

CITY OF LAPEER - SPECIAL EVENTS RULES AND REGULATIONS

A. SPECIAL EVENT APPLICATION REQUIRED:

Any person, group or organization wishing to sponsor or hold a Special Event in the City of Lapeer will be required to complete the City of Lapeer Special Event Application. Applications are available from the City Hall or Public Safety Building.

The City of Lapeer may hold its own special events, it may contract with one or more organizations to perform special event services, or it may jointly sponsor a special event with one or more organizations. In such cases the City Administration and any participating organization(s) shall submit a special event application to the City Commission which shall include an itemization of the City's financial participation and, if applicable, the co-sponsoring organization's financial participation. Requests for joint sponsorship with the City will be considered during the budget appropriation process.

The City will provide a complete review of any special event application, including consultation with the applicant as may be reasonably necessary to resolve problems, at no charge to event sponsors.

Sponsors of Special Events should be aware that noise generated by the event could have an impact on the neighborhoods near the event site. Sponsors must be considerate of the neighbors and be aware of the City ordinance provisions dealing with sound and noise.

B. CITY SERVICES PROVIDED FOR SPECIAL EVENTS:

The City will provide support to special events on the following basis:

1. City Operated Events: The City will operate certain special events directly. The City will fund the full cost of these events. (Examples include: Concerts in the Park, Farmers Market)

2. Co-Sponsored events: The City may co-sponsor certain events with other organizations when the City Commission determines that the event is of general interest to the public and advances the City's public image. The City will provide financial support to these events as determined in the annual budget appropriation.

These events must meet the other requirements contained in these special event regulations, and must reimburse the City for any City costs

in excess of the support level authorized by the budget appropriation. (Examples include: 4th of July Fireworks, Memorial Day Parade, Lapeer Days, Christmas Parade)

3. Other Non-Profit Events: The City may provide up to 1/2 of the actual City labor costs, equipment rental charges, purchased or rented materials as well as Park/Facility Rental Fees to assist other special events operated by non-profit organizations. These events must meet the other requirements contained in these special event regulations and must reimburse the City for any City costs in excess of this support level unless a greater amount is approved by the City Commission. Groups filing an application as other Non-Profit Events must be able to submit a current IRS 501 C(3) Statement. (Examples include: Gus Macker, Sidewalk Sales, DBA Saturday Night Live, Cruisers Car Show)

4. Other For-Profit Events: The City may allow other special events operated by for-profit sponsors that are beneficial to the city and the public, subject to an additional Use Charge for the use of the public property which is approved for each event. In addition, these events must pay 100% of all City costs related to the event. These events must meet the other requirements contained in these special event regulations and must reimburse the City for any City costs in addition to the payment of the established rent. The minimum additional Use Charge shall be \$250.00 per day. (Examples include: Commercial Filming)

5. Political or Ballot Issue Events: The City will allow Political or Ballot Issue special events provided that the political party, candidate or political organization pays 100% of all costs including a minimum facility fee of \$250.00 per day.

C. FEES FOR SPECIAL EVENTS:

Fees shall be charged for City services provided to Special Events as follows:

- 1. Hourly Rate** shall be the hourly cost for any employee working on a special event as established by the City Administration. Hourly Rate shall exclude expenses related to the employee including fringe benefits and overhead.
- 2. Overtime** shall be the overtime hourly cost for any employee working on a special event during a time period that would be considered overtime for City Payroll records, excluding the actual cost for fringe benefits.

3. **Purchased or Rented Materials** shall include all direct costs for all materials purchased or rented by the City of Lapeer for use at the event. An administrative Fee of 15% shall be added to all purchased or rented material to cover costs related to order processing and vendor payment.
4. **Equipment Charges** shall be the current equipment rental rates charged by the City of Lapeer Equipment Fund.
5. **Rental Charge Facility Fee:** Special events which are exclusively sponsored by private, for-profit organizations shall be charged a rent/facility fee for use of public areas such as streets, in addition to the City Event Fees provided herein. The rent/facility fee shall be based on the number of road closures needed, length of the event, overall economic impact on the community, and shall be subject to final approval by the City Commission as part of the Special Event Application approval.
 The minimum rental charge assessed to private for-profit organizations shall be \$250 per day.

D. BILLINGS FOR SPECIAL EVENTS:

Special Event billings by the City shall be itemized as follows:

DPW Employee Straight Time/Overtime	\$	
Police Employee Straight Time/Overtime	\$	
Parks and Rec. Straight Time/Overtime	\$	
Fire Department Costs	\$	
Facility Fee	\$	
Equipment Charges	\$	
Purchased Materials	\$	+15%
Rented Materials	\$	+15%
		<hr/>
Sub-Total	\$	
Less amount of City support	\$-	<hr/>
NET TOTAL BILLING	\$	<hr/>

A cash deposit, performance bond or other security acceptable to the City will be required in an amount equal to the amount estimated by the City to be billed for City Fees as described above. The estimated City Fees shall be listed as a part of the City Commission Resolution authorizing the Special Event. Arrangements for the deposit or other acceptable security

are to be made by event organizers not less than five (5) working days before the start of the event. It should be noted that the fees listed in the City Commission Resolution are ESTIMATES ONLY, actual fees may be higher or lower.

E. FREE PARKING FOR SPECIAL EVENTS:

The term “free parking” as used on the Special Event Application form means that there will be no enforcement of parking time limits, metered parking or permit parking. There will be enforcement of the handicapped parking zones, theater parking zones, and fire lanes at all times. Free parking shall only be granted if requested by the sponsor and approved by the City Commission. There shall be a twenty-foot (20ft) Fire Lane maintained at all times during the Special Event. The Fire Lane must be maintained even during set up and tear down of the event unless written authorization is obtained from the Fire Chief and Chief of Police.

F. CIVIC ORGANIZATIONS AND MERCHANTS IN SPECIAL EVENTS:

Local non-profit organizations and local merchants in the vicinity of the special event being held shall be given the opportunity to participate in the special event to the greatest extent practical, consistent with the nature and purpose of the event.

G. SPECIAL EVENT SIGNS:

The special event application shall include a description of the advertising signs which are proposed to be used for the event. The use of the signs shall conform to the description contained in the application, or as modified by the City Commission in its approval resolution. All signs are subject to the approval of the City.

H. VIDEO OR FILM PRODUCTION:

Organizations which request use of City property or right-of-ways in the City of Lapeer as a location for a commercial video or film production shall be required to coordinate the production with the City Manager’s Office.

The City Manager’s Office shall have the authority to grant permission for commercial video or film production in the City and to allow use of city facilities for this purpose. All commercial video or film productions shall be required to pay the actual costs of all straight time and overtime for all city employees, equipment, and purchased or rented materials (plus 15%). In addition, a rent shall be charged for the use of public areas such as sidewalks and streets. The minimum rental fee or site fee shall be \$250.

I. LIABILITY INSURANCE REQUIREMENTS:

All sponsors of special events or commercial video or film crews shall carry general liability insurance with coverage for bodily injury, death, and property damage of at least \$1,000,000 per occurrence, and \$1,000,000 aggregate, except for Class 1 B Low Hazard events approved by the Special Event Review Committee as provided below. Sponsors of Class 1 - Low Hazard Special Events shall carry general liability insurance with coverage for bodily injury, death, and property damage of at least \$300,000 per occurrence, and \$300,000 aggregate. An event sponsor shall be required to provide a valid certificate of insurance naming the City of Lapeer as an additional insured prior to the event. The City Commission may require higher levels of insurance based on risk factors and past experience (i.e. Lapeer Days/Gus Macker).

J. SPECIAL EVENT REVIEW COMMITTEE:

The Special Event Review Committee shall consist of the City Manager, Assistant to the City Manager, Police Chief, Fire Chief, Director of Public Works, Director of Parks, Recreation & Cemeteries and the Planning Director. The Special Event Review Committee is intended to provide a risk control guide for the handling of the increased liability associated with special events. Special events are defined in the ordinance and generally consist of activities which are not directly related to the day-to-day operations of the City of Lapeer, but which may occur on premises owned or controlled by the City of Lapeer. These would include, but not be limited to, the examples given below for the various hazard level classifications of special events.

The Special Event Committee may place additional requirements on any special event. These requirements may include specific staffing levels for Police, Fire, Paramedic, Municipal Services or other personnel. Expenses for these services will be billed to the sponsoring organization as provided for herein. The Special Event Review Committee will review each special event application received and assess the potential liability risk of the City of Lapeer, based on the following risk categories:

Class I Low Hazard involves no physical activity by participants and no severe exposure to spectators. Examples of events in this category include, but are not limited to, meetings, seminars, social gatherings, theatrical performances, and auctions.

Class II Moderate Hazard involves limited physical activity by participants and no severe exposure to spectators. Events in this category include, but are not limited to, amateur team sports, dances, animal shows, political rallies, flea markets, picnics, and parades with no floats.

Class III High Hazard involves major participation by participants and/or moderate exposure to spectators. Events in this category include, but are not limited to, parades with floats, marathons or races and circus/carnivals.

Class IV Severe Hazard involves severe exposure to spectators and/or participants. Examples of events in this category include, but are not limited to, rock concerts, alcoholic beverage sales, vehicle races, fireworks displays, ice carving events, professional or collegiate sporting events.

As a result of the review of the event by the Special Event Review Committee the City Commission may place special conditions on the event. A member of the Review Committee shall be available to meet with event organizers to review the special conditions and insure that all conditions are met before the event begins. Some events may require that a member of the Special Event Review Committee or their agent be on site during the event.

Any member of the Special Event Review Committee has the authority to cancel or stop an event if the special conditions required for approval of the event are not being met. In addition, the members of the Special Event Review Committee and City public safety officials have the authority to cancel or stop an event, or place additional restrictions on the event, if it is deemed that the public health, safety or welfare is being jeopardized and/or would be better served with additional restrictions.

K. TRAFFIC CONTROL AND SAFETY REQUIREMENTS:

The special event sponsor shall be responsible for complying with all traffic control and safety procedures required by the City during the event. The requirements will be indicated in the permit or notice of approval, and additional requirements may be made by the City during the event as may be necessary for the safety of the public.

The City of Lapeer may, in certain circumstances permit, but does not recommend, solicitations of any kind in the street. The City of Lapeer accepts no responsibility or liability for the safety of persons who make solicitations in the streets. All special events which include participants soliciting funds in street intersections shall comply with the safety requirements and use of traffic cones as specified by the Police Department.

The City of Lapeer has NO authority to grant a permit for solicitations on any County of Lapeer or State of Michigan highway.

L. PARTICIPANT WAIVER OF LIABILITY:

The special event sponsor shall be responsible for obtaining all signed indemnification agreements as required by the City. Samples of the basic agreements are attached to these regulations. The specific requirements for each event will be indicated in the City's Written Confirmation of Approval.

M. VENDOR INSURANCE AND LICENSE REQUIREMENTS:

All food/beverage vendors must have Lapeer County Health Department approval and complete the concession waiver of liability prior to opening of the vending operations.

All food/beverage vendors must supply a valid certificate of insurance, in an amount approved by City, naming the City of Lapeer as an additional insured prior to opening of the food stand. All food vendors must post a valid temporary Food License as authorized by Lapeer County Health Department. Food/Beverage Vendors are responsible for any and all fees related to obtaining a food license. Food/Beverage Vendors are required to comply with all Lapeer County Health Department rules and regulations for Temporary Food License Facilities.

All food/beverage vendors are required to contact the Lapeer County Health Department for the latest rules and regulations and to obtain a temporary food license. Food/beverage vendors are responsible for insuring compliance with all Health Department rules and regulations. Food/beverage vendors should contact the Health Department **WELL IN ADVANCE** of the event date. **The Temporary Food Service License application must be submitted to the Lapeer County Health Department more than 3 days before the event to avoid an additional late fee.**

Contact Lapeer County Health Department at (810)667-0392.

N. TWO OR MORE APPLICATIONS FOR THE SAME EVENT DATE:

In the event that two or more Special Event Applications are received for the same date and time the date and time that each application was received by the City of Lapeer shall determine the order of preference. Once a Special Event Permit has been granted further permits for the same date, time, and general location will not be allowed unless the City Commission is convinced that no additional staffing or other City

resources would be required and/or that the holding of the two special events would not cause any interference or confusion between them and that they would compliment each other.

In the event that two or more Special Event Applications are received at the same time for the same date and time the City Administration has authority to resolve date and time conflicts with the sponsors filing each application.

O. RESERVATION OF ANNUAL EVENT DATES:

If an event is intended to be an annual event at regularly scheduled dates, the current year's application may include the following year's requested dates. Approval of the current year's application may include a reservation of the next year's proposed dates. However, it will not constitute approval of the next year's event, which must have its own timely application submitted for City approval. In general, the City will not approve Special Event dates more than one year in advance.

In all cases preference for scheduling shall be given in the following order:

- a. City Sponsored Events
- b. City Co-Sponsored Events
- c. City Non-Profit Events
- d. Non-City Non-Profit Events
- e. For-Profit Events

P. WRITTEN CONFIRMATION OF CITY APPROVAL:

Upon approval of the Special Event Application a written confirmation as to the action of the City Commission will be forwarded to the individual or organization requesting the event by the City Clerk's Office. This confirmation will outline any special conditions that must be met if the event is to be held. The City of Lapeer Special Event Application form must be completed for all special events that take place on property owned or controlled by the City of Lapeer.

Adopted: Date, year

INDEMNIFICATION AGREEMENT

The _____ agree(s) to defend, indemnify, and hold harmless the City of Lapeer, Michigan, its officers, employees and agents, from and against any claim, demand, suit, loss, cost or expense, or any damage, which may be asserted, claimed or recovered against or from the City of Lapeer, its officers, employees and agents, by reason of any damage to property, bodily injury or death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with or related to the special event.

Signature _____ Date _____

Witness _____ Date _____

City of Lapeer SPECIAL EVENT APPLICATION

DIRECTIONS: Complete this application in accordance with the City of Lapeer Special Events Ordinance and Regulations, and return it to the City Manager's Office at least 30 Calendar days prior to the starting date of the event.

**Sponsoring
Organizations**

Legal Name _____ **Phone** _____

Organization Address _____

Organization's Agent _____ **Phone** _____

Agent's Title _____

Agent's Address _____

Event Name _____

Event Purpose _____

Event Dates _____

Event Times _____

Event Location _____

1. **TYPE OF EVENT:** This event is:

City Operated Event

Co-Sponsored Event

Other Non-Profit Event

Other For-Profit Event

Political or Ballot issue Event

2. **ANNUAL EVENT:** Is this event expected to occur next year? **[YES] [No]**

If yes, you may reserve a date for next year with this application. To reserve dates for next year, please provide the following information:

Normal Event Schedule

(e.g., third weekend in July): _____

Next Year's specific dates: _____

3. **AN EVENT MAP [IS] [IS NOT]** attached. If your event will use streets and/or sidewalks (for a parade, run, etc.), or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. Also show streets or parking lots that you are requesting to be blocked off.

4. **VENDORS:** Food/Beverage Concessions? **[YES] [NO]** Other Vendors? **[YES] [NO]**

If yes, refer to the Rules and Regulations for license and insurance requirements.

5. **EVENT SIGNS:** Will this event include the use of signs? **[YES] [NO]**

If yes, refer to the Rules and Regulations for requirements.

6. **FREE PARKING:** Are you requesting free parking (see the Rules and Regulations)? **[YES] [NO]**

If yes, list the lots or locations where free parking is requested:

7. **Alcoholic Beverages:** Will they be served? **[YES] [NO]**
Who holds the Liquor Control Commission license?

8. **OTHER REQUEST:** _____

If needed please attach a letter indicating all requests of City Services

9. **CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that:
- a. A certificate of insurance must be provided which names the City of Lapeer as an additional named insured party on the policy. (See the Rules and Regulations for insurance requirements)
 - b. Event sponsors and participants will be required to sign Indemnification Agreement forms.
 - c. If the event includes solicitation by workers standing in street intersections, the required safety requirements and use of traffic cones will be maintained at all times in accordance with the City's general policies and practices. The City does not recommend standing in the street or making any solicitations from the street.
 - d. All food vendors must be approved by the Lapeer County Health Department, and each food and/or other vendor must provide the City with a certificate of insurance in an amount approved by the City which names the City of Lapeer as an additional named insured party on the policy.
 - e. The approval of this special event may include additional requirements and/or limitations, based on the City's review of this application, in accordance with the City's Special Events Ordinance and Regulations. The event will be operated in conformance with the Written Confirmation of Approval.
 - f. The sponsoring organization will provide a security deposit for the estimated fees as may be required by the City of Lapeer and will promptly pay any billing for City services which may be rendered.

As the authorized agent of the sponsoring organization, I hereby apply for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with City's Special Events Ordinance and Regulations, the terms of the Written Confirmation of Approval, and all other City requirements, ordinances and other laws which may apply to this Special Event.

Date

Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least thirty (30) days prior to the first day of the event to:

City of Lapeer
City Managers Office
Special Event
576 Liberty Park
Lapeer Mi 48446

(810) 664-5231