Sec. 17-2.9. Recovery of police expenses for traffic control and protection for entertainment-related events.

(a) **Purpose.** The City of New Haven shall seek to recover police expenses for traffic control costs for entertainment-related events from its sponsors. Further, the city shall seek to recover traffic control costs and all necessary or required police protection costs for places of amusements from the person or persons operating, conducting or promoting such places. All such police cost recovery shall be to the extent allowed by C.G.S. Section 7-284.

(b) **Recovering police expenses for traffic control costs for entertainment-related events.**

(1) **Cost Recovery for traffic control costs for entertainment-related events:** The entertainment-related event sponsor shall work with the police department's designee to memorialize a cost recovery plan that will cover charges by the police for event traffic control. The city will provide the sponsor a cost recovery invoice detailing estimated fees prior to the event. Said fees shall be estimated using the following factors:

   a. The location, duration, route, time and date and expected size of the event; and
   b. The expected sale or service of alcoholic beverages; and
   c. The number of streets and intersections blocked and what portion of the streets are planned to be used for the event; and
   d. Whether bridges or main arteries shall be involved in the event route; and
   e. The need to detour or preempt citizens' travel on, and use of, the streets and sidewalks.

(2) **Time when payment is due:** The event sponsor shall make payment to the city, incurred in accordance with (b)(1) above in full for estimated cost recovery within (60) days after the event is held.

(3) **Cancellation by the event sponsor:** The event sponsor is responsible to notify the police department's designee twenty-four hours before the postponement or cancellation of an event. The event sponsor shall be charged for city services provided in advance of the event up through the time of notification.

(4) **Indigency:** The event sponsor shall pay all costs associated with police traffic costs under this section. To the extent there is a total or partial inability to pay said costs, the event sponsor must submit a notarized affidavit certifying as to indigent status. The event sponsor shall pay costs to the city to the best of its ability, regardless of whether said payment covers the full extent of the city's costs.

(5) **Failure to comply:** If the event sponsor fails to satisfy this obligation within the time specified in this section, the city will commence all appropriate legal action to collect all debts owed the city. In addition, under section 29-11 of the New Haven code, no future event permits shall be issued until all obligations under this section have been satisfied.

(c) **Recovering police expenses for police protection and traffic control costs for places of amusement.**

(1) **Cost recovery for city departmental services:** The person or persons operating, conducting, or promoting places of amusement shall reimburse the city for police protection when necessary or required in accordance with C.G.S. Section 7-284. The amount of such protection shall be determined by the chief of the police department or his/her designee. Any such protection shall be paid for by the person or persons operating, conducting or promoting such place of amusement.

If First Amendment speech is a factor considered by the police in determining the amount of police protection, the police cost specifically associated with First Amendment protection (including, but not limited to, the human resources necessary for crowd control) shall not be charged to the operator, conductor or promoter.
For traffic control costs deemed necessary by the police department, said costs shall be determined by the police department using the following factors:

a. The location, duration, time and date and size of the gathering; and
b. The expected sale or service of alcoholic beverages; and
c. The need to detour or preempt citizens' travel on, and use of, the streets and sidewalks.

(2) **Time when payment is due:** The operator, conductor or promoter shall make payment to the city, incurred in accordance with (c)(1) above in full within sixty (60) days after city invoice.

(3) **Failure to comply:** If the event person or persons operating, conducting or promoting such place of amusement fails to satisfy this obligation within the time specified in this section, the city will commence all appropriate legal action to collect all debts owed the city.

(d) **Appeal.** The person or persons operating, conducting or promoting such place of amusement or entertainment-related event may appeal the charges stated in the cost recovery invoice to the board of police commissioners, and shall file his/her notice of appeal with the office of the chief administrative officer ("CAO").

(e) **Administrative regulations.** The CAO shall develop administrative regulations related to this section. The regulations may be amended from time to time, subject to the approval from the board of aldermen, and shall be made available to the public by the police department and/or the office of the CAO.

(f) **Severability.** If any clause of this section is or becomes illegal, invalid or unenforceable because of present or future laws or any rule or regulations or by any governmental body, or entity, including any court of law, the remaining part of this ordinance shall not be affected thereby and shall be in full force and effect.

(Ord. No. 1634, 8-2-10)