

CITY OF MUSKEGON SPECIAL EVENT POLICY

Revised December 2010; approved by City Commission 1/11/11



INTRODUCTION

The City of Muskegon receives many requests from organizations to supply various services for special events. While there are several City departments involved in the special event process, this policy centralizes the administration of special events with the City’s Planning Department, and provides rules and regulations to govern both the granting of the special event request and the on-site administration of the event. A Special Event Application is required for any public event held on City property. Events held on private property that do not utilize any City services may not require a Special Event Application.

For events with alcohol, applicants must submit a liquor license application to the Muskegon Police Department, in addition to completing the Special Event Application, if required. Liquor license approval is a separate process from the Special Event Application, with separate fees and regulations. The final authority for signing special liquor licenses is with the Public Safety Director. Requests to serve liquor at an event will also require City Commission approval. For liquor license regulations and information, please visit the State of Michigan’s website at www.michigan.gov/dleg.

SPECIAL EVENT APPLICATION PROCEDURE

I. Special Event Application (“Application”) Submission & Fee Schedule

All Applications shall be filed with the Planning Department at least sixty (60) days prior to the event, along with the required proof of insurance for the event naming the City as additional insured [see Schedule B for insurance requirements].

The non-refundable administration fee for Special Event Applications is as follows:

Events occurring during peak event season April 15 – September 30	Events occurring outside of peak season January 1 – April 14 & October 1 – December 31
<i>Applications submitted prior to April 15 will receive a 50% discount off the regular fee.</i>	
\$100 fee for applications submitted 60 days or more prior to the event date (if application is submitted by April 15, this fee is reduced to \$50)	\$50 fee for applications submitted 60 days or more prior to the event date
\$250 fee for applications submitted 59-45 days prior to the event date	\$200 fee for applications submitted 59-45 days prior to the event date
\$400.00 fee for applications submitted 44-30 days prior to the event	\$300.00 fee for applications submitted 44-30 days prior to the event
Applications submitted less than 30 days prior to the event date will not be accepted.	\$500 fee for applications submitted less than 30 days prior to the event

Failure to submit an Application within 60 days of the event may result in denial of the application.

Special Event permit application fees will be waived for Veteran Groups, per the City Commission. In addition, the City’s recognized Neighborhood Associations are entitled to one application fee waiver per year, in addition to National Night Out festivities, provided that the application is submitted to the Planning Department at least 30 days in advance of the event date. Rental fees may be waived for City equipment transported by neighborhood association representatives.

The Special Event Application shall be in writing and must be submitted on the appropriate form. The *City of Muskegon Request for Special Event* form can be found on the City’s website at www.muskegon-mi.gov, or you may call 231.724.6702 to have one mailed to you, or you may visit the Planning Department on the 2nd floor of City Hall. If your event will require City services (e.g. picnic tables, barricades, police services), you must also complete Part II, Schedule A of the Special Event Application, indicating which items you are requesting. *Please keep in mind that there may be additional costs for these items and/or services.* See

Schedule A (pg. 4) for fee estimates. You are welcome to provide your own equipment (tables, trash cans, etc.) instead of renting City equipment.

Block Parties & Similar Events. The City is not inclined to approve applications for these types of events where the closure of City street(s) is requested. We encourage the use of City parks for these gatherings.

Labor Day Weekend – Applicants requesting a special liquor license for Labor Day events must go before the City Commission for approval. Events without alcohol or those needing only an extension of an existing license do not require City Commission approval.

II. Event Requirements

All special event permittees agree to the following:

(a) **Police Officers.** While a Police Officer's presence may not be required at all special events, it shall be the discretion of the Public Safety Director as to whether or not, and how many, city police officers will be required at any event. The Special Event Applicant Organization will be responsible for payment of officer(s) service based on the time-and-one-half or triple time established rate plus benefits and overhead costs. See Schedule A for fee estimates. If the event is cancelled with less than 72 hours notice, the Applicant will be responsible for paying two hours' pay per officer, per contract requirements.

(b) **Insurance.** Where the event is being held in the City of Muskegon, the applicant must provide an amount of insurance as set by the City for general liability insurance, naming the City as an additional insured. The language shall read as follows:

The City of Muskegon, all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof are listed as additional insured under the general liability and auto liability policies. The City of Muskegon is held harmless with regard to the General Liability Policy.

You may use an insurance agent of your choice. An acceptable certificate of insurance must be submitted prior to event approval. See Page 4, Schedule B for the amount of insurance required.

(c) **Restroom Facilities.** All outdoor events shall provide adequate restroom facilities (*i.e.* portable toilets) including handicapped-accessible facilities per ADA requirements.

(d) **Digging & Staking.** Digging or staking into paved areas, including roadways, sidewalks, and public parking areas, is not permitted. Digging or staking into non-paved ground shall be cleared through Miss Dig in order to avoid damage to underground utilities. The Applicant Organization is responsible for contacting Miss Dig (1-800-482-7171, or dial 811) a minimum of 5 *working days* prior to event set-up. The applicant will also be responsible for paying an electrician to locate underground City electrical lines, if required. The Applicant Organization will be responsible for the cost of any damages to underground utilities caused by digging or staking.

(e) **Electrical and Water Hook-up** The applicant must adapt to electrical power available on-site, or provide their own generator. There may be additional labor charges if City staff time is required for water hook-up. It is the responsibility of the applicant to provide acceptable hoses for potable water usage, which meet Health Department requirements.

(f) **Inspections.** The event location is subject to all building, plumbing, mechanical, electrical, and fire codes. The permittee will schedule an inspection by any and all required inspectors and pay the inspection fee(s) as set by the City Commission in the adopted fee schedule. It may be possible that a fire watch will be required by the Fire Marshal. The permittee is responsible for all costs associated with providing this service, including but not limited to current wage rate plus benefits and all overhead costs.

(g) **Event Set-up and Tear-down.** For events utilizing any public roadway, no tents, booths, vendors, or equipment shall be set up in the roadway prior to 6:00 p.m. the day before the event. All signs,

tents, booths, vendors, and equipment must be removed from the roadway prior to 6:00 a.m. the day after the event.

(h) **Site Clean-up.** Where an event is held on City-owned or -controlled property, the Applicant shall be responsible for clean-up of City facilities after the event and for providing a dumpster. If the event is on private property, clean-up shall be the responsibility of the property owner. The City shall have the right to enforce cleanup measures, including but not limited to, entry and cleaning of property by City personnel and charging and liening the cost to the owner, occupant, applicant or all of those. In the case of repeat problems with clean-up for any particular event, the City may require a cleaning deposit prior to event approval.

(i) **Merchandise Sales.** Sales of all items for Special Events must be out of the public right-of-way, unless prior authorization is received. Exempted items are listed in paragraph (j) below.

(j) **Street Sales.** Street sales of newspapers, poppies, etc. shall not be allowed except for those events that have existed before September 1, 1996, which will be allowed as long as they exist. These events include: The Old Newsies, Muskegon High School Band Tag Sale, The Veteran's Poppy sale, and the Kiwanis.

(k) **Compliance with all regulations.** Special Event applicants are responsible to ensure that all applicable laws and ordinances are followed. Failure to comply with all city ordinances, rules and regulations may result in the denial of future special event requests.

III. Special Event Application Processing

(a) **Application Intake.** Planning Department staff shall be responsible for intake of Special Event Applications and dissemination to appropriate City staff for review and approval.

(b) **Application Denial.** Where City staff reviews an Application and denies same, it shall state in writing the reasons for the denial. An appeal of that decision may be made to the City Commission, whose decision shall be final.

(c) **Unpaid Invoices.** Any past due fees/invoices owed to the City may result in the denial of the Application and/or future Special Event requests.

(d) **Street Closures/Barricading.** Requests that include road closings/barricading shall require approval of the Public Safety Director and the DPW Superintendent. Planning staff will forward these requests to the appropriate personnel once the Special Event Application and fee are submitted. The applicant will be responsible for all associated costs, which may include barricades and police services. City Commission approval may be required in some cases. If a street closure is approved for an event, the Applicant must provide written notification to all businesses and residences located on the street(s) to be closed at least *10 days* prior to the event date. Streets shall not be closed prior to 6:00 p.m. the day before the event, and must be open by 6:00 a.m. the day following the conclusion of the event. Street closures will not be approved for block party-type events.

(e) **Runs/Walks.** For races, runs, walks, or parades, the Applicant must provide a map with the Application, showing the proposed route. In addition, if any streets will be closed or partially closed, the Applicant must provide written notification to all residences and businesses on those streets at least *10 days* prior to the event date. Event organizers shall meet with City staff to discuss the race route at least *15 business days* prior to the event.

(f) **Site Plan.** The City may require submittal of a site plan showing the event grounds and the location of tents, vendors, portable toilets, and other structures.

(g) **Meetings.** City staff may require a meeting with event sponsors, where staff needs clarification of service(s) requested. Failure to attend the meeting may result in denial of the application.

IV. Use of City Equipment & Labor

(a) The City has some items available for rent for special events. See Schedule A for available items. You are not required to rent City equipment; you may provide your own.

(b) The Applicant may be responsible for City employee labor costs to move City equipment to and from the event location. See Schedule A for fee estimates. You may be able to eliminate or reduce this cost by transporting equipment yourself. Arrangements must be made with the City’s DPW Superintendent or Parks Maintenance Supervisor.

(c) There is a stage in Hackley Park available for events held in the Park. The stage is up from approximately the beginning of June until mid-August. There is no additional fee for use of the stage, as long as your event is held in the Park. The stage is not to be removed from Hackley Park.

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SCHEDULE A – CITY EQUIPMENT AVAILABLE FOR RENT

Item:
55-gallon metal trash cans
Plastic trash bags (by the case)
Snow fence (wood)
Fence posts
Picnic tables

Only the items listed above are available from the City for event use. Labor charges may be added to equipment rental fees if delivery and/or pick-up of equipment by City staff is required.

Current equipment rental and labor rates can be found on the City of Muskegon Fee Schedule on the City’s website at www.muskegon-mi.gov.

SCHEDULE B – LIABILITY INSURANCE REQUIREMENTS

<ul style="list-style-type: none"> • LOW RISK (L) - Requires \$300,000 liability insurance coverage. No physical activity by participants and no severe exposure to spectators. Examples of low-risk events include such things as indoor or outdoor meetings, small theatrical performances, auctions, and social gatherings (with no alcoholic beverages).
<ul style="list-style-type: none"> • MEDIUM RISK (M) - Requires \$500,000 liability insurance coverage. Limited physical activity by participants and minimal exposure to spectators. Examples of medium-risk events include dances, animal shows, political rallies, flea markets, picnics, parades with no floats, and family type concerts. Also included is any event with a crowd size of 500 to 10,000.
<ul style="list-style-type: none"> • HIGH RISK (H) - Requires \$1,000,000 liability insurance coverage. Major participation by participants and/or moderate to severe exposure to spectators. Events in this category include team or individual sporting events (non-professional), circuses and carnivals with rides, parades with floats, and marathons or similar races. Also included is any event with a crowd size of over 10,000 but under 25,000. Examples of events requiring high risk insurance coverage are: Parties in the Park, Summer Celebration, Bike Time, Chronicle Seaway Run, Winterfest, and most events with alcohol licenses.
<p>Language on the insurance certificate shall read: <i>”The City of Muskegon, all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof are listed as additional insured under the general liability and auto liability policies. The City of Muskegon is held harmless with regard to the General Liability Policy.”</i></p>