

## 113 SPECIAL EVENT ORDINANCE

### 113.1 PURPOSE

The purpose of this ordinance to ensure that all private or public gatherings held on public property are safe for the community and those who are directly participating in the event and that uniform standards are in place to ensure equal treatment for approved events.

### 113.2 DEFINITIONS

Alcoholic Beverage: a liquor or brew containing alcohol as the active ingredient

Board: Town of Rolesville Board of Commissioners

Permitee: The applicant, primary, or secondary coordinator of the Town Board approved special event

Public Property: Property that is owned by the government or one of its agencies, divisions, or entities. Examples are, but are not limited to, parks, playgrounds, streets, sidewalks, libraries, and other property regularly used by the general public.

Special Event: Fairs, festivals, musical concerts, contests, promotional events, or other types of performances or events held on public or private property provided that all of the following conditions are met:

- (1) the use or uses of land, buildings, and structures not intended to be of a permanent duration; and
- (2) the use or uses are intended to or likely to attract substantial crowds, participants, and/or, spectators; and;
- (3) the use or uses are advertised and/or open to the general public; and
- (4) the use or uses are unlike the customary or usual day-to-day activities generally associated with the principal use of the property where the event is to be located; and
- (5) the use or uses requires services and/or facilities to protect the public health, safety, or general welfare as determined by the Town Manager, including the temporary closing of a public street, the manual directing of vehicular or pedestrian traffic, or the provision of Town staff or emergency services at the event.

Town: Town of Rolesville

### 113.3 SPECIAL EVENT PERMIT APPLICATION

#### 113.3.1 Administrative Approval

Before any special event takes place or is held on public property within the Town, the Town of Rolesville Administration must first grant permission by approving the permit application for a special event.

#### 113.3.2 Permit Application Requirements

The application shall include the following information.

- (A) date of permit application submittal
- (B) proposed name of special event
- (C) purpose of special event
- (D) list of sponsors
- (E) special event primary and secondary coordinator information (name, address, phone, mobile phone, and email information)
- (F) first, second, and third requested dates desired for the special event to be held
- (G) first, second, and third requested locations desired for the special event to be held
- (H) hours of event
- (I) activities that will be included as part of the special event
- (J) need for electrical service
- (K) waste disposal plan (number of dumpsters, trash cans, locations)
- (L) list of streets that need to be blocked (additional off duty police officers may be required for security, crowd control, and traffic control)
- (M) number of anticipated merchants at the special event
- (N) number of anticipated food vendors at the special event
- (O) number of vehicles in the event if there is a parade or car show
- (P) number of musical bands anticipated to perform (which must comply with noise ordinance)
- (Q) price of admission if charged
- (R) list of contact information of pyrotechnical companies being contracted with

- (S) agreement to indemnify and hold the Town harmless from all claims of property damage, personal injury, or death arising from or related to the permitted event.
- (T) certificate of a minimum one million dollars (\$1,000,000) liability insurance policy which shall name the Town as an additional insured and shall provide that the policy shall not terminate or be canceled prior to the expiration date without thirty (30) day written notice to the Town.

### **113.3.3 Permit Application Review Procedure**

Police Department, Planning Department, Parks & Recreation Department, Rolesville Rural Fire Department, and Eastern Wake EMS will first review the application to determine if there is further information or additional requirements needed involving the special event.

The representatives may approve or deny the special event permit application request. The approval of a permit to sponsor a special event shall authorize only that sponsor, and participants specifically authorized by the sponsor, to participate in that permitted special event. A permit application may be denied if it is found that, in light of the factors identified, the granting of the permit is not in the public interest.

In the event, a special event permit application is denied, the applicant may appeal in writing such denial to the Board of Commissioners by filing with the town clerk a written notice of appeal, stating the specific grounds for the appeal. Written notice of appeal must be filed no later than ten (10) calendar days immediately following applicant's receipt of notice of denial. The town clerk will set the appeal matter for hearing at the next reasonably available Board of Commissioner's meeting. The town clerk will cause written notice of such hearing be given to the applicant not less than five (5) business days prior to such hearing unless such notice is waived in writing by the applicant.

### **113.4 Firearms**

Except for sworn certified law enforcement personnel, the possession of firearms in the festival area is prohibited.

### **113.5 Alcoholic Beverages**

Alcoholic beverages are prohibited from all special events on public property with the exemptions as stated and regulated within the policy for the Town Hall Community Center.

### **113.6 Revocation of Permit**

The Town at any time shall have the authority to revoke a permit issued pursuant to this ordinance if they find that the permittee:

- (A) deliberately misrepresented or provided false information in the permit application;
- (B) violated any law, regulation, or ordinance regarding the possession, sale, or consumption of alcoholic beverages;
- (C) operated a special event in such a manner as to create a public nuisance or to constitute a hazard to the public's health, safety, or welfare;
- (D) failed to maintain any permit or license required by law; or
- (E) operated in violation of this ordinance or of any town, city, county, state, or federal law, ordinance, or regulation.

### **113.7 Penalty**

Any violation of this article shall constitute a misdemeanor, punishable as provide in North Carolina General Statutes Section 14-4. A violation of a special event permit issued by the Town Board of Commissioners may result in immediate revocation of the permit and a ban on future permits. Additionally, a violation of any of the provisions of this ordinance shall subject the offender to a civil penalty of up to five hundred dollars (\$500).

#### Amendments

~ Ordinance amended 08/03/09 to §113 with TA09-09, 11/6/10 to §113 with TA10-05. 113.3.1 & 113.3.3 amended 5/15/18 with TA18-01.