

Ordinance #359

An Ordinance to amend Ordinance # 223 – Event Permits - in order to update the rules and regulations on events within the corporate limits of Ashland City, Tennessee.

Whereas, the Board of Mayor and Council wish to amend the event permit ordinance to update the rules and regulations for the Town of Ashland City, Tennessee.

NOW THEREFORE, BE IT ORDAINED, by the Council and Mayor of the Town of Ashland City, Tennessee that the ordinance be amended in its entirety as follows:

SECTION 1. “Event Permit” required. Whenever any person, group, association, club, business, firm, or corporation desires to sponsor any “event”, as hereinafter defined, such person, group, association, club, business, firm or corporation shall first obtain an “Event Permit” from the Town of Ashland City.

SECTION 2. “Event” defined. An “event” is any festival, parade, race, dance, celebration or other gathering involving the use of public facilities in the Town of Ashland City, including, but not limited to parks, streets, alleys, sidewalks, or other city owned facilities which necessitates additional services as described in SECTION 7 of this ordinance, and which includes a general invitation to all members of the public to either participate in and/or view such event, or part thereof.

SECTION 3. EXEMPTIONS. Any/all government or not for profit organizations shall be exempt from paying any cost under SECTION 7 of this ordinance but shall not be exempt from obtaining an “Event Permit” from the Town of Ashland City.

SECTION 4. Application contents and fee. Event permits shall be issued only upon the submission of an application therefore which must be filed with the City Clerk a minimum of 45 days prior to the anticipated date of the event. Such application must contain the following information:

1. A detailed description of the event, including all associated events and/or uses; and the date or dates, and hours of the event. Event permits shall not be issued for more than three (3) days, unless otherwise approved by the “event committee”. A site plan shall be submitted upon request.
2. A detailed description of the specific area where the event shall be held, and, if street closure is requested, a complete listing of such streets or portions thereof, together with the dates and hours of closure.
3. A description of any city services and/or utilities that shall be needed.
4. A complete list of any city owned facilities that shall be used.
5. The approximate number of citizens expected to either participate in and/or view the event.
6. The exact name of the person, group, association, club, business, firm, or corporation sponsoring said event, together with the complete name, address, and telephone number of the person to contact for all communications from the City.
7. Certificate of insurance naming the city as secondary insured, with same/equal limit 1,000,000 general liability and 1,000,000 per occurrence.
8. The payment of \$25.00 for processing fee of the application. Additional fees/deposits may apply.

SECTION 5. Approval of Application. The "Event Committee" shall review all such applications. This committee shall consist of but not limited to the Mayor, his staff, and Department Heads. The Committee shall grant final approval of the event permit.

SECTION 6. Issuance of Event Permit. After the approval of the application, the Event Permit shall be issued by the Event Committee only after the sponsor has presented the city with a certificate of insurance, with same/equal limit 1,000,000 general liability and 1,000,000 per occurrence, with the Town of Ashland City named as secondary insured; protecting the City from any and all claims and liabilities arising out of the event.

SECTION 7. Additional Services. The city reserves the right to require one or more Ashland City Police officers or other city personnel are present at any and all events that occur within the city limits. Please budget for this request at \$40.00 per hour or overtime salary plus percentage at a minimum of two (2) hours. All city services and utilities which are required by the event over and above the normal level of service provided to the general public shall be charged to the sponsor at the rates established by this ordinance. Where possible, such additional services shall be paid within 45 days upon the receipt of a statement from the Town of Ashland City.

Additional Services/Charges:

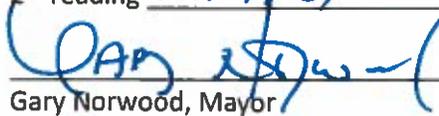
Other: Any expenses incurred above the normal level of service to accommodate the permit holder i.e., port-o-johns, additional electrical services, seating, etc. shall be at the event permit holders expense.

SECTION 8. Concession Booths and Vendors. The event sponsor shall be in charge of all concession booths and vendors. The sponsor shall determine what booths and vendors shall be allowed, and see that they comply with all ordinances, statutes, rules and regulations, including, but not limited to: public health, safety requirements, and anti-discrimination laws. For events which have multiple vendors, a form must be completed for each vendor that contains: Name and Location of Business, name of Managing Agent, and copy of Managing Agent's driver's license. Background checks may be conducted on any vendor. A map/drawing of the event should be returned to the City with the application that shows location of each vendor.

SECTION 9. Revocation. The event committee or his/her designee shall have the authority to immediately revoke the permit for a violation of any section of this ordinance or if there is any direct threat to the health or safety of the general public.

This ordinance shall take effect 20 days after its final passage the public welfare requiring it.

1st reading 6-9-09
Public hearing 7-14-09
2nd reading 7-14-09



Gary Norwood, Mayor



Phyllis Schaeffer, City Recorder



TOWN OF ASHLAND CITY EVENT PERMIT APPLICATION

Application is Due 45 Days Prior to Scheduled Event.
Please read application carefully and fully complete each section.
A non-refundable application fee of \$25 is due at time of filing.

Note: Filing this application does not guarantee that your request will be granted.

Please check
all that apply:

street closure

parade

other special event

beer served (separate permit required)

Please supply the following information. If additional space is needed, use a separate sheet of paper and attach to the application.

1) Name/purpose of event: _____

2) Date or dates of event: _____

3) Time of event or street closure (be sure to include set-up and clean-up time):

4) a) Name of Applicant: _____

b) Name of organization requesting permit: _____

c) Person in charge on day of event: _____

d) Address: _____

e) Phone: _____ Cell: _____ Fax: _____

f) E-mail address: _____

5) Description of event (use additional sheets if necessary):

6) Location requested (if Temporary Street Closure only, see #7):

- 7) Enclose a map/drawing of event site, detailing any temporary or permanent structures, street closures, parking, etc. If applicable, list the location, blocks, streets, and/or intersections in which such event will occur.
- 8) An estimated number of participants, estimated number of attendees and targeted age group expected to attend during the course of the event:
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- 9) Please attach a list containing the names, addresses, and phone numbers of the Chairperson of the organization and all other persons involved in the management or control of organization and/or committee.
- 10) Is your business authorized to do business in Tennessee? Circle Yes or No.
- 11) Is your organization a tax-exempt organization as described by the Internal Revenue Code Section 501 (c)(3) or a not-for-profit organization? Circle Yes or No. If yes, please attach copy of IRS tax exemption letter providing proof of status.
- 12) Will parking in the area of the event need to be restricted or prohibited? Circle Yes or No.
- 13) Will any sound amplification equipment be used during the event? Circle Yes or No.
- 14) Will any stages, amusement attractions, or amusement rides be erected for the event? Circle Yes or No. If yes, please note location and type of structure, or attraction/ride on map. Please include a copy of insurance certificate indicating coverage. Please read *Additional Requirements* section of this application for more information on insurance compliance.
- 15) Will any charity, gratuity, or offers be solicited or accepted during the event? Circle Yes or No.
- 16) Will food, beverages, or merchandise be sold or given away? Circle Yes or No. If yes, clean-up is required. Please provide name of clean-up provider, phone number, and date and time clean-up is to occur. If clean-up is not done properly the organization requesting the permit may be fined (See attachment A). **A \$250 security deposit is required upon approval.** Please read *Additional Requirements* section of this application for more information.
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- 17) Will alcohol, beer and/or wine be given away or sold? Circle Yes or No. If yes, a permit from the relevant board is required. Please read *Additional Requirements* section of this application for more information.
- 18) Will your event include tents or other temporary structures, propane use, or open flames? Circle Yes or No. If yes, other permits may be required from the Ashland City Fire Department or Codes Department. Please read *Additional Requirements* section of this application for more information.

PLEASE READ ATTACHMENTS BEFORE SIGNING APPLICATION.

- 19) Attach Good Neighbor Letter and Mailing List used. Please read *Additional Requirements* section of this application for more information.
- 20) I/We have read, understand, and agree to abide by all ordinances and regulations of the Town of Ashland City and all conditions placed upon the event by the Mayor's Office, Event Committee, and the Ashland City Council.
- 21) I/We do swear or affirm that all of the information given in this application is true and complete.
- 22) I/We do hereby agree to assume the defense of and indemnify and save harmless the City, its agents and employees from any and all liabilities that may arise from the event.
- 23) I/We understand that granting of Event Permit does not imply granting of other permit that is separately required.
- 24) This application for an event permit shall be filed **not less than 45 days and no more than 364 days** prior to the scheduled date of the event. Failure to file in a timely manner may result in denial of a permit.

The City reserves the right to require one or more Ashland City police officers or other emergency personnel are present at any and all events that occur within the city limits. Please budget for this request at a rate of \$40.00 per hour at a minimum of two (2) hours.

Please note that the Ashland City Police Department is not responsible for placing/removing barricades related to street closures. If you need assistance regarding barricades and/or barricade set-up, and minimum standards contact the Ashland City Public Works Department at 792-7553.

By: _____ Date: _____
 (Signature and title – must be officer of organization)

Approved by the Event Committee on _____, 20_____.

If you have questions concerning your request, please call 615-792-4221 X228.

Return Application To:
 City Hall
 101 Court Street
 Ashland City, TN
 37015

FOR CITY USE ONLY

Department		Date	Initials	Attach Any Comments
Mayor				Comments: _____ Yes _____ No
Police				Comments: _____ Yes _____ No
Parks				Comments: _____ Yes _____ No
Fire				Comments: _____ Yes _____ No
Recorder				Comments: _____ Yes _____ No
Court Clerk				Comments: _____ Yes _____ No
Codes				Comments: _____ Yes _____ No
Public Works				Comments: _____ Yes _____ No

THE FOLLOWING IS AN OUTLINE FOR OBTAINING AN EVENT PERMIT FROM THE TOWN OF ASHLAND CITY

No person, firm, corporation or organization shall participate in, advertise for or in any way promote, organize, control, manage, solicit, or induce participation in an event on public property or a temporary street closure unless a permit has first been obtained from the City Recorder's Office.

This outline is intended to serve as a guide and may not be inclusive of all City, State, and Federal requirements.

1. Obtain Permit Application Form from the City Recorder's Office (101 Court Street).
2. Return completed application along with a *check or money order for \$25* to the Recorder's office at least forty-five (45) days prior to event.
3. The completed Event Permit Application Form will be distributed to representatives in the necessary departments. The department representatives will recommend approval, denial, or approval with changes. Department representatives may also list any prerequisites required by that department.
4. The Police Department, with the help of other city departments, will determine the minimum number of off-duty police officers and other public safety personnel required to assure the safety of all participants, the safety of the general public, and traffic flow around the event or parade. The event organizer will be responsible for hiring all necessary personnel deemed required by the Mayor.
5. The Event Board will review all large special event recommendations and determine approval, denial, or approval with changes.
6. If alcohol, beer, and/or wine is sold or given away, a permit from the relevant board is required. Please read *Additional Requirements* section of this application for more information.
7. If the event is approved with changes, the Mayor's office will assist and/or guide the organizer with making all necessary changes.
8. Included with the letter of conditional approval will be an outline of all necessary additional requirements.
9. Once the event organizer obtains all necessary additional requirements, the Event Committee will issue an Event Permit. At this time, the event organizer may be required to post a *security deposit, the amount of which will be dependent on the size, nature, and duration of event*.
10. If the event permit is denied, the Mayor's Office will issue a letter of denial. The event organizer may appeal by writ of certiorari to the Mayor and City Council.
11. If the event permit is approved a certificate of insurance must be provided naming the City as secondary insured, with same/equal limit \$1,000,000 general liability and \$1,000,000 per occurrence.

ADDITIONAL REQUIREMENTS

There are several other requirements that may need to be met in order for your event to be approved. Please use the following for informational purposes. You will be notified of any requirements necessary for your event to be approved.

A. *Health Department Permit*

Contact: Bruce Craig
162 County Services Drive, Suite 200
Ashland City, TN 37015
Phone: 615-792-4318 Fax: 615-792-6794

If food will be served, the event organizer must call the Health Department to discuss rules and regulations. The event organizer will also need to mail a list of all vendors to the Health Department in advance of the event. This will help them in scheduling inspections. The Health Department will mail a package containing all Health Department rules and regulations related to food service to the event organizer. It is the event organizer's responsibility to provide each food vendor with a copy of the Health Department rules and regulations. Health Department official(s) will do an onsite inspection of all food vendors. The Health Department has the right to close any vendor not abiding by health codes.

B. *Alcoholic Beverages*

1. Beer Board Permit

Contact: Ashland City Beer Board
Town of Ashland City
P.O. Box 36
Ashland City, TN 37015
Phone: 615-792-4211 Fax: 615-792-3501

Events in which beer will be served must apply to the Beer Board for a separate permit. Due to the time involved in obtaining a Beer Permit, it is suggested that the event organizer start this process prior to event application being submitted and at least sixty (60) days prior to the event. The beer permit application must be in the name of the owner and signed by the owner, officer, chairman, or director of the organization. A temporary Special Event Beer Permit authorizing the sale of beer on public owned property might be issued.

- Complete Application for Beer Permit can be obtained at the Business Office in City Hall (101 Court Street).
- Fill out application completely and return it with appropriate fee. The application fee is non-refundable. The application must be filed sixty (60) days prior to the event. The Beer Board meets when necessary.

2. All other Alcoholic Beverages

Alcoholic Beverage Commission
226 Capital Boulevard
Nashville, TN 37219-1804
Phone: 615-741-1602

The Tennessee Alcoholic Beverage Commission (TABC) is responsible for the enforcement and regulation of all phases of the alcoholic beverage industry in the State of Tennessee. For the sale or give-away of alcoholic beverages, other than beer, please contact them directly. A copy of the TABC permit will be required at your event.

C. Indemnification and Hold Harmless

In addition to the above-mentioned insurance requirements, event organizers must agree to indemnify and hold harmless the Town of Ashland City.

D. Fire Department Regulations and Inspection

Contact: Fire Department
Town of Ashland City
101 Court Street
P.O. Box 36
Ashland City, TN 37015
Phone: 615-792-4211 Fax: 615-792-3501

The Fire Department Representative reviews site plans to determine clear access for emergency vehicles and clear access to fire hydrants and stand pipes. Event organizers will be required to provide a copy of a site diagram indicating the location of all tents, vendor booths or trailers, vehicles parked on site, stages, portable rest rooms, fencing, entrance gates, alcoholic and non-alcoholic beverage booths, etc. The diagram must also indicate where streets will be blocked and how (fencing, barricades, etc.).

E. Emergency Medical Services

All Emergencies – 911
Non-emergencies – (615) 792-2098

Nearest Hospital:

Centennial Medical Center at Ashland City
313 N. Main Street
Ashland City, TN 37015
Phone: 615-792-3030

F. Event Signage

Contact: Town of Ashland City Codes Department
233 TN Waltz Parkway, Suite 102
Ashland City, TN 37015
Phone: 615-792-7553

The Town of Ashland City Codes Department restricts certain types of signage and sign placement. Please contact the codes department for specific details.

G. Good Neighbor Letter

The event organizer may be required to deliver written notice to all businesses and residents on or near the event site. The notice must include the following:

- Date, time and location of event;
- Date, time and location of all related street closures;
- Name, address, and phone number of event organizer; and
- Name, address, and phone number for Mayor's office.

It is suggested that the event organizers inform all businesses and residents within a two (2) block radius of the event, of the event dates and any related street closures. The event organizer must provide the Mayor's office with a copy of the letter and a mailing list of whom received the letter. If the event takes place in downtown Ashland City, the event organizer should contact the Mayor's office (615-792-4211) to alert them to possible closures. Any closure of Main Street will have an effect on downtown businesses.

H. Vendors

For events that have vendors, a form must be completed for *each vendor* that contains: Name and Location of Business, Name of Managing Agent, and Driver's License Number. Background checks may be conducted on *any* vendors. A map of the event should be returned with the application that shows location of each vendor.