

CHAPTER 20

Special Event Permit

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
7-20-1	Special Event Permit	2013-01	02/18/2013
		2013-06	04/16/2013
		2014-08	02/06/2014
		2014-15	12/01/2014
		2022-05	02/21/2022

SEC. 7-20-1 SPECIAL EVENT PERMIT.

(a) **Definitions.**

(1) **Outdoor Event.** The use of live music, loudspeakers or amplifying devices outside of an enclosed building on parcels which have obtained a license, whether for a temporary or on a yearly basis, under Chapter 2 of Title 7 of this Code of Ordinances.

(b) **Permit Required.** An Outdoor Event in the Village is prohibited unless a permit under this Chapter is approved. To increase efficiency and flexibility, the Village Board delegates limited power to the Village Clerk to issue the permit after review and action by the Office of the Clerk or the Legislative and Licensing Committee, as may be applicable. Permits shall be applied for annually and are effective for one year from the date of issuance.

(c) **Exception.** Speakers located on a patio or deck and wired or streamed to jukeboxes, stereos, radios, music streaming services, or Bluetooth devices located inside of a premises shall not require a permit under this section. The intent of this exception is to allow patrons of an establishment to enjoy background music while congregating on a deck or patio immediately adjacent to the building.

(d) **Application.** Application for a special event permit shall be made in writing on a form prescribed by the Village Clerk not less than thirty (30) days prior to the granting of such Permit. The application shall include a written description, including a site plan drawn to scale of the premises and the planned Outdoor Event area. The Application should note whether the premises is an establishment licensed under Chapter 2 of Title 7 and whether the area planned for the Outdoor Event matches the area licensed for the serving and consumption of alcohol. The application shall include a schedule of events, includes dates and times. If the property owner is not the applicant, then the applicant shall attach a notarized letter of agency authorizing the applicant to apply for a special event permit under this Section.

(e) **Requirements and Restrictions.**

(1) Outdoor Events shall be held within the area encompassed by the physical description and diagram that is submitted with the application under Sec. 7-2-6 of

this Code of Ordinances and approved as a part of the license process under Chapter 2 of Title 7.

- (2) Outdoor Event areas shall not be closer than ten (10) feet to the public right-of-way boundary (Note: May not be the same as the road pavement).
- (3) No open flames, inclusive of uncontained candles, table decorations, fire pits, or any other type of objects emitting an open flame, are allowed in Outdoor Event areas unless approved by the Fire Chief or designated fire prevention staff thereof as part of the permit approval. Any such approval shall be noted upon the permit issued and the Village's file.
- (4) All live music, loudspeakers and amplified music in the Outdoor Event area, inclusive of food and beverage service shall begin no earlier than 10:00 a.m. daily and cease no later than 10:00 p.m. on Sunday through Thursday and 12:00 a.m. (midnight) on Friday and Saturday, except as provided herein. Applicants that hold a temporary beer or wine permit under Section 7-2-4(e)(1) or 7-2-4(f)(1) of this Code of Ordinance, may be allowed to have live music, loudspeakers and amplified music until 12:00 a.m. (midnight) on Sunday through Thursday for good and sufficient cause as determined by the Village Clerk, based upon the special circumstances of the particular case. In addition, applicants shall obtain approvals from the Chief of Police in accordance with Sec. 11-2-8(c) if such sections are applicable to the proposed special event. Applicants that desire to extend the hours as provided herein, shall indicate the reasons why the extension is necessary.
- (5) The permittee shall be responsible for cleaning litter, including cigarette butts, from adjacent and abutting properties that was deposited by patrons of the premises or resulted from the business activities on the premises. Decorative garbage receptacles and ash trays shall be installed and such receptacles shall be emptied into the main dumpster as needed and at the end of every business day. All dumpsters shall be screened from public view by landscaping or enclosed within fencing. No trash, garbage or debris shall be allowed to accumulate on the premises and all trash generated by the activities on the premises shall be placed in the dumpsters by the end of each event day.
- (6) The permittee shall submit a security plan as part of the application and be responsible for policing the outdoor premises, extension or area at all times to ensure compliance with Village ordinances.
- (7) No person under the legal drinking age shall be permitted upon the premises, when the presence is contrary to state law or local ordinance.
- (8) No loud, profane or lewd music shall be broadcast directly away from the Outdoor Event area by means of amplified devices, outdoor speakers or Bluetooth devices, jukeboxes unless written permission is granted in advance for a special event by the Village Clerk.
- (9) All Outdoor Event areas shall be sufficiently lighted to ensure the safety of patrons at all times when any patrons shall be therein, and at all times when the outdoor area is open to the public. Lighting of the area shall be down-cast and shielded and shall not be of an intensity or brilliance to create glare that is distracting to adjoining property owners or which can become a hazard or danger to vehicular traffic.

- (10) No overnight camping at Outdoor Events shall be allowed upon the permitted premises.
- (f) **Permit Fee and Number of Events.** The application fee shall be set by Resolution of the Village Board from time-to-time. Such application fee shall include the cost of a background check, if needed. The fee shall be paid at the time of application. The Village Clerk, or its designee as indicated under this ordinance, at its discretion, may grant a permit on an event-by-event basis or for multiple events with a set schedule. Upon approval and prior to receiving the permit the applicant shall pay a permit fee which shall include a base permit fee plus a per event fee in amounts set by Resolution of the Village Board from time-to-time. These fees are intended to cover the cost incurred by the Village for the administration and enforcement of this ordinance and are nonrefundable.
- (g) **Approval.**
- (1) **New Applications.** All “new” applications shall be reviewed by the Village Clerk. The Village Clerk may approve or deny such application if it complies with this Section under the same criteria under subsection (1) above, or may, at his or her discretion, refer the application for review and action by the Legislative and Licensing Committee. Upon referral, the Legislative and Licensing Committee may approve or deny the application utilizing the same criteria under this Subsection. Applications shall not be approved if the Village Clerk determines that a proposed event(s) will cause a disturbance to residences or other businesses nearby or adversely affect the peace and quiet of the surrounding neighborhood. A “new” application under this Section shall mean an application by a person or entity that has not previously received a permit under this Section for the applied for location or, if there is new ownership for the applied for location.
- (2) **Previously Permitted Applicants.** An application by a person or entity that has previously received a permit under this Section shall be reviewed by the Village Clerk. The Village Clerk, as the Village Board designee under this Section, may approve or deny such application if it complies with this Section under the same criteria under subsection (1) above, or may, at his or her discretion, refer the application for review and action by the Legislative and Licensing Committee. Upon referral, the Legislative and Licensing Committee may approve or deny the application utilizing the same criteria under this Subsection.
- (3) In this Subsection, the term "Village Clerk" includes the Deputy Clerk, if one exists, in the Village Clerk's absence or unavailability, in accordance with Sec. 2-4-9 and if the Deputy Clerk is so authorized by the Village Clerk to act.
- (h) **Amending the Application.** Whenever anything occurs to change any fact set forth in the permit application, including a change in schedule of events, such permittee shall file with the Village Clerk a request to amend the application in writing. In the case of the change of events to add additional event dates or modify an approved schedule of events, the request to amend shall be submitted to the Clerk at least five (5) business days before the date of the additional event or changed event.. Amendments shall be reviewed by the Village Clerk and may be approved by the Village Clerk or, at the Village Clerk’s discretion, may be submitted for review and approval by the Legislative and Licensing

Committee. If an amendment includes additional events, the additional event fees shall be paid prior to the effective date of the amendment.

- (i) **Nuisances.** This section shall not be construed to limit the authority of the Village Police Department to respond to nuisance noise complaints and to take appropriate action in response thereto. Any violation of this ordinance or permits issued hereunder are declared a public nuisance and the Village shall have the right to abate the nuisance in accordance with applicable ordinance and/or Wisconsin Statute.
- (j) **Suspension.** The Chief of Police shall have the authority to suspend an event under a permit issued under this section when he or she believes such live music, loudspeaker or amplifying device has become a nuisance because of the volume, the method in which it is being used, or the location in which it is being operated. Any such suspension, shall bring the permit for review, within fifteen (15) days, before the Legislative and Licensing Committee prior to any additional Outdoor Events occurring at the establishment.