



## Special Event Policy

### I) INTRODUCTION

Special public events enhance the Town of Pendleton's lifestyle and promote a sense of community by providing an opportunity for residents to come together for entertainment and/or celebration. These events may require the Town of Pendleton (hereafter "Town") support to maintain public order and safety. The purpose of this Policy is to:

- A) Define event requirements and responsibilities; and
- B) Set forth the application process required of event sponsors.

### II) DEFINITIONS

The following definitions apply to this Policy:

- A) **Special Event:** A special event is defined as any non-routine activity that:
  - 1) Generates unusually high vehicular or pedestrian traffic; or
  - 2) Requests temporary closure of streets or public ways; or
  - 3) Utilizes public property in a manner other than its normal use; or
  - 4) Constitutes a Class III or Class IV event as defined in this Policy.
- B) **Event Sponsor:** Organization or person requesting, organizing, or managing the special event.
- C) **Town:** The Town of Pendleton, Indiana.
- D) **Park:** Public property under the jurisdiction of the Pendleton/Fall Creek Township Park District, including Falls Park, Fall Creek Golf Course, Sports Complex, and Alvin D. Brown Memorial Pool.
- E) **Town Support:** For the purpose of this Policy, Town Support is defined as making available personnel, facilities, and/or equipment for the purpose of providing a venue, traffic control, crowd control, and/or assuring public safety.
- F) **Impact Classifications:** Classification of public events based on degree of physical activity of participants and possible exposure of participants and spectators to hazards:
  - 1) **Class I – Low Impact** involves no physical activity by participants and no hazard exposure to participants or to spectators. Examples of events in this category include, but are not limited to, meetings, seminars, social gatherings, weddings, theatrical performances, and auctions.
  - 2) **Class II – Moderate Impact** involves limited physical activity by participants and no hazard exposure to participants or spectators. Events in this category include, but are not limited to, amateur team sports, dances, animal shows, flea markets, picnics, and parades with no floats.
  - 3) **Class III – High Impact** involves major participation by participants and/or moderate hazard exposure to participants and spectators. Events in this category include, but are not limited to, parades with floats, marathons or races, circus/carnivals, and semi-pro team sporting events.
  - 4) **Class IV – Severe Impact** involves severe hazard exposure to spectators and/or participants. Examples of events in this category include, but are not limited to, alcoholic beverage sales, go-cart races, bicycle races, or fireworks displays.

### III) EVENT SPONSOR REQUIREMENTS AND RESPONSIBILITIES

#### A) **Liability Insurance:**

- 1) In order to comply with the requirements of the Town's liability insurance carrier, it shall be required that a Certificate of Insurance be submitted to the Town of Pendleton AND Pendleton/Fall Creek Township Park District. The Town of Pendleton shall be listed as a Certificate Holder AND an Additional Insured, including Waiver of Subrogation and Primary/Non-Contributory wording for all Class II, III, and IV events.
  - (i) At a minimum, coverage limits must be as follows: Each Occurrence, \$1,000,000; General Aggregate, \$2,000,000; Products – Comp/Op Aggregate, \$2,000,000.

- (ii) Certificates of Insurance must be submitted to the Town or Park no later than 15 days before the event.
  - (iii) Class II, III, and IV events may be required to provide coverage for workers compensation if the event sponsor has employees working the event. Event sponsor may be required to provide proof of auto liability/hired non-owned auto liability if vehicles are utilized in the event.
  - (iv) Class III and Class IV events may be required to provide a \$1,000,000 umbrella in addition to the general liability coverage.
  - (v) Class II, III, or IV events that are athletic events or competitions require that language addressing participant liability coverage be included on the Certificate of Insurance.
  - (vi) Pendleton/Fall Creek Township Park District shall ALSO be listed as an additional certificate holder AND additional insured for events taking place in the Pendleton/Fall Creek Township Park District.
- 2) It shall be the policy of the Town not to routinely require liability insurance coverage for events classified as Class I. These would be events that include no physical activity by participants and no severe exposure to participants or spectators. This waiver of the liability insurance requirement is meant to cover small gatherings or ceremonies that do not involve more than 50 people and are limited to passive participation by the public.

**B) Special Protection for Events:**

- 1) The Town shall include the Town Manager or his/her designee, Planning Director, the Police Chief, Fire Chief, the Utility Office Manager, Ambulance Chief and Park Director in all special event reviews. This is intended to provide a risk control guide for the handling of the increased liability associated with special events.
- 2) As a result of the review of the event proposal, the Town of Pendleton or Pendleton/Fall Creek Township Park District may impose special conditions on the event. A member of the Town or Park or its public safety officials shall be available to meet with event organizers to review the special conditions to ensure that all conditions are met before the event begins.
- 3) As a result of the review of the event proposal, the Town of Pendleton, Pendleton/Fall Creek Township Park District may require specific protections for any event. These required protections may include an emergency management plan and/or specific staffing levels for police, fire, emergency medical services, municipal services, or other personnel. Expenses for these requirements will be the responsibility of the Event Sponsor.
  - (i) For all Class II, III, and IV Impact for crowds with an expected attendance of over 200 people, the Event Sponsor may be required to hire (an) off-duty police officer(s) or other approved security personnel.
- 4) The Pendleton Town Council, or its designated representative has the authority to cancel or stop an event if the special conditions required for approval of the event are not met. In addition, the Town Council members, Town Manager or his/her designee and Town Public Safety Officials, including but not limited to the Police Chief, Fire Chief, Ambulance Chief and Building Inspector have the authority to cancel or stop an event or place additional restrictions on the event if it is deemed that the public health, safety, or welfare of the community would be better served with additional restrictions.

**C) Road Closures, Traffic Control, and Safety:**

- 1) The Event Sponsor shall be responsible for complying with all traffic control and safety procedures required by the Town of Pendleton during the event. The requirements will be stipulated in the Event Permit and the Town may make additional requirements during the event as may be necessary for public safety.
- 2) If road or intersection closures are requested by the Event Sponsor and approved by the Town, it is the responsibility of the Event Sponsor to set up barricades, close, and reopen roads or intersections. The Public Works Department may deliver barricades to a central location and retrieve them from this location after the event is finished.
- 3) The Town does not recommend solicitations of any kind on its streets or rights-of-way. The Town accepts no responsibility or liability for the safety of persons who may, against the recommendation of the Town, make solicitations in its streets.

**D) Utility Needs (Electricity and/or Water)**

- 1) An Event Sponsor may request electricity and/or water for a Special Event. The Event Sponsor is responsible for setting up an account with the Pendleton Utility Office and for payment of utility bills.

**E) Banners, Special Event Signs, and Markings:**

- 1) Only banners from non-profit organizations are eligible to hang over Town streets. Approved banners are to be brought to Town Hall three (3) days prior to being hung and picked up within three (3) business days after banner is to be taken down. The Town is not responsible for storing, picking up, or delivering banners. Banners must meet the following specifications:
  - (i) Height: 3 feet
  - (ii) Width: 30 feet
  - (iii) Thickness: 18 oz

- (iv) Wind Slits: Every 2 feet
  - (v) Grommets: 3/8 inch diameter, located every 3 feet on top and bottom of banner, 1 carabineer clip per grommet
- 2) The special event application shall include a description of any temporary signage that will be erected prior to the event. The use of temporary signage shall conform to the Sign Regulations outlined in Section 158.10 of the Pendleton Unified Development Code and locations must be approved by the Town of Pendleton.
  - 3) Additional signs may be erected as needed at the site of the event during the event.
  - 4) All signs are subject to approval of the Town and must be removed within 24 hours of the end of the event.
  - 5) Any event requiring pavement markings on the trail system, sidewalks, or roadways of the Town shall utilize a temporary chalk-based marking. It is preferred that pure chalk be used to limit residual visibility after the event is complete and be placed no earlier than one week prior to the event. However, when a more permanent marking is necessary, only chalk-based marking paint shall be used. The locations and marking material are subject to approval by the Town, coordinated through either the Park Department or the Town Manager or his/her designee.
- F) Food Vendors:**
- 1) Food vendors are required to comply with all Madison County Health Department rules and regulations for temporary food license facilities. Vendors are required to contact the Madison County Health Department for the latest rules and regulations and to obtain a temporary food license.
- G) Alcohol:**
- 1) Special Events that include the furnishing and/or consumption of alcohol require the Event Sponsor to provide security, proof of compliance of Indiana Alcoholic Beverage Laws and Regulations, as well as the name of the alcohol permit holder, a copy of permit and license, and proof of insurance that includes Liquor Liability coverage.
  - 2) Special Events that include the furnishing and/or consumption of alcohol in Falls Park must provide the information required in Section G (1) and must have approval by the Pendleton/Fall Creek Township Board of Parks and Recreation, the Pendleton Town Manager, and the Pendleton Police Chief.
- H) Participant/Attendee Waiver of Liability and Event Sponsor Indemnification:**
- 1) The Event Sponsor shall be responsible for obtaining any and all signed waivers of liability from event participants and attendees as required by the Town of Pendleton in advance of the event. The Event Sponsor also shall be required to sign an agreement to indemnify the Town for liability arising from the event. The indemnification agreement is part of the Town's Event Permit Application. The specific requirements of each event will be indicated in the Town's approved Event Permit.
- I) Trash, Waste, and Event Clean-up:**
- 1) Event Sponsors shall be prepared to provide suitable waste and trash receptacles for their participants and be responsible for the clean-up of the event area upon conclusion. Public trash and recycling receptacles placed throughout Town and the Park cannot typically accommodate the high volume of trash generated by special events involving a significant number of participants. If needed, locations of trash dumpsters must be approved.
  - 2) For events over 200 people, the Town may require Event Sponsors to provide portable restrooms. Locations must be approved by the Town. Restrooms in the Park are available, however, may be subject to limited hours per day as well as some are closed from November 1<sup>st</sup> to April 1<sup>st</sup>.
  - 3) Any waste left by animals during the event must be removed and disposed of properly and immediately.
  - 4) Event Sponsors are responsible for clean-up along parade routes within 24 hours of the parade.
- J) Adherence to Local Ordinances:**
- 1) Event Sponsors shall ensure that vendors and active participants obey all local ordinances except those which may have been waived to accommodate the event. This includes, but is not limited to, Chapter 53 of the Pendleton Code of Ordinances governing illicit discharge of materials to the storm sewer, creek, streams, waterways, and water bodies of the Town of Pendleton. At no time shall the dumping of any material other than potable water be allowed to be dumped into the storm drain system.
- K) State of Indiana Special Event Permits and Licenses as Required:**
- 1) The Event Sponsor is responsible for determining whether or not additional State permits or licenses are required for the event. The Event Sponsor is responsible for applying for the additional permit or license well in advance of the planned event so that the necessary documentation and safety inspections can be completed to protect public safety.
- L) State of Indiana Executive Order and Local Health Department Compliance and Approval as Required:**
- 1) The Event Sponsor is responsible for determining whether or not the Special Event is subject to any Executive Orders issued by the State of Indiana and/or Health Orders issued by the Local Health Department. Specifically, each Event Sponsor is responsible for compliance with such restrictions

and/or guidelines as required by these authorities in all stages of the event including, but not limited to, preparation, set-up, event activities as well as clean-up. Further, should formal approval be required, such approval must be obtained and copy submitted to the Town of Pendleton and Pendleton/Fall Creek Township Park District before proceeding.

- 2) Should any Town or State Executive Order or Health Order impact the use of Town/Park facilities or amenities, Event Sponsor shall make the appropriate modifications and/or adjustments as necessary to maintain compliance.
- 3) If any Executive Order or Health Order issued prevents the holding of the Special Event, such Order shall automatically invalidate any Event Permit issued.

#### **IV) APPLICATION PROCESS**

##### **A) Application Processing:**

- 1) Event Applications are available from the Planning Department or the Park Department. Applications can also be found on the Town's website or the Park's website. Applications must be submitted no later than forty-five days (45) prior to the date of the actual event.
- 2) A map and written details of event area, road closings, parade route, or running courses must be submitted with the application.
- 3) The Town will provide a complete review of the Event application, including consultation with the applicant as may be reasonably necessary to resolve problems.

##### **B) Two or More Applications for the Same Date:**

- 1) In the event that two or more Event applications are received for the same date and time prior to the approval of either event, the date and time that each application was received by the Town shall determine the order of preference.

##### **C) Reservation of Annual Event Dates:**

- 1) If an event is intended to be an annual event at regularly scheduled dates, the current year's application will include reservation of the following year's proposed dates. However, listing such dates shall not constitute approval of the following year's event, which must have its own timely application submitted for approval.

##### **D) Special Event Permit:**

- 1) All department managers must approve the Special Event application. Upon approval, a Special Event Permit will be forwarded to the Event Sponsor. The Permit will outline any special conditions that must be met for the event to be held.