

ORIGINAL  
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ORDINANCE NO.: 2023-064

*Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, to repeal and replace Chapter 22, Streets, Sidewalks and Other Public Places, Article VI, Parades*

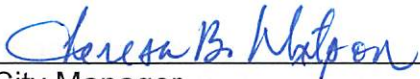
BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina this 20<sup>th</sup> day of June, 2023 that the City of Columbia, South Carolina Chapter 22, Streets, Sidewalks and Other Public Places, Article VI, Parades is hereby repealed in its entirety and replaced with Chapter 22, Streets, Sidewalks and Other Public Places, Article VI, Special Events and Parades, reflected in the attached "Article VI, Special Events and Parades " which is incorporated herein by reference and available for inspection by contacting the City Clerk, City Hall, 3rd Floor, 1737 Main Street, Columbia, South Carolina, 29201; (803) 545-3045; cityclerk@columbiasc.net.

This ordinance is effective as of January 1, 2024


Requested by:

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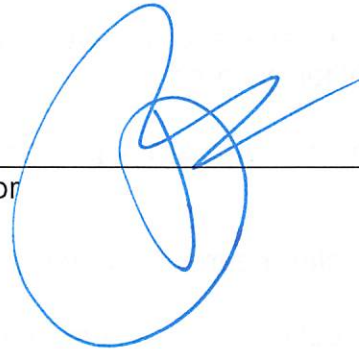
Approved by:

  
\_\_\_\_\_  
City Manager

Approved as to form:

  
\_\_\_\_\_  
City Attorney

Mayor



ATTEST:

  
\_\_\_\_\_  
City Clerk

Introduced: 6/6/2023

Final Reading: 6/20/2023

## ARTICLE VI. – SPECIAL EVENTS & PARADES

### Sec. 22-161. Enforcement of other laws.

Nothing contained in this article shall prohibit the authority of any law enforcement officer to arrest a person engaged in any act or activity granted in this article if the conduct of such person violates the laws of the state, provisions of this Code or other ordinances of the city, or unreasonably obstructs the public use of public streets or sidewalks, or if such person engages in acts that cause a breach of peace, undue disturbance, interference or molestation of other persons making lawful use of the space in a peaceful manner.

### Sec. 22-162. 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:

*Event* means any special event or the use of a public facility pursuant to park or recreational facility permit.

*Event organizer* means any person who conducts, manages, promotes or organizes an event.

*Event promoter* means any person who:

(1) Is directly or indirectly responsible for the organization of an event, as evidenced by activities such as contracting with the principals, selecting entertainment, sponsoring, advertising or otherwise holding out an event to members of the general public, inviting participants, or renting or controlling the site of an event; and

(2) Directly or indirectly receives or shares in the following:

- a. Admission or entrance fees paid by participants or spectators;
- b. Compensation, consideration or other revenue from sponsors or private donors to the event;
- c. Revenues from concessions or other sales; or
- d. Revenues from the control of vending or concession sites or permits, including nonresident event promoters who do business within the city.

*Festival* means a thematic, organized, site-specific celebration, performance, exhibition open to the general public.

*Goods* means wares, personal property, merchandise or any other similar item or object that is generally sold.

*Parade* means any parade, march, ceremony, show, exhibition, pageant or procession of any kind, or rallies or demonstrations, or any similar display in or upon any street, sidewalk, public place, park or other outdoor places owned or under control of the city.

*Parade permit* means a permit as required by this article.

*Public areas* means public sidewalks, parks, playgrounds and other pedestrian areas, as may be limited by city council resolution.

*Sidewalk* means that portion of a highway other than the roadway, set apart by curbs, barriers, markings or other delineation for pedestrian travel.

*Signage* means any sign, pennant, flag, banner, inflatable display or other attention-seeking device, including but not limited to:

- (1) Temporary site-specific signage. Printed signs and/or banners bearing the name of a specific event intended to identify the location of that event.
- (2) Temporary welcome signage. Printed signs and/or banners bearing the name of a specific business or entity and a welcome statement referencing the event participants and spectators.

*Special event* means an entertainment, amusement, athletic, political or other event held on private property or in the exclusionary use of public property, which is reasonably foreseeable to involve a large assemblage of vehicles and/or persons, impose traffic congestion, impact required parking, involve sanitation and security concerns, or the erection of structures or operation of rides, games or machines, that may affect city residents' or visitors' health, safety, or welfare or may require excessive public safety cost in responding to and/or managing the event to preserve the public peace. A special event has a specific start and stop date, except for city sponsored events. A series of similar events may be considered a single special event. A special event can include but is not limited to: filming; concerts; parades; circuses; fairs; festivals; block parties; automobile or motorcycle rallies; community events; mass participation sporting competitions such as marathons and running events; bicycle and other wheeled races or tours; spectator sports such as football, basketball and baseball games; and golf tournaments.

*Special event permit* means a permit issued for a special event.

*Special event venue* means that defined area identified on a submitted site plan approved by the city manager or designee for which a special event permit has been issued.

*Street* means a public right-of-way or place of whatever nature, publicly maintained and open to use of the public for purposes of vehicular or pedestrian travel. Street includes highways, alleyways, sidewalks and any other public area that accommodates vehicular or pedestrian travel.

*Tax-exempt nonprofit organization* means an organization that is exempt from payment of income taxes by federal or state law and which has been in existence for a minimum of six months preceding the date of application for a special event permit or other permit. This shall include charities, 501(c)(3) organizations, civic groups, fraternal organizations and mutual benevolent aid societies. Appropriate official documentary proof may be required.

*Vendor* means any person who sells or offers to sell any goods, food or beverages within a special event venue or public facility during a facility use, including the event organizer or any person who contracts with the event organizer for space within the special event venue or public facility in order to vend goods.

#### Sec. 22-163. Compliance with other laws.

The granting of any permit under this article shall not eliminate:

- (1) Requirements for any business license or any other permits or licenses which may be prescribed by any other federal, state or local statutes, ordinances, rules and regulations;
- (2) Compliance with any other applicable federal, state, or local statutes, ordinances, rules or regulations; or
- (3) Compliance with regulations regarding the concentration of persons, animals, equipment or vehicles at access points or other areas which substantially damages planting or landscaping on public or private property.

#### Sec. 22-164. Recovery of excessive public safety costs.

(a) In addition to all other civil and criminal penalties provided by law, the city shall be entitled to recover from the responsible party the cost of an excessive public safety response associated with an event, whether permitted or unpermitted, whether occurring inside or outside the city limits, that directly impacts city residents or city resources. Excessive public safety costs may be recovered in any manner prescribed by law. Event

promoters and event organizers that promote, stage, conduct, organize or sponsor permitted or unpermitted events shall be held accountable and shall be responsible for the cost of the city's additional expenditure of public resources as a result of the event. For purposes of this section, "excessive public safety response" means the deployment or dispatch of law enforcement officers, the need for public safety personnel or emergency vehicles, or code enforcement or public works equipment or personnel due to an observation or report of public disturbances, public health or safety or code violations as a result of an event when compared to the usual frequency or intensity of law or regulation enforcement. Excessive public safety response costs also include the cost of any public safety response caused by the failure of the permittee to adequately plan for the event or abide by the terms and conditions of the event permit. Excessive public safety response costs do not include protection of the attendees of a free speech event from hostile members of the public or counter-demonstrations.

(b) Responsible parties for excessive public safety costs shall include any permittee, event organizer, event promoter, event sponsor, property owner or other individual or entity that knows or should have known that the event, whether permitted or unpermitted, could result in the deployment of public resources to protect or preserve the public health, safety or welfare. Responsible parties shall be jointly and severally liable for the additional expenditure of public resources or excessive public safety response costs.

Sec. 22-165. Miscellaneous provisions applicable to this article, as well as unpermitted events.

(a) The city shall determine when or if an event requires the closure of the entire street, a portion of the street or no street closure. Closure of a street may involve additional personnel and the placement of physical barriers for public safety.

(b) Sound amplification carried by a person (ex., loudspeakers or bullhorns) is prohibited when the sound is louder than an average conversational level at a distance of 100 feet. Parades and public assemblies with permits must identify sound amplification devices that are too large to be carried by one person or that employ marching musicians or groups of performers.

(c) Any special event permit is subject to revocation by the city manager or designee, police chief or designee or fire chief or designee on the following grounds:

- (1) Due to emergency or unforeseen conditions that may arise before or during the course of the event for which it is granted;
- (2) To preserve public health, safety and welfare;
- (3) For violation of any law or regulation by the participants, applicant or event organizer;

- (4) If the event cannot be conducted without violating any condition of the permit or is being conducted in violation of any condition of the permit;
  - (5) If the event organizer or any person associated with the event organizer or facility use fails to obtain any other permit or license required by the City Code or ordinance, state law or federal law;
  - (6) If the permit was issued in error or contrary to law; or
  - (7) If the information provided in the application has been falsified or misrepresented.
- (d) The city manager or designee, police chief or designee or fire chief or designee may modify or amend any permit or requirements in keeping with the nature of the approved event and as circumstances dictate.
- (e) For public safety reasons the following are prohibited at all events, including but not limited to protests, demonstrations, pickets and extraordinary events, and declared contraband and subject to confiscation. These prohibitions may be modified or waived by the city manager or designee based upon the nature of the event:
- (1) Open flames except in stationary cooking devices essential to the event.
  - (2) Any combustible or flammable solids, liquid or gasses, including lighters, torches, etc., except in stationary cooking devices essential to the event.
  - (3) Sticks, poles, selfie sticks or other similar elongated solid objects capable of inflicting bodily harm as a striking or stabbing object, excluding commercially available corrugated cardboard tubing as the supporting article for signage, flags and the like.
  - (4) Backpacks, satchels, bags, coolers or similar personally carried containers, except when said container is completely clear and see-through. This prohibition is not applicable to facility use permits and may be waived or modified when checkpoint entry to the area of assembly is monitored by either private internal security approved by the city or by law enforcement officers with examination of the contents prior to entry.
  - (5) Any firearm or ammunition, concealed or otherwise, except as an essential part of a recognized active national military observation of governmentally sponsored event.

- (6) Any mechanical or handmade contrivance that launches any projectile of solid, liquid or gaseous composition, including aerosols/pressurized canisters.
- (7) Any stabbing, cutting or slicing blade, whether of metal or other solid composition.
- (8) Any striking object such as a bat, stick, brass knuckles, martial arts weapons, implement handles and the like, which could inflict bodily injury.
- (9) Any facial mask, headgear or cloth worn over any portion of the face which prevents facial identification of a person over 16 years of age (see S.C. Code 16-7-110).
- (10) Any carried object that resembles or serves the purpose of a shield.
- (11) Any armor or defensive covering that resembles or serves the purpose of defensive body armor.
- (12) Drones and other unmanned aircraft systems.
- (13) Glass and/or thermal containers.
- (14) Individually carried signage exceeding the size restriction of 24 inches by 36 inches by ¼ inch provided however, flexible banners with a supporting rigid spine carried by two persons are permitted in roadway parades and processions along with ornamental objects such as mock swords, pennants, flags and rifles in the context of a marching band of a school or military organization.
- (15) Wagons or carts.

(f) The permittee shall carry a copy of the permit on his/her person during the event and will be designated as the contact person available to law enforcement for the transmission of messages or directions to all persons participating or attending the event. If the permittee is not present on site, another individual must carry the permit and make his/her position known to law enforcement on site.

(g) All persons participating in or attending the event shall obey the lawful commands of any law enforcement officer and shall conduct themselves in a lawful manner at all times.

- (h) The normal flow of traffic shall not be disrupted except in instances where a law enforcement officer or City employee under a law enforcement officer's direction performs this disruption.

Sec. 22-166. Special event permit required; exceptions.

- (a) No person shall conduct, promote, manage or engage in any special event unless a special event permit is obtained pursuant to this article.
- (b) This section shall not apply to the following:
  - (1) Funeral processions supervised by a licensed mortuary;
  - (2) Picketing as permitted by city ordinance;
  - (3) Students going to and from school classes or participating in educational activities, providing such conduct is under immediate direction and supervision of the proper school authorities; or
  - (4) A parade, event or performance that is under the control of the City of Columbia and is conducted on city streets, rights-of-way or any other city owned or managed property.
  - (5) Governmental agencies acting in the course and scope of their authority.

Sec. 22-167. Special event applications; contents; review process.

- (a) An applicant shall submit an application to the city manager or her designee accompanied by the applicable special events permit fee set forth on the city's special events fee schedule, as approved by city council.
- (b) The advance-filing period for each type of special event shall be stated on each application. Failure to submit an application within the specified time will result in the application being deemed incomplete.
- (c) In consideration of the high demand on public services, the city manager may limit acceptance of special event applications.
- (d) The application for each type of special event shall contain all pertinent information for the type of event, including but not limited to:
  - (1) The name, address and telephone number of the applicant.

- (2) The dates and times of the special event.
- (3) A certification that the applicant will be financially responsible for any city fees or costs that may be imposed for the event.
- (4) The name, address and telephone number of the parade chairman or event organizer, if any, and the chief officer of the event organizer, if any.
- (5) If the special event is designed to be held by, on behalf of or for any organization other than the applicant, the applicant shall provide documentation from such organization:
  - a. Authorizing the applicant to apply for the special event permit on its behalf; and
  - b. Certifying that the applicant will be financially responsible for any costs or fees that may be imposed for the event.
- (6) A copy of the tax exemption letter issued to any applicant claiming to be a tax-exempt nonprofit organization.
- (7) A statement of the purpose of the special event.
- (8) A statement of fees to be charged to attendees or participants for the special event.
- (9) The proposed signage, boundaries, location, map, dates, times, routes, alternate routes, staging areas, parking or disbanding stands or areas.
- (10) The approximate number of persons and types and number of animals, structures or vehicles involved in the special event and the parking plan for vehicles.
- (11) The plan for trash removal and special event breakdown and clean-up.
- (12) The number of bands or other musical units and the nature of any equipment to be to be used to produce sounds or noise.
- (13) The number and location of portable sanitation facilities.
- (14) Other equipment or services necessary to conduct the special event with due regard for participant and public health and safety.

- (15) The number of persons proposed or required to monitor or facilitate the special event and provide spectator or participant control and direction using city streets, sidewalks or facilities.
- (16) Provisions for first aid and/or emergency medical services.
- (17) Insurance and surety bond information.
- (18) Any special or unusual requirements that may be imposed or created by virtue of the proposed special event.
- (19) Full information on the location, number and names of vendors, and the types of goods or services intended to be marketed within the boundaries of the special event.
- (20) Whether alcohol will be sold or provided.
- (21) Any other information required by the city manager or her designee.

Sec. 22-168. Criteria for issuance of special event permit.

- (a) In reviewing an application for a special event permit, the city manager or designee shall consider the following:
  - (1) Whether the special event will substantially interrupt the safe and orderly movement of other traffic contiguous to its route;
  - (2) Whether the special event will require the diversion of a number of law enforcement officers to properly provide adequate protection to the remainder of the city;
  - (3) Whether the concentration of persons, animals, equipment or vehicles at assembly points or other areas will substantially interfere with adequate fire and police protection of, or ambulance service to, areas or near such areas or will hinder the movement of firefighting equipment;
  - (4) Whether the special event is reasonably likely to result in violence to persons or property causing serious harm to the public;
  - (5) Whether the special event is to be held for the primary purpose of advertising a product, goods or services and is designed to be primarily for profit.

- (6) Whether the route has been requested recurrently in prior years and is too disruptive to residents or businesses;
- (7) Whether the proposed use of public property, right-of-way or facility will unduly interfere with the normal use of the public property, right-of-way or facility by the city or the general public. Consideration will be given to the number of people expected to be in attendance, the primary purpose of the space, other previously permitted events occurring nearby or in the same space and close in time to the proposed event. The appropriateness of the size of space requested for the type of activity proposed will be assessed so that limited space will not be expected to hold a greater number of people or large space is not set aside for a limited number of people.
- (8) Whether the concentration of persons within the special event presents a public health hazard based upon guidance from public health authorities.
- (9) Whether the special event is proposed on the same date or in close proximity to another special event such that the proposed special event may compromise public safety or the ability to provide public services.
- (10) Any other factor(s) the city manager or designee deems relevant.

(b) The permittee shall provide proof of comprehensive general liability insurance with combined single limits of \$1,000,000.00 from an A-rated insurer authorized to do business in South Carolina. Based on the nature of the special event, the city manager or designee, in consultation with the director of insurance and risk services or designee, may require increased or decreased coverage amounts and/or additional coverage types: Such insurance shall:

- (1) Name the City of Columbia, its officers, employees and agents as additional insureds;
- (2) Designate that such insurance is primary without right of contribution from any other insurance carried by the additional insureds;
- (3) Contain a waiver of subrogation in favor of the additional insureds;
- (4) Provide that the insurer will give the city written notice at least 30 days in advance of any cancellation or material change to the insurance; and
- (5) Contain no exclusion or endorsement that negates coverage for the additional insureds relating to the negligence of the additional insureds.

(c) Except for special events involving the sale, provision or consumption of alcoholic beverages or traffic control issues, the foregoing insurance requirements may be waived by the city manager or designee, in consultation with the City's Risk Management Department, based on consideration of the following factors:

- (1) Whether the special event is expressive activity protected by the First Amendment;
- (2) Whether the cost of obtaining insurance imposes an unreasonable financial burden or objectively impossible. Applicant must submit a statement from at least two licensed insurance brokers supporting the claim that it is objectively impossible to obtain the required insurance coverage.
- (3) Whether a fee or donation is charged for the special event;
- (4) Whether the special event will involve the use of equipment (other than sound equipment), vehicles, animals, fireworks or pyrotechnics;
- (5) The expected attendance of the special event; and
- (6) Any other relevant factor(s).

Sec. 22-169. Issuance of a special event permit does not obligate city services or constitute co-sponsorship.

Issuance of a special event permit does not obligate or require the city to provide city services, equipment or personnel. City services, equipment or personnel may be provided for special events based upon consideration of availability and cost recovery. Issuance of a permit, provision of city services, equipment or personnel and/or waiving of any fee does not imply or constitute city co-sponsorship or endorsement or allow the use of the city seal.

The use of the city seal or the words "City of Columbia" or any facsimile thereof that would reasonably imply an official endorsement or sponsorship of the event by the city is prohibited absent express written authorization from the city manager.

Sec. 22-170. Cost recovery.

- (a) The required deployment of city services will be determined by the city taking into consideration the type of event, location of the event, whether alcohol is being served, the number of participants, the level of street or right-of-way usage and the need for pedestrian and traffic control.

- (b) Fees and costs shall be stated in the special events fee schedule and/or other departmental fee schedules as approved by city council.
- (c) The applicant is required to pay all fees and costs at the time of submission of the application.
- (d) Failure to pay shall prevent the application from being processed.

Sec. 22-171. Parade Permit required.

Unless otherwise indicated, the provisions regarding special events are applicable to parade permits. It shall be unlawful for any person to engage in, participate in, aid, form, start or stage any parade or procession or any special event as defined herein subject to the exceptions found herein on any of the streets or in any other public places within the corporate limits of the city without first having secured a special events permit from the chief of police to do so; provided, however, that funeral processions and governmental agencies acting within the scope of their official functions are excepted from this article.

Sec. 22-172. Reconsideration of denial of permit.

If the city manager or her designee disapproves the application, he or she shall notify the applicant, setting forth reasons for the denial. The applicant shall then apply in writing to the city manager for reconsideration.

Sec. 22-173. Appeals.

Any applicant shall have the right to appeal the denial of a special event or parade permit to the city council. The appeal shall be taken within five days after receipt of the notice of denial.

Sec. 22-174. Public conduct during parades.

- (a) Interference. No person shall unreasonably hamper, obstruct, impede or interfere with any parade or parade assembly or with any person, vehicle or animal participating or used in a parade.
- (b) Driving through parade. No driver of any vehicle shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.

- (c) Parking on parade route. The chief of police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a highway or part thereof constituting a part of the route of a parade. The chief of police may post signs to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof.



## City of Columbia Special Event Fee Schedule

Special Event Permit Processing Fees		
Event	Application Deadline	Permit Fee
<b>Major Festival or Event</b> May include: Outdoor entertainment, sale of food/beverages, service of alcohol, and/or generate revenue Expected attendance greater than 1,000	90 days prior to the event	\$100.00
<b>Festival or Event</b> May include: Outdoor entertainment, sale of food/beverages, service of alcohol, and/or generate revenue Expected attendance less than 1,000		
<b>Parade, Procession, March, Road Race, Bicycle Race</b> Includes the restriction or closure of roadway		
<b>Private or Public Gathering</b> May include: Sale or service of food/beverages, outdoor entertainment, and /or the service of alcohol	60 days prior to the event	\$50.00
<b>Neighborhood Gatherings, Block Party or Walk</b> Includes the restriction of sidewalk or residential street	30 days prior to the event	\$25.00
<b>Road Closure Request – City Center:</b> <i>Area bound by Elmwood Ave to Blossom St and Pickens St to Huger St</i> Includes closure for crane operations, road work, etc.		
<b>Full Road Closure</b>	15 days prior to event	\$1,000 per day^
<b>Lane Closure</b>	15 days prior to event	\$500 per day^
<b>Road Closure Request –anywhere other than City Center and neighborhood/residential areas:</b> Includes closure for crane operations, road work, etc.		
<b>Full Road Closure</b>	15 days prior to event	\$500 per day^
<b>Lane Closure</b>	15 days prior to event	\$250 per day^
<b>Road Closure Request – Neighborhood &amp; Residential areas</b> <i>Areas designated as residential base zoning districts by the Unified Development Ordinance in Chapter 17 of City of Columbia Ordinances:</i> Includes closure for crane operations, road work, etc.		
<b>Full Road Closure</b>	15 days prior to event	\$50 per day^

*NOTE: These fees are for permits only. This does not cover the cost for city services needed for the events to ensure public safety and other needed items for the events. Events that include alcohol to be consumed on public property require approval by City Resolution. Please see the next section for possible additional costs.*

*^ A day is defined as 24 hours from 6:00 a.m. to 6:00 a.m. the following day.*



## City of Columbia Special Event Fee Schedule

Special Event City Services Fees			
Service	Rate	Additional Information	Effective Date**
<b>Public Works Roll Carts</b>	\$20.00 per cart	Delivery and pick up from site Includes disposal after pick up.	Effective January 1, 2024
<b>Public Works Employee Onsite to Service Roll Carts</b>	\$32.00 an hour per employee	Will handle the emptying of roll carts during event.	Effective January 1, 2024
<b>Public Works Barricades</b>	\$10.00 per barricade for first 50 barricades \$7.50 per barricade for 51+ barricades	Includes delivery and pick up from event. Number of barricades needed will be determined between CPD and the event coordinator to ensure public safety.	Effective January 1, 2024
<b>Public Works Street Sweeping</b>	\$50.00 per hour	Arranged as needed and/or requested	Effective January 1, 2024
<b>Public Works Blower Operator</b>	\$20.00 per hour per employee	Arranged as needed and/or requested	Effective January 1, 2024
<b>Public Works Traffic Electrician</b>	\$60.00 per hour per employee	Arranged as needed and/or requested	Effective January 1, 2024
<b>Electricity Box Hookup</b>	\$20.00 per box	As needed and/or requested	Effective January 1, 2024
<b>Water Tap Hookup</b>	\$10.00 per tap	As needed and/or requested	Effective January 1, 2024
<b>Administration Fee</b>	12% of total invoice	12% of total invoice for Administrative Fee	Effective January 1, 2024

\*\*NOTE: These prices will go into effect January 1, 2024 for all events regardless of date event permit was submitted.