



Public Works and Safety Committee
Standing Committee Meeting Agenda
Tuesday, February 17, 2015
5:00 PM

Location:

Municipal Office Building
701 N 7th Street
Kansas City, Kansas 66101
5th Floor Conference Room (Suite 515)

<u>Name</u>	<u>Absent</u>
<input type="text" value="Commissioner Mike Kane, Chair"/>	<input type="checkbox"/>
<input type="text" value="Commissioner Hal Walker"/>	<input type="checkbox"/>
<input type="text" value="Commissioner Tarence Maddox, Co-Chair"/>	<input type="checkbox"/>
<input type="text" value="Commissioner Angela Markley"/>	<input type="checkbox"/>
<input type="text" value="Commissioner Jane Philbrook"/>	<input type="checkbox"/>
<input type="text" value="Jeff Bryant - BPU"/>	<input type="checkbox"/>

I. Call to Order / Roll Call

II. Committee Agenda

Item No. 1 - DISCUSSION: PARADES AND MARATHONS STAFFING FEES

Synopsis:

Discussion and recommendation relating to assessing a fee to staff parades and marathons held in Wyandotte County, submitted by Gordon Criswell, Assistant County Administrator.

Tracking #: 150035

III. MEASURABLE GOALS

Item No. 1 - MEASURABLE GOALS: POLICE DEPARTMENT

Synopsis:

Measurable goals - Police Department.

Tracking #: 120155

IV. Adjourn



Staff Request for Commission Action

Tracking No. 150035

- Revised
 On Going

Type: Standard

Committee: Public Works and Safety Committee

Date of Standing Committee Action: 2/17/2015

(If none, please explain):

Proposed for the following Full Commission Meeting Date:

Confirmed Date: 3/5/2015

3/5/2015

Changes Recommended By Standing Committee (New Action Form required with signatures)

Date:	Contact Name:	Contact Phone:	Contact Email:	Ref:	Department / Division:
2/4/2015	Gordon Criswell	5030	jleverich@wycokck.org	jl	CAO

Item Description:

Wyandotte County has seen a significant increase in applications for parades and marathons by various organizations across the metro area. Staffing such events has created a drain on the limited resources of the many UG Departments that have to coordinate these events which vary in size and location.

Wyandotte County is the only municipality in the metro area that does not charge for any of the UG staff costs associated to ensuring that the event is conducted in a safe and orderly fashion. Attached for your review is a study of what other metro communities charge for parades and marathons. Also attached for your reference is the UG Parade and marathon ordinance and the UG Block-Special Permit application and procedures.

Action Requested:

For discussion and recommendation

Publication Required

Budget Impact: (if applicable)

Amount: \$

Source:

- Included In Budget
 Other (explain)

 File Attachment

Criswell, Gordon

From: Aguayo, Rico
Sent: Monday, July 21, 2014 4:56 PM
To: Criswell, Gordon
Subject: Special Event Comparison
Attachments: KCMO Parade.pdf; KCMO Traffic.pdf; Lawrence.pdf; Lenexa.pdf; Olathe.pdf; Prairie Village.pdf; Tonganoxie.pdf; Topeka.pdf; UG Policy.pdf; Wichita.pdf

Gordon, I have gathered various Special Event Permits for your review. Copies are attached and a brief summary is located in the table below. If you need further analysis, please let me know.

City	City Department Processing	Process Time	Additional Documents	City Services Offered/Provided	City Department Approval	Cost to Applicant
KCMO (Parade)	Public Works (Street & Traffic)	2-Months Prior	Fee Proof of Publication, Property Owners Notification, Insurance	None	Police, Transportation, Parks & Rec, Downtown Council, C & V Bureau	Pay law enforcement and traffic control costs.
Lawrence	City Hall	60-Days Prior	Insurance, Property Owner Notification, Map & Diagram,	Bus Re-Routes, Meter Bags, Signs, Barricades	Commission Approval, Building, Police, Public Works, Fire, Recreation, Transit	Pay estimated costs to all departments involved.
Lenexa	Community Development	10-30 Days Prior	Insurance, Property Owners Notification, Map & Diagram	None	Council Approval	None Stated.
Olathe	City Clerk	30-Days Prior	Insurance, Property Owner Notification, Descriptions, Certificates	None	City Manager, Police, Fire, Code Enforcement	Pay estimated cost of city services.
Prairie Village	Police Department	2-Weeks Prior	Description of Event, Signs & Structures, Map & Diagram	None	Chief	Pay estimated cost of city services.
Tonganoxie	City Hall	20-Days Prior	Insurance, Property Owner Notification, Clean-Up	Police Escort, Security, Traffic Control, First Aid, Barricades	Police, Street, Engineer, Parks & Rec,	None

Topeka	City Clerk	2-Weeks Prior	Agreement Site Plan, Health Permits, Equipment	None	Chamber Police, Fire, Engineer, Street, City Attorney, City Clerk	Pay estimated cost of city services.
Wichita	Division of Arts & Cultural Services	15-Days Prior	Insurance, Site Plan, Security Plan,	None	Not Stated	Pay all expenses.

Thanks,

Rico B Aguayo

County Administrator's Office | Intern | ☎: (913) 573 - 5017

Unified Government – Code of Ordinances

CHAPTER 32 STREETS AND SIDEWALKS ¹¹

ARTICLE I. - IN GENERAL

ARTICLE II. - CONSTRUCTION AND USE OF RIGHTS-OF-WAY

ARTICLE III. - STREET OR SIDEWALK VENDORS

ARTICLE IV. - FRANCHISES

ARTICLE V. - PARADES

ARTICLE VI. - MARATHONS

ARTICLE VII. - TREES

ARTICLE V. - PARADES

Sec. 32-262. Required.

No person shall engage in, participate in, aid, form or start any parade unless a parade permit shall have been obtained from the chief of police.

(Code 1964, § 24A-2; Code 1988, § 32-256; Ord. No. 54768, § 1, 3-30-1976)

Sec. 32-263. Application.

A person seeking issuance of a parade permit shall file an application with the chief of police, on forms provided by the unified government clerk, at least 30 days in advance of the date of the proposed parade. The chief of police may choose whether to consider any application for a permit to conduct a parade that is filed less than 30 days prior to the date such parade is to be conducted. The application for such permit shall be made in writing. In order that adequate arrangements may be made for the proper policing of the parade, the application shall contain the following information:

(1)

The name, address and telephone number of the person seeking to conduct such parade. If such person is not a resident of the city, then there also shall be listed the name, address and telephone number of a local representative;

(2)

If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorized and responsible heads of such organization;

- (3) The name, address and telephone number of the person who will be the **parade marshal** and who will be responsible for its conduct;
- (4) The **date the parade** is to be conducted;
- (5) The **route to be traveled**, the starting and termination points and the location of reviewing stands, if any;
- (6) The **approximate number of persons, animals and vehicles** which will constitute such parade, including the type of animals and a description of the vehicles, the number of bands, other musical units, and sound trucks to be used, and the number, type and size of banners, placards and signs to be used;
- (7) The **hours the parade** will start and terminate;
- (8) A **statement as to whether the parade will occupy all or only a portion of the width of the streets** proposed to be traversed;
- (9) The **location by streets** of any assembly areas for such parade;
- (10) The **time when units of the parade will begin to assemble** at any such assembly area or areas; and
- (11) Any additional information that the chief of police shall find reasonably necessary to a fair determination as to whether a permit should issue.

(Code 1964, § 24A-3; Code 1988, § 32-257; Ord. No. 54768, § 1, 3-30-1976)

Sec. 32-264. Standards for issuance.

The **chief of police shall issue a parade permit when**, from a consideration of the application and such other information as may otherwise be obtained, the chief finds that:

- (1) The conduct of the parade will not **substantially interrupt the safe and orderly movement** of other traffic contiguous to its route.

- (2) The conduct of the parade will not require the diversion of so great a number of police officers of the unified government to properly police the line of movement and the contiguous areas as to prevent normal police protection to the city.
- (3) The concentration of persons, animals and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of or ambulance service to areas contiguous to such assembly areas.
- (4) The conduct of such parade will not adversely affect or interfere with the movement of firefighting equipment en route to a fire.
- (5) The conduct of the parade is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or to create a disturbance.
- (6) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route.
- (7) The parade is not to be held for the sole purpose of advertising any product, goods or event and is not designed to be held purely for private profit.
- (8) The parade will not substantially interfere with any other parade for which a permit has already been granted.
- (9) The applicant has provided for services of the number and type of parade monitors that the chief of police considers reasonably necessary to ensure that the parade will be conducted in conformity with the parade permit.
- (10) The applicant has not materially misrepresented any facts or information set forth in the application for a parade permit.
- (11) The applicant has furnished proof that permits or permission have been obtained from the appropriate authorities if the assembly or disbanding locations or the route of march of the parade encroach upon, occupy or traverse any area within the jurisdiction of the federal, state or local government.

Sec. 32-265. Notice of rejection. 

The chief of police shall act upon the application for a parade permit within five days after its filing. If the chief of police disapproves the application, the chief shall mail to the applicant within ten days after the date the application was filed a notice of such action stating the reasons for denial of the permit.

(Code 1964, § 24A-5; Code 1988, § 32-259; Ord. No. 54768, § 1, 3-30-1976)

Sec. 32-266. Appeals. 

Upon a denial by the chief of police of an application, the applicant may appeal the denial to the county administrator within ten days by filing a written notice of appeal with the unified government clerk. Upon such appeal, the county administrator may reverse, affirm, or modify the determination of the chief of police.

(Code 1964, § 24A-6; Code 1988, § 32-260; Ord. No. 54768, § 1, 3-30-1976)

Sec. 32-267. Notice of unified government and other officials of issuance. 

Immediately upon the issuance of a parade permit, the chief of police shall send copies to the following:

- (1) The unified government board of commissioners;
- (2) The unified government clerk; and
- (3) The chief of the fire department.

(Code 1964, § 24A-7; Code 1988, § 32-261; Ord. No. 54768, § 1, 3-30-1976)

Sec. 32-268. Contents. 

Each parade permit shall state the following information:

- (1) **Name of person to** whom the permit is issued;
- (2) **Name of organization** represented;

- (3) Name of person designated as parade marshal;
- (4) The date the parade is to be conducted;
- (5) The route to be traveled, the starting point and the termination point;
- (6) The hours the parade will start and terminate;
- (7) The maximum length of the parade in miles or fractions thereof; and
- (8) Such other information as the chief of police shall find necessary to the enforcement of this article.

(Code 1964, § 24A-8; Code 1988, § 32-262; Ord. No. 54768, § 1, 3-30-1976)

Sec. 32-269. Duties of permittee.

- (a) A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances.
- (b) The parade marshal or other person heading or leading such activity shall carry the parade permit during the conduct of the parade and shall display the permit upon request by proper officers, agents or employees of the unified government.
- (c) The parade marshal shall monitor the parade and be available at all times during the parade for the chief of police or his designated representative.

(Code 1964, § 24A-9; Code 1988, § 32-263; Ord. No. 54768, § 1, 3-30-1976)

Sec. 32-270. Revocation.

The chief of police shall have the authority to revoke a parade permit upon application of the standards for issuance as set forth in section 32-264.

(Code 1964, § 24A-11; Code 1988, § 32-264; Ord. No. 54768, § 1, 3-30-1976)

ARTICLE VI. - MARATHONS

Sec. 32-322. Required.

No person shall advertise, engage in, participate in, aid, form, sponsor or start any marathon unless a permit to conduct the same shall first have been obtained from the chief of police.

(Code 1964, § 24A-22; Code 1988, § 32-316; Ord. No. 64854, § 2, 8-15-1985)

Sec. 32-323. Application.

(a)

Any person seeking the issuance of a **marathon permit shall file an application with the chief of police** on forms provided by the chief of police not more than **180 days before and not less than 15 days before** the date and time at which it is proposed to commence the marathon; provided, however, that for good cause shown the chief of police may waive the minimum 15-day filing period and may accept an application filed within a shorter period if, after due consideration of the date, time, place, and nature of the marathon, the anticipated number of participants, and the amount of unified government services which will be required in connection therewith, the chief of police determines that such waiver will not present a hazard to the public safety because of the reduced amount of time available to fully process the application. The application shall be signed by the applicant under oath.

(b)

The application for a permit shall contain the following information, and such other information as may reasonably be required:

(1)

The name, place of residence, mailing address and telephone number of the person seeking to conduct the marathon;

(2)

If the marathon is proposed to be conducted for, on behalf of, or by an **organization, the name, address and telephone number** of the headquarters of the organization and of the authorized and responsible heads of such organization;

(3)

If the marathon is proposed to be conducted for or on behalf of an organization which is authorized under the laws of any other state or is headquartered in another state, or if the sponsor or chairperson of the marathon is not a resident of this state, the name, address and telephone number of a person designated as resident agent within the unified government to receive service of process and legal summons and notices to appear on behalf of the organization, sponsor or person;

(4)

The name, place of residence, mailing address, and telephone number of the individual who will be the **marathon chairperson** and who will be responsible for the conduct of the marathon;

(5)

The date the marathon is to be conducted;

(6)

Nature of the marathon including the type or types of activities that will occur during its conduct;

(7)

The hours such marathon will start and terminate;

(8)

A description of any and all recording equipment, sound amplification equipment, banners, signs, or other attention-getting devices that will be utilized in connection with the marathon;

(9)

The approximate number of participants, not including spectators, in the marathon;

(10)

The estimated number of spectators who will be present at or near the marathon;

(11)

If the marathon is designed to be held by, on behalf of, or for any person other than the applicant, **the applicant for such permit shall file with the chief of police a communication in writing from the person proposing to hold the marathon authorizing the applicant to apply for the permit;**

(12)

The purpose of the marathon, if there is an avowed purpose;

(13)

The exact location of the marathon, the time at which participants will begin to arrive at the marshaling area or areas, the time at which the marathon will begin and the route to be traveled, including the starting point and the termination point;

(14)

A designation of any public facilities or equipment proposed to be utilized; and

(15)

Such other information as the police chief may deem necessary in order to provide for traffic control, street and property maintenance.

(Code 1964, § 24A-23; Code 1988, § 32-317; Ord. No. 64854, § 3, 8-15-1985)

Sec. 32-324. Standards for issuance or denial.

(a)

After review of the application and other information as may otherwise be obtained, the chief of police shall have the power to issue or deny a permit.

(b)

The chief of police shall issue a permit when it appears that:

(1)

The conduct of the marathon will not interrupt substantially the safe and orderly movement of other pedestrian or vehicular traffic in or contiguous to the route or location of the marathon;

(2)

The conduct of the marathon will not require the diversion of so great a number of police officers of the unified government to properly police the marathon area and the contiguous areas as to prevent normal police protection from being furnished to other parts of the city;

(3)

The concentration of persons at the marathon will not interfere unduly with proper fire and police protection of or ambulance service to areas contiguous to the marathon area or other areas of the city;

(4)

The conduct of the marathon is not reasonably likely to cause injury to persons or property or to provoke disorderly conduct as prohibited in section 22-115 or interfere with the preservation of the peace, health, safety or welfare of the public;

- (5) Adequate sanitation and other required health facilities as approved by the public health department are or will be made available by the applicant in or adjacent to the marathon area;
- (6) The conduct of the marathon will not result in noise at a level inappropriate for the areas surrounding the marathon;
- (7) The building, structure, equipment, or location of such marathon complies with and meets all of the health, zoning, fire, and safety requirements or standards of all of the ordinances of the unified government;
- (8) Proof of insurance required by this article as a prerequisite to the holding of a marathon has been filed with the unified government;
- (9) The conduct of the marathon will not be contrary to law;
- (10) The applicant has not had a similar marathon permit denied for good cause within one year prior to the application unless the applicant can show material change in circumstances since such denial;
- (11) The applicant agrees to abide by or comply with all conditions and regulations attendant upon such marathon permit;
- (12) Such marathon will not interfere or conflict with another marathon for which a permit has already been issued or will not interfere or conflict with another marathon for which no permit is required by this division;
- (13) The applicant has not materially misrepresented any facts or information set forth in the application; and
- (14) The applicant has furnished proof that permits or permission have been obtained from the appropriate authorities if the marathon or disbanding locations or the marathon route encroach upon, occupy or traverse any area within the jurisdiction of the federal, state or local government.

(c)

If the chief of police shall find that the marathon is to be held for any unlawful purpose or will not meet the standards described in subsection (b) of this section or will breach the peace or unnecessarily interfere with the public use of the streets and sidewalks, the chief shall deny such permit.

(Code 1964, § 24A-24; Code 1988, § 32-318; Ord. No. 64854, § 4, 8-15-1985)

Sec. 32-325. Indemnification and insurance.

(a)

The applicant for a permit shall agree to indemnify and hold harmless the unified government, its servants, agents and employees, for any and all claims caused by or arising out of the activities permitted. Further, prior to the issuance of a permit, the applicant shall be required to furnish a certificate of public liability insurance and property damage insurance, including products liability coverage written by an insurance company acceptable to the unified government in the minimum amount of \$500,000.00 naming the unified government, its agents, employees and representatives as additional insureds.

(b)

The chief of police may waive the requirement for insurance set out in subsection (a) of this section when the following occur:

(1)

The sponsor, promoter or organizer of the marathon, walkathon, bikeathon, or other organized similar event secures waivers and releases of liability to the unified government, its employees, servants and agents on forms approved by the legal department five days prior to the scheduled event; and

(2)

When the event does not necessitate the barricading, patrolling or supervision of any streets or intersections or when participants in the event will obey all traffic control devices while using the public right-of-way or when the event is to be contained entirely within a city park and does not involve the use of public streets or rights-of-way.

(Code 1964, § 24A-29; Code 1988, § 32-319; Ord. No. 64854, § 9, 8-15-1985)

Sec. 32-326. Notice of denial.

The chief of police shall act upon the application for a permit within seven calendar days after its filing. If the chief of police denies the permit, the chief shall notify the applicant

in writing either by personal delivery or certified mail within such time period stating the reasons for the denial.

(Code 1964, § 24A-30; Code 1988, § 32-330; Ord. No. 64854, § 10, 8-15-1985)

Sec. 32-327. Alternate permit.

The chief of police in denying an application for a permit may authorize the conduct of the marathon on a date, at a time, over a route or in a location different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within five days after notice of the action of the chief of police, file a written notice of acceptance with the chief of police. An alternate permit shall conform to the requirements of and shall have the effect of a permit.

(Code 1964, § 24A-31; Code 1988, § 32-321; Ord. No. 64854, § 11, 8-15-1985)

Sec. 32-328. Conditions contained in permit; closing of streets.

Any permit may contain conditions reasonably calculated to reduce or minimize dangers and hazards to vehicular or pedestrian traffic and the public health, safety and welfare, including, but not limited to, changes in time, location, duration or number of participants. For the purposes of public safety and welfare, the traffic engineer may, if necessary, or order the temporary closing of streets or temporarily prohibit parking during the marathon and shall with the advice of the chief of police direct the posting of proper warning signs. It shall be unlawful for any person to park or leave unattended any vehicle in violation of posted signs.

(Code 1964, § 24A-27; Code 1988, § 32-322; Ord. No. 64854, § 7, 8-15-1985)

Sec. 32-329. Duties of permittee.

(a)

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

(b)

The chairperson or other person heading or leading such marathon shall carry the permit during the conduct of the marathon and shall display the permit upon request by proper officers, agents or employees of the unified government.

(c)

The chairperson or other person shall monitor the marathon and be available at all times during the marathon for the chief of police.

(d)

It shall be unlawful for any person in charge of or responsible for the conduct of a duly licensed marathon knowingly to fail to comply with any condition of the permit.

(Code 1964, § 24A-28; Code 1988, § 32-323; Ord. No. 64854, § 8, 8-15-1985)

Sec. 32-330. Revocation.

The chief of police shall have the authority to revoke a permit instantly upon violation of any one or more of the conditions or standards for issuance as set forth in section 32-324(b).

(Code 1964, § 24A-33; Code 1988, § 32-324; Ord. No. 64854, § 13, 8-15-1985)

Sec. 32-331. Appeal from denial or revocation.

(a)

Any person aggrieved by the denial or revocation of a permit shall have the right to appeal to the county administrator. The appeal shall be taken within ten days after the notice of denial or revocation and shall be filed in writing with the unified government clerk.

(b)

Within 30 days after filing of the appeal, the county administrator shall consider the appeal. Written notice of the time and place the county administrator will consider the appeal shall be mailed to the person who filed the appeal at least ten days before the date set for hearing unless the aggrieved person shall waive notice in writing.

(c)

In any appeal, the county administrator shall consider the application, the record of the case submitted by the chief of police and other pertinent information presented. The standard for review of such an appeal shall be whether the denial or revocation was arbitrary and capricious and without reasonable supporting evidence. The decision of the county administrator shall be final.

(d)

The county administrator shall within three days after the decision notify the aggrieved person in writing of the decision.

(Code 1964, § 24A-34; Code 1988, § 32-325; Ord. No. 64854, § 14, 8-15-1985)



**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY
& KANSAS CITY, KANSAS
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7TH STREET, 66101

(913) 573-5400
FAX (913) 573-5435

Re: **Block Party/Special Event Permit Procedures**

In keeping with the **Public Works Department's policy** on street closings for block parties, it is necessary that you secure the **signatures of no less than 51%** of the residents and/or businesses adjoining the street on which the block party is to be held. However, obtaining as many signatures as possible assures the Department that the majority is in favor of the block party. Certain streets are not available for block parties due to the traffic volumes using the street or the critical nature of that street to traffic flow within a neighborhood.

Enclosed is a copy of the petition form to be used in securing the signatures. Please circulate the petition, and specify the requested street(s) to be closed, the closing date and time period. The **only restriction on the hours for the block party is that the street must be cleaned and reopened to traffic by 10:00PM.**

Forward the completed petition to the Public Works Department, Room 712, 701 North 7th Street, Kansas City, Kansas 66101. Please provide the name of the person to be indicated on the permit, their home address and daytime phone number. Please include with the petition a check or money order made out to "Unified Government Treasurer" for the **\$25.00 permit fee.**

After the request has been processed and approved, the permit will be mailed to the person identified on the permit along with the receipt for the paid permit fee. If preferred, the permit may be picked up and the fee paid at that time.

Barricades for the block party will be provided but the organizers of the party will be responsible for setting up and taking down the barricades. The barricades will be delivered to the address noted on the permit, which will also include the delivery and pickup dates.

The following restrictions will be indicated on the permit: 1) **no alcoholic beverages** will be allowed in the public view since consumption in public is prohibited by law, and 2) **emergency vehicles must be able to access the street.** No fixed objects will be allowed in the streets.

Please allow approximately 2 (two) weeks for processing and approval of your request. If you have any questions concerning the process, please feel free to contact this office.

Sincerely,

Public Works Department

Attachment

PETITION FOR A BLOCK PARTY/SPECIAL EVENT

Organizer's Name: _____

Organizer's Address: _____

Organizer's Phone: _____

TYPE OF EVENT: _____

DATE OF EVENT: _____

SCHEDULED HOURS OF EVENT: (EXAMPLE: 1P.M. TO 6P.M)

STREETS TO BE CLOSED: (EXAMPLE: ANN AVE. FROM 6TH STREET TO 7TH STREET)

NAME

ADDRESS

PHONE

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