

# TITLE 20

## SPECIAL EVENTS ORDINANCE

(Ordinance 2001-7 repealed Title 20, Chapter 1-5, adopted April 10, 2001)

### CHAPTER 1

#### AN ORDINANCE REPEALING THE WEBER COUNTY PUBLIC ASSEMBLY ORDINANCE TITLE 20 CHAPTERS 1 THROUGH 5, AND ENACTING A NEW ORDINANCE PROVIDING FOR CERTAIN UNIFORM REGULATIONS GOVERNING THE TIME, PLACE AND MANNER OF HOLDING CERTAIN SPECIAL EVENTS IN THE UNINCORPORATED AREA OF WEBER COUNTY AND/OR ON COUNTY PROPERTY

The Board of County Commissioners of Weber County ordains as follows:

The Public Assembly Ordinance of Weber County is hereby repealed in its entirety effective fifteen (15) days after publication of this ordinance. Furthermore, in place of the Public Assembly Ordinance, Weber County hereby enacts an ordinance providing for uniform regulations governing the time, place, and manner of holding certain special events in the unincorporated area of Weber County.

Sections	20-1-1	Purpose
	20-1-2	Application of Provisions
	20-1-3	Definitions
	20-1-4	Permit Required
	20-1-5	Exemption from Permit
	20-1-6	Permit–Application Process
	20-1-7	Permit–Fees
	20-1-8	Permit–Approval and Insurance
	20-1-9	Appeal Procedures
	20-1-10	Violation–Penalty

**20-1-1 Purpose.** The following ordinance which shall be effective as provided herein shall govern the time, place and manner of holding certain special events on county roads, on county property, and on private property in the unincorporated area of Weber County when an event's impact upon health, fire, police, transportation and other services exceeds those regularly provided in the unincorporated area of the County. The regulations provided herein are enacted in order to promote the health, safety and welfare of all the persons in the County, residents and visitors by ensuring that special events do not create disturbances, become nuisances, menace or threaten life, health, and property, disrupt traffic or threaten or damage private or public property. It is not the intent of this ordinance to regulate in any manner the content of speech or infringe upon the right to assemble, except for the time, place and manner of speech and assembly, and this Chapter should not be interpreted, nor construed otherwise.

**20-1-2 Application of Provisions.** This chapter imposes regulatory requirements on certain activities which are held on county streets, county property and private property which are defined as “special events.” The requirements imposed by this chapter do not alter, supersede or nullify any requirements contained in other statutes, ordinances or regulations which may also regulate these same activities. These requirements shall be applied in a content-neutral manner and without discrimination as to race, religion, sex, national origin, political affiliation or other unlawful discriminatory classification. This chapter shall not apply to the following events:

- A. Events or assemblies occurring inside permanently established, fully enclosed places of assembly such as a place of worship, public auditorium, theater, recreation hall, gym, or other enclosed structure designed primarily for housing and assembly of people, provided that the maximum number of persons expected to attend or in actual attendance does not exceed the maximum capacity of the enclosed place of assembly.
- B. Events or assemblies in conjunction with the County fair, school events on school property, church events on church property if designed for that use, or government sponsored public hearings.
- C. Events or assemblies at privately owned ski resorts, golf facilities or other licensed recreational sites during normal day-to-day operations when the event involves spectators in a number equal to or less than can be served by existing facilities.

**20-1-3 Definitions.** For the purpose of this chapter, the following words shall have the following meanings:

- A. “Athletic event” means an organized competitive or recreational event in which a group of people collectively engage in a sport or form of physical exercise, including but not limited to running, jogging, walking, bicycling or skating, on any county street in unincorporated Weber County or upon public or private property in the unincorporated area of Weber County.
- B. “Entertainment event” means an organized event having as its primary purpose the entertainment or amusement of a group of people, including but not limited to parades, carnivals, fairs, concerts, block parties or neighborhood gatherings, on public or private property within the unincorporated Weber County.
- C. “Political event” means an organized event, not including an athletic or entertainment event, having as its primary purpose the exercise of expressive activities of a political nature, including but not limited to speech making, picketing, protesting, marching, demonstrating or debating public issues, on any county street in unincorporated Weber County or upon property owned by Weber County or private property in the unincorporated area of Weber County.

D. "Special event" means any athletic event, entertainment event or political event, whether held for profit, non-profit or charitable purposes.

**20-1-4 Permit Required.** It is unlawful for any person, corporation, partnership, association or other entity, public or private, to promote, advertise or hold a special event without first obtaining a special event permit and paying the fees as required in this chapter.

**20-1-5 Exemption from Permit.** The provisions of this chapter shall not be applied to regulate the use of traditional public forums as alternative channels of communication by the public, provided such use is for the free exercise of constitutionally protected activities and does not disrupt or interfere with traffic on public streets or the use of public places by other members of the public.

**20-1-6 Permit--Application Process.** Special Event Permit application forms may be obtained from the Weber County Public Works Department, Engineering Division, Permits Section, at 2380 Washington Blvd., Suite 240, Ogden, Utah 84401.

A. All applications for special event permits shall be made on a special event permit application form and shall include the following information:

1. Type and description of event;
2. Name of the sponsoring entity, contact person, address and telephone number;
3. Name of the promoting entity, contact person, address and telephone number; Proposed date(s) of the event, together with beginning and ending times for each date;
4. Proposed location, including a plat or map of the proposed area to be used, including any barricade, street route plans or perimeter/security fencing;
5. Estimated numbers of event staff, participants and spectators;
6. Public health plans, including plans for culinary water supplies, solid waste collections and disposal and waste water (toilet facilities);
7. Fire prevention and emergency medical services plans;
8. Security plans and/or law enforcement response;
9. Admission fee, donation, or other consideration to be charged or requested;
10. Signature of applicant; and
11. If the event is a block party or other event planned within a residential area, the applicant must collect and submit with the application form a list of signatures consenting to the street closure from all neighbors whose vehicular access to their property is affected by the street closure.

B. The applicant for a permit shall circulate copies of the application to the following agencies for the purpose of obtaining their approval or disapproval of the proposed special event. The application is not complete until approved by the following agencies:

1. Weber-Morgan Health Department;
2. Weber County Sheriff's Office;
3. Weber Fire District;
4. State Licensed Emergency Medical Services;
5. Weber County Recreational Services Department if the special event is to be held at a Weber County park or other facility;
6. Weber County Public Works Division, Operations Department, if the special event may create traffic impacts by its location, number of attendees or participants;
7. Weber County Building Inspector if any temporary facilities are to be constructed or special electrical supplies are considered or warranted;
8. The Weber County Planning Division Operations Department, if signs advertising the event are to be placed in the unincorporated area of the County. The applicant shall submit plans drawn to scale, for any signage, noting the location of each sign for which application is made. Signs for temporary special events shall not be subject to the approval process of other County ordinances governing sign display or placement.
9. Any other County agency which is to provide a service in connection with the special event.

C. In reviewing an application, the agencies or departments involved shall consider the following:

1. The impact of the special event on the traffic, security, health and safety of the public and the plans of the applicant to address such impacts;
2. A determination by the agency that the plans for addressing any such impacts are appropriate and reasonable to address traffic, security, health and safety concerns, and an evaluation of the measures proposed by the applicant to satisfy those requirements;
3. The demonstrated ability of the applicant to comply with requirements necessary to protect the safety, health and welfare of the public and the past history of the applicant in complying with such requirements;
4. The location and duration of the special event and the county's ability to accommodate the event with the necessary resources; and,
5. Other previously approved special events that could cause scheduling conflicts during the same period and cause over extension of the county's resources.

D. The agencies involved in reviewing an application may impose additional requirements or conditions necessary to protect the public interest by ensuring traffic management, security of property, or the health and safety of the public.

E. Insurance Required.

1. No special event permit shall be issued unless and until the applicant has submitted to the permits section a certificate of insurance, listing Weber County as an additional insured, on an occurrence policy issued by an insurance company authorized to do business in the state, showing comprehensive general liability and property damage coverage for the event with minimum limits of One Million Dollars (\$1,000,000) for injury or death for one person in any one occurrence; Three Million Dollars (\$3,000,000) for injury or death for two or more persons in any one occurrence; and Five Hundred Thousand Dollars (\$500,000) for property damage in any one occurrence.
2. The following special events shall be exempt from the insurance requirements set forth in this section:
  - a. Political events;
  - b. School events on school property;
  - c. Events sponsored in whole by the county; and,
  - d. Block parties.
3. In consideration for the issuing of a special event permit, the applicant shall agree to indemnify, save harmless and defend the county, its officers and employees, against any claim for loss, damage or expense sustained by any person on account of injury, death or property damage occurring by reason of or arising out of the special event.
4. By issuing a special event permit, Weber County makes no guarantees and assumes no liability for the safety of participants or spectators of special events.

**20-1-7 Permit--Fees.**

- A. Each initial application for a special event permit shall be accompanied by a non-refundable fee of Fifty Dollars (\$50) to defray the administrative costs of processing the application.
- B. In order to promote, protect and assure the safety and convenience of the people in their use of public streets, public places, and/or private property, the Sheriff's Office shall coordinate the use of professional peace officers if the special event requires traffic control or police protection. An additional fee shall be charged by the Sheriff's Office to cover the costs incurred. The Sheriff's Office shall specify the fee required upon its approval of the special event permit application, based upon the number of officers and amount of support equipment required by such factors as: the date and time of the event; the event location and length; the anticipated traffic and weather conditions; the estimated number of participants and spectators; the nature, composition, format and configuration of the event; and the estimated time for the event. The fee charged for traffic control or police protection shall be paid prior to the issuing of the special event permit.

- C. Additional fees may be charged by the Weber-Morgan Health Department, the Weber County Parks and Recreation Division, the Weber Fire District, licensed EMS providers, or other county agencies for special services, equipment or facilities provided by these agencies. Such additional fees shall be specified at the time the agency approves the special event permit application and shall be paid directly to the agency prior to the issuing of the special event permit.
- D. The following special events shall be exempt from the **application fee** set forth in this section but shall be subject to fees of other agencies or departments:
  - 1. Political events;
  - 2. School events on school property;
  - 3. Events sponsored in whole or in part by the County;
  - 4. Block parties; and
  - 5. Revenue-raising events where the revenue flows to the direct benefit of Weber County government.

**20-1-8 Permit--Approval and Issuance.**

- A. Completed application forms shall be submitted to the permits section at least thirty calendar days before the event is scheduled to take place, in order to allow sufficient time for final evaluation of the application and to allow timely appeal to the Board of County Commissioners in the event the application is denied. Applications submitted less than thirty calendar days prior to the scheduled event shall be denied unless the applicant demonstrates to a member of the Board of County Commissioners that compliance with the thirty-day deadline was impractical or impossible due to the nature of the event.
- B. A special event permit application may be approved and a permit issued to the applicant by the permits section of Weber County upon approval by all the agencies specified in Section 1-7(a). The permits section shall notify the Board of County Commissioners and all affected agencies of all special events permits issued pursuant to this chapter.
- C. Weber County has no authority to approve or permit events other than in the unincorporated area of Weber County. Permits issued by Weber County apply only to the unincorporated area of the county, and if an event crosses into a municipality within Weber County or across the county line, applicants should determine if a permit is necessary in the other jurisdiction.
- D. Weber County reserves the right to deny permit applications for proposed special events which pose a significant danger or threat to the public health, welfare or safety, or which may result in unreasonable inconvenience or cost to the public.
- E. If a special event permit application is denied by the permits section, the reason or reasons for denial shall be provided in writing to the applicant.

**20-1-9 Appeal Procedures.** Any permit applicant desiring to appeal an administrative decision of the permits section concerning the denial of a special event permit may petition the Board of County Commissioners. All appeals shall be in writing, shall state the specific grounds for the appeal, and shall be filed in the Commission Office within seven (7) calendar days after the date the applicant received notice of the administrative denial. An applicant aggrieved by the decision of the Board of County Commissioners may seek judicial review of such decision pursuant to Rule 65(h), Utah Rules of Civil Procedure, or any other applicable ordinance, statute or rule providing for such review.

**20-1-10 Violation -- Penalty.** A violation of this ordinance shall be a Class B misdemeanor. The Weber County Sheriff's Office, in its discretion, may stop an event which has been issued a permit and/or may issue citations where event staff or participants violate other state statutes or county ordinances, terms or conditions specified in the application, and including but not limited to traffic rules and regulations, disturbing the peace, public nuisance, failure to disperse, trespass, or other health and safety regulations.

**WEBER COUNTY SPECIAL EVENT  
APPLICATION AND PERMIT**

In Accordance with Title 20 of the Weber County Ordinances  
Adopted on April 10, 2001,

1. Name of applicant:  
Mailing address:  
Phone number:
2. Type and description of event:
3. Name of sponsoring entity  
Contact person:  
Address:  
Phone number:
4. Name of promoting entity:  
Contact person:  
Address:  
Phone number:
5. Dates of event:  
Beginning time for each date:  
Ending time for each date:
6. All of the provisions outlined in Weber County ordinance Title 20 have been complied with as specified below.
  - a. Address & Legal Description of Property where Assembly is to be held:
  - b. Proof of Ownership on which Assembly is to be held:
  - c. Nature & Purpose of Assembly:
  - d. Plans for Limiting Attendance:
  - e. Plans for Fencing and Gates:

- f. Plans for Supplying potable Water including Source and Location of Outlets:
- g. Plans for Providing Toilet Facilities
- h. Plans for Garbage Disposal:
- i. Plans for Medical Services:
- j. Plans for Illuminating Location:
- k. Plans for Parking:
- l. Plans for Telephone Services:
- m. Plans for Camping Facilities:
- n. Security Plans:
- o. Fire Protection Plans:
- p. Plans for Food Concessions including License and Permit Numbers:
- q. Estimated number of Staff:
- r. Estimated number of Participants:
- s. Admission fee, donation or consideration:
- t. Plans for Advertising Signs:
- u. Proof of Insurance (when required):

7. Application for special event permit shall be Fifty Dollars (\$50.00) non-refundable.  
Other fee's which may be added:  
Sheriff Fee: \_\_\_\_\_  
Health Department Fee: \_\_\_\_\_  
Other: \_\_\_\_\_

8. Applicant hereby agrees to comply with all Federal, State, and County laws, ordinances, and regulations before, during and after the event.

- 9. Applicant hereby agrees to indemnify and save harmless Weber County, its officers, agents, and employees from and against any and all claims resulting from the use of the premises by the Applicant, the Applicant's invitees, licensees, agents and employees.
- 10. Applicant agrees to permit law enforcement personnel the free and unrestricted access to and upon the premises at all times during the event for all lawful and proper purposes not inconsistent with the intent of the permit.
- 11. This permit may be revoked upon breach of any of the conditions herein or at the discretion of the authorized officer.
- 12. This permit is not transferable.

\_\_\_\_\_  
Applicant Date: \_\_\_\_\_

\_\_\_\_\_  
Weber County Sheriff's Office Date: \_\_\_\_\_

\_\_\_\_\_  
Weber-Morgan Health Department Date: \_\_\_\_\_

\_\_\_\_\_  
Weber Fire District\Emergency Medical Services Date: \_\_\_\_\_

\_\_\_\_\_  
Weber County Building Inspector Date: \_\_\_\_\_

\_\_\_\_\_  
Weber County Recreational Services Department Date: \_\_\_\_\_

\_\_\_\_\_  
Weber County Business Licenses Date: \_\_\_\_\_

\_\_\_\_\_  
Weber County Planning Date: \_\_\_\_\_

\_\_\_\_\_  
Other Date: \_\_\_\_\_