

EMERGENCY

City of Cincinnati

RDH/B

AWB

An Ordinance No. 102 - 2022

MODIFYING the provisions of Title VII, "General Regulations," by AMENDING Section 765-3, "Definitions," of Chapter 765, "Special Events," of the Cincinnati Municipal Code for the purpose of adding the Cincinnati Music Festival and Festival513 to the list of historical special events.

WHEREAS, historical special events, established in Chapter 765 of the Cincinnati Municipal Code, recur annually and celebrate the culture, history, and traditions of Cincinnati, and in the event of a conflict with other requested special events, historical events take precedence; and

WHEREAS, the ten currently recognized historical special events are: Taste of Cincinnati; Oktoberfest; Riverfest; Flying Pig Marathon, Heart Mini-Marathon; Findlay Market Opening Day Parade; St. Patrick's Day Parade; Black Family Reunion; Juneteenth; and Cincinnati Pride Festival; and

WHEREAS, Council now wishes to add the Cincinnati Music Festival and Festival513 to the list of recognized historical special events, based on their legacy and traditions; and

WHEREAS, the Cincinnati Music Festival, originally called the Ohio Valley Jazz Festival when it was first held in 1962, was the largest festival of its kind by 2000, and draws approximately 60,000 attendees annually, with an estimated annual economic output of \$107 million according to the Greater Cincinnati Center for Economic Education at the University of Cincinnati; and

WHEREAS, the Cincinnati Music Festival started as an all-jazz concert, and it has evolved and grown into a two-day festival featuring great music from the hottest stars in R&B, jazz, soul, and hip-hop, as well as up-and-coming artists, and is internationally recognized as one of the premier music festivals; and

WHEREAS, Festival513 started in 2007 as a complementary event to the Cincinnati Music Festival, and Festival513, an African-American owned business, continues to provide a vibrant experience for the approximately 60,000 concert attendees and guests visiting Cincinnati during the annual weekend of the Cincinnati Music Festival, during the third weekend of July, by providing a centralized event area, including merchandise and food staging areas, which festival area is free and open to the public, located along Freedom Way, across from Paul Brown Stadium; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Section 765-3, "Definitions," of Chapter 765, "Special Events," of the Cincinnati Municipal Code is hereby amended as follows:

Sec. 765-3. Definitions.

For the purpose of this chapter, the words and phrases defined in the sections below shall have the meanings therein respectively ascribed to them, without limiting the generalities of the words, unless a different meaning is clearly indicated by the context.

- (a) “Special event” shall mean a planned temporary aggregation of attractions, including a parade, march, or procession, public entertainment, food and beverage service facilities, sales of souvenirs or other merchandise, or similar attractions, that is (i) conducted on the public right-of-way or (ii) conducted primarily outdoors on property open to the public other than the public right-of-way and which includes one or more of the following conditions:
 - (1) The sale of liquor, wine, or beer;
 - (2) Expected attendance of 3,000 or more people; or
 - (3) Requires special city services, including, but not limited to, any of the following: street closures; provisions of barricades, garbage cans, stages, or special parking restriction signs; special electrical services; or special police protection.

“Special event” does not include a parade for which a permit is required under Cincinnati Municipal Code (“CMC”) Chapter 510, “Assemblages and Parades,” or a neighborhood block party for which a permit is required under CMC § 506-91, “Street Fetes.”

“Special event” does not include any event authorized by ordinance which begins on or before January 1, 2013.

- (b) “City manager” shall mean the city manager or his or her designee.
- (c) “Chief of police” shall mean the chief of police or his or her designee.
- (d) “Sponsor of the event” or “sponsor” means the entity that pays a substantial portion of the costs involved in staging the event or receives a substantial portion of the financial proceeds.
- (e) “Historical event” shall mean an annually recurring special event which celebrates the culture, history, and traditions of Cincinnati and shall refer to the following list of events (which typically occur on or near the date noted):

- (1) Taste of Cincinnati - Memorial Day weekend;
- (2) Oktoberfest - third weekend in September;
- (3) Riverfest - Labor Day weekend;
- (4) Flying Pig Marathon - first weekend in May;
- (5) Heart Mini-Marathon - middle of March;
- (6) Findlay Market Opening Day Parade - the opening day baseball game;
- (7) St. Patrick's Day Parade - March 17th or the weekend before or after;
- (8) Black Family Reunion - third weekend in August;
- (9) Juneteenth - June 19th or the weekend before or after;
- (10) Cincinnati Pride Parade - fourth weekend in June;
- (11) Cincinnati Music Festival – third weekend in July;
- (12) Festival513 – third weekend in July.

In the event of a conflict with another special event, a historical event takes precedence.

- (f) “Recurring special event” shall mean a special event that takes place during more than one non-consecutive calendar days but that is hosted by the same sponsors, at the same location, for the same purpose, with the same event name, for the same or similar hours of operation or activity. A recurring special event takes place for multiple, separate periods of time throughout a portion of the calendar year but remains substantially the same event.
- (g) “Neighborhood organizations” shall mean City of Cincinnati-recognized Community Councils, Neighborhood Business Associations, and Community Development Corporations.

Section 2. That existing Section 765-3, Definitions,” of Chapter 765, “Special Events,” of the Cincinnati Municipal Code is hereby repealed.

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to allow for sufficient time for necessary City planning and preparation for the event.

Passed: April 27, 2022

Attest: [Signature]
Clerk

[Signature]
Vice-Mayor

Additions are underlined. Deletions are struck through.

I HEREBY CERTIFY THAT ORDINANCE NO 102-2022
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 0-10-2022
[Signature]
CLERK OF COUNCIL