

Chapter 2. Use of the Village Green for Organized Activities**§9201. Permit required for organized activities**

No person shall use the Village Green for organized activities without first obtaining a permit from the Board therefore as provided in this chapter.

§9202. Permits limited to non-profit organizations from Woodstock

A permit required by section 9201 of this chapter may only be issued to a non-profit organization from Woodstock.

§9203. Applications for permit

Applications for a permit required under section 9201 of this chapter shall be made to the Board at least 30 days prior to the date upon which the activity applied for is scheduled to occur, which application shall be in such form as shall be prescribed by the Board from time to time, shall contain at a minimum the information required by section 9204 of this chapter, and shall be signed by or on behalf of the non-profit organization by its duly authorized agent. A processing fee of \$50.00 shall accompany all applications. A recycling plan must accompany all applications. The recycling plan shall detail the method of collecting and recycling certain materials generated by the patrons of an event, such collection and recycling of certain materials shall be conducted by sponsors of events, at their sole expense. Such plan, and compliance therewith shall be incorporated into the terms and conditions of any permit issued. Materials to be collected and recycled must include, but not be limited to: glass, plastic and aluminum containers.

The Board may vote to return the \$50.00 application fee paid by a nonprofit organization using the Green for an event, upon its review and approval of a report that details the amount of recyclable materials that were collected during the event and the location where the materials were taken for recycling.

An application shall be deemed completed when delivered to the office of the Village Manager, with all information requested on the form completely answered, together with the fee and any required attachments to the application.

§9204. Minimum contents of application

Applications for a permit required under section 9201 of this chapter shall include, at a minimum, the following information:

- (1) Name and address of the non-profit organization;
- (2) Name, address, and telephone number of the authorized agent signing the application on behalf of the non-profit organization;
- (3) Certification by authorized agent that the entity for which a permit is sought is a non-profit organization from Woodstock as defined in this title;
- (4) Date and times for which applied for activity is scheduled to occur and any alternate date(s) and times being planned in the event of cancellation(s) due to bad weather;
- (5) Description of the nature of the planned organized activity;
- (6) Description of all equipment and structures to be temporarily installed or erected,

signs to be posted, and any alterations to be made in connection with the organized activity;

(7) Statement of the purpose of the organized activity including the benefit to be derived for the non-profit organization;

(8) Description of the portion of the Village Green to be used in connection with the activity;

(9) Description of all arrangements made for traffic control;

(10) Statement as to whether it will be necessary to drive any motor vehicles over the Village Green in connection with the activity; and

(11) Certification by an insurance company licensed to do business in this state that the entity for which a permit is sought is presently insured in a reasonable amount for any liability which might reasonably arise by reason of such activity and that such insurance company will notify the Village Manager in the event such insurance is cancelled for any reason prior to the holding of such activity pursuant to the permit issued hereunder.

§9205. Approval or denial of application; issuance of permit

(a) Upon receipt of a completed application and processing fee (if applicable), the Village Manager or designee shall note the date of receipt on the application and place the consideration of such application on the agenda of the next regular or special meeting of the Board.

(b) Upon consideration of such application and the standards set forth in section 9206 of this chapter where applicable and such other factors as the Board shall deem relevant under the circumstances, the Board shall grant or deny such application, with or without conditions, and if granted shall issue a permit therefor which shall specifically state any conditions. Nothing in this chapter shall be construed to prevent the Board from granting a permit even though the application therefor was submitted less than 30 days prior to the date upon which the activity applied for is scheduled to occur, upon a finding that adequate notice has been or can be given to police and other affected municipal departments and personnel.

§9206. Standards

(a) Although issuance of permits hereunder is limited as provided in section 9202 of this chapter, a permit may be granted to a non-profit organization from Woodstock to carry on organized activities notwithstanding the fact that, in connection with such activities, other persons not qualifying as a non-profit organization from Woodstock may profit therefrom, provided some measurable benefit is derived for the non-profit organization from Woodstock making the application and the use of such non-profit organization from Woodstock as the applicant is not merely a sham to avoid the limitation set forth in section 9202 of this chapter.

(b) The Village Green shall be maintained in a neat and orderly condition at all times during the date of the activity and also, to the extent reasonably possible, during the setup and cleanup time for such activity.

(c) Any equipment installed or items on display on the Village Green in connection with the activity shall be installed no sooner than 24 hours prior to the scheduled date of the activity and shall be removed no later than 24 hours after the scheduled date of the

- activity, provided however, any equipment which can be easily installed and removed shall be installed and removed on the day of the activity. This standard shall have separate application to any alternate date not immediately following the scheduled date.
- (d) No signs or equipment shall be attached to or installed upon trees or historic/memorial markers in the Village Green or upon traffic signs, parking meters, or light poles surrounding the Village Green.
- (e) No structures shall be erected or placed within fifteen feet of the trunk of any tree in the Village Green.
- (f) Traffic signs and parking meters surrounding the Village Green shall not be obstructed.
- (g) All traffic control arrangements and site layouts shall be reasonably calculated to insure the maximum safety of the public and to cause the least possible inconvenience to the public. Descriptions of arrangements for traffic control shall include the recommendations of the Village chief of police with respect thereto and shall clearly state any variances between actual arrangements made and the recommendations of the Village chief of police.
- (h) No activity shall be carried on before 8:00 A.M. or after 8:00 P.M.
- (i) Applications shall be considered by the Board in the order in which completed applications are submitted to the Village Manager. Permits may be granted to 2 or more non-profit organizations from Woodstock for the same date and/or times provided the granting of such permits shall not cause an overlap in the use of any portion of the Village Green, including dates and/or time permitted for setup and cleanup and alternate dates.
- (j) Consideration may be given as to whether an applied for activity, if permitted, would unreasonably restrict the public access to and use of the Village Green.
- (k) All arrangements for and expenses relating to maintenance of the Village Green immediately before, during, and immediately after a permitted activity and traffic control during a permitted activity, shall be the responsibility of the permittee.
- (l) Any damage to the Village Green occurring in connection with an activity (including setup and cleanup) permitted hereunder shall be repaired at the expense of the permittee. At the option of the Board, any repair so required shall be arranged by the Board or by the permittee.
- (m) At the option of the Board, a written indemnification agreement or some other security may be required as a condition precedent to the holding of a permitted activity hereunder to cover all responsibilities and liabilities of the permittee under the permit or any applicable law.
- (n) The Board of Village Trustees has the discretionary authority to grant permits that are not in strict conformance with these standards.

§9207. Violations of permit terms and conditions

No person on whose behalf a permit is issued under this chapter shall violate any term or condition contained in such permit or knowingly permit others to violate any such term or condition. The fact that the alleged violation or any prior violation resulted in the termination of the permit and any rights thereunder shall not constitute a defense to an action brought under this section.

§9208. Variances

Any person may apply to the Board of Village Trustees for a variance from the requirements of this chapter when making application for a permit to use the Village Green for good cause shown, the Board of Trustees may in its sole discretion , either grant or deny the variance. If the variance is granted the Board of Village Trustees may impose reasonable conditions to said variance.

History:

1996 Amendment. Section was generally amended by deleting language relating to penalties, public nuisance, and injunction and substituting language relating to violations of permit terms and conditions by section 25 of Woodstock Village Ordinance Revision #5, adopted by the Board on January 22, 1996, effective March 22, 1996. Revision to allow variance adopted February 9, 2010 and effective April 9, 2010, revised to address recycling on the Green adopted by the Board on January 8, 2013, effective March 9, 2013.

Revision # 10 to the 2009 compilation of the Woodstock Village Ordinances added sub section “h” to section 9206 limiting hours of operation of activities to the hours of 8am to 8 pm.

Revision # 4 to the 2009 compilation of the Woodstock Village Ordinances added section 9208 allowing the Board of Village Trustees the authority to grant variances to the operating rules established by this ordinance.