

SPECIAL EVENT POLICY
VILLAGE OF ARMADA
MACOMB COUNTY, MICHIGAN

I. PURPOSE

It is recognized that special events often bring many benefits to the community. However, when these events are held on public property, they have the potential to impact the Village's taxpayers, resources, facilities and property. Each event has unique characteristics and will have a different public impact. Therefore, special events need to be considered on a case by case basis in order to promote the responsible use of publicly owned facilities and properties.

It is the purpose of this policy to regulate special events held in the Village of Armada (the Village) so that such events can occur with the safety and health of the participants in mind, the protection of public property considered, and the impact of the event on non-participating residents minimized.

II. DEFINITION

For the purpose of this policy, a special event is defined as an event sponsored and/or conducted by a person, group of persons, or organization which; (a) is conducted wholly or partially on public property owned by or under the control of the Village; (b) impacts public property, vehicular and/or pedestrian traffic, the safety of residents and visitors; (c) due to the size, scope or nature of the special event activities requires additional public services from the Village; or, (d) is conducted on private property but affects public, health or welfare by their impact on surrounding public or private property.

Under this definition, examples of special events may include, but are not limited to: parades, competitive and/or noncompetitive runs, festivals, concerts, celebrations, sales, block parties, motorcycle or motor vehicle processions, and solicitation in the public rights-of-way.

III. PERMIT REQUIREMENT / CRITERIA

A special event cannot be conducted within the Village without approval of an application by the Village Council and issuance of a special events permit by the Village Clerk.

The Village Council will consider the following criteria in evaluating whether to approve a special events application:

- The nature, scope, and duration of activities to be conducted as part of the special event and the impact of such factors on public property, public services, and residents;
- The applicant's experience and resources available to conduct the special event so as to minimize the impact on the public property, public services, and residents;
- The burden the event has on the public property, public services, and residents;

- The potential for damage to public and/or private property or injury to participants and/or non-participants associated with the special event;
- The recommendations of Village department heads and insurance broker on whether the application should be approved or disapproved based on the required information provided by applicant;
- Past experience with the same or similar special events;
- The completeness of the application and compliance with the special events requirements set forth in Section IV; and,
- The applicant's compliance with all other requirements of the Village Code of Ordinances and Zoning Ordinance for conducting the special event;

IV. SPECIAL EVENT APPLICATION PROCESS / REQUIREMENTS

An applicant for a special events permit must submit a complete and signed application to the office of the Village Clerk not less than thirty (30) days prior to the first day of the proposed special event. At the time of submission of the complete and signed application, an applicant *must* file the following:

- A nonrefundable permit fee as established by the Village Council, if applicable.
- A signed Indemnification and Hold Harmless Agreement on the form provided by the Village;
- A copy of current articles of incorporation, articles of organization, certificate of co-partnership, assumed name, or other filings verifying that applicant is duly organized and operating under the laws of the state of Michigan or other domicile;
- A certificate of insurance with general liability and other coverages appropriate to the special event and providing an endorsement adding the Village, all of its elected and appointed officials and employees and all other individuals working on behalf of the Village as additional insureds;
- A site plan and/or map depicting the private and public property on which the special event activities will be conducted. In the event private property is going to be utilized, the written consent of the property owner must be submitted with the application.
- If, following a review of an application, a determination is made that additional public services, including but not limited to additional police and department of public works services, are needed to conduct the special event, applicant will deposit the required amount with the Village Clerk. Failure to make the required deposit shall be grounds for the Village Clerk to not place the application on an agenda for consideration by the Village Council.

The Village Council may approve, approve with conditions, or deny an application. A special event permit shall only be for the duration of the event approved and shall not establish any future right or privilege to conduct a future special event.

VI. SUSPENSION OR REVOCATION OF SPECIAL EVENT PERMIT

The Armada Chief of Police or his/her designate shall have the power to suspend all or a portion of the activities conducted pursuant to a special event permit or the Village Council at a regular or special meeting may revoke a special event permit under the following circumstances:

- It is determined that the applicant has made a false or materially misleading representation in the special events application;
- The scope, duration, or nature of activities conducted pursuant to the special event permit exceed that represented by the applicant in the special event application or as approved by the Village Council;
- An activity conducted as part of or as an indirect result of the special event presents an imminent threat to the public health, safety, and welfare of the general public and/or public property and facilities.

Approved by the Village Council on: April 23, 2012

Amended on: _____

INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

In consideration of being granted a Special Event Permit by the Village of Armada, a Michigan municipal corporation, whose address is 74274 Burk Street, Post Office Box 903, Armada, Michigan 48005-0903 (hereinafter referred to as “the Village”), _____ (applicant), whose address is _____ (hereinafter referred to as “Applicant”), agrees to:

Defend, indemnify and hold harmless the Village from and against any and all losses and liabilities arising out of personal injury, bodily injury or property damages which arise from, or are in any way connected with, the Special Event.

The duty to indemnify shall not apply to any loss or liability arising from the active negligence or willful or wanton misconduct of the Village or its employees, but shall apply to all other losses or liabilities incurred by the Village which arise from the Special Event or are imposed upon the Village by virtue of its relationship with Applicant and there is no active negligence on the part of the Village.

Applicant agrees that it will not settle or resolve any claim or action which includes, or may include, a claim or county against the Village or its employees without obtaining full and complete release in favor of the Village with respect to any and all claims or county against the Village except those based upon the active negligence or willful or wanton misconduct of the Village or its employees.

For purposes of these indemnity and hold harmless clauses:

Village shall mean Village of Armada, its elected and appointed officials, employees and volunteers working on behalf of the Village. **Losses and Liabilities** shall mean loss, cost, expense, attorneys’ fees, damage, liability or claims whether groundless or not; **personal injury** shall mean false arrest, erroneous service of civil papers, false imprisonment, malicious prosecution, assault and battery, libel, slander, defamation of character, discrimination, mental anguish, wrongful entry or eviction, violation of property, or deprivation of any rights, privileges or immunities secured by the constitution and laws of the Untied States of America or the State of Michigan, for which Agency may be held liable to its injured party in an action-at-law or suit in equity or other proceeding for redress; **bodily injury** shall mean bodily injury, sickness or disease and mental injury which may be sustained or claimed by any person or persons; and **property damage** shall mean the damage and destruction of any property including the loss or

use thereof, including real or personal property owned by the Village. **Special Event** shall mean any and all direct or indirect activities conducted by, through, or under the Special Event Permit granted by the Village to Applicant.

The foregoing indemnification and hold harmless provisions shall survive the termination of the Special Event Permit.

Name of Applicant: _____

By: _____

Its: _____

Date: _____

VILLAGE OF ARMADA

APPLICATION FOR SPECIAL EVENT ACTIVITY

All applicants must complete the following:

DATE APPLIED	NAME OF ORGANIZATION				CONTACT PERSON		CONTACT PHONE	
ADDRESS		CITY	STATE	ZIP	CO-CONTACT		CO-CONTACT PHONE	
NAME OF EVENT					DATE/S OF EVENT		TIME PERIOD/S	
LOCATION OF ACTIVITY OR EVENT / LIST ALL PUBLIC AND PRIVATE PROPERTY INVOLVED								
DESCRIPTION OF SPECIAL EVENT ACTIVITY <small>(attach additional sheets as necessary)</small>								

**NOTE: All aspects of this event must comply with Village Ordinances and Regulations.
PLEASE CHECK ALL THAT APPLIES**

<input type="checkbox"/> Street closings <input type="checkbox"/> Barricades / cones <input type="checkbox"/> Police / Security <input type="checkbox"/> Traffic Control <input type="checkbox"/> DPW services <input type="checkbox"/> Use of Sidewalks <input type="checkbox"/> Utilize Village parking?	<input type="checkbox"/> Will this event impede traffic? <input type="checkbox"/> Impair business routine <input type="checkbox"/> Will there be signs? <input type="checkbox"/> Outside electricity <input type="checkbox"/> Portable Restrooms <input type="checkbox"/> Food/ beverages sold or served to public	<input type="checkbox"/> Does this event have vendors <input type="checkbox"/> Tents or temp. structures <input type="checkbox"/> First Aid on site <input type="checkbox"/> After dark activities <input type="checkbox"/> Park Use <input type="checkbox"/> Other: Describe on back
Estimated parking spaces for the event <input style="width: 50px;" type="text"/>	For attendance parking <input style="width: 50px;" type="text"/>	

- NOTE: 1) This application will be submitted for approval to the Village council at the immediate meeting following the date of receipt of the complete application.
- 2) A permit, if issued, must be displayed throughout the event.
 - 3) The permit is subject to revocation for cause.
 - 4) If food or beverages are to be sold, evidence of Health Department approval must be furnished.
 - 5) Evidence of Public Liability Insurance is required as determined by Village Council.
 - 6) A complete description of the event, including designated areas/ streets / buildings utilized for the event must be provided with this application. The description must include a detailed map of all closed roads requested and proximity to the event.
 - 7) Please describe applicant's experience and resources available to successfully conduct this special event.
(attach additional sheets if necessary)

The applicant hereby applied for a non-competitive/Special Event permit for the event described above and on the attachments.

The applicant agrees to hold harmless, indemnify and defend the Village of Armada, its officers and employees from any liability, which may arise out of the event. Applicant shall maintain General Liability Insurance with limits of liability as applicable per occurrence, and/or aggregate, combined single limit for personal injury, bodily injury and property damage.

The applicant agrees to comply with all Village and County ordinances and regulations in connection with the event

APPLICATION CHECK-LIST / REQUIRED DOCUMENTATION

- A fully executed Indemnification & Hold Harmless Agreement form (in conjunction with a Liability Ins. Policy.
- A copy of current Articles of Incorporation, Articles of Organization, certificate of Co-partnership, Assumed Name, or other filings verifying that applicant is duly organized and operating under the laws of the state if Michigan or other domicile.
- A certificate of insurance with general liability and other coverages appropriate to the special event and providing an endorsement adding the Village, all of its elected and appointed officials and employees and all other individuals working on behalf of the Village as additional insured.
- A site plan and/or map depicting the private and public property on which the special event activities will be conducted. In the event private property is going to be utilized, the written consent of the property owner must be submitted with the application.
- A complete description of applicant's qualifications has been provided.

By signing below, I represent and warrant to the Village of Armada that: (a) the information set forth within and attached to this application is true and accurate and any material changes which cause the same to no longer be true and accurate will be immediately brought to the attention of the Village of Armada; (b) I have read, fully understand, and agree to comply with the Special Event Policy of the Village of Armada, whose terms and conditions are incorporated herein by reference; and, (c) I have full authority to sign and legally bind the applicant.

Name of Applicant _____ Date _____

Name of Applicant _____ Date _____

By: _____ Its: _____

By: _____ Its: _____

The foregoing information is provided for your information and/or approval. Please acknowledge and return to the Village Clerk's office.

DEPARTMENT	DATE REVIEWED	INITIALS	COMMENTS (Including recommended deposit, if applicable)			
VILLAGE CLERK / ADMIN. COUNCIL						
			Council recommended deposit		\$	
			Amount refundable	\$	Non-refundable	\$
POLICE DEPT.						
DEPT. OF DPW						



VILLAGE OF ARMADA
74274 Burk Street, Armada, MI 48005

Permit is valid from thru Between the hours of

PERMIT FOR SPECIAL EVENT

NAME OF EVENT

THIS PERMIT AS REQUESTED IS HEREBY APPROVED BY RESOLUTION, SUBJECT TO THE FOLLOWING CONDITIONS AS SET BY THE VILLAGE COUNCIL

RESOLUTION OF
APPROVAL

RESOLUTION OF
DENIAL

MICHELLE POULOS, VILLAGE CLERK

DATE

**THIS PERMIT IS NOT VALID UNTIL APPROVED BY VILLAGE COUNCIL
AND SIGNED BY THE CLERK**

NOTE: This permit does not relieve applicant from meeting any applicable requirements of law or other public bodies or agencies.

