

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) X *Waiver of First Requested*
 X Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: January 27, 2015 (B of T) Date: February 5, 2015

TITLE: Code Amendments to Chapter 110: Temporary/Special Events

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Economic and Community Development Committee submits for your consideration its recommendation on the above referenced petition. The ECDC recommends that the Village Board adopt the attached ordinance approving Code Amendments to Chapter 110: Temporary/Special Events. (DISTRICTS - ALL)

The ECDC recommended approval of this grant request by a vote of 4`-0.

Staff requests a waiver of first reading of the Ordinance.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____

Village Manager X _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development 

DATE: February 5, 2015

SUBJECT: Code Amendments to Chapter 110: Temporary/Special Events

Please find the following items for Village Board consideration as part of the February 5, 2014 Board meeting:

1. Economic and Community Development Committee (ECDC) memo; and
2. An Ordinance Approving Code Amendments to Chapter 110: Temporary/Special Events.

The ECDC recommended approval by a vote of 4-0. A suggestion was made at the ECDC meeting to attach a fee scheduled for types of costs that may be associated with special event activities. Staff will undertake that effort based on fee schedules and past practices with special events.

Please place this grant request on the February 5, 2015 Board of Trustees agenda with a waiver of first reading.



MEMORANDUM

TO: Trustee Laura Fitzpatrick, Chairperson
Economic & Community Development Committee Members

FROM: William J. Heniff, AICP, Director of Community Development *WJH*

DATE: January 12, 2015

SUBJECT: Code Amendments to Chapter 110: Temporary/Special Events

As part of a code review of temporary/special event regulations, staff is proposing a few changes for clarity and to reflect past practices. The amendments provide guidance and advance notification of the anticipated costs associated with such events. The proposed amendments specifically state the responsibility of the applicant to cover the costs borne by the Village if such services are needed to facilitate an event. A few other minor amendments are also offered to properly reference responsibilities and companion code provisions.

Attached for consideration are the proposed amendments to Chapter 110. Also attached for reference purposes is a copy of our latest version of the temporary/special event application form.

ACTION REQUESTED

This item is being on the ECDC agenda under New Business at the January 12, 2015 meeting. Staff recommends approval of the requested amendments.

TITLE XI: - BUSINESS REGULATIONS
CHAPTER 110: - AMUSEMENTS AND ENTERTAINMENT

ARTICLE III. TEMPORARY EVENT

ARTICLE III. TEMPORARY EVENT

§ 110.40 Definitions.

§ 110.41 Permit required.

§ 110.42 Application.

§ 110.43 Insurance.

§ 110.44 Bond.

§ 110.45 Fees.

§ 110.46 Inspection.

§ 110.47 Issuance of permit.

§ 110.48 Revocation of permit.

§ 110.49 Prohibitions.

§ 110.40 Definitions.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Attraction: Any shows, acts, games vending devices; food stalls, booths or tents, rides or amusement devices.

Seasonal outdoor garden sales: The sale and delivery of garden materials, including live; flowers, trees, shrubs, vegetables, and similar live plants; cut trees, wreaths, and similar organic holiday decorations; landscape materials; and hardware implements associated with the installation and maintenance of the aforementioned items, to the public not conducted within a completely enclosed building. Sale may include the offering of refreshments and entertainment accessory to the sale.

Temporary event: Any temporary outdoor event, temporary special event, or any similar activity or land use, occurring over a specific and limited span of time, which has not been authorized or permitted by the certificate of occupancy or conditional use approval, other than a carnival, as defined in and regulated by § 110.60 of this Code.

Temporary open air cafe: The sale and delivery of food items intended for consumption on the premises for no more than a three-day period, not conducted within a completely enclosed building, with or without the provision of seating.

Temporary outdoor event: Any temporary open air cafe, temporary outdoor sale or auction, or any similar activity or enterprise, not conducted within a completely enclosed building.

Temporary outdoor sales or auctions: The sale and delivery of goods to the public for no more than a three-day period, not conducted within a completely enclosed building. Sale may include the offering of refreshments and entertainment accessory to the sale event.

Temporary special event: Any activity conducted within a completely enclosed building or structure, which is not specifically permitted by the certificate of occupancy issued for the building or structure in question.

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§ 110.41 Permit required.

It shall be unlawful for any person, firm, or corporation to set up, run, operate, or conduct any temporary event as defined in § 110.40, in other than full compliance with the provisions of this subchapter and having first been issued a written permit from the Department of Community Development.

§ 110.42 Application.

The applicant for such permit shall file an application in writing with the Department of Community Development at least 20 days prior to the date of the opening to the public, which application shall specify:

- (A) The name of the person, firm, or corporation which will use the structures already erected or to be erected.
- (B) The location of the principal place of business of such person, firm or corporation.
- (C) The names and addresses of the officers of such firm or corporation.
- (D) The length of time any structures to be erected are intended to be used as places of assembly.
- (E) The hours during which the structures are intended to be used as places of assembly.
- (F) The maximum anticipated attendance at the event at any one time.
- (G) The provisions made for sanitary facilities for persons using the premises on which the temporary event is to be maintained.
- (H) A detailed description and documentation of plans and provisions for crowd control and security at the temporary event.
- (I) A site plan showing the location of all attractions, exits, sanitary facilities, fire alarms/life safety equipment, electrical connections to be used, stages or platforms to be erected, driveways to be used, and parking provided. In the case of a temporary special event, plans/diagrams/drawings of the building or structure to be used, showing the aforementioned items.

§ 110.43 Insurance.

- (A) The applicant shall furnish evidence with the application that a public liability and insurance policy shall be in force and effect at the time such temporary event is to be open to or maintained for public access. Said insurance policy shall maintain limits no less than:
 - (1) *Comprehensive general liability*: \$1,000,000.00 combined single limit per occurrence for bodily injury, personal injury and property damage.
 - (2) *Automobile liability*: \$1,000,000.00 combined single limit per accident for bodily injury and property damage. Required only when the use of vehicles is associated with the temporary event.
 - (3) *Workers' compensation and employers' compensation limits* as required by the Labor Code of the State of Illinois and Employers' Liability limits of \$1,000,000.00 per accident.
- (B) The policies are to contain, or be endorsed to contain, the following provisions for general liability and automobile liability coverages:
 - (1) The village, its officials, employees and volunteers are to be covered as insured as respects; liability arising out of activities performed by or on behalf of the applicant; products and services

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of the applicant; premises owned, leased or used by the applicant; or automobiles owned, leased, hired or borrowed by the applicant. The coverage shall contain no special limitations on the scope of protection afforded to the village, its officials, employees or volunteers.

- (2) The applicant's insurance coverage shall be primary insurance as respects the village, its officials, employees and volunteers. Any insurance or self-insurance maintained by the village, its officials, employees or volunteers shall be excess of applicants insurance and shall not contribute with it.
 - (3) Any failure to comply with the reporting provisions of the policies shall not affect coverage provided to the village, its officials, employees or volunteers.
 - (4) Coverage shall state that applicants insurance shall apply separately to each insured against whom claim is made or suite is brought, except with respect to the limits of the insurer's liability.
- (C) The applicant agrees upon receipt of a permit to indemnify, defend and hold harmless the Village of Lombard, its officers, agents, employees, representatives and their assigns, from any and all claims, lawsuits or other liabilities directly or indirectly arising from, in consequence or, or in reference to the permit granted. In connection with any such claims, lawsuits or liabilities, the village, its officers, agents, employees, representatives and their assigns, have the right to defense of counsel of their choice. The applicant shall be solely liable for all costs of such defense and for all expenses, fees, judgments, settlements and all other costs arising out of such claims, lawsuits or liabilities.

§ 110.44 Bond.

- (A) The applicant, prior to the issuance of any permit hereunder, shall deposit with the Village Treasurer a cash bond in the sum of \$500.00 for an event of three days or less, or \$1,000.00 for an event of more than three days to ensure that no damage will be done to the street, sewers, trees or adjoining property and that no dirt, paper, litter, or other debris will be permitted to remain upon the streets, adjoining property, or the site of the temporary event. Such cash bond shall be returned to the applicant upon certification by the Chief of Police that all conditions of this Chapter have been complied with upon the termination and vacation of the event.
- (B) Any applicant whose place of business or operation is located within the corporate limits of the village; and is therefore accessible to village enforcement personnel in the event damage results from the temporary event, for which a permit has been issued under the provisions of this Chapter; whose application discloses that such applicant will sponsor and/or operate the temporary event, shall be exempt from the cash bond requirement contained in this section.

(Ord. 3548, passed 5/21/92)

§ 110.45 Fees.

- (A) The applicant, at the time of filing an application, shall pay to the Village Treasurer a fee or fees at the rate of \$150.00 for the first 15 attractions plus ten dollars for each additional attraction per calendar day during which the circus or carnival is to be maintained and operated.
- (B) The applicant, at the time of filing an application, shall pay to the Village Treasurer a fee or fees at the rate of \$50.00 per calendar day during which the temporary outdoor cafe, or temporary outdoor sale or auction, or temporary special event, is to be maintained and operated.
- (C) The applicant, at the time of filing an application, shall pay to the Village Treasurer a fee or fees at the rate of \$20.00 per calendar week during which the seasonal sale of seasonal outdoor garden sale is to be maintained and operated.

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(D) Depending on the anticipated event attendance and type of event, Village personnel and services, including Police, Fire, Public Works or Community Development, may be required at an event. Charges for all Village personnel and services involved during the day(s) of the event and in the preparation of the event will be charged to the event sponsor. The Village shall determine the number of personnel and the level of services necessary to ensure the safety of participants and to minimize the impact of the event on Village operations and resources.

(E) Any not-for-profit fraternal organization or other charitable, religious, governmental or civic organization, except those whose primary purpose is to make a profit, may in their application request waiver of fees hereunder. The Village Manager or his designee may waive the fees for such not-for-profit applicants whose application discloses that such organizations will sponsor or operate the temporary event.

(Ord. 4055, passed 7/20/95)

§ 110.46 Inspection.

The Village Fire Chief and/or Community Development Director, or his/her designee(s), and as deemed appropriate and except where otherwise noted, shall make reasonable inspections to determine if the following conditions are met:

- (A) Adequate aisles for pedestrians, and fire separation between structure, attractions and sales areas;
- (B) Sufficient exits, marked and properly lighted;
- (C) Adequate wiring on all electrical fixtures;
- (D) Proper safeguarding of the use of any open flames;
- (E) Arrangements for the proper servicing of all areas where debris may be expected to accumulate;
- (F) All combustible decorative materials, including curtains, streamers, and cloth are rendered fireproof;
- (G) Satisfactory sanitary facilities on or near the premises on which the temporary event is to be maintained, sufficient for the public;
- (H) Adequate traffic circulation and parking provisions for patrons ~~as determined by the Department of Community Development.~~
- (I) Noise levels are controlled so as not to become a nuisance to adjacent uses. At no point on the boundary of a residence district, as defined in § 155.802, shall the sound intensity level exceed the levels prescribed in § 155.419 (A-1) adopted by the Illinois Pollution Control Board, Title 35, Subtitle H, Chapter 1, Part 900 of the Illinois Administrative Code;
- (J) Adequate security and crowd control as determined by the Chief of Police;
- (K) Adequate traffic control at all entrances to public streets as determined by the Chief of Police;
- (L) Adequate sanitation facilities and maintenance of all animals part of or associated with the circus or carnival.
- (M) Lighting does not intrude upon adjacent residential properties, ~~if any, as determined by the Department of Community Development.~~

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Each permit issued hereunder shall contain the provision that police, fire, and other authorized officials of the village shall have the right to free access to the grounds and all buildings, structures, booths, shows, and concessions, and any other attractions on such grounds to inspect and enforce compliance with the provisions of this Chapter.

§ 110.47 Issuance of permit.

- (A) The Village Fire Chief, or other designated village official, shall make a report of the inspection to the Village Manager, who shall issue such permit if the report shows compliance with the provisions of this Chapter and the application otherwise meets all the requirements of this Chapter.
- (B) No more than four permits shall be issued for a single parcel of property within the same calendar year. In the case of seasonal outdoor garden sales, not more than two permits shall be issued for a single parcel of property, the total period of both permits not to exceed four months, within the same calendar year. In the case of an entity which holds a Class "P" liquor license, a single permit shall be issued each year, covering the entire Chicago Bears football season, relative to the events held pursuant to the class "P" liquor license during said Chicago Bears football season. In the case of an entity which holds a Class "J" liquor license, pursuant to § 112.18(B)(6) of this Code, a single permit shall be issued for September 22, 2013 and November 4, 2013, relative to the viewing events held in conjunction with said Class "J" liquor license and associated with a Chicago Bears viewing event.
- (C) In no case shall a permit be issued for a single parcel of property such that the first day a permit is valid falls within three consecutive days of the terms of a previously issued permit.
- (D) In the case of carnivals and circuses, no permit may be renewed and no permit may be issued for more than ten days. In the case of temporary outdoor cafes, temporary special events, and of temporary outdoor sales or auctions, no permit may be renewed and no permit may be issued for more than three days. In the case of seasonal outdoor garden sales, no permit may be renewed and no permit may be issued for more than a three month period.
- (E) Any organization may in their application request an extension of the permit term hereunder. The President and Board of Trustees may extend the permit term for such applicants whose application discloses that such organizations will sponsor or operate the temporary event. In the event that an application is received by the village for approval of a temporary event exceeding the time limits set forth herein but prior to the next scheduled Village Board meeting, the village may grant a time extension for the temporary event provided that approval is granted by the Village Manager, Director of Community Development, Village President and the Village Trustee of the District in which the temporary event is scheduled to be held.

(Ord. 5960, passed 12/07/06; Ord. 6812, passed 4/4/13; Ord. 6839, passed 6/6/13; Ord. 6863, passed 9/5/13)

§ 110.48 Revocation of permit.

- (A) Any permit issued hereunder may be revoked by the Village Manager upon any finding by the Police Chief, Fire Chief, Building ~~Official Inspector, Electrical Inspector, Code Administrator~~, or other authorized official of the village that any provision of this Chapter has been violated or that any other ordinance of the village or statute of the State of Illinois has been violated. Upon the finding of any such violation the Village Manager shall cause written notice of the revocation stating the reason therefore to be served upon the permittee, his authorized agent, or the manager of such temporary event. Immediately upon receipt of a written notice of revocation, the permittee shall cease all operations.

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- (B) If during any inspection the Fire Chief or his designee finds any attraction to pose a danger to public safety, the Fire Chief at his discretion may immediately terminate the operation of said attraction until such time as the danger is abated. Failure to abide by the order of the Fire Chief to terminate operation of said attraction shall be a violation of the permit provisions and shall result in the revocation of the permit for the entire event.
- (C) Any permittee whose permit has been revoked or whose attraction has been terminated may, within ten days of the receipt of notice thereof, appeal to the President and Board of Trustees of the village for a hearing thereon. If no such appeal is taken within ten days as provided herein, the action of the Village Manager is final.

§ 110.49 Prohibitions.

No permittee shall:

- (A) Set up, permit, or operate any gambling device.
- (B) Set up, permit, or operate any lewd, lascivious, or indecent show or attraction making an indecent exposure of the person or suggesting lewdness or immorality.

('70 Code, § 5.06.080) (Ord. 2080, passed 7-14-77, Ord. 3618, passed 11/5/92, Ord. 3760, passed 9/16/93; Ord. 6061, passed 06/21/07)



Village of Lombard

Building Division / Community Development Department

255 E. Wilson Avenue

Lombard, IL 60148

Tel: 630-620-5750 Fax: 630-629-2374

TEMPORARY EVENT PERMIT APPLICATION

Thank you so much for choosing the Village of Lombard for your special event!
You must submit **ALL** of the following items in order for your permit to be processed.



Completed Temporary Event Permit Application

Must be completely filled out.



Site Plan

Must show location(s) of all structures, curb cuts, driveways, parking stalls, proposed street closures, tents, generators, electrical connections, port-a-lets, aisles, entrances/exits, fire alarms/life safety equipment, stages/platforms to be erected, food and beverage vendor(s), and garbage receptacles.



Certificate of Insurance

See insurance section enclosed for requirements.



Completed Property Owners Approval Form

(see page 5 of application)



Health Department Approval (if applicable)



Bond (if applicable)

Application for event shall be submitted at least twenty (20) days prior to date of opening to the public. After Hour Inspections: If inspections cannot be conducted during the course of regular business hours (Monday - Friday 8:00 AM - 4:30 PM), after hour inspection fees must be paid. Those fees are as follows: \$100.00 per hour (minimum of 2 hours required).

1.) Prohibitions		
Please note that the following are prohibited without prior approval from the Village of Lombard.		
1. No non-licensed motor vehicles are permitted on any route (e.g. golf carts, ATVs, etc.)	3. No marking of any street, curb, sidewalk, sign, or other Village of Lombard property (e.g. spray painting, etc.)	
2. Alcohol	4. Signage	
2.) TYPE of Temporary Event		
☐ Assembly ☐ Carnival or Circus ☐ Race or Run ☐ SEASONAL Outdoor Garden Sale ☐ Temporary Open Air Cafe ☐ Temporary OUTDOOR Sale or Auction ☐ Other, Please Describe: _____		
3.) NAME of Event		
4.) LOCATION of Event		
5.) DATE(S) of Event (include rain and setup/teardown dates)		
SET UP DATE(S):	EVENT DATE(S):	TEARDOWN DATE(S):
6.) START & END Time(s)		
SET UP:	EVENT:	TEARDOWN:
Is this the first time the event is being held in Lombard? (Circle One)		YES / NO
If No, how many participants were at the last event?		
7.) Brief Description of Event		
Explain the temporary event (parade, race, assembly, etc.) and list and describe any and all structures to be erected, including buildings, tents, booths, etc., as well as the length of time said structures are intended to be used, placed, and assembled. Include the number of participants (employees/volunteers) and associated vehicles, and displays. Include the number of animals, carnivals, rides, games, tents, etc. Include the locations of assembly, dispersal and any relevant information that will explain the event and streamline the approval process.		

8.) Use of Public Right-of-Way (If Applicable)

List streets to be used, street closures, and attach a map of the route (parades, races, runs, etc.)

9.) Diagram and/or Map of the Event

Must show location(s) of all structures, curb cuts, driveways, parking stalls, proposed street closures, tents, generators, electrical connections, port-a-lets, aisles, entrances/exits, fire alarms/life safety equipment, stages/platforms to be erected, food and beverage vendor, and garbage receptacles.

Provide a Marked Up Plat of Survey or Draw a Scaled Map of Event (1 square = ____ feet)

255 E. Wilson Avenue
Lombard, IL 60148

Tel: (630) 620-5750
Fax: (630) 629-2374

10.) Applicant Information	
Name/Title:	
Date of Birth:	
Address:	
Telephone Number(s):	
e-mail:	
11.) Chair/Coordinator, etc. Information (If different than above)	
Name/Title:	
Date of Birth:	
Address:	
Telephone Number(s):	
e-mail:	
12.) On-Site Contact Person Information (The day of the event if different than above)	
Name/Title:	
Date of Birth:	
Address:	
Telephone Number(s):	
e-mail:	

255 E. Wilson Avenue
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13.) Sponsoring Organization(s) Information

Name(s):

Type of Organization:

Corporation / Partnership / Single Owner / Not for Profit (Circle Whichever Apply)

Company Sales Tax #(s), if applicable:

Not for Profit ID #(s), if applicable:

14.) Sponsoring Organization(s) Officer or Partner Information

Name(s):

Date(s) of Birth:

Address(es):

Telephone Number(s):

e-mail(s):

15.) Property Owner – Agent Approval (If the applicant/operator is not the owner of the property at which the temporary event will take place)

I, _____ property owner/owner-agent for
(Name)
_____ do hereby grant permission for
(Address)
the _____ to be taken place at the above
(Temporary Event)
mentioned location on _____.
(Date of Event)

Name: _____ Address: _____

Signature: _____ Date: _____

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Lombard, IL 60148

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16.) Alcohol	
Will alcohol be served and/or sold at this temporary event? (Circle One)	Yes / No
If yes, please describe: _____ _____ _____	
Describe the procedure by which you will identify and deal with intoxicated parties: _____ _____ _____ _____	
Vendor Name:	_____
Vendor Address:	_____
A layout of the distribution plan and location of ID checks must be provided.	Attached ☐
<i>For more information regarding alcohol service and/or sales, please contact Janet Downer, Deputy Village Clerk, at (630) 620-5913 or downerj@villageoflombard.org</i>	
17.) Booths / Exhibits	
Are booths and/or exhibits planned as part of the event? (Circle One)	Yes / No
If yes, please describe: _____ _____ _____	
Will tents larger than 400 square feet be used at the event? (Circle One)	Yes / No
If yes, please describe or show on plan: _____ _____ _____	
Will electricity be needed as part of the event? (Circle One)	Yes / No
Will a generator be used at the event? (Circle One) If yes, show on site plan	Yes / No

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Please describe plan to provide electricity, if applicable:

18.) Carnival / Mechanical Devices

Are carnival rides, animals, bounce houses, etc. a part of this event? (Circle One)

Yes / No

If yes, please describe:

Vendor Name:

Vendor Address:

List of all employees (required) and appropriate licensing (if applicable).

Attached ☐

For more information regarding licensing and fee requirements for carnival rides / amusement devices at temporary special events please contact the Finance Department.

19.) Fireworks

Are fireworks planned as part of the event? (Circle One)

Yes / No

If yes, please describe the show location, hours, and days:

Vendor Name:

Vendor Address:

20.) Food

Will food be served and/or sold at this temporary event? (Circle One)

Yes / No

If yes, please describe:

DuPage County Health Department Permit (copy)

Attached ☐

21.) Insurance

Evidence of the insurance that shall be in force and in effect at the time the temporary event is to be open to or maintained for public access. Said insurance policy shall maintain limits no less than: Comprehensive General Liability, \$1,000,000 combined single limit per occurrence for bodily injury, personal injury, and property damage. **The Village of Lombard, its officials, employees, and volunteers shall be listed as an additional insured on a primary and non-contributory basis and as a certificate holder.** Automobile Liability, \$1,000,000 combined single limit per accident for bodily injury and property damage. Workers' compensation and employer's compensation limits as required by the Labor Code of the State of Illinois and Employer's Liability limits of \$1,000,000 per accident (see Section 110.43 of the Code of Ordinances for additional requirements.)

Attached ☐

22.) Music

Is live music planned as part of the temporary event? (Circle One)

Yes / No

If yes, please describe (include hours and days and mark location on site plan):

Will there be a public address system in use and/or recorded ("DJ") music?

Yes / No

If yes, please describe:

23.) Parking

Please describe the parking provisions for guests, employees, volunteers, etc. (include how you will comply with the Americans with Disabilities Act).

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24.) Raffle

Is a raffle planned as part of the temporary event? (Circle One)

Yes / No

If yes, please describe (Permit Required):

For more information regarding raffles, please contact Janet Downer, Deputy Village Clerk, at (630) 620-5913 or downerj@villageoflombard.org

25.) Sales / Retail

Will anything be sold at the temporary event? (Circle One)

Yes / No

If yes, please describe:

Illinois Sales Tax Number(s):

26.) Sanitation

Please describe the provisions for Port-O-Lets – HC toilet with built in hand sanitizer or hand washing station (at least 1 per event, 2 per 100 patrons):

Port-O-Lets and Garbage Containers to be Shown on Site Plan

Completed ☐

Roll off truck for larger events. (Circle One)

Yes / No

27.) Security and Crowd Control

Please describe the provisions for security and crowd control:

28.) Signs / Banners

Will signs or banners be part of pre-event advertising? (Circle One)

Yes / No

Will signs or banners be part of the temporary event? (Circle One)

Yes / No

If you selected yes for one or both of the above questions, please note that all signs or banners require a temporary sign permit from the Village of Lombard (separate application). Information regarding the proposed location, size, and dates of display is required. Also, please note that signage is not allowed in the public right-of-way. Contact the Village of Lombard, Senior Planner, at (630)620-5744.

29.) Miscellaneous

Have you provided notification to the surrounding neighborhood?

Yes / No

If yes, please provide a copy of said notification.

Attached ☐

30.) Safety Inspections

Compliance with the following is required:

- ☐ ABC Fire Extinguishers
- ☐ All electrical run through GFI (Ground Fault Interrupter)
- ☐ All tents tied or weighted down to resist wind
- ☐ Tent stakes covered
- ☐ All locking pins installed in tents
- ☐ Fire resistant certificate attached to tent
- ☐ Village of Lombard Temporary Event Permit Card displayed at all times during event

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Tel: (630) 620-5750
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The Applicant or Operator agrees upon receipt of a permit to hold harmless the Village of Lombard its officers, agents, employees, representatives, and their assigns from any and all claims.

I, _____ the _____ for the proposed operator of the temporary event, hereby declare, under oath that the statements made herein are true and correct to the best of my knowledge and belief. I understand that:

1. Any incorrect or fraudulent statement made in this application constitutes sufficient grounds for the immediate suspension and/or revocation of the temporary event permit issued by the Village of Lombard;
2. As a condition of the temporary event permit, the Police Department, Fire Department, as well as other authorized officials of the Village of Lombard, are granted free access to the grounds of the temporary event, and to all booths, tents, buildings, and other structures erected for or used in conjunction with the temporary event, to inspect and enforce compliance with the provisions of the temporary event permit and the Village of Lombard code; and
3. The applicant, owner(s) and operator(s) agree to contact the Village of Lombard, Community Development, Building Division at (630) 620-5750 to schedule all required inspections for the temporary event prior to the start of the temporary event.

The applicant, owner(s) and operator(s) agree upon receipt of a permit to indemnify, defend and hold harmless the Village of Lombard, its officers, agents, employees, representatives, and their assigns, from any and all claims, lawsuits or other liabilities directly or indirectly arising from, in consequence of, or in reference to the permit granted. In connection with any such claims, lawsuits, or liabilities, the Village, its officers, agents, employees, representatives, and their assigns, shall have the right to defense of counsel of their choice. The applicant, owner(s) and operator(s) shall be solely liable for all costs of defense and for all expenses, fees, judgments, settlements and all other costs arising out of such claims, lawsuits, or liabilities.

Signature(s) of Applicant(s)

(Print Name)

(Print Name)

SUBSCRIBED AND SWORN TO before me

this ____ day of _____, 20 ____.

SUBSCRIBED AND SWORN TO before me

this ____ day of _____, 20 ____.

SEAL HERE

SEAL HERE

(Notary Public)

(Notary Public)

255 E. Wilson Avenue
Lombard, IL 60148

Tel: (630) 620-5750
Fax: (630) 629-2374

*** OFFICE USE ONLY ***

Approval & Routing	
Administration (Village Manager's Office) Waiver of Fee (if the event is for a not for profit organization, please submit a document to the Village Manager requesting a waiver of the permit fees).	☐ _____
Finance	☐ _____
Village Board, if applicable	☐ _____
Planning Services Division	☐ _____
Building Division	☐ _____
Fire / EMS	☐ _____
Police Department	☐ _____
Public Works	☐ _____
DuPage Health Department, if applicable	☐ _____
Conditions:	
Permit Number:	
Cash Bonds:	
Cash bonds to be submitted in the amount of \$500.00 for a temporary event of three (3) days or less or \$1,000.00 for a temporary event of more than three (3) days to ensure that no damage will be done to the street, sewers, trees, or adjoining property. Any applicant whose place of business or operation is located within the corporate limits of the Village and whose application discloses that such applicant will sponsor and/or operate the temporary event, shall be exempt from the cash bond requirement.	
Fees:	
	\$50.00 Per Day
	\$20.00 Per Week (For Seasonal Outdoor Garden Sales)
	\$150.00 Per Day for the first fifteen (15) attractions, plus \$10.00 per day for each additional attraction.
	\$0.00 (Check Here if Waiver of Fee Requested)
After Hour Inspections: If inspections cannot be conducted during the course of regular business hours (Monday - Friday 8:00 AM - 4:30 PM), after hour inspection fees must be paid. Those fees are as follows: \$100.00 per hour (minimum of 2 hours required).	

255 E. Wilson Avenue
Lombard, IL 60148

Tel: (630) 620-5750
Fax: (630) 629-2374

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE XI, CHAPTER 110 OF THE LOMBARD VILLAGE CODE IN REGARD TO SPECIAL AND TEMPORARY EVENTS

WHEREAS, the Village of Lombard (the "VILLAGE") has established and maintains business regulations, which are found in Title XI, Chapter 110 of the Lombard Village Code; and

WHEREAS, the Corporate Authorities of the Village deem it reasonable to periodically review the Lombard Village Code and make necessary changes; and

WHEREAS, the Corporate Authorities of the Village find special and temporary events to enhance the community and provide enjoyment for its residents; and

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That Title XI, Chapter 94, Section 110 of the Lombard Village Code of Lombard, Illinois is hereby amended, which shall read in its entirety as follows:

§ 110.40 Definitions.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Attraction: Any shows, acts, games vending devices; food stalls, booths or tents, rides or amusement devices.

Seasonal outdoor garden sales: The sale and delivery of garden materials, including live; flowers, trees, shrubs, vegetables, and similar live plants; cut trees, wreaths, and similar organic holiday decorations; landscape materials; and hardware implements associated with the installation and maintenance of the aforementioned items, to the public not conducted within a completely enclosed building. Sale may include the offering of refreshments and entertainment accessory to the sale.

Temporary event: Any temporary outdoor event, temporary special event, or any similar activity or land use, occurring over a specific and limited span of time, which has not been authorized or permitted by the certificate of occupancy or conditional use approval, other than a carnival, as defined in and regulated by § 110.60 of this Code.

Temporary open air cafe: The sale and delivery of food items intended for consumption on the premises for no more than a three-day period, not conducted within a completely enclosed building, with or without the provision of seating.

Temporary outdoor event: Any temporary open air cafe, temporary outdoor sale or auction, or any similar activity or enterprise, not conducted within a completely enclosed building.

Temporary outdoor sales or auctions: The sale and delivery of goods to the public for no more than a three-day period, not conducted within a completely enclosed building. Sale may include the offering of refreshments and entertainment accessory to the sale event.

Temporary special event: Any activity conducted within a completely enclosed building or structure, which is not specifically permitted by the certificate of occupancy issued for the building or structure in question.

§ 110.41 Permit required.

It shall be unlawful for any person, firm, or corporation to set up, run, operate, or conduct any temporary event as defined in § 110.40, in other than full compliance with the provisions of this subchapter and having first been issued a written permit from the Department of Community Development.

§ 110.42 Application.

The applicant for such permit shall file an application in writing with the Department of Community Development at least 20 days prior to the date of the opening to the public, which application shall specify:

- (A) The name of the person, firm, or corporation which will use the structures already erected or to be erected.
- (B) The location of the principal place of business of such person, firm or corporation.
- (C) The names and addresses of the officers of such firm or corporation.
- (D) The length of time any structures to be erected are intended to be used as places of assembly.
- (E) The hours during which the structures are intended to be used as places of assembly.
- (F) The maximum anticipated attendance at the event at any one time.
- (G) The provisions made for sanitary facilities for persons using the premises on which the temporary event is to be maintained.
- (H) A detailed description and documentation of plans and provisions for crowd control and security at the temporary event.
- (I) A site plan showing the location of all attractions, exits, sanitary facilities, fire alarms/life safety equipment, electrical connections to be used, stages or platforms to be erected, driveways to be used, and parking provided. In the case of a temporary special event, plans/diagrams/drawings of the building or structure to be used, showing the aforementioned items.

§ 110.43 Insurance.

- (A) The applicant shall furnish evidence with the application that a public liability and insurance policy shall be in force and effect at the time such temporary event is to be open to or maintained for public access. Said insurance policy shall maintain limits no less than:

- (1) *Comprehensive general liability*: \$1,000,000.00 combined single limit per occurrence for bodily injury, personal injury and property damage.
 - (2) *Automobile liability*: \$1,000,000.00 combined single limit per accident for bodily injury and property damage. Required only when the use of vehicles is associated with the temporary event.
 - (3) *Workers' compensation and employers' compensation limits* as required by the Labor Code of the State of Illinois and Employers' Liability limits of \$1,000,000.00 per accident.
- (B) The policies are to contain, or be endorsed to contain, the following provisions for general liability and automobile liability coverages:
- (1) The village, its officials, employees and volunteers are to be covered as insured as respects; liability arising out of activities performed by or on behalf of the applicant; products and services of the applicant; premises owned, leased or used by the applicant; or automobiles owned, leased, hired or borrowed by the applicant. The coverage shall contain no special limitations on the scope of protection afforded to the village, its officials, employees or volunteers.
 - (2) The applicant's insurance coverage shall be primary insurance as respects the village, its officials, employees and volunteers. Any insurance or self-insurance maintained by the village, its officials, employees or volunteers shall be excess of applicants insurance and shall not contribute with it.
 - (3) Any failure to comply with the reporting provisions of the policies shall not affect coverage provided to the village, its officials, employees or volunteers.
 - (4) Coverage shall state that applicants insurance shall apply separately to each insured against whom claim is made or suite is brought, except with respect to the limits of the insurer's liability.
- (C) The applicant agrees upon receipt of a permit to indemnify, defend and hold harmless the Village of Lombard, its officers, agents, employees, representatives and their assigns, from any and all claims, lawsuits or other liabilities directly or indirectly arising from, in consequence or, or in reference to the permit granted. In connection with any such claims, lawsuits or liabilities, the village, its officers, agents, employees, representatives and their assigns, have the right to defense of counsel of their choice. The applicant shall be solely liable for all costs of such defense and for all expenses, fees, judgments, settlements and all other costs arising out of such claims, lawsuits or liabilities.

§ 110.44 Bond.

- (A) The applicant, prior to the issuance of any permit hereunder, shall deposit with the Village Treasurer a cash bond in the sum of \$500.00 for an event of three days or less, or \$1,000.00 for an event of more than three days to ensure that no damage will be done to the street, sewers, trees or adjoining property and that no dirt, paper, litter, or other debris will be permitted to remain upon the streets, adjoining property, or the site of the temporary event. Such cash bond shall be returned to the applicant upon certification by the Chief of Police

that all conditions of this Chapter have been complied with upon the termination and vacation of the event.

- (B) Any applicant whose place of business or operation is located within the corporate limits of the village; and is therefore accessible to village enforcement personnel in the event damage results from the temporary event, for which a permit has been issued under the provisions of this Chapter; whose application discloses that such applicant will sponsor and/or operate the temporary event, shall be exempt from the cash bond requirement contained in this section.

(Ord. 3548, passed 5/21/92)

§ 110.45 Fees.

- (A) The applicant, at the time of filing an application, shall pay to the Village Treasurer a fee or fees at the rate of \$150.00 for the first 15 attractions plus ten dollars for each additional attraction per calendar day during which the circus or carnival is to be maintained and operated.
- (B) The applicant, at the time of filing an application, shall pay to the Village Treasurer a fee or fees at the rate of \$50.00 per calendar day during which the temporary outdoor cafe, or temporary outdoor sale or auction, or temporary special event, is to be maintained and operated.
- (C) The applicant, at the time of filing an application, shall pay to the Village Treasurer a fee or fees at the rate of \$20.00 per calendar week during which the seasonal sale of seasonal outdoor garden sale is to be maintained and operated.

(D) Depending on the anticipated event attendance and type of event, Village personnel and services, including Police, Fire, Public Works or Community Development, may be required at an event. Charges for all Village personnel and services involved during the day(s) of the event and in the preparation of the event will be charged to the event sponsor. The Village shall determine the number of personnel and the level of services necessary to ensure the safety of participants and to minimize the impact of the event on Village operations and resources.

- (E)** Any not-for-profit fraternal organization or other charitable, religious, **governmental** or civic organization, except those whose primary purpose is to make a profit, may in their application request waiver of fees hereunder. The Village Manager or his designee may waive the fees for such not-for-profit applicants whose application discloses that such organizations will sponsor or operate the temporary event.

(Ord. 4055, passed 7/20/95)

§ 110.46 Inspection.

The Village Fire Chief **and/or Community Development Director, or his/her designee(s), and as deemed appropriate and** except where otherwise noted, shall make reasonable inspections to determine if the following conditions are met:

- (A) Adequate aisles for pedestrians, and fire separation between structure, attractions and sales areas;

- (B) Sufficient exits, marked and properly lighted;
- (C) Adequate wiring on all electrical fixtures;
- (D) Proper safeguarding of the use of any open flames;
- (E) Arrangements for the proper servicing of all areas where debris may be expected to accumulate;
- (F) All combustible decorative materials, including curtains, streamers, and cloth are rendered fireproof;
- (G) Satisfactory sanitary facilities on or near the premises on which the temporary event is to be maintained, sufficient for the public;
- (H) Adequate traffic circulation and parking provisions for patrons ~~as determined by the Department of Community Development.~~
- (I) Noise levels are controlled so as not to become a nuisance to adjacent uses. At no point on the boundary of a residence district, as defined in § 155.802, shall the sound intensity level exceed the levels ~~prescribed in § 155.419 (A-1)~~ **adopted by the Illinois Pollution Control Board, Title 35, Subtitle H, Chapter 1, Part 900 of the Illinois Administrative Code;**
- (J) Adequate security and crowd control as determined by the Chief of Police;
- (K) Adequate traffic control at all entrances to public streets as determined by the Chief of Police;
- (L) Adequate sanitation facilities and maintenance of all animals part of or associated with the circus or carnival.
- (M) Lighting does not intrude upon adjacent residential properties, ~~if any, as determined by the Department of Community Development.~~

Each permit issued hereunder shall contain the provision that police, fire, and other authorized officials of the village shall have the right to free access to the grounds and all buildings, structures, booths, shows, and concessions, and any other attractions on such grounds to inspect and enforce compliance with the provisions of this Chapter.

§ 110.47 Issuance of permit.

- (A) The Village Fire Chief, or other designated village official, shall make a report of the inspection to the Village Manager, who shall issue such permit if the report shows compliance with the provisions of this Chapter and the application otherwise meets all the requirements of this Chapter.
- (B) No more than four permits shall be issued for a single parcel of property within the same calendar year. In the case of seasonal outdoor garden sales, not more than two permits shall be issued for a single parcel of party, the total period of both permits not to exceed four months, within the same calendar year. In the case of an entity which holds a Class "P" liquor license, a single permit shall be issued each year, covering the entire Chicago Bears football season, relative to the events held pursuant to the class "P" liquor license during said Chicago Bears football season. In the case of an entity which holds a Class "J" liquor

license, pursuant to § 112.18(B)(6) of this Code, a single permit shall be issued for September 22, 2013 and November 4, 2013, relative to the viewing events held in conjunction with said Class "J" liquor license and associated with a Chicago Bears viewing event.

- (C) In no case shall a permit be issued for a single parcel of property such that the first day a permit is valid falls within three consecutive days of the terms of a previously issued permit.
- (D) In the case of carnivals and circuses, no permit may be renewed and no permit may be issued for more than ten days. In the case of temporary outdoor cafes, temporary special events, and of temporary outdoor sales or auctions, no permit may be renewed and no permit may be issued for more than three days. In the case of seasonal outdoor garden sales, no permit may be renewed and no permit may be issued for more than a three month period.
- (E) Any organization may in their application request an extension of the permit term hereunder. The President and Board of Trustees may extend the permit term for such applicants whose application discloses that such organizations will sponsor or operate the temporary event. In the event that an application is received by the village for approval of a temporary event exceeding the time limits set forth herein but prior to the next scheduled Village Board meeting, the village may grant a time extension for the temporary event provided that approval is granted by the Village Manager, Director of Community Development, Village President and the Village Trustee of the District in which the temporary event is scheduled to be held.

(Ord. 5960, passed 12/07/06; Ord. 6812, passed 4/4/13; Ord. 6839, passed 6/6/13; Ord. 6863, passed 9/5/13)

§ 110.48 Revocation of permit.

- (A) Any permit issued hereunder may be revoked by the Village Manager upon any finding by the Police Chief, Fire Chief, Building Official Inspector, ~~Electrical Inspector, Code Administrator~~, or other authorized official of the village that any provision of this Chapter has been violated or that any other ordinance of the village or statute of the State of Illinois has been violated. Upon the finding of any such violation the Village Manager shall cause written notice of the revocation stating the reason therefore to be served upon the permittee, his authorized agent, or the manager of such temporary event. Immediately upon receipt of a written notice of revocation, the permittee shall cease all operations.
- (B) If during any inspection the Fire Chief or his designee finds any attraction to pose a danger to public safety, the Fire Chief at his discretion may immediately terminate the operation of said attraction until such time as the danger is abated. Failure to abide by the order of the Fire Chief to terminate operation of said attraction shall be a violation of the permit provisions and shall result in the revocation of the permit for the entire event.
- (C) Any permittee whose permit has been revoked or whose attraction has been terminated may, within ten days of the receipt of notice thereof, appeal to the President and Board of Trustees of the village for a hearing thereon. If no such appeal is taken within ten days as provided herein, the action of the Village Manager is final.

§ 110.49 Prohibitions.

No permittee shall:

(A) Set up, permit, or operate any gambling device.

(B) Set up, permit, or operate any lewd, lascivious, or indecent show or attraction making an indecent exposure of the person or suggesting lewdness or immorality.

('70 Code, § 5.06.080) (Ord. 2080, passed 7-14-77, Ord. 3618, passed 11/5/92, Ord. 3760, passed 9/16/93; Ord. 6061, passed 06/21/07)

SECTION 2: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this ____ day of _____, 2015.

First reading waived by action of the Board of Trustees this ____ day of _____, 2015, pursuant to roll call vote as follows:

Passed on second reading this ____ day of _____, 2015.

Ayes: _____

Nays: _____

Absent: _____

Approved by me this ____ day of _____, 2015.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published by me in pamphlet form this ____ day of _____, 2015.

Sharon Kudrna, Village Clerk