

Mass Gatherings/Special Events

Section 1: Purpose – The purpose of this legislation is to set forth permitting procedures and requirements for special events in a way that will attempt to protect, preserve, and promote the physical health of the public; reduce the incidence of communicable diseases; reduce hazards and pollution to the environment; maintain adequate sanitation and public health; protect the safety of the public; and reduce the threats or effects of terrorism or weapons of mass destruction.

Section 2: Definitions –

2.1 Mass Gathering or Special Event – shall mean any outdoor temporary public gathering including but not limited to, block parties, parades, festivals, music concerts, celebrations, carnivals, fairs, exhibits, trade shows, or any similar occurrence to be conducted on any public or private property within the unincorporated areas of Maury County that is reasonably expected to simultaneously bring together 600 or more people and/or that could result in extraordinary or exceptional demands being placed on the regular and/or emergency services of our communities. All special events, as defined, shall require a Special Event Permit.

2.2 Extraordinary or Exceptional Demands on services – regardless of how many people an event attracts, it may be determined by the Emergency Services Committee that the regular and/or emergency services could have extraordinary or exceptional demands placed upon them by an event. Any/all events that are determined to likely place extraordinary or exceptional demands upon the regular and/or emergency services shall be considered a special event and a Special Event Permit shall be required.

2.3 Temporary Street Closure - shall mean any condition created by a Special Event that is conducted within or upon any street, public way, road, highway, boulevard, parkway, alley, lane, service road, viaduct, bridge, and the approaches thereto, sidewalks, or other public rights-of-way. Any/all events that create a temporary street closure shall be considered a special event and a Special Event Permit shall be required.

2.4 Event Sponsor – shall mean any organizer, promoter, coordinator, person, group, corporation, partnership, governing body, association, or other public or private organization, or property owner that is responsible for the operation of a special event.

2.5 Property Owner – shall mean any person who alone, jointly, or severally with others has legal title to any premises, with or without accompanying actual possession thereof; or has charge, care, or control of any premises, and legal or equitable owner, agent, or the owner, or lessee of a piece of property where a special event is to be held.

2.6 Financial Assurance – shall mean liability insurance underwritten by a company licensed to underwrite business in the State of TN, which shall indemnify and hold harmless Maury County and its agents, officers, servants, and employees from any liability or causes of action which might arise by

reason of granting a special events permit, and from any cost incurred in cleaning up any waste material produced or left after the event.

2.7 Special Event Permit – shall mean a written form of authorization in accordance with these regulations.

2.8 Special Plan for Event Contingencies (SPEC) – shall mean an approved written safety plan that will attempt to protect, preserve, and promote the physical health of the public; reduce the incidence of communicable diseases; reduce hazards and pollution to the environment; maintain adequate sanitation and public health; and protect the safety of the public.

2.9 Independent Events – shall mean those events that are not co-sponsored or county sponsored events.

2.10 Co-Sponsored Events – shall mean events that are planned, administered, coordinated, and held in conjunction with another event sponsor and the county. Co-sponsored events shall NOT be exempt from obtaining a Special Event Permit.

2.11 County Sponsored Events – shall mean events that are solely planned, administered, coordinated, held by, and paid by Maury County. County Sponsored Events shall NOT be exempt from obtaining a Special Event Permit.

2.12 County/Maury County – shall mean all of the unincorporated areas of Maury County, TN.

2.13 Emergency Services Committee – shall mean a committee composed of an authorized member from; the Maury County Sheriff's Department, Maury County Fire Department, Maury Regional Emergency Medical Services, the Maury County Office of Emergency Management, and additional affected departmental representation as may be required.

2.14 Appeals Committee – shall mean a committee composed of an authorized member from; the Maury County Sheriff's Department, Maury County Fire Department, Maury Regional Emergency Medical Services, the Maury County Office of Emergency Management, and one additional citizen member appointed by the Maury County Mayor.

Section 3: Exemptions - A Special Event Permit shall not be required for the following events:

- funeral processions
- students going to and from classes
- participation in educational or other school activities, providing that such conduct is under the immediate direction and supervision of the proper authorities and an adequate safety plan has been developed (homecoming and other parades that cause or could result in temporary street closures shall not be exempt)

- sporting events, providing that such conduct is under the immediate direction and supervision of the proper authorities and an adequate safety plan has been developed (an electronic repository of these plans shall be maintained and access shall be granted to the regular and/or emergency services)
- activities conducted in the normal operation of a licensed campground
- an event wholly contained on property specifically designed or suited for the special event and which has an appropriate certificate of occupancy, appropriate zoning, and an adequate safety plan

Section 4: Special Event Permit Required, Violations, and Penalties.

4.1 Special Event Permit Required - No event sponsor shall hold any special event unless a Special Event Permit is first obtained.

4.2 Violations – Any person who violates any provision of this legislation shall be subject to fines and penalties. It is a violation to hold a special event within Maury County without a Special Events Permit.

4.3 Penalties – Any person found in violation of this legislation shall be subject to the maximum fine allowable by law plus all allowable court costs, and any and all costs incurred to Maury County to enforce this legislation.

Section 5: General Provisions – Nothing in this regulation relieves the obligations or liability of any event sponsor to comply with any other applicable regulation, ordinance, law, standard, or provision issued by other entities, Maury County, the State of TN, or the Federal Government. This shall include but is not limited to:

- Beer and alcohol permitting regulations
- Zoning regulations and restrictions
- Park Fees and Permits
- Health Dept. regulations and requirement
- Any/all applicable taxes
- Any/all additional required Fees and Permits

Section 6: Financial Assurance - The event sponsor must comply with the following insurance requirements to be considered for a Special Event Permit. Proof of insurance covering the dates and times of the event including set-up and dismantling must be submitted during the permit application process. Failure to provide proof of insurance will result in the permit being denied. The following types of insurance must be provided:

6.1 Comprehensive General Liability Insurance - A general liability insurance policy, or its equivalent, written on an occurrence basis (or yearly basis), with a minimum of \$1,000,000 combined single limit of liability per occurrence for bodily injury, personal injury, and property damage is required. If food or beverages are to be served, then product liability coverage must also be included with a minimum of \$1,000,000 per occurrence. If an event involves floats or other vehicles, then product liability coverage

must also be included with a minimum of \$1,000,000 per occurrence. Insurance coverage must include all areas used by the event including any/all assembly areas, routes, disbanding areas, and event location(s).

6.2 Additional Insurance Requirements – Maury County must be listed as Additional Insured for the event on all insurance policies with regards to the event.

6.3 Additional Insurance Required – The Emergency Services Committee reserves the right to increase the minimum acceptable limits of liability insurance based on the nature or type of event and the potential hazards posed by the event.

Section 7: Amount and Type of Services and Equipment Required - The amount, kind, and type of services or equipment required for a special event shall be determined based on the nature and type of event and the potential hazards posed by the event. Nothing in this regulation is intended to limit the number of resources or services required. At a minimum, the recommendations outlined in the Federal Emergency Management Agency (FEMA) Special Events Contingency Planning Job Aids Manual shall be followed when determining the amount and type of services required.

7.1 Additional Services Required – The Emergency Services Committee reserves the right to increase the minimum required amount and type of services required based on the nature or type of event and the potential hazards posed by the event. After analyzing the potential hazards, past history of similar events, and etcetera the Emergency Services Committee may determine that the minimum FEMA recommendations are not adequate.

7.2 Amount of Equipment Required – Contracts with vendors for meeting the necessary requirements for the amount and type of equipment required shall be allowed. However, any/all contractors shall be licensed to do business in the State of TN. All traffic control devices (signs, barricades, etc.) shall comply with standards outlined in the Manual on Uniform Traffic Control Devices (MUTCD). The current edition MUTCD in use by Maury County at the time of permit application shall apply. Any/all contracts shall be completed and executed prior to the issuance of a Special Event Permit.

7.3 Type of Services Required - Any/all contractors for professional services including but not limited to; law enforcement, fire suppression, and/or emergency medical providers shall be certified and/or licensed to provide services in the State of TN. All professional service contractors shall be in uniform and readily identifiable while providing contracted services during special events.

Section 8: Fees and Terms of Payment – There shall be fees associated with the Special Event Permit application process, and additional fees for personnel services and equipment provided by Maury County.

8.1 Special Event Permit – A non-refundable application fee of \$25.00 is due at the time of application. The event sponsor shall be responsible for paying these fees.

8.2 Personnel Services Provided by Maury County – The costs associated with County employees required to provide services for a special event shall be billable based upon an average of personnel costs. This rate shall be determined annually by the Emergency Services Committee. The event sponsor shall be responsible for paying these fees.

8.3 Equipment Provided by Maury County – The costs associated with the operation of equipment provided by the County shall be billable at rates based on the Federal Emergency Management Agency's (FEMA) Schedule of Equipment Rates and/or other applicable standard. The event sponsor shall be responsible for paying these fees.

8.4 Co-Sponsored Events – Based on the nature and type event and the positive impact that a particular event has on our community, a portion or portions of fees and/or insurance requirements, in accordance with this regulation can be waived by the County Mayor upon the recommendation of the Emergency Services Committee for approved co-sponsored events. A Special Event Permit shall be required for co-sponsored events.

8.5 County Sponsored Event – Fees in accordance with this regulation shall be waived by the County Mayor for approved County Sponsored events. Additional insurance for specific hazards or functions at County Sponsored Events may be required. A Special Event Permit shall be required for county sponsored events.

8.6 Calculation of Additional Fees – Fees owed for equipment or personnel services required for the event shall be calculated by each involved emergency and/or regular service and forwarded to the County Mayor's Office no later than 5 business days after each special event. The County Mayor's Office shall compile all applicable charges and an invoice shall be sent to the event sponsor no later than 10 business days after the event.

8.6 Terms of Payment of Additional Fees – All monies due and payable upon receipt of invoice. Payment not received by the 30th day after the date of invoice shall be subject to accrue interest at a rate of 15% annum or the maximum finance charge allowed by law, whichever is less. Any attorney's fees, collection fees, arbitration fees, or other costs incurred in collecting any delinquent account shall be paid by the event sponsor. No additional permits shall be processed and/or approved for an event sponsor that has any outstanding balance, until full payment of all monies due is received.

Section 9: Special Plan for Event Contingencies (SPEC) – A written plan that attempts to establish safety procedures for dealing with a special event is required for all special events. It must attempt to minimize injury, suffering, death, or damage to the environment that may result as a result of poor planning or preventable incidents during the event. The SPEC template shall be used as a guide for developing SPEC plans. The plan must provide for a sound command structure utilizing the National Incident Management System (NIMS) Incident Command System (ICS) and assign roles and responsibilities for the implementation of the plan during an emergency.

Section 10: Dissemination of SPEC - Special Plans for Event Contingencies (SPECs) will contain safety sensitive information and contact information that should remain confidential. Therefore, completed SPECs shall only be disseminated to all emergency and/or regular agencies that could possibly be required to assist. SPECs shall not be disseminated to the public or news media. Evacuation routes, short-term shelter locations, and specific safety measures for events shall be posted and disseminated, as needed.

Section 11: Application Process – The application must be completed and submitted along with the non-refundable application fee to the County Mayor’s Office at least 60 days before a scheduled event. Applying for a Special Event Permit does not grant authorization to conduct a special event. The process shall typically follow the following format:

- Upon receipt of the application, it shall be electronically forwarded to all involved or affected emergency and/or regular agencies including.
- Each involved or affected agency shall have 10 business days to review the application and complete their respective part of the SPEC.
- Once each involved or affected agency has completed their respective part of the SPEC (including required personnel, services, and equipment) it shall be electronically forwarded to the Maury County Office of Emergency Management for compilation.
- Emergency management shall have 10 business days to compile all agencies information into the SPEC.
- Once the SPEC has been compiled, it shall be electronically forwarded to the County Mayor’s Office
- The County Mayor shall then forward the SPEC requirements including all required types of services and equipment, insurance requirements, etcetera to the event sponsor.
- The event sponsor shall complete and execute any/all necessary contracts for services and/or equipment and appropriate certificate(s) of insurance in accordance with this legislation and submit proof to the County Mayor at least 5 business days before the scheduled event.
- Once all applicable requirements have been satisfactorily completed, the Special Event Permit shall be signed by the County Mayor and then be issued to the event sponsor.

The signed Special Event Permit shall be kept on-site and immediately available for inspection by the Emergency Services Committee or their designee during the entire special event including set-up and dismantling.

The entire application packet shall be available electronically on the county website, in the County Mayor’s Office, and park office. Included in this packet shall be the SPEC template, FEMA’s Schedule of Equipment Rates, and the annual rate schedule of costs for personnel services.

A repository for completed SPECs shall be available to authorized personnel. This will be located on emergency management’s website and will be password protected.

It is recognized that certain events may occur that could result in the inability of a group to meet the 60 day application process for a parade. These events could include but may not be limited to:

- a local sports team winning a championship
- a local group winning a major award
- a local military unit returning from active duty

In these types of situations the Emergency Services Committee shall have the authority to reduce the 60 day application process provided that it does not result in extraordinary or exceptional demands being placed upon the regular and/or emergency agencies affected by the event. A special event permit and an adequate safety plan shall still be required for these types of events.

Section 12: Authority to Alter, Suspend, or Terminate a Special Event – The Emergency Management Director, Sheriff, or Fire Chief or their designee shall have the authority to cause the event sponsor to alter, suspend, or terminate any special event that is found to pose a significant threat to the health, safety, and/or welfare of the public or that is found to be in non-compliance with any part of this regulation or Special Event Permit.

Section 13: Grievance/Appeal Procedures – Any event sponsor that has a permit denied shall have the option to appeal. Any/all appeals for permit denial, required types of services and equipment, insurance requirements, and etcetera shall be submitted in writing to the County Mayor's Office at least 30 calendar days before the event. Upon receipt of an appeal, the County Mayor shall have 10 business days to convene a meeting to allow the event sponsor to outline and discuss the grievance(s) with the Appeals Committee. The committee's decision and/or recommendation shall be communicated to the event sponsor and the County Mayor's Office at the conclusion of the meeting. Based upon the committee's recommendation the permit shall be granted or denied.

Section 14: Severability – Should any provision of this legislation be determined to be invalid, illegal, or unenforceable by a court of competent jurisdiction, then such provision shall be amended to make it valid, legal, and enforceable. The invalidity or unenforceability of any provisions shall not affect in any manner the other provisions herein contained, which remain in full force and effect.