

Event Permit Policy and Instructions

The Board of Selectmen adopt this policy pursuant to NH RSA 286, RSA 31:100, RSA 41:11, and RSA 41:11-a to regulate Events (as defined below). Permits are required in advance for all such Events from the Board of Selectmen, Police Chief or (designee) as provided for in NH RSA 105:9, RSA 155:18.

Purposes

The purposes of this Policy are: to ensure the safety of the public while facilitating the public good that may result from public special events; to ensure Town-owned property is available for public use in accordance with its intended or customary purposes; to reduce the incidence of unreasonable public inconveniences; to avoid undue impacts of large gatherings on public roads; and to minimize the expenditure of tax dollars on the maintenance or repair of Town-owned property resulting from wear, tear and potential overuse resulting from special events.

Events Requiring an Event Permit

- All outdoor events requested on Town property, i.e. park, field, etc.
- All events on public streets or sidewalks or within the public highway right of way, i.e., road races, parades, assemblies, etc.
- Any circus, carnival, public dance, theatrical event, public competition, or other function or event, wherever located in the Town, that is open to the public (whether for free, for suggested donation, or with an entry fee/ticket), at which 50 or more people are expected to be in attendance, and which may alter or interrupt the flow of traffic.

Events Exempt from this Policy

- Events sponsored or held by or on behalf of the Town of East Kingston
- Moving events on State highways for which a State permit has been issued (although prior notice to the Police Chief is still required}
- Events which are not open to the public and are located entirely on private property with sufficient off-street parking available for all attendees (although prior notice to the Police Chief is still required for any such private event at which 25 or more people are expected to be in attendance for evaluation of whether a special detail will be required for traffic control per RSA 105:9)

Conditions Applicable to All Event Permits

- All applicants must comply with all applicable Town ordinances, codes, conditions and requirements.
- Damage to Town Property or Public Roads. If the event results in any damage to Town property or public roads, the applicant is responsible to remedy/repair all damage at their own expense and bring the property back to its original state.

Trash Removal. All debris, trash, signs, road markings, and other materials related to the event shall be completely removed from Town-owned property and public streets within 24 hours after the event has ended or by some other time specified in the Event Permit. The applicant will be responsible for the Town's expenses in removing any such material that the applicant fails to remove.

- Raffles. Raffles at an event will also require separate approval from the Board of Selectmen under RSA 287-A.
- Liquor license. State of New Hampshire liquor licenses are required if alcohol is served at

an Event. Licenses are administered through the New Hampshire Liquor Commission, and it is the responsibility of the applicant to obtain such licenses. The Board of Selectmen reserves the right to prohibit alcohol on any Town property or public road.

- Tents. Applicants must contact the Fire Chief (or his/her designee) if one or more tents will be used in connection with an Event to determine whether the type and size of tent requires inspection.
- Electrical Power. Applicants must provide their own source of power for their event. The Town will not provide electrical services of any sort.
- Street Closures. Any street closure must be approved in advance by the Board of Selectmen and the Police Chief (or his/her designee).
- Contact Person. The applicant must designate a contact person who will be available during the event and must provide a mobile telephone number at which they can be reached during the event. The contact person must have the necessary authority to require event participants to alter or modify the event as ordered by the Police Chief
- Limitation of Liability. The issuance of an Event Permit hereunder is not a guarantee of safety; the applicant assumes all responsibility for the event. The Town is not liable for accidents, damage to property or injury that may occur as a result of an Event Permit.
- Non-transferability. An Event Permit is non-transferrable and can only be used on the designated date(a) and time{s} as stated in the permit, by the applicant. The Event Permit must be posted on-site during the event.
- Insurance and Security:
 - For events taking place on Town of property or public roads, the Applicant must provide to the Board of Selectmen a certificate of insurance covering the event and associated activities naming the Town of as an additional insured in the amount of \$1,000,000 per claim/\$2,000,000 aggregate (unless the Selectmen determine the particular event warrants a higher amount).
 - Applicants are encouraged to obtain specific event insurance.
 - A security bond or safety deposit may be required at the discretion of the Board of Selectmen, depending upon the size, nature and location of the event. The Town Administrator will inform the applicant if it is required.
- Noise. Each outdoor event with anticipated amplification of sound would start no sooner than 7:00 AM on each day of the outdoor event and cease by 10:00 PM

Permit Fees

- \$75.00 for individual events
- \$250.00 for event venues/year (however, a separate application and checklist must be completed and submitted if there are any changes from the original submitted application)

Additional Charges for Town of Services (RSA 286:4-a)

- Depending upon attendance and the specific requirements of an event, the Town may require that Town personnel including but not limited to Police, Fire or Highway Department be present and working at the event. There may also be a need for street sweeping services, road blockades, etc. The costs of all East Kingston personnel and services that are required before, during and after the day(s) of the event may be charged back to the applicant.

- o Before the issuance of any Event Permit, the Town shall determine which personnel and services will be necessary to ensure the safety of the participants, general public, and Town property and public roads.
- o The estimated costs will be provided to the applicant in writing and must be paid by the applicant to the Town prior to the issuance of any such Event Permit. If actual costs are greater than the estimate, the applicant will be billed after the completion of the event. If actual costs are less than the estimate that was pre-paid, the applicant will be refunded the difference.

Application Process

- No advertisement of any event requiring an Event Permit under this policy shall occur before an Event Permit has been issued.
- When to apply: Applications must be submitted to the Town Administrator 60-90 days before the intended event date. A decision will be rendered at least 30 days before the intended event date.
- Filing the Application: Application forms are available at the Town Office. An application will not be considered "filed" until all of the information required on the application form and checklist have been submitted. The Board of Selectmen will not review applications until they are complete.
- Large/Multi-location Events: If the event will be very large (250 or more) and/or if it will involve multiple locations, the applicant must designate one or more individuals to coordinate the event with the Police and Fire Departments. Applicants must contact and meet with the Police Chief (or their designee) prior to filing their application.
- The Board of Selectmen, Police Chief, Fire Chief, Road Agent or their designee's may request additional information as they deem necessary to evaluate the application.
- Event Permits may include additional specific conditions at the Town's discretion as it determines which are appropriate for the facts and circumstances surrounding the planned event.
- If the application is approved, the applicant will be notified of the decision, any additional conditions, and any other requirements to be met.
- If the application is denied, the applicant will be given a written decision with an explanation of the reason(s) for the denial.

Standards and Factors by which Applications Are Considered

The Board of Selectmen reserves the right to deny an application for an Event Permit if the Board determines the event will not be in the best interests of the Town. In evaluating applications, the Board will be guided by the following standards and considerations. This list is not intended to be exhaustive, and the Board may consider other relevant facts that apply.

- Whether the health and safety of the public would be compromised
- Whether any inconvenience the general public may suffer is outweighed by the potential benefit of the event to the community as a whole
- Whether the event would have an undue impact upon traffic, the integrity of one or more public roads, and/or the safety of the traveling public
- Whether the proposed event would impose a financial burden upon the Town great enough to make it not practical to hold the proposed event at the time or in the manner proposed

- Whether the Town has sufficient personnel and availability to provide the necessary public safety details, particularly if more than one event is scheduled for the same time frame
- Whether the applicant appears capable of executing the planned event and meeting all safety and other requirements
- Other considerations regarding the applicant, participants and/or organizers:
 - o Past history of general lawlessness, particularly in the event of public disturbances or illegal activity;
 - o Undue risk of liability from such activities as demonstrated by previous patterns of injury, damage, or litigation against the Town, or other specific unacceptable risk;
 - o Previous failure to comply with the requirements of an Event Permit;
 - o Previous failure to pay reasonable expenses of public safety details, or failure to pay any expenses imposed as a condition of an Event Permit;
 - o Refusal to sign waivers or limitations of liability as required by the Town.

Violations, Suspensions and Revocation of Event Permits

- The Board of Selectmen, Police Chief, (or designee) or Fire Chief (or designee) are authorized to immediately revoke an Event Permit at any time due to
 - (a) egregious acts of unsafe behavior,
 - (b) weather conditions creating an imminent likelihood of severe injury, (c) a sudden or unanticipated hazard, emergency or catastrophe or other occurrence indicating a threat to the safety of participants and/or the public, (d) failure of the applicant to comply with the terms of the Event Permit.
- The Board of Selectmen may revoke an Event Permit at any time in the event of any public health emergency.
- The Board of Selectmen may suspend or revoke an Event Permit before the event begins if the applicant fails to pay any fees or charges that are required to be paid before the event, or fails to provide the required insurance certificates, or if the applicant fails to take any other action or provide any other information that is required before the event as a part of the Event Permit.
- The applicant will be responsible for and will be charged for the Town's reasonable expenses to replace or repair property that is damaged or destroyed as a result of the event and any other expenses incurred by the Town as a result of the violation of any of the terms of this policy or of the Event Permit.
- Violations of this policy will be a warning letter for the first violation with an event application to be completed and submitted. A second violation will carry a fine of \$250.00 to be paid to the Town of East Kingston.
- Further violations of this policy and of even permits can carry criminal penalties under RSA 286:5, RSA 105:9 and RSA 41:11-b and will be prosecuted.
- An applicant who has previously violated any provision of this policy or of an event permit may be denied future even permits.

APPLICATION CHECKLIST

Use this list to ensure that you have included supporting documentation to accompany the information on your Event Application.

Documents that must be submitted:

- Complete the full signed Event Application.
- Five Copies of Application and Application Checklist to be submitted
- A copy of your Certificate of Insurance naming the Town of East Kingston as an additional insured.(If Town property to be used)

<u>Submitted</u>	<u>Does not apply</u>	<u>Item and required documents.</u>
<input type="checkbox"/>	<input type="checkbox"/>	Application Form – Completed/Signed. (Five Copies)
<input type="checkbox"/>	<input type="checkbox"/>	Copy of Event Schedule.
<input type="checkbox"/>	<input type="checkbox"/>	The schedule of clean up.
<input type="checkbox"/>	<input type="checkbox"/>	Trash Removal.
<input type="checkbox"/>	<input type="checkbox"/>	Event Set up and Take down.
<input type="checkbox"/>	<input type="checkbox"/>	Sanitary Facilities placement and removal.
<input type="checkbox"/>	<input type="checkbox"/>	Certificate of Insurance. Certificate must include the Town of East Kingston as an additional Insurer.
<input type="checkbox"/>	<input type="checkbox"/>	Event Map and Details.
<input type="checkbox"/>	<input type="checkbox"/>	Police Department Review for Crowd control.
<input type="checkbox"/>	<input type="checkbox"/>	Copies of all Necessary State Permits.
<input type="checkbox"/>	<input type="checkbox"/>	NH DOT Right-of-way Permit
<input type="checkbox"/>	<input type="checkbox"/>	State Health Permit (Food Services).
<input type="checkbox"/>	<input type="checkbox"/>	State of NH Liquor License.
<input type="checkbox"/>	<input type="checkbox"/>	Tent inspection by Fire Chief (To be attached when done)
Date to be done _____		

**TOWN OF EAST KINGSTON
PERMIT FOR TEMPORARY OUTDOOR EVENT**

APPLICATION # _____

Valid From: _____ To _____

Hours of Operation: _____

Property Owner: _____

Event Sponsor: _____

Street Location: _____

Tax Map Number _____ - _____ - _____

Type of Event: _____

Contact Person: _____

Mailing Address: _____

Telephone Number: _____

1. A DETAILED Description of the event and anticipated crowd size:

2. A map or sketch (attach to permit application) of the layout of the event, including vendor layout (where applicable) (the use of State Rights-of-Ways requires NHDOT approval). The map should include:

- A. Roadways or sidewalks that will be used. (such as in races, parades, etc.)
- B. Roadways, sidewalks, or parking lots that will be blocked. (festivals, block parties, parades, races, etc.)
- C. Location of any tents that will be used and the sizes. (Certificate of flame proofing)
- D. Any parking on Town roads.

3. If roads, sidewalks, or parking lots are to be blocked, specifically list:

- A. Day(s) of week: _____
- B. Date(s): From _____ To _____
- C. Hour(s): From _____ To _____

4. Please answer the following questions by circling the correct answer:

A. Open fire for cooking or campfire? Yes No N/A
(If yes, permit must be received before event from the Fire Department)

B. Certificate of Insurance attached in amount of \$1,000,000 per claim, \$2,000,000 general aggregate. Yes No N/A

C. Alcohol sales and consumption? Yes No N/A
(LOCATION ON MAP AND DETAIL, REQUIRES CONTACT WITH STATE LIQUOR COMMISSION AND BOARD OF SELECTMEN WRITTEN APPROVAL)

D. Will portable toilets be used? Yes No N/A
(PROVIDE LOCATION ON MAP)

5. Describe any specific traffic or crowd control you might require: _____

6. Contact person during event and how to contact: (PHONE NUMBER) _____

7. Any other information you may feel may be helpful in assisting the Town in making a determination on your request:

Large events or events using multiple sites must designate a person(s) to coordinate the event with the Police Department and Fire Department. It is your responsibility to contact and meet with the Police Chief, Fire Chief, or their representative prior to making application for the temporary event permit. If Town owned property is being used the sponsor understands that all Town rules and regulations will be followed. In the event of any damage that may occur, it is your responsibility to bring the damaged property to normal original state.

I hereby acknowledge that this event will be held in accordance with the provisions of the Temporary Outdoor Event Policy and any additional conditions or provisions as imposed by the Board of Selectmen, and all local and state regulations. Further, I hereby acknowledge that the policy of the Board of Selectmen is that no advertisement of an event shall occur prior to Board of Selectmen approval.

Event Sponsor

Date

Property Owner (Printed)

Property Owner's Signature

Date

The application must be received at least ninety (90) days prior to the event. A decision will be rendered 30 days prior to the event.