STATE OF GEORGIA  
COUNTY OF CHATHAM  

AN ORDINANCE TO AMEND CHAPTER 74, ARTICLE IV, BY ADDING SECTION 74-108 THROUGH 74-115 TO THE CODE OF ORDINANCES OF THE CITY OF POOLER; TO PROVIDE FOR SPECIAL EVENT PERMITTING; TO REPEAL CONFLICTING ORDINANCES; TO SET AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCILMEMBERS OF THE CITY OF POOLER do hereby ordain as follows:

I. That Chapter 74, Article IV, Section 74-108 through 74-115 be added as follows:

Sec. 74-108. - Special Event; Definitions.

For the purpose of this article, the following words and phrases shall have the respective meanings ascribed to them by this section:

Special event means any activity which occurs upon private or public property, that will affect the ordinary use of public streets, rights-of-way or sidewalks. This includes, but is not limited to, fairs, festivals, foot runs and bicycle runs.

Private social gatherings and neighborhood block parties conducted primarily on private property within the neighborhood and which will make only limited use of other city streets are not included in these definitions.

Sec. 74-109. - Permit required.

No person or organization shall conduct a special event within the city or knowingly participate in any such special event unless and until a permit to conduct such special event has been obtained from the city.

Sec. 74-110. - Special event for commercial purpose prohibited.

No permit shall be issued authorizing the conduct of a special event which is to be held for the primary purpose of advertising any product, goods, wares, merchandise or event and is designed to be held primarily for private profit.

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Sec. 74-111. - Interference with special event.

No person shall knowingly join or participate in any special event conducted under permit from the city in violation of any of the terms of the permit, nor knowingly join in or participate in any permitted special event without the consent or over the objection of the permittee, nor in any manner interfere with its progress or orderly conduct.

Sec. 74-112. - Permit application and fee.

An application for a permit shall be submitted to the city clerk with a non-refundable application fee, as set forth in the schedule of fees, no later than 30 days prior to the proposed event. The permit application shall be made in writing on a form provided by the city clerk. The application shall contain the following information:

(1) The name, address and telephone number of the sponsoring organization or individual, including the name, address and telephone number of an individual who shall be designated as a contact person and agent for service of process;

(2) The proposed date, location, hours of operation and schedule of proposed events;

(3) An estimate of the number of participants and the number of individuals that will be utilized to monitor the event. The chief of police will determine whether paid, off-duty police officers are needed, and if so, the number of officers to control the event and provide security to ensure public safety and the sponsoring organization or individual shall be responsible for paying for the off-duty personnel at the conclusion of the event;

(4) A description of any sound amplification equipment proposed to be used; and

(5) Such other information as the city deems reasonably necessary to determine whether a permit may be issued.

Sec. 74-113. - Standards for issuance of denial of permit.

The city may deny a permit upon reasonable determination that:

(1) The event will disrupt traffic within the city beyond practical solution; or

(2) The event will unreasonably interfere with access to fire stations and fire hydrants; or

(3) The location of the event will cause extreme hardship to adjacent businesses or residents; or
(4) The event will require diversion of so many public employees that allowing the event would unreasonably deny service to the remainder of the city; or

(5) The event will interfere with another event for which a permit has been issued; or

(6) The applicant refuses to sign the permit indicating his or her willingness to abide by or comply with the provisions of this article and the conditions set forth in the permit.

Sec. 74-114. - Issuance of permit.

Each application will be considered for approval by city council at a regular meeting. Upon payment of the permit fee and the approval of the city council, the city clerk shall issue the permit.

This article shall not constitute a waiver of sovereign immunity, create rights in any third party or impose upon the city or its officials or employees any liability or responsibility for any injury or damage to any person or property arising out of the event for which a permit has been issued. The city and its officials and employees shall not be deemed to have assumed any liability or responsibility by reason of inspections performed of the issuance of any permit.

Sec. 74-115. - Penalty.

In addition to any other remedy provided under this article or other applicable law, any person violating any provision of this article shall, upon conviction, be punished as provided in section 1-12. Each day of a violation shall be considered a separate offense.

II.

This ordinance or parts of ordinances in conflict herewith are expressly repealed.

III.

If any section, clause, sentence or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.
IV.

This ordinance shall become effective immediately upon its adoption by the City Council.

SO ORDAINED, this \_20^x\_ day of \_August\_, 2018.

Michael F. Lamb, Mayor

ATTEST:

Maribeth Lindler, City Clerk