

ORDINANCE NO.: 2008-094

*Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina,
Chapter 15, Parks and Recreation, Sec. 15-2, Permits for use of parks*

BE IT ORDAINED by the Mayor and Council this 22nd day of October, 2008, that the 1998 Code of Ordinances of The City of Columbia, South Carolina, Chapter 15, Parks and Recreation, Sec. 15-2, Permits for use of parks, is amended to read as follows:

Sec. 15-2. Permits for group use of parks or a festival.

(a) *Permit required; conditions.* Any person, group, association or organization desiring to use any park or recreational facility of the City of Columbia for a group of twenty-five (25) individuals or more or to conduct an activity or event for which it could be reasonably assumed that twenty-five (25) or more persons might gather at a park or recreational facility to participate in or witness such activity or event or a festival, (a festival being defined as a program of festive activities, cultural events or entertainment open to the general public), shall first apply and obtain a permit from the director of parks and recreation or his designee. A permit is not required for events, activities or festivals sponsored or co-sponsored by the parks and recreation department of the city. The director of parks and recreation or his designee shall impose such conditions in the permit as he shall deem necessary to ensure compliance with applicable rules, regulations and ordinances and protect the public health, safety, security, peace, order, welfare and convenience.

(b) *Application procedure.* An application for a permit shall be filed with the director of the department of parks and recreation within 15 days prior to the date for which the permit is requested. The application for a permit shall be on a forms prescribed by the director of the department of parks and recreation or his designee, which shall include the name, address and telephone number of the person seeking the permit; the name, address and telephone number of the person, group, association or organization sponsoring the event, activity or festival ; the name, address and telephone number of the person who will be responsible for the conduct of the event, activity or festival; a brief description of the event, activity or festival; the day and hours for which the permit is desired; the park or recreational facility, or portion thereof, for which such permit is requested; an estimate of the anticipated number of persons to attend the event, activity or festival; liability insurance information, if any; and any other information which the director of the parks and recreation department or his designee shall find reasonably necessary to make a fair determination as to whether a permit should be issued.

(c) *Permit issuance.* The director of the parks and recreation department or his designee may deny or condition the issuance of a permit under this section when he finds that:

- (1) The proposed event or activity of the park or recreational facility or festival will unreasonably interfere with or detract from the enjoyment of the areas of the park or recreational facility for other members of the public outside the location of the event, activity or festival;
- (2) The proposed event or activity will unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation of all persons who visit the park or recreational facility outside the location of the event, activity or festival;
- (3) The proposed event, activity or festival is reasonably anticipated to incite violence, crime or disorderly conduct;
- (4) The available parking and sanitary facilities will accommodate all persons attending the proposed event, activity or festival as well as all other persons who visit the park or recreational facility unrelated to the event, activity or festival outside the location of the event, activity or festival;
- (5) The proposed event, activity or festival will not result in damage to, overuse of or destruction of the grounds, equipment, vegetation, buildings, fences and other amenities of the park or recreational facility.
- (6) Arrangements have been made to keep the park or recreational facility clean and free of debris resulting from the proposed event, activity or festival.
- (7) The park or recreational facility desired has not been reserved for other use at the day and hour requested in the application; and
- (8) The applicant has paid all security deposits and required fees.
- (9) The person, group, association or organization failed to comply with all park rules and regulations; all permit conditions and all applicable ordinances under a prior permit for an event, activity or festival in any City park or recreational facility issued within the preceding 12 months.

Permits shall be issued in order of receipt by the director of the parks and recreation departments or his designee, except that a person, group, association or organization which has not been issued a permit for use of the same park or recreational facility within the preceding 12 months shall have priority over a person, group, association or organization which has been issued such a permit for use of the same park or recreational facility within the preceding 12 months.

(d) *Fees.* The applicant shall be charged fees for the use of a park or recreational facility as are approved by the city council.

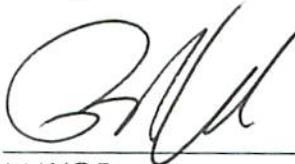
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(e) *Appeals.* Within five days after receipt of an application, the director of the parks and recreation department or his designee shall apprise an applicant in writing of his reasons for denying an application for a permit, and any aggrieved person shall have the right to appeal in writing within two days to the city manager or his designee, who shall consider the application under the permit issuance provisions set forth in subsection (c) of this section and sustain or overrule the director's decision within two days. The decision of the city manager or his designee shall be final.

(f) *Effect of permit.* A permittee shall be bound by all park rules and regulations; all permit conditions and all applicable ordinances as fully as though the rules, regulations and ordinances were inserted in the permits.

(g) *Revocation.* The director of the parks and recreation department or his designee shall have the authority to revoke a permit upon a finding of violation of any applicable rule, ordinance, regulation or permit condition.

Requested by:



MAYOR

Approved by:



City Manager

Approved as to form:



City Attorney

Introduced: 10/15/2008

Final Reading: 10/22/2008

ATTEST:



City Clerk