

## ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 112 - 2024

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NOVEMBER 20, 2024

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## AN ORDINANCE

Amending Part II General Legislation, Chapter 532 Special Events, Sections 2-14 by updating the language around permitting and fees and amending Part II General Legislation, Chapter 270 Fees, Section 62 Special Event by increasing certain special event fees.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That Sections 2 through 14 be amended as follows:

**Chapter 532 Special Events****§ 532-1 Authorization.**

Under and subject to the provisions of this chapter, it is lawful to hold special events such as exhibits, fairs, athletic events, parades, concerts, block parties, church events or conventions in the City of Allentown.

**§ 532-2 Permit required.**

All special events such as exhibits, fairs, athletic events, parades, concerts, block parties, church events or conventions occupying, marching or assembling upon any street or public area of the City are permitted only after a permit for the holding thereof has been granted by the Mayor or his designee. Permit Fees are outlined in Section 270-62 Special Event Fees.

**§ 532-3 Permit applications.**

- A. Applications for special events shall be made to the Mayor or his designee at least ~~10 working days~~ 90 days before the date selected for the holding of such special event and shall be made on official forms furnished by the City for that purpose. The Mayor or his designee may exercise discretion in considering any application not made at least ~~10 working days~~ 90 days in advance.
- B. The application for such permit shall state the names and addresses of the officers of the group or organization desiring to hold the special event, the name of the individual who shall be in charge thereof, the purpose of the special event, the date and time of the special event, the streets or public areas upon which the special event shall be held and any other such information as the Mayor or his designee deems necessary. Such special event shall not be held at any other time or on any other streets or public area other than those specified in the permit application.
- C. Applications for special events permits shall be accompanied by a fee. The fee shall be established pursuant to the Home Rule Charter.

1. Large Scale Event defined as an event that anticipates 1,000 and over participants.

2. Small Scaled Event is defined as an event that anticipates under 999 participants.

**§ 532-4 Advertising for private profit prohibited.**

No permit shall be issued authorizing the conduct of a special event which the Mayor or his designee finds is proposed to be held for the sole purpose of advertising any product, goods, wares, merchandise or commercial event, and is designed to be held purely for private profit.

**§ 532-5 Permit issuance and denial standards.**

- A. Standards for issuance. The Mayor or his designee shall issue a special events permit conditioned upon the applicant's written agreement to comply with the terms of such permit unless the Mayor or his designee finds any of the following:
- (1) The time, size and location of the special event will disrupt to an unreasonable extent the movement of traffic or the public peace;
  - (2) The special event is of a size or nature that the diversion of so great a number of police officers of the City that reasonable police protection would be denied to the City;
  - (3) Such special event will interfere with another special event for which a permit has already been issued.
- B. Standards for denial. The Mayor or his designee shall deny an application for a special events permit and notify the applicant of such denial where:
- (1) The Mayor or his designee makes any finding contrary to the findings required to be made for the issuance of a permit;
  - (2) The information contained in the application is to be found to be false or nonexistent in any material detail;
  - (3) The applicant refuses to agree to abide by or comply with all conditions of the permit;
  - (4) The application is not received at least 90 days in advance, or approved and paid as a late application, within 31-89 days of event. No permits submitted within 30 days of the event will be accepted;
  - (5) If the applicant has any invoices from previous years that remain open with a balance due; and
  - (6) The applicant has been in violation of the terms outlined in the use permit for previously held events.

**§ 532-6 Compliance with ordinances, regulations, conditions.**

Any special event shall be subject to all City ordinances and resolutions, such as those pertaining to noise and sound devices, and to any regulations which may be prescribed by the Mayor or his designee as applicable to such special events and to any other conditions imposed by the Mayor or his designee in the permit. Failure to comply with any City ordinance, resolution or regulation, any condition imposed in the permit or any applicable state or federal law shall result in the immediate revocation of the permit and suspension of the special event.

**§ 532-7 Notice of permit issuance.**

Immediately upon the granting of a permit for a special event, the Mayor or his designee shall send a copy thereof to the following individuals:

- A. Chief of Police or designee.
- B. Fire Chief or designee.
- C. Director of Public Works or designee.
- D. Director of Finance or designee.
- E. Director of Community and Economic Development or designee.
- F. Director of Parks and Recreation or designee.

**§ 532-8 Revocation of permit.**

Any permit for a special event issued pursuant to this chapter may be summarily revoked by the Mayor or his designee at any time when by reason of disaster, public calamity, riot or other emergency, the Mayor or his designee deems that the safety of the public, including the participants in the event, or property requires such revocation. Notice of such action revoking a permit shall be delivered in writing to the permittee ~~by United States Mail~~ via email from the Mayor or designee.

**§ 532-9 Special events services.**

Whenever a special event, including, but not limited to, exhibits, fairs, athletic events, parades, concerts, block parties, church events or conventions, requires any permit under the provisions of any City of Allentown ordinance, the Chief of Police may, when necessary to protect the peace and public safety, as a condition of issuance of the permit, require that patrol or security officers or equipment be provided.

In addition, if a traffic control service, police service, emergency services, and sub permits costs, shall be provided at the cost of the event requester.

**§ 532-10 Public safety services right of first refusal.**

- A. As a condition of any lease, license or permit for the use of City property for large gathering that may require emergency medical standby services, Allentown Emergency Medical Services (EMS) shall have the right of first refusal to provide such services.
- B. The number of patrol or security officers or equipment provided are subject to approval by the Chief of Police or designee, based on an evaluation of the number of people involved in the event, the area of the City to be covered by the event and the location of the event.
- C. ~~Whenever patrol or security officers or equipment shall be provided by the Police Department, the applicant for permit shall deposit with the City security, in a form acceptable to the Director of Finance, or cash in an amount sufficient to guarantee payment for the cost of providing special police services.~~
- D. Whenever a person holding an event not requiring a permit requests special police services, the provisions of this section shall apply.

**§ 532-11 Special services fee.**

- A. Upon application to hold a special event, a request for public safety services shall be made 90 days prior to event. ~~at which time an estimate will be given as to the cost to provide such services. These estimates will be given by the Bureau providing the service to the Police Department who will then notify the applicant. A deposit for these services will be required prior to the event and services being provided.~~ After the event is complete and a true cost of services has been calculated, the applicant will be notified of the ~~remaining~~ balance due. The request for emergency medical standby services shall be made directly with Allentown EMS and the reimbursement for services will be handled directly with that Bureau. The total amount charged will not exceed the cost of providing the public safety service.

- B. For purposes of this chapter, "special police services" include but are not limited to patrol or security officers or equipment for special events.
- C. For purposes of this chapter, "special administrative services" include but are not limited to, providing barricades, traffic cones, signs, or cleanup for special events.

**§ 532-12 Waiver of fees.**

- A. Permit fees and special services fees shall be waived for government agencies, veterans' organizations and ~~City-supported~~ contracted events upon application therefor. City-contracted events shall be determined and approved by the Mayor or his designee.
- B. ~~Where the total cost of special services provided are less than or equal to the sum of \$100, a deduction of \$100 may be made for special administrative services.~~

**§ 532-13 Prohibited acts.**

No person shall knowingly join or participate in any special event conducted under a permit from the Mayor or his designee in violation of any of the terms of such permit, nor knowingly participate in any such special event without the consent or over the objection of the permittee, nor in any manner interfere with its progress or orderly conduct.

**§ 532-14 Violations and penalties.**

Whoever violates any provision of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 ~~or to imprisonment for not more than 90 days, or both.~~ In the case of a permittee's violation of any provisions of this chapter, the individual designated upon the permit as the responsible party shall be considered the violator.

SECTION TWO: That Part II General Legislation, Chapter 270 Fees, Section 62 Special Event fees be amended as follows:

**§ 270-62 Special event fees.**

Failure to remove signage within 3 business days	\$25, <u>per sign per day</u>
Damage or destruction of grass, fields, <u>roadways, and pathways, or any city owned property</u>	Equipment, material and labor costs to repair
Fastening an object to any tree, shrub, natural amenity	\$25 per occurrence
Block party application for permit	\$25
<u>Special Event Applications Fee</u>	<u>\$300 for Large Scale Events (1000 or more attendees), \$100 for Small Scale Events (999 attendees or less).</u>
<u>No Parking Signs (Pick up and pay at Allentown Parking Authority, posted by event organizer)</u>	<u>Refer to Allentown Parking Authority fee Structure</u>
Clean up after an event	Equipment, material <del>and</del> plus-labor costs
<u>Vendor Fees</u>	<u>Food Vendors \$150, Merchandise \$75, Resource</u>

	<u>\$0. May be waived at the discretion of Mayor or Designee for City Run Events.</u>
Sweeper truck	Equipment <del>and</del> plus labor costs
Barricades (include on event map barricade dropoff sites)	<del>\$6</del> \$12 each for delivery and pickup at event plus labor
Traffic Cones (include on event map traffic Cone drop off sites)	<del>\$3</del> \$5 each for delivery and pickup at event plus labor
<u>Street Closure (dump truck OR Mifram)</u>	<u>From the start of street closure to end of street closure, equipment plus labor cost</u>
Replacement fee for barricades	Equipment cost to replace
Replacement fee for traffic cones	Equipment cost to replace
Late fee for event application, <u>if approved by Mayor or Designee registration (between 30-89 days before event. Less than 30 days not accepted)</u>	<del>\$25</del> <u>\$250</u>
Recycling and trash pickup after an event	Equipment, material and labor costs
Replacement fee for clear stream containers <u>or trash or recycling supplies.</u>	Equipment cost to replace
Rental of light towers and <del>portable skate park</del>	Equipment and labor costs for delivery and pickup at event
Band trailer rental fee	\$850 per day within City
<del>City podium use</del>	<del>\$50 and \$200 refundable deposit</del>
Easter egg hunts	Special event application fee waived; however fees for pavilions, fields, street closures and all other event requirements must be followed including certificate of liability insurance
<u>Police and EMS, fire, public works, health, parks maintenance</u>	<u>Billed separately by Department.</u>

## Legislative Template

- What department or bureau is this bill originating from? Where did the initiative for the bill originate?

Parks and Recreation

- Summary and facts of the bill.

Edits Chapter 532, Special Events to increase the amount of time between event application and permit to 90 days and clarify standards of issuance and denial for permits, fee waiver, and special services fees.

- Purpose – Please include the following in your explanation:

- a. What does the bill do? What are the specific goals or tasks the bill seeks to accomplish?

Edits the ordinance to increase the lead time for event applications to 90 days and cleans up language.

- b. What are the benefits of doing this?

Increasing time will allow for the Special Events inter-departmental team to have enough time to coordinate resources. fees will increase revenue while remaining competitively priced with other local golf courses and clubs. The increase in revenue will allow course staff to maintain the high level of play at the golf course.

- c. How does this bill relate to the City's vision/mission/priorities?

Increasing the time will allow for the City to be better prepared to handle special event requests.

- Financial Impact – Please include the following in your explanation:

- a. Cost (initial and ongoing)

N/A

- Priority status – Are there any deadlines to be aware of?

The goal is to update the legislation before special event applications are open for 2025.

- Why should Council unanimously support this bill?

This bill provides the appropriate amount of time to City staff to properly process applications. It also codifies reasons for issuance and denials of permits.