

Chapter 8.40 – Special Events

8.40.010 Purpose

The following ordinance which shall be effective as provided herein shall govern the time, place and manner of holding certain special events on county roads, on county property, and on private property in the unincorporated area of Cache County when an event's impact upon health, fire, police, transportation and other services exceeds those regularly provided in the unincorporated area of the County. The regulations provided herein are enacted in order to promote and protect the health, safety and welfare of all the persons in the County, including residents and visitors, by ensuring that special events do not create disturbances; become nuisances; menace or threaten life, health, and property; disrupt traffic; or threaten or damage private or public property. It is not the intent of this ordinance to regulate in any manner the content of speech or infringe upon the right to assemble, except for the time, place and manner of speech and assembly, and this Chapter should not be interpreted nor construed otherwise.

8.40.020 Application

- A. Application for a permit to hold an actual or anticipated assembly of 100 or more persons shall be made in writing to the Director of Cache County's Development Services (hereinafter referred to as 'Administrator') at least forty-five (45) calendar days in advance of such assembly.
- B. The special event application form, including information required and fee schedule, shall be approved by the County Council.
- C. Exemptions from obtaining a special event permit:
 - a. Events not utilizing a public road that are organized by a political party or political organization, an established religious organization, a family for the purposes of a family reunion, and school- sponsored activities shall not be required to obtain a permit under this chapter. In the instance where the event utilizes a public road the organizing group shall comply with the approval process set forth in this chapter.
 - b. Events held in existing and established recreational facilities, sporting arenas, stadiums, or other similar facilities that have been inspected and approved for the use and safety by Cache County or any other political subdivision of the State of Utah.
 - c. Events where the anticipated assembly of persons, including spectators and participants, is less than one hundred (100).

8.40.030 Definitions

For the purpose of this chapter, the following words shall have the following meanings:

- A. "Athletic event" means an organized competitive or recreational event in which a group of people collectively engage in a sport or form of physical exercise, including but not limited to running, jogging, walking, bicycling or skating, on any county street in unincorporated

Cache County or upon public or private property in the unincorporated area of Cache County.

- B. “Entertainment event” means an organized event having as its primary purpose the entertainment or amusement of a group of people, including but not limited to parades, carnivals, fairs, concerts, block parties or neighborhood gatherings, on public or private property within the unincorporated Cache County.
- C. “Political event” means an organized event, not including an athletic or entertainment event, having as its primary purpose the exercise of expressive activities of a political nature, including but not limited to speech making, picketing, protesting, marching, demonstrating or debating public issues, on any county street in unincorporated Cache County or upon property owned by Cache County or private property in the unincorporated area of Cache County.
- D. “Special event” means any athletic event, entertainment event or political event, whether held for profit, non-profit or charitable purposes.
- E. “Utilizing a public road” means using any portion of a public road or the public right of way for an athletic event, entertainment event, political event, or special event. Any other group activity that impedes, blocks, or otherwise interferes with the normal flow of traffic is also considered to be utilizing a public road for purposes of this chapter.

8.40.040 Permit– Application Process.

Special Event Permit application forms may be obtained from the Cache County Development Services Department, 179 North Main, Suite 305, Logan, Utah 84321.

- A. All applications for special event permits shall be made on a special event permit application form and shall include the following information:
 - a. Type and description of event;
 - b. Name of the sponsoring entity, contact person, address and telephone number;
 - c. Name of the promoting entity, contact person, address and telephone number;
 - d. Proposed date(s) of the event, together with beginning and ending times for each date;
 - e. Proposed location, including a plat or map of the proposed area to be used, including any barricade, street route plans or perimeter/security fencing;
 - f. Estimated numbers of event staff, participants and spectators;
 - g. Public health plans, including plans for culinary water supplies, solid waste collections and disposal and waste water (toilet facilities);
 - h. Fire prevention and emergency medical services plans;
 - i. Security plans and/or law enforcement response;
 - j. Admission fee, donation, or other consideration to be charged or requested;
 - k. Plans for parking; and
 - l. Signature of applicant.

- B. Copies of the application shall be circulated to the following agencies for the purpose of obtaining their approval or disapproval of the proposed special event. The applicant may contact any of the following agencies to coordinate details of the items listed in Section 8.40.040(A) of this Chapter:
- a. Bear River Health Department;
 - b. Cache County Sheriff's Office;
 - c. Cache County Fire District;
 - d. Cache Emergency Medical Services;
 - e. Cache Road Department, if the special event may create traffic impacts by its location, number of attendees or participants;
 - f. Cache County Building Inspector if any temporary facilities are to be constructed or special electrical supplies are considered or warranted;
 - g. Cache County Planning and Zoning, if signs advertising the event are to be placed in the unincorporated area of the County. The applicant shall submit plans drawn to scale, for any signage, noting the location of each sign for which application is made. Signs for temporary special events shall not be subject to the approval process of other County ordinances governing sign display or placement.
 - h. Any other County agency which is to provide a service in connection with the special event.

8.40.050 Application Review

- A. The Administrator shall review all special event permit applications for completeness. If an application is incomplete, it shall be returned to the applicant with an explanation for why the application is incomplete within seven (7) calendar days.
- B. The Administrator shall require the review of other County offices, State agencies, Federal agencies, and municipalities as deemed necessary including but not limited to:
- a. Cache County Sheriff's Office
 - b. Cache County Treasurer's Office
 - c. Cache County Attorney's Office
 - d. Bear River Health Department
 - e. Cache County Fire District
 - f. Cache County Planning and Zoning Office
 - g. Cache County Building Department
 - h. Cache County Road Department
 - i. Municipalities that may be impacted by the event
 - j. Cache Emergency Medical Services
- C. In reviewing an application, the agencies or departments involved shall consider the following:
- a. The impact of the special event on the traffic, security, health and safety of the public, public facilities, surrounding property owners and the plans of the applicant to address such impacts;

- b. The demonstrated ability of the applicant to comply with requirements necessary to protect the safety, health and welfare of the public and the past history of the applicant in complying with such requirements;
 - c. The location and duration of the special event and the county's ability to accommodate the event with the necessary resources and the cost of those resources; and,
 - d. Other previously approved special events that could cause scheduling conflicts during the same period and cause over extension of the county's resources.
- D. The agencies involved in reviewing an application may impose additional requirements or conditions necessary to protect the public interest by ensuring traffic management, security of property, or the health and safety of the public.
- E. Notification to municipalities.
- a. Upon receiving an application for a special event, the Administrator shall identify municipalities that may be impacted by the event and notify such municipalities of the application.
 - b. A municipality given notification under this chapter has two (2) weeks from the date the notification was sent by the county to respond. Responses should include comments regarding the impact of the special event on the traffic, security, health and safety of the public, public facilities, surrounding property owners and should set forth any recommendations to the county for ameliorating the impact upon the municipality.
- F. Insurance required.
- a. No special event permit shall be issued unless and until the applicant has submitted to the administrator a certificate of insurance, listing Cache County and other municipalities which the event shall pass through as additional insured parties, on an occurrence policy issued by an insurance company authorized to do business in the State of Utah, showing comprehensive general liability and property damage coverage for the event with minimum limits of One Million Dollars (\$1,000,000) for injury or death for one person in any one occurrence; Two million dollars (\$2,000,000) for injury or death for two or more persons in any one occurrence; and one hundred thousand dollars (\$100,000) for property damage in any one occurrence.
 - b. The following special events shall be exempt from the insurance requirements set forth in this section:
 - i. Political Events;
 - ii. Events sponsored by a religious organization on private property;
 - iii. School events on school property;
 - iv. Events sponsored in whole by the county or a municipality;
 - v. Block parties and family reunions; and
 - vi. Events where the County or a municipality is the primary sponsor.
 - c. In consideration for the issuing of a special event permit, the applicant shall agree to indemnify, save harmless and defend the county, its officers and employees, against any claim for loss, damage or expense sustained by any person on account

of injury, death or property damage occurring by reason of or arising out of the special event.

- d. By issuing a special event permit, Cache County makes no guarantees and assumes no liability for the safety of participants or spectators of special events.

8.40.060 Application Fees

- A. Each initial application for a special event permit shall be accompanied by a non-refundable fee as established by the County Council to defray the administrative costs of processing the application. The following special events shall be exempt from the application fee set forth in this section but shall be subject to fees of other agencies or departments:
 - a. Political events;
 - b. School events on school property;
 - c. Events sponsored by a religious organization on private property;
 - d. Events sponsored in whole by the County or a municipality;
 - e. Block parties and family reunions;
 - f. Revenue-raising events where the revenue flows to the direct benefit of Cache County government; and
 - g. Events where the County or a municipality is the primary sponsor.
- B. In order to promote, protect and assure the safety and convenience of the people in their use of public streets, public places, and/or private property, the Sheriff's Office shall coordinate the use of professional peace officers if the special event requires traffic control or police protection. An additional fee may be charged by the Sheriff's Office to cover the costs incurred. The Sheriff's Office shall specify the fee required upon its approval of the special event permit application, based upon the number of officers and amount of support equipment required by such factors as: the date and time of the event; the event location and length; the anticipated traffic and weather conditions; the estimated number of participants and spectators; the nature, composition, format and configuration of the event; and the estimated time for the event. The fee charged for traffic control or police protection shall be paid prior to the issuing of the special event permit.
- C. Additional fees may be charged by the Cache County Health Department, the Cache County Fire District, licensed EMS providers, or other county agencies for special services, equipment or facilities provided by these agencies. Such additional fees shall be specified at the time the agency approves the special event permit application and shall be paid directly to the agency prior to the issuing of the special event permit.

8.40.070 Clean Up Fee Assessed

- A. To ensure that the properties utilized in the county and municipalities are restored to their proper order after the event a fee may be assessed to the event organizer. If, upon inspection of the properties after the event, it is the County's determination that additional cleanup is required, the County shall assess a fee for the actual cost of cleanup incurred by the County and municipalities.

8.40.080 Special Event Permit Issuance or Denial

- A. Cache County reserves the right to deny permit applications for proposed special events which pose a significant danger or threat to the public health, safety or welfare, or which may result in unreasonable inconvenience or cost to the public.
- B. If an applicant does not comply with the requirements placed upon them through the permitting process, the County reserves the right to deny or revoke any application or permit granted. The County additionally reserves the right to deny any future applications for non-compliance with the terms and conditions of granting a prior special event permit.
- C. A denial of the application for a special event permit may be appealed to the Cache County Executive.

8.40.090 Violation

- A. Penalty. A violation of this ordinance shall be a Class B misdemeanor. The Cache County Sheriff's Office, in its discretion, may stop an event which has been issued a permit and/or may issue citations where event staff or participants violate other state statutes or county ordinances, terms or conditions specified in the application, and including but not limited to traffic rules and regulations, disturbing the peace, public nuisance, failure to disperse, trespass, or other health and safety regulations.