

**CODE OF ORDINANCES**  
**TOWN OF BLUFFTON, SOUTH CAROLINA**  
**Chapter 22 - STREETS, SIDEWALKS, AND OTHER PUBLIC AND PRIVATE**  
**PROPERTY**  
**ARTICLE IV. SPECIAL EVENTS ORDINANCE**

**Sec. 22-101. Short title.**

This article shall be known as the Special Events Ordinance of the Town of Bluffton.

**Sec. 22-102. Definitions.**

The following words, terms and phrases, when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Block party* means a private outdoor gathering on a public street which involves the closure of a street and may include live or taped music and the distribution of food and/or beverages.

*Event* means any festival, **fair, carnival**, concert, or other announced public gathering, upon any public **or private** street, right-of-way or property of the Town **or private property** and may include live or taped music and the sale of food and/or beverages.

*Filming* means any filming of movies, commercials, documentaries and other motion pictures, video projects, or commercial photographs upon any public street, right-of-way or property of the Town.

*Parade* means any parade, march, foot race, bicycle race, ceremony, pageant or procession of any kind moving upon any public street or sidewalk of the Town.

*Performance* means any public presentation, exhibition, fireworks display or appearance upon any public **or private** street, right-of-way, plaza or property of the Town **or private property**.

*Picketing* and *pickets* include demonstrating and demonstrators, strikers, and any other related First Amendment activity.

*Sponsor* means any person, promoter or organizer of a special event, who shall be the person capable of making decisions during the planning, preparation, operation and cleanup of the event.

*Street* means any public or private thoroughfare used by the general public.

*Vendor* means any person who sells, offers to sell, solicits orders, displays, rents, leases or otherwise peddles any goods, tickets, things, services, food, or beverages within a proposed special event for which a permit will be required, including the sponsor, or any person who contracts with the sponsor for space within the special event in order to vend goods, tickets, things, services, food, or beverages.

### **Sec. 22-103. Permit required; exceptions.**

- (a) No person shall engage or participate in, aid, form or start any parade, ~~event~~, block party, performance or filming, **or event with an anticipated attendance of 100 people or more,** unless a permit is obtained from the Town **or otherwise excluded.**
- (b) This section shall not apply to the following:
  - (1) Funeral processions supervised by a licensed mortuary; and
  - (2) A parade, event or performance that is under the control of the Town Manager or his designee.
  - (3) School events conducted on school property.**
  - (4) Places of personal residence, nor to activities within a permanent facility specifically approved and permitted for the proposed activity.**
  - (5) Activities which are conducted by a duly authorized residential property owners association, occur entirely within the area of its jurisdiction, are arranged primarily for the benefit of association members, generate minimal outside traffic, and do not benefit any outside organization.**
  - (6) Activities which are conducted by families, clubs, non-profit organizations or similar on Town owned properties where there is no required reservation.**
  - (7) Activities which may otherwise be considered a special event; however, due to the unique circumstances there is no effect on the community or public and therefore waived by the Town Manager.**

## **Sec. 22-104. Application for permit.**

- (a) *Generally.* A person seeking the issuance of a parade, event, block party, performance or filming (hereinafter "special event") permit shall file an electronic or hard copy application with the Town's Special Events Office. Upon receipt of the application, the Town's Special Events Office shall notify the Police Department and other appropriate sections, which will process the application as expeditiously as possible. Final approval of the application will be granted by the Special Events Office and, if necessary, the Town Manager or his designee.
- (b) *Filing period.* An application for any permit required by this article shall be made to the Town's Special Events Office. The application shall be filed not less than 30 days before the date on which the special event is to be conducted. However, where good cause is shown, the Town Manager or his designee shall have the authority to consider any application which is filed less than 30 days before the date sought.
- (c) *Contents.* The application shall be signed by the applicant, and shall include, but not limited to, the following:
- (1) The name, address and telephone number of the person or entity seeking to conduct such special event designated as sponsor;
  - (2) The name, address and telephone number of the headquarters of the sponsor, and of the authorized and responsible head of such organization;
  - (3) The date when the proposed special event is to be conducted;
  - (4) The route to be traveled, the starting point and the termination point, or the area sought to be used or closed off for the special event;
  - (5) A traffic control/security plan for approval by the Town's Police Department;
  - (6) The approximate number of vendors, persons, animals and vehicles participating, and the types of animals and a description of the vehicles;
  - (7) The time when the special event will start and terminate;
  - (8) The location, by streets, of any assembly area and the time of such assembly for parades;
  - (9) Provisions for sanitation facilities, crowd, noise and traffic control, and parking;

(10) A description of food and beverages to be sold or distributed, and if beverages containing alcohol are to be sold, then evidence of a State permit, if needed, having been issued; and

(11) The individuals or entity that will benefit, if revenue is anticipated to be generated by the activity.

(d) *Special event application fee.* All applications for a special event permit shall be accompanied by a nonrefundable special event application fee in the amount set forth in Master Fee Schedule established by the Town and in effect on the date that the application is submitted.

(Ord. No. 2010-05 , 3-16-2010; Ord. No. 2017-06 , § 1(Exh. A), 8-8-2017)

## **Sec. 22-105. Issuance of permit; conditions.**

- (a) *Criteria for issuance.* The Town shall issue a permit for a proposed special event unless it is determined that:
- (1) The conduct of the special event will substantially interrupt the safe and orderly movement of other traffic contiguous to its route.
  - (2) The conduct of the special event will require the diversion of so great a number of Town Police Officers to properly police the line of movement and of contiguous areas that adequate police protection cannot be provided to the remainder of the Town.
  - (3) The concentration of persons, animals, equipment or vehicles at assembly points or other areas will substantially interfere with adequate fire and police protection of, or ambulance service to, areas near such areas, or will hinder the movement of firefighting equipment.
  - (4) The special event is to be held for the primary purpose of advertising a product, goods or services, and is designed to be held primarily for profit.
  - (5) The route has been requested recurrently in the past year and is too disruptive to residents or businesses.
- (b) *Liability insurance.* The Town Manager or his designee may require proof of public liability insurance in an amount equal to the Town's liability under the Government Tort Claims Act

of the state, and require the execution of a hold harmless agreement to indemnify the Town in the event it is held liable for any injuries or damage as a result of the event.

- (c) *Notification of Town agencies of issuance of permit.* Upon issuance of a permit, a copy shall be sent to the appropriate Town agencies affected.
- (d) *Compliance with other laws.* The granting of any permit required by this article shall not eliminate:
  - (1) Requirements for any business license or any other permits which may be prescribed by any other federal, state or local statutes, ordinances, rules or regulations.
  - (2) Compliance with any other applicable federal, state or local statutes, ordinances, rules or regulations.
  - (3) Compliance with regulations regarding the concentration of persons, animals, equipment or vehicles at assembly points or other areas which substantially damages planting or landscaping on public or private property. Adequate cleanup and sanitation must be provided.
- (e) *Imposition of restrictions.* The Town Manager shall have the authority to impose such restrictions, conditions, and safeguards upon the conduct of a parade, procession, or public gathering as he shall deem fit or proper to preserve public convenience and welfare.
- (f) *Business license required.* No special event permit shall be issued to any sponsor until the sponsor has acquired a Town of Bluffton business license, unless the sponsor is exempt from obtaining a business license by either the South Carolina Code of Laws, 1976, as amended, or the Bluffton Code of Ordinances.
- (g) *Duration of permit.* The special event permit shall be valid for no longer than the duration of the permitted event, up to a maximum period of three months.
- (h) *Vendor list.* The sponsor of any permitted special event shall provide the Town's Special Events Office with a detailed list of all participating vendors at least ten days prior to the special event. The list shall include the vendor's name, business name (if appropriate), mailing address, telephone number and State retail license number (if appropriate). Only those vendors listed by the sponsor and provided to the Town in accordance with this section shall be deemed approved under the special event permit.

- (i) *Special event permit fee.* At least five days prior to the special event, the sponsor shall pay to the Town the special event permit fee in the amount set forth in the master fee schedule established by the Town and in effect on the date the special event permit fee is due, for each non-exempt vendor included on the sponsor's submitted vendor list. Vendors with a current Town of Bluffton business license shall be exempt for the purposes of calculating the special event permit fee to be paid by sponsor. Upon the payment of the special event permit fee by the sponsor, all participating non-exempt vendors listed in the vendor list shall be covered under the special event permit and shall not be required to obtain separate permits or licenses for the event.

(Ord. No. 2010-05 , 3-16-2010; Ord. No. 2017-06 , § 1(Exh. A), 8-8-2017)

### **Sec. 22-106. Notice of action on application.**

The Town shall act upon the application for a permit required by this article as expeditiously as possible, notifying the applicant of the decision. If the application is disapproved, the reasons, therefore, shall be set out in writing.

(Ord. No. 2010-05 , 3-16-2010)

### **Sec. 22-107. Approval of permit under alternate date, time, route or conditions.**

The Town Manager or his designee, in denying an application for a permit under this article, shall be empowered to authorize the conduct of the special event on a date, at a time, or over a route and under different conditions from that requested by the applicant.

(Ord. No. 2010-05 , 3-16-2010)

### **Sec. 22-108. Appeal from denial.**

In the event of a denial of the application for a permit under this article, the applicant shall have the right to appeal to Town Council. The appeal shall be perfected by giving notice thereof to the Town Manager within 48 hours after notice of permit denial. The Town Council shall act upon this appeal with reasonable promptness under the circumstances.

(Ord. No. 2010-05 , 3-16-2010)

## Sec. 22-109. Duties of permittee.

- (a) *Generally.* A permittee under this article shall comply with all permit directions and conditions.
- (b) *Display ~~or carrying~~ permit.* The applicant, individual, or any representative of the organization shall display the permit **at the site in a conspicuous location for the duration of the special event.** ~~or carry it upon his person during the special event.~~
- (c) *Revocation or suspension of special event permit.* The Town Manager or his designee may, at any time, suspend, cancel or revoke any permit already issued hereunder upon written notice to the sponsor stating the grounds for revocation if:
  - (1) The sponsor, in the information supplied, has made a misstatement of a material fact; the sponsor has failed to fulfill a term or condition of the permit in a timely manner; or any payment submitted by the sponsor to the Town is dishonored; or,
  - (2) The sponsor requests the cancellation of the permit or cancels the event; or,
  - (3) An emergency or supervening occurrence requires the cancellation or termination of the event in order to protect the public health or safety.
- (d) If the special event is terminated the Town shall not be responsible to any promoter, sponsor, vendor or exhibitor for any costs or expenses incurred or revenue lost.

(Ord. No. 2010-05 , 3-16-2010; Ord. No. 2017-06 , § 1(Exh. A), 8-8-2017)

## Sec. 22-110. Public conduct.

- (a) *Interference.* No person shall unreasonably hamper, obstruct, impede or interfere with any special event or with any person, vehicle or animal participating or used in the event.
- (b) *Driving through parade or event.* Once the special event begins, no driver of any vehicle shall drive between the vehicles or persons comprising a special event, nor shall any driver drive around or through a properly designated or barricaded area.
- (c) *Parking on parade route or event location.* The Town shall have the authority to prohibit or restrict the parking of vehicles along a street or area properly designated or posted for a special event, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof.

- (d) *Glass containers.* No glass bottle may be sold or distributed on the public right-of-way, and no patron may carry a glass bottle on the public right-of-way during a special event. It shall be unlawful for any vendor to sell beverages in glass containers for off-premises consumption at parades or events.

(Ord. No. 2010-05 , 3-16-2010)

### **Sec. 22-111. Payment of costs of services and equipment provided by the Town.**

The Town Manager or his designee may impose reasonable fees and requirements upon the applicant as are necessary to cover the cost of public services and equipment provided by the Town for the event. The applicant or sponsor shall be responsible for cleanup after an event. A bond may be required.

(Ord. No. 2010-05 , 3-16-2010)

### **Sec. 22-112. Violations; penalties.**

- (a) Anyone who holds, without a permit, a special event or knowingly participates or aids and abets in the staging of the special event shall be in violation of this article and shall be guilty of a misdemeanor.
- (b) Should the applicant fail to comply with the terms and conditions of the application and permit, such person or persons shall be guilty of a misdemeanor.
- (c) Anyone participating in a parade that knowingly and willfully violates the provisions and conditions of the application and permit shall also be guilty of a misdemeanor.
- (d) Nothing herein contained shall in any way alter, amend, abridge or change the duty and right of the Town to arrest and punish anyone charged with disorderly conduct.
- (e) Failure to obtain a special events permit may result in the closure and disbursement of the event by police officials.

(Ord. No. 2010-05 , 3-16-2010)



## **Sec. 22-113. Picketing.**

(a) *Conduct of picketing; penalty.* Peaceful picketing in the furtherance of a lawful purpose shall be allowed in the Town without a permit being required, provided the picketing is done under the following conditions:

- (1) Picketing may be conducted only on the sidewalks or other Town-owned areas or public right-of-way normally used or reserved for pedestrian movement, and may not be conducted on the portion of a street used primarily for vehicular traffic.
- (2) Such pickets may carry written or printed placards or signs, provided the placards and staffs or poles to which they are attached do not interfere with the free use of the sidewalk by other pedestrians.
- (3) Such pickets must not block the sidewalk or any driveway.
- (4) If pickets promoting different objectives desire to use the same sidewalk within a block for picketing, the Police Department shift commander shall allot time to each group of pickets for the use of such sidewalk on an equitable basis, but each group shall be permitted to picket subject to the provisions of this section in alternating four-hour time periods.
- (5) The term "block" as used in this section, shall mean each side of a street lying between street intersections.

(b) *Interference with pickets.* It shall be unlawful for any person to physically interfere with such pickets in the use of the sidewalk or address profane, indecent, abusive or threatening language to or at such pickets or others to breach the peace.

(c) *Crowd dispersal.* A shift commander or supervisor of the Police Department of the Town may, in the event of the assemblage of persons in such numbers as to tend to intimidate pickets pursuing their lawful objective through numbers alone or through use of inflammatory words, direct the dispersal of persons so assembled.

(Ord. No. 2010-05 , 3-16-2010)

## **Sec. 22-114. Security and Safety.**

**Prior to the issuance of any permit or license for events, the applicant shall make the final arrangements:**

- (a) In consultation with the Town's Police Department, develop and submit for approval a plan to address crowd control during the event. A minimum of two (2) paid security/law enforcement officers to monitor crowd control shall be provided for events anticipated to generate between two hundred fifty (250) and one thousand (1,000) persons and a minimum of two (2) for every one-thousand (1,000) persons thereafter. The police department shall have the authority to determine the anticipated number of persons in attendance and to determine if more security/law enforcement is required for the event. Additionally, the police department may require that law enforcement be paid by the applicant of the event. The security/law enforcement officers shall be paid by the applicant of the event. A signed contract with the security/law enforcement agency shall be provided, and the required funds shall be placed in escrow with the Town's Finance Director. The above minimum requirements may be reduced upon authorization of the Town Manager.
- (b) In consultation with the Bluffton Township Fire District, Bluffton County EMS, and other emergency responders, develop and submit for approval a plan to address all safety concerns to ensure adequate response for the event.

## **Sec. 22-115. Traffic circulation and parking.**

- (a) In consultation with the Police Department and Bluffton Township Fire District, develop and submit for approval an adequate plan for traffic circulation and control, including provisions for emergency vehicle access before, during and after the event, for each day of the event. The adequacy of the plan shall be determined by the Police Department and the Fire District. The police department shall have the authority to determine that law enforcement personnel are needed to regulate traffic associated with the event. The cost of such traffic control shall be paid by the applicant of the event by placing the required funds in escrow with the Town's Finance Director.
- (b) A plan to adequately address anticipated parking demands shall be developed and submitted for approval. Parking along the shoulder of Bluffton Parkway, Buckwalter Parkway, Fording Island Road, Bluffton Road, or May River Road, unless using designated on street parking spaces, is prohibited. Vehicles should not be parked in any manner that would create a traffic hazard or block driveways, stop signs, pathways or crosswalks.

## **Sec. 22-116. Toilet facilities.**

Adequate toilet facilities shall be provided. The following minimum standards shall generally apply, although the Town may approve variations from these standards based on the length of the event, the spatial characteristics of the event, or other factors or considerations:

- (a) A minimum of ten (10) toilet facilities shall be provided to serve an anticipated attendance of two hundred fifty (250) people. In addition, two (2) toilet facilities shall be provided for each additional two hundred fifty (250) people anticipated to attend.
- (b) Public or common use toilets must comply with the Federal ADA accessibility guidelines, which require that five (5) percent of the total number, or no less than one toilet facility per each cluster of toilet facilities, must be accessible to guests with disabilities.

## **Sec. 22-117. Solid waste disposal.**

It shall be the responsibility of the applicant to provide for the collection of solid waste and litter. All solid waste and litter must be removed from the site within twenty-four (24) hours following the event. For multiple day events, the grounds shall be maintained during each day of the event with no on site accumulations, which would create a nuisance or pose a health or safety hazard.

## **Sec. 22-118. Electrical hookups.**

All electrical wiring must be installed in compliance with the provisions of the National Electric Code and the Town's electrical code.

## **Sec. 22-119. Authority to waive.**

The Town Manager may waive all costs, bonds and fees associated with this Chapter for a special event which is solely sponsored and operated by an organization which is exempt from federal income taxation under Section 501(c) of the Internal Revenue Code.

Secs. 22-120—22-125. Reserved.