



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 so 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 personal property.

"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.

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 desirable length of time that an application for a Special Event Permit shall be submitted in advance of the event taking place. This will provide an opportunity for permit application process to be accomplished and to 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 on a form provided by the City and include a detailed site plan for festivals, parades, or race/walks no later than five (5) months prior to the event – three (3) months prior to the event for a Street Closure Application. Incomplete applications or applications submitted less than (5) months or (3) months prior to the event will not be considered. However, recognizing that unique and beneficial Special Events may arise outside the timeline noted, 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 will be requested and must be received within 21 business days 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 not assignable and are non-transferable.
6. All cancellations must be in writing. Special Permit fees are non-refundable. Upon receipt of application and fee, applicants will receive preliminary approval by letter with request for additional permits 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

3. Applicant is required to submit a Certificate of Insurance fourteen within (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.

As part of the annual budget process, Special Event Permit application fees are reviewed and approved by the Mayor and City Council. Current fees are outlined on the permit application.

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 Closure

A Street Closing Permit requires that all adjacent property residents/landowners be notified using the Adjacent Property Owners Notification form provided by the City. Form will be sent to applicant with 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 during the event, and one hour prior and one hour after event time. The applicant will also be responsible for the cost associated with any 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 City of Gaithersburg resources, in addition to those already agreed upon to be used, the cost for those additional resources will be the responsibility of the applicant. Additional permit fee could apply.

Special Cleanup After an Event

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

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.

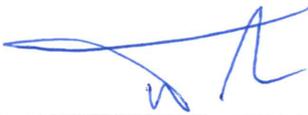
Approved for form and legality:



N. Lynn Board, City Attorney

Date 2/5/16

Approved by:



Tony Tomasello, City Manager

Date 2-5-16