

CHAPTER 7.36

PARADES AND SPECIAL EVENTS

7.36.01. Title, purpose, and authority. This ordinance shall be known as the "Blytheville Parade and Special Events Ordinance" and shall govern the use of the streets and public rights-of-ways within the corporate limits of Blytheville for parades, athletic events or races, block parties, special events and entertainment district activities as defined hereinafter. These regulations are promulgated pursuant to A.C.A. § 27-49-106 (b)(3) and establish the standards for the issuance of parade and special event permits in order to recover the cost thereof and to preserve and protect the public health and safety.

7.36.02. Definitions. The following words, terms, and phrases, when used in these regulations, shall have the meanings ascribed to them in this section, except where the content clearly indicates a different meaning.

1. Administrative Authority means such city officials, employees, staff committees or agents designated by the mayor to administer this ordinance.
2. Applicant, Host, Sponsor, Promoter, Permittee means any person, firm or organization who seeks an event permit to conduct, host, sponsor, promote or permitted person of an event herein referred to as sponsor.
3. Sidewalk means any area or way set aside or open to the general public for purposes of pedestrian traffic, whether or not it is paved.
4. Street means highway, roadway, alleyway as a place set aside or open to the general public for purposes of vehicular traffic, including any berm or shoulder parkway, right-of-way, or median strip thereof.
5. Parade means any march, procession, pageant, review, ceremony or exhibition consisting of persons, animals, motorized or self-propelled vehicles or any combination thereof, which is conducted upon any city street, sidewalk, alley, public right-of-way or other property owned or controlled by the city, which obstructs, delays, impedes, impairs, or interferes with the usual, normal and free pedestrian or vehicular use, or does not comply with normal traffic laws and controls herein referred to as event.
6. Festival means a periodic celebration or program of events or entertainment usually having a specified focus or theme conducted upon any city park, street, sidewalk, alley, public right-of-way, or other property owned or controlled by the city, which obstructs, delays, impedes, impairs, or interferes with the usual normal public use.
7. Run / Walk, Athletic Event, or Race means any occasion in which a group of persons collectively engage in a sport or form of physical exercise conducted upon any city street, sidewalk, alley, public right-of-way or other property owned or controlled by the city, which obstructs, delays, impedes, impairs or interferes with the usual, normal and free pedestrian or vehicular use, or does not comply with normal traffic laws and controls including, but not limited to, foot races/walks, bicycle races, motorized or self-propelled vehicle races, or any similar type activity herein referred to as event.
8. Exhibition or "Expo" means a public display or demonstration of items, skills or works of

interest, such as but not limited to an Auto Show or Trade Fair which may be conducted at a public or private indoor or outdoor facility or conducted upon any city park, street, sidewalk, alley, public right-of-way or other property owned or controlled by the city, which obstructs, delays, impedes, impairs, or interferes with the usual normal public use.

9. **Non-Profit Fund Raiser** means the raising of funds for a nonprofit organization including but not limited to organizations operated exclusively for religious, public safety, literary, educational purposes, political organizations, social welfare organizations, civic leagues, social clubs, labor organizations and business leagues. by solicitation of funds or sale of items where participation may be taken as a charitable tax deduction by the person incurring the cost, conducted upon any, city park, street, sidewalk, alley, public right-of-way, or other property owned or controlled by the city which obstructs, delays, impedes, impairs, or interferes with the usual normal public use.
10. **For-Profit Venture** means any event, activity or enterprise entered into for profit for the benefit, advantage, or pecuniary gain of an individual, business or organization including an agreement (written or oral) between parties for the sharing of profits or losses conducted upon any, city park, street, sidewalk, alley, public right-of-way, or other property owned or controlled by the city which obstructs, delays, impedes, impairs, or interferes with the usual normal public use.
11. **March or Demonstration** means any meeting or gathering of a group exercising their constitutional rights usually, but not limited to political, social, or religious interest, conducted upon any city park, street, sidewalk, alley, public right-of-way, or other property owned or controlled by the city, which obstructs, delays, impedes, impairs, or interferes with the usual normal public use.
12. **Rally** means any meeting or gathering of an enthusiast group with interest in a particular subject conducted upon any city park, street, sidewalk, alley, public right-of-way, or other property owned or controlled by the city, which obstructs, delays, impedes, impairs, or interferes with the usual normal public use.
13. **Entertainment or Concert** means a live, staged musical performance, comedy act, dramatic performances or other specialty act featuring any number of performers for which a ticket is sold with the purpose of profit or non-profit fundraising by a promoter, conducted upon any, city park, street, sidewalk, alley, public right-of-way, or other property owned or controlled by the city which obstructs, delays, impedes, impairs, or interferes with the usual normal public use.
14. **Block Party** means a festive gathering for all residents on a block of street in a residential neighborhood, typically requiring a closure of a street, or portion thereof to the general public and use of the street for the festive activities including, but not limited to, barbecues, picnics, music, games, block dances or similar activities, conducted upon any, city park, street, sidewalk, alley, public right-of-way or other property owned or controlled by the city which obstructs, delays, impedes, impairs, or interferes with the usual normal public use.
15. **Fair or Carnival** means a traveling business providing commercial entertainment consisting of sideshows, concessions, rides, games of chance, and other amusements, conducted upon any, city park, street, sidewalk, alley, public right-of-way, or other property owned or controlled by the city which obstructs, delays, impedes, impairs, or interferes with the usual normal public use.
16. **Arts and Craft Fair** means any gathering for display, trade or sale articles of artistic quality or

effect or handmade workmanship, conducted upon any city park, street, sidewalk, alley, public right-of-way, or other property owned or controlled by the city which obstructs, delays, impedes, impairs, or interferes with the usual normal public use.

17. **Event or Special Event** means and includes but is not limited to any Parade, Festival, Run/Walk, Athletic Event, or Race, Exhibition, Non-Profit Fund Raiser, For-Profit Venture, March or Demonstration, Rally, Entertainment or Concert, Block Party, Fair or Carnival, Arts and Craft Fair, or any other such activity conducted upon any city street, sidewalk, alley, public right-of-way or other property owned or controlled by the city, which obstructs, delays, impedes, impairs, or interferes with the usual, normal and free pedestrian or vehicular use, or does not comply with normal traffic laws and controls or which requires, in the judgment of the chief of police, the deployment of police officers for crowd control, vehicle and or pedestrian traffic control and other purposes herein referred to as event .
18. **Downtown Main Street District**, referred to as district, means any street or public right-of-way geographically defined area specifically established by the City Council as a commerce district for parades, promotional, entertainment or special event purposes.
19. **Permit** means the authority and permission granted by the Blytheville City Council to conduct a parade or special event upon the streets and public rights-of-ways of the City of Blytheville in accordance with these regulations and any conditions that may be imposed by the City Council relative to a particular parade or special event.
20. **Permittee** means the person, firm or organization to whom a parade or special event permit has been issued pursuant to these regulations.

7.36.03. Permit Required. Any person, firm or corporation desiring to conduct or sponsor a parade or special event, as defined by this ordinance, shall first obtain a permit from the city collector or administrative authority in accordance with the requirements of this ordinance. No parade or special event may be conducted without an approved permit.

7.36.04. Permit Application. Applicants desiring to conduct a parade or special event must complete an event permit application on such form(s) as may be prescribed by the administrative authority. All applications should be completed and returned to the administrative authority not less than thirty (30) business days prior to the date of the event or parade. The 30-day advance application deadline may be waived by the city in the event of extraordinary circumstances of little impact on public safety or convenience. The permit application must include the following information:

- (a) Name, address and phone number of event contact person or persons.
- (b) Description of any organization involved.
- (c) Overall purpose of the event including primary target audience.
- (d) Date and time from start to end of the event including time required for set-up/tear-down.
- (e) Location of event or parade route, street names and block numbers involved.
- (f) Identification of any parking or other non-traffic public rights-of- way for concessions.
- (h) Estimated number of participants, sponsors or units involved.
- (i) Estimated number of persons or spectators expected to attend the event.

- (j) Fees that will be charged for attendance or participation, if any.
- (k) Use of revenues made from event, if any.
- (l) Description of assistance requested from city personnel, if any; and
- (m) Security plan including number and proposed location of all security personnel.

7.36.05. Review of the Event Application. Permit applications shall be reviewed by the administrative authority and all applicable city departments. The administrative authority and all applicable city departments will recommend.

- (a) The permit be issued.
- (b) Object to the issuance of the permit.
- (c) Request a modification of the event prior to the issuance of the permit.

7.36.06. Issuance of the Event Application. If there are no objections and all fees, deposits or payments have been made by the applicant, sponsor, host, promoter, to the city, the administrative authority will issue the permit and notify all applicable city departments that the permit has been issued. If the issuance of the permit is objected to by any applicable city department the administrative authority will contact the applicant with the objections. If the issuance of the permit is conditional on modifications made to the event by any applicable city department the administrative authority will contact the applicant with the requested modifications to the event. If the application is withdrawn at any time no further action is necessary. If the applicant agrees to modify the event as requested and all fees, deposits or payments have been made to the city the administrative authority will issue the permit.

7.36.07. Appeal Procedure. Any applicant shall have the right to appeal the denial of any event permit. Any applicant shall have the right to appeal any requested modifications to any event prior to the issuance of any permit. The appeal will be heard at the next available city council committee meeting corresponding with the applicable city department or departments objecting to the issuance of a permit or requesting modification to the event prior to the issuance of a permit. The administrative authority will provide the applicant with the corresponding meeting dates and times and will notify the applicable department or departments of the applicant's intent to appeal.

7.36.08. Administrative Permits. The administrative authority may issue permits for, or the Chief of Police may approve minor parades, marches or demonstrations involving twenty-five (25) or fewer pedestrians marching along a route that has minimal disruption with the usual, normal, and free pedestrian or vehicular use. The administrative authority may issue permits for, or the Parks Advisor may approve minor events involving twenty-five (25) or fewer participants in City Parks.

7.36.09. Event Regulations. The following regulations shall govern all special events conducted pursuant to this ordinance:

- (1) Street closure. No street shall be closed completely for more than one (1) within a 24- hour time period unless permitted.
- (2) Parking or Non-Traffic areas. Parking lanes or other non-traffic areas of public rights-of-way

shall not be utilized for any event concessions, staging or other such activities unless specifically approved as part of the event application.

- (3) Undue Disruption. No event shall be permitted when, in the opinion of the administrative authority, chief of police, fire chief, street department director, or the City Council, such event would unduly disrupt the flow of traffic or cause an undue hardship on local commerce or the traveling public, subject to reasonable time, place and manner restrictions.
- (4) Routing Signage. Signage advising the public of street closings and alternate routes may be required at the discretion of the administrative authority or applicable department.
- (5) Promotional Signage. Any directional or promotional signage placed within public rights of way shall adhere to any or all city ordinances and not be so placed more than 72 hours prior to the event and must be removed within 24 hours after the event; and
- (6) Alcoholic Beverages. The use or sale of alcoholic beverages of any special event is prohibited except as provided hereinafter. The Chief of Police may permit the sale or use of beer or wine on a case-by-case basis. If approved, all such wine or beer sales or use must be conducted in accordance with the rules and regulations and under proper permit of the Arkansas Alcoholic Beverage Control Division of the Department of Finance and Administration.
- (7) Security. Each event sponsor shall be responsible for providing, at their expense, such security personnel as may be required by the chief of police. In this regard, the event sponsor may be required to submit a security plan to the Blytheville Police Department not less than fifteen (15) business days prior to the event. Should, in the opinion of the chief of police, the event so merit, the chief may require that all security personnel be certified law enforcement officers.
- (8) Sanitation. The event sponsor shall provide, at the sponsor's expense, such sanitation facilities (trash collection and porta-potties) as may be needed to service the planned event. Arrangements for trash collection shall be made with the City of Blytheville Public Works Department not less than ten (10) business days prior to the event.
- (9) Supervision Required. Sponsors must provide adequate supervision of group activities to ensure that orderly conduct is maintained at all times. At all assemblies of minors, there must be at least one adult for every 15 minors.
- (10) Breakage. Breakage or damage of any public amenities must be paid by the event sponsor at replacement cost.
- (11) Liability Insurance. If insurance is required for event participants, spectators, personal property, etc., the event sponsor will be responsible for such insurance. The city does not provide liability insurance for the benefit of the event sponsor or any event participants. The final decision for the need of liability insurance shall be determined by the City Attorney. If liability insurance is required, it shall be in the minimal amount of \$300,000 or up to a maximum of \$500,000.
- (12) Admission Fees. Gate or admission fees, if any, charged to event participants or attendees by any sponsor must be approved by administrative authority.
- (13) Utilities. Should any utilities be required for the special event, arrangements for such utilities must be made with the applicable utility company and or applicable city department and the cost thereof paid by the event sponsor. Any such utility installations must be made in

accordance with applicable building codes and accomplished by properly licensed trade persons.

- (14) **City Personnel.** Request for assistance from personnel must be approved by the mayor or appropriate city department head. Such assistance requests should be part of the initial application. City personnel assistance will be provided only if resources and time constraints permit and only on a very limited basis. No other employee, official, committee, board or council may commit to or approve the use of any city personnel.
- (15) **Event Clean-Up.** Event sponsors shall be responsible for clean-up of all litter, debris, signs, and other materials not less than 24 hours following the event.
- (16) **Notification.** Sponsors of events which require the closure of a street(s), within an area zoned residential, shall hand deliver or regular mail a notification, to all addresses within the event area, describing the nature of the event, activities planned during the event along with the date and time frame of the event. The event area is described as any address that falls within the street closures.
- (17) **Time Frame and Duration.** Events which require the closure of a street(s), within an area zoned residential, shall only be permitted to operate between the hours of 8:00 am and 7:00 pm and shall not last more than six (6) hours which includes one (1) hour for set up and one (1) hour for take down.
- (18) **Signatures Required.** Sponsors of events which require the closure of a street(s), within an area zoned residential, shall collect a signature from an adult household member, from each occupied address within the event area, described as any address that falls within the street closures. The signature collection form must include the following:
 - (a) Date and Time Frame of the event.
 - (b) Purpose of the event.
 - (c) Planned Event Activities.
 - (d) Statement of Support by signing this form you support the issuance of a permit.
 - (e) Signature, Address and Date Signed.
- (19) **Restrictions.** Events which require the closure of a street(s), within an area zoned residential, shall be considered an event held for those that reside in the event area. Events which require the closure of a street(s), within an area zoned residential, shall not be advertised, or promoted on electronic, print, social or other form of media that invites, encourages, or entices the general public to attend. Food, alcohol, and merchandise sales are prohibited as well as Food, and merchandise vendors. This does not prohibit residents of the event area from preparing food, consuming alcohol, or conducting yard sales as prescribed by the laws of the State of Arkansas and City of Blytheville. Port-a-Potties are prohibited at events which require the closure of a street(s), within an area zoned residential. All restroom facilities must be provided by the residents within the event area. The event area is described as any address that falls within the street closures. All other applicable laws of the State of Arkansas and City of Blytheville are in full force and effect.
- (20) **Parking Zoned Residential.** Parking for attendees and participants of events which require the closure of a street(s), within an area zoned residential, must take place within the event area. Sponsors of events which require the closure of a street(s), within an area zoned residential, are responsible to ensure that at least one (1) lane of traffic remains open at all times for

emergency services. The event area is described as any address that falls within the street closures.

(21) Unauthorized Areas. It shall be unlawful to conduct the closure of a street(s) leading to or from any church, hospital, nursing home, asylum, public school, medical or psychological clinic unless they are a part of the event. It shall be unlawful to conduct any permitted event within six hundred feet (600') of any church, hospital, nursing home, asylum, public school, medical or psychological clinic church, hospital, asylum, public school, medical or psychological clinic unless they are a part of the event.

7.36.10. Traffic Safety and Ancillary Equipment. Traffic safety equipment (i.e., cones and barricades) shall be placed at such locations as directed by the police department. Sponsor or Permittee shall be responsible for obtaining, placing, removing, and returning traffic safety equipment. Event sponsors shall also be responsible for the provision of any ancillary equipment (i.e., sound systems, podiums). The city shall not be responsible for providing any traffic safety equipment or ancillary equipment.

7.36.11. Permit Fees, Deposits and Costs. All event costs including, but not limited to, solid waste disposal, general clean-up, repair, fire and police services, barricades and event security shall be the responsibility of the permittee. All applicants shall pay such application fees and estimated support costs as may be established by resolution of the City Council. Event fees shall not be refundable, and deposits will be returned upon satisfactory clean-up and payment of all city imposed fees and costs by the permittee. The mayor may waive fees, deposits and or other costs on a case-by-case basis. No other employee, official, committee, board or council may waive fees, deposits and or other costs

7.36.12. Other Regulations. In the conduct of the event, the permittee shall comply with all other applicable laws, codes, and ordinances. In the event of a conflict between this ordinance and any other laws, codes or ordinances, the stricter standard shall apply.

7.36.13. Exceptions. The following activities are exempt from the provisions of this ordinance but must comply with all other applicable laws, ordinances, or regulations:

- (a) funeral processions.
- (b) school events conducted under the authority of the Arkansas Activities Association.
- (c) special events held on city-owned property, including city parks and plazas, municipal airport and the civic and convention center building, grounds and parking lots that are conducted in accordance with the policies and procedures of the particular facility and.
- (d) events conducted on private property or the property of other government agencies.

7.36.14. Variances and Waivers Parades. All fees for parades conducted in celebration of the following official holidays are hereby waived:

- (1) New Year's Day.
- (2) Dr. Martin Luther King, Jr. Day.

- (3) Presidents ' Day
- (4) St. Patrick's Day.
- (5) Easter.
- (6) Memorial Day.
- (7) Juneteenth.
- (8) Independence Day.
- (9) Labor Day.
- (10) Veterans' Day.
- (11) Thanksgiving; and
- (12) Christmas.

For purposes of this section, the term "parade" shall be interpreted in the narrowest sense and shall not include any event conducted in conjunction with one of the listed parades or for any intent other than celebration of the specified holiday.

7.36.15. Variances and Waivers Events. All fees for the listed annual community events are hereby waived:

- (1) Festival Spring Event held annually in the Downtown Blytheville Main Street area
- (2) Festival Fall Event held annually in the Downtown Blytheville Main Street area
- (3) Halloween Event held annually in the Downtown Blytheville Main Street area

7.36.16. Penalty. The penalty for violation of this code shall, upon conviction in the Blytheville District Court, or any other court of competent jurisdiction, be such fines and penalties as established by the general penalty clause for the Blytheville Code of Ordinances as may now or hereafter be enacted by the Blytheville City Council or District Court. In this regard, it shall be unlawful for a permittee or sponsor to violate, disobey or refuse to comply with the provisions of this ordinance or any rules or regulations promulgated pursuant thereto. Any permittee or sponsor who violates or refuses to comply with the provisions hereof may be denied any future event permit.

7.36.17. Fee Schedule. The following fee schedule is hereby adopted for all parades and special events permitted pursuant to this Ordinance.

Parade/Special Event Fee Schedule

	Administrative Permits	All Other Permits
Permit Fee	\$ 25.00	\$250.00
Security Deposit	N/A	\$500.00

Permit fees are due upon the filing of the event application but will be refunded should the permit not be approved. Security deposits are due upon approval of the event application. No permit will be issued prior to receiving all deposits, fees, or costs. Deposits will be refunded following the activity if all requirements of this and any other applicable city ordinances have been met. The City reserves the right to charge for damages to public property as may result from the sponsor's

event. It is the intent of this resolution that no other fees or charges, other than those enumerated in Section 7.36.17 hereof, shall be assessed for parades or events approved in accordance with this ordinance however, the city reserves the right to impose other fees and service charges as authorized by this ordinance in unusual or especially costly circumstances as may be determined by the City Council.

7.36.18. Blytheville Downtown Main Street District. Use of duly established Blytheville Downtown Main Street District area as geographically defined under separate ordinance hereinafter termed "district, " shall be subject to the permit application and approval process pursuant to such event ordinance as may now or herein after be adopted by the City Council. Activities within a district shall be limited to those as permitted by an approved event permit including but not limited to the approved hours and days of operation.

7.36.19. Sponsor Responsibilities. Such sponsor as shall make application for the event permit and shall be responsible for the coordination of all event activities within the district including but not limited to:

- (a) Coordination with any and all Main Street Merchant Associations and or Merchants within the district as may be affected by the proposed activities.
- (b) Ensure that all participants and concessionaires obtain and comply with all applicable state and local permits including but not limited to alcohol permits from the Arkansas Beverage Control Commission (ABC).
- (c) Supervision, control, and approval of any concessions within the district.
- (d) Provision of adequate security, solid waste collection, restroom facilities, barricades, fencing (if required), post-event clean-up and any other conditions or requirements as may be imposed by the city as part of the special event application approval process.
- (e) Identification of all security personnel in a clearly distinguishable manner and provision of signage advising persons of ABC requirements regarding leaving designated areas with alcohol beverages; and
- (f) Designation of a contact person(s) who shall be readily available to city officials, police and fire personnel, and other emergency personnel during the event.

7.36.19. District Merchant Participation. Subject to paragraphs (7.36.20) and (7.36.21) hereof, any merchant or property owner within the district shall be permitted to participate in district activities as a concessionaire upon request to the sponsor by such merchant or property owner. The event sponsor shall retain reasonable control, given the nature of the event, for the overall arrangement of such participating district merchants/owners desiring to locate within the public right-of-way portions of the district. Any participating district merchant or property owner, who is not the sponsor, shall comply with these guidelines and shall be held individually responsible for any violations thereof

7.36.20. Concessionaires. Temporary Concessionaires, Vendors, Bands, Entertainment Groups, etc., (hereinafter termed "concessionaires") shall be permitted with the district during a special event provided such concessionaires are under the control of the event sponsor. The

sponsor shall provide to the city a listing of all approved concessionaires not less than five (5) days prior to the commencement of the special event. Concessionaire booths, stands, displays, stages, seating and other ancillary equipment shall be so arranged as to maintain a clear path through the district for emergency personnel and vehicles. The city reserves the right to limit the number and arrangement of concessionaires and ancillary equipment placed within the public rights-of-way for public safety purposes. Approved concessionaires operating within the district during a special event shall be considered exempt from the requirements of the transient merchant ordinance and the sign code.

7.36.21. Partial District. An event sponsor may utilize and therefore be responsible for only a portion of the district provided the portion so utilized is clearly definable. The city reserves the right to adjust the boundaries to clearly delineate the areas of responsibility when use of a district is split between two or more sponsors or when only a portion of a district is utilized by a single sponsor.

7.36.22 Permit Revocation. Any person, firm or corporation violating these guidelines may be barred from participation in future events. In addition to the fines and penalties as imposed by the special event ordinance, the permit of any sponsor found to be in violation of these guidelines may be revoked.

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