



Office of the Town Manager
Stephanie Miller

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STAFF REPORT

Council Meeting Date:	Tuesday, March 10th, 2025
Agenda Title:	Parks & Recreation: Special Events
Requested Action:	Signal approval for proposed updates to the ordinance language before April's public hearing
Department / Agency Lead:	Parks & Recreation
Staff Lead:	Lauren Kruck, Special Events & Recreation Program Coordinator

EXECUTIVE SUMMARY

The Special Events permit process is based on Town Ordinance Article VI., Use of Public Grounds, Sections 14-101 through 14-103. This ordinance was last updated in 2022, though the Special Event Fee Schedule was updated with the 2025 budget.

We are proposing a change to the Ordinance VI language to do the following:

1. **Approval date:** Extending the window by which Special Events can be approved, from 6 months to 12 months prior to the event date.
2. **Unpaid fees:** Allowing for the denial of an application if Special Event fees from a prior event are unpaid.

Alongside a change to the Ordinance to Establish Business, Professional and Occupational License Tax Rates for the Tax Year Beginning on July 1, 2025 (Ordinance 2025-06):

3. **Itinerant Merchant fees:** Reducing the fee for Itinerant Merchants Licenses from \$500 to \$100.

No ordinance changes are proposed for Main Street or Personal Events at this time.

BACKGROUND

In the January Town Council work session, we reviewed the Special Event permit process. The Town Council showed approval to take action on extending the permit approval window, denying organizers with past unpaid event fees, and lowering the Itinerant Merchant's License fee. This month, we will review new language to get council's input before the public hearing in April.

Approval Date

For large events, the ordinance-mandated maximum of 6-months prior approval does not provide the applicant with enough time to organize this event. The following language updates to Article VI., Use of Public Grounds, Section 14-103 (m) is proposed:

Old language: No permit shall be granted for any event beginning more than **six** months after the date of the application.

New language: No permit shall be granted for any event beginning more than **twelve** months after the date of the application.

The remainder of the ordinance, addressing how staff will handle multiple or simultaneous applications for the same forum, will remain unchanged.

Unpaid Fees

While the majority of event organizers pay Special Event fees promptly, there is no enforcement angle for this on the rare occasions when these fees go unpaid. Therefore, the following language adjustment to Article VI., Use of Public Grounds, Section 14-103 (l) is proposed:

Old language: The applicant is responsible for any and all damage to public facilities caused by the applicant or by any agent or partner of the applicant. If a person receives a permit for an event and does not hold the event, then he or she shall pay the Town for the reasonable cost of assisting the applicant in developing any public safety plan for that event as well as any reasonable overtime or third party cost incurred by the town in relation to the event. *[end of section l]*

New language: The applicant is responsible for any and all damage to public facilities caused by the applicant or by any agent or partner of the applicant. If a person receives a permit for an event and does not hold the event, then he or she shall pay the Town for the reasonable cost of assisting the applicant in developing any public safety plan for that event as well as any reasonable overtime or third party cost incurred by the town in relation to the event. **If the applicant has held an event in the Town previously and not paid the associated Special Event fees, no permit shall be granted to this applicant until these fees are paid.**

Itinerant Merchant's License Fee

The Itinerants Merchants License fee is renewed every year as part of the Business, Professional, and Occupational License Tax Rates. In the January work session, council indicated its approval to reduce this fee from \$500 to \$100 in order to align more closely with neighboring municipalities and encourage more vendors to take advantage of this license.

It is proposed that the Ordinance to Establish Business, Professional and Occupational License Tax Rates for the Tax Year Beginning on July 1, 2025 (Ordinance 2025-06) be edited to read:

Old language: "Itinerant Merchants **\$500.00** per year"

New language: "Itinerant Merchants **\$100.00** per year"

The other rates and fees listed on the Ordinance are to remain unchanged.

Personal Events on Public Streets- update

After reaching out to Special Event coordinators from a variety of municipalities both in Virginia & across the U.S., no ordinances could be found addressing the issue of "personal events on public streets," specifically. However, in the future the Special Events committee can apply the existing Grounds for Denial number (4) in our current ordinance: "The application is for an area in excess of the reasonable needs of the applicant given the number of people expected at the event. In cases covered under this provision, the town shall

issue a permit for such area as is needed for the size of the applicant's planned event." Though no one can guarantee the size of an event that is open to the public, we could apply this ordinance to withhold Main Street only for events with a very large expected attendance.

Indeed, in order to maintain safe flow of traffic, when Main Street is closed it must be closed to 3rd or 5th street, rather than a smaller segment. The amount of space generated by this closure is quite large, and would most aptly fit a very large event of multiple thousands of people. Therefore, the Grounds for Denial number (4) listed above could be used to deny any future "personal events" that request this space, unless they expect an exceptional number of attendees.

We will continue to recommend park space and alternative forums for smaller events that do not meet the reasonable sizing criteria of Main Street.

STAFF RECOMMENDATION

Staff recommends the following actions and updates to the ordinance:

1. Update ordinance to allow for Special Event permit approval 12 months prior to the event date, rather than 6, with the new language listed above.
2. Update ordinance to allow the committee to deny the permit for an event if past Special Event fees are unpaid, with the new language listed above.
3. Update the fee for the Itinerant Merchant's License from \$500 to \$100, with the new language listed above.

If the new text gets preliminary approval by council, it will be advertised and voted on at a public hearing at the April council meeting.

Service Level/Collaborative Impact

1. Extending the window for event approval should not have a service level impact.
2. Denying a Special Event application if previous fees are unpaid should not have a service level impact.
3. Reducing the fee for Itinerant Merchants Licenses should increase the number of applications for this license. This will create paperwork for the Tax Administrator but will likely be a fiscal net positive, along with creating public safety as these food trucks will be operating within our regulations with fire marshal and VDH inspections.

Policy Direction/Warrenton Plan 2040

E-3.3: Maximize the Town's public spaces and right-of-way to allow for arts and cultural events to operate, including outdoor dining and gathering places.

E-3.2: Market to creative arts and entrepreneurial businesses to locate within appropriate Character Districts.

HR-6.2: Partner with the Town's Main Street organization and other entities to strengthen economic opportunities highlighting the Town's historical, arts, and culinary assets for placemaking events.

CF-1.5: Encourage the use of community facilities and grounds for community events and public functions.

New Overlay District guidelines: Arts and Culture District: Allows for temporary events, pop-up storefronts that are arts and culture focused along Main and Culpeper streets through a streamlined permitting process.

L-2.9: (Old Town Character District): Locate an event space in the Old Town UDA that can be used to accommodate public and private events, festivals of all types appropriate and other opportunities.

Fiscal Impact

1. Extending the allowable window between granting a Special Event permit and the event date should not have a fiscal impact.
2. Requiring all previous Special Event fees be paid before an applicant can receive a new Special Event permit should encourage compliance and positively impact revenue collection.
3. Reduced Itinerant Merchants fees should result in higher revenue, as many more food trucks would like to obtain this license but are put off by the exorbitantly high current fee.

Legal Impact

No legal challenges identified.

ATTACHMENTS

1. Special Event/Public Gathering Ordinance
2. Business, Professional, and Occupational License Tax Rates ordinance 2025-06