



## Private Use of Public Property Policy

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### Purpose

The purpose of this policy is to explain the City's approach to public events, and to set forth an approval process for events that require a Private Use of Public Property. There are several categories of events. They are;

- 1) Completely Private Events;
- 2) Events that are public but small enough to not require special event insurance;
- 3) Private events that have a public purpose (like non-profit fundraising events);
- 4) Events co-hosted by the City.

A Private Use of Public Property (PUPP) Application is generally required for privately hosted events.

With the exceptions listed in the next paragraph, A PUPP is required for the following events:

- 1) Any public assembly, parade, picnic or any other gathering involving more than fifty individuals;
- 2) Any exhibit, music or dramatic performance, fair, circus, concert, play, radio or television broadcast, other than news transmissions;
- 3) Any exhibit or display any motion picture, television program, light or laser light display, or similar event;
- 4) Operate a vehicle, except upon a publicly dedicated street, alley, parking area, watercourse, or other area designated by the City as a temporary roadway or parking area;
- 5) Create or emit any amplified sound, except from a radio, recorder or other device possessed and used by an individual for his/her own enjoyment and operated in such a manner so as not to interfere with another person's use and enjoyment of public property.;
- 6) Conduct any parade, rally, race, walk, meet or other event in an area designated as a parking area or within the public right-of-way;
- 7) Station or erect any building, tent, canopy, stand, bandstand, stage, tower, scaffold, sound stage, platform, rostrum or other structure;
- 8) Station or use any electrical or electronic device or equipment that would require auxiliary power;
- 9) Bring, land or cause to ascend or descend any airplane, helicopter, flying machine, balloon, parachute or other apparatus for aviation, or;
- 10) Conduct any other activity for which a PUPP is specifically required pursuant to other provisions of the City Code.

The following events do not need a PUPP:

1. Gathering of more than 50 individuals in the Colvill Park Pavilion, Colvill Park Courtyard or a designated picnic shelter when the individual organizing the gathering reserves the facility through the public works office consistent with section 10.18 Subdivision 5.C. of the City Code.

### **Events co-hosted by the City**

The City acknowledges that there are events that are large public celebrations that support the City's Strategic Plan. The four events that are designated as City co-hosted events are:

- 1) Rolling River Music Festival;
- 2) River City Days Community Festival;
- 3) Fall Festival of Arts;
- 4) Holiday Stroll;

The City's designation as a co-host means that the City will provide financial support to cover a portion of material, refuse, equipment, and labor costs. Each event will have a maximum contribution determined annually by the City Council. The City will only contribute a portion of the cost; the applicant must demonstrate that some costs are being covered by other funding sources. Currently, the maximum contribution for events are as follows:

- 1) Rolling River Music Festival – Up to \$4,000 and reimbursement for special event insurance.
- 2) River City Days Community Festival – Up to \$15,000 and reimbursement for special event insurance.
- 3) Fall Festival of Arts – Up to \$3,000 and reimbursement for special event insurance.
- 4) Holiday Stroll – Up to \$6,000 and reimbursement for special event insurance.

### **Insurance**

Before an event may be approved, all applicants must provide the City with proof of general liability insurance limits of at least \$1,000,000 per occurrence and \$2,000,000 general aggregate limit (coverage limit requirement may be satisfied by a general liability policy in combination with an excess liability or umbrella liability policy) subject to the requirements set forth in the attached agreement and applicant must include the City as an additional insured on their insurance policy. The City's contribution listed above can be used to reimburse the organization for their costs associated with the additional insurance coverage.

### **Events that are public but small enough to not require special event insurance**

All public events on public property are required to have a certificate of insurance naming the City as "additionally insured" with the exception of the Memorial Day Observance. The Memorial Day Observance event is small and does not require additional insurance. The Field of Honor is a public event that does not require

special event insurance, but does require the certificate of insurance naming the City as additionally insured. The City will support these events financially with the following not to exceed amounts:

Memorial Day Observance – Up to \$300

Field of Honor – Up to \$900

The City acknowledges that from time to time there will be modifications in the list of events designated as co-hosted by the City and modifications to the financial support covered for each. Modifications will be communicated in advance of the event following adoption of the approved budget.

### **Private events that have a public purpose**

Events hosted by local non-profit organizations, for a common community good, that require a PUPP or reservation of a facility, can receive a reduction in fees.

### **Guide for waiver of fee requests for support of non-City hosted**

Requests to waive fees for facilities use will be considered from local, non-profit application in exchange for service or contributions to the City. A Council committee will be established to consider each waiver. The Council committee will make a recommendation to the City Council.

A request to waive fees will be considered by the Ad-Hoc Committee when an exchange for a service or a contribution from a local, non-profit organization results in a net-positive impact on the City. The entity will identify the request and a negotiated service exchange will occur.

The service exchange or contribution will be evaluated on the 'reduction or savings' realized by the City. In other words, planting the flower pots at the local cemeteries costs the City \$XX if completed by an ICWIC crew. A local non-profit group could receive a waiver of up to \$XX if this service is provided to the City. The Ad-Hoc Committee will consider other options that provide the same type of benefit to the City.

The City Ad-Hoc Committee will value Monday thru Thursday facility costs at a reduced rate. The highly reserved days of Friday – Sunday will be valued at a full rate.

The following possibilities are options that the Ad-Hoc Committee will consider:

- 1) Annual planting of flower pots at the cemetery (this is an 80-hour commitment that must occur during the week directly prior to Memorial Day).
- 2) Donations of scholarship funds to the City to support local student education toward degrees/certifications in public jobs (this is an apprenticeship program that is being developed).
- 3) Special projects such as cleaning of the Oakwood Cemetery Chapel.

- 4) Ongoing beautification efforts such as garden and park maintenance (this must be an ongoing commitment to a garden that requires no support from the City).
- 5) Any effort that has a net negative effect on City time invested into a necessary work activity.

### **Completely private events**

The City Council will not consider a waiver of costs for any private event.

Exceptions – The information provided above does not affect the Mayor and City's Council's ability to utilize Strengthening Neighborhood Dollars (\$500 per Council Member/Mayor) for individual events.

### **Approval process for private events that have a public purpose**

Process - Short-term:

- 1) An Ad-Hoc Committee made up of two City-elected leaders will be appointed by the Council President.

Process - Ongoing:

- 1) When a PUPP is received and a request for a waiver is identified, the Ad-Hoc Committee will be called for a meeting. The committee will receive the application and will contact the individuals to negotiate a fair agreement for service.
- 2) The Council Committee will evaluate the request against the criteria and create a recommendation for the City Council.
- 3) Recommendations from the Ad-Hoc Committee to the City Council will be placed on the consent agenda for City Council approval.