

Article 10-7

PERMITS FOR STREET CARNIVALS

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10-701 Definitions.

(a) "Street Carnival" means a traveling commercial entertainment with side shows, rides, games, and the like.

(b) "Permit" shall mean evidence of payment of occupational tax and compliance under Chapter IX of Rock Springs City Ordinances as same relates to Street Carnivals.

(c) "Person" means any individual person, persons, company or Wyoming Corporation or foreign corporation authorized to do business in the State of Wyoming. (Ord. No. 79-11, 5-15-79).

10-702 Permit Required; Inspections; Insurance.

(a) It shall be unlawful for any person in the City of Rock Springs to open or operate a Street Carnival without having first applied for and obtaining a permit as defined in 10-701(b).

(b) Application for permits must be made at the office of the City Clerk at least thirty (30) days prior to the requested time for opening and operating the carnival.

(c) Permits shall be granted on a first applied for and issued basis so that when granted no other permit for a carnival may be granted for the opening and operating of a carnival at any time within thirty (30) days previous to another permittee's scheduled opening date.

(d) Application for permits shall be in

writing to the City and shall note the time when received for purpose of priority considerations; and, shall state:

(i) Name of carnival.

(ii) Carnival owner's name and address.

(iii) Requested dates for opening and closing stated inclusively.

(iv) Carnival's location site within the City.

(e) Before any permit is issued under this sub section, the applicant shall allow the duly authorized and accredited agent of the City of Rock Springs to inspect applicant's facilities, equipment, rides or other structures which are for public use. Public use of any facility, equipment, ride or other structure determined unsafe following inspection is prohibited until the unsafe condition is corrected, repaired or otherwise modified. Failure of the applicant to make necessary corrections, repairs or modifications pursuant to this sub section shall be grounds for disapproval of the permit application under this section.

(f) The issuance of a license pursuant to this act shall not relieve any licensee from acting with reasonable care in the operation or maintenance of a carnival. The City of Rock Springs as a condition of issuing a license under this section, shall require a licensee to provide proof of liability insurance coverage of a minimum amount of Five Hundred Thousand (\$500,000.00) Dollars at the time of issuing the license and to indemnify, defend and save harmless the City from any and all claims, demands, actions or causes of action arising from the negligent acts or omission of the carnival. All licensees must maintain liability insurance while operating within the City of Rock Springs. (Ord. No. 79-11, 5-15-79; Ord. No. 87-29, 12-15-87).

10-703 Compliance with General Law.

(a) Permittees shall comply with all state and other applicable Rock Springs City Ordinances. (Ord. No. 79-11, 5-15-79).

10-704 Responsibility to Landowner.

(a) The permittee shall make suitable

arrangements with the landowner to assure that the site is vacated at the termination of the permit leaving the site in clean and safe condition. (Ord. No. 79-11, 5-15-79).

10-705 Refusal of Permit.

(a) The issuing authority for the Permit shall have the authority to refuse issuance of a permit, extend the dates of a permit if extension does not interfere with other permit application dates, and revoke permits when privileges under the permit are abused.

(b) The issuing authority may also refuse to issue a permit to the same person or successors or persons in succeeding years for previous abuse of permit privileges or violation of State Statute or City Ordinance. (Ord. No. 79-11, 5-15-79).

10-706 Parking and Dust Control.

(a) All carnivals shall provide sufficient parking. Sufficient parking shall be defined as one parking space for each three (3) seats or other customer accommodations for all rides, shows, games or other amusements. The number of spaces required shall be as determined by the City in the event of any dispute or uncertainty. No carnival permit shall be valid unless sufficient parking is available at the proposed carnival site.

(b) All required parking must be provided off the streets, alleys, highways and other public right of ways surrounding the carnival site. At least fifty percent (50%) of the parking required by this Ordinance shall be provided on or directly adjacent to the site of the carnival. The remainder of the required parking shall be provided in parking lots or parking areas within fifteen-hundred feet (1,500') of the carnival site. No on street parking shall be counted towards fulfillment of the required number of parking spaces.

(c) Adequate signs, as determined by the City, shall be provided to direct customers and patrons to the approved parking areas. A minimum of four parking attendants shall be present to direct and control traffic in the on-site or adjacent parking areas.

(d) Dust control methods approved by

the Director of Engineering and Operations shall be practiced and adhered to on the carnival site and any unpaved parking areas.

(e) Any carnival found by the Police Department or the Director of Engineering and Operations to be operating without sufficient parking or dust control measures as herein provided shall be deemed to be operating under a void license and immediately closed down by the Police Department. Anyone who rents or leases or otherwise provides property for a carnival site and anyone who owns, operates or runs a carnival without adequate parking as required by this Ordinance shall be guilty of a misdemeanor and fined in a sum not to exceed Seven Hundred and Fifty (\$750.00) Dollars. (Ord. No. 84-10, 6-19-84).