

TITLE 16

STREETS AND SIDEWALKS, ETC¹

CHAPTER

1. MISCELLANEOUS.
2. UTILITY AND STREET CUTS.
3. ACCEPTANCE OF RIGHTS-OF-WAY FOR STREETS, SANITARY SEWERS, UTILITY EASEMENTS, AND DRAINAGE EASEMENTS.
4. PARADES.
5. ROAD CLOSINGS.
6. MASS GATHERINGS/SPECIAL EVENTS.

CHAPTER 1

MISCELLANEOUS

SECTION

- 16-101. Obstructing streets, alleys, or sidewalks prohibited.
- 16-102. Trees projecting over streets, etc., regulated.
- 16-103. Trees, etc., obstructing view at intersections prohibited.
- 16-104. Projecting signs and awnings, etc., restricted.
- 16-105. Banners and signs across streets and alleys restricted.
- 16-106. Gates or doors opening over streets, alleys, or sidewalks prohibited.
- 16-107. Numbering of primary structures required.
- 16-108. Obstruction of drainage ditches.
- 16-109. Abutting occupants to keep sidewalks clean, etc.
- 16-110. Animals and vehicles on sidewalks.
- 16-111. Fires in streets, etc.
- 16-112. Speed bumps on public streets.

16-101. Obstructing streets, alleys, or sidewalks prohibited. No person shall use or occupy any portion of any public street, alley, sidewalk or right of way for the purpose of storing, selling or exhibiting any goods, wares, merchandise, or materials. (1972 Code, § 12-201)

16-102. Trees projecting over streets, etc., regulated. It shall be unlawful for any property owner or occupant to allow any limbs of trees on his property to project out over any street, alley at a height of less than fourteen (14) feet or over any sidewalk at a height of less than eight (8) feet. (1972 Code, § 12-202)

¹Municipal code reference

Related motor vehicle and traffic regulations: title 15.

16-103. Trees, etc., obstructing view at intersections prohibited.

It shall be unlawful for any property owner or occupant to have or maintain on his property any tree, hedge, billboard, or other obstruction which prevents persons driving vehicles on public streets or alleys from obtaining a clear view of traffic when approaching an intersection. (1972 Code, § 12-203)

16-104. Projecting signs and awnings, etc., restricted.

Signs, awnings, or other structures which project over any street or other public way shall be erected subject to the requirements of the building code.¹ (1972 Code, § 12-204)

16-105. Banners and signs across streets and alleys restricted.

It shall be unlawful for any person to place or cause to be placed any banner or sign across any public street or alley except for an arm of the city or county government or any public organization promoting tourism or economic development and these have to be expressly approved by city council. (1968 Code, § 12-105, as amended by Ord. #3262, Nov. 1998)

16-106. Gates or doors opening over streets, alleys, or sidewalks prohibited.

It shall be unlawful for any person owning or occupying property to allow any gate or door to swing open upon or over any street, alley, or sidewalk. (1972 Code, § 12-206)

16-107. Numbering of primary structures required.

(1) All primary structures, or a portion thereof, within the City of Columbia, Tennessee, shall be numbered in an orderly sequence, said numbers to be arabic numerals at least three (3) inches in height, or of sufficient height so as to be visible from the public street or highway and are to be placed upon the primary structure itself when practicable. The numbers are to be in a contrasting color with that of the structure.

(2) The Engineering Department and the Fire Department of the City of Columbia, Tennessee, are hereby authorized to establish and put into force and effect a uniform plan for the numbering of all primary structures.

(3) The engineering department and the fire department are further authorized to change existing numbers on primary structures to comply with the overall plan for numbering.

(4) The engineering department and the fire department are authorized to establish the requirements for compliance with the provisions of this section prior to the issuance of a certificate of occupancy.

¹Municipal code reference

Building code: title 12, chapter 1.

(5) The Engineering Department and the Fire Department of the City of Columbia are authorized and empowered to enforce compliance with the provisions of this section.

(6) A twenty-five dollar (\$25.00) fine will be levied for noncompliance with the provisions of this section. (1968 Code, § 12-207)

16-108. Obstruction of drainage ditches. It shall be unlawful for any person to permit or cause the obstruction of any drainage ditch in any public right of way. (1972 Code, § 12-208)

16-109. Abutting occupants to keep sidewalks clean, etc.¹ The occupants of property abutting on a sidewalk are required to keep the sidewalk clean. Also, immediately after a snow or sleet, such occupants are required to remove all accumulated snow and ice from the abutting sidewalk. (1972 Code, § 12-209)

16-110. Animals and vehicles on sidewalks. It shall be unlawful for any person to ride, lead, or tie any animal, or ride, push, pull or place any vehicle across or upon any sidewalk in such manner as to unreasonably interfere with or inconvenience pedestrians using the sidewalk. It shall also be unlawful for any person to knowingly allow any minor under his control to violate this section. (1972 Code, § 12-212)

16-111. Fires in streets, etc. It shall be unlawful for any person to set or contribute to any fire in any public street, alley, or sidewalk. (1972 Code, § 12-213)

16-112. Speed bumps on public streets. The City of Columbia, Tennessee, through its department of streets from and after the effective date of this section, shall not install any speed bumps on the public streets of the City of Columbia, Tennessee. (1968 Code, § 12-214)

¹Municipal code reference
Litter control: title 20.

CHAPTER 2

UTILITY AND STREET CUTS

SECTION

- 16-201. Permit required.
- 16-202. Applications.
- 16-203. Fees.
- 16-204. Surety.
- 16-205. Inspections and constructability.
- 16-206. Stormwater protection.
- 16-207. Use of trenchless technology.
- 16-208. Driveways/accesses.
- 16-209. Guidelines.
- 16-210. Deleted.

16-201. Permit required. All work that involves cutting, modifying, or excavating within a city-maintained street, alley, or right-of-way requires the utility company, contractor, or individual to obtain a utility and street cut permit from development services. This permit allows the utility company, contractor, or individual to perform work within the city's right-of-way. No person shall make any cut or excavation in any street, alley or public place, or tunnel under any street, alley, or public place without complying with the provisions of this chapter. It shall be unlawful to violate, or vary from, the terms of any such permit, provided, however, any person maintaining wider ground facilities may proceed with an excavation without a permit in an emergency. The person shall thereafter apply for a permit on the first regular city business day. (1972 Code, § 12-101, as replaced by Ord. #4248, Aug. 2019 *Ch8_3-12-20*)

16-202. Applications. Applications for such permits shall be made to the development services department, and shall state thereon the location, scope and purpose of work, the person, firm, corporation, association or others doing the proposed work and, the name of the person, firm, corporation, association or others for whom the proposed work is being done, and shall contain an agreement that the applicant will comply with all ordinances and laws relating to the work to be done. Where necessary, a map or plat shall be provided by the applicant, showing the exact location and scope of the proposed work, and location of other underground structures. The permit application may require a temporary traffic control plan prepared by a licensed professional traffic engineer. Failure to provide any and all applicable permits, upon request, could result in an immediate stop work order. (1972 Code, § 12-102, as replaced by Ord. #4248, Aug. 2019 *Ch8_3-12-20*)

16-203. Fees. A non-prorated permit fee of one hundred dollars (\$100.00) per fifty (50) linear feet section of cut, modification, or excavation is

required. Permit fee to be doubled for work performed prior permit issuance. Permit fee on pavements, including overlays, less than two (2) years old are doubled. Permit fee to be waived for utility providers with memorandum of understanding between the utility and city. (1972 Code, § 12-103, as replaced by Ord. #4248, Aug. 2019 *Ch8_3-12-20*)

16-204. Surety. No such permit shall be issued unless and until the applicant therefor has provided a surety totaling the cost of the project or five thousand dollars (\$5,000.00) minimum, for each permit. From this surety shall be deducted the expense to the city for providing a repair in compliance with this chapter. (1972 Code, § 12-104, as replaced by Ord. #4248, Aug. 2019 *Ch8_3-12-20*)

16-205. Inspections and constructability. Prior to proceeding with any work authorized by the permit, the applicant shall notify development services to verify and approve the scope and extents of work and repair procedures. The approved permit number must be clearly marked with non-permanent marking paint adjacent to the limits of construction. Any work performed without the required inspections shall be subject to removal and replacement at the applicant's expense, regardless of the quality of work. Where large scale projects exceed the ability of development services to provide adequate inspections, the contractor or utility company will incur the cost of a private inspection firm. (1972 Code, § 12-105, as replaced by Ord. #4248, Aug. 2019 *Ch8_3-12-20*)

16-206. Stormwater protection. All stormwater systems and appurtenances located in the project area shall be protected. The protection measures are to be designed to prevent pollutants from entering the stormwater system. Protection measures are to be approved and/or modified at the sole discretion of development services. (1968 Code, § 12-106, as amended by Ord. #3005, Oct. 1995, and replaced by Ord. #4248, Aug. 2019 *Ch8_3-12-20*)

16-207. Use of trenchless technology. Trenchless technology methods may be used where applicable and as approved by development services. (1968 Code, § 12-107, as replaced by Ord. #4248, Aug. 2019 *Ch8_3-12-20*)

16-208. Driveways/accesses. No person shall cut, build, or modify a driveway or access without first obtaining a permit from the development services department. All driveways and accesses shall meet access management, subdivision, design, and zoning provisions of The City of Columbia. (1972 Code, § 12-108, as replaced by Ord. #4248, Aug. 2019 *Ch8_3-12-20*)

16-209. Guidelines. The applicant shall adhere to the "Utility and Street Cut Guidelines," as adopted by Resolution #19-47, for all permitted work. (1972 Code, § 12-209, as replaced by Ord. #4248, Aug. 2019 *Ch8_3-12-20*)

16-210. Deleted. (1972 Code, § 12-110, as deleted by Ord. #4248, Aug. 2019 *Ch8_3-12-20*)

CHAPTER 3

ACCEPTANCE OF RIGHTS-OF-WAY FOR STREETS, SANITARY SEWERS, UTILITY EASEMENTS, AND DRAINAGE EASEMENTS

SECTION

16-301. Acceptance of rights-of-way for streets, utility easements and drainage easements.

16-302. Acceptance of sanitary sewer easements.

16-301. Acceptance of rights-of-way for streets, utility easements and drainage easements. No street right-of-way, utility easement or drainage easement shall be accepted for maintenance as a public facility unless accepted by the City Council of the City of Columbia, by resolution. The city engineer shall be responsible to have all street rights-of-way, utility easements and drainage easements inspected and shall report to the city council the findings of the inspection concerning the condition of any street right-of-way, utility easement or drainage easement sought to be dedicated to the city. After the report of the city manager, the city council shall decide by resolution to accept or reject the proposed dedication. (1968 Code, § 12-301)

16-302. Acceptance of sanitary sewer easements. No sanitary sewer easement shall be accepted for maintenance as a public sewer unless accepted by the City Council of the City of Columbia, by resolution. The wastewater department director shall be responsible to have all such sewers and their easements inspected and shall report to the city council the findings of the inspection concerning the condition of the sewer and easement sought to be dedicated to the city. After the report of the wastewater department director, the city council shall decide by resolution to accept or reject the proposed dedication. (1968 Code, § 12-302)

CHAPTER 4

PARADES

SECTION

- 16-401. Short title.
- 16-402. Definitions.
- 16-403. Purposes.
- 16-404. Permit.
- 16-405. Application.
- 16-406. Standards for issuance.
- 16-407. Contents of permit.
- 16-408. Duties of permittee.
- 16-409. Revocation of permit.
- 16-410. Notice to city officials.
- 16-411. Violation and penalty.

16-401. Short title. This title shall be known and may be cited as the "Parade Regulations of the City of Columbia." (Ord. #1923, March 1993)

16-402. Definitions. The following words, for the purpose of this chapter, shall have the following meanings:

- (1) "Parade" is any meeting, parade, demonstration, exhibition, festival, homecoming, assembly or other such event to be held in or upon any street, park or other public place in the City of Columbia.
- (2) "City" is the City of Columbia.
- (3) "Mayor and council" is the Mayor and City Council of the City of Columbia.
- (4) "Recorder" is the City Recorder of the City of Columbia.
- (5) "Chief of police" is the Chief of the Police Department of the City of Columbia.
- (6) "Parade permit" is a permit required by this chapter.
- (7) "Person" is any person, firm, group, partnership, association, corporation, company or organization of any kind. (Ord. #1923, March 1993)

16-403. Purposes. (1) The City of Columbia recognizes the constitutional right of every citizen to harbor and express beliefs on any subject whatsoever and to associate with others who share similar beliefs.

(2) The City of Columbia has adopted this chapter to regulate the time, place and manner of parades.

(3) The City of Columbia has adopted this chapter in the interest of all its citizens, public safety, health, welfare, comfort and convenience.

(4) The City of Columbia has limited resources and has adopted this chapter so that it may properly allocate these resources among its citizens.

(5) The purpose of this chapter is to promote order, safety and tranquility in the streets of the City of Columbia.

(6) This chapter has also been adopted to help minimize traffic and business interruptions during parades. (Ord. #1923, March 1993)

16-404. Permit. No person shall parade unless a parade permit has been obtained from the City of Columbia. It shall be unlawful to hold a parade without the proper permit. It is understood that nothing in this chapter shall be construed to apply to funeral processions. (Ord. #1923, March 1993)

16-405. Application. (1) Any person seeking issuance of a parade permit shall file an application with the recorder on forms provided by the recorder. The recorder shall transmit such application to the police chief for his approval, such approval to be given after consultation with the city manager.

(2) The application for a parade permit shall be filed in writing with the recorder not less than thirty (30) days prior to the contemplated parade. No permit shall be granted sooner than one hundred eighty (180) days prior to the contemplated parade.

(3) The application for a parade permit shall set forth the following information:

(a) The name, address and telephone number of the person seeking to conduct a parade or of the organization and its responsible heads;

(b) The name, address and telephone number of the person who will be parade chairperson and who will be responsible for its conduct;

(c) The date when the parade is to be conducted;

(d) The route to be traveled, the starting point and the termination point;

(e) The approximate number of persons who, and animals which, will constitute such parade; the type of animals and description of the vehicles;

(f) The hours when the parade will begin and end;

(g) A statement as to whether the parade will occupy all or only a portion of the width of the streets proposed to be traversed;

(h) The location by streets of any assembly area(s);

(i) The time at which units of the parade will begin to assemble at any assembly area(s);

(j) The interval of space to be maintained between units of the parade;

(k) If the parade is to be held on behalf of any person or organization other than the applicant, the authorization of that person or organization; and

(1) The amount of public liability insurance carried by the applicant or his or her organization and the company and agent through whom such coverage was obtained.

(4) The city manager and the chief of police shall decide whether to grant the application for a permit.

(5) The city manager and the chief of police shall have the authority to designate the starting point, route, terminal point or other time, place and manner restrictions as deemed proper in consideration of minimum traffic interruption, public safety, health, welfare, convenience, peace or order. (Ord. #1923, March 1993, as amended by Ord. #3193, Nov. 1997, and Ord. #3196, Dec. 1997)

16-406. Standards for issuance. (1) The recorder and authorization from the city manager and the chief of police shall issue a parade permit upon consideration of the application and other information obtained when they find that:

(a) The conduct of the parade will not unduly interrupt the safe and orderly movement of other traffic contiguous to its route;

(b) The conduct of the parade will not require the diversion or interruption of essential or emergency municipal services, including police, fire or ambulance services;

(c) The parade is scheduled to move from its origin to its termination expeditiously and without unreasonable delay;

(d) The applicant has satisfied bond requirements and liability insurance requirements; and

(2) No permit shall be granted to any person until the applicant has posted in advance a two hundred fifty dollar (\$250.00) bond to cover the reasonable expenses incurred in the clean up efforts after the parade.

(3) No permit shall be granted to any person until the applicant has by proper documentation that such applicant has public liability insurance coverage for personal injury and property damage with the City of Columbia named therein as an additional insured in an amount determined by the city manager.

(4) The recorder shall notify the applicant within five (5) days after the determination of the city manager and the chief of police whether the permit has been granted or denied. If the permit has been denied, the recorder shall set forth the reasons for such denial.

(5) In computing any period of time set out in this chapter, no Saturdays, Sundays nor legal holidays are to be computed in the time period. (Ord. #1923, March 1993, as amended by Ord. #3399, March 2001)

16-407. Contents of permit. Each parade permit shall state the following:

(1) Assembly and disassembly time and place;

- (2) Starting time;
 - (3) The route and the portions of the streets to be traversed that may be occupied by the parade;
 - (4) Minimum speed;
 - (5) Maximum speed;
 - (6) Interval of space between parade units;
 - (7) The maximum length of the parade in miles or fractions thereof,
- and
- (8) Any other information as the city manager and the chief of police shall find necessary to the enforcement of this chapter. (Ord. #1923, March 1993)

16-408. Duties of permittee. (1) A permittee shall comply with all permit application information, permit directions and conditions, and with all applicable laws and ordinances.

(2) The permittee shall advise parade participants of such permit requirements.

(3) The parade chairperson or other person heading or leading such activity shall carry the parade permit upon his or her person during the parade. (Ord. #1923, March 1993)

16-409. Revocation of permit. (1) The city manager or his or her designee in consultation with the chief of police shall have the authority to revoke a parade permit issued hereunder prior to the parade upon the application of the standards for issuance as herein set forth if it is found that:

- (a) Applicant materially misrepresented facts or information in the application; and/or
- (b) Applicant failed to meet the standards and requirements for issuance set forth herein.

(2) The city manager or his or her designee in consultation with the chief of police shall have the authority to revoke the permit during the parade and disassemble the parade if:

- (a) A public emergency arises requiring such revocation to protect the safety of persons or property; or
- (b) Disorderly conduct, riots, lawless activity, violence or other breach of the peace, incited by parade participants, occurs. (Ord. #1923, March 1993)

16-410. Notice to city officials. Immediately upon the issuance of a parade permit, the recorder shall send a copy of the permit to the following:

- (1) Mayor and members of council;
- (2) City manager;
- (3) City attorney;
- (4) Chief of police;

- (5) Fire chief; and
- (6) Director of Maury County Ambulance Service. (Ord. #1923, March 1993)

16-411. Violation and penalty. (1) It shall be unlawful for any person to parade without first having obtained a permit as required by this chapter.

(2) It shall be unlawful for any person to participate in a parade on the streets, parks or other public areas of the City of Columbia for which a permit has not been granted.

(3) It shall be unlawful for any person to fail to comply with all directions and conditions of the parade permit.

(4) Any person violating the provisions of any section of this chapter shall, upon conviction, be fined not more than fifty dollars (\$50.00) for each violation. (Ord. #1923, March 1993)

CHAPTER 5

ROAD CLOSINGS

SECTION

16-501. General.

16-502. Petition for closing roads.

16-503. Planning commission evaluation.

16-504. Minimum requirement.

16-501. General. The following procedures and minimum standards are adopted by the City of Columbia pursuant to Tennessee Code Annotated, § 13-4-104, which provides that the legislative body shall receive the recommendations of the planning commission before accepting, vacating or changing the use of any road. These procedures shall govern the closing and termination of all roads within the City of Columbia. A road closing shall be considered a last resort to providing relief for traffic problems occurring on any road within the City of Columbia. (as added by Ord. #3684, Feb. 2007)

16-502. Petition for closing roads. (1) Any citizen of the City of Columbia or group of citizens wishing to have a road closed shall petition the city council requesting the closing of a road by name. The petition shall be delivered to the office of the city manager, who will forward the petition to the director of planning.

(2) At a minimum, the petition requesting closure of the road in question shall be signed by all owners of property contiguous to such road with the exception of owners of such property where a road stubs. In addition, a majority of the owners of property directly affected by such proposed road closing shall also execute such petition. For the purposes of this chapter, all owners of lots in a subdivision or interconnected subdivision(s) are considered to be directly affected by a proposed closing.

(3) The petition shall include a reason for the closing of the road and the reason shall be included on the heading of the petition so that all signers are aware of the reason for the petition.

(4) Nothing in the foregoing shall be deemed to abrogate the right of the city council or the planning commission to initiate the closing of local roads or streets. (as added by Ord. #3684, Feb. 2007)

16-503. Planning commission evaluation. (1) Upon receipt of the petition the director of planning will notify all utilities that provide services to the City of Columbia of the action being considered and will request information concerning the effect that a closing might have on existing and future utilities.

(2) The director of planning will notify each department of the city that will be effected by the closing and will require information, in writing, concerning the effect that a closing might have on current and future service.

(3) The city engineer, planning director and all city departments affected will evaluate the advisability of the proposed closing and will examine any and all alternatives that may provide an alternative to the road closing.

(4) The director of planning shall formulate a report to the planning commission which shall encompass:

(a) A recommendation on the proposed closing in light of planning guidelines and local policy, including alternatives such as acceptable traffic calming measures. For the purposes of this chapter, "speed bumps" shall not be considered as an acceptable traffic calming measure.

(b) The recommended method for closing the street.

(c) A recommendation on any variances or exceptions to the subdivision regulations which might be desirable to accomplish the closing.

(d) A recommendation on the disposition of rights-of-way and retention easements.

(5) The planning commission shall make a report to the city council, including its recommendation and all information supplied in the staff report.

(6) The city council shall act upon the petition by ordinance. (as added by Ord. #3684, Feb. 2007)

16-504. Minimum requirement. (1) The same minimum requirements for the acceptance of subdivision roads as specified in the subdivision regulations shall be required for the closing of a road. Generally, the closing of a road will effectively change conditions on the recorded plat, thus requiring an amendment to said plat. The petitioners shall be responsible for drawing of the revised plat and the director of planning shall be responsible for the recording of such plat. Except as indicated above, the petitioners shall be responsible for all costs incurred by the closing.

(2) The actual construction of the closing shall be as any public works project and will be bid and managed by the city engineer. (as added by Ord. #3684, Feb. 2007)

CHAPTER 6

MASS GATHERINGS/SPECIAL EVENTS

SECTION

- 16-601. Purpose.
- 16-602. Definitions.
- 16-603. Exemptions.
- 16-604. Special event permit required, violations, and penalties.
- 16-605. General provisions.
- 16-606. Financial assurance.
- 16-607. Amount and type of services and equipment required.
- 16-608. Fees and terms of payment.
- 16-609. Special Plan for Event Contingencies (SPEC).
- 16-610. Dissemination of SPEC.
- 16-611. Application process.
- 16-612. Authority to alter, suspend, or terminate a special event.
- 16-613. Grievance procedures.
- 16-614. Severability.

16-601. Purpose. The purpose of this legislation is to set forth permitting procedures and requirements for special events in a way that will attempt to protect, preserve, and promote the physical health of the public; reduce the incidence of communicable diseases; reduce hazards and pollution to the environment; maintain adequate sanitation and public health; protect the safety of the public; and reduce the threats or effects of terrorism or weapons of mass destruction. (as added by Ord. #3851, June 2010)

16-602. Definitions. (1) "City/City of Columbia" shall mean all of the incorporated areas of the City of Columbia, Tennessee.

(2) "City sponsored events" shall mean events that are solely planned, administered, coordinated, held by, and paid for by the City of Columbia. City sponsored events shall not be exempt from obtaining a special event permit.

(3) "Co-sponsored events" shall mean events that are planned, administered, coordinated, and held in conjunction with another event sponsor and the city. Co-sponsored events shall not be exempt from obtaining a special event permit.

(4) "Event sponsor" shall mean any organizer, promoter, coordinator, person, group, corporation, partnership, governing body, association, or other public or private organization, or property owner that is responsible for the operation of a special event.

(5) "Extraordinary or exceptional demands on services." Regardless of how many people an event attracts, it may be determined by the Columbia City Manager that the regular and/or emergency services could have

extraordinary or exceptional demands placed upon them by an event. Any/all events that are determined to likely place extraordinary or exceptional demands upon the regular and/or emergency services shall be considered a special event and a special event permit shall be required.

(6) "Financial assurance" shall mean liability insurance underwritten by a company licensed to underwrite business in the State of Tennessee, which shall indemnify and hold harmless the City of Columbia and its agents, officers, servants, and employees from any liability or causes of action which might arise by reason of granting a special events permit, and from any cost incurred in cleaning up any waste material produced or left after the event.

(7) "Independent events" shall mean those events that are not co-sponsored or city sponsored events.

(8) "Mass gathering or special event" shall mean any outdoor temporary public gathering including but not limited to block parties, parades, festivals, music concerts, celebrations, carnivals, fairs, exhibits, trade shows, or any similar occurrence to be conducted on any public or private property within the City of Columbia that is reasonably expected to simultaneously bring together six hundred (600) or more people and/or that could result in extraordinary or exceptional demands being placed on the regular and/or emergency services of our city. All special events, as defined, shall require a special event permit.

(9) "Property owner" shall mean any person who alone, jointly, or severally with others has legal title to any premises, with or without accompanying actual possession thereof; or has charge, care, or control of any premises, and legal or equitable owner, agent, or the owner, or lessee of a piece of property where a special event is to be held.

(10) "Special event permit" shall mean a written form of authorization in accordance with these regulations.

(11) "Special Plan for Event Contingencies (SPEC)" shall mean an approved written safety plan that will attempt to protect, preserve, and promote the physical health of the public; reduce the incidence of communicable diseases; reduce hazards and pollution to the environment; maintain adequate sanitation and public health; and protect the safety of the public.

(12) "Temporary street closure" shall mean any condition created by a special event that is conducted within or upon any street, public way, road, highway, boulevard, parkway, alley, lane, service road, viaduct, bridge, and the approaches thereto, sidewalks, or other public rights-of-way. Any/all events that create a temporary street closure shall be considered a special event and a special event permit shall be required. (as added by Ord. #3851, June 2010)

16-603. Exemptions. A special event permit shall not be required for the following events:

- (1) Funeral processions;
- (2) Students going to and from classes;

(3) Participation in educational or other school activities, providing that such conduct is under the immediate direction and supervision of the proper authorities and an adequate safety plan has been developed (homecoming and other parades that cause or could result in temporary street closures shall not be exempt);

(4) Sporting events, providing that such conduct is under the immediate direction and supervision of the proper authorities and an adequate safety plan has been developed (an electronic repository of these plans shall be maintained and access shall be granted to the regular and/or emergency services);

(5) Activities conducted in the normal operation of a licensed campground;

(6) An event wholly contained on property specifically designed or suited for the special event and which has an appropriate certificate of occupancy, appropriate zoning, and an adequate safety plan. (as added by Ord. #3851, June 2010)

16-604. Special event permit required, violations, and penalties.

(1) Special event permit required. No event sponsor shall hold any special event unless a special event permit is first obtained.

(2) Violations. Any person who violates any provision of this legislation shall be subject to fines and penalties. It is a violation to hold a special event within the City of Columbia without a special events permit.

(3) Penalties. Any person found in violation of this legislation shall be subject to the maximum fine allowable by law plus all allowable court costs, any and all costs incurred to the City of Columbia to enforce this legislation. (as added by Ord. #3851, June 2010)

16-605. General provisions. Nothing in this regulation relieves the obligations or liability of any event sponsor to comply with any other applicable regulation, ordinance, law, standard, or provision issued by other entities, the City of Columbia, the State of Tennessee, or the federal government. This shall include but is not limited to:

- (1) Beer and alcohol permitting regulations;
- (2) Zoning regulations and restrictions;
- (3) Park fees and permits;
- (4) Health department regulations and requirement;
- (5) Any/all applicable taxes;
- (6) Any/all additional required fees and permits. (as added by Ord. #3851, June 2010)

16-606. Financial assurance. The event sponsor must comply with the following insurance requirements to be considered for a special event permit. Proof of insurance covering the dates and times of the event including set-up

and dismantling must be submitted during the permit application process. Failure to provide proof of insurance will result in the permit being denied. The following types of insurance must be provided:

(1) Comprehensive general liability insurance. A general liability insurance policy, or its equivalent, written on an occurrence basis (or yearly basis), with a minimum of one million dollars (\$1,000,000.00) combined single limit of liability per occurrence for bodily injury, personal injury, and property damage is required. If food or beverages are to be served, then product liability coverage must also be included with a minimum of one million dollars (\$1,000,000.00) per occurrence. If an event involves floats or other vehicles, then product liability coverage must also be included with a minimum of one million dollars (\$1,000,000.00) per occurrence. Insurance coverage must include all areas used by the event including any/all assembly areas, routes, disbanding areas, and event location(s).

(2) Additional insurance requirements. The City of Columbia must be listed as additional insured for the event on all insurance policies with regards to the event.

(3) Additional insurance required. The city manager reserves the right to increase the minimum acceptable limits of liability insurance based on the nature or type of event and the potential hazards posed by the event. (as added by Ord. #3851, June 2010)

16-607. Amount and type of services and equipment required. The amount, kind, and type of services or equipment required for a special event shall be determined based on the nature and type of event and the potential hazards posed by the event. Nothing in this regulation is intended to limit the number of resources or services required. At a minimum, the recommendations outlined in the Federal Emergency Management Agency (FEMA) Special Events Contingency Planning Job Aids Manual shall be followed when determining the amount and type of services required.

(1) Additional services required. The city manager reserves the right to increase the minimum required amount and type of services required based on the nature or type of event and the potential hazards posed by the event. After consulting with the emergency and regular services, the city manager may determine that the minimum FEMA recommendations are not adequate.

(2) Amount of equipment required. Contracts with vendors for meeting the necessary requirements for the amount and type of equipment required shall be allowed. However, any/all contractors shall be licensed to do business in the State of Tennessee. All traffic control devices (signs, barricades, etc.) shall comply with standards outlined in the Manual on Uniform Traffic Control Devices (MUTCD). The current edition MUTCD in use by the City of Columbia at the time of permit application shall apply. Any/all contracts shall be completed and executed prior to the issuance of a special event permit.

(3) Type of services required. Any/all contractors for professional services including but not limited to law enforcement, fire suppression, and/or emergency medical providers shall be certified and/or licensed to provide services in the State of Tennessee. All professional service contractors shall be in uniform and readily identifiable while providing contracted services during special events. (as added by Ord. #3851, June 2010)

16-608. Fees and terms of payment. There shall be fees associated with the special event permit application process, and additional fees for personnel services and equipment provided by the City of Columbia.

(1) Special event permit. A non-refundable application fee of twenty-five dollars (\$25.00) is due at the time of application. The event sponsor shall be responsible for paying these fees.

(2) Personnel services provided by the City of Columbia. The costs associated with city employees required to provide services for a special event shall be billable based upon an average of personnel costs. This rate shall be determined annually by the city manager. The event sponsor shall be responsible for paying these fees.

(3) Equipment provided by the City of Columbia. The costs associated with the operation of equipment provided by the city shall be billable at rates based on the Federal Emergency Management Agency's (FEMA) schedule of equipment rates. The event sponsor shall be responsible for paying these fees.

(4) Co-sponsored events. Based on the nature and type event and the positive impact that a particular event has on our community, a portion or portions of fees and/or insurance requirements in accordance with this regulation can be waived by the city manager for approved co-sponsored events. A special event permit shall be required for co-sponsored events.

(5) City sponsored event. Fees in accordance with this regulation shall be waived by the city manager for approved city sponsored events. The city manager may require additional insurance for specific hazards or functions at city sponsored events. A special event permit shall be required for city sponsored events.

(6) Calculation of additional fees. Fees owed for equipment or personnel services required for the event shall be calculated by each involved emergency and/or regular service and forwarded to the city manager no later than five (5) business days after each special event. The city manager shall compile all applicable charges and an invoice shall be sent to the event sponsor no later than ten (10) business days after the event.

(6) Terms of payment of additional fees. All monies due and payable upon receipt of invoice. Payment not received by the thirtieth day after the date of invoice shall be subject to accrue interest at a rate of fifteen percent (15%) annum or the maximum finance charge allowed by law, whichever is less. Any attorney's fees, collection fees, arbitration fees, or other costs incurred in collecting any delinquent account shall be paid by the event sponsor. No

additional permits shall be processed and/or approved for an event sponsor that has any outstanding balance, until full payment of all monies due is received. (as added by Ord. #3851, June 2010)

16-609. Special Plan for Event Contingencies (SPEC). A written plan that attempts to establish safety procedures for dealing with a special event is required for all special events. It must attempt to minimize injury, suffering, death, or damage to the environment that may result as a result of poor planning or preventable incidents during the event. The SPEC template shall be used as a guide for developing SPEC plans. The plan must provide for a sound command structure utilizing the National Incident Management System (NIMS) Incident Command System (ICS) and assign roles and responsibilities for the implementation of the plan during an emergency. (as added by Ord. #3851, June 2010)

16-610. Dissemination of SPEC. Special Plans for Event Contingencies (SPECs) will contain safety sensitive information and contact information that should remain confidential. Therefore, completed SPECs shall only be disseminated to all emergency and/or regular agencies that could possibly be required to assist. SPECs shall not be disseminated to the public or news media. Evacuation routes, short-term shelter locations, and specific safety measures for events shall be posted and disseminated, as needed. (as added by Ord. #3851, June 2010)

16-611. Application process. (1) The application must be completed and submitted along with the non-refundable application fee to the city recorder's office at least sixty (60) days before a scheduled event. Applying for a special event permit does not grant authorization to conduct a special event. The process shall typically follow the following format:

(a) Upon receipt of the application, it shall be electronically forwarded to all involved or affected emergency and/or regular agencies and the city manager.

(b) Each involved or affected agency shall have ten (10) business days to review the application and complete their respective part of the SPEC.

(c) Once each involved or affected agency has completed their respective part of the SPEC (including required personnel, services, and equipment) it shall be electronically forwarded to emergency management for compilation.

(d) Emergency management shall have ten (10) business days to compile all agencies' information into the SPEC.

(e) Once the SPEC has been compiled, it shall be electronically forwarded to the city recorder's office.

(f) The city recorder shall then forward the SPEC requirements including all required types of services and equipment, insurance requirements, etcetera to the event sponsor.

(g) The event sponsor shall complete and execute any/all necessary contracts for services and/or equipment and appropriate certificate(s) of insurance in accordance with this legislation and submit proof to the city manager at least five (5) business days before the scheduled event.

(h) Once all applicable requirements have been satisfactorily completed, the special event permit shall be signed by the city manager and then be issued to the event sponsor.

(2) The signed special event permit shall be kept on-site and immediately available for inspection by the city manager or his/her designee during the entire special event including set-up and dismantling.

(3) The entire application packet shall be available electronically on the city website, in the city recorder's office, and park office. Included in this packet shall be the SPEC template, FEMA's schedule of equipment rates, and the annual rate schedule of costs for personnel services.

(4) A repository for completed SPECs shall be available to authorized personnel. This will be located on emergency management's website and will be password protected.

(5) It is recognized that certain events may occur that could result in the inability of a group to meet the sixty (60) day application process for a parade. These events could include but may not be limited to:

(a) A local ball team winning a championship;

(b) A local group winning a major award;

(c) A local military unit returning from active duty.

In these types of situations the city manager shall have the authority to reduce the sixty (60) day application process provided that it does not result in extraordinary or exceptional demands being placed upon the regular and/or emergency agencies affected by the event. A special event permit and an adequate safety plan shall still be required for these types of events. (as added by Ord. #3851, June 2010)

16-612. Authority to alter, suspend, or terminate a special event.

The city manager, emergency management director, police chief, fire chief, or their designee shall have the authority to cause the event sponsor to alter, suspend, or terminate any special event that is found to pose a significant threat to the health, safety, and/or welfare of the public or that is found to be in noncompliance with any part of this regulation or special event permit. (as added by Ord. #3851, June 2010)

16-613. Grievance procedures. Any/all appeals for permit denial, required types of services and equipment, insurance requirements, and etcetera

shall be submitted in writing to the city manager at least thirty (30) calendar days before the event. The city manager shall have ten (10) business days to respond in writing to the appeal. (as added by Ord. #3851, June 2010)

16-614. Severability. Should any provision of this legislation be determined to be invalid, illegal, or unforeseeable by a court of competent jurisdiction, then such provision shall be amended to make it valid, legal, and enforceable. The invalidity or unenforceability of any provisions shall not affect in any manner the other provisions herein contained, which remain in full force and effect. (as added by Ord. #3851, June 2010)