

ORDINANCE NO. 1198

AN ORDINANCE OF THE DRAPER CITY COUNCIL AMENDING SECTION 6-17 OF THE DRAPER CITY MUNICIPAL CODE REGARDING SPECIAL EVENTS

WHEREAS, Title 6 Chapter 17 of the Draper City Municipal Code has recently been amended by Ordinance 1182 and Ordinance 1187; and

WHEREAS, minor corrections to the “Definitions” section need to be made to properly integrate the two amendments; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Approval. The City Council hereby amends and adopts 6-17 of the Draper City Municipal Code to read as shown in Exhibit “A” attached hereto and incorporated herein by reference.

Section 2. Severability. If any section, part, or provision of this Ordinance is held invalid, or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts, and provisions of this Ordinance shall be severable..

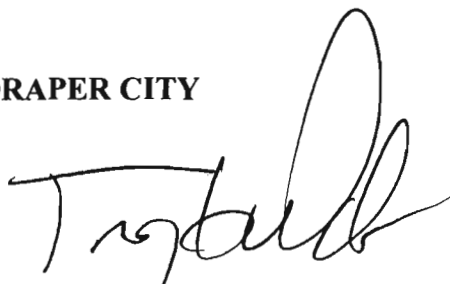
Section 3. Effective Date. This Ordinance shall become effective immediately upon publication or posting or 30 days after final passage, whichever is closer to the date of final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, THIS THE 12th DAY OF April, 2016.

ATTEST:


Rachelle Conner, City Recorder

DRAPER CITY



Mayor Troy K. Walker



EXHIBIT "A"

Chapter 6-17 SPECIAL EVENTS

Sections:

<u>6-17-010</u>	<u>Purpose.</u>
<u>6-17-020</u>	<u>Scope.</u>
<u>6-17-030</u>	<u>Definitions.</u>
<u>6-17-040</u>	<u>Special Event Permits.</u>
<u>6-17-050</u>	<u>Special Events Allowed.</u>
<u>6-17-060</u>	<u>Application and Standards for Special Events.</u>
<u>6-17-070</u>	<u>Special Events on Vacant Properties.</u>
<u>6-17-080</u>	<u>City Support Services.</u>
<u>6-17-090</u>	<u>Conditions of Issuance.</u>
<u>6-17-100</u>	<u>Grounds for Denial.</u>
<u>6-17-110</u>	<u>Enforcement and Penalties.</u>

Section 6-17-010 Purpose. The purpose of this chapter is to establish permit requirements for special events. The permit requirements and other regulations in this chapter are designed to promote, protect and assure the safety and convenience of residents and visitors by mitigating potential issues that may occur as a result of the special event. It is not the intent of this chapter to regulate in any manner the content of speech or infringe upon the right to assemble, except for lawful time, place and manner regulations necessary to protect the public health, safety and welfare.

Section 6-17-020 Scope. This chapter imposes regulatory requirements on certain activities that are defined as "special events". The requirements imposed by this chapter do not alter, supersede or nullify any requirements contained in other federal, state or local statutes, ordinances, or regulations that may also regulate special events. These requirements shall be applied in a content neutral manner and without discrimination as to race, sex, national origin, political affiliation, or other unlawful discriminatory classification.

Section 6-17-030 Definitions.

Athletic Event: An organized competitive or recreational event in which a group of people collectively engage in a sport or form of physical exercise, including, but not limited to, running, jogging, walking, bicycling, or skating, on any city street or sidewalk or other city property.

Block Party: An outdoor party put on by residents of a neighborhood that requires closing down a city street, sidewalk, or other city property.

City Event: A special event that is organized and operated by the city, whether directly or by contract with a third party operator.

Entertainment Event: An organized event having its primary purpose the entertainment or amusement of a group of people, including, but not limited to, parades, festivals, carnivals, fairs, concerts, or similar activities on any city street or sidewalk or other city property.

Filming Event: Filming of a media broadcast (other than for news purposes), filming of a motion picture or television broadcast, or still commercial photography, in any case involving more than four (4) human participants.

Large Scale Entertainment Event: An entertainment event with an expected attendance of at least 1,000 spectators at any one time which is located on public or private property.

Outdoor Sales Event: An organized event in which a group of people or an organization engages in the sale of products including but not limited to, displays and exhibitions, farmers markets, craft fairs, outdoor sales, tent sales and other similar activities.

Person: Includes an individual, corporation, partnership, association, or other entity whether public or private.

Political Event: An organized event involving the preplanned participation of more than fifty people, not including an athletic or entertainment event, having as its primary purpose the exercise of expressive activities of a political nature, including but not limited to speechmaking, picketing, protesting, marching, demonstrating or debating public issues, on any city street or sidewalk or other city property.

Public Forum: City roads, sidewalks, rights-of-way and city property that has by tradition been used by the public for assembly and expression, or city property that has not traditionally been open for public assembly and debate but that the city has opened for use by the public as a place for assembly and expression.

Special Event: Any athletic event, city event, entertainment event, filming event, large scale entertainment event, block party, political event, or outdoor sales event, whether held for profit, nonprofit or charitable purposes held on private or public property within the city.

Spontaneous Event: A special event that is occasioned by news or affairs coming into public knowledge fewer than fourteen (14) days before the special event.

Section 6-17-040 Special Event Permits.

A. Permit Required: It is unlawful to hold a special event without first obtaining a special event permit and complying with all other city ordinances, including but not limited to obtaining a single event business license, if applicable.

B. Exceptions: A special event permit shall not be required for the following events. However, any event exempted herein from the provisions of this chapter may request the assistance provided through the permitting process by submitting a complete application, including payment of all necessary fees, for a special event permit.

1. Gatherings, demonstrations, or protests of fifty or fewer people who gather at a public forum to exercise their constitutionally protected rights under the First Amendment of the United States Constitution.

2. Spontaneous events held at a public forum.

3. Use of sidewalks, trails, or other pedestrian pathways as a means of transportation of a group to or from an event or activity or for travel from place to place which do not require the use of Draper City public safety personnel.

4. Activities or events within a structure or on a site for which the structure or site were specifically designed, including, but not limited to:

a. School sports, activities or events, on school property, regardless of public or private schools, sponsored or sanctioned by the Utah High School Activities Association (UHSA) or the school district in which the school is located;

b. Meetings or gatherings as a part of the normal course of business; or

c. On site school programs or activities for the attendance of students, relatives, and guests which are not of a money raising nature.

d. Activities, gatherings, or events for religious groups that fully comply with subsection 5 of this section.

5. Events or activities that fully comply with all of the following:

a. The event or activity is completely contained on private property for which the property owner has given permission for the event or activity;

Affidavit of Posting

SALT LAKE/UTAH COUNTY, STATE OF UTAH

I, the City Recorder of Draper City, by my signature below, certify that copies of **Ordinance No. 1198** for the **City of Draper**, which **Passed and Adopted by the City Council of Draper City, State of Utah on the 12th day of April, 2016**, was posted at the following places: Draper City Bulletin Board, Salt Lake County Library, Draper Crescent Senior Citizens Center, within the municipality.

Posted: April 13, 2016 through May 2, 2016



Rachelle Conner, MMC
City Recorder
Draper City, State of Utah