

CITY OF CHARLOTTESVILLE  
STANDARD OPERATING PROCEDURE



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Signature of City Manager	Effective Date: 2/28/2018

**CITY OF CHARLOTTESVILLE  
STANDARD OPERATING PROCEDURE**

**Regulations for Special Events and Demonstrations on City Property**

**1.1. PURPOSES**

- 1.2.** To establish procedures and standards governing the use of public property by non-City organizations and individuals for the purpose of conducting events, and to ensure the preservation of public convenience in the use of city streets and outdoor areas, the preservation of public order and safety, and the defraying of administrative expenses associated with certain types of uses.
- 1.3.** To protect the right of persons and groups to organize and participate in peaceful assemblies to express their political, social, religious, or other views on City streets, sidewalks, other public ways, parks, and other public lands, subject to reasonable restrictions designed to protect public safety, persons, and property, and to accommodate the interest of persons not participating in such assemblies in not having their ability to use City streets, sidewalks, and other public ways to travel to their intended destinations, City parks for recreational purposes, and other City lands for their intended purposes unreasonably impaired.

**2.0. CITY DEPARTMENTS/ORGANIZATIONS AFFECTED**

The City Manager, directly or through an Events Coordinator, shall manage the scheduling of events on City-owned property. The Police, Fire, Public Works (Traffic and Facilities Management Divisions), Transit, Neighborhood Development Services (NDS) and Parks and

Recreation Departments shall have an opportunity to review event applications and propose reasonable time, place and manner modifications thereto and conditions thereon in keeping with these ordinances and the purposes stated in section 1.0 above.

### **3.1. POLICY**

### **3.2. Definitions**

- 3.2.1. “Advertising” and “Advertisement” shall mean anything containing any words, symbols, pictures and/or logos directing attention to any business or to any commodity or service for sale to the public; excluding, however: (i) a price sign, a sign or logo identifying the name of a vendor and item being sold by that vendor, when such signs are located within an area specifically delineated as part of an event and the vendor holds a valid permit, (ii) a sign or logo naming the sponsor(s) of an event, and (iii) stands or vehicles with semi-permanent or permanently installed signs, if being used for authorized recreational activities or events. (C.Ref. State Code 15.2-2013(1): advertising prohibited in streets temporarily closed to public use).
- 3.2.2. “Community event” shall mean the events listed in Sec. 28-29(c) of the City Code and in Section 3.7 below, and such other events designated by City Council as “community events” from time to time.
- 3.2.3. “Demonstration” shall refer to non-commercial expression protected by the First Amendment of the United States Constitution (such as picketing, political marches, speechmaking, vigils, walks, etc.) conducted on public property, the conduct of which has the effect, intent or propensity to draw a crowd or onlookers. This term does not include casual activity by persons which does not have an intent or propensity to attract a crowd or onlookers. The term “demonstration” shall exclude (i) any events conducted by Tenant of the Economic Development Authority of the City of Charlottesville (“CEDA”) under the Pavilion Lease dated September 20, 2004 (i.e., all “*Operator Events*” as that term is defined within that Pavilion Lease), and (ii) any events conducted by the Thomas Jefferson Center for Freedom of Expression within the area leased to it for and in connection with the First Amendment Monument.
- 3.2.4. “Event” may refer either to a demonstration or a special event, or to demonstrations and special events, collectively.
- 3.2.5. “Events Coordinator” means the Director of Parks and Recreation or his designee, or another person designated by the City Manager from time to time. The CEDA Executive Director shall serve as the Events Coordinator for all City/CEDA Events that take place within the Pavilion, and for the day-to-day management of the Pavilion Premises (as the term “Premises” are defined within the Pavilion Lease dated September 20, 2004) outside of the time(s) when the Pavilion Premises are reserved to the CEDA Tenant’s exclusive use.
- 3.2.6. “Open burning and open fire” have the same meaning as set forth in Charlottesville City Code § 12-2.
- 3.2.7. “Open flame” means fire whose flame is supported by a wick, oil or other slow-burning means to sustain itself. “Open flame” includes, but is not limited to, flame producing devices such as candles, torches, and juggling or other fire artist equipment; provided, however, that “open burning and open fire” and “open flame” shall not include handheld candles when used for ceremonial purposes, provided that they are not held or used in an intimidating, threatening, dangerous or harmful manner.

- 3.1.8 “Person” shall mean and include any individual, corporation, limited liability company, partnership, limited partnership, association, company, business, non-profit company, trust, joint venture or other legal entity.
- 3.1.9. “Prohibited items” shall mean (i) all items prohibited by law from being held, carried, displayed, worn or otherwise used in public, (ii) items banned from public or park lands, (iii) any BB guns, pellet guns, air rifles or pistols, paintball guns, pellet guns, nun chucks, tasers, stun guns, heavy gauge metal chains, lengths of lumber or wood, poles, bricks, rocks, metal beverage or food cans or containers, glass bottles, axes, axe handles, hatchets, ice picks, acidic or caustic materials, hazardous, flammable, or combustible liquids, dogs (except service dogs), skateboards, swords, knives, daggers, razor blades or other sharp items, metal pipes, pepper or bear spray, mace, aerosol sprays, catapults, wrist rockets, bats, sticks, clubs, drones, explosives, fireworks, open fire or open flames, or other item considered an “implement of riot”, (iv) any items capable of inflicting bodily harm when these items are held or used in an intimidating, threatening, dangerous or harmful manner, and (v) law enforcement or military-like uniforms or uniform-like clothing, badges, insignia, shields, hats, helmets, masks, equipment and other items that when held, carried, displayed or worn tend to suggest or imply that the wearer is a current member of law enforcement, the military, a private militia, or other public safety organization, such as a fire department or emergency medical services agency.
- 3.1.10. “Special event” shall refer to sports events, pageants, celebrations, historical reenactments, carnivals, music festivals and other entertainments, exhibitions, dramatic presentations, fairs, festivals, races (i.e., runs/walks), block parties, parades and other, similar activities, conducted on public property, which (i) are not demonstrations, and (ii) are engaged in by 50 or more persons. The term “special event” shall be construed to include a community event or private organization celebration held in or on city-owned property and is attended by more than 50 people. The term “special event” shall *exclude* (i) any events conducted by CEDA’s Tenant under the Pavilion lease dated September 20, 2004 (i.e., all “Operator Events” as that term is defined within the Pavilion lease), and (ii) any events conducted by the Thomas Jefferson Center for Freedom of Expression within the area leased to it for and in connection with the First Amendment Monument; and (iii) gatherings of ten or more people in a park for general recreational or sports activities.
- 3.1.11. “Sponsor” shall mean the person (as defined above) or persons who sign, or whose authorized representative(s) sign, an application for an event permit and who will be responsible under the permit, if issued, for ensuring that the event will be conducted in accordance with these regulations. Where a purported sponsor is not a legal entity, the sponsor shall be the individual(s) signing the permit application.
- 3.1.12. “Streets” shall mean public streets, sidewalks, walkways, alleys, lanes and highways of the City, including, without limitation, the Downtown pedestrian mall.
- 3.1.13. “Structure” shall mean and include props and displays (such as, but not limited to: crates, crosses, theaters, cages, and statues); furniture and furnishings (such as desks, chairs, tables, bookcases cabinets, platforms, podiums and lecterns); shelters (such as tents, boxes, inflatables, booths and other enclosures); wagons and carts; and all other similar types of property which might tend to harm City land or street areas, including aesthetic interests.

### **3.3. Permit Requirements**

- 3.3.1. Events may be held only pursuant to a permit issued by the City Manager, with the following exceptions: events involving fewer than 50 persons where no space is requested to be reserved, or demonstrations which occur without prior planning or announcement for the purpose of an immediate and spontaneous response to a news-worthy occurrence, may take place without a permit if (i) it is otherwise a lawful assembly conducted in accordance with the regulations set forth in sections 3.5.1 through 3.5.3 and sections 3.5.6 through 3.5.15 herein, (ii) the group will not unreasonably interfere with other events scheduled or taking place concurrently, and (iii) the demonstration does not block streets or access to City property; and (iv) the demonstration does not pose a threat to public safety. Without limitation of the foregoing, demonstrations taking place in response to a news-worthy occurrence more than 48 hours after such news-worthy occurrence will not qualify as spontaneous demonstrations, even without prior planning or announcement, and sponsors of events outside this window must apply for and receive a permit for an event expected to draw 50 or more persons.
- 3.3.2. Wherever these regulations specify that a particular use or activity may be conducted only pursuant to a permit, such permit shall be required in order for that use or activity to be lawful.

### **3.4. Permit Applications**

In cases where a permit for an event is required:

- 3.4.1. Permit applications may be obtained from the Events Coordinator. Subject to obtaining a tent permit where required, tents may be used during an event. Inquiries regarding use of the Pavilion shall be directed to CEDA's Executive Director. Inquiries regarding use of the area surrounding the First Amendment Monument shall be directed to the Thomas Jefferson Center for Freedom of Expression.
- 3.4.2. Applications for permits shall be submitted by the event sponsor in writing, on a form provided by the City, so as to be received by the Events Coordinator at least (i) thirty (30) business days in advance of any event, if not requiring street closure, removal of parking, or provision of public safety personnel, or (ii) sixty (60) business days in advance of any event, if requiring street closure, removal of parking, or provision of public safety personnel. These periods may be reduced by the City Manager with respect to demonstrations only if, upon consultation with the Police Chief, Fire Chief or other appropriate public safety officials, the size and nature of the proposed demonstration will not reasonably require commitment of City resources or personnel in excess of that which are normally available or which can reasonably be made available within the necessary time period, and review of the permit by all appropriate personnel for the purposes contemplated by these ordinances is feasible within the necessary time period. In all cases, sponsors are encouraged to submit requests for permits as far in advance of any event as possible (but not to exceed 6 months). A permit may be denied if, taking into account the size and nature of the proposed event, the City Manager does not have sufficient time to evaluate the proposed event's potential impact upon public safety, persons and property, and the interests of persons not participating in the event being able to use City streets, sidewalks, and other public ways to travel to their intended destinations, City parks for recreational purposes, and other City lands for their intended purposes.

- a. Each application shall specify (i) the name, address and telephone number of a contact person for the sponsor, (ii) the nature of the event, (iii) the date when the event is to be conducted, (iv) the times when the event is to begin and end, and the approximate times when assembly for, and disbanding of, the event are to take place, (v) the location(s) of the event and any assembling or disbanding areas, as well as any related stands or other structures to be used in the event, (vi) the approximate number of persons, animals, and vehicles that will participate in the event, (vii) whether the sponsor will invite, publicize or advertise the event to groups and other persons that the sponsor does not directly represent, (viii) a description of the types of animals, the types of vehicles to be used, the number of bands and other musical units and sound trucks to be used, and the number, type, and size of banners, placards, and signs to be used, (ix) the number of persons who will be designated by the sponsor to monitor the event, and (x) any other information required by these regulations. The sponsor must disclose in an application whether the sponsor requests permission for a prohibited item to be used during a demonstration due to its expressive or symbolic quality relevant to the subject matter of the demonstration, including without limitation symbolic weapons, open flames or other similar items. If the permit grant includes the right to carry or display a prohibited item, such item must be carried or displayed in strict accordance with the terms of the permit and must otherwise at all times conform to applicable law.
- b. Any permit grant will be based on the information provided in the application being, and remaining, complete, accurate and not lacking any material omissions regarding the nature of the event, any structures or items to be used during the event, or any activities to be conducted during an event, which information constitutes conditions and limits on the event. Sponsor will notify the City as soon as practicable if any information in the application is no longer complete or accurate and provide a revised application containing the updated information. The City will promptly review the revised application and notify the sponsor whether the permit will stand, or be revoked, modified or subject to additional conditions or limits. The sponsor will be responsible for notifying the anticipated attendees of any applicable conditions and limits placed on an event and any relevant subject matter of these regulations directly applicable to their conduct at an event, such as the list of prohibited items and the allotted time and location for an event and its initial staging and dispersal, if applicable.
- c. Each application must be accompanied by all required fees and deposits and signed by all sponsors responsible for the event unless, with respect to an application for a demonstration only, the sponsor claims in the application a bona fide financial hardship and the sponsor demonstrates to the City Manager by reasonable evidence that the monetary obligations imposed by these regulations on the event would render the sponsor not reasonably able to conduct the demonstration, in which event the City Manager shall waive, in whole or in part, compliance with the monetary obligations, including the obligations of indemnification, imposed by these ordinances to the extent necessary to enable the sponsor to conduct the demonstration.
- d. The sponsor of (i) an event at which at least 500 people will or may be expected to attend, or (ii) a special event for which admission fees will be charged shall provide the City with the location and number(s) of people who attended the past

three events staged by the sponsor (or the sponsor's officers, directors or other principals). This will assist City officials and public safety personnel in planning for any services which may be necessary in connection with the event, including by contacting counterparts in other jurisdictions for the purpose of assessing the appropriate levels of such services.

- e. Tent permits are required for tents that exceed 900 square feet in size. Permits for tents exceeding 900 square feet can be requested by contacting the City Building Code Office in the Neighborhood Development Services Department. Tents greater than 400 sq. ft. but less than 900 sq. ft. do not require a permit, but must be inspected by the Fire Department prior to use. "Easy-up" and pop-up canopy tents are not permitted on the Downtown Mall under any circumstances.

### **3.5. Permit Processing.**

- 3.5.1. Permit applications for events will be processed in order of receipt. The use of a particular area is allocated in order of receipt of completed applications (including any applicable fees or charges); however, the application of a sponsor who applies for a hardship fee waiver or reduction will not be considered incomplete due to non-payment of any fees or charges unless and until a determination is made that any fees or charges are due and owing from the sponsor and the due date for the fee has passed without the payment having been made. Unless otherwise provided by these regulations, no applications shall be accepted more than six months prior to the proposed date of an event. Upon receipt of a permit application, the Events Coordinator shall promptly deliver a copy of such application to the City Manager, the Police Chief, the Fire Chief, the Directors of the Departments of Parks and Recreation, Public Works, Utilities, Transit and any other City officials whom the City Manager may, from time to time, designate as reasonably necessary to receive and review permit applications, or their respective designees. Such officials shall promptly deliver to the City Manager their recommendations with respect to granting or denying the requested permit, or any modifications, conditions or limits upon which issuance of the permit should be based.
- 3.5.2. **Priority of Use.** Community events shall have priority of use of the particular street or City land specified in section 3.7 of these regulations, and those areas shall be deemed reserved unless released in writing by the sponsor. Other events may be allowed in areas which have been reserved for a community event, if they do not materially interfere with the community event and the community event sponsor consents.
- 3.5.3. **Permit Application Fees.** An application fee shall be paid by the sponsor of every proposed event for which a permit is required. See Appendix A for the amount of the fee. (C.Ref.5-56, 28-5 City Code). If a permit is denied or revoked, the application fee will not be refunded. Appendix A shall not apply to the Pavilion. Fees applicable for use of the Pavilion during time(s) when that area is available for use by the City/CEDA shall be provided by CEDA's Executive Director upon request.
- 3.5.4. **Requests for Information.** Before or after permit issuance, the City Manager or his or her designee may request from the sponsor such additional information with respect to a proposed event as reasonably deemed necessary for evaluating the proposed event's compliance with these regulations and the impact of the proposed event upon public safety, persons, and property, and the interests of persons not participating in the event being able to use City streets, sidewalks, and other public ways to travel to their intended

destinations, City parks for recreational purposes, and other City lands for their intended purposes unreasonably impaired. The sponsor's failure to timely provide such additional information constitutes grounds for denial of a permit request or the modification, conditioning or limiting of a permit.

3.5.5. **Grounds for Rejecting or Revoking a Permit.** A permit may be denied, or its grant may be conditioned or limited by the City Manager, or an issued permit may be revoked upon the following grounds:

- a. Receipt of Multiple Requests: a fully executed application for the same time and place has been received at an earlier time, reserving an area for an event or activities which do not reasonably permit multiple events in the particular area.
- b. Impact on Public Safety: it reasonably appears that the proposed event, due its nature, location, anticipated number of attendees or other factors, will present a threat to public safety or health or would be unlawful (including, without limitation, where a permit or license required by the Health Department or the Virginia Department of Alcoholic Beverage Control has not been obtained).
- c. Incompatible Use: the proposed event is of such a nature or duration that it cannot reasonably be accommodated in the particular area applied for; would be inconsistent or incompatible with the purpose(s) for which the area sought to be reserved is normally used, or with other uses of the area sought to be reserved.
- d. Failure to Meet Conditions: the application proposes activities contrary to one or more of the purposes, conditions or limits specified within these regulations.
- e. No Responsible Person: there is no person authorized to sign an application on behalf of the sponsor applying for a permit and/or there is no person willing or able, as demonstrated to the City Manager by reasonable evidence, to accept responsibility for and perform the sponsor's obligations set forth in these regulations, including, without limitation, the sponsor's indemnification obligations.
- f. In the case of a proposed special event: the proposed special event cannot be accommodated within a reasonable allocation of City funds and/or resources, considering the event's public appeal and the anticipated participation of the general public therein.
- g. In the case of a special event proposed to take within the Pavilion: (i) the Pavilion is not available to the City/CEDA on the date/time requested, under the terms and conditions of the Pavilion lease dated September 20, 2004, or (ii) one or more of the grounds specified in paragraphs a-f above apply.
- h. Failure of the Event to be Consistent with the Application: The City Manager reasonably determines at any time, following consultation with the Police Chief, the Fire Chief, or other appropriate City officials, that any material information set forth in the permit application is incorrect or misleading, or has become since the submission of the application incorrect or misleading and the permit must be revoked, modified, conditioned or limited consistent with these regulations.

- i. **Prohibited Items:** Prohibited items are not allowed at events and an event permit will be denied or revoked if at any time it appears that prohibited items will be used, or are being used, during an event, and the City has not granted special permission in the permit covering such use. It will not be grounds for rejection of a permit that a sponsor wishes event attendees to carry or use a prohibited item in an expressive or symbolic way, including without limitation a symbolic weapon, open flame or other similar item, provided that all attendees must be licensed to carry such weapons if required by law and the use of such items must be otherwise lawful, and further provided that the event sponsor pays for any additional police, fire and emergency medical personnel required to maintain public safety in accordance with these regulations. If any prohibited item for which special permission has been received is held or used during the demonstration in an intimidating, threatening, dangerous or harmful manner, such use will be unlawful and the permit's allowance of such use shall be automatically revoked. The person responsible for the unlawful use of the item will be directed by law enforcement to leave the demonstration area, and any person refusing to do so shall be subject to arrest for trespassing.

Nothing in these regulations shall prohibit a disabled person from carrying, possessing or using a wheelchair, cane, walker, or similar device necessary for providing mobility so that the person may participate in a permitted event.

Nothing in these regulations shall prohibit certified law enforcement officers or other public safety officials acting in their official capacity from carrying or possessing materials, weapons and / or devices used in the performance of law enforcement duties.

- 3.5.6. **Modifying or Placing Conditions or Limits on Permit Grants.** A permit may be modified or its grant may be conditioned or limited by the City Manager where necessary to meet the requirements of these regulations or to further their purposes. Such conditions and limits may include, for example, requiring the event to be relocated to an alternative venue if doing so is required to safely accommodate the number of anticipated attendees or type of event; provided, however, that with respect to demonstrations only, the City Manager shall take into account whether the alternative venue is suitable for communicating the content of the demonstration. The City reserves the right to limit the number of persons allowed at events based on the location or nature of the event, and to require that the sponsor provide a certain number of individuals, who may be volunteers within sponsor's organization, to act as crowd managers to assist with ensuring that the assembly is and remains lawful and in compliance with these regulations and liaising with City officials prior to and during the event.

- 3.5.7. **Notice of Decision.**

- a. Applicants shall be notified of the City's approval or denial of a permit for an event as soon as reasonably practicable after the date on which the application was received. The City may also issue approval of a permit for an event conditioned upon the sponsor's accepting modifications, conditions or limits imposed on the event consistent with these regulations.
- b. Unless denied or modified within 10 business days following the submission of a completed permit application, or within thirty (30) business days if the event requires a street closure, removal of parking, or provision of public safety personnel, all requests for demonstration permits shall be deemed granted,



subject to the conditions and limits set forth in the permit and these regulations, so long as the area proposed for the demonstration had not been reserved by another person prior to the date on which the permit would be deemed granted in accordance with this section 3.4.7(b).

- c. All denials of requests for, or conditional approvals of, demonstration permits shall include a reasonably detailed description of the reason for the denials or the modifications, conditions or limits, and specific instructions for how an appeal of the denial or conditional approval can be submitted to the City Manager.

#### 3.5.8. **Permit revocation.**

- a. An issued permit for an event may be revoked by the City Manager upon a finding of a violation, or a reasonably anticipated violation, of any rule, ordinance, law, regulation and/or condition or limit of the permit, or a finding that a permit application was not complete or accurate or had a material omission of fact when granted, or a finding that the information in the permit application has become, or is reasonably likely to become, incomplete, inaccurate or to contain a material omission. Immediately upon such a revocation, the City Manager shall send a written notice to the sponsor at the sponsor's address in the permit application, specifying the reason for the revocation.
- b. During the conduct of an event, a permit may be revoked by the ranking police, fire or other public safety supervisory official in charge, and the event attendees dispersed, if the event is unlawful, prohibited items are being used, there exists an imminent likelihood of violence or other threat to public safety endangering persons or threatening to cause significant property damage, or if the City or Commonwealth has declared either a state of emergency or an unlawful assembly covering the area in which such demonstration is being or will be held. Upon such revocation, the sponsor and the other sponsor attendants shall communicate the need to disperse the demonstration to the attendees.
- c. When a permit has been granted, or is deemed to have been granted pursuant to these regulations, the City Manager may revoke, modify, condition or limit the permit for any reason for which it could have been denied, modified, conditioned or limited originally.
- d. Except for permits revoked during demonstrations, all revocations of demonstration permits shall include a reasonably detailed description of the reason for the revocation and specific instructions for how an appeal of the revocation can be taken, and shall be served personally or by certified mail, with a copy sent by fax or e-mail at the sponsor's request.

#### 3.5.9. **Appeals.**

- a. Except for permits revoked during demonstrations, an appeal of the denial, conditional approval or revocation of a demonstration permit may be made to the City Manager in writing, and shall include a statement of the basis for the objection to the denial, conditional approval or revocation.

- b. The City Manager shall make a decision on appeal expeditiously and, if practicable, at least three (3) business days prior to the date the demonstration is planned to commence, and shall explain in writing the reasons for the decision.

**3.6. Permit Conditions and Limits.** All events are subject to the following conditions and limits:

**3.6.1. Excluded Areas and Prohibited Items.**

- a. No events may take place in Sixth Street, between City Hall and the East Market Street Parking Garage. This area must remain open to vehicular traffic at all times, and shall not be closed in connection with any event.
- b. No event may be held in the area under the Belmont Bridge.
- c. No event will be scheduled to take place in Central Place, on the Downtown Pedestrian Mall, during any hours in which the use of that area is restricted pursuant to sections 3.5.6 or 3.5.7 of these regulations.
- d. No event shall utilize any area on the Downtown Mall in a manner that will impede ingress or egress of any business or in an area that is already designated as assigned/unassigned vendor space, assigned cafe space or within any required fire lane areas, unless permission is otherwise provided by the Zoning Administrator in writing.
- e. No events may take place within the Pavilion or the area surrounding the First Amendment Monument during any time when the Pavilion or Monument is subject to exclusive use by CEDA's tenant under the Pavilion lease dated September 20, 2004 or the City's lease with the Thomas Jefferson Center for Freedom of Expression.
- f. No events can be scheduled to take place in Emancipation Park before 1 p.m. on Sundays.
- g. Prohibited items are excluded from all events.

**3.6.2. Street Closings.**

- a. No City street may be closed for any event, unless done so pursuant to a street closure permit applied for by the event sponsor and issued by the City Manager pursuant to sec. 28-5 of the City Code. No such permit shall be granted unless the City Traffic Engineer or Chief of Police determines that such closure is reasonably required due to the location of the event and:
  - 1. Such closing is necessary because the event will impede or pose a reasonable risk of harm to traffic and/or pedestrian travel, or, if not strictly necessary, such a closing would not be unduly injurious to public safety convenience. (Requests for a street closing in the Downtown Area shall be presumed unduly injurious to public convenience if proposed to include any time between the hours of 7:00-9:00 a.m. or 4:00-5:30 p.m. Monday-Friday); and,

2. If the street in question is an extension of the state highway system, adequate provision can be made to detour through traffic during the event. (C.Ref. City Code 28-5: Temporary Street Closings, Generally; State Code 15.2-2013), and
  3. The sponsor permitted to use public right(s)-of-way being closed will furnish a public liability and property damage insurance contract, as required by Va. Code §15.2-2013 and §3.5.4 of these regulations.
- b. No street may be closed for an event except on a temporary basis, not to exceed 48 hours in duration; provided that the City Manager may direct the closing of 2<sup>nd</sup> Street and / or 4<sup>th</sup> Street or portions thereof, between Market Street and Water Street, for a longer period. (C.Ref. City Code 28-5).
  - c. Even if not requested by a sponsor, if the circumstances of a proposed event are such that a street closing is necessitated because the event will likely impede or pose a threat to vehicular or pedestrian travel then the City will require a permit and a street closing in connection with the event, along with all application fees applicable thereto, and may require that the event be held at an alternate site, if a suitable alternate site is available where the event is not likely to impede or pose a threat to vehicular or pedestrian travel.
  - d. Upon approval of a street closing in connection with an event, the sponsor shall be issued a street closure permit by the City's Traffic Engineer. This permit shall be displayed in a prominent place during the event.
  - e. During the conduct of an event, the sponsor of that event shall comply immediately with the lawful request of any police officer, firefighter, rescue service person, or city employee, made for public safety or other emergency reasons, to move any structure or persons from a street which has been closed in connection with that event.
  - f. Notwithstanding any of these provisions, the City Traffic Engineer may close any street for a neighborhood-based gathering when (i) 1 block or less is to be closed, (ii) there is an alternative for all traffic, (iii) reasonable advance notice of the closure is given by posting signs at either end of the block, and (iv) the Traffic Engineer believes that there are no safety issues. In these cases, no event permit is required and applicants shall be referred to the Traffic Engineer for street closure permits.
- 3.6.3. **No Impediments to Public Access.** During any street closure, all City ordinances and State statutes limiting the use or obstruction of fire lanes, access to Fire Department fire suppression system connections and fire hydrants, emergency routes, and pedestrian walkways must be observed at all times. No person(s) or group(s) participating in an event shall block any entrances to or exits from City buildings, nor shall such person(s) or group(s) interfere with the use of City buildings or facilities by non-participating persons for their ordinary purposes, whether by impeding access, impeding egress using fire exits and routes, creating unreasonable noise or otherwise.

3.6.4. **Indemnification and Insurance.**

- a. Sponsors of events for which a permit is required shall be required to indemnify and hold harmless the City, its officials, employees and agents from any personal injury, death and damages to property, and any other loss, cost and/or damage occurring as a result of the actions or inactions of the event's sponsor, or the sponsor's failure to comply with these regulations.
- b. Where the event is proposed to take place within the Pavilion the sponsor shall also be required to indemnify and hold harmless CEDA and CEDA's tenant Pavilion lease dated September 20, 2004.
- c. The sponsor(s) will accept the reserved area as-is, and the City does not warrant that any public area(s) are suitable for the activities to be conducted as part of the event. The event sponsor(s) shall be solely responsible for any damages or injuries resulting to any person or property arising out of the sponsor(s)' use of City property for the event, and the sponsor(s)' failure to obtain any required public liability insurance for the event is at the sponsor(s)' sole risk. The City expressly reserves all sovereign and governmental immunity to which it, and its officers, officials and employees may be entitled to under the laws of the Commonwealth of Virginia.
- d. Insurance or Other Liability Contract. The sponsor of an event shall furnish a general liability and property damage insurance contract insuring the Sponsor's liability for personal injury and death and damages to property resulting from its use of public property. If alcohol is to be served or sold in connection with the event, then the required insurance shall cover liability specifically in connection with that activity. The required general liability and property damage insurance shall be provided in an amount not less than \$1,000,000, and the insurance policy shall name the City (including its officers, officials, employees and agents) and or CEDA /CEDA's Tenant (for events approved to take place in the Pavilion), as an additional insured party to the insurance contract. Failure to provide required insurance, and reasonable documentation of the insurance, will be grounds for denial and/or revocation of a permit.
  1. Prior to commencement of the event, the Sponsor must provide the City with an insurance certificate that verifies the insurance coverage required by these regulations.
  2. This insurance requirement may be waived, in whole or in part, by the Director of Parks and Recreation for events that do not (i) pose a high level of liability risk to the City or a material risk to public safety, and (ii) do not involve any inherently dangerous activity. A written request to waive or modify any insurance requirement must be made by the sponsor at the time a permit application is submitted. An approval or denial of the request will be made in writing to the event sponsor by the Director of Parks and Recreation.
- e. The sponsor of an event for, or in connection with, which any type of royalty(ies) are required to be paid must agree to pay all such royalties (including, without limitation, any which may be due to ASCAP and BMI) and to indemnify and hold the City harmless from and against any and all royalty payments sought from the City.

3.6.5. **Limited Duration.** No event shall be authorized for a duration in excess of the time periods set out below, and no street closing shall be authorized for a duration in excess of 48 hours. Provided, however, that the stated periods will be extended, upon request no later than 24 hours prior to the expiration of the then-authorized duration for demonstrations only up to the following periods, unless another application requests use of the particular area and said application precludes double occupancy: (a) Pen Park and McIntire Park, 7 days; (b) Emancipation Park, 3 days; (c) Pavilion: 2 days; and (d) All other parks: 1 day.

3.6.6. **Time of Day Restrictions.**

- a. No event shall be permitted in any park or the Pavilion during hours that park is otherwise closed to the public, except that activities may be permitted in McIntire Park through 12:00 midnight. (C.Ref. 18-1 City Code: hours for Remaining in City Parks or recreation facilities).
- b. No community event or event shall be scheduled to take place in Emancipation Park before 1:00 p.m. on any Sunday.
- c. No event shall be permitted in the Pavilion during the hours of [10 p.m. and 7 a.m.] or during any hours that such area is reserved for exclusive use by CEDA's Tenant under the Pavilion lease dated September 20, 2004, or in the area surrounding the First Amendment Monument during any hours that such area is reserved for use by or through the Thomas Jefferson Center for Freedom of Expression.

3.6.7. **Sound Amplification.**

- a. As stated in the City Code, the restrictions in the City Code with respect to sound amplification do not apply to community events or events that have received a permit from the City Manager. The City Manager may therefore approve a request in the permit application for the use of sound amplification equipment in connection with the permitted event. The City Manager may reasonably limit the sound amplification equipment so that it will not unreasonably disturb nonparticipating persons in, or in the vicinity of, the area of an event and/or so that it will not unreasonably interfere with the conduct of another event, or an outdoor business enterprise such as a sidewalk cafe, in the vicinity of the area. Sound levels unless otherwise waived or modified by the City Manager shall not exceed the following:

Event Location	Maximum Decibel Level
City Park	70 at property line
Downtown Mall	75 at a distance of 10 feet
Other location	70 at a distance of 10 feet

- b. No amplified sound shall be generated by or in connection with an event in the Pavilion after 10:00 p.m.
- c. No amplified sound shall be generated in or from the Pavilion area before 4:30 p.m. Monday through Friday; except that sound checks required for an event

scheduled to begin at 5:00 p.m. may be conducted any time after 4:00 p.m. Monday through Friday.

- d. For dates established by the City Manager Office as “Global Music Heritage Nights” there should be no restriction on acoustic, non-amplified music during the hours of 5:00 p.m. – 9:00 p.m.

**3.6.8. Sales or Distribution of Merchandise/Information.**

- a. When the sale or display of merchandise, or the distribution or display of educational, informational or other materials (including the distribution of non-commercial printed materials) is to be done in or upon City streets or parks with the aid of a table, stand or structure, no such table, stand or structure shall exceed 4 ft. x 4 ft. or 2 ft. x 8 ft.
- b. Whether or not a permit is required, the sale, display or distribution of merchandise or other materials, and the solicitation of contributions or donations, is prohibited in the following areas: (1) any location that would impede access to the entrance of any adjacent building or driveway; (2) any location such that the sale or distribution activity would occupy more than half the available sidewalk width, or four feet of sidewalk width, whichever is less; (3) within 10 feet of a fire hydrant, a public telephone, a fire escape, the driveway of a fire or police station, the driveway of any hospital, a bus stop or a loading zone; (4) within the portion of any street intended for the use of motor vehicles which has not been temporarily closed for or in connection with the demonstration or special event; (5) within any lanes adjacent to the Downtown Mall reserved for use by fire and emergency vehicles; (6) if done with the aid of a table, stand or structure: within any area reserved by a permit issued for an event, if the sponsor of the event has not consented to the presence of the table, stand or structure. All merchandise displays shall conform to the guidelines of the Board of Architectural Review as applicable.
- c. Persons or organizations engaged in the sale, display or distribution of written or printed materials, and/or the solicitation of donations or contributions, whether or not a permit is required, shall not obstruct or impede pedestrians or vehicles, harass park visitors or the attendees of any event with physical contact, misrepresent the purposes or affiliations of those engaged in the activity, or misrepresent whether written or printed materials being distributed are available without cost or donation.
- d. No sales or distribution activity may be conducted after 10:00 p.m., except that such activity shall be allowed past 10:00 p.m. in connection with a community event. (C.Ref. City Code 28-120).

**3.6.9. Food and Beverage Sales.** The sale or distribution of food and/or beverages as part of an event is allowed pursuant to a permit.

- a. All sales and/or other provision of food and/or beverages must be done in accordance with all licenses, permits and approvals (including, without limitation, those required by the Health Department, the Department of Alcoholic Beverage Control and the City’s Commissioner of Revenue) required by law. If

the sponsor cannot provide documentation to the City that all required licenses or permits have been obtained, that shall be grounds for denial or revocation of the permit for the event.

- b. The sponsor shall provide the City with a diagram identifying the size and location of any tables, stands, food trucks or mobile food units or other structures to be used for or in connection with the sale of food and beverages. There shall be no sales or distribution of food or beverages in any of the following locations: (1) any location that would impede access to the entrance of a building or driveway; (2) any location such that the sale or distribution activity would occupy more than half the available sidewalk width, or four feet of sidewalk width, whichever is less; (3) within 10 feet of a fire hydrant, a public telephone, a fire escape, the driveway of a fire or police station, the driveway of any hospital, a bus stop or a loading zone (unless the bus stop or loading zone is located in a street temporarily closed in connection with the event); (4) within the portion of any street intended for the use of motor vehicles which has not been temporarily closed for or in connection with the event; (5) within any lanes adjacent to the Downtown Mall reserved for use by fire and emergency vehicles.
- c. Any person selling or otherwise providing food and/or beverages during an event or community event, within an area reserved pursuant to the permit authorizing that event or community event, must do so with the consent of the sponsor and must have all licenses, permits and approvals required by law. The sponsor controls vendors only within the area designated for the event or community event.
- d. There shall be no sale or other provision of food or beverages at any event after 10:00 p.m.

3.6.10. **Signs and Banners.** The use of signs and banners in or upon the City's streets is prohibited, for or in connection with any event, except:

- a. Banners will be allowed pursuant to the regulations set forth at 10041 of the City's Standard Operating Procedures.
- b. Signs hand-carried by an individual are allowed up to 3 feet by 5 feet in size. If during an event signs, due to their size or collective use by persons, interfere with the public safety personnel's ability to conduct their duties, such signs can be restricted or banned from the event.
- c. Signs are allowed on or within any table, stand or other structure at which food, beverages or merchandise is being sold, or at which non-commercial printed material is being distributed, so long as that sign is no larger than two (2) square feet in area and contains no advertising or advertisement. (C.Ref. 28-122 City Code).
- d. Signs that are attached permanently, or semi-permanently, to stands or vehicles being used for or in connection with authorized recreational activities or events are allowed.

- e. No signs or placards shall be tied, fastened, or otherwise attached to or leaned against any City fences, lamp posts or other buildings or structures. No signs or placards shall be placed or set down on the center portion of any sidewalk. (C.Ref. 28-122: Signs on or within stands).

3.6.11. **Advertising.** Advertising/Advertisement (see definitions set forth in section 3.1.1) by the use of banners, billboards, signs, markers, audio devices, or any other means whatsoever is prohibited in or upon City streets and parks for or in connection with any event. (C.Ref. State Code 15.2-2013).

3.6.12. **Temporary Structures.** The erection, placement or use of structures of any kind is prohibited, except:

- a. In connection with permitted events, temporary structures may be permitted provided that notice to the City Manager is provided contemporaneously with the permit application. Examples of temporary structures that may be permitted are as follows: structures erected for the purpose of symbolizing a message, first aid facilities, lost child alerts, shelter for electrical or other sensitive equipment.
- b. Structures that are being hand-carried are allowed as part of a demonstration.
- c. Structures that are permitted pursuant to other sections of these regulations are allowed.
- d. When allowed: (1) structures are not permitted on sidewalk(s) unless they meet the size criteria described in section 3.5.8.a. of these regulations; (2) structures must be erected in such a manner so as not to unreasonably harm park or other public area resources and the sponsor of the event must agree to remove such structures as soon as practicable after the conclusion of the permitted demonstration or special event; (3) structures must be capable of being removed upon 24 hours' notice and without permanent damage to City lands (with the sponsor being responsible for any non-*de minimis* costs of remedying any damage arising out of such removal), and shall be secured in such a manner so as not to interfere unreasonably with use of any park area by other permittees authorized under his section; and (4) the Sponsor must comply with section 5-56 of the City Code. Tents are allowed in park areas.
- e. The City Manager may impose other restrictions upon the use of temporary structures in the interest of protecting park or other public areas and/or traffic and public safety considerations.
- f. No gasoline powered vehicles or horses will be allowed on the mall during any event or community event. Any "parade" on the Downtown Mall may use only electric vehicles if approved by the City Manager.

3.6.13. **Sanitation and Garbage.**

- a. Garbage, trash, rubbish, litter, or any other waste material or waste liquid generated on public property during an event shall be removed from the area by the sponsor of the event, or deposited by the sponsor in receptacles provided for that purpose. The improper disposal of such wastes is prohibited.



- b. The sponsor of every event shall be required to pay a fee for cleanup costs, in the amount specified within Appendix A, to cover the anticipated costs to the City of cleaning up the site of the restoring the area in question to its pre-event condition, and disposing of trash and refuse resulting from the event. This fee must be paid in advance. If actual cleanup costs incurred by the City exceed the amount of the Cleanup Fee collected in advance by the City, the sponsor will be billed by the City for the excess.
- c. A sponsor of any event must arrange for such public restroom facilities as may be required by the Health Department. The City shall bear no responsibility for the cost of providing such facilities, and it shall be the sponsor's obligation to provide documentation to the City Manager that all restroom facilities required by the Health Department have been arranged. Failure to provide documentation of Health Department approvals prior to an event shall be grounds for denial or revocation of a permit.

**3.6.14. Electricity.**

Sponsors in community events may have the use of City electrical outlets, as needed. Sponsors of events to take place at the Pavilion may use the electrical outlets there for sound amplification in connection with the event; however, sponsors must pay an Electricity Fee to the City, in advance. Other than provided in this paragraph, attendees in events may not have the use of City electrical outlets.

**3.6.15. Fireworks Displays; Open Flame.**

Persons desiring to conduct a pyrotechnic display of fireworks or use open burning or open flame on streets or public lands must obtain a permit from the Chief of the Fire Department as required by § 12-32 (a) (5) of Code. The Chief of the Fire Department may withhold approval of such permit to the extent its issuance would result in a violation of a city ordinance or if it might jeopardize public health, safety or welfare.

**3.6.16. Public Safety Personnel.**

- a. No permit will be granted for an event unless adequate security will, in the determination of the City Manager upon consultation with the Police Chief, Fire Chief, or other appropriate public safety official, be available for the welfare and safety of those attending the event and of the general public.

- 1. General Requirements.

- (A) Minimum Required Security Officers:

- (1) Open Events (Admission not restricted by tickets, fees, or otherwise) Where Alcohol is Served or Offered for Sale. Baseline: the sponsor must pay the cost of one police officer to staff the event, regardless of attendance. Where attendance exceeds, or is expected to exceed, 100 people, the sponsor must, in addition, pay the cost of one police officer for every 100 people (or portion thereof) attending or expected to attend.

- (2) Closed Events (Admission restricted by tickets, fees or otherwise) Where Alcohol is Served or Offered for Sale. Baseline: the sponsor must pay the cost of two police officers to staff the event, regardless of attendance. Where attendance exceeds, or is expected to exceed, 350 people (or portion thereof), the sponsor must, in addition, pay the cost of one police officer for every 350 people.
- (3) Events at Which No Alcohol Will Be Served or Offered for Sale (whether open or closed to the general public). Where attendance exceeds, or is expected to exceed, 1000 people, the sponsor must pay the cost of one police officer to staff the event, regardless of attendance. The sponsor must, in addition, pay the cost of one police officer for every 1000 people (or portion thereof) attending or expected to attend.
- (4) Marathons/Races/Walks. Baseline: The sponsor must pay the cost of one police officer per hour of the race. The sponsor may be required to pay for additional police officers to staff the event, if the Police Chief (or his designee) determines additional police officers to be necessary due to the geographic location of the proposed event, the time of day the event is planned to occur, or other factors related to the safety of attendees or the general public and the efficient flow of traffic and pedestrian travel along the planned route of the event.
- (5) Additionally, the sponsor shall be required to pay the cost of one traffic/parking control officer for every 1,000 people (or portion thereof) attending the event.
- (6) Upon a determination by the Chief of Police, or his designee, due to public safety factors such as the size of the crowd, the location or nature of the event, or the anticipated use of structures, sound equipment or items that could during an event become prohibited items, that one or more police vehicles are necessary to assure safe and efficient police coverage of an event, the sponsor must pay a vehicle fee, as specified in Appendix A, for each required vehicle. A sponsor may request, in advance of an event, an estimate of the number of vehicles that may be required; however, if circumstances of the event require the assignment of additional vehicles, the sponsor will be billed, and must pay, the required fee for each vehicle actually deployed.
- (7) Upon a determination by the Fire Chief, or his designee, due to public safety factors such as the size of the crowd, the location or nature of the event, or the anticipated use

of structures, sound equipment or items that could during an event become prohibited items, that one or more fire vehicles and / or emergency medical services vehicles are necessary to assure safe and efficient fire or emergency coverage of an event, the sponsor must pay a vehicle fee, as specified in Appendix A, for each required vehicle. A sponsor may request, in advance of an event, an estimate of the number of vehicles that may be required; however, if circumstances of the event require the assignment of additional vehicles, the sponsor will be billed, and must pay, the required fee for each vehicle actually deployed for the event.

(8) Upon a determination by the Fire Chief, or his designee, that due to public safety factors such as the size of the crowd, the location or nature of the event, or the anticipated use of structures, sound equipment or items that could during an event become prohibited items, one or more firefighters, fire officers or emergency medical services providers are necessary to assure safe and efficient fire and emergency coverage of an event, the Sponsor must pay the cost of those firefighters, fire officers or emergency medical services providers. A Sponsor may request, in advance of an event, an estimate of the number of firefighters/officers that may be required; however, if circumstances of the event require the assignment of additional firefighters/officers, the Sponsor will be billed, and must pay, the required fee for each firefighter/officer actually deployed.

(B) Fees and Charges: The fee(s) and charges associated with the above-stated police officer, fire fighter and emergency vehicle requirements are set forth within Appendix A. The costs charged to sponsors for required police, fire and emergency personnel coverage will be the established hourly wage for overtime work for the particular officer(s) willing and available to cover the event. In the event that the City's actual cost of police, fire, and emergency personnel coverage necessitated if the event exceeds the amount(s) collected in advance as deposits, the sponsor will be billed by the hour for each City officer, fire and emergency personnel utilized to patrol or at the location available to assist the event as needed.

(C) Where Admission Fees Will be Charged: The sponsor of an event for which admission fees will be charged shall provide at least two secure access gates, at locations approved by the City's Police Department. For events to which tickers are sold in advance, the sponsor shall, two days prior to the event, and at any other time reasonably requested by the City, advise the City as to how many tickets have been sold as of the day of the report. This will assist the City in planning for any additional police or

other services which may be necessary in connection with the event.

**3.6.17. Facilities Charges.**

The sponsor of an event to which an admission fee will be charged (by ticket sales or otherwise) shall pay the City a rental fee in the amount specified on Appendix A. These types of events tend to have a greater impact upon the community in general and upon the specific public area reserved for the event.

**3.6.18. Carnivals, Circuses and Parades.**

- a. No circus, carnival, or other, similar show shall publish or post in any way within the City, at any time within 15 days prior to the holding of such event within the City, any advertising of the exhibition of the circus, carnival or other similar show. (C.Ref. Va. Code 58.1-3728).
- b. Any circus, carnival or other, similar show shall obtain the license required by section 14-23 of the City Code before commencing any activity, and shall pay the policing deposit required by section 3-2 of the City Code (\$50 per day).
- c. The sponsor of the circus, carnival, etc. shall pay a fee, as specified on Exhibit A hereto, for the inspection of any amusement rides to be offered as part of the event, and shall pay the tent erection fee(s) required by section 5-57(a) of the City Code.
- d. Parades requested on the Downtown Mall involving motorized vehicles and floats will not be approved because of difficulty incurred by emergency fleet accessing the Mall from side streets and the potential for these types of parades to further obstruct emergency fleet access.

**3.6.19. Other Conditions and Limits.**

- a. A permit may contain additional conditions and limits, consistent with these regulations, as may be warranted by the nature of a particular event, in the interest of protecting park or other city resources, the use of nearby areas by other persons, and other legitimate property and/or public safety concerns.
- b. Sponsors who request the City to provide special equipment or facilities (e.g., barricades and cones for street closings, tables, chairs, public address systems, fencing, etc.) will be charged a reasonable fee and rental therefore. The appropriate fees shall be identified by the City Manager to the Sponsor following the Sponsor's request for such items.
- c. A permit for a demonstration may be subject only to reasonable time, place and manner conditions or limits that: (i) are narrowly tailored to serve the City's significant interest, and (ii) leave open ample alternative channels for communication of the content of the demonstration. No permit denials, revocations, or modifications, and no time, place, or manner conditions or limits imposed on a demonstration, may be based on the content of the beliefs expressed or anticipated to be expressed during the demonstration, or on factors

such as the attire or appearance of persons participating or expected to participate in a demonstration (except to the extent involving unlawful or prohibited items), nor may such conditions or limits favor special events over demonstrations. With respect to demonstrations, these regulations shall be applied, and the City Manager or his or her designee shall make permitting decisions in compliance with and to further the intent of this section 3.5.19(c). The City Manager may impose such conditions or limits on a demonstration (i) during the permitting approval process, or (ii) during the occurrence of a permitted demonstration if necessary: (A) to ensure that the demonstration meets the stated terms and purposes of these regulations (B) due to the occurrence of circumstances unrelated to the demonstration that were not anticipated at the time of the approval of the permit and that were not caused by demonstration attendees, counter-protestors or City officials, or (C) due to a determination by the Police Chief, the Fire Chief or other appropriate public safety official during the demonstration that there exists an imminent likelihood of violence or other threat to public safety endangering persons or threatening to cause significant property damage.

**3.7. Information Collection.** The information collected under these regulations will be used to provide notification to the City Parks and Recreation Staff, the City Police, and the City's Department of Public Works of the plans of sponsors of large-scale events in order to assist in the provision of security and logistical support.

**3.8. Community Events.** Except as expressly stated, community events shall be conducted in accordance with all the conditions and limits on events specified in section 3.5 above. Except as specified below, the sponsor of a community event shall pay the fees and deposits specified in these regulations and required by the City Code. Community Events include the following:

**3.8.1. City Market.**

- a. The City Market is conducted on Saturdays (in the Water Street Parking Lot), April through October. The Wednesday Market (produce only) is conducted from May through September in Meade Park. The City Holiday Market is also conducted on Fridays and Saturdays in November and December, at the east end of the downtown Mall and / or on the City owned public parking lot on Water Street, or at such other locations as may be leased by the City for the purpose of conducting the City Markets.
- b. The City Market shall be an event during which persons desiring to offer farm produce, foodstuffs, art work or handicrafts grown or produced by him, members of his family or farm laborers employed by him upon property owned or leased by him may have an opportunity to offer their products for sale to the public. It is governed by a set of regulations.

**3.8.2. Dogwood Festival Events.**

The Dogwood Carnival and Festival usually takes place during a two-week period in April, in McIntire Park. The Dogwood Parade usually takes place on a Saturday in April, on designated streets in the Downtown area.

**3.8.3. July 4th Fireworks Events.**

July 4th Fireworks annual celebration events take place in McIntire Park West (event games, food and viewing) and the McIntire Golf Course (shooting of fireworks).

3.8.4. **First Night.**

First Night Charlottesville takes place in the Pavilion and Central Place on the Downtown Mall and in the Carver and Herman Key Recreation Centers on December 31 each year.

3.8.5. **Festival of the Photograph.**

Annual photo festival coordinated on the Downtown Mall and other locations throughout the Community in June of each year.

3.8.6. **Virginia Film Festival.**

Conducted in November of each year at various locations throughout the City.

3.8.7. **Fridays After Five.**

Fridays After Five takes place within the designated leased area at the Charlottesville Pavilion and east end of the downtown mall on Fridays from 5-9 pm from April 1 through October 31.

APPROVED: \_\_\_\_\_  
City Manager

DATE: \_\_\_\_\_

- Amended April 10, 2001
- Amended February 6, 2003
- Amended February 17, 2004
- Amended May 5, 2005
- Amended July\_\_\_\_, 2006
- Amended December 27, 2006
- Amended July 31, 2008
- Amended December 1, 2009
- Amended February 20, 2018

## APPENDIX A<sup>1</sup>

1. Permit Application Fee, pay upon application \$ 25 (non-refundable)

2. Street Closing Fee, pay upon application \$ 50 Deposit

- All but \$10 refundable if event canceled in advance

Public Space Rent, Events to which entry is limited by tickets or admission fees:

0 - 1000 attendees:	\$ 50
1001-1999 attendees:	\$100
2000-2099 attendees	\$150
3,000 attendees, and up	\$500

\$100.00 due with application. Remainder of Space Rent to be submitted to the City within five (5) calendar days following conclusion of the event, along with documentation of total ticket sales or attendance count. City may monitor attendance to verify attendance numbers.

Security Deposit, for use of Park Areas. \$300.00 Advance Deposit

- Due with application
- All but \$50 refundable if event canceled 24 hours in advance

3. Cleanup Fee

- Closed Events (Admissions limited by tickets or fees) \$300 Advance Deposit  
Refundable if Event canceled in advance

Other Events \$100 Advance Deposit  
Refundable if Event canceled in advance

- Deposits due with application

4. Police Security and Fire/EMS Personnel \$50 per required Officer, Advance Deposit  
Refundable up to 24 hours prior to Event

- Deposit due with application
- For ticketed events, where tickets are sold in advance: additional \$50 deposit required per required officer, as calculated based on tickets sold as of 48 hours prior to event. Additional deposit due 24 hours in advance of event.
- Sponsor will be billed per hour for each officer actually utilized (based on police / fire estimates of actual attendance and/or circumstances of the event and based on the regular hourly rates or salaries for the police / fire personnel utilized.)
- *Hourly rates:* Sponsor will be billed the higher of: (i) \$30 per hour, or (ii) the established hourly wage for overtime work, or (iii) the special event flat rate for FLSA-exempt employees, as may apply for each of the particular officer(s) willing and available to cover the event, for each officer actually utilized, plus an administrative fee in the amount of ten percent (10%) of the total amount of the bill.
- *Police Vehicle Fee:* Sponsor will be billed \$25 per required police vehicle, per event.

- *Fire Vehicle Fee*: Sponsor will be billed \$25 per required fire vehicle, per event.
65. Electricity Fee \$50 Advance Deposit
- \$50 Deposit covers 4 hours of use. Sponsor will be billed \$10 per hour for each additional hour of actual usage.
76. Inspection of Amusement Rides \$ 25 Fee
- Payable upon Application
87. Tent Erection Fees \$ 25 Fee
- Payable upon Application
98. “No Parking” Signs \$1.00 each
- 10 Public Works/Facilities Management \$100 Advance Deposit  
9.
- (City electricians, water/sewer access to City utility facilities)
  - \$100 deposit covers 2 man hours. Sponsor will be billed \$50 per man hour for each additional hour of work that is provided.