

One-rdg. X
P. Hrngs. _____
Pgs. 4
Filed: 06-21-16

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 147

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield City Code, Section 2-504(b)(14) to limit the insurance
2 requirements for special events held on public property to \$1,000,000.00;
3 including a severability clause, savings clause, and declaring an
4 emergency.
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6

7 WHEREAS, the City Council adopted Resolution 10219 on June 22, 2015,
8 establishing an administrative delay of 180 days on Section 2-504(b)(14); and
9

10 WHEREAS, the City Council adopted Resolution 10251 extending the
11 administrative delay until June 20, 2016 on December 14, 2015; and
12

13 WHEREAS, City staff met with community stakeholders to determine the effect of
14 increased insurance limits on special events; and
15

16 WHEREAS, City staff is proposing to limit the insurance needed for a special
17 event held on public property at \$1,000,000.00.
18

19 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
20 SPRINGFIELD, MISSOURI, as follows, that:
21

22 Note: ~~Stricken~~ language is to be removed.
23

24 Section 1 - The Springfield City Code, Chapter 2 Section 2-504(b)(14), is hereby
25 amended as follows:
26

27 (14) Events located upon or requiring the closing or blocking of any street, alley,
28 or road, or the use of any City-owned property or right-of-way areas, shall submit
29 a liability insurance policy in the following amount:
30

31 a) ~~Events with expected attendance of one thousand (1,000) people or~~
32 ~~less shall provide a liability insurance policy in the amount of \$1,000,000.00 for~~
33 ~~any injury to any person, including death, arising out of one incident;~~

34 \$1,000,000.00 for any damage to property; and \$1,000,000.00 automobile
35 liability insurance for any injury to any person, including death, arising out of one
36 incident.

37
38 ~~b) Events with expected attendance of greater than one thousand (1,000)~~
39 ~~people shall provide a liability insurance policy in the amount of \$3,000,000 for~~
40 ~~any injury to any person, including death, arising out of one incident;~~
41 ~~\$3,000,000.00 for any damage to property; and \$3,000,000.00 automobile~~
42 ~~liability insurance for any injury to any person, including death, arising out of one~~
43 ~~incident.~~

44
45 eb) Events where alcohol will be provided or sold shall also be required to
46 provide a liquor liability insurance policy in the amount of \$1,000,000.00 for any
47 injury to any person, including death, arising out of one incident; and
48 \$1,000,000.00 for any damage to property.

49
50 The City shall be an additional insured on a primary basis for each of the above-
51 referenced policies, and the special event sponsor shall execute a hold harmless
52 agreement indemnifying the City, including a waiver of subrogation. ~~Any~~
53 ~~contractors or vendors hired will be required to maintain the same limits of~~
54 ~~insurance as the event sponsor. Additional insurance coverage and increased~~
55 ~~limits may be required by the City Manager based on the size and scope of the~~
56 ~~event.~~

57
58 Section 2 – The section and subsection numbers shown herein shall be used
59 unless the City Clerk or the codifier of the City Code and the Zoning Ordinance assign a
60 different section or subsection number to the language.

61
62 Section 3 – Savings Clause. Nothing in this ordinance shall be construed to
63 affect any suit or proceeding now pending in any court or any rights acquired or liability
64 incurred nor any cause or causes of action occurred or existing, under any act or
65 ordinance repealed hereby. Nor shall any right or remedy of any character be lost,
66 impaired, or affected by this ordinance.

67
68 Section 4 – Severability Clause. If any section, subsection, sentence, clause, or
69 phrase of this ordinance is for any reason held to be invalid, such decision shall not
70 affect the validity of the remaining portions of this ordinance. The Council hereby
71 declares that it would have adopted the ordinance and each section, subsection,
72 sentence, clause, or phrase thereof, irrespective of the fact that any one or more
73 sections, subsections, sentences, clauses, or phrases be declared invalid.

74
75 Section 5 – The City Council hereby finds and declares that an emergency exists
76 in that this ordinance relates to the preservation of the public health and safety pursuant
77 to Sections 2.12(1) of the City Charter in that this revision pertains to the requirement
78 for insurance to be provided for special events being held on city owned property.
79 Therefore, this ordinance shall be in full force and effect from and after passage.

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Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Amanda R. Callaway, Assistant City Attorney

Approved for Council action: Jay Burt, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 147

FILED: 06-21-16

ORIGINATING DEPARTMENT: City Manager

PURPOSE: To request Council remove an administrative delay for General Ordinance No. 6195 approved by Council Bill 2015-111 .

BACKGROUND: City staff worked for a number of months to consolidate various provisions of the City Code relating special events into one general code section. General Ordinance No. 6195 combined all special event provisions into one section in order to create a streamlined event application process for the public, and provide a clear set of laws for event applicants and city staff. The ordinance also enacted additional requirements, including an increase in liability insurance requirements for events with expected attendance of 1,000 or more from \$1,000,000 to \$3,000,000 per incident (Section 2-504 (b) (14) b)).

The added cost of some of the requirements has created difficulty, particularly for community volunteer groups. Staff feels that, in order to maintain a viable climate for special events, event organizers need additional time to anticipate the cost of additional requirements. Staff also needs additional time to evaluate the effects of the new ordinance, to finalize a fee schedule for special events, and to conduct an information and educational campaign for special events organizers and the public in order that they might understand the special permit permitting process, the requirements of the ordinance and the costs associated with special event permits. Due to these factors, an administrative delay was enacted and new provisions are now prepared for the ordinance.

Those new provisions include removing the increase in liability insurance requirements to revert back to the previous requirements of \$1,000,000 per incident. These amendments also remove the requirement for contractors or vendors hired to maintain the same limits of insurance as the event sponsor.

Prior to approval by City Council, the Special Events ordinance was approved by the Planning and Zoning Commission and reviewed by the Development Issues Input Group (DIIG), and The Neighborhood Advisory Council.

Recommended by:



Cora Scott, Director, Public Information Office

Approved by:



Greg Burris, City Manager