CHAPTER 28.5. SPECIAL EVENT LICENSES AND TEMPORARY USE PERMITS

FOR THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

NATIONAL SPORTING EVENT

ARTICLE I. IN GENERAL

Sec. 28.5-1-1. Definitions.

For the purposes of this Chapter, the following words and phrases shall have the meanings ascribed to them by this section:

Detroit Local Organizing Committee (DLOC) means a collaboration between Visit Detroit, Detroit Sports Commission, Ford Field, the city of Detroit, Wayne County, and Michigan State University.

Mobile Signage and Advertising means any sign or advertisement that is attached or affixed to a vehicle, portable device, or person, which allows for either static or electronic signage or advertisement to be transported or remain stationary, including, but not limited to:

(1) Non-motorized vehicles, which may include bicycles, pedal-pubs, scooters, rickshaws, and pedal cabs; or

(2) Motorized vehicles which may include taxis, cars, motorcycles, truck flatbeds, box trucks or any other device with wheels that allows movement through any location,

Mobile signage and advertising does not mean mobile advertising on public transit or public transit infrastructure, which may include but is not limited to, DDOT, SMART buses, QLINE, MoGo, and the Detroit People Mover.

National Sporting Event means a sports-related event that is considered of national prominence and includes NCAA Division I Men's Semifinal and Championship Games.

National Sporting Event License means a license for the sale and service of alcohol at an event identified as a National Sporting Event by Section 517a of the Michigan Liquor Control Code, being MCL 436.1517a.

NCAA means the National Collegiate Athletic Association.

Special Event Activity Period means the time period of March 29, 2027, through April 7, 2027.

Special Event Activity Zone means specific areas of the City of Detroit where certain activities will be permitted or licensed to occur during the Activity Period of the National Sporting Event and is the portion of the City of Detroit within the area bounded by the Detroit River, Rosa Parks Blvd, West Fort Street, Brooklyn Avenue, Porter Street, John C. Lodge Freeway (M-10), Brooklyn St, Temple St, Fourth Street, Charlotte Street, Fisher Freeway (I-75), Chrysler Freeway (I-375), East Jefferson Avenue, Rivard Street, Atwater Street, and Riopelle Street extended to the Detroit River.

Special Event Licenses means licenses issued by the Buildings, Safety Engineering, and Environmental Department for a limited time frame within a defined area and for certain activities as authorized under this Chapter.

Temporary Use Permits means permits issued by the Buildings, Safety Engineering, and Environmental Department for a limited time frame within a defined area and for short term property use as authorized under this Chapter.

Sec. 28.5-1-2. Period of Applicability.

The definitions, procedures, regulations, and enforcement provision of this Chapter apply to Special Event Licenses and Temporary Use Permits during the Special Event Activity Period.

Sec. 28.5-1-3. Conflict with other provisions in this Code.

All provisions of the 2019 Detroit City Code, which are in conflict with this Chapter, are superseded by this Chapter for the limited time frame of the Special Event Activity Period and within the Special Event Activity Zone. Those activities or businesses already in possession of a legally-issued permit or license shall continue to operate as if this Chapter were not in effect as long as they are in compliance with this Code and the conditions of their permits or licenses.

Secs. 28.5-1-4--28.5-1-10. Reserved.

ARTICLE II. VIOLATIONS AND ENFORCEMENT

Sec. 28.5-2-1. General Prohibitions.

(a) The following uses, activities, and conveyances shall not be eligible for Special Event Licenses or Temporary Use Permits during the Special Event Activity Period and within the Special Event Activity Zones:

(1) Mobile advertising signs or devices, as defined in Section 28.5-1-1 of this Code;

(2) Adult entertainment, as provided for in Chapter 5 of this Code;

(3) Pedal pubs, scooters, segways, rickshaws, bicycles, pedal-cabs, and any non-motor-driven devices, which are used for the transport of persons other than the operator of the vehicle, advertising or signs, or for merchandise sales, unless the person, group, or corporation is currently under a legal permit or license, and is operating in accordance with the law or is an individual on a bicycle or scooter utilized for personal transport, operating in the right of way ; and

(b) Except for Final Four credentialed personnel, no golf carts may be used for the transport of persons or items, advertising or signs, or for merchandise sales.

Sec. 28.5-2-2. Authority to enforce; preservation of rights.

(a) The City, through the Buildings, Safety Engineering, and Environmental Department, is authorized to administer and enforce the provisions of this Chapter that relate to the issuance of Special Event Licenses or Temporary Use Permits, temporary sign permits, any provisions related to the current Michigan Building Code, the Michigan Plumbing Code, the Michigan Mechanical Code, and all other applicable codes and ordinances adopted by local, state, and federal agencies. The Director of the Buildings, Safety Engineering, and Environmental Department, as the Building Official, shall have the authority to designate technical officers and inspectors who are authorized to enforce and to ensure compliance with the provisions of this Chapter.

(b) The Buildings, Safety Engineering, and Environmental Department and the Detroit Police Department shall have the concurrent authority to administer and enforce the provisions of this Chapter that relate to the issuance of Special Event Licenses and Temporary Use Permits.

(c) The Detroit Health Department shall have the authority to enforce provisions of this Code related to the approval of Special Event License for vendors of food, body art, and other areas the Detroit Health Department has authority to regulate by local ordinance or state statute.

(d) The Detroit Police Department shall have concurrent authority with the Buildings, Safety Engineering, and Environmental Department and the Detroit Health Department to enforce the provisions of this Chapter and this Code.

(e) It is the intent of this Chapter that all rights and liabilities existing, acquired, incurred, while this Chapter is in effect, are preserved for prosecution at a later date.

Sec. 28.5-2-3. Violations under this chapter.

(a) It shall be unlawful for any person, group, or corporation to operate or perform any of the following during the Special Event Activity Period within the approved Special Event

Activity Zone, without first obtaining either, or both, a Special Event License or a Temporary Use Permit from the Buildings, Safety Engineering, and Environmental Department unless the person, group, or corporation is currently under a legal permit or license, and is operating in accordance with the law:

(1) Any vending of food or beverage;

(2) Any vending of merchandise;

(3) Any activity in or on a temporary structure;

(4) Any operation in any previously vacant structure;

(5) Erection or placement of any flag, inflatable, projection of images, sign, structure, or the like; or

(6) Distribution of free samples by "street teams" of unapproved or commercial promotional materials in the Special Event Activity Zone for the Special Event Activity Period.

(b) It shall be unlawful for any person who, or group or corporation which, has obtained a Special Event License or a Temporary Use Permit to operate or engage in any activity listed in this section for the Special Event Activity Period in violation of the terms and conditions of the Special Event License or the Temporary Use Permit issued by the City.

(c) Except as provided for in this chapter, it shall be unlawful for any person, group, or agency to engage in any commercial activity in the Special Event Activity Zone during the Special Event Activity Period without a Special Event License or a Temporary Use Permit.

(d) It shall be unlawful for any person to violate any provision of this Chapter, or to aid and abet another to violate such provisions.

(e) Any person who violates this Chapter may be issued an ordinance violation for each day that the violation continues.

(f) Any person who is found guilty of violating this Chapter shall be convicted of a misdemeanor, and, in the discretion of the court, may be fined up to $500 and sentenced up to 90 days in jail, or both, for each ordinance violation that is issued.

Secs. 28.5-2-4--28.5-1-10. Reserved.

ARTICLE III. SPECIAL EVENT LICENSES AND TEMPORARY USE PERMITS

Sec. 28.5-3-1. Current license and/or permit holders.

(a) Licenses currently in place which are subject to annual renewal may be renewed, each year, on their anniversary date without violating this article. Special Event Licenses shall not be required for uses and activities already licensed in the Special Event Activity Zone for the Special Event Activity Period, provided, that such uses and activities were licensed prior to the 2027 Special Event Activity Period. All existing licensees shall continue to meet all requirements of this Code.

(b) A Special Event License shall not be required for any outdoor dining streatery, which uses an adjacent or exterior area of a food or beverage establishment for the purpose of eating and drinking activities related to the operation of outdoor dining areas, that has received authorization pursuant to Chapter 43, *Streets, Sidewalks, and Other Public Places*, Article VIII, *Encroachments and Obstructions*, Division 3, *Outdoor Dining Streateries*, of the 2019 Detroit City Code prior to the Special Event Activity Period.

Sec. 28.5-3-2. Special Event Licenses and Temporary Use Permits; identification of activities to be permitted; areas of operation.

(a) Notwithstanding the restrictions contained in this Code with regard to advertising, signs, temporary structures, vendors and zoning, the Buildings, Safety Engineering, and Environmental Department may issue Special Event Licenses and Temporary Use Permits for the Special Event Activity Period for the following activities within the areas specified and as authorized by this Chapter:

(1) *Merchandise vendors*. Stationary, Foot, and Street Vendors of merchandise may be recommended by the NCAA to the Buildings, Safety Engineering, and Environmental Department for a Special Event License within the Special Event Activity Zone. The NCAA has committed to giving preference to local Detroit-based businesses in recommending vendors for Special Event Licenses and Temporary Use Permits in the Special Event Activity Zone.

(2) *Food and beverage vendors*. Vendors on foot and stationary vendors of food and beverages may be recommended by the NCAA to the Buildings, Safety Engineering, and Environmental Department for a Special Event License within the Special Event Activity Zone. The NCAA has committed to giving preference to local Detroit-based businesses in recommending vendors for Special Event Licenses and Temporary Use Permits within the Special Event Activity Zone. Vendors of food and beverages in the Special Event Activity Zone must be approved by the Detroit Health Department, this includes Special Event Licenses for Food Trucks.

(3) *Alcohol sales and service vendors*. On-premises alcohol sales and service vendors shall have a National Sporting Event License in accordance with Section 517a of the Michigan Liquor Control Code, being MCL 436.1517a, for operation in the

Special Event Activity Zone during the Special Event Activity Period. The NCAA has committed to giving preference to local Detroit-based businesses in recommending vendors for the National Sporting Event Licenses in the Special Event Activity Zone. In addition, all alcohol sales and service vendors must obtain a Special Event License from the Buildings, Safety Engineering, and Environmental Department.

(4) *Signs*. Special Event Licenses and Temporary Use Sign Permits, including but not limited to, flags, graphics, inflatables, projections of images, banners, LEDs (videos), and temporary way-finding signs related to the Special Event theme, may be recommended by the NCAA to the Buildings, Safety Engineering, and Environmental Department for the Special Event Activity Zone during the Special Event Activity Period. Special Event Signs must comply with the following:

a. Signs shall be limited in size to an area which does not exceed 40% and 5,000 square feet of the area of any facade(s) which abut(s) any public street with the following restrictions;

i. Signs will not be permitted on abandoned or dangerous buildings;

ii. Building owners seeking sign permits must be current on City taxes;

iii. Applicants must secure a surety bond of $1.00 per 1 square foot of sign area with a minimum of $1,000 and a maximum of $5,000 with the Buildings, Safety Engineering, and Environmental Department to cover the cost of removal of the permitted sign in the event the permittee does not remove the sign at the completion of the Special Event Activity Period as provided in this Chapter;

iv. Flashing or animated signs with changing copy on a continuous basis must have conditional approval from the Buildings, Safety Engineering, and Environmental Department and the Department of Public Works City Engineering Division before a permit will be issued by the Buildings, Safety Engineering, and Environmental Department;

b. All Special Event Activity signs shall be removed within 48 hours after the last day of the Special Event Activity Period which ends on April 7, 2027. No residue of the sign or its attachment devices shall remain. Special Event Licenses and Temporary Use Permits issued for the Special Event Activity Period expire at 11:59 pm on April 7, 2027. All Special Event Signs that remain in place after the deadline for removal will be considered illegal signs and shall be issued misdemeanor violations under this Chapter. The illegal signs are subject to removal by the City of Detroit and the costs for removal shall be charged to the property owner and/or the party who has been issued the permit for the erection or placement of the sign;

c. Dynamic and animated signs must be directed away from all residential buildings; and

d. Any sign permitted under this Chapter must include either the Men's Final Four logo and/or March Madness logo

(5) *Wireless facilities*. Set-ups for wireless communication may be permitted for the Special Event Activity Period of the Special Event in areas designated and under conditions identified by the City of Detroit DoIT.

(6) *Temporary structures*. Temporary Use Permits may be recommended by the NCAA to the Buildings, Safety Engineering, and Environmental Department for structures including, but not limited to, scaffolds, stages, and tents for the Special Event Activity Period within the Special Event Activity Zone. All structures shall be subject to conditions established by the Buildings, Safety Engineering, and Environmental Department. The Buildings, Safety Engineering, and Environmental Department shall inspect all such structures to ensure compliance with the Michigan Building Code and the Detroit Fire Department shall inspect all such structures to ensure compliance with the Detroit Fire Prevention and Protection Code, being Chapter 18 of this Code. All tents proposed for Temporary Use Permits shall meet the following minimum requirements:

a. The color of the exterior surface of any tent shall be limited to black or white. Any messaging or logos affixed to the tent shall be permitted in accordance with this section.

b. Tents shall be frame, self-supporting style tents, which shall comply with the applicable portions of the Michigan Building Code and the Detroit Fire Prevention and Protection Code, being Chapter 18 of this Code;

c. Tents used for commercial purposes where food, beverages including alcohol, or merchandise are offered for sale or given away as part of a commercial promotion shall cover no less than 100 square feet in area;

d. The size and design of the exterior signs on tents within the Special Event Activity Zone shall be determined by the NCAA.

Sec. 28.5-3-3. Special Event Licenses and Temporary Use Permits; application; attachments; insurance; approvals.

(a) *Applications*: general content and forms.

(1) Applications must contain the name of applicant who, and the name of the business which, is seeking the Special Event License or the Temporary Use Permit and the proposed location;

(2) Applications must contain identification of the type of activity for which a Special Event License or Temporary Use Permit is sought;

(3) Applications must indicate whether a temporary structure, such as a tent or stage is needed for the activity;

(4) Applications must identify what items will be served, sold, or given away under the Special Event License and/or the Temporary Use Permit;

(5) Applications must be submitted through the Buildings, Safety Engineering, and Environmental Department online permit system; and

(6) The application shall be prepared so that, when completed, a full and accurate description of the proposed temporary use, including its location and operational characteristics, shall be disclosed.

(b) *Attachments*. Completed applications must include the following:

(1) A non-refundable application fee for the processing of each Special Event License or Temporary Use Permit application, and all related inspections, by the Buildings, Safety Engineering, and Environmental Department, the Detroit Health Department, and the Detroit Fire Department, as set by their general departmental fee schedules.

(2) Completed applications for a Special Event License or a Temporary Use Permit for all activities, except for applications for alcohol sales and service, shall be accompanied by proof of public liability insurance in the amount $200,000 for general and aggregate coverage. Applicants, other than applicants for alcohol sales and service, shall provide for property damage insurance in the amount of $100,000 and Workers' Disability Compensation Insurance in the amount required by the State of Michigan. Applications for Special Event Licenses for alcohol sales and services shall be accompanied by proof of public, general, property and aggregate coverage for a minimum of $1,000,000 and Workers Disability Compensation Insurance in the amount required by the State of Michigan. The City of Detroit, the NCAA, and the Detroit Local Organizing Committee, including each of their respective affiliates and subsidiaries, and their respective officers, directors, shareholders, representatives, agents and employees, shall be named an additional insured on all policies issued for activities that will occur in the Special Event Activity Zone during the Special Event Activity Period.

(3) The application shall provide for a fully dimensioned drawing which shall include, but not be limited to, floor plans, a site plan to scale showing the property lines of the site, existing structures and paved areas, sidewalks, rights-of-way, the location of any temporary structures, and signs visible from ground level from the right-of-way or adjacent property and other information required by the Buildings, Safety Engineering, and Environmental Department.

(c) *Approvals*. The applicant must obtain the following approvals:

(1) In cases where the Special Event License or the Temporary Use Permit is sought for food and/or beverage sales or service, the applicant must obtain approval of the Detroit Health Department;

(2) Applicants for activities in the public right of way or in the street must have the approval of the Department of Public Works;

(3) Applicants who intend to utilize a temporary structure for the permitted or licensed activity they are sponsoring must obtain approval from the Buildings, Safety Engineering, and Environmental Department after inspections to ensure compliance with the Michigan Building Code and from the Detroit Fire Department after inspections to ensure compliance with the Detroit Fire Prevention and Protection Code, being Chapter 18 of this Code;

(4) Applicants for a National Sporting Event License for the sale and service of alcohol in the Special Event Activity Zone must have the approval of the Detroit Police Department Liquor License Unit, the Buildings, Safety Engineering, and Environmental Department, and the City Council, as well as the Michigan Liquor Control Commission. Applicants must also obtain a Special Event License from the Buildings, Safety Engineering, and Environmental Department;

(5) Applications for a Special Event License must have the approval of the Buildings, Safety Engineering, and Environmental Department.

(6) Applications for Temporary Use Permits must have the approval of the Buildings, Safety Engineering, and Environmental Department; and

(7) Applications for dynamic and animated signs, with changing copy, must be submitted to, and receive approval from, the Buildings, Safety Engineering, and

Environmental Department and the Department of Public Works, in accordance with Chapter 4 of this Code, *Signs*.

(d) *Application Process*; *submittal and approval time frames; incomplete applications.*

(1) Applicants seeking a Special Event License for the Special Event Activity Zone for all uses allowed under this Chapter, with the exception of sales and service of alcohol, shall obtain and file their applications with the Buildings, Safety Engineering, and Environmental Department no less than 60 days prior to the Special Event Activity Period.

(2) Applicants seeking a Temporary Use Permit for the Special Event Activity Zone for all uses and activities allowed under this Chapter, with the exception of sales and service of alcohol, for the Special Event Activity Period must be submitted for review and approval of the Buildings, Safety Engineering, and Environmental Department no less than sixty 60 days prior to the Special Event Activity Period. After review, Temporary Use Permits may be recommended by the NCAA to the Buildings, Safety Engineering, and Environmental Department to enable the issuance of the Temporary Use Permits in a timely manner.

(3) Applications for Special Event Licenses or Temporary Use Permits for the Special Event Activity Zone and all activities provided for in this Chapter for the Special Event Activity Period are not subject to any of the public notice and public hearing requirements normally required for licenses or issued for the activities provided for in this section.

(4) Where determined that the application for a Special Event License is not complete or timely, notice shall be provided by the Buildings, Safety Engineering, and

Environmental Department to the applicant advising of the deficiencies. Where the applicant does not timely correct the deficiencies, the Buildings, Safety Engineering, and Environmental Department may deem the application abandoned. Timely correction means the correction of deficiencies in a time frame that will allow the NCAA sufficient time to review the corrections and the Special Event License be issued prior to the beginning of the Special Event Activity Period.

(5) Where determined that the application for a Temporary Use Permit is not complete, timely notice shall be provided by the Buildings, Safety Engineering, and Environmental Department to the applicant advising of the deficiencies. Where the applicant does not correct the deficiencies in a timely manner, the Buildings, Safety Engineering, and Environmental Department may deem the application abandoned. Timely correction of deficiencies means correction in a time frame that will allow the NCAA sufficient time to review the corrections and the Temporary Use Permit be issued prior to the beginning of the Special Event Activity Period.

(e) *Applications for the National Sporting Event Liquor Licenses*. The process for applying for a National Sporting Event Liquor License for the Special Event Activity Zone during the Special Event Activity Period requires applicants to file a completed application with the Buildings, Safety Engineering, and Environmental Department no less than 60 days prior to the Special Event Activity Period. After review, comments and recommendations for a National Sporting Event Liquor Licenses may be forwarded to the Detroit Police Department Liquor License Unit. After review and investigation, the Liquor License Unit shall forward the approved licenses to the Buildings, Safety Engineering, and Environmental Department. The applicant shall obtain the approval of the City Council and the Michigan Liquor Control Commission. Approval

of the Buildings, Safety Engineering, and Environmental Department, the Detroit Police Department Liquor License Unit, the City Council, and the Michigan Liquor Control Commission are required for the issuance of a valid National Sporting Event Liquor License.

(f) *General Criteria and Specific Criteria*. Except as otherwise provided for in this Chapter, applications for a Special Event License or a Temporary Use Permit shall be evaluated by the appropriate departments based on the following criteria:

(1) *Consistent with this Chapter*. Whether the use is one for which a Special Event License or Temporary Use Permit is one authorized by this Chapter;

(2) *Ingress and egress*. Whether the ingress and egress to the property, structure and uses thereon are adequate, with particular focus on pedestrian safety and convenience, traffic flow and control, and emergency access;

(3) *Refuse and service areas*. Whether the location, scale, design and screening of refuse and service areas, the manner in which refuse is to be stored, and the manner of refuse collection, deliveries, shipments or other service activities in relation to the location and nature of uses on adjoining properties are adequate;

(4) *Lighting*. Whether the number, size, character, location and orientation of the proposed lighting for the premises is sufficient, with particular focus on traffic safety, glare, and the compatibility and harmony with adjoining and nearby property and the character of the area;

(5) *Utilities*. The availability and capacity of the utilities required, with focus on the location of connections, and potentially adverse appearance on other adjoining and nearby property and the character of the area;

(6) *Drainage*. The adequacy of the drainage on the site, with focus on the effect on adjoining and nearby properties and on general drainage systems in the area, and the health and safety of the public;

(7) *Sanitary Service Facilities*. The sufficiency of the number of facilities required for the size of the crowd expected and the number of accessible facilities required under the Americans with Disabilities Act Accessibility Guidelines. In addition, due consideration shall be given to the placement of the sanitary service facilities relative to the other services being provided in the immediate area with special care given to the health and safety of the public. Generally, food tents shall be a distance between 150-300 feet from the sanitary facility; and there shall be one handwash sink per four to six toilets in an area; and

(8) *General*. Due consideration shall be given to the potentially adverse effects on adjoining and nearby properties, the area, and the neighborhood considering the particular type of Special Event License or Temporary Use Permit. Where such potentially adverse effects are found, consideration shall be given to special remedial measures appropriate in the circumstances of each case, including screening or buffering, hours of operation, alteration of proposed layout, or other such measures as are required to ensure that such potentially adverse effects are compatible and harmonious with other developments in the area.

(g) *Conditions and safeguards*.

(1) The Buildings, Safety Engineering, and Environmental Department shall have the discretion to attach such conditions and safeguards as may be necessary for

purposes of issuance of a Special Event License or Temporary Use Permit under this Chapter; and

(2) Such conditions and safeguards shall be based upon and consistent with the criteria set forth in this section. Any such conditions or safeguards shall be supported, and no condition or safeguard shall establish special limitations or requirements beyond those reasonably necessary for the accomplishment of the intended purpose.

(h) *Vendor Rules and Regulations*.

(1) The term "vendor" applies not only to the individual or business named in the Special Event License, but also to anyone working with or for the vendor at the vendor's site;

(2) The Special Event License or Temporary Use Permit shall be current and displayed at all times during the operation of the licensed or permitted activity. The activity granted a Special Event License or Temporary Use Permit shall operate only on the site for which the vending permit or license was issued;

(3) Special Event License or Temporary Use Permit site shall be a minimum of 15 feet from any building entrance or exit;

(4) Special Event License or Temporary Use Permit shall not obstruct any view of traffic or signs;

(5) Special Event License or Temporary Use Permit shall be a minimum of 100 feet from the center of any customer entrance of any establishment vending like goods; and

(6) Any signs associated with the Special Event License or Temporary Use Permit shall be located in or on the vendor site.

28.5-3-4. Parades and similar activities.

Applicants for parade permits during the Special Event Activity Period, and within the general area of the Special Event Activity Zones, shall follow the procedures as provided in the 2019 Detroit City Code.

Sec. 28.5-3-5. Conflict with other provisions in this Code.

All provisions of the 2019 Detroit City Code, which are in conflict with this Chapter, are superseded by this Chapter for the limited time frame of the Special Event Activity Period and within the Special Event Activity Zone provided for in this Chapter. Those activities or businesses already in possession of a legally-issued license or permit shall continue to operate as if this Chapter were not in effect as long as they are in compliance with this Code and the conditions of their license or permits.

Secs. 28.5-3-6--28.5-3-20. Reserved.