

TOWN OF GREEN BAY PLANNING COMMISSION MINUTES

DATE: 3/21/17

TIME: 7:04 p.m.

PRESENT: Bob Boncher, Mike Gilson, Dawn Goodman, Gary Jonet, John Metzler, Jason Miller

ABSENT: Jack Salewski (health issues)

Others Present: None.

APPROVAL OF LAST MEETING'S MINUTES: John Metzler opened the meeting and asked if the meeting notice was properly posted in 3 places. Dawn Goodman confirmed it was. The January 17, 2017 meeting minutes were reviewed. Jason Miller made a motion to accept the minutes as presented. Gary Jonet seconded the motion. All 6 members approved.

ISSUE #1: Continue development of a Parade and/or Special Events Ordinance policy. (7:05pm to 7:50 pm).

At the start of the meeting, PC Secretary Dawn Goodman handed out the following information for the PC members to review:

1. A revised Special Events Application Form (see attached) which now included the following changes:
 - a revised fee of \$100, with the penalty fee also revised to \$300, (per the Town Board's instruction)
 - a statement saying: "a one million dollar certificate of insurance is required & must be included with this application, naming the Town of Green Bay as an additional insured.", (per the Town Board's instruction).
 - a statement saying: "Permit holder shall indemnify and hold harmless the Town of Green Bay and all of its officers, officials, employees and agents, from any and all injury that may occur to any party as the result of the event permitted. This provision is intended to indemnify and hold harmless the Town of Green Bay to the fullest extent permitted by law and includes the payment of reasonable attorney fees for the defense of any claims brought which can fairly be said to be under the intent and purpose of this hold harmless agreement. To secure such hold harmless agreement, permit holder shall maintain a general liability insurance policy on its event/operations as required by this application", (per the Town Board's instruction).

2. A revised "Ordinance Establishing Special Event Regulations and Permit". (see attached).

The Planning Commission members reviewed the information.

MOTION MADE BY: Bob Boncher made a motion to present to the Town Board:

1. The revised Special Events Application Form
2. The revised "Ordinance Establishing Special Event Regulations and Permit".

MOTION 2NDED BY: Jason Miller. **AYES:** 6 **NAYS:** 0 **MOTION CARRIED.**

Old Business: There was no old business to discuss at this time.

Any Other Business: Gary Jonet told the Planning Commission that there would be a person appearing before the Planning Commission meeting, concerning a rezoning of land involving a possible hotel going in on property near the Shrine.

Date & Time of Next Planning Commission Meeting were set: Tuesday, April 18, 2017 at 7:00 pm *if it is found necessary to have a meeting.*

Motion to Adjourn Made by: Jason Miller, Bob Boncher 2nded. **AYES: 6 NAYS: 0. Motion Carried. Adjournment time:** 8:10 p.m.

Planning Commission Chairperson

Planning Commission Secretary

Ordinance No. _____

Town of Green Bay

Brown County, WI

An Ordinance Establishing Special Event Regulations and Permit

(1) PURPOSE

It is recognized that special events often bring certain benefits to the community. At the same time, the Town must have sufficient notice prior to an event so that the Town can evaluate the potential impact such an event might have on resources of the Town and ultimately on public safety. Each event has unique characteristics and will have a different impact on services. Therefore, events should be considered on a case-by-case basis with the ultimate goal being the preservation of the public's health, safety, welfare, and to promote the responsible use of facilities and property.

(2) DEFINITION

Special Event - any public event, ceremony, demonstration, exhibition, march, pageant, parade, procession, race, athletic event, show or other similar display which interferes with the usual flow or regulation of traffic upon the roads, streets, sidewalks, or rights-of-way, or the usual use of parks or other public grounds. If the event will be held solely on private property, the event is likely not a "Special Event"

(3) PERMIT REQUIREMENTS

- a) No person, organization or entity shall conduct any special event in the Town of Green Bay for which a permit is required by any provision of this Code without first obtaining such permit from the Town of Green Bay in the manner provided in this chapter, unless some other provision of this Code provides specifically otherwise.
- b) Application. Unless otherwise provided, application for a permit shall be made in writing to the Town of Green Bay Clerk at least 45 days prior to the proposed event date, upon forms provided by the Town of Green Bay. All application forms shall be fully completed and signed by the applicant, and all permit fees, if any, shall be paid before the application is processed.
 - I. The application shall set forth the following information:
 - (1) The Requester's name, address and phone number, the organization's name and phone number.
 - (2) The Event name, dates of event, times, site location, and alternative site.
 - (3) A brief description of the event and any additional information which the Town Clerk finds reasonably necessary to a fair determination as to whether a permit should be issued.
 - II. Fees
 - (1) A \$100 application fee to cover the administrative costs of processing the permit shall be paid to the Town of Green Bay Clerk by the applicant when the application is filed.
 - (2) A triple fee of \$300 will be charged to any person or organization who shall conduct any special event in the Town of Green Bay who does not obtain a Special Event permit for which a permit is required by any provision of this Code.

- c) Permit fee. All applications for any Special Event permit shall be accompanied by the proper permit fee as established in this Ordinance. No permit fee shall be refundable unless the permit is denied.
- d) Insurance.
 - I. Where policies of insurance are required, satisfactory evidence of coverage by insurance shall be filed with the Town of Green Bay before the permit is issued. A certificate of insurance with coverage in the amount of not less than \$1,000,000 (one million dollars) is required and must be included with this application, naming the Town of Green Bay as an additional insured. All policies of insurance shall provide the Town of Green Bay not less than 30 days' notice of policy cancellation.
 - II. The applicant shall indemnify, and hold harmless the Town of Green Bay and all of its officers, officials, employees and agents, from any and all injury that may occur to any party as the result of the event permitted. This provision is intended to indemnify and hold harmless the Town of Green Bay to the fullest extent permitted by law and includes the payment of reasonable attorney fees for the defense of any claims brought which can fairly be said to be under the intent and purpose of this hold harmless agreement. To secure such hold harmless agreement, permit holder shall maintain a general liability insurance policy on its event/operations as required by this application.

(4) PERMIT CONDITIONS

- a) Approval or denial of permit. No permit shall be approved if it appears that the conduct of the activity for which a permit is required will be contrary to the law; if the applicant does not possess the requirements for the permit as stipulated in this ordinance; or if it appears issuance of the permit would be contrary to the public health, safety or welfare. If the permit is denied, the full fee shall be refundable.
- b) Permits shall be issued for the term set forth in the permit and shall not renew.
- c) Display of Permit. All permits shall be displayed on the premise for which it is issued and shall be displayed to any law enforcement officer or other person authorized by ordinance to request the same.
- d) Transfer. No permit shall be transferable.
- e) Compliance with laws and regulations. An express condition of holding a permit is compliance with all Town of Green Bay, county, state and federal rules, regulations, laws and ordinances.
- f) Exceptions.
 - I. This section shall not apply to funeral processions.
 - II. Any event sponsored by a governmental agency or entity shall be required to obtain all necessary permits required for the activity sponsored, but no permit fee shall be required.

(5) PENALTY FOR NON-COMPLIANCE WITH THIS CHAPTER

Any person who violates this chapter shall be subject to a triple fee of \$300 charged by the Town of Green Bay Board. Each act of violation and each day upon which a violation occurs or continues constitutes a separate offense.

(6) EFFECTIVE DATE. This Ordinance shall take effect upon passage, posting and publication.

The above foregoing Ordinance was duly adopted at a regular meeting of the Town Board for the Town of Green Bay on _____ day of _____, 2017

_____ Attest: _____

Lee DeChamps, Town Board Chairman

Debbie Mercier, Town Clerk

Published: _____

Posted: _____