

**ORDINANCE NO.:** 12-0-02  
**SPONSOR:** MAYOR BOLLAS  
**INTRODUCED:** MAY 2, 2012 (Amended June 20, 2012)

**AN ORDINANCE TO ESTABLISH A SPECIAL EVENT PERMIT PROCEDURE IN NEW FRANKLIN.**

WHEREAS, certain special events are conducted within New Franklin city limits; and

WHEREAS, to ensure that the special events are conducted in a manner that ensures the safety of New Franklin residents and guests, it is necessary to establish a special event permit procedure.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW FRANKLIN, COUNTY OF SUMMIT, AND STATE OF OHIO, THAT:**

**SECTION ONE: Special Event Definition**

For the purpose of this ordinance, a special event is defined as any event that a sponsoring individual or organization wishes to conduct and promote within the New Franklin municipal limits. Events include, but are not necessarily limited to, races, walks, bicycle events, parades, carnivals, festivals, concerts, and car shows.

THIS SPECIAL EVENT DEFINITION IS NOT INTENDED TO APPLY TO EVENTS SUCH AS GRADUATION PARTIES, BIRTHDAY PARTIES, ANNIVERSARY PARTIES, OR SIMILAR ACTIVITIES THAT DO NOT INVOLVE THE NEED FOR NEW FRANKLIN SAFETY FORCES OR OTHER MUNICIPAL SUPPORT. HOWEVER, IF AN EVENT WILL HAVE AN IMPACT ON PUBLIC ROADS OR NORMAL TRAVEL WITHIN NEW FRANKLIN CITY LIMITS, THEN A SPECIAL EVENT PERMIT WILL BE NECESSARY. BY WAY OF EXAMPLE ONLY, A NEIGHBORHOOD BLOCK PARTY THAT INVOLVES THE CLOSING OF PUBLIC ROADS WOULD REQUIRE A SPECIAL EVENT PERMIT.

THIS SPECIAL EVENT DEFINITION IS NOT INTENDED TO APPLY TO EVENTS HELD AT CRAFTSMAN PARK, THE ROTARY CAMP, PORTAGE LAKES STATE PARK, NEW FRANKLIN PARKS, ANY PUBLIC OR PRIVATE SCHOOL PROPERTY, ANY NEW FRANKLIN CHURCH PROPERTY, OR ANY NEW FRANKLIN BUSINESS WHEN THE EVENT DOES NOT INVOLVE THE NEED FOR NEW FRANKLIN SAFETY FORCES OR OTHER MUNICIPAL SUPPORT AND DOES NOT HAVE AN IMPACT ON PUBLIC ROADS OR NORMAL TRAVEL WITHIN NEW FRANKLIN CITY LIMITS.

**SECTION TWO: Permit Required**

A permit is required for any special event conducted wholly, or in part, within the New Franklin municipal limits. The purpose of the special event permit is to provide the City with adequate information and time to provide for appropriate emergency

provisions or other municipal support if needed.

A special event permit application form shall be adopted by the Director of Public Service and is to be provided to all individuals or organizations who want to conduct a special event in New Franklin. No organizer of a special event shall promote or conduct a special event without first having obtained a permit.

Any event sponsored solely by the City of New Franklin is exempt from the permit requirement and process.

**SECTION THREE: Permit Applications**

The individual or organization requesting the special event permit shall file an application on the form provided by New Franklin not less than 90 days nor more than one year before the date on which the special event is to be conducted. The Director of Public Service, where good cause is shown, shall have the authority to consider any application which is filed less than 90 days before the date the special event is proposed to be conducted.

The individual or organization requesting the special event permit shall pay a fee of ~~\$100.00~~ \$50.00 along with the application. For events that New Franklin has agreed to co-sponsor, the ~~permit fee shall be \$50.00~~ MAYOR SHALL HAVE THE AUTHORITY TO WAIVE THE APPLICATION FEE.

**SECTION FOUR: Police Protection**

The Director of Public Service, along with the Police Chief, shall determine whether, and to what extent, police protection is reasonably necessary for the event for purposes of traffic control and public safety. This decision shall be based on the size, location, duration, time, and date of the event, the expected sale or service of alcoholic beverages, the number of streets, sidewalks and intersections, if any, to be blocked, and the need to detour or preempt ordinary citizen travel and use of the streets and sidewalks. If police protection for the event is deemed necessary by the Director of Public Service and the Police Chief, they shall inform the applicant for the permit. The applicant then shall have the duty to secure the police protection deemed necessary by the Director of Public Service and the Police Chief at the sole expense of the applicant.

**SECTION FIVE: Emergency Medical Protection**

The Director of Public Service, along with the Fire Chief, shall determine whether, and to what extent, emergency medical personnel and equipment is reasonably necessary for the event for purposes of public safety. This decision shall be based on the size, location, duration, time, and date of the event, and the expected sale or service of alcoholic beverages. If emergency

medical personnel or equipment for the event is deemed necessary by the Director of Public Service and the Fire Chief, they shall inform the applicant for the permit. The applicant then shall have the duty to secure the emergency medical personnel and equipment deemed necessary by the Director of Public Service and the Fire Chief at the sole expense of the applicant.

**SECTION SIX: Other City Personnel**

Applicants shall pay the cost of city personnel who are required by the city to work overtime hours or other than regular shift hours during, or as a result of, the special event.

**SECTION SEVEN: Permit Conditions**

Any special event permit granted under this ordinance may contain conditions reasonably calculated to reduce or minimize any inconvenience or danger to the health, safety, tranquility or welfare of the general public. The conditions may include, but are not limited to, changes in time, duration, number of participants, or sound emanating from the event.

**SECTION EIGHT: Standards for Issuance**

A permit shall be issued by the Director of Public Service when, after consideration of the application and from such other information that may otherwise be obtained, the Director of Public Service finds that all of the following circumstances exist:

1. The applicant has not knowingly made any false, misleading or fraudulent statements of material fact in the application for a permit or in any other documents required pursuant to the permit process.
2. The applicant has met the standards in this ordinance and has agreed to pay any costs and fees required and has agreed to any conditions that are imposed on the permit.
3. The time, duration and size of the event will not substantially disrupt the orderly and safe movement of other traffic.
4. The event is of a size or nature such that it will not require the diversion of so great a number of police officers so as to prevent normal police protection to the city.
5. The concentration of persons will not unduly interfere with proper police and fire protection of, or ambulance service, to areas contiguous to the special event.
6. The event will not interfere with the movement of firefighting equipment en route to a fire.
7. The event will not unduly interfere with the orderly operation of churches, schools, or other public and quasi-public institutions in New Franklin.
8. The applicant has provided reasonable means for informing all persons participating in the special

event of the terms and conditions of the permit and the laws applicable to the event.

9. The event will not conflict with, or interfere with, another special event for which a permit has been granted.

**SECTION NINE: Notice of Issuance or Denial**

Written notice of the issuance or denial of a special event permit shall be provided within 30 days of receipt of an application, or as soon as practicable, if received less than 90 days in advance of the proposed date of the event.

**SECTION TEN: Revocation of Permit**

Any permit for a special event issued pursuant to this ordinance may be revoked by the Director of Public Service at any time when, by reason of emergency, disaster, calamity, disorder, riot, traffic conditions, violation of this ordinance or of any permit conditions or undue burden on public services, the Director of Public Service determines that the health, safety, tranquility, and welfare of the public requires such revocation.

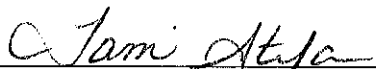
**SECTION ELEVEN: Effective Date**

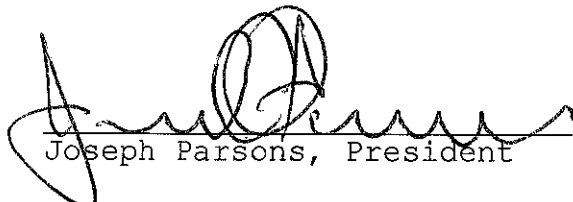
This Ordinance shall apply to any special event conducted on or after September 1, 2012.

**SECTION TWELVE: Open Meetings**

The City of New Franklin finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberation of this Council and any other Committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

ADOPTED: June 20, 2012

  
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Tami Stefan, Clerk

  
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Joseph Parsons, President

APPROVED: June 20, 2012

  
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Al Bollas, Mayor

ENACTED EFFECTIVE: June 20, 2012

ON ROLL CALL: Adamson, Yes. Harget, Absent. Jones, Yes.  
Gehm, Yes. Kalapodis, Yes. Parsons, Yes.  
Stock, Yes.

Publications in Leader on June 29, 2012 and July 6, 2012.

  
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Tami Stefan, Clerk