

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF CRAWFORD COUNTY
TO ESTABLISH A PROCEUDRE FOR THE HOLDING OF SPECIAL EVENTS ON
PUBLIC PROPERTIES THROUGHTOUT UNINCORPORATED CRAWFORD
COUNTY AND FOR OTHER PURPOSES.**

Special Events Ordinance

1. Purpose

- a) The following ordinance which shall be effective upon approval of the Crawford County Board of Commissioners and shall govern the time, place and manner of the holding of certain special events on county roads and on county property in the unincorporated areas of Crawford County. When an event has a potential impact upon the health, fire, police, transportation and other services that exceeds those regularly provided in the unincorporated area of the County, these regulations are enacted in order to promote the health, safety and welfare of all the persons in the County, residents and visitors by ensuring that special events do not create disturbances, become nuisances, menace or threaten life, health, and property, disrupt traffic or threaten or damage private or public property. It is not the intent of this ordinance to regulate in any manner the content of speech or infringe upon the right to assemble, except for the time, place and manner of speech and assembly, and this Chapter should not be interpreted, nor construed otherwise.

2. Application of Provisions

- a) This chapter imposes regulatory requirements on certain activities which are held on county streets and county property and are defined as "special events." The requirements imposed by this chapter do not alter, supersede or nullify any requirements contained in other statutes, ordinances or regulations which may also regulate these same activities. These requirements shall be applied in a content-neutral manner and without discrimination as to race, religion, sex, national origin, political affiliation or other unlawful discriminatory classification. This chapter shall not apply to the following events:
- 1) Events or assemblies occurring inside permanently established, fully enclosed places of assembly for which said facility was originally designed or ordinarily used, such as a place of worship, public auditorium, theater, recreation hall, gym, or other enclosed structure designed primarily for housing and assembly of people, provided that the maximum number of persons expected to attend or in actual attendance does not exceed the maximum capacity of the enclosed place of assembly.
 - 2) Events or assemblies in conjunction with school events on school property, church events on church property if designed for that use or government sponsored public hearings.

3. Definitions

- a) For the purpose of this chapter, the following words shall have the following meanings:
 - 1) Athletic event means an organized competitive or recreational event in which a group of people collectively engage in a sport or form of physical exercise, including but not limited to running, jogging, walking, bicycling or skating, on any county street in unincorporated Crawford County or upon public property in the unincorporated area of Crawford County.
 - 2) Entertainment event means an organized event having as its primary purpose the entertainment or amusement of a group of people, including but not limited to parades, carnivals, fairs, concerts, or neighborhood gatherings, on public property within the unincorporated Crawford County.
 - 3) Political event means an organized event, not including an athletic or entertainment event, having as its primary purpose the exercise of expressive activities of a political nature, including but not limited to speech making, picketing, protesting, marching, demonstrating or debating public issues, on any county street in unincorporated Crawford County or upon property owned by Crawford County in the unincorporated area of Crawford County.
 - 4) Special event means any athletic event, entertainment event, charitable event, celebration event or political event, whether held for profit, non-profit or charitable purposes, for which an applicant is permitted to carry out to the exclusion of other ordinary uses of public properties or facilities, for the specific period of time authorized by the permit.

4. Permit Required

- a) It is unlawful for any person, corporation, partnership, association or other entity, public or private, to promote, advertise or hold a special event without first obtaining a special event permit and paying the fees as required in this chapter.

5. Exemption from Permit

- a) The provisions of this chapter shall not be applied to regulate the use of traditional public forums as alternative channels of communication by the public, provided such use is for the free exercise of constitutionally protected activities and does not disrupt or interfere with traffic on public streets or the use of public places by other members of the public.

- b) The provisions of this chapter shall not be applied to governmental or quasi-governmental activities approved by the BOC on a case by case basis.

6. Permit--Application Process

- a) Special Event Permit application forms may be obtained from the office of the Crawford County Zoning Administrator.
 - 1. All applications for special event permits shall be made on a special event permit application form maintained at the Crawford County Zoning Office and shall include the following information:
 - a. Type and description of event;
 - b. Name of the sponsoring/promoting entity, contact person, address and telephone number;
 - c. Proposed date(s) of the event, together with beginning and ending times for each date;
 - d. Proposed location, including a plat or map of the proposed area to be used, including any barricade, street route plans or perimeter/security fencing;
 - e. Estimated numbers of event staff, participants and spectators;
 - f. Public health plans, including plans for culinary water supplies, solid waste collections and disposal and waste water (toilet facilities);
 - g. Fire prevention and emergency medical services plans;
 - h. Security plans and/or law enforcement response; and
 - i. Signature of applicant.
 - 2. The applicant for a permit shall circulate copies of the application to the following agencies for the purpose of obtaining their approval or disapproval of the proposed special event. The application is not complete until approved by the following agencies:
 - a. Crawford County Board of Commissioner's Office;
 - b. Crawford County Sheriff's Department;
 - c. Crawford County Fire Department;

- d. Crawford County Health Department;
 - e. Crawford County Recreation Board if the special event is to be held at a Crawford County park or recreation facility;
 - f. Any other County agency which is to provide a service in connection with the special event and identified on a case by case basis.
3. In reviewing an application, the agencies or departments involved shall consider the following:
 - a. The impact of the special event on the traffic, security, health and safety of the public and the plans of the applicant to address such impacts;
 - b. A determination by the agency that the plans for addressing any such impacts are appropriate and reasonable to address traffic, security, health and safety concerns, and an evaluation of the measures proposed by the applicant to satisfy those requirements;
 - c. The demonstrated ability of the applicant to comply with requirements necessary to protect the safety, health and welfare of the public and the past history of the applicant in complying with such requirements;
 - d. The location and duration of the special event and the county's ability to accommodate the event with the necessary resources; and,
 - e. Other previously approved special events that could cause scheduling conflicts during the same period and cause over extension of the county's resources.
 4. The agencies involved in reviewing an application may impose additional requirements or conditions necessary to protect the public interest by ensuring traffic management, security of property, or the health and safety of the public.
 5. Insurance Required.
 - a. The permittee shall be responsible for providing any and all other insurance that may be necessary for any special event. This specifically includes and always requires a \$1,000,000 general liability policy covering each day for which any such special event shall be undertaken. A certificate of same shall be required not less than 5 business days prior to any such previously permitted event. This special event insurance policy must necessarily cover injuries to

persons and property, specifically including any damages to county property or facilities.

- b. The following special events shall be exempt from the insurance requirements set forth in this section:
 - i. Political events involving the physical presence of a candidate for local, state or federal office;
 - ii. School events on school property; and
 - iii. Events sponsored in whole or in part by the county, or other governmental or quasi-governmental entity and approved on a case by case basis by the BOC.
- c. In consideration for the issuing of a special event permit, the applicant shall agree to indemnify, save harmless and defend the county, its officers and employees, against any claim for loss, any acts or omissions, damage or expense sustained by any person on account of injury, death or property damage occurring by reason of or arising out of the special event.
- d. By issuing a special event permit, Crawford County makes no guarantees and assumes no liability for the safety of participants or spectators of special events.

7. Permit--Fees

- a) Each special event permit shall be accompanied by a non-refundable fee of Two Hundred Dollars (\$200) per day to defray the administrative costs of processing the application.
- b) In order to promote, protect and assure the safety and convenience of the people in their use of public streets, public places, and/or private property, the Sheriff's Office shall coordinate the use of professional peace officers if the special event requires traffic control or police protection. An additional fee shall be charged by the Sheriff's Office to cover the costs incurred. The Sheriff's Office shall specify the fee required upon its approval of the special event permit application, based upon the number of officers and amount of support equipment required by such factors as: the date and time of the event; the event location and length; the anticipated traffic and weather conditions; the estimated number of participants and spectators; the nature, composition, format and configuration of the event; and the estimated time for the event. The fee charged for traffic control or police protection shall be paid prior to the issuing of the special event permit.
- c) Additional fees may be charged by the Crawford County Health Department, the Crawford County Recreation Board, the Crawford County Fire Department, or other county agencies for special services, equipment or facilities provided by

these agencies. Such additional fees shall be specified at the time the agency approves the special event permit application and shall be paid directly to the Zoning Administrator prior to the issuing of the special event permit.

- d) The following special events shall be exempt from the application fee set forth in this section but shall be subject to fees of other agencies or departments:
1. Political events involving the physical presence of a candidate for local, state or federal office;
 2. School events on school property; and
 3. Events sponsored in whole or in part by the County, or other governmental or quasi-governmental groups approved by the BOC on a case by case basis.

8. Permit--Approval and Issuance

- a) Completed application forms shall be submitted to the Zoning Administrator at least thirty (30) calendar days before the event is scheduled to take place, in order to allow sufficient time for final evaluation of the application and to allow timely appeal to the County Board of Commissioners in the event the application is denied. Applications submitted less than thirty calendar days prior to the scheduled event shall be denied unless the applicant demonstrates to the County Board of Commissioners that compliance with the thirty-day deadline was impractical or impossible due to the nature of the event.
- b) A special event permit application may be approved and a permit issued to the applicant by the Zoning Administrator of Crawford County upon approval by all the agencies specified in Section 6(a)2 above. The Zoning Administrator shall notify the County Board of Commissioners and all affected agencies of all special events permits issued pursuant to this chapter.
- c) Crawford County has no authority to approve or permit events other than in the unincorporated area of Crawford County. Permits issued by Crawford County apply only to the unincorporated area of the county, and if an event crosses into a municipality within Crawford County or across the county line, applicants should determine if a permit is necessary in the other jurisdiction.
- d) Crawford County reserves the right to deny permit applications for proposed special events which pose a significant danger or threat to the public health, welfare or safety, or which may result in unreasonable inconvenience or cost to the public.
- e) If a special event permit application is denied by the Zoning Administrator, the reason or reasons for denial shall be provided in writing to the applicant.

9. Appeal Procedures

- a) Any permit applicant desiring to appeal an administrative decision of the Zoning Administrator concerning the denial of a special event permit may petition the County Board of Commissioners. All appeals shall be in writing, shall state the specific grounds for the appeal, and shall be filed in the Commission Office within seven (7) calendar days after the date the applicant received notice of the administrative denial. An applicant aggrieved by the decision of the County Board of Commissioners may seek judicial review of such decision.

10. Violation--Penalty

- a) A violation of this ordinance shall be a misdemeanor. The Crawford County Sheriff's Office, in its discretion, may stop an event which has been issued a permit and/or may issue citations where event staff or participants violate other state statutes or county ordinances, terms or conditions specified in the application, and including but not limited to traffic rules and regulations, disturbing the peace, public nuisance, failure to disperse, trespass, or other health and safety regulations.

11. Miscellaneous Provisions


- a) No alcohol is allowed on Public Property specifically including Special Events.
- b) Use of glass beverage bottles prohibited.
- c) Application Form attached as Exhibit A.

So Ordained, Resolved and Adopted this 2nd day of Oct, 2012.

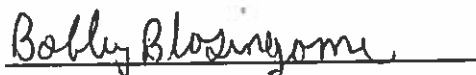
Crawford County Board of Commissioners



Dean Fripp, Chairman



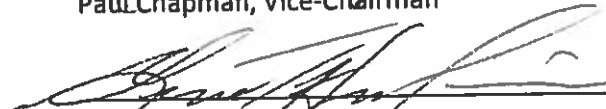
Frank Hollis



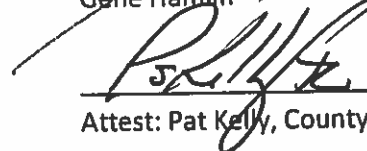
Bobby Blasingame



Paul Chapman, Vice-Chairman



Gene Hamlin



Attest: Pat Kelly, County Manager/Clerk

APPLICATION FOR SPECIAL EVENTS PERMIT

Applicant's Section

Application Fee \$ _____

Name of applicant/Entity _____
 Street Address of applicant _____
 Mailing Address of applicant _____
 Telephone Number _____
 Date of Proposed Activity _____
 Time to begin and end activity _____
 Place of Activity _____
 Kind of activity _____
 Estimated # of participants _____
 Name of organization _____

Total Permit Fee

\$ _____ (Total to be determined by other department fee requirements.)

APPLICANT SIGNATURE _____

OTHER DEPARTMENT APPROVAL AS REQUIRED

Sheriff Department Approve Disapprove Fees required \$ _____
 Authorized Signature _____

Fire Department Approve Disapprove Fees required \$ _____
 Authorized Signature _____

Board of Recreation Approve Disapprove Fees required \$ _____
 Authorized Signature _____

Board of Commissioners Approve Disapprove Fees required \$ _____
 Authorized Signature _____

Health Department Approve Disapprove Fees required \$ _____
 Authorized Signature _____

(Requires Separate Fee and Permit. Applicants should seek approval after all other approvals)

Approval of Application

Zoning Officer _____

Date _____