

Procedure

Date	Policy Description	Adoption Date	Amendment Date	Page/Section
2/6/2009	Special Events Procedure		10/21/2013	

## SPECIAL EVENTS PROCEDURE

### I. INTENT

- a. A Special Events Permit shall only be required for events whose procession or assemblage will require the closure of Township roads, sidewalks, and bikeways, regardless of the duration of the event or required closure. A Special Events Permit shall not be required for the closure of bikeways, trails, or other pathways within municipal and regional parks.
- b. The Township of Ferguson, Centre County, Pennsylvania recognizes that, in certain circumstances, organizations may request the use of Township and regional facilities to host special events such as races, walk-a-thons, bike-hikes, and other events.
- c. Generally, the Township has determined that conducting special events on or crossing Township roads, sidewalks, and bikeways is prohibited except by permit. The Township has identified certain requirements, as described below, which will be prerequisite to the issuance of a Special Events Permit. Applicants agree to obtain the necessary authorization from all required entities.
- d. Such events, when permitted, will be conducted in a manner that is consistent with the policies established in this procedure, as well as municipal park regulations and the Large Group Events (LGE) Policy of the Centre Region Parks and Recreation Authority, where applicable.

### II. POLICY

- a. The use of the Township's Special Events Procedure to authorize and govern special events within the Township will apply when the proposed event will be held on roads, sidewalks and bikeways in Ferguson Township, or when the proposed event will be held on roads, sidewalks and bikeways of two or more municipalities, and/or on municipal or regional parkland.

- b. Roads, Sidewalks and Bikeways - It shall be the primary purpose of this procedure to maintain public safety on Township roads, sidewalks, and bikeways. The Township recognizes that some roadways are too narrow, and have many access points such as driveways, lanes, and other entrances, that it would not be feasible to conduct certain events safely without closing the entire roadway to traffic. Similarly, the Township recognizes that certain roadways, specifically those that serve as the only point of access to properties within the Township, are prohibited from closure for any special event.
- c. Parks- This procedure is intended to work in coordination with the policies of the Township with those of the Centre Region Parks and Recreation Authority (CRPRA) for the use of public parks.

### **III. REQUIREMENTS**

- a. Roads, sidewalks, and bikeways- The Township has established the following criteria for the permitting of special events and the procedures to request a permit:
  - i. Sponsors of the event can demonstrate to the Township that the event can be held safely and that the sponsor will assume all costs and liabilities associated with holding this event.
  - ii. Measures can be implemented to ensure minimum disruption to the normal routine of Township residents.

### **IV. PROCEDURE**

- a. For events that are held solely within Ferguson Township parks operated by CRPRA, the applicant will refer to the attached LGE Policy of CRPRA. It shall be the responsibility of the event sponsor to notify the Ferguson Township Police Department of the intent to host an event in a municipal park at least three (3) weeks prior to the event date in accordance with the LGE Policy of CRPRA. The Police Department will then assess whether the event will require municipal resources such as Police or Public Works assistance.
- b. For events held in two or more municipalities or events whose procession will lead through multiple municipal jurisdictions, it is the responsibility of the sponsoring organization or authorized agent to ensure compliance with all applicable municipal regulations. Ferguson Township staff can only authorize events held solely on Township roads, sidewalks, and bikeways, and a permit to host such an event in Ferguson Township does not guarantee approval in a neighboring jurisdiction. While the denial of a Special Events Permit by another agency will not affect the status of the application in Ferguson

Township, it may be necessary to revise the procession or planned event accordingly. For this reason, it shall be the responsibility of the sponsoring organization or authorized agent to inform the Ferguson Township Police Department of the involvement of other municipalities in the event planning process. The sponsoring organization may also be required, when necessary, to assist in facilitating meetings between all involved municipalities and entities.

- c. Any event that will be held jointly within Centre Region Parks and Township roads, sidewalks, and bikeways will follow the appropriate LGE Policy of CRPRA (attached) as well as this procedure.
  - i. It is recommended that, for such events, the required permitting is secured from CRPRA prior to securing authorization from the Township. However, under certain time or resource constraints, permitting can take place concurrently.
  - ii. Regardless of whether or not the event will require the use of Township roads, sidewalks, and bikeways, the applicant will notify the Ferguson Township Police Department of its intent to host such an event at least three (3) weeks prior to the event date.
- d. For all events *excluding* those that will be held solely within Centre Region Parks, the following procedure is applicable:
  - i. Persons or organizations who believe they meet the criteria for a permit established within this policy should submit a Special Events Permit Application to the Township within ten (10) to twelve (12) weeks of the date of the event to allow a thorough examination of their request and to allow adequate time for any potential appeal of the Township's decision.
  - ii. The permit application will be forwarded to the Ferguson Township Police Department where it will be reviewed to:
    - 1. Determine if the permit criteria are satisfied.
    - 2. Determine the impact on Township staffing and resources, as well as approximate cost to the sponsor.
      - a. Regardless of whether Township roads, sidewalks, or bikeways will be utilized, the Police Department will, at this step, identify what municipal resources will be required in excess of normal operations, as well as provide an estimate of the costs of such resources to the applicant.
    - 3. The Police Department will contact the applicant and report the results of its findings.

- a. Requests for a permit will be processed by the Police Department within thirty (30) days of receipt by the Township.
  - b. If the application is accepted, with or without conditions, the application for the event along with the Police Department's review and recommendation will be placed on the next available Board of Supervisor's meeting agenda for consideration.
4. After the application has been considered by the Board of Supervisors, the applicant will be contacted by the Police Department and notified of the Board's decision.
  - a. If the application is rejected during this or at any other point of the application process, the applicant may appeal the decision to the Board of Supervisors by following the procedures described in Section XI of this policy.
  - b. If the application is approved, the Police Department will assist the sponsor in preparing for the event.

## **V. SPECIAL EVENT OPERATIONS**

- a. Ferguson Township is unable to financially assist in the operation of special events. The Township may assign staff for maintenance and public safety before, during, or after the event based on the potential number of visitors the event may generate. The applicant is responsible for any expenses incurred in excess of normal Township operations and maintenance. Event sponsors will be required to place an amount in escrow with the Township prior to hosting an event. Additionally, the applicants will be invoiced for any costs incurred in conjunction with the event in excess of the amount escrowed. The escrow amount shall be included in the Township Fee Schedule, as may be amended annually.
- b. Associated Costs:
  - i. For Special Events Applications, a non-refundable permitting fee shall apply, regardless of whether the event is approved or rejected. The permitting fee shall be waived for sponsoring organizations with 501(c)(3) tax exempt status.
- c. The Police Department and Department of Public Works shall, at the time of application, determine the approximate personnel costs associated with hosting a special event. Should the actual personnel costs exceed this estimate, such as when an event lasts longer than originally anticipated, the sponsor shall be invoiced for the additional cost, or have the additional cost

withheld from escrow. Personnel costs shall apply to all sponsoring organizations. Personnel costs shall be subject to a three (3) hour minimum.

## **VI. INSURANCE**

- a. During the applicant's initial discussion with the Township regarding the proposed event, it will be determined whether or not a Certificate of Insurance (COI) will be required to be secured prior to the event's authorization. This determination will involve initial assessment of risk and practical considerations, such as whether or not it is feasible to request that an organization maintain the required level of liability insurance.
- b. When required, the following elements will be incorporated within the COI:
  - i. Required insurance should be written on a per occurrence basis
  - ii. The COI will list Ferguson Township as an 'Additional Insured' on a primary basis with regard to any other insurance available to the Township.
  - iii. Notice of Cancellation. All applicants shall provide a minimum of thirty (30) days advanced written notice of cancellation, nonrenewal, or reduction of limits of policies required under a COI.
  - iv. The COI shall contain the following information:
    1. Name and address of the producer/agent for the policy
    2. Phone and fax number for the producer/agent for the policy
    3. Name of the insurance company and the insurance policy number(s)
    4. Policy period
    5. Name and address of the insured
    6. Policy limits
    7. Signature of the producer/agent who authorized the COI issuance with the date of issuance
  - v. Types of Coverage and Minimum Amounts:
    1. Commercial General Liability insurance:

a. General Aggregate	\$2,000,000
b. Each Occurrence	\$1,000,000
c. Personal and Advertising Injury	\$1,000,000
    2. Automobile Liability Insurance:

a. Each Accident	\$1,000,000
------------------	-------------
- c. The insurer shall be rated "A-" or better by A.M. Best Company.

- d. The COI shall be maintained by the Township in a single central location and should be kept on file for a minimum of five (5) years after the completion of each project/activity.
- e. Failure to provide and maintain sufficient evidence of insurance can result in immediate denial of a Special Events permit.
- f. Township insurance requirements do not replace insurance requirements of CRPRA, as enumerated within the attached Special Events Policy for Large Group Events (LGE), where applicable. Events held solely within municipal parks, and are as such governed by the regulations of the LGE Policy of CRPRA, shall be only required to comply with CRPRA insurance regulations.

## **VII. PARKING AND VEHICLE ACCESS**

- a. Parking along Township roads and parks can be limited. Parking is permitted only in designated locations. During the application process, Ferguson Township staff shall advise the applicant of areas where parking is not permitted for the event.. For processions, the organizers of the event should provide event staff to assist in directing the event procession. However, event staff shall be prohibited from directing traffic on Township roadways. Direction of traffic shall be the responsibility of the Police Officers or, in certain cases as directed by the Township Police Department, Fire Police assigned to the event.
  - i. Consideration should be given to make directional and information signs for the event.
  - ii. Vehicles parked illegally will be ticketed and subject to towing at the owner's expense.
  - iii. Vehicular access to any areas other than paved roadways must be approved by the Township and/or CRPRA in advance, including by any event contractors, caterers, other event leaders, etc.

## **VIII. COMMERCIAL ACTIVITIES**

- a. Any commercial activities involving the serving of food, goods or services to the public are prohibited at Special Events except where specifically authorized by the Township Board of Supervisors or, where applicable, the Director of CRPRA.
- b. Event sponsors requesting to engage in commercial activities will be required to notify the Township of such intent at the time of application and provide information on sales tax identification and a health inspection permit, if applicable.

- i. The request will be included in the Board of Supervisor's meeting agenda along with the request to host the event, and will be considered separately from the decision to approve or deny the event in its entirety.

## **IX. FEES TO PARTICIPANTS**

- a. Special Event sponsors are prohibited from charging entrance fees or parking fees, except where authorized to do so by the Township and, where applicable, CRPRA staff. Donations may be requested from event participants. Donations may also be requested for food, special services or products offered at the event.

## **X. APPEALS**

- a. Upon receiving a denial to host a Special Event during any stage of the application process, the event sponsor may choose to appeal the decision to the Board of Supervisors.
- b. Any applicant that wishes to appeal the denial of a permit must notify the Township Manager within (7) days of the denial.
- c. The Board of Supervisors will hear the appeal at their next scheduled Regular Meeting, during which the appellant shall state their reason for appealing the denial. Ferguson Township staff shall also be permitted to explain the justification for the denial of a Special Events Permit.
- d. All decisions regarding the issuance or denial of a Special Events Permit made by the Board of Supervisors shall be final.
- e. On successful appeal, the application shall be deemed to have advanced to the next phase of the application process. A successful appeal does not guarantee the Special Events Permit will be granted. The issuance of a Special Events Permit is contingent upon the application's adherence the remaining requirements of the application process.

## **XI. MISCELLANEOUS ITEMS**

- a. Nothing in this policy shall exempt a sponsoring organization from complying with all applicable municipal ordinances, state and federal law, and any other applicable policies or regulations of Ferguson Township, CRPRA, or the Pennsylvania Department of Transportation.

- b. Any placement of temporary structures on special event locations related to the event must be approved by Township staff and/or, where applicable, CRPRA staff.
- c. Should the event involve any food services, Health Department regulations apply. A pre-event health inspection may be required. The Township should be notified at least three (3) weeks prior to the event that food services will be provided at the event.
- d. The Special Event sponsor should provide adequate first aid care during the event.
- e. Alcoholic beverages are strictly prohibited at Special Events.
- f. The Police Department shall determine at the time of an application whether an ambulance and/or water station will be required at the event. Sponsoring organizations shall be responsible for all costs associated with providing these services.