

Policy Guide



Downtown Special Event Permit Policy Guide

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I. INTRODUCTION

Special public events in our downtown enhance the City of Shelbyville's lifestyle and promote a sense of community by providing an opportunity for residents to come together for entertainment and/or celebrations. These events may require the City of Shelbyville (hereafter "City") support to maintain public order and safety. The purpose of this Policy is to:

- A. Define event requirements and responsibilities; and
- B. Set forth the application process required of Event Sponsors.

II. DEFINITIONS

The following definitions apply to this Policy:

- A. **BOW**: City of Shelbyville Board of Public Works and Safety.
- B. **City**: The City of Shelbyville, Indiana
- C. **City Support**: For the purpose of this Policy, City Support is defined as making available personnel, facilities, and/or equipment for the purpose of providing a venue, traffic control, crowd control, and/or assuring public safety.
- D. **Event Sponsor**: Organization or person requesting, organizing, or managing the Special Event.
- E. **Downtown Special Event**: A Downtown Special Event is defined as any non-routine activity that:
 1. Generates unusually high vehicular or pedestrian traffic; or
 2. Requests temporary closure of streets or public ways; or
 3. Utilizes public property in a manner other than its normal use

III. EVENT SPONSOR REQUIREMENTS AND RESPONSIBILITIES

A. Liability Insurance:

1. In order to comply with the requirements of the City's liability insurance carrier, it shall be required that a Certificate of Insurance be submitted to the City of Shelbyville. The City shall be listed as a Certificate Holder AND an Additional Insured, including Waiver of Subrogation and Primary/Non-Contributory wording for all events.
 - a) At a minimum, coverage limits must be as follows: Each occurrence, \$1,000,000; General Aggregate, \$2,000,000; Products- Comp/Op Aggregate, \$2,000,000.
 - b) Certificates of Insurance must be submitted to the City with the application submission.
 - c) Events may be required to provide coverage for workers compensation if the Event Sponsor has employees working the event. Event Sponsor may be required to provide proof of auto liability/hired non-owned auto liability if vehicles are utilized in the event.
 - d) Events may be required to provide a \$1,000,000 umbrella in addition to the general liability coverage.
 - e) Events that are athletic events or competitions require that language addressing participant liability coverage be included on the Certificate of Insurance.
2. It shall be the policy of the City not to routinely require liability insurance coverage for events that include no physical activity by participants and no severe exposure to participants or spectators. This waiver of the liability insurance requirement is meant to cover small gatherings or ceremonies that do not involve more than 50 people and are limited to passive participation by the public.

B. Special Protection for Events:

1. The City shall include the City Attorney or his/her designee, Planning Director, Street Commissioner, Police Chief, Fire Chief, and the BOW (if road closures not previously approved by the Board are required), in all Special Event reviews. This is intended to provide a risk control guide for the handling of the increased liability associated with Special Events.
2. As a result of the review of the event proposal, the City may impose special conditions on the event. A member of the City shall be available to meet with event organizers to review the special conditions to ensure that all conditions are met before the event begins.
3. As a result of the review of the event proposal, the City may require special protections for any event. These required protections may include an emergency management plan and/or specific staffing levels for police, fire, emergency medical services, municipal services, or other personnel. Expenses for these requirements will be the responsibility of the Event Sponsor.
4. The City has the authority to cancel or stop an event if the special conditions required for approval of the event are not met. In addition, the City has the authority to cancel or stop an event or place additional restrictions on the event if it is deemed that the public health, safety, or welfare of the community would be better served with additional restrictions.
5. The event sponsor shall pay special attention to identifying the locations of automatic sprinkler heads in the grassy lawns and be sure to protect them throughout the duration of the event, including during set-up and tear-down for the event. The Event Sponsor shall be liable for any damage to the automatic sprinkler system as a result of a Downtown Special Event. The automatic sprinkler system is scheduled to activate starting at 2 AM on Mondays, Wednesdays, and Fridays, event sponsor must notify the City to have this adjusted if setup will interfere with these hours.

C. Road Closures, Traffic Control, and Safety:

1. The Event Sponsor shall be responsible for complying with all traffic control and safety procedures required by the City during the event. The requirements will be stipulated in the Event Permit and the City may make additional requirements during the event as may be necessary for public safety.
2. If road or intersection closures are requested by the Event Sponsor and approved by the BOW, it is the responsibility of the City to communicate with the members of the media, post any notices, set up barricades, and close, and reopen roads or intersections. Corresponding fees for this will be the responsibility of the Event Sponsor to pay.
3. The City does not recommend solicitations of any kind on its streets or rights-of-way. The City accepts no responsibility or liability for the safety of persons who may, against the recommendation of the City, make solicitation in its streets.
4. See Exhibit A for road and intersection closures which have been pre-approved by the BOW.

D. Noise and Time Restrictions:

1. Refer to [Chapter 130 Section 3](#) of the City of Shelbyville's Code of Ordinances for noise restrictions.
2. Events should have a starting time no earlier than 7:00 am, and have an end time of no later than 12:00 am. The end time includes all clean-up activities.
3. If the event will include the use of fireworks, the Event Sponsor is responsible for supplying all equipment necessary to safely launch fireworks. All firework displays must comply with [Chapter 91 Sections 125 and 126](#) of the City of Shelbyville's Code of Ordinances.
4. The Event Sponsor is responsible for cleaning up the remnants of the fireworks. Any use of fireworks requires approval from the City, after receiving all necessary approvals from the Indiana Department of Homeland Security, Office of the State Fire Marshal.

E. Electricity Needs:

1. An Event Sponsor may request electricity for a Special Event. See Exhibit B for a fee schedule.
2. See Exhibit C for a map of available electricity.

F. Banners, Special Event Signs, and Markings:

1. The Special Event application shall include a description of any temporary signage that will be erected prior to the event. The use of temporary signage shall conform to the Sign Standards outlined in [Section 5.58](#) of the City of Shelbyville Unified Development Ordinance, and locations must be approved by the City. Signs shown on a “Temporary Sign Plan” and approved during the review and approval of the Special Event Permit, shall not require any additional permits.
2. Additional signs may be erected as needed at the site of the event during the event.
3. All signs are subject to approval of the City and must be removed within 24 hours of the end of the event.
4. Any event requiring pavement markings on the trail system, sidewalks, or roadways of the City shall utilize a temporary chalk-based marking (sidewalk chalk). Marking on the brick or limestone on the Public Square is prohibited, all temporary markings within the Public Square shall be on the asphalt surface only. It is preferred that pure chalk be used to limit residual visibility after the event is complete and be placed no earlier than one week prior to the event. However, when a more permanent marking is necessary, only chalk-based marking paint shall be used. The locations and marking material are subject to approval by the City.

G. Food Vendors:

1. Food vendors are required to comply with all Shelby County Health Department rules and regulations for temporary food license facilities. Vendors are required to contact the [Shelby County Health Department](#) for the latest rules and regulations and to obtain a temporary food license. (317-392-6470)
2. Food vendors shall ensure all grease that is produced by their operations is stored in appropriate containers to prevent any spills or stains in the downtown area. Failure to properly store, transport, or dispose of grease shall result in said food vendor being held liable for all costs associated with the repair, replacement, and cleaning of damaged surfaces and areas.

H. Alcohol:

1. Special Events that include the furnishing and/or consumption of alcohol require the Event Sponsor to provide security, proof of compliance with the Indiana Alcoholic Beverage Laws and Regulations, as well as the name of the alcohol permit holder, a copy of permit and license, and proof of insurance that includes Liquor Liability coverage.

I. Participant/Attendee Waiver of Liability and Event Sponsor Indemnification:

1. The Event Sponsor shall be responsible for obtaining any and all signed waivers of liability from event participants and attendees as required by the City of Shelbyville in advance of the event. The Event Sponsor shall execute a Release of Liability and Indemnification Agreement, Exhibit D.

J. Trash, Waste, and Event Clean-Up:

1. The Event Sponsor must rent trash receptacles from the City in accordance with the fee schedule. Trash will be emptied by the City on the next business day after the event.
2. There are restroom facilities located on the northwest side of the Public Square. Any additional restroom facility needs shall be furnished by the Event Sponsor.
3. Event Sponsors are responsible for clean-up along parade routes within 24 hours of the parade.
4. The City has no Sanitary Sewer connections on the Public Square or on Harrison or Washington Street, but a request can be made to the Shelbyville Water Resource Recovery Facility to empty “black water tanks” of food vendors into nearby sanitary structures. This request shall be at the sole discretion of the Superintendent of the Shelbyville Water Resource Recovery Facility.

K. Adherence to Local Ordinances:

1. Event Sponsors shall ensure that vendors and active participants obey all local ordinances except those which may have been waived to accommodate the event. This includes, but is not limited to, [Chapter 50 Section 53](#) of the City of Shelbyville Code of Ordinances governing illicit discharge of materials to the storm sewer, creek, streams, waterways, and water bodies of the City of Shelbyville. At no time shall the dumping of any material other than potable water be allowed to be dumped into the storm drain system.

L. State of Indiana Special Event Permits and Licenses as Required:

1. The Event Sponsor is responsible for determining whether additional State permits or licenses are required. The Event Sponsor is responsible for applying for any required additional permit or license well in advance of the Special Event to ensure necessary documentation and safety inspections can be completed to protect public safety.

M. State of Indiana Executive Order and Local Health Department Compliance and Approval as Required:

1. The Event Sponsor is responsible for determining whether the Special Event is subject to any Executive Orders issued by the State of Indiana and/or Health Orders issued by the Local Health Department. Specifically, each Event Sponsor is responsible for compliance with such restrictions and/or guidelines as required by these authorities in all stages of the event including, but not limited to, preparation, set-up, event activities as well as clean-up. Further, should formal approval be required, such approval must be obtained and copy submitted to the City of Shelbyville before proceeding.
2. Should any City or State Executive Order or Health Order impact the use of City facilities or amenities, Event Sponsor shall make the appropriate modifications and/or adjustments as necessary to maintain compliance.
3. If any Executive Order or Health Order issued prevents the holding of the Special Event, such Order shall automatically invalidate any Event Permit issued.

IV. APPLICATION PROCESS

A. Application Process:

1. Event Applications are available from the Planning Department. Applications can also be found on the [City's website](#).
2. Applications must be submitted no later than:
 - a) 14 days prior to the date of the Special Event when no road closures are requested; or
 - b) 30 days prior to the date of the Special Event when road closures are requested.
3. Submittal dates may be waived at the discretion of the Planning Director or his or her designee.
4. A map and written details of the event area, road closings (see Exhibit A), parade route, or running courses must be submitted with the application.
5. The City will provide a complete review of the Event application, including consultation with the applicant as may be reasonably necessary to resolve problems.

B. Fees:

1. Fees must be paid after approval of the permit, but in advance of the event itself. Fees will be in accordance with Exhibit C, included with this document.

C. Two or More Applications for the Same Date:

1. In the event that two or more Event applications are received for the same date and time prior to the approval of either event, the date and time that each application was received by the City shall determine the order of preference.

D. Reservation of Annual Event Dates:

1. If an event is intended to be an annual event at regularly scheduled dates, the current year's application should include the reservation of the following year's proposed dates. However, listing such dates shall not constitute approval of the following year's event, which must have its own timely application submitted for approval.

E. Special Event Permit:

1. All department managers must approve the Special Event application. Upon approval, a Special Event Permit will be forwarded to the Event Sponsor. The permit will outline any special conditions that must be met for the event to be held.

V. SAFETY POLICY

Always call 911 in the event of an emergency. The following safety policies shall be reviewed in advance of a special event, and followed exactly if any of the following emergencies occur:

A. Flooding: In case of flooding,

1. Keep alert for signs of flooding, like thunderstorms and prolonged heavy rains.
2. Be especially cautious at night when it's harder to recognize flooding.
3. Stay away from open channels, ditches, and culverts
4. Do not try to walk, drive, or swim through high or flowing water.
5. Be careful of bridges and dips in the roadway
6. If water is over the roadway, do not attempt to drive through it. Turn around and drive toward higher ground.

B. Severe Thunderstorm Warning: In the event of a severe thunderstorm warning, officials will notify the public of the warning.

1. Upon receipt of the warning, do the following:
 - a) Check your building/area to ensure that equipment is properly stored and not exposed to high winds in order to alleviate the potential of flying debris.
 - b) Verify that all doors, windows, and outside vents are secured.
 - c) Remain alert to worsening conditions.
 - d) If you are in a tent structure, evacuate to a more solid structure or building, remaining in the building unless told to move to a safer area.
2. Severe thunderstorms have the capability of producing large hail, damaging winds, and heavy lightning. Also, severe thunderstorms have the capability of spawning tornado activity as well. Remain alert for emergency instructions
3. If you have a public address system at your event, you should make the following announcement:
 - a) *“Ladies and gentlemen, may I have your attention please. Please listen carefully. A severe thunderstorm is headed in the direction of the downtown area. For your safety and protection, you are asked to remain in this building until the storm has passed. Please stay away from areas with windows to avoid the possibility of injury from broken or flying glass. An announcement will be made as soon as the severe weather conditions have passed and the building is out of danger. Your cooperation in this matter is much appreciated.”*
4. After the conditions are over, make the following announcement:
 - a) *“May I have your attention please; the severe weather conditions have passed and that the area is out of danger. We thank you for your attention and cooperation during this brief situation.”*
5. If, after the storm has passed, there is damage to the building, report building damage immediately. If anyone is injured as a result of the storm, **call 9-1-1 to request medical assistance** and follow the procedures listed in the medical emergencies section.

C. Tornado Warning:

1. In the event of a tornado warning, take shelter upon the activation of tornado warning sirens. If time permits officials will notify each department of the warning. Upon receipt of the warning do the following:
 - a) Move everyone in your building to safe areas, preferably in the lowest points of the building or small reinforced rooms such as restrooms or offices.
 - b) If time permits, check your building/area to ensure that equipment is properly stored and not exposed to high winds in order to alleviate the potential of flying debris.

- c) Verify that all doors, windows, and outside vents are secured.
2. If you are in a tent structure, evacuate to a more solid structure or building, remaining in the building unless told to move to a safer area. **Do not remain under a tent during a tornado warning.**
3. If you have a public address system at your event, you should make the following announcement:
 - a) *“Ladies and gentlemen, may I have your attention please. Please listen carefully. The National Weather Service has issued a Tornado warning for the immediate area. For your safety and protection, you are asked to take shelter immediately. Please remain in this building until the storm has passed. Please stay away from areas with windows to avoid the possibility of injury from broken or flying glass. An announcement will be made as soon as the severe weather conditions have passed and the building is out of danger. Your cooperation in this matter is much appreciated.”*
4. After the conditions are over, make the following announcement:
 - a) *“May I have your attention please; severe weather conditions have passed and that the area is out of danger. If any medical attention is needed, we will help, contact 9-1-1. We thank you for your attention and cooperation during this brief situation.”*
5. If after the storm has passed, there is damage to the building or persons are injured as a result of the storm, report building damage immediately to officials. In the case of medical emergencies, follow the instructions given under that category.

D. Lost Children

1. In the event that a child is lost:
 - a) Immediately call 9-1-1, and/or find the nearest law enforcement officer. Be prepared to provide the following information:
 - (1) Child’s name
 - (2) Child’s age
 - (3) Child’s height and weight
 - (4) Child’s hair and eye color
 - (5) What the child was wearing
 - (6) The child’s last known location
 - (7) Who was the child last seen with?
 - (8) The direction the child was last seen going
 - (9) If the child has any special needs
2. In the event you find a lost child:
 - a) Locate the nearest police officer or call 9-1-1 to alert them immediately.