

**ORDINANCE 2024-007 OF THE TOWN OF LAWRENCE, WISCONSIN
TO CREATE CHAPTER 250,
SPECIAL EVENTS PERMIT ORDINANCE**

Section 1: Town of Lawrence Ordinance Chapter 250 – Special Events Permit Ordinance, Sections 250-1 through 250-12.

§ 250-1 Title.

The title of this chapter shall be the "Special Event Permit Ordinance."

§ 250-2 Purpose and intent.

The purpose and intent of this chapter is to protect the public interest and promote the general health, safety, and welfare of the Town by establishing rules and a permit process to hold a special event on any property within the Town to address potential impacts on the general public of a special event, including without limitation noise, light, dust, traffic, parking, and other public health safety and welfare concerns. Further, the purpose and intent of this chapter is to promote the economic welfare and general prosperity of the community by safeguarding and preserving property values by addressing potential impacts of a special event. Any determination of discretion by the Town provided herein shall be exercised in a manner consistent with this provision.

§ 250-3 Applicability; administration.

This chapter is intended to apply to all persons within the Town, and its provisions shall be administered by the Town Board, and/or other Town officials designated by the Town Board. This chapter does not apply to any event which is sponsored by the Town.

§ 250-4 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

APPLICANT

Any person applying for a special event permit.

EXPRESSIVE ACTIVITY

Conduct, the sole or principal object of which is the expression dissemination or communication by verbal, visual, literary, or auditory means of opinion, views, or ideas and for which no fee or donation is charged or required as a condition of participation in or attendance at such activity. It includes public oratory and distribution of literature, and picketing.

PERSON

Any person, firm, partnership, association, corporation, company, governmental entity, or organization of any kind.

SPECIAL EVENT

Events that include, but are not limited to, fun runs, roadway foot races, fundraising walks, bicycle races, parades, carnivals, shows, gatherings, circuses, block parties, festivals, fireworks, and/or involve one or more of the following factors:

A. The event is to be conducted on public property or right-of-way; or the event is to be conducted on

private property, open to the public and not within the normal and ordinary use of the property

- B. The event will cause an impact on traffic congestion or traffic flow to and from the event over public streets or rights-of-way or will impact public streets or rights-of-way near the event.
- C. The event is likely to create the need for Town-provided emergency services, such as police, fire, or medical aid.
- D. The event will have an impact on the use and enjoyment of neighboring properties.
- E. The event requires additional permits, inspections, or variances.
- F. The event will be held at a Town Park, and expected attendance will exceed the maximum capacity set by the Town. Such special event permit shall be in addition to any street, park use, or other regular permits as may be required by ordinance.
- G. The Town reserves the right to deem an event a "special event".

§ 250-5 Permit requirements.

- A. No person shall conduct a special event within the Town of Lawrence without first having obtained a rental and/or special event permit.
- B. Any person may file an application for a special event permit, subject to the following requirements:
 - (1) Application for a special event permit shall be filed with the Town Clerk-Treasurer based on the permit structure (refer to §250-12) If an application is filed less than the required time based on the permit structure prior to the proposed event, the Town may attempt to process the application but is not obligated to do so.
 - (2) Payment is required for the application fee (refer to §250-13 Special Events Fees) at the time of submittal, and the application shall contain such information as the Town Clerk-Treasurer may require.
 - (3) The permit shall set forth the exact days on which and the exact location where such activities shall be carried out and shall be valid only during the dates and times and at the location specified.
 - (4) The applicant for the permit shall provide the Town with a complete list of sponsors and vendors at the time of making the application as well as a map for approval showing the location of booths, tents, port-a-potties, and other special and temporary facilities on the special event property.
- C. Upon receipt of both the application for a permit and the fee, the Town Clerk-Treasurer shall review the information given on the application for conformity with the provisions of this section. The Town Clerk-Treasurer shall distribute the application and accompanying materials to the Police Department, Fire Department, Public Works Department, Building Inspection Department and any other appropriate department for review and comment. If the applicable requirements are satisfied, the Town Clerk-Treasurer will then forward the application to the Town Administrator or his/her designee.
- D. The Town Administrator or his/her designee shall review the application and recommend to Town Board Supervisors for review on Class I or II permits for approval, denial, or approval with conditions. Class III permits will be reviewed by Town Administrator or his/her designee for approval, denial, or approval with conditions. The permit shall be signed by the Town Administrator or his/her designee and shall be issued to the applicant, who, in turn, shall issue identification permits to each vendor approved

by the applicant. All vendors shall prominently display these permits during the event period.

- E. A special event permit is not required for the following, unless the event is deemed to have a significant impact on Town services and/or the community. This could include but not limited to 250-6 a-g. Permit application may be required if determined to have a significant impact on Town Services. However, they may be exempt from permit application fees and insurance requirements to be determined by Town Administrator or his/her designee. Fees for services rendered by the Town shall apply.
- (1) Parades, athletic events, or other special events that occur exclusively on Town property and are sponsored or conducted in full by the Town of Lawrence.
 - (2) Funeral and wedding processions.
 - (3) Military convoys.
 - (4) Groups required by law to be so assembled.
 - (5) Gatherings not exceeding maximum capacity in a Town Park, unless merchandise or services are offered for sale or trade.
 - (6) Temporary sales conducted by businesses, such as holiday sales, grand opening sales, or anniversary sales.
 - (7) Garage sales and rummage sales.
 - (8) The exhibition of films or motion pictures.
 - (9) Other similar events and activities which do not directly affect or use Town services or property.
 - (10) A gathering for the specific purpose of expressive activity without violation of local, state, and federal laws

§ 250-6 Permit Conditions.

In addition to any conditions that may be imposed as provided at § 250-6 D, any person or applicant for a special event shall satisfy all of the following permit conditions, if applicable:

- A. Liability insurance. The person, applicant, or vendor with a Class I or Class II permit application shall be required to supply the Town with a certificate of insurance with coverage in the amount of not less than \$1,000,000 combined single limit per event and naming the Town as an additionally insured party. Those events that will be required to provide the aforementioned insurance include, but are not limited to:
- 1) an event that includes alcohol; or
 - 2) an event that is anticipated to have attendance greater than 50 people per day; or
 - 3) an event that includes a road closure.

Proof of insurance shall be submitted to the Town a minimum of 30 days before the start of the event. The applicant shall also be required to notify the Town in the event there is a modification of any of the terms of the insurance coverage.

The Person or applicant for a Class III permit application may be required to submit proof of insurance to the Town as determined by Town Administrator or his/her designee. Such notification shall be provided not less than two weeks prior to the effective date of that termination.

- B. **Indemnification.** In all cases, the person or applicant shall indemnify, defend, and hold harmless the Town, its employees, and agents against all demands, claims, liabilities, losses, damages, or expenses, including but not limited to reasonable attorney's fees, incurred by the Town for any damage or injury to person or property caused by or resulting from in any way the activities for which the permit is granted. No permit may be issued unless the person or applicant has agreed to this indemnification in writing and in a manner confirming its enforceability.
- C. **Town services.** All requests by applicants for Town services must be made to the Town Administrator or his/her designee. The applicant shall be responsible for reimbursement to the Town for any Town personnel, services, equipment, and facilities provided for the special event in the following circumstances for special events: 1) when deemed necessary by the Town, or 2) when requested by the applicant and approved by the Town. For Town personnel, including local Police Department, Fire Department, Public Works Department and Building Inspection Department the reimbursable costs associated with the event shall include wages, overtime, and fringe benefits. An invoice shall be sent to the applicant, if applicable, for Town personnel, services, equipment, and facilities within 15 days following the event. (Refer to §250-13 Special Events Fees) Payment is due within 30 days of invoice. The Town reserves the right to require full or partial payment of estimated costs in advance. The event organizer must cancel in writing at least 48 hours before the event in order to be refunded for personnel costs.
- D. **Police Department security services.** Where in the Town's reasonable discretion the circumstances require a security presence due to the scope and nature of the event, the Hobart/Lawrence Police Department shall be utilized to provide the required security. Said security presence will be over and above the normal policing which would be provided; however, it is subject to emergent needs for policing which may otherwise exist at the time of the event. The Chief of Police or his/her designee shall determine the level of coverage necessary to provide adequate security for an event covered under this chapter. The applicant shall be required to reimburse the Town of Lawrence for security-related services in accordance with - §250-13 Special Events Fees.
- E. **Cleaning/damage deposit.** The applicant shall be required to submit to the Town a cleaning/damage deposit in accordance with §250-13 Special Events Fees, two weeks prior to the starting date of the event. The cleaning/damage deposit may be refunded to the applicant, if, upon inspection, the area and all village equipment use for the event is the condition it was prior to the commencement of the event, or a prorated portion thereof as may be necessary to reimburse the Town for loss or cleaning costs. The Town reserves the right to retain the entire deposit if cleanup is not completed satisfactorily in the time frame as specified in the permit. Unless otherwise stated in the permit, the applicant shall be fully responsible for all necessary cleanup associated with the permitted event to be completed within 12 hours after the conclusion of the event. If the cost of restoring the area used for the event or the repair or replacement of Town equipment used for the event exceeds the amount of the damage deposit, the Village may invoice the event organizer the actual cost of the exceedance and upon failure to pay the invoice the Village may take any action available by law to collect that debt.
- F. **Business license required.** All vendors operating a revenue-generating business as part of a special event permit obtained under this Code section shall obtain and display any and all required Town permits for the duration of the event (i.e., alcohol). Only those vendors on the applicant's list of sponsors and participants shall be allowed to receive permits subject to permit application requirements. All persons serving beer and/or alcohol must hold an operator's license in accordance with Wis. Stats. §§ 125.17(1), 125.32(2), and 125.68(2). Vendors wishing to serve food items must also obtain any required permit or license from the Brown County Health Department. The applicant and all vendors shall comply with any other applicable State of Wisconsin Statutes and Brown County ordinances and shall be responsible for any additional required licenses or requirements.
- G. **Applicant representative.** The special event sponsoring applicant shall have at least one representative

on site during the event to coordinate events and enforce guidelines and standards on behalf of the Town and the County or State Health Department and shall also be the primary Town contact for the event. The applicant shall also provide sufficient staffing to provide assistance with crowd control, parking, and sanitation. The determination of what constitutes sufficient staffing will be made in conjunction with Town officials.

- H. Parking and access. A special event permit application shall include a plan identifying areas that may be reasonably expected to be utilized by event participants for off-street and on-street parking.
- I. Sanitary facilities, potable water and rest stations. The event organizer shall make reasonable accommodations for rest areas facilities throughout the course of the event or at the site of the event and outside of the Town street right-of-way.
- J. Refuse removal. The special event organizer shall be responsible for taking all reasonable efforts to pick up litter, debris, and refuse during, immediately following, and within 12 hours after the conclusion of the event throughout the course of the event or at the site of the event and outside the Town street right-of-way for debris attributable to the event.
- K. Inspections required. All tents or temporary structures must be installed in accordance with the Wisconsin Administrative Codes (Refer to Town Ordinance §116-12. The applicant shall be responsible for reimbursing the Town for any and all fire inspections required in association with the proposed event. Wiring shall be installed by a licensed electrician and a temporary permit issued with appropriate fees. All wiring shall be inspected by the Town prior to being energized. Failure to obtain inspections may result in the termination of the event.
- L. Termination of event. The Town reserves the right, in its discretion, to shut down a special event that is in progress if it is deemed to be a public safety hazard by the Police or Fire Department and/or there is a violation of Town ordinances, state statutes or the terms of the applicant's permit. The Town Board may, in its discretion, revoke an approved special event permit if the applicant fails to comply in good faith with the provisions of the permit prior to the event date.

§ 250-7 Denial of permit.

Reasons for denial of a special event permit or termination of an event are determined at the discretion of the Town and may include, but are not limited to:

- A. The event will disrupt traffic within the Town beyond a reasonably practical solution
- B. The event will create a likelihood of endangering the public.
- C. The event will interfere with access to emergency services.
- D. The length, location, or time of the special event will cause undue hardship or excessive noise levels to adjacent businesses or residents.
- E. The event will require the diversion of Town resources that would unreasonably affect the maintenance of regular Town service levels.
- F. The application contains incomplete or false information.
- G. The applicant fails to provide proof of insurance.
- H. The applicant fails to agree to the indemnification requirements in this chapter.
- I. Any vendor fails to obtain the proper permits required by the Town.

- J. Inadequate provision for garbage or debris removal.
- K. Inadequate provision of temporary restroom facilities.
- L. Inadequate provisions for parking.
- M. The event conflicts with another event in the area.
- N. The applicant fails to comply with Town Ordinance Chapter 175, Licenses and Permits

§ 250-8 Violations and penalties.

Any person, applicant, organization, vendor, firm, or corporation violating any of the requirements of this chapter shall be subject to a forfeiture as defined in § 1-3 of the Town of Lawrence Municipal Code. Each violation shall be considered a separate offense. In addition, the Town may enforce this section by way of injunctive relief and all other remedies available at law and in equity.

§ 250-9 Notification to property owners or tenants.

The Town may condition any special event permit on a requirement that the person or applicant give written advance notice of the event and its probable impact to any property owners or tenants who will be impacted by the event.

§ 250-10 Appeal.

Any person or applicant that is denied a special event permit may appeal to the Town Board by requesting such appeal in writing to the Town Administrator. Pursuant to Wis. Stat. § 68.16, the Town Board elects that Chapter 68 shall not apply to any such appeal.

§ 250-11 Permit Classification

A. Event classification. There are three classes of events: Class I, Class II, and Class III. Each class has its own characteristics. An event does not have to have all the characteristics listed to be in the classification. The Town reserves the right to make a final determination of an event's classification in its discretion. The Town Board shall establish a list of approved fees in accordance with §250-13 Special Events Fees. No permit shall be issued without payment of the required permit fee(s).

(1) Class I:

(a) Requires Town Board approval

(b) Permit application must be submitted at least 60 days prior to scheduled event.

(c)Event will have approximately 200 or more participants and/or spectators.

(d)Event is open and may attract interest from the general population of the community and surrounding areas.

(e)Usually involves the closing of a street.

(f)May involve multiple events.

(2) Class II:

(a) Required Town Board Approval

(b) Permit application must be submitted at least 60 days prior to scheduled event.

(c)Event is open to the public but is only of interest to a certain segment of the community (i.e., runners,

walkers, supporters of certain causes, bicyclists, etc.) and may involve approximately 50 to 200 people.

(d) Most athletic events (i.e., tournaments).

(e) May involve the closing of a street.

(3) Class III:

(a) Requires Town Staff approval

(b) Permit application must be submitted at least 30 days prior to scheduled event.

(c) Event is open to the public but is only of interest to certain segments of the community (i.e. runners, walkers, supporters of certain causes, bicyclists, block parties etc.) and may involve approximately 50-200 people.

(d) May involve the closing of a street.

B. The permit application fee is for the application only, is nonrefundable and based upon staff time to adequately process the application and does not substitute or remove charges/fees outlined in the rest of this chapter. Applications that are filed less than the required days stated in each Class are subject to a double application fee which shall be paid before the application is considered.

§ 250-12 Special Event Fees

Special Event fees shall be determined by resolution and will be on file with the Town Clerk.

Section 2: Severability

If any provision of this ordinance is found invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.

Section 3: This amendment to existing, or creation of new, ordinances shall be effective upon passage and publication as provided by Law.

Dated at Town of Lawrence, Wisconsin on this 14th day of October 2024.

Introduced by: Supervisor Vannieuwenhoven

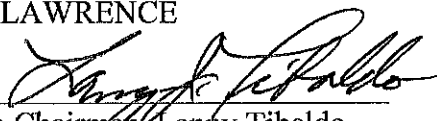
Seconded by: Supervisor Brienen

Vote: 5-ayes, 0-nay



Attest:

TOWN OF LAWRENCE


Town Chairman, Lanny Tibaldo


Town Clerk, Cindy Kocken