

PERMIT NO. _____

City of West Chicago CARNIVAL PERMIT APPLICATION



THIS FORM MUST BE COMPLETED IN FULL BY CARNIVAL BUSINESS OWNER &
SUBMITTED 90 DAYS PRIOR TO THE EVENT

NOTE: A *Special Event Permit Application* shall be completed by the event coordinator in addition to the Carnival Permit Application and submitted to the City of West Chicago 90 days prior to the event. The form is available for download at www.westchicago.org/forms.

City of West Chicago
475 Main Street
West Chicago, IL 60185
(630) 293-2200

Applicant is: Corporation Partnership Individual

Legal Name of Business: _____

Business Phone: _____ Business Fax: _____

Address of Business: _____

Applicant's Name: _____ Title: _____

Applicant's Address: _____

Applicant's Phone: _____ Applicant's Cell Phone: _____

Applicant's Email Address: _____

Location/address where carnival will be operated: _____

Dates of carnival operation: Start _____ Close _____

Estimate total number of employees* during event: _____

Applicant's Signature: _____

Notary Seal

(Notary Public Signature)

Signed and sworn to before me this _____ day of _____, 20_____.

***All employees, including those operating rides, games, amusement or food or beverage stalls, MUST submit to fingerprint background checks to be completed 21 days prior to the event. Contact the West Chicago Police Department at (630) 293-2222 to schedule fingerprinting.**

FOR OFFICE USE ONLY

Based on the information which has been submitted, the request for a permit has been:

Approved Permit No. _____

Denied Notes: _____

Authorized Signature

Title

Date

Number of fingerprint
background checks
completed:

Sec. 9-166. - Definitions.

The following terms as used in sections [9-167](#) through [9-169](#) of this chapter shall have the meanings stated below:

Carnival means any circus, carnival, rodeo or other aggregation of attractions, consisting of shows, menageries, acts, games, rides, coin-activated devices, or other amusement conducted either under one or more managements or independently, which are temporarily set up or conducted in a public place or upon any private premises and intended, with or without payment of admission or other fees, to attract the attendance of the general public for the purpose of amusement, recreation, or merrymaking. Excluded from this phrase and from application of sections [9-167](#) through [9-177](#) is any circus, carnival, rodeo, or other aggregation of attractions mounted by a non-profit charitable, civic, trade, or educational organization, governmental organization, church, or fraternal or veterans organization where such event is actually and directly conducted by such organization, provided that the organization shall use only its members or regular full-time or part-time employees for conducting such event, and not any employees or independent contractors hired or retained for the purpose of conducting such or assisting with the conduct of such.

Employee shall include an individual who is the owner of a carnival; an agent or employee of a circus or carnival; an independent contractor with a circus or carnival; and an agent or employee of such independent contractor. It shall not include a member of a non-profit charitable, civic, trade, or educational organization, governmental organization, church, or fraternal or veterans organization operating a booth, stand, or stall at a circus or carnival nor a full-time or part-time employee of such organization not hired specifically for the purpose of operating or assisting with the operation of such booth, stand, or stall.

(Ord. No. 06-O-0023, § 2, 8-7-2006; Ord. No. 10-O-0101, § 2, 12-6-2010)

Sec. 9-167. - Permit required; fees.

- (a) It shall be unlawful to conduct or operate any amusement attraction, amusement ride, or carnival, which is open to the public without having first secured a permit from the city administrator of the City of West Chicago, therefor in accordance with the provisions of this article.
- (b) There shall be an investigation fee for each employee who shall at anytime be on the premises of the carnival, fair or other exhibition, as prescribed in Appendix G. All fees shall be non-refundable.
- (c) Applications for any permit required by this article shall be made in writing to the city administrator or his designee at least ninety (90) days prior to the opening of the carnival on a form provided by the city. All such employees who will be on the premises shall submit to the taking of their fingerprints by the city for the purpose of a criminal history check no less than twenty-one (21) days prior to the event. Such application shall be signed by the operator of the carnival in his or her own proper person or in his or her name by his or her duly authorized agent, verified by oath or affidavit. Each such application for a carnival shall include a detailed site plan, security plan and parking and traffic management plan. All applications for permits shall be accompanied by a policy or certificate of insurance issued by a solvent insurance company authorized to do business in the state, insuring the permittee or owner of such amusement ride or such carnival against liability for any injury to any person or persons resulting from the permitted operation. Such policy or certificate shall cover the entire time for which the permit is issued, and shall at a minimum include:
 - (1) *Commercial general liability*: \$5,000,000.00 combined single limit per occurrence for bodily injury, and property damage with the city named as additional insured. The general aggregate shall be twice the required occurrence limit or no less than \$10,000,000.00 per occurrence.
 - (2) *Business automobile liability*: \$1,000,000 combined single limit per accident for bodily injury and property damage.

Each application for a carnival, and all information required to be furnished in connection therewith, or a copy thereof, shall be referred to the chief of police and any other appropriate city official. Each city official shall certify to the city administrator whether or not the applicant is qualified to receive the permit applied for and whether or not the place complies in every respect with the applicable provisions of this article relating to his or her department.

- (d) Each permit issued with respect to any carnival shall be issued subject to, and shall set forth, the following terms and conditions:
 - (1) There shall not, in connection with said carnival, be set up or operated any gambling device, lottery, number or paddle wheel, number board, punch board, or other game of chance, or any lewd, lascivious or indecent show or attraction making an indecent exposure of the person or suggesting lewdness or immorality.
 - (2)

Sheriffs, police officers and building inspectors shall have free access to the grounds and all booths, shows and concessions on such grounds at all times.

- (3) Each amusement ride and amusement attraction shall be surrounded by a restraining barrier so as to limit the amusement ride or amusement attraction to a single, or limited number of, supervised point(s) of access. No amusement ride or amusement attraction shall be operated within the corporate limits of the city without evidence of a permit having been issued by the director, or designee, of the State of Illinois Department of Labor to the operator of such equipment. Such permit to operate shall be posted in full public view on or near the amusement ride or amusement attraction. If an amusement ride or amusement attraction undergoes a substantial alteration or is repaired after a breakdown, it shall be reinspected or approved for use by the director of the Illinois Department of Labor. All such amusement rides or amusement attractions governed by this article must be assembled, operated, and disassembled in accordance with the provisions of the State of Illinois Carnival and Amusement Rides Safety Act.
- (4) No amusement ride or amusement attraction shall be operated until such time as it has been inspected by the building official, or his designee, and found to be in safe operating condition so as to provide protection to the public. Such inspections shall include, but not be limited to, compliance with all applicable electrical and fire safety codes, rules and regulations. In the event that an amusement ride or amusement attraction involves unique or specialized equipment which, in the discretion of the building official, requires specialized technical knowledge in order to inspect, the building official shall order, in writing, that the applicant retain, at the applicant's cost, a qualified independent expert, acceptable to the building official, to inspect said amusement ride or amusement attraction and report to the city on the safe operating condition of the same prior to operation of the same.

If, after inspection, additions or alterations are contemplated which change a structure, mechanism, classification or capacity of any amusement ride or amusement attraction, the operator shall immediately notify the building official of his intentions in writing, and provide any plans or diagrams requested by the building official.

At the determination of the building official, additional inspections and operational tests may then be required.

The building official, or his designee, shall order, in writing, an immediate halt of operations of any amusement ride or amusement attraction if it has been determined after inspection to be hazardous or unsafe. Operation of the amusement ride or amusement attraction shall not resume until the unsafe or hazardous condition is corrected to the satisfaction of the building official or his designee. No amusement ride or amusement attraction shall be operated until such time as it has been inspected and approved by a duly appointed State of Illinois Department of Labor Amusement Ride Inspector.

- (5) All food service operations conducted in connection with any carnival shall be conducted in full compliance with all rules and regulations of the DuPage County Health Department, and all necessary inspections, approvals and permits shall be obtained prior to commencement of such operations. Any and all permits issued by the DuPage County Health Department shall be posted in full public view at the food service operation.
- (6) The operation and conduct of the carnival shall be in accordance with the hours of operation designated by the city, as well as the site plan, security plan and parking and traffic management plan approved by the city, and with all applicable statutes, ordinances, resolutions, codes, rules and regulations of each and every governmental body or agency having jurisdiction over the site of the carnival, including but not limited to, the provisions of the Zoning Ordinance of the City of West Chicago, Illinois, regulating temporary uses within the city.

(Ord. No. 2726, § 1, 5-16-94; Ord. No. 06-O-0023, § 2, 8-7-2006; Ord. No. 10-O-0101, § 2, 12-6-2010; Ord. No. 11-O-0007, § 22, 5-16-2011; Ord. No. 11-O-0038, § 1, 8-1-2011)

Sec. 9-168. - Employees of carnivals.

All employees of a carnival must be qualified and must wear an event-worker photo identification issued by the city and conspicuously displayed on himself or herself whenever he or she shall be on the premises of the event. No employee of a carnival shall be on the premises of a circus or carnival at any time without a city event-worker permit. No employee of a carnival who:

- (1) Is a registered child sex offender, or
- (2) Has been convicted of a felony in the past five (5) years, or
- (3) Been convicted of any other crime involving moral turpitude or violence, or

shall be issued a city event-worker photo identification, nor shall such employee at anytime be on the premises of the event. A city event-worker permit shall be worn only by the employee for whom it is issued and is not transferable to another employee. The event-worker photo identification shall remain the property of the city and shall be surrendered to the city upon demand by the city or any representative thereof. As the chief of police shall provide by

order, the event-work photo identification shall be returned to the city, or invalidated or otherwise destroyed so to prevent its reuse, at the conclusion of the carnival, fair or other exhibition for which it is issued.

(Ord. No. 06-O-0023, § 2, 8-7-2006; Ord. No. 10-O-0101, § 2, 12-6-2010)

Sec. 9-169. - Violations.

- (a) Violations of sections [9-166](#) through [9-168](#) shall be a Class C misdemeanor, and the violator punished by a sentence of up to thirty (30) days incarceration and a fine of up to one thousand five hundred dollars (\$1,500.00) for each such violation.
- (b) Additionally, whenever the city administrator is presented with evidence that there has been a violation of sections [9-166](#) through [9-168](#), or of acts upon the premises of the carnival that constitute a clear endangerment to public morals and safety, the city administrator may, without notice or hearing, suspend the permit of a carnival and order said carnival closed for a period of up to three (3) days, provided that the suspension and closure is set for hearing within that three-day period as provided for in [section 9-671](#) of this chapter, and further provided that a written notice of the suspension and closure, with the reasons therefor and the date, time, and place of the hearing thereon, is served upon any owner of the carnival or upon any employee on the premises of the carnival having charge of the operation of such. The hearing board provided for under [section 9-671](#) may terminate or continue such suspension or revoke the permit. Decisions of the hearing board are final administrative decisions and shall be reviewable as the law provides.

(Ord. No. 06-O-0023, § 2, 8-7-2006; Ord. No. 10-O-0101, § 2, 12-6-2010)