

Department of Parks & Recreation (DPR)
Outdoor Events Permitting Update



CDHS Committee
January 15, 2019

Agenda



- **Background and Context**

- Resolution 18-R-3929
- Types of Permits Issued by DPR in accordance with Chapter 142 – Outdoor Events of the Atlanta Code of Ordinances

- **Review Process**

- Process Overview
- Outdoor Events Code Review
- Administrative Review of Parks Permit Application

- **Recommendations**



Resolution 18-R-3929

A RESOLUTION REQUESTING THE DEPARTMENT OF PARKS AND RECREATION - OFFICE OF PARKS TO **REVIEW THE CURRENT OUTDOOR EVENTS PERMITTING PROCESS, AND PROVIDE RECOMMENDATIONS ON PENALTIES FOR INDIVIDUALS THAT VIOLATE THE REQUIREMENTS OF THE OUTDOOR EVENTS PERMITTING PROCESS; AND FOR OTHER PURPOSES.**

....

WHEREAS, the Office of Parks should **review its policies for outdoor events applications to issue penalties for violators**, while not requiring those individuals that adhere to the required policies to incur additional fees.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Office of Parks is hereby requested to **review the current Outdoor Events Permitting Process to review the current policies of the Outdoor Event Application process** of the Atlanta City Code of Ordinances.

BE IT FURTHER RESOLVED, the Office of Parks shall **provide recommendations that should include but not limited to, expanding the purview of and increasing the amount of current event bond fees, civil and/or criminal penalties, and refusal of all future outdoor event applications for violations of an outdoor event permit.**

Types of Outdoor Event Permits Issued by DPR



- **Park Outdoor Facility Reservation such as a Park Pavilion (Section 142-102)**
 - Capacity determined by pavilion size
 - Must make reservation minimum of 14 days in advance/ no more than 90 days before event date
 - Does not include amplified sound and/or portables, unless also permitted specifically under a Special Use Permit (\$50)
 - Requires \$100 refundable event bond
 - Reservation(s) made online (24 hours) at www.atlantaga.gov/iPARCS or in-person at either of our two office locations located at 233 Peachtree Street, Harris Tower, Floor 17 or 326 Moreland Ave.
- **Large Gathering Permit (Section 142-103)**
 - An outdoor event that lasts for more than one hour, has more than 75 attendees, and does not meet the definition of outdoor festival (Section 142-50) nor assembly (Section 142-80).
 - Must be made 30 days in advance to include amplified sound or minimum of 14 days prior to event date if no amplified sound
 - Parks require an internal security plan for Large Gatherings in a Park expecting more than 250 people

Process Overview



Upon passage of Resolution 18-R-3929 DPR began a process to review the current code, internal procedures, and best practices. Given the cross-department nature of outdoor events permitting, a cross-department working group* was formed to review findings and recommendations of the Code of Ordinances Chapter 142 – Outdoor Events.

1. Review of the current code, internal procedures, and best practices (Aug-Oct)
2. Cross-department permitting review and recommendation development (Oct-Nov)
3. Initial legal review and cross-department discussion (Dec)
4. Working group to conduct final legal and APD/AFR review (Jan)
5. Present findings and recommendations to CDHS committee (Jan 15)
6. Finalize recommendations, review and adjust internal procedures (Jan-Feb)

*Cross-department working group includes the Department of Parks and Recreation, Mayor's Office of Special Events, Atlanta Police Department, Atlanta Fire and Rescue Department, Mayor's Office of Innovation and Performance, and Law Department

Outdoor Events Code Review



Sec 142-6. Penalties for violations.

(a) Any person who shall conduct, host, or sponsor an outdoor event for which a proper permit has not been obtained, shall be responsible for **paying all costs** that would have been owed had the outdoor event been permitted or properly permitted.

(b) Any person who shall conduct, sponsor, host, or promote an outdoor event for which a permit has not been obtained as required, or who fails to abide by the terms of the permit, or any related sub-permit, and who fails to correct her/his deviation from said terms upon oral or written notice by the city, or who shall fail to timely pay the bill, shall have committed and may be **charged with a code violation**.

(e) **Charging any host with a code violation where the outdoor event actually has more than 250 attendees on public property, or more than 500 attendees on private property with failure to obtain an outdoor festival permit** only if the person obtaining the outdoor event permit should have reasonably expected that the number of attendees would exceed those limits. For events that are publicized to the general public by fliers and/or radio advertisements and/or other types of advertisements, the person obtaining the outdoor event permit will automatically be deemed as having a reasonable expectation that the number of attendees would exceed those limits.

Outdoor Events Code Review



Sec 142-12. General Considerations regarding approval, denial, or revocation of an outdoor event permit.

(d) The chief of staff may deny or revoke a permit if the applicant has, in this city or any other locality, violated a material condition and/or restriction of an outdoor event permit, or if the applicant's conduct regarding the outdoor event was in violation of law or local ordinance.

(g) An outdoor event permit may be revoked and an outdoor event may be terminated for public safety reasons by the chief of police and/or the fire chief, or their designees, in consultation with the chief of staff.

Note: DPR may not refuse outdoor event applications except where a permit holder may owe fees. Once fees are paid in full, applications may proceed in the permitting process

Outdoor Events Code Review



Sec 142-55. Internal security plan.

All applicants for an outdoor festival must submit an internal security plan that is approved by the chief of police or her/his designee prior to being issued an outdoor festival permit.

Sec 142-22. Fees.

(f)(3)(B) The city may require a \$100.00 refundable event bond where the host applies to reserve a park facility or to have any other outdoor event in a park, provided there is no formal agreement between the host and the city.

Conducted survey of metropolitan service area and found that Gwinnet, Cobb, and Dekalb do not charge an event bond for reserving facilities or open spaces. The City of Roswell charges a refundable event bond of \$50-\$100 depending on size of the facility.

CY 2018 Outdoor Event Permits issued by DPR totaled 1,163 with 16 claimed event bonds.



Permit Review

- Permit holder may be responsible for additional costs related to improperly permitting event or failure to abide by park rules
 - Sec 142-6.(a) Any person who shall conduct an outdoor event for which a proper permit has not been obtained, shall be responsible for paying all costs
 - Sec 142-12.(d) deny or revoke a permit if an applicant has failed to complete payment of any sums required for a previously permitted outdoor event, until such time as payment is received.
 - Sec 142-22.(f)(5) for outdoor events where the city must provide restoration services DPR will assess the amount owed for billing to the applicant
- Permit holder will be requested to indicate how the event will be publicized to the general public, if applicable
 - Sec 142-6.(e) For events that are publicized to the general public by fliers and/or radio advertisements and/or other types of advertisements, the person obtaining the outdoor event permit will automatically be deemed as having a reasonable expectation that the number of attendees would exceed those limits.
- Permit holder will be responsible to indicate expected attendance for ballfield and pavilion rentals, which may require an internal security plan
 - Sec 142- 55 All applicants for an **outdoor festival** must submit an internal security plan that is approved by the chief of police or her/his designee prior to being issued an outdoor festival permit.

Recommendations



- Add language in ordinance that requires internal security plan for **all outdoor events in Parks** expecting more than 250 people
- Add language in the Parks Outdoor Events Permit Application
 - Permit holder may be responsible for additional costs related to improperly permitting event or if restorative services are required or failure to abide by park rules
 - Permit holder will be requested to indicate how the event will be publicized to the general public, if applicable
 - Permit holder will be responsible to indicate expected attendance for ballfield and pavilion rentals, which may require an internal security plan
- In cooperation with Finance, Office of Revenue, conduct a fee study of applicable license/permit fees

Department of Parks & Recreation (DPR)
Outdoor Events Permitting Update



CDHS Committee
January 15, 2019