

415 N. MILWAUKEE ST.
WATERFORD, WI 53185
WATERFORD TOWN HALL

TOWN BOARD AGENDA

FEBRUARY 12, 2024 @ 5:30 PM

Join Zoom Meeting

<https://us02web.zoom.us/j/89272505742?pwd=bW41R2grNkpRcktaNFJtZ0YvOTRLUT09>

Meeting ID: 892 7250 5742

Passcode: 811096

REVISED*

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF TOWN BOARD MINUTES DATED JANUARY 8, 2024 & SPECIAL MINUTES DATED JANUARY 8TH & JANUARY 17TH AS PRINTED.
4. APPROVAL TO PAY CLAIMS AS PRESENTED/TREASURER REPORT
5. CORRESPONDENCE-
6. DEPARTMENT/COMMITTEE REPORTS:
 - (a) Police Dept.
 - (b) Tichigan Fire Co.
 - (c) Waterford Fire & Rescue
 - (d) Waterford Waterway Management District
 - (e) Park
 - (f) Road Dept.
 - Discussion and possible action re: Department of Public Works policy and safety manual
 - (g) Town Planning Commission Recommendations (No meeting for February)
7. OLD BUSINESS:
 - (a) Discussion & possible action re: WSD #1 Commissioners Compensation- Request for increase
 - (b) Discussion & possible action re: Implementing Special Events Procedures and Permit
8. NEW BUSINESS:
 - (a) Discussion & possible action re: Request of WSD #1 that a policy be implemented that the Town Board does not have to approve their compensation* (Item moved from “Old Business” to “New Business”)
 - (b) Town Board Chairperson’s Report
 - Explore Waterford- Update

PUBLIC COMMENTS- *Please be advised per State Statute Section 19.84(2), information will be received from the public. It will be the policy of the Town that citizens be pre-registered to present comments or suggestions to the Town Board. Registration forms will be available at the meeting and must be turned in to the Town Clerk prior to the start of the meeting. Pre-registered Citizens will be called by name by the Town Chair and are subject to a three-minute time period, per person, with time extensions granted at the Town Board’s discretion. Be further advised that there may be limited discussion on the information received; however, no action will be taken under public comments.*

FORTH COMING EVENTS-

“Requests from persons with disabilities who need to participate in this meeting or hearing should be made to the Town Chairperson Office at 534-1871 with as much notice as possible”

**TOWN BOARD MEETING FOR WATERFORD
415 N. MILWAUKEE ST.
UNAPPROVED/UNOFFICIAL MINUTES FOR JANUARY 8, 2024**

1. Town Board meeting was called to order at 5:30 PM by Chair Nicolai. Present: Supervisors Ulander, Schwartz, Gauerke, and Szeklinski. Also present: Attorney Dubis, Lieutenant William Jeschke, Officers Ferger and Schweitzer, DPW Director Ken Hinz, WWMD Commissioner Greg Horeth, and residents of the Town.
2. Chair Nicolai led the Pledge of Allegiance.
3. Printed Minutes: **Supervisor Schwartz motioned to approve the Town Board meeting minutes dated December 12, 2023 & Special Meeting minutes dated December 12th and 19th, 2023 as presented, seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.**
4. Treasurer Report/Payment of Claims- Chair Nicolai read the Treasurer's report. **Supervisor Schwartz motioned to approve the Treasurer's report and pay the claims as presented, seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.**
5. Correspondence: Lucas Francois gave a presentation on the upcoming High School referendum. Residents may obtain information by reaching out to the High School at 262-534-9059, through the school's website or by visiting the district office by going through door #7.
6. Committee Reports:
 - a) Police Dept. Report- Lt. Jeschke reported 192 actual calls for December.
 - Discussion & possible action re: Officer Ferger request to utilize Police contract Education Incentive- Officer Ferger is requesting that he have approval to use the education incentive to obtain his Masters in Arts in Public Safety Administration. The approximate cost is \$14,622.27. Ferger did state that this is typically a two year program but he would complete in about 3.5 years. Supervisor Gauerke was not sure if the degree was even relevant for his particular job and stated that advanced degrees should be the responsibility of the officer. Officer Schweitzer stated that this was for specialized education and that employees should be educated for the future. Supervisor Ulander stated that the concerns of the financial well-being of the town are well founded, that the time to have considered this was during negotiations. Chair Nicolai is concerned over deficit. Ulander noted that former Chief Johnson had emailed him stating he didn't think this has ever been used in 20 years and if it has been it was only a few \$100. Ulander stated that this is in their contract and there is now the matter of a contractual interpretation, what was this intended to mean. It was noted that the CBA states that the officer "shall submit their request to the Town Board or their designee for approval...". **Supervisor Schwartz motioned to table for a month, get a legal interpretation and possibly see if Ferger would be open to what the high school does (Feger stated he wanted the board to get a legal interpretation first), seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.**
 - Discussion & possible action re: purchase of a new police boat- Officer Schweitzer gave a presentation on the boat Water Patrol is interested in purchasing as well as how the DNR helps

in the cost. Town will get reimbursed (Town will have to purchase outright and then over the course of 4 years) Cost to Town without trade in \$30,489.53 (DNR \$33,443.80 with 500 for depth finder) and cost with trade in or auction, Town \$25,985.13 and DNR \$27,851.20. It was noted that the Boat Fund is a separate fund. Supervisor Schwartz thought the town should wait as we are unsure just how the Waukesha water diversion will affect the waters. Schwartz questioned if water patrol could wait a year or get a mud boat and maybe keep the old boat. Water levels are down. Schweitzer stated that he consulted with the DNR and they use alumacraft and that he did price out other boats. **Supervisor Szeklinski motioned to approve the purchase of the boat, without the trade-in and that the funds come out of police capital. Ulander questioned where the money goes if the old boat is sold, Town or DNR. Schweitzer will check in to this. Vote Taken: 4-1 (Schwartz). Motion carried.**

- b) Tichigan Vol. Fire Co- None
- c) Waterford Fire & Rescue- None
- d) WWMD- Greg Horeth stated they are working on an off-load location. Will be tracking water levels at dam in preparation of the Waukesha water diversion, will include rain fall.
- e) Park Dept.- None
- f) Road Dept.- Ken Hinz reported that the plows are already for the impending storms. Town may have to step in on the maintenance of the pond in Foxwater Bay. Supervisor Gauerke read an email from Representative Wittke in regards to the culvert on Hwy. 36 and Kramer. DOT indicated, in the past, that it was the town's responsibilities, however Rep. Wittke's office stated that it would be the DOT's responsibility. Hinz reported that the construction report, that he has to complete each year, was lost in the mail so he resubmitted the report. Has verbal confirmation that the DOT now has the report. Working on setting up meeting with Village in regards to Buena Park Rd. One ton should be here soon. DNR wants to be involved with the Town Line Rd. project as it is near a lake.
 - Allocation of funds for Town Line Rd.- **Supervisor Schwartz motioned to approve using the loan proceeds for Town Line Rd., up to \$350,000, seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.**
 - Discussion and possible action re: Department of Public Works policy and safety manual- Discussion. Safety chaps will be removed from the list. There will be 2 pairs of safety pants to be left in the garage as well as 3 rainsuits. Town will provide one safety vest to each employee. Jim Maney noted that essentially, they are all on-call from November to March. Gauerke noted that this is a basic job requirement and has been this way for years. DPW to have questions, in writing, to the board for the meeting. **Supervisor Szeklinski motioned to table for one month, seconded by Supervisor Schwartz. Vote taken: 5-0. Motion carried.**
 - Discussion & possible action re: Procedure for Christmas tree disposal (GFL, Inc. not picking up)- Trees can be brought to the Town dump when opened.
- g) Town Planning Recommendations- January meeting was cancelled.

7. Old Business:

- a) Discussion & possible action re: repealing & re-creating Ordinance 5.23- Keeping of Certain Animals- Supervisor Ulander questioned why have zoning if the change will be based on lot size. Gauerke indicated that there are a lot of A-2 zoned properties, A-2 can be 1 acre. **Supervisor Gauerke motioned to approve the modified ordinance which includes, *No parcel of land(s), having less than 3 acres in size, nor any residentially zoned parcel and***

adding chickens are allowed per ordinance, seconded by Supervisor Szeklinski. Vote taken: 3-2 (Ulander & Schwartz). Motion carried.

- a) Discussion & possible action re: street light pole at the corner of 83 & "O" (Caldwell Rd.)- Supervisor Gauerke noted that he had spoken to Frank Pritzlaff, PE Racine County, and County is willing to pay for installation and the Town will pay for the monthly bill. This will save the Town about \$1,050.00 in installation costs but be a benefit to residents. **Supervisor Szeklinski motioned to approve the light, seconded by Supervisor Ulander. Vote taken: 5-0. Motion carried.**

8. New Business:

- a) Move August 12th Town Board to after Planning Commission on August 5th due to election- **Supervisor Szeklinski motioned to approve moving the August 12th Town Board meeting to after the August 5th Planning meeting due to the election, seconded by Supervisor Schwartz. Vote taken: 5-0. Motion carried.**
- b) Discussion & possible action re: General Office Employees clothing allowance- Items of clothing to have Town of Waterford on them. **Supervisor Szeklinski motioned to approve up to \$200 for the general office employees clothing allowance, seconded by Supervisor Schwartz. Vote taken: 5-0. Motion carried.**
- c) Discussion & possible action re: Wisconsin Cyber Alliance- Nicolai noted that Racine Co. has established a Cybersecurity Division and reaching out to see if municipalities would be interested in joining. Ulander stated he had concerns over signing the letter as it does not say "no obligation" or "non-binding." Nicolai will add that the letter would be for discovery purposes only and that the Town is under no obligation. **Supervisor Gauerke motioned to approve sending the letter, seconded by Supervisor Schwartz. Vote taken: 5-0. Motion carried.**
- d) Town Board Chairperson's Report
- Update on full-time Officer, Police Chief and Officer in Charge- Sarah Polka has been hired as a full-time officer. Working with WI Police Chief Assoc. who will make up a panel. They will interview the candidates and bring their findings to the board. Board members will then interview the final candidates. Nicolai and Ulander will meet with Sean Marshke to set up the panel.

Forthcoming Events-

Supervisor Szeklinski motioned to adjourn the meeting at 7:30 pm, seconded by Supervisor Ulander. Vote taken: 5-0. Motion carried.

Respectfully Submitted,

Tina Mayer, Town Clerk

**SPECIAL TOWN BOARD MEETING
UNAPPROVED/UNOFFICIAL MINUTES FOR JANUARY 8, 2024 @ 5:15 PM
WATERFORD TOWN HALL
415 N. MILWAUKEE ST., WATERFORD, WI**

Special Town Board meeting was called to order at 5:15 PM by Chair Nicolai. Present: Supervisors Ulander, Schwartz, Gauerke and Szeklinski. Present Lt. Jeschke and Officer Sarah Polka.

Purpose: To discuss and potentially act upon hiring a new full-time officer to fill the opening that was created by referendum on April 4, 2023.

5:15 pm- Supervisor Schwartz motioned to move into closed session pursuant to 19.85 (1)(c) WI State Statutes (read by Chair Nicolai), seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.

5:19 pm- Supervisor Ulander motioned to move into open session pursuant to WI State Statute 19.85(2), seconded by Supervisor Schwartz. Vote taken: 5-0. Motion carried.

5:20 pm- Supervisor Schwartz motioned to accept the counter offer of Officer Polka, seconded by Supervisor Ulander. Vote taken: 5-0. Motion carried. Counter offer accepted was Officer Polka will start at 14 years of service for vacation as stated in the current CBA 16.01(c).

5:20 pm- Supervisor Ulander motioned to adjourn at 5:20 PM, seconded by Supervisor Schwartz. Vote taken: 5-0. Motion carried.

Respectfully Submitted,

Tina Mayer, Town Clerk

**SPECIAL TOWN BOARD MEETING
UNAPPROVED/UNOFFICIAL MINUTES FOR JANUARY 17, 2024 @ 1:00 PM
WATERFORD TOWN HALL
415 N. MILWAUKEE ST., WATERFORD, WI**

Special Town Board meeting was called to order at 1:00 PM by Chair Nicolai. Present: Supervisors Ulander, Schwartz, Gauerke and Szeklinski and Heather Stratton.

Purpose: To discuss and potentially take action relating to the compensation policy and payout of specific current and former employees.

1:00 pm- Supervisor Schwartz motioned to move into closed session pursuant to 19.85 (1)(c) WI State Statutes (read by Chair Nicolai), seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.

1:45 pm- Supervisor Schwartz motioned to move into open session pursuant to WI State Statute 19.85(2), seconded by Supervisor Szeklinski. Vote taken: 5-0. Motion carried.

1:45 pm- WRS reviewed records and it was noted that sick time is not reportable. Supervisor Szeklinski motioned to not implement a policy that would allow for sick time to be converted to overtime/wages, seconded by Supervisor Schwartz. Vote taken: 5-0. Motion carried. Supervisor Szeklinski motioned that, per contract, no vacation time is to be paid out, seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.

1:50 pm- Supervisor Szeklinski motioned to adjourn at 1:50 PM, seconded by Supervisor Schwartz. Vote taken: 5-0. Motion carried.

Respectfully Submitted,

Tina Mayer, Town Clerk

Department of Public Works Policies and Safety Manual

1.0 General Policy

Each employee within the Department of Public Works (DPW) is to observe and comply with the Department of Public Works Safety Manual.

The Employer shall provide all employees in the DPW the following items of equipment:

- Safety glasses
- Ear plugs
- Head Protection
- Hi-Vis safety vests ?
- Hi-Vis safety pants ?
- Safety chaps ?

Effective January 1, 2024, each year, the Employer shall reimburse each full-time Department of Public Works employee, who has completed the 6-month probationary period, four hundred dollars (\$400.00) for clothing/uniform allowance.

Documentation for reimbursement shall be submitted, to the Director of the DPW, 2 weeks prior to the 2nd Monday in June and/or 2 weeks prior to the 2nd Monday in December.

Documentation shall be a completed expense reimbursement form, along with the receipt(s) or purchase agreement(s) that clearly describe the nature of the clothing being purchased. The DPW Director shall code and submit to the Town Treasurer with the department's payables. Purchases shall be made and reimbursed within the same calendar year.

If at any time while in the performance of his/her duties an employee damages any part of his/her clothing, to the point of not being wearable, then, subject to the prior approval of the DPW Board Liaison, the Employer will pay the total cost of such replacement or repair. Disputes will be resolved using the grievance procedure.

1.1 Department Employees

The Safety Manual specifies safety policies for department personnel in the sections listed below:

- | | |
|--|---------------|
| 1. Foot Protection: | Directive 2.1 |
| 2. Eye Protection: | Directive 2.2 |
| 3. Protective Headgear, Hard Hats: | Directive 2.3 |
| 4. High Visibility Apparel: | Directive 2.4 |
| 5. Fall Protection: | Directive 2.5 |
| 6. Hearing Protection: | Directive 2.6 |
| 7. Cutting Operations: | Directive 2.7 |
| 8. Chipping Operations: | Directive 2.8 |
| 9. Stick-saw Operations: | Directive 2.9 |
| 10. Tree or Limbs Down Policy: | Directive 3.0 |
| 11. Emergency Call-In Policy/Procedures: | Directive 3.1 |
| 12. Snow Plowing Season: | Directive 3.2 |

2.0 Town Department of Public Works Employees

When Town personnel are performing any highway, roadway, roadside or park maintenance activities for the department, use the following as guidelines. **Although guidelines are provided, the employee has the responsibility to be aware of what safety equipment is needed for each situation and to use that equipment properly.**

2.1 Foot Protection

- a. Employees must wear safety toe boots when faced with possible foot or leg injuries from falling or rolling objects or from crushing or penetrating materials. Supervisors are included in this requirement, and must enforce this policy.
- b. The following are examples of situations where employees, supervisors, and visitors must wear foot protection:
 - On all construction projects;
 - Maintenance Personnel: on field assignments;
 - All mechanics and mechanics helpers: at all times;
 - Building and grounds maintenance personnel: when operating or repairing equipment, moving furniture, or mowing.

The following are examples of situations where employee should wear foot protection and/or leg protection:

- When heavy objects such as barrels or tools might roll onto or fall on the employee's feet;
- Working with sharp objects such as nails or spikes that could pierce the soles or uppers of ordinary shoes;
- Exposure to molten metal that might splash on feet or legs;
- Working on or around hot, wet or slippery surfaces; and
- Working when electrical hazards are present.

2.2 Eye Protection

- a. Employees and supervisors must wear eye protection when in work areas where eye injuries can occur. Supervisors must insist employees wear appropriate eye and face protection if they are exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, potentially infected material or potentially harmful light radiation.
- b. The following are examples of situations where employees, supervisors, and visitors must wear eye protection:
 - When repairing, removing or installing any electrical or communications equipment;
 - When exposed to splashing chemicals or dangerous radiant energy.
- c. Supervisors shall define specific areas and duties requiring the use of protective eyewear and full-face protection, and post these areas and duties when practical.
- d. Wear safety goggles over other eyewear when:
 - Work locations require the use of protective eyewear
 - Signs posted in the area announce protective eyewear is required
 - An employee is awaiting delivery of prescription safety glasses and requires eye protection.

Example of potential eye or face injuries include:

- Dust, dirt, metal or wood chips entering the eye from activities such as chipping, grinding, sawing, hammering, the use of power tools or even wind forces;
- Chemical splashes from corrosive substances, hot liquid, solvents or other hazardous solutions;

- Objects swinging into the eye or face, such as tree limbs, chains, tools, or ropes;
- Radiant energy from welding, harmful rays from the use of laser or other radiant light (as well as heat, glare, sparks, splash and flying particles).

2.3 Head Protection – Hard Hats

- All employees and supervisors must wear head protection when in work areas where head injuries from falling or flying objects or electrical shocks or burns can occur. Supervisors shall insist head protection be worn at all appropriate times.
- The following are examples of situations where employees, supervisors, and visitors must wear head protection:
 - On field assignment;
 - During bridge inspection or repair;
 - While operating or working around machinery such as forklifts, augers, cranes and other large pieces of equipment;
 - During brushing and clearing operations.
 - Any overhead operations.
- Furnish visitors with head protection when entering the above work sites.
- Head protection is not necessary while riding in an enclosed vehicle.

2.4 High Visibility Safety Apparel

- Employees working on highways, roads, streets or their easements are encouraged to wear an approved safety vest. The High Visibility Safety Apparel shall meet or exceed ANSI/ISEA 107-2004 Class 2 or Class 3.
- A minimum of ANSI Class 2 safety vests and pants are required to be worn by employees during the hours of darkness (*½ hour before sunset & ½ hour after sunrise* or during low visibility).
- Supervisors must ensure high visibility safety apparel is worn at all times as required and training requirements are met.

2.5 Fall Protection

Falls are among the most common causes of serious work-related injuries and deaths. Employee who are exposed to fall hazards such as overhead platforms, elevated work stations or holes must wear approved personal fall arrest equipment and be properly trained on them.

- Employees must be protected from falling by the use of guardrail systems, safety net systems, or personal fall arrest systems when on a walking/working surface (horizontal and vertical surface) with an unprotected side or edge, which is 6 feet or more above a lower level.
- Employees must wear fall protection (Full-Body Safety Harness & Lanyard) at all times when employees are exposed to fall hazards greater than six (6) feet.
- Employees and supervisors must wear approved personal fall arrest equipment and be properly trained on them when exposed to fall hazards.
- Supervisors must ensure fall protection is worn and used at all times in areas where there are hazards that could cause injury due to a fall and training requirements are met and documented.

2.6 Hearing Protection

Noise, or unwanted sound, is one of the most pervasive occupational health problems. It is a by-product

of many construction or industrial processes. Exposure to high levels of noise causes hearing loss and may cause other harmful health effects as well. The extent of damage depends primarily on the intensity of the noise and the duration of the exposure. Refer to table below for guidance on the minimum of when ear protection is mandatory for all employees. If questions arise as to what the decibel (dBA) level is, a decibel reader is available in the Waterford Police Department.

DURATION per DAY (hr)	SOUND LEVEL (dBA)
8	90
6	92
4	95
3	97
2	100
1-1.5	102
1	105
.25 or less	115 or more

2.7 Cutting Operations

There is to be no one-person chainsaw operations. If only one Public Works employee is present, no chain-saw operations are allowed. The minimum personal protective equipment to be worn is:

- Eye Protection
- Ear Protection
- Head Protection

An exception may be made to this policy. See 3.0 *Tree or Limbs Down Procedure*.

2.8 Chipping Operations

There is to be a minimum of two employees for all chipping operations. The minimum personal protective equipment to be worn is:

- Eye Protection
- Ear Protection
- Head Protection

2.9 Stick-saw Operations

Stick-saw operations may be done with one employee, but the minimum personal protective equipment to be worn is:

- Eye Protection
- Ear Protection
- Head Protection

3.0 Tree or Limbs Down Policy

In the event any employee is called to respond to a tree or limbs down, there is to be no one-person chainsaw operations. If only one Public Works employee is on scene, no chain-saw operations will be allowed. The policy is to push or move the tree or limbs out of the way. Clean-up may resume during normal hours. An exception may be made to this policy if Police or Fire personnel are on scene, able to observe and remain on scene the entire time the employee is using the chainsaw. The minimum personal protective equipment to be worn is:

- Eye Protection
- Ear Protection
- Head Protection
- A minimum of ANSI Class 2 safety vests and pants during the hours of darkness, as outlined in Safety Directive 2.4 (b)

3.1 Emergency, Non-Snowplowing Season, Call-In Procedures

All Summer call-ins are subject to overtime as outlined in the Employee Handbook.

Two policy options for the Board to consider:

- a. Summer Call-in (optional)
 1. Weekdays-Employee informs Director if he/she is going to be unavailable that evening.
 2. Weekends- Director to consult with employees on availability for the weekend hours.
 - Vacation 1- Employee informs Director if they are available for call-in or not.
 - Vacation 2- If not available, it is assumed they are off until the vacation is completed and that period ends at the start of the first work day thereafter.

OR

- b. Summer Call-in (Mandatory)- On-Call Rotation
 1. Employees will be required to be on-call for seven (7) consecutive days.
 2. Employees to determine rotation schedule based on their availability.
 3. Town to provide phone.
 4. Employee on-call has authority of taking calls and follow the guidelines in this safety manual and determine the proper procedure to correct the problem.
 5. Employee to be compensated for being on-call, regardless of being called in.

3.2 Snowplowing Season

All snowplowing events are subject to overtime as outlined in the Employee Handbook.

Availability

- The Snowplowing Season is defined as being from the second Monday of November to the last day in March.
- A basic job requirement of all full-time Public Works Employees during the Snowplowing Season is to be available to work when snow events occur. Due to the size of the Department, all full-time Public Works employees is the minimum staffing and needs to be maintained during the Plowing Season 24 hours a day, 7 days a week. Because this is a basic job requirement, there will be no stand-by pay during the Snowplowing Season for snow event work.
- Being available means an employee can report to work preferably within 30 minutes to one hour of being called.
- The minimum staffing requirements may be changed by the Public Works Director in the event circumstances do not require all Public Works personnel.

Extraordinary Circumstances

In the event extraordinary circumstances are to arise, such as, but not necessarily limited to, illness of a Public Works employee or a death in the immediate family of the employee or spouse, the Public Works Director may waive the minimum staffing requirements.

Not Reporting for a Snow Event

If an employee is not approved to be unavailable and does not report to work when called for a winter snow event, disciplinary action may be taken to address the failure to report to work including suspension and/or termination.

December 14, 2023

Supervisor Dale Gaurke

Re: WSD Commissioners' Compensation

At the December 13, 2023 WSD Commissioners Meeting, a prior request for a change in Commissioners' compensation was reaffirmed. The table below shows the current stipend, and the stipend that will go into effect January 1, 2024.

	Current Monthly Stipend	Monthly Stipend Starting January 1st 2024	Extra Monthly During System Upgrade	Total During System Upgrade	Total After System Upgrade Is Completed*
Jeff Santaga	\$300	\$600	\$0	\$600	\$600
Ken Hinz	\$300	\$600	\$0	\$600	\$600
Dan Dickinson	\$300	\$600	\$300	\$900	\$600
* Unless changed with Town notification					

I would encourage you to look at Wisconsin State Statutes 60.77. It's rather lengthy, but it specifies the powers and duties of a sanitary district operating within a town. Section 60.77(1)(1) sums it up by saying 'The commission has charge of all affairs of the town sanitary district'. The powers of the commission are very broad, which includes determining boundaries, borrowing, writing ordinances, hiring & firing, etc. It also states the only power the commissioners do not have absolute authority over, is setting their own compensation. There it states the 'town may fix the compensation of the commissioners'. It does not state it 'shall' set the level.... Leaving that a little vague.

Effective January 1, 2024, the WSD Commissioners will instruct WSD payroll to compensate the Commissioners according to the table above. The Commissioners are asking the TOW to approve the levels unchanged as presented above, or deny them entirely.

Justification:

The stipend for the WSD Commissioners has remained at \$300 for quite a long time, believed to be about 20 years. While a jump from \$300 to \$600 seems like a lot on the surface, if spread out over time it's remained at the current level, the increase is consistent with inflation.

The current WSD system is over 40 years old, and the service boundaries have remained constant for many years. WSD has previously notified the TOW of its intention to modify its service boundaries, and the TOW has given its support in writing to WSD, WRCSD and SEWRPC. If approved, it will increase operational revenue for WSD, and increase the tax base for the TOW. To facilitate current and future growth, WSD plans to make system upgrades, with preliminary estimates of system upgrades to be over \$6M, and will take two to three years to complete.

During the system upgrades all Commissioners will be required to take more of their time to review project plans, engage in project funding, monitor progress, etc. By State law sanitary districts can have only three commissioners, not five like most other municipal entities. This makes it virtually impossible for ANY communications to occur between ANY two commissioners, even for the simplest matters.....it requires a published open meeting. While we fully embrace transparency, making even the SMALLEST project adjustment requires a full-blown open meeting, and that will put a heavy burden on every Commissioners personal life, and that's in addition to their current duties.

President's Compensation:

Commissioner Dan Dickinson has been named WSD's project representative, which will require even more 'hands on' time and effort. The Commissioners, in consideration of more project time required, have asked that Dan Dickinson receive an additional \$300 for the duration of the project, estimated to be 2-3 years. At the completion of the project, as determined by a project completion and acceptance letter from WSD to its primary contractor (TBD), Dan's compensation will be set at the same level as the two other commissioners, unless determined otherwise by the TOW.

Funding of Commissioners' Increased Compensation:

All base compensation is funded through operational fees, just like all other operating expenses. WSD just completed an audit of its 2021 and 2022 books by an outside independent certified auditor (not a WSD contractor). WSD received favorable remarks from the auditor on WSD operational performance. On January 1, 2024, when the compensation increase goes into effect, it will cost each homeowner about thirteen cents per quarter. This modest increase is considerably offset by WSD's good operating performance.

As for the extra amount paid to Dan Dickinson, that will not have any adverse effect on any WSD customer as that will be funded through the anticipated project grants. And as stated previously, the additional stipend paid to Dan Dickinson will end at the time the project is completed.

Additional Support:

On a project of the magnitude of the WSD upgrade, it's not uncommon for commissioners and boards to hire an owner's representative to do what will be done in-house. This comes at a hefty price, in the range of 10% of the total project cost, and when based on preliminary estimates, could cost WSD customers \$600K. If performed by Dan Dickinson, the cost to WSD customers would be absorbed by the anticipated project grants.

Conclusion:

As stated at the beginning, the Commissioners are asking the TOW to accept the new compensation levels for all Commissioners, as stated, without any downward adjustments.

Waterford Sanitary District Commissioners are asking for the "policy" on asking the Town Board for compensation adjustments to be abandoned. There is no such written policy. WSD does NOT have an Ordinance or a Resolution regarding this and the Town has no such Ordinance or resolution regarding this that can be found either. WI State Statute states . the Town Board " MAY fix the compensation of the commissioners.." and we believe that was the origin of the tradition . The Commissioners believe many on the Town Board are unaware of the duties performed and efforts made by the Commissioners and therefore should not have such a bearing on their compensation. A public hearing on the WSD budget is held every November and allows constituents to ask/receive information. Commissioners are elected and therefore are accountable to their constituents.

out this subchapter. The district may sue and be sued and may enter into contracts. The commission may provide for a corporate seal of the town sanitary district.

(3) COMPENSATION: EXPENSES. The town board of the town having the largest portion of the equalized full value of all taxable property in the district may fix the compensation of the commissioners, the secretary and the treasurer. The commissioners and the secretary and treasurer of the commission may receive actual and necessary expenses incurred while in the performance of the duties of the office in addition to any other compensation.

(4) GENERAL POWERS AND DUTIES. The commission may project, plan, construct and maintain a water, solid waste collection and sewerage system, including drainage improvements, sanitary sewers, surface sewers or storm water sewers, or all of the improvements or activities or any combination of them necessary for the promotion of the public health, comfort, convenience or welfare of the district. The commission may provide chemical or mechanical treatment of waters for the suppression of swimmers' itch, algae and other nuisance-producing aquatic growths.

(5) SPECIFIC POWERS. The commission may:

(a) Sell any of its services to users outside of its corporate limits.

(b) Require the installation of private on-site wastewater treatment systems.

(bm) Require the inspection of private on-site wastewater treatment systems that have been already installed to determine compliance with the state plumbing code and may report violations of the state plumbing code to the governmental unit responsible for the regulation of private on-site wastewater treatment systems for enforcement under s. 145.20.

(bs) Provide direct financial assistance for costs related to the replacement of private on-site wastewater treatment systems that are failing.

(c) Issue rules or orders, which shall be published either in their entirety, as a class 1 notice under ch. 985, or as a notice, as described under sub. (5s) (b).

(d) Provide an office for the district.

(e) Fix and collect charges for solid waste collection and disposal, sewage service and water service. The commission may fix and collect sewage service charges under s. 66.0821 and water service charges under s. 66.0809.

(f) Except as provided in s. 66.0721, levy special assessments to finance the activities of the district, using the procedures under s. 66.0703.

(g) Provide for the operation as a single enterprise of its water, solid waste or sewerage system, or any part or combination of parts of the system.

(h) Lease or acquire, including by condemnation, any real property situated in this state and any personal property that may be needed for the purposes of this subchapter.

(i) Sell, convey or dispose of any part of its interest in real or personal property which it has acquired that is not needed to carry out the powers and duties of the commission.

(j) Administer the private on-site wastewater treatment system program if authorized under s. 145.20 (1) (am).

(k) Gather at the site of a public works project that has been approved by the commission for the sole purpose of inspecting the work that has been completed or that is in progress if, before gathering at the site, the president of the commission or the president's designee notifies by telephone or facsimile transmission those news media who have filed a written request for notice of such inspections in relation to that project and if the president of the commission or the president's designee submits at the next commission meeting a report that describes the inspection. The commission may not take any official action at the inspection site.

(5m) AUTHORITY TO ENACT ORDINANCES. The commission may enact and enforce ordinances to implement the powers listed

under sub. (5). The ordinances shall be published either in their entirety, as a class 1 notice under ch. 985, or as a notice, as described under sub. (5s) (b).

(5s) REQUIREMENTS FOR NOTICE. (a) In this subsection, "summary" has the meaning given in s. 59.14 (1m) (a).

(b) A notice of an ordinance, rule, or order that may be published under this subsection shall be published as a class 1 notice under ch. 985 and shall contain at least all of the following:

1. The number and title of the ordinance, rule, or order.

2. The date of enactment.

3. A summary of the subject matter and main points of the ordinance, rule, or order.

4. Information as to where the full text of the ordinance, rule, or order may be obtained, including the phone number of the commission's secretary, a street address where the full text of the ordinance, rule, or order may be viewed, and a website, if any, at which the ordinance, rule, or order may be accessed.

(6) SPECIFIC DUTIES. The commission shall:

(a) Let contracts for any work or purchase that involves an expenditure of \$25,000 or more to the lowest responsible bidder in the manner prescribed by the commission. Section 66.0901 applies to contracts let under this paragraph.

(b) On or before November 1 of each year, levy a tax on all taxable property in the district and apportion the tax among the municipalities in which the district is located on the basis of equalized full value, for the purpose of carrying out the provisions of this subchapter. The amount of the tax in excess of that required for maintenance and operation of the district and for principal and interest on bonds or promissory notes may not exceed, in any one year, one mill on each dollar of the equalized full value of all taxable property in the district. The commission shall certify in writing to the clerk of every municipality in which the district is located the total amount of tax levied in the municipality.

(7) INTEREST IN CONTRACTS; PENALTY. No commissioner may have an interest, directly or indirectly, in a contract with, work or labor done for or material furnished to the town sanitary district or to anyone on the district's behalf, unless the interest is in a contract not exceeding \$1,000 in any one year or in the publication of required legal notices by the district or a commissioner if the publication rate does not exceed the rate prescribed by law. A commissioner who violates this subsection shall forfeit not less than \$50 nor more than \$500.

History: 1983 a. 532; 1989 a. 31, 56, 159, 322; 1991 a. 39; 1993 a. 16; 1995 a. 185, 349, 378; 1999 a. 150 s. 672; 2001 a. 16; 2005 a. 202; 2007 a. 72; 2011 a. 146; 2017 a. 365 s. 112.

Sub. (6) (b) does not prevent the levy under s. 66.09 (1) (b) [now s. 66.0117 (2) (b)] of the full amount of a judgment against a district. *Davy Engineering Co. v. Town of Mentor*, 221 Wis. 2d 744, 585 N.W.2d 832 (Ct. App. 1998), 97-3575.

Sub. (5) (f) authorizes town sanitary districts to levy special assessments and makes the procedures under s. 66.0703 applicable to those districts. As such, service of a notice of appeal on the district clerk was proper under this section. *Mayek v. Cloverleaf Lakes Sanitary District #1*, 2000 WI App 182, 238 Wis. 2d 261, 617 N.W.2d 235, 99-2895.

60.78 Powers to borrow money and issue municipal obligations. A town sanitary district may, under ss. 66.0621 and 66.0713 and ch. 67, borrow money and issue and execute municipal obligations, as defined under s. 67.01 (6).

History: 1983 a. 532; 1987 a. 197; 1999 a. 150 s. 672.

60.782 Power to act as a public inland lake protection and rehabilitation district. (1) In this section, "public inland lake" means a lake, reservoir or flowage within the boundaries of the state that is accessible to the public via contiguous public lands or easements giving public access.

(2) A town sanitary district that has at least 60 percent of the footage of shoreline of a public inland lake within its boundaries for which a public inland lake protection and rehabilitation district is not in effect may do any of the following that is authorized by the commission:

WESTERN RACINE COUNTY SEWERAGE DISTRICT

**WRCSD Commission Meeting Minutes
District Office 1020 N River Rd. Rochester
November 14, 2023 - UnApproved**

Meeting was called to order by President Klemko at 6:35 PM.

**Present: Laura Webb, Pat Goldammer, Vincent Klemko, Michael Robertson,
Ken Bosteder**

Others present: Jeff Bratz, Alysa Robbins, Tim Pruitt – Pruitt, Ekes, Geary,

Motion to go into closed session 19.85 (1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require, by Robertson, Webb 2nd. Roll Call vote. Webb – Aye, Goldammer – Aye, Klemko – Aye, Robertson – Aye

Motion to come out of closed session by Goldammer. Second by Webber. All ayes. Motion carried.

Bill Erickson from Applied Technologies presented an update on the Clean Water Loan and construction.

Motion to approve minutes from September meeting by Goldammer. Second by Webb. All aye. Motion carries.

Motion by Robertson to approve October expenditures. Second by Webb. All Aye. Motion Carried.

Review of Staab Construction Pay Request #6 for \$1,245,683.70.

Motion to approve and pay Request #6 by Goldammer. Second by Robertson. All Aye. Motion carried.

Correspondence was reviewed.

Motion to proceed with agreement with Rockspace Technologies to set up commissioners' emails by Goldammer. Second by Robertson. All aye. Motion carried.

Review of monthly plant operations report by Bosteder.

Financial Manager, Robertson, reviewed commissioner contact list and presented updated draft 2024 budget and other finances.

Motion to approve 2024 Budget subject to changes as discussed by Goldammer. Second by Webb. All aye. Motion carried.

Vice President, Goldammer, presented VP report.

President Klemko presented president report.

Discussion on Commissioners pay. Motion to update pay of Commissioners \$50 per meeting plus \$1000 per month to be retroactive through 2023 by Webb. Second by Goldammer. All aye. Motion carried.

Motion by Goldammer to adjourn at 9:30 p.m. Second by Robertson. All aye. Motion carried.

Respectfully submitted by,
Alysa Robbins

6.13 PUBLIC SHOWS, CONTESTS AND PARADES

(1) Permit Required.

(A) No person shall conduct, exhibit, operate or maintain within Town limits: any circus, menagerie, carnival, play, game, contest, theatrical performance, theater, concert, athletic event; any contest of speed, skill or endurance on land or water; any type of performance involving dancing or body movement; or any other type of public amusement, show or performance, where the public or members of clubs and organizations are invited or present, without first obtaining a permit as provided for under this section.

(B) Parades. No parades of any nature, except the Fire Department parade and Fourth of July parade or Veteran's parades, shall be conducted either or wholly upon highways, waterways or public lands of the Town without first obtaining an appropriate permit.

(C) Permit Fee. The fee for permits issued under this Section shall be in the amount set per event by the Town Board but shall not exceed \$1,000 per day of the event. This fee shall apply to any show event or amusement not regularly conducted within the Town of Waterford for at least 60 days each year. Carnivals shall be subject to the daily permit fee regardless of period of operation.

(2) Application Procedures. All applications for a permit under this Section shall be made in the manner provided for under Section 6.01 of this Chapter and shall specify the nature of the show or amusement and two previous places where the applicant was employed. The Town Clerk, after filing an application under this Section, shall refer it to the Police Department and Building Inspector who shall investigate and inspect each application and determine whether the place or route sought to be licensed complies with all applicable laws and ordinances and is a proper place for the purpose for which it is to be used.

(3) Permit Restrictions. No permit shall be issued for any public show within a residential district, or to any person under 18 years of age. No applicant to whom a permit has been refused shall make further application for a permit for at least 6 months. No permit shall be issued under this Section to any applicant who was once a permittee under this Section and had a permit revoked within 2 years of the date of application, or to any person who has been convicted of a felony within 5 years of the date of application.

(4) Suspension and Revocation. The Town Chairperson may at any time suspend for not more than 10 days any permit granted under this Section for disorderly or immoral conduct on the premises or for violation by the permittee his agents or employees, of any state law or municipal regulation or ordinance. Any permit granted by the Town Board under this Section shall be revocable at any time by the Town Board in the manner provided for under Section 6.01 of this Chapter.

TOWN OF WATERFORD
415 N. MILWAUKEE ST.
WATERFORD, WI 53185
PH: (262) 534-2350
SPECIAL EVENTS PERMIT APPLICATION

Special Event: As defined by Chapter 6 of Town Code this term includes, but is not limited to, conduct, exhibit, operate or maintain within Town limits: any circus, menagerie, carnival, play, game, contest, theatrical performance, theater, concert, athletic event; any contest of speed, skill or endurance on land or water; any type of performance involving dancing or body movement; or any other type of public amusement, show or performance, where the public or members of clubs and organizations are invited or present, without first obtaining a permit as provided for under this section.

Name of Event: _____

Date(s) of Event: _____ Start Date: _____ End Date: _____

Name of Organization (*list out contact information for all partners, officers and directors if the organization is a partnership or corporation*): _____

Address: _____ City: _____ State: _____ Zip: _____

E-Mail Address of applicant: _____

Contact Person (Day of event): _____

Address: _____ City: _____ State: _____ Zip: _____

E-Mail: _____ Home Phone: _____ Cell Phone: _____

Time event will begin: _____ Time event will end: _____

Site plan information. *Attach a detailed map/diagram of the event and indicate the location of the following: event vendors (e.g. food, alcohol); parking accommodations (on and off site); proposed road closures; signage, emergency vehicle access.*

Estimated attendance at the event: _____

Will there be outdoor music at the event? Yes _____ No _____ Hours/days: _____

Other submittal items:

The applicant agrees to indemnify and save harmless the Town from and against all liabilities, claims, demands, judgments, losses, and all suits at law or in equity, costs and expenses, including reasonable attorney fees, for injury or death of any person or loss or damage to the property of any person, firm, organization or corporation, including both parties hereto and their employees, arising from the holding of such special event.

Signature of applicant: _____

Date: _____

For Office Use Only

1. Application will be received by the Town Clerk and a copy distributed to the Police Dept. and Bldg. Insp.
2. Officer in Charge will provide comments/approval and forward to the Public Works Superintendent.
3. Town Board may review the application if necessary.
4. After approval the Clerk shall retain original comment/approval form and send one copy to applicant.

_____ Approved: Yes No
Officer in Charge Date

Town of Waterford police requested: _____

Permit comments/requirements of approval:

_____ Approved: Yes No
Town Chairman Date

Town Board Approved: Yes No n/a Date _____

Proof of Insurance Approved/Obtained: Yes No n/a Date _____

Permit comments/requirements of approval:

6.13 Special Events

(1) Definitions

- a. Class I Special Event: A Special Event expecting one hundred (100) or more attendees or any of the following occur:
 - i. Alcohol is sold or served;
 - ii. Outdoor entertainment is planned;
 - iii. The event lasts longer than one day;
 - iv. Closure of public roadways, rights-of-way, or sidewalks.
- b. Class II Special Event: A Special Event not meeting the criteria of Class I.
 - i. Event Coordinator: The individual identified as the point of contact who will be onsite during the event to address issues raised by Town Officials, including Law Enforcement, Fire, or EMS.
- c. Special Event: Any activity that uses public roadways, rights-of-way, sidewalks, parks or other public property, or events which may require increased levels of Town services, including Law Enforcement, Fire, EMS, or DPW. Such activities include, but are not limited to, auctions, carnivals, circuses, concerts, dances, exhibitions, fairs, festivals, parades, races, or sporting events.

(2) Permit Required

- a. No person or organization shall conduct a Special Event within the Town of Waterford without first obtaining a Special Event Permit. Permits are valid for the dates, times, locations, and activities specified in the Permit.
- b. Other Permits Required: A Special Event Permit under this ordinance does not satisfy the requirements of other Town or County ordinances or state statute.

(3) Application

- a. Requirements
 - i. Applications for Special Events shall be filed with the Town Clerk at least 60 days prior to the proposed Event. Incomplete applications may be refused.
 - ii. Permit Fees are required at the time of application for the permit. Fees shall be set from time to time by the Town Board.
 - iii. The application form may from time to time be modified by the Town Board. Only current versions will be accepted.
- b. Process
 - i. Upon receipt of a completed application and applicable fee, the Town Clerk shall distribute the application to Law Enforcement, Fire, and Public Works for review and comment.
 - ii. The Law Enforcement, Fire, and Public Works shall complete their review and provide any comments to the Clerk within 30 days.
- c. Review
 - i. The Town Board shall review all Class I permit applications and department comments. The Town Board shall deny the permit, approve the permit, or approve the permit with conditions. The Town Clerk shall issue the permit.
 - ii. The Town Clerk shall review all Class II permit applications and department comments. If all requirements are met, the Clerk shall issue the permit. If the Clerk has concerns about the appropriateness of issuing a permit, the Clerk shall

transmit the application, department comment, and the Clerk's comments to the Town Board for review.

- d. Restrictions
 - i. No permit shall be issued to an individual less than 18 years of age;
 - ii. No permit shall be issued to an applicant or sponsor who has had a permit revoked within 2 years of the date of application.

(4) Permit Conditions

- a. Liability Insurance. The Special Event sponsor of a Class I Special Event is required to obtain liability insurance. Proof of comprehensive general liability insurance which names and endorses the Town of Waterford, its officers, agents, employees, and contractors as an additional insured party shall be submitted to the Town Clerk no later than 20 days before the event. The applicant shall inform the Town of any changes to the terms or coverage of the insurance. Any changes will require Town approval.
- b. Indemnification. The applicant and event sponsor(s) agree to hold the Town of Waterford, its officers, agents, employees, and contractors harmless against all claims, liability, loss, damage, or expense, including attorney's fees, incurred by the Town for any damage or injury to person(s) or property caused by or directly resulting from the activities for which the permit was granted.
- c. Town Services. All requests by applicants for Town services must be made at the time of application. The applicant shall be responsible for reimbursement to the Town for any Town personnel, services, equipment, or facilities provided for the Special Event. Reimbursable costs shall include wages, overtime, and fringe benefits for any Town employee or contractor providing services at the Event. An invoice shall be sent to the applicant within 15 days following the event. Payment is due within 30 days of invoice. The Town reserves the right to require full or partial payment of estimated costs in advance.
- d. Cleaning/Damage Deposit. The Town may require the applicant to submit a cleaning/damage deposit not to exceed \$200 per day (or portion thereof) of the event. Such deposit shall be delivered to the Town no later than 14 days prior to the starting date of the event. The deposit shall be returned following the event if it is determined no clean up or damage repair is required. The Town may keep all or a portion of the deposit and may require the applicant to reimburse the Town for any additional cleaning or repair costs or if cleanup is not complete by the time specified. Unless otherwise stated in the permit, the applicant shall be fully responsible for all necessary cleanup associated with the event to be completed within 12 hours of the conclusion of the event.
- e. Noise. Special Events must comply with Town quiet hours set forth in Town Ordinance 5.06 (5) (D). Requests to modify this condition shall be made with the application for permit and shall be reviewed by the Town Board.
- f. Safety and Security. The Special Event sponsor shall ensure sufficient staffing to provide assistance with crowd control, parking, sanitation, and medical services. The departmental review process shall determine the appropriate level of staffing required. Special Events requiring Law Enforcement, Fire, and/or Medical personnel will agree to terms of payment to the Town prior to holding the event. The Special Event sponsor will

be billed for actual staffing costs incurred by the Town. If alcohol is served, at least one Law Enforcement Officer will be required for every three hundred (300) people anticipated. If alcohol is not served, at least one Law Enforcement Officer will be required for every five hundred (500) people anticipated.

- g. Event Coordinator. The Special Event sponsor shall have at least one representative onsite at all times during the event. The Town may require a meeting with the Event Coordinator and/or sponsor prior to the event.
- h. Notice. The Town may require the permit holder to provide written notice to property owners or tenants as determined during the departmental review process at least 15 days prior to the Town Board meeting at which action is scheduled to be taken on the permit application. At a minimum, the notice will include the time and date of the meeting, the type, location, and time of the event, and the sponsor's name and contact information.

(5) Limitation or Termination of Special Event

- a. The Town may take any action necessary to ensure public safety including limiting capacity or terminating the event if it is determined to be a public safety hazard or nuisance by law enforcement, fire, or medical personnel, or if there are violations of any ordinance, statute, condition of the permit.
- b. Amplified sound may be limited or terminated if substantiated complaints are received by law enforcement.
- c. The Town Clerk may revoke an approved permit if the applicant fails to comply with the provisions of the permit or this ordinance prior to the event date.

(6) Exclusions. This ordinance does not apply to:

- a. Funerals and funeral processions;
- b. Sanctioned events held by schools within the Town of Waterford;
- c. Events sponsored by the Town or a Town agency;
- d. Events held at Town Parks with fewer than 100 attendees for which a reservation has been granted.

(7) Fees.

- a. Class I Special Event permit: \$ _____
- b. Class II Special Event permit: \$ _____

3.04 PARKING LIMITATIONS

- (1) State traffic laws adopted: Wisconsin Statutes 346.50-356.55, Restrictions on Stopping and Parking, are adopted in Town Ordinance 3.01.
- (2) Prohibition: No person shall park, stop, or leave standing a vehicle on roadways or rights-of-way where prohibited by official sign.
- (3) Exceptions: Subject to the requirements of Wisconsin Statute 356.51, Town Ordinance 3.04(2) does not apply to:
 - a. Delivery vehicles temporarily parked, stopped or left standing while making deliveries;
 - b. Contractors providing services at a property where off-street parking is not feasible;
 - c. Overflow on-street parking at a residential property when prior approval of the Waterford Police Department has been granted:
 - i. The Police Chief, or designee, will review requests for on-street parking considering factors related to the safe travel on town roadways and including, but not limited to:
 1. Availability of off-street parking options
 2. Roadway/right-of-way width
 3. Blind hills and/or curves
 4. Impact on safety and roadway congestion in the neighborhood
 5. Time of day
 6. Requested duration of the on-street parking
 - ii. The Police Chief, or designee, may place restrictions on the approval necessary to preserve public safety or neighborhood harmony.
 - iii. Neighbor complaints or concerns of police or Town Board may be factors in considering future requests.
 - d. Overflow on-street parking at commercial establishments granted a permit under Town Ordinance 6.13. The approved permit must specifically authorize on-street parking and describe the manner in which vehicles are to be parked.
- (4) Enforcement:
 - a. Waterford Police Department shall ensure that roadways are safely passable, and any restrictions included in the on-street parking approval are complied with.

- b. Waterford Police Department shall first attempt to have the offending vehicle moved by the owner or operator but may, in the interest of safety and pursuant to Wisconsin Statute 349, have the vehicle removed to a public or private storage facility at the owner's expense.
- (5) Penalties: shall be assessed in accordance with Wisconsin Statute 346.56, which is hereby adopted.
- (6) Definitions
- a. On-Street Parking: parking on the roadway or right-of-way
 - b. Off-Street Parking: parking in areas other than the roadway or right-of-way.

DRAFT



TOWN HALL ADMINISTRATIVE OFFICES
 2445 S. AFTON ROAD
 BELOIT, WISCONSIN 53511-8666
 PHONE: 608-364-2980
 FAX: 608-364-2999
 www.town.beloit.wi.us

Special Event
 Permit Application
 Class 1 \$200.00
 Class 2 \$100.00

- Please Review attached ORDINANCE NO. 5.11 SPECIAL EVENTS
- If additional space is needed, you may do so on additional sheets of paper
- Note: Cleaning/Damage Deposit may be required also at \$200.00/day (or a portion thereof)
- Permit Required 60 Days prior to proposed event and A SITE PLAN SHALL BE REQUIRED

Date(s) of Event:

Applicant(s):

Address:

City/ST/Zip:

Principle Contact and Phone#:

Day/Hours during which Assembly is to occur:

Event

Location/Address:

Assembly Type:

List Activities:

Site Capacity:

Anticipated Attendance:

Maximum Permitted to Attend:

Crowd Control Plans:

Plans for Supplying Potable Water:

Sanitary Waste/Plans for Providing Toilet/Lavatory Facilities and Disposing:

Solid Waste/Plans for Holding, Collection and Disposing of:

Medical Services/Plans to Provide Medical Facilities:

Lighting & Power/Plans to illuminate the Location of Assembly:

Plans for Parking Vehicles / Access:

Security Plans:

Plans for Fire Protection:

Plans for Sound Control:

Number of Amplifiers/Location and Power:

Plans for Food Concessions:

Names of Concessionaires:

Plans for Camping Facilities if any(not allowed on Town property):

Structures – any Temporary or Permanent (Fences/Party Tents) provide sizes and SITE PLAN:

Proof of Liability Insurance must be provided.

By signing this application, I do swear and affirm that the statements contained herein are true and correct to the best of my knowledge.

Signed: _____

Date: _____

Signed: _____

Date: _____

- c. Notification of Fire Chief. A person who stores fireworks shall notify the Fire Chief of the location and quantity of fireworks stored.
 - d. Storage Distance. No vendor may store fireworks closer than fifty (50) feet to the storage facility lot line.
 - e. Storage Restriction. No person may store fireworks within fifty (50) feet of a private dwelling, public assemblage or place where gasoline or volatile liquid is sold or stored in quantities exceeding one (1) gallon.
 - f. Storage in Vehicles Prohibited. No person may store fireworks within any motor vehicle, vehicle trailer of any kind or part of a vehicle for a period of time greater than twenty-four (24) hours.
 - g. Outdoor Storage. Outdoor storage of fireworks shall comply with the outdoor storage requirements in the Town of Beloit Zoning Code.
 - h. Annual Inspections. The Fire Chief and other authorized safety officials shall perform an annual inspection of every premise where fireworks are stored.
21. Penalties. In addition to the denial, suspension or revocation of a permit issued under this ordinance, any person who shall violate any provision of this ordinance or who shall fail to obtain a permit as required hereunder shall upon conviction of such violation, be subject to a penalty of a civil forfeiture pursuant to this Code of Ordinances. Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this ordinance shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of this ordinance.

5.11 SPECIAL EVENTS.

- 1. Definitions.
 - a. Class I. A special event in which more than one hundred (100) people attend and any of the following occurs: alcohol is sold or served; outdoor entertainment/amplified music is involved; tent(s) larger than four hundred (400) square feet are utilized; or the event lasts more than one (1) day.
 - b. Class II. A special event with less than one hundred (100) people and no alcohol is sold or served or no outdoor entertainment/amplified music is provided.
 - c. Event Coordinator. The individual identified by the special event sponsor that will be on-site at all times during the special event to address problems as well as implement directions from Town Officials during the special event.
 - d. Special Event. Any activity that uses public streets, rights-of-way, sidewalks, or private property or may require increased levels of Town services. This includes, but is not limited to, fairs, festivals, sporting events, foot runs, walk-a-thons, bike-a-thons, bike races, markets, outdoor merchandise sale, parades, parade of homes, exhibitions, auctions, dances, motion picture filming, and other similar events.
 - e. Exceptions:
 - i. Funerals and funeral processions.
 - ii. Students going to and from school or participating in educational activities or school sporting events provided such activity is under immediate direction and supervision of the proper school authority.
 - iii. Events sponsored by the Town or a Town agency.
 - iv. Event in a Town park with under one hundred (100) people attending. Note: A park rental permit is required. Contact the Town Clerk's office.

2. Permits Required.

- a. No person or organization shall conduct a special event as defined herein within the Town of Beloit without first having obtained a special event permit. Permits are valid only for the dates, time and location specified in the permit. This provision shall apply to all events proposed after the date of the adoption whether or not the event in question has been a reoccurring event within the Town.
- b. A park rental permit may be required depending on the location of the special event and is not provided for in this permit process.
- c. Other Permits Required. All vendors operating as part of a special event permit obtained under this ordinance shall obtain and display any and all required Town, county, or state permits for the duration of the event (i.e. food, vendor, temporary beer, etc.). If serving beer and/or alcohol there must be either a licensee or a person holding an operator's license onsite in accordance with Sections 125.17(1), 125.32(2), and 125.68(2), Wis. Stats.
- d. Special events with more than fifty (50) people but less than one hundred (100) people, are not required to obtain a permit, but are encouraged to contact the Police and Fire Devices in advance of the event. These events, if located at or sponsored by a business, may require consideration from the Town Plan Commission.

3. Application.

a. Application Requirements.

- i. Application for a special event permit shall be filed with the Town Clerk at least 60 days prior to the proposed event.
- ii. Permit fees are required with submission of application. Permit fees shall be set from time to time by resolution of the Town Board.
- iii. The application shall include the following:
 - A. The name, address and phone number of the special event sponsor(s). If more than one person, entity or organization is the sponsor, all must be listed. In the case of a corporation, Limited Liability Corporation, limited liability partnership, or partnership, the name and mailing address of each person holding ten percent or more of the ownership.
 - B. The name, address and phone number for the special event sponsor's contact or agent.
 - C. The name, address and phone number of the event coordinator and the method by which the Town can contact the Event Coordinator during the special event.
 - D. Special event on private property.
 - i. The address of all private property upon which the special event is to be held, together with the name, and mailing address of the owners of record.
 - ii. Notarized authorization from the property owner(s) that the applicant has permission to use property for a special event.
 - E. The nature of the assembly.
 - F. The dates and hours during the special event. Applicant should include dates and hours for set up and clean up in the information provided.
 - G. The maximum number of persons allowed at any given point at any time. This may also be determined by the Fire Chief and/or Chief Fire Inspector.
 - H. Plans and description for the following, as necessary for the event:

- 1) Fencing and gates as necessary to control access to or within the special event;
 - 2) Potable water locations;
 - 3) Toilet and lavatory facility locations and number;
 - 4) Solid waste collection locations and disposal;
 - 5) First aid station, or additional medical care facilities as required upon Town review;
 - 6) Lighting plan, including location, hours of use and power source;
 - 7) Parking size and location;
 - 8) Access to event and to parking, if located separately;
 - 9) Camping facilities;
 - 10) Crowd control/security personnel including number and responsibilities;
 - 11) Sound control and amplification, location, size and number of speakers and amplifiers;
 - 12) Access for emergency vehicles and personnel.
- I. Certification that by signing the application, the applicant is authorized to act on behalf of the event sponsor(s).
 - J. Applicant's acknowledgement that by signing and submitting the application they accept and comply with the provisions of Sections 5.11 (4)(a) and (b).
 - K. Proof of insurance as described in Subsection 5.11 (4)(a) below.
 - L. Park rental approval, if applicable.

b. Application Process.

- i. Upon receipt of an application for a permit, the Town Clerk shall immediately distribute the complete application to Police Department, Fire Department, Public Works Department and Town Administrator for review and comment. Department review and comments shall be returned to the Town Clerk within thirty (30) days of distribution of the application.
- ii. The Town, in reviewing the application, shall consult any other state, county or local body as necessary for assistance in evaluating the application in order to promote the safety, health, welfare and security of the residents of the Town of Beloit and the persons attending the special event.
- iii. Permit review.
 - A. The Town Clerk shall review Class II applications for conformity with the provisions of this ordinance and the comments from the departments and if the applicable requirements are met, shall issue a permit.
 - B. The Town Board shall review all class I permit applications and department recommendations and either deny the permit, approve the permit or approve the permit with conditions. The permit shall be issued by the Town Clerk.

4. Permit Conditions.

- a. Liability Insurance. The special event sponsor is required to obtain insurance for special events that include alcohol, have more than one hundred (100) people per day or involve a road closure. Proof of comprehensive general liability insurance which names and endorses the Town, its officers, agents, employees, and contractors as an additional insured party shall be submitted to the Town no later than twenty (20) days before the event. The applicant shall notify the Town in the event there is a modification of any of the terms of the insurance coverage. Such notification shall be provided not less than two

- (2) weeks prior to the effective date of that change. Any change to coverage requires Town approval.
- b. Indemnification. The applicant and event sponsor(s) shall agree to hold the Town, its officers, employees, agents, and contractors, harmless against all claims, liability, loss, damage or expense (including but not limited to actual attorney's fees) incurred by the Town for any damage or injury to person or property caused by or resulting directly or indirectly from the activities for which the permit is granted.
 - c. Town Services. All requests by applicants for Town services must be made at time of application. The applicant shall be responsible for reimbursement to the Town for any Town personnel, services, equipment, and facilities provided for the special event. Reimbursable costs shall be calculated to include wages, overtime, and fringe benefits. An invoice shall be sent to the applicant, within fifteen (15) days following the event. Payment is due within thirty (30) days of invoice. The Town reserves the right to require full or partial payment of estimated costs in advance.
 - d. Cleaning/Damage Deposit. The applicant may be required to submit to the Town a cleaning/damage deposit of Two Hundred Dollars (\$200.00) per day for each scheduled day of the event (or a portion thereof), two (2) weeks prior to the starting date of the event. The deposit shall be refunded to applicant, if, upon inspection, all is in order, or a prorated portion thereof as may be necessary to reimburse the Town for loss or cleaning costs. The Town reserves the right to retain the entire deposit if cleanup is not completed satisfactorily in the time frame as specified in the permit. Unless otherwise stated in the permit, the applicant shall be fully responsible for all necessary cleanup associated with the permitted event to be completed within twelve (12) hours after the conclusion of the event.
 - e. Noise. Amplified music, public address systems, loudspeakers, or other amplification devices must end by 11:00 p.m. on Fridays and Saturdays, and by 10:00 p.m. all other nights. This condition may be modified by the request of the Event Coordinator or any resident through the Town Board.
 - f. Sufficient Staffing and Security. The special event sponsor shall provide sufficient staffing to provide assistance with crowd control, parking, sanitation, and medical services. A determination as to these needs will be made by the departments as part of the review process. All special events that are determined to require added Police, Fire or Emergency Medical presence will agree to terms of payment to the Town prior to the event being held. The Town will bill the individual, group or organization for the actual cost of staff incurred by the Town. If alcohol is served, one Police Officer will be required for every three hundred (300) people anticipated. If no alcohol is served, one Police Officer will be required for every five hundred (500) people anticipated.
 - g. Event Coordinator. The special event sponsor shall have at least one (1) representative on site during the event at all times, as identified on the permit application. Depending on the size and activities of the event, the Town may require a meeting with Event Staff prior to the event occurring.
 - h. Site Requirements.
 - i. All tents must be installed in accordance with NFPA guidelines.
 - ii. Wiring shall be installed by a licensed electrician. All persons requiring electricity at a special event shall follow NEC and SPS Ch. 316, Wis. Administrative Code.
 - iii. Attendees and staffing shall not exceed the maximum number which can reasonably attend at the location of the special event, in consideration of the nature of the special event.

- iv. Responsibility for arranging any inspections required to meet these standards or any other requirements prior to the special event is the sponsor's. Any fees for such inspections shall be paid by the special event sponsor.
 - i. Notification. The Town may require that the permit holder give written notice fifteen (15) days in advance of the Town Board meeting where action is scheduled to be taken regarding the proposed event to any property owners or tenants as determined during the Town departments' review. Notice shall, at a minimum, include the type of event, name of the special event sponsor(s), date, time and location, event coordinator's name and contact information during the event.
5. Limitation or Termination of Special Event.
- a. The Town may limit the size of or shut down a special event if it is deemed to be a public safety hazard or public nuisance by the Police Department or Fire Department, or there is a violation of Town or county ordinances, state statutes or the terms of the applicant's permit. The Town may limit or shut down any amplified music at an event if complaints are received by the Police Department from neighboring citizens. The Town Clerk or designee may revoke an approved special event permit if the applicant fails to comply with the provisions of the permit prior to the event date.
6. Denial of Permit.
- a. Reasons for denial of a special event permit include, but are not limited to:
 - i. The event will disrupt traffic within the Town beyond practical solution.
 - ii. The event will create a likelihood of endangering the public.
 - iii. The event will interfere with access to emergency services.
 - iv. The location or time of the special event will cause undue hardship or excessive noise levels to adjacent businesses or residents.
 - v. The event will require the diversion of Town resources(s) that would unreasonably affect the maintenance of regular Town service levels.
 - vi. The application contains incomplete or false information.
 - vii. The applicant fails to provide proof of insurance.
 - viii. Inadequate provision for garbage or debris removal.
 - ix. Inadequate provision of temporary restroom facilities.
 - x. Inadequate provisions for parking.
 - xi. Denial of a permit by the joint park and recreation department.
 - xii. Applicant fails to submit the required fees and/or deposits.

5.12 PARADES.

1. Definitions. A "parade" is any parade, ceremony, show, exhibition, pageant, motorcade or procession of any kind, or any similar display in or upon any street, sidewalk or other public place in the Town of Beloit.
2. Permit Required. No person shall engage in, participate in, aid, form, or start any parade unless a parade permit shall have been obtained from the Town Board of the Town of Beloit.
3. Application. A person seeking issuance of a parade permit shall file a written application with the Town Clerk.

VILLAGE OF MUKWONAGO

SPECIAL EVENT MANUAL

This manual was created to give event organizers a tool to assist them with creating a successful event and follow the proper protocol for requesting Village services.

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INTRODUCTION

The Village of Mukwonago enjoys many fine and entertaining special events throughout the year. The Village is committed to supporting quality events and this manual is a tool to help ensure your event's success. If this is your first time planning an event or if you have been hosting an event through the Village for years, this manual will give you guidance on what is expected of you from the Village.

After reading through this manual, we highly suggest you call the Village Clerk at (262) 363-6421, to arrange for an initial planning meeting to discuss your event prior to turning in any applications. The Village requires staff to review your permit and make recommendations to the Village Board, if required, for approval, approval with conditions or denial of the permit. This is why the application is due 90 days prior to your event.

Although this guide should help you determine everything you will need to hold a successful event, ultimately, the Village reserves the right to require additional permits and/or services they see fit to ensure the event is safe. Any additional permits and/or services required by the Village will be at the cost of the event organizer.

What is a Special Event?

The Village of Mukwonago's Special Event Ordinance defines a special event as...

...any activity that uses public streets, rights-of-way, sidewalks, or private property or may require increased levels of Village services. This includes, but is not limited to, fairs, festivals, sports events, foot runs, walk-a-thons, bike-a-thons, bike races, markets, outdoor merchandise sale, parades, parade of homes, exhibitions, auctions, dances, motion picture filming and other similar events.

Further, the Village defines special events into different class levels which help determine what level of impact they will have on the community.

Class I: A special event in which any of the following occurs: has more than one-hundred fifty (150) people; where alcohol is sold or served; outdoor entertainment/amplified music; tents larger than four hundred (400) square feet; or lasting more than two days.

Class II: A special event with more than one-hundred fifty (150) people, and no alcohol is sold or served or no outdoor entertainment/amplified music is provided.

If you are planning an event at your home or other residential area and plan to have 50-150 people, you will need to contact Village Police Department at (262) 363-6435 to make them aware of the event. However, no special event application is necessary.

Consider how your event plans work with the Community:

As you begin the preliminary plans for your event, think carefully about the impact you will have on the community as a whole. The following are some common impacts that thoughtful planning can help reduce:

- When you close a street, even for two or three blocks, traffic issues will arise as it will need to be rerouted or turned away.
- Does your street closure block or impede access to police stations, fire stations, churches, schools, businesses or residences?

- Are you planning to serve/sell alcohol at your event? If so, how will that use affect participant safety and enjoyment of the event as well as security and insurance costs?
- Will you have music? If so, what type of music will you have and how will the noise impact the surrounding neighborhood? What kind of audience behavior does this kind of music typically bring about?
- Ensure your event is accessible to the people with disabilities. (Disabilities include, but are not limited to, vision, hearing, and physical limitations.)
- Are there other events planned in the Village on the same day as yours or immediately before or after yours? If so, multiple events in a small timeframe may be denied due to limited resources available to assist with the events.

STEPS TO TAKE

Who Should I Contact First?

The Special Event permit application process is coordinated through the Clerk's office. This office is located in Village Hall, 440 River Crest Court, Mukwonago, WI. The application may be obtained from the Village Clerk's office or from the Village's website at www.villageofmukwonago.com. **Special Event applications are due to the Clerk's office 90 days prior to your event.**

Based on the nature of your event, a variety of permits may be required and this manual will help you identify those and who to contact if you have questions.

Determine when and where to hold your event:

Do you plan to use one of the parks for your event?

If yes, you will need to contact the Village Clerk's office to reserve the park, and request to get on the next agenda of the Health and Recreation Committee who will need to give you permission to utilize the park. This Committee will also determine what will be charged for use of the facility – it may or may not follow the regular rental rates. All park rules, regulations and policies must be adhered to.

Will your event take place in a residential neighborhood?

If yes, then you will be required to notify all adjacent property owners when your event will occur as well as what your event will entail. The Village can assist you in determining which property owners should be notified based on the location of your event.

Do you plan to close and/or use a public street or right-of-way for your event?

If yes, then you will need to have your request reviewed by the Department of Public Works and Police Services. They will ensure that all safety measures are met and the street closure(s) will not adversely affect traffic flow. Also, there may be some limitations on use of certain streets if they are under construction during your event.

Barricades are available through the Village. However, you will need to submit a specific plan of where the barricades shall be located as well as what time they need to be in place and what time they will be taken down. You will be charged for use of these barricades. The Village Police Department may require you to have barricades for your event even if you do not feel they are necessary. If barricades are required, it is at the expense of the event organizer (See FEE SHEET for detailed costs).

Even if your event does not require street closures, it may generate unusual pedestrian and/or

vehicular traffic. This not only affects the event's participants but also those who live and work in the area surrounding the event's location. Changes in traffic flow must be considered in the planning process.

Where will all of the participants park?

In case of large events, consider establishing parking in other sites and shuttling participants to the event. If you are requesting special parking restrictions, you must contact the Police Department to discuss this request.

Another consideration for parking is the availability of disabled parking stalls. If you do not plan for disabled parking stalls within a reasonable distance from your event site, you may discuss with the Police Department and the Department of Public Works ways to accommodate those with special needs.

A detailed map of the event location, proposed street closures, intended route, if applicable, MUST BE PRESENTED AT THE TIME OF PERMIT APPLICATION.

OTHER ITEMS TO CONSIDER

Will you be serving/selling alcohol?

This temporary license is only good for sales of wine and beer and is only available to organizations that are considered to be bona fide clubs or charitable organization. You must also provide at least one Village of Mukwonago licensed bartender who must be on site where these sales will occur for the duration of your event.

If your event is in a park, you may not serve beer or wine after 10:00 pm. If you wish to sell beer or wine in a park, you again would need to adhere to Village policy by getting a temporary license and providing a Village of Mukwonago licensed bartender. Although having alcohol at your event may be advantageous, you may also incur greater costs and risks; please read the insurance requirement section of this manual thoroughly.

Helpful tips to organize a safe and successful event when serving/selling beer or wine:

- Sales of beer or wine must be under the control of your organization at all times. You are the responsible, legally liable party if problems arise because of the improper conduct of your beverage servers.
- The legal drinking age is 21. You should require bona fide identification from anyone who appears under the age of 30. Proper identification must be issued by a governmental agency with the name, date of birth, a physical description and a photograph of the person presenting the identification.
- Do not sell, furnish or give beer or wine to anyone who is obviously intoxicated.
- Identify non-drinking designated drivers and offer them free non-alcoholic beverages. This can be done by providing colored wristbands or other means of easy identification.
- Limit sales or service of alcoholic beverages to two (2) drinks per person at any one time.
- Provide food at your event.
- Prohibit anyone from bringing their own alcoholic beverages to your event.
- Provide adequate security at your event, especially if it is open to the public.

Will you be serving/selling food?

When selling/serving food, the event organizer must contact the Waukesha County Health Department. You will be required to provide to the Village proof of approved permits by Waukesha County prior to the start of your event.

Will you be selling merchandise?

If you plan to sell merchandise, you will also need to obtain a Peddler's Permit from Police Department. The permit application is available at Village Police Station. There is a \$10 application fee for this license plus an additional \$20 per day charge or \$100 per week depending upon the duration of your event.

What security will be needed?

For the safety of your event's participants, security personnel are a necessity. Events including alcohol or minors may involve a higher risk and may require more security.

Events should have security personnel at the rate of one security guard for every 300 people present if alcohol is available, or one security guard for every 600 people if alcohol is not available. One member of the security personnel must be designated as the "Head of Security" who can be contacted at any time by the Police, Fire or the Waukesha County Health Departments.

Points to consider when planning security for your event:

- Entry points
- Boundaries
- Bordering streets between your event's location and parking areas
- Parking lots
- Site where admission is charged, if applicable. You may want to consult with the Police Department for transferring money.
- Doors of spectator areas to watch for suspicious behavior, if applicable.
- Restrooms or concession areas
- Restricted access areas such as reserved areas, medical/first aid centers, or other key locations where the general public is not allowed.
- VIPs and Public Officials

The Fire and/or Police Departments, depending on facts and circumstances specific to each event, shall have the discretion to modify this ratio as they deem necessary.

Will you be having a band or amplified music?

If yes, there are a number of items that need to be considered.

- Is there a stage available at your proposed location or will you need to obtain one?
- Is there sufficient electricity to supply the band/amplified music's equipment?
- Will a tent be required?
- What hours will the band/amplified music be playing – will this comply with the Village's noise ordinance?

Noise is regulated within the Village limits of the Village of Mukwonago. In general, the ordinance states that no person shall make or cause to be made any loud, disturbing, or unnecessary sounds or noises that might annoy or disturb another. If the Village were to receive a complaint regarding your event, the Police Department has the right to shut down that aspect of your event. Therefore, you are

highly encouraged to notify surrounding residents/businesses of your event so they know ahead of time what your event is and what can be expected in regard to noise. If you are planning your event in a park, your amplified music would need to end by 10 pm as parks close at that time.

PLANNING FOR FIRE PREVENTION AND LIFE SAFETY

Will your event be held outdoors?

The Mukwonago Fire Department is committed to a fire prevention program that places a high priority on the safety and welfare of the public while minimizing potential fire and life safety hazards. Establishing fire prevention and life safety procedures at your special event is an essential component of the event planning process.

If you are holding an outdoor event, your event must be reviewed by the Fire Department. Items of concern include general fire and life safety, crowd capacity, access for emergency vehicles, configuration and identification of all vendors cooking with flammable and combustible liquids and/or gases, or potentially hazardous cooking appliances. A copy of your Special Event application will be forwarded to the Fire Department for review. This review process is required for ALL special events.

Will any fireworks, open flame or pyrotechnic devices be used?

If yes, you will need to contact the Mukwonago Fire Department for the necessary permits and regulations. Permits must be applied for a minimum of 7 days prior to the event.

The use of any pyrotechnic device shall be handled by a competent adult operator and shall be of such composition, character and be located, discharged or fired, as in the opinion of the Fire Chief, shall not be hazardous to property or endanger any people. Village ordinances and State Statutes shall regulate the outdoor use of pyrotechnic devices.

Will you be erecting a tent, canopy, or other temporary structure?

If yes, again you will need to work with the Mukwonago Fire Department as well as the Building Inspection Department. Any temporary structures are regulated through the Village of Mukwonago. Each vendor is responsible for obtaining a tent permit and inspection as well as for paying the inspection fee. If you plan to erect a temporary structure in a park, you will need to obtain permission from the Health and Recreation Committee.

Will you need electricity and/or setting up lights?

If yes, again you will need to work with the Mukwonago Fire Department as well as the Building Inspection Department. Also, any cords/service lines should be protected to avoid a trip hazard or grounding hazard. Electric service will need to meet all code requirements.

Will you be putting up a temporary fence?

Some events attempt to control the area in which participants are allowed to roam. Therefore if you plan to erect a temporary fence, you will need to work with the Mukwonago Fire Department as well as the Building Inspection Department. Items of concern here are how structurally sound the fence is as well as entry/exit points not only for participants but also for emergency personnel and vehicles.

Do you have the ability to provide potable water access if there isn't one on site?

Potable water access means you are able to provide water that humans can drink on site. Some

special event sites may not already have access to water through the Village or another means. Therefore it is the responsibility of the event organizer to ensure drinking water is available for all participants attending the event. This is especially important if you are offering an athletic event.

RISK MANAGEMENT AND INSURANCE REQUIREMENTS

Risk Management

Risk management in special events is defined as “recognizing the possibility of meeting danger or suffering harm or loss and organizing or planning to minimize or eliminate said danger, harm or loss.” Ensuring that appropriate risk management practices are in place is a priority for the Village of Mukwonago.

Some areas of risk management that should be observed by special event organizers:

- Develop volunteer management practices – identify who is in charge and communicate that to all volunteers. Monitor the event volunteers to ensure that the necessary work is being completed.
- Be clear about the role of the Police Department at your event and enhance communication throughout the event. Consult with the Police Department and emergency personnel for input and advice while developing the safety/risk management plan.
- Be aware of safety standards and/or inspections related to buildings, vehicles, carnival rides and tents, ensuring safe egress from tents and fenced in areas.
- Have emergency plans specific to the event activities, including communication and responsibilities, coordination with authorities, weather conditions, lightning, and personal and property damage.
- Coordinate fire safety/protection for all tents and commercial cooking functions, and the safe handling of propane gas.
- Inform all participants of safety requirements specific to events that take place on waterways.
- Have a bleacher inspection and certificate of inspection from the installer for any bleachers that are brought in for spectators.
- Do a “walk through” of the event looking out for tent stakes and ropes, electrical connections, compressed gas cylinders like helium, cables and hoses across walkways, absence of barriers to restricted areas; try to see the grounds through the eyes of a participant.

Inform and Train Volunteers

Volunteers can be the most valuable people at your event. They should be briefed prior to the event on what they may and may not do. They should be thoroughly informed and it is often a good idea to provide them with job descriptions. Tell them who is in charge and who to contact if a problem develops. Be sure they are familiar with the building or area so they can direct people to restrooms, fire exits, or other key locations. Remember, the volunteer’s task may seem clear to you, but they are not as familiar with all of the plans you have made.

Make your volunteers easily identifiable to those attending your event; provide them with vests, pins, armbands, hats, etc. so guests can easily recognize someone affiliated with the event.

Liability Insurance

The Special Event Sponsor will provide evidence of liability insurance in a form acceptable to the Village Attorney, with limits of not less than \$1 Million per occurrence and \$2 Million in the aggregate, which

coverage names the Village of Mukwonago, its officers, agents, employees and contractors as Additional Insured on a primary and non-contributory basis. Evidence of this coverage must be provided by a Policy Endorsement received by the Village not less than 20 days prior to the event. A Certificate of Insurance must evidence this coverage throughout the duration of the event. Applicant further agrees to indemnify and hold harmless the Village of Mukwonago, its officers, agents, employees, contractors and assigns, as and against any and all claims, demands, actions and causes of action, including actual attorney fees, arising from the Applicant's use of Village property and the issuance of this Permit.

(The Village Board may require a higher limit depending upon the details of your event.) Those events that may be required to provide the aforementioned insurance indemnification include, but are not limited to,

- 1) An event that includes alcohol, or
- 2) An event that is anticipated to have attendance greater than 150 people per day, or
- 3) A multi-day event.

If any modifications occur to your insurance terms, you must also notify the Village immediately. Any change to coverage requires Village approval. Also, if your coverage is canceled or no longer meets the Village's requirements, the permit will be rescinded.

TOILET FACILITIES AND CLEANUP

Refuse Collection/Site Clean Up

The event sponsor should have a litter control plan in place and pick up trash/litter before, during and after the event. A recycling plan is also highly recommended and many park facilities have recycling containers onsite.

The event organizer is responsible for requesting additional trash cans if you are using a park area and then emptying them and putting trash into a dumpster throughout the event (if determined necessary by the Health and Recreation Committee and/or the Village Board). The Public Works Department may have extra 55-gallon garbage cans you can rent for your event – see FEE SHEET for detailed costs. These garbage cans are on a first-come, first-served basis and Public Works Department needs are met first. The event organizer will be responsible for providing 55-gallon trash bags and for ensuring they are empty and clean when being returned. Other times, park maintenance staff will empty the trash receptacles after your event; however this typically only happens when the event is expected to be less than 200 people.

The Village of Mukwonago does NOT provide dumpster service for event organizers. It is suggested that you contact a local waste management company and determine where and when a dumpster can be made available to you. This information will need to be included during your application process so it is best to have those details sorted out early. If at the end of your event, clean up is not up to Village standards, your security deposit will be used to pay to have it cleaned. If cleaning charges are more than your security deposit, the event organizer will be billed for those services and must repay the Village within 30 days of receiving the bill. (If you do not pay the bill, you will not be able to request another special event within the Village of Mukwonago).

Do you need portable restrooms and hand washing stations?

Event planning should include requirements for sanitation and waste management plans. An event that does not provide for the personal comfort of patrons, or leaves an unsightly mess with litter and trash, will damage its own future as well as negatively affect the image of the Village.

Portable restrooms: Although some spaces, such as parks, have toilet facilities, depending upon your expected attendance, additional portable restrooms and hand washing stations should be available on site. Typically one portable restroom will allow for 200 uses if it is not pumped and cleaned in between. Therefore you may wish to use the following guidelines when attempting to have enough portable restroom facilities available:

Average hours of event

	1	2	3	4	5	6	7	8	9	10
500	2	4	4	5	6	7	9	9	10	12
1,000	4	5	8	8	9	9	11	12	13	13
2,000	5	5	9	12	14	16	18	20	23	25
3,000	6	8	12	16	20	24	26	30	34	38
4,000	8	13	16	22	25	30	35	40	45	50
5,000	12	15	20	25	31	38	44	50	56	63
10,000	15	25	38	50	63	75	88	100	113	125

These numbers do not take into consideration if there are surrounding facilities available perhaps at a local business that is participating in the event or again if the event is being held at a park.

MEDICAL SERVICES

When planning a special event, there are questions you should ask yourself to determine any medical/first aid needs:

- How many people will be expected to attend? Medical demands vary – an event expecting 200 people will have different medical/first aid needs than an event with 5,000 people.
- Is your event being held during daylight hours or at night? Nighttime hours will require a lighting plan to ensure all participants are safe and can see where they are going.
- What are the demographics of your anticipated crowd? Does your particular group have any potential health issues that should be considered?
- What time of the year is your event being held? Do you anticipate any issues because of potential extreme heat, extreme cold, precipitation or excessive insects?
- What is the length of your event? Does your event run for a few hours, a full day or is it a multi-day event?
- Will there be alcohol available?
- Is there a single location for your event or multiple locations?
- Have you encountered any medical/first aid problems with an event in the past?
- If this is an athletic event, how strenuous is the activity and how well trained are the athletes that are participating?

It is highly recommended that every special event have a first aid kit easily accessible. Your first aid kit should contain at a minimum: compresses, ice packs, bandages and antiseptic. The Fire Department may also determine that you need to have an ambulance on site in case of any medical issues that arise. If you are hosting an athletic event, it is required that you provide sufficient hydration for the participants.

Based on the nature of your event and number of people expected to attend/watch, the Village may require Police and EMS Services. These required services will be at the expense of the event organizer.

The next few pages are the actual special event ordinance for the Village of Mukwonago. It is highly recommended you review the ordinance as well in case there are requirements not covered in this manual.

Once you have finalized the details of your event and are ready to submit your application, please contact the Clerk's office at (262) 363-6421.

SAMPLES

TOWN of
HUDSON
ST. CROIX COUNTY, WISCONSIN

980 County Rd A
Hudson, WI 54016
715-386-4263
clerk@hudsonwi.town
www.townofhudsonwi.com

Town of Hudson

Special Event Plan and Permit Application for Occasional
Events (Chapter 68)

Please complete all sections of the application so the permit can be processed. Use additional sheets to provide answers if necessary. File with Town Clerk. Occasional Events application are **due at least 60 days** prior to the event.

1. Event Name: _____

2. Event Date(s): _____ Start time: _____ AM/PM End time: _____ AM/PM

3. Anticipated attendance: _____

4. Was event held in previous years? Yes ___ No ___ Where: _____
Previous attendance: _____

5. Location of event: (address and legal description)

6. Owner(s) or leaseholder(s) of property(ies) where event will occur: _____

Address: _____ Phone: _____

Has the use of the property been approved by owner/lessee(s): Yes ___ No ___

7. Organization holding event: _____

8. Person in charge of the event: _____

Title or position: _____

Address: _____

Phone: Business _____ Cell _____

Email: _____

9. Description of Occasional Event (include event activities and indicate if event is a benefit or charity):

10. Plans for sale of food and beverages (include name, addresses and telephone numbers of concessionaires and their license and/or permit numbers):

11. Will alcoholic beverages be sold during the event? Yes _____ No _____

If yes, plans for sale of alcoholic beverages: _____

How will area be enclosed where alcohol is served? _____

12. Plans for toilet and lavatory facilities: _____

13. Plans for solid waste disposal: _____

Occasional Events application includes:

- a. Adequate insurance liability
- b. Provisions for traffic control and/or parking
- c. Adequate police, fire and/or security protection, including first aid facilities
- d. Adequate provisions to prevent the serving of alcohol to minors
- e. Plans for the parking of vehicles
- f. Plans for illumination
- g. Plans for sound control/amplification
- h. Plans for amusement/entertainment
- i. Prior events held by applicant, location, size and description and it any municipal code violations and list of approving governmental agency
- j. Plans for potable water
- k. Plans for medical services
- l. Traffic control plan
- m. Telephone/communications
- n. Law enforcement security
- o. Fire protection

Insurance: No later than 10 days before the event, the applicant shall furnish the Town a Certificate of Insurance written by a company licensed in the State of Wisconsin, and covering any and all liability, obligations or claims which may result from operations of the applicant's employees, agents, contractors or subcontractors, and including workers' compensation coverage. The policy shall provide for a minimum of bodily injury and property damage of at least \$1,000,000 per occurrence/aggregate, plus a \$1,000,000 umbrella. The Town of Hudson shall be named as an additional insured.

Indemnity: I/we agree to indemnify and hold the Town of Hudson, its agents, officers, servants and employees harmless from and against any and all liabilities, damages, claims and expenses, including reasonable attorney fees, for injury or death of any person or loss or damage to the property of any person, firm, organization or corporation, arising in any way as a consequence of the granting of a permit for an occasional event.

The undersigned/applicant acknowledges reviewing the Town of Hudson Chapter 68 Occasional Events ordinance and affirms and agrees that all aspects of the special event described in this application shall comply with all applicable federal, state, county and town laws and ordinances.

Individual: Name: _____
Signature: _____
Date: _____

Organization, group, corporation:
Name of Group: _____
Person in Charge: _____
Signature: _____
Title/Position: _____
Date: _____

Property Owner: Name: _____
Signature: _____
Date: _____

=====

Fees: Application Fee \$ 100.00 to be included with application

Date received: _____

Received by: _____

Town Board Action: Approved: (Date) _____ Denied (Date) _____

Town Clerk: _____

Chapter 68. Occasional Events

§ 68-1. Issuance of permit.

The Town Board may issue a permit for occasional events as follows:

- A. Circus.
- B. Carnival.
- C. Nonmotorized bicycle event.
- D. Rodeo certified by a nationally recognized sanctioning body.
- E. Craft and art fairs.
- F. Civic, church and municipal sponsored events, i.e., hot air affair, boosters July 4th activities, etc.
[Amended 12-7-2021 by Ord. No. 2021-3]
- G. Flea markets.
- H. Car shows.
- I. Sheep dog trials.
[Amended 12-7-2021 by Ord. No. 2021-3]
- J. Occasional one-time events.
[Added 12-7-2021 by Ord. No. 2021-3]

§ 68-2. General standards.

- A. The granting of a permit shall not violate the spirit or general intent of this chapter.
- B. No permit shall be allowed which would be contrary to the public health, safety or general welfare or which would be substantially adverse to property values in the neighborhood affected.

§ 68-3. General procedure.

[Amended 7-8-1996; 12-7-2021 by Ord. No. 2021-3]

- A. Applications. Application forms shall be furnished by the Town Clerk with application being submitted at least 60 days' prior to the event. (The Town Board at its discretion may waive or modify the ninety-day requirement.) A fee as set from time to time by resolution of the Town Board payable to the Town shall accompany the application. The Town may also require other reasonable expenses associated with the request to be paid by the applicant, including but not limited to attorney and engineering fees.
- B. Time to act upon application. The Town Board shall act on an application within 40 days of receiving the application at a regular Town Board meeting.
- C. Conditions. The Board shall determine the limitations to be included to the issuance of a permit, including but not limited to the following conditions:
 - (1) Location to include a single parcel or a grouping of parcels contiguous or noncontiguous.

(2) Type of business and/or related activities allowed.

(3) Hours of operation.

(4) The permit is for the event only as designated.

D. Duration. The Town Board shall determine the duration of the permit.

E. Determination in writing. The conditions of approval or reasons for disapproval shall be stated in writing by the Board and furnished to the applicant.

F. Termination. When the event activities are not in conformity to the limitations as set forth as conditions of the permit, it is terminated and a new application must be filed in accordance with this chapter.

§ 68-4. Violations and penalties.

[Added 12-7-2021 by Ord. No. 2021-3]

A. Penalties and/or forfeitures in this chapter are covered in the Citation Ordinance.^[1] If there is a conflict between this chapter and the Citation Ordinance, the Citation Ordinance has precedence.

[1] *Editor's Note: See Ch. 32, Citations.*

SHORT TERM AMUSEMENT AND RECREATION EVENTS

13.01 PURPOSE. It is the purpose of this Section to regulate the time place and manner of special events when the event's impact upon the health, sanitary, fire, police, transportation or utility services exceeds those regularly provided to the location of the special event. This section is enacted in order to promote the health, safety and welfare of the residents and visitors to the Town of Black Earth by ensuring that special events do not create disturbances, become nuisances, or menace or threaten life, health or property, disrupt traffic or threaten or damage private or public property. It is not the intent of the Town Board, by enacting this section to regulate in any manner the content of speech or infringe upon the right to assemble, except for regulating the time, place and manner of assembly.

13.02 DEFINITIONS

a. AMUSEMENT OR RECREATION EVENT. The following types of amusement and recreation uses, activities or businesses are considered an Amusement or Recreation Event subject to the provisions of this ordinance:

1. Amusement and theme parks.
2. Campgrounds/camping
3. Dances, shows, or other attended entertainment or celebration
4. Cross country skiing, bicycling, hiking
5. Festivals, fairs or carnivals
6. Motor vehicle races, including snowmobile races
7. Outdoor and indoor music concerts
8. Public exhibitions or exhibits
9. Rodeos
10. Road rallies (auto, motorcycle, motorized vehicle, or bicycle)
11. Off-Road rallies (auto, motorcycle, motorized vehicle, or bicycle)
12. Religious retreats
13. Political rallies
14. Athletic events, competitions, races or walks
15. Parades, processions or assemblages on the highways

The above list is not exclusive. Other outdoor and indoor amusements and recreations substantially similar to the above shall be considered included in the types of amusements and recreation subject to licensing under this ordinance.

b. SPECIAL SERVICES means the exclusive allocation of Town resources, including, but not limited to, town personnel, equipment, rights-of-way, property or facilities for use in conjunction with a specific event or activity, as requested by the host or sponsor for the event, or as requested by or on behalf of any person attending the event, or deemed necessary by town staff or officials in order to maintain public safety. Special Services shall include, but not be limited to any of the following:

16. requiring police officers direct traffic;
17. special police protection;
18. stationing emergency vehicles at or in the immediate vicinity of the event;
19. exclusive use of town roads or property as a staging area or for event parking;
20. additional street cleaning and garbage removal services;
21. special signage, including temporary no parking signs;
22. the use of any town building equipment or other property for any purpose other than the normal daily operations of the town.

13.03 PERMIT REQUIRED; EXCEPTIONS. Pursuant to 60.10 and 60.23(10) and 175.20, Wis. Stats., every person who conducts or operates in the Town any Amusement or Recreation Event which is open to the public and for which a fee is charged to the public to participate, or invokes a gathering of more than 100 persons on land which is not properly zoned for such activity shall obtain an Amusement-Recreation Event Permit from the Town prior to engaging in the Amusement or Recreation Event.

The following are exempt from permit requirements:

1. Funeral processions.
2. Any event attended by fewer than 100 persons at one time, which does not require Special Services and does not involve the sale of alcohol.
3. Any event that is otherwise regulated by the Town through the use of another regulatory manner, such as a zoning or conditional use permit.
4. The use of traditional public forums as alternative channels of communication by the public, provided that such use is for the free exercise of constitutionally protected activities and does not disrupt or interfere with traffic on public roads or the use of public places by other members of the public.

13.04 APPLICATION, FEE, ISSUANCE

a. Application. Application for an Amusement-Recreation Event Permit shall be made to the Town Clerk in writing. Application for Amusement-Recreation Event Permit that does not involve events occurring on public roads must be submitted at least forty-five (45) days before the Town Board meeting in the month preceding the proposed start date of the proposed Amusement or Recreation Event. Application for Amusement-Recreation Event Permit that involve events occurring on public roads must be submitted at least ten weeks before the Town Board meeting in the month preceding the proposed start date of the proposed Amusement or Recreation Event. A single application can be made for an event over similar routes on consecutive dates in one calendar year. Applicants who file after this deadline may be required to cover the cost of a special meeting of the Town Board to review the application should the Town Board agree to hold a special meeting. Appearance before the Town Board may be required. The Town Clerk will place the application on the Town Board agenda only if proper application fees have been paid, and the application contains the following information:

1. Name, address and telephone number of applicant. Applicants must be at least 18 yearsold.
2. Name and telephone number of owner of intended location of the proposed Amusement or Recreation Event, if different from applicant.
3. Name, address and telephone number of on-site manager or other person in charge of proposed Amusement or Recreation Event. Person in charge must be at least 18 years old.
4. Date(s) and hours of operation of proposed Amusement or Recreation Event.
5. Address and description of intended location of the proposed Amusement or Recreation Event.
6. Description and list of uses, activities, business or operation comprising the proposed Amusement or Recreation Event.
7. Description and location of any temporary building or structures to be constructed for use in the proposed Amusement or Recreation Event.
8. Description of parking lots or areas and access routes for vehicular traffic serving the proposed Amusement or Recreation Event.
9. Description and proposed location of any amplification equipment to be used in connection with the proposed Amusement or Recreation Event.
10. Description of any security needs in connection with the proposed Amusement or Recreation Event and a description of how security needs will be met.
11. Description of any amusement rides, amusement attractions or amusement structures in connection with the proposed Amusement or Recreation Event and number or date of approval or inspection by Wisconsin Department of Industry, Labor and Human Relations pursuant to Ch. ILHR 34, Wis. Admin. Code.

12. Any public health plans, including supplying water, proposed method of disposing of human waste and other waste material generated by the proposed Amusement or Recreation Event.
13. Fire prevention and emergency medical services plans necessary for the proposed Amusement or Recreation Event.
14. The admission or entry fee or other consideration to be charged or requested for admission to the proposed Amusement or Recreation Event, if applicable.
15. Whether or not food or alcohol will be served or sold at the proposed Amusement or Recreation Event.
16. A detailed description of all public rights-of-way and private property for which the applicant requests the Town to restrict or alter normal parking, vehicular traffic or pedestrian traffic patterns, the nature of such restrictions or alterations and the basis for same.
17. For proposed Amusement or Recreation Events that are to take place on public highways or within rights-of-way: proposed routes and staging areas; specific dates, start times and length of time that each road or highway is expected to be affected by the proposed event; the method that will be used to identify participants, such as license plates, race back tags, wrist bracelets.
18. A description of any services, town personnel, equipment or property which the applicant requests the Town to provide, including the applicant's estimate of the number and type needed and the basis for the estimate.
19. A statement signed by the applicant either agreeing to pay all fees and meet all other requirements of this section or representing to the Town that the applicant is duly authorized to make such agreement on behalf of the person or organization holding or sponsoring the proposed Amusement or Recreation Event.
20. Signature of applicant and property owner of any private property where the proposed Amusement or Recreation Event is to take place if different than applicant.
21. Proof of liability insurance or ability to obtain insurance for the proposed Amusement or Recreation Event with minimum limits of \$1,000,000 per occurrence.
22. Any other information requested by the Town that is reasonably necessary to determine the nature of the proposed Amusement or Recreation Event and any Special Services required.

b. Application Fee. A non-refundable initial fee shall be paid to the Town Clerk at the time of application. The application fee for an Amusement-Recreation Event Permit shall be established annually on or before July 1 of each year by the Town Board based on the cost of processing the application and administering requirement of this ordinance.

c. Permit Fee. If a permit is issued to the applicant, the application fee shall be credited against the permit fee. The permit fee for an Amusement-Recreation Event Permit shall be established annually on or before July 1 of each year by the Town Board based on the cost of administering the permit and cost of Special Services per user, if provided to an event.

d. Issuance. Amusement-Recreation Event Permits shall be issued by the Town Clerk if approved by the Town Board after review of the application. An approved permit shall not be issued until the permit fee is paid in full to the Town Clerk. The permit shall contain the following information:

1. A map indicating the location of the Amusement or Recreation Event, and, where applicable, the route including the starting point, ending point and participant parking location and schedule of times that each roadway on the route will be affected.
2. A traffic control plan for the Amusement or Recreation Event,
3. A plan to address any emergency services that may be required.
4. An agreement signed by the applicant to indemnify, defend and hold the Town harmless from any claim that arises in whole or in part out of the Amusement or Recreation Event, except any claims arising solely out of the negligent acts or omissions of the Town.
5. A certificate of insurance from the permittee naming the Town as additional insured
6. A sample letter notifying property owners along the route of the event(s).

e. Distribution of Permit. Upon the issuance of a permit, the Town Clerk shall send a copy thereof to the following:

1. When deemed necessary, each public transportation utility whose regular routes will be affected by the Amusement or Recreation Event.
2. The EMS, Fire and Police service providers for the Town.

13.05 DURATION OF PERMIT. An Amusement-Recreation Event Permit shall be issued for the duration of the Amusement or Recreation Event as specified in the application or as otherwise approved by the Town.

13.06 INSPECTION AND INVESTIGATION OF APPLICATION. No Amusement-Recreation Event Permit shall be issued to any applicant unless the Town Building Inspection Supervisor and Town Board Chair have inspected the location where the Amusement or Recreation Event will be carried on and notified the Town Board in writing that it meets all required state, federal, county and municipal fire and safety codes for the activity to be conducted thereon or therein or otherwise shall set forth any conditions that must be met by the applicant to comply. Any food service and liquor permit

shall be obtained prior to issuance of permit. If any nonconformity or violation is found, no permit shall be issued to the applicant unless the inspecting official has re-inspected the premises and notified the Town Board that such deficiency has been rectified.

13.07 GROUNDS FOR DENIAL. No person shall be issued or re-issued an Amusement-Recreation Event Permit who has failed to properly and fully complete and submit to the Town Clerk the application form as developed and provided by the Town. The Town may deny an application if it determines upon consideration of the application or other pertinent information, that:

- a. The event requires closure of town roads, including rolling closures.
- b. The information contained in the application or supplemental information provided by the applicant is false as to any material fact.
- c. The applicant fails to supplement the application after having been notified by the Town of additional information or documents needed.
- d. The applicant fails to agree to abide by or comply with any conditions of the permit, including the payment of fees.
- e. The Amusement or Recreation Event would substantially or unnecessarily interfere with traffic in the town, would interfere with access to fire protection services, or would interfere with access to businesses or residences in the immediate vicinity of the event and there are not sufficient town resources available at the time of the event to mitigate the disruption;
- f. The Amusement or Recreation Event is of the size or nature that requires the diversion of so many law enforcement officers to properly police the event, site and contiguous areas that allowing the Amusement or Recreation Event would unreasonably deny law enforcement protection to the remainder of the town and its residents;
- g. The proposed date and time of the proposed Amusement or Recreation Event conflicts with a previously scheduled event and there are not available at the time of the proposed Amusement or Recreation Event sufficient town resources to provide services for both events without substantially or unnecessarily interfering with police fire, water, public works or other services to the town;
- h. The location of the proposed Amusement or Recreation Event will substantially interfere with any construction or maintenance work scheduled to take place upon or along public property or right-of-way or with another public or private event previously scheduled in the Town.
- i. The proposed Amusement or Recreation Event would likely endanger the public safety or health, create or constitute a public nuisance or cause significant damage to public property or facilities.
- j. The proposed Amusement or Recreation Event requested would exceed a reasonable number of such events occurring in the Town during any year, based upon the total

cumulative impact upon the Town and the users of public property or rights of way affected by such events. The Town Board may set an annual limit for the number of permits to be issued.

- k. The applicant fails to comply with liability insurance requirements.
- l. The applicant, or person whose behalf the application is submitted has on prior occasion made material misrepresentations regarding the nature and extent of Special Services required for an Amusement or Recreation Event in the Town; has violated the terms of a prior Amusement -Recreation Event Permit; or has, under a prior Amusement-Recreation Event Permit, conducted an event that for which the Town has received complaints of discourteous behavior or behavior by participants that violates Town ordinances or other law, including littering.
- m. Multiple violations of the ordinance will result in the revocation of future permits.**

13.08 SUSPENSION OR REVOCATION OF PERMIT. The Town Board may suspend for not more than thirty (30) days or revoke the permit of any permittee upon the determination after public hearing conducted in accordance with s. 125.12, Wis. Stats., for failure to comply with this section and conditions of the permit issuance. The Town Chair may revoke a permit already issued, if he or she deems that such action is justified by an actual or potential emergency due to weather, fire, riot, other catastrophe or likelihood of a breach of the peace, or by a major change in the conditions forming the basis of the standards of issuance. In lieu of revoking a permit, the Town Chair may require the permittee to file evidence of good and sufficient sureties, insurance in force or other evidence of adequate financial responsibility, running to the Town and such third parties as may be injured or damaged, in an amount depending upon the likelihood of injury or damage as a direct and proximate result of the holding of the Amusement or Recreation Event sufficient to indemnify the municipality and such third parties as may be injured or damaged thereby, caused by the applicant, its agents or participants.

13.09 COMPLIANCE WITH REGULATIONS

- a. **Unlawful to Sponsor an Amusement or Recreation Event without a Permit.** An applicant under this section shall comply with all permit directions and conditions and with all applicable laws, ordinances and other regulations of the State of Wisconsin, Dane County and the Town of Black Earth.
- b. **Unlawful to exceed the scope of the Permit.** The Amusement-Recreation Event Permit authorizes the permittee to conduct only such Amusement or Recreation Event as is described in the permit and in accordance with the terms and conditions of the permit. It is unlawful for the permittee to willfully violate the terms and conditions of the permit.
- c. **Participants.** No person who leads or participates in an Amusement or Recreation Event shall disobey, or encourage others to disobey, this section after a law enforcement officer or Town official has directly and presently informed him or her of any of the provisions of this section or the terms of the applicable permit.

13.10 ENFORCEMENT

- a. **Injunction.** The provisions of this section may be enforced by injunction in any court of competent jurisdiction.
- b. **Public Nuisance.** The holding of an Amusement or Recreation Event in violation of any provision or condition contained in this section will be deemed a public nuisance and may be abated as such.
- c. **Towing authorized.** If an Amusement or Recreation Event is held on private property and participants or permittees have parked automobiles in violation of any provision or condition contained in this section, violators' automobiles may be ticketed and towed at violator's expense.
- d. **Misdemeanor.** Violation of any provision of this section is a misdemeanor. Violators shall be subject to a fine or imprisonment as specified by state statute. Each day in which a violation continues to occur shall constitute a separate offense. Violation of any provision of this section shall also be grounds for a revocation of the permit and grounds for denial of any renewal for future permit.

13.10 EFFECTIVE DATE.

This ordinance shall take effect and be in force from and after the day after passage and publication as required by law.

(a) **Town Board Approval.** This ordinance was adopted on this 2nd day of November 2021.

APPROVED BY:

Town Chair

Town Supervisor

Town Supervisor

ATTESTED BY:

Town Clerk

Posted: 11/8/21

TOWN OF BLACK EARTH
PO Box 426, Black Earth, WI 53515
(608) 444-6425 <https://town.blackearth.wi.us/>

EVENT PERMIT

This permit is issued to _____
(Group Name)

_____ for a _____
(Group Address) (Event)

in the Town of Black Earth on _____, ____/____/____ beginning at
(Day) (Date)

approximately _____ and ending at approximately _____. The route of
(Time) (Time)

travel (map or description) is attached. The organizer/s of this event acknowledge that they have received and have read the Town's **Short Term Amusement and Recreation Events Ordinance**.

A refundable deposit of \$100.00 to secure payment of anticipated costs and assure performance.

The contact person/office for the event to handle complaints shall be _____,
(Required)

phone _____ and shall be staffed one hour prior to the start and one hour after the
(Required)

ending of the event. The organizers of the event shall place and remove all event route marking signs immediately after the end of the event. ***All participants must yield the right-of-way to emergency**

vehicles, regardless of the event. Multiple violations of the ordinance will result in the revocation of future permits.

The following questions are required as a condition of this permit:

How will the permit holder provide insurance for the Town? _____

How will the permit holder plan to minimize traffic disruption for residents of the Town? _____

Representative of Event

Date

Clerk, Town of Black Earth

Issue Date

Experience BURLINGTON, WI

SPECIAL EVENT PERMIT APPLICATION

For Office Use Only

Date of Application: _____ Application Fee (\$25): _____ Permit Number: _____

City Staff Review: _____ Park Board Review: _____ Issue Date: _____

****Application must be received a minimum of 60-days prior to the special event****

SUMMARY OF EVENT

Event Title: _____ Date(s) of Event: _____

Event Location: _____

Nature of Event: Festival Parade Bike Race/Ride Foot Race/Run March/Processional
 Rally Circus Demonstration Community Event Other: _____

ORGANIZATION INFORMATION

Name of Organization: _____

Event Contact Person: _____

Phone: _____ Email: _____

Mailing Address: _____ City: _____ State/Zip: _____

Billing Address: _____ City: _____ State/Zip: _____

DETAILED EVENT INFORMATION

Estimated # of participants: _____ Spectators: _____ Vendors: _____

Event Set Up Date: _____ Set Up Time: _____ a.m./p.m.

Event Start: _____ a.m./p.m. Event End: _____ a.m./p.m.

Street Closures: _____

DESCRIPTION OF EVENT: Describe what you are planning so that reviewing officials can determine whether city services will be needed (attach any additional information necessary).

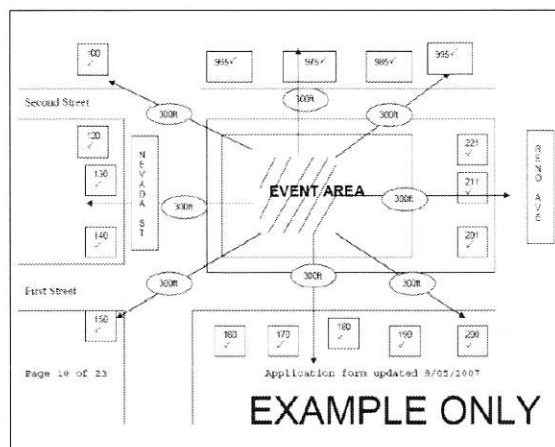
CITY SERVICES INFORMATION

- A. Will Beer and/or Wine be served? *(If yes, an application for a Temporary Class "B" / Class B Retailer's License must be submitted to the City Clerk and approved to serve alcohol, and licensed operator must be on premise at all times. Contact the City Clerk at 262.342.1171)* Yes No
 Licensed Operator: _____ Operator's License #: _____
(If necessary, a Temporary Operator's License is available for \$10.00. Contact the City Clerk at 262.342.1171)
- B. Will you be selling/serving food? *If yes, you will need to contact the Racine County Health Department for proper permits, 262.898.4460 (<https://crchd.com/license-applications>)* Yes No
- C. Will your Event have a Food Truck? Name of Vendor(s): _____ Yes No
 Racine County /State of Wisconsin Health Certificate #: _____
 Fire Inspection (Contact Fire Inspector) 262.342.1903): _____
- D. Person(s) Responsible for Clean Up After the Event: _____
- E. Police/Security Services Requested? *This may result in a fee. Call the Police Dept at 262.342.1100*
 Dates/Times Needed: _____ Yes No
- F. EMS/Fire Services Requested? *This may result in a fee. Call the Fire Dept at 262.763.7842*
 Dates/Times Needed: _____ Yes No
- G. Will your event need electricity? *If yes, Fire Dept and Bldg. Inspector will need to inspect prior to being energized. This may result in a fee. Call the Building Inspector at 262.342.1164.* Yes No
- H. Will you be setting up lighting? *If yes, Fire Dept and Bldg. Inspector will need to inspect prior to being energized. This may result in a fee. Call the Building Inspector at 262.342.1164.* Yes No
- I. Will you be erecting any tents, canopies, or other temporary structures? *If yes, please provide a plan for their proposed locations. The Fire Dept. and Bldg. Inspector will need to inspect these prior to the start of the event.* Yes No
- J. Will you be providing portable restrooms/wash stations? *If yes, please provide a description of how many restroom/wash stations will be provided, their locations, and the plan for how solid waste will be disposed of.* Yes No
- K. Will your Event involve live performances, loudspeakers, music, DJ, etc. Yes No
- L. Barricades/Cones: Amount & Locations _____ Yes No
- M. Trash Receptacles: Amount & Locations _____ Yes No
- N. Picnic Tables (\$5/each): Amount & Locations _____ Yes No
- O. Other Assistance: _____ Yes No

IMPACTED NEIGHBOR NOTIFICATION

The Event Organizer shall notify all residences and businesses within any street closure or lane restriction area of the upcoming event. Notification shall include the following information:

- Event name
- Dates and times of event
- A brief description of the event
- Any closure areas
- Where attendees will be parking



PROCEDURAL CHECKLIST FOR SPECIAL EVENT REVIEW AND APPROVAL

This form is designed to be a guide for submitting a complete application for a special event.

REQUIRED TO BE SUBMITTED WITH APPLICATION (application will not be considered without this information)

COMPLETED APPLICATION

SITE PLAN REQUIREMENT: All applicants are required to submit a detailed Site Plan/Map. Site plans/maps must include location, any street closures, barricades, race/parade routes, stages, alcohol sale location, tents, etc.

IMPACTED NEIGHBOR NOTIFICATION: If applicable, please include a list of all residential and/or businesses impacted by your event, along with signatures.

CERTIFICATE OF INSURANCE: The City of Burlington must be listed as the Certificate Holder and as additionally insured. If alcohol is being served, Liquor Liability coverage must also be included.

*(**Minimum Liability Limits, unless otherwise specified:** General Liability: \$1,000,000 per Occurrence, \$2,000,000 Aggregate; Automobile: \$1,000,000 Combined Single limits; Umbrella Liability: \$1,000,000; Workers Compensation: State Minimum)*

Any additional information as determined by staff.

AFFIDAVIT OF APPLICANT

I/We, the undersigned applicant, or authorized agent thereof, swear or affirm that the matters stated in the foregoing application are true and correct upon my personal knowledge and information for the purpose of requesting Experience Burlington to approve the Special Event and other permits herein applied for, that I am qualified and eligible to obtain the permit applied for and agree to pay all fees, to meet all requirements and any additional regulations, conditions, or restrictions set forth in the permit and to comply with the laws of the City of Burlington in the conduct of the Special Event described herein.

I/We, the undersigned, agree to abide by all City Ordinances and the rules and regulations which are made part of this permit application and hereby release, discharge, hold harmless and agree to defend Experience Burlington, the City of Burlington, and its officers, agents, and employees from and against any and all loss that may arise out of or result from, in any way, in whole or in part, the scheduled event, the conduct or actions of any individual participating in or attending the scheduled event, the issuance of the Road Closing Permit or the closing of any road (whether or not a Permit has been issued) for the scheduled event.

Signature of Applicant

Date

Name (printed)



PARK USAGE / PAVILION RESERVATION FORM

Public Works Department

2200 S Pine St, Burlington, WI 53105 ~ Phone (262) 342-1181 ~ Fax (262) 539-3773 ~ www.burlington-wi.gov

PLEASE CHECK ALL THAT APPLY:

Event requires usage of: Park Usage Only Pavilion reservation Only: Both Park & Pavilion:

FEES: Payable upon reservation request. Events are subject to approval of the Park Board, which meets on the 3rd Thursday of each month. *Security Deposits will be returned via check from the City of Burlington the week following your event if all rules and regulations have been followed.*

Pavilion reservation: Resident - \$100 + \$100 security deposit
 Non-Resident - \$200 + \$100 security deposit

Park Usage Permit: Resident - \$100 plus \$200 Security Deposit
 Non-Resident - \$200 plus \$200 Security Deposit

Both Pavilion reservation & Park Usage Permit Resident - \$200 plus \$300 Security Deposit
 Non-Resident - \$400 plus \$300 Security Deposit

ADDITIONAL ITEMS NEEDED *(fees may apply)*

Picnic Tables (\$15/each): Yes No Amount & Locations: _____

Benches (*available at Echo Park Only - \$5/each*): Yes No - Number of benches: _____

Kitchen area usage at Echo Park Only - (\$25): Yes No

Barricades/Cones: Yes No Amount & Locations: _____

Trash Receptacles: Yes No Amount & Locations: _____

Will A Temporary Structure (i.e., bounce house) or Tent Be On-Site? Yes (*see provisions below*) No

Will Your Event Involve Live Performances, Loudspeakers, or a DJ? Yes No

(Per Section 219-2A (7) of the Municipal Code, loudspeaker or sound-amplifying devices shall not be used between the hours of 10 PM to 8 AM and privileges may be revoked if the volume becomes a nuisance.)

Other Amenities: _____

SPECIAL PROVISIONS FOR USE OF THE PARK *(all items below must be checked indicating acceptance & understanding of the provisions of this form):*

- No vehicles are to be parked or driven on the grass of any park as it is a violation of Park Board Policy.
- Any persons wanting to place a bouncy house or tent in any City park must first obtain permission from the Director of Public Works (262-342-1181).
- All clean up after the event is the responsibility of the applicant / group. Security Deposit will be forfeited if the area is not left in a clean and orderly condition.

Acceptance of this park usage permit implies that the applicant and / or event coordinators, jointly and severally, agree to any special conditions listed here on, and agree to keep and save the City free and harmless from any damages or claims against it by reason of any failure, fault or neglect of the applicant, the applicant's agent, servants, or employees for which such permit is granted.

RECEIPT OF THE ABOVE CONDITIONS FOR PARK USAGE IS HEREBY ACCEPTED BY:

PARK BOARD REVIEW

PARK BOARD REVIEW

Park Board Meeting Date: _____

Approval Recommended: YES NO

Estimated Reservation Fee: _____

Other Events/Activities Scheduled on Site:

Comments and/or Stipulations for Event:

CITY OF BURLINGTON STAFF USE ONLY

POLICE DEPARTMENT REVIEW

Approval Recommended: YES NO

Police Hours Required: _____

Estimated Fee for Police Service: _____

Reviewed By: _____

Date: _____

Comments and/or Stipulations for Event:

PUBLIC WORKS DEPARTMENT REVIEW

Approval Recommended: YES NO

Hours Required: _____

Estimated Fee for DPW Service: _____

Reviewed By: _____

Date: _____

Comments and/or Stipulations for Event:

FIRE DEPARTMENT REVIEW

Approval Recommended: YES NO

Hours Required: _____

Estimated Fee for BFD Service: _____

Reviewed By: _____

Date: _____

Comments and/or Stipulations for Event:

BUILDING INSPECTION REVIEW

Approval Recommended: YES NO

Hours Required: _____

Estimated Fee for BFD Service: _____

Reviewed By: _____

Date: _____

Comments and/or Stipulations for Event:

HEALTH DEPARTMENT REVIEW

Approval Recommended: YES NO

Hours Required: _____

Estimated Fee for BFD Service: _____

Reviewed By: _____

Date: _____

Comments and/or Stipulations for Event: