

ORDINANCE NO. 023-04

AN ORDINANCE AMENDING TITLE 12, CHAPTERS 12.18.010 AND 12.18.060 OF THE LAUREL MUNICIPAL CODE RELATED TO SPECIAL EVENTS PERMITS.

WHEREAS, the City Council desires to keep the Laurel Municipal Code current by modifying and updating Chapters, Sections, and Subsections to address situations and problems within the City and to remain in accordance with Montana law;

WHEREAS, City Staff prepared, reviewed, and approved the following amendments to the existing LMC § 12.18 *et al*, as noted herein, and hereby recommends the same to the City Council for their full approval; and

WHEREAS, the proposed changes to the existing LMC § 12.18.010 and 12.18.060 are attached hereto and hereby fully incorporated herein. *See* attached revised Chapters and proposed Ordinance changes.

This Ordinance shall become effective thirty (30) days after final passage by the City Council and approved by the Mayor.

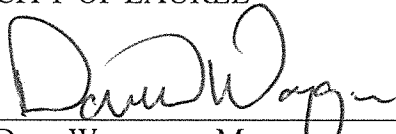
Introduced and passed on first reading at a regular meeting of the City Council on the 14th day of November 2023, upon Motion by Council Member Mize.

PASSED and ADOPTED by the Laurel City Council on second reading on the 28th day of November 2023, upon Motion by Council Member Sparks.

APPROVED BY THE MAYOR on the 28th day of November 2023.



CITY OF LAUREL



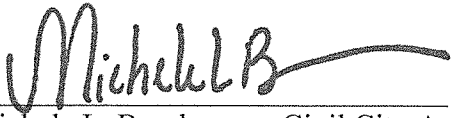
Dave Waggoner, Mayor

ATTEST:



Kelly Streeker, Clerk-Treasurer

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "Michele L. Braukmann". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Michele L. Braukmann, Civil City Attorney

Chapter 12.18 SPECIAL EVENT PERMITS

12.18.010 Requirement to obtain special event permit.

- A. It is unlawful for any person to conduct any event in or upon any public street, highway, sidewalk, alley, or other public way owned, controlled, or maintained by or within the city, or knowingly participate in any such event, unless and until a special event permit to conduct such event has been obtained from the city.
- B. It is unlawful for any person to conduct any event in or upon property owned, controlled, or maintained by the city, or knowingly participate in any such event, unless and until a special event permit to conduct such event has been obtained from the city if:
 - 1. The event involves more than ~~fifty~~twenty-five people;
 - 2. The event involves the consumption of alcoholic beverages;
 - 3. The event involves the physical alteration to city property;
 - 4. The event involves vending/solicitation; or
 - 5. If fees are to be collected by the permittee for the event.
- C. The following activities are exempt from the special event permit requirement: funeral processions, lawful picketing on sidewalks when the number of participants does not substantially impede, obstruct, impair, or interfere with the free use of the sidewalk or the conduct of business, and activities conducted by a governmental agency acting within its scope of authority.

(Ord. 07-03 (part), 2007)

(Ord. No. O22-06, 11-8-2022)

12.18.060 Insurance and indemnity.

Sponsoring persons, organizations, companies, corporations, or other entities applying for a special event permit shall hold the city harmless and indemnify from any and all claims, damages, loses and expenses arising from the special event. Applicants for a special event permit shall agree in writing to hold harmless and indemnify the city for any and all claims, lawsuits, or liability, including attorney's fees and costs allegedly arising out of the loss, damage, or injury to persons or personal or public property occurring during the course of or pertaining to the special event caused by the events sponsoring organizations, companies, corporations, or other entities, their officers, employees, or agents.

The sponsoring organization shall carry appropriate insurance as required by the city, including comprehensive general liability, automobile liability and/or designated premises liability in the minimum amount of ~~one~~two million dollars per occurrence and ~~two~~four million dollars aggregate per event or location, and when deemed necessary, the City can require more insurance coverage for higher-exposure events. The city must be named as an additional named insured.

The mayor has the authority to waive the requirements contained in this section. Additionally, the mayor may require insurance coverage in a higher or lower amount based upon the type of special event, the number of persons anticipated to attend the special event, or the anticipated number of persons participating in the special event.

(Supp. No. 20)

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Each applicant shall execute a hold harmless agreement in a form approved by the city agreeing to defend, indemnify, and hold harmless the city against losses and liabilities incurred from the conduct of the applicant or its officers, employees, and agents. The agreement must be submitted to the mayor with the application for a special event permit.

(Ord. 07-03 (part), 2007)

(Ord. No. 014-02, 7-15-2014; Ord. No. 022-06, 11-8-2022)