

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF  
MONROE, GEORGIA, TO ADD CHAPTER 84 – SPECIAL EVENTS TO THE  
CITY’S CODE OF ORDINANCES**

**THE MAYOR AND COUNCIL OF THE CITY OF MONROE HEREBY ORDAIN  
AS FOLLOWS:**

**ARTICLE I.**

The Code of Ordinances, City of Monroe, Georgia, is hereby amended to add the below text amendments to the City’s Code of Ordinances as follows:

SEE “**EXHIBIT A**” ATTACHED HERETO AND INCORPORATED HEREIN  
BY REFERENCE FOR THE COMPLETE NEW TEXT AMENDMENT TO BE ADDED TO THE  
CODE OF ORDINANCES, CITY OF MONROE, GEORGIA AS CHAPTER 84.

**ARTICLE II.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**ARTICLE III.**

This ordinance shall take effect from and after its adoption by the Mayor and Council of the City of Monroe, Georgia.

**FIRST READING.** This 8th day of October, 2024.

**SECOND READING AND ADOPTED** on this 12th day of November, 2024.

**CITY OF MONROE, GEORGIA**

**By:** \_\_\_\_\_(SEAL)

**John S. Howard, Mayor**

**Attest:** \_\_\_\_\_(SEAL)

**Logan Propes, City Administrator**

## **EXHIBIT A**

### **Chapter 84 – Special Events**

#### **Sec. 84-1. – Purpose and Intent.**

The City of Monroe recognizes and supports the public's right of assembly and free speech and to utilize designated public facilities for such purposes. At the same time, the City has an important and compelling governmental interest in protecting property, public safety, health and welfare, controlling use of streets and other public facilities and venues, and ensuring that the City is properly compensated for its services . This Chapter seeks to accommodate public rights of speech and assembly consistent with the City's compelling governmental interest by establishing procedures, terms, and conditions for the use of public areas and facilities and public services for such purposes.

#### **Sec. 84-2. – Definitions.**

The following words, terms, and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning :

(1) *Producer* – any person, group of persons, organization, association, club, or other entity responsible for planning, producing, and conducting a Special Event.

(2) *Special Event* – means any organized activity having as its primary purpose entertainment, recreation, or education, which provides a substantial public and community benefit, such as a festival, celebration, foot or vehicle race, parade, march, rally or assembly, which takes place in whole or in part on a public street, public property, sidewalk or right-of-way, or any organized activity that occurs on private property and impacts government services of public rights-of-way.

(3) *Special Event Permit or Permit* – a permit required by this Chapter.

(4) *Vendor* – any person, persons, or business that engages in the sale to the public of any food or food products, drinks, goods, services, or merchandise of whatever nature from any location, either mobile or stationary, on a temporary itinerant basis on any public street, sidewalk, or right-of-way. The definition of vendor, as used in this Chapter, shall not be construed to include or prohibit a permanent business, operating under the provisions of a business license and other applicable laws, from displaying goods or merchandise on a public sidewalk immediately in front of and adjacent to the permanent business structure so long as such displays do not impede the normal flow of pedestrian traffic and so long as other laws and ordinances pertaining to such business or displays are complied with.

(5) *City* – the City of Monroe, Georgia.

#### **Sec. 84-3. – Authority.**

(a) The City Council has authorized the Assistant City Administrator, or their designee, to administer this Chapter.

(b) This Chapter is adopted in accordance with all applicable state and federal rules, regulations, and laws, as well as the ordinances of the City.

(c) The City reserves the right to amend this Chapter over time, as it deems necessary.

(d) The City possesses the authority to enact this Chapter pursuant to O.C.G.A. § 36-35-3.

#### **Sec. 84-4. – Permit Conditions.**

(a) It shall be unlawful for any person, group, organization, association, club, or other entity to conduct or cause to be conducted any Special Event in the City without having first obtained a valid Permit for such event in accordance with this Chapter.

(b) All Permits issued pursuant to this Chapter shall be temporary and shall not vest in the Producer any permanent property rights in a Special Event Permit.

(c) The location of a Special Event must comply with all existing zoning requirements of the City, and there must be sufficient lawful parking available. An application for a Special Event Permit shall be subject to review by the Assistant City Administrator to determine compliance with the City's zoning requirements. Administrative exceptions are subject to the approval of the Assistant City Administrator or their designee.

(d) The outermost boundaries of the Special Event shall be fully and clearly delineated on a map, which shall be no smaller than  $8\frac{1}{2} \times 11$  inches in size, and attached to the application for a Special Event Permit. All public streets and sidewalks within and adjacent to such area(s) shall be clearly identified.

(e) A Special Event shall be limited to the specific geographic area within which the Event is to take place and the Producer of a Special Event shall be responsible for the provision of police and sanitation services within the boundaries of the Special Event while the Special Event is taking place and for a period of two hours past the conclusion of the Special Event or until the area is cleared of all activities and structures related to such Special Event.

(f) The Producer of a Special Event such as parades, marches, processions, walks, or runs shall submit with the application for a Permit a map, which shall be no smaller than  $8\frac{1}{2} \times 11$  inches in size, showing the exact route to follow which shall be preceded by a police vehicle when required by the Assistant City Administrator or their designee.

(f) No Special Event Permit shall be issued for Special Events that exceed more than six days in any thirty-day consecutive period of time.

(g) By accepting a Special Event Permit issued by the City pursuant to this Chapter, the Producer represents that:

(1) All information included or presented as part of the Permit application was, to the best of the Producer's information and belief, complete and correct;

(2) That all terms and conditions of such Permit have been or will be complied with; and

(3) That a copy of the Permit will be made available for inspection by any City representative during the Special Event.

(h) Each City department or agency whose services would be impacted by a Special Event shall review the application and recommend in writing any conditions or restrictions deemed necessary. Special conditions or restrictions recommended by the Assistant City Administrator, or their designee, shall become a condition of the Permit.

#### **Sec. 84-5. – Permit Application: Deadline, Content, and Fee.**

(a) A complete application for a Special Event Permit shall be submitted to the Assistant City Administrator or their designee for the City:

(1) Not less than 30 days prior to the Special Event if City resources are not required;

(2) Not less than 60 days prior to the Special Event if City resources are required;

(3) Not more than one year prior to the Special Event.

(b) The following information shall be provided in the application on a form prescribed by the City:

(1) Name and purpose of the Special Event;

(2) Name, mailing address, telephone number, and email address of Producer;

(3) Name, mailing address, telephone number, and email address of the Special Event coordinator if Producer is an organization;

(4) Proposed date and times the Special Event will be conducted. A Special Event shall not occur earlier than 7:00 a.m. nor later than 11:00 p.m. in residential zoned locations and shall not occur earlier than 7:00 a.m. nor later than 12:00 midnight in commercial zoned locations;

(5) Proposed route to be traveled, the starting point and termination point, any closures of streets, sidewalks, or rights-of-way requested (if applicable);

(6) Site plan with a map or diagram showing the area to be used, the location of any equipment, vendors, game booths, stands, stages, seating, and other facilities, the areas to be used for parking, the location of toilet facilities and water as necessary for the Special Event, any areas where alcohol will be served or sold including a description of the barriers to be used to enclose them;

(7) Projected number of persons and vehicles at the Special Event;

(8) Plan for crowd and traffic control;

(9) Schedule of activities within the Special Event;

(10) Description of sound equipment to be used;

(11) Sanitation plan;

(12) A certification that the Producer will be financially responsible for any City fees or costs that may be imposed for a Special Event; and

(13) Any other such information as any City department deems reasonably necessary to determine that the Permit meets the requirements for this Chapter.

(c) A nonrefundable application fee of \$100.00 shall be paid at the time the application for a Special Event Permit is filed. Such fee shall be payable to the City by cash, money order, or cashier's check.

#### **Sec. 84-6. – Emergency Permit.**

(a) In extraordinary circumstances, the Assistant City Administrator or their designee shall be authorized to waive or otherwise expedite any or all of the review process and to issue a Special Event Permit upon payment by the Producer or of all applicable fees and costs for such Special Event.

(b) The Producer shall submit a nonrefundable application fee of \$250.00 at the time the application for an emergency Special Event Permit is filed. Such fee shall be payable to the City by cash, money order, or cashier's check.

#### **Sec. 84-7. – Permit Fees: City Services and Costs.**

(a) The fee for a Permit to conduct a Special Event shall be based on all services to be provided by the City for such Special Event and shall be equal to the estimated actual costs to the City to provide such services. The initial Permit

fee shall be the aggregate of the estimated costs of such services calculated by each City department. If, at the conclusion of the Special Event, the costs of the City's services are greater than the initial payment, the Producer of the Special Event shall be billed for the difference. Failure to pay the outstanding amount within 30 days of the billing date shall be a violation of this Chapter and punished in accordance with Section 84-11 of this Chapter.

(b) The initial Permit fee must be paid in full prior to the issuance of a Special Event Permit and no later than 72 hours prior to the date of the Special Event.

(c) The fees required in this Chapter shall be in addition to any other fees which may be required by any other ordinances or regulations that might be applicable.

(d) No Producer of any Special Event, except as may otherwise be provided herein, shall be exempt from the payment of the appropriate fees and charges required under this Chapter.

(e) Entities operating as a non-profit with appropriate Internal Revenue Service (IRS) documentation may request a 50% reduction of the Special Event Permit fee.

#### **Sec. 84-8. – Exemptions**

The following activities are exempt from all of the Special Event Permit requirements of this Chapter except as outlined hereinbelow:

(a) Any person, group or organization engaged in an activity relating to their freedom of speech, press, petition, religion, picketing, demonstration, assembly, gathering, or procession, as guaranteed by the First Amendment of the United States Constitution. However, said person, group or organization is still required to submit an application for and obtain a Special Event Permit as set forth in this Chapter to allow the City to review the impact

of the protected activity on the compelling government interest outlined in Section 84-1. Further however, any such person, group or organization shall be exempt from being required to pay the Permit fees set forth in Section 84-5(c), Section 84-6, and Section 84-7 of this Chapter. Any person, group or organization engaged in an activity relating to their freedom of speech, press, petition, religion, picketing, demonstration, assembly, gathering, procession or other activity protected by the U.S. Constitution shall be prohibited from blocking the ingress and egress of any public or private place excepting only to the extent so authorized by a properly obtained Special Event Permit.

(b) The provisions of this Chapter shall not apply to any parade or procession conducted under the supervision and direction of a funeral director in conjunction with any funeral.

(c) Events conducted completely on private property by a Special Event Venue as permitted under Article VII – Special Event Venues, of Chapter 6 of the Code of Ordinances, City of Monroe, Georgia.

(d) Activities conducted by the City of Monroe, or its related entities, acting within the scope of their authority.

#### **Sec. 84-9. – Final Approval of Permit; Review Period.**

(a) The Assistant City Administrator or their designee is authorized to approve and issue a Special Event Permit after considering all comments and conditions of the reviewing departments and agencies as well as other information pertaining to the proposed Special Event as described on the application, and after the payment of all applicable fees and costs.

(b) The Assistant City Administrator or their designee shall approve, tentatively approve, or deny a Special Event Permit no later than 30 days following the date the completed

application is filed with the City. If the Permit is denied, the Producer shall be notified in writing of the denial and the reason(s) for the denial. A tentative approval reserves the locations, dates, and times of a Special Event and is subject to revision based upon the Assistant City Administrator's or their designee's subsequent review, in accordance with paragraph (a) of this Code section, of information received following issuance of a tentative Permit. If a Permit is tentatively approved, final approval and issuance of the Permit shall occur no later than 60 days prior to the Special Event.

#### **Sec. 84-10. – Appeal Procedure.**

(a) Any Producer whose Special Event Permit application has been denied or revoked may request in writing a review of this decision by the City Administrator. This request must be in writing and received by the City Administrator within five days of the Permit denial or revocation.

(b) The City Administrator shall review the application and reasons for the denial or revocation of the Special Event Permit and shall issue a decision within five days whether to uphold or reverse the previous decision of the Assistant City Administrator, or their designee and grant or reinstate the Permit with such additional conditions as the City Administrator may deem justified by the evidence for or against the issuance of the Special Event Permit.

#### **Sec. 84-11. – Violations and Penalties.**

(a) It shall be unlawful for any person to violate the provisions of this Chapter. Upon conviction of a violation thereof, each person shall be subject to the punishment allowed under Section 1-11 of the Code of Ordinances, City of Monroe, Georgia.

(b) Any Producer holding a Special Event Permit issued pursuant to this Chapter or any employee

or agent of such Producer who violates any provision of this Chapter, or directs, consents to, permits, or acquiesces in such violation either directly or indirectly shall, by such conduct, subject the Permit to suspension, revocation or probation upon conditions. In addition, a minimum civil fine of \$200.00 and a maximum civil fine of \$500.00 may be imposed on the Permit for the first violation. Each subsequent violation shall result in a fine of \$1,000.00. A third violation and all subsequent violations shall result in a 12-month suspension of the Producer's ability to receive a Special Event Permit.

(c) The imposition of a civil fine under the provisions of this Chapter shall not prevent the suspension, revocation, or non-renewal of a Special Event Permit or the privilege to apply for and receive a Permit or the taking of punitive or remedial action for any other violation of the ordinances of the City of Monroe or for subsequent violations of this Chapter. No Permit shall be renewed or issued pursuant to this Chapter if any civil fines imposed pursuant to this section have not been paid by the Producer prior to the application for renewal or issuance of a Permit. For purposes of administering and enforcing this Chapter, any act committed by an employee, agent or representative of a Producer shall be deemed to be an act of such Producer.

#### **Sec 84-12. – Liability.**

(a) Prior to the issuance of a Special Event Permit, the Producer shall provide to the City proof of comprehensive liability insurance naming the City as an additional insured. The insurance requirement is a minimum of \$300,000.00 personal injury per person, \$1,000,000.00 maximum, and \$100,000.00 property damage against all claims arising from Permits issued pursuant to this Chapter.

(b) Prior to the issuance of a Special Event Permit, the Producer of any Special Event shall

provide a written agreement in a form satisfactory to the City providing that the Producer shall defend, pay, and save harmless the City, its officers, employees, and agents from liability of all personal or property damages arising from any acts or omissions emanating from a Special Event and from any and all claims, attorney fees or lawsuits for personal injury or property damage arising from or in any way connected to the Special Event. The agreement shall be filed with, and made a part of, the application form.

(c) The City, its officials, employees, or agents shall not incur any liability or responsibility for any injury or damage to any person in any way connected to the use for which any Special Event Permit has been issued. The City, its officials, employees, or agents shall not be deemed to have assumed any liability or responsibility by reasons of inspections performed, the issuance of any Special Event Permit, or the approval of any use of the right-of-way or other public property.

#### **Sec. 84-13. – Vendors of Food and Merchandise.**

(a) The sale of food or merchandise by vendors shall be allowed as a component of a Special Event provided each vendor is authorized to participate in writing by the Producer of the Special Event and provided further each vendor shall be subject to all conditions and limitations as shall be imposed in writing by the Producer and submitted as part of the application for a Special Event Permit.

(b) The Producer of a Special Event shall have sole responsibility and control of all food and merchandise vendors as a component of a Special Event and shall designate the location and activities of such vendors.

(c) Authorized vendors of the Producers, providing food or merchandise, shall not be

required to obtain a separate vendor permit to operate during the Special Event.

(d) Notwithstanding the provisions within subsection (c) of this section, food vendors authorized by the Producer shall be required to comply with all rules and regulations of the county health department as to the preparation and service of food.

(e) Any food vendor shall have a license to operate within the State of Georgia and shall have a current food safety inspection certificate before offering food or beverages for sale at any Special Event Permitted under this Chapter.

#### **Sec. 84-14. – Vendors of Alcoholic Beverages.**

The dispensing of alcoholic beverages, by sale or otherwise, shall be allowed as a component of a Special Event provided each vendor is authorized to participate by the Producer and provided further each vendor dispensing alcoholic beverages shall have been duly licensed by the State and the City or any another governing authority and shall further have complied with all provisions of the City's Code of Ordinances relating to the sale of alcoholic beverages off-premises at an authorized Special Event in accordance with Chapter 6 of the Code of Ordinances of the City.

#### **Sec. 84-15. – Miscellaneous Provisions Regarding Vendors.**

(a) Each vendor authorized by the Producer of the Special Event shall prominently display on his or her person a badge provided by the Producer and identifying the vendor as an authorized participant in the Special Event which shall bear the signature of the Producer or their designated agent.

(b) A Special Event Permit granted by the City may provide for the City to close designated streets and intersections to allow use of the

public right-of-way for the Special Event during designated hours and days. The Producer shall bear all responsibility for having all vendors remove any structures and all trash and debris from the designated areas by not later than the time stated under the Permit for re-opening of all streets.

**Sec. 84-16. – Severability.**

If any provision of this Chapter is for any reason held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter.