

Draft Policy for Burr Performing Arts Park 10-26-18

The Burr Performing Arts Park, the crown jewel of downtown, was conceived, designed and built in its unique location for the purpose of hosting events which would be considered entertainment, recreational, or educational in nature, and is specifically suited for performing arts. Burr Performing Arts Park (Park) is part of the City of Dalton Recreation System. Burr Park is a public space constructed with private funds and maintained as a city park.

The purpose of this policy is to establish procedures for use of the Park during Special Events, and by members of the community. The procedures are designed to enhance the quality of the experience, and the overall safety of all who use or visit the Park. In addition, the procedures include measures to prevent damage to the lawn, stage, hardscape or any other portion of the Park. Proposed events which, by the very nature of the event, are likely to damage the Park will not be permitted.

Event Applications

An application must be submitted to the Downtown Dalton Development Authority (DDDA) at least 60 days prior to the event date¹. Applications may be emailed to Kristi Watson at kwatson@downtowndalton.com or delivered in person to the DDDA offices at 305 Depot Street, Dalton, GA 30720 Monday – Friday, between the hours of 8:30 am and 5:00 pm, or mailed to DDDA, P.O. Box 707, Dalton GA 30722-0707. For more information or questions, please call 706-278-3332. The event application will be available on the following websites: DDDA, City of Dalton, Dalton Parks and Recreation Department

- The complete Application includes all parts, sections, and checklists
- Applications will be evaluated by DDDA personnel and City of Dalton personnel prior to approval
- Depending on the nature and size of the planned event, one or more pre-planning conferences between DDDA, and City of Dalton personnel may be necessary; applicants will be notified using the contact information supplied on the application.
- If the event application is approved, the applicant will be notified and will be given a copy of the policies and procedures for Burr Performing Arts Park
- If the application is not approved, the applicant will be notified and will be informed of the reason for denial of the permit²
- The Dalton Parks and Recreation Department will assign a facilities and logistics liaison to each event, and provide an on-call procedure for event sponsors for the purpose facilitating access to park infrastructure such as electrical connections, sound equipment connections, and related matters.

Fees

Significant resources are required to maintain the Park grounds, structures and infrastructure. In addition, the nature and size of some events require additional resources in the form of additional staffing by City employees, and delivery, deployment and retrieval of barriers, safety equipment and other items. It is necessary for each applicant to submit fees in accordance with the nature and requirements of the event for which they wish to host at Burr Park in order to offset maintenance and repairs. The following information provides basic guidelines for fees. Events during which alcohol is served, and/or events which expect a large number of attendees or guests may require additional fees.

- Application Fee - \$25. This is a non-refundable fee for ALL applications and covers the cost of multiple agencies' review of the application, as well as the administrative cost associated with processing

¹ Modify City ordinance if needed; add FAQ reference; add pre-planning ordinance requirements; add "concert/concert series"

² Clarify appeal procedure and adjust ordinance if necessary

- Impact Fee - This fee is determined based on the level and amount of services needed from DDDA staff, City of Dalton Staff; and independent contractors deemed necessary for the safety of the event by City of Dalton. City Departments will be required to submit an estimate of direct and other costs to the event sponsor
- Security Fee – Security fees may be applicable, and will depend on the size and nature of the event. The City of Dalton Police Department will assess the security needs based on the information provided in the application, and during pre-planning events if necessary.
- Deposit – The event sponsor will be required to provide a refundable deposit to cover damage to the Park facilities, and to cover cleanup. The deposit is refundable if the post event inspection reveals the necessary cleanup procedures are followed by the event sponsor, and there are no damages. If cleanup is required by City staff, the deposit will be forfeited. Should the damage repair or cleanup costs exceed the deposit amount, the City may require to event sponsor to reimburse the city for the actual expenses.
- All fees must be paid to (DDDA/City Clerk of Dalton) prior to the start of the event³

Alcohol Beverage Licensing Requirements

Event sponsors who wish to conduct sales of alcoholic beverages must do so by applying for the applicable permits with the Clerk's Office at Dalton City Hall. A permit is required from both City of Dalton and Georgia Department of Revenue, as well as liability insurance coverage. These permits must be sought by applicant separately from the event application for Burr Park. During permitted events, only alcoholic beverages purchased from the event vendor may be possessed and consumed within the Park⁴.

- Events involving the sales of alcoholic beverages will require a minimum of two Dalton Police Officers for security
- Event sponsors must provide their own staffing for proper identification checks of patrons. All security and event staff members must wear clothing with appropriate markings so as to clearly identify their role as security or event staff
- Event Sponsor must provide a copy of State and City of Dalton alcohol beverage licenses to the DDDA prior to the event date

Insurance

Event sponsors must provide a minimum of \$1 million liability insurance coverage per event based on the nature of the event⁵. At minimum, events involving sales of alcoholic beverage sales require \$1 million minimum liability insurance coverage. See the "Insurance Requirements" section of the Special Event Application for additional requirements.

Security

Burr Performing Arts Park is a public space, and visitors should be respectful of themselves, others, and park property. Depending on the nature and expected attendance level, certain events may require security. The Chief of the Dalton Police Department, or his/her designee will make the final determination on the amount and type of security needed, if any. Event sponsors must provide funding for all security staffing as described in the "Fees" section above.

- If the event requires certified police officers, those officers will be members of the Dalton Police Department (DPD), except as provided below.
- The Chief of the Dalton Police Department may augment DPD police staffing with certified officers from another agency, provided the additional officers conduct all actions within the policies and procedures of the Dalton

³ Determine the mechanism to accept fees. Should all go to DDDA, and then to City (except for alc bev permits)??

⁴ Reference City Ordinance here regarding open alcohol in downtown

⁵ Language from the current application inserted here

Police Department, and are supervised by a Dalton Police Department Officer. Officers from another agency must receive training and operational briefing prior to working each event

- The Chief of Police may augment DPD police staffing with private security officers, provided the security officers meet Georgia certification standards, and are supervised by a Dalton Police Officer. Private security officers must receive training and operational briefing prior to working each event

Cooking

Cooking is permitted only in approved locations and manners as designated by Dalton Parks and Recreation Staff, DDDA Staff, City of Dalton Fire Marshall and Health Department officials.

- Cooking is not permitted on the lawn/grass area of the park
- No cooking materials, oils, grease or other cooking material may be allowed to drain or drip onto the ground or any surface area within the Park
- Food trucks may be permitted within the Park, and may park only in areas designated by Dalton Parks and Recreation Department. Certain types of cooking within food trucks will require a special permit issued by the Dalton Fire Department pursuant to a successful inspection of the food truck and cooking equipment⁶ **Dalton Fire Department is currently working on specific policy language for “food trucks”.**
- Dumping of cooking materials, “grey” water, and sewage from food trucks, or any other vehicle, is prohibited within the Park, other public rights of way, and on private property of others
- Event Sponsor must provide a list of all food vendors to the DDDA prior to issuance of a Special Event permit

Care of Lawn Area

- The lawn area and all plant material should be protected from activities which will cause damage.
- No spikes, stakes or other devices may be driven into the ground for any purpose, including securing tents or canopies unless permitted by the Parks and Recreation Director, or his/her designee.
- No tents or canopies may be placed on the lawn/grass area unless permitted by the Parks and Recreation Director, or his/her designee.
- No holes may be dug in any part of the Park unless permitted by the Parks and Recreation Director, or his/her designee.
- Staging or placement of tents, canopies, or other structures will not be permitted on the raised “berm” area immediately behind and surrounding the stage area. The center walkway leading to the back door of the stage area will remain free of obstruction

Stage and Infrastructure

The stage at Burr Performing Arts Park is designed to house performers and highly specialized electronic equipment. For safety reasons, the placement of portable pools; other water-filled devices; wrestling rings; and inflated devices like “bounce-houses” will not be permitted. For safety purposes, the staging of electronic equipment, and stage set props and scene backdrop materials, and other structures must be approved by City of Dalton Fire Marshall. In addition, the following guidelines apply to use of the stage:

- The stage platform may not be used for political activities which advocate for one or more candidates, or a political party
- Thematic music performances of a religious, and/or patriotic nature are permitted, as well as ecumenical religious services
- No fireworks and “pyrotechnic” devices may be ignited on the stage or within the Park
- Open fires are prohibited on the stage and within the Park

⁶ Address this within City Ordinance if necessary; clarify the types of permits available and fee amounts

Vehicles

In order to prevent damage to the Park, motor vehicles may not be driven on the lawn/grass area of the Park, except for emergency response vehicles. Vehicles may not be driven or parked on the sidewalk and hardscape areas. Food trucks or other authorized vehicles may park in the designated area for such vehicles provided they are approved in the application. The Parks and Recreation Department personnel, and their contracted park maintenance personnel, may operate landscaping and maintenance equipment within the Park as needed. Riding bicycles and skateboarding is prohibited on park surfaces, stages, benches and facilities⁷.

Portable Toilets

Event sponsors must provide, at their own expense, a sufficient number of portable toilets based on the size of expected attendance. At minimum, at least one portable toilet must be provided per each 100 event attendees. Portable toilets may be placed no earlier than one business day before the event, and must be removed no later than one business day after the event date.

Barricades, Signs, Traffic Control Devices and Participant Control Devices

In order to provide a safer environment for event participants, certain vehicular and participant access controls are necessary.

Certain events may require the placement of traffic control devices, or other barriers on City streets or rights of way in order to provide safe ingress and egress. After an evaluation of the event application, the placement of traffic control devices/barriers will be determined by the Dalton Police Department, Dalton Public Works Department and Dalton Fire Department. If the number and type of control devices/barriers are not available from current City inventory, the event sponsor may be required to fund additional equipment of this nature.

Event sponsors may request controlled-access entry and exit points based on the nature and expected attendance to the event. The configuration of controlled-access points must be approved by the Dalton Police Department and Dalton Fire Department, and the Dalton Fire Department will determine the appropriate occupant capacity for the Park. The event sponsor must provide staffing to monitor these access points. All event sponsor-provided staff members will wear clothing which clearly identifies them as Staff Members⁸. If the number and type of control devices/barriers are not available from current City inventory, the event sponsor may be required to fund additional equipment of this nature. All ticketed events will require controlled-access entry and exit points, and the outer limit of the event area must be fenced or closed using material and configuration approved by the Dalton Police Department and Dalton Fire Department.

The event sponsor may request the separation of the Park grounds (lawn) into distinct viewing areas, or staging areas of tents, canopies, booths, etc... The City of Dalton Fire Department must approve the configuration of the staging areas, and may determine the appropriate occupant capacity based on the configuration of staging elements/viewing areas. The event sponsor, and/or participants are responsible for providing, installing and removing all such equipment. Event Sponsor may select from one of several predetermined configurations based on the number of expected attendees. Event Sponsors may request custom configurations, but doing so may result in additional impact fees to cover safety inspections

⁷ Update city ordinance to reflect??

⁸ Use City ordinance definitions for "Event Staff/Security" attire?

Animals

In general, Service Animals as defined in O.C.G.A. §30-2-4⁹, and small pets such as dogs and cats, are permitted in the Park so long as the animals are under the control of the owner.¹⁰ Owners are responsible for removing animal waste deposited by their pet. The City reserves the right to prohibit park patrons from bringing animals into the park if City staff determines the animal's presence will damage the Park or, due the size or nature of the animal, it poses an unreasonable risk of injury to other animals or park patrons.

During ticketed events only Service Animals, as defined by law, are permitted with their owner inside the fenced area of the Park.

⁹ Georgia law definition includes only service dogs which have been specifically trained to assist a person for a specific disability; the law does not give the right for patrons to be accompanied by "comfort" or "companion" animals

¹⁰ Language here from City "leash law"? Should we designate areas for owners to take animals for "relief"?