

maintenance of the facility, provision of a particular recreation program, or similar consideration. Such agreements shall require the approval of the city manager or his/her designee.

(b) *Permit required for reserved use.* Except as provided in subsection 27-14(a), reserved use of recreation facilities shall require obtaining a use permit in accordance with article III of this chapter. Applications for recreation facility use permits shall be submitted no less than one week in advance of the date of the activity and no more than two months in advance.

(c) *Prohibited activities.*

- (1) No act prohibited by section 27-8 of this article shall be permitted in city recreation facilities, including the sale or consumption of alcoholic beverages.
- (2) No person shall conduct or participate in any sport or in any organized athletic activities within any recreation area other than in such areas as may be designated for such sports, games or athletic activities, or in any areas where the city has posted signs prohibiting such activities.

(d) *Sales and commercial uses.* Authorized user groups which desire to use concession stands or other facilities for fund raising purposes shall be allowed to do so subject to policies and fee requirements contained herein. Proposed uses which are determined by the city to be solely a commercial undertaking and without educational, recreational or cultural benefit to the community shall not be allowed on the premises of recreational facilities.

(e) *Denial of facility use.* The city shall have the authority, based on cause, to deny use of all or any portion of a recreational facility to any group or individual who has abused the privilege of facility use, including failure to comply with the general policies and rules governing the use of city parks and recreation facilities.
(Ord. No. 12-23, § 1, 5-24-12)

Sec. 27-15. Use permits—Community facilities.

(a) *Negotiated agreements for recurring use.* Regardless of any restrictions to the contrary, nothing in this article shall prohibit the city from

entering into a negotiated agreement with any person or organization for recurring use of a community building facility in return for renovation or maintenance of the facility, provision of a particular program, or similar consideration. Such agreements shall require the approval of the city manager or his/her designee.

(b) *Permit and rental fees required for reserved use.* Reserved use of community facilities shall require obtaining a use permit in accordance with article III of this chapter.

(c) *City sponsored uses.* Any use of city facilities scheduled for city sponsored or co-sponsored uses shall be deemed a use for municipal purposes, and shall be exempt from fees, deposits and permit requirements listed herein. A determination of whether an event is city sponsored or co-sponsored by the city is to be made by the city manager.

(d) *Use of community facilities for commercial purposes prohibited.* No person shall practice, carry on, conduct or solicit for any occupation, business, or profession in any community building. All programs must be open to the public at no charge. Requests by non-profit educational groups or institutions desiring to use community facilities for short-term classes, institutes, discussion groups and forums which involve small fees will be examined on an individual basis. Nothing may be sold to the public in a community building.

(e) *General rules and regulations regarding use of community facilities.*

- (1) Consumption of alcoholic beverages shall not be permitted outside of an enclosed structure or outside of a partially enclosed patio, balcony or veranda affixed to an enclosed structure.
- (2) If a permit is issued for a non-alcoholic event and alcohol is found on the premises, the police will shut down the event and no deposit will be refunded. "On the premises" shall be interpreted to include the community facility as well as the parking lots and all surrounding exterior public property.

- (3) If an event is shut down by the police for any reason, the clean-up/damage deposit shall be forfeited.
- (4) Smoking. Smoking is prohibited inside any community facility or outdoors within ten yards of an entrance or exit to any community facility.
- (5) Supervision of minors. Adults must supervise groups composed of minors in a ratio of one adult to every five minors. Adult supervisors shall be named on the permit application.
- (6) All equipment and materials not belonging to the city must be removed at the end of each scheduled use.
- (7) Liability for damage to facility/requirement for insurance.
 - a. The permittee shall be responsible for any and all damage to the facility premises and property therein and shall be responsible for all actions, behavior and damages caused by its/their officers, directors, employees, members, participants, invitees, spectators, agents, guests and attendees (or any combination thereof).
 - b. The city is not responsible for accidents, injury, illness or loss of group or individual property.
 - c. Prior to issuance of a permit, all approved applicants shall execute a hold harmless and indemnification agreement in a form acceptable to the city, indemnifying and releasing the city and its officials, employees and agents from and against any and all claims, demands, damages and liability arising from or related to activities conducted in community facilities.
 - d. If, in the sole discretion of the city manager, the use of a community facility involves significant risk of loss or casualty to the city, the permittee shall be required to provide satisfactory evidence of liability in-

surance naming the city as an additional insured in accordance with section 27-12(e) of this article.

(f) *Endorsement not implied.* The fact that a group, association, or entity is permitted to meet in a community facility does not constitute an endorsement of the group's, association's, or entity's policies or beliefs by the city.
(Ord. No. 12-23, § 1, 5-24-12)

ARTICLE IV. SPECIAL EVENTS

Sec. 27-16. Permit required.

No person or entity shall stage, promote or conduct any special event on any publicly owned property within the city limits unless he, she or it first secures a permit for such event.
(Ord. No. 12-23, § 1, 5-24-12)

Sec. 27-17. Conditions for obtaining permit.

To obtain a permit as required by section 27-16, the sponsor of a special event must comply with and demonstrate adherence to the following requirements:

- (a) Fill out a special event request application form and any requested supporting documentation at least six weeks but no more than 12 months prior to the intended date of the event. Such application shall include the following:
 - (1) A plan for sanitation facilities and sewage disposal commiserate with the anticipated impacts of the event.
 - (2) A plan for adequate parking facilities to accommodate anticipated participants and attendees, including any such parking facilities that will not be located within the area of the special event, as well as a plan for transporting individuals parked off-site to and from such event.
 - (3) A plan for medical facilities and first aid stations adequate to serve the number of anticipated participants and attendees.

- (4) A plan for adequate security and traffic control in and around the event.
 - (b) Withhold from charging an admission fee for entrance into the area associated with the event unless such charge or charges are otherwise approved by the city commission;
 - (c) Obtain liability insurance coverage for said event in limits deemed appropriate by the city manager or his/her designee;
 - (d) Limit activities associated with the event to areas within the park or public area that have been pre-approved by the city manager;
 - (e) Request permission from the city commission if any streets are to be blocked for said event and/or more than 500 people are reasonably anticipated to be in attendance;
 - (f) Pay permit fees according to the following schedule:
 - (1) Events with less than 25 people in attendance: \$25.00.
 - (2) Events with between 25 and 100 in attendance: \$100.00.
 - (3) Events with more than 100 but less than 250 in attendance: \$250.00.
 - (4) Events with more than 250 in attendance: \$1,000.00.
 - (g) Pay additional fees for city staff or services as deemed appropriate by the city manager or his/her designee.
 - (h) Any other restrictions or limitations reasonably imposed by the city manager as being necessary for the health, safety and welfare of participants and attendees.
- (Ord. No. 12-23, § 1, 5-24-12)

Chapters 28, 29

RESERVED

Chapter 30

CIVIL EMERGENCIES*

Article I. In General

Secs. 30-1—30-25. Reserved.

Article II. Emergency Preparedness

- Sec. 30-26. Definitions.
- Sec. 30-27. Proclamation by city manager.
- Sec. 30-28. Duration and termination of emergency.
- Sec. 30-29. Automatic emergency measures.
- Sec. 30-30. Discretionary emergency measures.
- Sec. 30-31. Reserved.

***Cross references**—Administration, ch. 2; emergency services, ch. 34; fire prevention and protection, ch. 46; offenses and miscellaneous provisions, ch. 50.

