



ORDINANCE 2025-01

AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 250 (REGULATION OF SPECIAL EVENTS) OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN

Purpose: The purpose of this Ordinance is to amend the current Special Events Ordinance (Chapter 250) to improve the application process, and bring the Village Board into the process.

The Village Board of the Village of Hobart, Brown County, Wisconsin, does ordain as follows:

Section 1: Section 12 (Permit Application Fee Structure) of Chapter 250 (Regulation of Special Events), of the Code of the Village of Hobart, is hereby repealed and recreated to read as follows:

§ 250-1. Title.

The title of this chapter shall be the "Special Event Permit Ordinance."

§ 250-2. Purpose and intent.

The purpose and intent of this chapter is to protect the public interest and promote the general health, safety, and welfare of the Village by establishing rules and a permit process in order to hold a special event on any property within the Village so as to address potential impacts on the general public of a special event, including without limitation noise, light, dust, traffic, parking, and other public health safety and welfare concerns. Further, the purpose and intent of this chapter is to promote the economic welfare and general prosperity of the community by safeguarding and preserving property values by addressing potential impacts of a special event. Any determination of discretion by the Village provided herein shall be exercised in a manner consistent with this provision.

§ 250-3. Severability.

Should any portion of this chapter be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected.

§ 250-4. Applicability; administration.

This chapter is intended to apply to all persons within the Village, and its provisions shall be administered by the Village Board, and/or other Village officials designated by the Village Board. This chapter does not apply to any event which is sponsored by the Village.

§ 250-5. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

A. "Applicant" shall be defined as any person applying for a special event permit.

B. "Expressive Activity" shall be defined as conduct, the sole or principal object of which is the expression dissemination or communication by verbal, visual, literary, or auditory means of opinion, views, or ideas and for which no fee or donation is charged or required as a condition of participation in or attendance at such activity. It includes public oratory and distribution of literature, and picketing.

C. "Person" shall be defined as any person, firm, partnership, association, corporation, company, governmental entity, or organization of any kind.

D. "Special Event" shall be defined as any events that include, but are not limited to, fun runs, roadway foot races, fundraising walks, bicycle races, parades, carnivals, shows, gatherings, circuses, block parties, festivals, fireworks, and/or involve one or more of the following factors:

(1). The event is to be conducted on public property or right-of-way; or the event is to be conducted on private property, and is open to the public and not within the normal and ordinary use of the property.

(2). The event will cause a significant impact on traffic congestion or traffic flow to and from the event over public streets or rights-of-way, or will significantly impact public streets or rights-of-way near the event.

(3). The event is likely to create the need for Village-provided emergency services, such as police, fire, or medical aid.

(4). The event will have a presumptive impact on neighboring properties.

(5). The nature of the event requires additional permits, inspections, or variances.

(6). The event will be held at a Village park, and expected attendance will exceed the maximum capacity set by the Village. Such special event permit shall be in addition to any street, park use, or other regular permits as may be required by ordinance.

(7). The Village reserves the right to deem an event a "special event".

§ 250-6. Permit requirements.

A. No person shall conduct a special event within the Village of Hobart without first having obtained a rental and/or special event permit.

B. Any person may file an application for a special event permit. Application for a special event permit shall be filed with the Village Clerk based on the permit structure (refer to §250-12). If an application is filed in less than the required time based on the permit structure prior to the proposed event, the Village may attempt to process the application but is not obligated to do so. Payment is required for the application fee (refer to § 250-12) at the time of submittal, and the application shall contain such information as the Village Clerk may require. The permit shall set forth the exact days on which and the exact location where such activities shall be carried out and shall be valid only during the dates and times and at the location specified. The applicant for the permit shall provide the Village with a complete list of sponsors and vendors at the time of making the application as well as a map for approval showing

the location of booths, tents, port-a-potties, and other special and temporary facilities on the special event property.

C. Upon receipt of both the application for a permit and the fee, the Village Clerk shall review the information given on the application for conformity with the provisions of this section. The Village Clerk shall distribute the application and accompanying materials to the Police Department, Fire Department, Public Works, and any other related department for review and comment. If the applicable requirements are satisfied, the Village Clerk will then forward the application to the Village Administrator or his/her designee.

D. Village staff shall review the application and recommend to Village Board for approval on Class I or II permits for approval, denial, or approval with conditions either deny the permit, approve the permit, or approve the permit with conditions. Class III permits will be reviewed by the Village Administrator or his/her designee for approval, denial, or approval with conditions, with notification of the Village Board of any action on the application. The permit shall be signed by the Village Administrator or his/her designee and shall be issued to the applicant, who, in turn, shall issue identification permits to each vendor approved by the applicant. All vendors shall prominently display these permits during the event period.

E. A special event permit is not required for the following, unless the event is deemed to have a significant impact on Village services and/or the community.

- (1) Parades, athletic events, or other special events that occur exclusively on Village property and are sponsored or conducted in full by the Village.
- (2) Funeral and wedding processions.
- (3) Military convoys.
- (4) Groups required by law to be so assembled.
- (5) Gatherings not exceeding maximum capacity in a Village park, unless merchandise or services are offered for sale or trade.
- (6) Temporary sales conducted by businesses, such as holiday sales, grand opening sales, or anniversary sales.
- (7) Garage sales and rummage sales.
- (8) The exhibition of films or motion pictures.
- (9) Other similar events and activities which do not directly affect or use Village services or property.
- (10) A gathering for the specific purpose of expressive activity.

§ 250-7. Permit conditions.

Any person or applicant for a special event shall satisfy all of the following permit conditions, if applicable:

A. Liability insurance. For any special event held on Village property, the person or applicant and each special event sponsoring group or vendor shall be required to supply the Village with a certificate of insurance with coverage in the amount of not less than \$1,000,000 combined single limit per event and naming the Village as an additionally insured party. Those events that will be required to provide the aforementioned insurance indemnification include, but are not limited to:

- (1) an event that includes alcohol; or
- (2) an event that is anticipated to have attendance greater than 50 people per day; or
- (3) an event that includes a road closure.

Proof of insurance shall be submitted to the Village a minimum of 30 days before the start of the event. The applicant shall also be required to notify the Village in the event there is a modification of any of the terms of the insurance coverage. Such notification shall be provided not less than two weeks prior to the effective date of that termination. No insurance shall be required for any permitted event held on private property.

B. Indemnification. The person or applicant shall agree to indemnify, defend, and hold harmless the Village, its Employees, and Agents against all demands, claims, liabilities, losses, damages or expenses, including but not limited to reasonable attorney's fees, incurred by the Village for any damage or injury to person or property caused by or resulting from in any way the activities for which the permit is granted. No permit may be issued unless the person or applicant has agreed to this indemnification in writing and in a manner confirming its enforceability.

C. Village services. All requests by applicants for Village services must be made to the Village Administrator or his/her designee. The applicant shall be responsible for reimbursement to the Village for any Village personnel, services, equipment, and facilities provided for the special event in the following circumstances for special events: 1) when deemed necessary by the Village, or 2) when requested by the applicant and approved by the Village. For Village personnel, including local Police Department security services, Fire Department, and Public Works, the reimbursable costs associated with the event shall include wages, overtime, and fringe benefits. An invoice shall be sent to the applicant, if applicable, for Village personnel, services, equipment, and facilities within 15 days following the event. Payment is due within 30 days of invoice. The Village reserves the right to require full or partial payment of estimated costs in advance. The event organizer must cancel in writing at least 48 hours before the event in order to be refunded for personnel costs.

D. Police Department security services. Where in the Village's reasonable discretion the circumstances require a security presence due to the scope and nature of the event, the Hobart/Lawrence Police Department shall be utilized to provide the required security. Said security presence will be over and above the normal policing which would be provided; however, it is subject to emergent needs for policing which may otherwise exist at the time of the event. The Chief of Police or his/her designee shall determine the level of coverage necessary to provide adequate security for an event covered under this chapter. The applicant shall be required to reimburse the Village of Hobart for security-related services in accordance with Subsection C above.

E. Cleaning/damage deposit. The applicant shall be required to submit to the Village a cleaning/damage deposit, as set by the annual Village fee schedule, for each scheduled day of the event, two weeks prior

to the starting date of the event. The cleaning/damage deposit may be refunded to the applicant, if, upon inspection, all is in a reasonable condition that existed prior to the commencement of the event, or a prorated portion thereof as may be necessary to reimburse the Village for loss or cleaning costs. The Village reserves the right to retain the entire deposit if cleanup is not completed satisfactorily in the time frame as specified in the permit. Unless otherwise stated in the permit, the applicant shall be fully responsible for all necessary cleanup associated with the permitted event to be completed within 12 hours after the conclusion of the event. No cleaning/damage deposit shall be required for any permitted event held on private property.

F. Business license required. All vendors operating a revenue-generating business as part of a special event permit obtained under this Code section shall obtain and display any and all required Village permits for the duration of the event (i.e., alcohol). Only those vendors on the applicant's list of sponsors and participants shall be allowed to receive permits subject to permit application requirements. All persons serving beer and/or alcohol must hold an operator's license in accordance with Wis. Stats. §§ 125.17(1), 125.32(2), and 125.68(2). Vendors wishing to serve food items must also obtain any required permit or license from the Brown County Health Department. The applicant and all vendors shall comply with any other applicable State of Wisconsin Statutes and Brown County ordinances and shall be responsible for any additional required licenses or requirements.

G. Applicant representative. The special event sponsoring applicant shall have at least one representative on site during the event to coordinate events and enforce guidelines and standards on behalf of the Village and the County or State Health Department, and shall also be the primary Village contact for the event. The applicant shall also provide sufficient staffing to provide assistance with crowd control, parking, and sanitation. The determination of what constitutes sufficient staffing will be made in conjunction with Village Officials.

H. Inspections required. All tentage must be installed under the Wisconsin Uniform Commercial Building Code, International Mechanical Code, International Fuel & Gas Code, and the International Fire Code. The applicant shall be responsible for reimbursing the Village for any and all fire inspections required in association with the proposed event. Wiring shall be installed by a licensed electrician and a temporary permit issued with appropriate fees. All wiring shall be inspected by the Village prior to being energized. Failure to obtain inspections may result in the termination of the event.

I. Termination of event. The Village reserves the right to shut down a special event that is in progress if it is deemed to be a public safety hazard by the Police and/or Fire Department and/or there is a violation of Village Ordinances, State Statutes or the terms of the applicant's permit. The Village Board may revoke an approved Class I or II special event permit if the applicant fails to comply in good faith with the provisions of the permit prior to the event date. The Village Administrator may revoke an approved Class III special event permit if the applicant fails to comply in good faith with the provisions of the permit prior to the event date.

§ 250-8. Denial of permit.

Reasons for denial of a special event permit may include, but are not limited to:

- A. The event will disrupt traffic within the Village beyond a reasonably practical solution.
- B. The event will create a likelihood of endangering the public.

- C. The event will interfere with access to emergency services.
- D. The length, location, or time of the special event will cause undue hardship or excessive noise levels to adjacent businesses or residents.
- E. The event will require the diversion of Village resources that would unreasonably affect the maintenance of regular Village service levels.
- F. The application contains incomplete or false information.
- G. The applicant fails to provide proof of insurance.
- H. The applicant fails to agree to the indemnification requirements in this chapter.
- I. Any vendor fails to obtain the proper permits required by the Village.
- J. Inadequate provision for garbage or debris removal.
- K. Inadequate provision of temporary restroom facilities.
- L. Inadequate provisions for parking.
- M. The event conflicts with another event in the area.

§ 250-9. Violations and penalties.

Any person, applicant, organization, vendor, firm, or corporation violating any of the requirements of this chapter shall be subject to a forfeiture as defined in § 1-3 of the Village of Hobart Municipal Code. Each violation shall be considered a separate offense. In addition, the Village may enforce this section by way of injunctive relief and all other remedies available at law and in equity.

§ 250-10. Notification to property owners or tenants.

The Village may condition any special event permit on a requirement that the person or applicant give written advance notice of the event and its probable impact to any property owners or tenants who will be impacted by the event.

§ 250-11. Appeal.

Any person or applicant that is denied a special event permit may appeal to the Village Board by requesting such appeal in writing to the Village Administrator. Pursuant to Wis. Stat. § 68.16, the Village Board elects that Chapter 68 shall not apply to any such appeal.

§ 250-12 Permit application fee structure.

A. Event classification. There are three classes of events: Class I, Class II, and Class III. Each class has its own characteristics. An event does not have to have all the characteristics listed to be in the classification. The Village reserves the right to make a final determination of an event's classification.

The Village Board shall establish a list of approved fees by Resolution. No permit shall be issued without payment of the required permit fee(s).

(1) Class I

- (a) Event will have a large number of participants and/or spectators of approximately 200 or more people.
- (b) Event is open and may attract interest from the general population of the community and surrounding areas.
- (c) Usually involves the closing of a street.
- (d) May involve multiple events.
- (e) Requires Village Board approval
- (f) Permit must be issued at least 60 days prior to scheduled events

(2) Class II

- (a) Event is open to the public, but is only of interest to a certain segment of the community (i.e., runners, walkers, supporters of certain causes, bicyclists, etc.) and may involve approximately 50 to 200 people.
- (b) Most athletic events (i.e., tournaments).
- (c) Involves the closing of a street.
- (d) Requires Village Board approval
- (e) Permit must be issued at least 60 days prior to scheduled events

(3) Class III

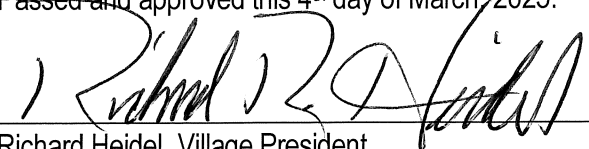
- (a) Event is open to the public, but is only of interest to certain segment of the community (i.e. runners, walkers, supporters of certain causes, bicyclists, etc.) and may involve approximately 50-200 people.
- (b) Does not include the closing of a street.
- (c) Requires Village Administrator approval
- (d) Permit must be issued at least 60 days prior to scheduled events

B. The permit application fee is for the application only, is nonrefundable and based upon staff time to adequately process the application, and does not substitute or remove charges/fees outlined in the rest of this chapter.

Section 2: Any Ordinance or parts thereof, inconsistent herewith are hereby repealed.

Section 3. This Ordinance shall be effective from and after its passage by the Village Board and publication as required by law.

Passed and approved this 4th day of March, 2025.


Richard Heidel, Village President

Attest:



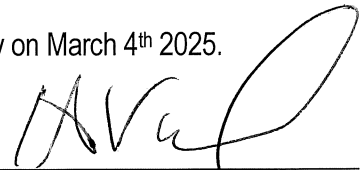
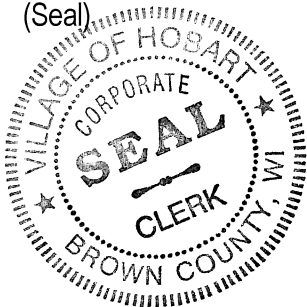
Aaron Kramer, Village Administrator

CERTIFICATION

The undersigned, being the duly appointed Clerk of the Board of the Village of Hobart, certifies that the aforementioned is a true and exact reproduction of the original ordinance or resolution adopted by the Village Board.

IN WITNESS WHEREOF, I have executed this Certificate in my official capacity on March 4th 2025.

(Seal)



Lisa Vanden Heuvel, Village Clerk