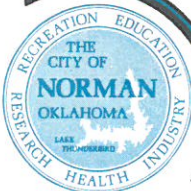


A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA GRANTING AN APPEAL FILED BY THE CAMPUS CORNER MERCHANTS ASSOCIATION FOR THE DISPLAY OF A BANNER EXTENDING OVER ASP AVENUE FOR THE DURATION OF THE UNIVERSITY OF OKLAHOMA FOOTBALL SEASON.

- § 1. WHEREAS, the City Council adopted an ordinance, Ordinance O-0809-36, regulating and permitting special events in 2009; and
- § 2. WHEREAS, this Special Events Ordinance was suggested after the April 2008 Main Street Music Festival highlighted the need for a more streamlined process to assist event planners; and
- § 3. WHEREAS, the objectives of the Ordinance are to streamline the permit process to assist event planners; protect health and public safety; and regulate traffic, parking, sanitation, and noise; and
- § 4. WHEREAS, to begin the process of holding an event, an event sponsor submits an application to the City Clerk who reviews the application and provides the applicant with a checklist of all necessary items and/or permits needed to obtain the special event permit; and
- § 5. WHEREAS, once the City Clerk determines that the application is complete and all necessary items have been submitted, the permit is issued; and
- § 6. WHEREAS, one of the annually permitted events is the OU Game Day held on Campus Corner during each home football game; and
- § 7. WHEREAS, in 2010, Rainey Powell, a Campus Corner property owner, requested to install a banner across Asp Avenue advertising the OU Game Day events and, at that time, the Ordinance did not allow for banners to stretch across City streets due to traffic, safety, and First Amendment concerns; and
- § 8. WHEREAS, City Council ultimately voted to amend the Special Events ordinance to allow for banners across City rights-of-way with certain conditions that included that banners may only be secured above two-lane streets while the street is closed to traffic and only for the duration of the special event; banners must be properly permitted by the Director of Public Works and the building official; plans for banners must be sealed by a licensed engineer; and no more than two banners may be erected per special event; and



- § 9. WHEREAS, Mr. Powell and the Campus Corner Merchants Association have again approached the City of Norman with a request to allow a banner to remain in place over Asp Avenue for the duration of the OU football season; and
- § 10. WHEREAS, because allowing a banner to remain for the duration of the season is not allowed by the Special Events Ordinance, the Campus Corner Merchants Association has followed the appeals process in the Special Events Ordinance, Chapter 13, Section 13-2709; and
- § 11. WHEREAS, a special event operator may file a written appeal with the City Council for relief from the provisions of the Special Events Ordinance if both the City Clerk and the City Manager do not provide the requested relief; and
- § 12. WHEREAS, the City Manager denied relief to the Campus Corner Merchants Association via an email dated July 13, 2017; and
- § 13. WHEREAS, the Campus Corner Merchants Association filed a written appeal to the City Council on July 17, 2017 stating that having a banner of the size and type depicted in the photo attached to the appeal (“the Banner”), plans for which have been sealed by an engineer, continuously displayed throughout the OU football season over Asp Avenue would allow the Association to secure sufficient sponsorships to cover the costs associated with closing the streets for the Game Day events and that the Association would suffer undue hardship if the appeal was not granted by Council; and
- § 14. WHEREAS, City Council has reviewed the appeal and taken public comment on the appeal request; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 15. That the request by the Campus Corner Merchants Association is reasonable in order to continue the long standing tradition and success of the Campus Corner Game Day events and the benefit they provide to the City of Norman as a whole.
- § 16. That the OU Game Day events are unique in Norman as they occur on a series of six weekends annually every fall as opposed to a single weekend each year.
- § 17. That the scale, and thus the cost associated, of the OU Game Day events has increased over the years due to the larger numbers of people in attendance.

- § 18. That in order to offset the increases in cost the Campus Corner Merchants Association has sought corporate sponsorships for the events; however, interested sponsors have requested more visible advertising that a banner displayed only during each Game Day event would provide.
- § 19. That, if the appeal was not granted, the Campus Corners Merchants Association would suffer an undue hardship because of the financial stress of continuing to host the OU Game Day events without the assistance of corporate sponsorship, and the City of Norman would risk the loss of a special event with such a long standing tradition and the benefit it provides to the City of Norman as a whole.
- § 20. That the Banner is authorized to remain over Asp Avenue, erected in accordance with engineered plans, for the duration of the OU football season beginning on Sunday, August 27, 2017 and ending on November 26, 2017.
- § 21. That the Banner will be the only banner erected over a street within the Campus Corner area for the duration of the OU football season beginning on Sunday, August 27, 2017 and ending on November 26, 2017.
- § 22. That the Banner will comply with the remaining requirements for erection of banners within the Special Events Ordinance: secured above a two-lane street; permitted by the Director of Public Works and building official; plans that have been sealed by a licensed engineer; and the permit fee will be paid.

PASSED AND ADOPTED this _____ day of _____, 2017.

Mayor

ATTEST:

Deputy City Clerk