

CITY OF HOWELL CIVIC EVENT POLICY

I. Statement of Policy

The City of Howell (hereafter “City”) hereby establishes a policy regulating civic events held on property owned or controlled by the City to protect the health, safety, and welfare of the participants and community. This policy shall regulate all “civic events”, as defined in the policy, and the commercial filming of locations within the City. The policy requires that the sponsors of an event complete a Civic Event Application and submit the application to the City. City staff must review the event application and provide a report to City Council, who then provides final approval.

II. Application Procedures

Any organization wishing to sponsor or hold a civic event on property owned or controlled by the City will be required to complete the City of Howell Civic Event Application. Applications shall be available from the City Clerk’s Office or on the City’s website. Applications shall be submitted to the City Clerk’s Office no later than the application deadline provided under Section VII. The application may be denied by the City Manager for failure to meet application deadlines.

The City Manager may waive the application deadline when a security issue or emergency requires a truncated review period (*i.e. gubernatorial visit*).

Once a Civic Event Application is submitted to the City, the application will be reviewed by City staff. A pre-event meeting between the applicant and City staff is required for all events that have a risk level of Class II and above as defined in this policy. On the basis of the pre-event meeting, City staff will develop a staff report for City Council. Once a final staff report is prepared, the application will come before Howell City Council for approval. Final approval of the application must be given by the City Council prior to the date of the civic event. Applicants are encouraged not to advertise or publicize a civic event without first receiving the required approval.

III. Definition

“Civic Event” means any transient amusement enterprise, outdoor temporary gathering, and any similar event, including, but not limited to parades, arts and crafts shows/fairs, marathons or races, weddings and wedding receptions, fundraisers, photographic/promotional activities, block parties, theatrical exhibition, musical performance, public show, entertainment, amusement or other exhibition held on property owned or controlled by the City of Howell.

IV. City Services Support

The City will provide support to Civic Events on the following basis, subject to City Council approval:

- A. City Operated/Sponsored Events:** The City may operate or sponsor certain civic events directly, as approved by City Council.
- B. Co-Sponsored Events:** The City may co-sponsor certain events with other organizations, when it is determined by City Council that the event is of general interest to the public and advances the promotion of the community.
- C. Non-Profit Sponsors:** These events must meet the other requirements of the Civic Event Policy. Groups filing an application as a Non-Profit Event must submit an IRS letter of 501 (c) determination proving tax exempt status or other documentation.
- D. For Profit Sponsors:** The City may allow civic events operated by for-profit sponsors that are beneficial to the City and the community. The City Council may require the sponsor to pay 100% of all costs (personnel – straight and overtime, equipment, materials, and damages) incurred by the City for the event, in addition to any facility use costs.
- E. Block Parties:** The City may allow neighborhood associations, home owners associations, neighborhood clubs, and groups of neighbors to hold events within their neighborhoods. The block parties must be noted as such on the Civic Event Application and must meet the other requirements contained in the civic event regulations.
- F. Political or Ballot Issue Events:** The City will allow Political or Ballot Issue events providing that the political party, candidate or political organization pay 100% of all costs (personnel – straight and overtime, equipment, materials, and damages) incurred by the City for the event, in addition to any facility use costs.
- G. Video or Film Production:** All commercial video or film productions shall be required to pay 100% of all costs (personnel - straight and overtime, equipment, materials, and damages) incurred by the City for the event, in addition to any facility use costs.

V. Civic Event Signs

The Civic Event Application shall require a description of any traffic control and advertising signs proposed to be used for the event. The use of signs shall conform to the description contained in the application, or as modified by the City Manager. There shall be no off-site signage allowed for the promotion of civic events, except for legally posted posters and handbills.

All signs must conform to the City's sign ordinance as well as all other City ordinances, particularly Section 7.02 (e) of the Howell City Code, which requires that the signs do not contain any obscene or indecent matter and do not cause a hazard to safety or health.

VI. Insurance Coverage Requirements

Insurance coverage will be required for events with risk categories of Class II, Class III, and Class IV no later than 30 days prior to the event. Class I events may be required to provide liability insurance or evidence of a homeowner's insurance policy if the City determines that the event has concerning liability risks. All certificates of insurance shall be issued on an ACORD (Association for Cooperative Operations Research and Development) form.

The event sponsor shall be required to provide a valid certificate of insurance naming the City of Howell as additional insured according to the following limits:

Class II

- Workers' Compensation & Employers' Liability
- General Liability (occurrence basis only) with limits of \$1,000,000 per occurrence for Personal Injury, Bodily Injury, and Property Damage
- Vehicle Liability Coverage and Michigan No-Fault Coverage (if applicable), including all owned, non-owned and hired vehicles with limits of \$1,000,000 per occurrence for Personal Injury, Bodily Injury and Property Damage

Class III & IV

- Workers' Compensation & Employers' Liability
- General Liability (occurrence basis only) with limits of \$3,000,000 per occurrence for Personal Injury, Bodily Injury, and Property Damage
- Vehicle Liability Coverage and Michigan No-Fault Coverage (if applicable), including all owned, non-owned and hired vehicles with limits of \$3,000,000 per occurrence for Personal Injury, Bodily Injury and Property Damage

Liquor Liability

If the applicant plans to serve alcoholic beverages at the event, a minimum amount of \$1,000,000 of liquor liability coverage, naming the City of Howell as an additional insured, will be required no later than 30 days prior to the event. The City and its insurer may require the applicant and/or vendor(s) to provide higher levels of insurance, coverage, and policies as deemed necessary based on specific event risk factors. (See Section XII for additional requirements for alcoholic beverages.)

VII. Risk Categories & Application Deadlines

City Administration will review each civic event application received and assess the potential liability risk of the City, based on the following categories. Events may fall into one or more categories.

Class I – Application Deadline: minimum of 30 days prior to the event date.

Low Risk involves no physical activity by participants and no severe exposure to spectators. Examples of events in this category include, but are not limited to, block parties, picnics, and wedding ceremonies of less than 20 people.

Class II – Application Deadline: minimum of 90 days prior to the event date.

Moderate Risk involves limited physical activity by participants and no severe exposure to spectators. Events in this category include, but are not limited to, amateur team sports, dances, and concerts.

Class III – Application Deadline: minimum of 90 days prior to the event date.

High Risk involves major participation by participants and/or moderate exposure to spectators. Events in this category include, but are not limited to, parades, festivals, craft shows, marathons or races, circus/carnivals, food vendors, inflatable games, amusement rides, animal shows, sidewalk sales, political rallies, and flea markets.

Class IV – Application Deadline: minimum of 90 days prior to the event date.

Maximum Risk involves severe exposure to spectators and/or participants. Examples of events in this category include, but are not limited to, alcoholic beverage sales, vehicle races, fireworks displays, ice carving events, professional or collegiate sporting events. Additional insurance requirements and state/federal regulations may apply.

VIII. Additional Conditions and Requirements

During review of the Civic Event Application and pre-event meeting, the City may place special conditions on the event. All conditions must be met before the event is held. Some events may require that an appropriate member of the City Administration or their agent be on site during the event. The City may place additional requirements on any event. These requirements may include specific staffing levels for Police, Fire, Paramedic, Public Works or other personnel. Expenses for these additional requirements will be billed to the sponsoring organization under the terms of this policy.

The City Manager has the authority to cancel or stop an event if the conditions or additional requirements, including insurance coverage, of the event are not being met. In addition, the City Manager and City public safety officials have 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 is being jeopardized and/or would be better served with additional restrictions.

IX. Traffic Control, Barricades and Safety Requirements:

For all block parties, barricades will be delivered to the given address of the requesting person at no cost. Delivery will be made the business day before the event and collection of the barricades will take place the first business day following the event.

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 indicated in the notice of approval, and additional requirements may be made by the City during the event as may be necessary for the safety of the public. It should be noted that the City does not allow solicitations of any kind in the street. The City accepts no responsibility or liability for the safety of persons who may, against the policy of the City, make solicitations in City streets.

The City of Howell has no authority to grant a permit for solicitations on any Livingston County or State of Michigan road. Closure of State roads requires advance notice and acceptance from the Michigan Department of Transportation (MDOT).

X. Participant Waiver of Liability:

The event sponsor shall be responsible for obtaining all signed indemnification agreements as required by the City. Participants of marathons, races or sporting events are required to sign waiver forms prior to participating in the event. A sample waiver form must be submitted no later than 30 days prior to the event.

XI. Vendor License Requirements

Any vendor operating outside the invitation of the event sponsor must obtain a transient merchant license in compliance with Chapter 873 of the Howell City Code. Certificates of insurance required by the event sponsor for all vendors must also name the City of Howell as additional insured.

All food/beverage vendors must have Livingston County Health Department approval and post a valid temporary Food License. Food/Beverage Vendors are responsible for any and all fees related to obtaining a food license. Food/Beverage Vendors are required to comply with all Livingston County Health Department rules and regulations for Temporary Food License Facilities. Food/beverage vendors should contact the Health Department WELL IN ADVANCE of the event date.

XII. Liquor License Requirements

All events where alcoholic beverages are served require the issuance of a Liquor License by the Michigan Liquor Control Commission. Liquor Liability Insurance is also required in accordance with Section VI of this policy.

XIII. Two or More Applications for the Same Event Date

In the event that two or more Civic Event Applications are received for the same date, time and location, City Administration has authority to resolve conflicts with the sponsors filing each application.

Preference for scheduling shall be given in the following order.

- a. City Sponsored Events
- b. City Co-Sponsored Events
- c. City Non-Profit Events
- d. Non-City Non-Profit Events
- e. For-Profit Events
- f. Block Parties
- g. Political or Ballot Issue Events
- h. Weddings
- i. Video or Film Production

Once a civic event approval has been granted, it shall be the policy of the City not to award further permits for the same date, time, and general location.

XIV. Written Confirmation of City Approval

Upon approval of the Civic Event Application, a written confirmation as to the action of the City will be forwarded to the individual or organization requesting the event. This confirmation will outline any special conditions placed on the approval and require a signed statement by the applicant or event sponsor agreeing to comply with all conditions.

XV. Effective Date

Upon adoption, this policy is effective immediately. Events requested after the adoption date are subject to this policy.

Policy Adopted: September 10, 2007

Policy Amended: May 9, 2011