

CHAPTER 95: PARADES

Section

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§ 95.01 APPLICATION OF REGULATIONS.

This chapter applies to all street fairs, festivals, carnivals, parades, marches, rallies, demonstrations, and other activities or public events that require the temporary closing or obstruction of all or a portion of any street or other public right-of-way or that substantially hinders or prevents the normal flow of vehicular or pedestrian traffic along any street or other public right-of-way. Any such activity covered by this chapter shall hereafter be referred to as “the event.”

§ 95.02 PERMIT REQUIRED.

No person may run, operate, or sponsor any event in any public street or right-of-way without a permit obtained from the Town Clerk in accordance with this chapter.
Penalty, see § 10.99

§ 95.03 PERMIT APPLICATION.

Applications for the permit authorized by this chapter shall be submitted on a form provided by the Town Clerk and shall contain the following information:

- (A) Name, address, and telephone number of the person, organization or entity seeking to conduct or sponsor the event.
- (B) Name, address, and telephone number of the individual in charge of the event.
- (C) The proposed date and time period when the event will be conducted.
- (D) A sketch-map showing:
 - (1) The area where the event is to take place.
 - (2) Any streets to be closed or obstructed.
 - (3) Any barriers or traffic-control devices that will be erected.
 - (4) The location of any concession stand, booth, or other temporary structures or facilities.
 - (5) The location of proposed fences, stand, platforms, benches, or bleachers.
- (E) The approximate number of people expected to attend the event.
- (F) When applicable, a request that the town provide specified services and/or that the town close identified streets or portions of streets for a particular period.
- (G) Sufficient proof of liability insurance in accordance with § 95.05.
- (H) Any other information determined by the Administrator to be necessary to insure compliance with this chapter.

§ 95.04 STAFF REVIEW.

Upon receipt of the permit application, the Town Clerk shall circulate it to the Police Chief, the Fire Chief, the Public Works Director, and other appropriate persons for their comment. The Clerk may arrange to have a conference on the application with the applicant and one or more department heads.

§ 95.05 INSURANCE REQUIREMENT.

The Town Clerk may require as a condition precedent or subsequent to issuance of the permit that the applicant obtain a comprehensive general liability insurance policy or comparable special events liability business in this state with coverage that includes the entire area of the event. If such a policy is required, the town shall be named as an additional insured on the policy. The policy limits of such insurance shall be not less than:

Property damage:	\$50,000 for each occurrence
Bodily injury or death	\$100,000 for each person \$300,000 for each occurrence

§ 95.06 FEES; COSTS INCURRED BY TOWN.

- (A) The applicant for a permit under Sections 95.02 and 95.03, if such permit is for a parade, activity or public event (hereafter referred to as “event”) which requires

the temporary closing or obstruction of all or a portion of any street, shall, prior to the issuance of a permit, pay a fee in the following amount, as applicable, unless such fee is partially or fully waived by the Town Council in accordance with this section:

- (1) An event sponsored by the Town, including the 4th of July parade, Christmas parade, homecoming parade for Appalachian State University and homecoming parade for Watauga High School, or other event designated by the Town Council as one that is sponsored by the Town – no fee;
 - (2) An event not sponsored by the Town which requires the temporary closing or obstruction of all or a portion of any street for less than one hour - \$250.00;
 - (3) An event not sponsored by the Town which requires the temporary closing or obstruction of all or a portion of any street for one hour or more - \$1,500.00.
- (B) The fees imposed by Section 95.06(A) may be partly or wholly waived by action of the Town Council. In waiving such fees in part or in full, the Town Council may consider, among others, the following factors:
- (1) The capacity of the event sponsor to defray the costs of the fee through admission fees, participation fees, advertising fees and/or sponsorship contributions;
 - (2) The number of people the event is likely to bring into the Town and the expected economic impact of the event on the Town and Town merchants;
 - (3) The possible and expected impact of the event upon the Town's image and reputation;
 - (4) Any features of the event which will either reduce or increase the normal expenditures of services and equipment which the Town must utilize in connection with the event; and
 - (5) Such other factor as the Town Council may determine justifies the Town's bearing of a portion or the full costs of the extraordinary services or equipment necessitated by the event.

§ 95.07 STANDARDS FOR ISSUANCE OF PERMIT.

- (A) The Town Clerk shall issue the permit authorizing the event unless it finds that:
- (1) Conduct of the event will require the assignment of so many police officers that the remainder of the town cannot adequately be protected; or
 - (2) The event will interfere with the movement of emergency vehicles to such an extent that adequate police, fire, or other emergency services cannot be provided throughout the town; or

- (3) The applicant has failed to obtain any necessary permits or licenses, including any required building permit or privilege license, or the applicant is otherwise in violation of any town ordinance; or
 - (4) The event will work a severe hardship on persons occupying property adjacent to the site, location, or route of the event as a result of the denial of access to property or for other substantial reasons; or
 - (5) The event, if held at the time or at the location or along the route proposed, will cause an unreasonable and unwarranted disruption to vehicular or pedestrian traffic; or
 - (6) The applicant has failed to comply with any of the provisions of this chapter, including the payment of any fees required.
- (B) If a permit is issued in accordance with division (A), the Town Clerk may attach to it any reasonable conditions.
- (C) If the Town Clerk finds that he/she cannot issue the permit for reasons specified in division (A), he/she may request the applicant to modify its application to remove any objections to the issuance of the permit, and the applicant may do so without further notice or hearing.
- (D) Any event conducted pursuant to a permit issued under this section shall be conducted strictly in accordance with the terms of the permit, including any conditions attached hereto.
- (E) If the Town Clerk denies or revokes a parade permit, this action shall be final unless the applicant or permittee shall, within two days after the receipt of notice of the denial or revocation, file with the Town Manager written appeal. The Town Manager shall, within 24 hours after the appeal is filed, consider all evidence in support of or against the action appealed and render a decision either sustaining or reversing the denial or revocation.

§ 95.08 STREET CLOSING.

- (A) If the Town Clerk finds that the permit should be issued and that, to conduct the event, it is necessary to close a street or to reroute traffic, the Town Council may pass a resolution authorizing this to be done. No such resolution shall be passed affecting streets that are part of the state street system without the approval of the State Department of Transportation.
- (B) The resolution shall identify the street or portion thereof to be affected and shall indicate the date and time when the street or portion thereof is to be closed or traffic thereon is to be limited in some way. The resolution shall also direct the manager to have appropriate traffic-control devices installed to give notice of the temporary traffic controls.
- (C) No person may operate any vehicle contrary to the traffic-control devices installed in accordance with division (B).
- (D) The Town Clerk shall, by any adequate means, notify persons occupying property abutting the street where the event is to take place of the contents of any resolution passed in accordance with this section.

§ 95.09 SPONSOR RESPONSIBLE FOR CLEANUP.

The sponsor of the event shall be responsible for cleaning up any litter caused by the event, removing all temporary obstructions, and in general returning the area where the event takes place to the condition that existed prior to the event. The Town Clerk may require the sponsor to post a bond or other sufficient security to guarantee compliance with this section.

**TOWN OF BOONE
SPECIAL EVENTS PERMIT APPLICATION**

I. TITLE, PURPOSE AND BRIEF DESCRIPTION OF EVENT:

- New Application
- Renewal of or
Change in
Application

Refer media or citizen inquiries to: _____

Telephone _____ or _____

II. APPLICANT AUTHORIZATION:

Attach a written communication from the organization or organizations in whose name the event will be advertised which authorizes you, the applicant, to apply for the special events permit on its or their behalf.

Applicant's Name: _____ Title: _____

Address: _____

Mailing Address: _____

Affiliation: _____

Phones: _____
(Daytime) (Evening) (Emergency)

III. EVENT PRINCIPALS:

On the next sheet, please list names, addresses, and telephone numbers of all the principals involved in any way in the proposed event. Include professional event organizers, event promoters, financial underwriters, commercial sponsors, charitable agencies for whose benefit the event is being produced, the organization or organizations in whose name the event is being advertised, and all others administratively, financially, and organizationally involved as principals in the production of the proposed special event. Make additional copies of the next sheet as needed to include all of the principals involved in the proposed special event.

Name: _____

Organization/Business/Agency/Affiliation: _____

Mailing Address: _____

Phones: _____
(Daytime) (Evening) (Other)

Title and Functional Responsibility with Regard to the Event: _____

Will this person have authority to cancel or greatly modify event plans?

Yes No

Will this person be present at the event area or areas and in charge of the event at all times?

Yes No

Name: _____

Organization/Business/Agency/Affiliation: _____

Mailing Address: _____

Phones: _____

(Daytime)

(Evening)

(Other)

Title and Functional Responsibility with Regard to the Event: _____

Will this person have authority to cancel or greatly modify event plans?

Yes No

Will this person be present at the event area or areas and in charge of the event at all times?

Yes No

IV. REQUESTED EVENT COMPONENTS:

A. Requested day and date (first choice): _____

B. Alternate days and dates: _____

C. Requested hours of operation, from _____ AM/PM to _____ AM/PM

D. Set up beginning day and date _____ Time _____ AM/PM
Dismantle by day and date _____ Time _____ AM/PM

E. Describe the number and type of animals to be used in the event: _____

F. Attach a draft of the entry form for participants/spectators.

G. Anticipated number of participants: _____ and spectators: _____

V. INSURANCE:

Attach to this application either an insurance policy or a certificate of insurance including the policy number, amount and the provision that the Town is included as an additional insured. (Please note that insurance requirements depend upon the risk level of the event. Also, if your event can be classified as First Amendment expressive activity, insurance requirements can be waived by the Town Council under certain circumstances.)

VI. SANITATION:

Attach your "Plan for Clean/up Material Preservation." Include number, type and location of trash containers to be provided for the event. Indicate who and how many will be responsible for emptying and cleaning up around containers during the event. Indicate who and how many will be responsible for cleaning up the event area after the event. Describe the number, type and location of portable toilets to be provided for the event area after the event. Describe the number, type and location of portable toilets to be provided for the event (or permanent toilets to be used for the event). Include any other plan you have for ensuring post-event cleanliness and material preservation of city facilities, equipment, premises and streets.

VII. LOCATION MAP:

Check off below items that apply to your event. Indicate these items on attached maps. Use, where necessary, a to-scale drawing.

- If a route is involved, the beginning area, the route (indicate directions with arrows), and the finish area**
- If a route is involved, the places where buses, trolleys, or trains need to be considered**
- If a relay is involved, indicate hand-off points**
- Entertainment or stage locations (grandstand operators should provide you with a to-scale drawing)**
- Alcoholic beverage concession area**
- Non-alcoholic concession areas**
- Food concession areas**
- General merchandise concession areas**
- Portable toilet facilities (indicate number)**
- First-aid facilities**
- Event participant and/or spectator parking areas**
- Event organizer's command post**
- Fireworks or pyrotechnics site**
- Vehicle fuel-handling site**

- _____ Cooking areas
 - _____ Tables, enclosures, etc.
 - _____ Temporary or permanent structures constructed for the event
 - _____ Site of electrical wiring to be installed for the event
 - _____ Trash containers (indicate number): _____
 - _____ Other. Please describe: _____
-

VIII. AVAILABILITY OF FOOD, BEVERAGES AND/OR ENTERTAINMENT:

A. If there will be music, sound amplification or any other noise impact, please describe, including the intended hours, the music, sound, or noise.

B. Alcoholic beverages to be served? Yes No

C. If yes, describe what system will be used to ensure that alcoholic beverages will be consumed only by those persons 21 years and older.

D. If yes, describe how, where, when and by whom the alcoholic beverages will be served.

E. If yes, attach to the application a copy of your permit from the State Alcoholic Beverage Control Board. Alcohol may not be served without a permit.

F. If a casino party, a dance, or live entertainment is part of your event, please describe.

G. Please describe all of the activities of your event for which a business license is required.

H. Food and/or non-alcoholic beverages to be served? Yes No

I. If yes, describe sanitation measures, food handling procedures, and the nature of the food (such as pre-packaged foods, hot dogs, pre-mixed sodas, unpeeled fruit, raw meats, vegetables, fish or peeled and cut fruit).

J. If yes, you may need to have a health permit for the County Department of Health Services. Attach a copy of your health permit to this application.

K. If you intend to cook food in the event area, describe your area layout, including fuel or electrical source to be used.

IX. SECURITY AND SAFETY PROCEDURES:

A. Describe your proposed procedures for set up, operation, internal security and crowd control.

B. If the event is to occur at night, describe how you are going to light the event in order to increase the safety of participants and spectators coming to and leaving the event.

C. If you event includes vehicles or animals, describe the minimum and maximum speeds of the event and the minimum and maximum intervals of space to be maintained between units.

D. Attach to this application a copy of your building permit (or permits) if you are installing any electrical wiring on a temporary or permanent basis and/or if you are building any temporary or permanent structures such as bleachers, scaffolding, a grandstand, reviewing stands, stages or platforms.

E. Attach a copy of your fire department permit or permits to this application if you will use parade floats; an open flame; fireworks or pyrotechnics; vehicle fuel; cooking facilities; enclosures (and tables within those enclosures); tents, air-supported structures, canopies, or any fabric shelters.

F. Give name, address and phone numbers of the agency or agencies which will provide first-aid staff and equipment. Attach additional sheets if necessary.

Name of Agency: _____

Name of Representative_____

Address: _____

Phone Numbers: _____

Indicate medical services that will be provided for the event.

Medical Service	How Provided
_____ Ambulances	_____
_____ Doctors	_____
_____ Nurses	_____
_____ Paramedics	_____

X. VENDORS OR CONCESSIONAIRES:

A. Describe what vendors or concessionaires you will allow in conjunction with the event and the purpose or purposes of these concessions.

B. Describe how you intend to regulate, monitor and control the type, number and quality of vendors/concessionaires whom you may permit to operate in conjunction with the event.

XI. MITIGATION OF THE IMPACT ON OTHERS:

Describe how you intend to mitigate the impact of the special events on businesses, churches, neighbors, motorists, mass transit users and others. Attach additional sheets, if necessary, entitled "Mitigation of the Impact on Others."

XII. TOWN SERVICES/EQUIPMENT:

Describe town services and/or equipment requested for this event. Town barricades, cones, and no-parking signs may be borrowed on an as-available basis. You should plan to pick up and return this equipment. If you or your volunteers cannot pick up and return this equipment, please attach a letter requesting these services and explaining why your organization cannot perform them. This will be reviewed and approved or denied by the special events coordinator.

XIII. OTHER PERTINENT INFORMATION:

XIV. OPTIONAL INFORMATION:

The following information is not required for permit approval. It is requested so that the Town will have data, in the future, of the dollars raised for charities, the estimated age groups of participants and spectators, the fees charged or donations required and the specific public benefits derived from each event.

A. Estimate percentage of age groups for participants and spectators:

	PARTICIPANTS	SPECTATORS
Age 15 years & under	_____ %	_____ %
16 to 25 years	_____ %	_____ %
26 to 45 years	_____ %	_____ %
46 years & older	_____ %	_____ %

B. If there is a fee or donation required as a condition of attendance or participation in this event, please describe the amounts to be collected from various categories or participants or spectators:

DO NOT WRITE IN THIS SPACE

DATE RECEIVED: _____ **BY:** _____

DATE OF APPROVAL: _____

BY: _____

TOWN CLERK

Application # _____

