

ORDINANCE NO. 2012-16

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 16 "MUSIC FESTIVALS" OF THE PEORIA CITY CODE (1992), BY AMENDING THE CHAPTER TITLE, AND AMENDING SECTION 16-1 "MUNICIPAL SPECIAL EVENTS; ACTIVITIES; DEFINITIONS" OF THE PEORIA CITY CODE; PROVIDING FOR SEPARABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Peoria, Arizona as follows:

SECTION 1. Chapter 16 of the Peoria City Code (1992) shall be amended to read as indicated on Exhibit A.

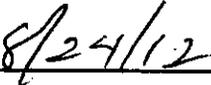
SECTION 2. Effective Date. This Ordinance shall become effective on the date provided by law.

SECTION 3. SEPARABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Maricopa County, Arizona this 21st day of August, 2012.



Bob Barrett, Mayor



Date Signed

ORD. 2012-16
August 21, 2012

ATTEST:

for Linda B. Blum
City Clerk



APPROVED AS TO FORM:

Stephen M. Kemp
Stephen M. Kemp, City Attorney

Published in: Peoria Times
Pub. Dates: August 24, 2012 and August 31, 2012
Effective Date: September 24, 2012

EXHIBIT A

CHAPTER 16 – ~~MUSIC FESTIVALS~~ MUNICIPAL SPECIAL EVENTS

Sec.16-1. Municipal Special Events; Activities; definitions

(a) Definitions. For purposes of this Section, the following definitions shall apply:

- (1) “Special Events Committee” shall mean a committee comprised of designated representatives from involved City departments, specifically the Police Department, Fire Department, Community Development/Code Compliance, Engineering, Public Works, Community Services, Office of the City Attorney, and any other City organizational unit which may be impacted by a specific proposed Temporary Special Event or Activity.
- (2) “Temporary Special Event or Activity” shall mean any of the following organized activities:
 - a. Any indoor or outdoor public gathering or celebration that uses City-owned property for any of the following activities:
 - i. Entertainment.
 - ii. Dancing.
 - iii. Music.
 - iv. Dramatic productions.
 - v. Amusements, festivals, or carnivals.
 - vi. Sale of merchandise, food, or alcohol, including sidewalk sales. If the sale of such items is only incidental to the purpose of an event and the event otherwise does not qualify as a Temporary Special Event or Activity (such as the sale of shirts and hats at a sporting event), then this Section shall not apply to the event.
 - vii. Parades, walks, bicycle rides, or runs that will not comply with the normal or usual traffic regulations or controls or are likely to impede, obstruct, impair, or interfere with the free flow of traffic.
 - viii. Any temporary extension of premises of an existing use.
 - b. Any activity taking place on ~~private or~~ City-owned property which requires a State issued temporary extension of liquor licenses premises or a special event liquor license.
 - c. Any activity taking place on ~~private or~~ City-owned property used as a public gathering place that involves a substantial deviation from the current legal land use, or legal nonconforming use, such as provided in subsection (a)(1) above, as determined by the Special Events Committee.
 - d. Any activity taking place on ~~private or~~ City-owned property which may require for its successful execution City services provided to a degree significantly over and above that routinely provided under ordinary circumstances, as determined by the Special Events Committee.

(Ord. No. 07-28A, 10/04/2007, Enacted and amended) SUPP 2007-4