

Memo

To: Trustee Gohl
From: Robert Kosin, Director of Administration
CC: Village President, Board of Trustees
Date: October 24, 2014
Re: Competitive Race Event Ordinance

As considered at the September meeting of the Board of Trustees there is attached the revised version from that meeting so identified by the symbology of additions and ~~deletions~~.

The items of note are

- three registered events per calendar year;
- permit approved by either the Village President or Police Chief;
- penalty provision applicable to the individual and organization.
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There is also an organizational change by inserting the proposed ordinance into an existing but unused chapter seven rather than creating a new chapter ten of title nine "Vehicle Regulations".

The proposed ordinance will be distributed for consideration of the regular October meeting of the Board of trustees.

**AN ORDINANCE CREATING A PERMIT
FOR
COMPETITIVE RACES OR EVENTS**

WHEREAS, the Village of Barrington Hills (“Village”) is located within the intersection of four of the most populated counties in the state of Illinois; and

WHEREAS, the Village roads belie the appearance of an urban area rather it is a picturesque meandering of rural like roadways of gravel shoulders, grassed ditches and canopy roadside landscape; and

WHEREAS, that setting lends itself to organized foot races, marathons, bike-athons or competitive events (“Events”) of any and all kinds; and

WHEREAS, the safe uses of those roads concurrently during such an Event is best achieved by an organized record of establishing and permitting the Event.

NOW, THEREFORE BE IT ORDAINED by the President and Board of Trustees of the Village of Barrington Hills, located in the Counties of Cook, Kane, Lake and McHenry, Illinois, as a home rule municipality the following:

Section One. Incorporation of Preamble. The Village Board hereby finds that the recitals contained in the preamble to this Ordinance is true and correct and does incorporate them into this Ordinance by reference.

Section Two. Competitive Races and Events. Title 9 “Vehicle Regulations” is hereby amended by creating a new chapter ~~10~~ 7 to be hereafter known as “Competitive Races or Events” and read as follows:

CHAPTER ~~10~~ 7

COMPETITIVE RACES OR EVENTS

9-7-1: **SHORT TITLE:** This chapter shall be known, cited and referred to as the BARRINGTON HILLS COMPETITIVE RACE OR EVENT PERMIT ORDINANCE.

9-7-~~12~~ **DEFINITIONS:** Unless the context otherwise requires, words and phrases used in this chapter shall be construed with the definitions set forth as follows:

Competitive Races or Special Events: Any organized foot race, marathon race, walk-a-thon, bike-a-thon or other race of any kind in or upon any road, park, or public place within the Village of Barrington Hills (“Village”).

Person: Any person, firm, partnership, association, corporation or organization of any kind.

9-7-3 PERMIT REQUIRED: No person, club, corporation, city, organization, or association, shall engage in, participate, aid, form or start any Competitive Race or Special Event, unless a permit for such Race or Event has been obtained from the Village.

9-7-4 APPLICATION FOR PERMIT: A person seeking issuance of a Competitive Race or Event permit shall file an application with the Village Clerk on forms provided by such officer per calendar year.

- A. Filing Period. Any person desiring to conduct a Competitive Race or Special Event shall file an application for permit with Village Clerk not less than sixty (60) days before the date on which such Race or Event is conducted. Only the first three (3) Competitive Races or Events will be accepted on first come basis per year.
- B. Contents. The application for a Competitive Race or Event permit shall set forth the following information.
 - 1. The name, address and phone number of person seeking to conduct such a Race or Event.
 - 2. If the Race or Event is proposed to be conducted for, on behalf of, or by an organization, the name, address and phone number of the headquarters of the organization, and of the authorized and responsible heads of such organization.
 - 3. The name, address and phone number of the person who will be the Race or Event chairman or who will be responsible for its conduct.
 - 4. The date when the Race or Event is to be conducted.
 - 5. The route it will be traveled, the starting point and finishing point entering the Village.
 - 6. The number of persons (minimum of 5 not to exceed 230)
 - 7. The hours when such a Race or Event shall start and finish (not exceeding 1 1/2 hours) within the Village limits; after that time persons shall be recovered from the route.
 - 8. The competitive Race or Event organizers shall provide to the Village evidence of liability insurance in the amount of \$5,000,000 naming the Village as an additional insured prior to the date of the Race or Event.
- C. Late Applications. The Village Clerk shall hold all applications after the first three applicants have filed in case of a cancellation up until 45 days before the date such Race or Event is proposed to be conducted.

9-7-5 STANDARDS FOR ISSUANCE: The Village Clerk shall hold all applications for a permit as provided for hereunder when, from a consideration of the application and from such other information as may otherwise be obtained, who finds that:

- A. The conduct of the Race or Event will not substantially interrupt the safe and orderly movement of other concurrent traffic to its route.
- B. The conduct of the Race or Event will not require the diversion of so great a

number of police officers of the Village to properly prevent normal police protection to the Village.

- C. The conduct of such Race or Event will not interfere with the movement of emergency vehicles.
- D. The conduct of such Race or Event is not reasonably likely to cause injury to person or property, to provoke disorderly conduct or create a disturbance.
- E. The Race or Event is scheduled to move from its point of entry and exit of the Village expeditiously and without unreasonable delays enroute.

9-7-6 NOTICE OF REJECTION: The Village Clerk shall act upon the application for the Race or Event permit within ten to twenty days after the filing thereof. If the Village ~~Board~~ President or Chief of Police disapproves the application, the applicant will be sent by mail within twenty days of rejection stating the reasons for deemed denial of the permit.

9-7-7 APPEAL PROCEDURE: Any person shall have the right to appeal the denial of a Race or Event permit to the Village Board of Trustees. That appeal must be taken up within fifteen days after applicant has received the notice. The Village Board of Trustees shall act upon the appeal during its next regular Board meeting after receipt of the appeal.

9-7-8 CONTENTS OF PERMIT: Each competitive Race or Event shall state the following information:

- A. Date of competitive Race or Event.
- B. Starting time in and out of the Village.
- C. The portion of roads to be traversed that may be occupied by the Race or Event.
- D. Liability insurance provider.
- E. The Village Board of Trustees reserves the right to establish fees to cover costs the Village may incur by the Race or Event.

9-7-9 DUTIES OF PERMITTEE: A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances.

- A. The Race or Event chairman or other person heading or leading such activity shall place and retrieve all direction signs within one hour of competitive Race or Event.
- B. Each participant in a Race or Event shall be assigned by the permittee a number placard or other device, to be displayed by the participant at all times during the Race or Event identifying them as a participant for this Race or Event only, not in conjunction with other Events of that day.

9-7-10 PUBLIC CONDUCT DURING COMPETITIVE RACES OR EVENTS:

- A. Interference: No person shall unreasonably hamper, obstruct or impede, or interfere with any Race or Event or with any person participating in the Race or Event.
- B. Driving through Races or Events: No driver of a vehicle shall unreasonably interfere with any competitive Race or Event designated as participants in that Race or Event.

9-7-11 REVOCATION OF PERMIT: The Chief of Police or designee shall have the authority to revoke a Competitive Race or Event permit during the Race or Event upon violation of either the Standards For Issuance or Permit Conditions as set forth in these sections.

9-7-12 PENALTIES AND FINES: It is unlawful and constitutes an infraction for any person, corporation or city club organization to violate or fail to comply with the provisions of this ordinance. The violation for failure to comply may be punishable by a fine of \$50.00 against any person and \$750.00 against any corporation, city club organization that has found to violate or fail to comply with the provisions of this ordinance.

Section Three. Validity. Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part declared to be invalid.

Section Four. Supersieder and Efective Date. All ordinances, resolutions, motions and orders thereof, in conflict herewith are to the extent of such conflict hereby superseded; and this Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

ROLL CALL VOTE:

YEAS: _____, **NAYS:** _____, **ABSENT:** _____, **ABSTAIN:** _____

APPROVED by the President of the Village of Barrington Hills, Illinois

This _____ day of _____, 201

Village President

ATTEST: _____
Village Clerk