

Town of Garner
Special Events Support Policy

EFFECTIVE: July 1, 2009

I. Purpose

Special events provide opportunities to promote community welfare and quality of life, help build a sense of community, showcase local and regional talent, enrich cultural opportunities, draw first-time visitors to Garner and contribute to the local economy.

The Town of Garner recognizes the benefits and opportunities made available through special events. Therefore, the Town seeks to facilitate, promote, coordinate and/or participate in special events that provide a benefit to the larger community and fit within the capacities of public parks, facilities and streets.

This policy outlines a process for approval of events requiring special assistance from the Town of Garner. It further aids in identification of resources required and cost allocation for the provision of services during special events.

It is the policy of the Town of Garner that any approved special event should not result in the expenditure of excessive public resources and that the Town should be compensated by the event organizer for costs incurred by the Town of Garner.

This Policy is intended to work in concert with all other applicable rules, regulations, laws, and ordinances of the Town of Garner.

II. Definitions

Community Programming Partners: Any individual, group or organization which has a contractual agreement and a budgeted arrangement with the Town of Garner to offer special events. Support offered by the Town of Garner for special events will be limited to those terms and conditions outlined in the contract between the Town and the Community Programming Partner.

Event Organizer: Any individual, firm, or organization proposing a special event on public property controlled by the Town of Garner.

Event Permit: Upon approval and payment of fees, the Town Manager's Office shall issue the event organizer a permit to conduct the special event.

Public Property: Refers to all Town-owned or maintained parks, buildings, facilities, athletic fields, public streets and the right-of-way of public streets.

Special Event: An event occurring on public property controlled by the Town of Garner. This includes, but is not limited to, road races, public gatherings, parades, competitions, concerts, festivals, neighborhood events, and entertainment/amusement events. This does not include events conducted by the Town of Garner or pre-existing arrangements with existing community programming partners. The Town reserves the right to require event organizers for events held on private property to make application pursuant to this policy if the nature and scope of the event dictate an impact on Town of Garner manpower and resources.

Special Event Application: A form required by the Town of Garner whereby the event organizer applies to utilize public property and/or public resources for a special event. The application will be submitted to the Special Events Coordinator.

Special Events Coordinator: The staff member assigned by the Town Manager's Office to serve as liaison between the Town and the event organizer during the application review process. This individual will seek input from the affected departments and any support organizations (Fire, EMS, Wake County, State of NC) as may be necessary. This individual is also responsible for ensuring that all deadlines and requirements of this policy are met.

Support Services: Services provided by the Town of Garner to ensure that a special event is conducted in such a way as to protect the safety, health, property and general security of the public and integrity of public property. Each Department Director or designee shall estimate the Town support service requirements and costs for each special event. This includes manpower, equipment, supplies, and consumables required to service the special event.

III. Classes of Special Events

Class A: A special event that that meets either of the following criteria:

- a) May require 200 or more extra staff hours by Town employees, or
- b) Is expected to draw an approximate number of spectators and participants that is between 5,001 and 8,000 persons within a consecutive 24 hour time period.

Class A event applications must be submitted to the special events coordinator no later than 180 days prior to the event date.

Class B: A special event that that meets either of the following criteria:

- a) May require between 100-199 extra staff hours by Town employees, or

- b) Is expected to draw an approximate number of spectators and participants that is between 2,001 and 5,000 persons within a consecutive 24 hour time period.

Class B event applications must be submitted to the special events coordinator no later than 120 days prior to the event date.

Class C: A special event that that meets either of the following criteria:

- a) May require between 99 or less extra staff hours by Town employees, or
- b) Is expected to draw an approximate number of spectators and participants that is 2,000 persons or less within a consecutive 24 hour time period.

Class C event applications must be submitted to the special events coordinator no later than 120 days prior to the event date.

Class D: A special event which may require no or very limited staff hours by Town employees other than dropping off barricades or cones, etc. Staff time is limited to permit application review and nominal support for the event. Events of this nature are normally confined to a single block on a street or limited use of public facilities. Class D event applications must be submitted to the special events coordinator no later than 60 days prior to the event date.

Exceptions to Deadlines: Applications that fail to meet the deadlines outlined above may be accepted by the Town if, in the opinion of the special events coordinator, there is sufficient time to process and approve the application, identify any conditions of approval, and arrange resources to effectively service the event.

IV. Special Events Permit Process

1. **Application** – Any event organizer desiring to hold a special event on any public property in Garner must complete an application on the appropriate form and submit it to the special events coordinator no later than the time specified by the Event Class outlined in Section III above. At the time of submission, the event organizer shall pay the application fee and submit the event layout. Applications for special events will be available on the Town of Garner web site or in the office of the special events coordinator.
2. **Department Review** – The Department Director of any Town of Garner department impacted by a special event will review the application and make specific recommendations concerning the following:
 - a. Recommended changes to the proposed location, scope, date and time for the special event.

- b. The type, amount and anticipated charges for any Town manpower or other resources needed for the special event. Costs will be identified pursuant to the current Town of Garner Fee Schedule adopted by the Town Council.

The Department Director shall ensure that the review and action on the proposed special event is completed and returned to the special events coordinator no later than 150 days prior to the date of the a Class A event and 90 days prior to a Class B or Class C event.

3. **Town Administrative Review** – The completed application and department review materials will be forwarded to the Town Manager’s Office for review and analysis. With the exception of Class D events, the Town Manager’s Officer shall ensure that their review and action on the proposed Special Event is completed no later than 60 days prior to the event date.
4. **Appeal** – Written appeals to a decision made by the Town Manager to deny approval of an application may be presented to Town Council, within 15 calendar days of said decision. Applicants may appeal only in the event of a denial of an application. Appeal of decisions pertaining to fees, costs, or conditions of a special event are not permitted.
4. **Payment of Fees** – No later than 30 days prior to the event date, the event organizer will remit to the Town of Garner the fees for the special event at which time the permit will be issued by the Town Manager’s Office.
5. **Issuance of Event Permit** – No Special Event shall take place without a duly executed and issued permit pursuant to the guidelines outlined in this policy.
6. **Execution of Event** – Event is executed by the event organizer.

V. Criteria for Evaluation

The criteria for evaluating and scheduling community festivals and special events are as follows:

- Completeness of application and event layout.
- Impact and cost of the event on public health, welfare and safety.
- Impact and cost of the event on Town support services.
- Impact of the event on the environment.
- Frequency of the same or similar event(s) as well as potential conflicts with previously approved events.
- Impact on the surrounding businesses or residences.
- Ability for the park or public place to remain open to other users, unless a street closure permit has been issued.
- Perceived benefit of event for Town of Garner community.
- Likelihood of participation by Town of Garner residents.

- Previous history of event organizer in facilitating special events.
- Ability of event organizer to achieve goals set forth for special events.

VI. Special Event Estimated Cost Matrix

A **\$25.00** non-refundable application processing fee will be charged for all but Class D events. The application fee is due at the time of application.

Class	Non-Refundable Fees		Refundable Fees	Insurance Requirements
	Facility Fees	Staff Charges	Sanitation Deposit	Policy Minimum
A	Per Fee Structure	To Be Determined	\$1,000	\$1,000,000
B	Per Fee Structure	To Be Determined	\$1,000	\$1,000,000
C	Per Fee Structure	To Be Determined	\$500	\$1,000,000
D	Per Fee Structure	To Be Determined	\$0	\$0

The application fee, facility usage fee, and staff charges fees are non-refundable. The sanitation deposit will be returned in full provided that the property is left in appropriate order and no damage is reported. Failure to return the Town facilities to their pre-event condition will result in loss of deposit, liability for repair and/or additional clean up fees as determined by the Town, as well as potential denial of future applications. The Town’s decision on any loss of deposit shall be final.

The Town will charge facility usage or rental fees for the use of specific facilities. The fees are intended to cover wear and tear, initial supplies, water, electricity, etc. Facility fees shall not apply to special events that are solely within the right of way of public streets. The Town reserves the right to obtain additional fees for other arising or unusual expenses as it deems necessary.

VII. Event Cancellation/Refund of Fees

If the special event is cancelled after the payment of fees because of conditions beyond the control of the event organizer, the Town may consider a partial to full refund of fees paid, with the exception of the application fee. The special events coordinator will assess any costs already incurred by the Town and coordinate with the affected Department Directors to ascertain the amount of refund.

VIII. Rules and Prohibitions

- A. **Adherence to Town Ordinances and Rules** – All applicants must adhere to all Town ordinances and posted park/facility rules, with exception of any items extended by written permission only. A copy of the park rules and guidelines will be issued upon event approval
- B. **Resource Estimates** – The Town of Garner reserves the right to be the final authority in estimates of attendance, need for additional staff hours, and/or assignment of manpower and equipment to special events.

- C. **Sanitation** – A sanitation deposit shall be submitted to the Town as outlined herein. Said deposit is refundable within 30 days of the end of an event provided the facility is left in a satisfactory post event condition.

The event organizer is responsible for making arrangements with the Town for additional trash receptacles. Plastic trash can liners will be placed in all existing trash cans prior to the event. It is the event organizer's responsibility to deposit any trash into appropriate trash receptacles following the event in order to ensure return of the sanitation deposit. If the size of the event warrants additional receptacles, the Public Works department will review application and the organizer will be contacted. It will be the event organizer's responsibility to make all arrangements and pay any fees applicable for any additional equipment or services.

All trash receptacles should be dumped upon completion of the event into pre-determined receptacles or dumpsters as approved by the Town and prior to the park opening the next day, unless arranged in advance with the Town. Dumpster locations shall be approved or determined by the Town at time of permit issuance.

- D. **Restroom Facilities** – For all Class A - C Permit events of 4 hours duration or more, portable toilets may be required. This requirement may be met if sufficient Town restroom facilities are available on-site. The special events coordinator will assist the event organizer in determining the number of toilets needed, although a ratio of two toilets per 500 attendees can be used as a guide. An appropriate mix of male and female toilets must be provided. In compliance with the Americans with Disabilities Act, the event organizer must provide sufficient handicap accessible portable toilets. It is the event organizer's responsibility to make all arrangements (drop-off, pumping during the event, and pick-up) and pay any rental fees. *Town will stock supplies for permanent restroom facilities prior to start of event.*
- E. **Medical** – For all Class A-C Permit events of 4 hours duration or more, medical personnel may be required to be on site. The special events coordinator will contact Garner EMS and assess the costs for the provision of medical services.
- F. **Utilities** – Specific requirements for the use of electricity must be submitted with the application. Electricity is not available without permission from the Town. For projects that utilize large amounts of electricity, the Town withholds the right to require additional payment for electricity used at event based on electric meter readings taken prior to and following each event. Additionally, the Town may require the applicant to arrange for the installation of a temporary service with Progress Energy. Any expenses related to the installation of temporary electrical service shall be the responsibility of the applicant. The Town reserves the right to designate the location for the erection of poles or other devices pertaining to temporary electrical service on public property.

If the special event requires the use of more than small amounts of water, the Town Public Works Director will assign costs for said water usage as a part of the permitting process.

- G. **Sound System** – Sound system equipment is not provided. The special events coordinator must be notified in writing of any intended use of a sound system during the event. Sound System requirements should be provided on event application. Pursuant to Section 11-15 of Town Ordinance, all outdoor concerts must conclude by 11 pm EST.
- H. **Alcohol** – Alcohol sales, consumption and possession are prohibited on Town property. With approval of the Council for the Town of Garner, alcohol consumption may be permitted. Event organizers must also acquire all required permits from the North Carolina Alcohol Beverage Commission.
- I. **Parking** - Participants must adhere to all parking regulations established by the Town of Garner. Event organizers are prohibited from charging patrons for parking in public spaces. Event organizer must secure additional parking for larger events as well as transportation/shuttle routes for off-site parking, both of which must be approved by the Town of Garner.
- J. **Event Equipment and Layout** – Tables, chairs, stages, tents and other set-up equipment are permitted on public property with prior approval. A layout of the event area, including locations of all tables, chairs, tents, stages, vendor set-up, portable restrooms, road closures, parking plans, and other equipment must be submitted with the application. Approval will be given prior to the event. Tables and chairs will not be provided by the Town of Garner. A final layout must be submitted two weeks prior to the event.
- K. **Fire Safety Plan** – Applications will be submitted to the Fire Marshall for the Town of Garner when the Town deems necessary. When a fire official determines that the gathering of persons will impact the provision of fire safety services, a plan for the provision of safety services will be prescribed by the Garner Fire Marshall. Applicants will be required to include any additional information required by the Fire Marshall, including but not limited to, a layout of the event area including road closures, parking plans, vendor set-up (particularly food concessions), and, the need for fire suppression services.
- L. **Food Sales** – Any intention to sell food must be indicated in the application. It is the responsibility of the event organizer to contact the Wake County Health Department and obtain any necessary permits. Additional vendor requirements will be issued upon event approval.
- M. **Alterations to Public Property and Parks** – Alterations to park facilities including the attachment or installation of decorations and displays are prohibited unless advance permission has been received from the Town. Construction and installation of special service facilities must be approved prior to the event. Damage to any structure or plant material will be billed to the

event organizers at replacement cost plus labor. The Town withholds the right to regulate placement and method of placement of items or structures on any public property.

IX. Insurance

A comprehensive liability insurance policy with at least one million dollars (\$1,000,000) coverage for Class A - C events per occurrence for bodily injury and property damage with an endorsement naming the Town of Garner, specifically and separately, as an additional insured under the policy is required. Do not include any specific department or person. A certificate of insurance is to be provided to the town coordinator no less than 14 days prior to the scheduled event. If an event is approved, it will be approved pending receipt of the insurance certificate.

The insurance agency must be licensed to do business in the State of North Carolina. The company providing insurance must provide at least thirty (30) days written notice of cancellation or termination, if such cancellation or termination of the policy is to occur prior to the indicated expiration date on the face of the certificate. In the event of any changes or cancellation in the policy, the Town of Garner must be notified immediately.

X. Release and Indemnity

Each event organizer must execute a release and indemnity agreement. Event organizers must demonstrate that they are either personally or organizationally responsible for liability; will guarantee orderly behavior/will underwrite any damage due to use of the premises. Liability is assumed by the applicant in regard to any personal or property damage rising out of activities of the applicant. It is the responsibility of the event organizer to read the application form completely and understand fully his/her responsibilities.

XI. Assignment

The applicant/user shall be prohibited from assigning any rights under this agreement or use of the premises to any other party.

XII. Discrimination

The applying organization, association, or entity shall not discriminate or advocate discrimination on account of race, color, religion, creed, national origin, age, gender, or disability.

XIII. Picket Lines and Group Demonstrations Excluded from Policy

Applications for permits to picket or engage in group demonstrations as defined in Article VII of the Code of Ordinances for the Town of Garner are available at the Garner Police Department. For the purposes of this policy, the following definitions shall apply:

Group demonstration shall mean any assembling together or concert of action between or among two (2) or more persons for the purpose of protesting any matter or of making known any position or promotion of such persons or on behalf of any organization or class of persons for the purpose of attracting attention to such assembly.

Picket line shall mean any two (2) or more persons formed together for the purpose of making known any position or promotion of such persons or on behalf of any organization or class of persons.

XIV. Revocation of Permit

The Town shall have the authority to revoke any permit upon violation of the conditions set forth herein and/or where staging of the event would have an immediate and adverse effect on the welfare and safety of persons or property. The Chief of Police or Fire Marshall or his or her designee shall have the authority to close any event immediately upon violation of conditions set forth herein or to preserve safety of persons or property.

XV. Modification of Policies

The Council for the Town of Garner reserves the right to waive, modify, and/or amend said policies, partially or in its entirety, at any time solely at the Town's discretion. This may occur by formal written action of the Town Manager or Town Council.