

Town of Smithfield Special Event Policies

Adopted by Town Council on 10-8-14 (revised 05-27-15)

In order to better serve our community, recognized non-profits, educational, community and service organizations, as well as, local government agencies, churches and charitable groups, organizations wanting to hold an open to the public Special Event on town property will have to complete an application process. Open to the public special events are different in nature from private events and many factors for public events have to be taken into consideration such as impact to property and community, frequencies of other planned events, type of event and organization's ability to quickly repair/reclaim site in the event of damage.

All applications will be presented for review by the Special Events Review Committee.

- 1.) Application Deadlines- Any person, organization or company seeking the issuance of a Special Event Permit shall apply by contacting the town to check for available dates. After an available date has been determined, a date confirmation and application will be sent to the applicant. The Special Event Permit Application must be completed and returned to the town at least 6 months prior, but not more than 18 months before the proposed Special Event date(s).
- 2.) Payment of Town Services- The Town will invoice the Event Organizer after the event takes place. All invoices must be paid within thirty (30) calendar days of issuance.
- 3.) Insurance- The applicant shall procure and maintain insurance at all times during its use of the Event Venue, and shall name the "Town of Smithfield, it's officers, officials, employees and agents" as an additional insured there under. The applicant shall provide the Town with a certificate of insurance at least 2 months prior to event date.
- 4.) Permits Not Transferable- No Special Event Permit or conditional approval may be transferred.
- 5.) Order and Special Event Exclusivity- Special Event Permit Applications shall be considered and processed in order of receipt by the Town. The use of a particular public event venue shall be allocated in order of receipt of fully completed applications. The Town will provide exclusivity to each event organizer that is granted a Special Event Permit. This exclusivity will provide sole use of the special event venue on the approved dates as outlined in the permit. Furthermore, no other similar special event will be approved for the same event venue for 15 days prior to or for 15 days after.
- 6.) Annual Events-After a group has held their first annual event with no violations of town special event policies and is in good standing with the town they shall be considered the annual event holder and given first right to the event date. An application for the following year will be sent to the group contact within 2 weeks following their event. The application must be completed and returned to the town. If the application is not received at least 6 months prior to the event date, the event date shall be considered released and applications from other groups for that event date may be submitted for consideration.
 - Releasing an Annual Event-If a group chooses to release their event date, notice must be submitted to the town in writing. Once a group releases their event date, applications from other groups may be submitted to the town.
- 7.) Special Event Permit Application Review and Written Notice of Approval or Denial -All Special Event Permit Applications are subject to review by the Town. Event Organizers may be requested to meet with Town representatives to review event plans, layout and all other event logistics prior to the official decision and notification of approval or denial of the Event's application.

Applicant will be notified within forty five (45) calendar days of the date on which a Special Event Permit application is fully completed and filed with the Town of approval or denial. However, the Town

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may extend the period of review for an additional fifteen (15) days by issuance of a written notice of extension.

- Approval of permit will be sent to event organizer with the listing of Town Services costs. Required town services may include Smithfield Police Department Officers, Smithfield Public Works staff, newspaper notice of street/park closures, town equipment etc.

- Notice of denial will be sent to event organizer citing one of the 18 reasons for denial (see Addendum A). An Event Organizer may file a written appeal to the Town Manager within 7 calendar days if a Special Event Permit Application has been denied or a specific Town requirement or restriction outlined is considered to be unreasonable.

8.) Town Services and the associated fees are required for some events. The number of staffing and/or equipment required is at the discretion of the Town Special Events Committee.

A. Open to the Public Events with alcohol service or concessions will be required to have one Smithfield Police Officer per 500 people. More officers may be required and the Town of Smithfield reserves the right to determine the number of officers required for each event.

B. Use of certain event venues will require staffing by our Public Works Department and Public Restroom Janitorial staffing.

C. Street or park closures will require a notice in the Smithfield Times. A fee will be charged to the event for this service. The town will handle submission of the closure notice to the Smithfield Times.

9.) Written Post-Event Review- Within thirty (30) calendar days from the completion of a Special Event, the Town will require the Event Organizer to complete a Post-Event Review. At that time the Town may provide the Event Organizer a written review of items and/or concerns related to their event that may negatively influence the event organizer's ability to obtain future Special Event Permits.

10.) Use of Town Logo or Name- Prior authorization from the Town of Smithfield is required for an Event Organizer to use the words, "The Town of Smithfield" or "Town of Smithfield" or a facsimile of the official logo of the Town of Smithfield, in the title and/or promotional materials of a Special Event.

11.) Revocation of Special Event Permit- A Special Event Permit may be revoked at any time prior to or during the event if the Town determines the event is a.) in violation of any condition of the Special Event Permit. b.) the event poses a threat to public health or safety c.) the event organizer or any person associated with the event has failed to obtain any other permit required pursuant to this policy.

12.) Other Permits and Licenses- The issuance of a Special Event Permit does not relieve any Event Organizer or person from the obligation to obtain any other permit or license required pursuant to Town Code.

13.) Alcoholic Beverages at Special Events- The event organizer must obtain the appropriate license from the Virginia Department of Alcohol Beverage Control and follow all laws pertaining to alcohol service and sales shall be strictly enforced at all times. The Town of Smithfield reserves the right to deny, cease or restrict the serving or consumption of beer and/or wine either prior to or during a Special Event.

14.) Signage promoting event that is to be displayed within the town limits of Smithfield must be permitted with the town planning office. Restrictions on placement of sign and time limit it may be displayed will be determined by the planning office and will be provided as part of your permit.

15.) Indemnification and Reimbursement Agreement- The applicant promises and covenants to reimburse the Town for any costs incurred by the Town; and to indemnify the Town and hold it harmless from any liability to any person resulting from any damage or injury occurring in the connection with the permitted Special Event caused by the action of the permittee, the event organizer, its officers, employees or agents or any person under their control insofar as permitted by law.

If permission is granted, the event organizer/organization will remain responsible for all venue rental fees, equipment rentals, ABC and health department certificates, security, and damage, including potential site reclamation costs such as landscaped site work or sod replacement, or extraordinary cleaning arising from the specified event.

Addendum A

The Town may deny a Special Event Permit Application on any of the following grounds:

- 1) The Town may deny a Special Event Permit Application if the applicant or the person on whose behalf the application was made has on a prior occasion made material misrepresentations regarding the nature or scope of an event or activity previously permitted or has violated the terms of a prior Special Event Permit issued on behalf of the applicant
- 2) An application (including required attachments and submissions) is not fully completed.
- 3) An applicant is in the rears on town service fees or has not obtained an indemnification agreement or insurance certificate, within the deadlines prescribed by the Town.
- 4) An application contains a material falsehood or misrepresentation.
- 5) An applicant is legally incompetent to contract or to sue and be sued.
- 6) An applicant or person on whose behalf the application was made has on prior occasion damaged a public property, park or facility and has not paid in full for such damage, or has other outstanding and unpaid debts to the Town.
- 7) A Special Event Permit Application for the same time and venue has been received, and a permit has been or will be granted to a prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular public property.
- 8) The use or activity intended by the applicant would violate the terms of the Town's Special Event Exclusivity granted a prior applicant that has been or will be granted approval.
- 9) The applicant requests use of an Event Venue that is unavailable based on the Town's Right of First Refusal policy.
- 10) The proposed use or activity would conflict with previously planned programs, projects, activities or events organized and conducted by the Town.
- 11) The proposed use or activity is prohibited by or unsuitable for the uses of the Event Venue.
- 12) The proposed use or activity would present an unreasonable danger to the health or safety of the applicant, or other users of the public property, park or facility, of Town personnel, or of the public.
- 13) An applicant has not complied or cannot comply with applicable licensure requirements, fees, taxes, ordinances or regulations of the Town.
- 14) The proposed use or activity is prohibited by law, by Town Code or ordinance, or by the regulations of the venue's governing public agency.
- 15) Due to limited resources and personnel capacity, the Town is not able to provide the required or requested resources and/or personnel for the proposed Special Event, or has committed those resources and/or personnel within a similar time frame to a prior applicant.
- 16) The proposed use or activity will substantially interrupt public transportation or other vehicular and pedestrian traffic in the area of its route.
- 17) The proposed use or activity would cause an irresolvable conflict with construction or development in the public right-of-way or at a public facility.

18) The proposed use or activity will have an unmitigated adverse impact upon residential or business access and traffic circulation in the vicinity of the Event Venue.

19) An applicant has not provided sufficient off-site parking or shuttle service, or both, required to minimize any substantial adverse impacts on general parking and traffic circulation in the vicinity of the event.