

City of Hamilton Special Events Checklist

___ Return information at least 7 days prior to event

___ Completed Permit Application

___ Application Fee

___ Park Rental Fee (if applicable)

___ Refundable Security Deposit

___ Proof of Liability Insurance Listing the City of Hamilton as an Additional Insured

___ Letter requesting a waiver of HMC 9.12.030 (open container) (if applicable)

**CITY OF HAMILTON
SPECIAL EVENT USE PERMIT APPLICATION**

Event Information

Date: _____ Time: _____

Location:	Legion Park	<input type="checkbox"/>	Baseball Field	<input type="checkbox"/>
	Claudia Driscoll Park	<input type="checkbox"/>	Band Shell	<input type="checkbox"/>
	Hieronymus Park	<input type="checkbox"/>		
	River Park	<input type="checkbox"/>	Other _____	
	Kiwanis Park	<input type="checkbox"/>		

Nature of Event: (Describe in detail)

Number of Participants: _____ Number of Vehicles: _____

Route of Travel/Place of Assembly/Place of Disbandment:

Traffic Control Plan: (Attach map if necessary)

Organizer Information:

Name of Event Sponsor: _____

Address: _____

Daytime Phone: _____

Contact Name: _____ Contact Phone: _____

A contact person must be available and present during the event.

CITY OF HAMILTON

SPECIAL EVENT USE PERMIT APPLICATION

Section 12.28.080 Hold Harmless, of the Hamilton Municipal Code, states that applicants for a Special Event Use Permit shall agree in writing to hold the City and its employees harmless for any and all claims, lawsuits or liability including attorneys fees, costs allegedly arising out of loss, damages, or injury to person or person's property occurring during the course of or pertaining to the Special Event caused by the conduct of employees or agents of applicants.

By signing below, the organizer acknowledges and agrees to the following:

1. Organizer agrees to hold the City and its employees harmless as stated above.
2. Organizer has read Sections 12.28.010 through 12.28.090 of the Hamilton Municipal Code. If using a city park, Organizer has read Sections 12.20.010 – 12.20.040 of the Hamilton Municipal Code and reviewed the Park Rules and Regulations.
3. Organizer has read Special Event Use Permit Information, including responsibilities of event organizer.
4. Organizer has read Resolution #1158, which lists rental fees and security deposit requirements.
5. Organizer is responsible for removal of trash and/or refuse after each event. For events held in city parks, the organizer must bring their own trash bags. If large amounts of trash will be accumulated, the organizer is required to arrange a special pickup of the dumpsters by Bitter Root Disposal (363-3630).
6. If alcohol is to be consumed, organizer agrees to abide by all conditions specified by the City.
7. A public area where food is being served or consumed shall be designated by the organizer with signs prohibiting the presence of animals within said public area. [Hamilton Municipal Code 6.08.040 and 6.04.020]

Organizer Name (Print)

Organizer's Signature

FOR CITY USE ONLY:

Application fee:	Amount: _____	Check No.: _____	Date: _____
Rental Fee:	Amount: _____	Check No.: _____	Date: _____
Deposit:	Amount: _____	Check No.: _____	Date: _____
Routing/Copies:	Admin: _____	Police: _____	Parks: _____ Pub Wks: _____ Fire: _____ State: _____
Reserved Signs:	Parks: _____		
Returned Deposit:	Amount: _____	Check No.: _____	Date: _____

Section 9.12.030 (Open Container) of the Hamilton Municipal Code is ___/is not ___ waived subject to the following conditions:

City of Hamilton, Mayor

**CITY OF HAMILTON
Resolution #1158**

**A RESOLUTION OF THE HAMILTON CITY COUNCIL ESTABLISHING A FEE
SCHEDULE FOR SPECIAL EVENTS IN THE CITY PARKS AND CITY PARK
FACILITIES.**

WHEREAS the City Council has, by ordinance, established Chapter 12.28, Special Events, of the Hamilton Municipal Code; and

WHEREAS in accordance with Chapter 12.28 of the Hamilton Municipal Code, the City Council is responsible for setting the Special Events application fees, park and facility rental fees, and the security deposit; and

WHEREAS, the City Council has a duty to insure that the City is managed in a fiscally prudent manner; and

NOW BE IT THEREFORE RESOLVED that the City Council hereby rescinds Resolution No. 922 and establishes the following fees pursuant to Special Events Section 12.28.060 of the Hamilton Municipal Code. All requests for Special Events in regards to City Parks and City Park Facilities will be charged an application fee, a rental fee to reserve and use a portion or all of a park or park facility and a security deposit.

APPLICATION FEE: All applicants will pay \$15.00.

PARKS, FACILITIES AND STREET EVENTS FEES AND DEPOSIT

PARKS - Legion Park, Claudia Driscoll Park, Hieronymus Park, River Park, Kiwanis Park

Rental Fee	\$20.00
Security Deposit	\$500.00

FACILITIES - Vester Wilson Athletic Field (Baseball Field) and Community Band Shell

Baseball Field - available only in the '*Off Season*' and includes the Field, Bleachers, and Restrooms

All Day Use (8 a.m. to 10 p.m.)

Rental Fee	\$125.00
Security Deposit	\$500.00

Partial Day (4 hour limit)

Rental Fee	\$50.00
Security Deposit	\$500.00

Band Shell – Use is restricted to Music/Speech/Drama – 9:00 a.m. to dusk or 9:00 p.m., whichever is earlier, and a 4-hour limit per event

Rental Fee	\$20.00
Security Deposit	\$500.00

SPECIAL EVENTS REQUIRING TEMPORARY STREET CLOSURE

Security Deposit

\$500.00

NON PROFIT EVENT - There will be no rental fee charged for a non-profit event that is open to the public at large. The application fee and the security deposit are still required.

(*NON PROFIT EVENT* means any religious, charitable, social, educational, or civic group which does not distribute profits or dividends to the members thereof, and where profit is not its primary objective and the event is free of charge and open to all the public.)

NON PROFIT ORGANIZATIONS with their base of operation within the City limits shall be entitled to a 25% discount on rental fees for events that are intended for fundraising purposes.

DEPOSIT REFUNDS

Requirements to receive a full refund of the security deposit following an event:

1. No damages have occurred to site, equipment or property involved in the event.
2. All garbage was removed from the event.
3. All requirements of Chapter 12.28 of the Hamilton Municipal Code and all additional terms specified on the permit are satisfied.
4. Any City property damaged as a result of a Special Event must be repaired by the Special Event sponsor within seven calendar days of the conclusion of the Special Event.

RENTAL CRITERIA

1. Each facility is rented on a first come, first service basis.
2. A rental entitles the user to the use of an assigned area during reserved hours.
3. Any costs, due to damages caused by renter or any person(s) within their party, is the responsibility of the renter. This includes but is not limited to vandalism, damage or destruction caused by abusive use, garbage left at the site, or equipment which was moved that is not replaced to its original location (i.e. trash cans, picnic tables, benches, bases on ball fields, bleachers, etc).

DATED this 6 th day of July, after motion, second, and approval at a regular council meeting of the Hamilton City Council.



APPROVED:

Jerry E. Steele
Jerry E. Steele, Mayor

ATTEST:

Rose M. Allen
Rose M. Allen, City Clerk

CITY OF HAMILTON

SPECIAL EVENT USE PERMIT INFORMATION

In order to provide efficient risk management for the City of Hamilton and to provide safe areas for the participants, the following guidelines are required before a special event use permit will be issued.

A special event use permit will be issued after the applicant has reviewed and complied with the following criteria. This permit, in turn, will be directed to the appropriate City departments for their respective comments and signature. All applicants are required to comply with notations made in each comment section of the permit. Upon final review by departments, the Mayor or designee will give final approval of this permit.

Please allow at least 7 days to process the permit prior to the event.

You must include proof of \$1,000,000 liability insurance at the time you apply for the permit. The policy must name the City of Hamilton as an additional insured.

BLOCK PARTY- Applicants for this type of event will be required to place proper and legal barricades in the areas assigned by the Police and of the type as determined. These devices must be rented or acquired by the organizer through various vendors. If the event is at night, lighted flashing/warning devices may be required. If alcohol is served, compliance with regulations must be made. Adequate parking, restroom facilities, litter control, 12 foot wide "fire lane" access and the mandatory 12:00 a.m. conclusion are also factors to be considered when using City Right of Way for private events. The organizer must sign a required waiver of liability.

PARADES- Applicants for these events are required to provide a traffic control plan. The City urges the private sector to increase its role in community activities so that impacts on operating budgets and personnel can be minimized or eliminated. The Hamilton Police Department is unable to provide traffic control in all areas of the parade but will assist the organizer on an "as needed" basis. A traffic control plan will help all departments analyze the amount of personal/safety equipment needed to control this type of event.

RACES- FOOT/ BIKE- This event must adhere to the same criteria as is valid as with parades in that traffic control plans must be written and attached to the permit in order for all departments to view.

A TRAFFIC CONTROL PLAN: This includes a map or sketch of the route, people present at intersections, including their affiliation, safety equipment they will be using (orange vests, flashlights, and/or type of barricade). Also included will be the start and end locations of the event. The organizer shall indicate the number of participants, date and times. The organization will be required to adhere to all requirements of the permit including a waiver of liability.

CITY OF HAMILTON

SPECIAL EVENT USE PERMIT INFORMATION

POLICY: The policy of the Special Event Use Permit is for the enjoyment of City residents and visitors. Events that are scheduled are encouraged to be community-related functions with family orientation. The sponsors of events must take into consideration the impact of the event on the safety and health of the participants, area businesses, neighborhoods and the image of the City of Hamilton.

The City urges the private sector to increase its role in community activities so that impacts on operating budgets and manpower of City Departments can be minimized or eliminated.

RESPONSIBILITIES OF EVENT ORGANIZER:

- All debris caused by the function shall be cleaned up by the organization immediately upon completion. There shall be no permanent marking of any kind on any street, sidewalk or right of way.
- If barricades are required, the organization is responsible for placement and removal.
- It may be necessary for the organizers to furnish spotters or traffic control people depending on the size of the function.
- All organizers and participants shall review a copy of Chapter 12.28 Special Events, of the Hamilton Municipal Code, with special attention focused on section 12.28.050, which outlines Special Event Permit requirements. A copy of this chapter is included with the permit application. Please read it carefully to understand all issues pertaining to special event permits.
- If the event is to be held in a City park, all organizers and participants shall also review a copy of Chapter 12.20 City Parks, of the Hamilton Municipal Code and a copy of the Park Rules and Regulations. A copy of each is included with the permit application.
- Please fill out the Application Form and submit it to the Administration Office at City Hall at least seven (7) days prior to the event.
- The City of Hamilton may require that the Event Sponsor place barricades or warning signs in the event a street is closed or temporarily detained. The City may provide these devices if arrangements have been made. Please contact the Public Works Department at 363-2131 if you have any questions regarding proper signs or barricades.
- If alcohol is to be consumed, organizer must request a waiver of Section 9.12.030 of the Hamilton Municipal Code.

DEPOSIT INFORMATION:

- Security deposit shall be submitted with the Special Event Use Permit in the form of check or money order made payable to The City of Hamilton. The deposit check will be held with the application (upon approval) and returned to the event organizer upon completion of the event and compliance with the Special Events requirements.

ORDINANCE NO. 343

AN ORDINANCE OF THE HAMILTON CITY COUNCIL REPEALING CHAPTER 12.28 OF THE HAMILTON MUNICIPAL CODE (HMC) AS IT EXISTED PRIOR TO THE ADOPTION OF THIS ORDINANCE AND ADOPTING THE ATTACHED PROVISIONS WHICH SHALL HEREAFTER CONSTITUTE CHAPTER 12.24 HMC (SPECIAL EVENTS).

WHEREAS, notice of the public hearing was published as required by State law; and

WHEREAS, the City Council held a public hearing on July 6, 2010 and July 20, 2010; and

WHEREAS, the City Council held a first reading of this Ordinance No. 343 on July 6, 2010; and

WHEREAS, the City Council held a second reading of this Ordinance No. 343 on July 20, 2010.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hamilton that all of the provisions of Chapters 12.28 HMC, in existence prior to the adoption of this Ordinance No. 343 are hereby repealed and replaced with the attached, which shall hereafter constitute Chapter 12.28 of the Hamilton Municipal Code;

BE IT FURTHER ORDAINED, by the City of Hamilton City Council that this Ordinance No. 343 has been passed and approved upon the second reading thereof on this 20th day of July 2010.

APPROVED, ADOPTED AND SIGNED THIS 20TH DAY OF JULY 2010.




Jerry E. Steele, Mayor

ATTEST:


Rose M. Allen, City Clerk

Chapter 12.28

SPECIAL EVENTS

Sections:

- 12.28.010 Purpose.
- 12.28.020 Definitions.
- 12.28.030 Public conduct during special events.
- 12.28.040 Special event permit.
- 12.28.050 Special event permit issuance or denial.
- 12.28.060 Fees and security deposit.
- 12.28.070 Proof of insurance.
- 12.28.075 Waiver of insurance.
- 12.28.080 Hold harmless.
- 12.28.090 Violation — Penalty.

12.28.010 Purpose.

A. The city is interested in and encourages support of community-sponsored events. There are many social, cultural and financial benefits that are the result of including special events in the life of the community. Such benefits include general quality of life, economic growth, tourism, recreation, recognition of fine arts, charitable aid and many others.

B. Regardless of the recognized importance of special events, it is necessary that the city establish ordinances, policies and procedures which will allow for the advance planning and management of its personnel and financial resources and the public sidewalks, streets, and city-owned other city properties. The city requires any organization, entity or applicant desiring to use the streets, parks, public sidewalks, and rights-of-way to submit their application to the city at least ten days in advance whenever possible in order to facilitate the ability of city employees to, in advance, adequately plan, organize and assist in preparation for the event. (Ord. 214 (part), 2003; Ord. 131 (part), 1998: prior code § 5.02.010)

12.28.020 Definitions.

The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them:

“Bicycle race” means any race, contest, competition or any sponsored event.

“Block party” means an outdoor party put on by the residents of a city block or neighborhood.

“Demonstration” means any public gathering of twenty-five (25) or more persons for the purpose of a public display of grievances or in the support of any legal purpose.

“Fun run” means any race, contest, competition, or any sponsored event involving running, trotting, jogging, or alternately running and walking.

“Motorcade and parade” means any march or procession consisting of people, animals or vehicles, or combinations thereof, except funeral processions, upon any public street, sidewalk or alley, which does not comply with normal and usual traffic regulations or controls.

“Parade route” means the route of travel of the parade to include assembly, staging and disbanding areas.

The city may establish parade routes.

“Special events” means any parade, demonstration, motorcade, block party, march, fun run, walk-a-thon, athletic event, bicycle race or other group of people in which the activity takes place on, in, or through any public sidewalk, street, parks, or right-of-way.

“Street” means the part of any public road, street, highway or other public way that is open to traffic for motor vehicles. (Ord. 214 (part), 2003: Ord. 131 (part), 1998: prior code § 5.02.020)

12.28.030 Public conduct during special events.

A. Joining the Special Event. No person knowingly shall join or participate in any special event conducted in violation of any of the terms of the permit, nor knowingly join or participate in any permitted special event without the consent and over the objection of the permittee, nor in any manner interfere with its progress or orderly conduct.

B. Interference. No person shall hamper, obstruct or impede, or interfere with any special event or

with any person, vehicle or animal participating or used in a special event.

C. **Driving Through Special Events.** No driver of a vehicle, not participating in the event, shall drive between the vehicles or persons comprising a parade, fun run, bike race, or motorcade when such vehicles or persons are in motion and are conspicuously designated. Nothing in this section shall prohibit an emergency vehicle from interrupting a parade or motorcade for the purpose of responding to an emergency.

D. **Viewing the Special Event.** No person shall view, watch or observe the parade, motorcade, bike race, or fun run from the street or beyond the sidewalk curb or viewing area established on the parade permit.

E. **Parking on the Route.**

1. No vehicle larger than an automobile or pickup truck shall park along the special event route without prior approval.

2. The administration shall have the authority, when reasonably necessary, to prohibit the parking of vehicles along a designated two-block portion of the parade route. Signs shall be posted to such effect and it is unlawful for any person to park or leave attended any vehicle in violation thereof.

F. **Event Route.** It is unlawful for any participant in a special event to deviate from the preset agreed upon route.

G. **Throwing Objects.** No parade or motorcade participant shall throw, cast, or drop trinkets, or any other articles except candy. This provision does not prohibit a parade participant from handing, dropping or throwing candy directly to spectators in the viewing area. (Ord. 335)

12.28.040 Special event permit.

A special event permit shall be obtained from the city clerk or his/her designee and is required in order to conduct a special event within a public sidewalk, street, park, or public right-of-way. The permit will be applied for at least seven days in advance and will show:

A. The date and time of the event, name of event, name of event sponsor, contact person and this individual's phone number, number of participants/units, nature of the event, place of assembly, and map of the parade route. (Ord. 214 (part), 2003: Ord. 131 (part), 1998: prior code § 5.02.040)

12.28.050 Special event permit issuance or denial.

A. **Standards for Issuance.** The city clerk shall issue a special event permit conditioned upon the applicant's written agreement to comply with the terms of such permit.

1. No permit shall be necessary for sidewalk picketing, for under twenty-five (25) participants if it is being conducted in such a manner that allows pedestrian traffic an opportunity to pass by the picketing unobstructed. It must allow pedestrian and/or motor vehicle traffic an unobstructed opportunity for the ingress and egress to property.

2. No special event shall be conducted on a public street, sidewalk or right-of-way between the hours of twelve a.m. and six a.m.

3. The police chief or designee shall be empowered to reasonably designate the route of a parade or other special event within the general locale desired by the applicant. If the applicant is unwilling to modify the application to incorporate this change, the application shall be denied.

4. The police chief or designee may limit use of a street for a special event to one side or portion of a street whenever necessary in the public interest in order to provide and preserve public safety and traffic control in order to permit simultaneous use of streets by those participating in the special event and other motor vehicle traffic.

5. If the proposed special event is for the primary purpose of commercial advertising and it would disrupt streets or public places ordinarily subject to great congestion during the time of the special event, or would require such a diversion of police protection that it would deny reasonable police protection to the city, the application may be denied, unless the applicant modifies the proposed special event to satisfactorily deal with these concerns in a manner reasonably acceptable to the police chief or designee.

6. A special event permit application requiring police protection for public safety shall be denied if the application requests the conducting of a special event at the same time as another special event requiring police protection that is being conducted in a different vicinity at a different geographical location and the additional diversion of police protection would deny reasonable police protection to the city. The sponsor may be required to pay for security personnel approved by the chief of police or designee.

7. A special event permit application may be denied if it would require such a substantial amount of police protection for public safety that it would deny reasonable police protection to the remainder of the city, even when additional off-duty police officers would be employed on an overtime basis. The sponsor may be required to pay for security police.

8. A special event permit application shall be denied if the request is for a time and location where a

special event or street excavation or construction project has already been scheduled for that time and location and an irreconcilable conflict exists between the two so that they could not reasonably be conducted at the same time and location.

9. A special event permit application shall be denied if it would be:
 - a. Obscene pursuant to Montana state law;
 - b. Hazardous to public health or safety;
 - c. Would create an extraordinary amount of litter and the applicant has not presented an acceptable, effective plan for the applicant to clean up the litter immediately after the conclusion of the special event;
 - d. Would substantially interfere with emergency ambulance, fire or police service the applicant fails to modify the application request to satisfactorily alleviate or eliminate this interference with emergency services.
- B. An applicant desiring to appeal any denial of a permit application may immediately appeal to the mayor, or in the mayor's absence, the city council president. A decision on any appeal must be issued within twenty-four (24) hours after the appeal is submitted. (Ord. 214 (part), 2003: Ord. 131 (part), 1998: prior code § 5.02.050)

12.28.060 Fees & Security Deposit.

Fees and security deposits for Special Events shall be established by the city council by resolution.

12.28.070 Proof of insurance.

Proof of Insurance in the amount of one million dollars (\$1,000,000.00) combined single limit liability protecting the city of Hamilton from all claims for damages must be presented before a special permit will be issued. Such policy shall name the city as loss-payee or co-insured. (Ord. 214 (part), 2003: Ord. 131 (part), 1998: prior code § 5.02.070)

12.28.075 Waiver of Insurance.

The requirement for insurance specified in Section 12.28.070 will be waived provided the following criteria are satisfied:

- A. The Special Event is not open to the general public
- B. Alcohol will not be allowed at the Special Event
- C. The total number of persons attending the Special Event shall not exceed forty (40).

12.28.080 Hold harmless.

Applicants for a special event permit shall agree in writing to hold the city and its employees harmless for any and all claims, lawsuits or liability, including attorneys fees and costs, allegedly arising out of loss, damage or injury to person or persons property occurring during the course of or pertaining to the special event caused by the conduct of employees or agents of applicants. (Ord. 214 (part), 2003: Ord. 131 (part), 1998: prior code § 5.02.080)

12.28.090 Violation—Penalty.

Any violations of this chapter shall be a misdemeanor and will be prosecuted as such. (Ord. 214 (part), 2003: Ord. 131 (part), 1998: prior code § 5.02.090)

Chapter 12.20

CITY PARKS

Sections:

- 12.20.010 Park Management
- 12.20.015 Hours Parks are Open for Public Use
- 12.20.020 Firearms prohibited.
- 12.20.030 Certain vehicles prohibited.
- 12.20.035 Forbidden activities--Damage.
- 12.20.040 No unauthorized planting
- 12.20.045 Violation--Penalty.

12.20.010 Park Management

The City of Hamilton parks shall be managed for the enjoyment of the public utilizing the best management practices appropriate for each park.

12.20.015 Hours Parks are Open for Public Use

The City of Hamilton parks shall be open for public use only between the hours of 5:00 a.m. and 11:00 p.m.

12.20.020 Firearms and Other Weapons Prohibited.

It is unlawful for any person to possess or use any type of weapon, bow and arrow, air gun or firearm as defined in §9.32.010 of the Hamilton Municipal Code within the boundaries of any City park or to possess or use any similar type weapon or instrument within a City park. (Ord. 212 (part), 2003: prior code § 14.01.020)

12.20.030 Vehicles Prohibited.

No motor vehicles including, but not necessarily limited to, automobiles, motorbikes, motorcycles or all-terrain vehicles (ATV) may be operated, placed or maintained within any City park except for those areas within a City park used for public highways, or an area designated for parking. Authorized emergency or maintenance vehicles may be driven in City parks whenever an emergency or proper maintenance so requires. (Ord. 212 (part), 2003: prior code § 14.01.021)

12.20.035 Other Prohibited Activities

No person or persons shall drive, stake or attach any objects in or to the ground or to trees, other vegetation, or playground equipment within the areas of any City park without written authorization by the Mayor. (Ord. 212 (part), 2003)

12.20.040 No Unauthorized Planting

Planting of trees or any other vegetation in any City park must be authorized in writing by the Mayor. Any unauthorized planting shall be subject to removal and any person found planting without prior written authorization can be held responsible for the cost of removal. The City Council shall have the final determination regarding any unauthorized planting or removal.

12.20.045 Violation—Penalty.

Any person violating any of the provisions of this chapter shall be liable to the penalties as provided by Chapter 1.28 of this code. (Ord. 212 (part), 2003: prior code § 14.01.070)