

ORDINANCE NO. 2021-08-16-2

AN ORDINANCE OF THE CITY OF CAMILLA, GEORGIA, PROVIDING FOR AN APPLICATION AND LICENSING PROCESS FOR SPECIAL EVENTS TO BE HELD ON CITY PROPERTY; RENTAL OR USE OF PROPERTIES FOR EVENTS; PROVIDING FOR CONDUCT OF EVENTS; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and City Council of the City of Camilla, Georgia, are responsible for protecting the health, safety and welfare of the citizens of Camilla; and

WHEREAS, the Mayor and City Council of the City of Camilla have found that it is in the interest of the community to permit individuals or entities to rent or use City property for the conduct of special events, and

WHEREAS, the Mayor and City Council of the City of Camilla deem it necessary and prudent to establish a uniform system for the permitting and regulation of such events, in order to properly protect the health, safety and welfare of the citizens of Camilla, while also permitting the conduct of special events that may also be of benefit to the community; and

NOW, THEREFORE, IT IS ORDAINED by the Mayor and City Council of the City of Camilla:

Section 1. The official code of ordinances of the City of Camilla shall be amended by adopting Article V of Chapter 9, entitled "Special Events and Use of City Property," the text of which is attached hereto as "Exhibit A."

Section 2. Repealer. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Severability. Should any provision of this ordinance be rendered invalid by any court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of the City governing authority.

SO ORDAINED this 16th day of AUGUST, 2021.



THE CITY OF CAMILLA

By: _____

Kelvin M. Owens, Mayor

Attest: _____

Cheryl Ford, Clerk

First Reading: 07-19-2021
Second Reading: 08-16-2021

ARTICLE V OF CHAPTER 9.

SPECIAL EVENTS AND USE OF CITY PROPERTY

Section 9-5-1 Short title.

This chapter shall be known and may be cited as the City of Camilla, Georgia "Special Events and Use of City Property Ordinance."

Section 9-5-2 Definitions.

Unless the context indicates otherwise, the meaning of certain terms used in this chapter is as follows:

Applicant shall mean an individual or entity seeking a permit to host an event on city property. The applicant or, if the applicant is a corporation or similar entity, applicant's designee shall be responsible for compliance with all provisions of this chapter and other applicable chapters.

City means the City of Camilla, Georgia.

Governing authority means the Mayor and City Council of the City of Camilla.

Special event means any temporary event, activity, for public or private attendance that will occur on city property and will require or involve one or more of the following activities: closing (full or partial) of a public street; blocking or obstructing public property; exclusive use of the entirety or a portion of a city park or other city property or facility; the erection, use, or installation of a tent, canopy, stage, trailer, grandstand, bleachers, or any other structure; or placement and use of portable toilets (except where designated for use as part of ongoing construction on the property). Examples of "special events" include, but are not limited to: family reunions; cookouts or picnics attended by 20 or more people; fairs; festivals; "fun runs;" walks, and other kinds of races; parades; rallies; concerts; tours; and block parties.

Vendor means any person, group of persons, organization, association, club, or other entity that engages in the sale to the public of any food or food products, goods, services, or merchandise of whatever nature from any location, either mobile or stationary, on a temporary basis on any public street, sidewalk, right-of-way, or private property as an authorized participant in a special event. Vendors participating as part of a special event for which a lawful permit has been issued are excused from complying with the city's commercial soliciting ordinance for the duration of the vendors' participation in the special event.

Section 9-5-3 Permit required.

Except where otherwise permitted by this chapter, it is unlawful for any person, group of persons, organization, association, club, or other entity to conduct or cause to be conducted any special event on city property without having first obtained a valid special event permit from the city. The permit issued must be available upon request for review and inspection. Special event

permits are temporary and shall not vest any permanent property rights. Issued permits are effective only for the time period described on the permit. Special events are limited to the hours of operation specified in the permit. In no instance shall a special event be permitted to occur over the course of any more than 3 consecutive calendar days.

Section 9-5-4 Application required for permit.

Not less than 60 days nor more than 120 days prior to the special event, an application for a special event permit shall be submitted to the city manager and shall contain the following information:

- (1) The name, mailing address, email address, and telephone number of each applicant and, if a corporation, partnership, or other entity, the name, address, email address, and telephone number of a person designated as responsible for compliance with all provisions of this chapter and other applicable chapters.
- (2) A description of the proposed event.
- (3) The date(s), location(s), and hours of operation proposed for the special event.
- (4) A schedule, however tentative, of proposed activities.
- (5) An estimate of the projected attendance. The applicant is required to promptly update the city on any significant changes or anticipated changes in these figures.
- (6) A description of any services anticipated as being needed from the city. The applicant is required to promptly update this description and notify the city at the earliest opportunity as any need or anticipated need for services changes.
- (7) A description of any of the following elements contemplated for use or need in conducting the special event: closing (full or partial) of a public street; blocking or obstructing public property; the erection, use, or installation of a tent, canopy, stage, trailer, grandstand, bleachers, or other structure; pyrotechnics or sound amplification devices; placement and use of portable toilets; and signage.
- (8) A plan for parking along with plans for restroom facilities and the collection and removal of rubbish, garbage, and any other waste byproducts generated by the special event. An acceptable plan must provide for the immediate removal of all rubbish, garbage, and any other waste byproducts generated by the special event upon the conclusion of the special event.
- (9) Any other information the city manager may deem necessary and appropriate to determine whether the permit meets the requirements of this article.

The permit shall not waive the requirements of complying with other sections of this Code including, but not limited to, regulations on alcoholic beverages, business licenses, fire safety, zoning and signs.

The 60 - 120 day window for application may be waived upon order from the city manager upon a showing of clear and compelling need of immediate action. Among other reasons, ignorance of the permit requirement shall not establish clear and convincing need.

Section 9-5-5 Additional items required for consideration and issuance of a permit.

In addition to the information required above in an application for a special event permit, the following materials and information must be provided in support of and in addition to the application, all of which must be provided before an application will be considered:

- (1) If the applicant is a corporation, the state and date of incorporation, a representation that the corporation is qualified to do business in Georgia, and the name and address of the registered agent for service of process for the corporation in Georgia.
- (2) If the applicant is a corporation or other business entity required to comply with the State of Georgia SAVE and E-Verify requirements, a sworn declaration that the corporation is in compliance therewith. If the business entity is not subject to those requirements, a statement describing the reason(s) for any claimed exemption with sufficient particularity to permit a determination of the bona fides of the claim.
- (3) Identification of any location(s) within the prior 12 months where the applicant conducted a similar special event, if any.
- (4) Copies of written notices informing residences and businesses adjacent to the event area of the intent to host a special event. If the special event involves a parade, procession, or other event without a centralized location, this notification requirement may be waived by the city manager upon request. This notification requirement may also be waived if the city manager determines it would be unreasonable and unduly burdensome in light of the number of residences and businesses to be notified.
- (5) Proof of comprehensive liability insurance naming the city as an additional insured. Such insurance must provide at a minimum \$1,000,000.00 of coverage for personal injury per person and \$1,000,000.00 of property damage coverage covering all claims arising from a permit issued under this chapter. The city manager may waive or reduce this requirement for a special event that:
 - (a) Will not require or involve one or more of the following activities: closing (full or partial) of a public street; blocking or obstructing public property; the provision of merchandise, food, or beverages (whether by sale or otherwise); the erection, use, or installation of a tent, canopy, stage, trailer, grandstand, bleachers, or any other structure; use of any kind of pyrotechnics or sound amplification devices; or placement and use of portable toilets;
 - (b) Is in response to an immediate, current event defined as national, state, or local event or incident occurring within seven days prior to the proposed special event; or
 - (c) The applicant is an entity or organization recognized by the Federal Internal Revenue Service as satisfying the requirements of 26 U.S.C. § 501(c) or a charitable organization subject to and governed by O.C.G.A. § 43-17-1 et seq. Proper proof of Section 501(c) status and/or registration as required by O.C.G.A. § 43-17-1 et seq. is required.

In exercising this discretion, the city manager shall consider the nature of the activities planned for the participants in the proposed special event; the risk of potential injury or

harm to private property and private persons arising from the activities planned for the participants in the proposed special event; and the risk of potential injury or harm to public property arising from the activity planned for the participants in the proposed special event.

- (6) The applicant shall provide a written agreement in a form satisfactory to the city providing that the applicant shall defend, pay, and hold harmless the city, its elected and appointed officials, employees, and agents from liability for all personal and property damages arising from any acts or omissions resulting from a special event, inclusive also of any claims for attorneys' fees and costs connected with such claims, except for such claims arising solely from the negligent acts of the city, its elected and appointed officials, employees, and agents.

Section 9-5-6 Permit conditions.

Any special event permit issued by the city is subject to the following conditions and any other conditions determined to be reasonably necessary to protect the city's public safety, health, welfare, and good order:

- (1) The permit is limited to the specific geographic area(s) as shown on Exhibit "B" and titled "Entertainment District" within which the event is to take place. The applicant or other person designated is responsible for providing for security and sanitation services within the boundaries of the event until the area is cleared of all activities and structures related to the event.
- (2) Except as needed for clearing the event area(s) of all activities and related structures, no special event shall continue beyond the time approved on the permit.
- (3) The special event must comply with the city's noise ordinance and all other ordinances governing the conduct of the special event.
- (4) The use of glass containers within the area designated for the special event is prohibited.
- (5) The city shall have the right to require immediate termination or cessation of a special event if a determination is made the special event or aspects of the special event create or present an imminent threat to the public's safety, health, welfare, and good order. Upon being notified that the special event or an aspect of the special event must cease, it shall be unlawful for the applicant and and/or its designee to allow such activity to continue.
- (6) A permit issued under this chapter may not be assigned or transferred.

Section 9-5-7 Denying applications and revoking permits.

Upon submission of a complete application and all information and materials required by this chapter, payment of any required fee, and receipt of any additional materials deemed necessary, the city manager shall within three business days review the application for completeness. If additional time is necessary due to the absence of the city manager and the

applicant does not agree to additional time to permit the city manager's review of the application and materials, the application may be denied for lack of appropriate review.

- (a) Reasons for denial of a special event application include:
 - (1) The event will disrupt traffic within the city beyond practical solution;
 - (2) The event will interfere with access to fire stations and fire hydrants;
 - (3) The location of the special event will cause undue hardship to adjacent businesses or residents;
 - (4) The event will require the diversion of so many public employees that allowing the event would unreasonably deny service to the remainder of the city;
 - (5) The application contains incomplete or false information;
 - (6) The applicant fails to comply with all terms of this article including failure to remit all fees and deposits or failure to provide liability insurance quote (proof of insurance/bond is required 7 days prior to event), bonds and a save harmless agreement to the city; or
 - (7) The event will last longer than 3 consecutive calendar days.
- (b) If an application for a permit is denied or revoked the applicant may request in writing the action be reviewed by the governing authority. Such a request must be submitted to the city clerk within 5 days of the action complained of and must state with specificity the grounds for the appeal.
 - (1) From the filing date of the appeal, the hearing before the governing authority shall be scheduled for the next available governing authority meeting (City Council Meeting). The governing authority has the discretion, upon determining that exigent circumstances warrant, to schedule and hold an earlier meeting to consider an appeal.
 - (2) The appeal hearing shall be limited to the grounds stated in the appeal. The city manager and other persons directly affected by the decision at issue may speak and present evidence at the hearing and the parties may be represented by counsel at the appeal hearing.
 - (3) The governing authority shall issue its decision on the appeal within five days of concluding the hearing.
- (c) Once the governing authority approves the special event permit, all permits issued pursuant to this article shall be temporary and do not vest any permanent rights. Reasons for revocation by the city manager of a special events permit include:
 - (1) Application contained incomplete or false information;
 - (2) Applicant does not comply with all terms and conditions of permit or any other applicable city, state, or federal laws;
 - (3) Applicant fails to arrange for or adequately remit all fees, deposits, insurance or bonds to the city; or

- (4) There exists an emergency or exigent circumstances such as a disaster or public calamity that impacts the public safety, health, welfare, and good order to such an extent that it is reasonably prudent to revoke or deny the permit.
- (d) If a special event permit is revoked, the city manager shall notify the applicant in writing, providing the reason(s) for same, and the applicant of his/her right to appeal. If the permit is revoked, the special event may not proceed and, if revoked while ongoing, the special event must cease immediately.

Section 9-5-8 Security deposit and rental fees.

- (a) A security deposit as shown on the Master Fee Schedule shall be remitted to the city before the special event permit is issued. This requirement may be waived by the city manager if he determines, based on specific factual findings, that the performance deposit would be unduly burdensome or unnecessary given the size of the event or past history.
- (b) Rental fees for each park, indoor space, or other city property shall be established by the governing authority. A list of available venues and associated rental fees shall be available at City Hall.
- (c) Within twenty-four (24) hours of the conclusion of an event, the venue shall be cleaned and returned to its pre-event condition. This shall include cleaning any city streets, rights-of-way or any other city facility used or affected by the event. With approval, removal of tents, canopies, stages, trailers, grandstands, bleachers, portable toilets or any other structure may be given additional time for removal

Section 9-5-9 Immunities.

- (a) This article shall not be construed as a waiver of any immunity to which the city is entitled.
- (b) This article shall not be construed as imposing upon the city or its officials or employees any liability or responsibility for any injury or damage to any person in any way connected to the use for which permit has been issued. The city and its officials and employees shall not be deemed to have assumed any liability or responsibility by reasons of inspections performed, the issuance of any permit or the approval of any use of the right-of-way or other public property.

Section 9-5-10 Vendors.

- (a) The applicant responsible for the special event shall be responsible for all vendors as a component of the special event and shall be responsible for designating the location and activities of vendors consistent with a special event permit and any applicable conditions.
- (b) Authorized vendors providing food and/or merchandise for sale are not required to obtain or possess a separate vendor's permit to operate during the special event unless the vendor is a provider of alcoholic beverages as a part of the event. This provision notwithstanding, food vendors are required to comply with the rules and regulations of

the state and the Mitchell County health department as to the preparation and service of food.

- (c) The dispensing of alcoholic beverages, by sale or otherwise, as a part of the special event shall be allowed provided that each vendor dispensing alcoholic beverages shall have been duly licensed by the state, city, or other local governing authority to engage in off-premises dispensation and has complied with all provisions of the city's ordinances relating to the sale or dispensation otherwise of alcoholic beverages off premises.

Section 9-5-11 City co-sponsorship of special events.

The city may co-sponsor a proposed special. Co-sponsorship may take the form of a monetary contribution in support of the event, provision of services in-kind at no cost to the applicant, or both. Decisions on whether to participate in the proposed special event as a co-sponsor and what will be provided as a co-sponsor are entrusted to the discretion of the governing authority. Co-sponsorship of a proposed special event is limited only to those events where the applicant is an entity whose primary purpose is to promote economic development in the city or Mitchell County or an entity that is a non-profit organization that seeks to promote and advance the health, welfare, or safety of the public or a segment of the public within the city or Mitchell County and which has its principal place of business located in the city or Mitchell County. As a part of the application process an applicant may request that the city co-sponsor the proposed special event. The request must be in writing, describe with particularity the type(s) of co-sponsorship desired, and describe how the special event proposed will enhance or promote economic development in the city or promote and advance the health, welfare, or safety of the public or a segment of the public within the city or Mitchell County.

Section 9-5-12 Security.

The applicant shall at applicant's expense provide one (1) City of Camilla certified police officer for every one hundred attendees. The officer(s) shall attend the event for its entire jurisdiction. It shall be the duty of the police officer to see that the event is conducted in compliance with all applicable laws and regulations including without limitation the ordinances of the City of Camilla and in an orderly and peaceful manner consistent with the health, safety and welfare of the City.

Sections 9-5-13 – 9-5-15 Reserved.

EXHIBIT "B" Entertainment Districts

Downtown Entertainment District



Downtown Entertainment District



Depot Entertainment District

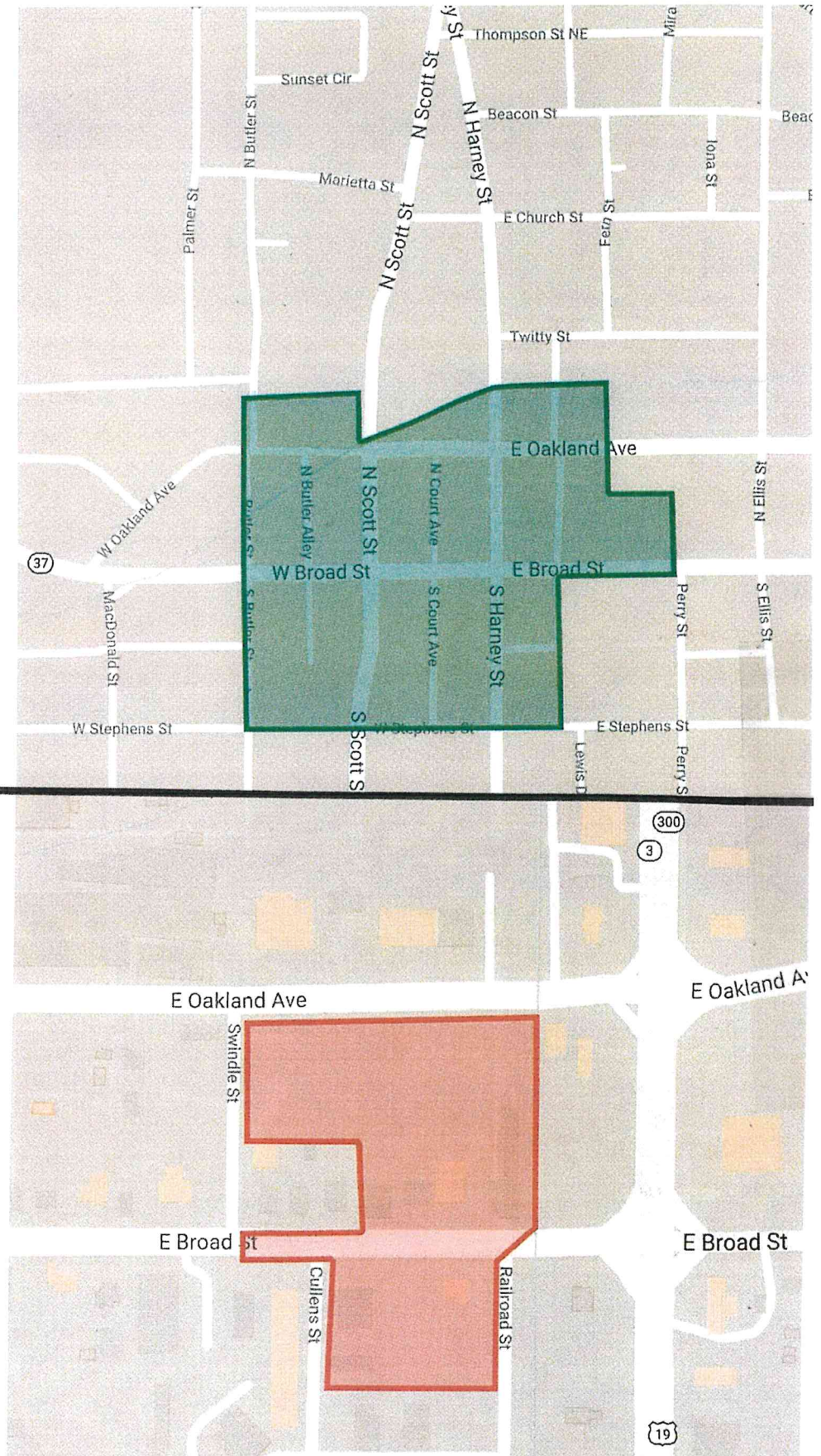


EXHIBIT "B" Entertainment Districts

Untitled layer

Centennial Stadium Parking Lot District

Centennial Stadium Parking Lot District

