



CITY OF GAITHERSBURG SPECIAL EVENT POLICY

Introduction

The City of Gaithersburg Special Event Policy is designed to standardize events held in the community on private property, commercial property and/or City streets to ensure they are executed with the safety and health of the participants, the protection of public property, and the impact on non-participating citizens taken into account.

The City of Gaithersburg is committed to ensuring that all events within the City limits are appropriately governed by rules, regulations, and ordinances, and do not violate federal, state or county laws or regulations. It is the responsibility of the applicant to ensure these guidelines are followed.

Special events conducted on properties owned or operated by the Board of Education or Montgomery County Public Schools, associated with the annual Montgomery County Agricultural Fair, religious institutions on their own property, or conducted upon a single residential property are exempt from the policy.

Definitions

"Special events" are defined as outdoor events or happenings organized, hosted or produced by any person, business, organization or corporation which will generate or invite public participation and/or spectators resulting in a significant impact on public streets, sidewalks, public lands, public facilities, adjacent private properties and/or require City support, for a particular and limited purpose and time, including, but not limited to, races/walks, fundraisers, weddings, reunions, concerts, parties, parades, carnivals, cultural events, food fairs, shows, exhibitions, circuses, farmers markets, flea markets, auctions, fairs and block parties.

"Significant impact" means that the event will require the closure of a public street and/or sidewalk, necessitate crowd control and/or traffic control on any public street, sidewalk, public land, public facilities or adjacent private properties, or require support of City personnel or use of City equipment.

"Neighborhood events" are defined as outdoor events or happenings organized, hosted or produced by and for the benefit of a defined neighborhood to which the general public is not invited.

Purpose

The purpose of the Special Event Policy is to ensure that the responsibilities of all parties are agreed to and understood. Specifically, all special events occurring on private property and/or City streets (with the above exceptions) which will generate or invite public participation and/or spectators, for a particular and limited purpose and time within the City of Gaithersburg are

processed in a uniform manner. The Special Event Policy also establishes guidelines to ensure that all special events operate in a safe and orderly fashion.

Neighborhood events are not required to obtain a Special Event Permit, but may need a Street Closure permit. City support for neighborhood events is limited to the provision of barricades and trash pick-up.

Goals

The goals of the Special Event Policy are as follows:

1. To ensure that every special event is reviewed by all affected agencies to enable coordination with other activities on the road and to minimize disruption to public streets, sidewalks, public lands, public facilities or adjacent private properties.
2. To confirm that the applicant has sufficient property damage and public liability insurance coverage thereby ensuring that, in the event of an accident, all persons including participants are protected from any possible claim or suit arising from the special event.
3. To ensure that all costs incurred by the City as a result of the special event are recovered from the applicant.
4. To establish a reasonable timeframe for the permit application process to be accomplished. This will ensure that the applicant has time to discuss the event with City staff (including public works and police) in order to establish the conditions and arrangements under which the event will be permitted, including but not limited to traffic control and insurance requirements.
5. To establish an administrative process that is effective and efficient.

Application Process

The applicant requesting a Special Event Permit will be required to adhere to the following procedure:

1. Submit an application using the official form provided by the City and include a detailed site plan for festivals, parades, or race/walks no later than three (3) months prior to the event, and one (1) month prior to the event for a Street Closure Application. Incomplete applications or applications submitted less than (3) months or (1) month prior to the event will not be considered. However, recognizing that unique and beneficial Special Events may arise outside the required timeline, exceptions may, on occasion, be made based on special circumstances. The applicant must have binding authority for the sponsoring organization.
2. Applications for special event permits shall contain information on the following:
 - (a) The applicant's name, signature, position, organization, street address, telephone number, fax number and e-mail address;
 - (b) Estimated number of participants;

- (c) Proposed alcohol sales and applicable permit(s) issued by the Montgomery County Department of Liquor Control;
 - (d) Proposed food and beverage sales and all applicable permit(s) issued by the Montgomery County Department of Health;
 - (e) Live entertainment, concert or amplified music design plan;
 - (f) Waste removal schedule;
 - (g) Vehicle and pedestrian entry/exit and parking plan;
 - (h) Use of live animals;
 - (i) Use of shuttle buses or mass transportation;
 - (j) Map of affected public roadways and intersections;
 - (k) Use of private security or traffic control officers;
 - (l) Emergency contact information for person(s) responsible for the event. (Ord. No. O-2-05, 5-2-05).
3. It is the responsibility of the applicant to immediately inform the City of Gaithersburg of any and all amendments and/or revisions to the original application prior to the event. All amendments and/or revisions must be made in writing and are subject to the review and approval of the City of Gaithersburg.
 4. A preliminary approval letter will be issued upon review of the Special Event Application. Further documentation may be requested and must be received within 21 business days of notification, or the application will be void. Final approval and permit will be issued upon receipt and review of all requested documentation. Applicants will be notified of the results of the City's assessment after the City is in receipt of all required documents.
 5. Permits are non-transferable.
 6. All cancellations must be in writing. Special Permit fees are non-refundable. Upon receipt of the application and fee, applicants will receive preliminary approval by letter with a request for additional documentation, or notification of additional permits needed, if necessary.

Insurance Requirements

1. The applicant should submit a copy of the special event permit to their insurance company to ensure that a proper Certificate of Insurance is produced.
2. The applicant will be responsible for keeping in force a general comprehensive policy insuring against personal injury and property damage. The applicant and any of its independent contractors will be required to obtain and keep in force workers compensation and other required insurance for all non-City employees. Insurance coverage shall be in amounts no less than those outlined below, or other levels as may be required by the City.

Workers Compensation (for contractors with employees)	
Bodily Injury by: Accident (each)	\$ 100,000
Disease (policy limits)	\$ 500,000
Disease (each employee)	\$ 100,000

Commercial General Liability: minimum combined single limit for bodily injury and property damage per occurrence, including contractual liability, premises and operations, and independent contractors	\$1,000,000
Minimum Automobile Liability (including owned, hired and non-owned vehicles)	
Bodily Injury: each person	\$ 250,000
each occurrence	\$ 500,000
Property Damage: each occurrence	\$ 300,000

- Applicant is required to submit a Certificate of Insurance within fourteen (14) days after receipt of final approval and issuance of the Special Event Permit. The City of Gaithersburg must be named on the Certificate of Insurance as co-insured. The Certificate Holder shall be noted as: The City of Gaithersburg, Department of Finance and Administration, 31 South Summit Avenue, Gaithersburg, Maryland, 20877. Failure to meet the timelines will void this application.

Special Event Fee Schedule

Application Fee

Application fee payable to: “City of Gaithersburg” required with the submittal of a special event application.

Fees for fundraisers, weddings, reunions, concerts, parties, carnivals, cultural events, food fairs, shows, exhibitions, circuses, farmers markets, flea markets, auctions and fairs:

Anticipated Attendance	Special Event Permit Fee
Under 1,000	\$ 20
1,000 – 5,000	\$ 500
5,000 – 10,000	\$1,000
Over 10,000	\$1,500

Fees for Street Closures:

Type of Street Closure	Street Closing Permit Fee
Neighborhood Event	\$ 0
Festival	\$100
Parade	\$ 30
Race/Walk	\$ 50

Any event previously held at the Montgomery County Agricultural Center will use historical data to determine anticipated attendance.

In certain cases, the City may request the applicant to provide a security deposit or a cash deposit equal to the special event permit fee for their event.

Street Closures

A Street Closure requires a permit and will require that all adjacent property residents/landowners be notified using the Adjacent Property Owners Notification form provided by the City. This Form will be sent to applicant with the preliminary approval letter and must be returned within 21 business days of receipt.

Safety and Security – General

The City may determine that there will be a need for crowd control and/or traffic control on streets surrounding the event. The safety and security needs will be determined on a case by case basis depending on the event location and size. Once a determination is established, the applicant will be responsible for cost associated with police officers at a rate of \$55 per hour per officer during the event and one hour prior and one hour after event time. The applicant will also be responsible for the cost associated with public works staff at a rate of \$40 per hour for public works staff during the event and one hour prior and one hour after event time.

Safety and Security at the Montgomery County Agricultural Center (Fairgrounds)

Minimum police and public works staff requirements have been determined for events held at the Montgomery County Agricultural Center that require the closure of Perry Parkway. Depending on the event and the expected attendance, these requirements may be increased at the discretion of the City of Gaithersburg.

A minimum of six officers are required to man posts on Perry Parkway to ensure the safety of those attending the event and to provide safe and efficient traffic flow in the area. In addition, a minimum of two public works staff are required to implement the traffic control plan on Perry Parkway if a closure is necessary.

It is understood by both the City of Gaithersburg and the applicant that, at the time the application is submitted, attendance is only an estimate. In cases where the actual attendance significantly exceeds the estimate and causes the need for additional City of Gaithersburg resources, the cost for those additional resources will be the responsibility of the applicant. Additional permit fees could apply.

Special Cleanup After an Event

If event parking overflows into the community surrounding the event site, the City may determine at the conclusion of the event that cleanup of parking lot(s) and streets is necessary. If this occurs, there will be a charge for the additional public works staff time involved.

Americans with Disabilities Act (ADA) Compliance

The City of Gaithersburg is committed to making reasonable accommodations for everyone as required by the Americans with Disabilities Act. Therefore, applicants for special events permits should comply with requirements contained in the ADA.

Recycling and Use of Green Products

The City of Gaithersburg encourages those who hold events within the City limits to use “Green,” recycled or recyclable products at events and to provide for the recycling of appropriate trash at the event.

Disturbing the Peace

Permission to include music or amplified sound, including megaphones, as part of a special event may be given. The City reserves the right to limit the sound and amplification equipment so that it will not unreasonably disturb non-participating persons near the event.

The volume of music and all other sound amplification must be kept at a level that will not be heard outside of the premises. The applicant must comply with all requirements of the City Code, including but not limited to, Chapter 15, Sec.15-8. If the applicant is in violation of this ordinance, or the provisions of this paragraph, and the applicant has been notified and fails to take immediate corrective action, the City of Gaithersburg may, at its own discretion, terminate the event and/or issue a citation to the applicant in accordance with the City Code.

Approval, Refusal or Revocation of Special Event Permit

The City of Gaithersburg may approve a Special Event Permit, refuse to issue a Special Event Permit or may approve a Special Event Permit imposing conditions including, but not limited to, the condition that a notice be sent to affected businesses and/or residences, as well as the requirement that police and public works or other City staff be used to support the event.

In considering the approval, refusal or approval with conditions of a Special Event Permit, the City of Gaithersburg may take into consideration:

1. whether or not, considering past events, the event is likely to be carried out in compliance with the Special Events Permit;
2. a conflict with a previously scheduled activity for which a permit has been approved;
3. disruption to traffic;
4. comments regarding the application received by the police; and
5. whether or not the event may result in a threat to public safety or conflict with City by-laws, resolutions or policies

At any time after a Special Event Permit has been approved by the City of Gaithersburg, the City may revoke the Special Event Permit or impose conditions on the event upon giving verbal notice, in person or over the telephone, or written notice, by regular mail, fax or email to the applicant.

Any conditions of approval or decision to refuse to approve a Special Event Permit by the City of Gaithersburg can be appealed through the City Manager.



APPLICATION FOR A SPECIAL EVENT PERMIT

City of Gaithersburg
Department of Parks, Recreation and Culture
506 S. Frederick Avenue, Gaithersburg, MD 20877
www.parksrec@gaithersburgmd.gov
301-258-6350 (Fax) 301-948-8364

INSTRUCTIONS: Please read the Special Event Policy carefully before completing this application. Incomplete applications and/or applications without the required application fee will not be processed.

APPLICANT INFORMATION

NAME OF APPLICANT (same as name listed in Signature section on page 5)

NAME OF EVENT ORGANIZER/PRODUCER (if different from Applicant)

ORGANIZATION (S)

Non-profit organization No Yes (please attach current verification of 501(c) (3) status)

STREET ADDRESS

CITY

STATE/ZIP

DAYTIME PHONE

CELL PHONE

FAX

EMAIL ADDRESS

EVENT DAY ON-SITE CONTACT (if different from Applicant)

Name: _____

Daytime Phone: _____ Cell Phone: _____ Email: _____

PRIVATE SECURITY No Yes Name of Security Co. _____

Phone _____ Contact Name _____

EVENT INFORMATION

EVENT – Special Event Permit Fee to be Determined by the Number of Attendees

See Page 4 of City of Gaithersburg Special Event Policy for fee
Applications should be submitted no later than 3 months prior to the event or earlier.

After review of this application other permits may be required. For more information contact Arts and Special Events Division at 301-258-6350.

EVENT NAME _____

LOCATION _____

DATE (s) _____ if your event includes multiple days and/or varying times, please attach a schedule.

TIME From _____ AM/PM To: _____ AM/PM Setup Time: _____ AM/PM Takedown Time: _____ AM/PM

SCHEDULED CLEAN-UP COMPLETION Date and Time _____ AM/PM

ESTIMATED DAILY ATTENDANCE _____

ADMISSION FEE/REGISTRATION CHARGE _____ No _____ Yes Amount \$ _____

REQUEST FOR STREET CLOSURE AS PART OF EVENT: Street closings are from intersection to intersection. Give names of cross streets at both ends of closure. See Page 4 of City of Gaithersburg Special Event Policy for fee.

Neighborhood Event Street Closure Request - No Permit Fee

Applications should be submitted no later than 1 month prior to the event or earlier.

This applies to "neighborhood events" for the benefit of a defined neighborhood to which the general public is not invited. After review of this application a street closing permit and adjacent property owners notification may be required.

STREETS to be closed: _____

Street closings are from intersection to intersection. Give names of cross streets at both ends of closure.

EVENT NAME _____

DATE _____

TIME From _____ AM/PM To: _____ AM/PM Setup Time: _____ AM/PM Takedown Time: _____ AM/PM

ESTIMATED ATTENDANCE _____

SCHEDULED CLEAN-UP COMPLETION Date and time _____ AM/PM

PARADE – Street Closing Permit Fee \$30.00

Applications should be submitted no later than 1 month prior to the event or earlier.

A parade is defined as a public procession or march on the street from one destination to another. After review of this application a street closing permit and adjacent property owners notification will be required. A detailed map outlining the route from start to finish must be attached.

DATE: _____

TIME: _____ AM/PM TIME of assembly: _____ AM/PM / PLACE of assembly: _____

TIME of disbandment _____ AM/PM PLACE of disbandment _____

NUMBER of Vehicles: _____ Walkers: _____ Marching bands: _____ Animals: _____

REQUEST FOR STREET CLOSURE: Street closings are from intersection to intersection. Give names of cross streets at both ends of closure.

SCHEDULED CLEAN-UP COMPLETION Date and time _____ AM/PM

RACE/WALK – Street Closing Permit Fee \$50.00

Applications should be submitted no later than 1 month prior to the event or earlier.

After review of this application a street closing permit and adjacent property owners notification will be required. A detailed map outlining the route from start to finish must be attached.

DATE: _____

START TIME of race/walk: _____ AM/PM TIME of assembly: _____ AM/PM PLACE of assembly: _____

TIME of disbandment: _____ AM/PM PLACE of disbandment: _____ PRE-registration: __Yes __No

EVENT on: ___ Street ___ Sidewalk ___ Both ENTRANCE fee: ___ Yes ___ No _____ Amount

NUMBER of participants expected: _____ NUMBER of volunteer marshals: _____

REQUEST FOR STREET CLOSURE: Street closings are from intersection to intersection. Give names of cross streets at both ends of closure.

SCHEDULED CLEAN-UP COMPLETION Date and time _____ AM/PM

PROPOSED EVENT ELEMENTS

Please indicate whether the event will include any of the following. Items with an asterisk (*) indicate that a state, county or city permit may be required:

Yes	No		Yes	No	
___	___	Alcohol*	___	___	Portable restrooms
___	___	Amplified music	___	___	Signs posting/promotional banners, etc.
___	___	Barbecue/open flame*	___	___	Private security
___	___	Carnival (attach detailed description)*	___	___	Scaffolding/temporary structures (e.g. stages)*
___	___	Casino games/bingo/drawing/lottery*	___	___	Skydivers/hot air balloons/aerial activities
___	___	Circus (attach detailed description)*	___	___	Shuttle buses/mass transportation*
___	___	Electrical generators*	___	___	Special lighting*
___	___	Fireworks/pyrotechnics/lasers/rockets, etc.*	___	___	Street closures (attach detailed maps)*
___	___	Food/beverage preparation/service/vendors*	___	___	Tents/ canopies (attach detailed listing quantities and sizes)*
___	___	Inflatable (moon bounce, etc.)*	___	___	Use of venue dumpsters/trash receptacles
___	___	Live animals*	___	___	Other _____
___	___	Live performance/concert (attach details)	___	___	Other _____
___	___	Parade on City streets/in public right-of-way*	___	___	Other _____

PLEASE ATTACH THE FOLLOWING DOCUMENTS IF APPLICABLE

1. Specific location information: A detailed map to include area to be used, entry and exits, parking, structure location, bleachers, canopies, fences, displays, concessions, etc.
2. Design plan for live entertainment, concert or amplified music, detailing: stage locations and dimensions, speaker position, sound check and performance schedules
3. Map of affected public roadways and intersections
4. Description of use of shuttle buses/mass transportation

Applicant declares all information submitted on this application is true and accurate. Applicant will immediately notify the Arts and Special Events Division of any additions or changes that occur after application is submitted. Changes could result in denial or revocation of permit. On behalf of the above organization(s) and all members thereof, applicant agrees to abide by all policies, procedures and instructions set forth or provided by the City of Gaithersburg, its staff, officers and designated agents; and will also comply with all relevant local, state and federal regulations.

Indemnification & Hold Harmless Agreement

The applicant shall indemnify and hold the City harmless for any personal injury or property damage resulting from the actions of the special event described herein, its employees, agents, or participants. The City assumes no liability whatsoever for the safety of the applicant, its employees or agents or for the participants in the applicant's special event described herein. The applicant shall indemnify and hold the City, its officials and employees harmless from: a) any and all direct or indirect damages, costs, claims, actions, suits, judgments or liens resulting from the negligent act or commission or omission of the applicant, applicant's employees, agents or subcontractors, and b) any and all direct or indirect costs, claims, actions, suits, judgments or liens for damages resulting from any element of the special event herein described resulting from the negligence or omission of the applicant, applicant's employees, agents, volunteers, participants, and subcontractors.

STATEMENT OF INDEMNIFICATION AND WAIVER

I, _____ (applicant) hereby agree to indemnify and save harmless the City of Gaithersburg from any injury, loss, damages and other expenses suffered or incurred by the City by reason of the applicant's negligence, omission, or error in carrying out its obligations under this Special Event Policy or the negligence of applicant's agents, employees, subcontractors, invitees, heirs, successors or assigns.

I, _____ (applicant) waive any and all claims, for property damage and/or personal injury of any kind that I may have now or in the future against the City of Gaithersburg, its officials, employees, and agents related to Applicant under this Special Event Policy.

Applicant's Name (Print) _____ Date _____

Applicant's Signature _____

I have read and understand the requirements of the Special Event Policy.

Applicant's Signature Date _____

Please return completed Special Event Application, all required additional attachments and information, and appropriate fee to:

City of Gaithersburg
Arts and Special Events Division
506 S. Frederick Avenue
Gaithersburg, MD 20877

FOR OFFICE USE ONLY

PRELIMINARY APPROVALS pending submittal of other requested documents.

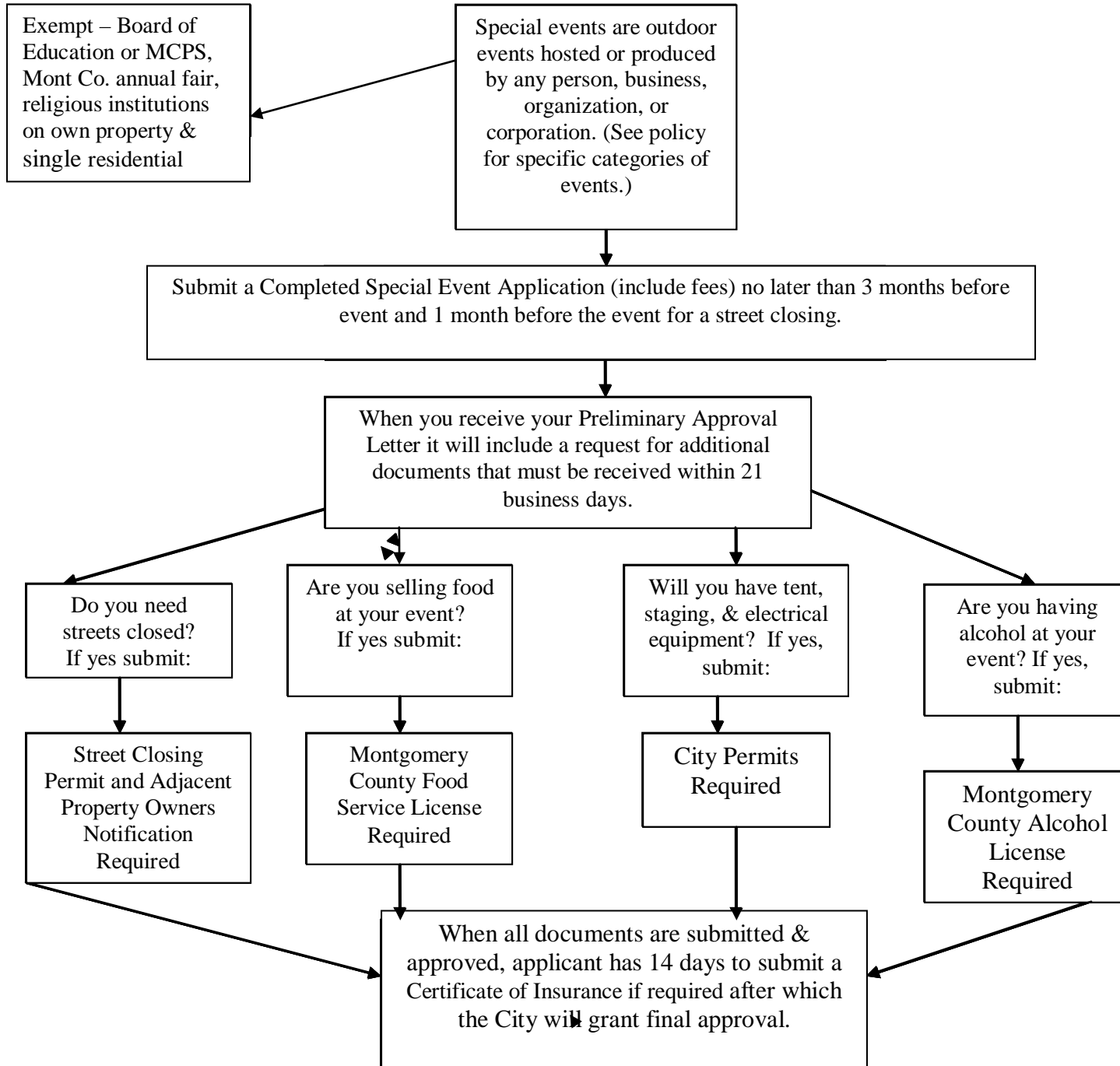
Police Department _____ Date _____
Police Officers needed Yes _____ No _____ Number of Officers _____

Public Works Department _____ Date _____
Public Works Personnel needed Yes _____ No _____ Number of Workers _____

City Manager / or designee _____ Date _____

(A signed copy of this document will be sent to the applicant following preliminary approval).

Special Event Permit Process



ORDINANCE NO. ____ -10

**AN ORDINANCE TO REPEAL AND REENACT WITH
AMENDMENTS SECTION 15-8.1 OF CHAPTER 15 OF THE
CITY CODE ENTITLED "SPECIAL EVENTS, PERMIT REQUIRED".**

BE IT ORDAINED, by the Mayor and City Council of the City of Gaithersburg, in public meeting assembled, that Section 15-8.1 of Chapter 15 of the City Code, are hereby amended to read as follows:

Sec. 15-8.1. Special events, permit required.

"Special events" are defined as outdoor events or happenings organized, hosted or produced by any person, business, organization or corporation which will generate or invite public participation and/or spectators resulting in a significant impact on public streets, sidewalks, public lands, public facilities, adjacent private properties and/or require City support, for a particular and limited purpose and time, including, but not limited to, foot races, fundraisers, weddings, reunions, concerts, parties, parades, carnivals, cultural events, food fairs, shows, exhibitions, circuses, farmers markets, flea markets, auctions and fairs.

It shall be unlawful for any person, group, business, organization or corporation to host, promote or conduct outdoor special event activities, as defined above, on private property within the city without first obtaining a special events permit from the city manager or designee. The city manager or designee, at the time of application, may impose specific conditions as necessary to ensure the health, safety and welfare of the public. Special events conducted on properties owned or operated by the Board of Education or Montgomery County Public Schools conducted on the Fairgrounds property and associated with the annual Montgomery County Agricultural Fair, conducted on properties owned by a religious institution, or conducted upon a single residential property are exempt from this section.

Applications for special events permits shall contain information on the following:

- (a) Estimated number of participants;

- (b) Proposed alcohol sales and applicable permit(s) issued by the Montgomery County Department of Liquor Control;
- (c) Food and beverage sales and all applicable permit(s) issued by the Montgomery County Department of Health;
- (d) Live entertainment, concert or amplified music design plan;
- (e) Waste removal schedule;
- (f) Vehicle and pedestrian entry and parking plan;
- (g) Use of live animals;
- (h) Use of shuttle buses or mass transportation;
- (i) Map of affected public roadways and intersections;
- (j) Use of private security or traffic control officers;
- (k) Emergency contact information for person(s) responsible for the event.

ADOPTED this ____ day of _____, 2010 by the City Council of Gaithersburg, Maryland.

 SIDNEY A. KATZ, MAYOR and
 President of the Council

DELIVERED to the Mayor of the City of Gaithersburg, Maryland, this ____ day of _____, 2010. APPROVED by the Mayor of the City of Gaithersburg, this ____ day of _____, 2010.

 SIDNEY A. KATZ, MAYOR

THIS IS TO CERTIFY that the foregoing Ordinance as adopted by the City Council of Gaithersburg, in public meeting assembled, on the ____ day of _____, 2010 and that the same was approved by the Mayor of the City of Gaithersburg on the ____ day of _____, 2010. This ordinance will become effective in accordance with the provisions of this ordinance.

Angel L. Jones, City Manager