

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 30 (“SPECIAL EVENTS”), ARTICLE 1 (“GENERAL REGULATIONS”), SECTION 30-1-3 (“POLICIES AND PROCEDURES”) OF THE OAK PARK VILLAGE CODE TO PROVIDE A DISCOUNT FOR CERTAIN SPECIAL EVENT FEES

BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

Section 1. Village Code Amended. Chapter 30 (“Special Events”), Article 1 (“General Regulations”), Section 30-1-3 (“Policies and Procedures”) of the Oak Park Village Code is amended to add the underlined language and delete the overstricken language read as follows:

30-1-3: POLICIES AND PROCEDURES

A. Priority Of Applications: In reviewing the applications for a given time and location, the Special Events Committee shall give priority to annual, semiannual or other regularly scheduled or recurring special events. Resident and Village entity applications shall have a priority over nonresident and non- Village entity applications. If competing applications cannot be resolved on this basis, the committee shall grant permits to the earliest completed application received for the time and place requested.

B. Nondiscrimination: The Special Events Committee shall consider each event permit application upon its merits and shall not discriminate based upon race, creed, color, ethnicity, religion, ancestry, sex, age, disability, national origin, sexual orientation, gender related identity, political party affiliation (or lack thereof), familial status, or marital status.

C. Committee Decision: After deliberations, and due consideration of recommendations from Village departments or divisions, the Special Events Committee shall:

1. Approve the special event permit application contingent upon the facts or the conditions set forth in subsection 30-1-3D of this section.

2. Approve the special event permit application with stipulations contingent upon the facts or the conditions set forth in subsection 30-1-3D of this section.

3. Deny the special event permit application upon finding that the event:

a. Will fail to comply with noise, health or safety regulations of the Village or otherwise violate applicable ordinances or State Statutes;

b. Will unreasonably interfere with or restrict the delivery of Village or emergency services or business or residential activity within the proposed event area, on the proposed event area, on the proposed event route, or other areas of the Village;

c. Will unreasonably conflict in time or location with other permitted activities in the proposed event area or proposed event route; or

d. Will damage or destroy Village property.

4. Require a conference with the applicant to seek clarification and offer suggestions or alternatives with the Special Events Committee, ultimately making a decision following said conference in accordance with subsection 30-1-3C1, C2 or C3 of this section.

5. Deny the special event permit application if the applicant fails to attend the conference required by subsection 30-1-3C4 of this section or has repeatedly violated the ordinances of the Village with respect to special events within the past twelve (12) month period.

D. Permit Issuance: If the Special Events Committee approves the special event permit application pursuant to subsection 30-1-3C of this section, the permit document shall not be issued until all of the following conditions are met:

1. The applicant meets all applicable Village Code and Federal and State statutory requirements and obtains all applicable Village, State and Federal permits.

2. The applicant directly responsible for the special event has provided satisfactory evidence of suitable personal injury and property damage insurance or such other insurance as deemed necessary by the Village.

3. The applicant has repaid the Village all amounts owed for calendar year 2018 and forward pursuant to the terms and conditions of any special event permits previously issued to the applicant.

4. The applicant meets any other applicable requirements detailed in the application plus any applicable stipulations contained in the committee's decision, that are required to be met as preconditions before permit issuance.

5. The applicant has paid the Village the fifty percent (50%) deposit required in subsection 30-1-3I2 of this section. Failure to pay to the Village the fifty percent (50%) deposit required in subsection 30-1-3I2 of this section shall prohibit the issuance of a permit.

6. The Village Clerk shall attest to the permit.

E. Revocation Or Cancellation:

1. In addition to the grounds for denial set forth above, the Special Events Committee may, after issuance, revoke a special event permit in writing for failure to comply with the provisions of this section, conditions placed on the face of the permit, applicable codes or ordinances of the Village, or State or Federal Statutes. Revocation is a final decision. The Village's Police Chief

and/or Fire Chief shall have the right to cancel a permit prior to an event due to an emergency situation that threatens life, health or property such as weather conditions. A permit holder shall cooperate with the Village to dismantle and/or remove any equipment for the event and/or provide public notice of the cancellation. A decision to cancel a permit by the Police Chief and/or Fire Chief under this subsection shall not be subject to an appeal as set forth in subsection 30-1-3F of this section. The revocation or cancellation of a permit by the Village pursuant to this section or the cancellation of an event by a permit holder shall not entitle the permit holder to a refund of the fifty percent (50%) deposit made under subsection 30-1-3D5 of this section.

2. Notwithstanding any other provision in this Code, if in the judgment of the Police Chief and/or Fire Chief, an emergency situation has been created such that the continued use of public property by a sponsor will immediately threaten life, health or property, the Police Chief and/or Fire Chief, or their designees, upon the issuance of a written order stating the reason for such conclusion and without notice or hearing may immediately cancel the permit and require the use of public property to immediately cease. No person shall continue to use public property contrary to such order. A decision to cancel the continued use of public property by the Police Chief and/or Fire Chief under this subsection shall not be subject to an appeal as set forth in subsection 30-1-3F of this section. A permit holder shall cooperate with the Village to dismantle and/or remove any equipment for the event and/or provide public notice of the cancellation. The cancellation of a permit pursuant to this section shall not entitle the permit holder to a refund of the fifty percent (50%) deposit made under subsection 30-1-3D5 of this section.

F. Appeal: The decision to deny or revoke a permit required by this section shall be appealable by the sponsor to the Village Manager or his/her designee. Such appeal shall be initiated by written notice to the Village Manager before the close of the next regular Village business day after the date of service of such denial or revocation, or such appeal shall be deemed waived. The sponsor shall be given an opportunity to be heard by the Village Manager or his/her designee upon any such denial or revocation within one business day after receipt of any such notice of appeal. The Village Manager or his/her designee may sustain or reverse the decision based upon the criteria set forth in subsection 30-1-3C, D or E of this section. Such decision of the Village Manager or his/her designee shall be made before the close of the next Village regular business day following the conclusion of any such hearing. The sponsor shall receive written notice of the Village Manager's or his/her designee's decision, which decision shall be a final decision for the purposes of administrative review. A decision to overturn a revocation of a permit pursuant to this section shall entitle the event sponsor to proceed with the event. If the revocation of the permit is sustained, the event sponsor shall not be entitled to a refund of the fifty percent (50%) deposit made under subsection 30-1-3I2 of this section.

G. Conditions; Insurance; Permit Contents:

1. If a special event permit application required by this section is approved by the Special Events Committee, the permit shall be issued to the sponsor for activities and events as detailed in the application contingent upon submission of required insurance by the applicant; provided, however, that the Special Events Committee may also attach reasonable conditions to the permit

in order to prevent the denial of a permit and to provide for the use of Village personnel or equipment reasonably necessitated by the conduct of the event for crowd or traffic control. The use and deployment of Village personnel and equipment shall be as directed by the Special Events Committee.

2. Prior to the issuance of the permit required by this section, the applicant will provide the Special Events Committee with evidence of public liability insurance insuring the sponsor and naming the Village as an additional insured with the following minimum coverages: bodily injury including death/occurrence/aggregate, one million dollars (\$1,000,000.00); property damage, one million dollars (\$1,000,000.00)/occurrence/aggregate and liquor liability insurance, if applicable, with limits of not less than one million dollars (\$1,000,000.00) combined single limit or one million dollars (\$1,000,000.00) per occurrence and per aggregate. Insurance required by this section shall be written by an admitted carrier licensed to do business in the State and having at least a "B+" first division of ratings and a "VI" second division of ratings as listed in "Best Insurance Guide", latest edition.

3. Upon approval of the application for a permit required by this section, the permit shall include the following:

- a. The approved application;
- b. The conditions for the use of required Village personnel or equipment;
- c. Route or location, time, and date of event;
- d. Reasonable conditions for the operation of the event; and

e. The signature of the sponsor acknowledging all requirements and responsibilities, prior to the date of the event.

4. The Special Events Committee shall cause notice of permit issuance to be sent to the Village Manager, the Police Department, the Public Works Department, and the Fire Department.

H. Requirements Of Sponsor: In addition to applicable codes and ordinances, the sponsor of a special event shall comply with the following requirements:

1. Allow access to the area of the event without payment, except that donations may be requested or fees charged for goods or services at individual stands or booths and for tours of private property. In the event that a sponsor seeks to charge admission to a special event, only the Village Board, by resolution, may authorize a fee to be charged for admission to a special event.

2. Remove debris, trash or garbage resulting from the conduct of the event from public property and private property within the vicinity of the event within twenty four (24) hours after

the end of the event; provided, however, that the sponsor shall remove and lawfully dispose of any injurious substance or material immediately after the deposit thereof. Such cleanup shall also include the removal of trash, litter, garbage and debris from Village trash receptacles and proper disposition of such trash, litter, garbage and debris.

3. Keep fire lanes and one lane of the street accessible to emergency vehicles.
 4. Comply with any and all conditions placed upon the face of the permit.
 5. Comply with all applicable laws and ordinances.
 6. Obtain prior approval of the Special Events Committee before any changes are made in the operation or setup of the event as detailed in the approved permit.
 7. Conduct the event in such a manner that the Village is able to continue to provide normal services to other portions of the Village and not interrupt the orderly and safe movement of vehicle and pedestrian traffic contiguous to the location of the event.
 8. Move expeditiously and without unreasonable delays from point of origin to point of termination if the event is a parade.
 9. Be present at the scene of the event either personally or through employees, agents or representatives who have been designated upon the permit during the entire course of the event. At least one sponsor, employee, agent or representative present at the event shall have in his or her possession a copy of the approved permit.
 10. If requested by the Special Events Committee, after the event has taken place, attend a meeting relative to the conduct of the special event to work toward future improvements in the coordination of that event.
- I. Payment Of Village Services:
1. The sponsor of a special event, who applies for and accepts a permit, thereby consents to the formation of a contract between the sponsor and the Village through which the Village agrees to provide services and equipment and the sponsor agrees to pay for same.
 2. The sponsor of a special event shall deposit with the Village at least seven (7) days prior to the date of the special event fifty percent (50%) of the cost estimated by the Special Events Committee to be the direct and reasonable cost which will be incurred by the Village to provide services and equipment for the special event.
 3. The Village shall issue the event sponsor a bill for the actual amount of the additional police, fire, public health and public works services incurred (not related to cleanup and compensation for loss or damage to Village property) within thirty (30) days of the conclusion of

the event. Within thirty (30) days after the Village's issuance of the bill, the event sponsor shall pay to the Village the amount due less the fifty percent (50%) deposit paid by the event sponsor.

4. The sponsor shall pay to the Village, within thirty (30) days after the conclusion of the permitted event, the direct and reasonable costs incurred by the Village to provide for cleanup of the public property if such service is not performed by the sponsor as required herein. Additionally, the amount of the payment required shall include compensation for loss or damage to Village property.

5. Special events whose event sponsor is a governmental entity shall be exempt from the requirements of subsection 30-1-314 of this section requiring payment for cleanup costs of public property.

6. Annually, the Village shall issue a fee schedule for Village personnel, services and equipment required for a special event pursuant to this section as approved by the Board of Trustees. Such schedule shall be based upon the Village's then current adopted budget, applicable employee wages and benefits as determined by the then current applicable collective bargaining agreement and appointee pay plan schedule for Village employees. The annual schedule shall include, but not be limited to, the following:

- a. Tent permit fee;
- b. Temporary food service permit fee;
- c. Any other applicable permit fee;
- d. Liquor license fee;
- e. Equipment, including, but not limited to, standard barricades, cones, parking signage, road closure barricades, directional/road closure signage;
- f. Labor, including, but not limited to, emergency management, fire, police, public health and other labor;
- g. Waste pick-up and hauling, street sweeping, pre-event public safety walk through and other similar services; and
- h. Vehicle usage, including police, fire, emergency management, public works, and public health vehicle usage due to the special event.

Right-of-way obstruction fees and related parking meter charges as adopted by the Board of Trustees pursuant to section 7-8-1 of this Code shall not be applicable.

J. Liability Of Sponsor: Every act or omission whatsoever of the provisions of this section by any officer, director, manager or other agent or employee of any sponsor, or any act or omission of such persons in relation to any other license or permit held by the sponsor in connection with an event held pursuant to this section, shall be deemed to be the knowing act of such sponsor. The sponsor shall be punishable in the same manner as if the act or omission had been done or omitted by the sponsor.

K. Corrected Invoices For 2018: The Village shall issue a corrected invoice for special events which occurred in 2018 as follows:

1. Any right-of-way obstruction and parking charges shall be reversed.

2. The Village shall issue revised invoices by November 14, 2018 with payment due by December 14, 2018.

L. Discount Schedule For 2018 - 2020: The Village shall issue the following discounts for event sponsors who sponsored an event that occurred on or before October 15, 2018:

1. The Village shall waive thirty percent (30%) of fees set forth in the 2018 special events fee schedule for events which occurred in 2018 excluding the application fee.

2. The Village shall waive twenty percent (20%) of fees set forth in the special events fee schedule for 2019 excluding the application fee.

3. The Village shall waive ten percent (10%) of fees set forth in the special events fee schedule for 2020 excluding the application fee.

M. Fee Schedule Beginning 2021: Beginning in calendar year 2021, one hundred percent (100%) of all fees set forth in the special event schedule shall be due and payable.

N. Fees For Prior Events: Special event permits shall not be issued to event sponsors who have not paid applicable fees for prior events.

O. Discount Schedule for 2022-2023: The Village shall issue the following discounts for event sponsors who sponsor an event during the calendar years set forth below:

1. The Village shall waive twenty-five percent (25%) of the fees set forth in the 2022 special event fee schedule for events which occurred in 2022 excluding the application fee.

2. The Village shall waive fifteen (15%) of the fees set forth in the 2023 special event fee schedule for events which occur in 2023 excluding the application fee.

P. Fee Schedule Beginning 2024: Beginning in calendar year 2024, one hundred percent (100%) of all fees set forth in the special event schedule shall be due and payable.

Q. Q. Public Conduct:

1. No person shall unreasonably hamper, obstruct, impede, or interfere with any special event for which a permit is in effect or with any person, vehicle or animal participating or being used in such a special event.

2. No driver of a vehicle shall knowingly drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion, unless directed by a police officer.

3. The Chief of Police shall have the authority, when reasonably necessary, to restrict street access or to prohibit or restrict the parking of vehicles along a Village street or part thereof constituting a part of the route or location of a permitted special event. The Chief of Police shall cause posting of signs to that effect. No person shall drive, park or leave unattended any vehicle in violation of such sign.

R. R. Disturbing Assemblies Prohibited: No person shall disturb any lawful assemblage of people in the Village.

S. S. Mob Actions Prohibited: No person shall engage in mob action. Mob action consists of any of the following:

1. The use of force or violence disturbing the public peace by two (2) or more persons acting together and without authority of law;

2. The assembly of two (2) or more persons to do an unlawful act; or

3. The assembly of two (2) or more persons, without authority of law, for the purpose of doing violence to the person or property of anyone alleged to have violated law or for the purpose of exercising correctional powers or regulatory powers over any person by violence.

Section 3. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

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ADOPTED this 17th day of October, 2022, pursuant to a roll call vote at follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman				
Trustee Buchanan				
Trustee Enya				
Trustee Parakkat				
Trustee Robinson				
Trustee Taglia				
Trustee Wesley				

APPROVED this 17th day of October, 2022.

Vicki Scaman, Village President

ATTEST

Christina M. Waters, Village Clerk

Published in pamphlet form this 17th day of October, 2022.

Christina M. Waters, Village Clerk