

VILLAGE OF TOLONO
CHAMPAIGN COUNTY, ILLINOIS

ORDINANCE NO. 2023-O-16

AN ORDINANCE AMENDING CHAPTER 114
OF THE TOLONO MUNICIPAL CODE
AS IT RELATES TO SPECIAL EVENT PERMITS

Passed by the Board of Trustees and
Approved by the President
of
Village of Tolono, Illinois
On September 19, 2023

Published in pamphlet form by authority of the President and Board of Trustees
of the Village of Tolono, Champaign County, Illinois,
this 19th day of September, 2023

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CHAMPAIGN COUNTY, ILLINOIS**

Ordinance No. 2023-O-16

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**AN ORDINANCE AMENDING CHAPTER 114 OF THE TOLONO MUNICIPAL
CODE AS IT RELATES TO SPECIAL EVENT PERMITS**

WHEREAS, the Village of Tolono, Champaign County, State of Illinois (the "Village") is a duly organized and existing Municipality created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto with full powers to enact ordinances for the benefit of the residents of the Village; and

WHEREAS, from time to time citizens, organizations, businesses and other entities desire to sponsor special events that may involve the need for temporary supervision of certain noise and other limitations and/or involve the use of public property and the Village desires to accommodate such requirements in a fashion which reasonably limits impact on the surrounding community; and

WHEREAS, the Village previously adopted an ordinance to allow for the issuance of special event permits; and

WHEREAS, the Village Board of Trustees finds that it is appropriate to update and revise said ordinance as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF TOLONO, ILLINOIS, AS FOLLOWS:

Section 1. Incorporation Clause.

The President and Board of Trustees of the Village of Tolono hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and does hereby, by reference, incorporate and make them part of this Ordinance.

Section 2. Purpose.

This Ordinance is to amend Chapter 114 of the Tolono Municipal Code as provided herein.

Section 3. Amendment.

Chapter 114 of the Tolono Municipal Code is hereby amended as follows:

"114 SPECIAL EVENT PERMITS

114.01 Established.

There is hereby established a "Special Events Permit," which shall be issued upon review and approval by the Village as provided herein.

114.02 Classes of Permits.

Permits in this chapter shall be divided into the following classes.

(A) Temporary. A Temporary Special Event Permit shall be issued for a single event that occurs for a period of time not longer than 3 consecutive days.

(B) Seasonal. A Seasonal Special Event Permit shall be issued for an event recurring at regular intervals within a specified time period during a calendar year.

114.03 Administrative Issuance.

(A) For any Temporary Event which does not involve the sale of alcohol, has an anticipated attendance of less than 250 people, and which will comply with the Village Excessive Noise Ordinance, such permit may be approved and issued by the Village Board of Trustee President or his/her designee. No more than 6 permits of any kind may be issued on a calendar year.

(B) No Seasonal Special Event Permit shall be approved and/or issued by Administrative Issuance.

114.04 President/Trustee Issuance.

(A) For any temporary event which involves the sale of alcohol where the applicant holds a Village liquor license, the anticipated attendance is less than 250 people, amplified music or other noise in contravention of the Excessive Noise Ordinance will not go beyond midnight, and alcohol will be served on the real estate where his/her/its license is issued, then the Village Board President and/or a Trustee designated by the Village Board President may approve and issue a Temporary Special Event Permit. No more than 6 permits of any kind may be issued in a calendar year.

(B) No Seasonal Special Event Permit shall be approved and/or issued by President/Trustee Issuance.

114.05 Board of Trustees Issuance.

(A) For any temporary event which is comprised of 250 attendees or more, the sale of alcohol off of a premises where a liquor license has been issued, a permit that represents a seventh or greater Special Event Permit to an applicant in a one year span, and/or an event which will violate the Excessive Noise Ordinance beyond midnight, a Temporary Special Event Permit may only be issued with approval by the Board of Trustees.

(B) For any recurring event, a Seasonal Special Event Permit may only be issued with approval by the Board of Trustees.

114.06 Permit Powers.

The issuance of a Special Event Permit may allow for the suspension of applicable ordinances affecting noise, alcohol, and/or nuisances to the extent that they accommodate the event and do not unreasonably infringe upon nearby properties and/or the community. The issuance may also temporary provide for used public roadways and/or property. Such permits shall be issued subject to condition and/or requirements as determined by the Village which reasonably mitigate any effect on neighboring properties and which affect safety of the attendees and/or the public. An application may be denied if it is incomplete, or the Village determines that the event will have a negative impact on neighboring properties and/or the community, and/or the Village determines that the event is unsafe and/or poses an undue burden on the public. The application review will be subject to consideration of the following criteria:

(A) Impact upon the immediate neighborhood of noise, traffic, litter and all other related items; and

(B) The safety of the participants and citizens; and

(C) The benefit of the event upon the surrounding community; and

(D) The sufficiency of security; and

(E) It imposes an undue burden on Village Police, employees and/or other Village assets.

114.07 Application Fees.

(A) There shall be an application fee of \$50.00 per day for a Temporary Special Event Permit. However, such a fee shall be waived for governmental organizations, churches, educational organizations, and the Tolono Fun Day committee.

(B) There shall be an application fee of \$500.00 for a Seasonal Special Event Permit. However, such a fee shall be waived for governmental organizations, churches, educational organizations, and the Tolono Fun Day committee.

114.08 Application.

(A) All applications shall contain the following:

- (1) Name, address, phone number, email address of the applicant.
- (2) Location, date(s), time(s) of the event.
- (3) Number of anticipated attendees.
- (4) Nature of the event including but not limited to:

- (a) Serving/selling alcohol.
- (b) Entertainment including type, extent of noise, location and hours.
- (c) Provision for security including but not limited to numbers of security and/or fencing.
- (d) Any Village support requests (public land use, police support, equipment, power, water, etc.).
- (e) Evidence of insurance.
- (f) Liquor license (if applicable).
- (g) Charitable status (if applicable).
- (h) Provision for waste, restrooms, parking, power, water, ingress and egress.
- (i) Factual support for consideration of event's impact on neighboring properties and/or community.

(B) Applications for Seasonal Special Event Permits shall contain the following additional information:

- (1) Length of time permit is being requested for.
- (2) Recurring day of the week and times.

(C) All applications must be tendered at least 2 weeks prior to any event.

(D) Applications for a Seasonal Special Event Permit must be tendered at least 3 weeks prior to the beginning of the of the first event.

(E) Failure by the Village to issue a Special Event Permit prior to the event shall not entitle the applicant to put on the event.

114.09 Revocation.

The President, designated Trustee, or a member of the Police Department may revoke the permit if the event sponsors, staff or attendees violate any state laws or local ordinances, or if the event presents a risk to public safety or level of nuisance such that a breach of peace may occur. The permit may also be revoked if the event applicant or applicant's designees are impacted to a level that they are unable to control their guest/attendees or provide a continuing safe venue for the event. The Village will not be responsible for loss of income or expenses incurred by the applicant if the permit is revoked.

114.99 Penalties.

Any person, firm or corporation violating or failing to comply with any provision of this subchapter shall be fined \$250.00 for each offense, and a separate offense shall be deemed committed for each hour on each day during or on which a violation occurs or continues."

Section 4. Superseder and Publication. All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded. A full, true and complete copy of this Ordinance shall be published in pamphlet form as provided by the Illinois Municipal Code, as amended.

Section 5. Effective Date. This Ordinance shall be in full force and effect upon passage and approval, as provided by the Illinois Municipal Code, as amended.

Motioned for approval by Trustee Jared Robbins ;
With a second by Trustee Daniel Grady , roll call vote:

Daniel Grady aye Jared Robbins aye
Ann Jack Haluzak aye Terrence Stuber aye
Jacob Naas aye

**SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE
VILLAGE OF TOLONO, COUNTY OF CHAMPAIGN, STATE OF ILLINOIS,
THIS 19th DAY OF SEPTEMBER, 2023 A.D.**


Robert Murphy, Village President

ATTEST:


Brandy Dalton, BMC, MMC, Village Clerk

(SEAL)

Recorded in Municipal Records: September 19, 2023.
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