**ORDINANCE NO. 876-25**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AMENDING THE QUEEN CREEK TOWN CODE BY ADOPTING CHAPTER 19, SPECIAL EVENTS; AND AMENDING CHAPTER 9, OFFENSES, BY ADDING ARTICLE 9-19, SPECIAL EVENTS; PROVIDING FOR PERMITTING, ENFORCEMENT, PENALTIES, AND APPEALS**

**WHEREAS**, the Town Council finds it is in the best interest of the Town, and important to the health, welfare, and safety of the Town and its residents, to establish uniform procedures and standards for special events held within the Town; and

**WHEREAS**, A.R.S. § 9-802 provides a procedure whereby a municipality may enact the provisions of a code or public record by reference, without setting forth such provisions, providing that the adopting ordinance is published in full, but exhibits to the ordinance need not be published in full so long as certain requirements are fulfilled; and

**WHEREAS**, the Town Council desires to amend the Queen Creek Town Code to adopt Chapter 19, Special Events, and to amend Chapter 9, Offenses, by adding Article 9-19, Special Events.

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AS FOLLOWS:**

**Section 1:** The attached Exhibit A is declared to be a public record and is adopted and incorporated herein by this reference.

**Section 2:** The Queen Creek Town Code, Chapter 9, Offenses, including Article 9-19, Special Events, is amended as set forth in Exhibit A hereto.

**Section 3:** The Queen Creek Town Code, Chapter 19, Special Events, including Article 19-1, Special Events Permitting, is adopted as set forth in Exhibit A hereto.

**Section 4:** The amendments to the Queen Creek Town Code include the following penalties in the referenced Sections:

*(Additions are shown by ALL-CAPS; deletions are shown by double strikethrough)*

**9-19-1 VIOLATIONS; SPECIAL EVENTS**

A. DEFINITIONS FOR THIS ARTICLE ARE PROVIDED IN CHAPTER 19.
B. EXCEPT AS OTHERWISE PROVIDED, EACH DAY THAT THE VIOLATION CONTINUES SHALL BE A SEPARATE VIOLATION OR OFFENSE.
C. A VIOLATION OF ANY PROVISION OF CHAPTER 19 THAT IS NOT OTHERWISE DESIGNATED SHALL BE A CIVIL

VIOLATION AND ADMINISTERED AS OUTLINED IN ARTICLE 9-21-2.C.

D. IT IS UNLAWFUL FOR A PERSON, APPLICANT, OR PERMITTEE TO:
   1. CONDUCT OR STAGE A SPECIAL EVENT WITHIN THE TOWN WITHOUT A VALID PERMIT.
   2. VIOLATE OR FAIL TO COMPLY WITH ANY OF THE CONDITIONS OR PROHIBITIONS OF CHAPTER 19 OR THE ISSUED PERMIT.
   3. KNOWINGLY MAKE A FALSE OR MISLEADING STATEMENT TO TOWN STAFF OR OFFICIALS DURING THE APPLICATION PROCESS OR ON AN APPLICATION FORM.
   4. KNOWINGLY MAKE A FALSE OR MISLEADING STATEMENT TO TOWN STAFF OR OFFICIALS WHILE A SPECIAL EVENT IS ONGOING.

E. VIOLATION OF THIS SUBSECTION IS A CIVIL OFFENSE. NO PERSON, APPLICANT, OR PERMITTEE SHALL CONTINUE TO CONDUCT OR STAGE A SPECIAL EVENT WITHOUT THE REQUIRED PERMIT AFTER BEING ISSUED A VERBAL WARNING, WRITTEN NOTICE, OR CIVIL CITATION FOR A VIOLATION OF ARTICLE 9-19- 1, SUBSECTION D.1 WITHIN THE PRECEDING 24 HOURS. VIOLATION OF THIS SUBSECTION IS A CLASS 1 MISDEMEANOR.

**19-1-5 VIOLATIONS**

A. REFER TO CHAPTER 9, ARTICLE 9-19 FOR SPECIFIC VIOLATIONS.

**19-1-6 REVOCATION**

A. A. THE TOWN MAY REVOKE A SPECIAL EVENT PERMIT IF THE PERMITTEE:
   1. FAILS TO ABIDE BY ANY OF THE CONDITIONS OF THE PERMIT OR ANY OF THE PROVISIONS OF THIS ARTICLE,
   2. FAILS TO CONDUCT THE SPECIAL EVENT AS PRESENTED ON THE APPLICATION,
   3. FAILS TO COMPLY WITH THE TERMS AND CONDITIONS OF THE PERMIT,
   4. POSES A THREAT TO PUBLIC HEALTH OR SAFETY, OR
   5. A STATE OF EMERGENCY IS DECLARED.

B. UPON REVOCATION OF A PERMIT, THE SPECIAL EVENT MUST IMMEDIATELY CEASE, THE PERMITTEE AND VENDORS MUST IMMEDIATELY REMOVE OR PROPERLY DISPOSE OF ALL PROPERTY AND TRASH OF THE SPECIAL EVENT, AND THE PERMITTEE, VENDORS, AND ATTENDEES MUST IMMEDIATELY DISPERSE.

**19-1-7 PENALTIES**

A. AMONG OTHER PENALTIES THAT MAY APPLY, INCLUDING REVOCATION OF A PERMIT, A VIOLATION OF ANY PROVISION OF THIS ARTICLE THAT IS NOT OTHERWISE DESIGNATED SHALL BE A CIVIL VIOLATION AND ADMINISTERED AS OUTLINED IN ARTICLE 9-21-2.C.

B. THE PERMIT HOLDER MAY BE HELD LIABLE FOR ALL REASONABLE TOWN COSTS ASSOCIATED WITH THE EVENT, INCLUDING BUT NOT LIMITED TO CLEANUP COSTS, EMERGENCY RESPONSE COSTS, REPAIRING OR REPLACING DAMAGED GOVERNMENT PROPERTY, ADDITIONAL SECURITY, OR ANY OTHER COST INCURRED BY THE TOWN AS A RESULT OF A VIOLATION OF THIS ARTICLE.

C. NOTHING IN THIS CHAPTER OR ELSEWHERE IN THE TOWN CODE REGARDING PENALTIES SHALL BE INTERPRETED OR APPLIED TO PREVENT IMPOSING OTHER OR ADDITIONAL CRIMINAL PENALTIES AND/OR RELIEF AS PROVIDED BY STATE

**Section 5:** If any section, subsection, clause, phrase or portion of this Ordinance or any part of these amendments to the Town Code is for any reason held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**Section 6:** At least one paper copy and one electronic copy of this Ordinance and Exhibit(s) are to be filed with and will be located at the office of Town Clerk.

**PASSED AND ADOPTED** by the Common Council of the Town of Queen Creek, Arizona, this 15th day of October, 2025.

FOR THE TOWN OF QUEEN CREEK:

Leah Martineau, Vice Mayor

ATTESTED TO:

Maria Gonzalez, Town Clerk

REVIEWED BY:

Bruce Gardner, Town Manager

APPROVED AS TO FORM:

Clifford Mattice, Town Attorney

**EXHIBITS ON FILE AND LOCATED AT THE TOWN CLERK'S OFFICE**

**ORDINANCE 876-25**
**Exhibit A**

Deletions are shown in ~~Double Strikethrough~~
Additions are shown in ALL CAPITALS
Comments are shown in *Italics*

*A new Chapter 19 is added as follows.*

## QUEEN CREEK TOWN CODE CHAPTER 19, SPECIAL EVENTS, ARTICLE 19-1, SPECIAL EVENTS PERMITTING

19-1-1 DEFINITIONS

THE FOLLOWING WORDS, TERMS, AND PHRASES, WHEN USED IN THIS ARTICLE, SHALL HAVE THE MEANINGS ASCRIBED TO THEM IN THIS SECTION, EXCEPT WHERE THE CONTEXT CLEARLY INDICATES A DIFFERENT MEANING:

**"APPLICANT"** IS A PERSON WHO APPLIES FOR A PERMIT PURSUANT TO THIS CHAPTER AND WHO, UPON APPROVAL OF THE APPLICATION, WILL BE THE PERMITTEE.

**"BLOCK PARTY/NEIGHBORHOOD EVENT"** IS AN ORGANIZED NEIGHBORHOOD OR PUBLIC GATHERING HELD ON A PUBLIC OR PRIVATE STREET AT A SPECIFIED DATE, TIME, AND LOCATION, FOR SOCIAL PURPOSES. THE GATHERING IS LIMITED TO THE RESIDENTS OF THE IMMEDIATE NEIGHBORHOOD, INVOLVES THE USE OF A PUBLIC STREET FOR THE EVENT, AND INCLUDES A REQUEST FOR A ROAD OR STREET CLOSURE.

**"EPROVAL"** IS THE ELECTRONIC SOFTWARE PLATFORM USED BY THE TOWN TO MANAGE, PROCESS, AND TRACK SPECIAL EVENT PERMIT APPLICATIONS AND RELATED APPROVALS PURSUANT TO THIS CHAPTER.
"EVENT ORGANIZER" IS ANY PERSON WHO CONDUCTS, MANAGES, PROMOTES, ORGANIZES, AIDS, OR SOLICITS ATTENDANCE AT A SPECIAL EVENT. AN EVENT ORGANIZER MAY ACT ON BEHALF OF THE APPLICANT AND/OR PERMITTEE.

**"FEE"** IS ANY APPLICABLE CHARGE OR ASSESSMENT SET FORTH BY THE TOWN COUNCIL.

**"NON-PERMITTED SPECIAL EVENT"** IS AN EVENT FOR WHICH A SPECIAL EVENT PERMIT WAS REQUIRED, BUT NOT OBTAINED.

**"PERMIT ADMINISTRATOR"** IS THE DESIGNEE ASSIGNED TO SUPERVISE AND OVERSEE THE SPECIAL EVENT PERMITTING PROCESS. THE PERMIT ADMINISTRATOR MAY DESIGNATE ANOTHER TOWN EMPLOYEE ON THE

PERMIT REVIEW COMMITTEE TO ACT ON THEIR BEHALF DURING THEIR ABSENCE OR WHEN OTHERWISE NECESSARY.

**"PERMIT REVIEW COMMITTEE"** IS AN INTERDEPARTMENTAL GROUP OF DESIGNATED TOWN EMPLOYEES RESPONSIBLE FOR THE COORDINATED EVALUATION OF SPECIAL EVENT PERMIT APPLICATIONS. THE COMMITTEE IS COMPOSED OF REPRESENTATIVES FROM VARIOUS TOWN DEPARTMENTS AND DIVISIONS WITH SUBJECT MATTER EXPERTISE RELEVANT TO THE EVENT REVIEW PROCESS. ITS PURPOSE IS TO ENSURE THAT PROPOSED EVENTS COMPLY WITH APPLICABLE LAWS, POLICIES, SAFETY STANDARDS, AND OPERATIONAL CONSIDERATIONS. MEMBERS OF THE PERMIT REVIEW COMMITTEE MAY INCLUDE, BUT ARE NOT LIMITED TO, REPRESENTATIVES FROM THE FOLLOWING AREAS: PARKS AND RECREATION, STREETS AND TRANSPORTATION, POLICE DEPARTMENT, FIRE AND MEDICAL DEPARTMENT, ENGINEERING AND PUBLIC WORKS, ECONOMIC DEVELOPMENT, CODE ENFORCEMENT, PLANNING AND ZONING, LEGAL, AND TOWN MANAGEMENT OR ADMINISTRATION. THE COMMITTEE REVIEWS APPLICATIONS TO ASSESS IMPACTS ON PUBLIC SAFETY, INFRASTRUCTURE, TRAFFIC, COMMUNITY RESOURCES, AND OVERALL FEASIBILITY, AND MAY RECOMMEND CONDITIONS FOR APPROVAL OR DENIAL OF PERMITS BASED ON THEIR PROFESSIONAL EVALUATIONS.

**"PERMITTEE"** IS THE PERSON WHO APPLIED FOR A PERMIT PURSUANT TO THIS CHAPTER AND IN WHOSE NAME SUCH PERMIT WAS ISSUED BY THE TOWN PURSUANT TO THIS ARTICLE.

**"PERSON"** IS AN INDIVIDUAL, FIRM, PARTNERSHIP, JOINT VENTURE, ASSOCIATION, CORPORATION, ANY OTHER GROUP OR COMBINATION ACTING AS A UNIT, OR ANY OTHER ENTITY OF WHATEVER KIND OR NATURE.

**"PUBLIC SAFETY SERVICES"** IS ANY SERVICES PROVIDED BY THE TOWN'S POLICE, FIRE AND MEDICAL, PARKS, OR TRAFFIC DEPARTMENTS WHICH MAY BE IMPACTED BY THE SPECIAL EVENT.

**"SPECIAL EVENT"** IS AN INTERMITTENT EVENT, NO MORE THAN FOUR (4) CONSECUTIVE DAYS, HELD ON PUBLIC OR PRIVATE PROPERTY (INDOORS, OUTDOORS, OR A COMBINATION THEREOF), THAT IS INCONSISTENT WITH THE ZONING, AUTHORIZED, OR APPROVED USE OF A PARTICULAR PROPERTY.

**"SPECIAL EVENTS PERMIT"** IS THE WRITTEN AUTHORIZATION FROM THE TOWN ALLOWING A PERSON, PROMOTER, EVENT ORGANIZER, AND/OR APPLICANT TO HOLD A SPECIAL EVENT PURSUANT TO THIS CHAPTER.

**"TEMPORARY USE PERMIT"** IS A MECHANISM BY WHICH THE TOWN MAY ALLOW A USE TO LOCATE WITHIN THE TOWN ON A SHORT-TERM BASIS AND BY WHICH IT MAY ALLOW SEASONAL OR TRANSIENT USES NOT OTHERWISE ALLOWED. IF A "SPECIAL EVENT" WILL COVER MORE THAN FOUR (4)

CONSECUTIVE DAYS (EXCLUDING EVENT SET-UP AND DISMANTLING) OR IF THE EVENT HAS BEEN HELD MORE THAN FOUR (4) TIMES IN THE SAME CALENDAR YEAR AT THE SAME LOCATION, THE APPLICANT WILL BE REQUIRED TO OBTAIN A TEMPORARY USE PERMIT THROUGH THE TOWN'S DEVELOPMENT SERVICES DEPARTMENT.

**"TOURNAMENT EVENT"** IS AN ORGANIZED COMPETITIVE EVENT HELD ON A SPECIFIED DATE, TIME, AND LOCATION, INVOLVING INDIVIDUAL PARTICIPANTS OR TEAMS COMPETING IN ONE OR MORE GAMES, MATCHES, OR CONTESTS. THE EVENT MAY BE OPEN TO THE PUBLIC OR LIMITED TO A SPECIFIC GROUP OF PARTICIPANTS; TAKE PLACE AT PUBLIC VENUES, INCLUDING FIELDS, COURTS, OR OTHER DESIGNATED AREAS; AND REQUIRE THE NEED OR USE OF TOWN RESOURCES, SUCH AS FIELD PREPARATION, EXTENDED LIGHTING, STAFF SUPPORT, OR OTHER SERVICES

**"TOWN"** IS THE MUNICIPAL GOVERNMENT OF THE TOWN OF QUEEN CREEK, INCLUDING ITS DEPARTMENTS, AGENTS, AND AUTHORIZED REPRESENTATIVES, RESPONSIBLE FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS CHAPTER.

**"TOWN PROPERTY"** IS THAT PORTION OF ANY PROPERTY, FACILITY, STRUCTURE, STREET, ALLEY, PATH, LANE, MULTIUSE TRAIL, SIDEWALK, FACILITY, PARK, RETENTION BASIN, WASH, ACTIVE PLAY AREA, IMPROVEMENT, OR OTHER AREA AS DEFINED IN CHAPTER 15, THAT IS OWNED, LEASED, OPERATED, MAINTAINED, OR MANAGED BY THE TOWN, OR IS OTHERWISE OPEN TO THE TOWN FOR PROVIDING TOWN SERVICES.

19-1-2 PERMIT REQUIRED

A. IN ADDITION TO ANY OTHER PERMITS, LICENSES, TAXES, OR REQUIREMENTS SET FORTH IN THIS CODE OR THE ZONING ORDINANCE, A PERMIT MAY BE REQUIRED TO CONDUCT ANY OF THE FOLLOWING SPECIAL EVENTS OR ACTIVITIES WITHIN THE TOWN:
    1. ANY GATHERING, CELEBRATION, EVENT, OR ACTIVITY THAT IS HELD ON TOWN PROPERTY WHICH MAY NOT BE SPECIFICALLY AUTHORIZED OR OTHERWISE APPROVED FOR SUCH USE ON A PERMANENT BASIS.
    2. ANY GATHERING, CELEBRATION, EVENT, OR ACTIVITY TAKING PLACE ON PRIVATE OR TOWN PROPERTY THAT WOULD IMPACT OR DISRUPT TRAFFIC FLOW ON PUBLIC ROADWAYS OR PUBLIC ACCESS IN OR NEAR THE PROPOSED LOCATION OR ALONG THE EVENT ROUTE.
    3. ANY GATHERING, CELEBRATION, EVENT, OR ACTIVITY TAKING PLACE ON PRIVATE OR TOWN PROPERTY WHICH REQUIRES A STATE-ISSUED LICENSE AS OUTLINED IN A.R.S. § 4-207.03 (TEMPORARY EXTENSION OF PREMISES) OR A.R.S. § 4-203.02 (SPECIAL EVENT LICENSE).

4. ANY GATHERING, CELEBRATION, EVENT, OR ACTIVITY THAT IS HELD IN OR ON A PROPERTY, SPACE, FACILITY, BUILDING, OR STRUCTURE IN A MANNER THAT DEVIATES FROM THE PERMITTED USE, ZONING, OR APPROPRIATE INTERNATIONAL BUILDING CODE (IBC) OCCUPANCY CLASSIFICATION.
5. ANY ACTIVITY TAKING PLACE ON TOWN OR PRIVATELY OWNED PROPERTY USED AS A PUBLIC GATHERING PLACE THAT INVOLVES A SUBSTANTIAL DEVIATION FROM THE CURRENT LAND USE DESIGNATION OR LEGAL NONCONFORMING USE.
6. A BLOCK PARTY OR NEIGHBORHOOD EVENT AS DEFINED IN THIS ARTICLE.
7. A TOURNAMENT EVENT AS DEFINED IN THIS ARTICLE.
8. ANY GATHERING, CELEBRATION, EVENT, OR ACTIVITY THAT REQUIRES A LEVEL OF PUBLIC SAFETY PERSONNEL OR RESOURCES THAT WOULD INTERFERE WITH THE NORMAL OR ROUTINE OPERATIONS OF THE TOWN'S PUBLIC SAFETY SERVICES.
9. ANY GATHERING, CELEBRATION, EVENT, OR ACTIVITY TAKING PLACE ON PRIVATE OR TOWN PROPERTY, WHICH IS OPEN TO THE PUBLIC AND INCLUDES THE USE OF FIREWORKS, PYROTECHNICS, OR OTHER FIRE FEATURES.
10. ANY GATHERING, CELEBRATION, EVENT, OR ACTIVITY TAKING PLACE ON PRIVATE OR TOWN PROPERTY, WHICH IS OPEN TO THE PUBLIC AND INCLUDES THE USE OF AMPLIFIED SOUND.

19-1-3 PERMIT REQUIREMENTS

A. A PERMIT IS ONLY VALID FOR THE SPECIFIC LOCATION, DATE, TIME, AND SPECIAL EVENT FOR WHICH THE PERMIT WAS ISSUED. A PERMIT IS NON-TRANSFERABLE AND NON-ASSIGNABLE. ANY ATTEMPTED TRANSFER OR ASSIGNMENT WILL VOID THE PERMIT, AND ALL FEES PAID WILL BE FORFEITED.
B. A PERMIT ALONE DOES NOT GUARANTEE APPROVAL OR USE OF THE FACILITY OR PROPERTY BEING REQUESTED. EVENTS HELD ON TOWN PROPERTY REQUIRE A SEPARATE RESERVATION PERMIT OBTAINED THROUGH THE PARKS AND RECREATION DEPARTMENT. EVENTS HELD ON PRIVATE PROPERTY REQUIRE APPROVAL FROM THE PROPERTY OWNER.
C. EACH SPECIAL EVENT PERMIT APPLICATION RECEIVED LESS THAN THE REQUIRED SUBMISSION TIMELINE PRIOR TO THE EARLIEST DATE OF THE PROPOSED EVENT, AS ESTABLISHED IN THIS ARTICLE, MAY BE SUBJECT TO A LATE FEE IN AN AMOUNT ESTABLISHED BY THE TOWN COUNCIL BY RESOLUTION. THE TOWN MAY REFUSE TO ACCEPT OR APPROVE ANY SPECIAL EVENT PERMIT APPLICATION SUBMITTED LESS THAN 30 DAYS PRIOR TO THE EARLIEST DATE OF THE PROPOSED EVENT.
D. FOR ALL SPECIAL EVENTS, EXCEPT A BLOCK PARTY/NEIGHBORHOOD EVENT OR TOURNAMENT EVENT AS DEFINED IN THIS ARTICLE, THE

APPLICANT SHALL SUBMIT THEIR APPLICATION THROUGH THE EPROVAL SOFTWARE AT LEAST SIXTY (60) DAYS BEFORE THE SCHEDULED STARTING DATE OF THE EVENT OR ACTIVITY.

E. FOR A BLOCK PARTY/NEIGHBORHOOD EVENT, AS DEFINED IN THIS ARTICLE, THE APPLICANT SHALL SUBMIT THEIR APPLICATION THROUGH THE EPROVAL SOFTWARE AT LEAST FOURTEEN (14) DAYS BEFORE THE SCHEDULED STARTING DATE OF THE EVENT OR ACTIVITY.

F. FOR A TOURNAMENT EVENT, AS DEFINED IN THIS ARTICLE, THE APPLICANT SHALL SUBMIT THEIR APPLICATION THROUGH THE EPROVAL SOFTWARE AT LEAST THIRTY (30) DAYS BEFORE THE SCHEDULED STARTING DATE OF THE EVENT OR ACTIVITY.

G. APPLICATIONS SUBMITTED AFTER THE REQUIRED TIME PERIOD MAY BE ACCEPTED, BUT AN EXPEDITED FEE MAY BE REQUIRED AS ESTABLISHED BY THE TOWN COUNCIL.

H. AN APPLICATION MUST INCLUDE ALL INFORMATION OUTLINED IN THE APPLICABLE MANUALS, INCLUDING THE SPECIAL EVENTS APPLICATION MANUAL, THE TOURNAMENT APPLICATION MANUAL, THE BLOCK PARTY APPLICATION MANUAL, AND ANY OTHER MANUALS PRODUCED BY THE TOWN, AS WELL AS ALL REQUIRED INFORMATION ENTERED INTO THE TOWN'S ONLINE EPROVAL SYSTEM. THE TOWN MAY REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT AS NECESSARY TO EVALUATE THE APPLICATION. SUCH INFORMATION MUST BE PROVIDED BY THE APPLICANT IN A TIMELY MANNER TO AVOID DELAYS IN THE REVIEW PROCESS.

I. THE TOWN WILL DETERMINE WHETHER INSURANCE IS REQUIRED FOR A SPECIAL EVENT. IF REQUIRED, THE APPLICANT MUST OBTAIN INSURANCE FROM AN INSURANCE COMPANY DULY LICENSED BY THE STATE OF ARIZONA, NAMING THE TOWN AS AN ADDITIONAL INSURED IN AMOUNTS AS REQUIRED BY THE TOWN. THE SPECIFIC POLICY FORM, LIMITS, AND ENDORSEMENTS MUST REFLECT THE TYPE OF ACTIVITY ANTICIPATED BY THE LICENSE AND MUST BE APPROVED BY THE TOWN PRIOR TO ISSUANCE OF A SPECIAL EVENT PERMIT.

J. THE TOWN WILL DETERMINE IF AN INDEMNIFICATION AGREEMENT IS REQUIRED FOR A SPECIAL EVENT. IF REQUIRED, THE AGREEMENT MAY INCLUDE ANY OF THE FOLLOWING CONDITIONS:

    1. THE APPLICANT ASSUMES FULL RESPONSIBILITY AND LIABILITY FOR AND INDEMNIFIES, DEFENDS, AND HOLDS THE TOWN HARMLESS AGAINST ALL LIABILITY, CLAIMS FOR DAMAGES, AND SUITS FOR OR BY REASON OF ANY INJURY TO ANY PERSON, INCLUDING DEATH, AND DAMAGE TO ANY PROPERTY FOR EVERY CAUSE IN ANY WAY CONNECTED WITH THE HOLDING OF THE SPECIAL EVENT, INCLUDING THE PREPARATION, SET-UP, HOLDING AND CLOSEOUT; AND/OR
    2. THE APPLICANT ASSUMES FULL RESPONSIBILITY AND LIABILITY FOR AND INDEMNIFIES, DEFENDS, AND HOLDS THE TOWN

HARMLESS AGAINST ALL EXPENSES INCURRED BY THE TOWN FOR PUBLIC SAFETY, SANITATION AND TRANSPORTATION PERSONNEL AND RESOURCES REQUIRED TO PRESERVE PUBLIC ORDER AND PROTECT PUBLIC HEALTH, SAFETY AND WELFARE, TOGETHER WITH ANY OTHER EXPENSES OR COSTS THAT THE TOWN MAY INCUR AS A RESULT OF THE SPECIAL EVENT; AND/OR

3. THE APPLICANT ASSUMES FULL RESPONSIBILITY AND LIABILITY FOR AND INDEMNIFIES, DEFENDS, AND HOLDS THE TOWN HARMLESS AGAINST ALL CHARGES, EXPENSES, AND COSTS, INCLUDING THE TOWN'S LEGAL DEPARTMENT SERVICES, INCURRED ON ACCOUNT OF OR BY REASON OF ANY SUCH INJURIES, DAMAGES, LIABILITY, CLAIMS, SUITS, OR LOSSES, AND ALL DAMAGES GROWING OUT OF THE SAME.

K. THE TOWN MAY REQUIRE A SURETY BOND AND PAYMENT FOR TOWN RESOURCES.

L. THE PERMIT ADMINISTRATOR SHALL SEND THE PERMIT APPLICATIONS AND OTHER PERTINENT MATERIAL TO OTHER TOWN DEPARTMENTS THAT COULD BE AFFECTED BY THE PROPOSED SPECIAL EVENT OR ACTIVITY. SUCH DEPARTMENTS MAY RECOMMEND TO THE PERMIT ADMINISTRATOR THAT THE PERMIT BE ISSUED ONLY AFTER THE APPLICANT HAS MET, AT THEIR OWN COST, SPECIFIC STIPULATIONS, INCLUDING BUT NOT LIMITED TO ANY OF THE FOLLOWING:

1. HIRING A STATED NUMBER OF PUBLIC SAFETY AND/OR SECURITY PERSONNEL.
2. ERECTING SECURITY FENCING OR APPROVED SECURITY BARRIERS.
3. ACQUIRING AND PROVIDING AN OFFICIAL TRAFFIC CONTROL PLAN (TCP).
4. PROVIDING ADEQUATE PARKING FOR THE DURATION OF THE SPECIAL EVENT.
5. AGREEING TO PAY FOR ANY ANTICIPATED OR UNFORESEEN COSTS ASSOCIATED WITH THE SPECIAL EVENT, THAT ARE REASONABLY ASSESSED BY THE TOWN AFTER THE EVENT, FOR ITEMS SUCH AS CLEAN-UP COSTS OR CHANGES TO PUBLIC SAFETY REQUIREMENTS.
6. APPLYING FOR AND RECEIVING ALL OTHER NECESSARY PERMITS AND APPROVALS.
7. PROVIDING APPROPRIATE FIRE PROTECTION MEASURES.
8. PROVIDING OTHER MEASURES TO SAFEGUARD THE HEALTH, SAFETY, AND WELFARE OF THE PUBLIC.
9. PROVIDING PROOF OF INSURANCE IF REQUESTED BY THE TOWN.
10. PROVIDING AN INDEMNIFICATION AGREEMENT IF REQUESTED BY THE TOWN.
11. PROVIDING A SURETY BOND IF REQUESTED BY THE TOWN.

19-1-4 PERMIT CONDITIONS

A. THE FOLLOWING CONDITIONS AND PROHIBITIONS ARE APPLICABLE TO EVERY SPECIAL EVENT:

1. A PERMITTEE AND EVERY VENDOR MUST CONDUCT THE BUSINESS OF A SPECIAL EVENT IN COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE, COUNTY, AND LOCAL LAWS, INCLUDING CHAPTERS 7, 8, 8A, 9, 10, 11, 12, 14, AND 15 OF THIS CODE.
2. A SPECIAL EVENT MUST NOT UNREASONABLY INTERFERE WITH OR DETRACT FROM THE PROMOTION OF PUBLIC HEALTH, SAFETY, OR WELFARE AND MUST NOT CAUSE UNDUE HARDSHIP ON NEARBY RESIDENTS OR BUSINESSES.
3. A SPECIAL EVENT MUST NOT CREATE OR RESULT IN UNSAFE OR DANGEROUS CONDITIONS FOR ATTENDEES OR MEMBERS OF THE PUBLIC, AS REASONABLY DETERMINED BY THE PERMIT ADMINISTRATOR, SUCH AS SUBSTANTIAL INTERRUPTIONS TO THE SAFE AND ORDERLY MOVEMENT OF TRAFFIC, INADEQUATE SECURITY OR CROWD CONTROL, INADEQUATE PARKING CONTROL MEASURES, INADEQUATE RESTROOM FACILITIES OR TRASH RECEPTACLES.
4. A SPECIAL EVENT MUST NOT INCITE VIOLENCE OR CRIME.
5. THE PERMITTEE AND ATTENDEES OF A SPECIAL EVENT MUST NOT ENGAGE IN CONDUCT THAT WOULD CONSTITUTE DISORDERLY CONDUCT UNDER A.R.S. § 13-2904, AS AMENDED.
6. A SPECIAL EVENT MUST NOT INTERFERE WITH THE OPERATIONS OF A POLICE DEPARTMENT, FIRE DEPARTMENT, OR OTHER EMERGENCY PERSONNEL
7. A SPECIAL EVENT MUST NOT INTERFERE WITH TOWN MAINTENANCE OR CONSTRUCTION.
8. A SPECIAL EVENT MUST COMPLY WITH THE NOISE REGULATIONS OF THE TOWN CODE AS OUTLINED IN ARTICLE 9-6 UNLESS AN EXEMPTION IS OBTAINED.
9. A SPECIAL EVENT MUST COMPLY WITH THE FIRE REGULATIONS AS OUTLINED IN CHAPTER 18 OF THIS CODE.
10. A SPECIAL EVENT MUST COMPLY WITH THE TOWN'S ZONING ORDINANCE AND ASSOCIATED USE PERMITS.
11. A PERMITTEE AND SPECIAL EVENT MUST COMPLY WITH ALL CONDITIONS OF APPROVAL OF THE LICENSE AND MUST NOT MATERIALLY DEVIATE FROM THE APPROVED PLANS AND SPECIFICATIONS FOR THE SPECIAL EVENT.

B. THE TOWN MAY DENY A SPECIAL EVENT PERMIT FOR ANY OF THE FOLLOWING REASONS:

1. THE APPLICATION WAS NOT SUBMITTED WITHIN THE PRESCRIBED TIME PERIOD(S).
2. THE PROPOSED DATE OR LOCATION CONFLICTS WITH A PREVIOUSLY SCHEDULED EVENT OR ACTIVITY, INCLUDING OVERLAPPING OR ADJACENT USE OF SPACE.
3. THE EVENT DATE FALLS WITHIN A PERIOD SUBJECT TO A TOWN-IMPOSED MORATORIUM, SUCH AS HOLIDAYS OR OTHER RESTRICTED PERIODS.
4. THE PROPOSED SITE IS UNSUITABLE OR UNAVAILABLE FOR THE PLANNED EVENT DUE TO RESERVATION, MAINTENANCE, OR OTHER OPERATIONAL CONSTRAINTS.
5. THE APPLICATION IS INCOMPLETE, CONTAINS MATERIAL FALSEHOODS OR MISLEADING INFORMATION, OR THE APPLICANT MADE FALSE OR MISLEADING STATEMENTS DURING THE APPLICATION PROCESS.
6. REQUIRED FEES OR CHARGES HAVE NOT BEEN PAID IN FULL AS ESTABLISHED BY THE TOWN COUNCIL.
7. THE APPLICANT OR AFFILIATED PARTY HAS PREVIOUSLY CAUSED DAMAGE TO TOWN PROPERTY, FAILED TO PAY OUTSTANDING TOWN DEBTS, OR HAS A DOCUMENTED HISTORY OF VIOLATIONS, INCLUDING CITATIONS OR POLICE RESPONSES RELATED TO PRIOR EVENTS.
8. THE APPLICANT WAS CONVICTED OF A CRIME INVOLVING MORAL TURPITUDE WITHIN THE PAST TEN (10) YEARS.
9. THE APPLICANT OR AFFILIATED PARTY HAS A DOCUMENTED HISTORY OF VIOLATIONS, INCLUDING CITATIONS OR POLICE RESPONSES IN OTHER JURISDICTIONS OR MUNICIPALITIES.
10. THE EVENT IS LIKELY TO CAUSE INJURY TO PERSONS OR DAMAGE TO PROPERTY, OR OTHERWISE POSES A THREAT TO PUBLIC HEALTH, SAFETY, OR WELFARE.
11. THE EVENT WOULD SIGNIFICANTLY INTERFERE WITH THE MOVEMENT OR RESPONSE CAPABILITIES OF PUBLIC SAFETY PERSONNEL OR EMERGENCY SERVICES.
12. THE EVENT WOULD SUBSTANTIALLY DISRUPT TRAFFIC FLOW OR PUBLIC ACCESS IN OR NEAR THE PROPOSED LOCATION OR ALONG THE EVENT ROUTE.
13. THE EXPECTED CONCENTRATION OF PEOPLE, ANIMALS, OR VEHICLES WOULD EXCEED THE SAFE CAPACITY OF THE AREA AND IMPEDE NORMAL PUBLIC SAFETY OPERATIONS.
14. REQUIRED PUBLIC SAFETY OR TOWN RESOURCES ARE UNAVAILABLE, AND SUPPORTING THE EVENT WOULD IMPAIR THE ROUTINE OPERATIONS OF THESE SERVICES.
15. THE EVENT WOULD UNREASONABLY INTERFERE WITH ANOTHER PERMITTED SPECIAL EVENT OR TOWN-SPONSORED FUNCTION.

16. THE EVENT WOULD DETRACT FROM THE PROMOTION OF PUBLIC HEALTH, SAFETY, OR GENERAL WELFARE.
17. WITHIN THE EIGHTEEN (18) MONTH PERIOD IMMEDIATELY PRECEDING THE SUBMISSION OF THE APPLICATION; THE APPLICANT OR THE PROPOSED SPECIAL EVENT FAILED TO OBTAIN A PERMIT REQUIRED BY THIS CHAPTER; OR THE APPLICANT, A VENDOR, OR THE SPECIAL EVENT VIOLATED OR FAILED TO COMPLY WITH CONDITIONS SET FORTH IN THIS ARTICLE OR THE ISSUED PERMIT; OR THE APPLICANT OR THE PROPOSED SPECIAL EVENT HAD A PERMIT REVOKED.

19-1-5 VIOLATIONS

A. REFER TO CHAPTER 9, ARTICLE 9-19 FOR SPECIFIC VIOLATIONS.

19-1-6 REVOCATION

A. THE TOWN MAY REVOKE A SPECIAL EVENT PERMIT IF THE PERMITTEE:

1. FAILS TO ABIDE BY ANY OF THE CONDITIONS OF THE PERMIT OR ANY OF THE PROVISIONS OF THIS ARTICLE,
2. FAILS TO CONDUCT THE SPECIAL EVENT AS PRESENTED ON THE APPLICATION,
3. FAILS TO COMPLY WITH THE TERMS AND CONDITIONS OF THE PERMIT,
4. POSES A THREAT TO PUBLIC HEALTH OR SAFETY, OR
5. A STATE OF EMERGENCY IS DECLARED.

B. UPON REVOCATION OF A PERMIT, THE SPECIAL EVENT MUST IMMEDIATELY CEASE, THE PERMITTEE AND VENDORS MUST IMMEDIATELY REMOVE OR PROPERLY DISPOSE OF ALL PROPERTY AND TRASH OF THE SPECIAL EVENT, AND THE PERMITTEE, VENDORS, AND ATTENDEES MUST IMMEDIATELY DISPERSE.

19-1-7 PENALTIES

A. AMONG OTHER PENALTIES THAT MAY APPLY, INCLUDING REVOCATION OF A PERMIT, A VIOLATION OF ANY PROVISION OF THIS ARTICLE THAT IS NOT OTHERWISE DESIGNATED SHALL BE A CIVIL VIOLATION AND ADMINISTERED AS OUTLINED IN ARTICLE 9-21-2.C.
B. THE PERMIT HOLDER MAY BE HELD LIABLE FOR ALL REASONABLE TOWN COSTS ASSOCIATED WITH THE EVENT, INCLUDING BUT NOT LIMITED TO CLEANUP COSTS, EMERGENCY RESPONSE COSTS, REPAIRING OR REPLACING DAMAGED GOVERNMENT PROPERTY,

ADDITIONAL SECURITY, OR ANY OTHER COST INCURRED BY THE TOWN AS A RESULT OF A VIOLATION OF THIS ARTICLE.

C. NOTHING IN THIS CHAPTER OR ELSEWHERE IN THE TOWN CODE REGARDING PENALTIES SHALL BE INTERPRETED OR APPLIED TO PREVENT IMPOSING OTHER OR ADDITIONAL CRIMINAL PENALTIES AND/OR RELIEF AS PROVIDED BY STATE STATUTE.

19-1-8 APPEALS

A. AN APPLICANT OR PERMITTEE AGGRIEVED BY A DECISION OF THE PERMIT ADMINISTRATOR MAY APPEAL THE DECISION BY REQUESTING A HEARING WITHIN SEVEN (7) CALENDAR DAYS OF ISSUANCE OF THE DECISION. THE APPEAL MUST BE IN WRITING, STATE THE GROUNDS AND SPECIFIC REASONS FOR THE APPEAL, INCLUDE ANY SUPPORTING DOCUMENTS, AND BE SENT TO THE TOWN MANAGER OR THEIR DESIGNEE. THE TOWN MANAGER OR DESIGNEE MAY DENY AN APPEAL WITHOUT FURTHER REVIEW IF THE REQUIREMENTS OF THIS SUBSECTION ARE NOT MET.

B. IF AN APPEAL MEETS THE REQUIREMENTS OF PARAGRAPH (19-1-8.A), THE TOWN MANAGER OR DESIGNEE WILL ISSUE A DECISION TO SUSTAIN, MODIFY, OR OVERRULE THE PERMIT ADMINISTRATOR'S DECISION.

C. A DECISION OF THE PERMIT ADMINISTRATOR, IF NOT APPEALED, WILL BE THE TOWN'S FINAL DECISION ON A MATTER PURSUANT TO THIS ARTICLE. IF THE DECISION OF THE PERMIT ADMINISTRATOR IS APPEALED, THE DECISION OF THE TOWN MANAGER OR DESIGNEE WILL BE THE TOWN'S FINAL DECISION ON THE MATTER.

*Chapter 9, Offenses, Article 19, Reserved, is replaced with Article 9-19, Special Events*

## QUEEN CREEK TOWN CODE CHAPTER 9, OFFENSES, ARTICLE 9-19, SPECIAL EVENTS

9-19-1 VIOLATIONS

A. DEFINITIONS FOR THIS ARTICLE ARE PROVIDED IN CHAPTER 19.

B. EXCEPT AS OTHERWISE PROVIDED, EACH DAY THAT THE VIOLATION CONTINUES SHALL BE A SEPARATE VIOLATION OR OFFENSE.

C. A VIOLATION OF ANY PROVISION OF CHAPTER 19 THAT IS NOT OTHERWISE DESIGNATED SHALL BE A CIVIL VIOLATION AND ADMINISTERED AS OUTLINED IN ARTICLE 9-21-2.C.

D. IT IS UNLAWFUL FOR A PERSON, APPLICANT, OR PERMITTEE TO:

1. CONDUCT OR STAGE A SPECIAL EVENT WITHIN THE TOWN WITHOUT A VALID PERMIT.
2. VIOLATE OR FAIL TO COMPLY WITH ANY OF THE CONDITIONS OR PROHIBITIONS OF CHAPTER 19 OR THE ISSUED PERMIT.
3. KNOWINGLY MAKE A FALSE OR MISLEADING STATEMENT TO TOWN STAFF OR OFFICIALS DURING THE APPLICATION PROCESS OR ON AN APPLICATION FORM.
4. KNOWINGLY MAKE A FALSE OR MISLEADING STATEMENT TO TOWN STAFF OR OFFICIALS WHILE A SPECIAL EVENT IS ONGOING.
5. VIOLATION OF THIS SUBSECTION IS A CIVIL OFFENSE.

NO PERSON, APPLICANT, OR PERMITTEE SHALL CONTINUE TO CONDUCT OR STAGE A SPECIAL EVENT WITHOUT THE REQUIRED PERMIT AFTER BEING ISSUED A VERBAL WARNING, WRITTEN NOTICE, OR CIVIL CITATION FOR A VIOLATION OF ARTICLE 9-19-1, SUBSECTION D.1 WITHIN THE PRECEDING 24 HOURS. VIOLATION OF THIS SUBSECTION IS A CLASS 1 MISDEMEANOR.