

ORDINANCE NO: 69
REQUIRING A PERMIT FOR PUBLIC EVENTS
ON TOWN HIGHWAYS

The Town Board of the Town of Grand Rapids, Wisconsin, pursuant to § 349.185 Wisconsin Statutes does ordain as follows with regard to its Town Ordinances:

69.1 – PURPOSE

This ordinance is intended to regulate the use of Town highways for certain public events such as races, motorcades, walkathon, bicycle tours or parades. It provides a permitting process to regulate the event. It is the intent of the Town to promote the public health, safety, and general welfare by providing for the use of public right-of-way within the Town on a short-term basis.

69.2 – AUTHORITY

The Town Board of the Town of Grand Rapids, Wood County, Wisconsin, has the specific authority under s. 349.185, Wis. stats., to adopt this ordinance.

69.3 – ADOPTION OF ORDINANCE

This ordinance, adopted by a majority of the town board with a quorum present and voting and proper notice having been given, provides for the regulation of certain events, processions or assemblages on Town highways.

69.4 - DEFINITIONS

Parade: Parade means any organized march or procession consisting of people, animals or vehicles, or combination thereof, except funeral processions, upon any Town highway which does not comply with normal and usual traffic regulations or controls.

Race: Race means an organized run of fifty (50) or more participants who are at any one time upon any portion of one or more Town highways.

Motorcade: Motorcade means an organized procession containing twenty-five (25) or more vehicles, except funeral processions and military convoys, upon any Town highway.

Walkathon: Walkathon means any organized walk of fifty (50) or more participants who are at any one time upon any portion of one or more Town highways.

Bicycle Tour: Bicycle Tour means any organized group of fifty (50) or more bicycles who are at one time upon any portion of one or more Town highways.

Town Highway: Town highway means any public roadway maintained by the Town of Grand Rapids.

69.5 - PERMITS.

- A.** It shall be unlawful for any person to conduct a parade, race, walkathon, bicycle tour, motorcade, or any other public event in or upon any Town highway or knowingly participate in any such event unless and until a permit to conduct such event has been obtained from the Town Board.
- B.** It shall be unlawful, and no permit shall be issued, to conduct any event after sunset and before sunrise involving pedestrian participants unless an assurance, deemed adequate to the Town Board, is provided demonstrating that adequate steps have been taken to provide for the safety of the participants, spectators, motorists, and residents.

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

69.6 - APPLICATION FOR PERMIT.

Any person or organization who wants to conduct a parade, race, motorcade, bicycle tour, walkathon, or other public event using Town highways shall apply to the Town for a permit at least sixty (60) days in advance of the date of the proposed event. The Town Board may at its discretion consider any application for a permit to conduct such an event which is filed less than sixty (60) days prior to the date of such parade, race, or motorcade is to be conducted. The application for such permit shall be made in writing on a form approved by the Town Board. The application must be filled out in its entirety and the permit fee paid at the submission of the application. Proof of liability insurance as required in 69.10 must also accompany the application.

69.7 - ISSUANCE OR DENIAL OF PERMIT.

A. Standards for Issuance. The Town Board, shall issue a permit conditioned upon the applicant's written agreement to comply with the terms of such permit unless the Town Board finds that:

1. The time, route and size of the parade, race, motorcade, walkathon, or bicycle tour will disrupt to an unreasonable extent the movement of other traffic or the convenience of residents; will endanger the safety of participants or residents; or will cause a safety hazard other than traffic.
2. The event is of a size or nature that requires the diversion of too many law enforcement officers, public works employees or other personnel to properly control the event or that allowing the event would deny reasonable law enforcement or other emergency service protection to the Town.
3. Such event will interfere with another event for which a permit has been issued.
4. The Town Board determines the event would damage Town highways.

B. Standards for Denial. The Town Board, shall deny an application for a permit and notify the applicant of such denial as follows:

1. The Town Board, determines that the standards for issuance in 69.7 (A) herein have not been satisfied
2. The information contained in the application is found to be false or nonexistent in any material detail; or
3. The applicant refuses to agree to abide by or comply with all conditions of the permit.

69.8 - CONTENTS OF PERMIT.

The permittee shall advise all participants in the event by written notice, of the terms and conditions of the permit, prior to the commencement of the event.

In each permit the Town Board, shall specify:

1. The assembly area and time therefore;
2. The starting and ending time of the event;
3. The minimum and maximum speeds;
4. The route of the event;
5. What portions of highways to be traversed may be occupied by such event;
6. The number of supervisory persons required to monitor the event;

7. The number of emergency services personnel and/or vehicles to monitor the event;
8. The minimum number of waste/recycling bins strategically located throughout the event.
9. Such other requirements found by the Town Board, to be reasonably necessary for the protection of persons or property.

69.9 - REVOCATION OF PERMIT.

Any permit pursuant to this ordinance may be summarily revoked by the Town Chairman or their designee at any time when by reason of disaster, public calamity, riot or other emergency, the Police Chief, Fire Chief or their designee determines that the safety of the public or property requires such revocation. A permit may also be revoked by the Town Board if they determine that the applicant has committed a material violation of the permit or this ordinance. Notice of such action revoking a permit shall be delivered in writing to the permittee by personal service or by certified mail.

69.10 - HOLD HARMLESS/INSURANCE.

- A. An applicant shall agree in writing to assume the defense of and indemnify and save harmless the Town, its board members, town employees and agents, from all suits, actions, damages or claims to which the Town may be subjected of any kind or nature whatsoever resulting from, caused by, arising out of or as a consequence of such parade, race, motorcade, walkathon, or bicycle tour or other event and the activities permitted in connection therewith.
- B. An applicant shall provide the Town with evidence of insurance with single limit policy amounts of not less \$1,000,000, naming the Town as an additional insured.

69.11 - COMPLIANCE WITH LAWS.

Issuance of a permit under this ordinance shall not relieve applicant of the responsibility to comply with all applicable ordinances and laws, and obtain all other required permits and licenses necessary for an event.

69.12 – SIGNAGE/MARKINGS.

No signs shall be erected or posted in, and no markings shall be applied to the pavement, shoulder or surface of, the right-of-way of a Town highway unless such sign or marking is specifically provided for in the permit.

69.13 - CONDITIONS IN PERMITS.

Any permit granted under this ordinance may contain conditions reasonably calculated to reduce or minimize the dangers and hazards to vehicular and/or pedestrian traffic and the public health, safety, tranquility and welfare including but not limited to changes in time, duration and number of participants.

69.14 - PENALTY.

Any person, firm or corporation violating any provision of this ordinance shall, upon conviction, be subjected to a forfeiture per Ordinance 39 "Schedule of Fees and Forfeitures" together with the costs of prosecution. The participation of each vehicle, bicycle or person in an event in violation of this ordinance or a permit issued hereunder shall be considered a separate offense. The applicant or event promoter is responsible for each said violation.

69.15 - REPEALER.

All ordinances of the Town of Grand Rapids which are in conflict herewith are hereby repealed to the extent of such conflict.

This ordinance shall take effect from and after the date of its passage and publication as provided by law.

HISTORY

**Declaration/Ordinance/Resolution No 2015-14
RESOLUTION NO:**

2015-14
2016-06

Dated

14-April-2015
27-January-2016