

STREET CLOSURE PERMIT FOR EVENTS

(All areas must be filled out to ensure efficient processing of application.)



To the City of Sioux Falls, South Dakota:

The undersigned hereby makes application for a permit to close the following streets:

for the period _____ to _____ on _____ 20____ and states:
hour hour day or days

(not beyond 11 p.m.)

1. Name of Applicant _____
 Address _____ Phone _____
 Representing _____
(Group or Organization)

Applicant and/or Group or Organization Emergency Contact Numbers		
◆Contact Numbers <i>During Event</i> —minimum of two (2) *required◆		
Name	Email Address	Cell Phone
*1.		
*2.		

2. Description of activity to be carried on under this permit:

3. Approximate number to participate in activity: _____
4. Age of any minors who may participate and the name of the person responsible for them:

5. **By approval of this permit, the City of Sioux Falls assumes no liability for any damages or injuries suffered by participants in the activity described above. The City does not provide barricades.**

I have read and fully understand the attached rules and regulations applying to the approval of this permit.

Dated _____, 20____ By: _____

(address)

Please fax to 605-367-4310

For additional questions please call 367-8601.

City Engineer's Office
 PO Box 7402
 Sioux Falls, SD 57117

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Rules and Regulations for Street Closure

The following rules and regulations for the safety of everyone must be strictly adhered to:

🚫 City Ordinance

See enclosure.

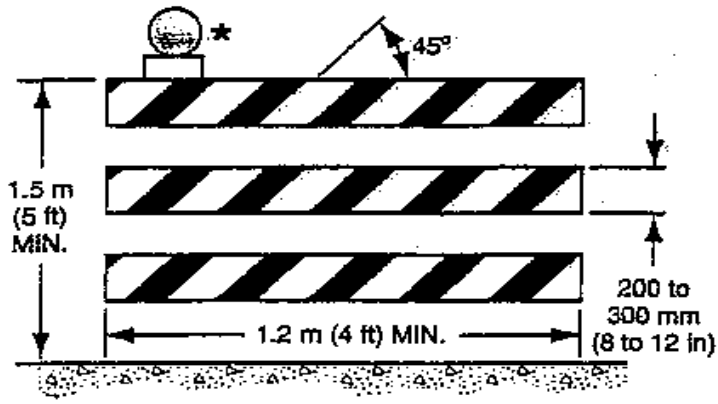
🚫 Fire and Police Department Rules

- 1) Barricades must be easily removable.
- 2) An unobstructed ten-foot (10') lane running in a straight line must remain available at all times.
- 3) There must be an unobstructed access to buildings within the closure area.
- 4) All hydrants are to be kept free from any obstruction.
- 5) No platforms, bandstands, booths, etc., are allowed that cannot be dismantled or moved instantly.
- 6) No interference or hazing will be tolerated by anyone in the area to any Fire and Police Department personnel in performance of their duties.
- 7) There must be no interference with the free flow of Fire and Police Department vehicles.

🚫 Street and Engineering Division Rules

- 1) There shall not be allowed any activity that will cause damage to the street surface, curbs and gutters, sidewalks, or other public and private property within the right-of-ways.
- 2) There shall not be deposited any material on the streets that will cause damage to the street surface, curbs and gutters, sidewalks, or any other public and private property within the right-of-ways.
- 3) The applicant shall be responsible for the removal of any and all debris left within the right-of-ways.
- 4) When a road section is closed to traffic, a minimum of two (2) Type III barricades (as pictured below) must be erected at the points of closure. They may extend completely across a roadway and its shoulders or from curb to curb. Since provisions must be made for access of equipment and authorized vehicles, the Type III barricades should be provided with gates or movable sections that can be closed or with indirect openings that will discourage public entry. Where access is provided through the Type III barricades, responsibility should be assigned to a person to assure proper closure. **The purpose of this rule is to address liability concerns of the City and the permit holder.**

All signs or barricades intended to be used during hours of darkness shall be reflectorized or illuminated. At least one barricade warning light (flashing-type) shall be installed on barricades at each point of closure.



TYPE III BARRICADE **

Street Closure Additional Information

Approval Contacts

Department	Location	Directions
Engineering (367-8601)	City Hall (Ground Floor) 224 West Ninth Street	Ninth Street and Dakota Avenue

Barricade Rentals

Company	Address	Phone Number
Construction Signing Corporation	111 North Garfield Avenue	373-9009
Dakota Traffic Services	1500 N Carla Ave, Tea, SD	368-9961
Traffic Solutions	27297 Kenworth Pl, Harrisburg, SD	368-9765

ASSEMBLIES, PARADES AND PROCESSIONS

§ 96.180 DEFINITIONS.

For the purposes of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ASSEMBLY. Any block party, demonstration, rally, gathering or group of 25 or more persons, animals or vehicles, or a combination thereof, having a common purpose, design or goal, upon any public street, sidewalk, alley or other public place, which assembly substantially inhibits the usual flow of pedestrians or vehicular travel or which occupies any public area, but does not rise to the definition of a special event.

PARADE. Any scheduled walk, demonstration, procession, motorcade consisting of 25 or more persons, animals or vehicles, or a combination thereof, having a common purpose, design, designation or goal upon any public place, which does not comply with normal and usual traffic regulations and controls.

SPECIAL EVENT.

- a) Any of the following activities involving 25 or more persons, animals or vehicles, or a combination thereof, open to the general public taking place on public space that involves a temporary and exclusive use of public space involving a substantial deviation from current legal land use or legal nonconforming use and may include, but not be limited to:
 - a) Amusements or carnivals;
 - b) Entertainment;
 - c) Music by way of sound amplification;
 - d) Dancing;
 - e) Dramatic or theatrical productions;
 - f) Festivals;
 - g) Parades;
 - h) Runs, walks, triathlons and bicycle races or rides that will not comply with the normal or usual traffic regulations or controls or are likely to impede, obstruct, impair or interfere with free flow of traffic;
 - i) Any activity involving the sale of merchandise, food or alcohol;
 - j) Any activity making use of structures not already present on the public space such as stages, booths, canopies, awnings, risers, bleachers, fences, partitions, stands or similar constructions; and
 - k) Any activity taking place on public space that may require for its successful execution city services to a degree significantly over and above that routinely provided under ordinary circumstances, as determined by the special events committee.

SPECIAL EVENTS. Shall not include the use of public space by governmental agencies acting within the scope of their authority.

SPONTANEOUS EVENT. An unplanned or unannounced coming together of persons, animals or vehicles as described in this section, which was not contemplated beforehand by any participants therein and which is caused by or in response to unforeseen circumstances or events and which is neither a parade nor as assembly, as defined in this section.

(1992 Code, § 38-133) (Ord. 70-87, passed 8-31-1987; Ord. 55-03, passed 6-16-2003; Ord. 39-12, passed 6-19-2012)

Cross-reference:

Definitions and rules of construction generally, see § 10.002

§ 96.181 PERMITS AND EXCEPTIONS.

- a) *Permit required; assembly.* No person shall conduct, manage or participate in any assembly without a valid permit or outside the provisions of a permit as provided in this subchapter.
- b) *Permit required; special event.* No person shall hold, sponsor, aid or cause to be held a special event without a valid permit or outside the provisions of a permit as provided in this subchapter.
- c) *Exceptions.* The provisions of this subchapter shall not apply to or affect funeral processions.

(1957 Rev. Ords., §§ 9.801, 9.805; 1992 Code, § 38-134) (Ord. 15-85, passed 2-19-1985; Ord. 70-87, passed 8-31-1987; Ord. 55-03, passed 6-16-2003; Ord. 39-12, passed 6-19-2012)

Cross-reference:

Driving through procession, see § 76.085

Offenses against public peace, see ch. 131

Offenses, see title XIII

Traffic, see title VII

§ 96.182 INSURANCE REQUIREMENTS.

Special event organizers shall provide occurrence form contractual, personal injury, bodily injury and property damage liability coverage with limits of at least \$1,000,000 per occurrence, \$2,000,000 general aggregate and \$2,000,000 aggregate products and completed operations. The required limit may include excess liability (umbrella) coverage. The policy shall name the city and its representatives as an additional insured. If "occurrence form" insurance is not available, "claims made" insurance will be acceptable. The city attorney and the office of risk management shall review the insurance coverage and may reject insurance that does not comply with this section. The permittee shall provide the declarations page or a copy of any policy, complete with endorsements, upon the request of the city attorney or the office of risk management.

(Ord. 39-12, passed 6-19-2012)

§ 96.183 APPLICATION FOR PERMIT; HOLD HARMLESS.

Any person desiring to conduct an assembly or special event shall not less than 60 days prior to the start date of a Class 2 or higher special event, not less than 30 days prior to the start date of a Class 3 or lower special event, and not less than 48 hours prior to the start of an assembly, file an application with the city upon a form to be furnished by the city, which application shall set forth the following:

- a) The name, address and telephone number of the person responsible for the assembly or special event. If the sponsor includes a sponsoring organization or corporation of any kind, the applicant shall provide the name and address of the person within the sponsoring organization who will be responsible for the assembly or special event requested as well as the name, address and telephone number of the organization;
- b) The nature of the proposed assembly or special event;
- c) The date, hours and location requested;
- d) An agreement to save and keep the city free and harmless from any and all loss or damages or claims for damages, including attorney's fees and litigation costs, arising from or out of the assembly or special event;
- e) An agreement to comply with all related municipal ordinances, rules, regulations and other applicable laws; and
- f) Other pertinent information as may be requested.

(1992 Code, § 38-135) (Ord. 15-85, passed 2-19-1985; Ord. 39-12, passed 6-19-2012)

§ 96.184 APPLICATION FEES; SPECIAL EVENT.

Applicants for any special event shall at the time of making application pay to the city an application fee, which will be used to defray the costs related to the issuance of the permit. This application fee is nonrefundable and in addition to any other permits and fees required by law. The amount of the application fee will be classified on the following basis:

Special Event Classification	Cost
Class 1: 10,000 or more participants	\$500
Class 2: 2,500 to 9,999 participants and all parades	\$250
Class 3: 500 to 2,499 participants	\$100
Class 4: Under 500 participants	\$25

(Ord. 39-12, passed 6-19-2012)

§ 96.185 APPLICATION; REVIEW; REQUIREMENTS.

- a) No permit shall be issued if the proposed assembly or special event:

- 1) Will cause unreasonable injury or damage to the public space requested;
 - 2) Conflicts with a prior permit, or a prior application that is likely to be granted, for the same public space and for the same time;
 - 3) Will continue for a duration longer than seven days, including any setup or teardown time;
 - 4) Will involve such a number of persons or activities as will exceed the reasonable capacity of the public space requested;
 - 5) Will interfere with the provision of proper fire and police protection to the area adjacent to the public space requested or any other area within the city;
 - 6) Will adversely affect adjacent or neighboring properties by causing excessive noise or creating a nuisance;
 - 7) Will unreasonably interfere with the safe, orderly and expeditious movement of vehicular or pedestrian traffic;
 - 8) Will be conducted primarily for the purpose of private monetary gain or commercial advertisement; and
 - 9) Will fail to comply in any respect with the provisions of this subchapter or any other applicable law.
- b) No permit shall be issued to any applicant that has unpaid or past due fees under this subchapter for any prior special event.
- c) No permit shall be issued for any assembly or special event to be held on any arterial street between the hours of 7:00 a.m. and 9:00 a.m., 11:30 a.m. to 1:00 p.m., and 3:30 p.m. to 6:30 p.m., Monday through Friday, without provision being made for an adequate number of police officers to provide for the safe, orderly and expeditious movement of vehicular and pedestrian traffic.
- d) In determining whether an application should be approved, the city may consider:
- 1) Whether in holding any previous assembly or special events, the applicant has conformed to all permit requirements and the provisions of this subchapter; and
 - 2) The financial and practical ability of the applicant to conduct the proposed assembly special event in conformance with the provisions of the permit and this subchapter.
 - 3) No permit shall be issued for an event within 60 days in the case of a Class 2 or higher special event, 30 days in the case of a Class 3 or lower special event, or 48 hours in the case of an assembly after the application was filed with the city.

(Ord. 39-12, passed 6-19-2012)

§ 96.186 PERMIT; ISSUANCE.

- a) Upon consideration of the general requirements as set forth in § 96.185, the city may issue a permit for an assembly or special event and may, as part of the permit, include those conditions as deemed necessary for the preservation of the public health, safety and welfare and for the protection of the public space to be utilized.
- b) No permit shall be issued until the compliance bond and insurance required under this chapter, if any, have been filed with the city.

- c) Issuance of a permit shall not constitute city endorsement or sponsorship of the event, and no permittee shall represent, advertise, promote or otherwise publish any claim whatsoever related to city endorsement or sponsorship of the event.

(Ord. 39-12, passed 6-19-2012)

§ 96.187 SPECIAL EVENT FEES.

If the permittee fails to provide necessary equipment reasonably required for a special event, the city may arrange for the same and charge the permittee for any cost related thereto. Necessary equipment shall include, but not be limited to, equipment related to sanitation requirements, toilet facilities, traffic control and barricading.

(Ord. 39-12, passed 6-19-2012)

§ 96.188 DISPLAY OF PERMIT.

Every person having a permit issued under the provisions of this subchapter shall have the permit in his or her possession during the activity permitted thereby and shall display the permit upon the request of any law enforcement officer. Failure to display the permit shall be unlawful.

(1992 Code, § 38-141) (Ord. 15-85, passed 2-19-1985; Ord. 39-12, passed 6-19-2012) Penalty, see § 10.999

§ 96.189 REVOCATION OF PERMIT.

- a) The city may immediately revoke any permit issued under this subchapter if it is found that the assembly or special event:
 - 1) Is being conducted in violation of any of the terms and conditions of the permit, the provisions of this subchapter, or any applicable;
 - 2) Is substantially interfering with fire or police protection;
 - 3) Is causing physical damage to persons or property;
 - 4) Is causing a disturbance of the peace;
 - 5) Is causing a health hazard; and
 - 6) Is not conducted in a manner consistent with the representation set forth in the application therefor.
- b) The city may immediately revoke any permit issued under this subchapter:
 - 1) If an emergency arises making it impossible to assign necessary personnel to the event required to protect the public safety;
 - and
 - 2) If information is obtained after the permit is issued from which the city may reasonably conclude that the permit should have been denied.
- c) The city may also immediately revoke any permit issued under this subchapter if it finds that the required compliance bond or insurance has lapsed or has been cancelled.

(1992 Code, § 38-142) (Ord. 70-87, passed 8-31-1987; Ord. 39-12, passed 6-19-2012)

§ 96.190 DISTRIBUTION AT PARADES.

No person conducting, managing or participating in any parade shall distribute or permit the distribution of any candy or balloons to persons in attendance during the parade.

(1992 Code, § 38-143) (Ord. 77-96, passed 7-15-1996; Ord. 55-03, passed 6-16-2003)

§ 96.191 APPEAL.

(a) Any person who is aggrieved by the denial or granting of a permit as provided in this subchapter may appeal pursuant to the procedures established by the administrative code provisions of this code according to the procedures set forth in §§ 30.040 through 30.046 of this Code.

(b) If the city denies an application or revokes an assembly or special event permit, the city shall subsequently notify the applicant or permittee of the denial or revocation in writing, delivered in person or by mail to the applicant's address stated in the application. The notice shall include the reasons for the denial or revocation and shall advise the applicant or permittee that the decision may be appealed through the procedures established by the administrative code provisions of this code according to the procedures set forth in §§ 30.040 through 30.046 of this Code.

(1992 Code, § 38-144) (Ord. 70-87, passed 8-31-1987; Ord. 55-03, passed 6-16-2003; Ord. 39-12, passed 6-19-2012)

§ 96.192 RESIDENTIAL PICKETING PROHIBITED.

No person shall engage in picketing before or about the residence or dwelling of any individual in the city. (1992 Code, § 38-145) (Ord. 118-88, passed 12-5-1988; Ord. 55-03, passed 6-16-2003) Penalty, see § 10.999