

Town Of Jonesborough, Tennessee

Special Event Permit Application

A *Special Event* is any occasion including but not limited to fairs, shows, exhibitions, city-wide celebrations and festivals taking place within a specifically defined area of the Town of Jonesborough for a period of time. A special event may include the use of public facilities in the Town of Jonesborough, including, but not limited to parks, streets, alleys, sidewalks, restrooms or other municipal owned facilities, and which includes a general invitation to all members of the public to either participate in and/or view such event, or part thereof, Special Events may be one-time or recurring occasions.

12-402 Jonesborough Municipal Code

Whenever any person, group, association, club, business, firm or corporation desires to sponsor a Special Event such person, group, association, club, business, firm or corporation shall first obtain a "Special Event Permit" from the Town of Jonesborough.

12-403 Jonesborough Municipal Code

Person(s) completing Application

Date

Name _____

Address _____

Phone _____ Fax _____

Email _____

Instructions:

- 1) Each question on this application must be answered in some fashion for your application to be considered for approval. Please attach an additional sheet(s) if necessary to completely and accurately provide the requested information in each question, labeling any additional sheet(s) clearly as such.
- 2) **Incomplete applications will be returned to the address you have provided above without further consideration until a complete application, including exhibits is filed.**
- 3) The **original** application and your exhibits of the entire package should be filed with the Town Administrator's office at least **90 days** in advance of your event. See Schedule of Approval, Chapter 10 Title 12 of the Jonesborough Municipal Code, a copy of which is attached.

Sponsoring Organization Information:

Name _____

Purpose _____

Is this a recurring Special Event? _____ Yes _____ No

Special Events that are recurring require the annual approval of the Board of Mayor and Aldermen. This permit application shall provide a schedule for the term of a recurring event:

Event Information:

Name of Event _____

Description & Purpose of Event _____

Dates and hours of event _____ Estimated number expected to attend _____

Estimated number of town citizens expected to either participate in and/or view the event _____

Is a request for public safety assistance included in your Security Plan attached as per the list of items below? _____ Yes _____ No

Required Exhibits to Application

Please attach the following exhibits to this application (each item should be clearly labeled with the number in this list to facilitate a prompt review of your application). If your event will not involve one or more of these items you should attach an exhibit with appropriate number and heading explaining the fact:

1. **Hold Harmless Agreement** executed on form approved by the Town of Jonesborough (copy provided with this application and available from the Town Recorder)
2. **List of pre-events and post-events** to be held in conjunction with the main event (including parade, fireworks, etc.)
3. **Map with city streets** showing event boundary and registration area, tents, booths, food, office/administration, etc.)
4. **Outline of your publicity plan** with examples of previous efforts, if available
5. **Security Plan**, including crowd control, pedestrian safety, any special parking provisions including handicap spaces, vendor and/or performer parking, a parking map and list and samples of any special parking permits that will be issued, etc. and any request for public safety assistance (a request for public safety assistance should also be included with your Town Services Request in the next section of this application).
6. **Emergency Plan**, including emergency procedures, provisions for first aid services and provisions for appropriate emergency communication. Include an outline of any activities involving moving vehicles and safety procedures used to avoid or prevent injury.
7. **Event Sponsors List** including all sponsors' names, addresses, and telephone numbers along with their title and area of responsibility for the event.
8. **Proof of your liability insurance** provided by your insurance company (if requested by the Town Recorder, this information must be sent directly to the Town from the insurance company).
9. **Anticipated vendors and concession booth list.** (A final and complete list of vendors and concession booths shall be filed with the Town Recorder at least 48 hours before the event begins.
10. **A list of physical services for the event that will be provided by or contracted for by the event sponsor.** List should include erection of temporary stages or facilities including tents, lighting, sound, efforts to address refuse collection, security, etc.
11. **Clean-up Plan** detailing person or persons responsible for site clean-up, schedule and any repairs or grounds remediation that is expected.
12. **Street Closure Request** listing of all streets or portions of streets including the dates and hours of closure (failure to list a portion of a street will result in your application being considered under the assumption you are requesting the entire street to be closed within the town limits.)

Request for Services from the Town of Jonesborough

Please indicate any services you request for your event from the Town of Jonesborough*. (A fee may be Levied by the Town for additional services per the Municipal Code, see 12-1007)

_____ Police and Security	_____ Refuse Collection
_____ Street Cleaning	_____ Event Preparation/Beautification
_____ Signage	_____ Parking
_____ Use of facilities – Facility _____ Dates & Hours _____	
_____ Space and staffing needs _____	
_____ Communications and/or publicity	

*** For each such service requested please provide a detailed description of your request as Exhibit 13**

Acknowledgement of receipt of Chapter 10 of the Jonesborough Municipal Code

I/We the undersigned representatives of the sponsoring organization listed above acknowledge receipt of a copy of Chapter 10 of the Jonesborough Municipal Code governing special events and agree to comply with all provisions of that Chapter.

Date: _____ Signature: _____

Print Name: _____

Title: _____

Witness: _____

The undersigned certifies that the information contained in both this application and the attached exhibits is complete and accurate and further agrees to amend this application immediately if any such information changes. The undersigned understands the Board of Mayor and Aldermen may approve, reject or modify this request in whole or in part under the Jonesborough Municipal Code.

Please note, your application should include this form and 13 Exhibits

Date: _____ Signature: _____

Print Name: _____

Title: _____

Witness: _____

FOR TOWN USE ONLY

Date Application Received: _____ By _____

STAFF REVIEW	Date	Initials	Approved/Disapproved	Attach Any Comments
Events Coordinator				Comments ____ Yes ____ No
Police Dept.				Comments ____ Yes ____ No
Fire Dept.				Comments ____ Yes ____ No
Street Dept.				Comments ____ Yes ____ No
Recreation				Comments ____ Yes ____ No
Solid Waste				Comments ____ Yes ____ No
Administration				Comments ____ Yes ____ No

Insurance Coverage Reviewed ____/____/____ By _____

Presented to BMA ____/____/____ By _____

Board Action ____/____/____ Result _____

Fee Estimate Levied for Additional Services _____ Paid ____/____/____

Town Of Jonesborough, Tennessee

Special Event Permit Application

EXHIBIT I – Hold Harmless and Indemnity Agreement

This agreement made on the _____ day of _____, 20_____, in the Town of Jonesborough, County of Washington, State of Tennessee

The parties to the agreement are the undersigned _____,
(Name of Organization or Sponsor)
called “indemnitor”, and the Town of Jonesborough, Tennessee, call “indemnitee.”

Indemnitor has submitted a Special Event Permit Application to indemnitee. The agreement is attached as Exhibit 1 to that application. Approval of that application is expressly conditioned on the execution of this agreement, indemnitee has agreed to review for approval the application for a special event and if approved to allow the indemnitor’s special event to take lace within the limits of the Town of Jonesborough in consideration of the indemnitee’s allowing the event to take lace and \$1.00, receipt of which by indemnitor is acknowledged, the parties agree as follows:

SECTION I

Scope of Indemnity

Indemnitor undertakes to indemnify and to save harmless indemnitee from any liability, loss or damages indemnitee may suffer as a result of claims, demands, costs, or judgments against it arising out of the operation within the limits of the Town of Jonesborough, County of Washington, State of Tennessee, of the special event outlined in the application or the management thereof.

Indemnitor assumes full responsibility for all damages and injury that may result to any person or persons or to adjoining property by reason of the excavation for, and the erection, construction, and maintenance of, any structures put in place for the event, and agrees and covenants to indemnify indemnitee against any such claim or claims.

Indemnitor expressly undertakes to indemnify and to save harmless indemnitee from all liability and/or loss or damages for or arising out the special event outlined in the application, whether it be caused by the negligence of indemnitee, indemnitee's agents or employees, indemnitee's contractors or otherwise.

SECTION II

Period Covered

The indemnity will extend from the date of this agreement to and including the date the special event concludes, including cleanup.

SECTION III

Expenses, Attorney's Fees, and Costs

Should it become necessary for purposes of resisting, adjusting, or compromising any claim(s) or demand(s) arising out of the subject matter with respect to which indemnification is provided by this agreement, or for purposes of enforcing this agreement, for indemnitee to incur any expenses, or become obligated to pay any attorney's fees or court costs, or costs within a reasonable time, in no event to exceed thirty days, after receiving written notice from indemnitee of the incurring of such expenses, attorney's fees or costs.

SECTION IV

Interest

Indemnitor agrees to pay indemnitee interest at the rate of ten percent per annum or any necessary expenses or costs incurred by indemnitee in the enforcement of this indemnity contract, or on any sums indemnitee is obligated to pay with respect to the matters to which indemnity is given in the contract, from the date such expenses or costs are incurred, or such sums are paid.

SECTION V

Notice of Claim Against Indemnitee

Indemnitee agrees to give indemnitor ten days' written notice of any claim made against indemnitee on the obligations indemnified against.

Executed on the date first written above

Organization: _____

By:_____

Printed Name:_____

Title:_____

STATE OF TENNESSEE
COUNTY OF WASHINGTON

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared _____, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath, acknowledged himself/herself to be the _____ (title) of _____ (organization), and that he/she, as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of organization by himself/herself as such officer.

WITNESS my hand and seal at office in the State and County aforesaid, this, the _____ of _____, 20____.

NOTARY PUBLIC

My Commission Expires:

ORDINANCE NO. 2005-16

**AN ORDINANCE ADOPTING A SPECIAL EVENTS PERMIT REQUIREMENT
FOR THE TOWN OF JONESBOROUGH AND ALSO REGULATING SPECIAL
EVENTS WITHIN THE TOWN OF JONESBOROUGH**

Be it ordained by the Board of Mayor and Aldermen of the Town of Jonesborough, Tennessee, as follows:

SECTION 1. That a new Chapter 4 shall be added to Title 12 of the Jonesborough Municipal Code and it shall read as follows:

- 12-401. General. Special Events sponsored by local groups, associations or individuals and taking place within the town limits impact public safety, solid waste collection, use of public streets and/or right-of-ways but often celebrate heritage, enhance community spirit, improve quality of life, support economic development and provide educational opportunities.
- 12-402. "Special Event" defined. A *Special Event* is any occasion including but not limited to fairs, shows, exhibitions, city-wide celebrations, and festivals taking place within a specifically defined area of the Town of Jonesborough for a period of time. A special event may include the use of public facilities in the Town of Jonesborough, including, but not limited to parks, streets, alleys, sidewalks, or other municipal owned facilities, and which includes a general invitation to all members of the public to either participate in and/or view such event, or part thereof. Special Events may be one-time or recurring occasions.
- 12-403. Special Event Permit Required. Whenever any person, group, association, club, business, firm or corporation desires to sponsor a "special event", such person, group, association, club, business, firm, or corporation shall first obtain a "Special Event Permit" from the Town of Jonesborough.
- 12-404. Permit application procedure.
- (1.) Application. Special Event permits will be issued only upon the submission of an application filed with the Town Recorder. Such application must contain the following information:
- (a) Name, description, and purpose of event.
 - (b) Name and purpose of sponsoring organization.
 - (c) List of pre-events and post-events held in conjunction with the main event. (Including parade, fireworks, etc.)
 - (d) Days and hours of event.

- (e) Event boundary including a map with city streets showing requested including registration, tents, booths, food, office/administration, etc.
- (f) Estimated number expected to attend.
- (g) Outline of publicity plan with examples of previous efforts, if available.
- (h) Security plan, including crowd control, pedestrian safety, etc., and general request for public safety assistance.
- (i) Emergency procedures, first aid services, and plan for appropriate emergency communication. Also include outline of activities involving moving vehicles and safety related procedures used to avoid or prevent injury.
- (j) Names, street addresses, phone numbers including home phone, work phone and cell phone, and title/area of responsibility of at least two contacts with event sponsors.
- (k) Proof of liability insurance, provided by insurance company and sent, if requested, directly by the carrier to the Town Recorder.
- (l) A list of anticipated vendors and concession booths. A final revised list of vendors and concession booths shall be filed with the Town Recorder at least 48 hours before the event begins.
- (m) Services provided by or through the event sponsor. List should include erection of temporary stages or facilities including tents, efforts to address refuse collection, security, etc.
- (n) Services requested from the Town of Jonesborough including:
 - (1) Police and Security
 - (2) Refuse Collection
 - (3) Street Cleaning
 - (4) Event Preparation/Beautification
 - (5) Signage
 - (6) Parking
 - (7) Use of facilities, including days and hours, space and staffing needs
 - (8) Communication/Publicity
- (o) Detailed clean-up plan stating person or persons responsible, schedule, and any repairs or grounds remediation expected.
- (p) The approximate number of citizens expected to either participate in and/or view the event.

(q) If street closure is requested, a complete listing of such streets or portions thereof, together with the dates and hours of closure.

(r) The payment of a \$35.00 fee for processing the application.

(2.) Hold Harmless Clause Required. The Special Event sponsor shall hold the Town of Jonesborough harmless for any damages or injuries caused by any action or activities of the sponsoring organization. The sponsor shall sign a hold-harmless clause approved in form by the Town Attorney.

(3.) Town Staff Review. The request to hold a Special Event shall be reviewed by the appropriate Town staff. Town staff will work with event sponsors to the extent necessary to clarify and resolve any issues or concerns. Any written comments resulting from the staff review shall be provided to the Board of Mayor and Aldermen before Board action is taken.

12-405. Insurance Required.

(1.) A Special Event Permit will be issued by the Town Recorder only after the sponsor has presented the Town Recorder with a certificate of insurance, with the Town of Jonesborough named as an additional insured; protecting the Town from any and all claims and liabilities arising out of the event, in an amount equal to the upper limits of liability the Town is exposed to under the Tennessee Governmental Tort Liability Act at the time of the event.

(2.) Insurance coverage shall include all activities and the individuals carrying them out as well as vendors permitted within the Special Event boundaries.

(3.) Any individual or organization carrying out a Special Event activity within the Special Event boundary involving the general public, whether on public or private property, shall be covered by insurance with the minimum limits listed above. Proof of coverage shall be obtained through a permit issued through the special event sponsor or through a certificate of insurance provided by the carrier.

(4.) Events sponsored by the Town shall be covered under the Town's general liability insurance policy.

12-406. Board Approval Required.

(1.) Approval in Part or Whole. The Board of Mayor and Aldermen shall review all requests for Special Events and the associated request for services. At least one of the designated contacts with the even

sponsor shall be at the Board meeting to answer questions and provide any additional information needed. The Board may approve, reject or modify any request in whole or part.

- (2.) Schedule of Approval. Although the Board of Mayor and Aldermen may authorize the carrying out of an Event at any time, the Board will normally require documentation necessary for a request to be presented to the Board for review a minimum of thirty-five (35) days in advance of the Special Event. Special Events sponsors should submit preliminary event plans with the information outlined in Section 9 to the Town Administrator so the request can be reviewed by the appropriate Town staff forty-five (45) days prior to the Special Event.
- (3.) Annual Action Required for Recurring Special Events. Special Events that are recurring require the annual approval of the Board of Mayor and Aldermen. The permit application shall provide a schedule for the term of the special event within the special event permit request.
- (4.) Town Sponsored Special Events. The Board of Mayor and Aldermen may choose to sponsor a Special Event for any reason. Special Events sponsored by the Town of Jonesborough may be approved by the Board of Mayor and Aldermen, at its discretion, through the annual budget process or through the criteria established in this ordinance for all other Special Events.

12-407. Fee for Additional Services. If the Town determines that the special event is not expected to generate sufficient tax revenues sufficient to pay the Town's expected costs for municipal services and utilities over and above the normal level of service provided to the general public, the Town may charge the special event sponsor at rates for services rendered that are established by resolution of the Board of Mayor and Aldermen. If the Town chooses to levy a fee for additional services, the Town shall estimate the fees for additional services which must be paid in advance of the issuance of the special event permit. Upon the conclusion of the special event, the Town will itemize its fees for additional services actually provided and will bill the special event sponsor for any unpaid balance or refund any overpayment made. Fees levied for special services provided shall be due upon demand.

12-408. Concession Booths and Vendors.

- (1.) Definitions.

- (a) *Goods, wares, merchandise* shall include but not be limited to fruits, vegetables, farm products or provisions, dairy products, fish, game, poultry, meat, plants, flowers, appliances, crafts, wearing apparel, jewelry, ornaments, art work, cosmetics and beauty aids, health products, medicines, household needs or furnishings, food or any kind, whether or not for immediate consumption, confections or drinks.
 - (b) *Vendor or Concession Booth* means any person, traveling by foot, wagon, vehicle or any other type of conveyance from street to street carrying, conveying, or transporting goods, wares or merchandise and offering and exposing them for sale, or making sales and delivering articles to purchasers; or who, without traveling from place to place, exhibits, displays, sells or offers for sale such products from a wagon, handcart, pushcart, motor vehicle, conveyance or from his person while on the public ways of the Town of Jonesborough. A vendor or concession booth also includes any transient vendor, street vendor, hawker, huckster, itinerant merchant, or persons or companies providing services for fees or other compensation.
- (2.) General. The special 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. The special event sponsor shall also issue an identification badge to each vendor or concession booth operator.
- (3.) Vendors or concession booths shall not obstruct the entrance or display windows of fixed location businesses without the permission of the owner of the affected business. In no event shall a vendor or concession booth obstruct pedestrian access to other neighboring fixed located businesses.
- (4.) No vendor or concession booth shall be permitted to operate in the following areas of public space:
- (a) Within ten (10) feet of any street intersection or pedestrian crosswalk, unless the street intersection is closed as part of the special event,
 - (b) Within five (5) feet of any driveway or loading zone;
 - (c) Within five (5) feet of any parking space or access ramp designated for persons with disabilities,

(d) Within ten (10) feet of a fire hydrant or fire escape. In no event, vendors or concession booths shall not obstruct public sidewalks.

(5.) No vendors or concession booths shall be allowed within the boundary of the permitted special event without the approval of the Special Event sponsor or the Board of Mayor and Aldermen.

(6.) Vendors operating outside of a special event boundary must obtain a separate permit in the name of the vendor.

12-409. Sales Tax. Sales booths and/or activities, in which fees are charged, if allowed, shall be governed by the State Flea Market Rules for license to sell. It shall be the responsibility of the Special Event sponsor to ensure that all individuals and groups permitted to conduct sales through the Special event have paid any applicable local or state fee for sales, and to verify that all booths or fee generating activities are properly licensed. Upon request, permit and sales tax information for all permitted Special Event vendors and activities shall be provided to the Town Recorder within fifteen (15) days of the last day of the Special Event.

12-410. Rules and Regulations.

(1) Alcoholic Beverages. Alcoholic beverages of any kind in public use areas, which includes parks, public buildings, grounds, streets, sidewalks and other such public areas, are prohibited except as may be authorized by permit under the ordinance of the Town.

(2) Cancellation. The Town reserves the right to cancel a Special Events Permit if it is determined that the information provided is inaccurate or false, that the intended use is actually different than stated, or that the activities taking place create an unanticipated threat to public property or a public safety hazard.

(3) Compliance With Town Policies And Ordinances And Other Laws. The event sponsor shall comply with all Jonesborough ordinances and policies and all local, state and federal laws, and will to the extent possible see that event participants comply as well.

(4) Fires. Fires or burning in the public areas within boundaries is prohibited. This restriction shall not apply to the use of grills or other such devices approved for use by vendors, or as specifically authorized in other designated areas through the Special Event application

- (5) Firearms: No person shall possess, carry or discharge any firearm, shotgun, rifle, pistol, bow and arrow, crossbow, blowgun, slingshot, BB gun, air gun, or paint gun in the Special Event boundary. This restriction shall not apply to duly authorized law enforcement officers acting in their official duty or to any Town employee duly authorized by the Jonesborough Board of Mayor and Aldermen. The Board of Mayor and Aldermen may permit the use of firearms in demonstration exercises, training supervised by qualified personnel, and may authorize "turkey shoots" or other such competitions or demonstrations of skill when the Board determines such activity is in the public interest and the necessary safeguards for public safety are in place. "Firearm" means any device designed, made, or adopted to expel a projectile by the action of an explosive or any device readily convertible to do so.
- (6) Fireworks, Explosive Devices: Fireworks, firecrackers, or any such explosive devices are prohibited from the Special Event area boundary. This restriction shall not apply to any explosive device utilized by duly authorized law enforcement officers acting in their official duties, or as a fireworks display or similar activity approved by the Board of Mayor and Aldermen through the Special Event permit process.
- (7) Non Discrimination: It is the policy of the Town of Jonesborough to not discriminate against any person, group or organization based on the grounds of race, color, religion, gender, or national origin. Special Event sponsors shall not discriminate against any person, group or organization based on the grounds of race, color, religion, gender, national origin except as may be allowed under state or federal law.
- (8) Trash and Refuse: Special Event sponsors shall be responsible for picking up trash and refuse generated from their event in parks, parking lots and sidewalks. It is the responsibility of the Special Event sponsor to place trash and refuse collected in a location(s) approved by the Public Works Director or Town Administrator. If proper disposal containers are not available, it shall be the responsibility of the Special Event sponsor to collect trash and refuse and place it in a location that does not restrict normal activity but is also available for easy collection.

12-411. Enforcement. Enforcement of permitting requirements outlined in this ordinance shall be the responsibility of the Town Recorder and the Department of Public Safety. Any violation of these permitting requirements shall be a misdemeanor and subject to the fines associated thereof.

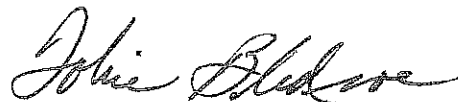
SECTION 2. This ordinance shall become effective immediately after its passage on second and final reading.

Motion was made by Alderman G'Fellers and seconded by Alderman Countermine that the preceding ordinance be adopted on first reading. Those voting for the adoption thereof were: Alderman G'Fellers,
Alderman Countermine, Alderman Fitzgerald, Alderman Rhein
Those voting against: _____

Motion was made by Alderman Rhein and seconded by Alderman Countermine that the preceding ordinance be adopted on second reading. Those voting for the adoption thereof were: Alderman Rhein,
Alderman Countermine, Alderman Fitzgerald
Those voting against: _____

PASSED ON FIRST READING July 21, 2005

PASSED ON SECOND READING August 8, 2005



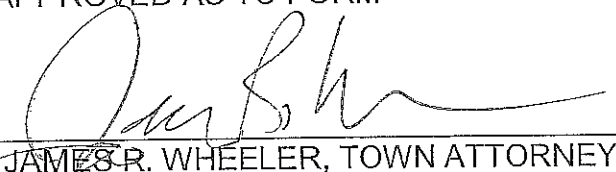
TOBIE BLEDSOE, MAYOR

ATTEST:



ABBEY MILLER, RECORDER

APPROVED AS TO FORM


JAMES R. WHEELER, TOWN ATTORNEY