

ARTICLE 8-8: SPECIAL EVENTS

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§ 8-8-1 PURPOSE AND INTENT.

The City of Apache Junction recognizes the value of special events in enhancing community identity, cultural expression, economic activity, and tourism, and the city desires to provide and promote special events open to everyone to improve quality of life in the city and compete on an equal basis with other communities for tourism and other economic development projects. This Article establishes a framework for permitting temporary events that impact public and private property, City services, and/or community safety.

§ 8-8-2 DEFINITIONS.

Unless the context clearly requires otherwise, the following definitions apply:

APPLICANT OR SPONSOR. The individual or legal entity submitting a Special Event Permit application.

CITY. The City of Apache Junction, Arizona.

EVENT ORGANIZER. The person or entity responsible for producing or managing the event.

NON-PROFIT ORGANIZATION. Any religious, social, fraternal or civic organization which has been designated as a 501c organization by the Internal Revenue Service and which has a valid operating license as provided for in Vol. I, Chapter 8 of the city code.

SPECIAL EVENT. A temporary activity or gathering on public or private property that:

(A) Requires the coordination of two or more City departments; or

(B) Meets any of the following criteria:

(1) Requires the temporary closure or partial obstruction of a public street, sidewalk, or right-of-way (which includes any indirect impact that will affect the flow of typical vehicular or pedestrian traffic) ;

(2) Any activity held outdoors on public or private property that is inconsistent with the legal use of the property under the City's zoning ordinance or requires changes to the typical occupancy or use of a site, building, or public area.

- (3) Includes activities involving fireworks, pyrotechnics, lasers, drone shows or other similar special effects;
- (4) Includes carnival or amusement rides
- (6) Requires a Temporary Extension of Premises (liquor license) through the Arizona Department of Liquor Licenses and Control and it changes the legal use of the property;
- (7) Expects a gathering that could significantly impact traffic flow, parking, noise levels, or public services.

SPECIAL EVENT PERMIT. Written authorization issued by the City approving the event and its related operations.

SPECIAL EVENT REVIEW COMMITTEE. A committee composed of representatives from City departments, including Parks and Recreation, the City Clerk's Office, Public Works, and the Police Department, or other departments as determined by the City Manager or his/her designee.

§ 8-8-3 SPECIAL EVENT PERMIT REQUIREMENTS.

- (A) It is unlawful to conduct a Special Event within City limits without first obtaining a Special Event Permit.
- (B) Special Event Permits are non-transferable and must be obtained for each occurrence or series of events.
- (C) The applicant must ensure full compliance with Special Event Permit terms, applicable City ordinances, and all relevant state and federal laws.
- (D) A Special Event Permit does not exempt the applicant from obtaining additional permits required for food, liquor, building, fire safety, or other regulated activities.

§ 8-8-4 EXEMPTIONS.

The following activities are generally exempt from the requirements of this Article unless otherwise determined by the City Manager or designee:

- (A) Events organized by public or private schools, provided the activity occurs on school property and does not involve significant traffic or security impacts requiring City services/City Intervention.
- (B) Private events (e.g., weddings, yard sales, birthday parties) not open to the public and does not involve significant traffic or security impacts requiring City services/City interventions.
- (C) Routine business activities occurring within the scope of a valid business license (such as sidewalk sales, or tent sales conducted on the businesses' properties).
- (D) Funeral processions and other activities expressly protected under state or federal law.
- (E) Activities such as car shows or charity car washes, provided they have the permission of the landowner and do not occur in conjunction with other activities as defined in § 8-8-2 DEFINITIONS.

§ 8-8-5 APPLICATION PROCESS

- (A) Applications must be filled out in entirety, as set forth in administrative procedures on file with the city's Parks and Recreation Department.
- (B) A complete application must be submitted at least **60 calendar days** prior to the event start date.

(C) Applications are reviewed by the Special Event Review Committee and any departments with jurisdiction as set forth in administrative procedures.

(D) Upon review, permit conditions may include requirements for:

- (1) Police and fire personnel, traffic control, or barriers
- (2) Sanitation, first aid, fencing, parking, and lighting
- (3) Noise control, dust mitigation
- (4) Event signage, hours of operation, or public notice
- (5) Vendor management and requirements set forth in 8-8-8
- (6) Payment for City staff or equipment costs

(E) Permits may be denied for the following reasons:

- (1) Incomplete, false, or misleading information
- (2) Submission less than 60 calendar days prior (unless waived)
- (3) Conflicts with other scheduled events
- (4) Failure to meet safety or operational standards
- (5) Prior non-compliance with City event requirements

§ 8-8-6 GENERAL REQUIREMENTS.

(A) Event sponsors and promoters are jointly responsible for compliance with this Chapter and all permit conditions.

(B) The approved permit must be kept on-site and available for inspection by City officials.

(C) Events must be confined to the approved location and timeframe.

(D) The City reserves the right to inspect, monitor, or enter events to ensure public safety and regulatory compliance.

(E) All associated permits (e.g., TPT license, health permits, etc.) must be obtained before the event.

(F) City services (e.g., police, sanitation, barricades) will only be provided with prior agreement and cost recovery.

(G) The applicant shall be required to sign a hold harmless agreement and/or facility use agreement.

§ 8-8-7 VENDOR REQUIREMENTS.

(A) Sponsor requirements for events which include vendors:

- (1) The event sponsor shall pay a fee of \$50 per day. This fee shall be paid no later than 10 city business days in advance of the first day of the event. A penalty of \$5 per day shall be assessed for each city business day the initial payment is late, beginning with the city business day immediately following the initial deadline. This fee shall not apply to those events which do not include vendors or to city sponsored events.
- (2) The event sponsor shall identify an event vendor coordinator or contact person to the city clerk at least 30 calendar days in advance of the event.
- (3) The event vendor coordinator shall obtain a completed vendor application, on a form to be provided by the city, from each participating vendor and obtain a copy of the vendor's driver's license for any vendor(s) not already properly licensed with the city.

- (4) The event vendor coordinator shall provide the city clerk with all completed vendor applications along with a complete list containing name, address and telephone number of each participating vendor no later than 8 city business days following the last day of the event.
- (5) The event vendor coordinator shall obtain the city transaction privilege tax ("TPT") or use tax number for each vendor and verify with the city clerk that it is a valid number.

(B) Vendor requirements for events:

- (1) All vendors who engage or attempt to engage in sales, advertisement, or solicitation of services or products at an event shall complete a vendor application and submit it to the event vendor coordinator.
- (2) Non-profit organizations, which participate as vendors at events shall not be required to complete an event vendor application if their participation is limited to the distribution of literature or information relative to their organization.
- (3) Massage therapists or healthcare professionals or any students in conjunction with a recognized school of massage or educational institution as allowable under A.R.S. Title 32 who wish to participate as a vendor at a special event shall be permitted to do so as long as such service is provided by a person holding a valid city business license and who is authorized under A.R.S. Title 32 to perform massages.
- (4) Any food truck vendor, as defined in this chapter, that is present at a special event shall follow the regulatory process in Article 8-10 of this chapter.
- (5) Any vendor participating at a special event who is engaged in a taxable activity shall be required to obtain a TPT or use tax license as set forth in the Apache Junction Tax Code, Chapter 8A, Article III, Licensing and Recordkeeping. This license shall be obtained in advance of the event.
- (6) Hobby or craft vendors are required to complete the vendor application and obtain a TPT or use tax license prior to participating in sales at the event.

§ 8-8-8 ADDITIONAL FEES.

- (A) The City may charge fees for use of City property and equipment, public safety services, and recovery of other City-incurred costs.
- (B) The City Manager or his/her designee may waive or reduce City fees for City-sponsored events or qualifying non-profit organizations.
- (C) Additional fees and/or permits may be necessary for non-City services, such as but not limited to fire, EMT emergency services, or health and environmental inspections.

§ 8-8-9 INSURANCE AND LIABILITY.

- (A) Applicants must provide proof of general liability insurance in an amount determined by the City's Risk Manager, naming the City, its elected officials, officers, employees, and agents as an additional insured parties.
- (B) Events involving higher risk activities may require additional insurance, such as auto or liquor liability.

- (C) The applicant shall sign an agreement wherein they agree to indemnify and hold harmless the City, its officials, officers, employees and agents from claims or lawsuits relating to the event and its associated risks.

§ 8-8-10 ENFORCEMENT AND PENALTIES.

- (A) Violations of this Chapter, including conducting a Special Event without a permit or failing to comply with permit conditions, are subject to criminal penalties pursuant to the Apache Junction City Code, Vol I, 8-1-4, permit revocation, or denial of future applications.
- (B) The City may revoke a permit for non-compliance, false information, or in the event of a public emergency.
- (C) Each day of violation constitutes a separate offense.
- (D) If a special event is conducted without a special event permit or a special event is conducted in violation of the terms of a special event permit, the event organizer shall be responsible for all city costs incurred for a public safety response necessitated by the adverse impacts of the event upon public safety. The event organizer shall pay the amount charged within 10 calendar days of receipt of an invoice for such costs.

§ 8-8-11 APPEALS.

Applicants may appeal the denial or revocation of a permit to the City Manager or his/her designee in writing within five (5) calendar days. The City Manager or his/her designee shall issue a final written decision within ten (10) calendar days of receipt. The decision of the City Manager or his/her designee shall be final, subject only to judicial review pursuant to A.R.S. § 12-904 (A).