

**STATE OF GEORGIA
COUNTY OF GORDON
CITY OF CALHOUN**

ORDINANCE NO. 1020

AN ORDINANCE TO AMEND, STRIKE OR CHANGE CERTAIN ARTICLES, DIVISIONS AND SECTIONS OF PART II - CODE OF ORDINANCES; CHAPTER 90 - TRAFFIC, ARTICLE V: SPECIAL EVENTS REQUIRING ROAD CLOSINGS; TO REPEAL ALL CONFLICTING ORDINANCES OR ORDINANCE PROVISIONS, TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Council for the City of Calhoun seek to amend and change certain provisions, definitions and regulations of *PART II - CODE OF ORDINANCES; CHAPTER 90 - TRAFFIC, ARTICLE V. SPECIAL EVENTS REQUIRING ROAD CLOSINGS*; and

WHEREAS, the Mayor and Council for the City of Calhoun have found that there needs to be additional involvement of the Downtown Development Authority to be included in decisions involving road closures within their boundaries of influence before the matter is considered for approval or denial by the governing authority; and

WHEREAS, the Mayor and Council seek to enact measures requiring the applicant for any such special events that would require road closure to obtain appropriate insurance coverage and provide proof of same in the application to best protect the public welfare by providing means of recovery for those in attendance that might be injured;

**NOW, THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF CALHOUN
HEREBY ORDAIN:**

SECTION ONE: *PART II - CODE OF ORDINANCES; CHAPTER 90 - TRAFFIC, ARTICLE V. SPECIAL EVENTS REQUIRING ROAD CLOSINGS, DIVISION 1. SPECIAL EVENTS GENERALLY, SECTION 90-172. Permit required; penalties; exceptions* is hereby stricken in its

entirety and replaced with “*SECTION 90-172. Permit required; penalties; exceptions*” as follows:

“ **Sec. 90-172. Permit required; penalties; exceptions.**

(a) No person shall engage in, participate in, aid, form or start any parade, unless application for a special event permit has been made with the City Clerk, the requisite fee has been tendered, and a permit has been issued following approval by the Mayor and Council. All Special Event applications that fall within the geographic boundaries of the Calhoun Downtown Development District shall first be presented to the Downtown Development Authority for review and recommendation of the event at the next regularly scheduled DDA meeting. The DDA recommendation will then be submitted to the Mayor and Council at the next regularly scheduled Council meeting.

(b) Any person guilty of a violation of (a) shall be punished, upon conviction in the municipal court as provided in Section 1-7 of this Code.

(c) The permit required by this chapter shall not apply to the following:

- (1) Funeral processions, provided the police department is notified of each procession’s time and route;
- (2) Students going to and from school classed or participating in school-sponsored activities; providing such conduct is under the immediate direction and supervision of the proper school authorities; or
- (3) A public event which is directly related to a recognized function of city, state or local government and which is in a major part initiated, financed and executed by the city, state or local government or subdivision of the state;
- (4) Any event organized for the departure or return of any armed forces from hazardous duty or combat deployment;
- (5) Any departure or return of any local school team or group participating in a competition or other event; and
- (6) Any peaceful picketing in connection with a social, labor or political issue.”

SECTION TWO: PART II - CODE OF ORDINANCES; CHAPTER 90 - TRAFFIC,
ARTICLE V. SPECIAL EVENTS REQUIRING ROAD CLOSINGS, DIVISION 2. SPECIAL EVENTS
APPLICATION AND APPROVAL PROCESS, SECTION 90-192. *Application* is hereby stricken in its entirety and replaced with “*SECTION 90-192. Application*” as follows:

“ Sec. 90-192. Application.

The application for a special event permit shall be made in writing on a form approved by the city clerk. In order that adequate arrangements may be made for the proper policing of the special event, the application shall contain the following information:

(a) The name, address and telephone number of the Event Organizer seeking to conduct the special event, and

(1) if the Event Organizer is representing a sponsoring organization for the special event, they shall include the name, address and telephone number of the headquarters of the organization, and of the authorized and responsible heads of such organization; and/or

(2) if any individual other than the Event Organizer seeking the application shall be responsible for the conduct and management of the special event, the application shall include name, address and telephone number of the individual to be identified as the special event leader to be held responsible for its conduct by municipal officials.

(b) The purpose of the special event, the date when it is proposed to be conducted, an alternate date for inclement weather, and the location of the special event including:

(1) A map diagram demonstrating the outermost boundaries of the special event shall be fully and clearly delineated on a map, which shall be no smaller than 8½ × 11 inches in size, and attached to the application for a permit. All public streets and/or sidewalks within and adjacent to such area(s) shall be clearly identified. It shall be required as part of the approval for the event, that areas no less than five feet in width shall be designated and preserved for public circulation and access to adjoining business establishments outside

the area(s) delineated for the event;

- (2) if the special event requires a road closing for any parade, race, procession or other form of such an event, the application shall include the location of the assembly area, the location of the disbanding area, the route to be traveled, the approximate time when the parade, race, procession or other form of such event will assemble, the times the actual event will start and estimated time to terminate, and a statement or plan as to whether the special event will occupy all or only a portion of the widths of the streets proposed to be closed; and
- (3) if the special event requires a road closing for a fixed geographical area to permit use of the road for entertainment, concessions, retail sales, or the safety of pedestrian traffic, then the application shall include the time expected to begin and end the road closing, the expected duration for the closing of the road, as well as a Certificate of Insurance.

(c) If the special event is one sought pursuant to Sec. 90-191(b)(1), the application shall include details regarding the approximate number of persons, animals and vehicles which are expected to be involved, including the type of animals and description of vehicles. With regard to animals, they shall be "shoed" appropriately to prevent damage to the street, and diapers preventing excrement from being deposited on the street surface, must employed and maintained free of defects.

(d) The approximate number of spectators and participants that will attend or participate in any part of the special event, as well as,

- (1) If the special event is to take place on more than one day, the approximate number of spectators and participants per day.
- (2) If a spectator or participant is present for only a part of the special event, that individual shall be included in the approximate number;

(e) A description of any public address or loudspeaker system to be used;

(f) The estimated number of vehicles requiring parking at the special event;

(g) The sanitation plan necessary, to be implemented by the City, including the proposals for refuse disposal and restroom facilities for both participants and/or spectators;

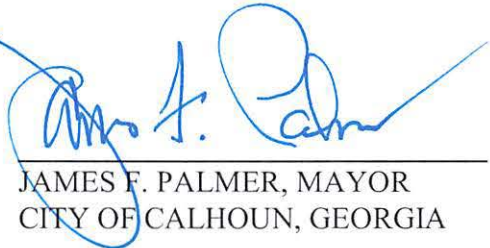
- (h) Whether any temporary outdoor structures are proposed to be built, describing them in detail and their location;
- (i) A Certificate of Insurance shall be required; and
- (j) Such other information as the city clerk may deem reasonably necessary.”

SECTION THREE: This ordinance shall become effective immediately following enactment by the Mayor and Council of the City of Calhoun, Georgia, the public health, safety, and welfare requiring it.

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

SECTION FIVE: It is hereby declared to be the intention of the Mayor and Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and if any section, paragraph, sentence, clause, or phrase shall be declared unconstitutional, or otherwise invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases herein.

SO ADOPTED, this the 12th day of April, 2021.



JAMES F. PALMER, MAYOR
CITY OF CALHOUN, GEORGIA

ATTEST:



SHARON NELSON, CITY CLERK

Date of First Reading: March 22, 2021
Date of Second Reading: _____
Date of Public Hearing: April 12, 2021