ORDINANCE:	10-09	
PREPARED BY:	PALMER	
REQUESTED BY:		
PUBLIC HEARING:		
PUBLISHED IN:		
DATE:		
1ST READING:		
2ND READING:		
PUBLISHED IN:		
DATE:		

DESCRIPTION:

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Title 20, Miscellaneous, by adding Chapter 2: Celebratory Gatherings, Concerts, Parades, Races, Demonstrations, Public Assemblies, Block Parties, and Picketing, of the <u>Farragut Municipal Code</u>,

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the <u>Farragut Municipal Code</u> is hereby amended as follows:

SECTION 1:

The <u>Farragut Municipal Code</u>, Title 20, Miscellaneous, Chapter 2, Celebratory Gatherings, Concert, Parades, Races, Demonstrations, Public Assemblies, Block Parties, and Picketing:

Sec. 20-105. Enforcement of other laws.

Nothing contained in this chapter shall prohibit the authority of any officer to arrest a person engaged in any act or activity granted under this article if the conduct of such person violates the laws of the state, provisions of this Code, other ordinances of the Town, or unreasonably obstructs the public streets and sidewalks of the Town, or if such person engages in acts that cause or would tend to cause a breach of the peace as determined by the Town and/or law enforcement agency of jurisdiction. Nothing contained in this chapter shall relieve a business or organization from the requirements of obtaining a permit for activities covered under the Zoning Ordinance, Chapter 4 General Provisions and Exceptions, Section XXIV Special Events Permit.

Sec. 20-106. Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Block party. A geographically defined outdoor gathering on a public street or portion of a public street which involves the closure or partial closure of a street.

Celebratory Gathering. A gathering open to the public for the purpose of celebrating a person, place, holiday, event, and/or entity.

Concert. An outdoor event centered around amplified music or speech.

Event. A Celebratory Gathering, Concert, Parade, Race, Demonstration, Public Assembly, Block Party, and Picketing; held on private and/or public property, or similar function as determined by the Town Administrator or his/her designee.

Parade. Any march, procession, race, or motorcade consisting of persons, animals or vehicles, or a combination thereof, upon the streets within the Town that interferes with the normal flow or regulation of traffic upon the streets.

Permit. Permission to operate an event under this Chapter which is issued by the Town of Farragut as required by this chapter.

Public assembly. Any meeting, demonstration, picket line, rally or gathering of more than twenty (20) persons for a common purpose, that interferes with the normal flow or regulation of pedestrian or vehicular traffic.

Picketing and pickets. The carrying or displaying of picket signs and/or banners by one or more persons for the purpose of demonstrating.

Race. Any organized event where participants are physically competing.

Sidewalk. Any public area or way set aside or open to the general public for purposes of pedestrian traffic.

Street. Any place or way set aside or open to the general public for purposes of vehicular traffic, including any berm or shoulder parkway, right-of-way, or median strip thereof, set aside for parking or for purposes of vehicular traffic. For purposes of this chapter, the term street shall include sidewalks.

Sec. 20-107. Permit Required.

No person or persons shall engage in or conduct any celebratory gathering, concert, parade, race, demonstration, public assembly, block party, picketing, or any other related event involving the use or disruption of the public right-of-way within the corporate boundary of the Town of Farragut, unless a permit is issued by the Town Administrator.

Sec. 20-108. Exceptions.

This chapter shall *not* apply to the following:

- (1) Funeral processions;
- (2) A governmental agency acting within the scope and authority of its functions; and
- (3) Spontaneous events occasioned by news or affairs coming into public knowledge within three (3) days of such event, provided that the organizer thereof gives written notice to the Town Administrator's Office at least twenty-four (24) hours prior to such event.
- (4) Businesses that have been approved for a grand opening or similar business oriented event which are governed under the Zoning Ordinance, Chapter 4 General Provisions and Exceptions, Section XXIV Special Events Permit.

Sec. 20-109. Application.

- (a) A person seeking a permit for an event as defined under this Chapter shall complete, sign, and file an application with the Town Administrator, or his or her designee, using the application form provided by the Town Administrator's Office.
- (b) An application for a permit shall be filed with the Town Administrator at least thirty (30) calendar days and not more than three hundred and sixty-five (365) days before the event is proposed to commence. The Town Administrator may waive the thirty (30) day filing period and accept an application filed within a shorter period if after due consideration of the date, time, place and nature of the event the anticipated number of participants, and the Town services required in connection with the event, the Town Administrator determines that the waiver will not present a hazard to public safety.
- (c) The application for a permit under this Chapter shall include, but not be limited to, the following information:
 - General narrative describing and outlining the event;
 - A sketch plan indicating all major elements of the event including:
 - o Area designated for the event
 - o All streets and sidewalks within 500' of the event
 - o Assembly area for emergency and/or security personnel
 - o Parking areas
 - o All event signage
 - o Portable bathroom facilities
 - number, gender designation, and accessibility
 - o Power distribution location and method (generators, extension cords)
 - o Tent locations (separate permit required by the Fire Marshal)
 - Barricade locations

- o Beer distribution area (separate permit required by the Beer Board)
- o Wine and/or liquor distribution area (check TCA: separate permit required)
- o Pedestrian and vehicular traffic circulation
- o Any other information deemed necessary by the Town Administrator
- The name, address, telephone number, emergency contact number, and email of the person seeking to conduct such an event; who shall be deemed to be in charge of the event and responsible for compliance with the provisions of this chapter;
- The names, addresses telephone number, and email address/website of the headquarters of the organization for which the event is to be conducted, if any, and the authorized and responsible heads of the organization;
- The requested date of the event;
- For parades and races, a map separate from the sketch plan, illustrating the route to be traveled, names of affected streets and cross streets, including the starting point and the termination point;
- The approximate number of persons, animals and vehicles, the type of animals, and a description of the vehicles that will constitute the respective event;
- The hours when the event will start and terminate to include setup and takedown;
- The time at which units of the event will begin to assemble at any such area;
- Statement indicating the method of ensuring the event's safety and security;
- If the event is designed to be held by, on the property of, or on behalf of any person other than the applicant, the applicant for such permit shall file an original signed letter from that person with the Town Administrator authorizing the applicant to hold the event and/or apply for the permit on his or her behalf;
- A description of any recording equipment, sound amplification equipment, and a physical description of banners, signs, or other attention-getting devices to be used in connection with the event, and the maximum decibel level of any such sound amplification equipment;
- The approximate number of participants (spectators are by definition not participants);
- Any other information deemed necessary by the Town Administrator or his/her designee and/or public safety personnel

- (d) At the time of application for permit the applicant shall provide a certificate of liability insurance indicating the event as insured and naming "the Town of Farragut including its employees and agents" as additionally named insured. If applicable, the certificate of liability shall include the property owner as additionally named insured. The Town of Farragut shall be the certificate holder. The certificate of liability insurance coverage shall be not less than one million dollars (\$1,000,000) coverage per event per occurrence. The Town Administrator or his/her designee may decrease the amount of coverage or waive this requirement at his/her discretion.
- (e) Prior to the event, the applicant shall obtain and provide to the Town an irrevocable letter of credit (LOC) from a Tennessee financial institution naming the "Town of Farragut, TN" as the LOC holder. The amount of the LOC will be determined by the Town Administrator, or his/her designee, at the time of approval of the event permit, and shall be used to cover any Town related costs resulting from the event. The Town Administrator, or his/her designee, shall conduct a post event inspection of the area with the applicant present. Within a time frame determined by the Town Administrator or his/her designee the applicant will be required to address any issues resulting from the event to the satisfaction of the Town. If the applicant fails to address the items listed upon inspection within the allotted time frame, the LOC may be drawn upon to remedy any issues related to the event. Upon approval of the inspection by the Town, the LOC will be released. The Town Administrator or his/her designee may decrease the amount of coverage or waive this requirement at his/her discretion.

Sec. 20-110. Standards for Issuance.

- (a) The Town Administrator or his/her designee may issue a permit when, from consideration of the application and from such other information as may otherwise be obtained, he or she finds that:
 - (1) The conduct of the event will not require the diversion of so great a number of Town employees or public safety personnel to properly police the line of movement, and the areas contiguous thereto, as to prevent normal police protection of the Town;
 - (2) The event is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route;
 - (3) There are sufficient parking places near the beginning/ending of the event to accommodate the number of vehicles reasonably expected;
 - (4) No parade, public assembly, or block party permit application for the same time and location has already been granted or has been received and will be granted; and
 - (5) No event permit application for the same time but different location has already been granted, or has been received and will be granted that by combination thereof will disrupt Town services or unreasonably inhibit traffic circulation. In any case, the police resources

required for that event would be so great that, in combination with the subsequent proposed application, the resulting deployment of police services would have an immediate and adverse effect upon the welfare and safety of persons and property.

(6) The reasonable enjoyment of surrounding properties, businesses, and residences will not be disturbed in such a way as to cause an undue, constant nuisance as determined by the Town Administrator and/or public safety personnel.

Sec. 20-111. Nondiscrimination.

The Town Administrator shall uniformly consider each application based upon its merits, and shall not discriminate in granting or denying permits under this Chapter based upon political, religious, ethnic, race, disability, sexual orientation or gender-related factors.

Sec. 20-112. Notice of Denial of Application.

The Town Administrator, or his or her designee, shall act promptly upon an application for a permit filed in a timely manner, but in no event shall grant or deny a permit less than four (4) days prior to the event. If the Town Administrator disapproves the application, he or she shall notify the applicant of the denial prior to the event, and shall state the reasons for that denial.

Sec. 20-113. Revocation of Permit.

The Town Administrator and/or public safety personnel may revoke the permit and terminate all activities related to the event in the interest of public health and safety, or if an extreme public nuisance is generated by the event as determined by the Town Administrator and/or public safety personnel.

SECTION 2.

welfare requiring it.	a publication, the	e public
Ralph McGill, Mayor		
Allison Myers, Town Recorder		
Certified to the Farragut Board of Mayor and Aldermen this	day of	, 2010.



Special Event Application

Organization Information

Event Name Event Date	e and Type: (s):			
Sponsoring Tax ID Address:	Organization:	(Attach	Secretary of S	State Corporate Info)
	on Type: Neighborhood Explain Other:	Non-profit	Govt.	Corporation
Primary Co Address: Work Phon		Cell Phone Nu	ımber:	
E-mail:	С.	Cen i none ive	miloci.	
	Eve	ent Information		
1. Purpose 2. Give a bi	of event: rief description of the event:			
3. Is this a	first time event?			
If no, pr				
4. Hours of	f Operation:			
Date:	Set Up Time:		Close:	
Date:	Set Up Time:		Close:	
Date:	Set Up Time:		Close:	
Date:	Set Up Time:		Close:	
Date:	Set Up Time:	C	Close:	
	wn Date and Time:			
-	tion Time:			
	vent open to the public? Yes	No		
6. Outline schedule	your marketing/publishing plane:	n for the event to	include advert	ising and promotion

7.	Will admission be charged? Yes No
8.	Will you be accepting donations? Yes No
	Estimated attendance each day:
10.	Will food be served? Yes No
11.	Will food be prepared on site at your event? Yes No
	How many food vendors do you anticipate having?
	How will food be prepared?
	Gas Grill Propane Butane
14.	Will alcoholic beverages be available? Yes No
	Have you received approval from the Beer Board (required)?
	If yes, will beverages be sold or served?
	What type of alcoholic beverages will be available?
	What are the days/hours that alcohol will be consumed at this event?
	What are the day is near an entering with or consumed at this event.
	In what areas of your event will alcohol be consumed?
	•
15.	Will you have merchandise vendors booths at your event?
	Yes No If yes, how many?
	Event Logistics
1.0	Demonstral according to
16.	Requested event location:
17	List all streets you are proposing to close with the time periods that they will
1/.	be closed:
	be closed.
18.	Outline your plan for notifying the public of street closures and traffic control:
10.	outine your plan for notifying the public of sheet closures and traffic control.
19.	Will there be live entertainment or music at your event? Yes No
	If yes, please answer the following:
	Will stages be built? Yes No If yes, how many?
	Will you be using generators?
20	
	many?
21.	Will any existing restrooms be provided for public use? If yes, how many
	and where will they be located?
	•

22.	Will you be utilizing portable restroom facilities? Yes If yes, please complete the following: Number of portable restrooms: Location (be specific):	No
23.	When will they be placed and removed? When will they be serviced? How many ADA accessible units will be included? What arrangements have you made for traffic control and sec provide this service? What will the role of security personnel event?	
	Outline your plan for Emergency Medical Service for this eventheir location:	ent including
	Outline your plans for trash removal including the date and ho trash will be removed from the event site:	our that at all

Hold Harmless

All authorized events occurring within the Town limits shall be individually and severally responsible to the Town for any loss, bodily or personal injury, deaths, and/or property damage that may occur as a result of the event representative/organizer's negligence or that of its agents and employees. All event organizers/representatives hereby agree to indemnify and save the Town, its officers, employees, and agents harmless from any loss, cost, damages and other expenses, including attorney's fees, suffered or incurred by the Town by reason of the event representative/organizers negligence or that of its agents and employees; provided that the event representative/organizer shall not be responsible nor required to indemnify the Town for negligence of the Town, its officers, employees, or agents. Furthermore, I fully understand and agree to comply with the terms and conditions as stated in this application. All information provided in this application is correct and accurate to the best of my knowledge.

Signature Date

Return this application along with all required documentation to:

Office of the Town Manager 11408 Municipal Center Drive Farragut, TN 37934

If you have any questions while completing this application, contact the Town Manager's Office at **865.966.7057**

OFFICE USE ONLY

FIRE MARSHAL REVIEW:	Approved: (INITIALS)	
• Conditions of Approval:		
Denied:		
Reasons for Denial:		
KCSO REVIEW:	Approved: (INITIALS)	
• Conditions of Approval:		
Denied:		
Reasons for Denial:		
TMLRMP REVIEW:	Approved: (INITIALS)	
Conditions of Approval:		
Denied:		
Reasons for Denial:		
ADMINISTRATION OFFICE REVIEW:	Approved: (INITIALS)	
• Conditions of Approval:		
Denied:		
Reasons for Denial:		

Supplemental Information:

A sketch plan of your event must be included with this application. Please include: vehicular and pedestrian circulation, staging areas, locations of tents, entertainment stages, portable restrooms, dumpsters, fencing, food and beverage booths, and all sponsor or vendor booths. Also indicate where streets will be blocked and what will be used to block the streets. **This application will not be processed without a completed site map.**

Applicants must provide the Town with an original copy of their insurance certificate of general liability insurance naming the "*Town of Farragut, its employees, and agents*" as additionally insured. This policy must have a minimum coverage of one million dollars (\$1,000,000.00). If it is determined that security is required for your event, certified, uniformed Knox County Sheriff's Deputies must be hired to provide this service. Applicants hiring off duty Sheriff's Deputies must the Knox County Sheriff's Office as additionally insured.

Applicants must abide by all Rural Metro Fire & Rescue rules and regulations. This information can be obtained by contacting the Fire Marshall at Town Hall (865.966.7057).

Applicants requesting to serve alcohol at their event must submit an application to the Farragut Beer Board. This can be done by contacting the Town Manager's Office at **865.966.7057** not less than sixty (60) days prior to the proposed event.

A clean up deposit in the form of a check or money order in the amount determined by the Town Manager's Office must be submitted upon approval of this application. This check or money order will be returned upon inspection of your event site at the conclusion of your event.

Application Checklist

_ Completed Application
Complete Event Sketch Plan
_ Insurance Certificate
_ Clean Up Deposit
Copy of Beer Board permit (if applicable)