

## **ARTICLE II. OUTDOOR SPECIAL EVENTS**

**Section 12-27 should be deleted from this article and moved to a new section, Consumption of Alcohol.**

### **Sec. 12-27. Consumption, serving, drinking of alcoholic beverages.**

- (a) No person shall consume, serve or drink wine, beer, whiskey, or alcoholic beverages of any kind on the village public streets, boulevards, or alleys, public rights-of-way, greenways, or walking trails and paths except by written permit issued by the village clerk or her/his designee.
- (b) No person shall consume, serve or drink wine, beer, whiskey, or alcoholic beverages of any kind on or within 50 feet of the village police department, the village fire department or the village swimming pool and its appurtenant facilities.
- (c) No person shall consume, serve or drink wine, beer, whiskey, or alcoholic beverages of any kind on or within 50 feet of the village town hall except by written permit issued by the village clerk or her/his designee.
- (d) ~~No person shall consume, serve or drink wine, beer, whiskey or alcoholic beverages of any kind within any area of the village green park or other village property except by written permit issued by the village clerk or her/his designee.~~

(Ord. No. 05-5, § 7-1, 6-14-2005; Ord. No. 2018-05, § 11, 8-14-2018)

### **Sec. 12-28. Regulation of outdoor special events on public property.**

- (a) Definition. Outdoor special events, for purposes of this article are fairs, festivals, shows, concerts, and other events of limited duration that result in substantial gatherings of people outside of enclosed buildings and that are unlike the customary or usual activities at the location where the event occurs.
- (b) Special outdoor events may take place in the Village Green park ~~on public property~~ if the ~~village clerk has issued a permit for the event. The clerk may grant the permit if the director of public safety or designee determines the special event will not materially endanger the public health and safety, will be in harmony with the area in which it is located, and will not unreasonably disrupt or interfere with the flow of traffic or the rights of adjacent or surrounding property owners and the event adheres to all rules of the Village Green Park. . For clarification purposes, while under village supervision, a permit will not preempt village residents or others entitled to use the pool from such use. The permit may impose conditions limiting the hours and duration of the event, preventing disruption of adjacent uses, and assuring, at no expense to the village, removal of litter caused by the event.~~
- (c) ~~If the applicant seeks to allow the sale, distribution, possession, or consumption of alcoholic beverages at the event, the permit may be issued only when:~~
  - (1) ~~The special event is on village property which permits alcoholic beverages to be consumed. (See section 12-27.)~~
  - (2) ~~The applicant demonstrates that any entity selling or distributing alcoholic beverages on public property is not for profit and has received any permits required by the state. If the event has an entry~~

---

fee and alcoholic beverages will be distributed, whether at cost or no cost, the event will require a special permit from the state alcoholic beverage commission.

- (3) ~~No alcoholic beverages other than malt beverages and unfortified wine will be permitted.~~
- (4) ~~The applicant confirms an understanding by signing a document that the applicant is required to be in attendance at the event and is responsible for any violations of the law, to wit: Underage drinking, or serving impaired persons. Further, the applicant understands the applicant is responsible for the conduct of those attending the event in the event damage of property occurs or unruly behavior poses a threat to a person's safety.~~
- (5) ~~The director of public safety or his designee also may impose conditions on the permit to ensure that the presence of alcoholic beverages will not materially endanger public health or safety and may revoke the permit and terminate the event if it is determined that the consumption of alcoholic beverages is endangering public safety or is in violation of state law.~~

(Ord. No. 05-5, § 7-2, 6-14-2005)

### **Sec. 12-29. Regulation of special events on private property.**

- (a) ~~Special outdoor events may take place on private property if the village clerk has issued a permit for the event. The clerk may grant the permit if the director of public safety or his designee determines the special event will not materially endanger the public health and safety, will be in harmony with the area in which it is located, and will not unreasonably disrupt or interfere with the flow of traffic or the rights of adjacent or surrounding property owners.~~
- (b) ~~The sale or distribution of alcoholic beverages on private property may be approved if the host organization has a state alcoholic beverage license or a special permit to sell alcoholic beverages for the event. For clarification purposes it is understood that a ticketed price for the event automatically requires a license or a special permit. Special events must adhere to all Federal, State, and Local laws and ordinances.~~
- (c) ~~In addition, the following conditions apply:~~
  - (1) ~~The applicant confirms an understanding by signing a document that the applicant is required to be in attendance at the event and is responsible for any violations of the law, to wit: Underage drinking, or serving impaired persons. Further, the applicant understands it is responsible for the conduct of those attending the event in the event damage of property occurs or unruly behavior poses a threat to a person's safety.~~
  - (2) ~~The director of public safety or his designee also may impose conditions on the permit to ensure that the presence of alcoholic beverages will not materially endanger public health or safety and may revoke the permit and terminate the event if it is determined that the consumption of alcoholic beverages is endangering public safety or is in violation of state law.~~

(Ord. No. 05-5, § 7-3, 6-14-2005)