

AN ORDINANCE OF THE CITY OF DUNWOODY AMENDING CHAPTER 26 (STREETS, SIDEWALKS AND OTHER PUBLIC PLACES) TO ADD ADDITIONAL EXEMPTION FOR PERMIT FEE REQUIREMENT

WHEREAS, the City of Dunwoody has heretofore adopted a Special Event Ordinance, Codified as Article VIII of Chapter 26 of the Code of the City of Dunwoody (the "Code"); and

WHEREAS, a special event promoter is, generally, required to pay the City an Application Fee and Event Permit Fee in order to conduct the event; and

WHEREAS, the Ordinance currently has three exemptions to Application fees, at the City Manager's discretion, one of which benefits Non-profit groups, but has only two exemption possibilities for Permit Fees; and

WHEREAS, the Mayor and City Council desire to provide for an additional Permit Fee exemption benefitting Non-profit groups utilizing City property.

THEREFORE, THE MAYOR AND COUNCIL FOR THE CITY OF DUNWOODY HEREBY ORDAIN AS FOLLOWS:

ADDITIONS – underlined
DELETIONS – ~~strikethroughs~~

Section 1: Chapter 26 (Streets, Sidewalks and Other Public Places), Article VIII (Events in Public Places) of the City of Dunwoody Code of Ordinances shall be amended by revising Division 2 (Permits), Section 26-245 (Fees), subsection (I), to read as follows:

Sec. 26-245. Fees.

....

(I) Exceptions.

(1) Application fees.

~~a. The producer of any event associated with and benefiting the cause of a charitable organization, recognized as such by the Internal Revenue Service under section 501(c) of the Internal Revenue Code, may be excused by the city manager from the application fee requirement if, in his reasonable discretion, the event benefits the community at large.~~

~~ab.~~ The producer of any event donating net event proceeds to the city ~~may be~~ is excused ~~by the city manager~~ from the application fee requirement.

~~be.~~ For events that have been co-sponsored by the city and designated by the city council as "signature" or "premier" pursuant to an adopted policy related to special event co-sponsorship, the producer of the event ~~may be~~ will be excused ~~by the city manager~~ from the application fee requirement.

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- (2) Permit fees.
- a. The producer of an event donating net event proceeds to the city ~~may be~~ excused ~~by the city manager~~ from the permit fee requirement.
 - b. For events that have been co-sponsored by the city and designated by the city council as "signature" or "premier" pursuant to an adopted policy related to special event co-sponsorship, the producer of the event ~~may be~~ excused ~~by the city manager~~ from the permit fee requirement.
 - c. The producer of any event associated with and benefiting the cause of a charitable organization, recognized as such by the Internal Revenue Service under section 501(c) of the Internal Revenue Code and who has a location, headquarters or is chartered in the City of Dunwoody, and taking place on City-owned property or multi-use trail, is excused from the permit fee requirement.
- (3) Park and pavilion rental fees.
- a. The producer of an event donating net event proceeds to the city ~~may be~~ excused ~~by the city manager~~ from the park and pavilion rental fee requirement.
 - b. For events that have been co-sponsored by the city and designated by the city council as "signature" or "premier" pursuant to an adopted policy related to special event co-sponsorship, the producer of the event ~~may be~~ excused ~~by the city manager~~ from the ~~permit rental~~ fee requirement.
- (4) City support service fees.
- a. All public assemblages shall be exempt from paying for police support services deemed necessary by the chief of police for approved events including but not limited to police support services such as traffic control and police protection.
 - b. Events that have been co-sponsored by the city and designated by the city council as "signature" or "premier" pursuant to an adopted policy related to special event co-sponsorship are eligible for cost sharing of city support services such as police department support services. "Signature" and "premier" events must still meet the requirements of this article including providing personnel and services deemed necessary and in excess of this level of support as authorized by the city council at the time of their co-sponsorship of the event.
- (5) Alcohol licensing fees. A nonprofit civic organization, recognized as such by the Internal Revenue Service as demonstrated with a nonprofit authorization letter (Federal Form 501-C), ~~may be~~ excused ~~by the city manager~~ from the administrative application fee for an alcohol license. Such organizations are not exempt from the temporary or annual alcohol permit fees or the permit fees for pouring alcoholic beverages.

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Section 2: This Amendment shall become effective immediately upon its adoption by the City Council, and incorporated into the Code of the City of Dunwoody, Georgia. This Amendment hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED, this ____ day of _____, 2015.

Approved:

Michael G. Davis, Mayor

ATTEST:

Approved as to Form and Content:

Sharon Lowery, City Clerk
(Seal)

City Attorney's Office