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### 9.03.040 Permit required.

No person or organization shall conduct, operate, maintain, organize, advertise, or sell or furnish tickets for a special event or permit its premises to be used for any special event without first obtaining a special event permit as provided for by this Chapter. Special event permits for events which fall into the "major," "minor" and "miscellaneous" special events categories shall be approved by the administrative authority and issued prior to the commencement of the special event. No permit issued under the provisions of this Chapter shall be transferable or movable to another location or another applicant.

### 9.03.050 Permit application—Filing and fee.

- A. Applications for permits to conduct special events shall be completed in writing on a form provided by the City and shall be filed with the administrative authority within the time frames listed below:
  - 1. *Major Special Events.* Applications shall be filed not less than 60 working days prior to the opening date of the event.
  - 2. *Minor Special Events.* Applications shall be filed not less than 30 working days prior to the opening date of the event.
  - 3. *Miscellaneous Special Events.* Applications shall be filed not less than seven working days prior to the event. If an application on its face demonstrates that the applicant wishes to exercise his or her free speech rights, as defined in this article, such application shall be filed not less than four working days prior to the event.
- B. Only one special event permit may be obtained every three months for any particular event site or for the same person, persons or organization. Requested for additional events may be approved by the special events committee. This subsection, however, shall not apply to an event involving an exercise of free speech rights.
- C. Except as otherwise provided by this Code or other applicable law, rule or regulation, or by the terms of a permit, license, lease or contract which has been specifically authorized by the City Council, the permit application fee for use of City streets or other City-owned or controlled property and private property pursuant to this Chapter shall be established by the City Council by resolution and is non-refundable. The applicant shall obtain all required permits and pay all fees required under this Chapter and any other permits and fees required under this Code. Any applicant who pays an application fee under this Chapter for a City-sponsored special event shall be exempt from paying a business application fee under Chapter 5.04 of this Code.
- D. Any 501(c)(3) nonprofit organization may claim an exemption from the established fee schedule by filing proof of such status and explaining why such an exemption is appropriate. Such an exemption shall only be granted when the administrative authority determines that there is an alternate source of funding available to cover the cost of the City inspection necessitated by the event.
- E. Any indigent, natural person who cannot apply for a permit because of an inability arising from such indigence to pay this application fee shall not be required to pay the fee. Application for indigent status shall be made at the time the permit application and shall be accompanied by such relevant information and documentation as may, in the opinion of the administrative authority, be reasonable necessary to verify such status.
- F. If an application is filed after the time prescribed in this Chapter, the administrative authority shall immediately investigate to determine if he or she has sufficient time to process the application, what the effects of the proposed special event on traffic and other conditions may be, and whether police services may be available for such special event. The applicant shall have the opportunity to demonstrate that the

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circumstances giving rise to the proposed special event did not reasonably allow the applicant to file for a permit within the time prescribed and that imposition of the time limitation would unreasonably restrict the right of free speech or assembly. If such demonstration is made, and the administrative authority makes none of the findings set forth in Section 9.03.070 of this Chapter, he or she shall issue a permit despite the lack of advanced notice.

(Ord. No. 1019, 5-15-2012)