



## Legislation Details (With Text)

**File #:** O-12-22      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Adopted

**File created:** 3/8/2022      **In control:** Transportation Committee

**On agenda:** 3/14/2022      **Final action:** 4/25/2022

**Title:** Special Events - For the purpose of clarifying special event permitting procedures; providing for certain exemptions; providing certain definitions; authorizing the promulgation of rules and regulations; and generally relating to special events.

**Sponsors:** Elly Tierney, Karma O'Neill

**Indexes:** Environmental Matters Committee, Transportation Committee

**Code sections:**

**Attachments:** 1. O-12-22 First Reader, 2. O-12-22 Staff Report, 3. O-12-22 Fiscal Impact Note, 4. O-12-22 SIGNED.pdf

Date	Ver.	Action By	Action	Result
4/25/2022	1	City Council	adopt on second reader	Pass
4/25/2022	1	City Council	adopt on third reader	Pass
4/18/2022	1	Environmental Matters Committee	recommend favorably	Pass
4/13/2022	1	Transportation Committee	recommend favorably	Pass
3/28/2022	1	City Council	declare the public hearing closed	
3/14/2022	1	City Council	adopt on first reader	Pass
3/14/2022	1	City Council	refer to Annapolis Education Commission	
3/14/2022	1	City Council	refer to Annapolis Education Commission	

**Special Events** - For the purpose of clarifying special event permitting procedures; providing for certain exemptions; providing certain definitions; authorizing the promulgation of rules and regulations; and generally relating to special events.

## CITY COUNCIL OF THE City of Annapolis

### Ordinance 12-22

**Introduced by: Alderwoman Tierney**  
**Co-sponsored by: Alderwoman O'Neill**

**Referred to**  
**Environmental Matters Committee**  
**Transportation Committee**

**AN ORDINANCE** concerning

### Special Events

**FOR** the purpose of clarifying special event permitting procedures; providing for certain exemptions; providing certain definitions; authorizing the promulgation of rules and regulations; and generally relating to special events

**BY** repealing and reenacting with amendments the following portions of the Code of the City of Annapolis, 2022 Edition

- 14.18.010
- 14.18.020
- 14.18.030
- 14.18.040
- 14.18.050
- 14.18.060
- 14.18.070
- 14.18.080
- 14.18.090
- 14.18.100
- 14.18.110
- 14.18.120
- 14.18.130
- 14.18.140
- 14.18.150
- 14.18.160

**BY** repealing and reenacting without amendments the following portions of the Code of the City of Annapolis, 2022 Edition

- 14.18.170

**SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

**Title 14 - STREETS, SIDEWALKS AND PUBLIC PLACES**  
**Chapter 14.18 - SPECIAL EVENTS**

**Section 14.18.010 - Purpose.**

The purpose and intent of this chapter is to authorize and regulate special events in the City of Annapolis, and to limit the type and frequency of SPECIAL events in the area of City dock.

The City Council finds that it is in the public interest to regulate SPECIAL events on public streets, alleys, rights-of-way, City waters, and other public property and, under certain circumstances, SPECIAL events held on private property in order to maintain, protect, and promote the public health, safety, and welfare of the citizens, residents, and visitors of the City of Annapolis.

**Section 14.18.020 - Definitions.**

A. "Athletic event" OR "SPORTING EVENT" means an occasion in which a group of people collectively engage in a sport. Athletic events OR SPORTING EVENTS include bicycle and foot races, bike-a-thons,

- walk-a-thons, and competitive sports events of all kinds. Specific types of athletic events OR SPORTING EVENTS include, but are not limited to:
1. "Mass participation sports" which means athletic events OR SPORTING EVENTS such as marathons and other running events, bicycle races, or tours, triathlons, and tournaments where attendees are primarily participants.
  2. "Spectator sports" which means athletic events OR SPORTING EVENTS such as football, basketball, and baseball games, golf tournaments, and vehicle races where attendees are primarily there to observe.
- B. "Applicant" means any person who, or an entity which, seeks a special event permit from the City to conduct ~~or sponsor an~~ A SPECIAL event governed by this chapter. Such person, OR REPRESENTATIVE OF AN ENTITY, shall be eighteen years of age or older, and any such entity shall be in good standing with the State of Maryland ~~and~~OR, in the case of an out of State entity, shall be registered to conduct business in the State of Maryland AS MAY BE REQUIRED BY LAW, OR IN GOOD STANDING IN THE STATE OF ORGANIZATION OF INCORPORATION.
- C. "APPLICATION" MEANS THE FORM PRESCRIBED BY THE SPECIAL EVENTS COORDINATOR FOR USE BY AN APPLICANT SEEKING A SPECIAL EVENT PERMIT.
- D. "BLOCK PARTY" MEANS A SOCIAL GATHERING FOR NEIGHBORS LIVING ON A BLOCK, ALLEY, OR STREET, WHICH REQUIRES THE CLOSURE OF NO MORE THAN 2 CITY BLOCKS OR A SINGLE CUL DE SAC, AND DOES NOT INVOLVE THE CONSUMPTION OF ALCOHOLIC BEVERAGES ON ANY PUBLIC PROPERTY.
- ~~EE.~~ "City dock" means, for the purposes of this chapter, all of Dock Street, Craig Street, Susan Campbell Park, the Small Boat Landing and Plaza, the portion of Randall Street between Memorial Circle and Dock Street, the intersection of Dock Street and Randall Street, and Prince George Street between Randall Street and Spa Creek. Memorial Circle is excluded.
- ~~DE.~~ "City ~~sponsored~~ event" means a special event FOR WHICH THE CITY IS THE EVENT ORGANIZER, AND that:
1. The City Council approves by resolution as a City ~~sponsored~~ event; AND
  2. ~~Ensures solely to the benefit of the public, with no profit or emolument to the City to thereby serve a governmental function; and~~ SERVES A GOVERNMENTAL PURPOSE BY BENEFITING THE PUBLIC HEALTH, SAFETY, OR WELFARE.
  3. ~~Benefits the public health, safety and welfare to thereby serve a governmental purpose.~~
- G. "CITY-SUPPORTED EVENT" MEANS A SPECIAL EVENT FOR WHICH THE CITY WAIVES SOME OR ALL OF THE FEES PURSUANT TO SECTION 14.18.110, OR FOR WHICH THE CITY AGREES TO PROVIDE FINANCIAL OR IN-KIND SUPPORT AND BE IDENTIFIED AS A SPONSOR. THE CITY SHALL NOT BE THE APPLICANT OR AN EVENT ORGANIZER FOR A CITY-SUPPORTED EVENT.
- ~~EH.~~ "City waters" are those waters governed by Title 15 of this Code.
- ~~EI.~~ "Commercial film or photographic event" means movies, television shows, commercials, or industry photography on public streets, alleys, rights-of-way, City waters, or other public property. Broadcast media or print media are excluded in the definition of a commercial film or photographic event in this chapter.
- ~~EJ.~~ "Event organizer" OR "ORGANIZER" means any person who, OR ENTITY WHICH, conducts, manages, promotes, organizes, or solicits attendance at ~~the~~ a SPECIAL event ~~for which a special event permit is requested~~. AN EVENT ORGANIZER MAY ALSO BE THE APPLICANT.
- ~~HK.~~ "Major special event" means a special event (~~as defined herein~~) that is expected to:
1. Simultaneously attract ~~five hundred~~500 or more participants or attendees; and
  2. Involve any one, or combination, of the following criteria: (i) road or lane closures of more than ~~thirty~~ 30 minutes at any one location, (ii) serving of alcoholic beverages, or (iii) use of City personnel or provision of City services that exceed normal operations, ~~except where exempt~~.
- ~~IL.~~ "Major City dock event" means a special event (~~as defined herein~~) held on public streets, alleys, rights-

of-way, City waters, or other public property within THE City dock AREA as defined in this chapter, AND that meets ONE OR MORE OF the following criteria:

1. A major special event; or
2. A special event that results in one or more of the following: (i) road or lane closures of more than ~~thirty~~ 30 minutes, (ii) sales by vendors that compete with businesses within the City dock area (~~as defined herein~~) or abutting the City dock area as WHICH ABUTTING AREA IS defined as TO INCLUDE Market Space, Randall Street to Prince George Street, and the businesses facing Memorial Circle, or (iii) the displacement of more than ~~twenty~~ 20 parking spaces on City dock.

JM. "Special event" means ANY OF THE FOLLOWING:

1. an activity for which specific and exclusive use of public streets, alleys, rights-of-way, City waters, or other public property is desired ~~and~~ AND THAT MEETS ONE OR MORE OF THE FOLLOWING CRITERIA: (i) will SIMULTANEOUSLY gather or attract MORE THAN 25 participants or attendees to that activity; ; OR (ii) REQUIRES USE OF CITY PERSONNEL OR PROVISION OF CITY SERVICES OVER AND ABOVE THAT REQUIRED FOR NORMAL OPERATIONS; or
  2. an activity on private property or property ~~held~~ OWNED OR CONTROLLED by ~~other~~ ANOTHER governmental ENTITY OR jurisdiction, EXCEPT AS EXEMPTED BY THIS CHAPTER FROM THE REQUIREMENT OF A SPECIAL EVENT PERMIT that would have any effect on City property, City waters or public safety; OR-
  3. AN ATHLETIC EVENT, EXCEPT AS EXEMPTED BY THIS CHAPTER FROM THE REQUIREMENT OF A SPECIAL EVENT PERMIT; OR
  4. A COMMERCIAL FILM OR PHOTOGRAPHIC EVENT. ~~A special event includes, but is not limited to: parades, marches, rallies, festivals, carnivals, filming, motorcades, promotional events, runs, street dances, races, walks, or other attended entertainment or celebration.~~
- N. "SPONSOR" MEANS TO PROVIDE FINANCIAL OR IN-KIND SUPPORT FOR A SPECIAL EVENT IN ORDER TO FACILITATE OR SECURE THE OCCURRENCE OF THE EVENT.

#### Section 14.18.030 - Rules AND REGULATIONS.

In administering this chapter, the Special Events Coordinator may ~~propose rules not inconsistent with this chapter, for approval by resolution of the City Council~~ PROMULGATE SUCH RULES AND REGULATIONS AS NECESSARY TO CARRY OUT THE PURPOSE OF THIS CHAPTER.

#### Section 14.18.040 - Permit required.

- A. AN APPLICANT MAY NOT CONDUCT OR HOLD A SPECIAL EVENT WITHOUT FIRST OBTAINING A SPECIAL EVENT PERMIT FROM THE SPECIAL EVENTS COORDINATOR, UNLESS THE EVENT IS EXEMPT FROM THE PERMIT REQUIREMENTS PURSUANT TO SECTION 14.18.050.
- B. The issuance of a special event permit does not relieve the applicant from the obligation to obtain any other applicable necessary permit(s) or license(s) as required ~~under this code~~ BY LAW.
- C. A SPECIAL EVENT PERMIT MAY BE REQUIRED AS OTHERWISE PROVIDED BY THIS CODE, INCLUDING, BUT NOT LIMITED TO, SECTIONS 12.20.230.B.4 AND 12.54.010.F.
- D. IF A SPECIAL EVENT IS SCHEDULED TO OCCUR ON MORE THAN 20 SEPARATE CALENDAR DATES DURING ONE FISCAL YEAR, THE APPLICANT SHALL BE REQUIRED TO OBTAIN A LEASE FROM THE CITY, IN LIEU OF A SPECIAL EVENT PERMIT. AN APPLICANT MAY NOT SUBMIT MORE THAN ONE APPLICATION FOR THE SAME SPECIAL EVENT. A

DETERMINATION BY THE SPECIAL EVENTS COORDINATOR ON WHETHER A SPECIAL EVENT REQUIRES A LEASE OR A PERMIT IS DEEMED A FINAL DECISION AND IS NOT SUBJECT TO THE APPEAL PROVISIONS OF SECTION 14.18.090.

#### Section 14.18.050 - Exemptions from permit requirements.

The following SPECIAL events are exempt from ~~special event permit~~ THE requirements OF THIS CHAPTER:

- A. SPECIAL Events held on property owned ~~and~~/or regulated by another governmental ENTITY OR jurisdiction ~~or entity~~ unless the event ONE OR MORE OF THE FOLLOWING CRITERIA IS PRESENT:
  - (1) impacts access to City roads; ~~or~~
  - (2) requires the exclusive use of ~~six~~ 6 or more City parking spaces; OR
  - (3) REQUIRES THE USE OF CITY PERSONNEL OR PROVISION OF CITY SERVICES IN EXCESS OF THOSE REQUIRED FOR NORMAL OPERATIONS.
- B. SPECIAL Events for which the ~~sponsor~~APPLICANT OR, event organizer, ~~or other party seeking to conduct an event as defined in this chapter~~ has already entered into a lease, license, use, PERMIT, APPLICATION, or other agreement with the City to address the same OR SUBSTANTIALLY THE SAME matters that would be addressed in a ~~special event~~ AN application and SPECIAL EVENT permit ~~for that event~~.
- C. Funeral processions.
- D. Motorcades.
- E. Lawful picketing, demonstrations and assemblies in public rights-of-way.
- F. SPECIAL Events taking place wholly on private property unless ~~it~~ ONE OR MORE OF THE FOLLOWING CRITERIA IS PRESENT:
  - (1) impacts public access to City roads ~~or~~ ;
  - (2) requires the exclusive use of ~~six~~ 6 or more City parking spaces; OR
  - (3) REQUIRES THE USE OF CITY PERSONNEL OR PROVISION OF CITY SERVICES IN EXCESS OF THOSE REQUIRED FOR NORMAL OPERATIONS.
- G. Groups required by law to be assembled.
- H. SPECIAL Events held in parks that the City of Annapolis owns or administers, with the exception of Susan Campbell Park ~~and Whitmore Park~~.
- I. Athletic events held exclusively on City waters.
- J. Athletic events taking place entirely at the Navy-Marine Corps Memorial Stadium or the Navy-Marine Corps Stadium parking lot.
- K. Marches of the United States Naval Academy Midshipmen.
- L. BLOCK PARTIES.
- M. CITY EVENTS.

#### Section 14.18.060 - ~~Permit application~~APPLICATION.

- A. The applicant shall submit the ~~special event~~ application to the Special Events Coordinator with the ~~applicable special event~~ application fee as set by resolution of the City Council.
- B. An applicant may include multiple instances of proposed special events that are similar to each other in a single ~~special event~~ application.
- C. The City of Annapolis is exempt from submitting a ~~special event application~~ when the City of Annapolis is the event applicant although the City of Annapolis shall comply with all other requirements in this chapter.

~~D.~~ The applicant may amend the special event application prior to issuance or denial of a permit.

~~EC.~~ SPECIAL EVENTS THAT INVOLVE Harbor closures which preclude navigation in and through Annapolis Harbor and Spa Creek are not permitted for special events between the start of Memorial Day weekend through October 31 OF EACH YEAR.

#### Section 14.18.070 - Permit approval.

- A. The Special Events Coordinator shall review all ~~special event~~ applications. In doing so, the Special Events Coordinator shall seek input from the relevant City departments. The Special Events Coordinator shall approve, approve with conditions, or deny ~~an~~ EACH application for a special event permit.
- B. The Special Events Coordinator shall make decisions in order to allow timely notices to the public AS required by this chapter or BY ANY rules adopted pursuant to this chapter.
- C. At the time of application submittal, an applicant may request an expedited review from the Special Events Coordinator. The applicant shall demonstrate sufficient justification for an expedited review. If the Special Events Coordinator finds such justification sufficient, then the Special Events Coordinator shall provide an expedited review of the application. At his or her discretion, the Special Events Coordinator may issue preliminary approval of the SPECIAL event date and location if final SPECIAL EVENT PERMIT approval is not feasible on an expedited basis.
- D. If the Special Events Coordinator requires conditions for A SPECIAL EVENT permit approval, such conditions may include, but not be limited to:
1. Reasonable terms and conditions as to the time, place, and manner of the special event.
  2. Compliance with health and sanitary laws and regulations, emergency services, and security.
  - ~~3. All applications shall be required to have an adequate and equal number of refuse and recycling containers placed together at all times during a special event. The Special Event Organizer shall collect the same materials as the City's curbside recycling service.~~
  - ~~34.~~ Additional Federal, State, County, and City permits, approvals, AND licenses which are required to meet the conditions established in the special event permit.
  - ~~45.~~ Accommodation of other simultaneously occurring special events, the rights of adjacent property owners, leaseholders and tenants, and public needs to use streets and parks, by reasonable adjustments in the date, time, route, or location of the proposed special event, accommodations for pedestrian and/or vehicular traffic using public rights-of-way, AND limitations on the duration of the special event.
- E. THE APPLICANT OR EVENT ORGANIZER SHALL COLLECT THE SAME MATERIALS AS THE CITY'S CURBSIDE TRASH AND RECYCLING SERVICES THROUGHOUT THE SPECIAL EVENT. A RECYCLING CONTAINER MUST BE PLACED ADJACENT TO EACH TRASH CAN FOR THE DURATION OF THE EVENT.
- ~~EF.~~ The applicant may request an amendment to the ~~special event~~ application PRIOR TO THE ISSUANCE OR DENIAL OF THE SPECIAL EVENT PERMIT ~~in accordance with the requirements of this chapter.~~ The Special Events Coordinator shall approve, approve with conditions, or deny the applicant's request for amending the ~~permit for a special event~~ SPECIAL EVENT APPLICATION.
- ~~EG.~~ The Special Events Coordinator may deny an application FOR ANY FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS CHAPTER OR ANY OTHER APPLICABLE LAW, OR based on THE APPLICANT'S previous material violations of special ~~events~~ EVENT RULES, policy, OR THIS CHAPTER.

#### Section 14.18.080 - Suspension or revocation of permit.

A special events permit issued under this chapter shall be temporary, AND vest no permanent property or other rights in the applicant. The Special Events Coordinator shall immediately suspend or revoke a special

event permit if any of the following conditions ~~are found to exist~~ OCCUR:

- A. The applicant requests the cancellation of the SPECIAL EVENT permit or cancels the permitted SPECIAL event.
- B. The applicant has made a misstatement of material fact in connection with the application which caused the SPECIAL EVENT permit to be granted, failed to fulfill a term or condition of the SPECIAL EVENT permit in a timely manner, failed to pay ANY OF the required fees, or the check submitted by the applicant in payment of the permit fee or any other fees paid to the City in connection with the SPECIAL EVENT permit has been returned for insufficient funds or dishonored for any other reason.
- C. The ~~Special Events Coordinator or~~ the applicant has failed to provide adequate notice of a special event as required by this chapter.
- D. An activity undertaken by the applicant, or those acting on behalf of the applicant, in the setup of the SPECIAL event or AN ACTIVITY during the SPECIAL event endangers or threatens persons or property, or otherwise jeopardizes the health, safety, or welfare of persons or property.
- E. An activity conducted is in violation of any of the terms or conditions or scope of the special event permit.
- F. An activity conducted is in violation of any Federal, State, County, or City law or regulation.
- G. An emergency occurrence, A GOVERNMENTAL ACT, or AN Act of God requires the cancellation or termination of the SPECIAL event in order to protect PUBLIC PROPERTY, OR the public health, safety, and welfare.
- H. Other ~~events or~~ occurrences the Special Events Coordinator deems to adversely impact PUBLIC PROPERTY, OR public health, safety, and welfare.

#### Section 14.18.090 - Appeals.

- A. Any person aggrieved by an approval, denial, suspension, or revocation of the Special Events Coordinator made pursuant to this chapter, or special event rules adopted pursuant to this chapter, may file a written request for reconsideration with the City Manager. The aggrieved person shall set forth in detail the facts supporting the request for reconsideration. Such request shall be filed no later than ~~fourteen~~ 14 calendar days after the date of the Special Events Coordinator's ~~action~~ DECISION for which reconsideration is sought. The City Manager shall consider the application, and SHALL affirm, modify, or reverse the Special Events Coordinator's decision. Within ~~ten~~ 10 calendar days after the filing date of any request for reconsideration, the City Manager may exercise reasonable discretion to adjust the time for his or her decision. The decision of the City Manager on the request for reconsideration shall be the final administrative decision of the City.
- B. ANY PERSON AGGRIEVED BY AN APPROVAL, DENIAL, SUSPENSION, OR REVOCATION OF THE CITY MANAGER MADE PURSUANT TO THIS SECTION MAY FILE AN APPEAL WITH THE CIRCUIT COURT OF MARYLAND FOR ANNE ARUNDEL COUNTY IN ACCORDANCE WITH THE MARYLAND RULES OF PROCEDURE.
- B. Any person aggrieved by an approval, denial, suspension, or revocation of the Special Events Coordinator or City Manager made pursuant to this chapter or special event rules adopted pursuant to this chapter may file an appeal directly to the Circuit Court of Maryland for Anne Arundel County in accordance with the Maryland Rules of Procedure, instead of filing a request for reconsideration with the City Manager.

#### Section 14.18.100 - Fees.

- A. A non-refundable special event application fee shall be set by resolution of the City Council. The ~~special event~~ application fee shall be paid at the time of submission of a special event permit AN

application.

- B. A location fee may be assessed to an applicant to capture the City's costs of constructing, maintaining, or upgrading infrastructure for the conduct of special events. Location fees shall be set by resolution of the City Council and shall be paid before issuance of the special event permit OR IN ACCORDANCE WITH ANY APPLICABLE LEASE.
- C. ~~The~~ A SERVICE FEE MAY BE ASSESSED TO AN applicant for a special event permit shall reimburse the City for the use of City facilities and services pursuant to Section 6.04.210 of the City Code. Annapolis Community Associations, Neighborhood Watch Groups, or other neighborhood associations and community groups which promote neighborhood pride shall not be charged fees for the first ~~three hundred dollars~~ \$300.00 of services that the City provides, AS ALLOWED BY SECTION 6.04.210.D.1.
- D. Any applicant whose special event results in damage to, or loss of, City property, shall be responsible for the full cost of repair or replacement of City property. The applicant shall remit payment to the City within ~~thirty~~ 30 calendar days after receipt of the invoice for the repair or replacement of City property. This provision does not limit or restrict the City's remedies against those individuals who cause such damage or loss.

#### Section 14.18.110 - Exemptions from fees.

- A. No fees authorized in this chapter shall be imposed if prohibited by Federal, State, or County law, or for those SPECIAL events whose purpose is political or religious activity intended primarily for the communication or expression of ideas.
- B. The City Council may exempt certain special events from THE APPLICATION FEE AND LOCATION fees FEE set by resolution and, in doing so, shall consider:
  - 1. The nature of the SPECIAL event;
  - 2. The non-profit status, location, resources, and mission of the ~~entity sponsoring the event~~ SPONSOR OR APPLICANT;
  - 3. The extent of commercial activity, such as sales of food, goods, or services, product advertising or promotion, or other private sector participation in the SPECIAL event; AND
  - 4. Other factors as the City Council may deem appropriate.
- C. THE CITY COUNCIL MAY EXCEMPT CERTAIN SPECIAL EVENTS FROM THE SERVICE FEE IN ACCORDANCE WITH SECTION 6.04.210.

#### Section 14.18.120 - Notification of special events.

- A. The Special Events Coordinator shall be responsible for maintaining and publishing on the City ~~internet site~~ WEBSITE up-to-date listings of ~~special event~~ applications, special event permits issued, City ~~-sponsored~~ events, CITY-SUPPORTED EVENTS, and ANY OTHER leases, agreements, and other decisions made by the Special Events Coordinator or the City Council IN CONNECTION WITH A SPECIAL EVENT. The Special Events Coordinator ~~also~~ may publish such information through other media.
- B. The applicant shall provide written notification, AT THE APPLICANT'S EXPENSE, to the alderman or alderwoman in whose ward a proposed SPECIAL event will take place, the presidents of adjacent or impacted homeowner or resident associations, and the presidents of adjacent or impacted business associations within ~~thirty~~ 30 calendar days after the date of the filing of an application for a major special event or a major City dock event. The Special Events Coordinator shall provide the applicant with the names and addresses of the individuals, businesses, associations, and organizations to be notified.
- C. If a PERMITTED special event ~~that~~ will close a street for more than ~~thirty~~ 30 minutes is ~~permitted~~, the applicant shall provide written notice of the closure, at the applicant's expense, to the alderman or alderwoman in whose ward a ~~proposed~~ THAT SPECIAL event will take place, the presidents of adjacent or



impacted homeowner or resident associations, and the presidents of adjacent or impacted business associations, and other affected parties in the immediate vicinity at least ~~seven~~ 7 calendar days prior to the special event. A minimum of ~~fourteen~~ 14 calendar days' notice shall be given for major special events or major City dock events. When multiple occurrences of a special event are included in one SPECIAL EVENT permit, one written notice to include all ~~events contained~~ OCCURRENCES OF THAT SPECIAL EVENT IDENTIFIED in the SPECIAL EVENT permit is sufficient. The Special Events Coordinator shall provide the applicant with the names and addresses of the individuals, businesses, associations, and organizations to be notified.

- D. When an ~~event~~ application or SPECIAL EVENT permit that requires written notice under this chapter is significantly amended, the applicant shall provide a new written notice of the changed SPECIAL event to all parties that had previously been notified. If a deadline for notification has passed, ~~an~~ THE SPECIAL event may not be amended other than to reduce its hours or REDUCE ITS location AREA.

#### **Section 14.18.130 - Indemnification.**

The applicant shall indemnify, defend, and hold the City, its elected officials, employees, and agents harmless from liability for all injuries and damages or loss to persons or property that arise from the applicant's use of City property pursuant to issuance of a SPECIAL EVENT permit and the planning and operation of the special event, and for any reasonable attorney fees and costs incurred in addressing and defending claims, complaints, and lawsuits that seek to impose liability on the City, its elected officials, employees, and agents.

#### **Section 14.18.140 - Insurance required.**

The applicant shall provide the City with a certificate of insurance to establish the special event as insured, in amounts acceptable to the City, against liability for injuries and damages or loss to persons or property arising from acts or omissions of the applicant and the applicant's agents, employees and contractors that arise in the planning and operation of the special event. The City and its elected officials, employees, and agents shall be named as additional insureds and shall be reflected on the certificate of insurance. ANY CERTIFICATE OF INSURANCE IS SUBJECT TO APPROVAL BY THE CITY ATTORNEY.

#### **Section 14.18.150 - Waiver of insurance.**

- A. Except for special events where the City authorizes the sale of alcoholic beverages for the SPECIAL event or where the City requires a parking or traffic plan, the Special Events Coordinator, IN COORDINATION WITH THE CITY ATTORNEY, may waive the insurance requirements FOR A SPECIAL EVENT PERMITTED UNDER in this chapter. In making the determination of whether to waive insurance, the following shall be considered:
1. Whether the SPECIAL event is a ~~block party~~ a resident organizes and requests permission for the event to be held on the street COMMUNITY GATHERING;
  2. Whether the SPECIAL event is a constitutionally-protected event;
  3. Whether it is objectively impossible or not financially practical to obtain insurance coverage, in which case, the applicant shall submit a statement from at least ~~two~~ 2 independent licensed insurance brokers demonstrating that the insurance is unavailable in the market place or not financially practical to obtain; AND
  4. Whether the special event will involve the use of equipment (other than sound equipment), vehicles, animals, fireworks, pyrotechnics, or other equipment deemed to pose a potential hazard or risk to public safety, or public or private property.
- B. A waiver of insurance shall not constitute a waiver of indemnification as required in this chapter.
- C. THE APPLICANT SHALL COMPLETE AN INSURANCE WAIVER FORM PROVIDED BY THE

SPECIAL EVENTS COORDINATOR BEFORE ANY INSURANCE REQUIREMENTS MAY BE WAIVED.

**Section 14.18.160 - Major events at City dock.**

- A. The following limitations shall apply to major City dock events:
1. For the months of May, June, July, and August, there shall be no more than four major City dock events that take place on a weekend permitted during this entire period.
  2. For the months of April, September, and October, there shall be no more than six major City dock events that take place on a weekend permitted during this entire period.
  3. For the period between Thanksgiving Day and Christmas Day, there shall be no more than one major City dock event that takes place on a weekend permitted during this entire period.
  4. Major City dock events shall not be permitted on successive weekends during the months of April, May, June, July, and August.
  5. A major City dock event that starts in one month and ends in another month shall count towards the limitations during the month in which the majority of the event occurs. If there is no majority of days in the starting or ending month, then a determination shall be made at the discretion of the Special Events Coordinator.
  6. For the limitations designated in paragraphs 1., 2. and 3. above, no more than four of the major City dock events that take place on weekends may be mass participation sports events.
  7. Parades and ceremonies in celebration of Memorial Day, Independence Day, Labor Day, Kunta Kinte HERITAGE FESTIVAL, MARTIN LUTHER KING JR., ~~Celebration, Annapolis High School Homecoming~~ JUNETEENTH, and New Year's Eve may be permitted without regard to the limits imposed in this ~~chapter~~SECTION.
  8. ~~Other City-sponsored events, and special events that are the subject of leases approved by the City Council are EXEMPTED FROM THE PERMIT REQUIREMENT PURSUANT TO SECTION 14.18.050.B, THAT MEET THE DEFINITION OF A MAJOR CITY DOCK EVENT SHALL BE included in the calculation of the special event limitations IN THIS SECTION if they are major City dock events.~~
  6. A MASS PARTICIPATION SPORTS EVENT THAT (i) DOES NOT ORIGINATE IN THE CITY DOCK AREA AND (ii) ENSURES THAT ANY STREETS CLOSED FOR THE SPECIAL EVENT ARE OPEN AND PASSABLE TO TRAFFIC BY 9:00 A.M. ON THE DAY OF THE SPECIAL EVENT SHALL NOT BE INCLUDED IN THE CALCULATION OF THE SPECIAL EVENT LIMITATIONS FOR PARAGRAPHS 1., 2., 3., 4., 5., AND 6. OF THIS SECTION.
- B. When applicants seek more major City dock events than are allowed under the limitations of this ~~chapter~~SECTION, the Special Events Coordinator shall give priority to SPECIAL events that are the subject of leases APPROVED BY the City Council ~~has approved~~.
- C. ~~After three 3 years the City Council will review the list of repeating major City dock events to assure the THOSE SPECIAL events continue to meet the needs of the community.~~ The CITY Council, at its sole discretion AND THROUGH A RESOLUTION, may remove repeating SPECIAL events to allow for new SPECIAL events. In evaluating SPECIAL events, the Council will consider if the SPECIAL event is:
1. A City ~~sponsored~~ event OR A CITY-SUPPORTED EVENT.
  2. Reflective of the history, heritage, culture and diversity of the City.
  3. Organized by a charitable organization that is located in the City of Annapolis and serves the City of Annapolis.
  4. ~~Open to the public and does not charge a fee~~FREE OF CHARGE.
  5. Intended to attract City residents and residents of the surrounding region that would support and patronize City dock businesses.
  6. Least likely to disrupt residents and businesses in the area of the SPECIAL event.

7. IMPACTED BY OTHER ~~Other~~ criteria as the CITY Council may deem appropriate.
- D. The limitations of this chapter notwithstanding, the City Council may authorize a non-recurring major City dock event by resolution after a public hearing has been held.
- E. All streets located in the Annapolis National Historic Landmark District that a mass participation sports event CLOSES in the City dock area ~~closes~~ shall be open and passable to traffic by 9:00 a.m. on the day of the SPECIAL event.
- F. The Special Events Coordinator or his or her designee shall be in attendance at all major City dock events and shall be readily accessible to THE APPLICANT, event ORGANIZER, ~~sponsors~~ and relevant City personnel.

**Section 14.18.170 - Special event violations.**

A violation of any provision of this chapter shall constitute a municipal infraction and for each violation, the person or entity in violation is subject to a fine as established by resolution of the City Council.

**SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date of its passage.

**Explanation:**

UPPERCASE indicates matter added to existing law.

~~Strikethrough~~ indicates matter stricken from existing law.

Underlining indicates amendments.