

ORDINANCE NO. 2015-03

Town of Rising Sun

Cecil County, Maryland

AN ORDINANCE OF THE TOWN OF RISING SUN, ("TOWN") CECIL COUNTY, MARYLAND, AMENDING AND ADDING LANGUAGE TO CHAPTER 2, TITLED ADMINISTRATION & GOVERNMENT OF THE CODE OF ORDINANCES OF THE TOWN OF RISING SUN, IN ORDER TO CREATE A NEW ARTICLE 11 TITLED RISING SUN COMMUNITY EVENTS ALLIANCE FOR THE PURPOSES OF COORDINATING THE ROLE OF ALL IMPORTANT COMMUNITY ENTITIES TO ENSURE THAT ANY COMMUNITY ACTIVITIES THAT ARE SPONSORED BY THE TOWN OR REQUIRE AND UTILIZE ANY TOWN RESOURCES, OR EVENTS IN WHICH THE TOWN PARTICIPATES IN ARE PROPERLY MANAGED TO ENSURE THAT ALL TOWN DEPARTMENTS, BOARDS AND COMMITTEES ARE PROPERLY REPRESENTED AND ALL LIABILITY AND EXPOSURE TO THE TOWN IS ADDRESSED; AND THAT ALL LISTED COMMUNITY ENTITIES HAVE A CHANCE TO PARTICIPATE IN SUCH PLANNING AS IT RELATES TO THE INVOLVEMENT OF THEIR RESPECTIVE ORGANIZATION; AND TO REPEAL ANY AND ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the Town, located in Cecil County, Maryland is a municipality organized under and governed by Article 23A of the Annotated Code of Maryland; and

WHEREAS, the Town is proclaimed as a perpetual entity with the right to pass laws; and

WHEREAS, the Code of Ordinances of the Town, contains Chapter 2, titled ADMINISTRATION & GOVERNMENT, which establishes the general guidelines associated with the proper administration of affairs and business for the Town of Rising Sun, Maryland, in accordance with the Town Charter and other applicable Federal and State Laws; and

WHEREAS, the Town desires to add additional language to this Chapter in order to formalize the creation and appointment of a committee to be known as the Rising Sun Community Events Alliance and to further define the role and function of this committee.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Town Commissioners of the Town of Rising Sun, Cecil County, Maryland, and it is hereby enacted and ordained by its authority that Chapter 2 of the Town Code shall be modified as follows:

SECTION 1

A new Article 11 to be titled RISING SUN COMMUNITY EVENTS ALLIANCE shall be created and shall read as follows:

- (A) The title for this article shall read:

ARTICLE 11 RISING SUN COMMUNITY EVENTS ALLIANCE

- (B) The following sections shall be listed under this titled to read as follows:

Section 2- 1101 Rising Sun Community Events Alliance.

- A. There shall hereby be a Rising Sun Community Events Alliance committee as defined in this article consisting of the following entities and persons.
- Town Staff consisting of the Town Administrator, Chief of Police, Public Works Director and Office Manager
 - Fire Chief of the Community Fire Company of Rising Sun
 - Chairperson of the Rising Sun Arts Alliance
 - President of the Rising Sun Historical Commission
 - President of the Greater Rising Sun Chamber of Commerce
 - President of the Rising Sun Lions Club
- B. The above committee members may from time to time appoint a designee to attend meetings in their place. However, it is expected that any designees shall be capable of properly representing the department or organization of which they represent.
- C. Representatives from the Rising Sun Little League, Rising Sun Middle School and other civic and religious organizations, wishing to hold a community event as defined in section 2-1107 below, may be required to participate in certain meetings for those events.
- D. The Town Administrator shall serve as the committee chair, charged with scheduling meetings, notifying participants and facilitating the coordination of the Town's role in any community events.

Section 2-1102. Meetings of the Committee.

The committee will meet no less than once (1) quarterly. (January, April, July and October). The committee members will be asked to provide a general outline of their schedule community events (see section 2-1107) for the next six (6) months at the January and July meetings. Meetings will be held as needed and as defined in section 2-1103

Section 2-1103. Event Notification and Meetings.

Committee member organizations that wish to hold and sponsor a community event as defined in section 2-1107, or wish to enlist the support and assistance from another member organization for such event, is encouraged to notify and

meet with the committee of such event at least sixty (60) days prior to the event to ensure proper coordination and communication. Waivers of time restraints will be considered on a case by case basis, the availability of Town resources and as approved by the Mayor and Commissioners. Nothing shall preclude any member organization from requesting a meeting in advance of the 60 day window, nor shall it preclude the host committee member organization from requesting multiple meetings with the committee leading up to the event, or to specifically request the participation of other organizations at their respective planning and coordination meetings. The goal here is to achieve good communication by way of at least one committee meeting for each community event held.

Section 2-1104. Participation and Approvals Required.

Participation by non-Town committee member organizations is encouraged but not required. However the use of any Town property, closure of any Town roads or use of any Town resources will only be approved and authorized upon a formal written request detailing the date, time duration of the event, location of the event, Town property or services requested and names of streets to be closed or cordoned off. Such request must be submitted to the committee at least forty-five (45) days prior to the scheduled event. The Mayor and Commissioners will not approve any request for Town services without such recommendation and approval from the Committee. Waivers of time restraints will be considered on a case by case basis, the availability of Town resources and as approved by the Mayor and Commissioners

Section 2-1105. Importance of Community Events, Functions and Coordination.

Community events are an opportunity to provide social and recreational outlets for our citizens. All of the organizations and entities listed in this article have a mandate and mission to serve the community in numerous ways and by various means. Whether it be parades, carnivals, festivals, exhibits, concerts, dinners, celebrations or picnics; and whether they be events for free or for fund raising opportunities; the core mission is to serve our community. Community events get people out, get them involved, meet other citizens, feel engaged and be engaged. Community events build community spirit and help to shape not only our respective organizations but shape and define the community in which we serve. Well run and organized events our key to the success of the organizations represented in this article. Typically when events are ran for the community, they require the participation of other organizations. The failure of any one event can have a negative impact on not only the lead organization that planned the event but the other organizations that participated in the event. This article aims to cure some of the issues that can arise when organizations do not work together and communicate to ensure successful enjoyable events for our community.

Section 2-1106. Committee Mission & Purpose.

The mission scope, purpose and function of the Rising Sun Community Activities Alliance Committee is to ensure the following:

- A. To ensure that any community events being planned for the community that involve the use or participation of any Town of Rising Sun property or resources; are properly planned for and coordinated in such a manner as to mitigate any liability or legal exposure for the Town or any other entities participating in these types of events.
- B. To create a clearing house of discussion, awareness, planning and proper engagement of all entities and organizations hereby represented and to ensure that those entities are properly engaged and aware of any community activities or events that would require their involvement whether it be public safety, road closures, crowd management, event set up, state and county agencies notifications and proper insurances and safety provisions in place to ensure the safe public participation in those events.
- C. To help minimize any conflicts between community events that are inadvertently scheduled at the same time, and to allow the member organizations to work together to maximize the success of their respective events.
- D. To create an opportunity for all committee member organizations to choose to participate in such events for the promotion of their organizations and to provide ample opportunity to work together and for sharing of community good will and spirit.

Section 2-1107. Types of Events Covered.

The events covered by this article are events in which the Town sponsors, participates by way of use of Town Property, Closure of Town Roads or use of Town Resources. Examples of such known and annual events are:

<ul style="list-style-type: none">• Rising Sun Little League Parade.	<ul style="list-style-type: none">• Fall Fest (Spooktacular)
<ul style="list-style-type: none">• Sunfest	<ul style="list-style-type: none">• Civil War Reenactment
<ul style="list-style-type: none">• Town Sponsored Movies in the park events	<ul style="list-style-type: none">• Carol Sing and Annual Christmas Tree Lighting in Town Square
<ul style="list-style-type: none">• Any parades, running or walking events on Town or state roads.	<ul style="list-style-type: none">• Arts Alliance or Historic Preservation community events

Section 2-1108. Committee Scope, Expectations and limitations.

This committee is formed for the purpose of ensuring proper coordination and involvement of various organizations for Town sponsored events or events in which the Town is a participant. In no way is this article meant to affect any community events sponsored by other organizations, either listed herewith in, or organization that might come forward in the future to hold such events, if the Town is not a sponsor or involved by way of Town Property, Closure of Town Roads or use of Town Resources.

Section 2-1109. Committee Function.

The function of this committee shall only be related to the Types of Events as outlined in section 2-1107 and shall be described in two (2) ways:

- A. Town Sponsored Events: Department staff shall be intimately involved as necessary in the planning and coordination of all Town sponsored events, with all such events being brought before the committee no less than sixty (60) days prior to the event. The committee member organizations are encouraged to participate in the planning of these events and further encouraged to participate in these events, being mindful that the scope and extent of such events may be restricted due to financial limitations of the Town. However, financial participation or in-kind donations of resources, equipment or manpower related to any respective organization's participation is welcomed.
- B. Non-Town Sponsored Events: For events that are sponsored by other committee member organizations, the Town's role is to serve in an ancillary support role and to provide planning and logistical coordination only if requested. Representatives of the Town are involved only to ensure that any logistics involving the Town are properly carried out and performed as requested. The town will help in promoting such events and will help in the coordination of any required permits and notifications to other state and county agencies when needed.

Section 2-1110. Event Denial or Curtailment.

Although the Town will make every effort to accommodate any request for use of Town property, resources or the closing of any Town roads for the purposes of holding a community event, the Mayor and Commissioners reserve the right to deny or curtail any community events or activities to be held on Town Property, or deny or curtail the use of any Town resources; and or deny or curtail the closing of any Town Roads, if it is determined that the event, activity or portions thereof, poses a threat to the public safety, or good order of the community, or if such event, activity or portion thereof may cause undue hardship or harm to any businesses or residents of the community, or place an unnecessary burden on the Town's resources.

SECTION 2.

All ordinances or parts thereof inconsistent herewith are repealed, rescinded, canceled and annulled.

SECTION 3.

Should any provision, section, paragraph or subparagraph of this Ordinance, including any code or text adopted hereby, be declared null and void, illegal, unconstitutional, or otherwise determined to be unenforceable for a court having jurisdiction, the same shall not affect the validity, legality, or enforceability of any other provision, section, paragraph or subparagraph hereof, including any code text adopted hereby. The Town of Rising Sun hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared null and void, illegal, unconstitutional, or otherwise determined to be unenforceable. Each such provision, section, paragraph or subparagraph is expressly declared to be and is deemed severable.

SECTION 4.

That nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 5.

That the Rising Sun Town Clerk is hereby ordered and directed to cause this ordinance to be published in a newspaper in general circulation.

SECTION 6.

NOW THEREFORE BE IT FURTHER RESOLVED that this ordinance was introduced on this 24 day of November 2015, as provided for in the Town Code.

SECTION 7.

NOW THEREFORE BE IT FURTHER RESOLVED that the Mayor and Commissioners of the Town of Rising Sun passed, approved and adopted this ordinance on this 9th day of December, 2015

AYES: **Authenreath, Shephard, and Warnick .**

ABSENT: **Leishear .**

ATTEST:

ON BEHALF OF
THE MAYOR AND COMMISSIONERS
OF THE TOWN OF RISING SUN

BY: _____
Marsha Spencer
Town Clerk

BY: _____
Travis Marion - Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

THIS 20th DAY OF NOVEMBER, 2015

BY: _____
Jack A. Gullo, Jr., - Town Attorney