

# CITY OF YANKTON SPECIAL EVENTS APPLICATION HANDBOOK

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City of Yankton Events Manager  
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## SECTION 1

The City of Yankton welcomes the opportunity to work with your organization in staging a special event on public property (streets and right-of-ways) or City property (i.e. parks- hereinafter referred to as “public property”) that is “open to the general public” and which will benefit the community.

- The goal of the application process is to provide you with the information you need to be successful, ensure you comply with City policy, and and comply with the law.
- Please read through this handbook and ask questions.
- Included in this handbook is a list of names and phone numbers of City staff who will answer your questions and guide you through unfamiliar permitting processes. Please be sure to call when you have a question.

### General Guidelines and Definitions

1. The special event policy will govern any special interest use of public property (streets, right-of-ways) or City property. This includes any and all events meeting the criteria and definition of a special event.
2. An application must be processed for each event and the written approval in the form of a permit must be received from the City before a public announcement of the event can be made.
3. All requests to conduct a special event in the City of Yankton will be directed to the Recreation and Events Manager, 605-668-5238.
4. It shall be required that an Event Liaison be designated from the organization or group. This person will be charged with the responsibility of working with the Events Manager. The Event Liaison shall assume the primary responsibility of insuring that all application requirements are met.
5. The special event application for the use of public property should be submitted via the City website or in written form (Special Event Application) at least **sixty (60) days prior to the event**.
  - Major events (1,000+ attendees) should be submitted **six (6) months prior to the event**.
6. The City Manager, Events Manager, and other City departments will review the application.
7. All proposed events requiring City assistance must be held within City Limits.
8. The City of Yankton reserves the right to refuse a request, ask for modifications, or cancel an event.
9. Event date and/or time extensions of approved events shall be handled through the Events Manager and must be approved by the City.
10. The City recognizes the potential public safety risks associated with vehicle movement in the spectator area of an event. All vehicle movement inside the event should be limited.
  - The Event is liable for the operators and safe use of vehicles inside the event.
11. Events scheduled must be concluded by:
  - for Fantle Memorial Park by 12:00 am with loud noise ceasing at 11:00pm.
  - for Riverside Park 1:00am with loud noise ceasing at 12:00am.
    - Riverside Park is closed to the public from 1:00am to 5:00am.
12. The City of Yankton Noise Ordinance (16-18) will apply to all events.

13. To ensure the rights of homeowners, residents, and businesses are not violated, organizers must publicize the need for organizers and attendees to obey all traffic and parking regulations. Many of these regulations are directly related to public safety and, as such, are strictly enforced.
  - Advanced notification to patrons, vendors and spectators will reduce the potential for any ill will toward the sponsor and the City if tickets are issued or vehicles are towed. The City does not wish to have the event or the City criticized for inviting the public to an event and failing to warn them of ticketing/towing for non-compliance of safety and laws.
14. The City of Yankton Sign Ordinance will apply to all events.
15. Responsible alcohol management is an important factor in the success of an event. The proper sale and consumption of alcohol at an approved event is an important crowd management factor. If your organization is practiced in managing the sale of alcohol, many problems can be minimized or avoided. This makes the event a positive experience for all attendees. There are certain regulations with which your event must comply when having an alcohol-approved event in the City of Yankton.
16. When beer/wine is served during an event, organizers assume the responsibility to follow all State and Local regulations and laws pertaining to alcohol.

**In approving and issuing a permit for a special event, the City considers whether:**

1. The event will not cause injury to persons or property, create a disturbance, cause disorderly conduct, be a threat to public safety, or encourage or result in violation of the law;
2. The event will not substantially interfere with the safe and orderly movement of pedestrians and vehicular traffic in the area;
3. The proposed location is adequate for the size and nature of the event;
4. The event does not unreasonably interfere with the intended use of the area;
5. City equipment and services are officially requested and then are available;
6. Other known scheduled special events and/or reoccurring community events are not already scheduled for the chosen date; and
7. The event upholds the mission of the City of Yankton which is to provide exemplary experiences, services & spaces that create opportunities for everyone to learn, engage, and thrive.
8. All permit requirements have been met.
9. The event was held in the past and the City determined after it concluded that it was an unsafe event and/or it was poorly managed by event organizers.

## Special Event Definition

Special Events require a permit issued by the City of Yankton.

Any special interest use or activity sponsored by an organization or individual, other than the City of Yankton, consisting of 25 or more persons, animals, or vehicles or combination thereof held on public property that is “open to the general public” and of benefit to the community that:

1. requires temporary or exclusive use of any portion of public property, including but not limited to roped-off park areas, streets, alleys, right-of-ways, stages, tables, bleachers, tents, temporary barriers and/or boundaries; and/or;
2. impedes the normal flow of traffic; and/or
3. impedes the enjoyment or use of the property by the public or deviates from the current land use

Such events may include but are not limited to:

- Amusements or carnivals
- Entertainment
- Music by way of amplification
- Dancing
- Dramatic or theatrical productions
- Festivals
- Parades
- Runs, walks, triathlons, bicycle races or rides that do not conform with normal traffic flow or may impede or interfere with normal traffic flow
  - Routes for walks, runs, or marathons must be approved by the City of Yankton.
- Any activity erecting structures not present on public space
- Any activity taking place on public spaces that requires city services for successful execution

## Classification of Special Events- application fees apply to the tier of event.

**Tier 1 classification. \$100 application fee.**

**Special Events with 1000 participants or more; and/or**

**Any activity involving the sales of alcohol.**

Events that are created and implemented by non-City organizations.

- The City “Highly Recommends” private security for these events. Private security must be obtained at the cost and expense of the event organizer.
- Private security would be utilized to police the event area, keep order, check ID’s if alcohol is present, and protect event attendees.
- An Emergency Response Plan (ERP) will need to be submitted prior to approval.
- The Applicant must obtain at its own expense a general liability insurance policy covering the event with the minimum general liability insurance limits for such policy being one million dollars (\$1,000,000) per occurrence. The City shall be named on the policy as an additional insured.
- The event organizer is responsible for all costs associated with City materials use and delivery fees.
- Random event checks may take place to ensure compliance with event application.

## **Tier 2 classification**

### **Parades utilizing City Streets – \$50 application fee.**

Parades provide a unique contribution to the City by promoting community identity and providing cultural enrichment.

- The applicant must obtain at its own expense a general liability insurance policy covering the event with the minimum general liability insurance limits for such policy being one million dollars (\$1,000,000) per occurrence. The City shall be named on the policy as an additional insured.
- Requires street closures including the equipment to close off cross-traffic intersections.
- City of Yankton vehicle with flashing lights to escort to lead the parade.
- The event organizer is responsible for all costs associated with City materials use and delivery fees.
- It is the sole responsibility of the event organizer to contact all impacted property along the designated road closure parade route.
- Parade routes must be approved by the City. There is a set parade route for downtown utilizing city streets.
- Event staff will need to close intersections.
- Event staff will need to perform crowd control along the route.
- Through the special event application process, the City of Yankton will determine the amount of traffic control attendants needed for event.

### **Tier 3 classification. \$25 application fee.**

#### **Special Events with less than 1,000 participants; and**

#### **Including the sale of merchandise and/or food; and**

#### **There will be NO availability of alcohol.**

- The City “suggests” private security for these events. Private security must be obtained at the cost and expense of the event organizer.
- Private security would be utilized to police the event area, keep order, and protect event attendees.
- The Applicant must obtain at its own expense a general liability insurance policy covering the event with the minimum general liability insurance limits for such policy being one million dollars (\$1,000,000) per occurrence. The City shall be named on the policy as an additional insured.
- The event organizer is responsible for all costs associated with City materials use and delivery fees.
- Random Event checks may take place to ensure compliance with event application.

### **Tier 4 classification. \$0 application fee.**

#### **Special Events with no City services or equipment; and**

#### **There will be NO availability of alcohol, or sales or merchandise or food.**

Special events on private property or events utilizing public property but the event will require no City staff services or equipment.

- Private security may not be necessary for smaller special events of this nature.
- If the event is taking place on public property, the applicant must obtain at its own expense a general liability insurance policy covering the event with the minimum general liability insurance limits for such policy being one million dollars (\$1,000,000) per occurrence. The City shall be named on the policy as an additional insured.
- Random Event checks may take place to ensure compliance with event application

## SECTION 2

# SPECIAL EVENT LICENSES AND PERMITS

ALL REQUESTS SHOULD BE MADE IN ADVANCE (sixty days up to six months in advance) OF ANY EVENTS DUE TO THE EXTENT OF PROPER PLANNING AND COMPLETING THE PERMITTING PROCESS.

### **SPECIAL EVENT NO PARKING- STREET CLOSING; CLOSING OF PUBLIC PARKING LOT PERMIT**

#### **(Police enforcement AND towing) City Ordinance 14-164**

- An event which has a vehicle and/or semi-permanent structure placed on a street, sidewalk, or trail will require a special event application with street closure.
- Along with the special events application, a detailed map must be submitted identifying the boundaries that will establish a zone in which no person shall park a vehicle on a specified date and during specified times. Vehicles found within the special events no parking zone may be towed by the event.
- No parking signs with specific event information securely attached must be posted in the zone forty-eight (48) hours prior to the event start time. The event times should include set-up and take-down.
- It is recommended a PSA (Public Service Announcement) be sent to the local media about the street closing by the Event Liaison.
- The property owners in the block(s) in question must be agreeable to the barricades and or blockage of streets/alleys. The Event Liaison must contact all of the property owners to advise them of the event and street closure times. A list of business names and signatures must be returned to the Events Manager before this request will be sent to the City Manager for approval.
- No alcoholic beverages are permitted on public property right-of-ways or streets, whether opened or not, without the appropriate alcohol licensing.
- Decorating of streets MAY be permitted with special permission from the City. Decorations must not obstruct the public right of way or street signs. All decorations must be cleaned up at the end of event time.
- The event will be responsible for cleaning up the closed street(s) at its conclusion.
- The event organizer may appeal a denial of a request to the Board of City Commissioners. This appeal needs to be added to the agenda of an upcoming Commission Meeting. It needs to be added seven days prior to the scheduled meeting of the Board of City Commissioners.

### **SPECIAL EVENT DANCE LICENSE**

See South Dakota Codified Law (SDCL) 9-34-15. Temporary license to hold a dance. Includes all events with live music.

- This license requires an inspection of the premises by the Building Inspector and Fire Department to ensure that the premises conform to the provisions of Code and other ordinances of the city and the laws of the state.
- The Chief of Police will be contacted to see what type of security needs to be in attendance at the dance. Also a police check may be conducted by our local Police Department.
- Proof of liability insurance with the City named as additional insured or a bond is needed.
- Processing of this application takes **ONE** City Commission meeting.
- Deadline for submission of application is at least two weeks prior to the City Commission meeting date when the request will be considered.
- This license alone does not allow for serving or consumption of alcoholic beverages.

## **TRANSIENT MERCHANT LICENSE**

Any person who engages in a temporary business of selling and delivering goods, wares and merchandise within the city and whom in furtherance of such purpose, hires, leases, uses or occupies any building structure, tent, railroad boxcar, public room in a hotel, or vehicle of any character whatever, for the exhibition and sale of such goods, wares and merchandise. The term “transient merchant” shall also include any person offering for sale or selling from a wagon, automobile or truck, or their vehicle, or from stands, any fruit, vegetable or farm products except as otherwise provided in this division. (Per City of Yankton Code a person retailing merchandise or products of his own manufacture or production is exempt.) A “transient merchant” does not include any newly opened business that is of a permanent nature.

- This license requires police check by our local police department and needs to be done prior to submitting the application to the City Commission.
- A South Dakota Sales tax license is required.
- Proof of liability insurance or a bond is needed.
- The business cannot sell in State of SD right-of-way.
- Processing of this application takes **ONE** City Commission meeting.
- Deadline for submission of application is at least two weeks prior to the City Commission meeting date when the request will be considered.

## **PEDDLERS OR SOLICITOR LICENSE**

*Peddler* – shall mean a person engaged in the selling or personal property of personal services to include, but not limited to, spraying, trimming, or pruning of trees and shrubs of all species, painting or repairing buildings or structures, and pest or rodent control by going about from place to place, highway or street parking, or house to house either in person or by telephone to sell the same and who carries with him such property for delivery at time of sale or performs such service at the time of contract for such service or immediately thereafter.

*Solicitor* – shall mean a person engaged in going from place to place, highway or street parking, or house to house either in person or by telephone to solicit orders for, or to offer to sell, personal property for future delivery. The term “solicitor” shall also include a person soliciting orders for books, papers, or magazines or subscriptions thereto, and shall include solicitors for transient or nonresident photographers. A solicitor for a transient photographer means any person going from house to house, place to place, or street to street soliciting orders for photographic work to be done by a transient photographer. A solicitor for a nonresident photographer means any person going from house to house, place to place or street to street soliciting orders for photographic work to be done by a photographer who has no studio or other place in the city fully equipped for the taking and finishing of photographs.

- These licenses require a police check by our local police department and needs to be done prior to submitting the application the City Commission.
- A South Dakota Sales tax license is required.
- Proof of liability insurance or a bond is needed.
- Processing of this application takes **ONE** City Commission meeting.
- Deadline for submission of application is at least two weeks prior to the City Commission meeting date when the request will be considered.



## **DISCHARGING FIREWORKS PERMIT**

A special events application needs to be submitted to the Events Manager to be placed before the City Commission to grant permission for discharging fireworks in City Limits.

- A form must be completed for the Yankton Fire Department and Yankton County Sheriff also.
- The Fire Chief can cancel public displays for dry or hazardous conditions even if a permit has been granted.
- Requests can be made through the events application.
- This request will be coordinated by Events Manager along with the City Manager, the Fire Department, Police Department, and County Sheriff.
- Proof of liability insurance or a bond is needed.
- Processing of this application takes **ONE** City Commission meeting.
- Deadline for submission of application is at least four weeks prior to the City Commission meeting date when the request will be considered.

## **SPECIAL EVENT STREET/ALLEY CLOSING; CLOSING PUBLIC PARKING LOT PERMIT (no City enforcement or towing)**

- Maps of the special event area and/or routes **are required**. Maps must indicate all of the areas and/or streets being requested for use or for closure.
- An event which has a vehicle and/or semi-permanent structure placed on a street, sidewalk, or trail will require a special event application with street closure.
- Deadline for submission of the request is at least two weeks prior to the event.
- This request will be coordinated by City Manager along with the Events Manager, Police Department, Water Department, and the Street Department.
- The property owners in the block(s) in question must be agreeable to the barricades and or blockage of streets/alleys.
- The event liaison must contact all of the property owners to advise them of the event and street closure times.
- A list of business names and signatures must be returned to the Events Manager before this request will be approved.
- It is recommended a PSA (Public Service Announcement) be sent to the local media about the street closing by the Event Liaison.
- No alcoholic beverages are permitted on public property right-of-ways or streets, whether opened or not, without the appropriate alcohol licensing.
- Decorating of streets MAY be permitted with special permission from the City. Decorations must not obstruct the public right of way or street signs. All decorations must be cleaned up at the end of event time.
- The event will be responsible for cleaning up the closed street(s) at its conclusion.

## **STREET VENDOR OF FOOD LICENSE**

Selling of food from stands, trays, machines, motor or other vehicles, upon the streets or public ground of the city.

- This application does not require City Commission approval, however the applicant will need to be inspected by the Department of Health for a State license.
- NOTE: Locating on or adjacent to City Parks or City Property requires prior written approval of the City Manager.

### ITINERANT RESTAURANT LICENSE

A restaurant operating for a temporary period of time, not in excess of ninety days, or in connection with a fair, carnival, circus, public exhibition or similar gathering.

- This license requires an inspection of the premises by the Building Inspector and Fire Department to ensure that the premises conform to the provisions of Code and other ordinances of the city and the laws of the state.
- This application does not require City Commission approval, however the applicant will need to be inspected by the Department of Health for a State license.

### SECTION 3

## SPECIAL EVENT ALCOHOL LICENSES AND PERMITS FOR BEER AND WINE

The following licenses and permits need a completed application, with the required fee at the time of submission, along with a copy of the liability insurance and then approval by the Yankton City Commission.

- A person or event cannot sell alcohol without an alcohol license.
- People cannot consume alcohol on public property (streets) without an open container permit.
- Alcohol consumption is allowed in all City of Yankton Parks.

### Special Event Malt Beverage and/or Wine License

- The application forms are available in the City Hall Finance Office, 668-5243.
- Any municipality may issue a Special Malt Beverage and/or Wine License in conjunction with special events.
- This license requires an inspection of the premises by the Building Inspector and Fire Department to ensure that the premises conform to the provisions of Code and other ordinances of the city and the laws of the state. A police check is conducted by our local Police Department, which takes about one week and needs to be done prior to submitting the application to the City Commission.
- Processing of this application takes **TWO** consecutive City Commission meetings. (City Commission Meetings are held the second and fourth Mondays of every month.) The first meeting is to set the date of the Public Hearing for the license. The second meeting is the Public Hearing for approval of the license. The applicant should be present at the second meeting in case City Commissioners have any questions.
- Deadline for submission of application is at least two weeks prior to the first of the two consecutive City Commission meeting dates when the request will be considered.
- The applicant should be present at the second meeting in case City Commissioners have any questions.

**Special Event Alcohol Licensing per State Law** Source: SL 2010, ch 185 § 1; SL 2011, ch 175, § 1.

South Dakota Codified Law (SDCL) 35-4-124. Special alcoholic beverage license issued in conjunction with special events. Any municipality or county may issue:

- (1) A special malt beverage retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4), (6), or (16) in addition to any other licenses held by the special events license applicant;
- (2) A special on-sale wine retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4), (6) or (12) or chapter 35-12 in addition to any other licenses held by the special events license applicant;
- (3) A special on-sale license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4), or (6) in addition to any other licenses held by the special events license applicant; or
- (4) A special off-sale package wine dealers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(3), (5), (12), (17A), or (19) or chapter 35-12 in addition to any other licenses held by the special events license applicant. A special off-sale package wine dealer's licensee may only sell wine manufactured by a farm winery that is licensed pursuant to chapter 35-12.

Any license issued pursuant to this section may be issued for a period of time established by the municipality or county. However, no period of time may exceed fifteen consecutive days. The local governing body shall establish rules to regulate and restrict the operation of the special license, including rules limiting the number of licenses that may be issued to any persons within any calendar year.

**Alcohol Management Pertaining to Special Events on Public Property**

1. Alcohol is defined as beer and/or wine. Any wine based beverage containing more than 19% alcohol would be considered a liquor.
2. Only established bars/restaurants with a valid Liquor License may apply to sell liquor at a special event.
3. NO alcohol shall be brought into or out of the venue by patrons. Proper posted signs shall be at all entrance/exit for disposal of these beverages prior to entering or leaving the venue. Open containers of alcohol and drinking in the public-right-of-way or in parking areas are not permitted by law.
4. Each approved concession area for the sale of beer and wine must have signs specifying the legal drinking age and hours of sales. Mobile vending of beer and wine is not permitted. All beer and wine sales must be at pre-approved concession areas. No glass containers may be brought onto the public property by beverage vendors for cup dispensing.
5. All individuals should have their age verified prior to selling them beer/wine. If a centralized ID check area is to be used, proof of verification should be wrist bands or some other method that has been previously approved by the City of Yankton.
6. Alcohol consumption laws will be enforced by the Yankton Police Department.
7. The organizing persons/committee takes all responsibility in the sales of alcohol and must follow and enforce all consumption laws.

Remember to err on the side of caution if there is any question whether or not an individual should be served alcohol.

## **OPEN CONTAINER IN DESIGNATED EVENT AREA PERMIT- City Ordinance Chapter 3-17 through 3-22.**

A request must be made on the special events application or to the Events Manager to place before the City Manager or his/her designee to establish the special event open container area.

- Along with the application, a detailed map must be submitted identifying the boundaries of the designated event zone. This request will establish a zone in which open containers will be allowed.
- This permit requires review by our local police department and needs to be done prior to submitting the application to the City Manager.
- No glassware will be allowed.
- The other special event requirements apply including established event hours, security plan, and liability insurance coverage.
- This request needs to be made at least four weeks prior to the event.

### SECTION 4

## **EVENT SECURITY**

The safety of the general public, event sponsors, and city employees is of paramount importance at all events. Life safety is important at events on public property because of the possibility of overcrowding public parks or public facilities that may lead to damage of the City's reputation, ability to host special events in the future, and the possibility of civil liability exposure. Each event must appoint an Event Liaison who will work closely with City Staff and Police to be the point of contact for the duration of the event.

If alcohol will be available at the event, security is highly recommended. If the event's attendance is estimated at more than 1,000 private security is highly recommended.

If the event's attendance is estimated at less than 1,000 people private security may be suggested.

The City of Yankton reserves the right to provide additional security/police to the private event security and at a cost to the event should it be deemed necessary.

Police walk-throughs and sustained presence is not possible due shift demands and staffing levels. There may be instances these services are available, but these instances are not a substitute for full time event security.

### SECTION 5

## **PORTABLE TOILETS**

The event is responsible for providing toilets for event participants.

- Minimum Toilet Requirement is 1 toilet for every 250 persons with 5% of toilets being ADA compliant.
- If available restrooms under the control of the Event Applicant (park facilities or private businesses) are expected to be insufficient to meet this requirement, portable toilets shall be required to be provided by the Applicant at its own expense.

## SECTION 6

# INSURANCE

1. General liability insurance with the City of Yankton listed as an additional insured is required for all events meeting the criteria and definition of a special event as defined in the handbook.
2. Any special event that involves the sale of alcohol must also provide alcohol liability insurance.
3. The Certificate of Insurance must be received and approved by the City. The City will not permit the special event prior to receiving the Certificate of Insurance.
4. The minimum amount liability limits for the policy will be one million dollars (\$1,000,000) per occurrence which protects the organizing group and the City against liability claims resulting from activities at the event. The liability insurance should cover for both property damage and bodily injuries, including those resulting in death.
5. If alcohol is present, alcohol liability insurance in the amount of one million dollars (\$1,000,000) must also be obtained.
6. Auto coverage may be necessary depending upon the event.

## SECTION 7

# CITY FACILITIES (IF USED)

## GENERAL POLICIES, RULES AND PROCEDURES

### DECORATIVE MATERIALS

Nothing may be nailed, stapled, tacked, or otherwise affixed to ceilings, walls, painted surfaces, fire sprinklers, columns, windows or floors. Check with City staff for further information on appropriate decorating methods.

- Damages resulting from the improper use of these materials will be billed to organizing group. Extreme care must be taken to keep balloons securely tied to a base.
- The use of glitter, confetti, rice, or sand is not permitted.
- Birdseed may be used OUTSIDE of the facilities.
- Fog machines are prohibited INSIDE facilities.

## **FACILITY CLEANING**

Users are required to restore facilities back to original conditions. Janitorial/housekeeping are NOT City's responsibility for the event.

- All garbage is to be taken to the dumpster bins. Reline garbage cans with liners provided. Clean out any spilled garbage in the container.
- Clean all outside areas surrounding the facility, including the parking areas used by the guests.
- Tables and benches/chairs are to be wiped down.
- Check all windows and doors to make sure they are closed and secure if using a secured facility. All doors must be locked.
- All items brought by the user, guests, staff, decorators, caterers or others must be removed.
- Failure to fully clean and restore facilities may result in assessment of cleaning fees against the event Applicant.

## **KEYS**

The City charges a \$50 key deposit for the Dakota Territorial Capitol Building, Amphitheater, and City Hall Gym. The fee is paid when the key is picked up as the user is responsible for picking up keys from the Summit Activities Center, 1801 Summit Street, 605-668-5234.

- Each user is allowed one set of keys. It is the sole responsibility of the user to unlock the facility for their guests, staff, decorators, caterers, etc. It is the sole responsibility of the user to lock the facility after use.
- The user must return the keys to the Summit Activities Center the day after the event.
- The \$50 deposit is returned when the key is returned.
- With lost keys/unreturned keys, the renter will be invoiced the fee for changing the locks on the facility.

## **LOST AND FOUND**

The City of Yankton is not responsible for lost or stolen items. As a courtesy, some City facilities contribute to a lost and found collection maintained at the Summit Activities Center reception desk.

- Lost and found items must be claimed within 10 working days after the event. The items will be labeled with dates/times when turned into the Summit Activities Center.
- Failure to timely claim lost and found items will result in City donation or destruction of such items.
- The City is not responsible for reimbursing or returning items donated or destroyed under this policy.

## **SAFETY**

All equipment used by the user, staff, decorators, caterers, DJs, etc. must be UL approved.

**Underwriters Laboratories (UL)** establishes standards in electrical products in the United States and the products are identified with a UL symbol identifying approval.

- Extension cords shall be three-wire with ground and shall service one appliance or device.
- Multi-plug adapters must be UL approved and have an overload internal circuit breaker.
- Open flames are not allowed inside facilities.
- All candles must be enclosed in appropriate containers that rise at least 3" above the flame.
- Exits, entrances, air supply vents, ramps, sidewalks, and stairways must be kept clear at all times.
- Exit signs must be kept visible at all times. Fire extinguishers must be kept clear at all times.

## GENERAL POLICES

- The City staff has the right to enter the facility at any time during your event.
- Smoking, vapes, and tobacco use are prohibited within all City facilities and on City property.
- It is the facility user's responsibility to clean and leave the facility as it was when they arrived
- During the winter months, the City staff will clear walk-ways, stairs, and entrances of snow and will spread ice melt previous to an event.
  - It is the user's responsibility to maintain these areas during their event.

## SECTION 8

### TENTS

1. All areas where tents are to be erected need to be approved by the Yankton Parks Department. Underground utilities must be located prior to any stakes being driven into Public Property.
2. No tent shall be erected or used unless authorized by the Yankton Parks Department. Such authorization shall not exceed thirty (30) days.
3. No tents shall be erected closer than six (6) feet to a property line, ten (10) feet to any building or structure, closer to the street line than building line, or in the right-of-way.
4. Tents shall not be treated with any substance or preparation which would increase the rate of combustibility of the fabric.
5. Tents shall not be erected when subject to overloading by sleet or snow.
6. The provisions of this section, except as to safety, do not apply to temporary tents under 200 sq. ft. erected for the purpose of providing shelter at a cemetery for a funeral, special occasions (such as picnics, private receptions, and similar affairs lasting not more than one (1) day) when erected and used under proper direction.

## SECTION 9

### MISCELLANEOUS

#### APPROVAL OF EVENTS

Once a written request (Special Events Application) and all corresponding materials (maps, licenses, insurance, etc.) are received by the Events Manager, the request/application will then be submitted for approval.

- It is the responsibility of the Event Liaison to work with the Events Manager to ensure that all requirements for the City are met in a timely manner.
- The Events Manager will contact you with your approved permit.
- The event organizer may be subject to paying for City of Yankton staff overtime if called out to help during event. The City's expectation is events will be self-functioning from set-up to clean-up.

## **BANNERS/SIGNS**

The hanging of banners or signs must follow the City of Yankton Sign Ordinance and/or must have prior approval.

- The Sign Ordinance is governed by Community Development and Code Enforcement, 605-668-5251.
- Signs for street closure must be set out 48 hours prior to approved closure time.
- It is the responsibility of the Event Liaison to communicate with the City Events Coordinator for pick up/drop off and number of signs needed.
- All signs must be clear of paper when picked up and returned to the City.

## **BARRICADES/CONES**

The amount of barricades and other traffic control devices needed for an event will be determined with input from the Street Department, Police Department, Events Manager, and the Event Liaison.

- Set-up and take-down of barricades and other devices is the responsibility of the Event Liaison and event workers.
- Includes Class 3 type barricades, traffic barrels, traffic candles, and safety cones.
- An equipment fee will apply.

## **CITY EQUIPMENT**

The amount of equipment needed will be determined with input from the Events Manager.

- Picnic tables, benches, bleachers, blank A-frame signs, no parking A-frame signs, plastic snow fence, and fence posts MAY be available from the City.
- An equipment fee will apply.

## **WATER HYDRANTS**

If water from a hydrant is requested, approval will be required from the City of Yankton and a metered adapter for the hydrant will be used for billing purposes.

- Any event requiring hydrant water must identify needs with the Events Manager well in advance of event and arrangements will be made with the Water Department and City Utility Billing Office for a meter.

## **TRASH REMOVAL**

Trash removal at the event site from garbage barrels, dumpsters, and picking up loose trash on the ground/streets/gutters, is the responsibility of the special event group.

- Cleaning streets, right-of-ways, and sidewalks of grease or other cooking by-products is the responsibility of the event.
- Portable garbage receptacles MAY be available from City upon request.
- Hauling of garbage from receptacles to dumpsters is the responsibility of the event.
- Hiring a trash removal company to provide trash dumpsters and remove trash from dumpsters is the responsibility and at the cost of the event.



## **ELECTRIC**

The event organizer will need to provide the City with an electrical plan as part of the special events application process (power needs, exact locations, detail where power will come from, what licensed electrician the event will be working with).

- Any event requiring electrical usage must identify needs with the Events Manager.
- When an event requires electricity, all electric service from existing City electric outlets to vendors and entertainment, shall be installed and maintained by a licensed electrician paid for by the event.
- The City of Yankton does not provide staffing to maintain electric services during events.
- Electric extension cords when utilized shall be properly sized and maintained by a licensed electrician.
- Gauge size of cords used must be compatible with equipment.
- Cords shall not be frayed.
- Cords shall be completely covered with tape or other method to prevent tripping.
- Cords shall be properly grounded.
- City provided outlets are GFCI protected. Any faulty equipment or cords that plug-in to these outlets will cause the GFCI to trip the breaker. A licensed electrician would need to be utilized to reset the GFCI circuits. This expense would be at the organizer's cost.

### **DOWNTOWN EVENT POWER**

- Standard 110v outlets in landscape/tree pits along Walnut are for decorative lighting only – not for public use during events. These outlets cannot power bouncy houses, cookers, or other vending/event needs.
- Standard 110V outlets in alleyways along 3<sup>rd</sup> Street may be used by events.
- The large 220v outlets in alleyways or at the intersection of 3<sup>rd</sup> and Walnut (SE and NW corners) or at the intersection of Walnut and 2<sup>nd</sup> (NW corner) can be used as 220v or they can also be broken down to 110v for event needs. The event will need to get an outlet board (spider board) from a licensed electrician to break down the power to 110v outlets and this would be at the event organizer's cost.
- If an electrician is needed during the event to help with power and electrical problems, this would be at the event organizer's cost. The City does not provide staff to help with electrical issues.

## **ANIMALS/PETTING ZOOS- reference City Ordinances 5-3 and 5-4.**

With the exception of guide, signal or service dogs, animals are not allowed in City facilities without prior approval of the City Manager or his/her designee. Approval is based on whether the animal is legitimately part of the show, exhibit, or activity requiring the use of animals. If allowed, the Special Event is responsible for the liability associated with animals and sanitary needs.

Animals as part of the show, exhibit, or activity during an outdoor Special Event also needs prior approval of the City Manager or his/her designee. If allowed, the Special Event is responsible for the liability associated with animals and sanitary needs.

## **ADA STATEMENT PROVIDING PUBLIC ACCESS FOR EVENT**

By law, all public events must comply with ADA (Americans with Disabilities Act) regulations. As you plan your special event, please keep in mind a number of accessibility items to ensure the event is ADA compliant.

Considerations for the event consists of:

Location- Please consider the event location to ensure the spaces and infrastructure are adequate to provide access to individuals with disabilities. This would include outdoor spaces and indoor spaces.

Marketing- Please include statements about access on press releases and promo materials that are sent out. Include accessibility symbols on promotional materials to help those identify the steps being taken to provide access.

Signage- Please provide large, clear, and easy to read signage at the event to ensure those with visual impairments can easily get the assistance needed.

Staff or Volunteers- Please educate the support staff on the basic provisions in place for individuals with disabilities. Providing the staff with awareness and information will help them to deal with accessibility situations and provide help as needed.

Vendors- Please ensure that any vendor on site comply with ADA regulations. Individuals with disabilities must be provided with equal access to food, drinks, merchandise or other services at an event.

Restrooms- Consider ADA regulations when ordering your portable bathrooms. It is recommended to have one wheelchair accessible bathroom for every 10 single portable bathrooms. Portable bathrooms must also be placed in an area free of curbs or obstructions for those with mobility issues.

Parking- Please consider designated parking spaces that allow for an aisle and easy loading and unloading of people from their vehicles. Curb ramps need to be in place in necessary areas to allow access to the event. These spots should be in close proximity to the event.

Service Animals- Please understand service animals are not pets. A service animal is assisting a person with a disability to perform a task they otherwise may not be able to complete independently. Service animals must be under the control of their handlers at all times.

## **ASSEMBLIES, DEMONSTRATIONS, RALLIES, GATHERINGS**

1. Peaceful assemblies, demonstrations, rallies, and gatherings of 25 or more people do not require a special events application, but should complete a Permit to Assemble Form.
2. The Events Manager must be notified of organized assemblies, demonstrations, rallies or gatherings. A Permit to Assemble should be filled out 48 hours prior to the planned gathering. It should meet all City requirements including:
  - a. No blocking any entrance or exit.
  - b. No preventing any persons from entering or leaving any premises.
  - c. No using any type of physical force upon any person.
  - d. No throwing any type of material.
3. Any breach of the peace or criminal act by or against any participant or person in the vicinity of the event may result in appropriate legal action against the organization or individuals, including possible arrest and prosecution.
4. Further guidelines to ensure the safety of persons and property, associated with demonstrations include:
  - a. The orderly use of public sidewalks and other properties must be assured.
  - b. For the protection of the public, any group wishing to use streets or public ways for demonstrating should complete the Permit to Assemble.
  - c. Any group wishing to use any public area may do so, but should be in compliance with the rules and laws of that space.
  - d. Individuals and organizations should be aware of the rights of private business to restrict access to its property. Demonstrations will not be allowed to picket or assemble on private property without permission of the property owner.
  - e. Organizations sponsoring demonstrations are requested to designate individuals from their group to act as “Activity Marshals” to help assure participant safety. Marshals should be identifiable to participants and police officers.
  - f. A minimum of 2 “Activity Marshals” should be designated with accurate contact information and should be available to the City during the activity.
  - g. The Yankton Police Department will endeavor to ensure citizens right to express their rights and views in an orderly, safe manner.

SECTION 11

STATE OF SD CONTACTS

## **FOOD CONCESSIONS**

### **South Dakota Department of Health**

Office of Health Protection

600 E Capital Ave

Pierre, SD 57501

Phone 605.773.4945

Fax 605.773.5683

<https://doh.sd.gov/food/restaurants-lodging/Licensure/Food-Service>

## **SALES TAX**

### **South Dakota Department of Revenue**

Yankton Revenue Office

1900 Summit Street

Yankton, SD 57078

Phone 605.668.2939

<http://dor.sd.gov/Taxes/>

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