

City of Ferndale

Special Event Guidelines & Policy Packet



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For a copy of the Special Events Application, please contact:

Michael C. Lary,
Special Events Facilitator
Ferndale City Hall
300 East Nine Mile Road
Ferndale, MI 48220
Office: (248)546-1573
Email: mlary@ferndale-mi.com

Updated: Jan 18, 2012

Special Event Timeline

- ▷ **SMALL EVENTS** (less than 500 estimated attendees): **90** days but not more than six months prior to event date(s).
- ▷ **LARGE EVENTS** (estimated attendance of 500+): **180** days, but no more than one year prior to event(s).
- ▷ Review the entire Special Event Guidelines & Policy Packet.
- ▷ **CONTACT SPECIAL EVENTS FACILITATOR:** (248)546-1573 to begin process.
- ▷ Carefully complete and return the Special Event Permit Application, paying special attention to the following criteria:
 - **Description:** Provide a detailed description of the event.
 - **Schedule:** Provide a detailed list/itinerary of proposed activities including, but not limited to, set up and tear down time, gate opening and closing times, event activity times, clean up and site restoration.
 - **Site Plan:** Provide a map of proposed area of use including a detailed diagram of event boundaries, layout, gates, parking, additional lighting, portable toilets, hand wash stations, booths, tents, fencing and other elements.
 - **Facility Rentals:** Provide your rental agreement for parks or other City facilities. Park rentals and restroom facilities are not available on Sundays.
 - **Street Closures:** Request names of streets proposed to be closed, dates and times of closure and reopening.
 - **Attendance:** Estimate number of anticipated attendees.
 - **Parking:** Provide a detailed plan for participant and vendor parking, including but not limited to, requests for City owned parking lot usage, proposed ingress and egress points for vendors, vendor and participant parking utilizing private lots around the city, shuttle arrangements, plan to direct participants to approved parking areas and contracts for private parking lot use—which may be subject to fees from private property owners.
 - **Security:** Provide details of how you plan to assure the safety of participants. This does not preclude appropriate schedule of police and fees charged to the event organizer.
 - **Alcohol Sales:** If you are requesting the sale of alcohol during your event, you must apply to the Michigan Liquor Control Commission for permission prior to any consideration by the City for granting your request. Provide detailed site plan of area where alcohol is to be consumed and plan for controlling access.
 - **Restrooms:** Provide number of portable toilets and hand wash stations to be supplied. (see guidelines for number of facilities needed). Cleaning of toilets and hand wash stations must be regularly maintained.

- **Noise Permit:** Provide details of requested sound amplification times and location.
- **Food Permit:** If you are requesting food sales, all vendors must be licensed by the State of Michigan or apply with the Oakland County Health Department for a temporary food handler's permit. You must comply with the Fire Code adopted by the City of Ferndale. Check with the Fire Marshal for details. Also provide details about how you intend to offer food vendors sanitation, water and electricity.
- **Signage:** Provide details of your request for special signage for your event.
- **Temporary Apparatus:** List all stages, tents, canopies or membrane structures, fencing, lights, generators, bleachers, tables or other temporary apparatus you are requesting to use during your event. Materials provided by the City are subject to rental fees and labor costs for installation and breakdown (if necessary). An operational permit from the Ferndale Fire Department may be required for tents, canopies, or membrane structures. Permits may also be required from Community Development for temporary apparatus. Phone numbers are provided at the end of this form to help you determine which permits and fees are required.
- **Trash & Recycling:** Provide a detailed plan for trash removal and recycling during the event. Applicant is responsible for providing trash receptacles, recycling containers and large SOCRRRA bins. For multiple day events, trash must be emptied frequently throughout the day and after event hours. All trash must be taken away from the festival site. For large events DPW personnel will be assigned to assist with trash removal during the event and the applicant will be charged for DPW overtime. The number of DPW personnel required will be determined by the size of the proposed event and the number of event staff assigned for trash removal.
- **Site Restoration:** The restoration process must begin as soon as the event ends. Streets must be completely vacated before DPW personnel can re-open them.
- **On-site Contact:** Provide the name(s) and contact information of the person(s) responsible for supervision during the event. The City needs at least one person who can be contacted by City staff. That person (or their designee) must be available at all times.

If you plan on using a City owned park, you must contact the **Kulick Recreation Center**. All Rental agreements must be submitted with your special event application. Park rentals are not available on Sunday's.

Carefully consider your budget as fees are associated with each event, including the possible Service requirements by DPW, Fire and/or Police assistance—which may include overtime personnel, vehicle and material costs.

Keep a copy of the Special Event Policy for your records and as a reference.

- Contact the Ferndale Special Event Facilitator: 248-546-1573
- Other Departmental Contacts:
 - City Clerk's Office 248-546-2384
 - Community Development Services 248-546-2366
 - Department of Public Works 248-546-2519
 - Ferndale DDA 248-546-1632
 - Ferndale Fire Department 248-546-2510
 - Recreation Dept / Kulick Community Center 248-544-6767

Special Event Permit Fees

(Fees may be subject to change annually)

1. **Application Fees (non-refundable)**
 - \$25 for Hazard Level Two Events
 - \$200 for Hazard Level Three Events
 - \$400 for Hazard Level Four Events
2. **Deposit (to be determined by City)**
 - \$500 for small or short events
 - \$1,000 for one-day events
 - \$1,500 for multiple day or high-risk events
 - Paid via cash or check payable to **"City of Ferndale"**
3. **Alcohol Application Fee (non-refundable)**
 - \$125 for any event that requests alcohol consumption or sales
4. **Community Development Fees**
 - \$35 per tent (over 10'X10')
 - \$35 per sign and/or banner
 - \$50 site plan review
5. **Fire Department Fees**
 - \$100 operational permit as listed in Section 105 of the International Fire Code
6. **Recreation Department Fees**
 - Park Pavilion Rental: Requires non-refundable deposit of 50% of the rental rate
 - \$50 for resident rental of (4 hours or less), \$80 over 4 hours
 - \$100 for non-resident rental of Park Pavilion (4 hours or less), \$160 over 4 hours
 - Ferndale Activity Center Hourly Rentals require a 3 hour minimum:
 - \$55 dining room/\$100 hall for Service Clubs and Non-Profit Groups
 - \$65 dining room/\$110 hall for residents
 - \$75 dining room/\$170 hall for non-residents
 - \$150 Rental Security Deposit, \$75 Rental – Cancellation fee, \$150 Rental – No Show/Call
7. **Fees for Services:** The City of Ferndale provides a variety of public services for special events. The need for services and cost estimates will be determined at the pre-event meeting between the applicant and the Special Event Facilitator. Permit holders will be invoiced for the actual cost of services incurred by the City including installation of overhang banners and light pole signs, if those services are utilized. You will be provided with an invoice after the event and are required to make full payment within 30 days of the invoice date. Penalties and interest will be charged for late payments. The penalty for late payments is 5.0% of the outstanding balance. The interest charge for late payments is 0.5% of the outstanding balance each month until paid in full. Events with unpaid invoices may not apply for a new event until the full balance due is paid.
8. **Miscellaneous:** Inclement weather, disasters, emergencies, and other circumstances beyond our control may require the Department of Public Works to provide public services to special events in order to protect life and property. Special event permit holders will be charged for the actual cost of additional work necessitated by the special event's presence on City-owned property in such circumstances. Special event permit holders will not be charged for work that would have been otherwise completed or reimbursed by other units of government.

City Service Fee Estimates

The City of Ferndale is providing this list of standard services/items and the associated fees that you may incur as part of the planning of your event. Not all events will require all services/items and this list is not intended to represent all services and items that may be necessary for the operation of your event. These rates are given to provide estimated costs only. The actual costs may vary depending on the length, size and scope of each individual event. All personnel costs are subject to a 2 hour minimum. When utilizing City services, you must contact the Department of Public Works at least 1 week prior to your event to assure delivery of all requested items and/or scheduling of adequate personnel.

Special Event Fee Schedule for Services *(Fee schedule may be reviewed and updated annually)*

Public Works Personnel	Estimated Cost Per Hour (2 Hour Minimum)
Mandatory DPW staffing may be required. Determination will be made at your Special Event Committee Meeting.	
DPW Personnel	\$40.00 per hour
DPW Supervisor	\$50.00 per hour
Police Dept. Personnel	Estimated Cost Per Hour (2 Hour Minimum)
Mandatory Police staffing levels will be determined at your Special Event Committee Meeting.	
Police Officer	\$45.00 per hour
Command Officer	\$55.00 per hour
Fire Dept. Personnel	Estimated Cost Per Hour (2 Hour Minimum)
Fire Fighter	\$35.00 per hour
Fire Officer	\$45.00 per hour
Recreation Personnel	Estimated Cost Per Hour (2 Hour Minimum)
Staff Member	\$20.00 per hour
Vehicles	Cost Per Hour (based on rates set by the State of Michigan)
Pickup Truck	\$9.00
Garbage Truck	\$42.00
Gator Tractor	\$35.00
Street Sweeper	\$90.00
Lift Bucket Truck	\$17.00
Permit Fees	Cost
Application Fee	\$25 - \$400 based on Hazard Classification
Tents (over 10'X10')	\$35 each (contact Community Development)
Sign and/or Banners	\$35 each (contact Community Development)
Plan Review	\$50 with a \$15 deposit (contact Community Development)
Operational Permits	\$100 (contact Fire Marshal)
Alcohol Application Fee	\$125

Sample Staffing Levels & Labor Costs

These estimated staffing levels are provided as samples to approximately calculate City of Ferndale labor costs for your event. Not all events will require all the services listed and this list is not intended to represent a complete listing of all City labor costs that will be billed to your event. Your costs will be estimated during your meeting with the Special Event Facilitator and subject to confirmation by the scheduling authority for each service. These rates are given to provide estimated costs only. The actual amounts may vary depending on the length, size and scope of each individual event.

All personnel costs are subject to a 2 hour minimum.

Estimated Staffing for Road Closures

The time needed to perform a road closure depends on the type of road being closed and the volume of traffic being re-routed. Generally the closure of a major road requires 4 workers. Re-opening requires the road to be completely cleared and cleaned with barricades and detour signs removed. Re-opening a closed road generally requires 4 – 10 workers depending upon the condition of the site after the event vacates the area.

Estimated Staffing for Event Trash Removal Assistance

In certain cases DPW personnel may be assigned to help with trash removal/recycling during the event. This determination will be made by the Public Works Director or his designee based on previous history and/or event size. These workers are intended to augment the event's trash removal personnel and will not bear the sole responsibility for all trash removal and recycling. If the event does not provide its own trash removal personnel the DPW reserves the right to call in additional staff members to maintain a clean event site and all extra labor costs will be billed to the event organizer. Depending upon the size of the event, the condition of the site and the number of refuse workers the event provides trash removal assistance can require 2 – 6 workers plus equipment costs for at least 2 hours and possibly for the duration of the event.

Estimated Staffing for Moving Equipment and Sign Installation and Removal

The time needed to perform these tasks varies by the number, type, and availability of equipment. Moving and setting up bleachers or picnic tables can take 4 – 6 workers several hours. Overhang banner installation and/or light pole banner installation and removal requires a minimum of 2 workers and can take up to 6 hours or more depending on how many signs are being erected and removed.

Estimated Staffing for Site Restoration & Clean Up

Site restoration and clean up duties performed by Public Works personnel will be billed as necessary. Depending upon the size of the event and the condition of the site clean up and site restoration can require 4 – 8 workers plus equipment costs for a half day (4 hours) to a full day (8 hours).

Estimated Staffing for Police Officers

The need for sworn police personnel will be determined by the Police Chief or his designee. The event will be billed for all officers scheduled for the purpose of event crowd control and management.

Estimated Staffing for Auxiliary Police

Auxiliary police personnel may be assigned to assist officers during a special event. The event will be billed for Auxiliary Administrative costs to coordinate and schedule the auxiliary personnel as well as on-site coordination of the auxiliary force. Auxiliary police personnel are intended to supplement sworn officers and are not a replacement for sworn officers.

Estimated Staffing for Firefighters/Paramedics

The need for fire personnel will be determined by the Fire Chief or his designee. The event will be billed for all firefighters/paramedics scheduled for the purpose of providing emergency personnel to the event.

Estimated Staffing for Landscape Repair

In the event that landscaping is damaged or clean up is necessary for tree wells and flower beds, the event will be billed the actual cost for all labor, equipment and foliage necessary to return the site to its original condition.

Special Event Application Checklist

The following items must accompany your completed Special Event Application.

- Description of the Event
- Itinerary including:
 - Set up/tear down details
 - Event hours
 - Schedule of Activities
- Site Plan including:
 - Event boundaries
 - Tent placement details
 - Portable toilets
 - Trash receptacles
 - Fencing
 - Membrane Structures
 - Generators and other miscellaneous apparatus
- Detailed Recycling Plan
- Completed MLCC Temporary Authorization Request (if applicable)
- Oakland County Health Department Food Service Requirements
- Park Rental Agreement (if applicable)
- Executed License Agreement for use of City property
- Resident and Business Notification Letter

Special Event Application Process

- ▷ **SMALL EVENTS** (less than 500 estimated attendees): **90** days but not more than six months prior to event date(s).
- ▷ **LARGE EVENTS** (estimated attendance of 500+): **180** days, but no more than one year prior to event(s).

Step #1:

- **Notice of intent to apply for special event permit and understanding of process:** Complete, sign, and return pages 6-10 of this application. Keep a copy for your records.
- **Special event permit application:** Complete, sign, and return pages 11-15 of this application. It is imperative that all questions are answered thoroughly and all required attachments are included to ensure timely review and consideration of the application.
- **Facility rentals (if applicable):** Make arrangements with the Kulick Community Center to rent facility, parks, pavilions, etc. Your Rental Agreement must be submitted with this application.

Step #2:

- **Meet with Event Facilitator:** Schedule a meeting with the City Event Facilitator. You can expect to review the special event outline and evaluate the details of your application for clarification of requirements and facilitation of requests prior to your meeting with the Special Event Committee. Any special requests to be considered should be presented in writing at this meeting for inclusion in your final request to the City Council.
- **Meet with Special Event Committee:** After your meeting with the Facilitator contact the City Clerk's Office to schedule a meeting with the Special Event Committee to further review your application.

Step #3:

- **Non-Refundable application fee:** This fee will be determined by the Special Event Committee. The amount is based on the hazard class the committee assigns to your event. This determination is made by assessing the potential liability risk of the City of Ferndale. The hazard class criteria is as follows:
 - **Class 1 – 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 1 Application Fee – None
 - **Class 2 – Moderate Hazard** involves limited physical activity by participants and no severe exposure to spectators. Examples of events in this category include, but are not limited to, dances, animal shows, political rallies, flea markets, picnics and parades with no floats.
Class 2 Application Fee – \$25.00
 - **Class 3 – High Hazard** involves major participation by participants and/or moderate exposure to spectators. Examples of events in this category include, but are not limited to, parades with floats, marathons or races and circus/carnivals.
Class 3 Application Fee – \$200.00
 - **Class 4- 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, vehicles races, fireworks displays and ice-carving events.
Class 4 Application Fee – \$400.00

- **Discussion of Request:** Applicant may meet with the Special Events Committee to evaluate the requests put forth in the special event application and previously evaluated by Facilitator. Each section on the application will be examined and discussed to clarify the requests of the applicant and the expectations of the City. The Committee will create a recommendation to present to the City Council for final approval of the event.
- **Letter to Affected Businesses/Residents:** At the meeting, present a copy of the letter being sent to all residents and/or businesses within 300' of the proposed event site. It is recommended that applicants visit businesses in person for notification regarding street closures, event activities and participation opportunities. Distribution letter must be received by the Special Event's Facilitator at least two weeks prior to the date the event goes before the City Council.
- **Obtain City Council Approval:** After the recommendation has been made by the Special Events Committee to approve the event for consideration by Council, the City Clerk's Office will schedule consideration of the special event permit on the next available Council agenda.

Step 4#:

- **Outside permit requirements:** Your special event may require permits from other state and/or local agencies as described below.
 - If applicable, application for Temporary Service Permit from MLCC.
 - A signed copy of the attached waiver of liability and indemnification agreement.
 - If applicable, receipt of filing application for Oakland County Health Permit for food sales or license by the State of Michigan including product liability insurance naming the City as an additional insured.
- **Contracts and Agreements**
 - If applicable, copy of written authorizations to use private parking lots or property.
 - If applicable, copy of contracts or agreements for private security services.
 - If applicable, copy of contract with portable restroom provider including cleaning schedule.
 - Copy of any other necessary contracts as determined by Special Event Committee.
- **Payment of Deposit and Application fee:** Pay your previously determined application fee and deposit (if required) to insure cleanup and return of the location to its original condition by the specified date and time.

Step #5:

- **Insurance requirements:** The City requires insurance as described below. Insurance policies must be issued by companies licensed or approved to do business in the State of Michigan.
 - Proof of liability and property damage insurance in the amount of \$1,000,000 (or other amount as determined by the Special Event Committee) naming the City of Ferndale as additional insured.
 - Proof of liquor liability insurance in the amount of \$1,000,000 naming the City of Ferndale as additional insured, if applicable.

Portable Toilets & Hand Washing Station Recommendations

- 1.) Determine how many hours the event will last. If it is multiple days, use the longest day.
- 2.) Determine how many people will attend. If there are multiple days, determine the peak day. Estimated number of portable restrooms needed for adequate sanitation conditions:
- 3.) If alcohol is being served, add 5% to 10% more restrooms. Add one extra-large restroom (handicap) per 10 portable restrooms and one hand washing station should be provided with restrooms in ALL food service areas.
- 4) All portable toilets and hand washing stations must be serviced (sanitized and cleaned) every four hours and additionally at closing, per event day. Additional janitorial services may be required.

Event Recycling

Recycling must be organized through the Ferndale DPW (Department of Public Works) for special events approved by Ferndale City Council.

A well planned event requires cooperation, coordination, dedication and attention to details. One important detail is managing all the trash and recyclables the event will generate.

By identifying what materials you anticipate the event will generate – create a system parallel to your trash collection to recover recyclables including beverage containers, newspaper, cardboard, manure and food.

- Be certain that all arrangements are clearly defined on how trash and recyclables will be managed and who is responsible. Never assume.
- Check with the Ferndale DPW. What trash and recycling services do they provide?
- Do you need to arrange for pickup when they become full?
- Whose staff will empty them?
- How much will it cost?
- Allowing only recyclable containers for beverages (i.e. no paper cups, just cans of soda)
- Purchasing durable decorations and signs that can be used year after year.
- Requiring all concessionaires and vendors to use the same type of recyclable cups, glasses, or food containers. Work with them to identify suppliers and markets for the recyclables.
- Including information in all vendor contracts outlining that recycling is required. Be sure to give them enough information so they know how to prepare materials for recycling.
- Coordinating the collection of recyclables from vendors and the general public who attend the event.
- Making certain all vendors and their employees know about the recycling program and where bins or barrels are located.
- Manage your staff or volunteers to keep event area clean throughout the duration of the event.

**CITY OF FERNDALE
SPECIAL EVENTS POLICY PURSUANT TO
SECTION 16-12 OF THE CODE OF ORDINANCES**

Sec. 1 Special Event Application Required

This policy statement on Special Events covers all special events in the City of Ferndale, State of Michigan. Any business or organization wishing to sponsor or hold a special event in the City of Ferndale will be required to complete the Ferndale Special Event Application.

A special event within the City of Ferndale that will be conducted on the streets, parks, or other areas, is required by Ordinance Section 16-12, to be approved by the City Council. Applications to conduct a special event must be made in writing to the office of the Special Events Facilitator. Applications are available from the Special Event Facilitator's office. The applicant must have the authorization to sign legal documents on behalf of the organization. Applications shall be submitted to the City Clerk's office no less than 180 days prior to the date of the actual event. In special instances, applications may be accepted with less notice, but these applications must be approved by the Special Event Committee and the City Council.

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.

Sec. 2 City Services Provided for Special Events

The City will provide support for Special Events on the following basis:

- a. **City Operated Events:** Any special event operated by or on behalf of the City government. The full cost of these events will be funded by the City.
- b. **Privately-operated Events:** Any special event, regardless of whether or not it is open to the public, not operated by or on behalf of the City government. Privately-operated special events must comply with the all requirements of the Special Event policy, and reimburse the City for any costs in addition to the payment of any established rent for use of City property.

Sec. 3 Fees for Special Events

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

- a. **Overtime** shall be the hourly cost for any employee working on a Special Event during a time period which would be considered overtime for the City payroll records, including costs for fringe benefits. All personnel costs for overtime during special events are subject to a 2 hour minimum.
- b. **Purchased or Rental Materials** shall include all direct costs for all materials purchased or rented by the City or Ferndale for use at the event.
- c. **Equipment charges** shall be the current Equipment Rental Rates charged by the City of Ferndale as based on State of Michigan Standard Rates.

- d. **An application fee** will be assessed based on the hazard class of the event and determined by the Special Event Committee.
- e. **Permit fees** are required by the Community Development and Fire Departments for many special event apparatus. These departments must be contacted directly to determine fees and permits required.
- f. **Alcohol application fee** will be assessed for events that propose to serve alcohol to cover the investigative and processing costs.

Sec. 4 Billings for Special Events

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

Application and misc. fees
Community Development fees
Public Works employee overtime
Fire employee overtime
Police employee overtime
Recreation employee overtime
Other employee overtime
Equipment charges
Installation costs
Purchased materials
Rental materials
Sub – total
Plus rental fee (if applicable)
NET TOTAL BILLING

A cash deposit, performance bond, or other security acceptable to the City, will be required in an amount to be determined by the Special Event Committee unless the cash deposit, performance bond or other security is reduced or waived based on past practices.

The estimated City fees shall be listed as part of the City Council Resolution authorizing the Special Event. The event representative attending the Special Event Committee meeting will be provided with a good faith estimate of anticipated City charges. Inclement weather, disasters, emergencies, and other circumstances beyond our control may require the Department of Public Works to provide public services to special events in order to protect life and property. Special event permit holders will be charged for the actual cost of additional work necessitated by the special event’s presence on City-owned property in such circumstances. Special event permit holders will not be charged for work that would have been otherwise completed or reimbursed by other units of government. Arrangements for the deposit or other acceptable security are to be made by the event not less than 30 days before the start of the event.

Final expenses may vary depending on actual usage of equipment and staff during the event. The event must pay the invoice (minus deposit) within 30 days of billing. Penalties and interest

will be charged for late payments. Events placed in default status for non-payment will be ineligible to apply for future events until default is resolved.

If an event prefers to have the deposit returned, rather than applying it to the outstanding invoice, the deposit will be held until all invoices, past and present, are paid. Any remaining amount will be returned to the event after review by the Council Finance Committee and paid on the same bi-weekly schedule as the rest of the bills and payrolls.

Sec. 5 Use of City Parking Areas for Special Events

Enforcement of handicap zones, theater parking zones and all fire lanes shall be enforced at all times. Any special requests regarding parking must be submitted in writing at the pre-event meeting with the Special Event Facilitator for consideration by the City Council.

Events are encouraged to locate alternate parking areas for vendors and attendees. The City of Ferndale strongly encourages the use of shuttles for transport of vendors and attendees to and from the event site. Residential side streets should not be used for on-street parking by event staff or vendors. A parking task force should be utilized by organizers to direct attendees and others to pre-determined parking areas.

Sec. 6 Rental Charge to be set for Privately Operated Events

Special Events which are exclusively sponsored by private organizations may be charged a rent for use of public areas such as parks or streets, in addition to the City events fees provided herein. The rent shall be set by the City administration in consultation with the event based on the overall economic impact of the privately sponsored special event and subject to the final approval of the City Council as part of the Special Event application approval.

Sec. 7 Civic Organizations, Merchants Participation and Resident Notification

It is the desire of the City Council that local non-profit organizations and local merchants in the vicinity of the event being held are given the opportunity to participate in the Special Event to the greatest extent practical, consistent with the nature and purpose of the Special Event.

Events must notify all residents and businesses within 300' of the proposed event area. Businesses and the DDA should be notified at least 90 days prior to the event. A mailing list can be provided by the Ferndale DDA if the proposed event location is in the Central Business District. Ferndale merchants should be given the opportunity to participate in special events whenever possible. The business community should be considered in site plan creation, with care taken to not limit access to merchant establishments. Merchants are encouraged to utilize 5' in front of their business for on-street display during special events.

Events must provide an event hotline for attendee questions. The event hotline number and event web address, if applicable, must be provided to the DDA for office staff to direct callers to the hotline. The DDA is not responsible for the accuracy of information relating to events that they do not sponsor.

Residents within 300' of the event site must be notified at least two weeks prior to the City Council meeting at which the event application will be considered. A copy of the letter and distribution list must be provided to the Special Event Facilitator's Office under the same time constraints.

Sec. 8 Special Event Signs

The Special Event Application shall include a description of the advertising signs which are proposed to be used for the Special Event. The use of signs shall conform to the description contained in the application, or as modified by the City Council in its approval resolution. Except as expressly approved otherwise by the Council, special event signs erected prior to 72 hours before the Special Event shall be subject to the following restrictions:

- a. there shall be no more than five (5) such signs;
- b. no such sign shall be erected on any City property, such as poles of any kind or in the right-of-way (the area between the street and the sidewalk) or on any private property without the express permission of the owner, and
- d. all such signs shall comply with the provisions of the City sign ordinance.
- e. light pole banners must be scheduled through the DDA. Actual labor and equipment costs for installation will be added to final billing.
- f. no sign or banner shall be erected that crosses a road, street, or highway without approval. Any banners that cross a road must be installed by the Department of Public Works. Actual labor and equipment costs for installation will be added to final billing.

Overhang banners may be erected prior to the event for publicity purposes. Banner dimensions may not exceed 3' X 40'. Installation of banners over a roadway must be scheduled with the DDA and installed by Ferndale DPW. Banners must be provided to the Ferndale DPW at least 72 hours prior to the scheduled installation date.

Additional signs may be erected at the site of the special event during the Event.

Sec. 9 Liability Insurance Requirements

In order to comply with the City's insurance liability carrier the City shall require that all sponsors of special events carry liability insurance with coverage of at least \$1,000,000.00 except for Class 1-Low Hazard events approved by the Special Event Review Committee as provided below. An event shall be required to provide a valid certificate of insurance naming the City of Ferndale as an additional insured five working days prior to the event. The Special Event Committee and City Council may require higher levels of insurance based on risk factors and past experience.

The Special Events Committee shall include representatives from the Departments of Public Works, Police, Fire, Community Development and City Clerk, as well as the City Event Director and a resident member to be appointed by Council. The Special Events Committee shall also include a representative from the Recreation Department or DDA, depending upon the location of the event. In the case of both City parks and the DDA area being used for the same event, both parties shall attend the pre-event meeting. The Special Events Committee is intended to provide a risk control guide for the handling of the increased liability associated with special

events. Special events are defined as activities which are not directly related to the day-to-day operations of the City of Ferndale, but which may occur on premises owned or controlled by the City of Ferndale, excluding residential block parties and residential block sales covered by existing City policies for such events.

The Special Events Committee may place additional requirements on any special event. These requirements may include specific staffing levels for Police, Fire, Paramedic, Public Works or other personnel. Expenses for these requirements will be billed to the sponsoring organization under the terms of this policy. The Special Events Committee will review each special event application received and assess the potential liability risk of the City of Ferndale, based on the following risk categories as defined by the Michigan Municipal Risk Management Authority:

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. A waiver of the application fee and insurance requirement covers small gatherings or ceremonies that do not involve more than 50 people, are limited to passive participation by the public, and require no city services. All other special events are subject to an application fee and required to provide insurance as outlined in this policy.

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, 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 and ice-carving events.

As a result of the review by the Special Events Committee, the City Council may place certain conditions on the special event. A member of the Committee shall be available to meet with the event to evaluate the special conditions and insure that all conditions are met before the special event begins. Some events may require that a member of the Special Events Committee or their agent be on site during the special event. The Police Chief, Fire Chief, City Manager or their designee have the authority to cancel or stop a special event if the special conditions required for approval or the special event are not being met. In addition, the Police Chief, Fire Chief or City Manager have the authority to cancel or stop a special event, or place additional emergency restrictions on a special event, if it is deemed that the public health, safety or welfare would be better served with additional emergency restrictions.

Sec. 10 Traffic Control and Safety Requirements

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

safety of the public. 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 Chief. Site plan creation must allow for emergency vehicle access to the event area.

Sec. 11 Participant Waiver of Liability and Standard License Agreement

The event shall be responsible for obtaining all signed indemnification agreements as required by the City. A standard license agreement is required for any use of City property. The specific requirements for each special event will be indicated in the City's Written Confirmation of Approval.

Sec. 12 Vendor Requirements

Merchant Vendors must state that all merchandise offered for sale is properly licensed and that no copyright laws are being violated. Vendor remains responsible for all sales, use, employment and other taxes subject to their participation.

A special event that is serving food must have all food vendors permitted by the Oakland County Health Department. All food vendors must supply a valid certificate of insurance naming the City of Ferndale as an additional insured prior to opening of the food stand. Food Vendors must post a valid temporary Food License as authorized by the Oakland County Health Department or be licensed by the State of Michigan. Food Vendors shall be in compliance with all Oakland County Health Department regulations. Vendors must have proper water storage containers. Water may be provided at various locations with advance notice. All cooking operations must be approved by the Ferndale Fire Chief, Fire Marshal, and/or their designee, who has the authority to revoke any permit issued if it is found that there is a violation of the Fire Code. Food Vendors are responsible for any and all fees related to obtaining a food license. A copy of the Oakland County Temporary Food Service application and receipt (proof of payment) must be submitted to the Special Event Facilitator's Office.

Vendors must recycle their plastic/glass/aluminum and other fibrous materials, such as cardboard. Recyclable materials must be bound or otherwise contained and deposited in the recycling containers or the appropriate large SOCRRA recycling bins.

Sec. 13 Trash, Recycling and Sanitation Requirements

It is of paramount importance to maintain a clean and sanitary environment during special events. Unclean facilities and trash containers detract from the event and leave attendees with an unfavorable impression of the City. There must be adequate restrooms provided. The number of restrooms shall be determined using the formula included in the application packet and be based on the number of attendees and length of the event. ADA compliance requires that at least 5% of restrooms must be handicap accessible.

It is the responsibility of the event to insure that restroom facilities are routinely maintained by their service provider. Portable toilet facilities will not be cleaned or maintained by any City employee. Restrooms should be located where they are easy for attendees to locate and

service providers to maintain. Signage should be provided at locations throughout the event site to direct attendees to facilities.

Events are strongly encouraged to partner with "green" organizations to fulfill the recycling requirement in an effort to reduce the amount of trash being generated during events. The City of Ferndale considers itself to be a "green" city and encourages the effort to provide more recycling opportunities, especially at events where large crowds of people can be exposed to the benefits of recycling. The environmental impact of special events can be substantially reduced by offering recycling to event vendors and attendees.

Recycling containers must be provided at the event site. Separate recycling containers must be provided for plastic/glass/aluminum and fibrous materials, such as cardboard. Recycling containers should be placed near other trash receptacles for ease of use. All vendors are required to separate recyclable materials from other refuse. Volunteers should be on hand to help separate recyclables from general trash. The event must provide recycling details as part of its site plan. The City recommends that events utilize all available services to make recycling containers available to their participants.

Trash receptacles in the event area will be emptied and lined with a bag by the City prior to the event's start time. For larger events, there may be a mandated number of DPW personnel required to assist event staff with trash removal. Events will be charged for this service in their final billing. Unless previous arrangements have been made, the City will not provide trash removal during an event. The necessity of trash removal will be determined during the Special Event Committee meeting based on past practices and an estimated cost will be provided to the event at that time.

It is the responsibility of events to empty all trash receptacles (including City owned trash receptacles) and replace bags during the event whenever they are full. Trash must be removed from the event site daily. For events lasting more than one day, the trash must be emptied prior to opening and after closing each day of the event. Filled and sealed trash bags must be placed next to garbage receptacles for final trash pick-up by the City. If the event utilizes City trash compactors a fee for using such equipment may be added to the final billing.

Sec. 14 Compliance with City Ordinances and Resolutions

The City Council routinely adopts Ordinances and Resolutions which impact the daily lives of Ferndale residents. Many are adopted to promote a cleaner environment and raise awareness. Events should make an effort to familiarize themselves with these regulations.

One such resolution that potentially has an impact on Special Events is Resolution 2008-216 promoting the use of tap water instead of bottled water for City functions. It was adopted to raise awareness of the environmental impact of bottled water, which includes the use of natural resources in the production of plastic water bottles. The City of Ferndale encourages event organizers to limit the sales of bottled water and promote alternate methods of providing free water to their participants.

Sec. 15 Authorization to Inspect

The Fire Chief, Fire Marshal, and/or their designee, reserves the right to perform on-site inspections during the event. Any vendor or merchant who does not comply with the Fire Code adopted by the City of Ferndale will receive a citation and can be immediately shut down and removed from the event. Additionally, the vendor may be subject to costs for the projected loss of sales to the event.

Sec. 16 Two or More Applications for the Same Special Event Date, Time and General Location

In the event that two or more Special Event Applications are received for the same date, time and general locations prior to the approval of events, the date and time that each application was received by the City of Ferndale shall determine the order of preference. Once a Special Event Permit has been granted, it shall be the policy of the City Council to not award further permits for the same date, time and general location unless the City Council is satisfied that City manpower requirements can be met for both special events; and that the general location of each special event will not interfere with one another in a substantial manner. For events occurring at the same time separate records of services shall be kept for each event to assist in accurate invoicing.

Sec. 17 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 will include reservation of the next year's proposed dates; however, it will not constitute approval of 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.

Sec. 18 Written Confirmation of City Approval

Upon approval of the special event application, a written confirmation as to the action of the City Council 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 special event is to be held. The City of Ferndale Special Event Application form must be completed for all special events that take place on public lands or lands that are controlled by the City of Ferndale.

Dated: June 20, 1996

Revised: January 11, 2010

Revised: March 14, 2011

Sec. 16-12. Use of public property for special events

(a) *Definitions:*

Special event means an event including, but not limited to, an athletic event, carnival, celebration, display, fair, festival, film or video production, gathering, parade, performance or show, but excluding not-for-profit community activities, and residential block parties and residential block sales covered by existing city policies for such events. A "not-for-profit community activity" means an activity that does not require payment for admission, participation, or for any goods or services, and involves the participation of less than 100 people, and occurs within a single day at a city park.

Person means an individual, corporation, partnership, association and any other recognized legal entity.

(b) *Intent.* The intent of this section is to regulate the use of public streets, rights-of-way, parks, and resources, in order that they may be reasonably accessed and enjoyed by the general public and not be usurped by commercial or special interest groups to the exclusion of the public, while preserving the health, safety and welfare of the public, remaining fully consistent with the Michigan Constitution, Michigan law, Ferndale City Charter, and ordinances, so as to assure the enjoyment of the public at large, all without undue financial costs to the city or its residents.

(c) *Approval required.* In order to properly provide for traffic and crowd control, street and property maintenance, and the protection of the public health, safety and welfare, it shall be unlawful to participate in any special event upon any city street, park, or public area of the city unless such activity is granted approval by resolution of the city council.

(d) *Other permits.* The permit for a special event shall be in addition to any other permit required by any other governmental agency, by state law or local ordinance.

(e) *Expiration of permit.* A permit issued under the authority of this section shall expire not later than nine months from the date of approval and shall be nontransferable and non-assignable.

(f) *Exemptions.* Special events conducted solely by the City of Ferndale, Oakland County, State of Michigan, federal government, Ferndale School District or the Hazel Park School District shall be exempt from the permit requirements of this section.

(g) *Application.* The application for a permit to conduct a special event shall be made to the city clerk, in writing, by the person or persons in charge of or responsible therefor. Such application shall set forth the following information:

- (1) The name, address and telephone number of the person requesting the permit.
- (2) The name and address of the organization or group sponsoring the special event. A copy of the organization's articles of incorporation, partnership agreement, charter, or other organizing documents shall be attached to the application.
- (3) The name, address and telephone number of the person who will act as chairman of the special event and be responsible for the conduct thereof.
- (4) The purpose of the event and the estimated number of persons to attend.
- (5) The date the event is to be conducted and the hours it will commence and terminate each day.
- (6) The specific assembly and disbursal locations, and specific route plans to be used, if applicable.
- (7) Such other information as the city may deem reasonably necessary.

(8) A certification that the statements in the application are true, accurate and complete.

(h) *Time lapse for application.* No approval shall be issued for a special event unless application is made not less than 60 days in advance of the date on which such special event is sought to be held. However, for any special event for which there is anticipated participation of 500 or more people which involves the use of any public right-of-way the application must be submitted 120 days in advance of the date on which the special event is sought to be held. In special instances, applications may be accepted with less notice, but these applications must be approved by the special events committee and the city council.

(i) *Considerations for issuance or denial.* If the city council finds that the special event is not to be held for any unlawful purpose and will not in any manner act so as to breach the public peace or unnecessarily interfere with the public use of the streets, sidewalks, parks and public areas, it shall grant the approval. Denial of approval shall be in writing, setting the reasons for such denial.

(j) *Restrictions.* The permit evidencing approval under this section may include certain reasonable time, place, and manner restrictions as a condition to granting such permit if such restrictions are reasonable and necessary for the protection of the public health, safety and welfare.

(k) *Payment of costs.* The city council shall adopt a policy which sets forth whether or not the special event must pay for city services and to what extent such city services must be paid by the person or entity responsible for the special event. Such policy shall have the full force and effect of this section, and any violation of the policy shall be deemed to be a violation of this section.

(l) *Penalty for violation:*

(1) A violation of this section or a violation of the conditions imposed in any permit granted by authority of this section shall be a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than \$500.00 and not less than \$100.00, or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

(2) Any violation of or failure to comply with this section is hereby declared to be a nuisance per se and may be abated by any and all available means, including, without limitation, equitable relief by any court of competent jurisdiction. Any person violating this section shall pay the cost and expenses, including reasonable attorney fees, incurred by the city abating the nuisance.

(Ord. No. 872, § 1, 6-10-96; Ord. No. 903, Pt. I, 6-8-98)

Sec. 16-13. Unlawful interference in a special event

(a) It shall be unlawful for any person to intentionally interfere with, impede, enter into, disrupt or to attempt to interfere with, to attempt to impede, to attempt to enter into or to attempt to disrupt any special event as defined in section 16-12 for purposes other than that for which the special event permit was issued without expressed permission of the permittee granted approval pursuant to section 16-12(c) or of an organization exempt pursuant to section 16-12(f).

(b) A violation of this section is a misdemeanor as described in section 16-12(l)(1).

(Ord. No. 898, Pt. I, 4-13-98)