



SPECIAL EVENTS POLICY/APPLICATION

Read this policy and road race policy addendum carefully and completely answer every item on the attached application.

This document sets forth guidelines for the implementation of a Special Events Policy by the City of Fairfax. It defines, categorizes, and sets a fee structure for Special Events.

1) PURPOSE

It is the purpose of this policy to regulate special events held in the City of Fairfax so that such events can occur with the safety and health of the participants in mind, the protection of public property considered, and the impact of the event on non-participating citizens minimized. A corollary purpose to this policy is to ensure that those who benefit from an event bear the costs of the event. The purpose is to include special demands on the City of Fairfax services.

2) DEFINITION

For the purpose of this policy, a special event is defined as an event, which requires pre-approval and advisement from City staff, for a preplanned activity, sponsored by an individual, group, and/or organization proposed to be held in the City of Fairfax on public property. Special events are events which will impact public property, normal vehicle and pedestrian traffic, and/or the safety of citizens and visitors, thus needing the services of the City. Specific activities requiring a Special Event Permit include but are not limited to: road races, parades/marches, festivals, concerts, celebrations, tours, shows, sales, block parties, etc.

Events in which the public is invited on private property which may affect public, health or welfare by their impact on surrounding public or private property or which may involve an improper use of the property under other City ordinances, such as zoning restrictions, may be deemed an event for the purpose of this policy.

3) CRITERIA FOR EVALUATING AND SCHEDULING SPECIAL EVENTS

The City of Fairfax shall be charged with the responsibility of determining whether or not a particular applicant shall be entitled to hold a special event. The City of Fairfax shall also take into account the frequency with which such events are held and the convenience of the public in relation thereto.

The City of Fairfax will also consider:

- a) How well the applicant, insofar as it can be determined, appears capable or incapable of executing the planned special event.
- b) Whether any inconvenience which may be suffered by the general public is outweighed by the potential benefit to the community as a whole.
- c) Whether budgetary considerations at the time of the application create such a heavy burden upon the City of Fairfax financial and/or human resources that it would not be practical to hold the proposed special event at the time requested.
- d) Whether the holding of the special event as planned would create an undue burden upon the manpower resources of the City of Fairfax and whether the health and safety of the public would be compromised.

4) SPECIAL EVENT PERMIT APPLICATION SUBMITTAL

(The following information does not pertain to Road Race requests that will be held January 1, 2013 and beyond. Please see the attached addendum Road Race Policy for Application Submittal)

- a) Parties who wish to make a request to hold a special event should contact the Parks & Recreation Department during office hours to review and complete a Special Event Policy/Application form. The completed request form must be submitted to the Director of Parks and Recreation no less than 90 days prior to the requested date.
- b) Applications will be accepted on a first-come, first-serve basis. However, returning events have 90 days from the last day of that event to submit their application for the following year's adjusted dates. After 90 days, all events may be scheduled on a first-come, first-serve basis, regardless of past use.
- c) It is recognized that circumstances surrounding requests for special events may require varying amounts of attention, time, and effort devoted to the process and procedure of approving or denying the request. Therefore, it is understood that every effort will be made to respond and make a decision on a request within a reasonable period of time. It is also expected that the party making the request will anticipate a reasonable length of lead time that may be required to make a final decision.
- d) When two or more parties make a request for the same area on the same date, a compromise agreement between the parties will be attempted. In the case where a conflict cannot be resolved, the final determination for granting a special event request remains with the City of Fairfax.
- e) The applicant should specify any service, material, or property that is expected to be provided by the City of Fairfax. Special events will be limited to City property that can accommodate the event. Event holders who wish to use City property must file a detailed event plan including a map for the event.
- f) A diagram of the event layout must be submitted to include parade routes, location of vendors/entertainment, etc. It does not need to be to scale.

5. **APPLICATION REVIEW PROCESS**

(The following information does not pertain to Road Race requests that will be held January 1, 2013 and beyond. Please see the attached addendum Road Race Policy for the Application Review Process)

- a) The Department of Parks and Recreation, Special Events Coordinator shall initially review the application to determine if all necessary information is provided, determine if the event does not conflict with City scheduled events and previously approved applications. The applicant will be notified by phone or email for additional information.
- b) Following initial review, the following departments will review all applications to determine the impact the event will have on each department and the public.

- Parks and Recreation
- Police
- Fire
- Public Works
- Risk Manager
- City Manager

The departments will determine if special services will be required, and what additional licenses and permits are needed. These departments will make recommendations to approve or disapprove the application.

- c) If the special event request requires road closures the following Road Closure Policy guidelines will be followed:

ONE ROAD - Road closure requests for any event, City or non-City sponsored, that requires the closure of **one road** from vehicle traffic must be approved by the **City Manager or his designee**. All special event application forms, fees and requirements must be met prior to approval review. Communication for the road closure will be made to all City residents and businesses in the vicinity of road closure within two weeks prior to the road closure.

MULTIPLE ROADS - Road closure requests for any event, City or non-City sponsored, that requires the closure of **more than one road** from vehicle traffic must be approved by the **City Council**. All special event application forms, fees and requirements must be met prior to approval review. The completed application and information must be brought to City Council within 60 days prior to the event for City Council to consider the application. Communication for the road closure will be made to all City residents and businesses in the vicinity of road closure within two weeks prior to the road closure.

- d) For classification purposes, the City shall review the application using the following criteria:
 - i. The anticipated amount of extra personnel hours which shall be required to be furnished by the City to accomplish the necessary public safety and sanitation components of the special event; technical assistance required from City employees.
 - ii. The anticipated number of persons attending the event over the entire period of the special event.

6. FEES AND CHARGES

- a) Each department will review the application and determine what City services, property, permits, and licenses will be necessary to assure the event will be held with the health and safety of all protected. These charges will be the responsibility of the applicant.
- i. Application Fee - A nonrefundable special event application fee will be charged as follows.
 - Certified Non-Profit Groups - \$50 per application
A Certified Non-Profit Group is defined as a group that has a current (or pending) 501-C-3 identification number from the Internal Revenue Service.
 - City of Fairfax Community Based Non-Business Groups - \$50 per application
A list of the recognized community based non-business groups is attached along with a copy of the "Procedure for Becoming a 'Recognized' City of Fairfax Community Based Non-Business Group".
 - All other groups - \$100 per application
 - ii. Service Charges - Each department will determine what services will be provided by City personnel to meet the purpose and intent of this policy and recommend a cost/service charge on the application.
 - Police fees shall be \$50/per hour per officer. The number of officers required as well as the length of service shall be determined solely by the City of Fairfax Police Department.
 - Public Works fees shall be \$50/per hour per staff person. The number of staff required as well as the length of service shall be determined solely by the City of Fairfax Public Works Department.
 - Fire Department fees shall be \$100/per hour for two (2) bike medics (minimum of 2 hours).
 - Additional City staff as required for set-up, clean-up, trash removal, electrical hook-up, etc, shall be charged at \$50/per hour per staff person determined by the City of Fairfax Parks & Recreation Department.
 - iii. Rental Charges - Each department will determine what City property is being requested by the applicant and recommend a cost/rental charge on the application.
 - iv. Regulatory Fees - Each department will determine what license, permit, and inspection fees will be necessary to approve the event and recommend a fee cost on the application.

7. DEPOSITS

- a) A security deposit/bond may be required by the City, to be paid by the party for special event requests. The amount of deposit, if required, will be determined by the attendance at the Special Event, the area involved, the nature of the event, and the potential for damage or other liability to the City. A deposit/bond in the amount specified by the City must be filed with the City at least ten (10) days prior to the event.
- b) The party shall be held responsible if the area used is not left in the same condition at the end of the Special Event as it was found to be at the beginning. The area used for the special event shall be inspected following the event. If for any reason there is damage to any part of the area which was reserved for the special event, or damage to another area as a direct result of the event, the extent of damage shall be determined and the dollar amount for any repair or replacement will be deducted from the deposit/bond paid by the party. If the cleanup involves City staff, a restitution fee shall be assessed.

- c) In any or all cases, if the amount of damage, extra cleanup required, and/or costs for services furnished by the City exceeds the deposit paid, the party shall be billed for the balance, to be paid in full no more than 30 days from the billing date. If payment is not received from the party within that time, all future special event requests will be denied until such time as payment is received and, in addition, the City may take legal action to recover costs, including attorneys fees. This provision shall also apply in the case where the party is not required to pay a security deposit for the special event.
- d) The security deposit may be kept by the City when it has found that the event holder significantly deviated from the event plan submitted by the holder and approved by the City. When the violation is deemed sufficiently serious, the City can refuse to allow the event holder to retain the event dates the following year.

8. APPLICATION APPROVAL/DENIAL NOTIFICATION:

(The following information does not pertain to Road Race requests that will be held January 1, 2013 and beyond. Please see the attached addendum Road Race Policy for Application Approval/Denial Notification)

- a) The City shall notify the applicant(s) of approval or denial of all special event requests. If approved, the area will be reserved for the requested party's event, which may be exclusive.
- b) If the City denies a request, the City does so by exercising good judgment and in the best interest of City. The party shall be notified, in writing, in case of a denial.
- c) All parties whose special event request has been approved shall abide by all local, state and federal codes, regulations, and laws and assume responsibility for their actions, and any consequence thereof, associated with the special event.

9. INSURANCE

Sponsors of special events must furnish a Certificate of Insurance on a general liability insurance policy, protecting the City of Fairfax, its officers, agents, elected officials and appointed officials, and employees from any and all claims which may result from or in connection to the special event. The City of Fairfax must be named as an 'Additional Insured' on the certificate. Sponsors must produce a copy of the policy with all endorsements. The Risk Manager must receive the certificate at least ten (10) days prior to the special event. Limits of insurance are generally \$1,000,000.00 for death or bodily injury and property damage. Limits and types of insurance may change because of the different activities of each special event. Failure to timely produce a valid Certificate of Insurance naming the City as an additional insured, will result in cancellation of the special event.

10. REGULATIONS

- a) **Cans, Coolers and Bottles** - It shall be at the discretion of the promoter/sponsor of a special event to allow the admittance of cans, coolers and bottles into the area which has been reserved for that event.
- b) **Beer and Liquor Licenses** - All persons obtaining permits for the sale of alcoholic beverages shall comply with all federal, state and local laws.
- c) **Food Sales** - The special event sponsor is responsible for ensuring that all food sales meet federal, state and local health department requirements.
- d) **Vending** - It is the responsibility of the sponsor of the event to select vendors. All vendors must be identified with uniform identification indicating that they are a part of the special event. Vendors shall have all the licenses necessary to operate and those licenses shall be displayed.
- e) **Sanitation** - The special event sponsor must make arrangements for the proper storage and cleanup of the special event site both during and after the special event. An unkept special event site can result in forfeiture of the event deposit/bond.
- f) **Security** - A minimum amount of security or support staff may be provided by City police officers and can be supplemented by other security and support staff. The appropriate number of both off-duty and on-duty officers shall be determined by the City Police Department in consultation with the special event sponsor. Any off duty police officer hired by the holder of the event will operate under the direction of the Chief of Police, or designee. A special event application will not be approved until a security plan has been finalized for the event.
- g) **Toilets** - It is the responsibility of the sponsor to provide for an acceptable number of additional toilets on site during the special event.
- h) **Electricity** - Any electrical requirements beyond those which already exist at the special event site must be provided by the event sponsor's own licensed electrician. All additional electrical work on site must be approved by Code Administration for compliance with City codes. Specific requirements for the use of electricity must be submitted and approved at the time of application for a special event.
- i) **Music and Entertainment** - Events planning entertainment which will require sound amplification must review the City of Fairfax ordinance pertaining to noise variances. This information can be obtained from the Community Development & Planning Department (703.385.7820).
- j) **Parking** - No vehicles or heavy equipment may be parked on the grass areas within public parks within the **(Event site)**.
- k) **Tents** - Approval from the City is required for the erection of a tent on public property.
- l) **Directional Signs** - No paint or chalk will be allowed on the streets, bridges, trees or trails. All signs must be removed after event.
- m) **Banners** – Temporary banners require a temporary sign permit. Please contact the City’s Zoning Administration at 703/293-7129 or 703/293-7147 to apply for the permit.
- n) **City Resident and Business Notification** – Event organizers are required to distribute informational letters (approved by the Parks & Recreation Department) of the event and a copy of the event area to all City residents and businesses in the vicinity of the event three weeks prior to the event.

11. GENERAL

Any conditions not met as set out in the approval of the application will be grounds for revocation of the permit by the City.

ADDENDUM - ROAD RACE POLICY

The Special Event Policy/Application Guidelines is an official document to be included with this addendum Road Race Policy. Please note, the Application Submittal, Review Process and Notification for Road Races does not follow the same guidelines as other event requests.

The City of Fairfax will limit the number of non-city operated road races held annually beginning with races held January 1, 2013. Races that have been historically held for three or more consecutive years including 2011 prior to the adoption of this policy, 10/25/2011, will be grandfathered (approved for automatic inclusion) for the 2013 year. A total of six (6) races will be allowed in a calendar year. No more than two (2) of these six (6) races can be held in one month. If more than two (2) races have been requested to be held in the same month, a lottery will be held to choose the two (2) races. The City Council reserves the right to approve additional City government operated races. All City Special Event policies, ordinances, rules and regulations must still be followed.

1) SPECIAL EVENT/ROAD RACE PERMIT APPLICATION SUBMITTAL

- a) Applicants who wish to make a request to hold a road race should contact the Parks & Recreation Department during office hours to review and complete a Special Event Policy/Application form. The completed request form must be submitted to the Director of Parks and Recreation by an annual deadline of July 1 for all road race request applications with an event date to be held January 1 through December 31, annually of the upcoming year.
- b) The following races have been grandfathered for 2013 and subsequent years provided they run consecutively. If the grandfathered race is not held for one year, the race application must be entered into the lottery. The grandfathered races must meet all other city criteria and will still have to submit an application by the July 1 deadline date and go through the City review process. This does not preclude city endorsed races if they are approved by City Council.

The grandfathered races include:

- Truro Preschool & Kindergarten Running for the Kids 5K and 1 Mile
 - New Years Eve 4 Miler
 - 5K Turkey Trot City of Fairfax Benevolent Fund
 - City of Fairfax Fire Department Kids Triathlon
- c) The applicant should specify any service, material, or property that is expected to be provided by the City of Fairfax. Road races will be limited to City property that can accommodate the event. Event holders who wish to use City property must file a detailed event plan including a map for the event.
 - d) A diagram of the event race course/layout must be submitted to include start and ending locations, race course, location of vendors/entertainment, etc. It does not need to be to scale.

2. APPLICATION REVIEW PROCESS

- a) The Department of Parks and Recreation, Events/Facility Superintendent shall initially review the application to determine if all necessary information is provided. The applicant will be notified by phone or email for additional information.
- b) Following initial review, the following departments will review all applications to determine the impact the event will have on each department and the public.
 - Parks and Recreation
 - Police
 - Fire
 - Public Works
 - Risk Manager
 - City Manager

The departments will determine if special services will be required, and what additional licenses and permits are needed. These departments will make recommendations to approve or disapprove the application.

- c) A lottery will be held for all road race applications, with the exception of the grandfathered races, submitted by the deadline. Applications will be reviewed to ensure they meet City requirements. If the application meets City requirements, they will be numbered, put into a pool and chosen at random. The lottery will be held August 1, annually.
- d) If a road race request requires road closures the following Road Closure Policy will be followed:

ONE ROAD - Road closure requests for any event, City or non-City sponsored, that requires the closure of **one road** from vehicle traffic must be approved by the **City Manager or his designee**. All special event application forms, fees and requirements must be met prior to approval review. Communication for the road closure will be made to all City residents and businesses in the vicinity of road closure within two weeks prior to the road closure.

MULTIPLE ROADS - Road closure requests for any event, City or non-City sponsored, that requires the closure of **more than one road** from vehicle traffic must be approved by the **City Council**. All special event application forms, fees and requirements must be met prior to approval review. The completed application and information must be brought to City Council within 60 days prior to the event for City Council to consider the application. Communication for the road closure will be made to all City residents and businesses in the vicinity of road closure within two weeks prior to the road closure.

- e) Applicants will be notified of their status by October 1.

For classification purposes, the City shall review the application using the following criteria:

- i. The anticipated amount of extra personnel hours which shall be required to be furnished by the City to accomplish the necessary public safety and sanitation components of the special event; technical assistance required from City employees.
- ii. The anticipated number of persons attending the event over the entire period of the special event.

3) APPLICATION APPROVAL/DENIAL NOTIFICATION:

- a) The City shall notify the applicant(s) of approval or denial in writing of all Road Race requests by October 1.
- b) All parties whose Road Race request has been approved shall abide by all local, state and federal codes, regulations, and laws and assume responsibility for their actions, and any consequence thereof, associated with the Road Race.