

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 8-POLICE REGULATIONS OF THE RIVER FOREST VILLAGE CODE IN REGARD TO SPECIAL EVENTS**

**WHEREAS**, the Village of River Forest (the “Village”), is a duly incorporated and existing, non-home rule municipality, created under the provisions of the laws of the State of Illinois, and now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and

**WHEREAS**, Section 11-1-1 of the Illinois Municipal Code, 65 ILCS 5/11-1-1 authorizes, the Village to pass and enforce all necessary police ordinances, to protect the public’s health, safety and welfare; and

**WHEREAS**, the President and Board of Trustees of the Village of River Forest have determined that it is in the best interests of the Village, its residents, and the general public to amend Title 8 of the River Forest Municipal Code to add licensing and regulation requirements for special events held within the corporate limits of the Village.

**NOW, THEREFORE BE IT ORDAINED** by the President and Board of Trustees of the Village of River Forest, River Forest, County of Cook, Illinois as follows:

**SECTION ONE:** That Title 8 of the River Forest Village Code is hereby amended by adding the following new Chapter 12 thereto, entitled “Special Events” which new Chapter 12 shall read in its entirety as follows:

**Chapter 12: SPECIAL EVENTS:**

**8-12-1            Purpose:**

This Ordinance establishes licensing procedures and regulations for Special Events held within the Village in order to properly provide for the public health, safety and welfare; and to provide penalties for violation of this ordinance.

**8-12-2            Definition:**

**SPECIAL EVENT:** A Special Event is any temporary occurrence conducted by a person, organization, entity or association, where fifty (50) or more individuals are gathered, involving a display, demonstration, performance, exhibition, entertainment or amusement which includes, but is not limited to, festivals, concerts, carnivals, arts and craft shows, fundraisers, sporting events, parades, runs, walks, rallies, and the like, where Village resources or property are affected, or Village resources or property are reasonably expected to be affected, excluding regularly scheduled events conducted on property where such events are normally held for such purpose.

**8-12-3            Special Event Permit Required:**

No Special Event shall be held within the corporate limits of the Village of River Forest unless a permit is first obtained for Special Event.

#### **8-12-4      Permit Application:**

An Application to conduct a Special Event shall be made to the Village, in writing, on a form supplied by the Village, by the person organization, entity or association, in charge or responsible therefore. All applications for Special Event permits shall be made no less than ten (10) days prior to the date on which the Special Event is sought to be held, unless the Village Administrator waives the time requirements for good cause shown. Applicants shall include a two hundred (\$200) dollar refundable deposit to be used by the Village for damage or clean-up of Village Property resulting from the Special Event.

Applicants shall agree in writing, prior to the issuance of a Special Event permit, to defend, indemnify, and hold harmless the Village, its representatives, officer, trustees, agents, attorneys, and employees from and against any and all claims, actions, suits, damages, costs, expenses and liabilities, including reasonable fees and expenses of their attorneys, expert witnesses and consultants, court costs and fines, asserted against them or sought to be imposed upon them, individually or jointly or severally, and which arise directly or indirectly out of or in connection in any way with the Special Event applied for.

Prior to final approval of the application and issuance of a permit, the Village may include as an addendum to any Special Event permit, reasonable requirements not specifically outlined in the original permit application.

#### **8-12-5      Rules or Regulations:**

The Village Administrator is hereby authorized to promulgate rules and/or regulations, not in conflict with this Chapter, to supplement and specify in more detail requirements relating to Special Events, provided that such rules or regulations are approved by the Village Board. Failure to observe any rule or regulation adopted pursuant to this Chapter shall constitute an ordinance violation.

The following requirement shall apply to special events in all Zoning Districts:

1. All temporary uses, buildings and structures used in the course of a Special Event shall observe all yard setback requirements for the districts in which the special events are held.

The following requirements shall apply to special events in Residential Districts:

1. All lots in a residential district with a non-residential use (e.g. churches, schools etc.) shall comply with the restrictions set forth for Special Events in non-residential districts.

2. No Special Event shall begin before 9:00 a.m. nor continue after 10:00 p.m. In cases where the desired hours of the Special Event are outside the limits as described herein, upon application, the Village Administrator shall have the authority to vary the permitted hours to accommodate the activities of such Special Event, taking into consideration the impact of such Special Event on the Village's resources and property.

The following requirements shall apply to Special Events in Nonresidential Districts:

1. All special events shall provide adequate on-site parking for attendee vehicles as determined by the Village Administrator or his/her designee.
2. No Special Event shall begin before 9:00 a.m. nor continue after 10:00 p.m. In cases where the desired hours of the Special Event are outside the limits as described herein, upon application, the Village Administrator shall have the authority to vary the permitted hours to accommodate the activities of such Special Event, taking into consideration the impact of such Special Event on the Village's resources and property.

#### **8-12-6 Consideration for Issuance; Denial:**

In determining whether to approve a Special Event permit, the Village Administrator shall consider the following factors relevant to the proposed Special Event and necessary to secure the public welfare:

1. Whether Village resources or property will be affected , or are reasonably expected to be affected: and
2. Whether the Special Event appears to be held for any unlawful purpose; and
3. Whether it appears the Special Event may be conducted in a manner so as to cause a breach of peace; and
4. Whether the Special Event will unnecessarily interfere with the public use of the streets, sidewalks, open and/or public areas;
5. Whether the Special Event may have some special right or priority under the law; and
6. Whether the Special Event would, in any way, be detrimental to the public health, safety and welfare.

If the Village Administrator denies an application for a proposed Special Event, the applicant may appeal that decision to the Village President and Board of Trustees by filing a written appeal of the Village Administrator's decision with the Village Clerk within thirty (30) days of the Village Administrator's denial thereof. A majority of the Village President and Board of Trustees may overturn the Village Administrator's decision to deny an application for a Special Event

**8-12-7            Restrictions and Conditions:**

The permit evidencing approval of a Special Event may include reasonable time, place and manner restrictions as a condition to granting any permit if such restrictions are reasonable and necessary for the protection of the public's health, safety and welfare.

**8-12-8            Prohibited Conduct:**

1. No Person shall knowingly participate in a Special Event for which a permit application has been falsified or has not been obtained.
2. No person shall continue to organize, or participate in the further planning or organizing, of a Special Event that is conducted without a permit after a permit has been denied.
3. No person in a position of influence or control over a Special Event shall allow the conduct of a Special Event without a permit.
4. No person shall violate any condition of a Special Event permit.
5. No person shall violate any ordinance, rule or regulation of the Village during the planning, operation or conclusion of a Special Event.

**8-12-9            Fines and Penalties:**

In addition to any and all additional remedies available by law, any person violating any provision of this ordinance may be directed to:

1. Cease and desist such violation; and
2. Upon a finding of liable of this ordinance, pay a civil penalty not less than One Hundred Dollars (\$100.00) nor more than Seven Hundred and Fifty Dollars (\$750.00) for each violation.

Every day a violation continues shall constitute a separate and distinct offense.

**SECTION TWO:** That all ordinances or parts of ordinances in conflict with this Ordinance are hereby expressly repealed.

**SECTION THREE:** Except as to the Code amendments set forth above in this Ordinance, all Chapters and Sections of the River Forest Village Code, as amended, shall remain in full force and effect.

**SECTION FOUR:** Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

**SECTION FIVE:** This Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet as provided by law.

Passed on a roll call vote of the Corporate Authorities on the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED by me this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Village President

APPROVED and FILED in my office this \_\_\_\_\_ day of \_\_\_\_\_, 2013.  
and published in pamphlet form in the Village of River Forest, Cook County, Illinois

ATTEST:

\_\_\_\_\_  
Village Clerk