

Legislation Text

File #: Ordinance 17-2018, **Version:** 2

Agenda Date: 05/01/2018

Subject:

An ordinance on second reading repealing Sections 3-3-1 to 3-3-7, pertaining to circuses and carnivals; and adding new Chapter 3 pertaining to establishing the standards for the issuance of a permit for special events and demonstrations in the city

Presented By: Steve Kemp, City Attorney

REQUESTED COUNCIL ACTION:

Does city council support an amendment to Title 3, Chapter 3 of the Littleton City Code to establish standards and guidelines for special events in the city?

BACKGROUND:

Littleton has developed into a vibrant community where many special events are held. Staff estimates in 2018, more than 150 special events will be held on public and private property in the calendar year. While these events demonstrate the incredible quality of life residents enjoy in Littleton, they pose a number of concerns from a public health, safety, and welfare standpoint, as well as making sure that the event does not negatively impact Littleton residents and businesses.

PRIOR ACTIONS OR DISCUSSIONS:

A study session on special events was held on April 3, 2018.

STAFF ANALYSIS:

Currently, Littleton uses an informal process to attempt to regulate special events. This process has a number of significant legal problems:

1. No provisions for enforcement of permit conditions.
2. No organized structure for review of individual events.
3. No requirements to notify others who may be impacted by an event.
4. No provision of comprehensive information regarding the event.
5. No recognition of first amendment activity.
6. No formal provisions for street closures.

From a legal standpoint, any of these problems could result in liability for the city. As a result, the city attorney's office and various departments reviewed a number of special event codes from cities in Colorado including Denver, Greeley, Aurora, and Boulder. The draft ordinance presented to council at the study session attempted to address and incorporate these processes in Littleton. The ordinance requires a full review of applications and establishes specific standards governing permits for special events.

The review of special events under the proposed ordinance will be coordinated by the Department of Communications which has worked with the city attorney on the drafting of the proposed ordinance.

After City Council approval of the introduction on first reading, the City Attorney met with Council member Cole to review and incorporate changes in punctuation. These are indicated on the redline version. City Attorney also incorporated revisions to the definitions of demonstration and special events to make the definitions easier to understand as requested by council at the study session for purposes of first amendment activities. These changes are indicated on the redline version. Finally, errors in section numbering were corrected. None of these changes are substantive or modify the provisions in any manner.

OPTIONS/ALTERNATIVES:

1. Amend the city code to enact the draft ordinance governing special events.
2. Do not amend the city code and continue to operate informally without restrictions.

FISCAL IMPACTS:

Slight increases in revenues due to the increased fees.

STAFF RECOMMENDATION:

Staff recommends approval of the ordinance amending Title 3, Chapter 3 of the Littleton City Code.

PROPOSED MOTION:

I move to approve the ordinance repealing the existing Section 3-3-1 to 3-3-7 pertaining to circuses and carnivals; and adding new Chapter 3 pertaining to establishing the standards for the issuance of a permit for special events and demonstrations in the city.