

ORDINANCE NO. 2024-01

AN ORDINANCE TO AMEND CHAPTER 30 OF THE HILLSDALE CITY CODE TO ADD A NEW ARTICLE V GOVERNING THE USE OF THE STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES WITHIN THE CITY OF HILLSDALE FOR PARADES AND OTHER SPECIAL EVENTS.

THE CITY OF HILLSDALE HEREBY ORDAINS that Chapter 30 of the Hillsdale City Code is hereby amended to add a new Article V, which shall state in its entirety as follows:

ARTICLE V. - SPECIAL EVENTS

Sec. 30-141. - Use of public property for special events.

- (a) *Intent.* The City desires to provide the local community an opportunity to hold private events on public property by regulating the use of public parking lots, streets, rights-of-way, and parks in order that they may be reasonably accessed and enjoyed by the general public and not be usurped by commercial or special interest groups to the exclusion of the public, while preserving the health, safety and welfare of the public, remaining fully consistent with the Michigan Constitution, Michigan law, the City of Hillsdale Charter, and other City ordinances, so as to assure the enjoyment of the public at large, all without undue financial costs to the City of Hillsdale or its residents.
- (b) *Definitions.* The following words, terms, and phrases, when used in this Article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

City-sponsored event means a parade or other event open to the general public that is sponsored in whole or in part by the City, conducted by the City or conducted by or with a non-profit organization or another Michigan governmental entity, and for which the City pays for all or a portion of the costs associated with conducting the parade or other event. City-sponsored events are the Fourth of July Parade and Veteran's Day observance. Other parades and events may be designated by the City Council from time-to-time by resolution.

Non-profit organization means an organization or entity that is exempt from the payment of tax pursuant to section 501(c)(3) of the Internal Revenue Code.

Person means an individual, corporation, limited liability company, partnership, association, and any other recognized legal entity that resides in or is otherwise located within the City of Hillsdale or is otherwise affiliated with entities in the local community.

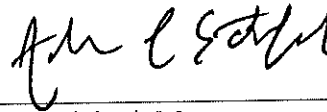
Special event means a parade or other event that is not a City-sponsored event, including but not limited to an athletic event, festival, show, celebration, performance, display, seasonal event, gathering, video or film production, but excluding residential block parties or other street right-of-way closures already covered by city police policies for such events. Also, temporary daytime use of public park grounds for certain public events with less than 50 people, or for which other use agreement and approval processes are provided for by the City through the City Recreation Department, shall be exempt from this Article.

- (c) *Permitted districts.* Except as otherwise expressly provided in this Chapter including, without limitation, the restrictions contained in Section 30-33(b), in other ordinances of the City, or in the City Charter, private uses on public parking lots, streets, rights-of-way, and parks shall be permitted in all zoning districts including those adjacent to residential districts, as provided in this Article.
- (d) *Approval Procedures for City-Sponsored Events.* All non-profit organizations and non-City governmental entities involved in conducting a City-sponsored event shall submit such application materials and other information relating to the conduct of the parade or other event each year as may be determined to be necessary or advisable by the City Manager in consultation with the Director of the Department of Public Services and with the Director of Public Safety, with such information to be submitted at least ninety (90) days prior to the proposed date of such parade or event. The final plan for the conduct of the City-sponsored event shall be submitted to the City Council for its approval by way of resolution prior to the proposed date of the parade or other event. City-sponsored events shall not be subject to the permitting or payment of costs provisions of subsections (e) through (g) of this section.
- (e) *Approval Required for Special Events.* In order to properly provide for traffic and crowd control, street and property maintenance, and to ensure the protection of the public health, safety, and welfare, it shall be unlawful to participate in any special event upon any City street, sidewalk, public parking lot, right-of-way, park, or other public property of the City unless the person sponsoring or conducting such activity has applied for a special events permit and is granted approval by resolution of the City Council. Use of the Fields of Dreams complex for organized athletics shall be scheduled by the City of Hillsdale Recreation Department. The application for a permit to conduct a special event within a public park shall be submitted to the City Recreation Director, and the application for a permit to conduct a special event on any other public property of the City shall be submitted to the City Manager. All applications for a permit hereunder shall be made in writing by the person or persons in charge of or responsible for the special event, on a form to be provided by the City. Such application shall set forth the following information:
- (1) The name, address and telephone number of the person requesting the permit.
 - (2) The name and address of the organization or group sponsoring the special event.
 - (3) The name, address and telephone number of the person who will act as chairman of the special event and be responsible for the conduct thereof.
 - (4) The purpose of the event and estimated number of persons to attend.
 - (5) The date the event is to be conducted and the hours it will commence and terminate each day.
 - (6) A layout or sketch showing the limits of the area to be used.
 - (7) If determined by the City Manager to be reasonably necessary, the filing of a certificate of insurance coverage insuring the City as an additional insured party in the amount of at least \$1,000,000.00 for public liability and property damage associated with the use.

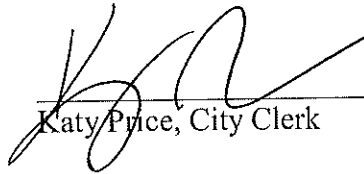
- (8) Copies of any authorized permits required by any other governmental agency, by state law, or by local ordinance.
- (9) Such other information as the City Manager or the City Council may deem reasonably necessary.
- (f) *Expiration.* The application period for special events permits will begin January 1 for the entire year. The applicant will submit proposed date(s) and the expiration date of their permit shall be on the conclusion of the event date(s) or any rain date.
- (g) *Payment of costs.* The City Council shall from time-to-time by resolution adopt a policy which sets forth the amounts the sponsor(s) or other person(s) responsible for the special event must pay to the City to reimburse the City for the use of City equipment and City services, including, without limitation, the City's labor costs. Such policy shall have the full force and effect of an ordinance, and any violation of the policy shall be deemed to be a violation of this Article.
- (h) *Penalties.* A violation of this Article or a violation of the conditions imposed in any permit granted by authority of this Article shall constitute a municipal civil infraction, and upon a finding of responsibility therefor shall be punishable by a fine of not less than \$100.00 and not more than \$500.00.

This ordinance shall take effect 15 days from the date of its passage and after publication as provided by Charter.

The foregoing ordinance was duly adopted at a regular meeting of the Hillsdale City Council held on the 16th day of January, 2024.



Adam Stockford, Mayor



Katy Price, City Clerk

Date Proposed: 12/18/2023
Date Published as Proposed: 12/27/2023
Date Enacted: 01/16/2024
Date Published as Enacted: 01/23/2024
Effective Date: 01/31/2024