

## MARANA ORDINANCE NO. 2017.001

RELATING TO HEALTH AND SANITATION; AMENDING TOWN CODE TITLE 10 (HEALTH AND SANITATION), CHAPTER 10-6 (SPECIAL EVENTS); REVISING SECTION 10-6-6 (APPLICATION REVIEW) TO AMEND INSURANCE REQUIREMENTS FOR SPECIAL EVENTS ON TOWN PROPERTY; REVISING SECTION 10-6-8 (GROUNDS FOR DENIAL) TO AMEND THE GROUNDS FOR DENIAL OF SPECIAL EVENT PERMIT APPLICATIONS; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS the Town Council is authorized by A.R.S. § 9-240 to define, abate and remove nuisances and to prevent, suppress and punish any riot, rout, affray, disorderly noise or disturbance in any public or private place within the town; and

WHEREAS the Town Council adopted Ordinance No. 2007.18, adding Chapter 10-6 “Special Events Permit” to the Marana Town Code to provide fair and reasonable regulations governing the time, place, and manner in which a special event may take place, and to provide for the health, safety and welfare of the public and to assist the town and its appropriate officers in enforcing the applicable provisions of A.R.S. title 9 and title 36; and

WHEREAS the Town Council finds that revising Chapter 10-6 of the Marana Town Code regarding special event permits as set forth in this ordinance is in the best interests of the Town and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

SECTION 1. Marana Town Code Title 10 (Health and Sanitation) is hereby amended to revise section 10-6-6 (Application review) as follows (with deletions shown with ~~strikeouts~~):

### **10-6-6 Application review**

[Paragraphs A through I remain unchanged]

H. Insurance. A certificate of insurance and additional insured endorsement, evidencing insurance in the amounts and types determined by the town and naming the town of Marana as additional insured, shall be required if the event is being held on town property, such as a town park or town right-of-way.

1. The amount and type of insurance required for a special event shall be determined by the town on a case by case basis.

2. At a minimum, the applicant shall provide proof of commercial general liability of \$1,000,000 per occurrence and ~~\$2,000,000 aggregate~~.
3. Insurance certificates and endorsements must be provided to the permit clerk prior to the event date.

[Paragraph K remains unchanged]

SECTION 2. Marana Town Code Title 10 (Health and Sanitation) is hereby amended to revise section 10-6-8 (Grounds for denial) as follows (with deletions shown with ~~strikeouts~~ and additions shown with double underlining):

#### **10-6-8 Grounds for denial**

The permit clerk may deny a special event permit for any of the following reasons:

[Paragraphs A through D remain unchanged]

- E. The scheduled date of the event conflicts with other previously scheduled events ~~such that it will result in an undue impact on the town's resources and staff.~~

[Paragraphs F and G remain unchanged]

- H. The proposed event will result in an undue impact on the town's property, operations, resources or staff.
- I. The applicant has held other events in the town that resulted in complaints or disturbances.
- J. If the proposed event is to be held on town property, the town determines that the event is not an appropriate or desired use of the town property in question, based on the size and scope of the event, the length of the event, the nature of the event, or any other relevant factors.
- K. If the proposed event is to be held on town property, the town determines that the proposed use of the town's property will unreasonably interfere with or detract from the general public enjoyment of the property or cause annoyance or the disturbance of any other person's reasonable use of the property, or cause annoyance or disturb the peace of persons residing near the property, or interfere with the maintenance of the property or its facilities.
- L. The proposed event is reasonably anticipated to incite violence, crime or disorderly conduct.

SECTION 3. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 4. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 6. This ordinance shall become effective on the thirty-first day after its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this 3rd day of January, 2017.



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Mayor Ed Honea

ATTEST:

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Jocelyn C. Bronson, Town Clerk

APPROVED AS TO FORM:

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Frank Cassidy, Town Attorney