



# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Office of the City Manager

491 East Pioneer Avenue  
Homer, Alaska 99603

[citymanager@cityofhomer-ak.gov](mailto:citymanager@cityofhomer-ak.gov)

(p) 907-235-8121 x2222

(f) 907-235-3148

## Memorandum 22-039

TO: Mayor Castner and Homer City Council  
FROM: Rob Dumouchel, City Manager  
DATE: February 1, 2022; Updated March 2, 2022  
SUBJECT: Special Events Code Update

---

Homer's current special events code is not a great fit for the events that are actually happening all year within city limits. A team of staff, along with Councilmembers Venuti and Hansen-Cavasos, collaborated on potential solutions via a comprehensive code update for special events. The proposal in Ordinance 22-XX will repeal Homer City Code (HCC) Chapter 19.02 Large Special Events and create Chapter 5.46 Special Events as its replacement. Additionally, the ordinance will make a modification to HCC Chapter 5.24 Fireworks.

### Background

In early 2021 I asked the Council if there would be interest in updating the special events code. I had observed that our code wasn't fitting our needs very well and that it would benefit from some modifications. Councilmembers Venuti and Hansen-Cavasos volunteered to work with me on this topic. On the staff side, I built a team that included Chief Robl, Jenny Carroll (Special Projects Coordinator), Rachel Tussey (Deputy Clerk), Julie Engebretsen (Deputy Planner), Matt Steffy (Parks Superintendent), and Mike Illg (Community Recreation Manager). We held a kick off meeting that covered Special Events (HCC 19.02), Mobile Food Service (HCC 8.11), and Fireworks (HCC 5.24). Mobile Food Service (food trucks) will be covered in a separate memo.

At the Special Events kick off meeting, the team had the following goals for the special events update project:

- To build code and processes that are a good fit for the events held in Homer (and the events we want to be held in Homer)
- Set events up for success without creating administrative barriers that are great enough to make organizers not want to host events in Homer
- Make Homer a preferred location for high quality events on the Kenai Peninsula
- Enhance public safety related to events in the community

The team identified issues with the code, generated some ideas for improvements, and discussed thoughts on topics like thresholds for permits, public versus private spaces, where in HCC special events should be located, what should be required in permit applications, parking, and fees. After meeting and getting input from our Council sponsors, the team worked on rewriting the code. This has been a project that has been making slow but steady progress in the background as we've worked on other higher priorities the past year.

## Update Notes

The draft in ordinance 22-XX makes a number of changes. The following will give a high-level overview:

- **Change from Large Special Events to Special Events:** The existing code was targeted at events of over 500 people. There are many special events that are much smaller than 500 people which have potential to have a significant impact on public safety, traffic circulation, etc. The update does a better job of addressing these smaller events.
- **Moves special events from Title 19 Parks, Campgrounds and Public Places to Title 5 Health and Public Safety:** This is a more logical location for special events and highlights the City's public safety interest in issuing permits.
- **Intent:** Adds a section regarding the intent of this chapter "to safeguard and protect the enjoyment of private property and general health and safety of the public within the City of Homer, while allowing and regulating special events which may be beneficial to the City and its residents."
- **Clarifies what types of events require permits:** The existing code is limited to "large special events" which have an anticipated attendance of 500 or more persons. The proposed code includes: outdoor concerts and festivals; carnivals, rides, circuses, zoos, or animal exhibitions; events on City property where the anticipated attendance is expected to exceed the standard capacity for that facility (thresholds set by staff); events in a right-of-way; events on private property that expect to impact road rights-of-way with parking overflow; fireworks displays and other events with large fires or pyrotechnics; and other events similar to those listed.
- **Application lead time:** Existing code asks for an application to be submitted 120 days before an event, the proposed code reduces that requirement to 14 days.
- **High impact events:** The proposed code makes it clear that events which are determined to be particularly impactful on the community may have their permits issued with conditions.
- **Findings for approval:** The proposed code has ten conditions which must be considered for the City Manager to approve a special event permit.
- **Insurance:** When insurance is required by the City, the proposed code adds a requirement to name the City as additional insured and contain an appropriate waiver of subrogation in favor of the City.
- **Appeals:** The proposed ordinance gives direction as to how a special event applicant or permit holder would appeal a decision to either not grant a permit or revoke a permit.
- **Fine:** The proposed ordinance would modify HCC 1.16.040 to change the fine from "large special event" to just "special event." The fine is set at \$1000.
- **Fireworks:** The proposed ordinance modifies HCC 5.24.050 removing the requirement to obtain a fireworks permit from the City Clerk and file a bond with the City. Instead, it requires a special event permit.

In conjunction with the code update, staff also produced a pair of flow charts to help special event sponsors understand whether they will be required to file for a permit or not. These flow charts will be used create application forms and a website resource.

**Staff Recommendation:** Introduce and adopt Ordinance 22-XX

**Update 2MAR22:** Deputy City Planner and Special Projects Coordinator Julie Engebretsen presented this proposed code update to various committees/commissions for comment. There were many questions, and the update was generally well received. There were a few items worth clarifying after having discussions with interested commissioners and the Chamber of Commerce:

- Permit Fees – there is no permit fee in the fee schedule for a special events permit. Administration is not recommending instituting a fee at this time.
- Staff Time – the ability to charge for staff time has existed as long as the special event code has existed, however, it is very seldom used. We expect to continue to offer limited support to community events like those hosted by the Chamber of Commerce and the New Year’s Eve fireworks. This ability to charge for staff time remains in the update with the expectation that in the future there may be large events, particularly private, for-profit, ticketed events, that exclude the general public and do not provide a significant enough public benefit to receive City staff support without full compensation for time and/or supplies.
- Fines – the maximum fine was increased to \$1000 to act as a deterrent to those who would commit egregious violations of the code and cause public health and safety difficulties as a result. This is not a fine that we expect to commonly use, but there may be rare situations in the future in which we would benefit from having this tool available.