



Office of the Town Manager  
Stephanie Miller

# STAFF REPORT

**Warrenton Town Council**  
Carter Nevill, Mayor  
Roy Francis, Ward 1  
William Semple, Ward 2  
Larry Kovalik, Ward 3  
Michele O'Halloran, Ward 4  
Eric Gagnon, Ward 5  
Paul Mooney, At Large  
David McGuire, At Large

<b>Council Meeting Date:</b>	Tuesday, January 13 <sup>th</sup> , 2025
<b>Agenda Title:</b>	Parks & Recreation: Special Events
<b>Requested Action:</b>	Review current policies and provide direction for proposed updates to the ordinance or SOPs
<b>Department / Agency Lead:</b>	Parks & Recreation
<b>Staff Lead:</b>	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. While the Special Events permit process typically runs smoothly, there are several items of discussion that staff requests guidance on in order to remediate certain recurring issues. This includes:

1. **Approval date:** Extending the window by which Special Events can be approved, from 6 months to 9 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.
3. **Main Street Events:** Considering whether or not there should be additional rules governing how many events are held on Warrenton's Main Street.
4. **Personal events on public streets:** Discussion of "private" events on public streets, to include wedding, funerals, Bar & Bat Mitzvahs, Quinceaneras, birthday parties, reunions, and vow renewals.
5. **Itinerant Merchant fees:** Reducing the fee for Itinerant Merchants Licenses, in order to encourage food vendors and food trucks to comply with Town requirements and to align more closely with neighboring municipalities.

## BACKGROUND

Though the term "Special Event" has meaning colloquially, for the purposes of this discussion and the permit process, a "Special Event" is a pre-planned gathering of 15 or more people open to the public or on public land or roadways, and/or using town staff to assist. For example, a large event inside a theater or auditorium would not qualify; however, a large event in a parking lot or space that is not designed as a gathering space would qualify. Town Staff and the Special Events committee rely on the ordinance and the Special Events SOP to remain consistent as to which events require a permit.

To hold a permitted "Special Event" on town property or using town resources, applicants must begin by submitting an application for a Special Event Permit. Applicants can request up to 7 non-consecutive dates for an event within 1 application. The permit process typically then involves the applicant meeting with the Special Events committee, paying the \$100 fee and submitting an event map, Certificate of Insurance, and Safety Plan form. If all paperwork is submitted, meeting held with Special Events committee, and permit fees paid, and the event does not include a risk to public safety or an overextension of Town resources (or any

grounds for denial in Sec. 14-103, sec (c), 1-11), Town staff will grant the Special Event permit. The applicant/event organizer will be billed afterwards for the cost of Town staff and resources, as detailed in the Special Events fee schedule.

### **Approval Date**

Many events held in the Town are annual events, and as such there are 4 events that draw the largest crowd and reliably happen each year—Juneteenth, the Warrenton Town Limits Festival, the Fall Festival, and the Christmas Parade. For these events, along with some smaller events, the ordinance-mandated maximum of 6-months prior approval does not provide the applicant with enough time to organize this event. Currently, organizers are forced to begin to market their event and lock in their date with suppliers and vendors before being assured by the Town that they will receive a permit for this event on this date, as the Town cannot grant the permit until 6 months prior to the event date per our current ordinance.

### **Unpaid Fees**

Prior to 2022, event organizers with an approved Special Event permit were provided Police and Public Works assistance without a fee. With the Ordinance update in 2022, the Town began assessing fees for Special Event assistance including staffing hours for police and public works, cone/barricade rental, after-hour inspections, and more (please see “Special Events Fee Schedule” as part of the attached Special Event permit application for a full list). Fees are charged to event organizers after their event, based on the actual staffing hours or equipment used.

While the majority of event organizers pay these fees promptly, there is no enforcement angle for this in the rare occasions when these fees go unpaid. Furthermore, there is no verbiage within the Ordinance to prohibit event organizers from holding events in the future if Special Event fees from previous events are unpaid. The ordinance only allows the committee to deny the permit if the applicant had received a permit for an event in the past, did not hold the event, and owes the Town for assistance in developing a public safety plan or any other costs incurred by the town in relation to the cancelled event.

### **Main Street Events**

There has been quite a bit of discussion within the community and by certain Old Town Warrenton merchants as to how many Special Events should be allowed to close all or a portion of Main Street throughout the year.

For background, below is the number of events held on all or part of Main Street for the last 3 years. It is broken up into Old Town After Hours (“OTAH”) which are the events held by Experience Old Town Warrenton, First Fridays held by Allegro, “other” (aka not OTAH or First Friday, but a different event/standalone event), with the total for each year under these figures. It should be mentioned that each event above varies in the length of the street closure and the time of day in which the roads are closed.

2025 Main Street events:

Total OTAH: 19

Total First Friday: 6

Total Other: 11

**Total for 2025: 36**

2024 Main Street events:

Total OTAH: 23

Total First Friday: 6

Total other: 12

**Total for 2024: 41**

2023 Main Street events:

Total OTAH: 48

Total First Friday: 6

Total Summer Concerts: 5

Total other: 11

**Total for 2023: 70**

Included in the "other" category are events such as the Memorial Day Parade, the Fauquier High School Homecoming Parade, Fall Festival, Juneteenth, the Christmas Parade, the 4<sup>th</sup> of July Kids & Pets Parade, the Halloween Kids & Pets Parade, and Brewfest.

These figures indicate that the number of Special Events that close all or a portion of Main Street are actually decreasing over the past 3 years. Despite complaints, the number of "non-OTAH and non-First Friday" events has stayed relatively static.

Town staff is requesting guidance on if and how Special Events on Main Street should be limited, if that is the will of the council.

#### **Personal Events on Public Streets**

At the moment, there is no verbiage in the ordinance to prevent "personal" events such as weddings, birthday parties, bar mitzvahs, etc from taking place on a Town street or public area via a Special Event permit. While these events happen often in Town parks (especially Rady Park & Eva Walker Park), these are almost never seen on public roads or other non-park spaces. However, this past October a Special Event permit was obtained for a wedding on Main Street, provided it was open to the public. The committee confirmed that the organizer had adequate restrooms and safety protocols in place, as we require for all events. Though the public response was largely positive, there were complaints from some local merchants because it was on a date following 3 consecutive other Main Street closures (for the Homecoming Parade on Thursday, First Friday on Friday, the Fall Festival on Saturday, and then this wedding on Sunday). The suggestion was made that council prohibit personal events from being held on public streets in the future, so this is up for discussion.

The "4 consecutive events on Main Street" issue should not come into play this October, as the Homecoming Parade has requested Wednesday, October 14<sup>th</sup> as its date this year. Of course, this is not yet official as the permit cannot be granted until 6 months prior.

Staff is open to hearing council's thoughts on the ability of a person or organization to hold a private event on public roadways with appropriate permits.

### **Itinerant Merchant's License Fee**

Another issue is in regards to food trucks and mobile food vendors. The Itinerants Merchants License fee is not listed in the Special Events fee schedule or the zoning ordinance, but is instead listed in the Mobile Food Vendors Brochure and renewed every year as part of the Business, Professional, and Occupational License Tax Rates.

Currently, food trucks and mobile food vendors can ONLY set up and serve in the Town of Warrenton if they are either part of a Special Event (with a Special Event permit) or they have an Itinerant Merchant's License. The Itinerant Merchant's License allows vendors to set up in an area with the permission of the property owner and requires them to still have their Virginia Department of Health certificate, Fire Inspection, COI, and Meals Tax filing. This license is \$500 per year, significantly higher than Fauquier County and neighboring localities. Fauquier County charges \$75 for an equivalent license. These Fauquier County rates were set in 2023, as they previously had also charged \$500.

The Town of Culpeper charges \$200 per year for their Itinerant Merchant's License. Their Town Council voted to reduce it from \$400 in FY20.

As food trucks are here to stay, and often requested at soccer games, park rentals, and other gatherings that would not constitute a "Special Event," lowering the rate for the yearly license would result in less vendors attempting to circumvent the rules and likely increased revenue for the Town. At the moment, only a handful of food vendors hold the Itinerant Merchant's License because of this prohibitive fee.

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### **STAFF RECOMMENDATION**

Staff recommends the following actions and updates to the ordinance:

1. Update ordinance to allow for Special Event permit approval 9 months prior to the event date, rather than 6.
2. Update ordinance to allow the committee to deny the permit for an event if past Special Event fees are unpaid.
3. If it is the will of council to limit the number of events permitted on Main Street, provide guidance on how this should be done. These could include:
  - o Requiring a minimum number of expected participants in order to hold an event on Main Street.
    - Pros: Will be a deterrent for smaller & newer events.
    - Cons: Will be difficult to enforce (How to count? What if weather interrupts? Etc.).
  - o Limiting events to a maximum number of events per organization per year.
    - Pros: Easy to enforce.
    - Cons: Event organizers can circumvent this by holding the same event under different organizations.
  - o Having a maximum number of events totals on Main Street per year.
    - Pro: Easy to enforce.

- Con: There would be a rush to submit applications, and without other regulations/guidance, how will we parse through which events we allow or deny? Who decides the merits of each event? We would need additional guidance on how to narrow down applicants.
- Allowing only "established" events held on Main Street.
  - Pros: Will prevent new/unknown events.
  - Cons: How should we define "established"? And this does not cut down on existing numbers.
- Having only "federal holiday" events held on Main Street.
  - Pros: Will cut down on the type of events allowed.
  - Cons: How close to the actual holiday date would the events have to be? Could smaller events still associate themselves with a holiday? Would we only allow 1 organization per holiday, and how would we choose?
- Adding a "Main Street upcharge," aka additional fees to close this street specifically.
  - Pros: Will eliminate the applications from certain events/organizations that cannot afford the increased fees.
  - Cons: It affects certain events more than others. The Memorial Day parade, 4<sup>th</sup> of July & Halloween Parade, Homecoming Parade will not be affected as these fees are traditionally waived. So how much revenue would it truly bring in/how many events would this change affect?
- Allowing Main Street shut downs only on Friday OR Saturday each week, and never Sundays.
  - Pros: Easier on staff
  - Cons: Who gets priority? Could one organization claim every weekend, to the detriment of others?
- Limit Events by Category or Theme (e.g., festivals, parades, concerts).
  - Pros: Reduces redundancy and keeps the event calendar varied.
  - Cons: Requires defining categories. May be difficult to classify hybrid events. Organizations may try to monopolize a certain category.

4. If this is the will of council, update the ordinance to allow for event denials in the case of personal events.
5. Vote to update the fee for the Itinerant Merchant's License from \$500 to \$100.

#### **Service Level/Collaborative Impact**

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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 number of Main Street events permitted per year may reduce use of police and/or public works staff and resources.

4. Eliminating the possibility of private events on public roadways should not have a service level impact, as we have not had this issue in the past.
5. 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**

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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 Districts 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**

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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. Reducing the number of Special Events allowed on Main Street may impact incoming revenue, but should be fairly balanced by the reduced overtime staffing fees.
4. Eliminating the possibility of private events on public roadways should not have a fiscal impact, as we have not had this issue in the past. Event organizers reimburse the Town for staff and equipment, so outside Special Events should not have a fiscal impact in general (unless fees are waived).
5. 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**

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There could potentially be "freedom of speech" challenges from the public if we were to limit permits for Special Events on Main Street or prohibit permits for "private" events on public streets.

### **ATTACHMENTS**

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1. Special Events SOP
2. Special Event/Public Gathering Ordinance
3. Special Events FAQ from website
4. Special Event application
5. Zoning Ordinance Article 9- Supplemental Regulations (Mobile Food Vendor Zoning Ordinance)
6. Mobile Food Vendor Guidelines/Itinerant Merchants Doc
7. Business, Professional, and Occupational License Tax Rates ordinance 2025-06



## TOWN OF WARRENTON

800 Waterloo Rd., Warrenton, Virginia 20186

Telephone: (540) 349-2520

Email: [specialevents@warrentonva.gov](mailto:specialevents@warrentonva.gov) or [Lkruck@warrentonva.gov](mailto:Lkruck@warrentonva.gov)

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### 1. Purpose

The purpose of the Special Events SOP is to establish an internal process for permitting Special Events conducted on Town streets, public property, parks, facilities, or on private property that requires Town resources or inspections. This procedure aligns with the Use of Public Grounds ordinance, Article VI, Sections 14-116 through 14-118.

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### 2. Application Process

*The Town of Warrenton has established the following internal process to govern Special Events. These procedures apply to all applications for Special Events held within the boundaries of the Town of Warrenton.*

Any individual or organization planning an event in public spaces or requiring Town inspections or resources must submit a Special Event Permit application. The application is available on the Town of Warrenton website or by email request (Lkruck@warrentonva.gov).

The applicant should complete the application to the best of their ability and submit it via email to Lkruck@warrentonva.gov or in person at the WARF (800 Waterloo Rd). Applications may be submitted at any time; however, approval letters/permits will not be issued more than 6 months prior to the event.

Organizers are encouraged to submit their application as early as possible, but required to submit their application:

- At least **14 business days** in advance for events with more than 200 attendees
- At least **5 business days** in advance for events with 15–200 attendees

The Special Events Committee may, at its discretion, accept applications submitted closer to the event date.

Upon receipt, the application will be entered into the Town's internal systems. Event details will be logged in:

- An electronic file on the O: drive (including the application and Event Summary Sheet)
- The Parks & Recreation CRM system, CivicRec
  - The event will be entered as an “activity session”
  - The organizer will be set up as an “account”
  - The account will be charged the \$100 application fee
    - This fee is typically waived for County-sponsored events and always waived for internal or political speech events
  - The application PDF and Certificate of Insurance (COI) will be uploaded to the CivicRec activity session
- The Outlook Special Events calendar
- The yearly overview Excel sheet on the O: drive
- The Special Events Coordinator's paper calendar (if applicable)
- A digital folder under the Special Events Coordinator's Outlook account (if applicable)

Once the application is processed, the Special Events Coordinator will contact the organizer to address any incomplete sections, which may include:

- **Certificate of Insurance (COI):**  
\$1,000,000 in liability coverage valid for the event date(s), listing the Town of Warrenton (21 Main Street, Warrenton, VA 20186) as additional insured/certificate holder.
- **Event map:**  
Must indicate the location of vendors, food trucks, amusement devices, portajohns/bathrooms, first aid stations, generators, stages, fencing, etc.
- **Public safety plan:**  
Must be included in the application packet and required if the event:
  - Involves a public street closure
  - Involves more than 50 people crossing streets
  - Takes place before dawn or after dusk

- **Amusement device permit application:**

Required if the event includes moon bounces or inflatables. This permit can be submitted via paper application or electronically via OpenGov to the Community Development Department at 21 Main Street or [permittech@warrentonva.gov](mailto:permittech@warrentonva.gov).

The Special Events Coordinator will also schedule a meeting between the organizer and the Special Events Committee, which typically meets weekly on Wednesdays. The Committee includes representatives from the departments of Community Development, Public Works, Police, Finance, Parks & Recreation, and Human Capital/Risk.

During the meeting with the organizer, the committee will review their event and take turns asking questions and voicing any concerns. The event organizer is likewise encouraged to ask questions, discuss concerns, and let the Committee know if he/she is requesting town resources.

Following the meeting, the Special Events Coordinator will collect fee estimates from each department involved in the execution of the event. This is accomplished by saving a copy of the “Special Event INVOICE or ESTIMATE” form in O: Special Events into the O: drive folder of the specific event, sending an email to the Committee letting them know it was available, and giving a deadline for inputting their estimates. Once all departments have input their estimates, the Special Events Coordinator fills in the total at the bottom.

Some events may only require one meeting, while others may require multiple meetings depending on complexity. Large or new events may require a supplemental meeting at the event site, which can be scheduled at the convenience of the event organizer and Committee. Meeting requirements may also be waived at the discretion of the Special Events Coordinator and/or the Committee. These decisions will be made on a case-by-case basis in collaboration with the event organizer.

Once all documents have been submitted, the application fee paid, and any required meetings held, the Special Events Coordinator will issue the permit. Approved Special Event permits will be issued via email as an attached approval letter. This letter will include a fee estimate compiled from each applicable department.

The Committee may deny a permit for reasons including (but not limited to):

- Public health or safety risks that have not been addressed
- More than 7 days/occurrences listed on a single application
- Staffing requirements that exceed the Town's available resources

If denied, the Special Events Coordinator will notify the organizer via email and include the reason for denial. The event organizer is welcome to adjust their plans and reach out to have their event re-considered after that.

Organizers are required to notify the Special Events Coordinator or Committee of any changes to the event between the time of approval and the event date.

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### **3. Requests for Fee Waivers**

Organizers requesting a waiver of event fees must submit a written request to the Special Events Coordinator/Committee. The Committee will consider the request, taking into account factors such as whether a waiver has been granted for the event in the past.

Fees for Fauquier County government entities are typically waived without a formal letter.

If the Committee denies the request, the organizer may appeal to the Town Manager by emailing [townmanager@warrentonva.gov](mailto:townmanager@warrentonva.gov). If denied again, the organizer may further appeal to the Town Council.

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### **4. Post-Event**

After the event, the Special Events Coordinator will reach out to gather each department's billable fees into one final invoice. This will be billed to the organizer within 30 days of the event and is due upon receipt.

Invoices will be sent via email and charged to the organizer's CivicRec account. Payment options include:

- Check (delivered to 800 Waterloo Rd.)
- Credit card (by phone at 540-349-2520 or online via CivicRec)
  - The Special Events Coordinator will include the payment link via email.

Depending on the nature of the event, the Committee may require a post-event meeting (after-action review). If required, the Special Events Coordinator will contact the organizer to schedule the review during one of the Committee's regular weekly meetings. This review will address successes, issues, and recommended adjustments for future events.

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### **5. Town-Sponsored Special Events**

For events organized by a Town department, the department representative must complete and submit a Special Event application. The \$100 fee is waived, and no COI is required (the Town's insurance suffices).

The organizer must either attend a committee meeting or coordinate with the Special Events Coordinator to brief the Committee. A formal approval letter may be waived at the Special Events Coordinator's discretion. The organizer must keep the Committee informed of any changes to the event.

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## **6. Special Events vs. Park Rentals or No Permit Required**

Each event is unique, and occasionally, it may not be immediately clear whether a Special Event permit is required. Examples include:

- A public park rental that is open to the public, but with historically low attendance
- A public event on private property without right-of-way impacts, food sales, vendors, or amusements

In such cases, the organizer should describe the event to the Special Events Coordinator, who will determine—alongside the Committee if needed—whether a permit is necessary.

### **Special Case: Warrenton Horse Show Grounds**

The Warrenton Horse Show and Pony Show traditionally do not require a permit, as the grounds are designated for such use. However, other organizers wishing to use the grounds must obtain a Special Event Permit.

### **Special Case: Fauquier County Schools**

Schools within Town limits must obtain a permit for qualifying Special Events. Fees for these events are traditionally waived.

### **Special Case: Warrenton Farmers Market**

Due to a MOU (Memorandum of Understanding) between the Town of Warrenton and Experience/Love Old Town Warrenton, no application or event fees are charged for the Warrenton Farmers Market event. The Farmers Market Manager must still obtain a Special Event permit (and re-apply every 7 instances of the event).

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## **Locations with Restricted Access for Events**

**Courthouse Square:** Due to the safety risks of traffic in that area, Special Event permits are not currently granted for the “Courthouse Square” area in front of the General District Courthouse, County Admin Building, and John Barton Payne building ~~unless the roads around it are closed.~~—update- this restriction has been removed via Chief Carter’s guidance and council’s permission in Dec 2025.

Event organizers may only use the county-owned portion of Courthouse Square with written permission from Fauquier County.

**Main Street (Sunday morning):** Due to increased vehicular and pedestrian traffic in the Main Street area due to church on Sunday mornings, Special Event permit requests for Main Street road closures will not be granted before 12 PM on Sundays.

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## **7. Food Truck Requirements**

To operate within the Town of Warrenton, food trucks must either:

1. Obtain an Itinerant Merchants License, **or**
2. Be included in a permitted Special Event (other than the Warrenton Horse Show grounds exception above)

If part of a Special Event, the organizer must provide the contact information of each food truck owner/operator to the Special Events Coordinator, who will share it with the Community Development and Finance departments.

The Building Official or Fire Marshal will then verify the truck's fire permit, and the Tax Administrator will confirm compliance with meals tax requirements.

Organizers must also submit a **Temporary Event Coordinator's Application** to the Virginia Department of Health ideally 30 days—but at least 10 days—before the event.

All food trucks selling within the Town of Warrenton, whether they be operating under the Itinerant Merchant's License, Horse Show exception, or the Special Event Permit, must have a valid fire permit, health inspection, and filing for meals tax.

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**Draft proposed new ordinance in Chapter 14, Streets and Sidewalks, as a new Article VI., Use of Public Grounds, consisting of Sections 14-101 through 14-103.**

**Sec. 14-101. Purposes.**

The purposes of this Article VI are: Protecting the right of the people to peaceably assemble, protecting the right of the people to freedom of speech, protecting the right of the people to petition the government for a redress of grievances, protecting public safety, preserving property rights, protecting the peace and tranquility of residential property, making sure that streets, sidewalks, parks and other public places are available for their intended purposes, coordinating multiple uses of space, assuring financial accountability for damage to public facilities, and protecting the operation of government. In any application of this section to expressive behavior, the intent of this section is to be consistent with constitutional guarantees of free expression, freedom of assembly, and the right to petition by providing reasonable, content-neutral and narrowly tailored time, place and manner restrictions that serve the purposes of this Article, while preserving ample and adequate alternative channels of communication.

**Sec. 14-102. Definitions.**

(a) *Definitions.* For purposes of this section, the following terms have the meanings given below:

*"Event"* means an occurrence at a given location for some defined period of time, and includes but is not limited to a parade, sidewalk gathering, street closure, and a park gathering.

*"Non-forum"* means a town-owned facility or area not suitable for public assembly for safety reasons, including but not limited to any town office, town storage or utility facility, or similar location. Persons present in non-forums without authority are trespassing.

*"Organized public gathering"* means any gathering of persons, with or without vehicles, in or on public areas or facilities for any activity as a group, and includes but is not limited to a parade, sidewalk gathering, street closure, or park gathering.

*"Parade"* means a procession, with or without vehicles, requiring the closure of town streets to normal traffic in order to protect safety.

*"Park gathering"* means a planned gathering of more than 200 persons in a public park.

*"Political Speech"* means interactive communication involving political conduct and words that are intended to directly rally public support for a particular issue, position, or candidate.

*"Public areas or facilities"* means public grounds, places and streets owned by or within the town limits of the Town.

*"Sidewalk gathering"* means a planned gathering of 15 or more persons standing on or moving along Town right-of-way, using the sidewalk where one is provided, and attracting the attention of the public.

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*"Spontaneous gathering"* means an unplanned or unannounced coming together of persons, with or without vehicles, consisting of a parade, sidewalk gathering, or other gathering which may occur in response to unforeseen circumstances or events of immediate and obvious importance that allows no opportunity for obtaining a permit under this section.

*"Street closing"* means the temporary closing of a portion of a Town street to vehicular traffic.

*"Town,"* for purposes of implementing this section, means the Town Manager or an officer or employee of the Town of Warrenton designated by the Town Manager.

*"Traditional public forum"* means a town-owned area which by long tradition is open to the expression of views, and includes public parks, Town streets and public sidewalks.

### **Sec. 14-103. Permit Requirement.**

- (a) *General Requirement.* Unless otherwise specifically provided by this section or other law, no organized public gathering, shall be conducted, allowed or maintained on or within public areas or facilities without first obtaining a permit therefor from the Town.
- (b) *Application.* Except as provided in subsection (k) of this Section, an application for a permit and application fee shall be filed with the Town at least 5 business days in advance for a sidewalk gathering of between 15 and 200 persons and at least fourteen business days in advance for a parade, street closing, park gathering, or sidewalk gathering of more than 200 persons. No application fee is due for events with the primary purpose of political speech. The application for a Special Event permit shall include a public safety plan if required by subsection (d) of this section. If a park gathering also uses park facilities available for rental or seeks changes to the general rules set out in subsection (h) of this section, then the organizer must also, pay all applicable fees to the Town, and enter into a park use contract. The application will set forth:
  - (1) The name of the applicant and the names of the persons who will be in charge of the event, at least one of whom will be present at all times during the event;
  - (2) The date, time, duration, nature and place or route of the proposed event;
  - (3) An estimate of the number of persons expected to attend over the course of the event and the maximum expected at any one time; and
  - (4) A statement or description of equipment and facilities to be used.
- (c) *Issuance; grounds for denial.* The Town shall, by the end of the business day following the business day the application is received, and subject to the provisions of this section, issue a permit on proper application unless grounds exist under this subsection to deny the permit. If the permit is denied, the Town will inform the applicant of the reason for denial and of the applicant's appeal rights granted by subsection (n) of this section. A permit may be denied only if one or more of the following grounds exist:
  - (1) A Town-sponsored event or a repair or construction project is scheduled for that time and place, or a prior application for a permit for the same time and place or

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overlapping times and places has been made that has been or will be granted, and the nature of the events or projects does not reasonably allow multiple occupancy of that particular area. In such cases, the Town shall offer an alternative space or time, taking care to separate groups whose proximity might create a breach of the peace, or allot the space as the applicants may agree;

- (2) It reasonably appears that the event will present an unreasonable danger to the public health or safety;
- (3) The event is of such nature or duration that it cannot reasonably be accommodated in the particular location applied for, because (i) it is a non-forum, or (ii) an unreasonable risk of damage to public areas or facilities, or (iii) an unreasonable risk of interference with planned Town activities, or (iv) the area proposed is too small for the number of persons expected. In such cases, the Town shall suggest an alternative location, if one exists, that would not pose such unreasonable risks;
- (4) 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;
- (5) The applicant has failed to pay any costs owed to the Town under subsection (l) of this section;
- (6) A public safety plan is required by subsection (d) of this section and has not been submitted or the public safety plan has been rejected;
- (7) The application is for a parade but the applicant does not have at least 100 persons willing to take part;
- (8) The application is for a parade or street closure and would unreasonably interfere with pedestrian or motor vehicle traffic, in which case the Town shall suggest an alternative time or location for the event. An application unreasonably interferes with traffic if it would:
  - a. Occur at the same time or overlapping times with one or more other parade(s) or street closure(s) in the vicinity; or
  - b. Close any part of the streets shown in the accompanying map as "Exempted Streets"; or
  - c. Otherwise unreasonably interferes with traffic for specific reasons articulated by the Town, based on past experience or reasonable anticipation.
- (9) The applicant or any person acting in concert with him or her violated any provision of subsection (f) of this section, or any park rule applicable to a park gathering, in relation to an event within the previous 12 months;
- (10) The application is for a gathering focused on and taking place in front of a residence or dwelling place and would impair the peace and tranquility of the residence or dwelling place;

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(11) The application is for a parade or street closure requiring the use of Town Police or Public Works staff and the proposed dates of the event are within one calendar day of an already approved parade, street closure, or Town-sponsored event, such that the Town will have inadequate staff to meet its operational needs.

(d) *Public Safety Plan.* When required by this subsection, the applicant shall submit a public safety plan to the Town to address traffic disruption, pedestrian safety, starting and ending times, lighting, and any other factors bearing on the safety, order, and accessibility of streets and sidewalks, including sign size, maximum number of persons in an area, sound amplification, and control of animals. The Town shall, upon request, assist the applicant in preparing the public safety plan. A public safety plan may be rejected only if it presents grounds under which a permit would be denied under subsection (c) of this section or creates an unreasonable risk of injury to pedestrians or interference with lawful businesses, commerce, professions, non-profit organizations, or civic events. For a renewal, the Town will require a new public safety plan if the prior public safety plan proved inadequate under this standard. The Town may charge a fee for preparation or review of the initial safety plan and any substantive revision to a prior safety plan.

(1) Public Safety Plans are required under the following circumstances:

- a. Street closures and parades require a public safety plan.
  - i. Pursuant to Virginia Code § 15.2-2013(2), the public safety plan shall be accompanied by proof of insurance with an insurance company licensed to do business in the Commonwealth and insuring against personal injury, death, and property damage resulting from the temporary use of the street in a coverage amount of at least \$1,000,000.00, naming the Town as an additional insured. However, under Virginia Code § 15.2-2014, the Town Manager may temporarily close any public right-of-way to vehicular traffic when in his or her judgment the public safety so requires, and shall do so if an applicant is unable to obtain insurance.
  - ii. The public safety plan shall provide for law enforcement personnel to direct traffic for any parade or for a street closure if necessary for public safety. The number of officers required shall be based solely on the reasonably anticipated number of participants and the location of the event. For purposes of this section, counter-demonstrators are not participants.
  - iii. The public safety plan shall provide for emergency medical services consistent with FEMA's Special Events Contingency Planning Job Aids Manual Guide To The Provisions of Medical Aid.
- b. If a sidewalk gathering involves a procession of more than 50 persons crossing streets as part of the event, a public safety plan is required. The plan shall provide for law enforcement personnel for traffic control at any major intersections along the route of the procession.
- c. If any part of an organized public gathering will occur between dusk and dawn, a public safety plan is required.

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- (2) An applicant shall submit any required public safety plan to the Town with the Special Event application.
- (3) Any person hired to provide security under a public safety plan shall be either law enforcement personnel or a security officer licensed by or registered with the Virginia Department of Criminal Justice Services. Any persons or company hired to provide emergency medical services shall be licensed by or registered with the Virginia Department of Health Office of Emergency Medical Services.
- (4) The chief of police or designee will review all public safety plans and advise if the plan is rejected, giving the reasons for the rejection. The applicant may revise a rejected public safety plan and resubmit it at least three business days before the event. If the resubmitted plan resolves the deficiencies noted in the rejection and there are no other grounds for rejecting the permit, the permit shall be granted. No changes may be made to an approved public safety plan without the express, written consent of the Town.
- (5) If the chief of police or designee rejects the proposed public safety plan, he or she shall inform the applicant of the appeal rights granted under subsection (n) of this section.
- (6) The public safety plan shall provide for the applicant to pay for the costs of any law enforcement personnel, emergency medical personnel or private contractors called for under the public safety plan. The applicant shall pay all costs incurred under this paragraph (d)(6) within seven calendar days after billing.
- (7) No person may violate any of the terms of a public safety plan while participating in an organized public gathering.

(e) *Unattended displays on streets and sidewalks.* Nothing in this Article allows any person to leave a sign or other object in or on the public right-of-way (including sidewalks, utility strips, and unimproved portions of a dedicated right-of-way). Such unattended displays shall be treated as litter or abandoned property, depending on the circumstances.

(f) *Illegal activities.* Nothing in this section or any permit issued under it shall authorize a person to:

- (1) Obstruct the entrance to any building, property, or vehicle, except to the extent expressly permitted by a public safety plan;
- (2) Cross police lines, perimeters or barricades set up pursuant to Code of Virginia § 15.2-1714;
- (3) Trespass on private property in violation of Code of Virginia § 18.2-119, or on school property in violation of § 18.2-128;
- (4) Obstruct the free passage of others in violation of Code of Virginia § 18.2-404, except to the extent expressly permitted by a public safety plan;
- (5) Create an unlawful assembly or riot in violation of Code of Virginia §§ 18.2-405 or 18.2-406;
- (6) Engage in disorderly conduct in violation of Code of Virginia § 18.2-415;

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- (7) Engage in picketing that violates the National Labor Relations Act or Code of Virginia §§ 18.2-418, 18.2-419, 40.1-53, or 40.1-66;
- (8) Violate the noise standards set out in section 58-35 of this Code; or
- (9) Otherwise violate applicable law.

(g) *Authorized times and locations.* Organized public gatherings are permitted only from sun-up to sundown except as permitted by a public safety plan.

(h) *Permitted and prohibited activities.* Unless otherwise expressly provided by a public safety plan or Special event permit, the following general rules apply to all activities governed by this section, whether a permit is required or not:

- (1) The maximum size of signs carried by persons in the gathering shall be three feet by two feet. Any support used may be no larger than 1" x 1" x 36" with no sharp ends. However, the maximum size of signs and sign supports in a parade, street closure or park gathering may be varied in a public safety plan or park rental contract, taking into account the available area and the planned activities. Signs may not be so similar to traffic signs that motorists are likely to mistake them for actual road signs. No portion of a sign is allowed in the portion of the right-of-way available for use by motor vehicles.
- (2) The minimum area required for a sidewalk gathering is calculated at the rate of five linear feet of sidewalk per person.
- (3) Except for trained assistance animals, no animals shall be present at a sidewalk gathering, and any animals in a parade or park gathering must be under constant control as provided for in the public safety plan.
- (4) The police may mark off areas needed for sight distance by drivers, and persons participating in the event shall stand clear of such areas.
- (5) Accepting payment for goods or services is permitted only if the applicant has all necessary licenses.
- (6) Except for lawfully carried firearms, no one present at an organized public gathering may carry any weapon. A "weapon" for purposes of this provision includes (i) any of the items which may not be carried hidden from observation without a concealed weapon permit under Virginia Code § 18.2-308 and (ii) any other object with a sharp point or edge, except a knife with a blade of less than three inches.
- (7) No person in an organized public gathering may use any television screen or other changeable display visible to drivers, or otherwise unreasonably distract drivers.
- (8) No person in an organized public gathering may use sound amplification equipment, except to the extent expressly permitted by a public safety plan and/or the special event permit.
- (9) Sleeping is not permitted as part of any organized public gathering.

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- (10) No structures may be built or placed on public property except as permitted by a public safety plan, park rental contract, or Special Event Permit.
- (11) No person in an organized public gathering may coerce, intimidate, or harass any other person with physical contact, light, odor, fireworks, or noise.
- (12) No person may violate any park rule or regulation.

(i) *Term.* No permit for an organized public gathering shall be issued for a period in excess of seven days, which need not be consecutive, provided that permits may be extended for like periods upon a new application. If another applicant has requested use of the same location and multiple occupancy of that location is not reasonably possible, however, then the Town shall allot the space via the method set out in subsection (m) of this section. Multiple applications by the same applicant for substantially the same location shall be treated as a single application.

(j) *Area of gathering; possession of permit.* Except for events exempted from the permit requirement of this section by subsection (k) below:

- (1) It shall be unlawful to hold an organized public gathering except in the area noted on the permit.
- (2) It shall be unlawful to hold an organized public gathering except when there is present at the event at least one person designated as a person in charge on the application or by written notice to the Town.

(k) *Exceptions.* The permit provisions of this section shall be optional for:

- (1) Organized public gatherings by 14 or fewer people on streets or sidewalks, or by 200 or fewer persons in a park;
- (2) Activities by the U.S. government, Commonwealth of Virginia, or Town of Warrenton, or any division, department, or agency thereof;
- (3) Spontaneous gatherings;
- (4) Funeral processions where law enforcement either provides traffic control or determines that no traffic control is needed.

(l) *Financial responsibility.* 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 costs incurred by the Town in relation to the event.

(m) *Date of application; overlapping applications.* No permit shall be granted for any event beginning more than six months after the date of application. If two or more applications are made for overlapping areas and times, and the nature of the events or projects does not reasonably allow multiple occupancy of that particular area, then the one received first will be honored and the Town will suggest alternative times and/or locations for the later one. All applications received on the same day will be considered simultaneous. An application

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for renewal will be considered simultaneous with a new application for the same or overlapping area and time. If there are two or more simultaneous applications for overlapping areas and times, then the Town will contact the applicants and attempt to accommodate all applicants' needs by agreement. If agreement cannot be reached, the permit for the overlapped area and time shall be awarded by lot.

- (n) *Appeals.* Within five calendar days a person denied a permit or whose public safety plan is rejected may appeal that decision to the Town Manager. After appropriate notice to interested parties, if any, the Town Manager shall hear and decide the appeal within two business days. Within three calendar days of the Town Manager's decision on appeal the appellant may further appeal any adverse decision to the Town Council. After appropriate notice to interested parties, if any, the Town Council shall hold a timely meeting to hear and decide the appeal.
- (o) *Waiver.* The Town may grant waivers on request, but only if the inadequacy being overlooked does no harm to the policies furthered by the application requirements and only if the waiver and the grounds for it are recorded in writing contemporaneously with the granting of the waiver.
- (p) *Abatement of hazards and obstructions.* This subsection applies whether there is a permit for the gathering or not and whether the public gathering is organized or not. If any gathering on public areas or facilities creates a hazard to public safety or violates any provisions of this section, then the Town may require that the hazard or violation be promptly ended or that the gathering move to the nearest location where the risk of harm will be diminished to a reasonable level in light of the purposes of this Article. Any such direction shall be narrowly tailored to abate the risk of harm without limiting the public gathering more than reasonably necessary. Failure to obey such direction constitutes a violation of this section. A "hazard to public safety" as used in this subsection includes any condition or action that:
  - (1) Creates a hazard or obstruction to pedestrians or traffic beyond what is permitted by a public safety plan,
  - (2) Damages public facilities; or
  - (3) Would have justified denial or displacement of the event under subsection (c) of this section.
- (q) *Penalty.* Any person intentionally violating any of the provisions of this section for which no other penalty is provided by Town ordinance or state law shall be guilty of a class 3 misdemeanor. The burden of proving the application of any exception under subsection (k)(2), (3), or (4) shall be on the person asserting the exception.
- (r) *Severability.* If any portion of this Article is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Article, and such invalid provisions or portions thereof shall be severable.



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Thomas Cureton, Town Clerk



## Town of Warrenton Special Events - Frequently Asked Questions

### Do I need a Special Event Permit for my event?



### Do I need a Special Event Permit for my event?

Special Event Permits are required for any event that utilizes a public space (including a street or sidewalk) OR uses a space in a way that may disrupt traffic patterns, right of way, or pedestrian safety. Special Event Permits are also required for events on private property that incorporate an amusement device (moon bounce), food truck/vendors selling food, or are open to the public.



If you answer "yes" to any of the following questions, you will need to obtain a Special Event Permit:

1. Will a public street need to be closed?
2. Is the event located on public property?
3. Will the public right-of-way be impacted?
4. Is the event open to the public?
5. Will the event require traffic control?
6. Does the event feature a moon bounce or food truck?

Still not sure? Reach out to Lauren Kruck at [Lkruck@warrentonva.gov](mailto:Lkruck@warrentonva.gov) for assistance on determining whether your event requires a Town permit.

#### **What is the process for obtaining a Special Event Permit?**

The first step in obtaining a Special Event Permit is to fill out the [Special Event Application \(PDF\)](#). Once completed, this can be emailed to [specialevents@warrentonva.gov](mailto:specialevents@warrentonva.gov) or submitted in person at the WARF (800 Waterloo Rd., Warrenton).

There is a \$100 application fee that can be paid in-person at the WARF or online (we will email you a link to pay once your application has been received).

A Certificate of Insurance (COI) naming The Town of Warrenton (21 Main Street, Warrenton VA 20186) as additional insured in the amount of \$1,000,000.00 is also required for all events. If your organization does not have existing insurance, free-standing policies can be obtained from <https://gatherguard.com/>.

Once the application & application fee are received, you will be contacted about coming in to meet with the Special Events committee. This committee meets every Wednesday afternoon and is made up of representatives from various Town departments. At this meeting, we will review your event and discuss any questions or concerns.

You may be required to submit additional paperwork including an event map or additional permits including an Amusement Device Permit (see below).

Once the paperwork has been reviewed and your event has been approved, you will receive an approval letter and overall cost estimate from the Town. See below "What will the total cost be for my event?" for more information on what these fees may include.

After your event has concluded, you will receive an invoice for these associated fees. You may also be requested to meet with the Special Events Committee again for an After-Action review of your event.



### **When should I submit my application for Special Event Permit?**

Special Event Permits cannot be issued until 6 months prior to the event. You are welcome to contact Lauren Kruck at [lkruck@warrentonva.com](mailto:lkruck@warrentonva.com) if you would like to discuss your event before the official permit application process begins.

### **What will the total cost be for my event?**

After meeting with the Special Events Committee & submitting all paperwork, if your event is approved you will receive an approval letter with a cost estimate. These include any costs associated with Warrenton Police Department presence, Public Works staff hours (to shut down roads, drop off a dumpster, run a street sweeper, etc.), cones/barricade rental, fire marshal/building official time to inspect a food truck, etc. Rates can be found here [Special Events Fee Schedule \(PDF\)](#).

After the event has concluded, you will receive the official invoice via email to the email address on the application. Payment is due within 30 days of receipt of the invoice.

### **Are there any other permits I will need for my event? (Moon bounce, inflatables, alcohol)**

Any moon bounce, mechanical ride, or inflatable amusement device requires an additional permit. Please click <https://townofwarrenton.portal.opengov.com/categories/1076/record-types/6459> to access the Amusement Device Permit online application.

Any event that includes alcohol will require an ABC permit for each alcohol vendor. Click <https://www.abc.virginia.gov/licenses/get-a-license/banquet-licenses> to access the Virginia ABC permits website.

### **What are the rules for having a food truck at my event? What about vendor tents/canopies?**

Licensed food trucks that have been approved by the Virginia Department of Health (<https://www.vdh.virginia.gov/environmental-health/food-safety-in-virginia/tfe/>) may take part in approved Special Events at the request of the event organizer. Food trucks must be inspected & approved beforehand by a Town of Warrenton building official, and undergo an onsite inspection at the beginning of the event. This will be arranged as part of your Special Event application process.

All rules and requirements for food trucks and vendor tents can be found here: [Food Truck and Tent Guidelines \(PDF\)](#). Failure to comply with these requirements could result in the food truck's dismissal or the tent's removal from your event.

### **Do food trucks need to pay meals tax?**

All food trucks and any organization selling food as part of a Special Event must register for and pay the Town's 6% meals tax. To register for meals tax or ask any questions, please contact Chrissy Cooper at [taxes@warrentonva.gov](mailto:taxes@warrentonva.gov).



## SPECIAL EVENT APPLICATION CHECKLIST

- \_\_\_\_\_ Have you submitted your completed application along with your non-refundable \$100.00 application fee to the Town Parks and Recreation Department at 800 Waterloo Rd., or emailed to [specialevents@warrentonva.gov](mailto:specialevents@warrentonva.gov)?
- \_\_\_\_\_ Your event may be subject to fees from the services of Community Development, Public Works, Parks and Recreation, or Police. Please see the attached fee schedule for additional information.
- \_\_\_\_\_ The event applicant/organization will receive an estimate of expenses at the post application meeting with the special events task group. A final invoice will be provided to the event applicant/organization no later than 30 days following the event for the balance and if additional services were used and not originally anticipated.
- \_\_\_\_\_ Have you submitted your Certificate of Insurance naming The Town of Warrenton as additional insured in the amount of \$1,000,000.00? (submit with application) Reach out to: <https://gatherguard.com/> for help with your insurance.
- \_\_\_\_\_ Have you submitted your public safety plan? (Needed at least ten days prior to event date)
- \_\_\_\_\_ Have you submitted your assembly plan notification if needed?
- \_\_\_\_\_ Have you submitted a Copy of Notification to be sent to residents/businesses of upcoming event?
- \_\_\_\_\_ Have you selected and provided your race route if needed?
- \_\_\_\_\_ Have you submitted your site plan and timeline. (see attached)

Please initial on each line indicating you have read and understood each item above.

**USER RESPONSIBILITY** - Users agree to assume responsibility for any liability for injury or damage to their person or the property of the user or others, injury or damage attributed to Town of Warrenton facilities, personnel and/or property. The Town of Warrenton is not responsible for an accident, injury, or damage to or property loss. The rental period will be observed to avoid additional charges of 50% of the base rental fee for each additional 15 minutes the facility is used.

**SAFETY** - Users agree that safety and protection of all persons are paramount and assume the responsibility to ensure that use, installation, maintenance, and inspection of all equipment used and/or left onsite at facilities conform to government and non-government (voluntary) safety standards and/or guidance as posted by the U.S. Consumer Product Safety Commission and the equipment manufacturer's instructions.

**PLEASE NOTE:** All events and reservations must be scheduled through the Town of Warrenton, regardless of fee. In addition, ALL amusement devices, including, but not limited to, moon bounces, rides, and dunk tanks, will require additional permitting through the Community Development Department. The Community Development Department can be reached at [\(540\) 347-2405](tel:(540)347-2405). Inspections needing to be performed after hours will be subject to additional fees.

Permits may be required for vendors selling food items or retail goods and services. Copies of all permits and insurance must be submitted two weeks prior to the event. Special requests must be made at the time the application is submitted to ensure they are addressed.

If Park Rental: I/We understand that my reservation is for the use of a specific pavilion, field and that the park is a public park that is accessible to all during my reservation period.

**I understand the organizer or representative will attend a Special Events Meeting for a Q&A Session.**

Everything that I have stated on this application is correct to the best of my knowledge. I understand that the Department will retain this application whether it is approved or not. I agree that while we use Town of Warrenton facilities, we will not discriminate based on race, creed, color, religion, disability, gender, or age. I have read, understand, and agree to abide by the policies, rules, and regulations as they pertain to the requested usage.

Printed Name: \_\_\_\_\_ Applicant Title: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Date Received by Staff: \_\_\_\_\_ Staff Initials: \_\_\_\_\_

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## APPLICATION FOR SPECIAL EVENT/PARADE PERMIT

Review the following questions to determine if your event requires an approved permit. If you answer **YES** to any of the following questions, then you will need to apply for a permit.

1. Will a public street need to be closed? Yes  No
2. Is the event located on public property? Yes  No
3. Will the public right-of-way be impacted? Yes  No
4. Is the event open to the public? Yes  No
5. Will the event require traffic control? Yes  No

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### GENERAL INFORMATION:

Name/ Organization/ Team Name: \_\_\_\_\_

Organizer / Representative: \_\_\_\_\_

Home/ Cell # \_\_\_\_\_ Work # \_\_\_\_\_ Email \_\_\_\_\_

Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_

Point of Contact for Day of Event: \_\_\_\_\_ Work # \_\_\_\_\_

Name of Event: \_\_\_\_\_

Description of Event: \_\_\_\_\_

Location of Event: \_\_\_\_\_

If on Private Property - Property Owner with Contact Information: \_\_\_\_\_

Date of Event: \_\_\_\_\_ Rain Date: \_\_\_\_\_ Attendance per day: \_\_\_\_\_  
(for special events only)

Event Hours: \_\_\_\_\_ Set Up Time: \_\_\_\_\_ Clean Up Time: \_\_\_\_\_

Sponsored By: \_\_\_\_\_ Insurance Company (Please provide COI): \_\_\_\_\_

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# Event Details

	<b>YES</b>	<b>NO</b>	
Are you requesting street closures?			If yes, list days and hours of closure: _____ List streets to be closed on Site Plan and attach a map indicating corresponding streets: _____
Tent or Canopies			Sizes and Number: _____
Portable Toilets			How many regular toilets will you supply: _____ How many handicap accessible toilets will you supply: _____ Note: 1 Portable Toilet per 100 guest at the peak attendance of your event is the guideline.
Inflatables/Amusement Rides			Sizes and Number: _____ Company Name: _____ Mark locations on proposed Site Plan. Phone Number: _____
Amplified Sound			Number of Speakers and their sizes: _____
Stage			Number of Stages and their sizes: _____ Mark location(s) on the proposed Site Plan.
Are you serving food? Food Vendors/ Retail Vendors			Number of food vendors: _____ Trucks _____ Trailers _____ Tents _____ Number of retail vendors: _____ Trucks _____ Trailers _____ Tents _____ List all food and retail vendors and location(s) on the proposed Site Plan. All food and drink that is prepared and sold onsite is subject to a 6% meals tax. Please include a list of your food vendors so that we can verify that they have filed for this tax. Have you completed a Temporary Event Coordinators application through the Virginia Health Department?
Admission/Entry Fees/ Donations			Admission fee for participants: Yes No Entry fee charged to vendors: Yes No
Signs, Banners, Flags, Balloons, etc.			Identify where on the Site Plan they will be displayed and indicate size.
Animals Involved			Explain: _____
Alcohol			Number of alcohol vendors: _____ ABC License will need to be submitted for vendors. Organizer must apply for an ABC license.
Parking Control Staff Onsite			How many will be onsite: _____ Please include parking proposed on Site Plan.
Onsite Security			Security/Company Firm: _____ (must be DCJS certified only) Town of Warrenton Police: How many? _____
Items left overnight			Description of items: _____
Water or Electrical Hook up			Water: Eva Walker Park Rady Park Warrenton Sports Complex Electric: Eva Walker Park Rady Park Other
Generator			Mark these locations or indicate generator location(s) on proposed Site Plan.
Portable Lighting			Mark these locations on proposed Site Plan.
Trash Cans/Dumpster			How many? _____ Mark these locations on proposed Site Plan.

## **SITE PLAN, ROUTE MAP AND TIMELINE**

**PLEASE NOTE: SITE PLANS AND WALK/RUN ROUTES ARE SUBJECT TO REVIEW.**

Any changes that are made to your *Site Plan/Route Map* will need to be approved by the Special Events Task Force. Final *Site Plan/Route Map* must be submitted no less than 10 days prior to the event.

**Your event *Site Plan/Route Map* should include, but not be limited to the following:**  
*(We understand that in the proposal stage this will be a draft).*

- Detailed timeline of event from set up/logistic delivery; event start, duration, and end; including breakdown/logistics removal.
- An outline of the entire event venue including the names of all streets or areas that are part of the venue and the surrounding area. If the event involves a moving route of any kind, indicate the direction of travel and all street or lane closures.
- The location of fencing, barriers and/or barricades. Indicate any removable fencing or emergency access.
- The provision of minimum 12' emergency access lanes throughout the event venue.
- The location of first aid facilities and ambulances.
- The location of all stages, platforms, bleachers, grandstands, canopies, tents, portable toilets, inflatables, portable lights, booths, beer gardens, cooking areas, trash containers and dumpsters, and other temporary structures with their dimensions.
- A detail or close-up of the food booth and cooking area configuration including tent dimensions and booth identification of all vendors cooking with flammable gases or barbecue grills.
- Generator location and/or source of electricity.
- Placement of vehicles and/or trailers.
- Exit locations for outdoor events that are fenced and/or locations within tents and tent structures, along with the dimensions.
- Identification of all event components that meet accessibility standards.
- Other related event components not listed above.

**You may provide this information on the next page and/or as an attachment if necessary.**

## **SITE PLAN/ROUTE MAP - Detailed Description**

(This page has been intentionally left blank to provide space for your event plan)

## **TOWN OF WARRENTON FACILITY, PARK, AND STREET USAGE RULES (Please retain a copy for your records)**

### **USAGE RULES**

1. **ALCOHOL** - Alcoholic beverages are not permitted in or on any Town of Warrenton public facility, grounds, or rights-of-way without prior approval and upon obtaining an ABC license. Individuals working/volunteering shall not be under the influence during the event nor consume alcohol during or prior to said event.
2. **ANIMALS** - Pets must always remain on leash six feet or shorter. All other animals must be sufficiently housed or fenced up by the owner or person exercising control over the animals so as to prevent the animals from trespassing or straying. Animal excrement must be removed and placed in trash receptacle by the owner. Except for service animals, pets are not permitted inside buildings.
3. **ORDINANCES** - Town of Warrenton Ordinances shall apply.
4. **CANCELLATIONS** - Cancellations due to inclement weather must be made at least 24 hours prior to the event by emailing [specialevents@warrentonva.gov](mailto:specialevents@warrentonva.gov). In the event of cancellation by the renter, fees will not be refunded. Efforts may be made to reschedule based on current availability. Repetitious cancellation by the renter may result in nullification of the contract. Refunds may be offered if the Department cancels due to special circumstances.
5. **CLEANING** - All users are expected to leave the facility, park, and streets clean and orderly. User is responsible for additional fees if a department incurs unexpected costs.
6. **RULES & REGULATIONS** - Rules and regulations shall be adhered to by all persons representing the rental group.

I/We understand that my reservation is for the use of a specific pavilion or field and that the park is a public park that is accessible to all during my reservation period.

Everything that I have stated on this application is correct to the best of my knowledge. I understand that the Department will retain this application whether it is approved or not. I agree that while we use Town of Warrenton facilities we will not discriminate based on race, creed, color, religion, disability, gender, or age. I have read, understand, and agree to abide by the policies, rules, and regulations as they pertain to the requested usage.

PRINTED NAME: \_\_\_\_\_ APPLICANT TITLE: \_\_\_\_\_

APPLICANT SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

DATE RECEIVED BY STAFF: \_\_\_\_\_ STAFF INITIALS: \_\_\_\_\_



## SPECIAL EVENT FEE SCHEDULE

### PUBLIC SAFETY

Staff Type	Rate
Police Officers	\$45.00 per hour
Police Corporals and Above	\$55.00 per hour
Hard Barrier Fee	\$10.00 per vehicle

### COMMUNITY DEVELOPMENT *\* Estimated Time at event site = 2 hours*

Type	Rate
Application Fee Building Official*	\$100.00 flat fee
Fire Marshal*	\$40.00 per hour
Inspector*	\$35.00 per hour
Permit Renewal / Administrative	\$30.00 per hour
Tents ***	\$45.00 per 6 months
	\$50.00 1st + \$25.00 each additional

### AMUSEMENT DEVICES

Type	Rate
Small Mechanical	\$55.00 flat fee
*** Circular Ride/Flat Ride less than 20' in height	\$75.00 flat fee
*** Spectacular Ride	\$100.00 flat fee
*** Coasters <30'	\$200.00 flat fee
*** All Other Devices	\$55.00 flat fee
*** After Hours Inspection	50% increase of permit fee

### PUBLIC WORKS AND UTILITIES *\* Estimated Time to place signs = 2 hours*

Staff Type	Rate
Public Works Employee	\$35.00 per hour
Cone/Barricade Rental	\$30.00 flat fee
No Parking Sign Placement*	\$20.00 per hour
Street Sweeper	\$97.00 per hour

### PARKS AND RECREATION STAFF

Staff Type	Rate
Manager on Duty (MOD)	\$25.00 per hour
Parks and Recreation Staff	\$20.00 per hour

## PARK FACILITY FEE SCHEDULE

### Park Pavilion

Park Pavilion	Rate
Eva Walker, Rady, Warrenton Sports Complex, WARF Veranda (Next to the Fun For All Playground), Half Day Rental	\$70.00 flat fee
7:30 AM - 2 PM or 2:30 PM - Dusk	
Full Day Rental	\$95.00 flat fee

### Park Amenities

Park Amenities	Rate
Sand Volleyball Court (Rady Park)	\$25.00 per hour
Basketball Court (Eva Walker Park)	\$25.00 per hour
Pickleball Court (Academy Hill Park)	\$25.00 per hour

### Field Rental

Field Rental	Rate
(Rady Park or Academy Hill Park)	\$25.00 per hour



## PUBLIC SAFETY PLAN FOR SPECIAL EVENTS

The purpose of this form is to provide event organizers a guide to address potential safety hazards and to identify safety procedures that should be in place prior to an event. Some things to consider when outlining your safety plan for the event should be, but not limited to: Severe weather (thunderstorm, tornado); fire at the event or in a building adjacent to the event; traffic accident at or impeding flow to and away from event; health related incidents at event; or acts of violence at the event. Complete all applicable fields, and identify any field that are not applicable to the event with an N/A. This form is required for all events.

### EVENT INFORMATION

Name of Event:

Location:

Event Contact:

Phone:

Email:

Date(s) of Event:

Time(s) of Event:

Estimated Total Event Attendance:

Estimate of largest number of people that will be at the event at the same time:

Description of Event Area:

### EVENT STAFFING

Who is the Point of Contact for emergencies?

Phone:

Expected number of Event Staff:

Overview Description of the Event Staffing Plan:

Will there be onsite Fire Services?       Yes       No

If yes, who?

Will there be onsite EMS/Medical Services?       Yes       No

If yes, who?

Will there be onsite Law Enforcement/Security?       Yes       No

If yes, who?

DCJS Certified?       Yes       No

### EVENT PARKING, INGRESS and EGRESS

Overview Description of the Event Parking Plan:

Is shuttle service provided?       Yes       No

If yes, what is the route & stop points?

Is Lyft / Uber drop site provided?       Yes       No

Where?

Are Law Enforcement Personnel providing traffic control on roadways?       Yes       No

Parking responsibilities are being managed by # of Staff:      # of Vendors:      # of Volunteers:

Other parking and access considerations:

### EMERGENCIES

What is the route for emergency vehicle ingress to the event site?

How will you maintain the emergency vehicle route, including during pre-event and post-event activities?

Describe any hazards or restrictions to mass evacuation of the event (fencing, limited emergency exits) and how these hazards will be addressed:

Describe how crowd evacuation will be managed to another location in an emergency:

### EMERGENCY RELOCATION AND ASSEMBLY AREAS

Primary and Secondary Indoor Relocation Area(s): 1)      2)

Primary and Secondary Outdoor Relocation Area(s): 1)      2)

**Key Definitions:**

The **Indoor Relocation Area** is an interior space that can accommodate the event attendees and provide the most protection from outside hazards, the most recognizable threat being severe weather.

The **Outdoor Assembly Area** is an open outside location at least 100 feet from the evacuated area where occupants temporarily gather following an evacuation in an effort to make sure everyone is out of the area safely. This location should be located away from access points used by emergency vehicles.

Staff/Volunteer Assembly Areas for:

Severe weather -

Acts of Violence -

Fire -

List of Staff Names & Phone Numbers for accountability of staff:

**EMERGENCY COMMUNICATIONS**

Describe the methods available for communicating an emergency to staff, vendors and the public:

Describe the systems in place to assist in an emergency (Public Address System, Staff Radios, etc.):

Describe the equipment available to assist in an emergency, including quantity and location (Fire Extinguishers, First Aid Kits, Automated External Defibrillator (AED), etc.) and provide a map of locations of said equipment:

**PLAN REVIEW AND APPROVAL**

Plan Created By:

Date:

Plan must be submitted to Town of Warrenton at least 30 days prior to the event.

Plan must be submitted for review with any applicable attachments including:

- Event layout (map)
- Parking plan
- Facility floor plan (evacuation route map)
- Any other applicable attachments

Upon completion and approval of the event public safety plan:

- Keep the plan in a readily accessible location
- Provide access to the plan to all event staff and volunteers
- Allow all event staff/volunteers adequate time to review the plan
- Ensure that all event staff/volunteers understand the plan and their duties as assigned in the plan

**TO BE COMPLETED BY TOWN EVENT STAFF ONLY:**

Plan Reviewed By:

Date:

Plan Approval:  Yes  No

Date:

Additional Notes:



# Town of Warrenton

A guidance document for food trucks/vendors and tents at special events

**\*\*\*If the food vendor/food truck cannot meet these requirements, they will be asked to leave the event\*\***

## Food Truck Operation Requirements:

To attend a special event, the fire inspector will be checking all of the following on the day of the event:

- Valid Fire Inspection for the food truck
  - a. A copy of your inspection must be in the vehicle and supplied prior to the event AND to the inspector on the day of the event.
  - b. This can be performed by any County Officials, Town Officials, or the State of Virginia.
- Wheel Chocks **MUST** be available and placed between the vehicle tires when not in motion
- If the food truck is cooking with *grease*, the food truck **MUST** have a type K fire extinguisher available in addition to an ABC extinguisher.
- ALL** food trucks **MUST** have an ABC fire extinguisher on hand.
- Not be within 10 feet of a crosswalk, bus stop, intersection, driveway, or handicapped space; nor within a designated loading zone or fire lane **unless** the event is held on a closed street.
- Comply with the hours of the special event. Vehicles left after hours may be towed.
- Be at least 5 feet from right-of-way/entrances. (Only applies if the street is **not** closed for an event)
- Have at least 3 feet clearance around the vehicle.
- Should maintain a minimum distance of 50 feet from a restaurant or provide a letter of "no objection"
- Must maintain 10 feet of separation from any other permitted Food Truck, Combustible Materials, and Buildings/Structures. (Examples of Combustible Materials include: Flags on light poles, Banners, tree limbs, etc.)

## Important Information:

- Food Trucks **may not operate** in designated Public Parks during special events, **without express permission** from the Department of Parks and Recreation Events Coordinator.
- It is the sole discretion of the special event organizer which Food Trucks may have access to events.
- Virginia Department of Health Permit: The Virginia Department of Health requires permits for many types of businesses, such as mobile food establishments and temporary events. Contact the Virginia Department of Health for all permitting requirements.
- Food Trucks/ Food Tents/ Vendor Tents must provide a 12ft fire break throughout the event to ensure Emergency Vehicle access can be maintained.**

## Tent Requirements:

- Tents must be fire rated if cooking underneath them.
- Tents must be weighted/secured on all four corners.
- Generators used in conjunction with tents shall be installed not less than 10ft from combustible materials and each generator shall be provided with an ABC extinguisher.
- Cooking tents must be separated from non-cooking tents (Vendor tents) or other membrane structures by 20ft.
- Cooking tents involving *grease* **MUST** have a type K fire extinguisher available and the vendor **MUST** use grease pads. If **not** cooking with grease, there must be an ABC extinguisher available.
- A building permit **MUST** be obtained for tents larger than 900 square feet. (This includes smaller tents grouped together to achieve the effect of a larger tent.)
- \*\* A cooking tent includes electric appliances being used underneath of the tent\*\***

INTENTIONALLY LEFT BLANK

notice enumerating the grounds and declaring the town's intent to hold a hearing at a specified date and time to determine whether revocation is warranted. The notice shall be mailed, by certified mail, to the permittee's last known address, at least ten (10) days prior to the date set for the hearing. At the hearing, the permittee may be represented by counsel, may cross-examine witnesses and may present evidence in his favor. If the town finds that any ground for revocation in fact exists, the Zoning Administrator shall revoke the permit. The town shall issue a written notice of his findings and decision within ten (10) work days of the hearing. Any appeal shall be filed by the permittee within thirty (30) days after a permittee receives the notice and shall specify the grounds for appeal. The Zoning Administrator's action remains in effect during the pendency of the appeal. The Town of Warrenton Board of Zoning Appeals shall hold an appeal hearing no later than sixty (60) days after the appeal is filed.

- (b) Grounds for suspension of any permit granted under this Chapter exist if the permittee has failed to comply with any provisions of this Chapter other than those which mandate revocation. If the permittee is a privately-held corporation or company, grounds for suspension exist in the event of such failure to comply by the corporation or company or by any officer or director. If the permittee is a publicly-held corporation, grounds for suspension exist in the event of such failure to comply by the corporation or by any officer or agent who has responsibility for the daily operations of the establishment. If the permittee is a partnership, grounds for suspension exist in the event of such failure to comply by the partnership or any partner. The Zoning Administrator or any person with a right of entry under § 28.1-5-2 may order the suspension of the permit with or without notice. The order shall set forth the reasons for the suspension. A copy of the suspension order shall be hand delivered or mailed by certified mail to the permittee's last known address. The Zoning Administrator may end a suspension at any time if the reason for the suspension is corrected. Any appeal shall be filed by the permittee within thirty (30) days after a permittee receives the suspension order and shall specify the grounds for appeal.

## **9-24 Mobile Food Vendors**

### **9-24.1 Purpose**

The purpose is to provide regulations for mobile food vendors in order to provide economic development and entrepreneurial opportunities, while protecting the public health, safety, and welfare and mitigating fiscal impacts to existing brick and mortar restaurants and related businesses.

The Town of Warrenton shall administer a program to receive, review and approve permit applications for Mobile Food Vendors that desire to vend in designated zoning districts. The associated policy and procedures document sets out guidelines for the permitting process for vending in designated Mobile Food Vendor areas in specified zoning districts. This policy does not cover participation in Special Events (such as, festivals). To participate in Special Events, all vendors must comply with the rules and regulations laid forth in the Special Event permit provided to the event organizer.

#### 9-24.2 Allowable Zoning Districts

Mobile Food Vendors are allowable in public parks and in any district that allows restaurant uses, provided these Vendors and their equipment shall meet all location and operational requirements outlined in this ordinance, Article 9-24.3.

#### 9-24.3 Operation Requirements

Mobile Food Vendors may operate on private property within the Industrial (I) zoning district from an existing, improved parking-area with the expressed, written consent of the property owner. All operations, on public or private property, must comply with the Mobile Food Vendor policy and procedures document.

##### 9-24.2.2 Operation on Public Property

1. Mobile Food Vendors may operate on private or public property from an existing, improved parking area with expressed written consent of the property owner.
2. The entire operation of a Mobile Food Vendor must fit in the allowed public parking area. Vehicles that do not fit within the designated parking area will not be permitted to operate in the program.
3. Each Mobile Food Vendor parking area shall not be within 10 feet of an intersection, crosswalk, driveway, bus stop, taxi stand or handicapped parking space. Nor will any Mobile Food Vendor be situated in any part of a designated loading zone or fire lane.
4. Mobile Food Vendors are to comply with the vending hours between 8:00 AM and 9:00 PM, or lesser time as administered by the Planning Director, and not leave Mobile Food Vendor vehicles beyond the allowable vending hours. Mobile Food Vendor vehicles left beyond these hours are subject to towing.
5. The Town may adjust these sites in cases of construction or other

circumstances, as approved by the Planning Director.

6. The Town may consider additional locations based on demand and impact, as approved by the Planning Director.
7. There shall be a five (5) foot setback from right of ways and entrance drives.
8. There shall be a minimum three (3) foot clearance around the food vending vehicle for safety.
9. There shall be accessibility to restrooms.
10. There shall be a minimum distance of:
  - (a) 100 feet from any residential district or district that does not allow restaurant uses;
  - (b) 50 feet from any existing restaurant or provide a letter of “no objection” from the restaurant as to a closer location.
  - (c) 25 feet from any other permitted Mobile Food Vendor.

#### 9-24.4 Program Fees and Operation Costs

Participants are subject to annual program and business license fees as specified in the Mobile Food Vendor policy and procedures document, including routine collection of meals and consumption taxes. Mobile Food Vendors are required to comply with all other applicable local, state and federal taxes including remittance of sales tax in accordance with state law. Fees are subject to change with Town Council approval.

#### 9-24.5 Rules and Regulations

- 9-24.5.1 Allowable vehicles include, but are not limited to, Mobile Food Vendor vehicles from which service is provided to customers through the side of the vehicle or trailer.
- 9-24.5.2 Mobile Food Vendors are required to maintain minimum Mobile Food Vendor vehicle standards for continued participation in the program. Standards include, but are not limited to, the following:
  1. Floors, walls, ceilings and food contact surfaces must be easily cleanable (i.e. stainless steel, aluminum or other approved non-corrosive and non-rusting metal).
  2. Surfaces must be waterproof, smooth, readily cleanable, and resistant to dents and scratches.

3. All outer openings must be screened and/or sealed when not operating.
4. Serving areas on top of carts and truck serving windows may be made of whatever material is appropriate for food preparation: metal, tile, synthetic countertop, etc.).
5. There should be no structural defects (i.e. holes, openings, rust, seams or broken parts).
6. The business name should be affixed to the back or side of the operation and clearly visible to customers.
7. Mobile Food Vendor vehicles must be sized to fit into designated parking areas.
8. Shall not sell anything other than food and nonalcoholic beverages, with the exception that up to 15% of the business may be accessory items related to the business such as hats, mugs, decals, tee shirts, and the like.
9. Shall not place or utilize any signage not permanently affixed to the vehicle.
10. Shall not display any balloons or windblown signs or attach any such items to the vending vehicle.
11. Shall not display any advertisements for other businesses.
12. Shall not cause any liquids to be discharged from the mobile food vehicle.
13. Shall provide proper receptacles for trash and waste disposal during operation and remove all trash and dispose of all waste as part of site cleanup.
14. Shall not be allowed to be in place for more than four (4) hours.
15. Shall post permit so it can be seen from the outside of the mobile food vehicle.
16. Shall not receive any deliveries at point of sale site.
17. Shall not be left unattended while in a vending location.
18. Shall be removed from the lot when not in operation.

9-24.5.3 If any area is closed for an emergency or other permitted activity, no vendors will be allowed to set up. Areas will be monitored for compliance and any violations could result in a permit being suspended or revoked.

9-24.5.4 The entire operation must be fully mobile. Generators should be whisper or quiet models that do not present a nuisance.

#### 9-24.6 Prohibited Items

- 9-24.6.1 Radio or sound-amplifying devices;
- 9-24.6.2 Flashing signs or signs that move or give the appearance of moving;
- 9-24.6.3 Sign, menu board, tables, chairs, waste receptacles or other objects in the roadway or sidewalk;
- 9-24.6.4 Water, sewer, gas or electrical connections to a building.

#### 9-24.7 Refuse Control

- 9-24.8.1 Participants must ensure that no pollutants, including waste/grease, liquid wastes, gray water garbage/debris, and other materials are discharged to the Town's storm drain system (including gutters, curbs, and storm drains).
- 9-24.7.2 A waste receptacle shall be provided for the use of customers and shall be affixed to the Mobile Food Vendor Vehicle or be placed on the ground near the Mobile Food Vendor, so long as they meet Article 9-24.7.3. All trash must be removed from the site by the Mobile Food Vendor. Use of Town waste receptacles by Mobile Food Vendors is prohibited.
- 9-24.7.3 Participants are required to pick up, remove and dispose of all garbage, refuse or litter consisting of foodstuffs, wrappers, and/or materials dispensed from the vending vehicle and any residue deposited on the street from the operation thereof, and otherwise maintain in a clean and debris-free condition the entire area within a 25-foot radius of the location where Mobile Food Vending is occurring. Assistance in cleaning any public eating spaces is appreciated.

#### 9-24.8 Violation and Penalties

Any violation of this Article and the penalties for all such violations shall be as set forth in the Zoning Ordinance, in accord with Article 11 of this Ordinance and §15.2-2286 (A) (5) of the Code of Virginia.

### **9-25 Mixed-Use Development Option**

The mixed-use development option is created within the Commercial District to allow a mixture of uses when consistent with the Comprehensive Plan. The mixed-use option is intended to encourage development in a creative and integrated manner that encourages pedestrian walkability, shared open spaces and an alternative form of housing within the Town.

#### 9-25.1 Mixed-Use Regulations

**A copy of this form and your Itinerant Merchant License must be kept at all times in the Mobile Food Vendor vehicle and supplied for random inspection.**

## Program Compliance

I understand and will abide by the regulations in Article 9-24 of the Zoning Ordinance and by the Policies and Procedures for the Warrenton Mobile Food Vendor Program. I further understand that should I commit any violation of the Ordinance and/or this policy, my participation in this program may be revoked.

---

Vendor Signature

---

Printed Name

---

Town Manager or Designee Signature

---

Printed Name

### Questions?

Contact the Department of Planning & Community Development  
21 Main Street  
(540) 347-2405  
Monday - Friday 8 AM - 4:30 PM



## Locations

In addition to land that is zoned C, CBD, or I where restaurants are permitted, the following are designated as public vending sites for Mobile Food Vendors:

1. **Warrenton Aquatic and Recreation Facility**, 800 Waterloo Rd, Warrenton, VA 20186 - Parking Area
2. **Rady Park**, 725 Fauquier Road, Warrenton, VA 20186 - Parking Area
3. **Dog Park**, 101 S. Fifth Street, Warrenton, VA 20186 – Parking Area

For more information on these park facilities, go to  
<http://bit.ly/w-town-parks>

## Exceptions to Permitting

As stated in Section 9-24.1 of the Zoning Ordinance, **Mobile Food Vendor permits do not extend to special events**. You must be specifically authorized to sell at certain events.

Mobile Food Vendors **may not operate** in designated Public Parks during special events, athletic meets, and tournaments **without express permission** from the Department of Parks and Recreation events coordinator.

**Possession of an annual permit does not guarantee a Mobile Food Vendor will be granted permission during special events.**

It is the sole discretion of the events coordinator which Mobile Food Vendors may have access to events. It is the responsibility of the Mobile Food Vendor to stay informed of restricted events.

**The Warrenton Mobile Food Vendor Program will be reviewed in its entirety one year after its adoption by the Town Council.**

TEAR HERE TO DISPLAY ON VEHICLE



## Town of Warrenton **MOBILE FOOD VENDORS**

*A guidance document for the  
Mobile Food Vendor Program*



## Vending Permit Application Process

### Designated Public Sites

### Program Fees



## Application Process

Here's what's needed:

1. A **Health Permit** from the Virginia Department of Health;
2. Proof of Current **Fire Inspection**;
3. Statement of **Authorization from the property owner** or their agent if operating on private property;
4. **Certificate of Insurance** (see Article 9-24.9 of the Zoning Ordinance);
5. Signed Policies and Procedures Program **Compliance Form** (last page of this brochure);
6. **Fees paid** in full (see chart below); and
7. **Itinerant Merchant License**. Issued by the Town of Warrenton Finance Department.
8. **Completed Meals Tax Registration**. Filed with Finance Department

Fees	Department /Agency	Cost
Itinerant Merchant (per vendor)	Town Finance Department	\$500
Meals Tax (per vendor)		6%, Remit monthly
Annual Health Permit Fee (per vehicle)	VA Department of Health (County)	Varies
<b>Total</b>		<b>\$500</b>

## Program Fees

**Itinerant Merchant License Fee.** The business license fee for Mobile Food Vendors is an annual flat fee and cannot be refunded. The business license fee for the first year is due at the time of application. Business License Renewal applications will be mailed each year and are due by March 1<sup>st</sup>. The annual business license fee is due by June 30<sup>th</sup>.

**Meals Tax.** Mobile Food Vendors are required to collect Meals Tax on all applicable food and beverage sales at a rate of 6% and remit to the Town on a monthly basis. The Meals Tax return and payment are due on the 20<sup>th</sup> of the month following the month in which the tax was collected.

**Virginia Department of Health Permit.** The Virginia Department of Health requires permits for many types of businesses, such as mobile food establishments and temporary events. Contact the Virginia Department of Health for all permitting requirements.

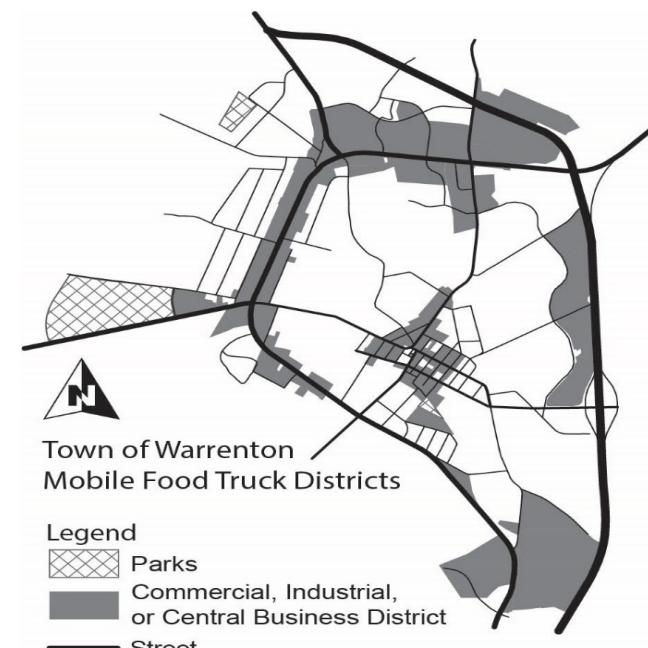
Mobile Food Vendors are required to comply with all other applicable local, state, and federal taxes, including remittance of Sales Tax in accordance with state law.



## Operation Requirements

Mobile Food Vendors must:

1. Be on an improved parking area & have the written consent of the property owner.
2. Must fit in the allowed public parking area.
3. Not be within 10 feet of a crosswalk, bus stop, intersection, driveway, or handicapped space; nor within a designated loading zone or fire lane.
4. Comply with the vending hours of 8 AM to 9 PM. Vehicles left after hours may be towed.
5. Be at least 5 feet from right-of-way/entrances.
6. Have at least 3 feet clearance around the vehicle.
7. Have accessibility to restrooms.
8. Maintain a minimum distance of (a) 100 feet from any district that does not allow restaurants;
9. 50 feet from a restaurant or provide a letter of "no objection"; (c) 25 feet from any other permitted Vendor.
10. Provide wheel chocks for vehicle when stopped.
11. Provide a type "K" extinguisher within the truck when cooking with grease.



June 10, 2025  
Town Council  
Public Hearing  
Ordinance 2025-06

**AN ORDINANCE TO ESTABLISH BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE TAX  
RATES FOR THE TAX YEAR BEGINNING JULY 1, 2025**

**BE IT ORDAINED** by the Council of the Town of Warrenton, Virginia, that the following Business, Professional and Occupational License Tax Rates are hereby levied for the tax year beginning July 1, 2025:

Amusements	\$0.10 per \$100 Gross Receipts
Contractors, Builders or Developers	\$0.085 per \$100 Gross Receipts
Business, Personal or Repair Service Occupations	\$0.1683 per \$100 Gross Receipts
Financial or Real Estate Services	\$0.2678 per \$100 Gross Receipts
Professional Occupations	\$0.2678 per \$100 Gross Receipts
Retail Merchants	\$0.10 per \$100 Gross Receipts
Vending Machine Operators	\$200 plus \$0.10 per \$100 Gross Receipts
Wholesale Merchants	\$0.0425 per \$100 Gross Purchases
Public Utilities (Telephone & Telegraph)	½ of 1% of Gross Receipts

The license tax is the greater of \$30.00 or the tax computed on gross receipts. Flat fees apply to certain businesses as follows:

Fortune tellers, Clairvoyants & Practitioners of Palmistry	\$1,000.00 per year
Carnivals, Circuses and Speedways	\$1,000.00 per performance
Itinerant Merchants	\$500.00 per year
Peddlers	\$250.00 per year
Photographers (as defined in §58.1-3727 of the Code of Virginia)	\$30.00 per year
Savings and Loan Associations and Credit Unions	\$50.00 per year
Direct Sellers	(Total annual sales greater than \$4,000.00) \$0.10 per \$100 Total Annual Retail Sales -Or- \$0.0425 per \$100 Total Annual Wholesale Sales

**Alcoholic Beverages (special license tax provision in addition to gross receipts tax):**

Wholesale Beer License	\$75.00
Wholesale Wine Distributor	\$50.00
Retail On-Premises Wine & Beer - Hotel, Restaurant or Club	\$37.50
Retail Off-Premises Wine & Beer	\$37.50
Retail On-Premises Wine - Hotel, Restaurant or Club	\$25.00
Retail Off-Premises Beer	\$25.00

**Votes:**

**Ayes:** Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. David McGuire.

**Nays:** Mr. Paul Mooney

**Absent from Meeting:**

For Information:  
Budget Manager

ATTEST:



The image shows two handwritten signatures. The first signature on the left is for the 'Budget Manager'. The second signature on the right is for the 'Town Recorder'. Both signatures are in black ink and are placed above a horizontal line.