

PROPOSED Alexander County Special Events Ordinance (10-29-19)

01 PURPOSE.

The purpose of this chapter is to establish a structured process for permitting the staging of special events to ensure proper planning and adequate allocation of county resources during special events and to protect the health, welfare and safety of the public attending such events.

02 PERMIT REQUIRED.

(A) Alexander County, upon proper application, may, but is not required to, allow the use of real property owned or leased by Alexander County for a special event without having first applied for and received a permit from the county to hold the event, except as provided in Section 06.

(B) An application must be submitted for each event proposed, and completed in its entirety. No submitted application shall be considered until all information required on the application form has been provided.

(C) Applications for event permits shall be submitted at least 90 business days prior to the date of the event. The County Manager or designee shall have the authority to reduce this time period for good cause shown.

(D) The applicant shall assume full liability for all accidents or claims of accidents as a result of the activities taking place at such special event, during the time the area is being readied for the event, and during the time the area is being cleaned up following the event. The applicant shall provide proof of an insurance policy issued by an insurance company licensed to do business in the state of North Carolina. Such policy will be one of comprehensive general liability in the amount of not less than \$1,000,000 for bodily injury per person and \$1,000,000 per occurrence and not less than \$100,000 for property damage per occurrence. Proof of liability insurance coverage for the event naming Alexander County as additionally insured for events held on real property owned or leased by Alexander County shall be submitted one week prior to the approved event or the special event permit will be revoked.

(E) A Review Committee will be appointed by the County Manager to review Special Event Applications. County departments included on the Review Committee are:

- (1) Sheriff's Office;
- (2) Emergency Services;
- (3) Fire Marshall;
- (4) Health Department;
- (5) Environmental Health;
- (6) Building Code Official; and
- (7) Any other department as determined by the County Manager.

Special Event permit applications must receive approval, or conditional approval, from each entity represented on the Review Committee before a Special Event Permit is issued.

(F) Applications proposing a special event on real property owned or leased by Alexander County and located within the town limits of Taylorsville will also be subject to the special event permit process required by the Town of Taylorsville.

(G) A special event may require additional notification and approval by:

- (1) North Carolina Department of Transportation;
- (2) North Carolina Highway Patrol;
- (3) ABC Commission;
- (4) Duke Energy;
- (5) Energy United; or
- (6) any other organization or agency as deemed necessary.

(H) Sanctioning Authorities, and/or sponsors of sanctioned events, are subject to the rules and regulations for special events organized and implemented in Alexander County, including all federal, state, and local laws and event sanctioning authority mandated medical coverage requirements.

- (I) Permit fees may apply as determined by the use of resources and facilities on property owned or leased by Alexander County. Fees are subject to the fee schedule approved by the Alexander County Board of Commissioners.
- (J) Every event must meet all North Carolina Building Codes, National Electric Code, ADA Requirements, and all federal, state, and local laws.

03 **STANDARDS FOR ALL EVENTS.**

- (A) An event shall be approved upon the timely completion of the application required herein, unless the Review Committee finds one or more of the following:
- (1) The event time and location coincides with another event for which an event permit has been issued, and it is determined by the county that there is a demonstrable safety or logistical concern with allowing two events to proceed simultaneously during the same time or at the same location. By way of illustration, but not limitation, safety or logistical concerns could include, but not be limited to, events that would unduly burden the resources of law enforcement or emergency services personnel, or would, by the simultaneous time or location thereof, create the potential for traffic hazards;
 - (2) The event will substantially interrupt the safe and orderly movement of pedestrian or vehicular traffic at or contiguous to its location in such a manner that cannot be adequately controlled by the county's public safety departments and/or law enforcement;
 - (3) The event will constitute a substantial hazard to the public safety or materially interfere with or endanger the public peace or rights of residents to the quiet and peaceful enjoyment of their property;
 - (4) The concentration of persons, animals, and vehicles at assembly points for or at the location of the special event will substantially interfere with the county's ability to provide adequate fire, police and emergency medical services to the public; or
 - (5) The Review Committee determines that the event plan does not adequately account for and protect the public health, welfare, and safety needs of the citizens of Alexander County.
- (B) It shall be permissible for the Review Committee to inquire into the nature or content of speech to be held. It shall be impermissible to deny an application because of the content or purpose of the event.
- (C) All events must comply with, and provide proof of compliance with, the following:
- (1) All federal, state, local and event sanctioning authority mandated medical coverage requirements;
 - (2) Alexander County EMS shall be the primary emergency medical service provider for Alexander County;
 - (3) All state, federal and local fire safety and prevention standards, codes and permitting requirements must be met. The Fire Department in the district where the event is to be held shall be primary and all others must function under the authority of that respective department;
 - (4) For events where alcohol is served or sold, the event organizer must secure a valid ABC permit. Copies of this permit must be forwarded to the Alexander County Manager prior to the event;
 - (5) Animals are not allowed at events unless as a specified part of the event and provided in the application. Animals brought by spectators or participants, except ADA qualified service animals, shall not be allowed;
 - (6) Event organizers shall remove all trash and debris and shall clean up immediately after an event;
 - (7) Proof of liability and/or special events insurance coverage for the event naming Alexander County as additionally insured for events held on property owned or leased by Alexander County;
 - (8) Special Events of 1,000 people or more must have a Crowd Control Manager per every 250 people as required by the NC State Fire Prevention Code. Event organizer must provide a sufficient number and inform the county of the names of trained Crowd Control Managers. Crowd Manager Training may be achieved online:
[http://www.ncdoi.com/OSFM/Engineering_and_Codes/Courses/Crowd%20Manager%20Training%20CS3234%20One\(1\)%20Credit%20Hour%20Fire%20or%20Building/presentation_html5.html](http://www.ncdoi.com/OSFM/Engineering_and_Codes/Courses/Crowd%20Manager%20Training%20CS3234%20One(1)%20Credit%20Hour%20Fire%20or%20Building/presentation_html5.html)
Event organizers must provide proof of certification for listed Crowd Control Managers for each event.
 - (9) All road closures or events that will impact traffic on state-owned roads must be approved by the NC Department of Transportation;

- (10) Any event that takes place on Duke Energy property leased by Alexander County must have prior approval from Duke Energy;
- (11) Submit a completed application in the format required by the county, which shall contain information such as the following, which will be critical in evaluating the citizen impact and public safety related to the event:
 - (a) General information related to the event such as:
 1. If amplified sound will be used
 2. If electrical connections are required
 3. If tents, trailers, inflatable/air supported devices, fencing, scaffolding, etc. will be involved in this event;
 4. If alcohol will be served or sold;
 5. If and how many motorized vehicles (cars, boats, tractors, motorcycles, ATVs, golf carts, etc.) are involved in the event
 6. If and how many vendors will be involved in the event
 7. If vendors will be serving or cooking food
 8. If fireworks or other potentially hazardous materials will be used
 9. If there will be an admission charge
 10. If animals will be involved with the event
 11. First aid plans
 12. The number of toilets that will be accessible
 13. Parking plan
 14. Signage plan
 15. Crowd control plan
 16. Traffic control plan
 17. Weather contingency plans
 18. The amount and type of insurance that will be secured
 - (b) Information on county support services that may be required including: Security / Law Enforcement, Fire / Rescue, Emergency Medical Services, Public Health, Public Works, and Waste Management

04 PERMIT AND REQUIRED FEES.

- (A) Permit fees may apply as determined by the use of resources and facilities on property owned or leased by Alexander County. Fees are subject to the fee schedule approved by the Alexander County Board of Commissioners.
- (B) The County Manager or his designee has the authority to waive permit fees and other required fees. The county will consider waiving fees if:
 1. The organization sponsoring the event is a nonprofit organization as defined by Section 501 of the Internal Revenue Code.
 2. Other factors that may document the contribution the event makes to the community that would justify waiving fees.
- (C) Fees for services must be paid one week in advance of the day of the event. If the event is cancelled and the county is provided 48 hours' notice, the fees for stand by service will be refunded.
- (D) All permits pertaining to any special events must be obtained and submitted to Alexander County one week prior to the event. (Ex: NCDOT, Duke Energy, ABC permit).

05 REVOCATION OF PERMIT.

The Alexander County Manager or his designee, acting on recommendations from the Review Committee, has the authority to revoke a special event permit if the holder of such permit fails to comply with the provisions required in this chapter or conditions stipulated in the permit. An event which poses an unforeseen threat to public health or safety, may be shut down by law enforcement, but only if either the Alexander County Manager or designee or the Alexander County Sheriff or designee determines that the following conditions are present;

- (1) The event constitutes an immediate and direct physical danger to citizens or property; and
- (2) The above danger is of such an imminent nature that the penalties provided in Section 08 below will not prevent the danger prior to its occurrence.

06 EXEMPTIONS.

- (A) This chapter shall not apply to:
1. Any local, state or federal governmental agency acting within the scope of its governmental functions;
 2. Any school sponsored event in Alexander County happening on school-owned property where there is a safety and emergency plan in place;
 3. Church or worship activities happening on church-owned property;
 4. Businesses holding events in venues designated to hold large numbers of people where there is a safety and emergency plan approved by the county.
 5. An event held on property owned by a private residence.
- (B) When it is determined that an event does not meet the threshold of requiring a permit, but notification of emergency first responders is recommended, the County Manager or designee will forward the information to the appropriate agencies.

07 APEALS.

Any applicant shall have the right to appeal the denial of a special event permit, the conditions of a special event permit, or the revocation of a special event permit to the County Manager. A further appeal may be made to the Board of County Commissioners following the decision of the County Manager. The appealing party shall make the appeal to the County Manager within five (5) business days after receipt of the decision by the Review Committee. If the applicant wishes to appeal the County Manager's decision, the appeal must be included on the next Board of County Commissioner's meeting agenda taking into account the required agenda deadlines are met.

08 PENALTY.

- (A) It shall be unlawful for any person to:
- (1) Implement an event subject to this ordinance without a required permit;
 - (2) Fail to terminate an event upon revocation of a permit;
 - (3) Conduct an event in violation of the terms and conditions of a permit issued for such event.
- (B) Any violation of the provisions of this chapter shall subject the offender to a civil penalty of \$250 for the first offense and \$500 for a second and any subsequent offenses. Each day of violation shall constitute a separate offense. If a person fails to pay the civil penalties set forth herein within 20 days after being cited for a violation, the county may seek to recover the penalty by filing a civil action in the nature of debt. Each day the violation continues shall constitute a separate offense.
- (C) The county, by and through its duly authorized authorities, including, but not limited to, Alexander County Law Enforcement, may seek to enforce the provisions of this chapter through any appropriate equitable remedy issued from a court of competent jurisdiction.
- (D) Any person who shall violate this ordinance shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500).



Alexander County, North Carolina
Special Events/Activities Application (Revised 10-29-19)
 Submit Application to Alexander County Emergency Services

SPECIAL EVENT APPLICATION

The purpose of this application is to provide information about your event or activity in order for various Alexander County departments and agencies to determine if the event meets the requirements of the Alexander County Special Events Ordinance. All events held on Alexander County property are required to complete a permit application and are subject to applicable permitting fees.

The applicant is responsible for providing complete and accurate information on the application, including an attached detailed site plan and a Certificate of Insurance naming Alexander County as additionally insured. The applicant is also responsible for notifying the Alexander County Emergency Services of any changes prior to the scheduled event. Incomplete applications will not be accepted.

A complete application must be submitted at least 90 business days prior to the planned event to allow sufficient review time. The Review Committee may require additional information and/or a pre-planning meeting.

Applications and events are prioritized based on a first come-first served basis. Alexander County may approve or disapprove an event's requested date based on availability of resources. Events that occur on an annual basis will receive priority the following year; however, an annual application is required.

CHECKLIST OF REQUIRED ATTACHMENTS

- _____ **Completed and signed Special Event Application**
- _____ **Site Plan for Event**
- _____ **Parking Plan for participants and volunteers (May be included on Site Plan)**
- _____ **Certificate of Insurance naming Alexander County as additionally insured**

Submit completed application to:
Alexander County Emergency Services
81 Liledoun Road
Taylorsville, NC 28681
828-632-9336

APPLICANT INFORMATION

Name of Event: _____

Applicant Name & Title: _____

Organization: _____

Mailing Address: _____

City-State-Zip Code: _____

Telephone: _____ **Mobile:** _____ **Email:** _____

Description of Event: _____

Event Address: _____

Date of Event: _____

Event Start Time: _____ **Event End Time:** _____

Road Closure Begins (if applicable): _____ **Road Closure Ends:** _____

Set-Up Begins: _____ **Clean-Up Ends:** _____

Preferred Date & Time of Inspection (Fire, Building, Health-if applicable) _____

Estimated Attendance: _____

The Event is: _____ **Private (by invitation only)** OR _____ **Open to the Public**

Describe the procedures to be used for selecting participants and vendors for the event: _____

APPLICANT SIGNATURE: _____ **DATE:** _____

A pre-planning meeting may be required and will be scheduled to include the appropriate staff. The event applicant must attend the meeting. The county reserves the right to require others to attend.

EVENT LOGISTICS

Will tent(s)* be used for event? _____ Yes _____ No _____ Number

*A tent is a structure, enclosure, or shelter with or without sidewalls or drops.

Will a membrane structure(s)** be used for the event? _____ Yes _____ No _____ Number

**A membrane structure is an air-inflated or air supported structure.

Will electric generators be used? _____ Yes _____ No _____ Number

If yes, will power distribution boxes be used? _____ Yes _____ No _____ Number

Please provide information for contractor supplying generator power:

NAME: _____ PHONE: _____ EMAIL: _____

Will electric power from an existing public electric outlet be used? _____ Yes _____ No

If yes, specify location of the public outlet to be used? _____

Please provide information for person responsible for set-up of power:

NAME: _____ PHONE: _____ EMAIL: _____

Will you have musical entertainment at your event? _____ Yes _____ No _____ Number of Bands

If yes, specify type of music: _____

Will a portable or temporary stage be used? _____ Yes _____ No

If yes, please provide information for contractor providing the temporary stage:

NAME: _____ PHONE: _____ EMAIL: _____

Will your event use amplified sound? _____ Yes _____ No

Indicate times of amplification: Start Time: _____ Finish Time: _____

Security provided by _____ Number of Security Personnel _____

Will alcoholic beverages be served? _____ Yes _____ No (If yes, NC ABC permit required)

Will alcoholic beverages be sold? _____ Yes _____ No (If yes, NC ABC permit required)

What type of alcohol will be served: _____ Draft Beer _____ Can/Bottle Beer _____ Wine

Who will be serving alcohol? _____

Times alcohol will be served or sold? _____

Location within event site where alcohol will be served: _____

Have you applied for a North Carolina temporary ABC permit? _____ Yes _____ No

Sanitation provided by: _____ Number of Sanitation Personnel: _____

Number of trash receptacles to be used: _____ Number of Dumpsters to be used: _____

Does your event include mechanical rides or similar attractions? _____ Yes _____ No

If yes, please describe: _____

Insurance Provider: _____

Certificate of Insurance is attached _____ Yes _____ No

Will Pyrotechnics or other Hazardous Devices be used? _____ Yes _____ No

If yes, please provide information for contractor providing the pyrotechnics:

NAME: _____ PHONE: _____ EMAIL: _____

RULES REGULATING THE USE OF ALEXANDER COUNTY PROPERTY FOR SPECIAL EVENTS

1. Special events with an attendance of 300 or more people held on real property owned or leased by Alexander County and special events held on private commercial property require a permit. For resource planning purposes, Alexander County requests event organizers to notify Alexander County Emergency Services of the date and location of any event exempted from a permit by the Special Event ordinance.
2. The County Manager's Office reserves the right to reject any application as to the use of any area described above for any special event. If the County Manager's Office learns that the event or vendors participating were misrepresented or that the event in any way fails to comply with the rules regulating the use of county property or fails to comply with any applicable local, state, or federal laws, it reserves the right to rescind any approved application up to and during the course of the event. In the case of a special event being held at a county-owned facility for which a rental fee is usually charged, the normal rental fee shall be charged to the applicant unless the County Manager's Office waives such rental fee.
3. Application must be filed in the Alexander County Emergency Service's Office, 81 Liledoun Road in Taylorsville, at least ninety (90) business days prior to the time that the applicant desires to first take possession of the area to make preparations for the special event.
4. The applicant shall provide to the Office of Emergency Services at least two (2) weeks prior to the beginning of the public participation in the special event a list of all of the vendors or others having booths or display tables during the special event. No other persons may sell merchandise or operate any booth or display tables during the special event, unless the applicant, in writing, requests to amend such list accordingly and permission is granted.
5. No motor vehicles or other large equipment or manufactured items or livestock will be permitted within the area unless they are clearly identified and described and the proposed location is stated in the application and specific approval is given.
6. The size and type of temporary construction and location of display tables and booths or tents must be described generally in the application; all temporary construction must be safe and self-supporting; no spikes or other holding devices may be driven into the ground of any street, sidewalk, or tied to any tree or monument.
7. When food preparation, painting, pottery-making activities, or similar activities are held, appropriate protective materials must be placed over any paved areas for protection.
8. No tents may be placed in the special event area without approval from the Special Events Review Committee.
9. Public address systems or entertainment amplification may be used only if specifically requested in the application and permission given, including limitations as to use.
10. Sufficient portable toilets shall be provided for the expected number of participants.
11. The applicant shall assume full liability for all accidents or claims of accidents as a result of activities taking place at the special event and during the time the area is being readied for the event and while it is being cleaned up following the event. A copy of the

insurance policy must be submitted to the Alexander County Emergency Service's Office prior to the event. The applicant must add the county as additionally insured on the policy. The policy is to be one of comprehensive general liability in the amount of not less than One Million Dollars (\$1,000,000.00) for bodily injury per person and One Million Dollars (\$1,000,000.00) per occurrence and not less than One Hundred Thousand Dollars (\$100,000.00) for property damage per occurrence.

12. If the applicant desires to sell or serve alcoholic beverages, it shall specifically state in the application and shall provide a sketch of the area where the alcoholic beverages will be sold or consumed. The area shall be delineated by barricades, with the entrance clearly marked and so constructed as to allow ready control of patrons, including viewing of identification to avoid underage persons being within the barricaded area. Signs shall be posted and state no one shall leave the barricaded area with alcoholic beverages. Application must be made to proper State authorities for special permit for sale of alcoholic beverages. Liquor Liability Insurance must be provided in addition to required General Liability. Special permit shall be available for inspection by Alexander County officials at any time.
13. The applicant will be responsible for the security or protection of any articles, items, merchandise, display tables, booths or other property owned by the applicant or others participating in the special event.
14. Applicants must comply with all applicable provisions of the North Carolina Fire Code and must at all times ensure that all fire lanes in the special event area remain unobstructed.
15. Applicants must comply with all Health Department regulations pertaining to the scheduled event.
16. Applicants must comply with the requirements of the Alexander County Sign Ordinance. Signs or banners installed by county personnel are subject to an installation fee.
17. Applications must comply with any and all local, state, and federal laws pertaining to equal opportunity and should make every effort to make events accessible to the disabled public. In addition, applicants shall not deny access or a vendor's booth to any group based on national origin, race, religion, age, sex, or disability.
18. No person shall bring an animal, on a leash or otherwise, into the boundaries of the special event. The boundaries and the interior of a special event shall consist of any approved area of the special event. Exceptions shall include service dogs or other animals relied upon by persons with disabilities, and animals owned and controlled by public law enforcement agencies, or animals used by a vehicle for hire in accordance with applicable county ordinances. The event organizer is responsible for posting signs at event entrances citing "No animals are allowed except certified service animals" with applicable ordinance number stated. The special event organizer and/or sponsor are responsible for immediately cleaning up and removing all animal waste from animals that are part of an authorized event. All animal waste shall be disposed of properly. The event organizer may request a waiver from this policy/ordinance. The sponsor shall submit plans specifying how the public will be protected from the animals. Requests shall be reviewed as part of the special event permitting process and may be approved or denied as part of the process.