and serve alcohol on the premises;

- d. Any additional information which the city shall find reasonably necessary to a fair determination as to whether a permit should be issued.
- (5) *Contents of application temporary special event permit.* The application for a temporary special event permit shall set forth the following information:
- a. The name, address and telephone number of the person seeking to conduct the special event;
 - b. If the special event is proposed 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 authorized and responsible heads of this organization;
 - c. The nature and location or locations of the special event (e.g. wedding, reception, holiday celebration, etc.);
 - d. The name, address and telephone number of the person who will be the special event chairman and who will be responsible for its conduct;
 - e. The date when the special event is to be conducted, and whether the special event will extend over a series of days;
 - f. The hours when the special event will start and terminate; and
 - g. Any additional information which the city shall find reasonably necessary to a fair determination as to whether a permit should be issued.
- (6) *[Reserved.]*
- (7) *Fees.* The following fees shall apply to the issuance of special event permits:
- a. Annual special events facility permit. There shall be a one-time fee of two hundred fifty dollars (\$250.00) for an annual special events facility permit which shall be effective irrespective of the number of events actually hosted; and
 - b. Temporary special event permit. There shall be a fee of seventy-five dollars (\$75.00) per day per special event; and
 - c. Temporary special event permit for serving but not selling. There shall be a fee of fifty dollars (\$50.00) per day per special event.
- (8) *Standards for issuance.* The office of permits and licenses shall issue a permit as provided for in this section when, from a consideration of the application and from such other information as may otherwise be obtained, the city finds that:
- a. The conduct of the special event will not substantially interrupt the safe and orderly conduct of any individuals in, around or near the situs of the special event;
 - b. The conduct of the special event will not require the diversion of so great a number of police officers of the city properly to police the areas contiguous thereto as to prevent normal police protection to the city;
 - c. The conduct of the special event is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance;
 - d. The applicants for the permit have not violated the terms of any previous special event permit granted to them and have not caused undue traffic congestion and police problems under any previous special event-permit.
- (9) *Special requirements.* The office of permits and licenses or the chief of police may impose any additional requirements which are necessary and reasonable, given the nature, location, date and time of the event to ensure the safety and comfort of the attendees and the nearby residents and businesses, including, but not limited to, specified hours or days of operation, and requiring the permit holder to provide one (1) or more off duty police officers to maintain order and control traffic flow. Additionally, the council may impose any additional requirements which

it deems necessary and appropriate for temporary special event permits issued for city-sanctioned events at Thurman Springs Park~~the city square~~ or the campus of the "Coach" George E. Ford Center.

- (10) *Notice of rejection of application.* The city shall act upon the application for a temporary special event permit within seven (7) days after the filing thereof. If the city disapproves the application, the city shall mail to the applicant, within seven (7) days after the date upon which the application was filed, a statement of the reasons for the denial of the permit. Notwithstanding the foregoing, for temporary special event permits for city sanctioned events at Thurman Springs Park~~the city square~~ or the campus of the "Coach" George E. Ford Center, the city shall not be required to act upon such application until it has been submitted for approval to the council as part of a regular agenda.
- (11) *Appeal procedure.* Any person aggrieved shall have the right to appeal the denial of a permit hereunder to the mayor and council. The appeal shall be filed within five (5) days after notice of denial.

(Ord. No. 2000-30, 11-20-00; Ord. No. [2016-030](#), § 1, 11-21-16; Ord. No. [2017-007](#), § 3, 4-17-17; Ord. No. 2019-25, § 1, 11-18-19)

SECTION 3-70 REWRITE

Sec. 3-70. - Special events.

(a) **Special Events Permits.** The office of permits and licenses is authorized to issue special events permits to persons holding or participating in a special event at a licensed special events facility or at a city-sanctioned event held in Thurman Springs Park or the campus of the "Coach" George E. Ford Center for the sale and consumption of beer, wine or spirituous liquors for special events, in the manner set forth below:

- (1) **Type of permits.** There shall be the following types of special events permits:
 - a. **Pouring for special events facility license.** A pouring for special events facility license shall permit the holder to host special events and serve and sell alcoholic beverages at a licensed special event facility or facilities and shall be valid for three hundred sixty-five (365) days following the date of issuance;
 - b. **Temporary special event permit.** A temporary special event permit shall permit the holder of said permit to serve and sell alcohol at a licensed special event facility or facilities or at a city-sanctioned event held in Thurman Springs Park or the campus of the "Coach" George E. Ford Center on the dates of a special event and shall be valid only on the dates specified on the permit, said event not to exceed three (3) days. Such permits for city-sanctioned events shall be subject to the terms and conditions which the council deem advisable.
 - c. **Temporary special event permit to serve alcohol.** A temporary special event permit shall permit the holder of said permit to serve alcohol at the campus of the "Coach" George E. Ford Center on the dates of the special event and shall be valid only on the dates specified on the permit, said event not to exceed three (3) days.

(b) Special Events Facilities. Notwithstanding any other provision of this chapter to the contrary, the special events facility license shall allow consumption on the premises of a special events facility in accordance with the provisions of this section.

(1) License required. A special events facility that allows the consumption of alcohol on the premises is required to apply for and receive a special events facility license from the city.

(2) Consumption on the premises. Notwithstanding any other provision of this chapter to the contrary, a holder of a special events facility license may allow consumption on the premises by obtaining one of the following licenses:

a. Pouring for special events facility license, annual fee.

b. Temporary special event permit, fee by event.

c. Alcoholic beverage caterer's license.

(3) Eligibility. Business establishments with a valid occupational tax license as a special events facility are eligible for a special events facility license under the provisions of this section. Bars, brewpubs, private clubs, restaurants, retailers, and any other business with a retail or retail consumption license are not eligible for the special events facility license.

(4) Alcohol. Wine, malt beverages, or distilled spirits may be offered to or consumed by a patron under the provisions of this section.

(5) Zoning and use. This license is only available to business establishments located in the CBD, CRC, NRC, OI, MXU, OR LI zoning districts. A business operating under customary home occupation use is expressly prohibited from receiving this license.

(6) Source of alcohol. The licensed business or the customer may provide the wine and/or malt beverages, subject to the requirements of this section.

(7) Service. All alcoholic beverages served on the premises shall only be served by an employee of the establishment otherwise authorized to serve alcoholic beverages under this chapter in compliance with Article II hereof.

(8) Sunday consumption. Sunday consumption is permitted in compliance with section 3-63.

(9) Other provisions. The serving of alcoholic beverages with a special events facility license shall be subject to all of the provisions related to the service of other alcoholic beverages under this chapter, including, but not limited to, the prohibition of serving to anyone under 21 years of age or to anyone intoxicated.

(10) Approval. Once an applicant is in compliance with this section, the special events facility license shall be approved by both the director of community development, or designee, and the police chief, or designee, without further approval by city council required.

(11) Expiration. The special events facility license expires annually on December 31 unless renewed.

(c) Application. A person seeking issuance of a permit or license provided for in this section shall file an application with the office of permits and licenses on a form provided by the city.

(1) Filing periods. An application for a special events facility permit or pouring for special events facility license may be filed at any time. An application for a temporary special event permit or temporary special event permit to serve alcohol shall be filed with the permits and licenses clerk not less than fourteen (14) days nor more than sixty (60) days before the dates on which the special event is proposed.

(2) Contents of application for a special events facility permit. In addition to the requirements for all other licenses under this Code, the application for an special events facility permit shall set forth the following information:

- a. The location or locations of the premises on which alcoholic beverages are proposed to be sold and served;
- b. The nature and proposed use of the premises on which the applicant proposes to sell and serve alcoholic beverages (i.e., business establishment used for wedding receptions);
- c. The estimated number of special events during a calendar year on which the applicant proposes to sell and serve alcohol on the premises;
- d. Any additional information which the city shall find reasonably necessary to a fair determination as to whether a permit should be issued.

(3) Contents of application temporary special event permit. The application for a temporary special event permit shall set forth the following information:

- a. The name, address and telephone number of the person seeking to conduct the special event;
- b. If the special event is proposed 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 authorized and responsible heads of this organization;
- c. The nature and location or locations of the special event (e.g. wedding, reception, holiday celebration, etc.);
- d. The name, address and telephone number of the person who will be the special event chairman and who will be responsible for its conduct;
- e. The date when the special event is to be conducted, and whether the special event will extend over a series of days;
- f. The hours when the special event will start and terminate; and
- g. Any additional information which the city shall find reasonably necessary to a fair determination as to whether a permit should be issued.

(4) Fees. The fees for each such license shall be set by the city council and approved by resolution from time to time.

(5) Standards for issuance. The office of permits and licenses shall issue a permit as provided for in this section when, from a consideration of the application and from such other information as may otherwise be obtained, the city finds that:

a. The conduct of the special event will not substantially interrupt the safe and orderly conduct of any individuals in, around or near the situs of the special event;

b. The conduct of the special event will not require the diversion of so great a number of police officers of the city properly to police the areas contiguous thereto as to prevent normal police protection to the city;

c. The conduct of the special event is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance;

d. The applicants for the permit have not violated the terms of any previous special event permit granted to them and have not caused undue traffic congestion and police problems under any previous special event-permit.

(6) Special requirements. The office of permits and licenses or the chief of police may impose any additional requirements which are necessary and reasonable, given the nature, location, date and time of the event to ensure the safety and comfort of the attendees and the nearby residents and businesses, including, but not limited to, specified hours or days of operation, and requiring the permit holder to provide one (1) or more off duty police officers to maintain order and control traffic flow. Additionally, the council may impose any additional requirements which it deems necessary and appropriate for temporary special event permits issued for city-sanctioned events at Thurman Springs Park or the campus of the "Coach" George E. Ford Center.

(7) Notice of rejection of application. The city shall act upon the application for a temporary special event permit within seven (7) days after the filing thereof. If the city disapproves the application, the city shall mail to the applicant, within seven (7) days after the date upon which the application was filed, a statement of the reasons for the denial of the permit. Notwithstanding the foregoing, for temporary special event permits for city sanctioned events at Thurman Springs Park or the campus of the "Coach" George E. Ford Center, the city shall not be required to act upon such application until it has been submitted for approval to the council as part of a regular agenda.

(8) Appeal procedure. Any person aggrieved shall have the right to appeal the denial of a permit hereunder to the mayor and council. The appeal shall be filed within five (5) days after notice of denial.