

*****AMENDED*****

Our intention is to have in-person meetings going forward. For the time being, we will hold the City Committee Meetings, Plan Commission, Council and most others at the Community Room at 933 Michigan Avenue. This in-person location will meet the legal requirement for our open meetings.

We will have a virtual option available, but the technology for the hybrid style meeting may not be reliable all of the time.

CITY OF STEVENS POINT PUBLIC POLICY AND GENERAL GOVERNMENT

March 14, 2022 - 6:10 PM

(or immediately following previously scheduled meeting)

**Community Room
933 Michigan Avenue, Stevens Point, WI**

OR

Zoom Teleconferencing

Meeting ID: 849 0731 0251 | Passcode: 967686

By Computer:

<https://us02web.zoom.us/j/84907310251?pwd=L3JJZHNyeXVvWHgxTm5VRW54YUliQT09>

By Phone: +1-312-626-6799 (US Chicago)

(A quorum of the City Council may attend this meeting)

AGENDA

Discussion and Possible Action on:

1. Roll Call.
2. License List:
 - A. Class "B" Beer License: Pallet & Planks at 1036 Main St, Stevens Point for license period beginning March 22, 2022.
 - B. Class "B" Beer License: Northward LLC at 4201 Main St, Stevens Point for license period beginning May 1, 2022.
 - C. Class "B" Beer/"Class B" Liquor License: Icon WI at 956 Main St, Stevens Point for license period beginning April 1, 2022.
 - D. Class "B" Beer/"Class B" Liquor License: Underground at 5110 Main St, Stevens Point for license period beginning March 22, 2022.
 - E. Temporary Class "B" Beer/"Class B" Wine License: North Central Conservancy Trust, Inc., 301 W Cedar St, Stevens Point for North Central

Conservancy Trust Annual Dinner on September 22, 2022 at Bukolt Park, 100 Bukolt Avenue, Stevens Point, WI 54481.

- F. Temporary Class "B" Beer/"Class B" Wine License: St. Joseph Parish, 1709 Wyatt Avenue, Stevens Point for Picnic 2022 on June 4, 2022 at 1709 Wyatt Ave, Stevens Point, WI 54481.
 - G. Temporary Class "B" Beer/"Class B" Wine License: CREATE Portage County, PO Box 565, Stevens Point for Stevens Point PRIDE on June 11, 2022 at Pfiffner Pioneer Park.
 - H. Temporary Class "B" Beer/"Class B" Wine License: CREATE Portage County, PO Box 565, Stevens Point for Levitt AMP Stevens Point on June 2, 9, 16, 23, July 7, 14, 21, 28, and August 4, 2022 at Pfiffner Pioneer Park.
3. Request to Hold Event/Street Closing:
- A. Horseshoes and Hand Grenades Concert on August 13, 2022 (New Event).
 - B. Levitt AMP Stevens Point on June 2, 2022; June 9, 2022; June 16, 2022; June 23, 2022; June 30, 2022; July 7, 2022; July 14, 2022; July 21, 2022; July 28, 2022; and August 4, 2022 (Recurring).
 - C. Paddle Quest from August 12, 2022 to August 14, 2022 (Recurring).
 - D. Riverfront Jazz Festival on September 3, 2022 and September 4, 2022 (Recurring).
 - E. Stevens Point Pride on June 11, 2022 (Recurring).
 - F. **Trivia Parade on April 8, 2022 (Recurring).
4. Ordinance Amendment - 12.28 Special Event Permits.
5. Discussion only: Amendments to Chapter 21.08 – 21.19, Property Maintenance Code.
6. Adjournment.

Meeting Rider

Any person who has special needs while attending this meeting or needing agenda materials for this meeting should contact the City Clerk as soon as possible to ensure a reasonable accommodation can be made. The City Clerk can be reached by telephone at (715) 346-1569, TDD # 346-1556 or by mail at 1515 Strongs Ave., Stevens Point, WI 54481.

Copies of ordinances, resolutions, reports and minutes of the committee meetings are on file at the office of the City Clerk for inspection during normal business hours from 7:30 a.m. to 4:00p.m.

LICENSE LIST
PUBLIC POLICY AND GENERAL GOVERNMENT
Monday, March 14, 2022

Class "B" Beer License:

1. **Pallet & Planks** at 1036 Main St, Stevens Point for license period beginning 03/22/22
2. **Northward LLC** at 4201 Main St, Stevens Point for license period beginning 05/01/22

Class "B" Beer/"Class B" Liquor License:

1. **Icon WI** at 956 Main St, Stevens Point for license period beginning 04/01/22
2. **Underground** at 5110 Main St, Stevens Point for license period beginning 04/01/22

Temporary Class "B" Beer/"Class B" Wine License:

1. North Central Conservancy Trust, Inc., 301 W Cedar St, Stevens Point for North Central Conservancy Trust Annual Dinner on September 22, 2022 at 100 Bukolt Ave, Stevens Point, WI 54481
2. St. Joseph Parish, 1709 Wyatt Ave, Stevens Point for Picnic 2022 on June 4, 2022 at 1709 Wyatt Ave, Stevens Point, WI 54481
3. CREATE Portage County, PO Box 565, Stevens Point for Stevens Point PRIDE on June 11, 2022 at Pfiffner Pioneer Park
4. CREATE Portage County, PO Box 565, Stevens Point for Levitt AMP Stevens Point on June 2, 9, 16, 23, July 7, 14, 21, 28, and August 4, 2022 at Pfiffner Pioneer Park

SPECIAL EVENT PERMIT APPLICATION

Application Fee: \$35

- ☐ Exempt (Veterans, Schools, Funerals) ☐ Small (Less Than 100 Attendees)
☐ Medium (100-500 Attendees) ☒ Large (500+ Attendees)

OFFICE USE ONLY:

DATE: 2-28-22
 AMOUNT: \$35⁰⁰
 RECEIPT: 1.088508

Insurance: Medium and Large Events are required by City Ordinance 12.28(6)b to submit a Certificate of Insurance providing minimum combined single bodily injury and property damage of \$1,000,000.

- Please Select One: ☐ New Event ☐ Return Event as Previously Presented ☐ Return Event w/ Changes
- Name of Event: Horseshoes and Hand Grenades Concert
- Name of Sponsoring Person or Organization: Eventures Presents
 Address: 3355 Darlington CT City: Plover State: WI Zip Code: 54467
 Is this a 501 (C-3) non-profit organization? ☐ Yes ☒ No If Yes, Tax Exempt #: _____
- Contact Person: Greg Diekroeger
 Phone: 715-347-7446 Email: greg@eventurespresents.com Fax: _____
 Address: 3355 Darlington CT City: Plover State: WI Zip Code: 54467
- Event Type: (Check All That Apply and Describe: Run/Walk, Concert, Festival, Picnic, Etc.)
☐ Athletic Event: _____
☒ Financial Gain Event on City Property: CONCERT
☐ Free Public Event on City Property: _____
☐ Private Event: _____
☐ Other: _____
- Event Date(s): Saturday, August 13, 2022 Event Start Time: 7:30 p.m. Event End Time: 10:30 p.m.
- Set Up Date and Time: Saturday, August 13, 2022, 7 a.m.
- Event Assembly Location: Mancheski Field, Bukolt Park
 Event Dispersal Location (if different from Assembly Location): _____
- Estimated Attendance Of:
 Participants/Vendors: 2000 Spectators/Attendees: 2000 Vehicles: 2000 Animals: 2000
- Site Plan/Map of Event Attached [REQUIRED]: ☐ Yes ☒ No
 (Include Locations of Vendors, Tents, Portable Restrooms, Etc.)
- Street Closures Required? ☐ Yes ☒ No
 List of Street Blocks to Close for Event: _____
- Briefly Describe Your Event (You May Attach Additional Pages, If Needed):
Concert with Horseshoes and Hand Grenades and support act on the baseball field at Mancheski Park
Organizer providing porta-potties at event - location based on Parks and Recreation direction
Organizer providing porta-potties at event - location based on Parks and Recreation direction
Organizer providing porta-potties at event - location based on Parks and Recreation direction
Organizer providing porta-potties at event - location based on Parks and Recreation direction
- Do You Require Any Other Special Assistance from the City?
Access to baseball field lighting, garbage disposal after field pick up

- Describe any additional needs from the City or City Facilities (Barricades, Fencing, Garbage Cans, City Facilities, Parks, etc.):
Garbage cans

- Police Presence Needed? ☒ Police ☐ Auxiliary Officer (Contact Lt. Mueller at jmueller@stevenspoint.com)
 Please Explain: Police presence to assist with crowd control

RECEIVED

FEB 28 2022

CITY CLERKS
OFFICE

16. Will You Have Any of the Following? Check the Appropriate Boxes:

		Yes	No			Yes	No
1	Admission/Entry Fee	☒	☐	10	Erection of Tents/Temporary Structures—Area Greater than 400sq. ft. (Additional Permit Required—Contact Fire Dept & Ask for Officer on Duty: 715-344-1833)	☒	☐
2	Alcoholic Beverages Served (Additional Permit Required—Contact City Clerk: 715-346-1569)	☒	☐	11	Financial Gain Activity	☒	☐
3	Amplification Equipment	☒	☐	12	Fireworks—Please Explain Below: (Additional Permit Required—Contact Fire Department & Ask for Officer on Duty: 715-344-1833)	☐	☒
4	Amusement Rides/Inflatables (Certificate of Insurance Required—Contact City Clerk's Office: 715-346-1569)	☐	☒	13	Food Prepared/Served (Additional Permit Required—Contact Portage County Health Dept: 715-345-5350 AND Fire Dept—Email the Fire Marshal at: egana@stevenspoint.com)	☐	☒
5	Boats/Snowmobiles/ATVs	☐	☒	14	Horses/Animals	☐	☒
6	Concession Sales	☒	☐	15	Musical Bands	☒	☐
7	Drive Anything Into the Ground (Utility Location Required \$25—Contact Parks Department: 715-346-1531)	☐	☒	16	Portable Toilets	☒	☐
8	Electricity Needed	☐	☒	17	Vendor Displays/Sales	☐	☒
9	Erection of Tents/Temporary Structures—Area Less than 400sq. ft.	☒	☐			☐	☐

Additional Explanation Here:

Organizer working with Stevens Point Legion Baseball for alcohol and food service

Organizer providing porta-potties at event - location based on Parks and Recreation direction

Organizer providing porta-potties at event - location based on Parks and Recreation direction

I understand the filing of this application does not ensure the issuance of this permit. I also understand that all Special Event organizers and participants must comply with all applicable City Ordinances, traffic rules, park rules, state health laws, fire codes, and liquor licensing regulations. Additional fees such as park facilities, tent, and firework permits are in addition to the fees submitted for the Special Event Application.

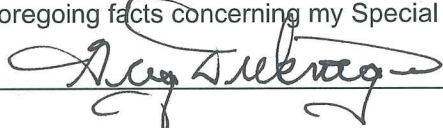
NON-DISCRIMINATION, HOLD HARMLESS, INDEMNIFICATION AND DEFENSE

THE PERSON OR GROUP NAMED AS THE SPONSORING ORGANIZATION ON THIS APPLICATION WILL BE RESPONSIBLE FOR THE CONDUCT OF THE SPECIAL EVENT AND FOR THE CONDITION OF THE FACILITY. THE SPONSORING ORGANIZATION WILL NOT DENY ANY PERSON ANY BENEFIT OR OTHERWISE SUBJECT ANY PERSON TO DISCRIMINATION BECAUSE OF RACE, COLOR, CREED, NATIONAL ORIGIN, SEXUAL ORIENTATION, DISABILITY, RELIGION, GENDER IDENTITY, OR MEMBERSHIP IN ANY PROTECTED CLASS.

BY SIGNING THIS APPLICATION, THE SPONSORING PERSON OR ORGANIZATION LISTED ABOVE AGREES TO INDEMNIFY, DEFEND, AND HOLD THE CITY AND ITS OFFICERS, OFFICIALS, EMPLOYEES AND AGENTS HARMLESS AGAINST ALL CLAIMS, LIABILITY, LOSS, DAMAGE, OR EXPENSE INCURRED BY THE CITY ON ACCOUNT OF ANY INJURY TO OR DEATH OF ANY PERSON OR ANY DAMAGE TO PROPERTY CAUSED BY OR RESULTING FROM THE ACTIVITIES FOR WHICH THE PERMIT IS GRANTED.

NOTHING CONTAINED WITHIN THIS AGREEMENT IS INTENDED TO BE A WAIVER OR ESTOPPELS OF THE CONTRACTING MUNICIPALITY OR ITS INSURER TO RELY UPON THE LIMITATIONS, DEFENSES, AND IMMUNITIES CONTAINED WITHIN WISCONSIN LAW, INCLUDING THOSE CONTAINED WITHIN WISCONSIN STATUTES §§ 893.80, 895.52, AND 345.05. TO THE EXTENT THAT INDEMNIFICATION IS AVAILABLE AND ENFORCEABLE, THE CITY OF STEVENS POINT OR ITS INSURER(S) SHALL NOT BE LIABLE IN INDEMNITY OR CONTRIBUTION FOR AN AMOUNT GREATER THAN THE LIMITS OF LIABILITY FOR MUNICIPAL CLAIMS ESTABLISHED BY WISCONSIN LAW.

I hereby certify that the foregoing facts concerning my Special Event are true to the best of my knowledge:

Signature of Applicant:  Date: 2/10/21

SPECIAL EVENT PERMIT APPLICATION

OFFICE USE ONLY:

DATE: 2/25/22
 AMOUNT: \$35
 RECEIPT: 1.088475

Application Fee: \$35

- ☐ Exempt (Veterans, Schools, Funerals) ☐ Small (Less Than 100 Attendees)
☐ Medium (100-500 Attendees) ☒ Large (500+ Attendees)

Insurance: Medium and Large Events are required by City Ordinance 12.28(6)b to submit a Certificate of Insurance providing minimum combined single bodily injury and property damage of \$1,000,000.

- Please Select One: ☐ New Event ☒ Return Event as Previously Presented ☐ Return Event w/ Changes
- Name of Event: Devitt AMP Stevens Point
- Name of Sponsoring Person or Organization: CREATE Portage County
 Address: PO Box 565 City: Stevens Point State: WI Zip Code: 54481
 Is this a 501 (C-3) non-profit organization? ☒ Yes ☐ No If Yes, Tax Exempt #: 20-1960836
- Contact Person: Chris Keesmith
 Phone: (715) 254-0460 Email: ChrisK@createportagecounty.org Fax: N/A
 Address: 549 2nd St N City: Stevens Point State: WI Zip Code: 54481
- Event Type: (Check All That Apply and Describe: Run/Walk, Concert, Festival, Picnic, Etc.)
☐ Athletic Event:
☐ Financial Gain Event on City Property:
☒ Free Public Event on City Property:
☐ Private Event:
☐ Other:
- Event Date(s): June 2, 9, 16, 23, 30, July 7, 14, 21, 28, Aug 4, 11, 18, 25 Event Start Time: 6 pm Event End Time: 10:30 pm
- Set Up Date and Time: Thursdays, begin 10 AM
- Event Assembly Location: Pittman Park
 Event Dispersal Location (if different from Assembly Location): -
- Estimated Attendance Of:
 Participants/Vendors: 30 Spectators/Attendees: 2,000 Vehicles: - Animals: -
- Site Plan/Map of Event Attached [REQUIRED]: ☒ Yes ☐ No
 (Include Locations of Vendors, Tents, Portable Restrooms, Etc.)
- Street Closures Required? ☐ Yes ☒ No
 List of Street Blocks to Close for Event: -
- Briefly Describe Your Event (You May Attach Additional Pages, If Needed):
Public Concert Series!
Free live music, food for purchase from local vendors,
local beer for sale
- Do You Require Any Other Special Assistance from the City?
N/A
- Describe any additional needs from the City or City Facilities (Barricades, Fencing, Garbage Cans, City Facilities, Parks, etc.):
Reserving the bandshell + Pittman Building for all Thursday
evenings
- Police Presence Needed? ☐ Police ☐ Auxiliary Officer (Contact Lt. Mueller at jmueller@stevenspoint.com)
 Please Explain: N/A

16. Will You Have Any of the Following? Check the Appropriate Boxes:

		Yes	No			Yes	No
1	Admission/Entry Fee		X	10	Erection of Tents/Temporary Structures—Area Greater than 400sq. ft. (Additional Permit Required—Contact Fire Dept & Ask for Officer on Duty: 715-344-1833)		X
2	Alcoholic Beverages Served (Additional Permit Required—Contact City Clerk: 715-346-1569)	X		11	Financial Gain Activity		X
3	Amplification Equipment	X		12	Fireworks—Please Explain Below: (Additional Permit Required—Contact Fire Department & Ask for Officer on Duty: 715-344-1833)		X
4	Amusement Rides/Inflatables (Certificate of Insurance Required—Contact City Clerk's Office: 715-346-1569)		X	13	Food Prepared/Served (Additional Permit Required—Contact Portage County Health Dept: 715-345-5350 AND Fire Dept—Email the Fire Marshal at: egana@stevenspoint.com)	X	
5	Boats/Snowmobiles/ATVs		X	14	Horses/Animals		X
6	Concession Sales	X		15	Musical Bands	X	
7	Drive Anything Into the Ground (Utility Location Required \$25—Contact Parks Department: 715-346-1531)		X	16	Portable Toilets		X
8	Electricity Needed	X		17	Vendor Displays/Sales	X	
9	Erection of Tents/Temporary Structures—Area Less than 400sq. ft.	X					

Additional Explanation Here:

I understand the filing of this application does not ensure the issuance of this permit. I also understand that all Special Event organizers and participants must comply with all applicable City Ordinances, traffic rules, park rules, state health laws, fire codes, and liquor licensing regulations. Additional fees such as park facilities, tent, and firework permits are in addition to the fees submitted for the Special Event Application.

NON-DISCRIMINATION, HOLD HARMLESS, INDEMNIFICATION AND DEFENSE

THE PERSON OR GROUP NAMED AS THE SPONSORING ORGANIZATION ON THIS APPLICATION WILL BE RESPONSIBLE FOR THE CONDUCT OF THE SPECIAL EVENT AND FOR THE CONDITION OF THE FACILITY. THE SPONSORING ORGANIZATION WILL NOT DENY ANY PERSON ANY BENEFIT OR OTHERWISE SUBJECT ANY PERSON TO DISCRIMINATION BECAUSE OF RACE, COLOR, CREED, NATIONAL ORIGIN, SEXUAL ORIENTATION, DISABILITY, RELIGION, GENDER IDENTITY, OR MEMBERSHIP IN ANY PROTECTED CLASS.

BY SIGNING THIS APPLICATION, THE SPONSORING PERSON OR ORGANIZATION LISTED ABOVE AGREES TO INDEMNIFY, DEFEND, AND HOLD THE CITY AND ITS OFFICERS, OFFICIALS, EMPLOYEES AND AGENTS HARMLESS AGAINST ALL CLAIMS, LIABILITY, LOSS, DAMAGE, OR EXPENSE INCURRED BY THE CITY ON ACCOUNT OF ANY INJURY TO OR DEATH OF ANY PERSON OR ANY DAMAGE TO PROPERTY CAUSED BY OR RESULTING FROM THE ACTIVITIES FOR WHICH THE PERMIT IS GRANTED.

NOTHING CONTAINED WITHIN THIS AGREEMENT IS INTENDED TO BE A WAIVER OR ESTOPPELS OF THE CONTRACTING MUNICIPALITY OR ITS INSURER TO RELY UPON THE LIMITATIONS, DEFENSES, AND IMMUNITIES CONTAINED WITHIN WISCONSIN LAW, INCLUDING THOSE CONTAINED WITHIN WISCONSIN STATUTES §§ 893.80, 895.52, AND 345.05. TO THE EXTENT THAT INDEMNIFICATION IS AVAILABLE AND ENFORCEABLE, THE CITY OF STEVENS POINT OR ITS INSURER(S) SHALL NOT BE LIABLE IN INDEMNITY OR CONTRIBUTION FOR AN AMOUNT GREATER THAN THE LIMITS OF LIABILITY FOR MUNICIPAL CLAIMS ESTABLISHED BY WISCONSIN LAW.

I hereby certify that the foregoing facts concerning my Special Event are true to the best of my knowledge:

Signature of Applicant: Christy Keras Date: 1/27/22



SPECIAL EVENT PERMIT APPLICATION

OFFICE USE ONLY:

DATE: 2/25/22
 AMOUNT: \$35
 RECEIPT: 1.088472

Application Fee: \$35

- ☐ Exempt (Veterans, Schools, Funerals) ☐ Small (Less Than 100 Attendees)
☒ Medium (100-500 Attendees) ☐ Large (500+ Attendees)

Insurance: Medium and Large Events are required by City Ordinance 12.28(6)b to submit a Certificate of Insurance providing minimum combined single bodily injury and property damage of \$1,000,000.

- Please Select One: ☐ New Event ☒ Return Event as Previously Presented ☐ Return Event w/ Changes
- Name of Event: Paddle Quest
- Name of Sponsoring Person or Organization: CREATE Portage County
 Address: Po Box 565 City: Stevens Point State: WI Zip Code: 54481
 Is this a 501 (C-3) non-profit organization? ☒ Yes ☐ No If Yes, Tax Exempt #: 20-1960836
- Contact Person: Chris Klesmiller
 Phone: (715) 340-0211 Email: chrisk@createportagecounty.org Fax: N/A
 Address: 549 2nd St N City: Stevens Point State: WI Zip Code: 54481
- Event Type: (Check All That Apply and Describe: Run/Walk, Concert, Festival, Picnic, Etc.)
☐ Athletic Event:
☐ Financial Gain Event on City Property:
☐ Free Public Event on City Property:
☒ Private Event: Paddle competition - fantasy adventure
☐ Other:
- Event Date(s): 8/12-8/14/22 Event Start Time: 3 PM Event End Time: 6 PM
- Set Up Date and Time: 8/12/22 8 AM
- Event Assembly Location: Bukolt Park Lodge
 Event Dispersal Location (if different from Assembly Location): -
- Estimated Attendance Of:
 Participants/Vendors: 250 Spectators/Attendees: 100 Vehicles: 80 Animals: -
- Site Plan/Map of Event Attached [REQUIRED]: ☒ Yes ☐ No
 (Include Locations of Vendors, Tents, Portable Restrooms, Etc.)
- Street Closures Required? ☐ Yes ☒ No
 List of Street Blocks to Close for Event: -
- Briefly Describe Your Event (You May Attach Additional Pages, If Needed):

Paddle-craft adventure on WI River, food, concerts, and yard games in Bukolt Park.

- Do You Require Any Other Special Assistance from the City?

N/A

- Describe any additional needs from the City or City Facilities (Barricades, Fencing, Garbage Cans, City Facilities, Parks, etc.):

Reserve Bukolt Park Lodge for entire weekend

- Police Presence Needed? ☐ Police ☐ Auxiliary Officer (Contact Lt. Mueller at jmueller@stevenspoint.com)

Please Explain: N/A

16. Will You Have Any of the Following? Check the Appropriate Boxes:

		Yes	No			Yes	No
1	Admission/Entry Fee	X		10	Erection of Tents/Temporary Structures—Area Greater than 400sq. ft. (Additional Permit Required—Contact Fire Dept & Ask for Officer on Duty: 715-344-1833)		X
2	Alcoholic Beverages Served (Additional Permit Required—Contact City Clerk: 715-346-1569)	X		11	Financial Gain Activity		X
3	Amplification Equipment	X		12	Fireworks—Please Explain Below: (Additional Permit Required—Contact Fire Department & Ask for Officer on Duty: 715-344-1833)		X
4	Amusement Rides/Inflatables (Certificate of Insurance Required—Contact City Clerk's Office: 715-346-1569)		X	13	Food Prepared/Served (Additional Permit Required—Contact Portage County Health Dept: 715-345-5350 AND Fire Dept—Email the Fire Marshal at: egana@stevenspoint.com)	X	
5	Boats/Snowmobiles/ATVs	X		14	Horses/Animals		X
6	Concession Sales	X		15	Musical Bands	X	
7	Drive Anything Into the Ground (Utility Location Required \$25—Contact Parks Department: 715-346-1531)		X	16	Portable Toilets		X
8	Electricity Needed	X		17	Vendor Displays/Sales		X
9	Erection of Tents/Temporary Structures—Area Less than 400sq. ft.	X					

Additional Explanation Here:

Event will not use large tent → concert move into lodge if necessary

I understand the filing of this application does not ensure the issuance of this permit. I also understand that all Special Event organizers and participants must comply with all applicable City Ordinances, traffic rules, park rules, state health laws, fire codes, and liquor licensing regulations. Additional fees such as park facilities, tent, and firework permits are in addition to the fees submitted for the Special Event Application.

NON-DISCRIMINATION, HOLD HARMLESS, INDEMNIFICATION AND DEFENSE

THE PERSON OR GROUP NAMED AS THE SPONSORING ORGANIZATION ON THIS APPLICATION WILL BE RESPONSIBLE FOR THE CONDUCT OF THE SPECIAL EVENT AND FOR THE CONDITION OF THE FACILITY. THE SPONSORING ORGANIZATION WILL NOT DENY ANY PERSON ANY BENEFIT OR OTHERWISE SUBJECT ANY PERSON TO DISCRIMINATION BECAUSE OF RACE, COLOR, CREED, NATIONAL ORIGIN, SEXUAL ORIENTATION, DISABILITY, RELIGION, GENDER IDENTITY, OR MEMBERSHIP IN ANY PROTECTED CLASS.

BY SIGNING THIS APPLICATION, THE SPONSORING PERSON OR ORGANIZATION LISTED ABOVE AGREES TO INDEMNIFY, DEFEND, AND HOLD THE CITY AND ITS OFFICERS, OFFICIALS, EMPLOYEES AND AGENTS HARMLESS AGAINST ALL CLAIMS, LIABILITY, LOSS, DAMAGE, OR EXPENSE INCURRED BY THE CITY ON ACCOUNT OF ANY INJURY TO OR DEATH OF ANY PERSON OR ANY DAMAGE TO PROPERTY CAUSED BY OR RESULTING FROM THE ACTIVITIES FOR WHICH THE PERMIT IS GRANTED.

NOTHING CONTAINED WITHIN THIS AGREEMENT IS INTENDED TO BE A WAIVER OR ESTOPPELS OF THE CONTRACTING MUNICIPALITY OR ITS INSURER TO RELY UPON THE LIMITATIONS, DEFENSES, AND IMMUNITIES CONTAINED WITHIN WISCONSIN LAW, INCLUDING THOSE CONTAINED WITHIN WISCONSIN STATUTES §§ 893.80, 895.52, AND 345.05. TO THE EXTENT THAT INDEMNIFICATION IS AVAILABLE AND ENFORCEABLE, THE CITY OF STEVENS POINT OR ITS INSURER(S) SHALL NOT BE LIABLE IN INDEMNITY OR CONTRIBUTION FOR AN AMOUNT GREATER THAN THE LIMITS OF LIABILITY FOR MUNICIPAL CLAIMS ESTABLISHED BY WISCONSIN LAW.

I hereby certify that the foregoing facts concerning my Special Event are true to the best of my knowledge:

Signature of Applicant: Christy K... Date: 1/27/22



PaddleQuest 2022 Site Map

Aug 12-14

SPECIAL EVENT PERMIT APPLICATION

OFFICE USE ONLY:

DATE: 2/25/22
 AMOUNT: \$35
 RECEIPT: 1.088476

Application Fee: \$35

- ☐ Exempt (Veterans, Schools, Funerals) ☐ Small (Less Than 100 Attendees)
☐ Medium (100-500 Attendees) ☒ Large (500+ Attendees)

Insurance: Medium and Large Events are required by City Ordinance 12.28(6)b to submit a Certificate of Insurance providing minimum combined single bodily injury and property damage of \$1,000,000.

1. Please Select One: ☐ New Event ☒ Return Event as Previously Presented ☐ Return Event w/ Changes
2. Name of Event: Riverfront Jazz Festival
3. Name of Sponsoring Person or Organization: CREATE Portage County
 Address: PO Box 565 City: Stevens Point State: WI Zip Code: 54481
 Is this a 501 (C-3) non-profit organization? ☒ Yes ☐ No If Yes, Tax Exempt #: 20-1960936
4. Contact Person: Dana Sonnenberg
 Phone: (608) 617-4657 Email: dana@createportagecounty.org Fax: any
 Address: _____ City: _____ State: _____ Zip Code: _____
5. Event Type: (Check All That Apply and Describe: Run/Walk, Concert, Festival, Picnic, Etc.)
☐ Athletic Event: _____
☐ Financial Gain Event on City Property: _____
☒ Free Public Event on City Property: Concerts
☐ Private Event: _____
☐ Other: _____
6. Event Date(s): Sept. 3 & 4 Event Start Time: 3:00 Event End Time: 8:30
7. Set Up Date and Time: Sept. 3 10 AM Sept. 4 10 AM
8. Event Assembly Location: Piffner Pioneer Park
 Event Dispersal Location (if different from Assembly Location): _____
9. Estimated Attendance Of: 20
 Participants/Vendors: 1000 Spectators/Attendees: 1000 Vehicles: 4 Animals: 0
10. Site Plan/Map of Event Attached [REQUIRED]: ☒ Yes ☐ No
 (Include Locations of Vendors, Tents, Portable Restrooms, Etc.)
11. Street Closures Required? ☐ Yes ☒ No
 List of Street Blocks to Close for Event: _____
12. Briefly Describe Your Event (You May Attach Additional Pages, If Needed):
We host jazz concerts and have food vendors

13. Do You Require Any Other Special Assistance from the City?

14. Describe any additional needs from the City or City Facilities (Barricades, Fencing, Garbage Cans, City Facilities, Parks, etc.):
reserving Piffner Park

15. Police Presence Needed? ☐ Police ☐ Auxiliary Officer (Contact Lt. Mueller at jmueller@stevenspoint.com)
 Please Explain: none

16. Will You Have Any of the Following? Check the Appropriate Boxes:

		Yes	No			Yes	No
1	Admission/Entry Fee		X	10	Erection of Tents/Temporary Structures—Area Greater than 400sq. ft. (Additional Permit Required—Contact Fire Dept & Ask for Officer on Duty: 715-344-1833)		X
2	Alcoholic Beverages Served (Additional Permit Required—Contact City Clerk: 715-346-1569)		X	11	Financial Gain Activity	X	
3	Amplification Equipment	X		12	Fireworks—Please Explain Below: (Additional Permit Required—Contact Fire Department & Ask for Officer on Duty: 715-344-1833)		X
4	Amusement Rides/Inflatables (Certificate of Insurance Required—Contact City Clerk's Office: 715-346-1569)		X	13	Food Prepared/Served (Additional Permit Required—Contact Portage County Health Dept: 715-345-5350 AND Fire Dept—Email the Fire Marshal at: egana@stevenspoint.com)		
5	Boats/Snowmobiles/ATVs		X	14	Horses/Animals		X
6	Concession Sales	X		15	Musical Bands	X	
7	Drive Anything Into the Ground (Utility Location Required \$25—Contact Parks Department: 715-346-1531)		X	16	Portable Toilets		X
8	Electricity Needed	X		17	Vendor Displays/Sales	X	
9	Erection of Tents/Temporary Structures—Area Less than 400sq. ft.	X					

Additional Explanation Here:

I understand the filing of this application does not ensure the issuance of this permit. I also understand that all Special Event organizers and participants must comply with all applicable City Ordinances, traffic rules, park rules, state health laws, fire codes, and liquor licensing regulations. Additional fees such as park facilities, tent, and firework permits are in addition to the fees submitted for the Special Event Application.

NON-DISCRIMINATION, HOLD HARMLESS, INDEMNIFICATION AND DEFENSE

THE PERSON OR GROUP NAMED AS THE SPONSORING ORGANIZATION ON THIS APPLICATION WILL BE RESPONSIBLE FOR THE CONDUCT OF THE SPECIAL EVENT AND FOR THE CONDITION OF THE FACILITY. THE SPONSORING ORGANIZATION WILL NOT DENY ANY PERSON ANY BENEFIT OR OTHERWISE SUBJECT ANY PERSON TO DISCRIMINATION BECAUSE OF RACE, COLOR, CREED, NATIONAL ORIGIN, SEXUAL ORIENTATION, DISABILITY, RELIGION, GENDER IDENTITY, OR MEMBERSHIP IN ANY PROTECTED CLASS.

BY SIGNING THIS APPLICATION, THE SPONSORING PERSON OR ORGANIZATION LISTED ABOVE AGREES TO INDEMNIFY, DEFEND, AND HOLD THE CITY AND ITS OFFICERS, OFFICIALS, EMPLOYEES AND AGENTS HARMLESS AGAINST ALL CLAIMS, LIABILITY, LOSS, DAMAGE, OR EXPENSE INCURRED BY THE CITY ON ACCOUNT OF ANY INJURY TO OR DEATH OF ANY PERSON OR ANY DAMAGE TO PROPERTY CAUSED BY OR RESULTING FROM THE ACTIVITIES FOR WHICH THE PERMIT IS GRANTED.

NOTHING CONTAINED WITHIN THIS AGREEMENT IS INTENDED TO BE A WAIVER OR ESTOPPELS OF THE CONTRACTING MUNICIPALITY OR ITS INSURER TO RELY UPON THE LIMITATIONS, DEFENSES, AND IMMUNITIES CONTAINED WITHIN WISCONSIN LAW, INCLUDING THOSE CONTAINED WITHIN WISCONSIN STATUTES §§ 893.80, 895.52, AND 345.05. TO THE EXTENT THAT INDEMNIFICATION IS AVAILABLE AND ENFORCEABLE, THE CITY OF STEVENS POINT OR ITS INSURER(S) SHALL NOT BE LIABLE IN INDEMNITY OR CONTRIBUTION FOR AN AMOUNT GREATER THAN THE LIMITS OF LIABILITY FOR MUNICIPAL CLAIMS ESTABLISHED BY WISCONSIN LAW.

I hereby certify that the foregoing facts concerning my Special Event are true to the best of my knowledge:

Signature of Applicant:  Date: 2/1/2022



Portage St

West St



Playground at
Pfiffner Pioneer Park

sound gear

food vendors

Crosby Ave

art/community vendors

Pfiffner Pioneer Park
Park with the Pfiffner
Building

Crosby Ave

Green Circle Trail

Green Circle Trail

SPECIAL EVENT PERMIT APPLICATION

Application Fee: \$35

- ☐ Exempt (Veterans, Schools, Funerals) ☐ Small (Less Than 100 Attendees)
☐ Medium (100-500 Attendees) ☒ Large (500+ Attendees)

OFFICE USE ONLY:

DATE: 2/25/22
 AMOUNT: \$35
 RECEIPT: 1.088477

Insurance: Medium and Large Events are required by City Ordinance 12.28(6)b to submit a Certificate of Insurance providing minimum combined single bodily injury and property damage of \$1,000,000.

- Please Select One: ☐ New Event ☐ Return Event as Previously Presented ☒ Return Event w/ Changes
- Name of Event: Stevens Point PRIDE
- Name of Sponsoring Person or Organization: CREATE Portage County
 Address: PO Box 565 City: Stevens Point State: WI Zip Code: 54481
 Is this a 501 (C-3) non-profit organization? ☒ Yes ☐ No If Yes, Tax Exempt #: 20-1960836
- Contact Person: Greg Wright
 Phone: (715) 254-0460 Email: greg.w@createportagecounty.org Fax: N/A
 Address: PO Box 565 City: Stevens Point State: WI Zip Code: 54481
- Event Type: (Check All That Apply and Describe: Run/Walk, Concert, Festival, Picnic, Etc.)
☐ Athletic Event:
☐ Financial Gain Event on City Property:
☒ Free Public Event on City Property: Festival + Parade
☐ Private Event:
☒ Other: Stevens Point PRIDE
- Event Date(s): 6/11/22 Event Start Time: 12pm Event End Time: 11pm
- Set Up Date and Time: 8am, 10/11/22
- Event Assembly Location: Pfiffner Pioneer Park
 Event Dispersal Location (if different from Assembly Location): -
- Estimated Attendance Of:
 Participants/Vendors: 30 Spectators/Attendees: 3,000 Vehicles: - Animals: -
- Site Plan/Map of Event Attached [REQUIRED]: ☒ Yes ☐ No
 (Include Locations of Vendors, Tents, Portable Restrooms, Etc.)
- Street Closures Required? ☒ Yes ☐ No
 List of Street Blocks to Close for Event: CROSBY AVE, Chase Bank lot to Pfiffner Building
- Briefly Describe Your Event (You May Attach Additional Pages, If Needed):
Parade at 12 pm from Chase Bank parking lot to Pfiffner Building
Parking lot. Performances, vendors, and artists filling the park
from 12 - 11 pm
- Do You Require Any Other Special Assistance from the City?
N/A
- Describe any additional needs from the City or City Facilities (Barricades, Fencing, Garbage Cans, City Facilities, Parks, etc.):
Pfiffner bandshell, Parade route blocked from 11am-1pm on
event date.
- Police Presence Needed? ☐ Police ☐ Auxiliary Officer (Contact Lt. Mueller at jmueller@stevenspoint.com)
 Please Explain: N/A

16. Will You Have Any of the Following? Check the Appropriate Boxes:

		Yes	No			Yes	No
1	Admission/Entry Fee		X	10	Erection of Tents/Temporary Structures—Area Greater than 400sq. ft. (Additional Permit Required—Contact Fire Dept & Ask for Officer on Duty: 715-344-1833)	X	
2	Alcoholic Beverages Served (Additional Permit Required—Contact City Clerk: 715-346-1569)	X		11	Financial Gain Activity		X
3	Amplification Equipment	X		12	Fireworks—Please Explain Below: (Additional Permit Required—Contact Fire Department & Ask for Officer on Duty: 715-344-1833)		X
4	Amusement Rides/Inflatables (Certificate of Insurance Required—Contact City Clerk's Office: 715-346-1569)	(X)	<i>SPR</i>	13	Food Prepared/Served (Additional Permit Required—Contact Portage County Health Dept: 715-345-5350 AND Fire Dept—Email the Fire Marshal at: egana@stevenspoint.com)	X	
5	Boats/Snowmobiles/ATVs		X	14	Horses/Animals		X
6	Concession Sales		X	15	Musical Bands	X	
7	Drive Anything Into the Ground (Utility Location Required \$25—Contact Parks Department: 715-346-1531)		X	16	Portable Toilets		X
8	Electricity Needed	X		17	Vendor Displays/Sales	X	
9	Erection of Tents/Temporary Structures—Area Less than 400sq. ft.	X					

Additional Explanation Here:

Children's bounce house + tent available this year.

I understand the filing of this application does not ensure the issuance of this permit. I also understand that all Special Event organizers and participants must comply with all applicable City Ordinances, traffic rules, park rules, state health laws, fire codes, and liquor licensing regulations. Additional fees such as park facilities, tent, and firework permits are in addition to the fees submitted for the Special Event Application.

NON-DISCRIMINATION, HOLD HARMLESS, INDEMNIFICATION AND DEFENSE

THE PERSON OR GROUP NAMED AS THE SPONSORING ORGANIZATION ON THIS APPLICATION WILL BE RESPONSIBLE FOR THE CONDUCT OF THE SPECIAL EVENT AND FOR THE CONDITION OF THE FACILITY. THE SPONSORING ORGANIZATION WILL NOT DENY ANY PERSON ANY BENEFIT OR OTHERWISE SUBJECT ANY PERSON TO DISCRIMINATION BECAUSE OF RACE, COLOR, CREED, NATIONAL ORIGIN, SEXUAL ORIENTATION, DISABILITY, RELIGION, GENDER IDENTITY, OR MEMBERSHIP IN ANY PROTECTED CLASS.

BY SIGNING THIS APPLICATION, THE SPONSORING PERSON OR ORGANIZATION LISTED ABOVE AGREES TO INDEMNIFY, DEFEND, AND HOLD THE CITY AND ITS OFFICERS, OFFICIALS, EMPLOYEES AND AGENTS HARMLESS AGAINST ALL CLAIMS, LIABILITY, LOSS, DAMAGE, OR EXPENSE INCURRED BY THE CITY ON ACCOUNT OF ANY INJURY TO OR DEATH OF ANY PERSON OR ANY DAMAGE TO PROPERTY CAUSED BY OR RESULTING FROM THE ACTIVITIES FOR WHICH THE PERMIT IS GRANTED.

NOTHING CONTAINED WITHIN THIS AGREEMENT IS INTENDED TO BE A WAIVER OR ESTOPPELS OF THE CONTRACTING MUNICIPALITY OR ITS INSURER TO RELY UPON THE LIMITATIONS, DEFENSES, AND IMMUNITIES CONTAINED WITHIN WISCONSIN LAW, INCLUDING THOSE CONTAINED WITHIN WISCONSIN STATUTES §§ 893.80, 895.52, AND 345.05. TO THE EXTENT THAT INDEMNIFICATION IS AVAILABLE AND ENFORCEABLE, THE CITY OF STEVENS POINT OR ITS INSURER(S) SHALL NOT BE LIABLE IN INDEMNITY OR CONTRIBUTION FOR AN AMOUNT GREATER THAN THE LIMITS OF LIABILITY FOR MUNICIPAL CLAIMS ESTABLISHED BY WISCONSIN LAW.

I hereby certify that the foregoing facts concerning my Special Event are true to the best of my knowledge:

Signature of Applicant: *Christy Keen* Date: 11/27/22



 Road closed
(11am-1pm)

 Parade
Route

PRIDE Map 2022

SPECIAL EVENT PERMIT APPLICATION

Application Fee: \$35

- ☒ Exempt (Veterans, Schools, Funerals) ☐ Small (Less Than 100 Attendees)
☐ Medium (100-500 Attendees) ☐ Large (500+ Attendees)

OFFICE USE ONLY:

DATE: _____

AMOUNT: _____

RECEIPT: _____

Insurance: Medium and Large Events are required by City Ordinance 12.28(6)b to submit a Certificate of Insurance providing minimum combined single bodily injury and property damage of \$1,000,000.

- Please Select One: ☐ New Event ☒ Return Event as Previously Presented ☐ Return Event w/ Changes
- Name of Event: Trivia Parade
- Name of Sponsoring Person or Organization: www.sp/friends of 90 FM
 Address: 1101 Reserve St. City: Stevens Point State: WI Zip Code: 54481
 Is this a 501 (C-3) non-profit organization? ☒ Yes ☐ No If Yes, Tax Exempt #: _____
- Contact Person: Jim Oliva
 Phone: 715-321-0601 Email: theo3@dwave.net Fax: _____
 Address: 3520 Burr Oak Ct City: Plover State: WI Zip Code: 54467
- Event Type: (Check All That Apply and Describe: Run/Walk, Concert, Festival, Picnic, Etc.)
☐ Athletic Event: _____
☐ Financial Gain Event on City Property: _____
☐ Free Public Event on City Property: _____
☐ Private Event: _____
☒ Other: PARADE
- Event Date(s): April 8, 2022 Event Start Time: 4:00P Event End Time: 4:50P
- Set Up Date and Time: April 8, 2022 3:00PM
- Event Assembly Location: Lot Q
 Event Dispersal Location (if different from Assembly Location): PS JACOBS parking lot
- Estimated Attendance Of:
 Participants/Vendors: 80 Spectators/Attendees: 200 Vehicles: 12 Animals: _____
- Site Plan/Map of Event Attached [REQUIRED]: ☐ Yes ☐ No
 (Include Locations of Vendors, Tents, Portable Restrooms, Etc.) SAME ROUTE as past years
- Street Closures Required? ☒ Yes ☐ No (If "Yes" Certificate of Insurance providing minimum combined single bodily injury and property damage of \$1,000,000 is required regardless of event size).
- List of Street Blocks to Close for Event: www.90FMTRIVIA.ORG - Parade Route
- Briefly Describe Your Event (You May Attach Additional Pages, If Needed):
PARADE

- Do You Require Any Other Special Assistance from the City?
Temporary Stoppage of traffic

- Describe any additional needs from the City or City Facilities (Barricades, Fencing, Garbage Cans, City Facilities, Parks, etc.):

- Police Presence Needed? ☒ Police ☐ Auxiliary Officer (Contact Lt. Mueller at jmueller@stevenspoint.com) Please Explain: Control Traffic

RECEIVED
 MAR 09 2022
 CITY CLERKS
 OFFICE

16. Will You Have Any of the Following? Check the Appropriate Boxes:

	Yes	No		Yes	No
1 Admission/Entry Fee		X	10 Erection of Tents/Temporary Structures—Area Greater than 400sq. ft. (Additional Permit Required—Contact Fire Dept & Ask for Officer on Duty: 715-344-1833)		X
2 Alcoholic Beverages Served (Additional Permit Required—Contact City Clerk: 715-346-1569)		X	11 Financial Gain Activity		X
3 Amplification Equipment		X	12 Fireworks—Please Explain Below: (Additional Permit Required—Contact Fire Department & Ask for Officer on Duty: 715-344-1833)		X
4 Amusement Rides/Inflatables (Certificate of Insurance Required—Contact City Clerk's Office: 715-346-1569)		X	13 Food Prepared/Served (Additional Permit Required—Contact Portage County Health Dept: 715-345-5350 AND Fire Dept—Email the Fire Marshal at: egana@stevenspoint.com)		X
5 Boats/Snowmobiles/ATVs		X	14 Horses/Animals		X
6 Concession Sales		X	15 Musical Bands		X
7 Drive Anything Into the Ground (Utility Location Required \$25—Contact Parks Department: 715-346-1531)		X	16 Portable Toilets		X
8 Electricity Needed		X	17 Vendor Displays/Sales		X
9 Erection of Tents/Temporary Structures—Area Less than 400sq. ft.		X			

Additional Explanation Here:

I understand the filing of this application does not ensure the issuance of this permit. I also understand that all Special Event organizers and participants must comply with all applicable City Ordinances, traffic rules, park rules, state health laws, fire codes, and liquor licensing regulations. Additional fees such as park facilities, tent, and firework permits are in addition to the fees submitted for the Special Event Application.

NON-DISCRIMINATION, HOLD HARMLESS, INDEMNIFICATION AND DEFENSE

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BY SIGNING THIS APPLICATION, THE SPONSORING PERSON OR ORGANIZATION LISTED ABOVE AGREES TO INDEMNIFY, DEFEND, AND HOLD THE CITY AND ITS OFFICERS, OFFICIALS, EMPLOYEES AND AGENTS HARMLESS AGAINST ALL CLAIMS, LIABILITY, LOSS, DAMAGE, OR EXPENSE INCURRED BY THE CITY ON ACCOUNT OF ANY INJURY TO OR DEATH OF ANY PERSON OR ANY DAMAGE TO PROPERTY CAUSED BY OR RESULTING FROM THE ACTIVITIES FOR WHICH THE PERMIT IS GRANTED.

NOTHING CONTAINED WITHIN THIS AGREEMENT IS INTENDED TO BE A WAIVER OR ESTOPPELS OF THE CONTRACTING MUNICIPALITY OR ITS INSURER TO RELY UPON THE LIMITATIONS, DEFENSES, AND IMMUNITIES CONTAINED WITHIN WISCONSIN LAW, INCLUDING THOSE CONTAINED WITHIN WISCONSIN STATUTES §§ 893.80, 895.52, AND 345.05. TO THE EXTENT THAT INDEMNIFICATION IS AVAILABLE AND ENFORCEABLE, THE CITY OF STEVENS POINT OR ITS INSURER(S) SHALL NOT BE LIABLE IN INDEMNITY OR CONTRIBUTION FOR AN AMOUNT GREATER THAN THE LIMITS OF LIABILITY FOR MUNICIPAL CLAIMS ESTABLISHED BY WISCONSIN LAW.

I hereby certify that the foregoing facts concerning my Special Event are true to the best of my knowledge:

Signature of Applicant: [Signature] Date: 3/9/22

*****Signature of Approval*****

Signature of City Clerk: _____ Date: _____

The Trivia Parade

The Trivia Parade begins at 4:00 PM Friday of the contest and winds through the campus of UWSP. Teams can register to be in the parade while registering your team for Trivia. You and your team are invited to participate with a float of your own or just come and watch the most absurd collection of Trivia Players ever assembled. Don't miss out on a good time, plenty of candy, usually some rain, and you'll be ready to play Trivia at six o'clock without any problem.

Parade Route for Trivia Parade

Starting in Lot Q

West on Maria Drive to Isadore Street, Turn left.

South on Isadore Street to Portage Street, Turn left.

East on Portage Street to Phillips Street, Turn right.

South on Phillips Street to College Avenue, Turn left.

East on College Street to Reserve, Turn left.

North on Reserve to High Street, Turn right.

East on High to Fremont Street, Turn right.

South on Fremont to Simms Avenue, Turn left.

East on Simms into the P.J. Jacobs parking lot.

ORDINANCE AMENDING THE REVISED MUNICIPAL CODE OF THE CITY OF STEVENS POINT, WISCONSIN

The Common Council of the City of Stevens Point do ordain as follows:

SECTION I: That Section 12.28 of the Revised Municipal Code of the City of Stevens Point, Special Event Permits, is hereby **created** as follows:

12.28 SPECIAL EVENT PERMITS

(1) **PURPOSE.** Special events are community events such as parades on City streets, athletic events, charity walks and runs, music festivals, and other events that meet the definition in this chapter. Such events are allowed subject to the reasonable requirements of this chapter, City ordinances and of the policies and procedures of City departments. The Common Council finds such requirements necessary to promote the equitable and efficient use, and continued protection of limited public park and other lands, to allow for the efficient use of limited City staff resources through proper planning for such events, and to protect the public health, safety, and welfare.

(2) **DEFINITIONS.** In this ordinance:

(a) “Large Event” means a special event with an estimated attendance of 500 or more people.

(b) “Medium Event” means a special event with an estimated attendance of between 100 and 500 people.

(c) “Small Event” means a special event with an estimated attendance of less than 100 people.

(d) “Exempt Event” means any of the following:

- i. Special events sponsored by the City or veterans groups.
- ii. Elementary and secondary school events under the direction and supervision of school authorities.
- iii. Funeral processions.

(e) “Recurring Event” means a special event that occurs on multiple occasions within a calendar year, each of which is substantially similar in terms of location, expected attendance, and other factors relevant to the administration of this ordinance.

~~(e)~~(f) “Special event” is defined as follows:

- i. A special event shall mean a scheduled public gathering of persons, on City property and/or public right of way, which is open to the public and to which any of the following apply:
 1. Over 100 persons are expected to attend in a single day; or
 2. At which concessions are to be sold, such as food or beverages; or
 3. At which merchandise or other items are to be sold, such as clothing or crafts; or
 4. At which fireworks are to be discharged; or
 5. At which an entry fee or admission is charged for participation or inclusion; or
 6. At which over 2 half-barrels of fermented malt beverage or wine are to be present; or
 7. At which intoxicating liquor will be served; or
 8. Which will reasonably require, based on then existing City policies and procedures, the provision of City support services to accommodate the event on public property
- ii. A special event is open to the public at a predetermined location on public property, including but not limited to City parks, streets, and sidewalks. Events held solely on private property or public property not owned or managed by the City are not Special Events. The Saturday farmers market held on the Mathias Mitchell Public Square is not a Special Event.
- iii. Marches, public assemblies, and other events held primarily for the purpose of conducting activities protected by the First Amendment to the United States Constitution are not Special Events.

(3) APPLICATION AND PERMIT

- (a) **Permit required.** A Special Event shall have a special event permit. It is unlawful for a special event to take place without a special event permit. Any person who organizes, holds, operates, controls, or directs a Special Event for which a permit has not been issued shall be subject to the penalties identified in this Section. Recurring events may be permitted based upon a single application and permit which covers all instances of the event within a single calendar year.
- (b) **Filing of application.** Any person, group, organization, or association desiring to hold a Special Event shall file an application with the City Clerk's Office. Special Events requiring Common Council approval shall be filed at least 60 calendar days prior to the Special Event. For all other Special Events the application shall be filed at least 30 calendar days prior to the Special Event.

(c) **Contents of Application.** The application shall contain the following information:

- i. A completed application form, the contents of which shall be determined by the City Clerk's office and updated as needed from time to time.
- ii. An accurate map and layout of the proposed use of the public property requested.
- iii. A non-refundable application processing fee as indicated on the City of Stevens Point License and Permit Fee Schedule.

(d) **Approval or Denial of Permit.** Review and approval of special events permits shall occur as follows:

- i. **Common Council Approval.** Approval by the Common Council is required for any Special Event for which any of the following apply:
 1. At which 1,000 people or more are expected to attend.
 2. At which 6 or more half barrels of fermented malt beverage or wine are to be present or served over the duration of the event.
 3. At which alcohol will be served on the streets, sidewalks, alleys, or boulevards of the City.
 4. The event requires the closing of a street.
- ii. **Administrative Approval.** All special events not requiring Common Council approval may be reviewed and approved by City staff as follows:
 1. The City Clerk shall refer any incomplete applications back to the applicant to provide the missing information. The City Clerk shall provide completed applications to the Parks Director if the event involves any City Park; to the Public Works Director if the event involves the use of sidewalks, streets, or other public right of way; and to the Chief of Police for all medium and large events and events at which alcohol will be sold or provided to attendees. The City Clerk shall also refer completed applications to the Fire Chief or designee for a determination of whether the applicant would need to take measures to comply with any regulations or ordinances administered by the Fire Department.
 2. Permits may be approved, approved with conditions, or denied based upon physical availability of the requested event space, the limited availability of City staff whose services would be

needed in connection with the event, the compatibility of the proposed event with other users of the physical space where it will occur and other previously scheduled events, compliance with City ordinances and License and Permit Fee Schedule, potential damage to the proposed facility, the ability to follow health department food regulations, to protect public health, safety or welfare, or due to violation of this section, the Revised Municipal code, or applicable state or federal law. The City Clerk, Chief of Police, and Parks Director and/or Public Works Director, if applicable, must all approve an application for the permit to be issued. If the applicant has held one or more special events in the past, the history of such events may be considered in determining whether an application will be approved. Applications not requiring approval by the Common Council shall be either approved, approved with conditions, or denied within 15 business days of the filing of the application.

3. The applicant shall be required to meet with the City Clerk or Chief of Police or their designees to review the Special Event application for all first-time events, events with significant changes from the previous year's event, or for events which generated complaints or violated City ordinances when previously held. Such meeting may be conducted in person or remotely at the discretion of the relevant City staff.

(e) **Appeal of Permit Denials.** An administrative denial of a permit may be appealed to the Common Council and heard at their next regularly scheduled meeting, provided that the request for an appeal is received no later than 4:00P.M. on the Tuesday preceding such meeting. Any appeal requests received subsequent to that time shall be heard at the Common Council meeting held at the regularly scheduled time and date in the following month. Denials of permits by the Common Council or denials of appeals by the Common Council under this subsection shall not be reviewable by the Administrative Review Board under RMC 3.56.

(f) **Street Closures.** All events requiring street closures shall require approval by the Common Council for such closures. This includes events which are otherwise held solely on private property. This is including but not limited to running and walking events where the start and end location is on private property. Street closures shall be coordinated by the Police Department and, if necessary, Public Works Department and may be subject to additional fees for staff time as appropriate.

(f)(g) **Fees.** No later than 10 days prior to the date of the special event, the applicant for a special event permit shall pay the appropriate fees for the City

services needed for the event as set forth in the License and Permit Fee Schedule no later than 10 days prior to the date of the special event. The City Clerk may establish reasonable fees for provision of additional City services requested by the applicant if such services are not set forth in the License and Permit Fee Schedule. Contractual police officers may be required by the Chief of Police if deemed necessary at the Chief's discretion due to the size of the event, location of the event, presence of alcohol, duration of the event, or other appropriate factors which would necessitate the presence of sworn officers. Approved permits shall be issued upon payment of appropriate fees. Additional fees may be imposed based upon other provisions of the Revised Municipal Code, including but not limited to alcohol licensing fees, or for use of City equipment or facilities, including but not limited to standard fees for use of City Parks facilities and buildings.

~~(g)~~(h) **Refunds.** Permit fee payments may be refunded, other than the non-refundable application fee, if an application for a special event permit is denied by the City Clerk or if notification of cancellation of a permitted special event is received by the City Clerk at least 10 working days prior to the scheduled event.

(4) **ALCOHOL SALES.** It is the responsibility of the special event permit holder to obtain the appropriate license for alcohol sales pursuant to RMC 12.14 if alcohol is to be provided at the special event in a manner that requires any type of licensing pursuant to Wis. Stats. Ch. 125. Such licensing is separate and distinct from any Special Events permit issued under this Section. The license holder shall, in addition to all other requirements of the law, the City liquor license, and this section, take reasonable steps to ensure that alcohol beverages are consumed only by persons who are of legal drinking age, and not by persons who are not of age or who are intoxicated. Reasonable steps shall include the use of wristbands to indicate individuals of legal drinking age, the use of clear cups to serve alcohol, the prohibition of consumption of alcohol by bartenders while on duty, prohibition of sales to anyone under 21 years of age even if accompanied by parent or guardian, and supervision of the area by security and staff personnel. Reasonable steps may also include, especially for larger or longer duration events, the use of barriers and fences to enclose the area where alcohol is to be consumed, and/or police services fee per the provisions contained in this Section. Failure to take reasonable steps and use them at all times when alcohol is sold is grounds for termination of the event, issuance of a City ordinance citation, or denial of an alcohol licensing or special events permit in the future.

(5) **CONTENTS OF PERMIT.** Each special events permit shall state the following information:

(a) The name, address, home and business telephone numbers of the person or organization named on the permit.

(b) A description of activity for which the permit has been issued.

- (c) The date, hours, and location for the special event.
- (d) The expiration time and date.
- (e) When possible, the estimated attendance for the special event.
- (f) Where applicable for parades, the minimum and maximum speeds, and maximum intervals of space to be maintained by units of a parade.
- (g) Portions of the streets that may be occupied by the special event.
- (h) Such other information as the City Clerk shall find necessary to the enforcement of this section.

(6) PERMIT REGULATIONS.

- (a) **City Not Liable.** The special event permit application shall contain a statement that: “To the fullest extent permitted by law, the applicant shall indemnify, hold harmless, and defend the City, its officers, directors, and employees, from all demands, judgments, losses and all suits at law or in equity, costs and expenses including reasonable attorney fees, for injury or death of any person or loss or damage to the property of any person, firm, organization or corporation, including both parties thereto and their employees, arising as a consequence of granting of the permit for such special event. Nothing contained herein shall waive the City’s rights and defenses under Section 893.80, Wis. Stats., or any subsequent amendments thereto.” No permit may be issued unless the applicant has agreed to the terms of this statement on the written application.

- (b) **Insurance.**

- i. Each applicant for a medium or large event, and any event requiring Common Council approval, shall furnish with the application fee submitted to the City Clerk a certificate of insurance written by a company licensed in the State of Wisconsin, approved by the City and covering any and all liability or obligations which may result from the operations by the applicant’s employees, agents, contractors or subcontractors, and including worker’s compensation coverage in accordance with Ch. 101, Wis. Stats. The certificate shall provide that the company will furnish the City with a 10-day written notice of cancellation, non-renewal or material change. The insurance shall be written in comprehensive form and shall protect the applicant and City against all claims arising from injuries to members of the public or damage to property of others arising out of any act or omission of the applicant, its employees, agents, contractors and subcontractors.

- ii. The policy of insurance shall provide minimum combined single bodily injury and property damage of \$1,000,000.00, or such other insurance as deemed to be adequate by the City Attorney.

(c) **No discrimination.** The special event permit application shall contain a statement that: “The applicant agrees that the sponsoring organization will not exclude any person from the public area described in the permit on the basis of membership in any protected class.” No permit may be issued unless the applicant has agreed to the terms of this statement on the written application.

(7) **PENALTY.** Any person violating any violation of this section, upon conviction, shall forfeit a maximum of \$500 and the costs and disbursements of such action, and in default of payment thereof be confined to the county jail for not more than 20 days, or until such forfeiture costs are paid.

SECTION II: This ordinance shall take effect upon passage and publication, as provided by law.

APPROVED: _____
Mike Wiza, Mayor

ATTEST: _____
Kari Yenter, City Clerk

Dated: March 10, 2022
Approved: March 7, 2022
Published: March 21, 2022



Memo

Mark Kordus
Neighborhood Improvement Coordinator
Community Development
City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481
Ph: (715) 346-1567 • Fax: (715) 346-1498
mkordus@stevenspoint.com

To: Public Protection Committee
From: Mark Kordus
CC: Ryan Kernosky and Andrew Beveridge
Date: 3/4/22
Subject: Chapter 21 "BUILDING AND PREMISES MAINTENANCE AND OCCUPANCY" Proposed Code Revisions to Sections 21.08 - 21.19

Attached you will find proposed revisions to Chapter 21 for the second section of the beyond the definitions section reviewed at last month's meeting. While the goal is to revise all sections, this will be reviewed in smaller individual portions, rather than as a whole all at once. This third and final portion of the code will only involve sections 21.08 Maximum Density, Minimum Space, Use and Location Requirements through the last section 21.19 Abatement of Graffiti. Some of these are minor housekeeping items, and others move sections which don't belong from a regulatory perspective to the appropriate section in which they do more closely align, or if they are defined in other sections of municipal code they were removed and incorporated then by reference. These changes are a cumulation of complaints received, issues observed in the field, gaps in code, and ideally revising sections for the betterment of the overall community, while creating flexibility in other areas. The major changes within these individual code sections are outlined in more detail below, with specific code sections referenced:

21.08(2)(a-c) – This is a change that was subject to over a year of research and discussion with the building inspection department. These recommended changes are a product of inspections performed over the last 3 years, largely at properties which living space was expanded or converted, typically in the 1960s-1970s. Upon inspection many of these, even though permits were verified as issued for the living space conversion or expansion, did not comply with the Chapter 21 requirements, of which they would be subject to as the addition or expansion was done prior to adoption of the state-wide Uniform Dwelling Code (UDC) in 1980. They were not grossly non-complaint with current codes, we looked at dimensional height standards encountered for these properties in the field and modified the requirements to meet basic safety head height concerns to what we believe were the general standards enforced by the building inspectors at the time the original permits were issued over 42+ years ago.

21.08(3)(a) Added language specific to moisture, humidity and mold, which are commonly encountered, but were lacking code specifics for enforcement.

21.03(4)(a-c) - These sections are referring to physical items within the trash and recycling containers, this should be moved to Chapter 7 Health and Sanitation which specifically deals with the actual refuse and recycling items in those containers. I have discussed this with the public works director and they are aware of and support this change.

21.10(5) – Changes confidential information to simply match state and federal law to the extent allowable under either.

21.13(1)(b)(1) – This allows for the code official to request a compliance plan and/or the use of best management practices for larger or more complex violations. Allowing flexibility for the owner and in enforcement compliance standards.

21.13(1)(d) – Changes compliance timelines from a rigid not to exceed 60 days to something more flexible based upon type and complexity of the violation.

21.15(1)(b)(1-8) – revises public nuisance language to more closely reflect and include statutory nuisance language.

21.15(1)(c)(2) – Authorizes code official to placard a building for continued no-compliance of health or safety related items.

21.15(1)(f) – adds statutory language relative to applying unpaid charges or fees as a special charge to property taxes.

21.19 – removed the definitions from within this section and moved them to the definitions section at the beginning with all the others.

A general informational meeting open to the public will be held on March 30th at 6:00 PM to explain the major changes that are proposed to Chapter 21, listen to concerns, and answer questions related to the code amendments prior to being submitted to City Council in April.

MAINTENANCE AND OCCUPANCY

21.08 MAXIMUM DENSITY, MINIMUM SPACE, USE AND LOCATION REQUIREMENTS. No person shall occupy or let to be occupied any dwelling or dwelling unit for the purpose of living therein unless there is compliance with the requirements of this section.

(1) The maximum occupancy of any dwelling shall not exceed any of the following requirements (Note: see the definition of *Family* which is regulated and defined in the Zoning Code, and may be more restrictive as to total occupancy):

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(a) For each occupant at least one hundred twenty five (125) square feet of floor space, the floor space to be calculated on the basis of total habitable room area.

(b) Parking shall be provided as indicated in the Zoning Code.

(2) Ceiling height requirement for habitable rooms including bathrooms, water closet compartments, stair/hall ways and areas used for food preparation shall be as follows:

a. The ceiling height of any in dwellings constructed after 1980, or if the use or structure was altered after 1980, shall comply with the Building Code in place at the time of construction or alteration.

b. The ceiling height for habitable rooms in dwellings constructed prior to 1980, either through permit verification or assumption in absence of records, shall have a minimum clear flush ceiling height of six feet-four inches (6'-4") provided there are no protrusions anywhere below that point on the ceiling including any beams, girders, ducts, light fixtures, fans and similar obstructions. If any of these conditions exist, then a ceiling height of at least seven (7') feet is required, with a minimum clear height of six feet-four inches (6'-4") under beams, girders, ducts, light fixtures, fans and similar obstructions.

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c. Habitable rooms under all, or a portion of, a sloping ceiling shall meet the minimum ceiling height requirement as described above, for not less than one third (1/3) of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a minimum clear ceiling height of five feet (5') shall be included.

(3) No space located partially below grade shall be approved for use as a habitable room of a dwelling unit unless:

(a) The floor and those portions of the walls are constructed such that they prevent undue moisture from entering into, or accumulating within the dwelling unit, and is able to maintain healthy indoor humidity levels below that which may promote regularly occurring visible mold growth.

(b) The minimum window area is equal to at least that required in subsection 21.05(1) and such window area is located entirely above the grade of the ground adjoining such window area, or if windows are located wholly or partly below grade there be constructed a properly drained window well whose open space is equal to or greater than the area of the masonry opening for the window; the bottom of the window well is below the top of the impervious masonry construction under the window and the minimum horizontal distance at a right angle from any point of the window well is equal to or greater than the vertical depth of the window well as measured from the bottom of the masonry opening of the window.

(c) The total openable window area in each room is equal to at least the minimum as required under subsection 21.05 (2) of this ordinance, except where some other approved devices affording adequate ventilation and humidity control are supplied.

(d) There are no pipes, ducts, or other obstructions less than six feet four inches (6'4") above the floor level which interfere with the normal use of the room or area.

(4) No space located more than four (4) feet below grade shall be used as a habitable room of a dwelling unit, or let to another, unless proper egress is provided.

(5) In every dwelling unit of two (2) or more rooms, every room occupied for sleeping purposes shall contain at least seventy (70) square feet of sleeping room space for the first occupant eighteen years of age or older, and at least fifty (50) square feet of floor space for each additional occupant thereof eighteen years of age or older. In every dwelling unit of two (2) or more rooms occupied by a family related by blood or marriage, every room occupied for sleeping purposes shall contain at least fifty (50) square feet of floor space for each occupant less than eighteen years of age. If the largest room occupied for sleeping purposes in each dwelling unit of two (2) or more rooms occupied by a family is less than the above standards, that room shall have a minimum occupancy of two persons regardless of the room size for the purposes of calculating occupancy. Occupancy greater than two shall conform to the standards contained in this ordinance. Every room used for sleeping purposes shall have immediate passage to at least four (4) square feet of floor-to-ceiling height closet space for personal effects of each permissible occupant; if it is lacking, in whole or in part, an amount of space equal in square footage to the deficiency shall be subtracted from the area of sleeping room space used in determining permissible occupancy.

(6) No dwelling or dwelling unit containing two (2) or more sleeping rooms shall have such room arrangements that access to a bathroom or water closet compartment intended for use

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by occupants of more than one (1) sleeping room can be had only by going through another sleeping room, nor shall room arrangements be such that access to a sleeping room can be had only by going through another sleeping room. A bathroom or water closet compartment shall not be used as the only passageway to any habitable room, hall, basement, or cellar or to the exterior of the dwelling unit.

(7) Minor modifications or modifications with conditions to the requirements of this section may be approved by the Code Official after taking into account such factors as general intent of the Code, total lot size, size of the unit and sleeping rooms, number of units in the building, compatibility with the surrounding uses, and other factors necessary to protect the public health and safety.

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21.09 ADOPTION OF PLANS OF INSPECTION BY THE CODE OFFICIAL. The Code Official is hereby authorized and directed to develop and adopt plans, policies and procedures for the inspection of premises subject to the provisions of this ordinance and applicable State law.

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21.10 INSPECTION: POWERS AND DUTIES OF THE CODE OFFICIAL.

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(1) The Code Official shall enforce the provisions of this ordinance and is hereby authorized and directed to make inspections pursuant to one (1) or more of the plans for inspection authorized by subsection 21.09 in response to a complaint that an alleged violation of the provisions of this ordinance or of applicable rules or regulations pursuant thereto may exist or when the Code Official has valid reason to believe that a violation of this ordinance or any rules and regulations pursuant thereto has been or is being committed.

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(2) The Code Official is hereby authorized to enter and inspect all premises subject to the provisions of this ordinance for the purpose of determining whether there is compliance with its provisions. In the case of dwellings where the owner of record is not the individual residing there, the Inspector may enter by invitation of a valid leaseholder tenant.

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(3) The Code Official and the owner, occupant, leaseholder or other person in charge of a premise subject to this ordinance may agree to an inspection by appointment.

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(4) The owner, occupant, tenant or other person in charge of a premise, upon presentation of proper identification by the Code Official and a copy of any relevant plan of inspection pursuant to which entry is sought, shall give the Code Official entry and free access to every part of the premise surrounding any of these.

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(5) The Code Official shall keep confidential any personal information or complaint source information as anonymous, if specifically so requested, to the extent allowable under State or Federal law.

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Deleted: all evidence which he may discover or obtain in the course of an inspection made pursuant to this section and such evidence shall be considered privileged.

(6) If any owner, occupant, or other person fails or refuses to permit free access and entry to the structure or premise under his control, or any part thereof, with respect to which an inspection authorized by this ordinance is sought to be made, the Code Official may, upon a showing that probable cause exists for the inspection and for the issuance of an order directing compliance with the inspection requirements, petition and obtain such order from a court of competent jurisdiction.

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(a) When required, the Code Official shall obtain a warrant to inspect.

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(b) Any person who refuses to comply with an order issued pursuant to this section shall be subject to such penalties as may be authorized by law for violation of a court order.

21.11 Voluntary Residential Rental Inspection Program

- (1) Purpose. The purpose of this program is to ensure rental properties are safe and healthy for renters, that they are regularly maintained, and to reduce the potential of blighting influences on neighborhoods.
- (2) Scope. This is a voluntary program of rental inspections. The inspection(s) for this program would be for basic health and safety issues, which will be developed as a standardized checklist by the City's Department of Community Development for use by any persons, public or private, qualified to perform said inspections.
- (3) Checklist. A City developed standardized checklist and any addenda to clarify any checklist items would be used for the inspection. Any working guidance deemed necessary or requested as clarification for checklist items would be developed by the City's Department of Community Development. This checklist is subject to change from time to time, as determined by the City's Community Development Department.
- (4) Inspector or Inspecting Agency. The City or a privately licensed State of Wisconsin Uniform Dwelling Code (UDC) – Construction Inspector or State of Wisconsin Department of Safety and Professional Services (DSPS) Home Inspector, inspect the residential rental property as part of this program. If the inspection is not performed by the City, the following conditions would apply:
 - a) The inspector must provide to the City a copy of their certification as a licensed State of Wisconsin Uniform Dwelling Code (UDC) – Construction Inspector or State of Wisconsin Department of Safety and Professional Services (DSPS) Home Inspector.
 - b) The inspector must provide a completed City inspection form for each unit/area and any associated notes or corrections that were required for compliance.
 - c) The inspection will not be considered complete until the property is deemed complaint by the inspector with all of the checklist items identified.
 - d) The inspector must sign and provide an affidavit of physical inspection, including dates of inspections, any corrections required, dates completed, and description of unit(s) and area(s) inspected.
 - e) The inspector must also attest that they, or their company have no financial, ownership, business interest in or work for a management company responsible for the properties inspected. Such attestation shall be in writing on a form approved by the Building Inspection Superintendent.
- (5) Right to Audit Inspection. If Community Development Department staff have reason to believe that an inspection performed by a third-party was done inappropriately, the City reserves the right to perform an independent inspection to determine compliance with this program. If the owner refuses to allow the City to inspect the property, the certificate will be immediately revoked. If during the audit inspection no violations are found, the owner shall not be charged the fee under Section 8 for the inspection.

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- (6) **Prohibition of Inspector.** If a third-party inspector completes an inspection on a property and that property has been audited and found to be in violation of this program for a second time, that non-City inspector shall not be allowed to participate in this program for a period of at least five years, unless approved by the Building Inspection Superintendent.
- (7) **Owner to Provide Access.** The owner of the property will be responsible for scheduling the times for inspection and receiving any needed access or permissions from the tenant.
- (8) **Fee.** The fee for this program is outlined in the most recently adopted Community Development Department Fee Schedule. The City inspection cost will be reduced by 50% for each unit that was self-pre-inspected by the owner and no items of non-compliance were found during the inspection. The trip charge would remain the same. Reinspections, if needed for non-compliant items, would be billed as outlined in the aforementioned fee schedule.
- (9) **Units Required to be Inspected.** The number of units to be inspected shall be as follows:

Total Units on Property	Number of Units Required to be Inspected	Common Areas	Pre-Inspection Credit
1-4	All	All	Units are eligible for the pre-inspection credit
5-23	20% (minimum of 4) Units must be randomly selected by the inspector	All	Units are not eligible for the pre-inspection credit
24+	20% (minimum of 4) Units must be randomly selected by the inspector	All	Units are not eligible for the pre-inspection credit

- (10) **Local Contact.** If the owner does not reside within a 50 mile commute of the property, the owner must provide the City with a designated agent who can make decisions relating to the operation and maintenance for the property. The following contact information is required: name, address, phone number, and email address.
- (11) **Certificate.** A certificate of inspection shall be issued and posted at the property upon approval and completion. The certificate shall be good for a period of five years from the date of certification unless revoked according to the terms of this Section.
- (12) **List of Certified Rentals.** The City will be responsible for maintaining the list of certified properties, along with the inspector or inspection company who performed the inspection. Such list will be posted on the City's website.
- (13) **Revocation of Certificate.** Should violations be found on the property following the issuance of the certificate, the owner shall abate such violations within the timeframe provided by the City. If the violations are not abated within that timeframe, the City shall

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have the right to revoke the property's certificate. Should the certificate be revoked, the owner must reapply and meet all requirements of the program to be reinstated.

21.12 INTERPRETATION, POLICIES AND PROCEDURES. The Code Official is hereby authorized to interpret, enact policies and procedures, as they deem necessary to aid in the carrying out of the purpose and intent of this ordinance.

21.13 NOTICE OF VIOLATION.

(1) Whenever the Code Official determines that any premise or premise unit fails to meet the requirements set forth in this ordinance or in applicable rules and regulations issued pursuant thereto, except for provisions regulating exterior premises, he may issue a notice setting forth the alleged violations of this ordinance and advise the owner, occupant, operator, or agent that such violations must not exist. This notice may:

(a) Be in writing.

(b) Set forth the alleged violations of this ordinance or of applicable rules and regulations issued pursuant thereto.

(1) In conjunction with the notice of violation the Code Official may request a Compliance Plan which utilizes Best Management Practices for code violations which may be more complex, or require identification of causes related to the violation(s), followed with a systemic approach to available remedies, in conjunction with specific outcomes and timelines toward each compliance milestone. The Compliance Plan, upon approval by the Code Official, would be integrated into and become part of the enforcement order, including the cumulative compliance timelines outlined therein.

(c) Identify the physical location of the dwelling, dwelling unit, or parcel where the violations are alleged to exist or to have been committed.

(d) Provide a reasonable time for correction, depending on the corrective measures necessary to remedy said violations, taking into account delivery times for the notice type. This will vary depending on the type and complexity of violation, degree of nuisance and impact to the general public. If the violation constitutes an imminent hazard or is a public nuisance, the Code Official may cause immediate abatement to occur without notice.

(e) Notify the owner, occupant, operator, or agent of the premise or premise unit responsible for compliance with the alleged violation personally or by certified mail addressed to the last known place of residence of the owner, occupant, operator, or agent. Notification may be made upon such person or persons by posting a notice in or about the premise or premise unit described in the notice, or by causing such notice to be published in a newspaper of general circulation as a Class 2 notice; or by notifying the person's agent of record. Posting of this notice on the premises is deemed notice to any person making use of such building or premise within two (2) years after date of posting.

(f) Any of these aforementioned methods of serving notice shall constitute an order requiring that the then existing violations of this ordinance or of any applicable existing rules or regulations issued pursuant thereto, shall be brought into code compliance after a reasonable

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time period is allowed for correction, if the person served with such notice does not request a reconsideration or petition for a hearing on the matter in the manner hereinafter provided.

- (2) If a notice is given it shall constitute an order requiring that the then existing violations of this ordinance, or of applicable existing rules or regulations issued pursuant thereto, shall not exist after a reasonable time allowed if the person served with such notice does not request a reconsideration or petition for a hearing on the matter in the manner herein provided. If the same ordinance violation occurs within six months of the original notice and order being sent and remedied, the City shall not be required to serve a second notice for the same violation within six months of the first notice being sent and remedied, unless the property ownership has changed within that six month period. If the violation is observed to continue or reoccur within this six six month time period, a notice with the applicable service fee(s) included shall be delivered to the property owner as outlined below.

- (a) A service charge and/or citation in the amount indicated in the most recently Common Council adopted Department of Community Development Fee Schedule, shall be levied against the property owner for the inspection and preparation of any notice and order for correcting violations, or for the investigation of a valid complaint. In the event corrective action is not taken within the designated time for compliance, any subsequent notice or order given to a property for successive violations of any provision of this Ordinance shall have a service charge levied against the property owner in the amount indicated in the most recently Common Council adopted Department of Community Development Fee Schedule.

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- (3) The Code Official, after the expiration of time granted the person given such notice to seek reconsideration or a hearing in the manner hereinafter provided by this ordinance or after a final decision adverse to such person served has been rendered by the Administrative Appeals Board, or by a court of competent jurisdiction to which an appeal has been taken, may cause the notice to be recorded in the Office of the Register of Deeds for Portage County, Wisconsin. All subsequent transferees of the premise or premise unit in connection with which a notice has been so recorded shall be deemed to have notice of the violations alleged and shall be liable to all penalties and procedures provided by this ordinance and by applicable rules and regulations issued pursuant thereto to the same degree as was their transferor.

21.14 PENALTIES. Any owner, occupant, operator, or agent of a building or premise or any person making use of a premise who fails to conform with, or who violates the provisions of this Ordinance shall be subject to a citation as outlined in the most recently adopted bond schedule, for each offense together with the costs of prosecution and in lieu of payment of the fine and costs, imprisonment in the County Jail not exceeding 30 days. Each day that the violation exists shall constitute a separate offense.

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21.15 REPAIRS AND OTHER CORRECTIVE ACTIONS.

- (1) Public Nuisances to be Abated.

- (a) No person may maintain or permit a public nuisance within the City.

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(b) The Common Council determines that a nuisance is unreasonable activity, lack of maintenance or use of property that interferes substantially with the comfortable enjoyment of life, health, or safety of another or others. General criteria for a public nuisance are as follows:

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- ___ 1. The number of people affected or the impact on the health, safety and welfare of the general public;
2. The location of the operation, nuisance or property;
3. The decrease of surrounding property values, degree of blight or character of the injury inflicted or the right impinged upon;
4. The reasonableness of the use of, or on the property;
- ___ 5. The nature of the issue(s) of concern which are being maintained on the property;
6. The proximity of surrounding dwellings to the issue(s) of concern; and
7. The nature and type of impact on the surroundings, general public or community.

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8. A continued on-going violation of this ordinance, or as outlined in Chapter 823 of the Wisconsin State Statutes.

Repeated violations of an ordinance constitutes a public nuisance as a matter of law.

(c) Responsibility of Enforcement; Inspections.

1. It shall be the duty of the City Code Official to make, or cause to be made, periodic inspections or inspections upon complaint of nuisances defined in subdivision B. above.

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2. Upon failure of the Owner whom was served with a notice of non-compliance, or an order to abate, for imminent health and/or safety related items, not corrected within the time period given, the Code Official shall post on the structure a placard bearing the words Unfit for Habitation/Occupancy.

(d) Summary Abatement.

1. Order of Abatement. If the Code Official determines that a public nuisance exists within the City and that there is imminent danger to the public health, safety, peace, comfort or welfare, he/she may, without notice or hearing, issue an order reciting the existence of a public nuisance constituting imminent danger to the public and requiring immediate action be taken as he/she deems necessary to abate the nuisance. Notwithstanding any other provisions of this subsection, the order shall be effective immediately. Any person to whom such order is directed shall comply with the order immediately.

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2. Abatement by the City. Whenever the owner or occupant shall refuse or neglect to remove or abate the condition described in the order, the Code Official shall, in his/her direction, enter upon the premises and cause the nuisance to be removed or abated and the

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City shall recover the expenses incurred thereby from the owner or occupant of the premises or from the person who has caused or permitted the nuisance.

(e) Nonsummary Abatement.

1. Order to Abate Nuisance. If the [Code Official](#) determines that a public nuisance exists on private premises but that the nature of such nuisance is not such as to threaten imminent danger to the public health, safety, peace, comfort or welfare, he/she shall issue an order reciting the existence of a public nuisance and requiring the owner or occupant of the premises to remove or abate the condition described in the order within the time period specified therein. The order shall be served personally on the owner of the property, [and/or](#) the occupant if different from the owner and applicable to the described nuisances, or, at the option of the [Code Official](#), the notice may be mailed to the last known address of the person to be served by registered mail with return receipt. If the owner or the occupant cannot be served, the order may be served by posting it on the main entrance of the premises and by publishing as a class 3 notice under W.S.A. Chapter 985. The time limit specified in the order runs from the date of service or publication.

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2. Abatement by the City. If the owner or occupant fails or refuses to comply within the time period described, the [Code Official](#) may enter upon the premises and cause the nuisance to be removed or abated and the City shall recover the expenses incurred thereby from the owner or occupant of the premises or from the person who has caused or permitted the nuisance.

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3. Remedy from Order. [Administrative Appeals Board](#) shall have no authority to act on orders issued under this subsection. Any person affected by orders issued under this subsection shall, within thirty (30) days of service or publication of the order, apply to the circuit court for an order restraining the City and the [Code Official](#) from entering on the premises and abating or removing the nuisance, or be forever barred. The court shall determine the reasonableness of the order for abatement of the nuisance.

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(f) Authority to Assess Costs. The cost of [summary and/or non-summary](#) abatement or removal of a nuisance shall be collected from the owner, occupant or person causing, permitting or maintaining the nuisance and, if notice to abate the nuisance, if applicable, has been given to the owner, such cost, [including all applicable service fees](#) shall be assessed against the real estate as a special charge. [Failure to pay any of these related charges within thirty \(30\) days will result in the charges being entered on the tax roll as a special charge against said property pursuant to the provisions of Section 66.0627 of the Wisconsin Statutes for collection and settlement under Chapter 74 of the Wisconsin Statutes.](#)

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(g) Abatement in Accordance with State Law. Nothing in this article shall be construed as prohibiting the abatement of public nuisances by the City or its officials in accordance with the laws of the state.

(h) Severability. The provisions of any part of this section are severable. If any provision or subsection hereof or the application hereof to any person or circumstances is held invalid, the other provisions, subsections and applications of such ordinance to other persons or circumstances shall not be affected thereby. It is declared to be the intent of this section that the same would have been adopted had such invalid provisions, if any, not been included herein.

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(2) As an alternative curative method, whenever an owner, operator, or agent of a premise or premise unit fails, neglects, or refuses to make repairs, raze or remove, make safe by repairs or other corrective action called for, the Code Official may undertake such repairs or action. If the owner fails to repair or remove a building which is dilapidated or blighted to the extent that such building, dwelling, or structure offends the aesthetic character of the immediate neighborhood or produces blight or deterioration by reason of such condition, the Code Official may apply to the circuit court for an order determining that such building, dwelling, or structure constitutes a public nuisance and the defect shall be remedied. Every violation of this code is a public nuisance and may be enjoined and the maintenance thereof may be abated at suit of the City of Stevens Point, the State, or citizen thereof.

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(3) Whenever an owner, operator, or agent of a premise or premise unit fails, neglects, or refuses to make repairs, raze or remove, make safe by repairs or other corrective action called for, the Code Official may undertake such repairs or action when in the Code Official's judgment a failure to make them will endanger the public health, safety, or welfare. If the owner fails to repair or remove a building which is dilapidated or blighted to the extent that such building, dwelling, or structure offends the aesthetic character of the immediate neighborhood or produces blight or deterioration by reason of such condition, the Code Official may apply to the circuit court for an order determining that such building, dwelling, or structure constitutes a public nuisance and the defect shall be remedied. Every violation of this code is a public nuisance and may be enjoined and the maintenance thereof may be abated at suit of the City of Stevens Point, the State, or any citizen thereof.

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(4) Notice of intention to make repairs or take other corrective action shall be served upon the owner, operator, or agent pursuant to section 21.13.

(5) Every owner, operator, or agent of a premise or premise unit who has received notice of the intention of the Code Official to make repairs or take other corrective action shall give entry and free access to the agent of the Code Official for the purpose of making such repairs. Any owner, operator, or agent of a dwelling or dwelling unit who refuses, impedes, interferes with, hinders, or obstructs entry by such agent pursuant to a notice of intention to make repairs or take other corrective action shall be subject to a civil penalty of One Hundred Dollars (\$100.00) and/or a municipal citation for each such failure to comply with this section.

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(6) When repairs or abatement are made or other corrective action taken at the direction of the Code Official and the owner, operator, or occupant fails to pay for the expense of such repairs, cost of such repairs and corrective action shall be levied and collected as a special charge or special tax upon the lot or land upon which such work is done.

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21.16 APPLICATIONS FOR RECONSIDERATION, HEARINGS, APPEALS OR SPECIAL EXCEPTIONS.

(1) Hearings.

(a) Except as otherwise provided, any person aggrieved by a notice of the Code Official issued in connection with any alleged violation of the provisions of this ordinance or of any applicable rules and regulations pursuant thereto or by any order requiring repair, abatement or demolition pursuant to this ordinance, may file with the Administrative Appeals Board the City of Stevens Point a petition setting forth his reasons for contesting the notice or order within thirty (30) days from the date that the orders were sent.

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Deleted: except parking violations, recycling violations, or non-recyclable refuse violations 21.03(4)(b), and snow removal violations,

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Deleted: (b) Such petition shall be filed within the specified reasonable consideration period.¶

MAINTENANCE AND OCCUPANCY

(2) Any person aggrieved by the final decision of the Administrative Appeals Board of the City of Stevens Point may obtain judicial review by filing in a court of competent jurisdiction within thirty (30) days of the announcement of such decision a petition praying that the decision be set aside in whole or in part. A copy of each petition so filed shall be forthwith transmitted to the Administrative Appeals Board, which shall file in a court a record of the proceedings upon which it based its decision. Upon the filing of such record, the court shall affirm, modify, or vacate the decision complained of in whole or in part. The findings of the Administrative Appeals Board of the City of Stevens Point with respect to questions of act shall be sustained if supported by substantial evidence on the record, considered as a whole.

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(3) Where a judicial review of a decision of the Code Official is sought when such order originates under Sec. 66.0413 of the Wis. Stats., the statutory procedures shall be adhered to.

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21.17 EMERGENCIES. Whenever, in the judgment of the Code Official, an emergency exists which requires immediate action to protect the public health, safety, or welfare, an order may be issued without notice, conference, or hearing, directing the owner, occupant, operator, or agent to take appropriate action to correct or abate the emergency. If circumstances warrant, the Code Official may act to correct the emergency.

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21.18 CONFLICT OF ORDINANCES - EFFECT OF PARTIAL INVALIDITY.

(1) In any case where a provision of this ordinance is found to be in conflict with a provision of any zoning, building, fire, safety, or health ordinance or code of the City of Stevens Point existing on the effective date of this ordinance, the provision which established the higher standard for the protection of the health and safety of the people shall prevail. In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of the City of Stevens Point existing on the effective date of this ordinance which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this ordinance shall be deemed to prevail and such other ordinances or codes are hereby declared to be repealed to the extent that they may be found in conflict with this ordinance.

(2) If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance which shall remain in full force and effect and to this end the provisions of this ordinance are hereby declared to be severable.

21.19 ABATEMENT OF GRAFFITI

Commented [AB22]: There are First Amendment issues wrapped into this topic. I'll put together something based on the most current caselaw.

(1) Council findings:

(a) The Council finds that graffiti creates a blight condition which can result in the deterioration of property values and, unless graffiti is quickly removed, other properties may soon become targets of graffiti.

(b) The Council further finds that graffiti is often associated with gang activity and that such activity is inconsistent with the Council's desire for order and safety. The Council finds that quick removal of the graffiti may assist in preventing the entrenchment of gangs, to reduce their influence and to reduce public concern.

MAINTENANCE AND OCCUPANCY

(c) The Council declares its intention to minimize the adverse effects of graffiti by quick removal.

(2) Whoever does any of the following is subject to a forfeiture of not more than \$200 and in lieu of payment assessed imprisonment for not more than sixty (60) days in the county jail.

(a) For any person to place graffiti on any exterior surface located on public or private property.

(b) For any person to possess graffiti materials for the purpose of placing graffiti on any exterior surface located on public or private property.

(c) For the owner of any property to allow graffiti to be placed on any external surface on the owner's property or to fail to remove graffiti in the time allotted.

(3) Based on observation or information received from the public, the Police Department or Inspection Department will investigate and identify graffiti. If the presence of graffiti is verified, the Inspection Department will cause the owner of the property to be notified that removal of the graffiti is required within ten (10) days.

(a) If removal is not completed in the specified time, the City may arrange for abatement removal, with the costs assessed to the property owner, and the Code Official shall have the right to enter upon private property to do so.

(4) The following shall be exempt from the requirements of this Ordinance.

(a) Train cars in transit through the City, whether moving or temporarily immobile.

(b) Wall murals or other designs which are not inconsistent with other City Ordinances, authorized by the property owner, do not contain language offensive to the public, encouraging or promoting unlawful activity, or containing writing or symbols denoting gang activity or affiliation.

(c) Commercial motor vehicles in transit through the City, or stopped for the purposes of loading or unloading merchandise, or otherwise parked for a period of no more than twenty four hours.

(d) Drawings, paintings, or building murals created and displayed as art in a forum held or operated by an organization or government unit which is not classified under the statutory definitions as a gang, or is enclosed within a structure in which the contents are not visible from the exterior.

(e) Temporary markings made for the purpose of safety, construction, sidewalk or highway maintenance, removal of diseased trees or as otherwise authorized by the head of any City Department.

Deleted: (2) Definitions. For purposes of this Ordinance, the terms defined herein shall have the following meanings.¶

¶ **Graffiti:** shall mean any writing, printing, marks, signs, symbols, figures, designs, inscriptions or other drawings which are scratched, scrawled, painted, drawn or otherwise placed on any exterior surface of a building, wall, fence, sidewalk, curb, temporary signs, machinery, equipment, vehicles, trailers or other permanent structures on public or private property and which have the effect of defacing the property.¶

¶ **Graffiti Materials:** include paint, aerosol or pressurized containers or paint, indelible markers, ink, dye or any other substance capable of defacing property.¶

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