



TOWN GREEN SPECIAL EVENT PERMIT POLICY

PURPOSE

This policy regulates special events at the Vienna Town Green that may impact the public health, safety, and welfare of our community. It also provides for standardized fees, charges, and procedures required to administer the permit process and determines necessary Town staffing at such events.

PHILOSOPHY

The Town of Vienna recognizes the substantial community benefits that result from special events. These events provide cultural enrichment, promote economic vitality, and enhance community identity. They also provide opportunities for family activities and funding for our community's organizations. Cooperation among the Town, event sponsors, and the community is essential in ensuring successful events. Therefore, the Town strives to accommodate special events.

DEFINITION

For the purposes of this policy, a special event is defined as a preplanned activity, proposed to be held at the Town Green which requires pre-approval and advisement from Town staff, and is sponsored by a non-profit individual, group, or organization based in the Town of Vienna. Such special events may affect public property, normal vehicle and pedestrian traffic, and/or the safety of citizens and visitors, thus requiring Town services and approval. Specific activities requiring a Town Green Special Event Permit include but are not limited to: foot races, bike races, festivals, markets, concerts, celebrations, and to be held at the Town Green.

TOWN GREEN SPECIAL EVENT PERMITS APPLICATION SUBMITTAL:

- a. Applicant(s) requesting a Town Green Special Event Permit must submit a completed Special Event Permit Application, along with a \$25 non-refundable application fee for in-Town residents/organizations and \$50 for those outside Town limits made payable to the Town of Vienna for review and processing.
- b. To allow for adequate review, applications must be received at least 75 calendar days and no more than 180 calendar days prior to date of the proposed event. However, returning events have 90 days from the last day of most recent event to submit an application for the following year's adjusted date.
- c. Applications are accepted on a first-come, first-serve basis, except for returning events that submit their application 90 days from the last day of most recent event for the following year's adjusted date.
- d. If applicant fails to submit the Special Event Permit Application within the time frame stated above, the Town reserves the right to deny the application.

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- e. A detailed description of the proposed event, including safety plan, site plan and program as well as anticipated number of participants or spectators, must be submitted.
 - Please indicate location of electrical usage, water usage, food vendors (no food vendors using grills permitted on the Town Green), beverage stations, tents, stages, portable bathrooms, parking, etc.
 - A parking plan must accompany the request.
 - Applicant must provide materials and equipment needed to host the event. Special requests to use Town property, including services and materials, may be submitted with the application along with a detailed map and location of said services and materials. Special requests are accommodated at the discretion of Town staff.
 - Applicant must provide a Safety plan for compliance with the Governor’s Executive Order, the CDC, Fairfax County Office of the Fire Marshal, and the Virginia Department of Health. This plan will be submitted by the Town to Fairfax County Health Department for approval.
- f. As a condition of the Town Green Special Event Permit, applicant(s) is responsible for providing specific and accurate representation of the necessary Town services required for the event including, but not limited to police, parks and recreation, and public works.
- h. When two or more parties request the same area on the same date, a compromise agreement between the parties will be attempted. Final determination for granting a special event request remains with the Town of Vienna.
- i. The completed application shall provide all relevant event information specified in the application. Failure to accurately describe the proposed event may result in denial of the application.

FEES

- a. A nonrefundable application fee of \$25 for in-Town residents/organizations and \$50 for those outside of Town limits is required with a completed application form. Checks should be made payable to “Town of Vienna.” Any additional fees shall be paid within 30 days upon receipt of invoice. A planned recurring event, such as a concert series, is considered one event.
- b. The event fee is \$35/per hour in town and \$75/hour out of town (for the length of the event including set-up and clean-up time).
- c. Applicant(s) of events that require use of public services and/or are defined as special events, shall be required to pay an hourly rate for police, parks and recreation, and public works services as deemed necessary by the Town of Vienna.
 - Police fees are \$55 per hour per officer with a minimum of four hours required. The number of officers required as well as length of service shall be determined solely by the Vienna Police Department.
 - Additional Town staff services required for set-up, clean-up, trash removal, electrical hook-up, etc., shall be billed at \$45/per hour per staff person, to be determined by the Director of Parks and Recreation.

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SECURITY DEPOSIT

- a. A security deposit of \$500 is required at least ten (10) days prior to the Special Event. If the Special Event is cancelled in writing less than twenty-four (24) hours prior to the scheduled date and time for the Special Event, twenty five percent (25%) of the deposit amount may be kept by the Town to partially compensate the Town for any expended costs in facilitating the Special Event.
- b. The applicant shall be held responsible if the area used is not left in the same condition at the end of the Special Event as it was found to be at the beginning. The area used for the Special Event shall be inspected following the Special Event. If for any reason there is damage to any part of the area which was reserved for the Special Event, or damage to another area as a direct result of the Special Event, the extent of damage shall be determined and the dollar amount for any repair or replacement will be deducted from the deposit paid by the Applicant. If the cleanup involves Town staff, a clean-up fee may be charged to the Applicant.
- c. If the amount of damage, extra cleanup required, and/or costs for services furnished by the Town exceeds the deposit paid, the Applicant shall be billed for the balance, to be paid in full no more than thirty (30) days from the billing date. If payment is not received from the applicant within that time, all future applications by the applicant or individuals or other entities having a controlling interest in the applicant will be denied until such time as payment is received. In addition, the Town may take legal action to recover costs, including attorneys' fees. This provision shall also apply in the case where the applicant is not required to pay a security deposit for the Special Event.

INDEMNIFICATION

- a. By signing an Application, and accepting a Permit if issued, applicants shall be required to indemnify and hold harmless the Town, its elected and appointed officials, employee and agents from and against any claims arising from personal injury, death and damages to property, and any other loss and/or damage resulting from the Special Event. Further, applicants agree that they will accept the venue/location in its "as-is, where-is" condition, and that they understand that by reviewing and approving the application, and issuing a Permit, the Town does not represent and warrant that any public areas are suitable for the Special Event. The applicant must furnish a Certificate of Insurance on a general liability insurance policy, protecting the Town, its elected and appointed officials, employees and agents from and against any and all claims which may result from or in connection to the Special Event. The Town of Vienna must be named as an 'Additional Insured' on the certificate. Applicants must produce a copy of the policy with all endorsements. The Town's Parks and Recreation Director or designee must receive the certificate at least fifteen (15) days prior to the Special Event. Limits of insurance are generally \$1,000,000.00 for death or bodily injury and property damage. Limits and types of insurance may change because of the different activities of each Special Event. Failure to timely produce a valid Certificate of Insurance naming the Town as an additional insured, with coverages as requested by the Town's Risk Manager, will result in cancellation of the Special Event and/or revocation of any issued Permit.

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REVIEW PROCESS

- a. The Parks and Recreation Department will review applications and determine any potential conflicts and required services to support the event. Applicant will be contacted by phone if any additional information is needed.
- b. The Vienna Police Department also will review the application and may ask for additional information.
- c. Approval and fees will be determined by both the Parks and Recreation Department and Police Department.
- d. Applicant will be notified regarding status of request within thirty (30) business days of receipt of application.

REGULATIONS

- a. **Town Code** - All events must comply with Vienna Town Code and laws.
- b. **Alcohol** - No alcohol is permitted to be sold on Town property, including streets and sidewalks; a few Town-sponsored events are exempted from this policy.
- c. **Tents** - No tents larger than 30x30 are permitted on the Town Green. Rain barrels and weights are recommended for securing tents; no stakes are permitted. A diagram and specified method for securing tents is required with applications.
- d. **Vehicle** - No motorized vehicles are permitted on the Town Green.
- d. Safety Plan** - Applicant must provide a safety plan with the application in case of emergency for events. Events of 500 or more contact the Fairfax County Fire Marshall for details, fairfaxcounty.gov/fr/prevention/fmpublications/festivalguide.pdf.
- g. **Rights-of-way** - No sidewalks, streets, or rights-of-way may be blocked unless specifically approved by the Vienna Town Manager. No signs may be posted on right of ways.
- h. **Sign Ordinance** - All events must follow established sign ordinance requirements as outlined in the Vienna Town Code.
- i. **Food** - Any food sold or given away must follow required Town and Fairfax County regulations, including filing a vendor permit as well as paying required meals tax <https://vienna.prod.govaccess.org/residents/forms-licenses-permits-applications> from the Town and a Fairfax County Health Department inspection and certificate, fairfaxcounty.gov/hd/food/permits/temporary-events.htm
- j. **Vending** - It is the responsibility of the applicant to select vendors. All vendors must be identified with uniform identification indicating that they are a part of the Special Event. Vendors shall have all the licenses necessary to operate and those licenses shall be displayed.
- k. **Noise** - Noise, including live music, recorded music, public address systems, crowds, etc., shall be limited to levels allowed under the Vienna Town Code.

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- l. **Sanitation** – The applicant must make arrangements for the proper storage and cleanup of the Special Event site both during and after the Special Event. An unkept Special Event site can result in forfeiture of the event deposit.
- m. **Security** - A minimum amount of security or support staff may be provided by Town police officers and can be supplemented by other security and support staff. The appropriate number of both off-duty and on-duty officers shall be determined by the Town Police Department in consultation with the applicant. Any off-duty police officer hired by the applicant will operate under the direction of the Chief of Police, or designee. An application will not be approved until a security plan if needed has been finalized for the event.
- n. **Toilets** - It is the responsibility of the applicant to provide for an acceptable number of additional toilets on site during the Special Event (if required).
- o. **Public Use** – Any event held within the Town Green requires that the park remain open to the public for duration of the event. Events may not close off all or part of the park. No required entrance or admission fees are permitted. Any approved special event that does not match the applicant-provided description will be charged additional fees as deemed necessary by the Town of Vienna. Failure to accurately describe an event may result in exclusion of the applicant from future special events on Town property.

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9/21/21