



**CALVERT COUNTY GOVERNMENT
GUIDELINE/POLICY/PROCEDURE**

TITLE:	Special Events		
ISSUED BY:	Board of County Commissioners		
RESPONSIBLE STAFF:	Director of Parks & Recreation		
ISSUE DATE:	08/25/20	REVISION DATE:	
PURPOSE:	The purpose of this policy is to promote safe and successful special events for residents and visitors by standardizing the permitting process for special events in Calvert County.		
APPLICABLE TO:	Calvert County Employees, Special Event Permittees		
ATTACHMENTS:	Special Event Permit Manual, Special Event Permit Application		

<input type="checkbox"/> GUIDELINE	<input checked="" type="checkbox"/> POLICY	<input checked="" type="checkbox"/> PROCEDURE
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This document needs to be reviewed/updated:

<input type="checkbox"/> Annually <input type="checkbox"/> (Fiscal Year) <input type="checkbox"/> (Calendar Year)	<input checked="" type="checkbox"/> Other Interval:	
	<input checked="" type="checkbox"/> As needed	Flag for review on:

I. Purpose

The purpose of this Policy is to promote safe and successful Special Events for residents and visitors by standardizing the permitting process for Special Events in Calvert County. The intent is to:

- A. minimize any activity dangerous to the health, safety, or welfare of individuals or which interferes with the use and enjoyment of a park or other county-owned (including rights-of-way) or maintained property;
- B. minimize the hazards of personal injury and loss of life;
- C. reduce property damage; and,
- D. maintain the quality of outdoor recreation resources by establishing rules and regulations

governing all Special Events on property owned or controlled by the County.

II. Policy

This Policy applies to all Special Events, regardless of size, location, use, or duration. All Special Events shall be subject to the requirements of the Calvert County Special Events Policy and Procedures. Failure to abide by the County's Policy and Procedures may result in the termination of the Special Event's administrative approval.

III. Definitions

Applicant: any person or organization who seeks a Special Event Permit from the Director to conduct a Special Event governed by this Policy. An Applicant must be 18 years of age or older.

County Commissioners: the Board of County Commissioners of Calvert County, Maryland.

Director: the Director of the Calvert County Department of Parks and Recreation or their designee.

Special Event Permit: official document approved by the Department of Parks and Recreation giving listed applicant authorization to conduct a Special Event during time as stated within document.

Special Event: any pre-planned entertainment, sporting, cultural, business, or other type of unique activity (including parades, festivals, races, etc.) presented to a live audience that is to be held in whole or in part upon owned or managed County property, or may impact the ordinary and normal use by the general public, public safety services of owned or managed County property, or public right-of-way within the vicinity of the event. Any activity that substantially inhibits the usual flow of pedestrian or vehicular travel, or which occupies any public/private place or building that preempts normal use of space by the general public, or which deviates from the established use of space or building. Activities that are part of a regular series or subscription are not deemed Special Events unless they are an atypical activity outside the ordinary (e.g. regular scheduled baseball game is not a special event, but a tournament is a special event).

IV. Procedure

Permit - Application - Requirements

Any Applicant seeking the issuance of a Special Event Permit shall file a completed application with the Director on a form supplied by the County.

Such application shall be filed not less than 60 days in advance of the date on which the special event is to occur. For high impact Special Events, such application shall be filed not less than six months in advance of the date on which the event is to occur.

The minimum filing period may be waived by the Director for good cause shown, or, if after conferring with the Sheriff and other impacted County officials regarding the date, time, place and nature of the Special Event, the anticipated number of participants, and the necessity for an amount

of County services which will be required in connection therewith, it is determined such waiver will not present a hazard to public safety because of the reduced amount of time available within which to fully process the application. The Applicant must also obtain all other federal, state, county or city permit(s) required for the special event and any such requirements are not waived by the Director in issuing a Special Event Permit under this Policy.

Application

To ensure adequate arrangements are made for the safety and success of the Special Event, the application shall include, but not be limited to:

- A. The Applicant's name, street address, mailing address (if different from the street address), email address, and telephone number.
- B. If the Special Event is proposed to be conducted for, on behalf of, or by an organization or other entity, the legal name of the business, the business's street address and mailing address (if different than the street address), and telephone number of the organization/entity's representative authorized to request the Special Event Permit and organize the Special Event on behalf of the organization or entity.
- C. The name, street address, mailing address (if different than street address), and telephone number of the individual who will be the contact person for the Special Event and who will be responsible for ensuring compliance with the County's Special Events Policy and Procedures.
- D. The date requested for the Special Event and the proposed rain date, if any.
- E. The type of Special Event proposed, including a detailed description of the proposed activities to occur during the event.
- F. The proposed times and locations the Special Event will commence and terminate, the proposed times and locations participants in the event will be marshalled and disbanded, the times when any materials related to the event will be placed on County owned or managed property and public rights-of-way and removed therefrom, a description of such materials and where they will be placed. All placed materials must adhere to County standards.
- G. A description of any and all recording equipment, sound amplification equipment, banners, signs, or other attention-attracting devices which will be utilized in connection with the Special Event on County owned or managed property and public rights-of-way. All placed materials and equipment must adhere to County standards.
- H. The approximate number of individuals, not including spectators, who will participate in the Special Event.
- I. The approximate number of persons, animals, and vehicles which will constitute the Special Event, the type of animals and a description of vehicles, if any, and the total number of each to participate in the Special Event.
- J. If the Special Event is designed to be held by, on behalf of, or for any person other than the Applicant, the application for such permit shall include written authorization from the person proposing to hold the Special Event, authorizing the Applicant to apply for the permit on such person's behalf.
- K. The exact location and route (if applicable) where the Special Event is to occur.
- L. A listing of any and all public facilities or equipment proposed to be utilized.
- M. A description of the means by which the Applicant will inform the public of the Special Event.
- N. Whether the Applicant seeks to erect or place any temporary or permanent structure, stand,

booth, display table, or other impediment to pedestrian or vehicular traffic on a street or sidewalk.

- O. Whether alcoholic beverages are proposed to be sold or served at the Special Event.
- P. A statement as to whether the Special event will occupy all or a portion of the width of the streets or sidewalks to be used.
- Q. Such other information as the Director may deem reasonably necessary.

Application Filing Fee

The application for a Special Event Permit shall be accompanied by a nonrefundable filing fee in an amount set by the Board of County Commissioners by Resolution from time to time.

The permit fee may be waived by the Board of County Commissioners upon written request for the following reasons:

- A. Applicant is indigent and would be unable to obtain the permit but for such a waiver.
- B. Applicant is a not-for-profit or governmental organization recognized by the United States Internal Revenue Service, or the State of Maryland.
- C. Applicant provides proof, through an application to the Department of Economic Development, of significant economic impact to Calvert County.

Permit - Application - Review

In reviewing the application for the purpose of determining whether the Special Event Permit should be issued or denied, the Director shall notify and seek consultation with other County officials and shall make such review in conformance with the grounds for denial set forth in the Code of Calvert County, as well as all other local, state, and federal laws and regulations.

Permit - Denial

The Director may deny an application for a Special Event Permit if it is determined from a review of the application, or other pertinent information, that:

- A. Information contained in the application, or supplemental information requested from the Applicant, is false, withholding information, or incomplete; or
- B. The Applicant fails to complete the application form after being notified of the additional information or documents required; or
- C. The Applicant refuses to agree to abide or comply with all of the conditions and terms of the Special Event Permit; or
- D. The proposed time, route, hours, location, or size of the special event will unnecessarily disrupt the movement of other traffic within the area; or
- E. The proposed Special Event is of the size or nature that requires the diversion of so great a number of law enforcement officers of the County to properly police the event site and contiguous areas that allowing the special event would unreasonably deny law enforcement protection to the remainder of the county and its residents; or
- F. Another Special Event Permit application has already been received, or has already been approved, to hold another Special Event at the same time and place requested by the Applicant,

or so close in time and place as to cause undue traffic congestion, or law enforcement agencies or other County Departments are unable to meet the needs for policing and other County services for both events; or

- G. The proposed location of the Special Event would cause undue hardship for adjacent businesses or residents, as relayed by such; or
- H. The location of the proposed Special Event will substantially interfere with any construction or maintenance work scheduled to take place upon or along public property or right-of-way, or a previously granted right-of-way disturbance permit; or
- I. The proposed Special Event shall occur at a time when a school is in session, at a route or location adjacent to the school or class thereof, and the anticipated noise created by the activities of the event would substantially disrupt the education activities of the school or class; or
- J. The proposed Special Event would endanger public safety or health; or
- K. The proposed Special Event would seriously inconvenience the general public's use of public property, services, or facilities; or
- L. The Applicant fails to submit the required liability insurance, or the Applicant's insurance has lapsed or is cancelled; or
- M. The proposed Special Event would create or constitute a public nuisance; or
- N. The proposed Special Event would likely cause significant damage to public property or facilities; or
- O. The proposed Special Event would engage in or encourage participants to engage in illegal acts; or
- P. The Applicant fails to abide by the terms and conditions of the Special Event Permit.

Notice of Approval or Denial of a Permit

- A. The Director shall act promptly upon a timely filed application for a Special Event Permit. Notice of the approval or denial of the permit, and any conditions related to the approval, shall be communicated to the Applicant within an appropriate timeframe prior to the event, as defined in the Special Event Permit Manual.
- B. If the Director denies the permit, such denial shall be communicated to the Applicant in writing, listing the reason(s) for the denial, and delivered to the Applicant by personal delivery, email, or mailed to the Applicant by certified mail within an appropriate timeframe prior to the Special Event, as defined in the Manual.
- C. The Director shall issue an approved Special Event Permit once the application has been approved, the Applicant has completed all requirements set forth in this Policy, the Special Event Permit Manual and associated addendum, and made appropriate payments as agreed.
- D. Immediately upon the issuance of a Special Event Permit, the Director shall send a copy of the permit to the following entities:
 - a. Board of County Commissioners;
 - b. Office of the County Administrator;
 - c. Sheriff's Office;
 - d. Fire Marshal;
 - e. Director of Public Safety;
 - f. Director of Planning and Zoning;
 - g. Deputy Director of General Services;

- h. Director of Economic Development;
- i. Calvert County Health Officer;
- j. Director of Public Works;
- k. Local volunteer fire department assigned to the area where the Special Event will occur;
- l. Local volunteer rescue squad assigned to the area where the Special Event will occur; and
- m. State Highway Administration.

Conditions

The Director may condition the issuance of a Special Event Permit by imposing reasonable requirements concerning the time, place, and manner of the Special Event, and such requirements as are necessary to protect the safety of persons and property, and the control of traffic, provided such conditions shall not unreasonably restrict the right of free speech. Such restrictions may include but are not limited to:

- A. Alteration of the date, time, route, or location of the event proposed on the event application;
- B. Elimination of an activity which cannot be mitigated to a point as to ensure public safety and welfare, or which causes undue liability to the County;
- C. Conditions concerning the area of assembly and disbanding of a parade or other events occurring along a route;
- D. Conditions concerning the accommodation of pedestrian or vehicular traffic, including restricting the event to only a portion of a street or right-of-way traversed;
- E. Requirements for the use of traffic cones or barricades;
- F. Requirements for the use of County personnel and equipment;
- G. Requirements for the provision of first aid or sanitary facilities;
- H. Requirements for the use of event monitors and providing notice of permit conditions to event participants;
- I. Requirements to provide notice to surrounding property owners;
- J. Restrictions on the number and type of vehicles, animals, or structures at the event, and inspection and approval of floats, structures, and decorated vehicles for fire safety;
- K. Compliance with animal protection ordinances and laws;
- L. Requirement for the use of garbage containers, cleanup, and restoration of public property;
- M. Restrictions on the use of amplified sound and compliance with noise ordinances, regulations, and laws;
- N. Compliance with any relevant ordinance or law and obtaining any legally required permit or license;
- O. Any other restriction or requirement deemed necessary to ensure public safety and wellbeing;
- P. Restrictions on the sale and/or consumption of alcohol.

Appeal of Denial of a Permit

Appeals to the Director

Any Applicant aggrieved by the Director's decision to deny a request for a Special Event Permit may appeal such denial to the County Administrator.

Appeals to the County Administrator

The Applicant shall submit the appeal no later than five business days from the date of the Director's notice of denial by filing a written notice to appeal to the County Administrator with a copy to the Director. The County Administrator shall consider the appeal and render a decision no later than thirty 30 days from receipt of the notice of appeal. The County Administrator shall issue a written decision, instructing the Director to act in accordance therewith. Such decision shall indicate whether the requested permit is approved or denied and the reasons for the decision. If the permit is approved, the decision shall contain the information required by the applicant to be contained in the permit. Any Applicant aggrieved by the County Administrator's decision to deny a request for a Special Event Permit may appeal such denial to the Board of County Commissioners.

Appeals to the Board of County Commissioners

The Applicant shall submit the appeal no later than five business days from the date of the County Administrator's notice of denial by filing a written notice to appeal to the Board of County Commissioners with a copy to the County Administrator. The Board of County Commissioners shall consider the appeal and render a decision at its next available, regularly scheduled meeting from receipt of the notice of appeal, or at a special meeting of the Board of County Commissioners as may be called at the discretion of the President, pursuant to the Maryland Open Meetings Act. The Board of County Commissioners shall issue its decision, instructing the Director to act in accordance therewith. Such decision shall indicate whether the requested permit is approved or denied and the reasons for such decision. If the permit is approved, the decision shall contain the information required by applicant to be contained in the permit.

Contents of the Permit

Each Special Event Permit shall contain the following information:

- A. Name of the Applicant;
- B. Name of the Applicant's organization, if any;
- C. Name of the individual who will be responsible for the conduct of the special event at the site where it is to occur;
- D. Brief description of the Special Event;
- E. Date of the Special Event, and the proposed rain date, if any;
- F. Times Special Event will commence and terminate and the times the participants will be marshalled and disbanded;
- G. Location of the Special Event, marshalling or disbanding area, streets, parks, public facilities, and County property to be traversed or occupied by the special event;
- H. Approximate number of persons, animals, and vehicles that will participate in the Special Event;
- I. Such other restrictions as the Director shall find necessary or appropriate to the enforcement of issued permit; and
- J. Notice to Applicant that the permit shall be readily available upon request by law enforcement officers or County personnel during the Special Event.

Indemnification Agreement

Prior to the issuance of a Special Event Permit, the Applicant or an individual of the organization

with the legal capacity to execute the application and agreement on behalf of the organization, if applicable, must agree to defend the County against, and indemnify and hold the County, its officers, employees and agents, where such claim arises in whole or in part out of the activities for which such permit is issued; except any claims arising solely out of the negligent acts or omissions of the County, its officers, employees and agents. This paragraph does not apply to governmental agencies unable to indemnify other organizations; however, such an exemption must be provided to the Director.

Insurance Requirements

- A. The Applicant of an event must possess or obtain public liability insurance to protect against loss from liability imposed by law for damages due to bodily injury and property damage arising from the event. A Certificate of Insurance shall be filed with the Director 30 days prior to the event and shall name the Board of County Commissioners for Calvert County, Maryland, its officials, employees and agents, as additional insured. Insurance coverage must be maintained for the duration of the event.
- B. Coverage shall be a commercial general liability policy. Minimum limits required are one million dollars for each occurrence, with single limit bodily injury and property damage, and two million dollars aggregate. If alcoholic beverages are sold or served at the event, the policy must also include an endorsement for liquor liability. If the event involves athletic or other types of active participants, the policy must include participant coverage. The Board of County Commissioners may require additional endorsements depending upon the proposed activity.
- C. The Board of County Commissioners may waive or reduce the insurance requirements if the Applicant or an individual of the organization with the legal capacity to execute the application and agreement on behalf of the organization, signs a verified statement which they believe the event's purpose is First Amendment expression, and the cost of obtaining insurance is so financially burdensome it would constitute an unreasonable burden on the right of First Amendment expression. The statement shall include the name and address of two insurance agents or other source of insurance coverage contacted to determine insurance premium rates for insurance coverage.

County Services and Equipment Use Fees

- A. Upon approval of an application for a Special Event Permit, the Director shall provide the Applicant with a statement of the estimated cost of providing County personnel and equipment. The Applicant shall be required to prepay these estimated costs for County services and equipment ten days prior to the Special Event. County services and equipment may include the use of County law enforcement officers and County personnel for traffic and crowd control, pickup and delivery of traffic control devices, litter control, extraordinary street sweeping, and any other needed, requested, or required County service and the cost of operating County equipment to provide such services.
- B. If the actual cost for County services and equipment on the date(s) of the event is less than the estimated cost, the Applicant will be refunded the difference by the County in a timely manner. If the actual cost for County services and equipment on the date(s) of the event is greater than the estimated cost, the Applicant will be billed for the difference, due within 30 days of invoice or risk future permit approval.

- C. Prepayment and fees for the use of County services and equipment may be sponsored or waived by the Board of County Commissioners in part or in full in the following circumstances:
 - a. Special Event creates a significant economic impact or sufficient community benefit in Calvert County, as determined through a grant process.
 - b. Special Event's purpose, as provided in a verified statement, is First Amendment expression, and the cost of County services and equipment is so financially burdensome it would constitute an unreasonable burden on the right of First Amendment expression.

Deposits

- A. The Applicant of a Special Event involving the sale of food or beverages for immediate consumption, erection of structures, horses or other large animals, water aid stations, or another event likely to create a substantial need for cleanup may be required to provide a cleanup deposit prior to the issuance of a Special Event Permit.
- B. A security deposit may be required for large special events utilizing significant County services and equipment or special events which prohibit regular revenue collection at a particular venue.
- C. The deposit shall be an amount set by the Board of County Commissioners.

The deposit shall be returned after the Special Event if the area used for the permitted activity has been cleaned and restored to the same condition as existed prior to the event. If the property used for the event has not been properly cleaned or restored, the Applicant shall be billed for the actual cost by the County for cleanup and restoration. The deposit shall be applied toward the payment of the bill. The deposit may also be held for special event cancellations within a time period as determined by the Director.

Revocation of Permit

Any permit issued pursuant to this Policy may be summarily revoked by the Director or Sheriff at any time when, by reason of disaster, public calamity, riot, or other emergency, the Director or Sheriff determines the safety of the public or property requires such revocation. The Director or Sheriff may also summarily revoke any permit issued pursuant to this Policy if it is found the permit has been issued based upon false information or when the Applicant exceeds the scope of the permit. Notice of such action revoking a permit may be immediate and shall be delivered in writing to the Applicant by personal delivery, email, or certified mail at the address specified by the Applicant upon the application as soon as reasonably possible.

Duties of Applicant

Each Applicant, associated organizations, and individuals shall:

- A. Comply with all the terms and conditions of the Special Event Permit;
- B. Ensure that the individual responsible for the event onsite shall be informed of the permit conditions and shall carry a copy of the Special Event Permit on their person for the duration of the special event and shall display the permit upon demand of any law enforcement officer or County personnel;
- C. Notify the general public of the County property or roadways to be closed or otherwise affected due to the permitted activity by at least one advertisement published in a newspaper of general

- circulation in the county, at least one week prior to the special event.;
- D. Immediately following the completion of the event, ensure the area used for the permitted Special Event is cleaned and restored to the same condition as existed prior to the Special Event; and
 - E. Comply with the requirements of any incorporated city or town and/or the State of Maryland for any proposed use of State, city, or town property or activity within the boundaries of any State, city or town property.

Violation-Penalty

- A. It is a violation of this Policy for any person to advertise, engage in, stage, present, conduct, aid, form, or start any Special Event requiring a Special Event Permit pursuant to this Policy unless a valid permit has been issued. It is a violation of this policy for any person to participate in such an event with the knowledge that the Applicant has not been issued a required valid permit.
- B. The Special Event Permit authorizes the Applicant to conduct only such a Special Event as is described in the permit and in accordance with the terms and conditions of the permit. It is a violation of this Policy for the Applicant, or any Special Event participant with knowledge thereof, to willfully violate the terms and conditions of the permit.
- C. Any person or organization violating the provisions of Chapter 82 of Calvert County Code may be subject to the penalties as defined in §82-1-104. Penalties.
- D. If Special Event is on County property, a violation to this Policy may also be cause for immediate ejection from the property, or issuance by a law enforcement officer of a trespass warning, or both.
- E. Violations to this Policy may result in denial of future applications for a Special Event Permit.

Severability

If any section, subsection, sentence, clause, or phrase of this Policy is held to be invalid, unenforceable, or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions of this Policy.