

ORDINANCE NO 04-2024
AN ORDINANCE TO CREATE CHAPTER 267
OF THE VILLAGE OF COTTAGE GROVE MUNICIPAL CODE
TO ESTABLISH SPECIAL EVENTS PERMIT

WHEREAS, in 2023, the Village of Cottage Grove Village Board directed staff to review and make recommendations regarding establishing a Special Events permit to address special considerations for larger events within the Village.

NOW THEREFORE, the Village Board of the Village of Cottage Grove, Dane County, Wisconsin, DOES ORDAIN AS FOLLOWS:

SECTION 1: Create Chapter 267 of the Cottage Grove Municipal Code as follows:

SPECIAL EVENTS PERMIT:

(1) DEFINITIONS:

- (a) Class I. A Special Event in which it is estimated more than one hundred fifty (150) people will attend and any of the following occurs:
 - 1. Alcohol is sold or served;
 - 2. Outdoor entertainment / amplified music is involved;
 - 3. Tent(s) larger than four hundred (400) square feet are utilized; or
 - 4. The event lasts more than one (1) day.
- (b) Class II. A Special Event in which it is estimated more than one hundred (150) people will attend and none of the following occur:
 - 1. Alcohol is sold or served.
 - 2. No outdoor entertainment / amplified music is provided;
 - 3. A tent larger than four hundred (400) square feet is utilized;
 - 4. The event lasts more than one (1) day.
- (c) “Event Coordinator” is the individual identified by the Special Event sponsor that will be on-site at all times during the Special Event to address problems as well as implement directions from Village officials during the Special Event.
- (d) “Special Event” is any activity that uses public streets, rights-of-way,

sidewalks, or private property or may require increased levels of Village services and in which it is estimated more than 150 people will attend. This includes, but is not limited to, fairs, festivals, sporting events, foot runs, walk-a-thons, bike-a-thons, bike races, markets, outdoor merchandise sales, parades, parade of homes, exhibitions, auctions, dances, motion picture filming and other similar events.

(2) PERMITS REQUIRED:

- (a) No person or organization shall conduct a Special Event within the Village of Cottage Grove without first having obtained a Special Event Permit. Permits are valid only for the dates, time, and location specified in the Permit. This provision shall apply to all events proposed after the date of the adoption of this chapter.
- (b) A separate park rental permit may be required depending on the location of the Special Event and is not provided for in this permit process.
- (c) Other Permits Required. All vendors operating as part of a Special Event permit obtained under this section shall obtain and display any and all required Village, County, or State permits for the duration of the event (i.e. food, vendor, temporary beer, etc.). If serving beer and/or alcohol there must be either a licensee or a person holding an operator's license onsite in accordance with Wis. Stat. §§ 125.17(1), 125.32(2), and 125.68(2).
- (d) Special Events with less than one hundred fifty (150) people are not required to obtain a permit, but are encouraged to contact police in advance of the event.

(3) APPLICATION:

- (a) Application Requirements.
 - 1. An applicant must submit an application for a Special Event permit with the Village Clerk at least 90 days prior to the proposed event.
 - 2. Permit fees are required with submission of application. Permit fees shall be set from time to time by resolution of the Village Board. The Village Board may, in its sole discretion, waive permit fees for any Internal Revenue Service approved non-profit organization that will be holding a Special Event that will not charge any fees to attendees.

3. The application shall include the following:
 - a. The name, address and phone number of the Special Event sponsor(s). If more than one person, entity or organization is the sponsor, all must be listed. In the case of a corporation, limited liability corporation, limited liability partnership, or partnership, the name and mailing address of each person holding ten percent (10%) or more of the ownership.
 - b. The name, address and phone number for the Special Event sponsor's contact or agent.
 - c. The name, address and phone number of the Event Coordinator and the method by which the Village can contact the Event Coordinator during the Special Event.
 - d. Special Event on private property.
 - i. The address of all private property upon which the Special Event is to be held, together with the name, and mailing address of the owners of record.
 - ii. Notarized authorization from the property owner(s) that the applicant has permission to use property for a Special Event.
 - e. The nature of the Special Event.
 - f. The dates and hours of the Special Event. Applicant must include dates and hours for set up and clean up.
 - g. The maximum number of persons allowed at any given point at any time.
 - h. Plans and descriptions for the following, as necessary for the event.
 - i. Fencing and gates as deemed necessary by the Village to control access to or within the Special Event;
Potable water locations;
 - ii. Toilet and lavatory facility locations and number;
 - iii. Solid waste collection locations and disposal;
 - iv. First aid station, or additional medical care facilities as required by the Village;

- v. Lighting plan, including location, hours of use and power source;
 - vi. Parking size and location;
 - vii. Access to event and to parking, if located separately;
 - viii. Camping facilities;
 - ix. Crowd control/security personnel including number and responsibilities;
 - x. Sound control and amplification, location, size and number of speakers and amplifiers;
 - xii. Access for emergency vehicles and personnel.
- i. Certification that, by signing the application, the applicant is authorized to act on behalf of the event sponsor(s).
 - j. Applicant's acknowledgement that by signing and submitting the application, they accept and comply with the provisions of subsection (4)(a) and (b).
 - k. Proof of insurance as described in subsection (4)(a) below.
 - l. Park rental approval, if applicable.

(b) Application Process:

- 1. Upon receipt of an application for a permit, the Village Clerk shall distribute the complete application to Police Department, Fire Department, EMS, Administrator, Public Works Department, Inspection Services, and Park, Recreation, and Forestry Department for review and comment. Department review and comments should be returned to the Clerk within 30 days of distribution of the application.

The Village, in reviewing the application, may consult any other state, county or local bodies as necessary for assistance in evaluating the application in order to promote the safety, health, welfare and security of the residents of the Village of Cottage Grove and the persons attending the Special Event. The Village may run a background check on any applicant or Event Coordinator.

2. Permit Review.

- a. The Clerk shall review Class II applications for conformity with the provisions of this section and the comments from Village Departments. If the application complies with applicable requirements, the Village Clerk shall issue a permit or issue the permit with conditions. If the application does not comply with applicable requirements, the Village Clerk may deny the application.
- b. The Village Board shall review all Class I permit applications and Department recommendations and either deny the permit, approve the permit or approve the permit with conditions. If the Village Board approves the permit, the Village Clerk shall issue a Class I Special Event permit.

(4) PERMIT CONDITIONS:

- (a) Liability Insurance. The Special Event sponsor is required to obtain insurance for Special Events that include alcohol, have more than one hundred fifty (150) people per day or involve a road closure. Proof of comprehensive general liability insurance with coverage of not less than \$1,000,000.00 which names and endorses the Village, its officers, agents, employees, and contractors as an additional insured party shall be submitted to the Village no later than twenty (20) days before the event. The applicant shall notify the Village in the event there is a modification of any of the terms of the insurance coverage. Such notification shall be provided not less than two weeks prior to the effective date of that change. Any change to coverage requires Village approval.
- (b) Indemnification. The applicant and Event Sponsor(s) shall execute an agreement acceptable to the Village that holds the Village, its officers, employees, agents, and contractors, harmless against all claims, liability, loss, damage or expense (including but not limited to actual attorney's fees) incurred by the Village for any damage or injury to person or property caused by or resulting directly or indirectly from the activities for which the permit is granted.
- (c) Village Services. All requests by applicants for Village services must be made at time of application. The applicant shall be responsible for reimbursement to the Village for any village personnel, services, equipment, and facilities provided for the Special Event. Reimbursable costs shall be calculated to include wages, overtime, and fringe benefits. An invoice shall be sent to the applicant within

fifteen (15) days following the event. Payment is due within thirty (30) days of invoice. The Village reserves the right to require full or partial payment of estimated costs in advance. Requests for use of a hydrant meter shall be processed separately through the Village of Cottage Grove Water Utility.

- (d) Cleaning / Damage Deposit. The applicant may be required to submit to the Village a cleaning/damage deposit of \$200 per day for each scheduled day of the event (or a portion thereof), two weeks prior to the starting date of the event. The deposit shall be returned to applicant, if, upon inspection, all is in order, or a prorated portion thereof as may be necessary to reimburse the Village for loss or cleaning costs. The Village 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 twelve (12) hours after the conclusion of the event.
- (e) Event Coordinator. The Special Event sponsor shall have at least one representative, as identified on the permit application, on site during the event at all times.
- (f) The Special Event Sponsor shall provide sufficient staffing to provide assistance with crowd control, parking, sanitation, and medical services. A determination as to these needs will be made by the Departments as part of the review process.
- (g) Site Requirements.
 1. All tents must be installed under the International Fire Code Chapter 24 or the National Fire Protection Association 1, Chapter 34.
 2. Wiring shall be installed by a licensed electrician. All persons requiring electricity at a Special Event shall follow NEC and SPS Ch. 316, Wis. Administrative Code.
 3. Attendees and staffing shall not exceed the maximum number which can reasonably attend at the location of the Special Event.
 4. Responsibility for arranging any inspections required to meet these standards or any other requirements prior to the Special Event is the sponsor's. Any fees for such inspections shall be paid by the Special Event Sponsor.

- (h) Notification. The Village may require that the permit holder give written notice fifteen (15) days in advance of the Village Board meeting where action is scheduled to be taken regarding the proposed event to any property owners or tenants as determined during the Village Departments' review. Notice shall, at a minimum, include the type of event, name of the Special Event sponsor(s), date, time and location, Event Coordinator's name and contact information during the event.
- (i) The applicant must comply with all state, county, and Village laws and regulations.
- (j) The Village may impose any other permit conditions that it deems necessary to protect the public health, safety, and general welfare.

(5) TERMINATION OF SPECIAL EVENT.

The Village reserves the right to shut down a Special Event if it is deemed to be a public safety hazard by Police, the Fire Department, or EMS, or there is a violation of Village or County Ordinances, state statutes or the terms of the applicant's permit. The Village Administrator or designee may revoke an approved Special Event Permit if the applicant fails to comply with the provisions of the permit prior to the event date.

(6) DENIAL OF PERMIT.

Reasons for the Village denying a permit include, but are not limited to:

- (a) The event will disrupt traffic within the Village beyond any 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 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 Village resources(s) that would unreasonably affect the maintenance of regular Village service levels.
- (f) The application contains incomplete or false information.
- (g) The applicant fails to provide proof of insurance.

- (h) Inadequate provision for garbage or debris removal.
- (i) Inadequate provision of temporary restroom facilities.
- (j) Inadequate provisions for parking.
- (k) Applicant fails to submit the required fees and/or deposits.
- (l) Applicant or Event Coordinator does not pass a background check.
- (m) The application does not comply with the requirements of this chapter.

SECTION 2: SEVERABILITY.

The sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3. EFFECTIVE DATE.

This ordinance shall take effect upon compliance with the publication/posting requirements of the Wisconsin Statutes.

Adopted this 20 day of March, 2024.

BY ORDER OF THE VILLAGE BOARD
VILLAGE OF COTTAGE GROVE



John Williams, Village President

Attest:



Lisa Kalata, Village Clerk