

**TOWN OF ST. JOHN, LAKE COUNTY, INDIANA**

**ORDINANCE NO. 1584**

**AN ORDINANCE OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, TO REGULATE AND CONTROL OUTDOOR EVENTS AND SPECIAL EVENTS IN THE TOWN, ESTABLISH TOWN SPECIAL EVENT PERMIT AND APPLICATION PROCEDURES AND NON-COMPLIANCE PENALTIES, REPEALING ALL ORDINANCES AND TOWN CODE SECTIONS, OR PORTIONS THEREOF, IN CONFLICT HEREWITH, AND ALL MATTERS RELATED THERETO.**

**WHEREAS**, the Town Council of the Town of St. John, Lake County, Indiana (hereinafter the "Town Council"), is responsible for promoting and ensuring the health, safety, welfare, and protection of its citizens; and

**WHEREAS**, the Town Council has, upon review, been advised to consider and establish guidelines and procedures for individuals or entities undertaking to host or hold outdoor events or special events within the Town municipal corporate limits, as there has been a recent circumstance of overlapping and competing events and functions scheduled and conducted which have been uncoordinated and have taxed and strained Town resources needed for the safe conduct of such events, functions, and activities; and

**WHEREAS**, the Town Council has determined that it is in the best interests of the residents of the Town to regulate and control outdoor events and special events in the Town of St. John in order that the Town can properly and appropriately monitor such outdoor events and special events to provide proper calendaring and scheduling; appropriate security; appropriate public safety coordination and staffing; and for safe and effective traffic control, among other aspects of necessary safeguards, for which the Town has a responsibility and role; and

**WHEREAS**, the Town Council upon review and advisement, has determined it appropriate to establish governing policies and procedures applicable for the scheduling and conduct of an outdoor event or special event in the Town, including rules and regulations governing such events which are reasonable in time, place, and manner parameters for public safety protections and purposes only, and not to prevent or preclude any individual or entity from exercising its applicable rights under current law; and

**WHEREAS**, the Town Council, upon its review, and after being duly advised, now deems it appropriate to establish its Special Event Permit policy and application process consistent with the identified present needs and circumstances for the purpose of promoting and enhancing the public safety and general welfare and well-being of its resident citizens.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AS FOLLOWS:**

**SECTION ONE:** That there is hereby established by this Enabling Ordinance for the Town a Special Event Permit policy and application procedure to regulate and control outdoor events and special events for the benefit of Town citizens and residents, as set forth hereinafter namely:

### **Outdoor Events/Special Events Defined.**

Outdoor Events or Special Events are identified and defined to include, but not necessarily be limited to, any circus, carnival, concert, bazaar, festival, exhibition, craft fair/show, antique show, flea market, theme fair, cultural celebration, parade, or other outdoor event, activity, or entertainment, including fireworks displays, which are held at any place other than a permanent building or permanent installation, within the Town municipal corporate limits, which has been constructed for the purpose of conducting such activities or similar activities, excluding funeral processions.

### **Permit Required/Permit Fee.**

No person, firm, corporation, organization, entity, or association, foreign or domestic, shall operate or maintain, or permit the operation or maintenance of any Outdoor Events or Special Events, unless and until such person, firm, corporation, organization, entity, or association, foreign or domestic, has first been issued a Special Event Permit for such Outdoor Event or Special Event, as hereinafter provided. The Special Event Permit to be used shall be in a form prescribed by the Town, and shall be made available to the public by the Town, available through the Town Administrative Offices. Each and every such application, except applications for Outdoor Events or Special Events of not-for-profit associations or organizations, shall be accompanied by a filing fee of \$0.00 dollars, which shall be paid to the Clerk-Treasurer. Approval of the Outdoor Event or Special Event shall be expressly subject to the terms or conditions listed within the Special Event Permit. The Special Event Permit shall be filed no less than thirty (30) days prior to the Outdoor Event or Special Event occurring. Scheduling and calendaring of events shall be within the sole discretion of the Town, so as to ensure proper public safety, security and oversight for the Outdoor Events or Special Events.

### **Regulation of Outdoor Events/Special Events.**

#### **a) Alcohol.**

Any person, firm, corporation, organization, entity, or association, foreign or domestic, sponsoring or operating an Outdoor Event or Special Event, which dispenses and serves beer and/or liquor, shall confirm that it has the proper permits for provision of the same and provide documentation of such in form and content acceptable to the Town. The area where alcohol is served must be roped or blocked off, with only one (1) entrance to such area, and which area must be posted with a "no minors" sign. Responsibility for ascertaining age (21 and over) lies with the sponsor or operator of the event. Serving of any beer or liquor shall be governed by the rules and regulations of the State of Indiana. Alcohol regulation shall be subject to review and oversight by the Chief of Police of the Town, or an authorized representative from the Town Police Department.

#### **b) Music.**

Any Outdoor Event or Special Event which has any type of outside music, shall end said music no later than 10:00 p.m. Sunday through Thursday, and no later than 11:00 p.m. Friday and Saturday. Noise regulation shall be subject to regulation by the Chief of Police of the Town, or an authorized representative from the Town Police Department.

c) **Security.**

All Outdoor Events or Special Events shall be required to provide security for said event. The amount and degree of security shall be determined by the Chief of Police of the St. John Police Department, or an authorized representative from the Town Police Department.

d) **Insurance.**

Any sponsors or operators of an Outdoor Event or Special Event shall be required to provide proof of financial responsibility in the form of liability insurance to cover injury to person or property of not less than \$1,000,000 Dollars in respect to cases of bodily injury or death to any one person, and not less than \$100,000.00 Dollars for property damage. No Special Event Permit shall be issued by the Town until said proof of liability insurance is submitted with the Special Event Permit Application.

e) **Fire/Electrical Inspection.**

Any sponsors or operators of an Outdoor Event or Special Event shall be required to have an electrical and fire inspection by the Town prior to the commencement of an Outdoor Event or Special Event that requires use of electricity.

f) **Parking.**

Definite parking areas shall be established in cooperation with the Town Police Department, to accommodate any Outdoor Event or Special Event. Residential streets shall not be used for parking for said Outdoor Event or Special Event, unless permitted by the Town Police Chief or other designated representative. Any sponsor or operator of an Outdoor Event or Special Event shall be required to present a parking plan/schedule for review by the Town at the time the Special Event Permit Application is submitted and filed.

g) **Penalties for Non-Compliance.**

Any person, firm, corporation, organization, entity, or association, foreign or domestic, operating or sponsoring an Outdoor Event or Special Event, as defined in this **SECTION ONE** of said Enabling Ordinance, who violates any of the provisions of this Ordinance, or any other provision of the Town Code, shall be liable for a fine up to One Hundred and 00/100 Dollars (\$100.00). Further, the Chief of Police of the Town, or an authorized representative from the Police Department, shall have the authority to close and terminate any Outdoor Event or Special Event for violation of any provisions of this Ordinance or Town Code sections, generally, and to rescind and repeal the Special Event Permit issued by the Town.

**SECTION TWO:** That all existing Ordinances, and Town Code provisions, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

**SECTION THREE:** That if any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this Ordinance.

**SECTION FOUR:** That this Ordinance shall take effect, and be in full force and effect, from and after its passage and adoption by the Town Council of the Town of St. John, Lake County, Indiana, and publication in conformance with applicable law..

ALL OF WHICH IS PASSED AND ADOPTED THIS 24<sup>th</sup> DAY OF April, 2014, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

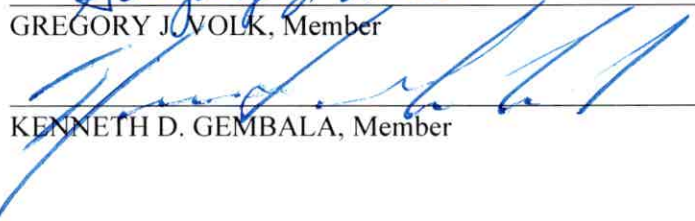
TOWN OF ST. JOHN, LAKE COUNTY,  
INDIANA, TOWN COUNCIL

  
MICHAEL S. FORBES, President

  
LARRY BUSTAMANTE, Vice President

MICHAEL BARENIE, Member

  
GREGORY J. VOLK, Member

  
KENNETH D. GEMBALA, Member

ATTEST:

  
SHERRY P. SURY, IAMC, CMC,  
Clerk-Treasurer