

CITY OF CEDARBURG
POLICY/PROCEDURE MANUAL

UBJECT: PUBLIC EVENT POLICY

PR-3

A. Purpose:

To establish a procedure which permits individuals, organizations and agencies to conduct public events in the City of Cedarburg Park System in accordance with the Municipal Code of Cedarburg.

B. Scope:

This policy sets forth minimum guidelines which will control the application process, scheduling, conduct of and clean-up of public events in City parks.

C. Discretionary Approval Authority:

Common Council/Park and Forestry Board/Parks and Recreation Department. The City at all times reserves the right to exercise its discretion in implementing this policy based on its consideration of public policy, community health and safety issues.

D. Specific Subject: Public Event Policy:

1. Definition of a Public Event: A Public Event is a planned special occurrence on park property, which requires exclusive use of a portion of the park and has community-wide appeal, with an anticipated attendance in excess of 250 people. Events include, but are not limited to athletic activities, festivals, concerts, circuses, assemblies, parades and shows.
2. Event sponsors are required to submit an application form registering the event. Application forms submitted less than 45 days prior to the event may not be considered.
3. Additional notification of public events will be given to other affected City departments. The Parks and Recreation Director may obtain the recommendation of other governmental agencies as necessary prior to the approval or denial of an event permit.
4. Park facilities must be secured before a Public Event Permit is granted.
5. The Parks and Recreation Department reserves the right to deny a Public Event Permit if the event is incompatible with the park area or conflicts with other scheduled or unscheduled park usage.
6. The Parks and Recreation Department and the Police Department may establish temporary rules and regulations to insure the best interests of the community are considered.
7. Event organizers shall meet with the Parks and Recreation Director or his designee a minimum of 20 days prior to the event to plan event details. Parks and Recreation Department services, such as, labor, equipment, materials and supplies, needed to conduct the event should be arranged as soon as possible. The actual costs of these services will be billed to the event sponsor.

8. Event organizers are encouraged to meet with the Parks and Recreation Director or his designee no more than 45 days after the event to evaluate the event.
9. All city parks are open from 5:00 a.m. to 11:00 p.m., with the exception of All Children's Playground which closes at 10:00 p.m. Scheduled activities may not begin within park boundaries before 7:00 a.m. Any deviation from these hours must have prior approval from the Park and Forestry Board.
10. Some events may require special permits, as stated on the Application for Permits and Facilities. All fees and security deposits for services and permits must be paid in full at the Parks and Recreation Department Office at least 15 days prior to the scheduled event. Permits will not be issued until all fees are paid.

E. Deposits:

1. The Parks and Recreation Department reserves the right to require a deposit to cover any costs associated with this event.
2. There will be no refund of fees due to cancellation unless the Parks and Recreation Department is notified two weeks prior to the activity or where, in the opinion, of the Parks and Recreation Director, inclement weather prevents the scheduled activity from occurring and there has been no cost to the City. Rescheduling of activities due to rainouts or other uncontrollable circumstances will be permitted if facilities are available and additional fees incurred by the City, which have been created due to the rescheduling, have been paid by event sponsor.
3. Deposits will be refunded in part or in full depending on the condition the facilities and/or grounds are left in and upon compliance with this policy.
4. Deposits or partial deposits will be retained if keys or padlocks are lost or if damages have resulted to the facility, its equipment or furnishings, or if the park grounds used are not returned to their original condition, in reasonable proportion to the actual damage.
5. Deposits will not be refunded until all keys have been returned, and the park area checked by maintenance personnel.

F. Compliance with Wisconsin Administrative Code:

1. All tents must be erected in accordance with Chapters ILHR 14, sub-chapter XIX and ILHR 62, sub-chapter III of the Wisconsin Administrative Code.
2. All amusement rides must comply with Chapter ILHR 34 of the Wisconsin Administrative Code; and Title 7, Chapter 6 of the Municipal Code of Cedarburg.
3. All portable propane tanks for food preparation or other activities, must comply with Chapter ILHR 8 of the Wisconsin Administrative Code.
4. All food service must comply with Chapter HSS 196 of the Wisconsin Administrative Code.

5. The sale and serving of alcoholic beverages must comply with regulations in Chapter 125 of the Wisconsin Statutes and Title 7, Chapter 2 of the Municipal Code of Cedarburg.
6. All federal, state and/or local regulations, laws, ordinances, and rules that are applicable must be observed.

G. Layout Map:

Prior to receiving approval for a public event, the sponsor must provide a map of the park area showing the location of all facilities and services to include, but not limited to, concessions, rides, parking, fencing, portable toilets, dumpsters, stages, etc. Obtain map at the Park and Recreation Department Office.

H. Utilities:

1. Any temporary installation of electrical services must be approved in advance by the Parks and Recreation Department and by City permit and the total cost of which will be borne by the sponsor. Any service shall be installed by a licensed electrician, and inspected and approved by the City Building Inspection Department.
2. Adequate electrical capacity to support the demands of the event shall be the responsibility of the sponsor.
3. The cost of additional electrical supply beyond the permanent service shall be borne by the sponsor of the event.
4. All necessary precautions shall be taken to protect the existing electrical service from overload and damage.
5. The public events sponsor, upon receiving approval for the event, must contact Digger's Hotline (1-800-242-8511) and arrange for utility locations before any material is driven into the ground. Contact should be made at least three working days prior to the setup date of the public event to allow utilities adequate time to locate their underground utilities. Event sponsors will be held liable and will repair at full cost any and all damages done to utilities.
6. If a water supply is needed, provisions must be made by the sponsor.

I. Cleanup and Refuse:

1. The event sponsor shall provide sufficient refuse containers and dumpsters to meet the anticipated demand. Dumpsters will be located close to hard surface roads and shall be emptied on an as-needed basis. Cost to be borne by the sponsor.
2. Cleaning and clearing of the park area during and after a public event is the responsibility of the sponsor. The area will be entirely cleared of litter within 24 hours of the end of the public event. All portable objects such as tents, fencing, portable toilets, etc. shall be removed within 48 hours of the end of a special event. If cleaning and clearing of the park area is not accomplished by the event sponsor within the time allotted, the same shall be accomplished by

the Parks and Recreation Department and the cost will be deducted from the deposit or billed to the sponsor.

3. It is recommended that refuse materials be recycled whenever and wherever possible.

J. Parking:

1. No parking or driving of any vehicle on turf or paved areas outside designated parking areas is allowed at any time of the year, unless prior written approval is granted by the Parks and Recreation Department.
2. The sponsor shall provide an adequate number of individuals to control and regulate the parking of vehicles in designated parking areas.
3. Event sponsors are responsible for any damage done to turf areas.

K. Traffic Control:

All traffic control measures must be coordinated with and approved by the Cedarburg Police Department and a copy of the approved plan shall be provided to the Parks and Recreation Department.

L. Noise Control:

1. Any live, amplified, or recorded music shall require approval by the Cedarburg Police Department and the Parks and Recreation Department including the obtaining of all required permits consistent with PR-1. Sound amplification is allowed at Cedar Creek Park, Boy Scout Park and Cedarburg Community Pool only as permitted in the City Noise Ordinance. It is recommended that speakers be pointed away from residential areas.
2. If requested by the Cedarburg Police Department, the sponsor of a public event shall reduce the sound volume if complaints are being generated that the sound is creating a public nuisance. Compliance with City Ordinance, Section 11-2-9: Loud and Unnecessary Noise Prohibited is required and failure to comply may result in closure of the event.
3. Music cannot begin prior to 9:00 a.m. and must end by 9:00 p.m. during the months of June, July and August and 7:00 p.m. from September to May. Exceptions must be approved by the Parks and Recreation Department.

M. Concessions:

1. Sponsors of public events that provide food and beverage concessions are responsible for securing all necessary licenses and permits, with copies submitted to the Parks and Recreation Department. Cedarburg Chamber of Commerce and Cedarburg Festivals, Inc. shall comply with Section 7 - 14, "Festival Celebration Permit".
2. If the sponsor elects to contract this service to a commercial vendor(s), the names and addresses of such vendors shall be provided to the Parks and Recreation Department during the application process.

3. All beverages must be dispensed in paper or plastic containers or aluminum cans. The use of recyclable containers is recommended. Glass containers are not permitted.
4. Sponsors wishing to dispense fermented malt beverages and wine containing not more than 6% alcohol by volume must first secure a Temporary Class "B" Retailer's License from the Cedarburg City Clerk's Office. The public event sponsor is responsible for requesting such a permit from the City Clerk, in accordance with Section 7-2-4 (e) (2), to permit approval prior to the scheduled activity. At least one person shall hold an operator's license and be present at all times when fermented malt beverages and wine less than 6% alcohol by volume are sold or offered for sale at an event for which a Temporary Class "B" Retailers License has been issued.
5. Sale of concessions will not be allowed after 10:00 p.m., unless an extension has been granted by the Park and Forestry Board. Extension of time for the sale of fermented malt beverages or wine less than 6% alcohol by volume beyond times listed in Policy CC-15 shall be granted by the Common Council.

N. Security and Protection:

Event sponsors are responsible for providing safety and security for all attendees. Measures must be taken to maintain order and to enforce all laws, rules, and regulations pertinent to the event. Event sponsors are required to:

1. Confer with the Cedarburg Police Department to establish, review and approve a security and safety plan. The Police Department may deny the event permit if the plan is inadequate.
2. Provide security and safety measures deemed necessary to insure the public's health, safety and welfare.
3. Follow-through with the approved plan throughout the event.

O. Toilet Facilities:

1. In addition to toilet facilities available in the immediate park area, portable toilets and portable hand washing facilities may be required for health and sanitation reasons at the expense of the sponsoring agency/organization.
2. Toilet facilities shall be provided based on the anticipated peak crowd size in accordance with Chapter 55 (Table 55.32) of the WI Administrative Code.
3. Any portable toilets shall be located within the authorized area of the public event. If a beer permit has been granted, a selected number of portable toilets will be placed within 400 feet of the beer drinking area. Placing toilets close to security lighting is preferred.
4. Portable toilets shall be properly enclosed, in good repair, and a minimum of 100 feet away from food preparation area. Prevailing winds should be considered when placing portable toilets.

5. Portable toilets used for a public event shall be kept in a clean and usable condition by the sponsor. This will include periodic inspection by a representative of the sponsor to ensure proper functioning of the toilets and adequate supply of toilet paper.

P. Equipment:

1. Applicant for an event permit is responsible for obtaining, erecting, removal and return of any required signs, barricades, equipment (park benches, tables, trash barrels, etc.) or supplies required for said event. All costs to be borne by the event sponsor. All Department issued equipment will be charged to the event sponsor in accordance with the Department's fees and charges policy, without exception.
2. All signs, barricades, supplies and animal feces must be removed immediately following the event. Facilities and grounds shall be returned to the same condition as prior to the event, to include sweeping if necessary.
3. For all street closings, lighted barricades will be required after dark and a Street Use Permit shall be obtained from the City Clerk.
4. Any live or amplified music and public address systems will be allowed in Cedar Creek Park, Boy Scout Park and the Cedarburg Community Pool as permitted in the City Noise Ordinance.
5. Open fires on the ground in any park will not be permitted.
6. Decorating will be permitted only with the approval of the Parks and Recreation Department and must be removed within 24 hours of the end of the public event. All decorations must conform to state and municipal fire codes. Decorations may not be hung by puncturing or girdling trees by any means.

Q. Insurance:

1. Any group or sponsor conducting a public event will be required to provide a comprehensive general liability insurance policy naming the City of Cedarburg as an additional insured, including contractual liability insurance, property damage and personal injury.
2. In addition to the above coverage, the sponsor must provide any or all of the following coverages, if any of these conditions exist during the conduct of a public event:
 - A. Comprehensive Automobile Liability Coverage - If the sponsor will be hiring any owned, hired, or non-owned motor vehicles.
 - B. Worker's Compensation Coverage - If the sponsor will be using any employees during the event.
 - C. Personal Injury Coverage - If the sponsor is securing the services of a private security agency.
 - D. Product and Completed Operations Coverage - If the sponsor will be selling or distributing any food, beverage, or non-consumable product.

3. The City requires a certificate of insurance, with all of the coverages listed within thirty (30) days after approval of the event is granted, or no later than ten (10) days prior to the event. The policy shall state that the insurance will be effective during the event dates and that the Parks and Recreation Director of the City of Cedarburg will receive notice from said insurance company if the policy is canceled prior to these dates. The Cedarburg Chamber of Commerce and Cedarburg Festivals, Inc. insurance requirements are stated in Section 7-14 "Festival Celebration Permit". Notice of cancellation would go to the City Clerk's Office.
4. Individuals who are registering to participate in a public event such as a race, run, walk, or athletic event must complete a waiver statement provided by the sponsor acknowledging their acceptance of any risk to participate.
5. Insurance coverage shall have minimum limits of liability of \$1,000,000 aggregate and \$500,000 per occurrence.

The City of Cedarburg reserves the right to designate the appropriate level of insurance and, if substantial risk is present, may require additional levels of coverage.

6. Indemnification: Event sponsors shall indemnify and hold harmless the City, its officers, agents and employees from and against all claims, damages, losses and expenses, including attorneys' fees arising out of or resulting from the performance of the event, provided that any such claim, damage loss or expense (a) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including the loss of use resulting therefrom, and (b) is caused in whole or in part, by any negligent act or omission of the event sponsors, any subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder.

R. Waiving Charges for Public Events

1. Fees are charged based on an all areas park rental fee as reflected in PR-1.
2. Fees may be waived by the Council.
3. If proceeds from the event are being donated to the Park System, fees may be paid at the time the proceeds are donated to the Parks and Recreation Department.
4. Park rental fees for Cedarburg Chamber of Commerce and Cedarburg Festivals Inc. are waived for the events listed in Policy PR-1.

Adopted: 4/8/96
Revised: 7/10/00

PUBLIC EVENTS CHECK LIST

Please check all statements that apply and mark N/A if not applicable.

- ☐ 1. Have you met with a representative from the Parks and Recreation Department and other city departments as necessary to ensure compliance with all rules and policies?
- ☐ 2. Have you reserved the necessary facilities to conduct your event?
- ☐ 3. Have you requested auxiliary electricity if necessary?
- ☐ 4. Have all the underground utilities been located by Digger's Hotline or Parks and Recreation Department staff before pounding stakes or fence posts into the ground?
- ☐ 5. Have you secured trash dumpsters, portable toilets and the disposing and cleaning of these facilities?
- ☐ 6. Have you secured a Temporary Class "B" License and Operators' Licenses from the City Clerk's Office?
- ☐ 7. If erecting tents, have you complied with Wisconsin Administrative Code, Chapters ILHR 62, Subchapter III and ILHR 14, Subchapter XIX? Have you secured the required permits from either the Department or the Fire Department?
- ☐ 8. If amusement rides will be available, have you complied with Wis. Administrative Code, Chapter ILHR 34; and have you secured the Transient Entertainment License needed to operate amusement rides?
- ☐ 9. If you are selling food and beverages, have the necessary licenses and permits been secured?
- ☐ 10. Has a comprehensive general liability insurance policy been secured with a Certificate of Insurance on file at the Parks and Recreation Department Office?
- ☐ 11. Has a security plan been developed for the event, with approval being granted from the Police Department?
- ☐ 12. If using City right-of-way for your event, a Street Use Permit, issued by the City Clerk is required.
- ☐ 13. If you have not checked a statement or have written N/A for any of the above statements, please indicate the reason why next to the question.
- ☐ 14. Have parking permits been requested?
- ☐ 15. Has amplified music permit been requested from the Cedarburg Police Department?

I have read all the information supplied here and have answered all the questions.

Signature

Date

Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.

The smoke outlet shall be designed and constructed so as to open by gravity, and so as to effectively overcome the effects of neglect, rust, dirt, frost, snow, heat, twisting, or warping of the frame work. The louvers, or dampers in the openings shall be held closed by cotton or hemp cords running to the stage floor close to each stage door. Fusible links, or other approved heat release devices, shall be inserted in each cord near the outlets.

Comm 55.25 Stage vestibules. All entrances to the stage shall be vestibuled in such manner as to protect the curtain, scenery, and auditorium from drafts of air.

Comm 55.26 Footlight trough. The footlight trough shall be made of, or lined with, incombustible material.

Comm 55.27 Fireproof paint. All stage scenery, properties, curtains, and decorations made of combustible material, and all woodwork in or about the stage, shall be effectively flame-proofed.

Comm 55.28 Stage accessory rooms. (1) All property rooms and other storage or workrooms shall be built of non-combustible material throughout, and shall be separated from the stage by 4-hour fire-resistive rated construction.

(2) All dressing rooms shall be separated from the stage by 2-hour fire-resistive rated construction. No dressing room or employees' room may be placed more than one story below the grade line, and no dressing room may be placed above or below the auditorium unless separated therefrom by 2-hour fire-resistive rated construction.

History: 1-2-56; am. Register, January, 1994, No. 457, eff. 2-1-94.

Comm 55.30 Lights and lighting. (1) Electric lights shall be used for lighting where electric current is available. No oil lamps or other open lights shall be used in or about any stage containing scenery.

(2) No gas lighting of any kind shall be used on any stage containing scenery, nor in any property room, storage room, scene dock, or fly gallery, except in localities where electricity is not available.

(3) In all theaters and assembly halls, all stairways, passageways, and exit doors shall be properly lighted and shall remain lighted throughout every performance or entertainment and until the audience has left the building.

Comm 55.32 Sanitary facilities. (1) **TOILET ROOMS.** All occupancies included under the scope of this chapter shall be provided with separate toilet rooms for each sex. Separate toilet rooms for the employees and the general public need not be provided if the toilet rooms are accessible to both the employees and the general public.

(a) *Toilet rooms in connection with stage.* In theaters and assembly halls which are equipped for the showing of stage productions, separate toilet rooms for each sex, furnished with at least one water closet and one lavatory, shall be provided in connection with the stage.

(b) *Toilet room in connection with motion picture booth.* In theaters where motion picture machines are run continuously for a period of more than 2 hours without at least 10 minutes intermission for the motion picture machine operator for each 2-hour period, a toilet room, furnished with one water closet and one lavatory, shall be provided in direct connection with the motion picture booth.

(2) **SANITARY FIXTURES.** The number of water closets, urinals, lavatories and drinking facilities required for the total number of occupants of each sex shall be determined in accordance with the ratios established in Table 55.32, but in no case shall the ratio of the number of fixtures to number of employees be less than those specified in Table 54.12-B. The total number of occupants will be considered equally divided between men and women unless a dif-

ferent ratio is established and submitted to the department and accepted.

Note: Chapter Comm 90 also has requirements for minimum numbers of sanitary fixtures for a public swimming pool, as based on the pool area. For some buildings, the minimum number of sanitary fixtures determined in that manner may be larger than the minimum number determined in accordance with this subsection. Compliance with this subsection does not relieve an owner from complying with ch. Comm 90.

TABLE 55.32
NUMBER OF FIXTURES REQUIRED FOR PATRONS/OCCUPANTS
IN PLACES OF ASSEMBLY

Type of Fixture ¹					
Number of Patrons/ Occupants of Each Sex ²	Water Closets (WC)			Drinking Facilities (DF)	Lavatories ³ (L)
	Males (M)	Females (F)	Urinals (U)		
1- 100	1	1	0		
101- 200	1	2	1	One (DF) for each 150 occupants or fraction up to 600	One (L) for each 2 fixtures (WC) or (U) required, or both, or fraction
201- 250	1	3	2		
251- 300	1	4	2		
301- 350	2	5	2		
351- 400	2	6	2		
401- 450	2	7	3		
451- 500	2	8	3		
501- 600	2	9	4		
Over 600	One (WC) for each additional 600 (M) or fraction; one for each additional 275 (F) or fraction		One (U) for each additional 500 (M) or fraction	One additional (DF) for each additional 3000 occupants or fraction	
Taverns and restaurants⁴					
	One (WC) for each 75 (M) or fraction; one (WC) for each 30 (F) or fraction		One (U) ² for each 50 (M) or fraction	0	
Swimming Pools⁴					
1- 100	1	2	1	One (DF) for each 150 occupants or fraction up to 600; one additional (DF) for each additional 3000 occupants or fraction	1
101- 200	1	3	2		2
201- 400	2	4	2		2
401- 700	2	4	3		3
700+	3	5	3		3

¹The ratio of the number of fixtures to the number of occupants accommodated in excess of 300 need be one-half of the figures shown.

²The urinal may be omitted in restaurants which accommodate less than 25 males and do not serve alcoholic beverages.

³A minimum of one lavatory shall be provided in each toilet room. Where a single toilet room designated as UNISEX is provided, it shall be considered as accommodating no more than 10 employees and 25 occupants.

⁴Showers shall be provided for public swimming pool facilities as required by ch. Comm 90.

Note: For structures with additions or alterations, the required number of sanitary fixtures shall be the sum of the fixtures required for the existing portion at the time it was constructed plus the fixtures required by this table for the new addition or altered area. At such time as the summation of the addition and alteration area is equal to or greater than 51% of the building area calculated as specified in s. Comm 50.03 (4) (d), fixtures shall be provided in conformance to this table utilizing the capacity of the entire building.

Note: See also rules of the department of health and family services for sanitary fixtures for mobile home parks, camping grounds, camping resorts, recreational camps and educational camps.

Note: For mixed-use facilities such as a dinner theater, use the required number for restaurants as specified in s. Comm 54.12 (2) (d) 2.

Note: See chapter Comm 69 for the percentage and design of accessible drinking facilities.

Note: For a multi-use building, as illustrated in the following example, fixtures must be provided as required for each of the differing uses represented in Table 55.32 and in the rules of other agencies. The requirements in other codes pertaining to sani-