



## Legislation Text

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**File #:** 69974, **Version:** 1

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### Title

SUBSTITUTE - Permanently Amending the Authority of the Park Superintendent and the Facilities, Programs and Fees Subcommittee to Approve Certain Park Event Permits

### Body

Facilities, Programs and Fees is a subcommittee of the Board of Park Commissioners under MGO 33.05(5)(c). This subcommittee was reactivated in 2019 to review policies and operation standards, make program recommendations and recommendations on new user fees and charges. Creating a policy regarding events in parks and the fees associated with park events is under the purview of the Facilities, Programs and Fees Subcommittee.

WHEREAS, the Board of Park Commissioners has the statutory authority, under Wis. Stat. § 27.08(2)(a), to govern, manage, control, improve and care for all public parks within the City of Madison, and to secure the quiet, orderly and suitable use and enjoyment thereof by the people, and to adopt rules and regulations to promote those purposes; and

WHEREAS, the Facilities, Programs and Fees Subcommittee is a subcommittee of the Board of Park Commissioners under MGO 33.05(5)(c) tasked with reviewing policies and operation standards, making program recommendations and recommendations on new user fees and charges; and

WHEREAS, the primary mission of Madison Parks is to provide residents and visitors with open space and facilities for recreation and relaxation. Under regulated circumstances, a park event permit can be used to reserve park space for a special event; and

WHEREAS, On February 12, 2020, the Board of Park Commissioners (BPC), by Legislative File #59486, delegated park event review and approval authority to the Park Superintendent and the Facilities, Programs and Fees Subcommittee (FPFS) under certain conditions, which requires all but recurring events with no changes to be reviewed and approved by the FPFS and/or BPC at a public meeting; and

WHEREAS, since March 2020, a number of temporary adjustments have been made to the event approval process due to the COVID19 Pandemic, including Legislative File #60250 on April 15, 2020, Legislative file #64836 on April 14, 2021 and Legislative file #67488 on September 22, 2021; and

WHEREAS, the number of community events and requests for the use of park spaces continues to grow each year, including 16 new events in 2018, 30 new events in 2019 and 19 new events during the pandemic in 2021, and the staff and administrative resources required to bring these new events to Facilities, Programs and Fees Subcommittee is substantial; and,

WHEREAS, staff have reviewed and applied lessons learned as a result of the temporary adjustments made since April 2020 with both Facilities, Programs and Fees Subcommittee and Board of Park Commissioners; and

WHEREAS, to allow for a more effective and efficient use of event organizer, FPFS, BPC and staff resources and to allow FPFS and BPC to focus on complex events/issues and policy making decisions, permanent adjustments will be made to the approval parameters set forth in Legislative file #59486; and

NOW THEREFORE BE IT RESOLVED, pursuant to its statutory authority, the Board of Park Commissioners has the authority to review and approve events in the Madison park system, and would like to delegate this event review and approval authority to the Parks Superintendent and the Facilities, Programs and Fees Subcommittee as follows:

1. ~~**Recurring Events with Changes:** Parks Superintendent (or designee) is authorized to review and administratively approve applications for returning events with no changes, recurring events with significant changes to the event (such as adding vending or beer sales, change of location, etc.) or if there have been significant health or safety issues with an event that was previously approved by the Subcommittee;~~
1. **Recurring Events With or Without Changes:** Parks Superintendent (or designee) is authorized to review and administratively approve applications for returning events under the following circumstances:
  - Recurring events with no changes;
  - Recurring events with significant changes to the event (such as adding vending or beer sales, change of location, etc.);
  - And there have NOT been significant health or safety issues with an event that was previously approved by the Subcommittee;
2. **New Events:** The Parks Superintendent or designee is authorized to review and administratively approve new events, depending on the scale and complexity of the event and other factors listed in item 4;
3. **Quarterly Report:** The Parks Superintendent will provide a quarterly report to Board of Parks Commissioners of the approved events, types of permits and any issues/concerns related to the events approved under this temporary authorization;
4. **Referral of Applications:** The Parks Superintendent/designee may refer applications for certain new and/or returning events to the Facilities, Programs and Fees Subcommittee under the following circumstances:
  - Complexity or size of the event warrants additional review;
  - Requesting extension of park hours;
  - Concerns with compliance with local, state or federal Emergency Orders;
  - Violation(s) of past permit conditions for previously held events;
  - Other operational concerns articulated by the Superintendent that relate directly to public health and safety or may cause significant long-term disruption to the space;
5. **Conditions:** All approvals shall be made applying existing criteria for parks event approval, and conditioned upon completion of required application forms, providing any required plan documentation, and obtaining all [other](#) necessary permits (ie. vending, amplification, alcohol, etc.);
6. **Appeal Process:** The decision of the Park Superintendent/designee or the Facilities, Programs and Fees Subcommittee to deny an event or impose conditions on an event may be appealed to the Board of Park Commissioners. Such an appeal must be made by providing written notice thereof to the Park Superintendent within fifteen (15) days of notice of said decision. The appeal must state the grounds for the appeal.

NOW, THEREFORE, BE IT FINALLY RESOLVED, that the Board of Park Commissioners authorizes the Park Superintendent and the Facilities, Programs and Fees Subcommittee to review and approve events in parks in

accordance with the framework outlined above.