

ORDINANCE 2020-21

AN ORDINANCE REGULATING THE AMPHITHEATER AT BARKER PARK

WHEREAS; The City has constructed an new amphitheater at Barker Park; and

WHEREAS; The City has sought to clarify and regulate the use of the facility by ordinance; and

WHEREAS; The City is adopting a universal sound ordinance and has made other recommended changes to the rental agreement for the facility; and

WHEREAS; The City desires to clean up the ordinance to eliminate duplicative provisions and add clarification for the use of the facility.

NOW THEREFORE, BE IT ORDAINED by the North Ogden City Council that the North Ogden City Code be amended as follows.

SECTION 1: The North Ogden Code Title 8 Chapter 6 Section 5 be amended as follows.

8-6-5: AMPHITHEATER RULES

The amphitheater may be scheduled by the City for City sponsored events up to twelve (12) months in advance. The general public will be allowed to schedule the facility up to six (6) months in advance. The general public may reserve the amphitheater, provided all fees are paid and rules are followed. Reservation fees shall be as established in the consolidated fee schedule prior to any rental of the facility. City sponsored events are not required to pay fees.

- A. Sound Level: All amplified sound or shall meet the City sound ordinance.
- B. End Time: All events, productions, concerts, festivals, etc., held at the amphitheater must end by ten o'clock (10:00) P.M. with the exception of the 4th of July fireworks and corresponding show. All loudspeakers must be turned off by this time and patrons begin exiting the facility.
- C. Time of Loudspeaker Use: No loudspeakers may be used to broadcast sound at the amphitheater before seven o'clock (7:00) A.M. any day of the week unless authorized for City sponsored events.
- D. Outside Agreements: North Ogden City may enter into an agreement to partner with or co-sponsor with any outside agency or promoter to bring events to the amphitheater when it is deemed to be beneficial to the amphitheater and a valuable opportunity.
 - 1. All negotiations and agreements/contracts must be finalized to be official. This includes contracts with the promoter and talent agency.
 - 2. All fees including a "per ticket" fee charged by the City to the partner/promoter must be as in the consolidated fee schedule.

3. Some or all production costs, including lights, sound, talent purchase, director's costs, etc., are to be paid by the promoter or co-sponsoring agency.
 4. If ticket sales are to be sold through a ticket outlet other than the current North Ogden Amphitheater ticket outlet, it must be approved by the Parks and Recreation Director and all payments for ticket sales made to the City within five (5) business days.
 5. Ticket sales shall be limited to four (4) tickets per authorized Park parking space.
- E. Rental By Private Contractors: The amphitheater may be rented by the general public under the following conditions:
1. A completed rental application and special event permit is submitted to the Parks and Recreation Department
 2. All rental fees are paid as per the consolidated fee schedule and are non-refundable within two (2) months of the event.
 3. All North Ogden City police or North View Fire staff as deemed necessary by the Police Chief and Fire Marshal are paid for per the consolidated fee schedule.
- F. Parking: All event parking must be located within an approved location as authorized by the City, and be limited to four (4) tickets per authorized Park parking space. The City is allowed to charge for parking or authorize others to charge for parking. No event parking is allowed along the southern curb of Deer Meadows Drive or the eastern curb of Barker Parkway. Homeowners in Deer Meadows Subdivision and their guests may park along the restricted curbs provided a proper permit is displayed in the window of the vehicle except on the 4th of July from nine o'clock (9:00) P.M. to eleven o'clock (11:00) P.M. Any individual violation of this provision shall be a class C misdemeanor subject to all associated fines, and subject to immediate towing and impoundment of the vehicle.
- G. Interference with Events: It shall be a Class B Misdemeanor for any individual to:
1. Interfere with an event;
 2. Obstruct patrons from attending an event;
 3. Use loudspeakers within the boundaries of the park during an event if the loudspeakers are not associated with the event;
 4. Attempt to gain admittance to a paid event without a ticket;
 5. Use lighting or other visual methods to disrupt an event;
 6. Interfere with a scheduled event in any way.

SECTION 2: This ordinance shall take immediate effect.

PASSED and ADOPTED this 11th day of August, 2020.

North Ogden City:



S. Neal Berube
North Ogden City Mayor

CITY COUNCIL VOTE AS RECORDED:

	Aye	Nay
Council Member Barker:	<u> X </u>	___
Council Member Covering:	<u> X </u>	___
Council Member Ekstrom:	<u> X </u>	___
Council Member Stoker:	<u> X </u>	___
Council Member Swanson:	<u> X </u>	___
(In event of a tie vote of the Council):		
Mayor Berube	___	___

ATTEST:



S. Annette Spendlove
S. Annette Spendlove, MMC
City Recorder