

**ORDINANCE NO. 5885**

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE  
SECTION 78-572 SPECIAL EVENTS PERMIT REQUIREMENTS**

**WHEREAS**, the current language of FGC Sec. 78-572 requires a special event permit for races, processions, and parades; and

**WHEREAS**, considerations of safety and proper traffic control necessitate the need for permits for such events; and

**WHEREAS**, the literal wording of Sec. 78-572 purports to require a special events permit for events that are primarily conducted on sidewalks; and

**WHEREAS**, such events may not trigger the traffic and safety concerns that underlie the regulation of special events,

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA**, as follows:

**SECTION 1.** That Fairbanks General Code Section 78-572 is amended as follows [new text in **bold/underline** format; deleted text in ~~strikeout~~ format]:

**Sec. 78-572. Special events; permit required.**

(a) No race (foot, dogsled, bicycle, etc.) procession or parade, except those of the armed forces of the United States, the military forces of this state or the **Fairbanks police or fire** departments ~~of public safety~~, shall occupy, march or proceed along any street, ~~or alley-sidewalk~~ except in accordance with a permit issued by the city mayor or designee and such other regulations as are set forth in this article, **or promulgated pursuant to this article**, which may apply. An application for a permit issued under this section shall be made to the city engineer ~~no less than 20 city business days prior to the event for which application is sought~~. In addition to the application, a traffic safety plan must be provided and, if applicable, a street closure application. The police, fire and public works departments shall review the application.

(b) A permit fee, **with deadlines for application**, is set forth in the City's Schedule of Fees & Charges for Services. In addition to the permit fee, the applicant is responsible to pay for any services that are requested or become necessary for the city to provide for the event. Expenses shall include actual labor costs (wage and benefits) and materials, if any, provided for the benefit of the permit holder. Disputes over additional fees may be appealed to the city council. Applicants for events that require a barricade package may either use a private firm that complies with the Manual Uniform Traffic Control Device Code or elect


for the city to provide barricades and labor at a flat fee of \$1,000.00, provided that the mayor is authorized to negotiate in-kind arrangements where the city receives goods or services in lieu of the full or partial flat fee.

**(c) Events that take place on sidewalks, pedestrian ways, or bike paths do not require a permit if (1) all participants crossing or traversing a street, alley, or vehicular way will do so in obedience to traffic control devices and the laws governing pedestrians and the operation of non-motorized vehicles; and (2) the event does not interfere with the normal use of the sidewalk, pedestrian way, or bike path by others not involved in the event.**

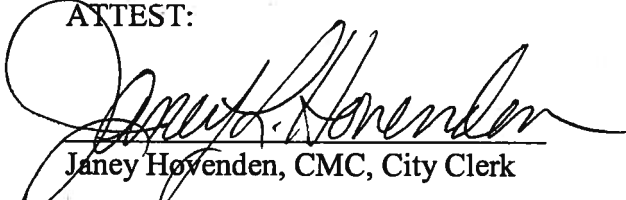
~~(b)~~**(d)** The mayor shall promulgate regulations to ~~insure~~**provide** that ~~the~~**proposed** parade or other special event ~~does~~**would** not jeopardize the public health, safety or welfare.

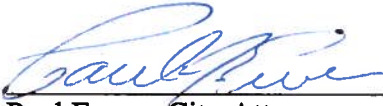
**Section 2.** The Schedule of Fees & Charges for Services is amended to replace the words, “using streets or sidewalks” with the words “using or blocking streets” on page 3, Category “Events.”

**Section 3.** That the effective date of this Ordinance shall be the 30th day of June 2012.

  
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Jerry Cleworth, City Mayor

AYES: Gatewood, Stiver, Hilling, Matherly, Roberts  
NAYS: None  
ABSENT: Eberhart  
ADOPTED: June 25, 2012

ATTEST:  
  
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Janey Hovenden, CMC, City Clerk

APPROVED AS TO FORM:  
  
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Paul Ewers, City Attorney