



CITY OF AURORA, ILLINOIS

ORDINANCE NO. 022-016
DATE OF PASSAGE February 22, 2022

An Ordinance Amending Chapter 41.5, entitled Special Events, to the Aurora Code of Ordinances.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the City Council of the City of Aurora has determined that it is necessary and desirable to amend chapter 41.5, entitled Special Events, in order to update and improve various sections of said Ordinance to better carry out the purpose and intent of said Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows: Chapter 41.5, Special Events, of the Code of Ordinances is hereby amended as reflected in Exhibit A.

AND BE IT FURTHER ORDAINED: that the City Clerk and Corporation Counsel are hereby authorized to make any non-substantive, clerical or formatting changes and amendments to Exhibit A as necessary for codifying and updating this Ordinance in Municode.

ORDINANCE NO. 022-016
LEGISTAR NO. 22-0070

PASSED AND APPROVED ON February 22, 2022

AYES 11 NAYS 0 NOT VOTING 0 ABSENT 1

ALDERMAN	Vote
Alderman Llamas, Ward 1	yes
Alderwoman Garza, Ward 2	yes
Alderman Mesiacos, Ward 3	absent
Alderman Donnell, Ward 4	yes
Alderman Franco, Ward 5	yes
Alderman Saville, Ward 6	yes
Alderwoman Hart-Burns, Ward 7	yes
Alderwoman Smith, Ward 8	yes
Alderman Bugg, Ward 9	yes
Alderwoman Baid, Ward 10	yes
Alderman Woerman, At Large	yes
Alderman Jenkins, At Large	yes

ATTEST:

Jennifer Stallup
City Clerk

[Signature]
Mayor

1 **ARTICLE I. - GENERAL PROVISIONS**

2 **Section 41.5-100 - Findings.**

3 (a) The City Council finds that the City's festivals,
4 races, parades, and other special events contribute to the unique
5 character of the City. Special events throughout the City range
6 from small neighborhood-level events to large-scale productions
7 and these events held in the City can impact public safety and the
8 flow of pedestrian and vehicular traffic. As such, allowing a
9 special event permit application, would allow public safety
10 personnel the ability to plan and manage public safety personnel
11 and resources.

12 (b) A special event permit application process will allow
13 the City to manage the competing uses of its public spaces and
14 ensure that members of the public are able to access public space
15 for their events. Many events have to apply for multiple permits
16 and having an intergovernmental team acting as a "one stop shop"
17 for special events will provide a single point of contact for event
18 organizers and the public.

19 **Section 41.5-101 - Fees.**

20 The fees required by the provisions of this Chapter shall be
21 determined, from time to time, by separate ordinance or resolution
22 of City Council.

23 **Section 41.5-102 - Definitions.**

24 The following words, terms and phrases, when used in this article,
25 shall have the meanings ascribed to them in this section, except
26 where the context clearly indicates a different meaning:

27 (a) Adjacent premises means any land or parking area
28 immediately surrounding the special event that is occurring.

29 (b) Alcohol under this Chapter means events that serve or
30 sell alcohol must obtain the appropriate permitting under Chapter
31 6 as well as obtain police and/or security for their event.

1 ~~(a)~~-(c) Applicant means an individual, resident,
2 organization, non-profit, governmental entity or any other entity
3 recognized by law that both sponsors the event and applies for the
4 permit to hold the special event in the City. The applicant will
5 update the application with the current contact person who will be
6 in person at the event.

7 ~~(b)~~-(d) Business Day means those days in which the City
8 offices are open for conducting City business. A "business day"
9 does not include Saturday, Sunday or the holidays observed by the
10 City.

11 ~~(e)~~-(e) Carnival means any aggregation of shows or riding
12 devices, games of skill or chance, or any combination of shows and
13 riding devices, or any combination of several enterprises, such as
14 revolving wheels, merry-go-rounds, giant swings, panoramas,
15 musical and theatrical entertainments or riding devices, whether
16 carried on or engaged in or conducted in any field, park or in a
17 building or enclosure, and whether carried on, engaged in or
18 conducted as one enterprise or by several concessionaires, and
19 whether one admission fee is charged for admission to all such
20 shows or entertainments, or separate fee for admission is charged
21 for each amusement. The size of the carnival will determine what
22 Tier the event will fall under. Any carnival will need to have a
23 security plan for adjacent premises to the carnival. Carnivals may
24 only operate until 8 p.m. Sunday through Thursday and 9 p.m. on
25 Friday and Saturdays with last tickets selling 30 minutes prior to
26 closing.

27 ~~(d)~~-(f) Circus means a show consisting of acrobats, trained
28 animals, clowns, or similar forms of entertainment that is held in
29 an arena, which may be open air or enclosed in a tent or building.

1 ~~(e)~~-(g) City property means any buildings, public street,
2 alley, sidewalk, right-of-way, City owned parks, parkway or
3 parking lot owned, controlled or managed by the City. City property
4 excludes property owned by any other unit of local government.

5 (h) City services means any services provided by City
6 personnel including, but not limited to public safety, crowd
7 control, traffic control, management of the event site, road
8 closures, garbage removal, inspection services, animal care and
9 control services, demarcation of no-parking tow zones, and
10 production of event materials and City website information.

11 (i) Community Events Coordinator means an individual hired
12 as a City employee to coordinate applications for special events.
13

14 ~~(f)~~-(j) Demonstration, March or Vigil means an assembly or
15 protest held for a specific cause or concern.

16 ~~(g)~~-(k) Event Organizer means any person who conducts,
17 manages, or organizes a special event.

18 ~~(h)~~-(l) Emergency Action Plan means a plan that is
19 submitted during the application process that identifies emergency
20 exits, crowd managers, emergency notification methods, and how
21 organizers will deal with emergencies. These plans must also
22 include consideration for cancellation of an event due to weather
23 conditions that create a hazard.

24 ~~(i)~~-(m) Film Production means a film production using
25 public or private property within the City, whether indoor or
26 outdoor, for the purpose of producing, filming or videotaping of
27 commercials, movies, television programs, or training tapes or
28 films and other moving picture media for commercial, not-for-
29 profit, educational or artistic activities shall require a permit.
30 A film production falls under a Tier 5 permit.

1 ~~(j)~~ (n) *Impact* means to impede, obstruct, impair, or
2 interfere with normal vehicular or pedestrian traffic or City
3 services.

4 ~~(k)~~ (o) *Interested person* means the property owner,
5 property management, or tenant of each property that fronts a
6 portion of the proposed right-of-way closure area.

7 ~~(l)~~ (p) *Legacy Event* means a special event that has been
8 held in the City of Aurora on or about a certain date, on a
9 substantially similar route, and in connection with a specific
10 holiday or consistent theme, in substantially the same form for a
11 minimum of three (3) consecutive years.

12 ~~(m)~~ (q) *Letter of Intent* means a letter that an event
13 organizer would submit to the Special Event Coordinator after
14 receiving a satisfactory evaluation following their event, to
15 reserve the same time and spot for the following year.

16 ~~(n)~~ (r) *Municipal Event* means an event which is conducted
17 or sponsored by a governmental unit or agency on publicly owned
18 land or property;

19 ~~(e)~~ (s) *Musical Event* means any show or act, or aggregation
20 of shows or acts, or any combination of shows or acts, or any
21 combination of several enterprises, which provides live musical
22 entertainment, whether carried on or engaged in or conducted in
23 any field, park or in any other way outdoors, and whether carried
24 on, engaged in or conducted as one enterprise or by several
25 concessionaires, and whether one (1) or no admission fee is charged
26 for admission to all such shows or entertainments, or a separate
27 fee for admission is charged for each entertainment.

1 ~~(p)~~ (t) *Parade* means any march, procession or other similar
2 activity consisting of persons, animals, vehicles or things, or
3 any combination thereof, upon any public street, sidewalk, alley
4 or other public place, which requires a street closing or otherwise
5 requires authorized City employees to stop or reroute vehicular
6 traffic because the parade will not or cannot comply with normal
7 and usual traffic regulation or controls.

8 ~~(q)~~ (u) *Parade unit* or *unit* means any one vehicle, one float
9 or one marching group.

10 ~~(r)~~ (v) *Permit* means the City of Aurora-issued document
11 that is signed and dated by the Clerk's Community Event's Office
12 issued to and carried by the applicant, which will indicate to any
13 person seeking verification that this applicant has achieved the
14 necessary approvals and paid the necessary fees to stage a special
15 event in the City.

16 ~~(s)~~ (w) *Preliminary Recommendation* means the initial review
17 of a special event application.

18 ~~(t)~~ (x) *Public Notification* means a notification that is
19 approved by the Special Community Events Coordinator or his or her
20 designee. Events that require road closures, or may cause
21 disruption for City of Aurora residents, businesses, churches,
22 etc., must deliver notification to the affected parties.

23 ~~(u)~~ (y) *Race* means a competition between individuals to see
24 which is the fastest in covering a set course. For the purposes
25 of this ordinance, it excludes vehicle races.

26 ~~(v)~~ (z) *Residential block party/event* consists of a group
27 of neighbors wishing to block off their street for a "get-together
28 party". Permits are not issued for personal, family or political
29 events, i.e. birthday parties, weddings, fund raisers or political
30 gatherings, etc.

1 ~~(w)~~ (aa) *Site Restoration* means the act or process of
2 returning the site back to its original condition by either
3 cleaning it, repairing any damage or replacing surfaces or items.

4 ~~(x)~~ (bb) *Special Event* means an organized, nonpermanent,
5 public or private gathering or assembly that utilizes public
6 spaces, such as public roads, greenways, City services and public
7 parks or plazas. Special Events are categorized by a tier system
8 which is described on the special events application. A special
9 event does not include a funeral procession.

10 ~~(y)~~ ~~*Special Events Coordinator* means an individual hired as~~
11 ~~a City employee to coordinate applications for special events.~~

12 ~~(z)~~ (cc) *Special Events Review* means that the ~~Special~~
13 Community Events Coordinator and staff will send out the permit
14 applications to the appropriate departments to review the
15 application and supply recommendations to the ~~Special-Community~~
16 Events Coordinator.

17 ~~(aa)~~ (dd) *Sponsor* means any person who applies for the
18 special event permit and the person to whom a special event permit
19 is issued following successful application. The sponsor is the
20 contact person that will need to be in communication with various
21 City staff throughout the event as well as after the event.

22 ~~(bb)~~ (ee) *Spontaneous Event* means an attendee or event
23 organizer cannot provide the level of advance notice required by
24 this chapter, such as an event occasioned by recent news or current
25 affairs, that is conducted solely on city right-of-way or City
26 property.

1 **Section 41.5-103 - Conflicts with this Chapter.**

2 To the extent a conflict exists, this Chapter controls.

3 **SECS. 41.5-104 - 41.5-109. - RESERVED.**

4 **ARTICLE II. - SPECIAL EVENT PERMIT**

5 **Section 41.5-110 - Permit Required; Exceptions.**

6 (a) Except as provided in Subsection (b) and (c), a special
7 event permit issued under this chapter is required to conduct,
8 manage, or operate a special event.

9 (b) A special event permit under this chapter is not
10 required for:

11 1. Municipal Events.

12 (c) A spontaneous event for which an attendee or event
13 organizer cannot provide the level of advance notice required by
14 this Chapter, such as an event occasioned by recent news or current
15 affairs, that is conducted solely on City right-of-way or parkland.
16 A spontaneous event is subject to other law. To help ensure public
17 safety, an organizer of a spontaneous event shall contact the
18 Aurora Police Department and if available, the Special-Community
19 Events Coordinator, and provide the date, time, place and an
20 estimate of the approximate number of person who will be
21 participating. The Special-Community Events Coordinator will have
22 a form to assist a sponsor in providing the necessary information.

23 **Section 41.5-111 - Categories of Special Events.**

24 A special event application will be designated into one of four
25 Tiers in accordance with this section.

26 (a) A Tier 1 event is a special event that:

27 1. Is a special event that includes the use of City
28 streets, sidewalks, or right-of-ways; or

29 2. Is a multi-day event; or

1 ~~3. Requests a permit for the issuance of a temporary~~
2 ~~liquor license under Chapter 6 of this Code; or~~

3 4.3. Is a special event that estimates more than 1,000
4 attendees per day;

5 5.4. Has an estimated need, based on its permit
6 application, for additional City services, staff time,
7 security or police services and equipment; or

8 6.5. Is a special event that will use fireworks.

9 7.6. Carnival and Circuses: No carnival or circus shall
10 remain in operation in any one location for a period exceeding
11 five (5) days. No carnival ~~or circus~~, regardless of operator,
12 shall be located on any one particular site more than two (2)
13 times during any calendar year. No circus, regardless of
14 operator, shall be located on any one particular site more
15 than two (2) times during any calendar year. Exemption can
16 be applied for through the SpecialCommunity Events
17 application up to three additionally times in a calendar year
18 for a circus without animals. SpecialCommunity Events will
19 evaluate whether there were previous issues or if there are
20 sufficient city services available to allow for these
21 additional special events.

22 8.7. Examples -Musical Events, private parades,
23 carnival, circus, large runs.

24 (b) A Tier 2 event is a special event that:

25 1. Is an assembly at a City property that estimates
26 attendance at less than 1,000 attendees per day; or

27 2. Is an assembly lasting four days or less, that is
28 held primarily on private property, and that estimates
29 attendance at less than 1,000 attendees per day; or

30 3. Is stationary and impacts up to two blocks of a
31 street, sidewalk, or city right-of-way; or

1 ~~4. Requests a permit for the issuance of a temporary~~
2 ~~liquor license under Chapter 6 of this Code.~~

3 5.4. Examples - smaller musical events, smaller parades,
4 larger run/walks.

5 (c) A Tier 3 event is a special event that does not include
6 the consumption of alcohol, and:

7 1. Is stationary, impacts only one block of a sidewalk
8 or a city right-of-way that is not a street; or and only needs
9 a permit issued for temporary street closure

10 2. Is an assembly at a City property, lasts less than
11 five hours, and does not include food or beverages or a
12 request to increase the permanent occupancy limit.

13 3. Examples - races with over 250 attendees, including
14 fun fairs, expos, and events held on City property.

15 (d) A Tier 4 event is a special event that requires limited
16 City services as defined in Sec. 41.5-102.

17 1. Is an event that is smaller in scale to a Tier 3
18 event, is stationary, impacts only one block of a sidewalk or
19 a city right-of-way that is not a street; or only needs a
20 permit for a temporary street closure.

21 2. Examples - runs with less than 250 attendees,
22 vehicle exhibits or demonstrations.

23 3. Exemptions to Tier 4 permitting process:

24 a. Private home parties shall be exempted from
25 applying for a permit. A private home party are those
26 social events or gatherings held solely at a private,
27 single-family residence, featuring live musical
28 entertainment arranged for by the resident owner and
29 consisting of only one (1) band or performer, and at
30 which no guest in attendance shall pay any admission fee
31 or other required concession cost. Any noise

1 restrictions outlined in the Code shall apply to these
2 types of events.

3 b. Residential Block parties, as defined in
4 Section 41.5-102 must make an application and receive
5 approval through the Alderman's Office.

6 (e) A Tier 5 event is for any film production as defined in
7 Sec. 41.5-102.

8 1. Any film production that will occur in the City for
9 commercial, not-for-profit, educational or artistic
10 activities shall require a permit.

11 2. Exemptions: Film production for the filming of news
12 events by the media or by the City of Aurora and other
13 governmental entities serving the community, shall not
14 require a special event permit. Additionally, a film
15 production event does not apply to individuals filming on
16 public or private property for personal, non-commercial
17 purposes. Additionally excluded are schools, businesses,
18 places of worship, and residents using their own premises for
19 producing films for their own educational, family, or
20 training purposes.

21 **Section 41.5-112 - Special Event Permit.**

22 (a) Except as provided in Sec. 41.5-110 (Permit required;
23 Exceptions), a person shall obtain a special event permit issued
24 by ~~Special-Community~~ Events Department before the person may
25 conduct, manage, or operate a special event. Applying for a permit
26 for an event does not guarantee that the event will be approved.

27 (b) Special Events permit applications are on a first-come,
28 first-serve basis and locations will be held only after the ~~Special~~
29 Community Events Office has received a fully-executed application.
30 Municipal Events have priority in use of any City property or
31 right-of-way.

1 (c) Legacy events are given first priority to reserve the
2 same annual date, provided they receive an acceptable post-event
3 evaluation from Special Events and submit a Letter of Intent.

4 1. Special event permits are non-transferable.

5 2. As a condition of the special event permit, the
6 event organizer must display the permit as prescribed by the
7 Special-Community Events Coordinator and display the permit
8 on request from any City employee with enforcement or
9 inspection duties related to the especial event. An
10 electronic version of the permit is permissible.

11 (d) As a condition of the special events permit, the event
12 organizer or a representative of the event organizer must:

13 1. Provide access to a special event venue to any City
14 employee with inspection and enforcement duties related to
15 the special event;

16 2. Be present at all times during the operating hours
17 of the special event;

18 3. Provide Special-Community Events Coordinator with
19 contact information for an individual who is responsible for
20 set-up and take-down of the special event;

21 4. Ensure compliance with all applicable ordinances,
22 statutes, rules, laws, and the special event permit; and

23 5. Accept all notices of violations, citations, and
24 closure orders.

25 6. Provide Emergency Operations Plan as outlined in
26 Sec. 41.5-160.

27 7. Attend any required meetings with City personnel.

28 8. A special event permit is only effective after the
29 event set-up has passed all required inspections.

1 **Section 41.5-113 - Other Permits or Licenses Required.**

2 (a) Except as provided by subsection (b) of this section,
3 the issuance of a special event permit under this chapter does not
4 satisfy the requirement to obtain any other permit or approval
5 required by this Code.

6 (b) A special event conducted in compliance with this
7 Chapter does not require a separate temporary use permit for
8 commercial tents, assembly operational permits, ~~walk and run~~
9 ~~permit~~, raffle permit, and dumpster permit.

10 **Section 41.5-114 - Limitations on the Provision of City Services;**
11 **Costs and Fees.**

12 (a) Issuance of a special events permit or the approval of
13 a special event permit application does not obligate or require
14 the City to provide services, equipment, or personnel in support
15 of an event.

16 (b) Except as provided in subsection (c) of this section,
17 if the City provides services, equipment, or personnel in support
18 of a special event, the City will charge the event organizer the
19 actual cost of:

20 1. The wages or salaries as set by departments for
21 City personnel involved in traffic control, event security,
22 police services, fire safety, medical safety, and any other
23 facility or event support (available from ~~Special Community~~
24 Events);

25 2. The use of City equipment, City-contracted
26 services, and other non-personnel expenses;

27 3. Any damage or site restoration directly related to
28 the special event, not provided by the event organizer that
29 is required to restore the area to the same condition that
30 existed prior to the special event;

1 4. Any cost recovery for additional police or extra
2 resources that were needed but not originally designated for
3 the special event;

4 4.5. Any loss or damage to City property; and

5 5.6. Any other agreed upon service.

6 (c) If the event is a municipal event or the City is co-
7 sponsor of a special event, City services, equipment, or personnel
8 may, with City Council approval, be provided to support a special
9 event without charge.

10 1. The City may also charge any other fees as set by
11 separate ordinances to recover costs associated with special
12 events.

13 2. If an event organizer requests an estimate of the
14 charges or fees described in subsection (b), Special
15 Community Events Coordinator will provide an estimate at
16 least twenty (20) days before the start of the special event.

17 3. An event organizer shall pay to the City:

18 a. At least ten (10) days prior to the date of
19 the special event, twenty-five percent (25%) of the
20 costs estimated by the Special—Community Events
21 Coordinator or up to one thousand dollars(\$1,000.00),
22 whichever is less, to be the direct and reasonable costs
23 which will be incurred by the City to provide services
24 and equipment for the special event.

1 b. Within thirty to forty-five (30 - 45) days
2 from the date of the conclusion of the permitted event,
3 the direct and reasonable costs incurred shall be billed
4 to the event organizer in an itemized bill. This amount
5 shall include compensation for any loss/damage or site
6 restoration to City property. Failure to remit payment
7 in full in accordance with this ordinance and Code may
8 impact the ability to hold future events.

9 **Section 41.5-115 - Insurance Required.**

10 (a) Special Events are required to secure an insurance
11 policy for the event that includes the City of Aurora as an
12 additional insured (as primary, non-contributory additional
13 insured. The Law Department shall determine, annually, and based
14 on the Tier, the appropriate insurance amounts required for Special
15 Events held in the City. The event organizer(s) shall purchase and
16 maintain this insurance, providing coverage for the event with an
17 insurance company authorized to do business in the State of
18 Illinois. Excluded from the insurance requirements of this section
19 are events that take place solely on private property.

20 (b) Additional insurance may be required depending on the
21 tier of the event. As part of the permit process, the ~~Special~~
22 Community Events Coordinator will advise event organizers if
23 additional insurance is required.

1 **Section 41.5-116 - Indemnity of City of Aurora.**

2 (a) The event organizer of a special event, shall, in
3 addition to the application provided under this division, deliver
4 to the City an agreement, as contained in the permit application,
5 in writing holding the City harmless from all liability resulting
6 from the operation of the special event, and, further, shall agree
7 to indemnify the City from all liability resulting from any injury
8 to patrons, bystanders, passerby or any individual as a result of
9 the operation or maintenance of the special event.

10 **SECS. 41.5-117 - 41.5-129. - RESERVED.**

11 **ARTICLE III. - SPECIAL EVENT APPLICATIONS**

12 **Section 41.5-130 - Special Event Application Fees and Deadlines.**

13 (a) An event organizer shall pay a non-refundable
14 application fee as set by separate resolution.

15 (b) An event organizer must submit a complete special event
16 application no later than the following number of days prior to
17 the first day of the proposed event:

- 18 1. 90 days for a Tier 1 event; and
- 19 2. 60 days for a Tier 2 event; and
- 20 3. 60 days for a Tier 3 event; and
- 21 4. 45 days for a Tier 4 event; and
- 22 5. 30 days for a Tier 5 event.

23 (c) An application deadline for a special event
24 application may be waived by the ~~Special~~Community Events
25 Coordinator if the following conditions are met:

- 26 1. The event organizer can show good cause;
- 27 2. The event organizer has a complete application to
28 submit;

1 3. No unreasonable burden on the City will be created
2 by the waiver; and

3 4. Additional late fee is paid for a late permit
4 application.

5 **Section 41.5-131 - Contents of Special Event Application.**

6 (a) Event organizer must submit an electronic application
7 for a special event on a form approved by Special-Community Events.
8 The event organizer must be the applicant unless the event
9 organizer designates another person in writing.

10 (b) Except as provided in Subsection (c), an application
11 must contain all of the information described in this section.

12 (c) Special-Community Events Coordinator may consider an
13 application for a Tier 1 or Tier 2 event complete without the
14 following:

15 1. Detailed information concerning the activities
16 included in the special event, including:

17 a. the number of bands or other musical units;

18 b. the name of the owner, owners, lessee,
19 lessees, proprietor, operator or manager of the subject
20 premises and the music festival and, in addition
21 thereto, the name of the proprietor, operator, promoter
22 or manager of each entertainment or performance which
23 collectively make up the music festival, and the legal
24 relationship of each to the applicants of the music
25 festival;

26 c. the number of theatrical performances;

27 d. the proposed size, location, and orientation
28 of speakers;

29 e. the distance from any residential districts
30 and ~~affect-how noise will affect-have in those districts~~
31 (see 29-28 limitations);

1 e.f. the ancillary activities that will be
2 associated with the event;

3 f.g. the kinds of animals anticipated to be a part
4 of the event;

5 g.h. if the applicant is a carnival or circus, the
6 applicant must provide proof that it is a not-for-profit
7 organization that provides services to the City of
8 Aurora or Aurora residents that is sponsoring the
9 carnival or circus;

10 h.i. if the applicant is a carnival or circus, it
11 must meet all the requirements under federal law,
12 including but not limited to the Animal Welfare Act
13 (AWA), any regulations issued by the USDA or Animal and
14 Plant Health Inspection Service (APHIS) as well as state
15 laws, including but not limited to 820 ILCS 270/1, et
16 seq., (Aerial Exhibitors Safety Act), 430 ILCS 85/2-1,
17 et seq., (Amusement Ride and Attraction Safety Act), 720
18 ILCS 5/48-10 and 11 (Dangerous Animals), and any other
19 county or city rules or regulations.

20 i.j. the types of non-emergency vehicles to be used
21 for the event; and;

22 2. Detailed information concerning:

23 a. food and alcohol are required to comply with
24 Chapter 6 and 25 of this Code, or any other certificates
25 issued locally, through the County or State.

26 b. the proposed location of portable sanitation
27 facilities, including at least 10% (and at least 1) being
28 ADA compliant (Special-Community Events Coordinator will
29 provide event organizer with formula of minimum required
30 portable sanitation facilities); and

1 ~~e. the proposed location of all landfill trash~~
2 ~~containers and all recycling containers (Special Events~~
3 ~~Coordinator will provide event organizer with formula of~~
4 ~~minimum required trash and recycling containers);~~

5 d.c. Detailed information concerning public safety
6 and emergency preparedness including, but not limited
7 to:

8 (1)provisions for queuing event attendees on
9 streets, sidewalks, or other city right-of-
10 ways;

11 (2)an Emergency Action Plan described in Sec.
12 41.5-160 (Emergency Action Plan); and

13 (3)other equipment or services necessary to
14 conduct the event with due regard to public
15 health and safety.

16 (d) The Special—Community Events Coordinator shall
17 establish a deadline, which will depend on the Tier of the event,
18 for the information required by Subsection (c) to be provided to
19 Special—Community Events Coordinator.

20 (e) An application for a special event permit may be
21 submitted no earlier than January 1st of the year the special event
22 will be held, unless the same event was held in the City during
23 the prior calendar year, in which case application letter of intent
24 for a special event permit may be submitted after the event
25 evaluation has been completed.

26 **Section 41.5-132 - Special Event Application Review.**

1 (a) **Nondiscrimination:** The ~~Special—Community~~ Events
2 Coordinator shall consider each event permit application upon its
3 merits and shall not discriminate based upon race, creed, color,
4 ethnicity, religion, ancestry, sex, age, disability, national
5 origin, sexual orientation, gender related identity, political
6 party affiliation (or lack thereof), familial status, or marital
7 status.

8 (b) For a Tier 3 or Tier 4 event, the ~~Special—Community~~
9 Events Coordinator will issue a preliminary recommendation to
10 approve the application provided that the following conditions are
11 met:

12 1. No other approved or pending special events
13 conflict with the event organizer's proposed special event;

14 2. A prior special event permit or a permit issued
15 under any other Chapter in this Code was not revoked by the
16 City in the preceding 12 months;

17 3. The City has sufficient resources to address public
18 health and safety concerns raised by the special event; and

19 4. The event will not cause an unresolvable conflict
20 in the public right-of-way or at a public facility.

21 (c) The ~~Special—Community~~ Events Coordinator is not
22 required to process more than one application for a Tier 3 or Tier
23 4 event per event organizer during any two-week period.

24 (d) Except as otherwise provided, when multiple Tier 3 or
25 Tier 4 events are requested for the same day and location, the
26 ~~Special—Community~~ Events Coordinator will prioritize applications
27 based on the number of years a special event has been conducted in
28 the City and receipt of a Letter of Intent. When two or more
29 special events have been conducted for the same number of years,
30 applications will be reviewed on a first come, first serve basis.

(e) For a Tier 3 or Tier 4 event, the ~~Special-Community~~ Events Coordinator will take final action to approve or deny an application two weeks prior to- the first day of the special event.

(f) For a Tier 1 or a Tier 2 Event, the ~~Special-Community~~ Events Coordinator will take final action to approve or deny an application no later than 30 days after the application is deemed complete.

(g) During the application review period, the ~~Special-Community~~ Events Coordinator will engage in an interactive process with the applicants.

Section 41.5-133 - Notification of a Special Event Application.

(a) As part of the Special Events permit, event organizers are required to notify all impacted businesses, interested persons, neighborhood associations, places of worship, and places of learning prior to their scheduled event. The timing of the notification and the impact area will depend on the Tier of the event and location of the event. An event organizer shall provide notification as proscribed in the Special Events ~~Guidebook~~ Planning Guide.

(b) Completion of the notification process does not guarantee approval of the special event.

(c) ~~Special-Community~~ Events Coordinator or staff must approve of the notification prior to dissemination.

Section 41.5-134 - Approval or Denial of a Special Event Application.

(a) If the ~~Special-Community~~ Events Coordinator determines that none of the conditions specified in Subsection (b), (c), or (d) of this section apply, the ~~Special-Community~~ Events Coordinator shall approve a special event application.

(b) The ~~Special-Community~~ Events Coordinator shall deny a special event application if the applicant fails to:

- 1 1. Provide a complete application;
- 2 2. Provide the documentation required in Section 41.5-
- 3 131 (Contents of Special Events Application);
- 4 3. Provide sufficient crowd control and safety
- 5 measures;
- 6 4. Provide sufficient safety, health, or portable
- 7 sanitation equipment, services, or facilities that are
- 8 reasonably necessary to ensure that the event will be
- 9 conducted with due regard for safety and ADA accessibility;
- 10 5. Provide sufficient waste management and recycling
- 11 services (~~Special~~Community Events Coordinator may provide
- 12 formula);
- 13 6. Provide sufficient off-site parking or shuttle
- 14 service, or both, when required to minimize any substantial
- 15 adverse impacts on general parking and traffic circulation in
- 16 the vicinity of the event;
- 17 7. Meet the requirements for submitting an application
- 18 for a special event permit;
- 19 8. Obtain the approval of any other public agency
- 20 within whose jurisdiction the special event or a portion of
- 21 the special event will occur;
- 22 9. Provide a sufficient emergency action plan based on
- 23 event risk factors;
- 24 10. Obtain all other required city permits or
- 25 approvals;
- 26 11. Meet the conditions set forth in Section 41.5-132
- 27 (Special Event Application Review); or
- 28 12. Provide a sufficient plan to accommodate
- 29 individuals with disabilities at the event; or

1 13. Make revisions to a pending application that the
2 ~~Special-Community~~ Events Coordinator requires.

3 (c) The ~~Special-Community~~ Events Coordinator shall deny a
4 special event application if it determines that:

5 1. The event will violate any local, county, state, or
6 federal law or regulation or administrative rule;

7 2. The resources required to ensure public safety
8 within the special event venue or impact area will prevent
9 the police, fire, or emergency medical services departments
10 from providing reasonable protections to the remainder of the
11 City;

12 3. The concentrations of persons, animals, or vehicles
13 within the special event venue or impact area will unduly
14 interfere with the movement of police, fire, ambulance, or
15 other emergency vehicles;

16 4. The event will substantially interfere with:

17 a. any other special event for which a permit or
18 application has already been approved; or

19 b. the provision of City services required to
20 support scheduled or unscheduled government functions.

21 5. The event organizer demonstrates an inability or
22 unwillingness to conduct an event in compliance with the
23 requirements of this Chapter or a condition to a permit issued
24 under this chapter; or

25 6. The event organizer conducted a prior special event
26 in a manner that failed to receive a positive post event
27 evaluation in the past three years.

28 (d) The ~~Special-Community~~ Events Coordinator shall approve
29 an application if:

30 1. None of the conditions in Subsection (b) and (c)
31 apply.

1 (e) The ~~Special~~Community Events Coordinator is not
2 required to take action on an incomplete or untimely application,
3 except as provided in section 41.5-131 (Contents of Special Events
4 Application).

5 (f) The ~~Community~~Special Events Coordinator may require
6 application modifications. In exercising this authority, the
7 ~~Special~~Community Events Coordinator will consider:

- 8 1. Scope of events;
- 9 2. Traffic;
- 10 3. Parking;
- 11 4. Other events or activities previously scheduled in
12 close proximity; and
- 13 5. Public Safety Concerns.

14 (g) If the ~~Special~~Community Events Coordinator denies an
15 application, the ~~Special~~Community Events Coordinator shall notify
16 the event organizer in writing as soon as practicable. A
17 notification sent by electronic mail complies with this
18 subsection.

19 (h) Applications that are inactive for a period of 45 days
20 are automatically denied and the applicant must re-apply for a
21 Special Events Permit.

22 **Section 41.5-135 - Appeal of Special Event Application Denial.**

23 (a) If ~~Special~~Community Events Coordinator denies a
24 special event application, the event organizer may appeal the
25 denial to the City Administrative Hearing Officer.

26 (b) For purposes of this article, the administrative
27 hearing officer shall be the hearing officer who holds
28 administrative hearings involving violations of the City's
29 property maintenance code under Chapter 12 of this Code.

1 (c) The event organizer must deliver an appeal to the City
2 Clerk, in writing, no later than five (5) regular business days
3 after the event organizer is notified that the application was
4 denied, or such appeal shall be deemed waived.

5 (d) The Law Department, upon notification of appeal, shall
6 promptly set a time and date for a hearing. The applicant shall be
7 given an opportunity to be heard by the hearing officer upon any
8 such denial or revocation within fourteen (14) days of filing an
9 appeal.

10 (e) At such hearing, the hearing officer shall give the
11 violator an opportunity to be personally heard and to present
12 witnesses and information relevant to the issue. The hearing
13 officer shall also hear from the City and its witnesses and
14 information relevant to the issue.

15 (f) The hearing officer must act on the appeal within three
16 (3) business day following the conclusion of any hearing and may
17 uphold or reverse the denial.

18 (g) In considering the appeal, the hearing officer shall
19 apply the same criteria as the Special-Community Events Coordinator
20 under Section 41.5-134 (Approval or Denial of Special Event
21 Application).

22 (h) The applicant shall receive written notice of the
23 hearing officer's decision, which shall be a final decision for
24 the purposes of administrative review under the Illinois
25 Administrative Review Act, 735 ILCS 5/3-101, et seq.,.

26 **Section 41.5-136 - Notice of Proposed Legacy Special Event Dates.**

27 (a) A legacy event may submit a notice of proposed special
28 event dates for up to a three (3) year period on a form approved
29 by the CommunitySpecial Events Coordinator.

(b) A legacy event must still comply with Section 41.5-130 (Special Event Application Fees and Deadlines) and Section 41.5-131 (Contents of a Special event Application) each year of the event.

SECS. 41.5-137 - 41.5-149. - RESERVED.

ARTICLE IV. - OPERATION

Section 41.5-150 - Special Events Reports to the Government OperationsPublic Health, Safety, and HealthTransportation Committee.

(a) The Special-Community Events Coordinator shall supply a report to the Government OperationsPublic Health, Safety, and Transportation Committee of upcoming events and the portions of the City that are impacted.

Section 41.5-151 - Unpermitted Special Events Prohibited.

A person may not conduct, operate, or manage a special event without a special event permit required by this Chapter.

Section 41.5-152 - Compliance with Permits, Approval, and Plans.

An event organizer shall conduct, operate, or manage the special event in compliance with the special event permit, other city permits and approvals, and approved plans.

Section 41.5-153 - Post-event Evaluations.

(a) The Special-Community Events Office will complete an Event Evaluation form following the majority of special events that are Tier 1 or 2 or events that have issues or use numerous City resources, which will include a performance score measuring the success of event organizers in conforming to all policies and permitted activities.

(b) Events with an unsatisfactory evaluation may have additional requirements imposed for future years or may be denied for future events.

1 **Section 41.5-154 - The Sale of Goods and the Provisions of Food**
2 **and Beverages within a Special Event.**

3 (a) Except as provided in Subsection (b), a person may not
4 sell goods on City property, or on a City street, sidewalk, or
5 right-of-way within the area permitted for a special event.

6 (b) The sale of goods may occur if:

7 1. ~~Special-Community~~ Events Coordinator approves the
8 sale of goods on City property, or on a City street, sidewalk,
9 or right-of-way within the area permitted for the special
10 event; or

11 2. The event organizer obtains a closure permit under
12 Section 41.5-111; or

13 3. The vendor is authorized under Chapter 25 of this
14 Code.

15 (c) Except as provided in Subsection (d), a person may not
16 provide food or beverages, including alcohol, at a special event.

17 (d) At a special event, a person may provide food or
18 beverages, including alcohol, only if the person is authorized to
19 under Chapter 6 (Alcoholic Liquor) and Chapter 25 (Licenses,
20 Permits, and Misc. Business Regs.).

21 (e) The provision of food or beverages at a special event
22 shall comply with the requirements under any applicable Chapter of
23 this Code.

24 **Section 41.5-155 - Sound Equipment for Outdoor Special Event**
25 **Venues.**

26 (a) In this section, an outdoor special event venue is a
27 venue that is not fully enclosed by permanent, solid walls, and a
28 roof.

29 (b) Except as provided by subsection (c), the use of sound
30 equipment is prohibited at an outdoor special event venue.

1 (c) Sound equipment may be used at an outdoor special event
2 venue only if approved by the Special-Community Events Coordinator.

3 (d) No person shall use, operate or cause to be used or
4 operated any radio receiving set, loudspeaker, sound truck,
5 amplifier or other similar device upon or along the streets in the
6 City, for the purpose of advertising or inviting a person to the
7 event without first obtaining a permit from the Special-Community
8 Events Coordinator. The permit fees for this section shall be
9 determined, from time to time, by separate ordinance or resolution
10 of City Council.

11 (e) The Special-Community Events Coordinator may approve
12 the use of sound equipment in a right-of-way closure area between
13 7:00 a.m. and 10:00 p.m.

14 (f) The Special-Community Events Coordinator may approve
15 the use of sound equipment at an outdoor special event venue that
16 is located on City property:

17 1. Between 7:00 a.m. and 9:00 p.m. Sunday through
18 Wednesday; or

19 2. Between 7:00 a.m. and 10:00 p.m. Thursday, Friday,
20 Saturday or the night before New Year's Day, Memorial Day,
21 Independence Day or Labor Day.

22 3. Municipal Events are exempt from the sound
23 equipment restrictions.

24 (g) A sound impact plan ~~is~~ may be required and must be
25 approved by the Special-Community Events Coordinator. The elements
26 of a sound impact plan include:

27 1. Sound-mitigating design features;

28 2. Operating hours for sound equipment;

29 3. Contact information for the individual responsible
30 for operating the sound equipment during the special event;

31 ~~and~~

1 4. Site plan;

2
3 5. Distance from residential districts; and

4 4-6. Any other elements required by the Special
5 Community Events Coordinator.

6 (h) An event organizer must require an individual to be
7 present and responsible for operating sound equipment during the
8 operating hours for the special event.

9 **Section 41.5-156 - Additional Requirements.**

10 (a) An event organizer must provide sufficient portable
11 toilets, both ADA accessible and non-accessible facilities in the
12 immediate area of the event site based on the estimated number of
13 attendees at the special event.

14 (b) An event organizer must also provide a plan to
15 accommodate enough handicap parking spots in the vicinity of the
16 event based on the estimated number of attendees at the special
17 event.

18 ~~(c) A waste management and recycling plan is required for~~
19 ~~any special event and must be based on the estimated number of~~
20 ~~attendees and include proof of waste management and recycling~~
21 ~~services that will be provided.~~

22 ~~(d) After a special event, an event organizer shall provide~~
23 ~~that proof that it provided waste management and recycling services~~
24 ~~at the special event.~~

25 ~~(e) A waste reduction and recycle plan is required for Tier~~
26 ~~1, Tier 2 and Tier 3 special events.~~

27 ~~(f)~~ (c) During a special event held at a city facility or
28 on City streets, sidewalks, or right-of-way, an event organizer
29 may not provide or distribute, or allow another to provide or
30 distribute glass containers or Styrofoam.

1 ~~(g)~~-(d) If applicable, an event organizer shall post a sign
2 at each entrance and exit to a special event venue with a right-
3 of-way closure area that is visible to all patrons entering the
4 area that includes the amount of the entry fee, if any,
5 standardized rules, along with language notifying patrons that if
6 rules are violated they are subject to removal from the event and
7 the rules of access to the right-of-way closure area. If
8 applicable, an event organizer must post the sign required by this
9 subsection during the time the entry fee is in effect.

10 ~~(h)~~-(e) If an entry fee is charged for a special event, an
11 event organizer may not charge an entry fee for a person that needs
12 access to a residence within the special event impact area or
13 right-of-way closure area or a business within a special event
14 impact area or right-of-way closure.

15 ~~(i)~~-(f) An Americans with Disabilities Act (ADA) compliance
16 plan is required for any special event that interferes with
17 accessibility on City streets, sidewalks, right-of-way, or City
18 facilities. This plan must also comply with: 71 IL Admin Code,
19 Section 400.

20 **SECS. 41.5-157 - 41.5-159. - RESERVED.**

21 **ARTICLE V. - PUBLIC SAFETY**

22 **Section 41.5-160 - Emergency Action Plan.**

23 (a) An emergency action plan is required for any special
24 event and must be approved by the ~~Community~~Special Events
25 Coordinator.

26 (b) An event organizer shall prepare an emergency action
27 plan for a special event that is based on the estimated number of
28 attendees and, at a minimum, includes:

- 29 1. On-site security for attendees and property;

1 2. On-site medical coverage, number of a level of
2 certification of emergency medical responders, and the 911
3 access that will be utilized for the special event;

4 3. Fire safety plan;

5 4. Weather related evacuation and cancellation plans;
6 and

7 5. Documents required in Section 41.5-131 (Contents of
8 Special Events Application).

9 (c) When required for a special event, the number of police
10 officers, emergency medical providers, and fire department
11 employees required for a special event must be based on guidelines
12 established by each separate department.

13 (d) At least 30 days prior to the start of a Tier 1 or Tier
14 2 special event, an event organizer shall provide the Community
15 ~~Special~~ Events Coordinator a written description of all non-city
16 public safety resources that will be used at the special event.

17 **Section 41.5-161 - Personal Security and Property Security.**

18 (a) An event organizer may hire private security, for
19 personal safety or property security during a special event to
20 supplement the services provided by the Aurora Police Department.
21 Aurora Police Department will have the final authority for security
22 measures. Additionally, if private security is hired, they are to
23 work with Aurora Police Department on a safety plan prior to the
24 event and provide whether or not whether the guards will be armed
25 or not armed.

26 (b) Private security employed pursuant to Subsection (a)
27 must:

28 1. Be in uniform and provide Special Events
29 application Aurora Police Department with a description and
30 photo of their uniform;

1 2. Be able to contact City police, fire, or emergency
2 medical services if necessary;

3 3. Remain on-site during the special event, including
4 while the special event is completed and through the take-
5 down process.

6 4. Be licensed by the State of Illinois and provide a
7 copy of said license to the Aurora Police Department Special
8 Events Sergeant or designee in the special events application;

9 5. Provide necessary documents to show they have been
10 insured and bonded to the Aurora Police Department Special
11 Events Sergeant or designee in the special events application;
12 and

13 6. Not consume any alcoholic beverages or participate
14 in the special event.

15 7. Meet and confer with the Aurora Police Department
16 prior to the start of the event to establish guidelines and
17 point of contacts.

18 (c) The supervising police officer at or prior to a special
19 event may, at his or her discretion, reduce or increase the number
20 of peace officers posted at a special event.

(d) Unless a peace officer has been authorized by the police chief or designee, or is otherwise on duty and acting in an official capacity of their agency, only peace officers or police cadets commissioned by the City of Aurora shall be used for traffic control on City streets or in City right-of-way for special events, as defined by this Chapter. In making a determination for authorization, the police chief shall consider the officer's familiarity with local ordinances and rules of the City, and the proximity of the officer's primary jurisdiction to the City. Exemption: The police chief or designee can make the determination, based on safety and security of the event, for certain ~~Tier 3 and Tier 4~~ events to allow volunteers trained by the police department or by Aurora Emergency Management Agency, for traffic control.

(e) Volunteers under the supervision of ~~the Office of Emergency Management for the City of Aurora~~ Aurora Emergency Management Agency may work under the supervision of the Aurora Police Department to assist at Special Events.

Section 41.5-162 - Fire Safety.

(a) An event organizer shall comply with all applicable International Fire Code requirements as adopted and amended in Chapter 17 of this Code (Fire Protection and Prevention), as well as requirements under Chapter 12 (Buildings and Building Regulations) under this Code including but not limited to:

1. Fire lanes and public safety access;
2. Tents and temporary membrane structures;
3. Fireworks, pyrotechnics, open flames;
4. Theatrical flame or laser performances;
5. Occupant loads, exiting, and egress;
6. Use of decorative materials and finishes;
7. Use, location, storage of propane or other fuel type equipment; and

1 8. Crowd management.

2 (b) An event organizer shall comply with all applicable
3 City of Aurora Fire Department guidelines related to street
4 closures.

5 **Section 41.5-163 - Medical Service.**

6 (a) An event organizer may hire medical providers,
7 including licensed medical providers that are not employed by the
8 City of Aurora, for medical support for a special event to
9 supplement the services provided by the Aurora Fire Department.

10 (b) Unless otherwise directed by the Fire Chief, only
11 medical service responders employed by the City of Aurora may
12 respond to 911 requests within a special event or provide medical
13 transport from a special event.

14 **SE CS. 41.5-164 - 41.5-169. - RESERVED.**

15 **ARTICLE VI. - SPECIAL EVENT ENFORCEMENT**

16 **Section 41.5-170 - Offense and Penalty.**

17 (a) A person who violates a provision of this Chapter or a
18 requirement or condition of a special permit is guilty of a
19 separate offense for each day or part of a day during which the
20 violation is committed or continued.

21 (b) For offense punishable by a fine not to exceed \$500, a
22 culpable mental state is not required for the commission of an
23 offense under this Chapter.

24 (c) Each offense is punishable by a fine not to exceed:

25 1. \$2,000 fine plus cost recovery for a violation of
26 a provision of this Chapter or a requirement or condition of
27 a special event permit governing fire safety, zoning, or
28 public health and sanitation, including dumping of refuse,
29 site restoration; or

1 2. Any event organizer/person or organization who
2 holds a special event, regardless of Tier, without a proper
3 permit is subject to fines not less than \$500.00 and not more
4 than \$10,000.00 per day of the unpermitted special event.

5 3. \$500 fine for all other violations of this chapter
6 or requirement or condition of a special event permit.

7 4. Any other offenses listed in this Code.

8 **SECS. 41.5-171 - 41.5-179. - RESERVED.**

9 **ARTICLE VII. - REVOCATION OF SPECIAL EVENT PERMIT**

10 (a) The Special-Community Events Coordinator may revoke a
11 special event permit if the Special-Community Events Coordinator
12 determines:

13 1. The Special-Community Events Coordinator issued the
14 special event permit in error;

15 2. The event organizer is conducting the event in a
16 manner that does not comply with the special event permit;

17 3. The event organizer fails to maintain insurance as
18 required in this Chapter.

19 4. The event organizer or any person associated with
20 the special event has failed to obtain any other permit
21 required by the City; or

22 5. The event poses a threat to public health or safety.

23 (b) Except as provided in subsection (c), the Special
24 Community Events Coordinator may revoke a special event permit
25 after he or she issues a notice of intent to revoke. The notice of
26 intent will be in writing; specifically set forth the reasons for
27 revocation; specify the corrective measures required for
28 compliance and to prevent revocation; and provide a time period
29 for compliance.

1 (c) Verbal notification is sufficient if an emergency that
2 poses a threat to public health or safety requires immediate
3 revocation. The Special-Community Events Coordinator may provide
4 a warning to the event organizer prior to an immediate revocation.

5 (d) If an event organizer fails to take the corrective
6 measures identified in the notice of intent within the time period
7 provided, the special event permit is revoked without further
8 action by the Special-Community Events Coordinator.

9 (e) If the Special-Community Events Coordinator revokes a
10 special event permit prior to the start of the event, the event
11 organizer may request an appeal hearing in the same manner as set
12 forth in Sec. 41.5-135.

13 (f) A revocation described in subsection (c) that occurs
14 during a special event is effective until the condition causing a
15 threat to public health or safety is remedied and the special event
16 no longer poses a threat to public health or safety.