

ORDINANCE 49 - 2013

AN ORDINANCE OF THE CITY OF READING AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 576 – VEHICLES AND TRAFFIC, PART 12 PARADES, SPECIAL EVENTS, AND PUBLIC GATHERINGS

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Code of Ordinances of the City of Reading Chapter 576 – Vehicles and Traffic, Part 12 Parades, Special Events, and Public Gatherings is hereby amended as attached in Exhibit A.

SECTION 2: All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended per the attached shall remain in full force and effect.

SECTION 3: If any section, subsection, sentence or clause of this ordinance is held for any reason to be invalid such decision shall not affect the validity of the remaining portions of the Ordinance.

Section 4: This Ordinance shall become effective in ten (10) days in accordance with Charter Section 219 after passage.

Enacted Oct 28, 2013



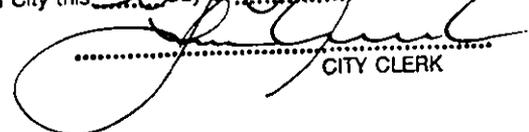
Council President

Attest:



City Clerk

I, LINDA A. KELLEHER, City Clerk of the City of Reading, Pa., do hereby certify, that the foregoing is a true and correct copy of the original Ordinance passed by the Council of the City of Reading, on the 28 day of Oct A. D. 20 13. Witness my hand and seal of the said City this 30 day of Oct A. D. 20 13.



CITY CLERK

Submitted to Mayor: 
Date: 10/29/13

Received by the Mayor's Office: _____

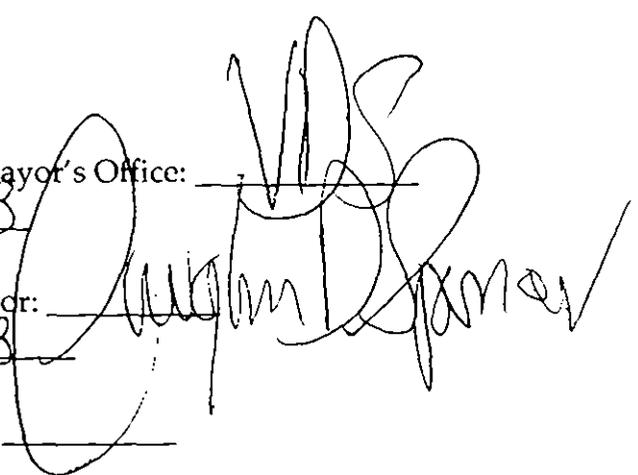
Date: 10/29/13

Approved by Mayor: _____

Date: 10/29/13

Vetoed by Mayor: _____

Date: _____

Handwritten signatures and initials in black ink. At the top, there are initials 'MS'. Below that, there is a large, stylized signature that appears to be 'William B. Brantley'. To the left of this signature is a large, loopy signature that is partially obscured by the 'Approved by Mayor' line. There are also some smaller, less legible signatures and initials scattered around the main ones.

PART 12

PARADES, SPECIAL EVENTS, AND PUBLIC GATHERINGS

§576-1201. Short Title.

This Part shall be known and cited as the "Parade and Special Events" Ordinance of the City of Reading, Pennsylvania."

§576-1202. Definitions.

APPLICANT - a person who has filed a written application for a Special Event or Community Event Site Reservation Permit and who assumes responsibility for all duties and responsibilities, including payment, under this ordinance.

BLOCK PARTY - *a large public party in which many members of a single neighborhood congregate, either to observe an event of some importance or simply for mutual enjoyment.*

CHIEF OF POLICE - the Chief of Police of the City of Reading, Pennsylvania

CITY - the City of Reading, Pennsylvania

COMMUNITY EVENT SITE RESERVATION - ~~means~~ a temporary event, gathering, or organized activity on any City street, public property, or in any City ~~park,~~ building, or other facility, when use of a site is desired by a community or group of citizens but no disruption of other citizen's passage occurs and no use of City services is needed. *A Community Event Site Reservation does not apply to the use of City pavilions, parks or recreation facilities.*

Neighborhood groups requesting block parties may request the use of City barricades for a fee. *A Community Event Site Reservation Permit must be filed ~~with~~ within 30 days prior ~~of~~ to the planned event.*

Examples of *Community Event Site Reservation* activities are small gatherings of persons distributing information and/or literature on advocacy, political, religious or other topics while exercising the rights of free speech and peaceful assembly.

COMMUNITY EVENT SITE RESERVATION PERMIT - *a document expressing the written and signed authorization to hold a Community Event Site Reservation. This*

document shall be *based upon an* application and issued by the *City of Reading* Police Department.

EVENT – a Special Event and Community Event Site Reservation.

PARADE - any parade, march or procession of any kind in or upon any street or public park within the City.

PERSON - any person, firm, partnership, association, corporation, company or organization of any kind.

RECREATION FACILITY/SITE RESERVATION – *a temporary event, gathering or organized activity at a City park, pavilion or recreational facility.*

RECREATION FACILITY/SITE RESERVATION PERMIT – *a document expressing the written and signed authorization to hold a Recreation Facility/Site Reservation. This document shall be based upon an application and issued by the Reading Recreation Commission.*

SIDEWALK - that portion of a street between the curb lines or lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians.

SPECIAL EVENT - ~~means~~ a temporary event, gathering, or organized activity on any City street, public property, or private property, or in any City park, building, or other facility, ~~when an organized activity is conducted~~ involving one (1) or more of the following factors:

1. Closing of a public street, sidewalk, or alleyway;
2. Blocking or restricting public property;
3. Blocking or restricting access to private property of others;
4. Use of pyrotechnics or special effects;
5. Use of open flame, explosions, or other potentially dangerous displays or actions;

6. Use or display of animals, aircraft, or watercraft only when such use or display could create a disturbance or affect the public safety of persons attending or in the immediate area of the event;
7. Sale or service of merchandise, food, or non-alcoholic and alcoholic beverages on public and private property where otherwise prohibited by Ordinance;
8. Installation of a stage, band shell, vehicle(s) of any kind, trailer, van, portable building, booth, grandstand, or bleachers on public property; or on private property where otherwise prohibited by Ordinance;
9. Placement of portable toilets on public property; or on private property where otherwise prohibited by Ordinance;
10. Placement of "No Parking" signs or barricades in a public right-of-way;
11. Amplification of music, voices, sounds, or activities in excess of the City of Reading Noise Ordinance;
12. The Public Works, Fire or Police Departments reasonably determine that the event will result in substantial impact on City resources, facilities, or public safety services in response thereto;
13. Examples of Special Events include but are not limited to: concerts, dances, assemblages, processions, parades, circuses, amusement rides, fairs, festivals, ~~block parties~~, community events, marathons and other running events, bicycle races and tours, ~~golf tournaments~~, car races, boat races, and other organized activity conducted for the purpose of fundraising for profit, non-profit fundraising, community promotion, or charity.
14. The Police Department Traffic Unit shall determine if a Special Event Permit is required.

SPECIAL EVENT PERMIT - *A document expressing the written, and signed authorization to hold a Special Event issued by the City of Reading Police Department and approved by City of Reading's Risk and Safety Coordinator, the City Solicitor, the Manager of Property Maintenance, the Public Works Director, and the Fire and Police*

Chief. *This document shall be based upon an application and issued by the City of Reading Police Department.*

SPECIAL EVENT VENUE - that area for which a Special Event Permit has been issued.

STREET - the entire width between the boundary lines of every publicly maintained right-of-way when any part thereof is open to use by the public for the purpose of vehicular traffic.

VENDOR - a person or entity that promotes or exchanges goods or services for money.

§576-1203. Permit Required.

1. Except as provided in this Ordinance, no person or entity shall conduct, facilitate, promote, manage, aid, or solicit attendance at a Special Event, ~~or~~ Community Event Site Reservation activity *or Recreation Facility/Site Reservation activity* until an applicable permit has been issued by the City of Reading *or the Reading Recreation Commission.*

2. **Exceptions.** This part shall not apply to:

- A. Funeral processions by a licensed mortuary;
- B. House moving and construction activities;
- C. Activities of a governmental agency *or the Reading Recreation Commission* acting within the scope of its authority and functions;
- D. Lawful exercise of free speech and right to assemble on sidewalks or other public property where such demonstration does not impede the passage of others and all laws, ordinances, and regulations are obeyed;
- E. Students traveling to and from classes or participating in school district sanctioned educational activities provided such conduct is under the immediate direction and supervision of the proper school authorities.

§576-1204. Application (Fees).

An individual requiring a Special Event Permit or a Community Event Site Reservation Permit shall pick up and submit a completed application for the event online or at the City's Police Department Traffic Office. *An individual requiring a Recreation*

Facility/Site Reservation Permit shall pick up and submit a completed application for the event online or at the Reading Recreation Commission. The application shall be signed by the applicant. The application will serve as a contract between the applicant and the City of Reading or the applicant and the Reading Recreation Commission as applicable.

~~Each Applicant requesting a Special Event Permit shall be required to pay a processing fee and a security deposit fee, neither of which will be waived. A copy of the receipt from the City's Treasury Office must accompany the application through the approval process in order for the permit to be issued. Such applicant may also be required to pay an additional fee for City services or facilities as described in §15-1205 below.~~

A. Filing Period.

1. A Special Event Permit application shall be submitted to the City at least ~~sixty (60)~~ *ninety (90)* days (~~two (2)~~ *three (3)* months) but no more than one hundred eighty (180) days (six (6) months) prior to the date proposed for the Special Event.
2. A Community Event Site Reservation Permit application ~~is free of charge and without need for a security deposit, except for a fee for Block Parties and the use of city barricades at block parties,~~ and shall be filed ~~within~~ *thirty (30)* days ~~prior to~~ of the planned event.
3. A Recreation Facility/Site Reservation Permit application shall be filed *thirty (30) days prior to the planned event.*

B. Late Applications. The Mayor or Chief of Police, where good cause is shown, may, but is not required to consider an application filed less than the applicable time frame only if all requirements for the permit can be met.

C. Special Event Permit Application Contents. The application for a Special Event Permit shall set forth the following information:

1. The name, address and daytime telephone number, fax, cell phone number, and email address of the person seeking to conduct such event.
2. If the event is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of

the organization and ~~of the~~ *those who are* authorized and responsible heads of ~~for~~ such organization.

3. The name, address and telephone number of the person who will be the event chairman and who will be responsible for its conduct.

4. The location of the event.

5. The purpose of the event.

6. The date, days, and times when the event is to be conducted.

7. The setup, tear-down, and cleanup dates and times.

8. The route to be traveled, the starting point and the termination point for parades.

9. The approximate number of persons who will be attending the Special Event and the approximate number of persons who will participate in the event as volunteers or workers.

Note: The PA Department of Health requires an ambulance on standby at the event for all events expecting 5,000 or more people.

10. The hours when such event will start and terminate.

11. ~~A statement as to whether the event will occupy all or only a portion of the width of the streets proposed.~~ *Maps detailing proposed site locations and/or routes along with written descriptions of the following:*

a. Amplification Devices: Types used and for what purposes.

b. Electrical Requirements: Voltage, amperage, and apparatus associated with electrical needs for activities, vendors, etc.

c. Emergency Medical Stations: First aid or emergency medical services based on Special Event risk factors, as determined by the City Manager City Managing Director or designee.

- d. *Equipment: Types of equipment used to service Special Event and/or to be showcased in the event.*
- e. *Fire Lanes: Contingency plan for access by fire-fighting and emergency medical vehicles, equipment, and personnel.*
- f. *Fireworks or Pyrotechnic Displays: Amount, type, and fire safety plans, including proof of application for state permit. All pyrotechnic/fireworks/flame display plans must be reviewed by the Fire Marshal's office and a member of the Fire Marshal's staff must be present at the time of the display.*
- g. *Litter Control: Number, size, and location of trash receptacles, as well as trash removal and disposal.*
- h. *Parade, Race, Other Similar Activities: Show start and finish locations for marathons, "fun-runs," "walk-a-thons," trail rides, cycle and motorbike tours, watercraft events, scavenger hunts, etc.*
- i. *Portable Toilets: The number of portable sanitation facilities based on the Portable Sanitation Association International (PSAI) policy, City policies, and City codes, including quantity that will be in compliance with the Americans with Disability (ADA) Act.*
- j. *Signage: Type of proposed on-site and off-site signage, including quantity, dimensions, and materials.*
- k. *Street Closures and Detours: A statement as to whether the Special Event will occupy all or only a portion of the width of the streets, sidewalks, or other public rights-of-way proposed for pedestrian and vehicular traffic control.*
- l. *Structures: All temporary structures, including but not limited to booths, buildings, stages, bleachers, fences, tents, awnings, and canopies. If any temporary structure is equal to or larger than two*

hundred (200) square feet in diameter, a certificate confirming the use of flame-retardant material shall be provided by applicant.

~~*(1) If any temporary structure is equal to or larger than two hundred (200) square feet in diameter, a certificate confirming the use of flame retardant material shall be provided by Applicant.*~~

m. Vendors: List each vendor, including products and services offered. The merchandise, products and services offered cannot be in violation of the duly enacted City of Reading Codified Ordinances and cannot include items that are "adult" related and can only be sold to persons over 21 years of age. All vendors must also provide a valid tax ID number, as required by Pennsylvania law, a valid City of Reading Business License, a copy of a current City or State issued health permit and a food handler certificate.

n. Vehicles: Types of vehicles used to support services to the Special Event and/or to be showcased in the event along with the approximate number of and description of any vehicles which will participate in the Special Event.

o. A plan to accommodate the anticipated parking requirements for those participating or attending the event.

~~*12. The location by streets of any assembly areas for such Event. Alcoholic Beverages:*~~

~~*a. Conditions and restrictions on the use of alcoholic beverages.*~~

~~*b. Submit a list of all vendors who will be providing alcohol.*~~

Note: Alcoholic Beverages are prohibited in all City parks, playgrounds and facilities except as specifically authorized by the City and in compliance with the Pennsylvania Liquor Control Board (PLCB).

13. ~~Maps detailing proposed site locations and/or routes along with written descriptions of the following:~~

- ~~p. Amplification Devices: Types used and for what purposes.~~
- ~~q. Electrical Requirements: Voltage, amperage, and apparatus associated with electrical needs for activities, vendors, etc.~~
- ~~r. Emergency Medical Stations: First aid or emergency medical services based on Special Event risk factors, as determined by the City Manager or City Manager's designee.~~
- ~~s. Equipment: Types of equipment used to service Special Event and/or to be showcased in the eEvent.~~
- ~~t. Fire Lanes: Contingency plan for access by fire fighting and emergency medical vehicles, equipment, and personnel.~~
- ~~u. Fireworks or Pyrotechnic Displays: Amount, type, and fire safety plans, including proof of application for state permit. All pyrotechnic/fireworks/flame display plans must be reviewed by the Fire Marshal's office and a member of the Fire Marshal's staff must be present at the time of the display.~~
- ~~v. Litter Control: Number, size, and location of trash receptacles, as well as trash removal and disposal.~~
- ~~w. Parade, Race, Other Similar Activities: Including but not limited to marathons, "fun runs," "walk a thons," trail rides, cycle and motorbike tours, watercraft events, scavenger hunts, etc. Show start and finish locations.~~
- ~~x. Portable Toilets: The number of portable sanitation facilities based on the Portable Sanitation Association International (PSAI) policy, City~~

~~policies, and City codes, including quantity that will be ADA accessible.~~

y. ~~Signage: Type of proposed on site and off site signage, including quantity, dimensions, and materials.~~

z. ~~Street Closures and Detours: A statement as to whether the Special Event will occupy all or only a portion of the width of the Streets, Sidewalks, or other public rights of way proposed for pedestrian and vehicular traffic control.~~

aa. ~~Structures: All temporary structures, including but not limited to booths, buildings, stages, bleachers, fences, tents, awnings, and canopies. If any temporary structure is equal to or larger than two hundred (200) square feet in diameter, a certificate confirming the use of flame retardant material shall be provided by Applicant.~~

~~If any temporary structure is equal to or larger than two hundred (200) square feet in diameter, a certificate confirming the use of flame retardant material shall be provided by Applicant.~~

bb. ~~Vendors: List each vendor, including products and services offered. The merchandise, products and services offered cannot be in violation of the duly enacted City of Reading Codified Ordinances and cannot include items that are "adult" related and can only be sold to persons over 21 years of age. All Vendors must also provide a valid tax ID number, as required by Pennsylvania law, and a valid City of Reading *Business License*, a copy of a current City or State issued health permit and a food handler certificate.~~

cc. ~~Vehicles: Types of vehicles used to support services to the Special Event and/or to be showcased in the event. Admission Fees: The cost~~

of admission, if any, and whether the event is a public or private event.

~~14. Admission Fees: The cost of admission, if any, and whether the Event is a public or private event. Animals: The approximate number and description of the types of animals anticipated to be part of the Special Event, if any. Refer to the Animal Control Ordinance for requirements for proper control and handling of animals and animal waste during Special Events.~~

Event applications including the use of animals will be reviewed by the Animal Control Agency.

~~15. Alcoholic Beverages:~~

- ~~a. Conditions and restrictions on the use of alcoholic beverages.~~
- ~~b. Submit a list of all vendors who will be providing alcohol, along with copies of their TABC certificates.~~

~~Note: Alcoholic Beverages are prohibited in all City parks, playgrounds and facilities except as specifically authorized by the city and in compliance with the PLCB. Insurance: Proof of comprehensive general liability insurance in the amount of One Million Dollars (\$1,000,000.00), naming the City of Reading and other affected entities as additional insured as explained in §15-1220.~~

~~16. Animals: The approximate number and description of the types of animals anticipated to be part of the Special Event, if any. Refer to the Animal Control Ordinance for requirements for proper control and handling of animals and animal waste during Special Events.~~

~~Special Events applications including the use of animals will be reviewed by the Animal Control Agency. Water/Wastewater: If applicable, a plan for the disposal of waste water, including capture and containment, as approved by the Public Works Department. All water generated must be disposed of through an approved sanitary sewage system that is constructed, maintained, and operated according to law.~~

~~17. Insurance: Proof of comprehensive general liability insurance in the amount of one million dollars (\$1,000,000.00), naming the City of Reading as additional~~

~~insured. Also, include additional affected entities, i.e., BEDC. Miscellaneous: Any additional information which the Chief of Police shall find reasonably necessary to a fair determination as to whether a permit should be issued.~~

~~18. Miscellaneous: Any special or unusual requirements that may be imposed or created by virtue of the nature or operation of the proposed Special Event activity, as well as any other information required by the Police Traffic Office.~~

~~19. Water/Wastewater: If applicable, a plan for the disposal of waste water, including capture and containment, which plan shall be approved by the Public Works Department. All water generated must be disposed of through an approved sanitary sewage system that is constructed, maintained, and operated according to law.~~

~~20. Liability insurance covering the City for any claim or claims by any persons or entities arising out of the conducting of said parades or special events shall be required as a condition to granting the applications with respect to those parades or special events which considering the nature thereof, and the activities involved, in the discretion of Chief of Police, on the recommendation of the Safety and Risk Manager of the City, require insurance in such amounts as the Chief of Police shall determine on the advice of the Safety and Risk Manager of the City.~~

~~21. Any additional information which the Chief of Police shall find reasonably necessary to a fair determination as to whether a permit should be issued.~~

D. Community Event Site Reservation Application Contents. The application for a Community Event Site Reservation shall set forth the following information:

- ~~1. Location of the Event. Name of applicant~~
- ~~2. Purpose of the Event. Contact information of applicant~~
- ~~3. Date of the Event. Organization name where applicable~~
- ~~4. Number of persons expected for the Event. Organization contact information where applicable~~
- ~~5. Location of the event.~~
- ~~6. Purpose of the event.~~
- ~~7. Date of the event~~
- ~~8. Number of persons expected for the event.~~
- ~~9. Acknowledgement that the applicant accepts the proposed site in as-is condition at the time of the event.~~

E. Recreation Facility/Site Reservation Application Contents. The application for a Recreation Facility/Site Reservation shall set forth the following information:

- 1. Name of applicant**
- 2. Contact information for applicant**
- 3. Facility requested**
- 4. Purpose of the event**
- 5. Date of the event**
- 6. Number of persons expected for the event**
- 7. Acknowledgement that the applicant is responsible for cleanup.**

§576-1205. Fees, Time Limit, and Cost of Event

Fees. All ~~application~~ *permit* fees are due and payable at the time of filing of the application. A copy of the receipt from the City's Treasury Office must accompany the application through the approval process in order for the permit to be issued.

1. Special Event Permit:

~~With proof of non-profit status (i.e., document of incorporation or 501 (c) status): One Hundred Dollars (\$100.00).—Each applicant requesting a Special Event Permit shall be required to pay a processing fee and a security deposit fee, neither of which will be waived. Such applicant may also be required to pay an additional fee for City services or facilities as described in §576-1205 below.~~

a. All fees required for a Special Event Permit shall be adopted by City Council and contained within the City of Reading Fee Schedule.

~~b. All others: Three Hundred Dollars (\$300.00) If the event is canceled or not held after the permit has been issued by the City, the processing fee will be refunded, minus a \$50 administrative processing fee and other costs incurred by the City.~~

~~c. If the event is canceled or not held after the permit has been issued by the City, the processing fee will be refunded, minus a \$50 administrative processing fee.—Security Deposit:~~

1. All security deposit fees required under this part shall be adopted by City Council and contained within the City of Reading Fee Schedule.

2. *The security deposit must be paid with a separate check so that it can be placed in escrow for easy return, if applicable.*

3. *The full security deposit will be refunded if the location of the Special Event is clean and free of litter and damage and City services costs are paid. The refund of the security deposit will be prorated based upon the condition of the premises at the conclusion of the event as determined by the City's Police Department Traffic Office or its designee.*

4. *The fee amount does not include any additional fees charged by various City Departments for the use of City facilities or City services.*

5. *Additional fees that arise during the event will be billed to the applicant and will be due within thirty (30) days after mailing of the invoice.*

d. *Security Deposit:*

~~1. A Five Hundred Dollars (\$500.00) security deposit will be required at the time of filing of the application.~~

~~2. The security deposit must be paid with a separate check so that it can be placed in escrow for easy return, if applicable.~~

~~3. The full security deposit will be refunded if the location of the Special Event is clean and free of litter and damage and City services costs are paid. The refund of the security deposit will be prorated based upon the condition of the premises at the conclusion of the event as determined by the City's Police Department Traffic Office or its designee.~~

~~4. The fee amount listed above does not include any additional fees charged by various City Departments for the use of City facilities or City services.~~

~~5. Additional fees that arise during the event will be billed to the applicant and will be due within thirty (30) days after mailing of the invoice.~~

2. *Community Event Site Reservation:* The Community Event Site Reservation is free of charge except block parties requiring City barricades. ~~will be assessed a Fifty Dollar (\$50.00) fee. Such fee for barricades will be adopted by City Council and contained within the City of Reading Fee Schedule.~~ No security deposit will be required.

3. ~~Use of City Personnel Resources for Event: Recreation Facility/Site Reservation:~~

~~a. Fire and EMS, Police, and Public Works will determine the number of and duration of personnel needed to provide services for the event based on the nature, the location, and the number of expected attendees. Extra employees will often have to be scheduled as to not significantly interfere with regular city operations.~~

~~b. Costs for needed services shall be paid according to the current City hourly rate for the personnel involved in the event and in adherence to conditions set forth in bargaining agreements, such as the minimum number of hours to be paid for such employee service. The overtime rate for employees will most likely be applicable.~~

~~c. Cost estimates will be provided to the Applicant at least thirty (30) days prior to the event. Payment for estimated city services are due in full fourteen (14) days prior to the event.~~

~~d Any complaints concerning the amount and cost of personnel needed to provide a clean and safe event will be heard and decided by the Director of Finance or the City Managing Director.~~

~~All fees required for a Recreation Facility/Site Reservation shall be adopted by City Council and contained within the City of Reading Fee Schedule.~~

4. *Use of City Personnel Resources for Event:*

a. Fire and EMS, Police, and Public Works will determine the number of and duration of personnel needed to provide services for the event based

on the nature, the location, and the number of expected attendees. Extra employees will often have to be scheduled as to not significantly interfere with regular city operations.

b. Costs for needed services shall be paid according to the current City hourly rate for the personnel involved in the event and in adherence to conditions set forth in bargaining agreements, such as the minimum number of hours to be paid for such employee service. The overtime rate for employees will most likely be applicable.

c. Cost estimates will be provided to the Applicant at least thirty (30) days prior to the event. Payment for estimated City services are due in full fourteen (14) days prior to the event.

d Any complaints concerning the amount and cost of personnel needed to provide a clean and safe event will be heard and decided by the City Managing Director or designee.

§576-1206. Changes to the Application.

Any proposed changes to the application prior to the date of the event must be approved by the City's Police Department *or the Reading Recreation Commission, as applicable*, with possible consultation with Public Works, Manager of Property Maintenance, Fire, Risk and Safety and the City Solicitor.

§576-1207. Date of ~~Special Event or Community Event Site Reservation~~ Will Not Be Confirmed Until A Permit Issued.

Notwithstanding the ~~City's Police Traffic Unit's~~ acceptance of a completed application, no date for an ~~Special or Community~~ event shall be considered confirmed until an applicant has fully complied with all necessary requirements and the ~~Special Event Permit or the Community Event Site Registration~~ Permit has been approved and issued by the ~~City of Reading~~. If an application for an ~~Special or Community~~ event ~~Site Reservation~~ has been submitted for a specific date but is waiting for approval, no other application can be accepted for that same date and location until a decision on the first ~~Special Event or Community Event Site Reservation~~ application has been made.

Certain annual Special Events have a "standing tentative reserved date," such as the Holiday Parade and the Labor Day Parade. These dates will be honored providing the applicant submits the Special Event Permit application in accordance with this Ordinance.

To avoid double-booking a City facility, the person responsible for City facilities should be notified immediately of the proposed date and event so that the venue can be tentatively reserved for said date.

§576-1208. Conditions for Issuance of a ~~Special Event Permit or Community Event Site Reservation or Recreation Facility Site Reservation~~ Permit, where applicable.

The City's Police Traffic Office *or the Reading Recreation Commission* may issue a ~~Special Event Permit or Community Event Site Reservation~~ Permit, where applicable, when:

1. An application is successfully completed and filed in accordance with this ordinance; and
2. All of the following conditions are satisfied:
 - a. The event will not substantially interrupt the safe and orderly movement of vehicular and pedestrian traffic.
 - b. The event will not require the diversion of police officers, fire department personnel or other department employees so as to significantly impact the City department's ability to respond

appropriately to regular City duty throughout the remainder of the community.

c. The concentration of persons, animals, vehicles, or things at the staging and disbanding areas, as well as along the event or street activity route, will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets.

d. The event is not being conducted for an unlawful purpose, nor will it violate any ordinance of the City or any other applicable law.

e. The event will not substantially interfere with any other event for which an event permit has already been issued; nor shall it substantially interfere with the provision of City services in support of other scheduled events or unscheduled government functions.

f. The event will not have any unmitigated adverse impact upon residential or business access and traffic circulation in the same general venue.

g. All sponsor(s), participants, and attendees at events are subject to all laws, ordinances, and regulations not specifically exempted by the Special Event permit or the Community Event Site Reservation Permit, including but not limited to noise volume, disorderly conduct, and intoxication. Police, fire and code officers may order the shutdown of a *Special Event*, ~~or a~~ *Community Event Site Reservation or a Recreation Facility/Site Reservation* that becomes disorderly or hazardous.

§576-1209. Denial or Revocation of a ~~Special Event Permit or Community Event Site Reservation Permit~~

The City's Police Department Traffic Office, in consultation with the City Mayor or Managing Director *or the Reading Recreation Commission* may deny or revoke ~~an Special Event or Community Event Site Registration~~ application or subsequent Permits if the applicant fails to satisfy or violates any of the requirements set forth in this ordinance; or

1. The applicant has made or permitted the making of a false or misleading statement or omission of material fact on the ~~Special Event~~ Permit application; or

2. The applicant has violated this Ordinance or has had a ~~Special Event~~ Permit revoked within the preceding twelve (12) months; *or*
3. The applicant violates or has violated within the past twelve (12) months another City Ordinance or State law; *or*
4. The City's Police Department Traffic Office *or the Reading Recreation Commission* believes that persons or property are at risk as a result of the activities or conduct of persons at the event; *or*
5. *The applicant has violated any terms or conditions of the permit as issued.*

§576-1210. Notice of Decision

If the application is rejected, ~~the Police Department Traffic Office~~ *notice* shall *be provided* by facsimile transmission, e-mail, telephone, and/or U.S. mail directed to the applicant within ten (10) business days after the date upon which the application was filed, a notice of its action, stating the facts and conclusions, which are the basis for the denial of the Permit. If the Permit is revoked, ~~the City's Police Department Traffic Office~~ *notice* shall similarly provide to the applicant a reason for its action within ten (10) business days after the event.

§576-1211. Street Activity and Route Restrictions

The City's Police Department and/or City Managing Director may alter the time restrictions stated herein upon review of the ~~Special~~ event's location, time, type, safety concerns, the City's capabilities, and proximity to residential properties. ~~Special~~ Events shall comply with the following restrictions:

1. ~~Special~~ Events held on public property within the City limits or on a publicly maintained right-of-way may begin staging (setting up) at 6:00 a.m. and shall disband (shut down) at 10:00 p.m. Cleanup must be completed by midnight.
2. ~~Special~~ Events held primarily in a residential area may begin staging (setting up) at 10:00 a.m. and shall disband (shut down) by 8:00 p.m. Cleanup must be completed by 10:00 p.m.
3. *For* ~~Special~~ events held primarily in a residential area and requiring street closures, the appropriate safety/security measures must be approved by the

Chief of Police and/or the Managing Director for the duration of the ~~Special~~ event and at the expense of the Applicant.

4. Noise levels for such ~~Special~~ events shall not exceed maximum permissible sound levels in accordance with *the* City's Noise Ordinance. This includes but is not limited to air horns and other horn blowing apparatus, whistles, and amplified music, speech, and other sounds.

5. Throwing any items, including but not limited to candy, gum, food, beads, confetti, balloons, and toys, from any and all kinds of moving vehicles, equipment, trailers, bicycles, motorcycles, animals, etc. during ~~Special~~ event parades is strictly prohibited. However, such items may be handed to individuals curbside.

6. Only licensed drivers may operate motorized vehicles and equipment during parades. This includes but is not limited to automobiles, tractors, trucks of all makes, all-terrain vehicles (ATV), and go-carts.

7. The merchandise, products and services offered cannot be in violation of the duly enacted City of Reading Codified Ordinances and cannot include items that are "adult" related and can only be sold to persons over 21 years of age.

§576-1212. Temporary Signs for ~~Special~~ Events

It is unlawful for any person to place, post, paint, erect, display, secure, or maintain any sign, banner, lighting, or advertising without the prior written approval of the Public Works Department. In case of conflict with the City's sign regulations in the Code of Ordinances, the City's sign Ordinance shall control.

All ~~Special~~-event signs, banners, flyers, or advertisements of any kind shall be contained within the boundaries of the event location and shall be removed within twenty-four (24) hours of the completion of the ~~Special~~ event. An ~~Special~~-event sign not removed in compliance with this section may be removed by the City at the expense of the applicant to include costs incurred by the City for removal of same. If an ~~Special~~-event sign, banner, flyer, or advertisement becomes a hazard to the public's safety or welfare due to inclement weather, inadequate maintenance, accidental damage, or other cause, the City shall remove the sign immediately at the sole cost of the applicant. After removal by the City, the City may store, dispose, destroy, or otherwise handle the sign as it deems appropriate and shall have no liability to the applicant or sign owner related to same. All banners not picked up by the applicant or designee within one (1) week

after completion of said ~~Special~~ event, may be disposed, destroyed, or otherwise handled as deemed appropriate with no liability on the part of the City.

§576-1213. Appeal Procedure.

Any person aggrieved by the action of the Chief of Police this ordinance shall have the right to have the action of the Chief of Police reviewed by the Mayor of the City upon written request to the Mayor delivered by registered mail at to the Mayor's Office or to the Reading Recreation Commission, as applicable. The Mayor shall thereupon review the action of the Chief of Police and the reasons for his action and notify the aggrieved party by mail within 10 days of the receipt of the appeal of his action thereon.

Where a late application has been denied by the Chief of Police, the action of the Chief of Police may be reviewed by the Mayor, upon receipt of a written request for review by the aggrieved party. Failure to issue a permit within 3 days of the receipt of the appeal shall be deemed notice of dismissal of the appeal.

§576-1214. Alternative Permit.

The Chief of Police in denying an application for an ~~an Special event permit or Community Event Site Reservation Permit~~ shall be empowered to authorize the conduct of the event on a date, at a time, or over a route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within 5 days after notice of the action of the Chief of Police, file a written notice of acceptance with the Chief of Police. An alternate event permit shall conform to the requirements of, and shall have the effect of a event permit under this Part.

§576-1215. Notice to City and Other Officials.

Immediately upon the issuance of a ~~parade~~ *Special Event or Community Site Reservation Permit*, the Chief of Police shall send a copy thereof to the following:

- A. The Mayor.
- B. The City Solicitor.
- C. The Fire Chief.
- D. *The Director of Public Works*

§576-1216. Duties of Permittee.

A permittee hereunder shall comply with all permit directions and conditions and with applicable laws and ordinances.

Possession of Permit. The applicant or other person heading or leading such activity shall carry the event permit upon his person during the conduct of the event.

§576-1217. Public Conduct During Event.

Interference. No person shall unreasonably hamper, obstruct or impede or interfere with any event or with any person, vehicle or animal participating or used in an event.

Driving Through Events. No driver of any vehicle shall drive between the vehicles or persons comprising an ~~Special~~ event when such vehicles or persons are in motion and are conspicuously designated as an ~~Special~~ event.

Parking on Special Event Routes. The Chief of Police, Police Traffic Supervisor, City Managing Director or designated representative shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a highway or part thereof constituting a part of the route of an ~~Special~~ event.

§576-1218. Inspections

Amusement rides and/or attractions associated with Special Events shall conform to statutory rules and regulations set forth in the Commonwealth of Pennsylvania. Copies of inspection or approval reports shall be required prior to use in the City limits and verified by authorized City personnel. Amusement rides in enclosed areas greater than one thousand (1,000) square feet are required to be "fire-sprinkler-ready" with an external Fire Department Connection (FDC) and be inspected by the Fire Marshal's office.

All temporary structures, including but not limited to booths, buildings, stages, bleachers, fences, tents, awnings, and canopies. If any temporary structure is equal to or larger than two hundred (200) square feet in diameter, a certificate confirming the use of flame-retardant material shall be provided by applicant and shall be inspected by the Fire Marshal's office.

Special electrical and water/wastewater needs must be inspected prior to the event.

§576-1219. Animal Waste

Refer to the Animal Control Ordinance for requirements related to ~~Special~~ event activities involving animals. Applicants are responsible for properly controlling and handling all animals and animal waste.

§576-1220. Insurance Required to Conduct a Special Event or a Recreation Facility/Site Reservation Event involving City Gymnasium Rentals

An applicant for a Special Event must provide *a certificate of insurance showing* proof of comprehensive general liability insurance in the amount of One Million Dollars (\$1,000,000.00) ~~to protect the City against loss from liability imposed by law for damages on account of bodily injury and/or property damage arising from any aspect of the Special Event.~~ Such insurance shall name the City of Reading, its officers, employees, agents, and, if required, any other public entity involved in the ~~Special~~ event, as additional insured on a separate endorsement maintained for the duration of the ~~Special~~ event. Notice of limitation, reduction, or cancellation of insurance coverage shall be provided immediately to the City of Reading by the carrier and the applicant.

The insurance required shall encompass all liability insurance requirements imposed for other permits required under other sections of this Ordinance and is to be provided for the benefit of the City and not as a duty, expressed or implied, to provide insurance protection for spectators or participants.

A certificate of insurance ~~The insurance required~~ must be submitted to the Police Traffic Office no later than two (2) weeks prior to the event. ~~Before this time, a letter of intent to insure from the Event's insurance agency must be on file with the application that states the City of Reading will be additionally insured.~~ Failure to provide the insurance or the letter of intent for insurance could result in the denial/revocation of the ~~Special Event~~ Permit.

§576-1221. Indemnification

The applicant for a ~~Special-Event~~ permit shall *acknowledge that he or she will* indemnify and hold harmless the City, its officers, employees, agents, and representatives against all claims of liability and causes of action resulting from injury or damage to persons or property arising out of the ~~Special~~ event.

§576-1222. Conditions for Premises After the ~~Special~~ Event

The applicant is required to bring the premises back to the same or better condition; and failure to comply, will result in no future events to be held by the applicant or organization *and loss of security deposit.*

§576-1223. ~~Revocation of Permit. Penalties.~~

~~The Chief of Police shall have the authority to revoke a special event permit issued hereunder upon violation of the standards for issuance as herein set forth.~~

- 1. It shall be unlawful for any person to stage, present, or conduct or attempting to stage, present or conduct an event without first having obtained a permit therefore as herein provided or who shall otherwise violate any of the provisions of this Part.*
- 2. A person commits a summary offense if he/she:*
 - A. Knowingly commences or holds an event without an event permit or with a permit that has expired or has been revoked; or*
 - B. Knowingly violates any terms or provisions of this Ordinance.*
- 3. Violations of this Ordinance shall be treated as strict liability offenses regardless of intent.*
- 4. This Ordinance governs fire safety and public health, safety, and general welfare. Accordingly, any person, firm, corporation, or organization violating or failing to comply with any of the provisions of this Ordinance shall be subject to the penalty as provided for in the City of Reading Code of Ordinances.*
- 5. The penalty upon conviction of any violation of this section is Five Hundred Dollars (\$500.00.)*

~~**Penalties.**~~ *The administration may promulgate further regulations concerning this section.*

~~*1. It shall be unlawful for any person to stage, present, or conduct or attempting to stage, present or conduct an event without first having obtained a permit therefore as herein provided or who shall otherwise violate any of the provisions of this Part.*~~

~~§15-1225. Penalty for Violations of Ordinance~~

- ~~1. A person commits a summary offense if he/she
 - ~~A. Knowingly commences or holds a Special Event without a Special Event Permit or with a permit that has expired or has been revoked; or~~
 - ~~B. Knowingly violates any terms or provisions of this Ordinance; or.~~~~
- ~~2. Violations of this Ordinance shall be treated as strict liability offenses regardless of intent.~~
- ~~3. This Ordinance governs fire safety and public health, safety, and general welfare. Accordingly, any person, firm, corporation, or organization violating or failing to comply with any of the provisions of this Ordinance shall be subject to the penalty as provided for in the City of Reading Code of Ordinances.~~
- ~~4. The penalty upon conviction of any violation of this section is Five Hundred Dollars (\$500.00.)~~