

Agenda

Casper City Council Work Session
City Hall, Council Meeting Room
Tuesday, January 9, 2018, 4:30 p.m.




Work Session Meeting Agenda Items		Recommendation	Allotted Time	Beginning Time
Recommendations = Information Only, Move Forward for Approval, Direction Requested				
1.	Full-Time Municipal Judge (Fleur Tremel)	Information Only	20 min	4:30
2.	Event Policy Guideline Status Update (Tom Pitlick, Pete Meyers)	Information Only	20 min	4:50
3.	Council Retreat Setting Discussion (Carter Napier)	Direction Requested	20 min	5:10
4.	Legislative Update	Information Only	20 min	5:30
5.	Council Around the Table	Information Only	45 min	5:50
6.	Executive Session - Personnel			6:35

Public Safety



**Sustainability
of Assets & Services**

January 5, 2018

MEMO TO: J. Carter Napier, City Manager 
FROM: Fleur Tremel, Assistant to the City Manager
Tanya Johnson, Municipal Court Analyst
SUBJECT: Consideration of Full-time Judges in Municipal Court

Meeting Type and Date:
Council Work Session
January 9, 2018

Action Type:
No action.

Recommendation:
For information only.

Summary:

The City of Casper's Municipal Court has employed part-time judges for the last seventeen (17) years. Currently the City employs three (3) part-time judges. These judges cover the bench and a court administrator covers the administration of court staff.

In the past, the court has employed full-time judges. The two most recent periods during which the court operated with full-time judges lasted for approximately one (1) year at a time. The decision to convert court operations from full-time judges to part-time judges was mainly based on the burnout rate of full-time judges and the lack of capable applicants seeking full-time municipal court appointments.

City Council directed staff to look into and analyze full-time judges and part-time judges. Staff used information from past councilmembers who were present when the court had full-time judges, the Cheyenne Court Judge, Cheyenne Judicial Assistant, Cheyenne Human Resources Department, and the City's part-time judges.

Staffing: Currently, City of Casper Municipal Court employs three (3) part-time judges, three clerks, one court analyst and two part-time bailiffs. Cheyenne Municipal Court currently has one full-time judge, one part-time judge, one judicial assistant, four clerks, and one full-time bailiff. However, Staff was informed that although they only have one full-time Judge at the moment they normally and consistently have had two full-time judges.

Case Load: Cheyenne and Casper Municipal Court's both handle the same types of violations. In a three year average Cheyenne Court handled 11,401 varied cases per year. The same three year period in Casper the Court handled, on average, 10,761 varied cases per year.

Cost: The City of Casper pays a total of \$160,963 for three part-time judges. The City of Cheyenne pays a total of \$157,929 for one full-time judge and one part time judge. When the City of Cheyenne hires its second full-time judge they will pay a total of \$281,689. The City of Casper could pay a full-time judge \$76,000 with the fully-loaded benefits package, which would cost \$32,428. Then if the City continued to pay one part-time judge \$52,260 the total the cost would be \$160,688. The Cheyenne Court did recommend that the City look at hiring two full-time judges. They advised that hiring two full-time judges helps to avoid burnout issues and that they would soon be looking to hire another full-time judge.

Conflicts: Staff was also asked to look into the issue of conflicts arising due to the fact that the part-time judges are currently allowed to take on other cases. Staff researched the issue and found that all judges have a duty to recuse themselves in cases of conflict. The City of Casper's three (3) part-time judges have recused themselves about four (4) times in the last year. They explained that when they have a conflict they will call one of the other part-time judges and see if another can cover the case. A copy of the Wyoming Supreme Court's opinion on this matter has been attached for Council's review.

Attachments:

Wyoming Supreme Court Ethics Committee Opinion

Wyoming Supreme Court Judicial Ethics Advisory Committee

W.S.C.J.E.A.C. Advisory Opinion 2016-03

QUESTION PRESENTED:

“Can a part-time municipal court judge practice criminal defense cases in jurisdictions other than the jurisdiction where the judge presides?”

RESPONSE:

Yes. Though caution must be exercised to avoid conflicts or the appearance of impropriety, part-time service as a judge does not prohibit representation of criminal defendants except in the Court where the judge presides.

FACTS:

This judge serves in a part-time capacity in a municipal court. That Court hears matters involving only violations of municipal ordinances which are misdemeanor criminal offenses. The judge, in his capacity as a private attorney, represents persons charged with crimes in circuit court, (misdemeanor violations of State law, but not municipal ordinances) and district courts where alleged felony conduct is tried. The judge has voluntarily, in an abundance of caution, limited his practice in criminal matters to representation in courts outside the county in which he resides.

APPLICABLE PROVISIONS OF THE WYOMING CODE OF JUDICIAL CONDUCT:

II. *Part-time Judge.* – A judge who serves on a part-time basis by retention election or under a continuing appointment, including a retired judge who has been given a general or special appointment to hear cases by the Wyoming Supreme Court,

(A) is not required to comply:

(2) at any time with Rules ... 3.10 (Practice of Law) ...

Rule 1.2. Promoting Confidence in the Judiciary.

A judge shall act at all times in a manner that promotes public confidence in the independence,* integrity,* and impartiality* of the judiciary, and shall avoid impropriety* and the appearance of impropriety.*

Rule 3.10. Practice of Law.

A judge shall not practice law...

DISCUSSION:

The question posed here is of great importance to the judiciary and the bar alike, as it is, of necessity, a common one in Wyoming's communities. Part-time judges in many capacities are common and necessary to deliver justice to citizens by law-trained judges. Many, perhaps most cities and towns, cannot afford full-time judgeships. Many treatment courts, and substitute jurists for the circuit and district courts (referred to variously as magistrates and commissioners), are practicing attorneys fulfilling important roles in the delivery of services to the public.

The Canons, on their face, recognize the importance of part-time judges in setting out the provision above, which define their applicability. Specifically, the prohibition in Rule 3.10 on a judge practicing law does not apply to part-time judges.

Of course, that doesn't end the inquiry. This committee and the requesting judge recognize how an appearance of bias may be present where a judge trying criminal cases also represents criminal defendants. That appearance is attenuated to a great degree by segregation between the lawyer's practice and the judge's jurisdiction. Client specific conflicts would, of course, be addressed by the judge, and the committee assumes that analysis is always done by an attorney or judge.

The possible public perception of bias is, in this committee's view, a minimal risk. Lawyers, by the nature of their work, are advocates and judges are not. But the transition to the role of judge, even on a part-time basis, can be accomplished at the same time a judge's obligation to be neutral is satisfied. Care must be taken to ensure that a part-time judge does not have clients appearing in front of them, regardless of what the nature of that attorney-client relationship may be.

The committee addresses the question here on the basis of the jurisdiction of the court involved, not the boundaries of the area served by the court. That is, while the judge who presented this question has stopped any criminal practice in the county where his municipality is located, we do not find that necessary to comply with the Canons.

On one of the few occasions this question has arisen in our courts, the Wyoming Supreme Court came to a similar conclusion under the previous version of the Code of Judicial Conduct, ruling that a district court commissioner could practice in the district court in which he occasionally performed work on behalf of that Court. Adoption of KD, 41 P.3d 522, (Wyo. 2002). (Interpreting the Code in effect until July 1, 2009 when it was replaced with the current version.)

Wyoming is a very large state with some very small communities. Recognizing this, the committee believes practice in a circuit or district court by a part-time municipal judge would, subject to the general cautions we have identified, be permissible.

CONCLUSION:

A part-time municipal judge who is a practicing attorney may represent criminal defendants in courts other than the municipal court in which he/she serves. The obligation to identify conflicts and avoid them, along with a healthy respect for the public's perception of service in this role, seem to the committee to be adequate safeguards of the principles of our Canons.

FINALIZED AND EFFECTIVE this 18th day of March, 2016 by the Wyoming Supreme Court Judicial Ethics Advisory Committee.

January 5, 2018

MEMO TO: J. Carter Napier, City Manager *JCN*

FROM: Tom Pitlick, Financial Services Director
Fleur Tremel, Assistant to the City Manager
Pete Meyers, Assistant Financial Services Director
Carla Mills-Laatsch, Licensing Specialist

SUBJECT: Food Trucks and Special Events

Meeting Type & Date
Council Work Session
January 9, 2018

Action type
None

Recommendation

That Council review the new Special Event Guide and the Mobile Vendor Parking Permit document, and provide direction regarding the ordinances and resolutions that would be needed in order to enact these policies.

Summary

Many private entities host events throughout the year. Public events can add significantly to Casper's quality of life and to Casper's economy. Most public events are hosted by private individuals, local businesses, and non-profit organizations. The City's task is to ensure that events are safe, that they are conducted with an eye toward protecting city property, and that they are conducted in a manner that is not overly troublesome to the surrounding neighborhood or to the city at large.

Recent experience has shown that the City could benefit by making changes to how it administers special events. Three recent examples are particularly noteworthy:

1. In June of 2016, a commercial for Wells Fargo Bank was filmed in downtown Casper. The commercial was a major production that required large portions of downtown to be shut down for two consecutive nights. Multiple streets were closed to through traffic, signs had to be removed, street lights and traffic lights were turned off, and the entire area was blanketed with a layer of artificial snow. Thousands of dollars of staff time was spent to facilitate this event. There was no existing template for dealing with this sort of event, so an original contract with the production company was invented to address the relevant fees, deposits, insurance requirements, and services.
2. In August of 2017, the solar eclipse occurred in Casper. Thirty-two major events are known to have taken place during the days immediately prior to the eclipse, including concerts, street fairs, viewing parties, and conventions. Keeping track of these events,

along with their requisite permits and public impacts, was a considerable challenge to staff from many different city departments.

3. In October of 2017, Frontier Brewing began to host weekly food truck events on Second Street. There is a national trend of food trucks becoming more prominent in the food and beverage industry. Cities are having to ensure that food trucks are being managed appropriately both in terms of their compliance with public health regulations, and also in regards to their impacts on traffic and the local restaurant industry. Food trucks have been featured at the Tate Pumphouse and at David Street Station events, but their presence on Second Street caused considerable local discussion about how these trucks should be regulated.

City staff has been asked to create policies that will address events and situations like these. To those ends, staff has generated two documents for Council's review and consideration:

1. *A Special Event Guide and Policy (Event Guide)*. The Special Event Guide was designed to be a single policy that would help to facilitate all kinds of local special event. The City is a single entity with six different departments, each with its own areas of expertise, but one event might require services or permissions from multiple city departments. The Event Guide was meant to help organizers by giving them one point of contact throughout the event planning process. The Guide would direct event organizers to describe their event holistically at the beginning of the planning process. Every relevant department would be able to review the plan to see if there are issues of law, service provision, or public safety that might need to be addressed.
2. *The Mobile Vendor Parking Permit (MVPP)* has been proposed as a means to address trucks that sell their wares from within the City's right of way. The current municipal code includes regulations on mobile businesses, but parking for mobile vendors, such as food trucks, is never specifically addressed. All licensed vehicles, including food trucks, can legally park in streetside parking spaces. The MVPP process is intended to address concerns regarding the overconsumption of parking, and to address concerns regarding the use of public property in the conduct of a private business.

These two issues are being brought forward together because they are deeply interrelated. Throughout the fall, Frontier Brewing hosted its food trucks by reserving spaces with a street closure permit. Under these proposals, a food truck that operated in this manner would probably be managed with an MVPP. The MVPP is very limited in that it deals specifically with vending trucks that are legally parked on public streets. If more flexibility was required, then the host would need to use the Event Guide to apply for a Special Event Authorization. As a special event, the host could have any number of food trucks and they could position them in any number of ways, but the Special Event Authorization would require a detailed plan, an application fee, event insurance, and many other documents. The Event Authorization is more flexible, but it requires more planning and documentation.

Overview of the Event Guide: The Special Event Guide and Planning Policy (Event Guide) is a lengthy document that is intended to serve as an instructional guide for event hosts and as a policy document for city staff.

- The Guide would apply to *organized activities that occur outdoors* and which occur *on city property that has not already been leased to another party*. These criteria are intended to exclude events on leased property (such as Mike Lansing Field), they are intended to exclude events that would occur indoors (like events at the Recreation Center) and they would exclude events that are held on private property. Very small events are specifically excluded from being managed under the Event Guide.
- For events that meet the criteria of the Guide, customers will no longer have to visit with several departments in order to initiate the permitting process. Customers will begin with a single point of contact at the city. That person will communicate with all departments in order to ensure that every needed permit and service has been identified and arranged for.
- An application fee of \$30, \$40, or \$50 would be required for all special events. Fees for individual permits and special services would still be charged for normally.
- Deadlines for the submission of the application will be set, dependent on the size and complexity of the event. These do not currently exist, which means that some permits are currently being reviewed on very short notice.
- Organizers will be required to notify nearby residents and businesses who might be affected by the event. These residents would be have a chance to raise their concerns, if any, prior to the event authorization being issued.
- Organizers will be required to have plans for trash service, litter control, security, parking, and bathrooms.

Implementing the Event Guide will require an ordinance that would authorize the application process that it describes. The proposed fees would then be set by resolution.

Overview of the Mobile Vendor Parking Permit: The Mobile Vendor Parking Permit (MVPP) was designed to handle streetside operations for food trucks and similar vehicles.

Food trucks are already required to have health inspections and a state health permit. They also need a City health license and an inspection from the Casper Fire Department. Depending on their operation, they might also need an electrical inspection. These requirements already apply to all food trucks, regardless of whether they operate from a public street or from a private parking lot.

The MVPP includes the following provisions:

- Mobile vendors must operate from within street-legal vehicles. They may not place furnishings, employees, tents, or equipment outside of their vehicles. Pedestrian customers must access the vendor from the sidewalk or from private property.
- Only one mobile vendor would be allowed on any block on any given day.
- Only one or two parking spaces could ever be occupied by a mobile vendor. Each space would incur a \$25 fee per day.
- Mobile vendors would be allowed to operate for an entire day, even if they are in a space that is normally limited to two hour parking.
- Mobile vendors would not be allowed to establish a permanent presence. Any given vendor could only operate from any given block for ten days out of any thirty day period.

- MVPP's would not be applicable to vendors on private property, such as privately owned parking lots.
- Applicants would need to notify the surrounding neighborhood prior to their receipt of an MVPP.
- Food Trucks would be granted an exemption from the Itinerant Merchant law. Current law requires any mobile vendor from outside the city limits to have an itinerant merchant permit. This means that food trucks that are based outside of Casper would be limited to operating for no more than ten days per year within the Casper city limits, regardless of whether they were operating on public or private property.

Creating the MVPP would require an ordinance and a revision to the City's Parking Regulations Manual.

Public Feedback

Drafts of the MVPP document and the Event Guide were copied to various stakeholders in early December, and a meeting with stakeholders was then held in the first week of January.

Many comments were received, but some of the themes are summarized below:

- *Food Trucks – Negative Economic Impacts:* Several individuals stated that food trucks should be specifically excluded from downtown because they harm brick and mortar businesses.
- *Food Trucks – Excessive Parking:* Several individuals stated that food trucks downtown were not inherently bad, but no one should be allowed to block off parking spaces in the early afternoon if they're not going to be needed before evening. Other comments suggested the opposite: the proposed restrictions were too limiting on when and how often a food truck could operate from a downtown parking space.
- *Timeline:* Several event hosts objected to the time it would take to apply for permits. The current draft of the Event Guide requires small events to apply thirty days before the event date, but larger events might need to apply 90 or 120 days prior.
- *Event Organizer:* Several individuals complimented Anna Wilcox and the role that she had played as an organizer for the Eclipse Festival. They suggested that the City should hire a permanent employee to promote and organize public events.
- *Paying for City Services – Non-profit vs For Profit:* At least one individual suggested that the City should not charge for city services at non-profit events. Other comments suggested the opposite: all events should be treated the same, regardless of whether they were hosted by for-profit or non-profit organizations.
- *Paying for City Services – Discretionary Waiver of Fees:* There was discussion about the provision in the Event Guide which allowed the City Manager to waive fees for public events. Some comments were in favor of this provision, while others objected on the basis that this could be seen as arbitrary support for some groups over others.
- *Public Notification:* Several people objected to any requirement that would force an event host to execute a public notification plan.
- *Parking:* Several event hosts suggested that they should not be required to plan for event parking.

- *Regulation Generally:* Several individuals stated, in one way or another, that these policies are inherently burdensome. People suggested that insurance requirements, public notification, trash planning, and permits would generally cause people to not host events, or they would host their events without notifying the City.

Financial Considerations

None.

Oversight/Project Responsibility

Carla Mills-Laatsch, Licensing Specialist

Attachments

Special Event Guide and Policy

Mobile Vendor Parking Permit Policy



CITY OF CASPER SPECIAL EVENTS PLANNING GUIDE AND POLICY

Version 14

DRAFT

City of Casper

Special Event Planning Guide and Policy

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City of Casper Special Event Planning Guide and Policy

INTRODUCTION

Dear Customer:

Welcome to Casper! We are excited that you have chosen Casper as your event location. Casper hosts a large number of events throughout the year, making this a special place to live, work, and recreate. This Special Event Planning Guide and Policy (Guide and Policy) provides the information, policies, process, procedures, and resources for you to apply for a Special Event Authorization. Additionally, based on the scope, nature, and duration of your event, you may also be required to apply for and obtain additional, specific permits. This guide will help you determine which permit(s) you may require.

The City of Casper's Licensing Specialist will be your point of contact throughout the process; please feel free to contact the Licensing Specialist at any time. The success of your event relies heavily upon you providing complete, thorough, and detailed information. Our role is not to plan your event, but rather, to help you complete the application, approve and issue the required authorization and/or permits, and help prevent any potential problems or issues. The following contact information is provided for your assistance as you complete the application:

- City of Casper website: www.casperwy.gov
- City of Casper Special Event Application: www.casperwy.gov/SpecialEventsPlanning
- Licensing Specialist:

Carla Mills-Laatsch

SpecialEvents@casperwy.gov

(307) 235-5768

We look forward to working with you to ensure that your Special Event is a fun, safe, and successful.

PURPOSE, DEFINITIONS, and ROLES

PURPOSE

The City of Casper recognizes that organized special events serve an important role in enhancing the City's quality of life and provide benefits to the community as a whole. In an effort to treat all persons and groups uniformly, the City has established regulations concerning the use of streets, sidewalks, greenways, and other public facilities and thoroughfares in the City for all organized special events with the purpose of protecting the health and public safety of citizens; limiting the inconvenience to residents, businesses, places of worship and learning, and other regular users of these facilities; establishing a straightforward and accountable process for Customers; and enabling public agencies to manage these events in a cost-effective and well-coordinated way.

DEFINITIONS

➤ Special Event

A special event is generally defined as an organized activity that occurs outdoors on City property. More specifically, in order to meet the criteria of this policy, a Special Event:

1. Occurs outdoors. Please note that events in park shelters, tents, or similar open-air and non-weatherproof structures are still considered to be "outdoors." Events that have both indoor and outdoor components are considered to be "outdoor" events.
2. Occurs on city property, but not on property that is already under lease to another entity. "City property" includes any city owned park, trail, street, parking lot, alley, lawn, sports field, or similar outdoor place. Property is "already under lease" to another entity if that other entity has day to day control of event scheduling at that property, as granted by a signed contractual agreement between the city and that entity, so long as the signed contractual agreement has a duration of three months or longer.
3. Organized Activity. An event qualifies as an "organized activity" if it includes scheduling, arranging for, or inviting people to meet at a place and time for a known purpose or reason. In general, this term is broadly defined, but it excludes meetings among city employees or anyone who is at that location at or due to the request of a city official.

If your event meets the criteria of an *outdoor event* which is an *organized activity* that occurs *on city property*, then your event is a Special Event. If it is not a special event, then this Guide does not apply to you, but please be aware that some activities still might need special permits from the City of Casper. If your event *does* meet these three criteria, then please take a look at the "Event Impact Table" on page 6 before going too much further. Some very small "events" do not meet the minimum criteria of this policy. The Event Impact Table will help you to know which events those are.

➤ **Extra Municipal Services**

The term Extra Municipal Service refers to any reasonably required service above and beyond the normal services provided by the City government on a non-event day. Examples of Extra Municipal Services may include police services, traffic control, dedicated EMS presence, delivery and collection of extra trash containers, site preparation at city parks and facilities, and other such services. Since the city must pay a cost to provide these services, the Customer will be asked to pay the City for any Extra Municipal Services provided.

➤ **Special Event Application, and Special Event Authorization**

In general, the Customer requests the right to hold an event by filling out a Special Event Application. The Special Event Application is then used to create a Special Event Agreement and a Special Event Authorization.

The Special Event Application is a form that each Customer must submit in order to receive permission to hold their event, though certain very small events are exempt from this requirement. The Special Event Application is typically accompanied by many other forms. Some documents, like the Site Plan, are required for every event, and as such, they must accompany every Special Event Application. Other forms, like the Open Container Request Form, are only required when the Customer is looking to receive a specific type of permit.

The Special Event Authorization is a document that is issued to the Customer. It describes the event in general terms, it lays out restrictions and requirements in regards to the execution of the event, and it serves as evidence that the special event has been authorized.

ROLE OF THE LICENSING SPECIALIST

The Licensing Specialist is a City employee who has been assigned to serve as a liaison between City Departments, the Customer, and members of the community as it oversees organized events. The Licensing Specialist is the primary point of contact for all Special Events. The Licensing Specialist will assist in identifying which associated permits may be required, and the Licensing Specialist will review each Special Event Application for compliance with applicable laws, rules, and policies.

ROLE OF THE CUSTOMER

The Customer is responsible for submitting the complete and timely Special Event Application, including the submission of any related forms. The Customer should be responsive to correspondence from the Licensing Specialist and should submit all additional required items by the associated deadline. Communication between the Customer and the Licensing Specialist is critical before, during, and after the event to ensure a smooth permitting process and a successful event.

How Big is Your Event?

SPECIAL EVENT IMPACT CLASSIFICATIONS

The City categorizes special events into one of three classifications. Events that are large and/or complicated will be classified as “High Impact” events. Smaller or less complicated events will be classified as “moderate” or “low” impact events.

This classification affects when the application is due, because city staff will need more time to prepare for a large or complicated event, and it affects the amount of the application fee.

Important Note: During the review process, the City has the right to change the classification of your special event if it has been deemed to meet different criteria.

EVENT IMPACT CHART

How to Use This Chart: The Licensing Specialist will review the characteristics of the event and will classify it per the chart below. Events that match the criteria of more than one classification will be assigned to the more restrictive level (for example: if an event meets criteria of both Low Impact and Moderate Impact events, the event will be classified as having a Moderate Impact). Also, please remember that this chart is only applicable to “Special Events.” A “Special Event” is an ***organized activity*** that occurs ***outdoors*** and which occurs ***on city property***. The term “Special Event” is more precisely defined on page 2 of this document.

Event Characteristics	CATEGORY
Anticipated attendance at the event will exceed 2,500 people	HIGH Impact Event
Event is expected to require more than \$1,000 worth of Extra Municipal Services	HIGH Impact Event
Anticipated attendance at the event exceeds 100 people and will cause an impediment/closure to a Public Right of Way (i.e., street, sidewalk, trail, or similar thoroughfare)	MODERATE Impact Event
Anticipated attendance at the event exceeds 300 people and will involve the consumption, selling, or serving of alcohol	MODERATE Impact Event
Anticipated attendance at the event exceeds 100 people and will require Extra Municipal Services	MODERATE Impact Event
Event will involve the selling of alcohol.	LOW Impact Event
Anticipated attendance at the event is less than 100 people but the event will require Extra Municipal Services.	LOW Impact Event
Anticipated attendance at the event is more than 50 people and the event will involve the serving or consumption of alcohol.	LOW Impact Event
Anticipated attendance at the event is less than 100 people but the event will cause an impediment/closure to a Public Right of Way (i.e., street, sidewalk, trail, alley, or similar thoroughfare).	LOW Impact Event
Anticipated attendance is <i>less than</i> 100 people, there will be no impediment to a Public Right of Way (i.e., street, sidewalk, trail, or similar thoroughfare), no Extra Municipal Services will be needed from the city (see page 3), and no alcohol will be consumed at the event.	Negligible Impact – No event application needed
Anticipated attendance is <i>less than</i> 50 people, there will be no impediment to a Public Right of Way (i.e., street, sidewalk, trail, or similar thoroughfare), and no Extra Municipal Services will be needed from the city (see page 3).	Negligible Impact – No event application needed

APPLICATION DEADLINES

Event applications must be submitted according to the deadlines for each specific event type as outlined below, and will be accepted no more than one (1) year prior to the date of the event.

- **High Impact Events.**

Applications for High Impact events must be received at least **120 days** prior to the proposed date of the event. The processing of a High Impact event application is complex. Numerous City departments and/or other entities may need to be involved. If the Licensing Specialist believes that an expedited review is possible, then the Licensing Specialist shall accept a late application provided that it is accompanied by a late fee in addition to the regular application fee. The City does not guarantee that any event will be fully reviewed if it is submitted after the deadline. Applications that have not been fully reviewed will not be authorized.

- **Moderate Impact Events.**

Applications for Moderate Impact events must be received at least **90 days** prior to the proposed date of the event. If the Licensing Specialist believes that an expedited review is possible, the Licensing Specialist shall accept a late application provided that it is accompanied by a late fee in addition to the regular application fee. The City does not guarantee that any event will be fully reviewed if it is submitted after the deadline. Applications that have not been fully reviewed will not be authorized.

- **Low Impact Events.**

Applications for Low Impact events must be received at least **30 days** prior to the proposed date of the event. If the Licensing Specialist believes that an expedited review is possible, the Licensing Specialist shall accept a late application provided that it is accompanied by a late fee in addition to the regular application fee. The City does not guarantee that any event will be fully reviewed if it is submitted after the deadline. Applications that have not been fully reviewed will not be authorized.

<u>Schedule of Late Fees</u>	
Application Submitted 1 – 14 days late	\$20
Application Submitted 15 – 30 days late	\$50
Application Submitted 31 – 60 days late	\$100
Application Submitted 61+ days late	\$250

APPLICATION, AUTHORIZATION, and PERMITTING PROCESS

An application is not considered complete until the application form and the non-refundable application fee have been received. Receipt of a complete application will initiate the application review process. The review process will determine whether the event is to be authorized, it will identify which associated permits will be required, and it will help to determine if any Extra Municipal Services from the City will be required (for a definition of “Extra Municipal Service,” see page 3).

Every Special Event Application will need to be accompanied by, at a minimum:

1. Application
2. Application Fee (and Late Fees, if applicable)
3. Site Plan/Route Map
4. Public Notification Plan
5. Restroom Plan
6. Waste Management Plan
7. Parking Plan
8. Emergency Action Plan

As the City begins processing the application, the Licensing Specialist will contact the Customer with updates and requests to facilitate the approval process. At the same time, the Licensing Specialist will also be coordinating with applicable City departments and agencies to assess the needs of the event and to determine if the City will approve, place conditions upon, or deny the event request. Please be aware that the City may deny any type of event if it is deemed not to be in the best interest of the City or if the event will create an undue burden on a particular geographic area, to include abutting residents or businesses.

Following a thorough review, the Licensing Specialist, with input and recommendations from the affected City departments, will make an application ruling consisting of one of the following:

- Approved, No Conditions. Special Event Authorization and any corresponding Permit(s) approved and issued as requested without conditions;
- Approved, Subject to Conditions. Special Events Authorization and any Permit(s) approved and issued subject to certain conditions deemed reasonable and necessary;
- Denied. Special Event Authorization denied.

APPLICATION PROCESS OVERVIEW

Step 1: Getting Ready to Apply

- Customer makes plans for their event, including when and where it will occur. If this event is reoccurring (weekly, monthly) then all of the event dates can be placed on one form.
- Customer reviews this Special Events Policy, and reaches out to the Licensing Specialist with questions.

If the event does not need an Event Authorization, then the Customer *might still need to:*

- Apply for Permits from relevant City offices
- Reserve City facilities, like parks
- Reach out to relevant City offices to make arrangements for Extra Municipal Services.

➤ **Step 2: Filling out the Application**

- Customer fills out the Special Event Application, including any forms relevant to specific Extra Municipal Services and required permits. Some of these forms might require reaching out to specific City officials or private service providers even before the Special Event Application has been filed.

Every Special Event Application will need to be accompanied by, at a minimum:

1. Application
2. Application Fee (and Late Fees, if applicable)
3. Site Plan/Route Map
4. Public Notification Plan
5. Restroom Plan
6. Waste Management Plan
7. Parking Plan
8. Emergency Action Plan

➤ **Step 3: Submitting the Application**

- Customer delivers the completed forms to the Licensing Specialist, along with the Application Fee.
- Licensing Specialist goes through a preliminary review of the Special Event Application for completeness and clarity. The Licensing Specialist may request revisions or additions from the Customer; if this is the case, then the revisions will be required before the processing of the application can begin.

➤ **Step 4: Reviewing the Special Event Application**

- Licensing Specialist sends the application materials to applicable City departments for their review.
- Regarding the issuance of Permits: Officials from various City departments review permit forms. These officials may contact the Customer for more information or to request modifications to the application. Customer works with Licensing Specialist to submit additional information or modifications. Once this has been completed, officials from City departments will make a determination regarding the issuance of permits. Certain types of permit can be approved or denied in advance of the event, but other permits cannot be issued until the site has been inspected and/or other final arrangements have been made by the Customer. Permits that have been authorized are prepared and delivered to the Licensing Specialist. If a permit cannot be authorized at this stage of the application, then a written acknowledgement of the permit request will be prepared by the relevant City Department and sent to the Licensing Specialist.
- Regarding the provision of Extra Municipal Services: Officials from the various City Departments that might need to provide Extra Municipal Services will determine the scope of the Extra Municipal Services needed. From there, these officials will determine if the Extra Municipal Services are available, and if so, what the cost would be to provide those services. If Extra Municipal Services are required and can be provided, then the City departments prepare documentation of the necessary services, including statements detailing the required services and the cost to provide those services.
- Regarding the Public Notification Plan: The Licensing Specialist will work with the Customer to develop a Public Notification Plan. The Licensing Specialist will approve a plan that addresses the needs of the public. The approved plan will be issued to the Customer.

➤ **Step 5: Public Notification**

- Customer executes the approved Public Notification Plan. Any feedback received by the Customer will be forwarded on to the Licensing Specialist. All feedback will be compiled and reviewed by City Staff. Feedback will be used to evaluate the application and may be used as a factor in the approval of the application and/or in the final requirements placed on the event.

➤ **Step 6: Pulling it All Together**

- Licensing Specialist compiles all prepared permits, along with documentation from City departments regarding the provision of Extra Municipal Services. The Licensing Specialist calculates the total fee to provide all permits and Extra Municipal Services. This compiled packet of information is summarized in the Event Authorization document.
 - *Important:* The Event Authorization may include special restrictions or requirements on the event so as to limit negative impacts on area residents or

businesses, or to provide for greater public safety.

High Impact events will also require review and approval by the City Manager.

➤ **Step 7: Issuance of the Special Event Authorization**

- Customer pays the calculated fee for permits.
- Customer provides the Licensing Specialist with certificates of insurance.
- Customer signs the Event Authorization along with any relevant permit forms and/or contracts for Extra Municipal Services, as necessary.
- Event Authorization is issued by the Licensing Specialist to the Customer.
- Licensing Specialist informs the relevant City departments that the Special Event Authorization has been issued.

➤ **Step 8: After the Authorization, but Prior to the Event**

- Customer follows the payment plan in regards to Extra Municipal Services. Depending on the services needed, this might entail paying for all or a portion of the services prior to the event.

➤ **Step 9: Day of the Event**

- City provides any Extra Municipal Services that had been arranged for previously.
- Customer hosts the event. A copy of the Special Event Authorization and all event permits are on site and will be produced for inspection upon the request of any City official.
- Customer is responsible for the safe and lawful conduct of the event.

➤ **Step 10: After the Event**

- Licensing Specialist, in consultation with City departments, prepares an evaluation of the event. The evaluation will assess compliance with event conditions, permit conditions, the municipal code, and relevant city policies. Evaluation is provided to the Customer, and a copy is kept on file with the Licensing Specialist. Evaluation may be used as a factor in the approval of future Special Event Applications.
- If applicable, Licensing Specialist sends invoices for uncovered services and damages to the Customer. Payments are due thirty (30) days after issuance.

APPLICATION CONDITIONS and DENIALS

An authorization may be denied, or conditions placed thereon, based upon considerations of the health, safety, and welfare of the community, and of the anticipated costs of holding such an event. Prior experience of the applicant in holding any event, or in holding the Special Event which is the subject of the application, will be considered and may impact the issuance of Special Event authorizations and/or permits.

Additionally, the City may base its denial decision on one or more of the following grounds:

- The application is not complete;
- Required forms and/or documents were not submitted;
- The application fee and/or permit fee(s) have not been paid;
- Required insurance has not been obtained;
- Goods or services will be sold at the event but the applicant has not produced any sales tax permits for itself or vendors for the event;
- The Customer cannot or will not pay the cost for any determined Extra Municipal Services;
- The application and/or its supporting forms contain a material falsehood or misrepresentation;
- It is reasonably believed that the event would cause undo harm or inconvenience to the community or the surrounding neighborhood.
- The Customer and/or its organizational leaders have on prior occasions made material misrepresentations regarding the nature or scope of any event or activity previously authorized, permitted, or requested;
- The Customer and/or its organizational leaders have held prior special events without proper authorization or permitting;
- The Customer and/or its organizational leaders violated the terms of a prior authorizations or permits issued to or on behalf of the applicant and/or its officers;
- The Customer is not legally competent to sign a contract or to be held responsible for its actions;
- The Customer has, on prior occasions, been required to pay for Extra Municipal Services or damages to City property and has not paid in full for such expenses or damages;
- City resources that would be necessary for the proper and safe conduct of the event are unlikely to be available at the time of the event.
- The special event use or activities intended by the Customer would conflict with previously planned events and programs which have been organized by others either through the use of City facilities or the unavailability of sufficient City resources for the proposed event;
- The intended special event use or activity would present a grave or unreasonable danger to the health or safety of the persons expected to participate in the event, the neighborhood in which the event will occur, the community as a whole, and/or City property and resources required to be involved with the proposed event;

- The number of persons expected to participate in the special event would result in a concentration of persons, vehicles, or things which cannot be supported at the requested time or location due to a lack of sufficient open area, streets, offsite parking, or traffic controls.
- Activities reasonably expected to occur at the intended Special Event are prohibited by law.

The City reserves the right to revoke a previously issued Event Authorization if any violation of law is reasonably believed to have occurred in conjunction with this event or the preparation for said event, or if the Customer is reasonably believed to have violated any City rule or policy in regards to his or her preparation for this event, and/or if the Customer has failed to meet his or her obligations as described under the Event Authorization and/or the associated documents therewith.

FEES

Application Fees and *Late Fees* (if applicable) are due upon the submission of the Event Application.

Payment for *Extra Municipal Services* and the payment of *Permit Fees* are due after the event application has been reviewed.

The City Manager may, at his or her option, waive or reduce any event related fees if so requested by the Customer and if a compelling public interest would be served by said waiver or reduction.

➤ **Application Fees and Late Fees (Due upon submission of the Application).**

An *Application Fee* is due when the application is submitted. This fee is non-refundable, and the application will not be reviewed until the application fee has been received. Payment of the application fee does not guarantee event approval; however, Customers will have the option to modify dates, locations, and other aspects of the event in order to win approval.

The Licensing Specialist will attempt to assess the Event Impact Level for each event when the application is submitted. The Event Impact Level is used to calculate the application fee, and it will be used to determine whether the Event Application was submitted on time. If the application was submitted late (see page 17), then appropriate late fees will apply. Like Application Fees, late fees must be paid before the Application will be processed.

Event Type	Application Fee
High Impact Event	\$50
Moderate Impact Event	\$40
Low Impact Event	\$30

It can be the case that a new classification will be assigned during application review, and this reclassification might affect the fees that would be due from the Customer.

- Any overcharge of Application Fees or Late Fees will be returned to the Customer, if and when applicable.
- If the incorrect classification was due to an error on behalf of the Licensing Specialist or other city staff member, and the error resulted in the Customer being undercharged, then the Customer will not be billed for the underpayment.
- If the incorrect classification was due to false information or significant omissions on behalf of the Customer, then the City will charge the Customer the amount of any

underpayment of Application Fees and/or Late Fees.

In some rare cases, major changes to the design of an event are required, and these major changes might require a complete resubmission of the event application. The resubmission of an application under these circumstances will not require a second application fee.

➤ **Permit Fees (Due after Application Review).**

Permit fees must be paid when the Event Authorization is issued. This occurs after the Event Application has been reviewed. The Event Authorization will not be issued until all Permit Fees have been paid. The most commonly needed permits, along with their requisite fees, are listed in the *Schedule of Event Permits*.

➤ **Extra Municipal Service Fees (Due after Application Review).**

The Customer shall be liable for and shall pay to the City the actual cost of all Extra Municipal Services provided by the City. Typical Extra Municipal Services include contracted police officers, dedicated EMT staffing, delivery and collection of trash containers, site preparation at City parks and facilities, and other such services.

▪ **Determining the Types, Amounts, and Costs of Extra Municipal Services**

Prior to any approval of a Special Event Authorization, the City Departments potentially affected by the proposed special event shall review the application and report their respective findings to the Customer and to the Licensing Specialist. These findings may indicate that Extra Municipal Services are needed.

If Extra Municipal Services are needed, officials from the impacted City Department will communicate this fact to the Customer, along with a cost estimate for the Extra Municipal Services to be provided. This communication will occur before the Event Authorization is issued. The City of Casper has published a rate schedule for the most commonly needed Extra Municipal Services (the *Extra Municipal Services Rate Schedule*), and cost estimates will be set per those specified rates. Unusual Extra Municipal Services might not appear on the *Extra Municipal Services Rate Schedule*, however. Costs for these unusual services will be estimated at the actual cost to provide those services, as calculated by officials in the relevant City departments.

Before the Event Authorization is issued, the Customer may respond to the officials from the applicable City departments. The Customer may ask to amend the Event Application in order to reduce the need for Extra Municipal Services. If the application can be reasonably amended, then the Licensing Specialist will work with the Customer to submit amended application materials for review, and officials from the impacted City department will prepare a new summary of needed Extra Municipal Services along with a new cost estimate.

▪ **Payment for Extra Municipal Services**

The Customer will be required to pay for the Extra Municipal Services entirely in advance. The Event Authorization will not be issued unless payment has been received for any Extra Municipal Services. An invoice will be prepared for the full amount of the estimate.

If Extra Municipal Services are required that are above and beyond the amounts of service anticipated during the event planning stage, then the City will attempt to provide these services, but the provision of unanticipated Extra Municipal Services is not guaranteed.

At the conclusion of the event, a final calculation of the cost of services delivered will be provided to the Customer. If not all of the services of the estimate were needed, then a refund for services that were not provided will be issued to the Customer. If services beyond those estimated were provided, then an invoice for the additional services will be prepared and sent to the Customer.

➤ **Refund Policy**

There is no reimbursement or refund of application fees or late fees except and unless the reimbursement would be due to a reclassification of the event from one Impact Level to another. Permit fees and Extra Municipal Service fees will be fully refunded if an event is cancelled at least 15 days prior to the event date. Permit fees and Extra Municipal Service fees will be proportionately refunded, if deemed appropriate by the City Manager. Fees may be transferable toward future event applications and permits if the event is cancelled due to inclement weather or other emergency situations, at the discretion of the City Manager.

PUBLIC NOTIFICATION PLAN

In an effort to improve communications and to keep citizens, businesses, and other establishments fully informed of all events that will potentially impact their area, the City requires all Customers to notify the affected public about their upcoming event. Notification requirements are done at the expense of the Customer. The Customer will need to submit a Public Notification Plan along with their application.

➤ **Identifying Affected Parties**

Customers must notify all reasonably affected community members, including residents, businesses, schools, and places of worship about the event, associated road closures, and other impacts. Additionally, any establishment that will be blocked, detoured, or heavily inconvenienced must be notified. Neighborhood Partnerships and Homeowner Associations must also be notified, when applicable.

➤ **Notification Timeline**

The following table outlines the number of calendar days in advance of the event that public notification must be made. Please note that the dates on this chart are the dates upon which the notification has been *completed* (i.e., the dates by which all notifications have been received by all affected parties):

Event Type	Notification Deadline
High Impact	30 Days
Moderate Impact	21 Days
Low Impact	14 Days

The Customer and the Licensing Specialist will keep records of any concerns or objects received about the event. The Customer will share any objections with the Licensing Specialist. Any concerns received will be reviewed, and they will be taken as a factor in the review of the application.

An event authorization will not be issued until the notification has occurred and objections, if any, have been reviewed.

➤ **Notification Components**

Information to include on all notifications is listed below:

1. Name of Event
2. Name of sponsoring organization (if applicable)
3. Date(s) of event, and for each day, the time it will begin and the time it will end

4. Description of associated road closures (if applicable) the times that these road closures will be in effect
5. Description of the event and the noise impacts of the event, such as music or fireworks, and their timeframe
6. Name and contact information of Customer (including phone number and email address)
7. Website associated with event (if applicable)

➤ **Approved Notification Methods**

A Public Notification Plan will typically include a mix of the following public notification methods:

▪ **Option 1: Mailed Postcards/Fliers.**

Customers may mail standardized postcards or flyers to the affected community members. For postcards/flyers, the Customer must use black ink on brightly colored yellow paper. The goal of the postcard/flyer requirement is to build a notification pattern that is consistent, highly visible, and recognizable to the public.

▪ **Option 2: Individual Communication.**

The Customer may individually contact affected community members in person, over the phone, or via email. If this notification method is used, then a log of these interactions must be kept, and upon completion of this activity, the log must be submitted to the Licensing Specialist.

▪ **Option 3: Apartment or Business Complex Notification.**

The Customer may coordinate with property managers to alert all tenants of a large complex via the preferred communication method of the complex. Proof of this alternate form of notification must be submitted to the Licensing Specialist.

The Customer may utilize a combination of the above methods for notification, or may submit a suggested alternative method. The Licensing Specialist may require amendments to the Public Notification Plan before the plan is approved.

For reoccurring events please provide a notification plan that takes its recurring nature into account.

Please be aware that the notification activities in the accepted Public Notification Plan are a minimum standard. The City of Casper encourages Customers to use additional notification means such as social and broadcast media, local calendars, and press releases as a way to supplement any notification already called for in the Plan.

EVENT FORMS

➤ **EVENT APPLICATION – (Required for all events)**

Every event begins with the Event Application Form. This document provides basic information about the event, including when and where it will occur, the sorts of activity that will occur there, how many people are expected to attend, and so on.

➤ **SITE PLAN / ROUTE MAP – (Required for all events)**

The Site Plan (or Route Map) is a map of your event site. Its purpose is to show the physical layout of your event, including:

- The locations where different kinds of activity will take place, such as spectator areas, race routes, and parking locations.
- The locations of structures and equipment such as booths, dumpsters, generators, and restrooms.

For events that travel from one place to another, like a parade or a race, the Site Plan/Route Map will also need to show the entire route of the event, including any street closures that might be needed.

➤ **PUBLIC NOTIFICATION PLAN – (Required for all events)**

Events always have an impact on nearby homes and businesses. Loud sounds or music, street closures, increased traffic, and parking restrictions can all affect how people live in their neighborhood. In order to mitigate these effects, Customers are required to create and execute a Public Notification plan that will provide area residents with advance notice of the event and the impacts that it might have on the neighborhood. For more guidance on Public Notification Plans, please see page 17.

➤ **WASTE MANAGEMENT PLAN – (Required for all events)**

The City requires event locations to be thoroughly cleaned during and after each event. It is imperative that Customers have a detailed plan for how they intend to manage and dispose of trash and recyclable materials, as well as a general plan to not only clean up after the event, but to ensure a clean space throughout the duration of the event.

Most waste management plans will include some reference to each of the following:

- **Trash Cans:** Events tend to generate trash, especially if food, flyers, or similar disposable items will be provided on site. Having trash cans available during the event will greatly reduce the amount of litter that must be cleaned up after the event.

Any public trash can that is already at the event site can be referred to in the waste management plan, but the Customer must be aware that these existing cans will not be sufficient for any but the smallest of events. Public cans are typically filled by everyday activity in public places. A Customer should assume that public trash cans will be filled

by this everyday activity, and that any event-related trash will be *in addition to* the trash that is generated on any normal day in a public place.

- **Dumpsters:** Events that last for longer than four hours will generally need to have dumpsters on site, *in addition to* trash cans. As the trash cans become full, event staff will need to empty the trash cans into the dumpsters.

Customers sometimes plan to use dumpsters that are already in use near to the event site. The Customer will need to have written permission from the owners of those dumpsters if they intend to include those dumpsters in the Waste Management Plan.

- **Litter Control:** Any event that produces trash will tend to produce litter. The Customer is responsible for mitigating any litter produced by the event. This includes cleaning up the event site itself, as well as cleaning event-generated litter from nearby areas. The Waste Management Plan may involve the use of volunteers, employees, or contracted companies for litter control.

The Waste Management Plan should also refer to any special aspects of the event that might leave any sort of residue or other visual evidence of the event. This might include tracked mud, chalk marks, paint, flyers taped to signposts, and similar items.

The goal of every Waste Management Plan is to return the event site to the condition that it was in prior to the event.

➤ **RESTROOM PLAN – (Required for all events)**

Customers are required to provide restroom facilities for participants and attendees, and at least 5% (and at least one) of the restrooms must be ADA compliant. The minimum requirement is one toilet for every 300 attendees. Customers can meet this minimum either by renting portable toilets and/or by attaining written permission to utilize the facilities of adjacent businesses. Some facilities also have on-site toilets. Reference to on-site toilets should be included in the Restroom Plan, but these toilets will not always be sufficient to meet the needs of the event attendees, especially if these toilets will be open to the general (non-event attending) public during the event.

➤ **PARKING PLAN – (Required for all events)**

Customers will need to anticipate the parking needs of their attendees. Parking is legal on most city streets within the City of Casper, and many parks and public places have their own parking lots. But for many events, available on-street parking and parking in public lots will not be sufficient to accommodate all of the attendees. The parking plan will need to include a reasonable estimate for the number of cars that will be at the event, and the Plan should explain how the Customer will arrange to ensure that those parking spaces will be available for their guests.

Parking plans will likely include some combination of the following:

- An assessment of on-site parking capacity, including onsite parking lots and nearby street parking spaces.
- Advisories and/or advertising that instruct attendees on where to park and how to get to the event.
- Arrangements made with the owners of nearby private parking lots. This might include

lots owned by area businesses, schools, or churches. The owner of these lots will need to certify that these arrangements have been made.

- Parking Attendants.
- Plans that involve attendees parking farther than they normally would from the event site, including the Customer's plan for how to inform attendees of this fact, and how to encourage attendees to follow this plan.
- For very large events: shuttle busing from designated parking areas.

➤ **EMERGENCY ACTION PLAN – (Required for all events)**

All events are required to include an Emergency Action Plan (EAP) with their application. This plan may include features such as emergency access lanes, fire extinguishers, crowd management plans, emergency notification methods, evacuation routes, and how organizers plan to deal with emergencies. It is generally the case that High Impact and Moderate Impact events will need a more well-developed Emergency Action Plan.

Please be aware that any event with more than 1,000 attendees will need to have crowd manager on site to staff the event. An event of 1,000 people will need to have four crowd managers, and one additional crowd manager will be needed for every additional 250 people.

High Impact events will generally be required to have two security personnel on site (police officers, or equivalent) as determined by the Chief of Police or his/her designee. Hourly charges for all police officers assigned to the event will accrue as an Extra Municipal Service that must be paid for by the Customer.

➤ **STREET CLOSURE/PARADE PERMIT APPLICATION – (Not applicable to all events)**

Some events involve closing a street to regular traffic. Street closures are typically associated with parades, block parties, bazaars, and races. Street closures can be as minor as closing off just the parking lane on one side of the street, or they can involve closing the entire street, from curb to curb.

The Customer will need to fill out the Street Closure Form if their event will prevent the general public from normal use of any street, trail, alley or sidewalk. The form is required for a full street closure, but it is also required for a partial closure (just one lane, or just the parking area). It is also required for events that allow the general public to access an area but prevents them from using it as they normally would; perhaps because it is *partially* obstructed, or because large crowds are expected to be occupying that space. A street closure permit, if authorized, will give the requestor use of the street, trails, and sidewalks within the designated areas, as defined by the permit.

Events involving the closure or obstruction streets, trails, sidewalks, or alleys will generally require safety barricades, variable message boards, and/or contracted police officers. This is a critical measure and is strictly enforced to help ensure public health and safety at special events. Customers should contact a local traffic control company for assistance with the rental and placement of barricades, cones, and similar equipment.

If events include a food truck/trailer that is going to be stationed on a City right of way, then the truck will have to be parked on a closed section of the street, or an application for a Mobile Vendor Parking Permit must also be submitted.

Street closures often have a particular impact on **street parking**:

- **No Parking Postings**: It may be necessary to post “No Parking” signs. City employees will post the signs before the start of the restrictions. Not all events will require signs, and it will be at the discretion of City officials when and where to post them. This will be determined during the permitting process. An Extra Municipal Service fee will be incurred for this service.
- **Towing**: At times, events will require vehicles to be removed from within the footprint of the event. A vehicle can only be towed if the parking space was clearly posted “No Parking” or if the vehicle was clearly in violation of a standard (non-event-related) parking ordinance. To request vehicle towing, Customers should first try to contact an on-site event contracted police officer, if applicable. If no police officers have been contracted for the event, Customers should contact the Casper Police Department for assistance.

➤ **LOUD SOUNDS PLAN– (Not applicable to all events)**

Events can be loud. Some events are loud by intention: concerts might have live music (with or without amplification); other events might have speeches, fireworks, or hand-held noisemakers. Many other events are incidentally loud: noise from crowds, vehicles, and generators can be loud enough to be disruptive.

Customers need to be mindful of the impacts of sound on the surrounding neighborhood. The City of Casper has specific noise and sound ordinances that set limits for allowable sound levels. The limits vary depending on the type of neighborhood and the time of day. These limits can be found in City Ordinance 8.20 – NOISE.

Event Organizers that are anticipating the generation of loud sounds will need to submit a letter requesting permission to go beyond what our ordinance allows. The letter will need to include the place, the time, and the nature of the loud sounds that will be created.

➤ **TENTS AND CANOPIES PERMIT APPLICATION– (Not applicable to all events)**

Event organizers are responsible for obtaining the appropriate permit(s) from Casper Fire EMS...

- A “Tent” is a temporary shelter with two or more sides. Tents that exceed 400 square feet in size will require a fire inspection. If the event will have a tent of this size or larger, then this form must be submitted with the Event Application.
- A “Canopy” is a temporary shelter with one side or no sides. Canopies that exceed 700 square feet in size will require a fire inspection. If the event will have a canopy of this size or larger, then this form must be submitted with the Event Application.

➤ **AMUSEMENT BUILDINGS PERMIT APPLICATION – (Not applicable to all events)**

This requirement applies to buildings like haunted houses and similar experience-related attractions. Event organizers are responsible for obtaining the appropriate permit(s) from Casper Fire EMS.

➤ **FLAME and PYROTECHNICS PERMIT APPLICATION – (Various types - Not applicable to all events)**

Event organizers are responsible for confirming appropriate licenses and permits are obtained for the following:

- Fireworks displays (MUST HAVE FEDERAL LICENSE AND APPROPRIATE INSURANCE)
- Pyrotechnics
- Fire performances
- Bonfires, luminaries, or any other use of open flame (sky lanterns are always prohibited).

If the event will feature open flames or pyrotechnics, including any item like those listed above, then the Customer will need to submit the appropriate applications for review by the Casper Fire-EMS Department. This application can be obtained from the City of Casper Fire Department.

➤ **CARNIVAL PERMIT APPLICATION – (Not applicable to all events)**

An official from the City of Casper Buildings department and from the Casper Fire-EMS Department will need to perform an inspection of the event site if the event will feature any carnival or amusement park-style rides. If the event will feature carnival or amusement park-style rides, then the Customer will need to provide information on these rides along with their event application. Carnival permits will encompass permitting for tents, and amusement buildings. In particular, generators and carnival rides require inspections by electrical inspectors in accordance with the currently adopted electrical code.

➤ **GENERATORS – (Not applicable to all events)**

Generators are subject to inspections and approval by the Fire Department and a City Electrical Inspector. Generators will need to be included on the site plan. Please specify the type of generator, the type of fuel it will be using, and any places where generator fuel will be stored.

➤ **ALCOHOL FORM – (Various Types - Not applicable to all events)**

If the event will involve the possession or consumption of alcoholic beverages, then the event application will need to include the appropriate alcohol permit request. Please be aware that having alcohol at an event may result in additional insurance and security requirements. The Licensing Specialist will be able to determine whether an Open Container Permit, a Malt Beverage Permit, and/or an Alcohol Catering Permit will be required for the event.

➤ **VENDOR PERMIT APPLICATIONS – (Various Types - Not applicable to all events)**

If the event will include the sale of goods or services, then the Customer will need to include information on the relevant merchants. Merchants are generally required to collect sales tax on any goods or services sold. In particular, any food and beverage that is meant for immediate

consumption is taxable. Merchants who are operating as a part of an event will need to have a sales tax number from the State of Wyoming Department of Revenue. Most merchants that do not have a physical store within the City of Casper will also need an Itinerant Merchant permit, which is a permit required by the Casper Municipal Code.

➤ **FOOD VENDOR- (Various Types - Not applicable to all events)**

If the event will feature the selling or provision of food, then information on the type of food and the manner of sale will need to be included in the application.

Event organizers are responsible for confirming appropriate licenses and permits by anyone serving or selling food associated with their event.

All mobile cooking shall obtain 1) food truck/trailer permit or 2) a temporary food permit.

In a few specific instances, food providers that do not have a Temporary Food License may still be exempt from licensing and inspection by the Casper-Natrona County Health Department. The Cottage Food Act licensing exemption (WSS 35-7-124) provides an exemption for non-potentially hazardous foods (baked goods) that are produced in home kitchens and then sold at events. The Traditional Food Act licensing exemption (WSS 35-7-1703) provides exemptions for events such as pot lucks, charitable cook offs, and non-profit fundraising events.

For more information on food permitting requirements and/or food permitting exemptions, Customers are encouraged to contact the Casper-Natrona County Health Department at 307-577-9752.

WEATHER CONTINGENCIES

It is the responsibility of the Customer to track and monitor the weather and make the call on the potential cancellation of an event. However, any event will be subject to cancellation or disassembly/evacuation orders by any public safety official in the event of any major crisis or weather event that poses a direct or imminent threat to public health or safety.

Fees that have been paid by the Customer may be transferable toward future event applications/permits if the event is cancelled due to inclement weather or other emergency situations.

DRAFT

INSURANCE REQUIREMENTS and INDEMNIFICATION

In order to receive an Event Authorization for an event that will occur on city property, the Customer will need to provide the City with a certificate of insurance, and the certificate will need to list the City of Casper as an additionally insured party. The required elements of the insurance policy will vary depending on the activities that your event will entail.

➤ Comprehensive General Liability - (Required for all events)

The Customer will need to provide Insurance Services Office Form CG 00 01 covering comprehensive general liability (CGL) on an “occurrence” basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than \$250,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit.

This CGL policy must specifically include the City of Casper as an additionally insured party. It is common for organizations such as non-profit and for-profit corporations to carry a comprehensive general liability insurance policy for that organization’s general activities, and it might be the case that events are already covered by that policy. If this is the case, then the Customer may want to contact their insurance provider to arrange for the issuance of a certificate of insurance that specifically lists the City of Casper as an additionally insured party.

➤ Indemnification - (Required for all events)

As a condition of Event Authorization, the Customer will need to indemnify the City of Casper, including its officers, officials, employees, agents, and contractors. An indemnification clause will be included in the Event Authorization.

➤ Third Party Insurance for High Risk Activities - (Not applicable to all events)

Certain kinds of safety sensitive activities will need to be specifically covered by the insurance policy. These activities are commonly excluded from standard CGL policies. Safety sensitive activities include activities such as:

- Inflatables (such as bouncy houses)
- Amusement houses (such as fun houses or haunted houses)
- Carnival-style rides
- Fireworks and pyrotechnics
- Bonfires and open flames
- Unique participatory experiences

If the event will feature this sort of activity, then the Customer will be required to provide the City with a certificate of insurance that specifically includes coverage for that activity. The City of Casper reserves the right to require additional insurance for events based on the specific activities that will occur as a part of that event.

Coverage of this sort should be on an “occurrence” basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than \$1,000,000 per occurrence. The certificate of insurance may be held by the Customer or by the vendor that is specifically managing this portion of the event, but in either case, the certificate must include the City of Casper as an additionally insured party.

➤ **Liquor Liability - (Not applicable to all events)**

If the responsible organization will be supplying alcoholic beverages, then the general liability insurance must specifically include host liquor liability coverage. If the responsible organization is using a caterer or other vendor to supply alcohol, then that vendor must have liquor liability coverage in addition to the Customer’s host liquor liability coverage. If the responsible party intends to *sell* alcohol, then either the responsible party or the vendor providing the alcohol for sale must have a valid liquor sales license, and the vendor’s liquor liability coverage will need to specifically include coverage for the sale of alcohol. The limits for each of these coverages shall be no less than \$1,000,000.

➤ **Automobile Liability - (Not applicable to all events)**

If the event will involve motorized transportation (such as shuttle bussing, or valet parking) then the Customer will need have automotive insurance. If the vehicles are owned by the host organization, then the Customer will need to provide Insurance Services Office Form Number CA 0001 covering Code 1 (any auto). If the vehicles are not owned by the host organization, then the Customer will need to provide Insurance Services Office Form Number CA 0001 covering Code 8 (hired) and Code 9 (non-owned). All auto coverage must have a limit of no less than \$1,000,000 per accident for bodily injury and property damage, and all auto coverage will need to list the City of Casper as an additionally insured party.

EVENT EVALUATION

The Licensing Specialist will complete an *Event Evaluation* following each event to measure the success of the event. The evaluation will be kept on file at the City and used as a reference for any future event applications for related and similar events. Customers will receive a copy of their evaluation within 30 calendar days following event completion.

In Closing...

Again, thank you for choosing the City of Casper to hold your event. Please contact the Licensing Specialist throughout the process with any questions you may have. We look forward to helping you conduct a safe, successful, and fun event!

Mobile Vendor Parking Permit (MVPP)

Revised 1/5/18

1. A vendor operating with an MVPP shall be allowed to sell products or services to pedestrians from a street legal vehicle or street legal trailer from a legal parking space on a public street.
2. The MVPP shall allow a vendor with a street legal vehicle or street legal trailer to park in a general-use parking space on a city street for up to one day. Alley parking is prohibited. For the purposes of the MVPP, the one day period shall run from 6:00 AM until 3:00 AM the following day.
 - a. For parking spaces that are normally limited to one hour, two hours, or for a similarly limited amount of time, the MVPP shall grant the vendor permission to park for periods of time that exceed the designated time restrictions.
 - b. No vehicle or trailer shall be allowed to operate under an MVPP on any given block for more than ten (10) days in any thirty (30) day period.
3. Only one (1) MVPP will be issued for any given block of public street on any given day.
4. The MVPP shall only apply to regular parking areas on public streets and to regular marked parking spaces on public streets. The MVPP shall not allow a vendor to park on parkways or in handicap parking spaces, loading zones, school-related critical parking zones, fire lanes, or similarly restricted special parking spaces.
5. The MVPP shall not entitle the vendor to reserve any specific parking spaces or parking locations. The vendor may seek out available parking locations within the designated MVPP area on the date specified by the MVPP. If suitable parking locations are not available at the time when the vendor arrives, then the vendor may return at a later time on the specified day once a suitable parking location has become available.
6. The products and services offered by the vendor with an MVPP shall be consistent with the permitted uses of the zoning districts present on the specified block.
7. The vendor shall position their vehicle or trailer in the parking space or spaces in a manner that would be in conformance with normal parking rules for that location.
 - a. The vendor shall position their vehicle or trailer in a manner that would allow the vendor's owners, officers, and employees to access the vehicle or trailer from a sidewalk or from private property. The vendor shall not operate in a manner that involves its owners, officers, subcontractors, or employees walking or standing in the driving areas or the parking areas of the right of way, except to the extent that these owners, officers, subcontractors, or employees are walking or standing within the physical confines of the vendor's vehicle or trailer.
 - b. The vendor shall position their vehicle or trailer in a manner that would allow the vendor's customers to access the vehicle or trailer from a sidewalk or from private property. The vendor shall not operate in a manner that involves its customers walking or standing in the driving areas or the parking areas of the

right of way, except to the extent that these customers are walking or standing within the physical confines of the vendor's vehicle or trailer.

- c. The MVPP shall not entitle the vendor to place equipment, furnishings, signs, tents, or any other thing on the driving surface of the right of way, the parking surface of the right of way, the parkway, or on any public sidewalk. The vendor shall not in any way obstruct any public driving or walking areas, and the vendor shall not obstruct any public parking area other than the space or spaces that are currently being occupied by the vendor per the terms of the MVPP.
 - d. Vendor's truck and/or trailer will not be left unattended.
8. The MVPP shall not allow the vendor to access or remain in any parking space that would not also be accessible to the general driving public as a parking space at that place and time.
- a. The MVPP shall not grant exemptions from parking restrictions related to Snow Emergencies.
 - b. The MVPP shall not grant exemption to any legal street closure or restriction.
9. Vendors seeking an MVPP shall apply for the MVPP on a permit application form that has been approved by the City Manager.
- a. The MVPP permit application form shall require the vendor to specify:
 - i. The street legal vehicles or street legal trailers that will be operating under the MVPP
 - ii. The date or dates when the vendor wishes to operate,
 - iii. The block on which the vendor wishes to operate. The block shall be identified by the street on which the vehicle or trailer will be parked along with the two nearest cross streets in either direction from the desired location.
 - iv. Any other information deemed by the City Manager to be reasonably relevant to the issuance of the MVPP.
 - b. The vendor may apply for a One Parking Space MVPP or a Two Parking Space MVPP.
 - i. For blocks with marked parking spaces, the One Parking Space MVPP shall grant permission for the vendor to operate from and occupy one marked parking space on the designated block of the public street.
 - ii. For blocks with marked spaces, the Two Parking Space MVPP shall grant permission for the vendor to operate from and occupy up to two adjacent marked parking spaces on the designated block of the public street.
 - iii. For blocks without marked parking spaces, the One Parking Space MVPP shall grant permission for the vendor to operate from and occupy up to twenty (20) feet of consecutive linear space within the parking lane of the designated block of the public street.
 - iv. For blocks without marked spaces, the Two Parking Space MVPP shall grant permission for the vendor to operate from and occupy up to forty

(40) feet of consecutive linear space within the parking lane of the designated block of the public street.

- v. A One Parking Space MVPP shall not entitle the vendor to park and operate more than one (1) vehicle or trailer. A Two Parking Space MVPP shall not entitle the vendor to park and operate more than two (2) vehicles or trailers.

c. Each MVPP shall specify:

- i. The date for which the MVPP has been issued.
- ii. Whether the MVPP is a One Space MVPP or a Two Space MVPP.
- iii. The vehicles or trailers for which the MVPP has been issued.
- iv. The block for which the MVPP has been issued, as identified by the street on which the vehicle or trailer will be parked along with the two nearest cross streets in either direction from the desired location.

10. MVPP applications must be submitted at least fourteen (14) days prior to the requested date of the MVPP. When a complete MVPP application has been filed, the City shall mail notice of the filing to the owner of each property on the applicable block. Notice shall be post marked at least ten (10) days prior to the requested date of the MVPP. The cost of these mailings will be invoiced for reimbursement from the MVPP applicant. For vendors that are seeking multiple MVPP's for the same location but different dates, a single mailing with every applicable date may be sent to each applicable property owner.

11. MVPP permit applications will be reviewed by the City Manager or the City Manager's designee. Factors that shall be considered in the review of the MVPP application may include, but shall not be limited to: traffic impacts, public safety impacts, inconvenience to the surrounding neighborhood, the availability of appropriate parking spaces, past compliance with MVPP permit regulations and the intent of the MVPP program, and past compliance with applicable laws.

- a. The MVPP shall not be issued unless the vendor has reimbursed the City for the mailing of public notices and has paid to the City the appropriate MVPP Permitting Fee. The MVPP Permitting Fee shall be set at \$25 (twenty-five dollars) per day per parking space.