

**VILLAGE OF LAKE BLUFF
VILLAGE BOARD OF TRUSTEES
COMMITTEE OF THE WHOLE SPECIAL MEETING**

Thursday, August 6, 2020
7:00 P.M.
Village Hall Board Room
40 East Center Avenue

Due to the COVID-19 emergency, this meeting will be held primarily virtually. As required by law, at least one representative from the Village will be present at Village Hall and the virtual meeting will be simulcast for members of the public who do not wish to view the virtual meeting from another location. The Board Room can accommodate 13 people, including members of the public body and Village Staff, while maintaining the six feet of social distance between individuals required by Executive Order 2020-43. Accordingly, the opportunity to view the virtual meeting at Village Hall is available on a “first come, first-served” basis.

Members of the public may view and participate in the meeting via:

Online (**strongly recommended**): lakebluff.org/VirtualMeeting
OR

Dial-in: **(312) 626-6799**. Enter meeting ID **884 1619 0394**. Press # when prompted for a Participant ID.

IMPORTANT: Additional instructions are available in the agenda packet immediately following the agenda.

The meeting will be live-streamed at lakebluff.org/Channel19 and broadcast live on Comcast Channel 19. Once available, a recording of the meeting will be posted on the Village website and periodically rebroadcast on Channel 19.

A G E N D A

I. Call To Order

II. Roll Call

III. Non-Agenda Items and Visitors (Public Comment)

The Committee-of-the-Whole allocates fifteen (15) minutes during this item for those individuals who would like the opportunity to address the Committee-of-the-Whole on any matter not listed on the agenda. Each person addressing the Committee-of-the-Whole is asked to limit their comments to a maximum of three (3) minutes.

IV. General Business

The Committee-of-the-Whole will entertain requests from anyone present to modify the order of business to be conducted.

- i. Consideration of the Minutes from the January 27, 2020 Committee-of-the-Whole Meeting
- ii. Discussion Regarding Special Event Regulations for Village-Owned Property

V. Adjournment

*R. Drew Irvin
Village Administrator*

The Village of Lake Bluff is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding accessibility of the meeting or the facilities, are requested to contact R. Drew Irvin at 234-0774 or TDD number 234-2153 promptly to allow the Village of Lake Bluff to make reasonable accommodations.

VIDEO MEETING GUIDE

Format: Our goal is to provide a meeting that is as similar as possible to an in-person experience. Members of the public will be given opportunities to speak at the start of the meeting and before each agenda item.



NORTH SHORE LIFE
LAKE BLUFF STYLE

We will use Zoom Webinars for this meeting. In this product:

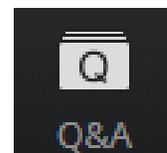
- Panelists (Trustees, Staff, etc.) control their own ability to speak and transmit video.
- Attendees (members of the public) can see the meeting, but cannot transmit audio or video unless recognized by the chair. (See below for how to be recognized.)
- One or more staff members will act as hosts and help organize the meeting.

Rules:

- [An online guide to using Zoom is available here.](#) Please know that the Village cannot provide technical support. [You should test your ability to use Zoom ahead of time.](#)
- Ideally, all participants should join using the Zoom application so that they can experience the full meeting. While participants may call-in, this is a lower quality experience.
- All participants should use their real name (first and last) to identify themselves in the meeting. People using aliases or pseudonyms will not be recognized.
- All participants should stay muted unless they are actively speaking. Your mute may be enabled remotely if you are echoing or transmitting background noise.
- Elected officials participating with video should keep their video enabled at all times. Village Staff should disable their video unless they are participating in a discussion.
- In Lake Bluff meetings, text chat and private messaging features are disabled.

Public Participation: To participate in the meeting, members of the public can:

- Submit a comment or question using [Zoom's Q&A feature](#). Written items will be read aloud and answered as necessary. You can also ask to be recognized by the chair. You will be able to speak directly to the Board and may choose to send video.
- Phone users can dial *9 and will be placed into a queue to be recognized by the chair.
- Email comments in advance to vlb@lakebluff.org. Emails should list the meeting and date in the subject line (e.g. "April 13 Village Board meeting") and should identify the author by name. Emails will be shared electronically, and those that are 200 words or shorter will generally be read aloud by a staff member during the appropriate comment period.



Village of Lake Bluff – Video Meeting Guide

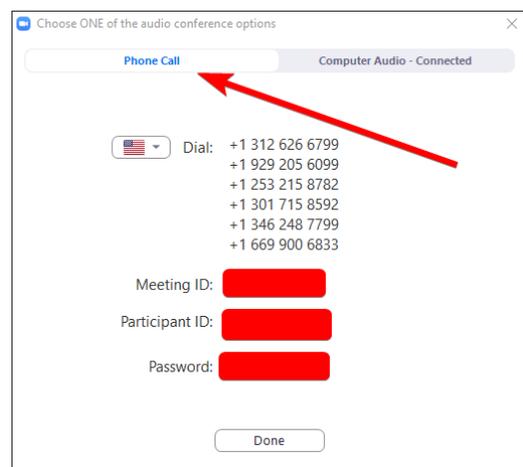
Technical setup. The ideal attendee has:

- **Device:** The ability to transmit and receive video.
- **Audio:** Clear audio that does not echo or transmit background noise.
- **Connection:** A stable, high-quality internet connection.

	Device	Audio	Connection
Ideal	Zoom app on a desktop or laptop	A headset with microphone	Wired connection via Ethernet
Okay	Zoom app on a mobile phone or tablet	A headset (using built-in microphone) Using a phone to dial in	Connected wirelessly via WiFi
Not ideal	Calling into conference line (without Zoom app)	Computer speakers (using built-in microphone) Speakerphone on phone	Connected via 4G / LTE (cellular data) Using a phone to dial in
Tips	<ul style="list-style-type: none"> • Use a stable surface so that your video doesn't move or shake. • Have a “boring” background that isn't distracting (e.g. others moving around). 	<ul style="list-style-type: none"> • Pick a quiet place as your workspace. • Keep yourself muted when you are not talking. 	<ul style="list-style-type: none"> • If you have to use WiFi, try to pick a workspace close to your router. • Discourage other household members from streaming video during the meeting.

Tips:

- You will appear more natural if you look directly at your camera when speaking. It may help you to put your camera near your monitor.
- While muted, you can [hold the spacebar to unmute yourself temporarily](#) (push-to-talk, like a walkie talkie). It will mute you again as soon as you release the spacebar.
- If you do not have a headset, you can use the Zoom application on your PC but [dial-in using your phone](#). This will let you see and share video, and also let you control if you are muted using your PC. This may reduce echo and background noise for those individuals without headsets.



Joining via video but using a phone call for audio.

Village of Lake Bluff – Video Meeting Guide

Frequently Asked Questions

Q: How do I participate in a meeting?

A: If you would like to participate in the meeting live, a URL will be listed on the top of the agenda that will invite you to join the meeting via Zoom. You can also dial-in using the phone number shown on the agenda, but this is a lower quality experience.

You can also watch the meeting live at lakebluff.org/channel19 or by turning on Comcast Channel 19. Meetings are rebroadcast periodically.

Q: How do I submit a public comment?

A: An opportunity is provided for the public to comment on each agenda item before the Board votes. Additionally, a time is provided early in the agenda to address the Board regarding any matters not on the agenda. To submit a comment:

Via Zoom. Submit a comment or question using [Zoom’s Q&A feature](#). Written items will be read aloud and answered as necessary. You can also ask to be recognized by the chair.

Via Phone. If you are participating by phone, you can dial *9 and be recognized by the chair.

Via Email. Finally, you can email comments in advance to vlb@lakebluff.org. Emails should list the meeting and date in the subject line (e.g. “April 13 Village Board meeting”) and should identify the author by name. Emails will be shared electronically, and those that are 200 words or shorter will generally be read aloud by a staff member during the appropriate comment period.

Q: How do I get technical support?

A: Unfortunately, the Village cannot provide technical support. [An online guide to using Zoom is available here](#). Make sure to [test your ability to use Zoom ahead of time](#). If you are unable to use Zoom, you may use the call-in number, live stream link, and/or submit questions via e-mail.

**VILLAGE OF LAKE BLUFF
COMMITTEE-OF-THE-WHOLE
REGULAR MEETING
JANUARY 27, 2020**

DRAFT MINUTES OF MEETING

The Village of Lake Bluff Board of Trustees met as a Committee-of-the-Whole (“COW”) in the Village Hall Board Room (40 East Center Avenue) on Monday, January 27, 2020. Village President O’Hara called the meeting to order at 6:15 p.m.

The following were present:

Village President:	Kathleen O’Hara
Trustees:	Barbara Ankenman Regis Charlot Mark Dewart Joy Markee Aaron Towle William Meyer (arrived after start of meeting) Megan Michael, Village Clerk
Also Present:	Drew Irvin, Village Administrator Peter Friedman, Village Attorney Michael Croak, Building Codes Supervisor Glen Cole, Assistant to the Village Administrator

Non-Agenda Items and Visitors

President O’Hara stated the COW allocates 15 minutes for those individuals who would like the opportunity to address the COW on any matter not listed on the agenda.

There were no requests to address the COW.

Consideration of the Minutes from the November 25, 2019 Committee-of-the-Whole Meetings

Trustee Ankenman moved to approve the November 25, 2019 COW minutes. Trustee Markee seconded the motion. The motion passed on a unanimous voice vote.

Discussion Regarding the Short-Term Rental Pilot Program

Village Administrator Irvin stated that the Village Board’s two-year pilot program of short-term rental regulations was due to lapse on April 24, 2020, and that he recommends the Board begin its evaluation of these regulations now to allow adequate time for any requests for information or referral to advisory bodies.

Each Trustee expressed their opinion regarding short-term rentals and the pilot program. In response to a question, Village Administrator Irvin replied that there was some risk that the General Assembly would preempt the Village’s ability to regulate short-term rentals, and that pre-existing regulations could be grandfathered in under such a pre-emption. In response to another question, he explained the short-term rental monitoring software used by the Village and the discussion regarding this enforcement mechanism that occurred in 2017-2018. He said that, even if the regulations were repealed, Staff would

request to continue their subscription in order to enforce a prohibition on short-term rentals. Building Codes Supervisor Croak provided more information about how the software was useful for enforcement.

At the conclusion of the COW’s discussion, Village President O’Hara stated that there was a consensus to continue the pilot program for an additional year and to gather additional information. She said that, after that year, the Board could again review the data and evaluate its next steps. Village Attorney Friedman stated that an Ordinance would be required to amend the sunset date of the pilot program, which could be prepared and presented at an upcoming meeting of the Village Board after a hearing and recommendation by the Plan Commission and Zoning Board of Appeals as the extension would be an amendment to the text of the Zoning Regulations.

President O’Hara asked if any member of the public wished to address the COW regarding the workshop topic. There were no requests to address the COW.

Adjournment

A motion to adjourn was made by Trustee Dewart, seconded by Trustee Towle, and passed on a unanimous voice vote. The meeting adjourned at 6:32 p.m.

Respectfully Submitted,

R. Drew Irvin
Village Administrator

MEMORANDUM



NORTH SHORE LIFE
LAKE BLUFF STYLE

Date: August 4, 2020

To: President O’Hara and Members of the Committee-of-the-Whole

From: Drew Irvin, Village Administrator

Subject: Discussion Regarding Special Event Regulations

Lake Bluff has a long history of authorizing and supporting a variety of special events. Presently, the Village sees about 25 special events per year including numerous block parties, the Lake Bluff Farmers Market, 4th of July Parade, Lake Bluff Criterium, Rib Fest, It’s a Wonderful Life Holiday event and many more. While special events and large gatherings on Village property create community and provide entertainment to Village residents, they often require the Village to mobilize Village personnel and other resources to protect the safety of the public, manage traffic, and ensure that such gatherings do not create harm or nuisance to Village residents and businesses.

During this COVID-19 pandemic and with the Executive Orders issued by Governor Pritzker restricting many forms of indoor activities, there has been a number of requests to use Village property and rights-of-way for outdoor activities. In response, the Village has authorized restaurants to serve food and drinks on public property and fitness related businesses to utilize the Village Green for yoga classes. The Village has also authorized neighborhood block parties in residential zoning districts and allowed a local church to hold religious services on the Village Green. All of these authorizations have been conditioned upon the sponsoring organization satisfy the relevant COVID-19 Executive Orders issued by Governor Pritzker. Due to the increase in demand to use Village property for special events, there is a desire to adopt a more comprehensive and formal process to better enable the Village to plan for such events, avoid scheduling conflicts, and to protect the public safety. As you will see, many of the draft application requirements are similar to current Village practices, and the ordinance is meant to codify these requirements. Consistent with Board direction and the Village’s brand, Staff has tried its best to say “yes” to special events while protecting the Village and its residents (requiring insurance) when appropriate (4th of July Parade, Criterium, Rib Fest). These draft regulations are designed to treat every applicant – regardless of their message or content – the same. If adopted, the LF/LB Community Church will need to seek a permit for services on the Village Green, the Park District will need to secure a permit to utilize the Metra Train parking lot for the Go Color fun run/walk and Village Green for Bluffinia, and the Brewery will need a permit for the block parties along Scranton Avenue and the Village Green. As part of your conversations, it is recommended that the Village Board specifically discuss the following:

1. **Effective Date.** As you will read, these regulations are intended to help ensure the public health during the pandemic. That said, it is useful to have reasonable regulations in place to govern the use of Village-owned property after the pandemic concludes. The Village Board might consider adopting these regulations and amend them from time to time rather than adopting them with a specific sunset.

2. **Application Costs, Deposit, and Payment of Costs (Sections 7-5-3 and 7-5-6).** Historically, the Village has not charged a permit application fee or to reimburse the expenses incurred for services and equipment. As an example, the Village has not required the organizers of the 4th of July parade to reimburse the Village for its expenses, which are approximately \$6,000 annually. As drafted, the regulations allow the Village to adopt a permit application fee if the Village Board desires and allows the Village to seek reimbursement of its costs.
3. **Public Nuisance (Section 4-1-2 and 5-5-6).** The draft ordinance also amends Sections 4-1-2 and 5-5-6 of the Village Code to explicitly provide that it is a public nuisance to engage in activities that spread contagious or infectious disease in the Village, such as hosting gatherings in violation of public health orders. This would provide the Village the authority to cite someone for a nuisance if they do not comply with health orders when conducting special events.
4. **Repeal of Municipal Code Section 5-7-4-8 (PUBLIC DEMONSTRATIONS).** The current code contains a brief section on permit requirements for public demonstrations in Section 5-7-4-8. This section does not contain any express application requirements or a list of regulations. It provides: “It is unlawful for any person, group or organization to conduct or participate in any march, assembly, meeting on any public place in the village, or gathering on roadways in more than one specific area of or location in the village on any one given day unless a demonstration permit is issued by the village, or if not, with the permission of the police chief.” If the Village Board adopts the more comprehensive special event requirements, Section 5-7-4-8 is no longer needed. Therefore, it is recommended that this section of the existing code be eliminated.
5. **Penalty.** Not unlike the Village’s zoning code, violators of this section of the municipal code could face fines from \$250 to \$750 for each offense.

As always, please feel free to contact me with any questions or concerns at 847-283-6883.

Attachments:

1. Draft Ordinance Regarding Special Events on Village-owned Property.

ORDINANCE NO. 2020-__

**AN ORDINANCE AMENDING TITLE 7 OF THE LAKE BLUFF MUNICIPAL CODE
REGARDING SPECIAL EVENTS ON VILLAGE PROPERTY**

Passed by the Board of Trustees, _____, 2020

Printed and Published, _____, 2020

Printed and Published in Pamphlet Form
by Authority of the
President and Board of Trustees

VILLAGE OF LAKE BLUFF
LAKE COUNTY, ILLINOIS

I hereby certify that this document
was properly published on the date
stated above.

Village Clerk

{00116064.5}

ORDINANCE NO. 2020-__

**AN ORDINANCE AMENDING TITLE 7 OF THE LAKE BLUFF MUNICIPAL CODE
REGARDING SPECIAL EVENTS ON VILLAGE PROPERTY**

WHEREAS, the Village of Lake Bluff is a home rule municipal corporation in accordance with Chapter VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, pursuant to authority granted to the Village by various state statutes, including, without limitation 65 ILCS 5/11-80-2, 65 ILCS 5/11-80-3, 65 ILCS 5/11-80-9, 65 ILCS 5/11-80-13, and 65 ILCS 5/11-80-21, the Village has the power to regulate the use of and impact on streets, sidewalks, and other municipal property in the Village; and

WHEREAS, while special events and large gatherings on Village property create community and provide entertainment to Village residents, they often require the Village to mobilize Village personnel and other resources to protect the safety of the public, manage traffic, and ensure that such gatherings do not create harm or nuisance to Village residents and businesses; and

WHEREAS, due to the COVID-19 pandemic and the Executive Orders issued by Governor Pritzker restricting many forms of indoor activities, there has been an increase in requests to use Village property and rights-of-way for outdoor activities; and

WHEREAS, the Village Board has determined that, to better enable the Village to plan for such special events and to protect public safety, it is prudent to adopt additional regulations and permitting requirements for special events on Village property and rights-of-way ("**Special Event Permit Regulations**"); and

WHEREAS, pursuant to the authority granted by State law and the Village's home rule authority, the Village President and Village Board have determined that it is in the best interest of the Village and the public's health, safety and welfare to amend the "Lake Bluff Municipal Code," as amended ("**Village Code**"), in the manner provided in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LAKE BLUFF, LAKE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Recitals.

The foregoing recitals are incorporated herein as findings and determinations of the Board of Trustees.

Section 2. Amendment to Section 4-1-2 of the Village Code.

Section 4-1-2, titled "Public Nuisances Declared," of Chapter 1, titled "Nuisances," of Title 4, titled "Health, Sanitation and Environment," is hereby amended and shall read as follows:

4-1-2: PUBLIC NUISANCES DECLARED:

- A. Specific Public Nuisances: The following are hereby specifically declared to be a public nuisance:

* * *

10. Contagious or Infectious Disease: To engage in any activity that promotes the spread of contagious or infectious diseases throughout the Village, including, without limitation, the maintenance of unsanitary conditions, hosting gatherings or conducting business in violation of public health orders, and failure to maintain or operate properties in compliance with health and safety codes, regulations, ordinances, and orders.

* * *

Section 3. Amendment to Section 5-5-6 of the Village Code.

Section 5-5-6, titled "Violations; Penalty," of Chapter 5, titled "Civil Emergencies," of Title 5, titled "Police and Public Safety," is hereby amended and shall read as follows:

"5-5-6: VIOLATIONS; PENALTY:

A. Any person violating the provisions of this chapter or any executive order issued pursuant this Chapter, shall be guilty of an offense against the Village and shall be punishable by a fine as provided in the general penalty provisions of Section 1-4-1 of this Code.

B. **Person that uses property or operates a business in violation of any order issued pursuant to this Chapter 5 shall constitute a nuisance in fact for the purposes of this Code.**

Section 4. Amendment to Title 7 of the Village Code.

Title 7, titled "Public Ways and Property," of the Village Code is hereby amended to add a new Chapter 5, titled "Special Event Permits," which shall be and read as set forth in **Exhibit A** attached to and, by this reference, made a part of this Ordinance.

Section 5. Repeal of Section 5-7-4-3 of Village Code.

Section 5-7-4-3, titled, "Certain Assemblies, Permit Required," of Chapter 7, titled, "General Offenses," of Title 5, titled, "Police and Public Safety," is hereby repealed in its entirety and reserved for future use.

Section 6. Effective Date.

This Ordinance shall be in full force and effect immediately after its passage and approval in the manner provided by law by two-thirds of the corporate authorities of the Village.

PASSED this ____ day of _____, 2020, by vote of the Board of Trustees of the Village of Lake Bluff, as follows:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED this ____ day of _____, 2020.

Village President

ATTEST:

Village Clerk

FIRST READING: _____

SECOND READING: _____

PASSED: _____

APPROVED: _____

PUBLISHED IN PAMPHLET FORM: _____

EXHIBIT A
CHAPTER 5
SPECIAL EVENT PERMITS

7-5-1: DEFINITIONS:

Whenever the following words and phrases are used in this Chapter, they shall, for the purposes of this Chapter, have the meanings respectively ascribed to them in this Section, except when the context otherwise indicates:

EVENT MANAGER: The natural person responsible on behalf of the Sponsoring Organization for managing the special event.

PERMITTEE: Any person who has been issued a special event permit or a block party permit under this Chapter.

PERSON: Any individual, partnership, association, organization, or corporation.

SPECIAL VILLAGE SERVICES: Services provided by the Village during a special event or a block party, which services may include but are not limited to any of the following: street closures; provision of barricades, garbage cans, stages, or special no parking signs; special electrical services; or special police protection.

SPECIAL EVENT: A planned company of persons collected together on Village property or rights-of-way, or any organized march, parade, or procession of persons upon a right-of-way, which is reasonably anticipated to interfere with or impede the flow of pedestrian traffic; or a temporary aggregation of attractions or gathering, including but not limited to public entertainment, food and beverage service facilities, sales of souvenirs or other merchandise, block parties, or similar attractions, that is conducted on any public property under the ownership or control of the Village.

SPONSORING ORGANIZATION: Any partnership, association, organization or corporation, including the Village, which is the permittee conducting, or the proposed permittee desiring to conduct, a special event.

SUPPORT STRUCTURES: Any temporary structure erected in connection with a special event or block party, including but not limited to stages, scaffolding, bleachers, tents, stands and/or booths.

7-5-2: SPECIAL EVENT PERMIT REQUIRED:

It shall be unlawful for any person to conduct a special event unless a permit therefor has been issued pursuant to this chapter. When issued, such permit shall allow the person or sponsoring organization to conduct a special event with use of special Village services and/or exclusive use of all or a portion of real property owned or controlled by the Village, if necessary. This Section shall not apply to Village sponsored or hosted events.

7-5-3: SPECIAL EVENT PERMIT APPLICATION:

- A. Not less than 14 days, or as soon as practicable if the special event is of a spontaneous or urgent nature, nor more than one year prior to the date the special event is scheduled to begin, the event manager shall make a written application for a special event permit to the Village Administrator on application forms provided by the Village. The application shall be accompanied by a non-refundable permit application fee in the amount set forth by the Village Board and shall include the following information:
1. The name, address and telephone number of the proposed permittee who will be conducting the special event.
 2. The name and telephone number of an authorized and responsible agent of the permittee who shall be designated by the permittee as the event manager;
 3. A description of the special event that will be conducted;
 4. The dates, times, and location of the special event, including the times necessary for any assembly and/or dismantling of support structures;
 5. The estimated number of people who are expected to attend the special event and a description of what safety measures will be taken in the event more people that attend than expected;
 6. Whether food and/or alcoholic beverages will be sold or available during the special event;
 7. A statement identifying the special village services, if any, the applicant will request that the Village provide;
 8. Proposed traffic and pedestrian circulation plan;
 9. Number and location of portable sanitation facilities, when appropriate, and other equipment or services necessary to conduct the special event, giving due regard for participant and public health and safety and the requirements of the Americans with Disabilities Act;
 10. The number of persons proposed or required to monitor or facilitate the special event, including provisions for spectator or participant control and direction;
 11. Provisions for first aid and emergency medical services, based on risk factors attendant to the special event;
 12. If the proposed permittee intends to erect signs during the special event, a sign plan containing, without limitation, the following information:
 - a. A depiction of the location or locations at which each proposed special event sign will be erected;
 - b. Drawings or photographs of each proposed special event sign, which must include the dimensions of each sign and the proposed method of

erection, construction, or attachment to a building or structure, as the case may be, of each sign;

- c. If any proposed special event signs will be attached to or erected on any private property, written consent of the owner or such property; and
 - d. The dates on which the proposed special event signs will be erected or constructed and removed.
13. Such other information as may be reasonably necessary to determine if the special event will comply with all requirements of federal, state, and local laws, statutes, regulations, executive orders, and ordinances.
14. A sworn affidavit that all information provided on the application is complete and truthful.
- B. The Village Administrator shall have the authority to waive any of the requirements set forth in subsection 7-5-3.A of this Code.

7-5-4: REVIEW OF SPECIAL EVENT PERMIT APPLICATION:

- A. Upon receipt of an application for a special event permit, the Village Administrator shall grant the applicant a special event permit if the Village Administrator determines:
- 1. The applicant has complied with all of the requirements of this Code unless such requirements have been waived by the Village Administrator;
 - 2. The proposed special event will not substantially or unnecessarily interfere with traffic in the area;
 - 3. There are available at the time of the special event a sufficient number of peace officers to police and protect lawful participants as well as those looking on;
 - 4. The concentration of firefighters and police officers required at the special event will not prevent proper fire and police protection or ambulance service to the general public;
 - 5. The special event will not be conducted for an unlawful purpose or in a manner that violates federal, state, and local laws, statutes, regulations, executive orders, and ordinances;
 - 6. The special event will not subject the surrounding neighborhood to an unreasonable degree of noise, littering or parking difficulties in light of the character of the neighborhood;
 - 7. The special event will not conflict another event in the same or nearby location on a date reserved or scheduled by the Village;
 - 8. The special event will not need any other additional special Village services that cannot be reasonably made available;

9. The applicant has sufficient plans in place to appropriately manage the special event if more individuals attempt to attend the special event than anticipated, or its attendees do not comply with applicable federal, state, and local laws, statutes, regulations, executive orders, and ordinances; and
 10. Any proposed special event signs will not create an undue hazard to pedestrian or vehicular traffic, and will not threaten the health, safety, and general welfare of the public.
- B. In granting any special event permit, the Village Administrator may require the permittee to comply with conditions to ensure that the special event is conducted in compliance with requirements set forth in subsection 7-5-4.A.

7-5-5: INSURANCE:

Unless waived in writing by the Village Administrator, an applicant shall provide and maintain at all times during the special event and for a period of no less than six months after, at its sole cost and expense, comprehensive general liability insurance with minimums of \$1,000,000 per occurrence for bodily injury; \$1,000,000 per occurrence for property damage; and \$2,000,000 aggregate. If liquor is served to attendees, the permittee shall provide host liquor liability coverage; or, if the applicant is selling alcohol, the permittee shall provide liquor liability (“dram shop”) coverage in the amount required by State law. The permittee shall cause the Village to be named as an additional insured on the insurance policies described in this Section on a primary and non-contributory basis. Such policies shall be in form, and from companies, acceptable to the Village.

7-5-6: SPECIAL EVENT DEPOSIT AND PAYMENT OF COSTS:

- A. In the event the application for a special event permit is approved, the applicant may be required to post a cash deposit in an amount set by the Village Administrator, which shall not be less than the Village’s estimated costs to provide special village services and equipment for the special event. No interest shall be payable on any special event deposit.
- B. The applicant shall be liable for, and the special event deposit may be used to reimburse: (i) the Village’s costs to provide special Village services and equipment; (ii) the Village’s costs to restore public property in the event that the applicant fails to restore public property as required by Section 7-5-9; (iii) legal fees and administrative expenses made necessary in the event that the applicant violates any provision of this Code or any special event permit. The costs reimbursable under this Section include both direct and indirect costs, which may include but are not limited to: (i) employee staff time, fringe benefits, and overtime; (ii) materials and supplies; (iii) use of Village equipment; and (iv) third party costs and expenses.
- C. Following the special event, the Village Administrator shall send an invoice to the event manager for payment to the Village of the difference between any costs payable under this Section and the amount of the posted special event deposit, if any; or shall promptly return any unused portion of the special event deposit to the applicant without interest.

7-5-7: DENIAL OF SPECIAL EVENT PERMIT:

- A. Upon the Village Administrator’s denial of an application for a special event permit, the Village Administrator shall forward notification thereof to the applicant.
- B. Any person aggrieved by a decision of the Village Administrator shall have the right to appeal that decision to the Village Board, provided that such appeal is in writing and is filed with the Village Clerk within 10 days of the applicant's receipt of the notification of denial by the Village Administrator.
- C. The Village Board shall set a time and place for a hearing on such appeal and notice of such hearing shall be given in writing to the appellant by mail. The appellant shall have the right to be represented at such hearing by counsel. At a hearing conducted under this subsection all interested persons, including the applicant, community residents and representatives of community groups, shall be given an opportunity to be heard. The Village Board shall also accept any relevant written testimony or documentation regarding the proposed special event. The decision and order of the Village Board on such appeal shall be final and conclusive.

7-5-8: RESOLUTION OF CONFLICTING APPLICATIONS:

Preference among conflicting applications for special event permits shall be given to the application filed earliest.

7-5-9: NON-TRANSFERABILITY AND TERM OF SPECIAL EVENT PERMIT:

No special event permit issued pursuant to this Chapter shall be: (i) transferred or assigned or used by any person other than the one to whom it is issued; (ii) used at any location other than the one for which it is issued; or (iii) used on a date other than one for which it is issued.

7-5-10: MAINTENANCE OF PUBLIC PROPERTY AND PAYMENT OF COSTS:

During the conduct of the special event, the permittee shall keep any public property being occupied clean and free from paper, debris, or refuse, and upon termination of the permit by lapse of time or otherwise, the permittee shall remove all materials and equipment and clean the public property. If any public property has been damaged, the permittee shall repair and restore it to the condition it was in prior to the special event.

7-5-11: REVOCATION OF SPECIAL EVENT PERMITS:

The Village Administrator or Police Chief may at any time revoke a special event permit if:

- 1. If the operation of the special event is in violation of any applicable provisions of this Code or any other applicable federal, state, and local laws, statutes, regulations, executive orders, and ordinances, or if, in the judgment of the Village Administrator or the Police Chief, such revocation is necessary to preserve the health or safety of the public; or
- 2. The application of the permittee contains any false, fraudulent or misleading material statement.

When necessary to prevent an immediate threat to the health or safety of the public, the Village Administrator or the Police Chief shall order the permittee to cease immediately the operation of the special event.

7-5-12: RESPONSIBILITY OF PERMITTEE AND EVENT MANAGER:

The permittee and event manager are each and jointly responsible for taking all necessary precautions and steps to ensure that a special event complies with this Code and all applicable requirements of federal, state, and local laws, statutes, regulations, executive orders, and ordinances.

7-5-13: PENALTY:

The violation of any provision of this Chapter shall be punishable by a fine of not less than two hundred fifty dollars (\$250.00) and not more than seven hundred fifty dollars (\$750.00) for each offense. A separate offense shall be deemed committed on each day or part thereof on which a violation occurs or continues or is permitted to occur or continue. Each day on or during which any person violates any of the provisions of this Chapter shall constitute a separate and distinct offense.