

RESOLUTION NO. R-73-05

RESOLUTION OF THE MAYOR AND CITY COUNCIL AMENDING R-30-92, THE
POLICY SETTING FORTH STANDARDS FOR EXHIBITORS, VENDORS,
ENTERTAINERS, AND SOLICITORS AT CITY-SPONSORED EVENTS

WHEREAS, the City of Gaithersburg sponsors a myriad of special programs, festivals, and events throughout the year which are well attended by citizens of all ages; and

WHEREAS, exhibitors, vendors, entertainers and solicitors are invited to participate in these community functions; and

WHEREAS, these events are held on public property and/or within and along public ways necessitating the closing of streets and specific areas to ensure that all events will be carried out in a manner which protects the public health, safety and welfare of visitors thereto; and

WHEREAS, the City of Gaithersburg established a standardized policy, as directed by Resolution No. R-30-92, for exhibitors, vendors, entertainers and solicitors to participate on the premises of City-sponsored events; and

WHEREAS, the standardized policy was established to ensure peaceful assembly, to protect persons and property, to exercise efficient control of crowds and to offer equitable and uniform treatment of exhibitors, vendors, entertainers and solicitors; and

WHEREAS, the Mayor and City Council have determined that it is in the best interest of the community that amendments to the policy be made from time to time in order to improve the quality of the City's special programs, festivals and events:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Gaithersburg, that amendments be made to Resolution No. R-30-02, establishing a standardized policy for each exhibitor, vendor, entertainer and solicitor, participating in a City-sponsored event be and they hereby are as follows:

1. The City will not permit any person or organization to solicit and/or distribute information or goods or offer food, goods or services for sale or entertain within any public right-of-way or public property associated with a City-sponsored event unless a completed application to participate in the specific event has been filed with the City of Gaithersburg and approved by the City Manager or his designee.

2. The City will accept applications prior to the application deadline and reserves the right to reject any application which is incomplete or where the applicant's proposed activity during the event will disrupt other exhibitors or the peaceful assembly of attendees or damage or injure persons or property, or interfere with the planned special events, or is rejected for failure to meet stated selection criteria.
3. The City reserves the right to establish and enforce written rules and regulations as to other criteria which City staff deems pertinent to carry out a special public event or exhibit, provided such rules, regulations and criteria are approved by the City Manager or his designee.
4. The City shall have the right to remove any exhibitor or exhibit or other participant from the event limits who does not comply with the aforementioned requirements or the terms set forth in the approved application.
5. If the City determines to remove an exhibitor or other participant from the event limits pursuant to its authority under paragraph 4 of this Resolution, notification will be made in person by a City staff member. If exhibitor or other participant disregards the staff member's request to leave the event, law enforcement will be contacted to remove the exhibitor or participant. It shall be unlawful for any person participating in a City event to fail to obey a law enforcement request to leave the event area. The area reserved for a City event will be clearly defined and available upon request at the time an exhibitor or participant is requested to leave the event.

ADOPTED by the City Council this 1st day of August, 2005.



SIDNEY A. KATZ, MAYOR and
President of the Council

THIS IS TO CERTIFY that the foregoing
Resolution was adopted by the City Council
in public meeting assembled on the 1st day
of August, 2005.



David B. Humpton, City Manager