

TOWN OF CULVER

Town Council Policy & Procedure

Effective: XXXXXX 00, 2015

Authority: Town Council

SPECIAL EVENTS PERMIT POLICY

PURPOSE AND INTENT:

To establish policies and procedures for the processing of special events permits so that public health and safety are protected without unnecessary delays for the applicant and with good communication and coordination among affected Town Departments and Agencies.

POLICY:

State Law and Town Ordinances regulate the use of real property in the Town. Generally, these laws/ordinances establish both the structures that may be constructed on land and the activities that may be conducted thereon. The Town receives requests to allow activities, and occasionally structures, on a temporary basis. The Town has an interest in allowing certain types of conditionally allowed uses on a temporary basis. Some of these types of uses may allow private individuals, businesses, or not-for-profit organizations to hold special events which may temporarily alter the character of a particular area.

Definitions

“Special Events” means the following:

1. Any organized formation, parade, procession or assembly consisting of persons, animals, vehicles or any combination thereof, traveling in unison and with a common purpose upon any public street, highway, alley, sidewalk or other public way which does not comply with normal and usual traffic regulations or controls; or
2. Any other organized activity or set of activities conducted by an individual, group, or entity for a common or collective use of public land or public facilities and the possible or necessary provisions of city services ancillary thereto.

“Special Events” include any short term event which is to be conducted on public property or on a public right-of-way, or which would significantly impact public streets or rights-of-way near the event; or which would significantly impact the need for Town-provided emergency services, such as police, fire or medical aid. Special events might include, but are not limited to, fun runs, roadway foot races, fund-raising walks, auctions, bike-a-thons, parades, carnivals, shows, or inhabitations, filming/movie events, circuses, block parties and fairs.

“Special Events protected under the First and Fourteenth Amendments” include any event involving political or religious activity intended primarily for the communication or expression of ideas.

- One day event: Events on or significantly impacting public property, public facilities, or public services and lasting up to, but not exceeding 24 hours.
- Multi-day event: Events on or significantly impacting public property, public facilities, or public services and lasting more than 24 hours.
- Public Open Space: Town of Culver streets, alley’s, sidewalks, public squares, and public parking lots.
- Representative: The person designated by the event organizers as the prime person responsible for the event.
- Community Group: A Community Group shall mean a local non-profit organization that supports a broad range of community service; Membership of the group is open and available to any city or county resident. The purpose of the group will enrich the livability of the Town of Culver community; the group is not a registered political party.
- Non-Profit Organization: Any organization that is a registered not-for-profit society.
- Public Agency: Any governmental agency that operates on a not-for-profit basis.
- Commercial: Any organization that operates on a for-profit basis.
- Event Organizer: The organization producing the event.
- Charitable collection: Events held with the intent of collecting funds for a local charitable organization, lasting four hours or less, and involving the use of public streets or sidewalks, but with no public manpower costs.

Permit Requirement

No person shall conduct a special event on public property unless such person first obtains, and continues to maintain in full force and effect, a special event permit for such special event.

Events to be held on public property shall be limited in scope to activities which do not detrimentally impact the community. The Town Council will evaluate the potential impacts of a proposed event. Factors shall include, without limitation, the following:

1. Impacts on Noise
2. Impacts on Traffic
3. Impacts on Parking
4. Impacts on the General Environment

The Town Council will not consider as a factor the content of any constitutionally protected speech at the event, unless there is a threat of immediate harm to persons or property.

Cost

After review by the town manager, town departments, and town council, the Town of Culver will notify the permit applicant of any charges that must be paid by the applicant prior to the event.

These charges will be to directly pay for the cost of town staffing, labor, and services required by the event. The charge for a one day special event permit is \$100, and the charge for a multi-day event permit is \$250. Funds must be received by the town of Culver at least 48 hours in advance of the event.

Typical charges will include, but are not limited to, police, fire, or EMS coverage, street closings, access to town electric system, trash removal, and street cleanup.

There will be no charge for charitable collection event permits.

Events held in Town Park

Any event planned to be held in the Culver-Union Township Public Park shall be required to have prior written approval from the Park Board before making application to the Town.

Events held in/on private property not owned by applicant

Any event planned to be held in or on private property not owned by applicant/organizer shall be required to have prior written approval from the property owner before making application to the Town.

Permit Procedure

A person or persons wishing to hold a special event must file a Special Event Permit application with the Town at least sixty (60) days prior to the date of the proposed event. Notwithstanding the preceding, the Town may accept a special event permit application less than 60 days in advance if the Town determines (in his or her sole discretion) that there is adequate time for review of the application. Any applicable permit fees will be due at the time of the application,

however if the application is denied the town will refund the application fee in full to the applicant.

A Special Event Permit application shall be on a form provided by the Town (see attachment). At a minimum, the application shall contain the following information:

1. The name of the special event organizer and the organizer's contact person (if different);
2. A list of the special event permits requested by the organizer in the previous 12 months;
3. A detailed description of the proposed special event (including the hours it is to be conducted);
4. The location of the proposed special event;
5. A precise diagram of the venue area and floor plan (if applicable) for the proposed special event;
6. A description of any special equipment or temporary buildings and structures, including tents, stages, "bounce machines," and vendor's booths, and their estimated delivery and set-up times;
7. The anticipated number of workers, participants and spectators at the proposed special event;
8. A traffic control plan (including any necessary directional devices and street closures) for the proposed special event.
9. Water facilities and sanitary measures (including toilets and trash containers) for the proposed special event;
10. A collection, recycling and disposal plan for garbage generated by the event;
11. A description of an arrangement to provide adequate parking for the people attending the event;
12. Security measures for the special event.

The Town may waive any of the above items if they find them inapplicable to the proposed event.

Insurance Requirements

The requirements of this paragraph shall be a condition of approval for any special event permit for a special event on Town-owned property. As a condition of permit approval, the special event permit holder shall obtain insurance, as required by the Town as set forth in this paragraph. The permit holder shall provide the Town with an endorsement showing that the Town has been added as an additional insured to the required insurance. The permit holder shall also sign an indemnification clause agreeing to defend and hold the Town of Culver, its officers, agents, employees, and volunteers, harmless from any claims, liabilities, losses or expenses arising from the special event. The permit holder shall submit the documents required by this paragraph no later than 10 business days prior to the special event.

Alcoholic Beverages

In the case where an “alcoholic beverage,” as that term is defined by the Indiana Alcoholic Beverage Commission, will be served and/or sold at the special event, the Chief of Police in conjunction with the Town Council shall be satisfied that appropriate security measures are being taken and the special event permit holder shall obtain a permit from the State of Indiana Alcohol and Beverage Commission.

Procedure for Review

The Town Manager, upon receiving an application for a special event, shall do the following prior to issuance of the permit:

- Consult with Town Department heads on the request and solicit their input;
- Request any additional information from the applicant and impose any restrictions that he or she considers necessary or appropriate to evaluate the event’s potential impacts on the community.
- Agendize the permit application for Town Council review and comment at a regularly scheduled Council Meeting on the 2nd and 4th Tuesdays of the month.

For events with the potential of substantial impacts on the community, the Town Council may:

- Require notification of business owners and/or residents of properties within the proximity to the proposed venue of the proposed request in order to solicit written or oral comments on the proposed event; and/or

Decision on Application and Appeal of Decision

Within 20 days of receipt of an application, the Town Council shall advise the applicant in writing of the decision that either approves the request, conditionally approves the request, seeks additional information, or denies the request with the reasons for denial stated.

The Town Council’s decision shall be final unless the applicant files a written appeal, with payment of applicable fees, within 10 days of the decision.

In the case of an appeal, the Town Council shall conduct a duly noticed public hearing within 30 days following the receipt of the written appeal. The Town Council shall consider the applications under the standards set forth in this chapter and sustain or overrule the decision of the Town Council. The decision of the Town Council shall be final.

Suspension of Permit

The Town Manager or the Chief of Police shall have the power to suspend, and shall suspend, any special event permit if the applicant has done any of the following:

1. Violated any provision or requirement of approval imposed upon the permit.
2. Violated any provisions of the law
3. With the actual conduct of the activity, threatened the preservation of the public peace, safety or general welfare, or unreasonably interfered with the use and enjoyment of other property in the immediate vicinity of the activity.

Other

The Town Council may delegate any or all of his authority under this Policy to his or her selected designee.

APPROVED:

, Council President _____
Date

, Council Vice-President _____
Date

, Council Member _____
Date

, Council Member _____
Date

, Council Member _____
Date

**TOWN OF CULVER
SPECIAL EVENT PERMIT**

DATE OF EVENT: _____ TIME :(Start to Finish) _____

TYPE OF EVENT: _____

Number of People anticipated: _____

LOCATION: _____

Name & Address of Individual of Sponsoring Organization:

Home Phone: _____ Work Phone: _____

Fax Number: _____

Please describe YOUR PLAN for the following: (Attach separate sheets if necessary)

PARKING:

STREET BLOCKAGE OR CLOSURE:

WILL ALCOHOL BE SERVED?

CLEAN-UP: (is REQUIRED BY TOWN OF CULVER.)

FIRST AID:

Do you anticipate using sound amplification equipment? If so, please describe:

Your Permit will be approved only after receipt of documentation showing that the Town of Culver has been added as an additional named insured to your insurance policy for this event. This normally requires an endorsement. A certificate showing only that you have insurance is not sufficient.

Fax or mail your completed form to Town Hall at 574-842-3633, 200 E. Washington St. Culver, IN. 46511. Thank you.

Date: _____

Applicant

REVIEWED BY:

Department	Name	Date	Comments
Street			
Water			
Sewer			
EMS			
Town Manager			

APPROVED BY:

Chief of Police

Date _____

Town Council
President

Date _____