



### Legislation Details (With Text)

**File #:** 65741      **Version:** 1      **Name:** Request by Madison Opera to extend amplification for Opera in the Park, to 11 PM, July 24 (25, rain date), 2021 at Garner Park.

**Type:** Communication      **Status:** Approved

**File created:** 6/1/2021      **In control:** BOARD OF PARK COMMISSIONERS

**On agenda:**      **Final action:** 6/9/2021

**Enactment date:**      **Enactment #:**

**Title:** Request by Madison Opera to extend amplification for Opera in the Park, to 11 PM, July 24 (25, rain date), 2021 at Garner Park.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Opera in the Park 2021 application.pdf

Date	Ver.	Action By	Action	Result
6/9/2021	1	BOARD OF PARK COMMISSIONERS	Approve	Pass

**Title**  
Request by Madison Opera to extend amplification for Opera in the Park, to 11 PM, July 24 (25, rain date), 2021 at Garner Park.

**Body**  
PA Extension: July 24 (25 rain date), 10-11pm.

**The following conditions for Opera In the Park have been approved by the Board of Park Commissioners previously:**

THE APPLICANT FOR A PARK EVENT PERMIT SHALL AGREE TO INDEMNIFY, DEFEND, AND HOLD THE CITY AND ITS EMPLOYEES AND AGENTS HARMLESS AGAINST ALL CLAIMS, LIABILITY, LOSS, DAMAGE, OR EXPENSE INCURRED BY THE CITY ON ACCOUNT OF ANY INJURY TO OR DEATH OF ANY PERSON OR ANY DAMAGE TO PROPERTY CAUSED BY OR RESULTING FROM THE ACTIVITIES FOR WHICH THE PERMIT IS GRANTED.

**Notification:** Organizer must notify area alder(s) at least 30 days prior to the event. Provide the alder with event information, including: location, date, schedule, activities, etc. The alder(s) to notify for this event is: Arvina Martin - [district11@cityofmadison.com](mailto:district11@cityofmadison.com) <<mailto:district11@cityofmadison.com>>

**Insurance:** Organizer will submit a certificate of insurance covering this activity which names the City of Madison as Additional Insured. (If beer will be sold, this certificate must include liquor liability.)

**Street Use:** If the event will close street(s) or remove parking, event organizer must apply for a [Street Use Permit <http://www.cityofmadison.com/specialevents/streetEvents/>](http://www.cityofmadison.com/specialevents/streetEvents/). There are fees for this permit - on file.

**Setup:** The West Parks Maintenance Supervisor, Laura Bauer, at [lbauer@cityofmadison.com](mailto:lbauer@cityofmadison.com) has reviewed site plans. Organizer must abide by all recommendations/stipulations provided by the Maintenance Supervisor.

**Setup:** Please limit the number of vehicles allowed to drive on or park on the grass during setup. Use the paved path for deliveries and setup as much as possible.

**Setup:** Organizers will continue to communicate with Police to discuss their needs for traffic direction and security for the event.

**Setup:** Organizer will be responsible for ordering and paying for enough portable toilets for the event, based on expected attendance.

**Park Use:** Organizer will pick up keys for shelters and/or bathrooms in the Parks office a few days before the event, in exchange for a refundable \$50.00/key deposit.

**Damage Deposit:** Organizer will leave a \$3000.00 refundable damage deposit with the Parks Office and agrees to be responsible for any damage to the park that occurs as a result of the event. This can be done via check or charge, but it **must** be separate from your invoice payment.

**Fee Due Date:** All fees will be paid and deposits made at least two weeks before the event. We accept cash, check, or charge (VISA or MasterCard). To make a credit card payment via phone, please call (608) 264-9289. Please make checks payable to **City Treasurer** and mail to: City of Madison Parks Division / 210 Martin Luther King, Jr. Blvd. Rm. 104/ Madison, WI 53703

**Temporary Structures:** If using temporary structure(s) (e.g. tents, stages, inflatable structures, etc.), organizer will contact Digger's Hotline (811) approximately ten days before the event. There is a fee(s) for temporary structures.

**Vending:** Organizer will furnish the Parks Office with a complete list of vendors at least two weeks in advance. There is a fee(s) for a vending permit.

**Food Distribution:** Organizer will follow all Health Department requirements and recommendations concerning food in the park.

**Amplified Sound:** A PA2 permit will be issued for amplification. Sound shall be limited to 95 decibels (dB) at the sound board or 125' from the amplification source if no sound board is present. Amplification will be allowed from 7:00pm to 10:00pm on Friday, July 23, 2021 and 5:00pm to 11:00pm on Saturday, July 24 (25, rain date), 2021. Sound will be monitored by Parks staff with an octave band meter. If readings are above 95 dB during the measurement period, non-compliance action will commence. There is a fee(s) for a PA2 permit.

- **Non-compliance action**

A warning will be given to comply with the conditions of the PA2 permit. If a second warning is required, a citation will be issued to the responsible party for violation of MGO 8.29. A third violation will result in the amplification being ordered to cease immediately.

**Park Rules:**

- No glass containers are permitted in the park.
- No driving or parking of vehicles on grass.
- No permanent marking of the parking lots, paths, sidewalks or streets is allowed. Chalk may be used, but not spray paint, spray chalk, or stickers.

If you require assistance or experience any unforeseen issues during your event, please contact the Park Rangers at (608) 235-0448.

Organizer is responsible for all cleanup after event. If city resources are required for cleanup, the organizer will be billed for those costs.

Parks staff will review the event for compliance to the established conditions and determine what remediation

(if any) is needed and/or establish considerations for future events.