

CITY OF BELLEVILLE

ORDINANCE NO. 17-002

AN ORDINANCE TO REPEAL ORDINANCE 88-255 AND  
REPLACE IN THE CODE OF ORDINANCES OF THE  
CITY OF BELLEVILLE MICHIGAN CHAPTER 6  
AMUSEMENTS AND ENTERTAINMENTS ARTICLE VI.

THE CITY OF BELLEVILLE, WAYNE COUNTY, MICHIGAN, HEREBY  
ORDAINS:

That Chapter 6, Article VI of the Code of Ordinances, City of  
Belleville, Michigan is hereby repealed and replaced as follows:

DIVISION 1. GENERALLY

Section 6.211. Definitions

The following words, terms and phrases, when used in this article, shall  
have the meanings ascribed to them in this section.

*Event District* means the area within the City as defined by the applicant.

*Licensee* means the overall sponsoring group, organization or agency of the  
special event.

*Peddler* means a person who travels by foot, motor vehicle or any other type  
of conveyance, from place to place, selling or offering for sale goods and  
services.

*Primary traffic artery* includes all portions of the following designated  
streets located in the City: Main Street, Liberty Street, South Street, Huron  
River Drive, East Columbia and West Columbia.

*Transient Merchant* means a person engaging temporarily in the sale of  
goods, wares or merchandise or the carrying on of any business, and who  
for the purpose of conducting such business occupies a lot, building, room  
or structure of any kind.

*Vendor* means any individual, group of individuals or business specifically  
setting up for the sponsored event for the sale of goods, works, services or  
merchandise or carrying on any type of business during the sponsored event.

**Section 6.212. Penalty**

Any person who shall be convicted of violating any of the provisions of this article shall be deemed guilty of a misdemeanor, and upon conviction shall be punished as provided in section 1-13.

**Section 6.213. Purpose of Article**

The purpose of this article is to provide for the health, safety and welfare of the people within the City by regulating and licensing any event sponsored by a community or outside organization using public property, streets and easements or rights-of-way located within the City.

**Sections 6.214 – 6.230. Reserved**

**DIVISION 2. LICENSE**

**Section 6.231. Required; exceptions**

- (a) It shall be unlawful for any person to engage in the use of public property, streets, easements or rights-of-way for the purpose of establishing any event sponsored within the City without first obtaining a license therefore in compliance with the provisions of this division.
- (b) The terms and conditions imposed by this article shall not apply to City sponsored activities.

**Section 6-232. Application generally**

Any person desiring a license under the provisions of this division must make an application at least 60 days prior to the event with the City Clerk on forms provided by the City, which shall give the following information. Failure to meet deadline for application may result in penalties or denial of application.

- (1) The name and description of the applicant and event sponsor including full name, home address, full local address, date of birth, driver's license number, email address, telephone number and type of sponsoring organization.
- (2) A brief description of the event, including:
  - (a) The length of time for which the event will continue
  - (b) The hours of operation
  - (c) The types of activities associated with the event (parades, sale of goods and foodstuffs, dances, concerts, etc.)
  - (d) Approximate number of participants and guests expected
  - (e) The location of the event within the City

- (f) Will alcoholic beverages be available at event (special permission required)
- (g) Descriptions of signs to be used prior to or on the day of activity  
(See Sign Ordinance for descriptions of allowable signs)
- (h) 24-hour Emergency Telephone number of event sponsor.

(3) A fire lane as required by the City Fire Department must be included in street use plan.

**Section 6-233. Special requirements, insurance.**

The following requirements shall apply to applications under this division:

(1) *Events involving street closure.* For events requesting the closure of any street within the City, in all cases the application must be submitted 60 days prior to the event. This requirement may be waived by the City Council provided adequate information concerning the effect of the street closing is available to the Council. No street within the City shall be closed by the City without a majority vote of the City Council.

(2) *Events involving use of City services or property.* Any application which requests the use of City services or City property must be submitted at least 60 days prior to the event. The City Manager shall review and grant all such requests which are determined not to adversely affect the operations of the City or the health, safety and welfare of the community. The City Council shall establish charges to be associated with the use of City services and property for licensed events based upon the costs to the City.

(3) *Events including participation of vendors.* For events which include the participation of vendors, peddlers, and transient merchants other than the sponsor, prior to the issuance of a license all participating vendors, peddlers, and transient merchants must provide hold harmless agreements to the City on forms provided by the City Manager and approved by the City Council.

(4) *Insurance.* Prior to the issuance of a license, the sponsor must provide the City with proof of public liability insurance in the amount of not less than \$1,000,000. and which names the City as an additional insured. All vendors, peddlers, and transient merchants authorized by the event sponsor to sell in the event district must possess a City-issued permit and policy of public liability insurance in the amount of \$1,000,000. Documentation proving the existence of all required insurance must be provided to the City prior to the issuance of the event license.

**Section 6-234. Standards for issuance**

The City Manager shall issue a license as provided for under this division when, after a review of the application and receipt of recommendations from the Chiefs of Police and Fire and from such other information as may otherwise be obtained, he/she finds that:

- (1) The conduct of the event will not substantially interfere with the safe and orderly movement of traffic in and around the event district.
- (2) The conduct of the event will not require the diversion of so great a number of police and/or City personnel as to prevent normal City services to the public.
- (3) The concentration of persons, exhibits and vehicles in the event district will not disrupt fire and police protection to the area, or present a danger to the participants of the event.
- (4) The conduct of the event is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or to create a disruption which would significantly disrupt those property owners within the event district.
- (5) All provisions of this article have been complied with by the event sponsor.

**Section 6-235. Approval of requests for street closure**

Prior to issuing a license under section 6-234, the City Manager shall present the application and requested street closure to the City Council for determination. No streets shall be closed pursuant to the article without a majority vote of the City Council obtained after consideration of the recommendation of the City Manager, Chief of Police and Fire Chief.

**Section 6-236. Contents**

Each event license issued under this division shall state the following:

- (1) The identity of the event sponsor.
- (2) The starting date and time for the event.
- (3) The date and time set for street closure and the streets to be closed.
- (4) The event location.
- (5) The date and time the event shall conclude.
- (6) The date and time streets closed shall reopen for vehicular traffic.

**Section 6-237. Transfer**

No event license issued under this division shall be used or transferred at any time to any other person, event sponsor or manager other than the one stated on the license.

**Section 6-238. Revocation**

(a) The City Manager shall have the authority to revoke an event license issued under this division upon a finding that the standards for issuance of the license as stated thereon have been violated.

(b) Upon notice of the City manager of a revocation of any license issued under this division, it shall be the duty of the event sponsor to close such event immediately and restore the area to its normal state within 24 hours of the City Manager's notice.

**Section 6-239. Appeals.**

Any person aggrieved shall have the right to appeal the denial of an event license to the City Council. The appeal shall be taken within five days after notice of the City Manager is sent. The City Council shall act upon the appeal at its next regular session after the appeal is received by the City Clerk.

**Section 6-240. Emergency Suspension/Cancellation of Activity.**

The City of Belleville reserves the right to suspend, alter or cancel any previously approved event/activity in the instance that it may potentially present undue harm to the general safety and/or welfare of the public.

**Sections 6-241– 6-252. Reserved**

**DIVISION 3. REGULATIONS**

**Section 6-253. Rights and duties of licensee**

A licensee under this article shall enjoy the rights set out in this article and comply with all duties imposed by the article.

**Section 6-254. Possession of license**

License shall be on site at all times during the event. A representative of the event shall be available at all times during the event to address any question of public health, safety and welfare raised by the City Manager, Chief of Police or Fire Chief.

**Section 6-255. Vendors, peddlers and transient merchants**

(a) No vendor, peddler or transient merchant, whether or not authorized under City Code Chapter 18, article IV, sell or display wares within the event district unless the vendor, peddler or transient merchant first obtains a special permit from the event sponsor at a rate established by the event sponsor, and at no time shall a peddler be allowed to sell or display wares during a parade.

(b) The event sponsor shall have the right to control the access of and regulate all vendors, peddlers and transient merchants within the event district. Such regulations shall include hours of operation and means of display and advertisement so as to keep such activities within the theme of the event.

**Section 6-256. Saving Clause**

Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court or administrative body, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any Act or Ordinance hereby repealed by this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

**Section 6-257. Severability**

Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be so invalid and shall not be construed as affecting the validity if any of the remaining words, sentences, phrases, or portions of this Ordinance.

**Section 6-258. Conflicting Ordinances**

All prior existing Ordinances adopted by the City of Belleville inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

**Section 6-259. Publication and Effective Date**

The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published by printing the same in a newspaper having general circulation within the City. This Ordinance shall become effective ten (10) days after its adoption and publication of the Ordinance or a summary thereof.

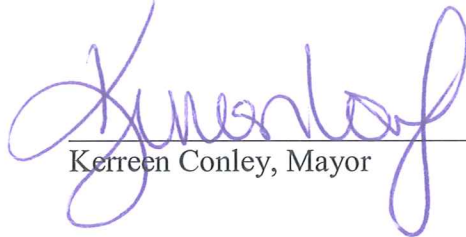
Jack Loria  
MOTION

Tom Smith  
SECOND

AYES: 5      NAYS: 0      ABSENT: 0      VOTE: 5-0

This Ordinance is declared adopted.

I hereby certify that the foregoing is a true copy of the Ordinance as approved by the City Council of the City of Belleville at a regular Council Meeting held in the City Council Room in said City on the 21st day of February, 2017.

  
Kerreen Conley, Mayor

I further certify that the foregoing was published in the Belleville Area Independent, a newspaper of general circulation in the City of Belleville, Michigan, on the 2nd day of March, 2017.

  
Sherri Scharf, Clerk

Introduced:	December 5, 2016
Public hearing:	January 3, 2017
Enacted:	February 21, 2017
Published:	March 2, 2017
Effective:	March 6, 2017

# City of Belleville

6 Main Street ♦ Belleville, MI 48111-2788  
734-697-9323 ♦ Fax 734-697-6837 ♦ www.belleville.mi.us



## SPECIAL EVENT APPLICATION

Name of Event Sponsor \_\_\_\_\_

Type of sponsoring organization \_\_\_\_\_

Full local/organization address \_\_\_\_\_

Responsible Individual \_\_\_\_\_

Full home address \_\_\_\_\_

Telephone Number \_\_\_\_\_ 24-hour emergency telephone number \_\_\_\_\_

Email Address \_\_\_\_\_

Driver's License Number \_\_\_\_\_ Date of Birth \_\_\_\_\_

Name/Type of Event \_\_\_\_\_

Date(s) of Event (including Set-Up and Tear-Down) \_\_\_\_\_

Beginning Time of Event (including Set-Up time) \_\_\_\_\_

Ending Time of Event (including Tear-Down time) \_\_\_\_\_

Location(s) of Event \_\_\_\_\_

\*\*Please Note: Fire lane must be available as required by Fire Department

Actual operational dates and hours of event \_\_\_\_\_

Activities associated with event i.e. parades, vendors, concert, etc. \_\_\_\_\_

Will event require City street closures? \_\_\_\_ YES \_\_\_\_ NO

Details of requested street closures (if applicable) \_\_\_\_\_

Date and Time streets shall reopen for regular vehicular traffic \_\_\_\_\_

Will event require use of City services or property? \_\_\_\_ YES \_\_\_\_ NO

Details of requested City services or property \_\_\_\_\_

Descriptions of signage to be used prior to or day of event \_\_\_\_\_

\*\*Please Note: see City Sign Ordinance for details regarding allowable type(s) and permissible location(s) of signs

Approximate number of participants and guests expected \_\_\_\_\_

Will alcoholic beverages be available/sold at event? \_\_\_\_ YES \_\_\_\_ NO

\*\*Please Note: Special permission/permit is required