

ORDINANCE NO. 629

An Ordinance of the Municipal Code of the City of Kiel Amending Chapter 12 (Licenses and Permits)

The Common Council for the City of Kiel do ordain as follows:

SECTION 1: Chapter 12.061 "Special Events" is hereby amended to

read as follows:

12.061 - Special **and Outdoor** Events.

(1) DEFINITIONS.

"Exemptions" means funerals and funeral processions; students going to and from public or private school or participating in educational activities or school sporting events, school sponsored parades, provided such activity is under immediate direction and supervision of the proper school authority; events sponsored by the City or a City agency.

A "Special Event" is any activity which occurs upon public or private property that will affect the standard and ordinary use of public streets, rights-of-way, or sidewalks, and/or which requires City services. Examples include, but are not limited to fairs, festivals, sporting events, foot runs, bike-a-thons, markets, parades, exhibitions, auctions, dances, and motion picture filming. Special events are further classified as public special events or private special events:

(a) A "public special event" is defined as a special event which honors service to the United States, the State of Wisconsin or the City of Kiel or commemorates an historical event or person significant to our nation, state or community.

(b) A "private special event" is defined as a special event for social or fundraising purposes or as part of a sporting event, or any special event that would not be considered a "public special event."

(c) An "outdoor event" refers to any gathering held at a public or private location, including privately owned properties and licensed venues where alcohol is sold and consumed. This encompasses private residences and taverns that feature live music, whether performed with musical instruments or played through audio devices. It also includes large outdoor gatherings that deviate from the usual activities of the premises, such as licensed venues hosting outdoor live music events or concerts. Given the distinct characteristics of outdoor events, their permits include specific conditions outlined in the permit application. The issuance of these permits is contingent upon review and approval by city staff and may also require approval by the City Council.

(2) PERMIT REQUIRED. A permit must be filed with the City Clerk at least 45 days in advance of the event. There is no fee for a non-profit applicant hosting a special **or outdoor** event. The fee for a for-profit applicant hosting a special **or outdoor** event is \$100.

(a) **Licensed Premises Boundary Extension:** Licensed venues, including taverns, wishing to extend alcohol consumption to outdoor areas on their privately owned property beyond any areas specified in their alcohol license must submit an "Special Event" permit. The conditions and requirements of the "Special Event" permit apply to the boundary extension of the licensed premise. If the permit application is only to extend the boundary of the licensed venue for a single event, that permit can be approved by the Chief of Police or designee and the City Administrator and council approval is not required.

(3) CITY SERVICES. The applicant shall be responsible for reimbursement to the City for any City personnel, services, equipment, and facilities provided for the special **or outdoor** event. Reimbursable costs include wages and overtime. An invoice will be sent to the applicant within 15 days following the event. Payment is due within 30 days of invoice. The City reserves the right to require full or partial payment of estimated costs in advance. Generally, "public special events" will be exempt from this section as well as any other event that the City Council for the City of Kiel deems exempt from city service fees, including the Kiel Community Picnic and the Kiel Picnic Parade.

(4) POLICE DEPARTMENT SECURITY SERVICES. A "private special event" **or "outdoor event"** where event organizers anticipate at least 200 people may require at least one uniformed Kiel Police Department police officer present at the event. This type of security presence is considered over and above normal policing provided to the community, however, police presence at the event is subject to emergent needs for policing other areas. The chief of police or his/her designee is the sole determiner of the level of coverage necessary to provide adequate security for an event. The permit holder is required to reimburse the City of Kiel for security related services in accordance with subsection (2).

(5) CLEANING/DAMAGE. **When applicable and using city owned property**, the applicant shall be fully responsible for all cleanup and damage associated with the permitted event within 12 hours of the conclusion of the event. If any damage occurs during the event, or if the cleanup is not performed to the satisfaction of the City, the Applicant shall be held liable for the costs associated with the damage and the costs of additional cleanup. The City may also deny future permits to any applicant who has been in violation of this section.

(6) LIABILITY INSURANCE. The special event sponsor is required to obtain insurance for special **or outdoor** events that include alcohol, have more than 150 people per day or involve a road closure. Proof of comprehensive general liability insurance with coverage of not less than \$1,000,000 which names and endorses the City, its officers, agents, employees, and contractors as an additional insured party will be submitted to the City no later than 20 days before the event. The applicant will notify the City 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 weeks prior to the effective date of that change. Any change to coverage requires City approval.

(7) INDEMNIFICATION. The applicant and event sponsor(s) shall agree to hold the City, 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 City 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.

(8) LIMITATION OR TERMINATION OF EVENT. The City may limit the size of, or shut down a special **or outdoor** event if it is deemed to be a public safety hazard or public nuisance by the police or fire department, or there is a violation of City or county ordinances, state statutes or the terms of the applicant's permit. The City may limit or shut down any amplified music at an event if excessive complaints are received by the Police Department. The City Administrator or designee may revoke an approved license if the applicant fails to comply with the provisions of the permit prior to the event date.

SECTION 2: This ordinance takes effect upon passage and publication in accordance with the law.

Ordinance No. 629 introduced on August 12th, 2025 by
Ald. _____, seconded by Ald. _____.

Upon a call of votes thereof, the result was as follows:

_____ Votes Cast
_____ Votes Aye
_____ Votes Nay

The Mayor declared Ordinance No. 629 introduced and approved this 12th day of August 2025.

ROBERT HENNINGS, Mayor

COUNTERSIGNED:

DAVID FUNKHOUSER, City Administrator