

SEC. 9.11 HIGHWAY ACCESS FOR SPECIAL EVENTS REGULATIONS.

(1) Jurisdiction.

- (a) Columbia County Highway Committee.** In accordance with Wis. Stats. §§ 83.015, 349.185, and Columbia County Ordinance, the Columbia County Highway & Transportation Committee (Highway Committee) shall represent the County in constructing and maintaining highways within the County.
- (b) Columbia County Sheriff Office** shall be charged with the administration, permitting, and enforcement of the Highway Access for Special Events Ordinance under this chapter.

(2) Intent. Pursuant to Wis. Stat. § 349.185, this ordinance has been created to regulate community events or celebrations, processions, or assemblages on the highways and regulate the traffic of pedestrians upon highways within its jurisdiction including the prohibition of crossings.

(3) Eligibility. All requests for Special Events permit(s) shall come from Organizer of the event be that an individual, sole proprietor, corporation, business, service group, not for profit entity, activity group, association, branch of government, County Department, other municipality, or organization.

(4) Insurance and Indemnification.

- (a)** By permit, Organizer shall bear the full and complete responsibility for all risk of harm caused by, arising from, or resulting from the event. Organizer shall indemnify, defend, and hold harmless Columbia County and its officials, officers, employees, volunteers, and agents against all claims, liability, loss, damage, or expense incurred on account of any injury to or death of any person or any damage to any property caused by, arising from, or resulting from the activities for which the permit is granted.
- (b)** In order to secure Organizer's obligation to hold harmless and indemnify the County, Organizer shall procure and maintain insurance; types including but not limited to general bodily injury liability, property damage liability, and if vehicles are to be used by Organizer or as part of the event, comprehensive automobile bodily injury liability. The policy amount(s) shall reflect the size, scope, and nature of the event and shall be sufficient in coverage. Organizer shall add the County, its officials, officers, employees, volunteers, and agents to the Organizer's insurance policy(s).
- (c)** Organizer shall be responsible for any damage to County property caused by, arising from, or resulting from the activities for which the permit is granted.

(5) Regulations.

- (a) Application shall include sufficient additional information so as to verify and confirm that the Applicant will comply with all of the following minimum requirements:
1. Duration and Hours of Operation: The Special Event application shall specify the day(s), date(s), time, and location upon which the incident is to occur, or in the case of a seasonal or recurring event, the days within the season or period within the calendar year upon which the event will re-occur. The application must include the hours of pre-event setup and post-event tear down operations will occur.
 2. Parking and Access: The Special Event permit application shall include a plan which identifies area(s) that may be reasonably expected to be utilized by event participants for off-street and on-street. Efforts shall be made by the Organizer to minimize on-street parking.
 3. Sanitary Facilities, Potable Water, and Rest Stations: Organizer shall make reasonable accommodations for rest areas facilities throughout the course of the event or at the site of the event and outside of the county highway right of way.
 4. Refuse Removal: Organizer shall remove all litter, debris, and refuse during, immediately following, and after the conclusion of the event along its' course, for debris attributable to the event. No litter, debris, or refuse shall remain in excess of twenty-four (24) hours of the special event.
 5. Severe Weather notification: Organizer shall have a plan of how to notify event participants in the event of severe weather or emergency conditions which would affect the event or participants.
 6. Emergency Contact: The Special Event permit shall indicate the contact name and phone number for all emergency contacts between the County 911 system and the event. The event contact shall be immediately available during the event and shall serve as the sole source point of contact between the organizer's staffing, participants, and any applicable governmental agencies and /or County departments.
 7. Notification: Organizer shall be required to notify the Sheriff's Office of their event. The Sheriff's Office shall notify the other governmental within the County including affected departments. Affected departments shall work jointly on reviewing any application.
 8. Participation: The Organizer shall have a method of identification of all participants in the event. All participants shall display some method of individual identification on their person during the event

9. Security: Organizer shall review whether security is necessary. Arrangements and costs for security are the responsibility of the Organizer.
 10. Barricades, Signage, and Traffic Control: Organizer may be required to develop a traffic plan for the event to address any special signage requirements or conditions. Dependent on the course, the provision of traffic control attendants, appointed by the County, shall be required.
- (b) Course Markings: Organizer shall be responsible for determining the route or course its event will cover. The Organizer may determine if course/route markings are required to inform the participants of the course or route to be followed by the event. If course markings are to be utilized, the Organizer shall only use temporary signage of the following requirements:
1. Temporary signage may be utilized to mark routes or courses in accordance with Wis. Stats. Chapter 86. Spray paint on pavement in the travelled way shall not be allowed.
 2. Paper arrows and lane markers may be used for marking routes or courses. The paper arrows shall be biodegradable with a short life span, shall be temporary or removable, and shall be of manufacturer of www.routearrows.com or approved equivalent. Nothing within this provision shall relieve the Organizer of requirements as set forth herein.
- (c) A permit shall be valid only for the day(s) and time period of the Special Event as identified within the approved application.
- (d) The Organizer shall meet all minimum requirements described within this subsection, as well as those additional requirements provided in the submitted application and as otherwise required.
- (e) Compliance with Other Code Provisions: No Special Event shall be held unless all necessary approvals, permits, and licenses applicable to the activities to be held during the Special Event have been issued.
- (f) Compliance with Other State, Federal, or Local regulations: This ordinance is not meant to be all inclusive of the Rules of the Road or other regulations which may govern various aspects of the event.
- (g) Extraordinary Services: The County may require or an Organizer may request as to if and when extraordinary services are required for a Special Event.
- (h) Insurance: Organizer shall submit the certificate(s) of insurance as required by this ordinance to the County.

- (i) Organizer shall comply with all Federal, State, and local law, rules, and regulations. Nothing within this ordinance shall be construed to waive any other requirement Organizer may have as a result of the special event planned.
- (j) Organizer is required to comply with Sections 9.11(5)(a)-(j) before, during, and after the event. The failure to abide by these requirements shall be subject to the provisions set forth in Section 9.11(6).

(6) Enforcement.

- (a) Enforcement of this ordinance applies to any officer of the Columbia County Sheriff Department.
- (b) Pursuant to Columbia County Ordinance Section 1.12, the penalty for violating any provision of this chapter shall result in a forfeiture. Each violation of this chapter shall be considered a separate offense. Each day a violation continues shall be considered as a separate offense from any previous offense.
- (c) Solely upon and at its discretion, any violation of this chapter shall be prosecuted by the Columbia County Corporation Counsel. As is consistent with Wisconsin law, nothing within this chapter or otherwise shall limit any recourse available to Columbia County Corporation Counsel in its prosecution of any applicable action.

(7) Restrictions and Exceptions.

- (a) Special Events which occur for charity or non-profit purposes shall be exempt from payment of permit fees. No other part of this ordinance shall be waived and all other provisions shall apply. Special Events which require assistance from a County department shall be required to reimburse the County for the cost of extraordinary services utilized on behalf of the applicant, regardless of tax exempt or non-profit status.
- (b) Extraordinary services provided by the County shall be determined by the Department Head of the department(s) involved. The cost and impact of the extraordinary services will be provided to the Organizer prior to providing the services.
- (c) If additional services are needed during the event, the cost of those services shall be billed to the Organizer within sixty (60) days of the provision of those services. If, because of the services required, more time is needed to calculate the cost(s) of those services, the County shall provide Organizer that notice in writing before the expiration of sixty (60) days from the date of the event.
- (d) Applications may be submitted commencing on January 1st of the calendar year in which the event is to be held. Applications must be submitted a minimum of six (6) weeks prior to the date of the occurrence of the event. Preferences for dates of an event may be granted for annually recurring events.

- (e) Each permit application shall be jointly reviewed by the Sheriff's Office and Highway and Transportation.
- (f) Upon the completion of the application's view, each permit shall be approved, approved with conditions, or denied. Denial justification may be based on any one or more of the following condition criteria:
 1. The time, size, proposed location, or route of the event would substantially interrupt the safe and orderly movement of traffic in or around the vicinity of the event's location.
 2. The concentration of persons at the event would interfere with the administration of emergency services.
 3. Another highway use permit has already been applied for or issued for substantially the same time and location.
 4. Organizer has provided incomplete or fraudulent information on the application or has failed to satisfy the permit requirements or requests for additional information or planning.
 5. Organizer has submitted an incomplete or vague application and fails to reply timely to requests for additional information (within seven calendar days of the request from County).
 6. Organizer fails obtain and maintain liability insurance as required by this Ordinance.
 7. Any other condition which, in the discretion of the Sheriff's Office or impacted department, creates an unacceptable health or safety risk such as but not limited to roadway surface conditions, road construction, road maintenance, other operations, or requests extending beyond the County's capability to provide services.
 8. Revisions to any permitted routes shall be approved by the Sheriff's office and Highway and Transportation.
 9. The Sheriff or Highway Commissioner may cancel or alter the route of a Special Event in accordance with Wis. Stats. Chapters 83, 86, and 346.

SEC. 9.12 APPEALS.

(1) Procedure.

- (a) Excepting those appeals made pursuant to Wis. Stats. § 86.16(5), any person aggrieved by a decision made in the administration of this Ordinance may appeal that decision to the Highway Committee.
- (b) All appeals shall be made in writing and shall be filed within 30 (thirty) calendar days of the administrative decision with the Highway Commissioner. Each appeal shall include the legal description of the parcel, the administrative decision that is being appealed, and why the appellant is seeking the Highway Committee's review.
- (c) The Highway Committee shall hear each appeal at the next committee meeting following the receipt of the appeal. If the appeal is received after the Highway Committee's agenda has been posted, that appeal will be heard at the following committee meeting.
- (d) The Highway Committee shall make a decision on each appeal. A decision shall be made by the majority present. If additional information is needed by the Highway Committee before it can make a decision, the Highway Committee may postpone its decision until the necessary information has been received and reviewed by the Highway Committee.
- (e) Appeals of the Highway Committee shall be controlled by Wis. Stats. Chapter 68, unless otherwise specifically required by law.