

**CITY OF OWOSSO
RULES AND REGULATIONS
FOR THE ISSUANCE OF CERTAIN
TRAFFIC CONTROL ORDERS**

AUTHORITY. These rules and regulations are promulgated pursuant to the provisions of section 7.18 of the Owosso City Charter.

APPLICABILITY. These rules and regulations shall be applicable to traffic control orders approved by the City Council for the use of parking lots subject to the provisions of section 33-43 of the Owosso City Code and streets other than for their usual and customary purposes.

APPROVAL BY THE COUNCIL REQUIRED. The approval of the City Council is required before the issuance of any traffic control order for the use of parking lots and streets for events, parades and the like, regardless of the duration or frequency of the use.

RESCINDING OF TRAFFIC CONTROL ORDERS. The City Council may at any time rescind any traffic control order issued pursuant to these regulations, upon the receipt of a recommendation from the City Manager or upon its own initiative, when the Council determines that the interests of the City and its citizens are best served through such action. Traffic control orders approved pursuant to these regulations may also be superseded by temporary traffic control orders issued by the appropriate City officials when such action is required to safeguard the public health, safety and welfare.

PARKING LOTS. The following conditions shall pertain to the issuance of traffic control orders prohibiting parking in City parking lots when such lots are to be used for events or other purposes:

1. The request for use of the parking lot shall be submitted to the Public Safety Department not less than 14 days nor more than 120 days before the date for which the use is requested or, in the case of a use that occurs on more than one day, not less than 60 days nor more than 120 days before the first date in the calendar year on which the use would take place. Except in such cases that must be reviewed by the Zoning Board of Appeals per paragraph 4 below.
2. The request for use of the parking lot shall contain the name of the individual or organization making the request, the name, title, address and telephone number of the primary contact person, the dates and hours for which the request is made, and a detailed description of the use for which the request is made. The request should also include copies of any rules or policies applicable to persons participating in the event that is the proposed use of the lot.
3. The City Council may deny the request for a traffic control order prohibiting parking if:
 - The City Council determines that the loss of such parking would present an unreasonable hardship for area businesses or their customers;
 - The applicant has failed to submit a request that complies with the requirements of this policy or other applicable ordinances, laws or rules; or
 - For such other reasonable cause or causes as the City Council might determine.
4. Nothing stated herein shall abrogate the duty of an applicant to apply to the zoning board of appeals as required by Owosso City Code section 38-504(4)(b) for a conditional use permit if the intended use is not allowed in the zoning district involved. In such case, the notice requirements of the zoning ordinance shall apply.

PARADES AND SIMILAR EVENTS. The following conditions shall pertain to the issuance of traffic control orders regulating parking and traffic necessary to permit parades, foot races, walk-a-thons and similar events on public streets.

1. The request for the event shall be submitted to the Public Safety Department not less than 14 days nor more than 120 days before the date for which the use is requested.
2. The request for the event shall contain the name of the individual or organization making the request, the name, title, address and telephone number of the primary contact person, the dates and hours for which the request is made, and a detailed description of the use for which the request is made. The request should also include copies of any rules or policies applicable to persons participating in the event.
3. The City Council may deny the request for a traffic control order regulating parking and traffic for a proposed event if:
 - The City Council determines that such regulations would represent an unreasonable hardship for motorists, pedestrians and property owners and occupants that might be affected by the event;
 - The City Council determines that the duration of the event or the frequency of occurrence of similar events would represent an unreasonable hardship for motorists, pedestrians, and property owners and occupants that might be affected by the event or events.
 - The applicant has failed to submit a request that complies with the requirements of this policy or other applicable ordinances, laws or rules; or
 - For such other reasonable cause or causes as the City Council might determine.
4. Approval by the City Council of a request for a traffic control order shall not diminish in any way the obligations of event organizers and participants to comply with applicable provisions of City ordinances and state law pertaining to the use of street rights-of-way, nor shall such approval eliminate the requirement to apply for and obtain the necessary permits for the occupancy and use of street rights-of-way issued by the City Engineer.

APPEAL PROCEDURE. Rules and policies applicable to events and activities organized in such a manner as to constitute an invitation to members of the general public to participate in the event or activity shall comply with all applicable local, state and federal laws and regulations and shall include, at a minimum, a process for appealing decisions that have the effect of denying participation or imposing limitations on participation beyond those generally applicable to all other participants.

COSTS FOR MAINTENANCE, REPAIRS, UTILITIES AND SECURITY. The City Manager shall have the authority to impose charges for the costs of maintenance and repair of City properties and facilities, for the use of utilities and for the provision of security associated with events and activities for which traffic control orders are issued when such costs exceed the costs associated with the ordinary public use of such properties and facilities. The City Manager may require a deposit be paid or a bond be submitted to cover such costs before issuance of the requested traffic control order.

HOLD HARMLESS AND INDEMINIFICATION. The submission of a request by an individual or organization for a traffic control order pursuant to these rules and regulations shall constitute an agreement to indemnify and hold the City and its officers and employees harmless from any and all liability arising from the event or activities for which the request is made.

INSURANCE. The individual or organization requesting a traffic control order pursuant to these

rules and regulations shall provide evidence to the City of insurance coverage applicable to the event or activity naming the City as an additional insured in an amount of not less than \$500,000 combined single limit; provided, however, that the City Council may waive such insurance requirement if it determines that insurance coverage is unavailable or cannot be obtained at a reasonable cost and the event or activity is in the public interest or fulfills a legitimate and recognized public purpose.

NOTIFICATION. Notification shall be provided to the Downtown Development Authority Director and/or the Westown Corridor Improvement Authority Chairperson for events proposed within Authority boundaries.

I hereby certify that the foregoing document is a true and complete copy of action taken by the Owosso City Council at the regular meeting of August 17, 2009.

Amy K. Kohagen, City Clerk