OSHKOSH

ON THE WATER

City of Oshkosh
Special Events Permit
Application and Information

SPECIAL EVENTS PERMIT APPLICATION AND INFORMATION

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When is a Special Event Permit required?

The ordinance sets up a two-step process to determine if an event must obtain a Special Events permit. The first step is to determine if a particular event meets the definition of a "Special Event." The second step is to determine if a Special Event needs to obtain a Special Event permit. Not all Special Events will need to obtain a Special Event permit.

Step 1: Determine whether your event is a "Special Event" as defined in the City's ordinances.

Special Events are defined in Section 5-18. II. A. of the Oshkosh Municipal Code. (Copy attached)

If your event does not meet the definition of a Special Event, you will not need to obtain a Special Events Permit. If your Event falls within the definition of a Special Event, then you will need to determine whether a permit will be required.

If you are not sure whether your event meets the definition of a Special Event or not, you may contact city staff and they will assist you in determining whether your event meets the definition.

Step 2: Determine whether the Special Event requires a Permit.

Not all Special Events will require a Special Event permit. If an event meets the definition of "Special Event," then a Special Event permit is required unless your event falls within one of the exceptions to the ordinance. These exceptions are listed in Section 5-18 IIIA – E of the ordinance. (See pages 47,48.)

If your event meets the definition for a Special Event and does not fall within one of the exemptions listed, then you should fill out a Special Events Permit Application. If your event falls within one of the exceptions listed, a Special Events Permit will not be required although your event must still comply with all other statute and ordinance requirements and you may wish to work with the various departments and divisions of city staff to make sure that your event is safe and successful.

What is the process for application and approval of my Special Events Permit?

Applications for a Special Events Permit are available from the City Clerk or on the City's Website at www.ci.oshkosh.wi.us. Completed applications are filed with the City Clerk's office located on the first floor of City Hall, 215 Church Avenue, Oshkosh, Wisconsin. Applications may also be submitted by mail to the City Clerk's Office at P.O. Box 1130, Oshkosh, WI 54903-1130.

Applications may be filed no more than one (1) year before the date of the proposed event and cannot be filed less than 45 days prior to your event.

The City Clerk will accept your application and any fees that may be required and will provide copies of the application to the City Manager, Police, Fire, Health, Inspection Services, Public Works, Parks, Transportation and Legal Departments for the City.

Each of the above Departments will review the application and may provide a recommendation to the City Manager to approve or deny the permit, or approve the permit with certain conditions. Each of the Departments will also make an estimate of the cost of any extraordinary services that may be necessary for the event. If any of these Departments have any questions or significant concerns with your event, you will be contacted and you may be asked to provide additional information or to meet with city staff to better assist with the evaluation of your application.

The City Manager will then provide a recommendation to the Council regarding your Application. Action on your Special Event application will be placed on the City Council Agenda for approval. The City Council may approve, with or without conditions, or deny your application. You or another representative for your event may attend the Council meeting and speak or be available should the Council have any questions about your event. If staff has identified any extraordinary costs associated with your event, the Council may also consider those costs.

If your Event application is approved, you will have to comply with any conditions that may have been placed upon the approval; submit your proof of insurance to the City Clerk's Office and sign an agreement agreeing to indemnify and hold harmless the City for your event.

SPECIAL EVENT ASSISTANCE

The City of Oshkosh recognizes that special events serve an important role in Oshkosh, including building a sense of community, expressing the City's cultural and artistic diversity, as well as entertaining and educating. Each year the City of Oshkosh commits significant available resources through staff time, facilities, and equipment resources to provide support to these events. As the number and size of these events grow, it is necessary to provide individuals and event organizers with a consistent process to better coordinate efforts related to event management and support. Each City department annually reviews its budget and may be forced to change its level of support.

Because there are many different aspects of Special Events which affect the responsibilities of various City departments, and affect the public in many ways, several City departments need to review, and provide comments and recommendations on the Special Event application. The City intends to create, as much as possible, a one-stop-shop for Special Events. As a result, the initial communication and all application materials are to be submitted to the City Clerk, who will then forward copies of the application materials to those departments who must review and comment on the application. Once the initial communications have been exchanged, the applicant may have to communicate directly with various City departments and vice versa, should there be further questions or follow-up necessary. The Common Council has the responsibility of making final decisions regarding the permit applications.

Various City departments can assist you with the planning of your event based upon their knowledge of applicable regulations, and through this planning process the City can provide or assist in obtaining information that has been designed to help event organizers prepare for the event effectively. When you are reviewing the attached information, you are encouraged to contact City staff to answer questions you may have. The application and other information provided has been prepared to cover all events which may be held in the City. Therefore, while some of the information requested may be required, other information may not directly apply to your event. However, in most cases you will have to answer all of the questions to the best of your ability so that those persons reviewing the application can make an informed determination about the applicability of various rules to the planned event.

Some event activities will require permits in addition to the Special Event permit, along with their associated fees. Other issues, including street closures and temporary liquor licenses, may require approval by the Common Council.

THE CITY OF OSHKOSH STRONGLY ENCOURAGES PERSONS INTERESTED IN HOLDING SPECIAL EVENTS TO CONTACT APPLICABLE CITY DEPARTMENTS BEFORE PURCHASING SUPPLIES, MAKING LEGAL COMMITMENTS, OR UNDERTAKING DETAILED PLANNING EFFORTS FOR THE EVENT. EARLY CONSULTATIONS WITH CITY PERSONNEL MAY PREVENT THE PURCHASE OF NONCOMPLIANT SUPPLIES, ENTERING INTO COMMITMENTS THAT CANNOT BE KEPT, AND SPENDING VALUABLE TIME MAKING PLANS THAT MAY BE CONTRARY TO RULES, REGULATIONS AND/OR LAWS.

DEPARTMENT CONTACTS

During the course of planning a Special Event, and after the Special Events application is submitted to the City Clerk, communications between the applicant(s) and persons at various City departments may be helpful or necessary. These communications may allow the development of both an understanding of the rules that may be applicable to the event, as well as a strategy to help the applicant meet applicable requirements of various laws and ordinances. A solid understanding of the applicable laws and ordinances can minimize disruptions in the application process or the actual event, and to ensure the health, safety, and welfare of all citizens of Oshkosh and guests to our City. Therefore, the City encourages applicants to contact the persons and/or departments identified below regarding your event, and to be aware that upon submission of a Special Events application, they may contact you regarding your event.

Departments	Telephone	Address
City Clerk *Responsibility: main contact for special event permits; alcohol beverages*	236-5011	215 Church Ave.
City Manager *Responsibility: recommendation to Council regarding permit approval; general operation of City and its Departments*	236-5000	215 Church Ave.
Planning Services *Responsibility: proper zoning for event site*	236-5055	215 Church Ave.
Public Works *Responsibility: public rights of way, barricades, etc.*	236-5065	215 Church Ave.
Fire Department *Responsibility: all aspects of fire prevention and safety*	236-5240	101 Court Street
Health Services *Responsibility: provision of food and/or beverages; noise; sanitary;*	236-5030	215 Church Ave.
Inspection Services *Responsibility: temporary structures; plumbing; electrical*	236-5045	215 Church Ave.
Parks Department *Responsibility: management of parks and public property*	236-5080	805 Witzel Ave.
Police Department (Special Operations Officer) *Responsibility: street closure; safety & security; traffic; parking*	236-5083	420 Jackson Street
Transportation *Responsibility: traffic; parking; public transit*	232-5342	926 Dempsey Trail

Application for Special Event Permit

APPLICATION FOR SPECIAL EVENT PERMIT – TO BE RETURNED TO CITY CLERK

GENERAL EVENT INFORMATION

Official Name of Special Event:

_____

Start Date: _____ End Date: _____

Briefly describe your event. Be sure to include the purpose of the event and all planned activities.

_____
_____
_____
_____
_____

EVENT DATE	SUN	MON	TUE	WED	THUR	FRI	SAT
SETUP TIME							
START TIME							
STOP TIME							
TEAR DOWN / CLEAN UP COMPLETED							

Location of Event:

_____

Estimated Attendance (daily & total): _____ Number of Booths: _____

Organization(s) Sponsoring Event:

_____

(including addresses)

_____
_____
_____
_____
_____

APPLICATION FOR SPECIAL EVENT PERMIT – TO BE RETURNED TO CITY CLERK

Primary Contact: _____
Daytime Telephone: _____
Cell Phone: _____
Fax: _____
Email: _____

Address: _____
City: _____ State: _____ Zip Code: _____

Secondary Contact: _____
Daytime Telephone: _____
Cell Phone: _____
Fax: _____
Email: _____

Address: _____
City: _____ State: _____ Zip Code: _____

Onsite Primary Contact: _____
Cell phone: _____
Fax: _____
Email: _____

Address: _____
City: _____ State: _____ Zip Code: _____

Onsite Secondary Contact: _____
Cell phone: _____
Fax: _____
Email: _____

Address: _____
City: _____ State: _____ Zip Code: _____

NOTE: Either the primary or secondary onsite contact must be present onsite at all times during the event.

APPLICATION FOR SPECIAL EVENT PERMIT – TO BE RETURNED TO CITY CLERK

SPECIAL EVENT CHECKLIST

(please check all boxes that apply)

Is your event a:

- ☐ Festival / Music Concert
- ☐ Religious / Educational
- ☐ Rally / Memorial
- ☐ Street / Block Party
- ☐ Parade / Fun Run / Walk-a-Thon
- ☐ March utilizing any Public Property
- ☐ Public Assembly for Political Purpose
- ☐ Sport Tournament (Fishing, Soccer, etc.)
- ☐ Other _____

Location of event:

- ☐ Park or other public property
- ☐ Public street, sidewalk, alley, or right of way
- ☐ Private property

Will you have:

- ☐ Alcoholic beverages
  (Additional permit required from City Clerk)
- ☐ Food & non-alcoholic beverages
  (Additional permit required from Health Dept.)
- ☐ Non-food related sales and/or display booths
  (No additional permits required)
- ☐ Tent and/or Canopy
  (Additional permit required from Inspections Dept.)
  (Digger's Hotline must be contacted minimum of 3 days before digging)
- ☐ Generator(s) and/or additional electrical facilities
  (Additional permit required from Inspections Dept.)
- ☐ Fires or Candles
  (Additional permit required from Fire Dept.)
- ☐ Fireworks
  (Additional permit required from Fire Dept.)
- ☐ Activities in a park outside of normal operating hours
  (Waiver required from City Council)
- ☐ Barricades
  (Approval from City Clerk's office if in right of way)

APPLICATION FOR SPECIAL EVENT PERMIT – TO BE RETURNED TO CITY CLERK

- ☐ Amplified Sound
- ☐ Animals included or allowed in event
  (animals must be licensed and have proof of vaccination)
- ☐ Cooking Equipment
  (Fire Department approval required)

<u>We have made arrangements for</u>:

- ☐ Restroom and hand washing facilities
- ☐ Solid waste and recycling services
- ☐ Event insurance
- ☐ Public safety & security / EMS services
- ☐ Electricity / Generators
- ☐ Fire extinguishers
- ☐ Advertising with banners or signs
- ☐ Drinking water
- ☐ Grey water and grease removal
- ☐ Weather contingencies
- ☐ LP Gas
- ☐ Tent Heating

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APPLICATION FOR SPECIAL EVENT PERMIT –
TO BE RETURNED TO CITY CLERK

Special Event Public Safety and Security Plan

Name of Event: _____

Location of Event: _____

Date of Event: _____

Time the Event is to Open: _____

Sponsor of the Event: _____

Estimated Attendance (daily and total): _____

Emergency Contact Information:

Name: _____
Daytime Phone Number: _____
Cell Number: _____

Name: _____
Daytime Phone Number: _____
Cell Number: _____

Name: _____
Daytime Phone Number: _____
Cell Number: _____

Primary Location of Event Staff at Event Site: _____

Emergency Notification of the Public

The public will be notified of safety and/or security issues in the following manner:

_____
_____
_____
_____

APPLICATION FOR SPECIAL EVENT PERMIT – TO BE RETURNED TO CITY CLERK

Emergency Medical Services

Name of Provider: _____

Contact Person / Telephone Number: _____

Location of Provider at Event Site: _____

Fire Protection

Name of Provider: _____

Contact Person / Telephone Number: _____

Location of Provider at Event Site: _____

Number of Fire Extinguishers: _____

Location of fire access roads: _____

Security

Name of Provider: _____

Contact Person / Telephone Number: _____

Location of Provider at Event Site: _____

Location of Missing Persons Station: _____

Event Parking Locations: _____

Severe Weather Contingency

Shelter Locations:

_____

Have you confirmed that the locations will be open and available?

_____

Who will determine if your event is canceled or held? Phone number:

_____

Public Safety Site Plan

Provide a schematic drawing of the event site location. The drawing must be legible and drawn to scale. The public safety plan must include the following items if they will be provided, or if they are required.

1. Location of booths, stages, and event structures
2. Location of first aid stations
3. Location of information / ticket booths
4. Boundaries of the event
5. Location of fences
6. Location of exits and gates (gates must be numbered)
7. Location of Fire extinguishers
8. Location of severe weather shelters
9. Location of Fire / EMS access road
10. Location of security staff
11. Location of emergency contact event personnel
12. Location of assembly area and approximate occupant amounts
13. Location of event parking
14. Location of barricades
15. Location of generators
16. Location of temporary roadways

APPLICATION FOR SPECIAL EVENT PERMIT
– TO BE RETURNED TO CITY CLERK

Other

Provide any other information that you feel should be considered

_____
_____
_____
_____
_____
_____
_____
_____

Yes	No	
____	____	I have reviewed and have considered the Contingency Plan information provided by the City of Oshkosh along with this application (pages ~~11~~, ~~12~~) 14, 15
____	____	I have reviewed and understand the City's Insurance requirements for Special Events as described in this document (pages ~~13~~, ~~14~~, and ~~15~~) 18-21
____	____	I am enclosing the event's Public Safety Site Plan (see page ~~9~~) 10
____	____	I am enclosing other information that I believe is necessary or helpful to describe the planned event

SIGNATURE

I am allowed to sign this application on behalf of the event sponsor. The information contained in this application for a Special Event permit is true, correct, and complete to the best of my knowledge. If there are any changes to the Special Event, I agree that I will promptly notify the City of Oshkosh of these changes and request approval of them.

_____ _____

_____ Date

(print name) (print title with organization)

APPLICATION FOR SPECIAL EVENT PERMIT – FOR REVIEW ONLY

CONTINGENCY PLAN

Event sponsors should review and consider the following issues when they are planning or preparing for an event. Many of these issues are required by one or more regulations, or are components of larger regulations. Considering other issues which may not be required should contribute to the planning and operation of the event. Developing responses to these questions should result in more productive and fruitful discussions with the various departments with the City during their review of the Special Event Application.

1. Weather related issues: rain, snow, severe storms, tornadoes, etc.

   a. If the weather forecast includes bad weather, will the event be cancelled? If so, how will attendees be notified?
   b. Develop a plan for the sudden onset of severe weather. Where will the people go and who is designated to assist in their safe arrival at the safe refuge place?
   c. Is there an area of safe refuge in case of a tornado?

2. Medical Issues

   a. Where will ambulance access to the event be in case one is needed?
   b. Who will conduct crowd control in the event of a medical emergency?
   c. Will a first aid station, with trained first aid provider, be provided at the event? Where?
   d. If applicable, is there adequate shade to prevent heat stroke? Will water be provided? Where?

3. Crowd Control

   a. Who will monitor the barricades?
   b. Who will work the entry gates? Maintain egress and access?
   c. Who will patrol the area to prevent incidents from getting out of control?
   d. Develop a plan for those patrolling the crowd of what to do if they encounter unruly behavior. Have communications equipment.

4. Security

   a. Will there be Police Officers providing security? If so, contact the Police Department for applicable requirements or guidelines relating to the number necessary.
   b. If volunteers or private agencies provide security, will they have appropriate phone numbers for EMS, Fire, and Police?
   c. If applicable, what will security officials do if non-paying attendees breach the gate or perimeter?
   d. If a complaint is received, for example, for loud music, how and who will handle the complaint?
   e. Provide communications equipment. Portable radios, cell phones, and access to land lines.
   f. If applicable, secure monies in an area not accessible to the attendees.

5. Event Logistics

   a. Where will there be, or will there be, a staging area for support staff?
   b. What time will the crowd be disbursed and by whom?
   c. Who will conduct clean up?
   d. Remember to maintain fire lanes and access roads.
   e. Appoint one person to oversee and take responsibility for the event. Who?
   f. Will an adequate amount of restroom facilities be provided? Where?
   g. Is there adequate safe parking provided? Where?

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Application for Special Event Permit and
Additional Permits or Licenses for Event -

Type of License or Permit		Applicant – Check box for each License or Permit applicable to your event. Submit this form together with your completed Applications and Fee to the Office of the City Clerk.	For Staff Use Only – Enter amount of Fee, if required
Special Event Permit			
Park Shelter Reservation Application		Please check this box if a shelter reservation will be required. If a shelter reservation is required for your event, you must make that reservation directly through the Parks Department Office.	
Temporary Restaurant Permit		Please check this box if there will be food or beverages, other than prepackaged items, sold or served at your event. Temporary Restaurants will be inspected and licensed on site during the Event. A list of vendors must be provided to the Health Services Division at least one week prior to the Event.	
Temporary Class "B" Retailers License (Acct. No. 100-0050-4322-00000)			
Temporary Use Permit (Acct. No. 100-0740-4334-00000)			
Fireworks and Burning Permit (Acct. No. --)			
		Total Fee	**$**

(Return to City Clerk)

SPECIAL EVENT
INDEMNIFICATION AND HOLD HARMLESS AGREEMENT
(Medium and High Risk Events)

EVENT: _____

ORGANIZER: _____

_____

The event organizer agrees that it, and not the City, will be solely responsible for all incidents related to the event. This responsibility of the organizer to the City includes but is not limited to the actions of the event organizer, its officers, employees, agents, and volunteers, along with event vendors, contractors, subcontractors, participants, and visitors.

In consideration for the City's approval of the Special Event, _____, the organizer of this event agrees to indemnify and hold harmless the City of Oshkosh, and its officers, council members, agents, employees, and authorized volunteers, from, for, and against and agrees to defend the same from and against, any and all suits, claims, grievances, damages, costs, expenses, judgments and/or liabilities, including costs of defense and reasonable attorneys fees, and further agrees to pay any settlement entered into or on behalf of, or judgment entered against, the foregoing individuals and/or entities.

The event organizer shall abide by the City's insurance requirements for the event, including the addition of the City of Oshkosh, and its officers, council members, agents, employees, and authorized volunteers as additional insured's for the event.

The individual(s) signing this agreement has the authority to enter into this agreement on behalf of the organizer(s) of the Special Event.

EVENT ORGANIZER

_____
(print name of organizer)

_____	_____
(date)	(date)
_____	_____
(signature) (title)	(signature) (title)
_____	_____
(print name) (print title)	(print name) (print title)

Insurance Requirements

INSURANCE REQUIREMENTS

All sponsors, organizations, or any other person or group scheduling a special event shall procure at their expense, a policy of insurance subject to the following minimum requirements. The decision as to whether and what level of insurance shall be required shall be made by the City Manager upon consultation with the Department /division head and City Attorney and will be based upon the nature of the activity and the risk involved.

Low Risk Events

Insurance will not be required for Low Risk Events and no hold harmless agreement will be required. Low Risk Events includes only those events at which there is no sale of food or other merchandise, which do not involve an alcohol beverage permit/license, which have no planned competitive physical events, and which anticipate the attendance of 250 or less persons. Some examples of low risk activities are block parties, small theatrical performances, and private gatherings such as weddings.

Medium Risk Events

Medium Risk Events include only events which include the sale of food or other merchandise, but which do not involve an alcohol beverage permit/license and which anticipate attendance of 5000 or fewer persons. Some examples of Medium Risk activities are farmers markets, parades with no animals, art fairs, flea markets, run/walks of 5K or less distance, car or motorcycle shows, and fishing tournaments.

Medium Risk Events Insurance Requirements

The insurance as required by the City of Oshkosh is primary coverage and any insurance or self insurance maintained by the City of Oshkosh, its officers, council members, agents, employees or authorized volunteers will not contribute to a loss. All insurance shall be in full force prior to commencing the event and remain in force throughout the entire event, including the clean up period after the event.

GENERAL LIABILITY COVERAGE

Commercial General Liability
- $500,000 each occurrence limit
- $500,000 personal injury and advertising injury
- $500,000 general aggregate
- $500,000 products – completed operations aggregate

Claims made form of coverage is not acceptable.

Insurance must include the following:

- Participants in contents sponsored by the special events hosts cannot be eliminated or excluded from this insurance requirement
- Premises and operations liability
- Contractual liability
- Personal injury
- Products / completed operations

The general aggregate must apply separately to this event

BUSINESS AUTOMOBILE COVERAGE

If this exposure shall exist, $250,000 each person / $500,000 each accident for bodily injury and $100,000 for property damage

OR

$500,000 combined single limit for bodily injury and property damage each accident

Must cover liability for "any auto" including owned, non-owned and hired automobile liability

WORKERS COMPENSATION AND EMPLOYERS LIABILITY

If required by Wisconsin Statutes, then the event organizer must carry coverage for statutory workers compensation and employers liability limit of:

$100,000 each accident
$500,000 disease policy limit
$100,000 disease – each employee

AIRCRAFT LIABILITY (including helicopter) – owned, non-owned, or hired

If this exposure shall exist, the limits must be at least $5,000,000 combined single limit for bodily injury (injury passenger liability) and property damages

Any liability exclusions relating to slung cargo must be deleted.

High Risk Events

High Risk Events are events which include any of the following: 1) which involve an alcohol beverage permit/license, 2) which anticipate attendance of more than 5000 persons, 3) which involve fireworks or any other form of explosive device, 4) which include bonfires or other open fires, 5) which include amusement rides, 6) events with any type of aircraft or helicopter, or 7) events with live animals. Some examples of High Risk activities are carnivals, parades with live animals, marathons/runs/walks of more than 5K in distance, bike/motorcycle or snowmobile rides or races, concerts, dances, and animal shows.

High Risk Events Insurance Requirements

The insurance as required by the City of Oshkosh is primary coverage and any insurance or self insurance maintained by the City of Oshkosh, its officers, council members, agents, employees or authorized volunteers will not contribute to a loss. All insurance shall be in full force prior to commencing the event and remain in force throughout the entire event, including the clean up period after the event.

GENERAL LIABILITY COVERAGE

Commercial General Liability

$1,000,000 each occurrence limit for Bodily Injury and Property Damage
$1,000,000 personal injury and advertising injury
$1,000,000 general aggregate
$1,000,000 products – completed operations aggregate

Claims made form of coverage is not acceptable.

Insurance must include the following:

- Participants in contents sponsored by the special events hosts cannot be eliminated or excluded from this insurance requirement
- Premises and operations liability
- Contractual liability
- Personal injury
- Products / completed operations

The general aggregate must apply separately to this event

BUSINESS AUTOMOBILE COVERAGE

If this exposure shall exist, $250,000 each person / $500,000 each accident for bodily injury and $100,000 for property damage

OR

$500,000 combined single limit for bodily injury and property damage each accident

Must cover liability for "any auto" including owned, non-owned and hired automobile liability

WORKERS COMPENSATION AND EMPLOYERS LIABILITY

If required by Wisconsin Statutes, then the event organizer must carry coverage for statutory workers compensation and employers liability limit of:

$100,000 each accident
$500,000 disease policy limit
$100,000 disease – each employee

AIRCRAFT LIABILITY (including helicopter) – owned, non-owned, or hired

If this exposure shall exist, the limits must be at least $5,000,000 combined single limit for bodily injury (injury passenger liability) and property damages

Any liability exclusions relating to slung cargo must be deleted.

ADDITIONAL PROVISIONS WHEN INSURANCE IS REQUIRED

Additional insured – on general liability coverage, business automobile liability coverage, aircraft liability: The City of Oshkosh, and its officers, council members, agents, employees, and authorized volunteers shall be included as additional insureds.

The City of Oshkosh requires 30 day written notice of cancellation, non-renewal or material change in the insurance coverage.

The insurance coverage required must be provided by an insurance carrier with the "Best" rating of "A-VII" or better.

The certificate of insurance shall be satisfactory proof of insurance of said policies and *shall be filed at the office of the city clerk for the City of Oshkosh a minimum of ten (10) business days prior to the scheduled event. If these requirements are not met, the event cannot be held on city property.*

End of Document

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City of Oshkosh
Special Events

Additional Licenses/Permits and Requirements

Event Organizers are responsible for obtaining all approvals, permits and licenses required for an event. In addition to the Special Event Application and Permit, you may be required to obtain approval for specific items associated with your event; or, complete and submit applications for additional licenses or permits.

Park Shelter Reservation Application – Many of Oshkosh's parks have shelters which are available for public use. You must contact the City Parks Department to reserve a shelter. Fees are listed on the Parks Department webpage at: www.ci.oshkosh.wi.us/Parks/park_shelter_fee_schedule.asp

Temporary Restaurant Permit – Required if food or beverages, other than prepackaged items, will be sold or served at an event. Temporary Restaurants will be inspected and licensed on site during Special Events by the Health Services Division. Information related to this permit is available under the Food Protection Heading from the Health Services Division webpage at: www.ci.oshkosh.wi.us/Health_Services/environmental_health_services.asp

Temporary Class "B" Retailers License – Required if your event will be selling or distributing beer/alcohol at your event. Temporary Class "B" licenses are issued through the City Clerk's Office and applications should be submitted with your application for your Special Events Permit.

Temporary Use Permit -- Required for temporary use of a structure or site on private property within the City of Oshkosh. Temporary uses include, but are not limited to, temporary signs; tents greater than 200 square feet; and outside sales activities. Temporary Use Permits are issued through the City's Planning Services Division. An application for Temporary Use Permit is available online at the Division's webpage at:
www.ci.oshkosh.wi.us/Community_Development/Planning_Services/assets/pdf/application_forms/temporary_use_permit.pdf
Applications for a Temporary Use Permit should be submitted with your application for your Special Events Permit.

Fireworks and Burning permits – Required if you will have any type of fireworks or open flame in a public assembly area. See www.oshkoshfd.com click on "Prevention" in the left side column for more information.

Other Requirements:

Diggers Hotline – (800-242-8511) must be contacted whenever a tent or other temporary structure will be erected and the ground will be penetrated by stakes, tools or equipment.

The Winnebago County Sheriff's Department should be contacted whenever any water patrol activities may be necessary in coordination with the event.

Wisconsin Department of Natural Resources (WDNR) should be contacted regarding any water resource implication of the event, including the use of fireworks over the waterways.

Application for Permission to Detour State Trunk Highway Traffic – If your event would require closing or temporarily detouring traffic on any State Trunk Highway within the City, permission must be obtained through the Wisconsin Department of Transportation and an Application for this permission must be filed through the City.

Park Shelter Reservation Fee Schedule

(Note: Shelter Reservations must be made directly through the Oshkosh Parks Department)

Park Shelter Fee Schedule

Effective 1/1/04 Small Open Shelters - Menominee #2, #3, #4 and Gazebo/South Park - Gazebo (NO UTILITIES)		
Weekday Hours	**Residents**	**Non-Residents**
0-4	$20.00	$30.00
4-8	$25.00	$35.00
8-12	$30.00	$40.00
Weekend/Holiday Hours	**Residents**	**Non-Residents**
0-4	$25.00	$35.00
4-8	$30.00	$40.00
8-12	$35.00	$45.00
Medium Enclosed/Open (Rainbow/Rochlin/South Park #2 and #3) (WITH UTILITIES)		
Weekday Hours	**Residents**	**Non-Residents**
0-4	$30.00	$40.00
4-8	$35.00	$45.00
8-12	$40.00	$50.00
Weekend/Holiday Hours	**Residents**	**Non-Residents**
0-4	$35.00	$45.00
4-8	$40.00	$50.00
8-12	$45.00	$55.00
Large Shelters (Menominee #1 and South Park #1) (WITH UTILITIES)		
Weekday Hours	**Residents**	**Non-Residents**
0-4	$35.00	$45.00
4-8	$40.00	$50.00
8-12	$45.00	$55.00
Weekend/Holiday Hours	**Residents**	**Non-Residents**
0-4	$40.00	$50.00
4-8	$45.00	$55.00
8-12	$50.00	$60.00

SPECIAL NOTE: The City of Oshkosh Parks Dept has additional tables and benches available for use in the parks. All personal parties using the tables and benches must haul and return them on their own, as the City DOES NOT DELIVER or PICK THEM UP. If interested, please contact the Parks Department at (920) 236-5080 to reserve them. To ensure return of the tables and benches to the lock-up area and return of the key required to access the equipment, a $25 deposit must be made at the time of key (for the locked area) pick up. This particular deposit fee is separate from the shelter key deposit required at the time of key (shelter use) pick up.

Temporary Restaurant Permit Info

(Permit Issued on Site During Event)

GUIDELINES FOR OPERATING A TEMPORARY RESTAURANT

OSHKOSH
ON THE WATER
215 Church Ave. - PO Box 1130 - Oshkosh WI 54903-1130

Oshkosh Health Services Division
P.O. Box 1130
215 Church Avenue
Oshkosh WI 54903
Phone 920-236-5030
Fax 920-236-5186

CITY OF OSHKOSH
TEMPORARY FOOD STAND GUIDELINES

LICENSE REQUIREMENTS- The type of license required depends on the type of food that is sold or given away.

	Temporary Restaurant License	Temporary Retail Food License
Fee	$180	$80
Menu Items	♦ Cooked & deep fried vegetables and fruits (including baked potatoes, French fries, mushrooms, broccoli, zucchini, apples, onions, onion blossoms) ♦ Cheese curds - cooked ♦ Corn dogs, Hot dogs, Hamburgers, Brats, Chicken patties, Tacos ♦ Egg Rolls ♦ Meat or vegetable pies: filled pastries, pasties, ♦ Sweet corn-boiled or roasted ♦ Salad bars & sliced fruits (and other foods not listed in this guide) sold by the portion.	♦ Bakery items: elephant ears, funnel cakes, pretzels (with or without topping), Belgium waffles, ♦ Confectionery items: cotton candy, caramel corn, caramel apples, fudge, popcorn. ♦ Cheese curds – fresh ♦ Drinks: lemonade, orange and apple juice, fruit drinks, soda ♦ Ice/Ice Cream: snow cones, slush puppies, slurpies, scooped or dipped cones, malts, sundaes, frozen novelties ♦ Nachos - with or without topping Salad bars & sliced or whole fruit (and other foods not listed in this guide) sold by count, weight or volume.

PLEASE NOTE:
We do not to honor licenses that have been issued by other agencies within Wisconsin. (For example: if a temporary restaurant license is issued by the Neenah Health Department one weekend and the next weekend you come to Oshkosh, a new temporary license will be issued by our department).

Each stand that you operate will be licensed separately.

If a vendor has a current license from the Dept of Agriculture, we must issue you a City of Oshkosh Temporary Retail Food License.

If you have a current license issued by the Oshkosh Health Division, please bring it along with you we maybe able to honor it.

We will license you on site the day of the event.

The following is a summary of requirements as required by the Wisconsin Food Code, Chapter 10. A copy of the food code can be obtained at: http://www.legis.state.wi.us/rsb/code/hfs/hfs196_app.pdf

DEMONSTRATION OF KNOWLEDGE
The person in charge or the employee (volunteer) shall be able to demonstrate the knowledge outlined in this document through food safety practices and/or answering food safety questions as they relate to their particular food operation.

EMPLOYEE HEALTH
Food employees shall not have any open cuts or sores, or diseases transmittable by food. Specifically, employees with a fever, diarrhea, vomiting, jaundice, sore throat with fever or with a lesion containing pus such as a boil or infected wound that is open or draining may not be involved in the preparation or serving of food. If a food employee has been diagnosed with a foodborne illness, they are not permitted to work at all.

FOOD
SOURCE: All foods must be from an approved source. **Food prepared at home is not allowed.**

COLD STORAGE: Mechanical refrigeration units shall be provided to keep potentially hazardous foods at 41° F.

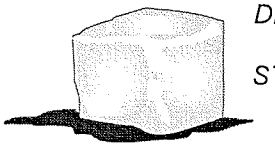
COOKING: When cooking, potentially hazards foods must reach the internal temperatures required in the Wisconsin Food Code. Cook poultry & stuffed meats to 165° F, ground raw beef to 155° F, whole fish fillets to 145° F, vegetables & commercially processed & packaged food to 135° F. Potentially hazardous foods must be maintained at 41° F or below before cooking.

HOT HOLDING: Hot food holding units shall be used where necessary to keep potentially hazardous foods at 135° F or above.

FOOD DISPLAY: All food shall be protected from consumer contamination by the use of packaging, food shields, display cases or other effective means.

DRY STORAGE: All food, equipment, utensils and single service items shall be stored 6 inches above the ground or on pallets or shelving, and protected from contamination.

ICE HANDLING/STORAGE



DRINK ICE: All ice intended for human consumption shall not be used for any other purpose.

STORAGE: All ice used for human consumption or cooling shall be stored off the floor and in a manner that prevents contamination from dust, splash, drainage or other contamination.

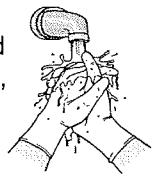
FOOD-CONTACT SURFACES, CLEANING AND SANITIZING

SINKS REQUIRED: Sink compartments must be sized to accommodate 50% of the largest utensil to be cleaned and sanitized in the sink. When utensils are limited to tongs, spatulas and cutting boards, three dishpans of adequate size may be used for washing, rinsing and sanitizing.

CLEANING PROCEDURE: Utensils and equipment must be washed after each use in the following manner: 1) Pre-wash (scrape and or soak), 2) Wash in good detergent, 3) Rinse in clean water, 4) Immerse in an approved sanitizer at the required strength and time, and 5) Air-dry.

APPROVED TEST KIT: An approved test kit for the type of sanitizer used must be available and used for checking the concentration of sanitizer solutions.

HANDWASHING



REQUIRED FACILITIES: When water under pressure is available, a single compartment sink with approved liquid waste disposal shall be provided for employee handwashing. When water under pressure is not available, handwashing facilities shall consist of a covered insulated container of at least five-gallon capacity with a non-self-closing spigot or valve that allows a continuous flow of water over the hands. There must be a large enough container to catch the handwashing wastewater so as not to create a hazard.

SOAP AND TOWELS: All handwashing facilities shall have suitable hand soap and an adequate supply of single-service paper towels at all times.

NO BARE HAND CONTACT WITH READY TO EAT FOODS: Food employees may not touch ready-to-eat food with their bare hands. Food employees shall us suitable utensils such as deli tissue, spatulas, tongs, single-use gloves or dispensing equipment when handling ready-to-eat food.

HAND SANITIZERS: Can not be used in place of handwashing. Approved hand sanitizers may only be applied to hands that have been thoroughly washed.

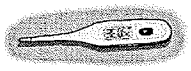
GOOD HYGENIC PRACTICES

EATING, DRINKING & TOBACCO USE: Eating & tobacco use must be done only on employee's breaks. Areas designated for employees to eat, drink and use tobacco shall be located so that food, equipment, linens, and single-service and single-use articles are protected from contamination. After breaks employees must wash hands before returning to work.

PERSONAL HYGIENE: Food employees shall have clean outer garments, effective hair restraints, maintain a high degree of personal cleanliness and conform to good hygienic practices while engaging in food preparation or service.

THERMOMETERS

REFRIGERATORS: Each cold storage unit for potentially hazardous food shall have a thermometer to accurately measure the air temperature of the unit. Refrigerators must be able to maintain a temperature of 41° F or below.



METAL STEM THERMOMETER: A metal stem thermometer shall be provided where necessary to check the internal temperatures of both hot and cold food. Thermometers must be accurate to +/-2° F, and have a minimum range of 0 - 220° F.

UTENSILS AND EQUIPMENT

CONSTRUCTION: All equipment and utensils, including plastic ware, shall be durable and easily cleanable.

STORAGE: All utensils and equipment must be stored off the floor and in a manner that protects them from dust, spillage and drainage and other sources of contamination.

SINGLE-SERVICE UTENSILS

STORAGE: All single service utensils shall be stored in the original closed container or effectively protected from dust, insects and other contamination.

DISPENSING: Unwrapped single-service straws, knives, forks, spoons and toothpicks etc. shall be displayed, and dispensed so that contamination of food and lip surfaces is prevented. Unwrapped single-service articles shall be presented so that only the handles are touched by employees and customers.

WATER SUPPLIES

APPROVED SOURCE: All water use for food preparation, utensil cleaning and employee hand washing shall be from a safe approved source.

HOT WATER: An electric or gas heating device is required to heat water for hand washing and utensil washing. An adequate supply of hot water shall be available.

******WATER HOSES*: **All water hoses used to carry water for food preparation and hand washing purposes shall be constructed of food grade materials approved by USDA, FDA, and NSF**. Hose connections must be elevated off the ground surface to prevent being submerged in contaminated water.

******BACK FLOW PROTECTION*: **Water supplies that are connected to hoses shall be protected by an approved back-flow prevention device.**

WASTEWATER DISPOSAL

WASTEWATER STORAGE/DISPOSAL: When an approved sewage collection system is not available, each food booth shall provide a container of sufficient size for collection of liquid wastewater. Wastewater storage containers shall be emptied when necessary in to a sanitary sewer. If a public sewer is not available, wastewater disposal shall be at a location that will not create a fly, odor or nuisance problem

GARBAGE AND REFUSE

STORAGE: Garbage and refuse shall be kept in durable, disposable or cleanable, insect/rodent-proof containers that do not leak and do not absorb liquids. Containers used in food preparation areas and utensil washing areas shall be kept covered if not in continuous use.

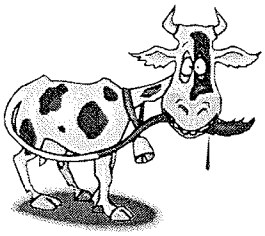
STAND CONSTRUCTION

ROOF AND SIDEWALLS: Unless otherwise approved, a temporary restaurant may not operate without an approved roof and sidewalls.

COOKING/SERVING AREAS: All cooking and serving areas shall be protected from contamination. Cooking/grill areas shall be roped off or otherwise segregated from the public.

******FLOORS*: **Floors shall be maintained in sanitary condition. Dirt /grass floors shall be covered with plywood, which will provide protection from splash and dust. The use of sawdust or similar dust producing materials and cardboard is prohibited.**

******LOCATION*: **No temporary restaurant may be located within 100 feet of a barn or enclosure housing animals or other source of odors or flies.**



CITY OF OSHKOSH FIRE DEPARTMENT

COOKING WITHIN TENTS & CANOPIES

All tents and canopies in which cooking operations are being performed shall be in compliance with the following guidelines:

1. All cooking operations shall be inspected and approved by the Fire Prevention Bureau prior to the initiation of cooking operations.
2. Cooking appliances covered by this guideline include, but is not limited to, grills, ranges, ovens, fryers, broilers, griddles, etc, which use solid, liquid or gas fuels. (*exception: the use of Sterno for the warming of food*).
3. All electrical cooking devices shall be in good working order. All installations shall comply with the National Electrical Code (NEC).
4. All cooking appliances shall be properly maintained and installed. They shall be vented to the outside of the tent and/or canopy. Approved spark arresters shall be installed when required. All vents and flues shall have at least a twelve (12) inch separation from all portions of the tent or canopy.

5. All tents and canopies in which cooking operations are performed shall be separated from all other tents, canopies or buildings by at least twenty (20) feet. This measurement shall be from tents/canopy stakes to tent/canopy stakes.
6. A Class "K" fire extinguisher shall be within thirty (30) feet of all cooking appliances that produce grease-laden vapors.
7. Any tent or canopy in which cooking operations are performed shall be for **cooking ONLY**.
   Exception: A tent or canopy may be used for dining purposes in addition to cooking if the following requirements are satisfied:
   A. Any grease-producing appliance shall have a Type I hood system.
   B. A UL 300 compliant fire suppression system shall be provided within the hood system.
   C. The fire suppression system shall have a current inspection certification.
   D. A Class "K" fire extinguisher shall be within thirty (30) feet of all cooking appliances.
8. All LP gas containers shall be located outside of the tents or canopies.
   A. Tanks with a capacity of 500 gallons or less shall be at least 10 feet from any tent, canopy, or building.
   B. Tanks with a capacity greater than 500 gallons shall be at least 25 feet from any tent, canopy or building.
   C. All LP gas tanks, piping, hoses, valves and fittings shall be adequately protected from tampering, vehicle collisions or other hazards. The tank(s) shall be in a location approved by the Fire Prevention Bureau.
   D. "NO SMOKING" signs shall be posted at all LP tank locations
9. Generators and other internal combustion power sources shall be separated from any tent, canopy or building by at least twenty (20) feet.
10. All flammable/combustible liquids shall be safely and properly stored. This storage shall be at least a fifty (50) feet from any tent, canopy or building.
11. Outdoor cooking, (not within a tent or canopy), that produces sparks, flame or grease-laden vapors shall be done at least twenty (20) feet from any tent, canopy or building.

BOOTH NUMBER

Oshkosh Fire Department
2010 Cook Tent Requirements

The tents must be fire retardant. (N.F.P.A. 701)

There shall be No Smoking and signs posted.

Fire extinguisher.

A 2-½ pound Dry Chemical (2A) fire extinguisher is required.
A "K" fire extinguisher is needed for all grease or oil cooking.

Do not block fire extinguishers, exit ways, or exit doors; do not cover exit signs.

The cook tent shall not be located within 20 feet of buildings, other tents, or parked cars.

No public access into the cook tent unless approved by the Oshkosh Fire Department.

Sawdust or wood chips inside tents shall be kept damp.

Heating and cooking

Heating equipment shall be designed to vent to the outside air.

Cooking and heating equipment shall not be located within 10 feet of exits or combustible materials.

Electrical cooking and heating equipment shall comply with the ICC *Electrical Code*.

Portable LP tanks shall not be used for securing tents.

Portable LP-gas containers less than 500 gallons shall have a minimum separation of at least 10 feet.

Fire Protection Certification

The undersigned certifies that _____
(COMPANY NAME)

_____,
(COMPANY ADDRESS)

has made its exhibit and display materials fire-retardant by treating them with

_____ on _____.
(NAME OF FIRE-RETARDANT TREATMENT) (DATE OF TREATMENT)

_____
(SIGNATURE OF COMPANY REPRESENTATIVE)

_____
(NAME OF COMPANY REPRESENTATIVE – PRINTED OR TYPEWRITTEN)

NOTE:

This not a complete listing of the fire regulations, only an example of commonly violated regulations. The Fire Chief may modify the above regulations. The Fire Chief has the ultimate authority over regulations by Local & State Law.

http://www.ci.oshkosh.wi.us/Fire/prevention.htm E-mail sschrottky@ci.oshkosh.wi.us

Outside Tent or Canopy Vendor Requirements

BOOTH NUMBER

OSHKOSH FIRE DEPARTMENT

2010

Outside Tent or Canopy Vendor Requirements

The tents must be fire retardant. (N.F.P.A. 701)

Flame resistance label on the tent fabric or manufacture's certification

Tent location.

Tent shall not be located within 20 feet of buildings, other tents, parked cars, or internal combustion engines.

There shall be No Smoking inside the tent and signs posted.

Vehicles or trailers on display

Vehicles must contain less than 5 gallons of fuel
The fuel fill cap must be taped over
The battery must be disconnected

Accessories with fuel tanks inside the tent (generators, blowers, chain saws, engines, etc.)

Equipment can not be running or operable
Batteries for equipment must be disconnected
Little or no fuel in the fuel tank
The fuel tank must be taped over

Fire extinguishers:

A minimum of a 2-½ pound Dry Chemical (2A) fire extinguisher is required.
Maximum travel distance to a fire extinguisher shall be 75 feet.
Fire extinguisher shall be mounted or secured to prevent accidental discharge.
Fire extinguisher shall be in close proximity for welding and any other spark producing demonstrations or exhibits.

Exits shall be spaced at approximately equal intervals and swing out.

Exit distance shall not exceed 100 feet.
Number of exits and size

2 exits at least 72 inches wide for occupancy load of 10 to 199 persons.
3 exits at least 72 inches wide for occupancy load of 200 to 499 persons.
4 exits at least 96 inches wide for occupancy load of 500 to 999 persons.

Means of egress

Aisle shall be at least 44 inches, be clearly marked, and maintained free and clear at all times to the public way
Guide wires, ropes, or supports shall not be obstructing the means of egress.

Exit signs shall be installed over required exits
Lighted exit signs and Emergency lighting are required if the tent is occupied at night.

No open flame or open flame devices are to be used unless approved by the Oshkosh Fire Department.

No hay, straw, shavings or similar combustible materials shall be located within any assembly occupancy type tent. Sawdust or wood chips inside tents shall be kept damp.

BOOTH NUMBER

OSHKOSH FIRE DEPARTMENT

2010

Outside Tent or Canopy Vendor Requirements

Fireworks shall not be used inside a tent.

Heating

Gas, liquid and solid fuel-burning equipment shall be designed to vent to the outside air. Such vents shall be equipped with approved spark arresters when required. All portions of the tent or canopies shall be not less than 12 inches from the flue or vent.

Heating equipment shall comply with the ICC *Electrical Code*.

Portable LP-gas containers less than 500 gallons shall have a minimum separation of at least 10 feet.

Flammable-liquid-fueled equipment shall not be used in tents or canopies.

Flammable and combustible liquids shall be stored outside in an approved manner not less than 50 feet from tents or canopies.

Refueling shall be performed in an approved location not less than 20 feet from the tent.

Operating generators shall be separated from tents and canopies by a minimum of 20 feet and shall be isolated from contact with the public by fencing, enclosure or other approved means.

Accepted Certifications

1. NFPA 701 Manufactures Tag
2. California Seal
3. Fire Protection Certification

The undersigned certifies that _____
(COMPANY NAME)

_____,
(COMPANY ADDRESS)

has made its exhibit and display materials fire-retardant by treating them with

_____ on _____.
(NAME OF FIRE-RETARDANT TREATMENT) (DATE OF TREATMENT)

_____
(SIGNATURE OF COMPANY REPRESENTATIVE)

_____
(NAME OF COMPANY REPRESENTATIVE – PRINTED OR TYPEWRITTEN)

PLEASE RETURN TO SHOW OFFICE WHEN COMPLETED

NOTE:

BOOTH NUMBER

OSHKOSH FIRE DEPARTMENT

2010

Outside Tent or Canopy Vendor Requirements

This not a complete listing of the fire regulations, only an example of commonly violated regulations. The Fire Chief may modify the above regulations. The Fire Chief has the ultimate authority over regulations by Local & State Law.

http://www.ci.oshkosh.wi.us/Fire/prevention.htm E-mail sschrottky@ci.oshkosh.wi.us

BOOTH NUMBER

OSHKOSH FIRE DEPARTMENT

2010

Inside Building Vendor Violations

☐ Do not block fire extinguishers, exit ways, or exit doors; do not cover exit signs.

Booths and tables curtains, table drapes or decorations must be fire retardant. (N.F.P.A. 701)

☐ No plastic table drapes

☐ Table draping must treated by the manufacturer or exhibitor.
Fire protection certificate must be submitted.

☐ Natural vegetation is only allowed as decorations if treated with fire retardant.

Spark producing devices are allowed subject to the approval of the Fire Chief.
(A 2-½ pound Dry Chemical (2A) fire extinguisher is required.)

☐ No open flame or open flame devices are allowed.

☐ No welding, soldering, or brazing is allowed.

Vehicles or trailers on display
Vehicles must contain less than 5 gallons of fuel

☐ The fuel fill cap must be taped over

☐ The battery must be disconnected

Fueled accessories (generators, blowers, chain saws, etc.)

☐ Must not be running or operable

☐ Batteries disconnected if applicable

☐ Little or no fuel in the fuel tank

☐ The fuel tank must be taped over

The Fire Chief must approve display or use of flammable and or combustible liquid.

PLEASE RETURN TO SHOW OFFICE WHEN COMPLETED

Fire Protection Certification

The undersigned certifies that _____
(COMPANY NAME)

_____,
(COMPANY ADDRESS)

has made its exhibit and display materials fire-retardant by treating them with

_____ on _____.
(NAME OF FIRE-RETARDANT TREATMENT) (DATE OF TREATMENT)

_____
(SIGNATURE OF COMPANY REPRESENTATIVE)

_____
(NAME OF COMPANY REPRESENTATIVE – PRINTED OR TYPEWRITTEN)

Temporary Class “B” Retailers License

Name of Event_____ **FEE: $10.00 PER EVENT**

APPLICATION FOR TEMPORARY CLASS "B" RETAILER'S LICENSE
PLEASE REVIEW EXHIBIT "A"

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

City of Oshkosh, WI
Winnebago County

Date of Class Attendance:_____
Must be taken by person in charge of event.

The named organization applies for: (check appropriate box (es).)

☐ A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26 (6), Wis, Stats.

☐ A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51 (10), Wis. Stats.

At the premises described below during a special event said organization agrees to comply with all law, resolution, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. **ORGANIZATION** (Bona fide club, church, lodge or society, veteran's organization or fair association):
   (a) Name_____
   (b) Address_____ City of Oshkosh
   (c) Date organized_____/_____/_____
   (d) If corporation, give date of incorporation_____/_____/_____
   (e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check here:_____
   (f) Names and addresses of all officers:
   President_____Address:_____
   Vice President_____Address:_____
   Secretary_____Address:_____
   Treasure_____Address:_____
   (g) **Manager/person in charge of affair**: First _____ Initial _____ Last _____
   Date of Birth _____/_____/_____ Address _____ Phone No. _____

2. **LOCATION OF PREMISES WHERE BEER AND/OR WINE WILL BE SOLD:**
   (a) Street number_____
   (b) Do premises occupy all or part of building:_____
   (c) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover:
   _____

3. **DATE & TIMES FERMENTED MALT AND/OR WINE WILL BE SOLD AT YOUR EVENT:**

   Date_____/_____/_____ Start: _____ End: _____
   Date_____/_____/_____ Start: _____ End: _____
   Date_____/_____/_____ Start: _____ End: _____
   Date_____/_____/_____ Start: _____ End: _____

   Amplified sound or music shall not be permitted after 10:00 p.m. Sunday through Thursday and after 11:00 p.m. on Friday and Saturday evenings. This section shall not be construed to limit the authority of the police department to respond to complaints and take any appropriate action in response thereto.

4. **ARE YOU AWARE THAT ALL BEVERAGES MUST BE DISPENSED AND POSSESSED IN THE ORIGINAL CONTAINER, A TRANSPARENT OR SEMI-TRANSPARENT CONTAINER (per municipal code- section 4-23 adopted 10/28/2003)? YES NO**

DECLARATION

The Officer (s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Name of Organization: _____
Officer:_____
Officer:_____

Date Filed: _____/_____/_____

Date Approved: _____/_____/_____

Chief of Police Signature:_____

Date Reported to Council or Board: _____/_____/_____

License No._____

Comments Attached: YES_____ NO_____

NOTE: This MUST be on file two (2) weeks prior to council meeting. Council meets the second and fourth Tuesday of every month.

ADDITIONAL INFORMATION

May be Granted and Issued only to:

(1) Bona fide clubs that have been in existence for at least 6 months prior to the date of application.

(2) State, county, or local fair associations, or agricultural societies.

(3) Church, lodge, or society that has been in existence for at least 6 months prior to the date of application.

(4) Posts now or hereafter established of ex-servicemen's organizations.

Application:

(1) Filing: In writing, for each event, on Form AT-315.

(2) The local licensing authority may act on application or authorize an official or body of the municipality to issue the license. (ss. 125.26(1) and 125.51(1)(a), Wis. Stats.)

(3) The written application shall be filed with the clerk of the municipality in which premises are located:

Class "B" (Beer):

a. The governing body shall establish any waiting period before granting of a license for events lasting less than 4 days (s. 125.04(3)(f), Wis. Stats.)

b. At least 15 days prior to the granting of the license for events lasting 4 or more days.

"Class B" (Wine):

The application shall be filed with the clerk of the local municipality in which the event will be held at least 15 days prior to the granting of the license.

(4) Seller's Permit: Sec. 77.54 (7m), Wis. Stats., provides an exemption from Wisconsin sales and use taxes relating to certain sales by a nonprofit organization. Check the box if your organization qualifies for the exemption and therefore is not required to hold a seller's permit.

(5) Publication: Not required.

Fee: Not to exceed $10. (Exception: No additional fee may be charged if organization is applying for both a Temporary Class "B" and a Temporary "Class B" license for the same event.)

Duration: The day, or consecutive days, that the specified event is in progress.

Restrictions:

(1) License may not be issued to individuals.

(2) Licenses to organizations, other than ex-servicemen's organizations, can be issued only for a picnic or similar gathering. They may not be issued for business or social meetings of the organization.

(3) Licenses for club or organization meetings may be issued only to ex-servicemen's posts.

(4) License may cover either a specified area or the entire picnic grounds.

(5) License issued to a county or district fair must cover the entire fairground (ss. 125.26(6) and 125.51(10), Wis. Stats.)

(6) No license to clubs having any indebtedness to any wholesaler for more than 15 days for beer (s. 125.33(7), Wis. Stats.) and 30 days for wine (s. 125.69(4)(b), Wis. Stats.)

(7) Licensed operator(s) must be present at all times (ss. 125.26(6), 125.32(2) - Beer; 125.51(10), 125.68(2) - Wine; 125.17)

(8) The licensed club, club members, or any other persons are not permitted to possess intoxicating liquor on licensed premises on the Temporary Class "B"/"Class B" licensed picnic area. (s. 125.32(6), Wis. Stats.)

(9) Not more than 2 wine licenses may be issued to any club, county or local fair association, agricultural association, church, lodge, society or veterans' post in any 12 month period.

(10) Licensed organizations must purchase their product from a licensed wholesaler.

NOTE: Most coolers presently on the market have a fermented malt beverage base allowing sale under a beer license, e.g. Bartles and James, Seagrams, etc.

NOTE: INCLUDE A MAP OF THE REQUESTED LICENSE AREA

REQUEST FOR
FOR
SPECIAL CLASS "B" LICENSE

NAME OF ORGANIZATION_____

LOCATION OF EVENT_____

DATE (S) OF EVENT_____

DESCRIBE AREA WHERE BEER/ALCOHOL WILL BE DISPENSED AND CONSUMED

_____

_____

_____

DESCRIBE WHAT PRECAUTIONS WILL BE TAKEN TO PREVENT SERVICE AND/OR CONSUMPTION OF BEER/ALCOHOL TO UNDERAGED PERSONS

_____

_____

_____

DATE SUBMITTED: _____ **BY**_____

NOTE: INCLUDE A MAP OF THE REQUESTED LICENSE AREA

REQUEST FOR
_____ WAIVER OF FENCING FOR BEER GARDEN
_____ NO CARRY-INS IN A CITY PARK
FOR
SPECIAL CLASS "B" LICENSE

NAME OF ORGANIZATION_____

LOCATION OF EVENT_____

DATE (S) OF EVENT_____

DESCRIBE AREA WHERE BEER/ALCOHOL WILL BE DISPENSED AND CONSUMED

_____

_____

_____

DESCRIBE WHAT PRECAUTIONS WILL BE TAKEN TO PREVENT SERVICE AND/OR CONSUMPTION OF BEER/ALCOHOL TO UNDERAGED PERSONS

_____

_____

_____

DATE SUBMITTED: _____ **BY:**_____

Temporary Use Permit

SECTION 30-12 TEMPORARY USE PERMITS

(A) Standards

(1) No temporary use of a structure or site shall be commenced without a temporary use permit first being applied for and issued by the Zoning Administrator.

(2) All temporary uses of a structure/property shall comply with all underlying district standards of the zoning district, excluding off-street parking regulations in which the temporary use is located.

(3) All temporary uses shall not exceed ninety (90) days within a calendar year with said temporary use being discontinued immediately upon expiration of the temporary use permit, except for temporary green houses which may be permitted for one hundred twenty (120) days within a calendar year.

(4) Temporary uses include, but are not limited to: temporary signs, tents greater than two hundred (200) square feet in area, outside sales activities, fire works stands, Christmas tree sales and other uses/structures which are of a temporary nature (excluding rummage sales) and which are allowed by the underlying zoning district uses/standards where the temporary use is located. Signs for the temporary use are considered a part of the use and shall be covered by the same permit.

Temporary use permits would not be required for the placement of products on the exterior of buildings or structures, when such placement is in conjunction with the principal use of the premises. Temporary use permits would be required, however, for independent vendors who for a short period of time place products on the premises for outdoor sales unrelated to the principal use of the premises.

(5) All required minimum dimensional standards of the underlying zoning district apply to the placement of any temporary structure/use.

(6) All temporary use permit applications must be accompanied by information as required by Section 30-5(B)(2).

CITY OF OSHKOSH
DEPT OF COMMUNITY DEVELOPMENT
215 CHURCH AVE ROOM 204
OSHKOSH WI 54901
(920) 236-5059

FILING FEE: $75.00

PAYABLE TO:
CITY OF OSHKOSH

RETURN APPLICATION, SITE PLAN & FILING FEE TO ADDRESS NOTED ABOVE.

TEMPORARY USE PERMIT

Article III Administration Section 30-12

Date _____

Petitioner _____

Petitioner's Address _____

Signature _____ Print Name _____ Phone ( ) _____

Owner (If Not Petitioner) _____

Owner's Address _____

Owner's Signature _____ Print Name _____ Phone ( ) _____

LOCATION OF PROPOSED ACTIVITY _____

DESCRIBE PROPOSED ACTIVITY: _____

_____

_____

_____

_____

DATE(S) OF PROPOSED ACTIVITY: _____ **TO** _____

Note: Each submittal shall include a complete reproducible site plan, including but not limited to, all structures, parking, landscaping, lot lines, topographic lines, floodway and floodfringe lines, streets, and other manmade or natural features associated with the site, with a north arrow and scale, and distances noted therein.

(CITY USE ONLY)

_____ **Approved** _____ **Denied** _____ **Approved With Conditions**

Comments: _____

_____

_____

_____

Date _____

Reviewed by: _____
Dept of Community Development Staff

(1 copy to applicant; original filed in building permit file)
8/96; 1/2002; tempprmt

Pyrotechnics Display / Fireworks Permit

CITY OF OSHKOSH
PYROTECHNICS DISPLAY PERMIT

This is to certify that permission has been granted to _____ for the display of pyrotechnics on _____, at _____ (p.m., a.m.)
at the following location: _____.

Said regulations for this display shall meet with the following terms and be strictly observed under penalty of arrest.

1. Said display shall be, at all times, under the supervision and control of the person(s) to whom this permit is issued.

2. Copies of the following shall be provided to the Fire Chief:
   a. Listing of the pyrotechnics to be used.
   b. A copy of any licenses, certificates, or permits that provide qualification and knowledge of the use and handling of the pyrotechnics devices to be used in this display.

3. The Fire Chief shall assign a fire company to the approved location of the display. This company shall remain on scene until all elements of the display have been completed and the scene is safe.

4. All displays shall comply with the International Fire Code Section 3308 and National Fire Protection Association (NFPA) 1123 or 1126 as applicable.

5. Determinations concerning wind direction, weather conditions, area exposures, and other due precautions necessary to prevent personal injury or property damage, shall remain within the jurisdiction of the authorities approving such display and their decision to approve or deny shall be considered conclusive.

Responsible person in charge of pyrotechnics display: _____

Fire Chief Timothy R. Franz: _____ Approved this ____ day of _____,

Bonfire Permit

Request for
BONFIRE PERMIT

_____, representing _____ is requesting permission to have
Responsible Party *Organization*
a bonfire on _____, _____ a.m/p.m., at _____ within the city limits for the purpose of
date *time* *location*
_____.
Event

Said regulations for this display shall meet with the following terms and be strictly observed under penalty of arrest.

1. Said bonfire shall be under the control of the school official, advisor, or requestor as listed below.

2. All types of materials used in this display of the bonfire shall be first qualified with the authorities indicated as having jurisdiction before permission is granted. Materials shall be of softwood type - pallets are acceptable. Newspapers and cardboard can be used as ignition materials. NO material such as: Chemical treated wood, vegetation materials, leaves, tree branches, plastics, tree stumps, or any form of refuse (garbage) shall be used as burning materials. Bonfire size shall not exceed the size as listed on the attached enclosure.

3. Determinations concerning wind direction, weather conditions, area exposures and other due precautions necessary to prevent personal injury or property damage shall remain within the jurisdiction of the authorities approving such display and their decision to approve or deny shall be considered conclusive.

4. Ignition and burning shall be under the direction and control of the fire department. Ignition shall be by the school official, advisor, or requestor as listed below.

5. The Fire Chief shall assign for schools and may assign for others, a fire company to the approved location and said company shall remain on the scene until all elements of fire are properly extinguished. No ignition shall be affected until said fire company has arrived at the bonfire scene and final approval has been made.

6. NO flammable or combustible liquids shall be used to help start or increase the bonfire burning.

7. All persons shall remain a safe distance from the fire location. The safety distance shall be determined, approved and marked before ignition of the bonfire.

_____ _____
Responsible Party signature *date*

_____ _____
Chief Franz's signature of approval *date*

Application for Permission to Detour State Trunk Highway Traffic

APPLICATION BY MUNICIPALITY FOR PERMISSION TO DETOUR STATE TRUNK HIGHWAY TRAFFIC

Wisconsin Department of Transportation

DT1479 6/2007 (Replaces ET604) s.84.07(4) Wis. Stats.

TO: REGIONAL TRAFFIC SECTION

Municipality City of Oshkosh	County Winnebago
Area Code – Telephone Number	E-Mail Address
Name of Street(s) to be Closed ☐ STH ☐ USH	Streets Closed Between (Street Name) FROM: TO:
PROPOSED TEMPORARY ROUTE	

☐ MAP ATTACHED	Date and Duration of Detour Date:	Time: a.m. to p.m.
Reason		
Name and Address to Whom Permit will be Returned City of Oshkosh Department of Public Works 215 Church Avenue/ PO Box 1130, Oshkosh, WI 54903		

The above municipality requests permission to close the marked route as described, during which time the municipality will provide temporary route as designated.

The municipality agrees to accept the following terms and conditions:

1. The municipality shall provide a detour having structural, geometric and traffic control characteristics, which are acceptable to the Region. A detour map which provides street names shall be submitted.

2. The municipality shall furnish, erect and remove signs and markers at the sole expense of the municipality, unless provided for in (3), or unless directed by officers for short routes and short timeframe (less than 3 days).

3. A Detour and Traffic Control Plan shall be submitted to the Region for approval. An example is Standard Detail Drawing 15C2-4C.

4. The municipality shall agree to minimize, as much as practicable, the duration of closure, including providing for assembly and dispersal of parades in areas removed from the state highway route.

5. The municipality shall accept full responsibility for any damage to local roads and streets resulting from closure and detour.

6. The requester shall arrange for adequate traffic control from either WisDOT or the appropriate county, and provide documentation of enforcement coordination.

7. The requester shall notify all media, emergency services and schools, five (5) days prior to the detour.

8. Additional conditions: . Attachments: ☐ Yes ☐ No

(Authorized Official Signature) (Title) (Date)

Permission is granted to temporarily close the designated segment of state trunk highway and to provide a detour, subject to the stated conditions.

(Permit Number) (Approved By) (Date)

OSHKOSH

ON THE WATER

City of Oshkosh
Special Events Ordinance

NOTE: The following Special Events Ordinance is effective for events held on or after January 1, 2011.

SECTION 5-18 SPECIAL EVENTS, MARCHES, AND PUBLIC ASSEMBLIES

I. PURPOSE:

The City of Oshkosh recognizes that Special Events organized by individuals, private organizations, and non-profits serve an important role in enhancing the city's quality of life and can provide benefits to the community as a whole. In an effort to treat all persons and groups uniformly, to facilitate the successful staging of these special events, and to be mindful of the efficient use of available facilities and resources, the City will commit staff time and facilities to review applications to hold special events and assist the organizers as needed to ensure that special events have an overall positive effect upon the community and its resources.

The City will review Special Event applications for the purpose of assisting the event organizer in complying with various applicable public safety requirements, as well as be involved during the special event as needed to protect the safety and welfare of the public, and resources owned by the public.

During the City's review and oversight in this process, the City will address traffic and parking issues, health and safety issues related to the participants and the public, effects upon neighboring properties, fire potential, explosions, disorder and other dangers to persons or property, preservation of peace and order, sanitation, and the overall safeguarding of the public health. The City will also consider the potential diversion of public health, safety, and emergency services from their regular and necessary duties, and the additional costs of providing public services necessary to protect the public health, safety, and welfare associated with special events.

The City also recognizes that Marches and Public Assemblies held for the purpose of conveying messages protected by the Constitution play an important role in enhancing the public life of citizens as well as the interrelationship between citizens and their government. To that end, the City will similarly review requests to hold Marches and Public Assemblies in the context of the safety and welfare of the community and the availability of resources, but will do so in an expedited and abbreviated manner to ensure that those wishing to hold and/or participate in such events may do so without unreasonable delays or restrictions.

II. DEFINITIONS:

A. "Special event" means a temporary gathering of people on public or private property and involving at least one of the circumstances listed below. The City Manager, or their designee, shall have the exclusive authority to determine whether or not an event meets the definition of "Special Event."

1. Exclusive use of all or part of waterways, or City or County-owned facilities, within the City boundaries such as buildings, parks, open spaces, streets, parking lots, athletic fields, etc., but does not include normal park shelter rentals;

2. Will involve the closing of a public street, alley, or public right of way;

3. Over 250 people at any one time attending the event on private property, except those situations meeting the definition of a "public assembly;"

4. Temporary installation or construction of structures, including but not limited to tents;

5. City ordinances and rules require public safety support by City employees;

6. Will require Extraordinary Services by any City Department;

7. Hours of the event extend beyond those otherwise adopted in City ordinances; or,

8. Alcohol, beverages, food, and/or merchandise will be offered.

Examples of Special Events include but are not limited to activities such as running/jogging/walking events, boat, bicycle, running or road races and other forms of competition and athletic events, music, theater, film performances or concerts, water ski demonstrations, air shows, carnivals, equipment shows, cultural events such as art fairs, antique shows, religious services, classes, meetings, parties, and other gatherings meeting the above criteria. A Special Event is not intended include events such as a family gathering; nonprofit organization, business, or company picnic; or other similar events unless other criteria listed above apply.

Interested persons will follow a two-step process to determine if an event must obtain a Special Events permit and comply with this Ordinance. The first step is to determine if a particular event meets the definition of a "Special Event." The second step is to determine if a Special Event needs to obtain a Special Event permit. Not all Special Events will need to obtain a Special Event permit. The following section, "Permit Required" identifies certain Special Events that do not need to obtain a Special Event permit or to comply with the terms of this Ordinance. Events that do not need to obtain a Special Event permit must still comply with all other Ordinances and laws.

B. "City property" includes all municipal buildings, parks, beaches, athletic fields and complexes, streets and other rights of way, parking lots, boating and docking facilities, and any other property owned, leased or controlled by the City of Oshkosh.

C. "Extraordinary Services" means reasonable and necessary services provided by the City which specifically result from the Special Event. Extraordinary services result in measureable financial costs which are above and beyond the normal levels of public health and safety services on a non-event day. Extraordinary

services will normally be those services requiring city employees to be specifically assigned to tasks in support of the Special Event and/or those services resulting in overtime pay or similar costs which result from the event. Examples of extraordinary services may include police protection, traffic control, fire monitoring, dedicated paramedic service, parks services, and other services necessary to ensure the protection of participants and citizens, the proper functioning of City services, and the proper administration of this ordinance and policy. The City will make reasonable efforts to adjust the schedules of employees to minimize the requirement for overtime pay or other costs for Extraordinary Services where sufficient advanced notice of the event is provided.

D. "March" means a group of persons, of any number, moving from one place to another on a public way or public place, which requires a street closing or otherwise requires police officers to stop, reroute, or alter the normal flow in of vehicular or pedestrian traffic because marchers are unlikely to comply with traffic regulations and controls. A march is for the purpose of conducting activities which are protected by the Constitution. All circumstances which do not meet the specific definition of a March will be reviewed as a Special Event.

E. "Public Assembly" means an organized public gathering or group of persons, of any number, which is reasonably anticipated to obstruct the normal flow of vehicular or pedestrian traffic upon a public way or the normal use of a public place because those assembled will not comply with the traffic regulations or controls, or with other public place use laws or policies, and will be located in one place, but does not meet the definition of a march. A public assembly is for the purpose of conducting activities which are protected by the Constitution. All circumstances which do not meet the specific definition of a Public Assembly will be reviewed as a Special Event.

III. **PERMIT REQUIRED**:

No person or entity acting as an event organizer shall set up for, hold, or conduct a Special Event, March, or Public Assembly within the municipal boundaries of the City of Oshkosh without first obtaining a Special Event, March, or Public Assembly permit. Due to the nature of March and Public Assembly events, their review process will differ in some ways from Special Events as noted throughout this Ordinance. Any differences in the requirements that apply to Special Events, or Marches and Assemblies will be as noted herein.

The City Manager, or their designee, shall have the exclusive authority to determine whether or not a permit is required for any particular event. The City's review of any permit application and/or its subsequent issuance of a permit shall not be construed as acceptance by the City or its representatives of any liability or responsibility for any injury or damage relating to the Special Event, March and Special Assembly. Special Event, March, and Public Assembly permits are temporary in nature, and do not vest any permanent rights.

Not all Special Events will require a Special Event permit. If an event meets the definition of "Special Event," then a Special Event permit is required except for the following situations:

A. Events wholly contained on public or private property:

1. Specifically designed or suited for the Special Event, March, or Public Assembly; and

2. Which has an appropriate physical area for fire protection purposes, as well as appropriate sanitation facilities and street and/or highway access; and,

3. Which result in no greater use of public facilities and services than on normal, non-event days.

The provision of legal parking spaces is not included in the determination of whether or not an event is "wholly contained" on public or private property.

B. Funeral processions.

C. Events organized solely by the City. In these instances, notices shall be given to all affected departments so that they may determine their level of sponsorship. Events in which the City participates as one of the organizers are not exempt from the requirement of obtaining permits.

D. Recurring events which enter into a separate and specific agreement, which is approved by the Common Council, to hold the event pursuant to the terms of the individual agreement. The Council is authorized to modify the terms or requirements of this Ordinance within such an agreement, provided the modifications meet the spirit if not the letter of this Ordinance.

E. Events on property otherwise exempt from City of Oshkosh permitting requirements, such as events wholly contained on property owned by the State of Wisconsin.

IV. **PERMIT REQUIREMENTS**:

A. Special Events

1. Completed written applications for a Special Event permit along with the application fee* shall be filed with the City Clerk. Applications shall be on the form approved by the City and signed by the person or authorized representative(s) of the entity organizing the Special Event. In lieu of the application fee*, the event organizer may submit with its application a request that the fee be waived* and provide in detail the reasons of financial hardship and any other reasons for such request. The application may be filed as early as desired by the applicant, but shall be filed no more than one (1) year before, and no less than 45 days prior to the event.

   * No application fee at this time – waiver request unnecessary.

2. Special Events must comply with all applicable City ordinances and requirements, including but not limited to traffic rules, park rules, state health laws, fire codes, building codes, zoning, food service, merchant, and liquor licensing requirements. Special Event organizers shall use all reasonable efforts to ensure compliance of participants/ attendees with all applicable City ordinances, traffic rules, park rules, state health laws, fire codes, and other licensing requirements, unless otherwise waived herein.

3. The applicant shall identify a designated individual who can be contacted at any time by any person regarding the event, including City representatives such as the Police, Fire, Health, Inspections Services, Parks, Public Works, Transportation, or Legal departments to provide information or answer questions, or to whom City representatives may refer questions and comments from the public.

4. The following City departments will be provided with copies of the Special Event permit application for their review and comment: City Manager, Police, Fire, Health, Inspection Services, Public Works, Parks, Transportation, and Legal. Additional City officials may need to review the application as may be warranted by the specific circumstances of the event. City departments shall notify the City Manager that they recommend the approval or denial of the Special Event permit as requested, approval of the permit contingent upon changes or modifications of the original request, or take no position on the application. At the time each City department comments upon an application, they shall also provide the City Manager with their best estimate of the cost of extraordinary services which may be necessary for the event.

5. The approval of any Special Event permit application shall always be conditioned upon the approval of all other necessary permits, licenses, and inspections by City departments, in addition to Common Council approval of the Special Event permit.

6. Special Event permits shall not be transferred or assigned without approval of the Common Council. Special Event permits are automatically revoked at the time of transfer or assignment without prior approval of the Council.

B. <u>March and Public Assembly Permits</u>

It shall be the policy of the City of Oshkosh to review permit applications for Marches and Public Assemblies solely on the basis of their effect on the Health, Safety, and Welfare of the community. The City does not discriminate against any particular group or type of speech expected to be present when reviewing and acting upon any March and/or Public Assembly permit application.

1. Completed written applications for any March or Public Assembly permit along with the application fee* shall be filed with the City Clerk a minimum of five (5) business days prior to the proposed March or Public Assembly. Applications shall be on the form approved by the City and signed by the person or authorized representative of the entity organizing the March or Public Assembly. In lieu of the application fee*, the event organizer may submit with the application form a request that the fee* be waived and

provide in detail the reasons for financial hardship and any other reasons for such request.

* No application fee at this time – waiver request unnecessary.

2. The Chief of Police, or designee within the Police Department, shall have the authority to take all necessary action regarding the March or Public Assembly permit application, including the approval or denial of the application. Applications shall be reviewed and approved as submitted, denied as submitted, approved with conditions, or tentatively approved within two (2) business days after the application is submitted.

3. Tentative City approval may be given within the response period for circumstances which involve property or right of way controlled by other persons or governmental entities, such as circumstances involving right of way or property controlled by the State of Wisconsin.

4. During the review of the application, the Chief of Police may consult with all persons reasonably necessary and available for such consultation, including the event organizers and all other persons, entities, agencies, and governmental officials deemed necessary by the Chief in order to make an informed decision regarding the application's effect upon the health, safety, and welfare of the community.

5. March and Public Assembly permit applications shall be reviewed for their effect upon traffic control, public safety, as well as other considerations affecting the public health, safety and welfare including the date, time, location and/or route, police and fire protection necessary, and sanitation provisions required. The application review will also include analysis of the organizer's plans to reasonably ensure that participants/attendees will also comply with all applicable laws.

6. The City's decision related to March and Public Assembly permit applications shall include a requirement that the application fee* be paid or that the fee* is waived, a requirement that the costs for Extraordinary Services be paid by the organizer(s) or that the costs are waived, and a requirement that any other condition(s) allowed by law and which are necessary to ensure the health, safety, and welfare of the community shall be incorporated into the terms of any approved permit.

   * No application fee at this time – waiver request unnecessary.

7. In those circumstances in which it is determined that costs for Extraordinary Services shall be paid by the organizer(s), the Chief of Police shall have the authority to require that some or all of the estimated costs for such services be paid to the City in advance or deposited in an approved escrow account for the purpose of paying for such costs, or to require that another form of security be submitted by the organizer(s) for the purpose of paying for such costs.

8. Before any March or Public Assembly permit is denied in whole or in part, the Chief of Police shall make all reasonable efforts to discuss with the applicant the proposed event and its effect upon the public safety, and shall provide or suggest to the applicant reasonable alternative dates, times, locations, or other terms, conditions, and parameters of the March or Public Assembly, to the extent that any such alternatives, terms, or conditions may be reasonably carried out while protecting the public's health, safety, and welfare.

9. Any applicant seeking to appeal the decision of the Chief of Police shall make such appeal, in writing, to the City Manager, or designee. The City Manager, or designee, shall meet with the Chief of Police and the applicant within three (3) business days after receiving an appeal. Legal counsel and other persons with relevant factual information may participate in this appeal meeting. The City Manager, or designee, shall provide the parties with an oral decision at the conclusion of the meeting. A written decision may be requested by either the applicant or the Chief of Police, and shall be made available by the City Manager as soon as practicable.

10. An applicant may appeal the decision of the City Manager, or designee, to the Common Council by filing a notice of appeal with the City Clerk. The Clerk shall place this issue on the agenda for the next regularly scheduled Council meeting in which legally required notice may be provided to the public.

11. The Council may affirm, reverse, or modify the determination of the City Manager, or designee, at the conclusion of the agenda item and after all interested persons have had an opportunity to be heard at the noticed public meeting.

12. Any applicant aggrieved by the decision of the Common Council may seek such other legal relief as may be available.

V. REGULATIONS

Special Event permit applications shall address the following issues and attach additional supporting material if necessary. A summary of required information follows, and more specific requirements can be obtained from City departments when planning the event and seeking City approval.

A. Duration and hours of Operation: The Special Event application shall specify the specific days upon which the event shall occur or, in the case of seasonal or recurring events, the days within the season or period within the calendar year upon which the event will occur. No Special Event shall be open except between the hours of 8:00 a.m. and 11:00 p.m., unless such other hours of operation are specifically approved by the Council. The permit application shall also specify the hours during which pre-event set up and post-event takedown operations will occur, and no such pre-event and post-event activities may be conducted other than as specified.

B. Maximum Attendance: A Special Event permit application shall specify the maximum daily peak number of people reasonably expected to attend.

C. Parking: A Special Event permit application shall include a plan identifying areas that may be reasonably expected to be utilized by event participants for off-street and on-street parking. The applicant shall take all reasonable precautions to minimize adverse effects on the neighborhoods that will be directly affected by parking and traffic related to the event. The police department shall post temporary parking-related regulations on public streets for Special Event only if it is determined to be necessary by the Police Chief for public safety or as may be directed by the Common Council within a permit approval process.

D. Sanitary facilities and Potable Water: All sanitary facilities and potable water facilities shall be provided for as required in the applicable codes.

E. Illumination: If the Special Event is to continue during hours of darkness, it shall comply with all applicable codes related to illumination.

F. Security: The Special Event applicant shall work with the Oshkosh Police Department to ensure that appropriate security and safety is provided for the event. The Police Department may be required, at its discretion, to be directly involved in the Special Event, with the costs of any Extraordinary Services to be borne by the Special Event applicant if required by the Common Council.

G. Fire Dept. Protection: All fire protection applicable to the Special Event activities on the premises, shall be provided by the applicant as required by the municipal Fire Prevention Code and the Wisconsin Administrative Code, including alarms, extinguishing devices, fire lanes, and fire escapes.

H. Compliance with other Code Provisions: No Special Event shall be held unless all necessary municipal permits, licenses, and approvals applicable to the activities to be held during the Special Event have been issued.

I. Refuse Removal: The Special Event sponsor shall be responsible for taking all reasonable efforts to pick up litter and refuse during the event, and for removing all litter and refuse created during the event within twenty-four (24) hours after the conclusion of the event. The event organizer is responsible not only for the event grounds, but will also take all reasonable measures for the removal of litter and refuse attributable to the event from the surrounding neighborhoods and properties.

J. Notification: The Special Event organizer may be required by the City to provide reasonable advance notice to residents and/or businesses, or to neighborhoods if individual notice is impractical, who may be expected to experience a substantial traffic and/or noise impact from the event.

K. Barricades: Barricades may be required for street closures or pursuant to a security plan. Barricades may be available for rent from the City or from private companies. All barricades used for the Special Event shall meet the standards as set forth in the Manual on Uniform Traffic Control Devices (MUTCD), unless they are manned barricades.

VI. APPLICATION REVIEW:

A. Applications for Special Event permits shall be processed in the order of their receipt. Persons or groups holding an approved Special Event may reserve dates for the event to be held the following year provided they submit to the City Clerk notification of their intent to hold the event, the date(s) on which the event is expected to be held, and the application fee* within sixty (60) days after the end of the Special Event. This notice and fee* will reserve the dates identified until the formal application is submitted, or the notice of intent is withdrawn, and will have priority over any other applications received. Dates will not be reserved if an application also includes a request to waive the application fee*. Unless the City receives a notification of intent to hold an event as described above, the use of City property and allocation of City resources shall be based upon the applications as they are received without regard to events that may have been held in previous years. Recurring events with separate agreements approved by the Council will have priority over the above reservations for the reservation of dates and the allocation of City services.

   * No application fee at this time – waiver request unnecessary.

B. Upon receiving an application for a Special Events permit, the City Manager may schedule a meeting or meetings involving the applicant, any of the affected City departments, the public, and/or other interested persons or officials. Meetings will be scheduled at the discretion of the City Manager based upon the circumstances of the Special Event. The purpose of the meeting will be to discuss the Special Event and its potential impacts, the City services requested, and the City services which may be required. Such a meeting will be held as soon as practical after the application has been submitted.

C. As soon as practical after the Special Event permit application is submitted, the City Manager shall provide a recommendation to the Common Council regarding the Special Event permit application. Potential recommendations may include: (1) the permit be issued as requested and without conditions; (2) the permit be denied; or, (3) the permit be approved subject to certain conditions deemed reasonable and necessary by the City Manager. The City Manager may also recommend to the Council that the permit fee* be waived, that the costs for Extraordinary Services anticipated by the City to be necessary should be recouped from the event sponsor(s) or that the costs for Extraordinary Services provided should be waived. The Common Council shall approve or deny Special Event permit applications, place conditions upon any permit, require that the permit fee be paid or waived, and require that some or all of the costs incurred by the City for providing Extraordinary Services be reimbursed or that such costs will be waived.

   * No application fee at this time – waiver request unnecessary.

D. To the extent permitted by law, the Common Council may deny an application for a permit if the applicant has on prior occasions made material misrepresentations regarding the nature or scope of any event or activity previously permitted, has held prior special events without proper permitting or licensing, or has violated the terms of a prior permit issued to or on behalf of the applicant. Additionally, a prior experience of the applicant in holding any event, or in holding the Special Event which is the subject of the application, will be considered and may impact the issuance of Special Event permits. A permit may be denied, or conditions placed thereon, based upon considerations of the health, safety, and welfare of the community, and of the anticipated costs of holding such event. Additionally, the Common Council may base their decision on one or more of the following grounds:

1. The application is not fully completed and/or fails to include necessary attachments;

2. The applicant asserts that they cannot or will not pay the application fee* and the Council determines that such fee* should not be waived;

   * No application fee at this time – waiver request unnecessary.

3. The applicant asserts that they cannot or will not pay the cost for Extraordinary Services and the Council determines that such costs should not be waived.

4. The application for permit contains a material falsehood or misrepresentation;

5. The applicant is not legally competent to sign a contract, or to be held responsible for its actions;

6. The applicant has, on prior occasions, been required to pay for Extraordinary Expenses or damages to City property and has not paid in full for such expenses or damages;

7. A Special Event permit application for the same time and place, or utilizing extraordinary City resources, has previously been received, and a permit for such previous application has been or will be granted which will authorize uses or activities which does not reasonably permit the multiple occupancy of City facilities or would result in a utilization of City resources which would adversely affect the health, safety, and welfare of the community;

8. The Special Event use or activities intended by the applicant would conflict with previously planned events and programs which have been organized by others either through the use of City facilities or the unavailability of sufficient City resources for the proposed event;

9. The intended Special Event use or activity would present a grave or unreasonable danger to the health or safety of the persons expected to participate in the event, the neighborhood in which the event will occur, the community as a whole, or City property and resources required to be involved with the proposed event;

10. The number of persons expected to participate in the Special Event would result in a concentration of persons, vehicles, or things which cannot be supported at the requested time or location due to a lack of sufficient open area, streets, offsite parking, or traffic controls.

11. Activities reasonably expected to occur at the intended Special Event are prohibited by law.

E. Amendment or Revisions of Applications. Any amendment or revision of any permit application shall, for purposes of determining the priority of the application, relate back to the original filing thereof unless the original filing is unreasonably incomplete or lacking sufficient information to allow for an adequate review of the proposed event.

F. Mapped Routes and Alterations of Mapped Routes. Routes for Special Events such as parades must be submitted with the permit application. Proposed Routes may be altered at the discretion of the City in the interests of the health, safety, and welfare of the community. Any deviation from the approved route without approval of the City will constitute a violation of the permit conditions and of these requirements. Additionally, unapproved changes may result in the denial of future Special Event permit applications.

VII. FEES AND REIMBURSEMENT SCHEDULE

*** No application fee at this time – waiver request unnecessary.**

A non-refundable administrative fee* is required for all Special Event, March, and Public Assembly permit applications. Permit applications may include a request to waive the application fee*. However, permits shall not be issued unless the fee* is paid or it is specifically waived* by the Council. The permit application fees* identified herein are separate from other specific fees or licenses required, and separate from any requirement to reimburse the City for the actual cost of any Extraordinary Services required for the permitted event, or for damage or destruction resulting from the event.

A. Permit Fees:

1. Special Event, March, and Public Assembly Permits (non-refundable)

a. Multiple day event (consecutive or recurring) Liquor license required:	$0.00
b. Multiple day event (consecutive or recurring) No liquor license required:	$0.00
c. Single day event Liquor license required:	$0.00
d. Single day event No liquor license required:	$0.00

2. All other required charges and/or fees, including but not limited to facility rental, food and beverage sale permits, temporary structure fees, and equipment rental fees, etc., must be paid in addition to the permit application fee*. Submittal of a permit application does not reserve a park or any other City facility, property, or services necessary for the event.

3. Applicants for Special Events, March, or Public Assembly permits may include in their initial submission a request that the permit administrative fee* be waived due to substantial financial hardship.

B. Extraordinary Services Charges

The Common Council shall approve by Resolution each year a list of standard fees and charges which will be used to determine the amount of charges attributed to Extraordinary Services provided to Special Events by the City. The Resolution may provide for standard hourly charges or flat fee charges for services provided, and may specify tasks that may or may not be subject to Extraordinary Service charges.

C. Extraordinary Services Reimbursement:

1. Special Events

a. For those Special Events in which costs for Extraordinary Services are not waived by the Common Council, event organizers shall be liable for and shall pay to the City Clerk the actual cost of all Extraordinary Services provided by the City. If the Special Event has more than one person or entity organizer, then each of the organizers are liable to the City for the total amount due, regardless of how the multiple organizers may separately agree to divide these expenses. If the City is a co-organizer of a Special Event, the cost of the Extraordinary Services the City is responsible for will be based upon the level of City involvement, and that amount shall be deducted from the total cost for the Extraordinary Services provided by the City. The costs for Extraordinary Services charged to event organizers shall not exceed the actual costs of providing these services. This fee shall be paid to the City within thirty (30) days of the date an itemized invoice for the same is prepared and mailed by the City at the conclusion of the Special Event.

b. Prior to any approval of a Special Event permit, the Police and Fire Departments, along with all other departments potentially affected by the proposed Special Event, shall review the application and report to the City Manager their respective findings as to an estimate of the costs reasonably expected to be incurred by the City for providing Extraordinary Services at or for the Special Event. The application shall be required to provide enough detail to allow the City departments and to determine the level of Extraordinary Services required and their associated costs for the Special Event. The estimates provided by City departments shall provide enough detail to allow the event organizer to reasonably understand the Extraordinary Services that are expected to be necessary.

c. After reviewing the findings of the City departments, the City Manager may recommend to the Common Council that conditions relating to advance payment or reimbursement of the costs for Extraordinary Services be placed upon the Special Event permit if approved. Alternatively, the City Manager may recommend that payment or reimbursement of some or all of the costs for Extraordinary Services to be provided be waived.

d. The Common Council shall address the issue of Extraordinary Services before or at the time it takes action on a Special Event permit application. The Council may address the issue of Extraordinary Services through one or more of the following actions:

   i. The Council may require that event organizers pay all actual costs for Extraordinary Services provided by the City for the event, with the total costs incurred to be mailed via invoice to the organizer(s) within thirty (30) days after the conclusion of the event.

   ii. The Council may require the event organizer(s) pay less than the actual costs for Extraordinary Services provided by the City in an amount to be determined by the Council depending upon the unique circumstances of the event, with the remaining actual costs to be waived. Any amounts required to be paid shall be mailed via invoice to the organizer(s) within thirty (30) days after the conclusion of the event.

   iii. The Council may waive all costs for Extraordinary Services provided by the City for the event.

   iv. In the event that the Council requires that the event organizer(s) pay some or all of the costs for Extraordinary Services provided by the City for the event, then the Council may require that funds be placed in escrow, or other necessary security be provided, before the permit is issued. The amount of the cash deposit or other security shall be based upon the cost estimate of the Extraordinary Services which may be incurred. The Special Events permit shall not be issued until the event organizer(s) have complied with any requirements for security.

   v. Security for the estimated costs of Extraordinary Services may be in the form of a cash deposit in an escrow account, bond, letter of credit, or similar instrument, with the type and form of the instrument to be at the discretion of the City.

   vi. If the actual costs for Extraordinary Services exceeds the security provided and has not otherwise been waived by the Council, then the difference shall be billed to and paid by the event organizer(s). If the actual costs for Extraordinary Services provided is less than the amount of funds deposited in advance of the event, then any unused amounts must be returned to the event organizer(s) within a

reasonable time after the event concludes. Any other security instrument must be either used or released by the City within a reasonable time after the conclusion of the event

2. Marches and Public Assemblies

The City, through the Chief of Police, shall address the issue of costs for Extraordinary Services before or at the time final action is taken on a March and Public Assembly permit application. Extraordinary Services will generally consist of vehicular and pedestrian traffic control and of efforts to ensure the safety of persons and property in crowded and/or potentially volatile situations.

a. The City may require that event organizers pay all costs for Extraordinary Services provided by the City for the event, with the total costs incurred to be mailed via invoice to the organizer(s) within thirty (30) days after the conclusion of the event.

b. The City may require the event organizer(s) pay less than the costs for Extraordinary Services provided by the City in an amount to be determined by the Chief of Police depending upon the unique circumstances of the event, with the remaining actual costs to be waived. Any amounts required to be paid shall be mailed via invoice to the organizer(s) within thirty (30) days after the conclusion of the event.

c. The City may waive all costs for Extraordinary Services provided for the event.

d. In the event that the City requires that the event organizer(s) pay some or all of the costs for Extraordinary Services provided by the City for the event, then the City may require that funds be placed in escrow, or other necessary security be provided, before the permit is issued. The amount of the cash deposit or other security shall be based upon the cost estimate of the Extraordinary Services which may be incurred. The Special Events permit shall not be issued until the event organizer(s) have complied with any requirements for security.

e. Security for the estimated costs of Extraordinary Services may be in the form of a cash deposit in an escrow account, bond, letter of credit, or similar instrument, with the type and form of the instrument to be at the discretion of the City.

f. If the actual costs for Extraordinary Services provided exceed the security and has not been waived by the Chief of Police, then the difference shall be billed to and paid by the event organizer(s). If the actual costs for Extraordinary Services provided is less than the amount of funds deposited in advance of the event, then any unused amounts must be returned to

the event organizer(s) within a reasonable time after the event concludes. Any other security instrument must be either used or released by the City within a reasonable time after the conclusion of the event.

D. Considerations for Reviewing Application Fees* and/or Extraordinary Costs

* No application fee at this time – waiver request unnecessary.

The Common Council will review applications for waivers of application fees*, as well as recommendations from the City Manager relating to the assessment or waiver of City costs for providing Extraordinary Services based upon relevant and lawful criteria. The Council should at a minimum consider the following criteria for making these determinations, as well as other criteria which may be relevant on a case by case basis. As each Special Event is different, the Council may place different weight on different criteria in each circumstance and therefore the following list does not set any priorities for any particular event.

1. The Special Event's benefit to the quality of life to the City has a whole;
2. The Special Event's financial benefit to the City as a whole;
3. The Special Event is of interest to a smaller segment of the City's population which the City seeks to encourage;
4. The tradition of the event in the City;
5. The cultural and/or historical significance of the Special Event;
6. Whether or not the Special Event provides services or functions that are traditionally organized or sponsored by other Cities or governments;
7. Whether or not the Special Event organizers are making good faith efforts to minimize adverse effects on the health, safety, and welfare of the community and as a result minimizing the need for City employee involvement;
8. The effect of the Special Events on the neighborhood(s) surrounding the site of the event;
9. The financial burden the Special Event places on the City's taxpayers as a whole;
10. The financial condition of the event organizer(s).

VIII. INDEMNIFICATION AND HOLD HARMLESS

Organizers of Special Events, Marches, and Public Assemblies shall be required to sign an agreement in a form acceptable to the City in which they agree to indemnify the City of Oshkosh, and its departments, and hold the City and its departments, employees, and agents, harmless from any liability to any person resulting from any damage or injury to property or any person which occurs in connection with the permitted event proximately caused by the any actions or inactions of the event's organizer, their officers, employees, or agents, or any person under their control insofar as permitted by law.

IX. INSURANCE

All Special Event organizers shall procure at their expense, a policy of insurance subject to the City's minimum requirements for Special Events.

The insurance required by the City of Oshkosh is primary coverage for incidents which may occur on City property or to City employees during the event, and any insurance or self insurance maintained by the City of Oshkosh, its officers, council members, agents, employees or authorized volunteers will not contribute to a loss. All insurance shall be in full force prior to commencing the event and remain in force throughout the entire event, including the clean up period after the event.

The certificate of insurance shall be satisfactory proof of insurance of said policies and shall be filed at the office of the city clerk for the City of Oshkosh a minimum of five (5) days prior to the scheduled event.

A copy of the certificate of insurance may be accepted by facsimile transmission or an email attachment with the original to be received no later than three (3) days prior to the event. The event shall not be allowed to proceed without submission of insurance documentation. The City's act of receiving and retaining proof of insurance information without comment shall not be considered acceptance, waiver, or modification of any term or requirement herein, or any applicable law.

X. EVENT CANCELLATION

The City Manager in the case of a Special Event, or the Chief of Police in the case of a March or Public Assembly, may cancel a Special Event, March, or Public Assembly, regardless of whether or not a permit has been issued, without prior notice for any significant change in conditions which would or may adversely affecting the public health or safety of the community, or for any condition that would place facilities, grounds, or other nature resources at risk of damage or destruction if the event were permitted to take place.

XI. PENALTIES

In addition to other potential fines, penalties, and/or charges as described in the Oshkosh Municipal Code, the violation of the terms of the Special Event, March, or Public Assembly permit shall be punishable by forfeiture of not less than $500.00 and not more than $1,000.00. Each day of violation shall be considered a separate offense. In addition, the City may enforce this section by way of immediately revoking the permit, seeking injunctive relief, and all other remedies available at law and in equity.

The penalties set forth herein shall also apply to all persons, organizations, and entities that organize events which are required to obtain a Special Event permit but fail or refuse to do so. If any person violates any provision of this Ordinance, the City shall have the authority to institute the appropriate legal action or proceedings to ensure compliance and to thereby prohibit such person from violating these conditions.

The failure to obtain a Special Event permit before holding or conducting a Special Event, or the failure to abide by Special Event, March, or Public Assembly permit requirements, will constitute a violation of this section and may result in the termination of the event, denial of future permit applications, or issuance of a City Ordinance citation.

XII. SEVERABILITY

If any provision of this Ordinance or application thereof to any person or circumstances be held invalid, the remainder of this Ordinance and the application of such provision to other persons or circumstances shall not be affected. The City of Oshkosh reserves the right to amend or repeal this Ordinance at any time upon proper notice; and all rights, privileges and immunities conferred by this Ordinance or by acts done pursuant hereto shall exists subject to such power.