

ORDINANCE NO. 2024-1

**AN ORDINANCE ESTABLISHING THE
REGULATION AND COSTS FOR USE OF CITY PROPERTY**

WHEREAS, the City owns and maintains properties that, from time to time, are used for events and gatherings; and

WHEREAS, the City has, at times, allowed private individuals or organizations to use City properties for events and gatherings; and

WHEREAS, the City incurs expenses and costs related to the uses of City properties; and

WHEREAS, the City has been able to calculate the costs incurred by the City for use of its properties; and

WHEREAS, the City is desirous of establishing a general regulation and establishing a fee schedule for the use of City properties.

NOW, THEREFORE, in consideration of the above and foregoing, the City Council of the City of Loogootee, Indiana, does now establish and ordain as follows:

1. The areas of the City that may be made available for use by private individuals or organizations for events and gatherings shall be as follows:
 - a. Loogootee City Park; or
 - b. Any other designated area that may be approved for use after completion of the application review process and final approval by the City Council of the City of Loogootee, Indiana.
2. Any and all requests for use of City properties for an event or gathering shall be submitted in writing on forms to be provided. In the written request, the applicant shall provide among the information requested, the date of the proposed event, the duration of the proposed event, and the expected attendance at the proposed event.
3. The City Clerk-Treasurer shall be responsible for providing appropriate forms to applicants. Upon return of the completed forms, the Clerk-Treasurer shall forward the same to the Board of Public Works and Safety and the City Council.
4. All requests for use of City properties, properly submitted in writing, shall be subject to review and approval by the Board of Public Works and Safety and the City Council. All requests shall be reviewed and approved strictly upon the order in which properly completed requests are received by the City.

5. The City shall establish and charge a fee to cover the City's expenses related to the occupation and use of City facilities for all such events. In establishing the fee schedule, the City shall take into account the date of the proposed event, ^{the duration of the proposed event} and the expected attendance at the proposed event. Any use fee charged shall be paid at least thirty (30) days prior to the event or the City reserves the right to rescind any approval that may have been given.

6. As part of the approval process, all requests for use of City facilities shall be reviewed by the City Street Department, Police Department, and Fire Department to assess any potential for risk or harm to public safety. Any recommendations from those departments shall be forwarded to the Board of Public Works and Safety and the City Council.

7. Approval by the City of an event or gathering does NOT guarantee that the activity is fully sanctioned. There may be State or County requirements that must also be met. It shall be the duty of each applicant to ensure full compliance or approval under State or County rules or regulations are also met.

8. All requests for use by private individuals or organizations of the City Stage/Trailer shall also be required to pay a fee of eight hundred dollars (\$800.00). this fee is based upon the expense incurred by the City in allowing the event or gathering. The fee shall be paid at least thirty (30) days prior to the event or the City reserves the right to rescind any prior approvals that may have been given.

9. Liability insurance shall be required by the applicant for an event or gathering. The amount shall be set by the Board of Public Works and the Common Council, and based upon the nature and size of the occurrence, the duration of the occurrence, and other risk factors which are routinely used by insurance companies in issuing policies for public liability and personal injury coverages. The City of Loogootee shall be named as an additional insured on all such insurance, and a Declaration page showing the acquisition of said insurance shall be given to the City.

10. With final passage of this Ordinance, the approval of an event by motion made during the City Council meeting of November 13, 2023, is hereby rescinded. All requests to use City properties for events or gatherings by private individuals or organizations shall be governed by this Ordinance.

11. Upon final passage, the Clerk-Treasurer shall cause a fully conformed copy of this Ordinance to be published at least once within thirty (30) days of final passage hereof.

IN WITNESS WHEREOF, this Ordinance has been duly read, passed, and adopted by the City Council of the city of Loogootee, Indiana, in regular session of said council on this 12 day of February, 2024.

CITY COUNCIL
CITY OF LOOGOOTEE, INDIANA

Miley G. G.

David Smith

Mark E. M.

Carroll P.

J. D.

ATTEST:

Lori D. Carrico
Clerk/Treasurer

Date: 2-12-24

APPROVED:

Brian Ader
Brian Ader, Mayor
City of Loogootee, Indiana

