

**CITY OF CLAWSON
OAKLAND COUNTY, MICHIGAN
ORDINANCE NO. 779**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CHAPTER 56
– SPECIAL EVENTS, ARTICLE I. – IN GENERAL, OUTLINING THE
REGULATIONS AND APPLICATION PROCESS FOR PERMITTING THE
USE OF PUBLIC AND PRIVATE PROPERTY FOR SPECIAL EVENTS IN THE
CITY AND PROVIDING STANDARDS OF CONDUCT, APPLICATION
PROCESS, ENFORCEMENT, AND APPEALS**

NOW THEREFORE, THE CITY OF CLAWSON ORDAINS:

Code of Ordinances shall be amended to add a new Chapter 56 – Special Events reading as follows.

CHAPTER 56 – SPECIAL EVENTS

ARTICLE I. - IN GENERAL

Sec. 56-1. - Intent.

It is the legislative intent of the city council through enactment of this chapter to regulate in an appropriate manner *special events*, so as to prevent interference with the right of the public to use public property in the city without adhering to regulations and an application process set forth herein.

Sec. 56-2. - Definitions.

The following words, terms or phrases, when used in this chapter, shall have the meanings ascribed to them in this section, therefore, requiring the completion of a *special event* permit application with the city:

(1) Parade means any march, demonstration, procession or motorcade consisting of persons, animals, or vehicles or a combination thereof upon the streets, parks or other public grounds within the city with an intent of attracting public attention that interferes with the normal flow or regulation of traffic upon the streets, parks or other public grounds.

(2) *Special event* means any gathering of persons for a common purpose as a result of prior planning that interferes with the normal flow or regulation of pedestrian or vehicular traffic on public rights-of-way or property generally open to the public or occupies any area in a place open to the general public. This shall include outdoor festivals, races, runs, walk-a-thons/marathons, mobile food vending rallies (coordinated parking of three or more units in close proximity), and other *events* or activities of a similar nature, that do not have or seek a permanent site or business location, and are temporary and of such a nature as to be acceptable to the general public.

Sec. 56-3. - Requirements; standards of conduct.

The City of Clawson recognizes it has many active organizations, *events* and *special events* within the community that have a history of not only attracting its residents, but also several visitors from the metropolitan area. In such instances, crowd control, traffic, individual safety and other considerations are always of concern, but may not be totally

addressed in accordance with the specific requirements of this section. Therefore, and to the extent practicable, those requirements and standards will be followed unless a demonstrated showing is made at the time of application for the reason for any substantial variance of the requirements or standards is set forth in the application documentation.

It shall be unlawful for any person, firm, partnership, association, corporation, company or organization of any kind to engage in business considered to be a *special event* within the corporate limits of the city without adhering to the proscribed chapter guidelines that outlines the obligations and requirements for obtaining a *special events* permit.

(1) The city administration, or city council, as applicable, shall issue a *special events* permit as provided for herein when, from a consideration of the application and from such other information as may otherwise be obtained, it is determined that:

a. The conduct of the parade or *special event* will not materially interrupt the safe and orderly movement of other pedestrian or vehicular traffic contiguous to its route or location and will not require the diversion of so great a number of city public safety officers to properly police the line of movement and the areas contiguous thereto as to prevent normal public safety protection of the city.

b. The concentration of persons, animals, and vehicles at public assembly points of the parade or *special event* will not unduly interfere with property, fire and police protection of, or ambulance service to, areas contiguous to such public assembly areas.

c. The conduct of the parade or *special event* is not reasonably likely to cause injury to persons or property and shall comply with any *special event* policies adopted by council and is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays in route.

d. Adequate sanitation and other required health facilities are or will be made available in and/or adjacent to any public assembly areas.

e. There are sufficient parking places near the site of the parade or *special event* to accommodate the number of vehicles reasonably expected.

f. Where the occurrence of two or more *special events* would have an adverse effect upon the public health, safety, or welfare, the city has the right to only permit one *special event* on the requested date(s), utilizing a first come first serve method.

g. The applicant shall establish to the satisfaction of the administration that such necessary and sufficient personnel (including security personnel) if required will be provided by the applicant for the duration of the *event*.

h. No permit shall be granted where the applicant fails to comply with all requirements of this chapter or any other provision of state or local law, or where the applicant fails to furnish all information and/or knowingly made

a false, misleading, or fraudulent statement in the application or supporting documents.

Sec. 56-4. – Application; fees.

(1) An application for a *special event* permit shall be filed with the city clerk at least 90 days before the date(s) of operation, parade, or *special event* is proposed to commence. The City council shall approve any special event permit that requires any city services and/or resources. The City shall approve and/or deny any application within 25 days of filing wherein a lack of approval within the stated period of time shall constitute a denial.

(2) The City Manager may require a meeting with the applicant at any time throughout the process. At said meeting the applicant may be required to supply a plan of operation outlining the needs for the *event*, including, but not limited to: water, electricity, labor, etc. and any supporting documentation that is requested. The applicant shall be required to pay an application fee and to sign an agreement as established by city administration.

(3) A mobile food vendor shall be allowed to operate a mobile food vending unit at an approved *special event* upon the approval from the *special event* applicant and city administration, and the completion of an application for a permit as outlined in the Code of Ordinances.

(4) A *special event* permit application and policy shall be created and maintained by administration upon it being presented and approved by the city council.

Sec. 56-5. - Exemptions.

This chapter section shall not apply to the following:

(1) Block parties authorized by the Clawson Police Department pursuant to procedures established by that department;

(2) Funeral processions;

(3) Students going to and from school classes or participating in educational activities, provided that such conduct is under the immediate direction and supervision of the proper school authorities;

(5) *Events* such as public assemblies, provided that the organizer(s) provide written notice to the city at least 48 hours prior to such parade or public assembly;

Sec. 56-6. - Enforcement.

The city may revoke the permit of any applicant who ceases to meet any requirements of this chapter or violates any other federal, state, county, or local law or regulation, or who has made a false statement on their application, or who operates in a manner that is adverse to the protection of the public health, safety and welfare, pursuant to the procedure set forth herein. The city regulations shall be outlined and agreed to under the *special event* application prior to the approval of the permit.

Sec. 56-7. – Petition to Council.

When a permit is denied or revoked by the city, the applicant may petition the council within 20 days of the date notice of revocation or denial.

Secs. 56-8—56-20. - Reserved.

DATE OF EFFECT.

The Clawson City Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law; and this Ordinance shall take full force and effect ten (10) days after the date of publication.

This ordinance was adopted by the City Council of the City of Clawson at a meeting duly called and held on April 16, 2024, and ordered to be published as prescribed by the law.

STATE OF MICHIGAN)
)
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and active City Clerk of the City of Clawson, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of an ordinance made, passed, and adopted by the Council of said City at a regular meeting held in the Council Chambers, 425 N. Main Street, Michigan, on Tuesday, the 16th of April, 2024 at 7:30 p.m., further this Ordinance was duly published in the Sunday, April 21, 2024 edition of the Royal Oak Tribune Newspaper, a newspaper of general circulation in the City of Clawson.

Paula Millan
PAULA MILLAN
Mayor

G. Machele Kukuk
G. MACHELE KUKUK
City Clerk

Dated: April 16, 2024

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