

TITLE 20**MISCELLANEOUS****CHAPTER**

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CHAPTER 1**FISHING AND BOATING REGULATIONS****SECTION**

- 20-101. Fishing permitted.
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20-101. Fishing permitted. Individuals shall be permitted to fish the public bodies of water within the City of Alcoa, subject to compliance with the laws of the State of Tennessee and the rules and regulations of the Tennessee Wildlife Resources Agency or any other department or agency governing fishing in the State of Tennessee. Nothing in this chapter shall be construed to permit fishing upon any privately owned waters without express permission of the owner. (1971 Code, § 12-201, as replaced by Ord. #11-263, Aug. 2011)

20-102. Fishing hours regulated. Fishing shall be permitted daily at any time; provided, however, the city manager may temporarily prohibit fishing in the interest of the public's health and safety, emergencies, special events, periods immediately following re-stocking ponds, or for any other necessary and appropriate reason. (1971 Code, § 12-202, as replaced by Ord. #11-263, Aug. 2011)

20-103. Size and catch limit. There shall be no size limit to fish which may be taken from the public bodies of water; provided, however, it shall be unlawful for any person to take in any one (1) day more than five (5) large mouth bass or ten (10) bream. (1971 Code, § 12-203, as replaced by Ord. #11-263, Aug. 2011)

20-104. Bait regulated. Any type of natural or artificial bait may be used in fishing the public bodies of water within the City of Alcoa; provided, however, it shall be unlawful to fish with minnows in the waters commonly known as the duck pond (Springbrook Lake) and the Corporate Center Lake in Springbrook Corporate Center. (1971 Code, § 12-204, as replaced by Ord. #11-263, Aug. 2011)

20-105. Method of fishing regulated. It shall be unlawful to fish the public waters within the City of Alcoa with more than one (1) rod and reel, pole, hook and line or any other device deploying more than one (1) bait in the water at a time. It shall further be unlawful to employ the use of nets (except dip nets to retrieve lawfully caught fish), seines, snag lines, drag lines, grab hooks, dynamite or any other explosive material, or to shoot into the waters of the City of Alcoa a rocket, arrow, bullet, BB, pellet or any other projectile capable of killing, stunning or otherwise harming fish whether powered by explosive gases, compressed gases, human strength or any other force. (1971 Code, § 12-205, as replaced by Ord. #11-263, Aug. 2011)

20-106. Boats prohibited. It shall be unlawful to place or use any boat, canoe, raft or other vessel on either the duck pond or Corporate Center Lake; provided, however, the city manager or the city manager's designee may waive all or part of this section in conjunction with the granting of a special event permit. (1971 Code, § 12-206, as replaced by Ord. #11-263, Aug. 2011)

20-107. Swimming prohibited. It shall be unlawful to wade or swim in either the duck pond or Corporate Center Lake; provided, however, the city manager or the city manager's designee may waive all or part of this section in conjunction with the granting of a special event permit. (1971 Code, § 12-208, as replaced by Ord. #11-263, Aug. 2011)

20-108. Game warden. The chief of police shall be appointed and designated game warden for the purpose of policing and enforcing the provisions of this chapter, and authority is specifically given the chief of police to withdraw or suspend the privileges extended to any person by this chapter upon the violation of any of the provisions here or for any misconduct, unsportsmanlike conduct, breach of the peace or any other action or conduct calculated to interfere with the proper and general enjoyment of the public waters within the

City of Alcoa for the purposes intended by this chapter. (1971 Code, § 12-209, as replaced by Ord. #11-263, Aug. 2011)

20-109. Penalties. Any person violating any of the provisions of this chapter upon conviction shall be fined fifty dollars (\$50.00) for each such violation and each provision violated shall be deemed a separate violation. Further, any violation will be subject to the person to penalties under § 20-108. (1971 Code, § 12-210, as replaced by Ord. #11-263, Aug. 2011)

CHAPTER 2

CEDARLAWN CEMETERY

SECTION

- 20-201. General operation of cemetery.
- 20-202. Purchase of cemetery lots.
- 20-203. Use of proceeds from sales.
- 20-204. Speed limit.
- 20-205. Unlawful conduct.

20-201. General operation of cemetery. The operation and maintenance of the Cedarlawn Cemetery shall be under the control and supervision of the city manager, and he shall have the right to appoint such necessary clerks and officials and employ such labor as he shall deem necessary and proper.

It shall be the duty of the city manager to make, from time to time, such rules and regulations for the governing of the cemetery as he may deem necessary and proper, and he shall cause to be set up such records and books as he shall deem necessary and proper for the operation of the cemetery.

The rules and regulations formulated by the city manager for the operation of the cemetery shall be submitted to the board of commissioners for approval. (1971 Code, § 12-301)

20-202. Purchase of cemetery lots. The burial lots in the cemetery shall be sold for such prices and on such terms as shall be set up and determined by the city manager. (1971 Code, § 12-302)

20-203. Use of proceeds from sales. All moneys received from the sale of burial lots in the cemetery shall be placed in the general funds of the city and shall be used, together with any other moneys appropriated from time to time by the city for the operation, maintenance and improvement of the cemetery, under the direction and supervision of the city manager. (1971 Code, § 12-303)

20-204. Speed limit. It shall be unlawful for any driver of any motor vehicle to drive the same faster than fifteen miles per hour on any of the driveways or roadways of said cemetery. (1971 Code, § 12-304)

20-205. Unlawful conduct. (1) It shall be unlawful for any person to disturb the quiet and good order of any cemetery within the corporate limits by any noise or other improper conduct, and any person refusing to leave the cemetery when notified by the keeper or any police officer shall be guilty of a misdemeanor.

(2) It shall be unlawful for any person to in any way disturb any grave, or deface, pull up, or remove anything put or placed to mark a grave in any cemetery without permission of the caretaker.

(3) It shall be unlawful for any person to destroy, mutilate, deface, injure, or remove, without permission from the caretaker, any tomb, monument, gravestone, or any other structure in any cemetery, or to injure, destroy or remove any flowers from said cemetery, or from any graves therein, or to pluck any flowers or shrubs, or to destroy, break, or remove any tree, shrub, or plant that may be growing in any cemetery. (1971 Code, 12-305)

CHAPTER 3

PUBLIC PARKS

SECTION

20-301. Parking in public parks.

20-302. Hours of operation for parks.

20-301. Parking in public parks. It shall be unlawful for any person to park any motor vehicle or trailer in any public park in the City of Alcoa, Tennessee, except at those locations where parking is specifically designated by painted lines upon the pavement or signs. (1971 Code, § 12-501)

20-302. Hours of operation for parks. (1) Except as otherwise herein provided, is shall be unlawful for any person, organization or group to use or occupy the public parks in the City of Alcoa, Tennessee, for any purpose as follows:

(a) Howe Street Park, Rock Gardens Park and Oldfield Park, including any vehicular parking areas in connection therewith, from sunset until sunrise as published by the National Oceanic and Atmospheric Administration; and

(b) All other public parks, including any vehicular parking areas in connection therewith, during the hours between midnight and 6:00 A.M.

(2) Permission to use and occupy any of said parks or any vehicular parking areas in connection therewith may be granted on special occasion by application to the Chief of Police of the City of Alcoa and the same may be issued in writing by the chief of police with the concurrence and approval of the Director of the Maryville/Alcoa/Blount County Recreation and Parks Commission.

(3) Nothing in this section is to be construed as restricting any official work or activity in said parks during said hours by any department of the City of Alcoa or of the Maryville/Alcoa/Blount County Recreation and Parks Commission. (1971 Code, § 12-502, as amended by Ord. #08-173, July 2008)

CHAPTER 4

CIVIL EMERGENCY

SECTION

- 20-401. Civil emergency and curfew defined.
- 20-402. Proclamation of civil emergency.
- 20-403. Curfew authorized.
- 20-404. Authority to issue other orders.
- 20-405. Exceptions to curfew.
- 20-406. Violation of orders.

20-401. Civil emergency and curfew defined. (1) A civil emergency is defined to be:

(a) A riot or unlawful assembly characterized by the use of actual force or violence or a threat to use force if accompanied by the immediate power to execute by three or more persons acting together without authority of law.

(b) Any natural disaster or man-made calamity including but not limited to flood, conflagration, cyclone, tornado, earthquake, or explosion within the geographic limits of a municipality resulting in the death or injury of persons, or the destruction of property to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare.

(c) The destruction of property, or the death or injury of persons brought about by the deliberate acts of one or more persons acting either alone or in concert with others when such acts are a threat to the peace of the general public or any segment thereof.

(2) Curfew is hereby defined as a prohibition against any person or persons walking, running, loitering, standing or motoring upon any alley, street, highway, public property or vacant premises within the corporate limits of the municipality except persons officially designated to duty with reference to said civil emergency or those lawfully on the streets as defined in this chapter. (1971 Code, § 1-601)

20-402. Proclamation of civil emergency. When in the judgment of the city manager a civil emergency as defined in this chapter is determined to exist, he shall forthwith proclaim in writing the existence of same, a copy of which proclamation will be filed with the recorder. (1971 Code, § 1-602)

20-403. Curfew authorized. After proclamation of a civil emergency by the city manager, he may order a general curfew applicable to such geographical areas of the municipality or to the municipality as a whole, as he deems advisable, and applicable during which hours of the day or night as he

deems necessary in the interest of the public safety and welfare. Said proclamation and general curfew shall have the force and effect of law and shall continue in effect until rescinded in writing by the city manager, but not to exceed fifteen days. (1971 Code, § 1-603)

20-404. Authority to issue other orders. After proclamation of a civil emergency the city manager may at his discretion, in the interest of public safety and welfare:

- (1) Order the closing of all retail liquor stores.
- (2) Order the closing of all establishments wherein beer or alcoholic beverages are served.
- (3) Order the closing of all private clubs or portions thereof wherein the consumption of intoxicating liquor and/or beer is permitted.
- (4) Order the discontinuance of the sale of beer.
- (5) Order the discontinuance of selling, distribution, or giving away of gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle.
- (6) Order the closing of gasoline stations, and other establishments, the chief activity of which is the sale, distribution or dispensing of liquid flammable or combustible products.
- (7) Order the discontinuance of selling, distributions, dispensing or giving away any firearms or ammunition of any character whatsoever.
- (8) Order the closing of any or all establishments or portions thereof, the chief activity of which is the sale, distribution, dispensing or giving away of firearms and/or ammunition.
- (9) Issue such other orders as are necessary for the protection of life and property. (1971 Code, § 1-604)

20-405. Exceptions to curfew. Any curfew as defined in this chapter shall not apply to persons lawfully on the streets and public places during a civil emergency who have obtained permission of the chief of police or other law enforcement officer then in charge of municipal law enforcement, which permission shall be granted on good cause shown. This curfew also shall not apply to medical personnel in the performance of their duties. (1971 Code, § 1-605)

20-406. Violation of orders. Any person violating provisions of orders issued by the city manager pursuant to the authorization of Tennessee Code Annotated, § 38-9-101 et seq. and this chapter shall be punishable under the general penalty clause of this code. (1971 Code, § 1-606)

CHAPTER 5

ALARM SYSTEM REGULATIONS

SECTION

- 20-501. Definitions.
- 20-502. Automatic telephone dialing alarm system.
- 20-503. Alarm requirements.
- 20-504. False alarms.
- 20-505. Fee assessment.
- 20-506. Penalty for offenses.

20-501. Definitions. Unless it is apparent from the context that another meaning is intended, the following words when used in this ordinance shall have the meanings indicated herein:

(1) "Alarm system" means any assembly of equipment, mechanical or electrical, arranged to signal the police and/or fire department by any means that an emergency exists or that the services of either or both of those departments are needed. "Alarm system" shall also mean any alarm device which automatically emits an audible, visual, or other response upon the occurrence of any hazard or emergency and is intended to alert persons outside the building to the existence of said hazard or emergency.

(2) "Alarm user" means the person, firm, partnership, association, corporation, company, or organization of any kind in control of any building, structure, or facility or portion thereof wherein an alarm system is maintained.

(3) "Automatic telephone dialing alarm system" means any alarm system which is a device which automatically or electronically transmits by telephone or telephone line connected to the central dispatch facility a recorded message or code signal indicating a need for emergency response; or a system which, upon activation, connects to an answering service whose function it is to transmit to the police and/or fire department a need for emergency response.

(4) "False alarm" means an alarm signal eliciting a response by the police and/or fire department when a situation requiring a response by the police and/or fire department does not in fact exist; but, this definition does not include an alarm signal caused by unusually violent conditions of nature nor does it include other extraordinary circumstances not reasonably subject to control by the alarm user. Also this definition does not include an alarm signal caused by a situation that may have been brought under control prior to the arrival of the responding police and/or fire department, that otherwise would have required a response.

(5) "Central dispatch facility" means the central communications center designated to receive, route, and otherwise handle all incoming police, fire, or other emergency service communications traffic.

(6) "Answering service" refers to a telephone answering service providing among its services the receiving on a continuous basis emergency signals from alarm systems and thereafter relaying the message to the central dispatch facility. (Ord. #991, Sept. 1995)

20-502. Automatic telephone dialing alarm system. It shall be unlawful for any person, natural or corporate, to operate an automatic telephone dialing alarm system over any telephone lines exclusively used by the public to directly request emergency service from the fire and/or police department. (Ord. #991, Sept. 1995)

20-503. Alarm requirements. (1) It will be the responsibility of the alarm user to provide the central dispatch facility with current emergency telephone numbers of the user and two representatives to permit prompt notification of alarm calls and prompt response of key holder to assist police and/or fire personnel in the inspection of the property.

(2) All alarm systems will have an automatic reset which silences the annunciator within thirty (30) minutes after activation and which will not sound again as a result of the same event that resulted in the original activation. (Ord. #991, Sept. 1995)

20-504. False alarms. (1) Whenever an alarm is activated in the city, thereby requiring an emergency response to the location by police and/or fire personnel, a police and/or fire supervisor shall determine whether the emergency response was in fact required as indicated by the alarm system or whether in some way the alarm system malfunctioned and thereby activated a false alarm.

(2) If the police or fire supervisor, determines the alarm to be false and no emergency seems necessary, then said supervisor shall submit a report of the false alarm to the respective chief. A written notification of emergency response and determination of the response shall be mailed or delivered to the alarm user at the address where the alarm was activated. The alarm user upon receipt of the notification shall be entitled to a hearing before the respective chief or his designee and the alarm user desiring a hearing shall request said hearing within ten days of date of notification.

(3) In occupancies where fire alarm systems are a requirement of the adopted fire code, said alarm systems are a requirement of the adopted fire code, said alarm systems shall be restored to proper working order in a timely manner.

(4) It shall be a violation of this chapter to intentionally cause a false alarm, and any person who intentionally causes a false alarm shall be subject to the penalty provisions hereof.

(5) There shall be provided to the alarm user, a ten-day grace period during the initial installation of the alarm system.

(6) It shall be required and provided that any alarm business testing or servicing any alarm system notify the police and/or fire departments and instruct said departments of the location and time of said testing and servicing. This section will not apply to the alarm user if prior notice of said testing has been made to the respective departments as outlined in this section. (Ord. #991, Sept. 1995)

20-505. Fee assessment. It is hereby found and determined that more than five (5) false alarms within a fiscal year (July 1 - June 30) are excessive and constitute a public nuisance. The activation of six (6) or more false alarms within a fiscal year will be handled in the following manner: A service charge shall be automatically levied against the alarm user of twenty-five dollars (\$25.00) upon the occurrence of the sixth (6th) false alarm and a service charge of fifty dollars (\$50.00) for each false alarm in excess of nine (9). All service charges levied shall be paid to the city by the alarm user within thirty (30) days of the date of the written notice of said charges. (Ord. #991, Sept. 1995)

20-506. Penalty for offenses. Any person who violates any provisions of this chapter shall be guilty of a violation, and upon conviction in city court, shall be subject to a fine not to exceed \$500. Each occurrence shall constitute a separate offense. (Ord. #991, Sept. 1995, modified)

CHAPTER 6**GARAGE SALE REGULATIONS****SECTION**

20-601. Definitions.

20-602. Regulations.

20-601. Definitions. For the purposes of this chapter, the following terms are defined and shall be construed as follows:

(1) "Garage sale" shall be the offering for sale or exchange, or the sale or exchange, to the public of any personal property of any kind or description at a sale held upon privately owned residential property.

(2) "Residential property" is any real estate, lot or tract in the City of Alcoa, which is used primarily for residential purposes. (as added by Ord. #03-005, March 2003)

20-602. Regulations. It shall be unlawful for any person, firm, partnership, corporation or association to advertise, promote, conduct or hold any garage sale within the corporate limits of the City of Alcoa, except as herein provided:

(1) That not more than two (2) garage sales may be held during any calendar year at any one (1) residential property, the duration of each sale not to exceed three (3) days, and provided further that before any such sale may be held application to hold said sale must be made by the occupant of said property to the city inspection officer who shall issue a written permit without charge or fee therefor, and provided further that all personal property offered for sale or sold at said sale shall be owned at the time of sale by the occupant of said residential property and shall not have been purchased by the occupant for the purpose of resale.

(2) That court-ordered sales and sales by executors or administrators in the settlement of estates are exempt from the provisions of this chapter.

(3) That sales of personal property which are advertised by newspaper or radio for private appointment only and are, in addition, not advertised by sign or signs either on or off of the premises, and are, in addition, not exhibited on the premises in such manner as to indicate a public sale, are exempt from the provisions of this chapter.

(4) That all businesses and all business establishments which are properly licensed to conduct retail or wholesale sales are exempt from the provision of this chapter.

(5) That any person, firm or corporation who shall violate the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$1.00 nor more than \$50.00 for each day of violation. (as added by Ord. #03-005, March 2003)

CHAPTER 7

ROADSIDE MEMORIALS

SECTION

20-701. Definition.

20-702. Purpose.

20-703. Standards.

20-704. Safety.

20-705. Removal of roadside memorial markers.

20-701. Definition. Roadside memorial marker means any of the various kinds of tributes, typically ornamental, placed alongside the roadway to memorialize people who have died as a result of vehicular accidents. For the purpose of this code, temporary memorial markers include, but are not limited to, the various types of decorations, flags, flowers (cut and artificial) and other lightweight objects or ornamentation commonly used at funerals or at gravesides as a tribute to the dead. (as added by Ord. #07-122, April 2007)

20-702. Purpose. To establish regulations in allowing the placement of temporary (not to be displayed more than thirty (30) days from the date of the incident) roadside memorial markers within the public rights-of-way, located within the City of Alcoa corporate limits. Currently, there are no defined regulations regarding roadside memorials. To avoid potential traffic hazards and problems within public rights-of-way, and to allow mourning families and friends their time to grieve, these regulations have been established. (as added by Ord. #07-122, April 2007)

20-703. Standards. Temporary roadside memorial markers are allowed as follows:

(1) Displays are limited to thirty (30) days from the date of the incident;

(2) Displays shall be constructed of materials that, if struck, do not cause a hazard to the motoring public, bystanders, etc. (examples, no wooden component greater than two by two nominal size, easily collapsible if struck, etc.);

(3) Placed within the public right-of-way, as far from the travel lanes as reasonably possible (as near the right-of-way line as practical) and not on private property unless express permission is granted by property owners;

(4) Placed so that they are clear of ditches, culvert pipes, bridges and other road features that require access for maintenance;

(5) Displays are not allowed within the median of a divided highway/road, on any bridge, attached to trees, fences, signs, signals, utility poles, etc.;

(6) Displays must be behind the guardrail, if one is present, or with approval by city engineering, tied to a guardrail post with lightweight string, wire or tape and must be easily removable for maintenance purposes;

(7) Displays shall not be a hazard to the motoring public in any way, including but not limited to, obstructing the vision of motorists traveling along and/or entering the roadway, having any light reflecting materials or illumination by any means, or interfering with or obscuring any traffic control device. Displays that violate any of these standards may be removed by the City of Alcoa. Said displays will be stored for seven (7) days and, if not claimed said memorials will be disposed. (as added by Ord. #07-122, April 2007)

20-704. Safety. Persons placing roadside memorial markers are responsible for doing so by acting in a safe manner, including parking completely clear of the travel lanes. The memorial may need to be placed near the accident location, rather than exactly at the accident location, in order to avoid endangering the persons placing or maintaining the memorial and to avoid endangering the motoring public. (as added by Ord. #07-122, April 2007)

20-705. Removal of roadside memorial markers. Roadside memorial markers must be removed thirty (30) days following the date of the incident. Should the same not be removed in a timely manner, they will removed by city staff and stored for seven (7) days. If not claimed, they will then be disposed of. The city engineer has the authority to direct or cause the removal of any such marker, without notice, within a public right-of-way upon determining that removal is necessary for construction, maintenance, safety or other purpose, following the same procedure stated above. (as added by Ord. #07-122, April 2007)

CHAPTER 8

SPECIAL EVENTS

SECTION

- 20-801. Special events defined.
- 20-802. Use of public property restricted.
- 20-803. Application process.
- 20-804. Application fees and facilities charges.
- 20-805. Reimbursement for municipal services.
- 20-806. Compliance with laws.
- 20-807. Cancellation and refunds.
- 20-808. Rescheduled events (rain dates).
- 20-809. Permit non-transferable.
- 20-810. Permit revocation.

20-801. Special events defined. Special events shall be defined as any planned event: That is intended to attract larger crowds of individuals to one or more locations within the city than would naturally occur in the absence of said event; and, or

(1) Which will require extra assistance from city personnel to successfully conduct the event and to ensure the health and safety of the attendees as well as the general public; or

(2) Which will involve the closure, partial closure or will otherwise interfere with the public use of any road, street, sidewalk, greenway, park or any other publically owned property or facility.

(a) Special events include but are not limited to organized walks, runs, bicycle tours, motor vehicle rallies, parades, festivals, concerts, fairs, exhibits, trade shows, carnivals, picnics, reunions, weddings, block parties and street or parking lot dances.

(b) Special events shall not include: Events organized solely by local governmental, or quasi-governmental entities. (as added by Ord. #15-349, April 2015)

20-802. Use of public property restricted. Special event permits requiring the closure, partial closure or will otherwise interfere with the public use of any road, street, sidewalk, greenway, park or any other public property or facility will only be considered for issuance to individuals or organizations offering attendance or participation in the event to the public free of charge or where entry fees or donations, net of event costs, are designated to one or more bona fide charities or for a specific charitable purpose. Charitable purpose will be determined on a case by case basis determined by the city manager.

(1) Permitting generally. No person or persons shall engage in or conduct a special event unless a permit is issued by the city manager or his

designee. No person or persons shall engage in a special event as determined by the city manager involving the use or disruption of the public right-of-way or other public property within the corporate boundary of the City of Alcoa, unless a permit is issued by the city manager or his designee.

(a) There shall be a maximum of four (4) special event permits per entity per year.

(b) The duration of each special event shall not exceed ten (10) calendar days unless granted an exception for cause which shall be determined by the city manager.

(2) Permitting process. A special events permit application and fee shall be submitted to the city recorder's office for forwarding to the special events coordinator prior to the commencement of the event. The approved permit and receipt for fees must be in hand prior to holding the event.

(3) Application shall include. All special event permit applications shall include the following information:

(a) Applicant's name, street address, telephone number, and e-mail address.

(b) Name, street address, telephone number, e-mail address and signature of the individual identified who assumes the responsibility of meeting the conditions of the permit.

(c) Location of event.

(d) Nature/name of event.

(e) Date and time of event.

(f) Indication of vendors at special event.

(g) Statement indicating the number of individuals reasonably expected to participate in the special event.

(h) If having tent(s), sidewalk sales, or any other outdoor activities, include a site plan showing location for such activities.

(i) If the event includes group movement such as a race or parade the applicant shall provide a written diagramed traffic plan setting forth the route to be utilized by the special event. (as added by Ord. #15-349, April 2015)

20-803. Application process. For every type of special event for which a permit is required, the sponsor shall complete an application on a form provided as follows:

(1) Deadline. Applications shall be filed no later than thirty (30) days prior to the date of the special event for events that do not require the closure or partial closure of any public right-of-way and will require no more than minimal or routine support from city personnel. Events involving closure or partial closure of public rights-of-way and/or require dedicated assistance from city personnel either prior to, during or after the event must be filed a minimum of sixty (60) days prior to the requested date. Applications that fail to meet the thirty (30) or sixty (60) day requirement outlined above will be denied unless it

is determined that sufficient time available to process the application. Said determination will be at the sole discretion of the city.

(2) Planning. Depending on the complexity of the proposed event, applicants may be required to attend meetings with city personnel on one or multiple occasions as well as submit supplemental documentation as necessary to adequately plan the event.

(3) Estimated reimbursement charges. Based on the application and any subsequent meetings or supplemental information provided, the city will furnish the applicant with a summary of the reimbursement required to be remitted upon permit approval.

(4) Advertising. Applicants, organizers, or sponsors shall not publically advertise or announce the date of the event via physical or digital media or by use of the airwaves prior to receiving permit approval.

(5) Conditional approval. Based on review of the application, the city may impose certain reasonable requirements as a condition for approval. Failure to comply with those conditions may result in permit revocation by the city prior to or during the event.

(6) Insurance and indemnity agreement. Upon permit approval, applicants must provide any required certificates of insurance and execute an indemnity statement. Insurance requirement shall be determined upon a case by case basis by the city manager.

(a) Applicants shall agree in writing to assume the defense of and indemnify and save harmless the city, its aldermen, boards, commissions, officers, employees and agents, from all suits, actions, damages or claims to which the city may be subjected of any kind or nature whatsoever resulting from, caused by, arising out of or as a consequence of special event and the activities permitted in connection therewith.

(b) The applicant must submit a certificate of insurance from a Tennessee state-licensed entity prior to the event. Waiver of this requirement is within the discretion of the city manager, and is dependent upon the nature, size and duration of the event. (as added by Ord. #15-349, April 2015)

20-804. Application fees and facilities charges. A schedule of charges for special event application processing as well as use charges for municipal properties available for special events will be established by resolution.

(1) Application fees are required to be remitted at the time of application submission and are non-refundable.

(2) Applications fees will be waived for special events sponsored by the local governmental, or quasi-governmental entities, or events co-sponsored or endorsed by the City of Alcoa such as the annual Christmas Parade; however, applications will still be required to be filed.

(3) Facilities will be reserved on a first come first serve basis and the appropriate fee shall be remitted upon receiving the approved special event permit.

(4) Special event application fees are in addition to other fees as set forth herein. Application fees under this (ordinance, policy, etc.) are not all-inclusive of other fees or charges such as alcoholic beverage permit fees or utility service connection fees and consumption charges which may be required based on the needs of the special event. All other fees and charges will be assessed in accordance with the laws, rules or regulations governing those additional permits or services. (as added by Ord. #15-349, April 2015)

20-805. Reimbursement for municipal services. Individuals or organizations requesting a special events permit shall reimburse the cost of city personnel, equipment, materials and supplies necessary to conduct the event. Each department will determine the staffing and other costs necessary based on review of the information included in the application and the and charges will be calculated based on the rates included in Appendix A. The total of the costs calculated must be remitted upon receipt of the approved application. Costs will include but not be limited to:

(1) Law enforcement. The police department will estimate the personnel necessary to provide security, crowd control and traffic control based on the type, size, location and duration of the event. At the sole discretion of the chief or his/her designee, trained traffic control personnel, and/or security personnel provided by the event organizers may be substituted for police officers to assist in satisfying the law enforcement functions.

(2) Fire and EMS. The fire department will determine the need, if any, for firefighters, and fire apparatus to be on-site. Additionally, on-site emergency medical personnel, aid stations, and/or ambulance requirements will be established based on the type, size and location of the event. If ambulance(s) are required, event organizers must supply evidence from the ambulance service provider that ambulance coverage will be provided as required upon receipt of the approved permit.

(3) Public works. Public works personnel will be responsible for the closure or partial closure of any road, street, sidewalk, greenway or other right-of-way along with installing temporary fencing, marking temporary parking spaces or similar tasks as required by the particular event. Barricades, directional signs, or other re-usable in-stock items will be provided at no cost. Any additional items, materials, supplies or custom fabricated signage whether purchased or rented will be added to the event's total reimbursement charges, as well as applicable labor fees. Street sweeping and post event litter clean-up fees will also be assessed if necessary

(4) Utility departments. Charges for providing water or electric service will be calculated under the current effective schedule of charges and fees and

will be remitted in the normal course of obtaining utility service separate from the special event permit process. (as added by Ord. #15-349, April 2015)

20-806. Compliance with laws. All applicable ordinances and laws shall be complied with and all required permits and licenses shall be secured in connection with such special event.

(1) Loudspeakers, noise in general. Events requesting the use of any amplified sound must obtain a permit and comply with the restrictions under § 11-302 of the Alcoa Municipal Code. Application for a sound permit is contained within the special event permit packet.

(2) Special event vendors. Event organizers may not authorize a vendor offering any product for sale to participants or the general public to conduct business within or near the location of the special event without first referring the vendor to the city for permitting under title 9 chapter 6 of the Alcoa Municipal Code and any applicable state law.

(3) Signs. All signs shall comply with title 14 of the City of Alcoa Municipal Code. Any sign that is not specifically permitted shall be prohibited.

(4) Animals. Participants and organizers shall adhere to all requirements outlined in title 10 of the Alcoa Municipal Code.

(5) Open fires and grills. A permit must be obtained before the use of any open fire or grill as mandated by title 7 of the Alcoa Municipal Code. (as added by Ord. #15-349, April 2015)

20-807. Cancellation and refunds. Event organizers may cancel an event at any time including the day of the event. For events requiring assistance from public safety personnel, cancellations on the day of the event whether prior to or during the event must be done for good cause and in consultation with the ranking city official assigned to the event. The amount of any unused city cost reimbursements will be calculated by the city and refunded to the event applicant within thirty (30) days of the cancelled event. Cancellations just prior to or during the event may result in additional charges relating to the need for additional personnel or requiring personnel to report earlier than scheduled for barricade removal, crowd dispersal, traffic control, or other duties necessary to close the event. These costs will be assessed to the event organizers. (as added by Ord. #15-349, April 2015)

20-808. Rescheduled events (rain dates). Event organizers may request an alternate date (rain date) on the special event application form and if approved by the city, may advertise the rain date as part of the event publicity. Exercising a rain date may result in additional city cost reimbursement charges depending on whether costs were incurred by the city in preparing for or conducting the event on the originally scheduled date and those activities must be repeated on the rain date. Those additional charges will

be assessed to the event organizers and must be received by the city as soon as possible after the original event date and in any event, prior to the re-scheduled event date. (as added by Ord. #15-349, April 2015)

20-809. Permit non-transferable. Any issued permit is not transferrable. (as added by Ord. #15-349, April 2015)

20-810. Permit revocation. If it becomes apparent prior to or during an event that conditions have developed that impose a risk to maintaining the health, safety and well-being of the attendees or general public, event organizers must comply with the directives of the city to correct those conditions or in extreme cases, terminate the event. (as added by Ord. #15-349, April 2015)

Appendix A

Schedule of fee and facility use charges

| | Resident | Non-Resident |
|--|--|--------------|
| Application fee | \$25.00 | \$50.00 |
| Springbrook Corporate Center Island (or other city-owned property not under the purview of the Maryville-Alcoa-Blount County Parks and Recreation Commission. Parks and recreation fees will still apply) | \$150.00/day | \$200.00/day |
| Alcoa Municipal Building Grounds | \$150.00/day | \$200.00/day |
| Alcoa City School Grounds | \$150.00/day | \$200.00/day |
| Use of inflatables and/or other wind-activated attractions | Certificate of insurance may be required | |
| Water and electric utility | | |
| Public works | | |

Schedule of city personnel rates

| | Staffing | Hourly Rate/Min. |
|---|---|--|
| Public works (traffic operations) Street closures, runs/walks, bike races and parades | Field crew (2) with vehicle | \$60/hr., 2 hr. min. |
| Police services (traffic control) | Officer Police cruiser | \$50/hr., 2 hr. min. first 30 min free per Mark \$25/hr. |
| City of Alcoa Fire-Rescue Special event emergency medical services | EMS Unit (2 people) Fire engine/fire suppression/ firefighters (2) Additional personnel | \$60/hr., 4 hr. min. \$75/hr., 4 hr. min. \$25/hr., 4 hr. min. |

(as added by Ord. #15-349, April 2015)