

COUNCIL BILL NO. 15-11

ORDINANCE NO. 15-11

1 AN ORDINANCE AMENDING CHAPTER 8.24 OF THE BUTTE-SILVER BOW
2 MUNICIPAL CODE (B-SB MC) ENTITLED "SPECIAL EVENTS"; AND
3 SPECIFICALLY AMENDING SECTIONS 8.24.050, 8.24.060, AND 8.24.090
4 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

5 SECTION 1: Amendment: Ordinance No. 09-11 and Section
6 8.24.050 of the Butte-Silver Bow Municipal Code
7 (B-SB MC) shall be and are hereby amended to read
8 as follows:

9 "8.24.050 Permit Required.

10 No person shall operate any special event or
11 cause other persons to gather for the purpose of
12 a special event without holding a permit for a
13 special event issued by the Council of
14 Commissioners, except for the following, which
15 will instead be required to fill out a Parks and
16 Facilities Reservation form:

- 17 1. Weddings that occur at any municipal
18 park or mine yard
- 19 2. Reunions that occur at any municipal
20 park or mine yard
- 21 3. Picnics (family or company) that occur
22 at any municipal park or mine yard
- 23 4. Parks and Recreation Department
24 sponsored events."

1 SECTION 2: Amendment: Ordinance No. 09-11 and Section
2 8.24.060 of the Butte-Silver Bow Municipal Code
3 (B-SB MC) shall be and are hereby amended to read
4 as follows:

5 "8.24.060 Permit application content and
6 procedure.

7 A. To secure a special events permit, an
8 application must be completed and submitted to
9 the council of commissioners for processing by
10 the special events manager. The special events
11 manager shall review the permit application, all
12 submitted attachments, and forward a
13 recommendation to the council of commissioners.
14 The council of commissioners shall approve,
15 approve with conditions or deny the permit
16 application.

17 B. The application shall contain information
18 addressing the following:

19 (1) The name, address and phone number of
20 the person or entity organizing the event; if
21 an entity is the applicant, include the names
22 of all board members or responsible officers;

23 (2) The purpose of the proposed special event
24 and the date(s) and hours of the operation;

25 (3) The exact location(s) of the proposed
26 special event and the means of ingress and

1 egress thereto, including emergency vehicle
2 access routes and a maintained fire lane at
3 least ten feet wide;

4 (4) The estimated total attendance of the
5 special event;

6 (5) Confirmed provisions for the following:

7 (i) Garbage cans and frequent disposal of
8 trash and other nonhuman waste;

9 (ii) Sanitary disposal of human waste;

10 (iii) Hand washing or hand sanitizing
11 stations;

12 (iv) Emergency services and first aid;

13 (v) Health permits for food vendors
14 secured with the Butte-Silver Bow
15 Health Department;

16 (vi) If deemed necessary, private security
17 and security plan, approved by the
18 Butte-Silver Bow Law Enforcement
19 Department;

20 (vii) Law enforcement as required by the
21 law enforcement official;

22 (viii) Emergency disaster plan;

23 (ix) Proof of special events liquor
24 license secured with the Montana
25 Department of Revenue and adequate
26 liquor liability insurance. Proof

1 that persons serving alcohol have
2 undergone state approved
3 "responsible beverage services and
4 sales" training:

5 (x) Notification to residents, business
6 owners, and property owners within
7 the special event area, and any
8 reasonable accommodations as
9 requested, at least two weeks prior
10 to any special event that will
11 affect area parking or have music or
12 speeches audible to area businesses
13 or residents;

14 (xi) Sound levels will not exceed 120
15 decibels;

16 (xii) Adequate lighting for night
17 events;

18 (xiii) Secured permits for temporary
19 business vendors as required and
20 issued by the county treasurer;

21 (xiv) Proof of event liability insurance
22 in the amounts of seven hundred
23 fifty thousand dollars per claim
24 and one million five hundred
25 thousand dollars per occurrence
26 which limits are set for the in

1 the Montana Tort Claims Act, with
2 said insurance policy naming the
3 city and county of Butte-Silver
4 Bow, Montana, as an additional
5 insured during the term of the
6 special event including setup and
7 tear down;

8 (xv) Permission for closure and use of
9 parking lots;

10 (xvi) Traffic control plan and execution
11 of plan by a licensed and insured
12 traffic control company;

13 (xvii) Controls in place to prevent pets
14 and animals, leashed or unleashed,
15 inside the designated special
16 event, excluding those animals
17 that are participating in the
18 special event and excluding any
19 and all service animals as defined
20 by the Americans with Disabilities
21 Act (ADA) standards; and

22 (xviii) To pay extraordinary costs
23 incurred.

24 C. The permit application must include the
25 following signatures before being considered
26 for approval;

- 1 (1) The sheriff or his/her designee;
 - 2 (2) The director or fire services or his/her
 - 3 designee;
 - 4 (3) The public works director or his/her
 - 5 designee;
 - 6 (4) The parks and recreation director in
 - 7 consultation with the park and recreation
 - 8 board if the special event is proposed to
 - 9 take place on the grounds of a public park
 - 10 property; and
 - 11 (5) A representative of the Montana
 - 12 Department of Transportation if a special
 - 13 event is proposed to take place on a state
 - 14 maintained highway or urban roadway.
 - 15 (6) The safety and risk manager or his/her
 - 16 designee;
 - 17 (7) The special events manager/coordinator
 - 18 or his/her designee
 - 19 (8) The parking commission director or
 - 20 his/her designee if the special event is
 - 21 proposed to close public parking lots.
- 22 D. An application fee of one hundred
- 23 dollars shall be submitted with the
- 24 application. This fee shall be nonrefundable
- 25 unless the applicant voluntarily withdraws
- 26 his application, no more than ten days after

1 submittal. This fee will be deposited into
2 a special events account, as established, as
3 directed by the council of commissioners.

4 (1) This fee is not required for 501(c)(3)
5 organizations that provide their identifying
6 number to the special events coordinator
7 along with their application.

8 (2) An additional usage fee of \$500.00 per
9 day is required to have a special event at
10 the Original or Anselmo mine yards. An
11 additional half a day for set up and half a
12 day for tear down is included in the first
13 day's usage fee. This fee is assessed to
14 cover the costs of operating and maintaining
15 the facilities prior to and after events.

16 E. Process:

17 (1) The special events manager shall consult
18 with other public health and safety agencies
19 to determine whether the information
20 presented to address the provisions required
21 in this section are satisfactory and are
22 complete.

23 (2) If the application is determined to be
24 complete and the provisions required by
25 Section 8.24.060 are addressed, the Butte-
26 Silver Bow Council of Commissioners shall

1 approve a permit for the special event. The
2 permit shall be approved not less than
3 fifteen days preceding the date of the
4 Special Event.

5 SECTION 3: Amendment: Ordinance No. 09-11 and Section
6 8.24.090 of the Butte-Silver Bow Municipal Code
7 (B-SB MC) shall be and are hereby amended to read
8 as follows:

"8.24.090 Enforcement.

A. Violations of this chapter will receive notification of the violation with the event subject to being stopped immediately.

B. Violators who fail to obtain a permit or violate the terms and conditions of an approved permit will be subject to a penalty not to exceed five hundred dollars for each violation.

C. Jurisdiction shall be in the city court of the city and county of Butte-Silver Bow.

D. In case of inclement weather or a catastrophic unforeseen event, the following individuals are authorized to immediately close a special event:

(1) a representative of the Butte-Silver Bow Fire Department

(2) a representative of the Butte-Silver Bow

Law Enforcement Department

(3) a representative of the Butte-Silver Bow
Department of Emergency Services

(4) the special events coordinator"

SECTION 4: Effective Date. This Ordinance shall be in full
force and effect from and after thirty (30) days
after its passage and approval.

PASSED this ____ day of _____, 2015.

CINDI SHAW
CHAIRMAN OF THE COUNCIL OF COMMISSIONERS

APPROVED this ____ day of _____, 2015.

MATT VINCENT
CHIEF EXECUTIVE

ATTEST:

SALLY J. HOLLIS
CLERK AND RECORDER

BY _____
TITLE _____

APPROVED AS TO FORM:

EILEEN JOYCE

COUNTY ATTORNEY

DAVID WALKER
CHAIRMAN, JUDICIARY COMMITTEE