

## ARTICLE III. - CIRCUSES AND CARNIVALS

### DIVISION 1. - GENERALLY

Secs. 10-91—10-110. - Reserved.

### DIVISION 2. - LICENSE

Sec. 10-111. - Required.

No person shall operate, maintain, or conduct any circus, caravan, carnival, or provide amusement or entertainment by the use of roller coasters, merry-go-rounds, ferris wheels, or other similar vehicles or mechanical devices within the city without first procuring a license as provided in this division.

(Code 1963, § 22.01; Code 1980, § 4-70; Ord. No. 651, 9-6-1979)

Sec. 10-112. - Application and issuance; conditions.

- (a) *Application.* An application for such license shall be made in writing to the city clerk and shall state the full name and address of the applicant, the location where the circus or carnival is to be conducted, the owner of the premises, the days on which the circus or carnival is to be conducted, and such other information as shall be required by the city.
- (b) *Review and approval.* The city clerk shall verify the information in the application and conduct such investigation as required by the city. The applicant shall provide evidence of written permission for the operation of the circus or carnival from the owner of the location of the premises. The city manager shall require review and recommendation from the fire chief and police chief and upon satisfactory recommendation the city manager may issue such license. The city manager may require a public hearing on the application and such hearing shall be held at such time and upon such notice as the council may determine.
- (c) *Conditions.* The council may impose any conditions or restrictions it deems necessary or advisable to protect the public health, safety, and welfare including, but not limited to, conditions relating to the hours of operations, the lighting of the premises, and the parking facilities. The council may impose any conditions or restrictions at any time after the issuance of a license under this article. A bond may be required in such form and amount as specified by the council to guarantee compliance with any conditions that shall be herein imposed. The licensee shall permit operation of the circus or carnival only on the days specified in the application.

(Code 1963, § 22.02; Code 1980, § 4-71; Ord. No. 651, 9-6-1979)

Sec. 10-113. - Fees.

The fee for the license shall be established by action of the council for the first day and an additional amount established by action of the council for each day thereafter that the activities are to be conducted. The fee shall be paid at the time the application is submitted to the city clerk. If the council denies an application for the license, the amount paid shall be refunded, after deducting \$25.00 for the costs of processing the application.

(Code 1963, § 22.03; Code 1980, § 4-72; Ord. No. 651, 9-6-1979; Ord. No. 84-853, 2-7-1985; Ord. No. 98-1695, § 2, 2-5-1998)

Sec. 10-114. - Insurance.

- (a) The licensee shall obtain and keep in full force and effect proper liability insurance coverage to protect the city and such licensee against any claims or liability for personal injury or property damage sustained by any persons as a result of the operation of such circus or carnival. The liability insurance coverage shall name the city as an additional insured, and such insurance coverage shall have minimum limits of liability with respect to bodily injury of \$100,000.00 for each person and \$300,000.00 for each occurrence and \$50,000.00 with respect to property damage.
- (b) Such licensee shall obtain and keep in full force and effect proper insurance coverage against any liability for injury sustained by any persons operating such licensed activities, as required under the provisions of the workers' compensation act of the state.
- (c) Such licensee shall submit to the city clerk satisfactory certificates of insurance for the coverage required in this section.

(Code 1963, § 22.04; Code 1980, § 4-73; Ord. No. 651, 9-6-1979)

Sec. 10-115. - Indemnification.

The licensee shall indemnify, defend, and hold harmless the city from any claims and any liability in whatsoever manner arising, which may be brought against the municipality, as the result of the operation of the circus or carnival.

(Code 1963, § 22.05; Code 1980, § 4-74; Ord. No. 651, 9-6-1979)

Sec. 10-116. - Operation.

- (a) The operator or owner of the circus or carnival regulated hereunder shall conduct such operations and premises in conformance with all laws and regulations of the city and the state. No intoxicating liquor shall be permitted on the premises of operation.
- (b) The operator or owner shall control traffic entering and leaving such premises so that there is no interference with the orderly flow of traffic on the public streets adjacent thereto.
- (c) The city manager shall establish such conditions as is deemed appropriate to provide for the cleaning of the premises and all other properties relating to the operation, within a reasonable period after the event and may require a deposit fee in the amount of \$150.00 to guarantee such cleaning; such deposit to be refunded upon satisfactory cleanup.

(Code 1963, § 22.06; Code 1980, § 4-75; Ord. No. 651, 9-6-1979)