

CITY OF HENDERSONVILLE

Special Events Policy



Updated June 2019

Executive Summary

The City of Hendersonville, NC is a vibrant community with a variety of municipal resources which lend themselves to use for special events. Special events require the coordination of a variety of city and event organizers' resources to come together successfully. Whether held downtown, in one of our many attractive public parks or elsewhere in the city, they have very specific impacts which are best considered and weighed prior to the event itself.

The following policy has been established to facilitate this planning process with the city. If you are planning a special event in the City of Hendersonville, it is essential that you review the policy well ahead of your planned event date to determine what you'll need to have in place for a successful event!

In this policy you will find information about:

1. What the City's definition of a "Special Event" is.
2. Fees, deposits and special conditions which may be applied to each event.
3. Application timelines and required special event permit documentation and information.
4. Grounds for application denial.
5. The Committees involved in the event approval process and their roles & responsibilities.



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Special Event - Definitions

A special event is defined as a pre-planned event, whether publicly and/or privately sponsored, which is proposed to be held on public property, including but not limited to parks, streets and/or sidewalks. All special events require a Special Event Permit issued by the City of Hendersonville. There are two categories of Special Events listed below.

Park and/or Road Festival

Park and/or Road Festival means an organized neighborhood or public gathering on a public right-of-way (street, sidewalk, parking lot or alley) or public park (Patton, Berkley, etc.) on a specified date at a specific time, and confined to a designated area that may or may not require an admission fee to enter and participate.

Procession/Parade/Organized Competitive Event

Procession/Parade means a public or private march, run, cortege, walk, cavalcade, autocade, parade of any kind, other gathering of persons that occurs upon public right-of-way, park or both in an area used for vehicular traffic. **Organized Competitive Event** means any planned race, walk, derby, or event that involves a contest of skill and/or strength and takes place upon public right-of-way or park.

Special Event Application: Timelines

The Special Events Committee hears all event applications within the city. The timeline below outlines minimum requirements for Special Event Permit Applications.



SUBMIT SPECIAL EVENT APPLICATIONS TO:

Susan Frady - Special Event Committee Chair

Phone #: 828.697.3010, Fax #: 828.698.6185

E-mail: sfrady@hvlnc.gov

Address: 100 N. King St. Hendersonville, NC 28792

Special Event Application Submission & Approval Timeline	
<u>Minimum 90 Days Prior to Special Event Date – Application Submission</u>	
<ul style="list-style-type: none"> • Submission of Special Event Application Package • Special Event Site Plan • Street and/or Parking Closure Request(s) 	
<u>Minimum 60 Days Prior to Special Event Date – Committee Review (Applicant Attendance Required)</u>	
<ul style="list-style-type: none"> • Downtown Advisory Committee Review & Recommendation (where applicable) • Special Events Committee Review & Recommendation – includes review by Police, Fire and Public Works 	
<u>Minimum 30 Days Prior to Special Event Date – City Council Meeting</u>	
<ul style="list-style-type: none"> • Final Site Plan, Event Timeline & On-Site Contacts • Proof of Insurance • Vendor Permits • Formal Event Notice • City Council Review & Approval (Required) 	
Post-Event	
<u>Maximum 30 Days After Last Day of Event</u>	
<ul style="list-style-type: none"> • Final Payment as needed • Reserve Future Dates 	

Special Event Application: Component Parts

1. **Event Application Cover Page:**
 - a. **Event Organizer & Contact Information**
 - b. **Name of Event**
 - c. **Date(s) of Event**
 - d. **Past Attendance Trends & Predicted Attendance For Upcoming Event**
 - e. **Past Vendor Participation Trends & Predicted Vendor Participation for Upcoming Event**

2. **Event Description, Statement of Public Benefit and Public Services Required:** A basic overview of the event and its impact on the community and city services. Provide an overview of the event and how it will benefit the community? In addition, include information about what you, as the event coordinator, will need in terms of city services? Examples might include additional trash pick-up, police support, etc.

3. **Event Marketing Strategy & Budget:** A snapshot of the people and places you are targeting in your effort to “get the word out” about your event and the budget you are employing to reach your target market. Reviewing this snapshot is an important component of understanding the public benefit.

4. **Event Site Plan:** A visual representation of all the operational elements of your proposed event. To properly assess the event, the site map should be submitted along with the Special Event Application and include the following elements:

A	Direction North, indicated by directional arrow symbol.
B	The overall event area including: any requested street closures and/or the location and number of any parking closures
C	The location and dimensions of all physical equipment being placed, including, but not limited to, any stage(s), vendors, booths, sponsors, tents, signs, barricades, portable toilets, vehicles, shelters and shelter numbers, etc.
D	Location of temporary alcohol sales where both sales and consumption occur.
E	Indicate 20' wide fire lane clearances in all areas and the location of all fire hydrants.
F	Include electrical plans for vendors and stages, specifying how much each site requires, in terms of amps & volts.
G	Any other details you think are helpful in the physical description of your event.

5. **Event Impact Notification:** All events must notify impacted residents, businesses, places of worship and schools that are affected by street and sidewalk impacts related to the event by formal notice. The formal “Event Impact Notice” must be submitted with the special event application and will be reviewed by the Special Event Committee. The “Notification Guarantee” must be signed by the Authorized Event Coordinator. The formal Event Impact Notification must:
- a. **Be completed by all event applicants.**
 - b. **Be submitted to the Special Events Committee prior to distribution to impacted areas.**
 - c. **Be distributed to impacted areas, at least, 20 days prior to the event by either hand or mail delivery.**
 - d. **Include the name of the event, event date(s), time(s) of event and overall impacts (including set-up and tear down), specific location of impacts, type of activity and telephone number where the public can contact your organization about the event.**

IMPORTANT NOTE: New street closure requests, whether for an existing event or new event, require additional review and time for notification. Please consult with Special Events Committee Chair about the City’s policy to provide impacted stakeholders a minimum 90-day notification for new major street closure requests.

6. **Vendor Applications & Electrical Requirements Form (when applicable):** If your event includes food or retail vendors and any of those vendors or you as the event coordinator require electric, you must submit the vendor permit & electrical requirements form. The form will help you to calculate your total “Event Fees,” while providing city staff with a clear picture of your electrical needs. Event Fees must be submitted prior to the event @ 145 Fifth Avenue East, Hendersonville, NC 28792.
7. **Insurance:** The event organizer must furnish a current general liability insurance policy which names the City of Hendersonville as a co-insured on the policy. Insurance requirements are as follows:
- a. **Commercial General Liability:**

i. Per occurrence	\$1,000,000
ii. Personal & Advertising Injury	\$1,000,000
iii. Products/Completed Ops.	\$1,000,000
iv. General Aggregate	\$1,000,000

In addition to these minimum requirements certain events may require additional coverage, based upon the type of event. Examples of additional coverage could include Automobile Liability, Workers Compensation and Liquor Liability. Additional requirements will be conveyed to the event organizers.

8. **Police Support:** Events which exceed the attendance threshold established below and/or operate with an ABC special event permit are required to hire off-duty City of Hendersonville police officers. Hourly rates for off duty officers are included for budgeting purposes. Please note the Special Event Committee may require a larger or smaller number of officers depending on event specific conditions.

Attendance Range	Officers Required - NON-ABC EVENT	Officers Required - ABC EVENT
0 to 5,000	Zero	2 to 3
5,000 to 10,000	Zero	3 to 4
10,000 (plus)	# determined by Police Chief	# determined by Police Chief
Hourly Rate for Off Duty Officer	\$25.00	\$40.00

Special Event Application: Additional Considerations & Interpretations

1. **Special Event Applicant Priority Ranking:** The Special Event Committee will use the following priority list if there are conflicting requests for a particular time and date.

Priority will be given in the following order:

- a. Events that have established historic precedence and are in good standing.
 - b. Events organized by the City of Hendersonville.
 - c. Events organized by Henderson County Schools.
 - d. Events organized by Henderson County Governmental Units.
 - e. Events organized by Hendersonville based non-profit organizations with proceeds providing assistance to the organizer or another Hendersonville based non-profit organization (requires proof of 501c(3) status).
 - f. Events organized by private businesses, non-profit organizations; without or pending 501c(3) status, **not** based in Hendersonville, and/or individuals for the purpose of profit, personal gain, and/or proceeds that will be used to benefit other than those Hendersonville based non-profit organizations.
2. **Criteria Considered for All Street Closures & Other Event Impacts:** The following factors are carefully considered prior to recommending approval of proposed events, in particular those which require street closure (whether lane closures, local streets or major/secondary streets.) Organizers wishing to close any portion of a street will need to justify that need with a compelling case composed of information in the following categories.
 - a. Total number of event attendees, both historical trends and predicted increases.
 - i. These numbers will be considered both in terms of total attendance and attendance over time, i.e. a smaller total may still warrant closure if concentrated over a short period of time.
 - ii. Unless an event attracts more than 50,000 visitors per day it would typically not warrant the closure of a majority of Main Street.
 - iii. Smaller events may with fewer than 50,000 visitors per day may warrant the closure of one or more blocks of Main Street.
 - b. Total number of event vendors, both historical trends and predicted increases.

- i. Unless an event hosts more than 125 vendors it would typically not warrant the closure of a majority of Main Street.
 - ii. Smaller events with fewer than 125 vendors may warrant the closure of one or more blocks of Main Street.
 - c. Event Marketing Strategy & Budget
 - d. Verification that the event applicant or sponsor has committed to completing the “**Event Impact Notification.**”
 - e. Impact of the proposed event on residents, occupants or businesspersons of the block.
 - f. Impact of the proposed event on the accessibility of emergency vehicles in the closure areas.
 - g. Impact of the proposed event on vehicular traffic such as circulation, traffic movement and availability of alternate routes for traffic.
 - h. Potential interference with commercial and business activities in the immediate vicinity.
 - i. Conditions existing in the surrounding area that, when occurring in conjunction with a street closure, might create a hardship or an unnecessary inconvenience to the general public or persons residing in the area.
 - j. Relationship in regard to timing of proposed closure to other approved or proposed closures.
3. **Portable Toilets:** An essential but sometimes overlooked element of special event planning portable toilets are particularly important in downtown Hendersonville as the availability of public restrooms is limited. The guidelines included below are provided as a recommendation and reference. They are based on a four-hour long event. Longer or shorter duration events should consider modification to these numbers.

Attendance Range	Portable Toilets Recommended	
	NON-ABC EVENT	ABC EVENT
0 to 5,000	1 to 10	2 to 15
5,000 to 15,000	10 to 25	15 to 40
15,000 to 50,000	25 to 50	40 to 75
50,000 (plus)	50 plus	75 plus

Special Event Application: Grounds for Denial

The Special Event Committee may recommend that City Council deny a permit application on one or more of the following grounds:

- The event applicant does not generate a compelling case for the event's public benefit.
- Failure to submit an application within the time periods outlined herein.
- Failure to submit a complete application. A complete application is one which addresses all "required" elements of the application.
- The applicant owes the City of Hendersonville money from another event for services provided or as a result of damages to city property.
- The Special Events Committee has already received a completed application for the same date and/or space.
- The event would conflict with previously planned programs organized and conducted by the city or non-governmental agencies scheduled for the same time and/or place.
- An event requiring significant street closures, i.e. 3 or more blocks, occurs within ten (10) days of an existing event which also requires significant street closures.
- The applicant does not comply with all applicable city ordinances, traffic rules, park rules and regulations, state health laws, fire codes and/or ABC licensing regulations.
- The use or event proposed by the applicant would present an unreasonable danger to the health or safety of the public.
- The applicant cannot comply with applicable local, state and federal license requirements for all or part of the planned event.
- The use or event is prohibited by law.
- The application contains material misrepresentation or fraudulent information.

Special Events Committee – Roles & Responsibilities

This Committee is established to assure that all special event applicants follow the procedures outlined in this document and to provide assistance in event logistics as it relates to the health and safety of organizers and attendees at special events conducted within the City of Hendersonville.

Special Event applicants will submit their applications to the Committee Chair; Development Assistance Director Susan Frady, who will distribute copies to the committee according to the timeline outlined on page 4. The applicant will then meet with the Special Events Committee at least 60 days prior to their event; event coordinators are encouraged to schedule this even earlier if possible. For events within the Downtown Municipal Service Districts, the Downtown Economic Development Director will distribute copies to the Downtown Advisory Committees.

The Special Events Committee is made up of the following individuals:

1. Development Assistance Director – Committee Chairperson
2. Police Chief (or representative)
3. Fire Chief (or representative)
4. Public Works Director (or representative)
5. Downtown Economic Development Director (Ex-Officio Member)

The Special Event Committee's primary role is to coordinate the variety of special events which take place in the City of Hendersonville and to protect the health and safety of the community. To do so the Committee:

1. Maintains a running list of events that includes those that have:
 - a. Received City Council approval.
 - b. Received Special Events and Downtown Advisory Committee (as applicable) review and recommendation.
 - c. Requested an annually recurring date and which have established historic precedent for this request. Example, The Apple Festival occurs over Labor Day weekend each year.
2. Provides a comprehensive review of the event site plan, identifying and providing event organizers with cost estimates for any city services and personnel that their event will require.
3. Reviews the event site plan and application to identify any life safety issues that the proposed event presents the community.
4. May approve recurring events which have no material changes to the event proposal.
5. May approve events which have no impact on the streets or sidewalks of the City of Hendersonville and do not require more than \$1,000 in city resources.

Downtown Advisory Committees – Roles & Responsibilities

The Downtown Advisory Committees are City Council appointed volunteer groups tasked with helping implement the Main Street Four Point model of downtown economic development. The committees have two primary roles in regard to Special Events as they are defined in this document.

1. The primary role of the Downtown Advisory Committees is to organize and oversee special events of their choosing which support the Committees' vision for Historic Downtown Hendersonville, both Main Street and Seventh Avenue. The criteria used to guide the Committee in this role include, but are not limited to, the following:
 - a. Events should celebrate the community's culture, heritage and diversity.
 - b. Events should appeal to our diverse community.
 - c. Events should support the entrepreneurial and creative communities that call downtown home on a daily basis.
 - d. Events should support our efforts to highlight downtown as a cultural and market destination for the community & visitors.

2. The secondary role of the Downtown Advisory Committees is to provide Special Event Organizers, the Special Event Committee and City Council with recommendations and feedback in regard to any special event proposed for the downtown Municipal Service District(s). These recommendations and associated feedback will be presented to event organizers during the Special Events Committee meeting by the Downtown Economic Development Director or appointee. Event organizers are encouraged to attend the Downtown Advisory Committee meeting at which their event will be reviewed to answer questions and hear feedback firsthand.

Appendix

Example “Notice of Event Impact” I

Example General Liability Policy II

Recycling Bin Loan Program III

Code of Ordinances – Special Events IV

NOTICE OF EVENT IMPACTS

{EVENT NAME}

The organizers of {EVENT NAME} have received approval from the City of Hendersonville to host {EVENT NAME} on {EVENT DATE(S)} from {EVENT START TIME} to {EVENT CONCLUSION TIME}.

{EVENT NAME} includes the closure of {STREET NAME} between {CROSS STREET NAME} and {CROSS STREET NAME}. To accommodate event set-up and tear down this street will close between {TIME & DATE} to {TIME & DATE}

The closure will be for the exclusion of vehicles only. A 20' emergency lane shall be provided on all streets within the said closure at all times.

Should you have questions or concerns {EVENT NAME} and the related event impacts you can speak with our team by calling:

{AUTHORIZED EVENT COODINATOR PHONE NUMBER}



EVENT RECYCLING BIN LOAN PROGRAM

Henderson County coordinates a recycling bin loan program designed for use at community events, fairs, festivals, and block parties. Use is restricted to events held in Henderson County.

The county has 75 blue 32-gallon bins available. They are available at no cost to municipalities, clubs, schools, churches, and other organizations on a first-come, first-served reservation basis. Any number can be reserved *as available, though users should provide their own bags to go inside the bins.* To do so, please complete the reservation request form below. Once approved, *the user will need to confirm/arrange pick-up and return drop-off times. Bins should be returned clean and in good working order* to ensure that this program can be continued for community groups. Bagged recyclables should be brought to the Transfer Station upon bin return, as well. Bins are stored at the Henderson County Solid Waste Department at 191 Transfer Station Drive. Location directions will be provided once your application is received and approved.

The Henderson County Environmental Programs Coordinator is available to assist all users with planning & implementing successful recycling programs at their events. Questions? Contact 828-694-6524 or 828-697-4505.

Please use this form to request recycling bins for your event. Email a signed copy to jroberts@hendersoncountync.org or mail the signed form to 1 Historic Courthouse Square, Suite 6, Hendersonville, NC 28792, ATTN: Recycling Bin Loan.

Name of Event/ Sponsoring Organization: _____

Contact Person Name: _____

Phone number: _ (____) _____ E-mail: _____

Requesting Organization's Mailing Address: _____

Event Location/Facility: _____

Event Date(s): _____

Estimated Attendance: _____

Number of units requested: _____

Pick-up date: _____ Time: _____

Return date: _____ Time: _____

Deposit Guarantee

These units may be borrowed with no money down by agreeing to guarantee that all bins are returned promptly, clean, and in good working order. By signing below at pick-up, the user accepts full responsibility for the bins and agrees to pay the full replacement costs for any bins that are not returned or are not returned intact. Replacement cost per bin is \$20, per lid is \$5.

Signature: _____ Date: _____

Office Use Only

Approval _____
Date _____
Units Returned _____
Return Damages? _____
Stack Bins _____
Stack Lids _____

Sec. 46-84. - Exception; permitted special events.

Notwithstanding the foregoing provisions of this article, the city council may authorize the temporary obstruction of streets or sidewalks, or the use of other public property, in conjunction with special events. Provided, however, the special event sponsor shall ensure that there is a continuous five foot width of unobstructed sidewalk. Anyone desiring a special event permit shall make application to the city manager by submitting a completed City of Hendersonville special event permit application. In deciding whether to issue a special event permit, the city council shall be guided by the city's special event policy.

(Code 1971, § 28-39; Ord. No. 08-0841, § 2, 8-7-08; Ord. No. 15-1269, § 1, 12-3-15)

Sec. 46-85. - Events committee established; membership; duties.

- (a) There is hereby officially designated an events committee, the purpose of which will be to review and evaluate applications for the temporary use of public property, including applications for special event permits pursuant to section 46-84
- (b) The membership of the events committee shall be as follows:
 - (1) The chief of police or his designee;
 - (2) The city manager or his designee;
 - (3) The director of public works or his designee;
 - (4) The zoning administrator or his/her designee,
 - (5) The fire chief or his designee; and
 - (6) The downtown economic development director or his designee shall be an ex officio member of the committee, having voice but no vote.
- (c) Requests for the use or obstruction of public property shall be made on forms promulgated by the city manager and shall be referred to the events committee.
- (d) The events committee shall review such requests and, in the case of an application requiring city council approval, shall prepare a report setting forth the anticipated public costs of the special event and the recommendation of the committee, and shall forward such report and recommendation to the city council.
- (e) The events committee itself shall have authority to issue special event permits in the following circumstances:
 - (1) When the proposed special event will not result in the obstruction or blocking of streets or sidewalks and the total cost in city services will not exceed \$1,000.00; or
 - (2) When the proposed special event has been approved previously by city council and the proposal does not materially differ from that previously approved by the city council.
- (f) When the events committee denies an application for a special event permit, the applicant shall have the right to have the matter considered by city council. In order to exercise that right, the applicant must make such request in writing to the city clerk within 15 days of the date of denial by the events committee.

(Code 1971, § 28-40; Ord. No. 13-0736, § 1, 7-11-13); Ord. No. 15-1269, § 2, 12-3-15)