

TOWN OF KENNEBUNK SPECIAL EVENT POLICY

1. Purpose:

The purpose of this policy is to evaluate any Special Event to avoid and minimize impacts on the general health and welfare of the citizens of the Town of Kennebunk. The use of public ways and Town owned properties need to be properly scheduled to ensure availability of resources to properly manage the special event and minimize impacts to the general public.

2. Applicability:

The following activities shall be subject to the Special Event policy:

- A. Any event held on public property that will involve more than 100 people for a duration longer than 2 hours
- B. Any event that will occur within a public way or will affect the flow of traffic or access by emergency vehicles
- C. Any event that will utilize Town facilities (Edward Winston Auditorium, Dorothy Stevens Center, Waterhouse Center, etc.) and may require reservation or support services

3. Exemption from Permit Requirements:

Any event that is sponsored by a Town Department (Recreation, Police, Fire, etc.), Committee or group that has been reviewed and approved to operate Town facilities (athletic organizations) shall be exempt from obtaining a Special Event permit.

4. Scheduling:

- A. All Special Event permits applications should be filed at least 45 days in advance of the proposed event and in general, Special Events should not be scheduled more than six months in advance of the proposed event. Exceptions must be approved by the Town Manager.
- B. For any event that involves the use of a public way, Town park or facility, priority will be given to the following organizations/groups:
 1. Town Sponsored Events (including those in conjunction with Waterhouse Events)
 2. RSU #21, Kennebunk Free Library and Kennebunk Utility Districts
 3. Non-profit Community Organizations
 4. Private and Commercial Events

5. Review Process:

- A. All Special Events requiring a permit shall fill out a Special Event permit application which will be reviewed by Town departments (Police, Fire-Rescue, Code Enforcement, Recreation, and Administration)
- B. Permit applications should be obtained from the Recreation Department and they will serve as the point of contact through the application process
- C. Any Special Event that may occur simultaneously or in close proximity to an annually recurring Town Sponsored Event (May Day, Old Home Week, West Kennebunk Family Fun Day, Tree Lighting, Christmas Prelude, etc.) may require additional review by the respective sponsoring committee. Longer permit review may be necessary based on committee meeting schedules.
- D. Special Events that may utilize public ways, Town facilities or have the potential to impact Town services over multiple days may be subject to an enhanced review process that will include the following:

1. submission of a detailed operation and management plan that addresses such aspects as:
 - a. traffic control plan
 - b. parking management plan
 - c. solid waste collection and disposal
 - d. sanitary facilities
 - e. community outreach (public meeting and abutter notification)
 - f. any other items related to Public Safety & Health
 2. assessment of any costs incurred by the Town related to the review of the application
 3. approval by the Board of Selectmen
- E. All Special Events that require one or more road closures must receive final approval by the Board of Selectman.

6. General Requirements:

- A. A public way is defined in the Town of Kennebunk ordinance as "any public street, highway or sidewalk, any private/way public easement laid out or existing under Maine Law or under the control of any Town department or official."
- B. Town owned facilities shall include all facilities owned and maintained by the Town of Kennebunk available for public use exclusive of fee.
- C. **A fee in the amount of \$25.00** shall be submitted with each Special Event Application. The fee will be refunded only if the Town does not approve the application.

Note: the following groups are exempt from this requirement:

1. Town Sponsored Events (including those in conjunction with Waterhouse Events)
 2. RSU #21, Kennebunk Free Library and Kennebunk Utility Districts
- D. All materials included in a Special Event permit application shall be binding upon the special event organizer and those who coordinate and operate the event. It shall be the responsibility of the Special Event permit applicant to provide all of this information to the entity responsible for operating and coordinating the event.
 - E. A Special Event permit shall not be issued until the application has been reviewed and approved by the appropriate Town Staff and the contact person has been notified.
 - F. Any Special Event that will impact the use of any public way shall be limited to no more than one event on the same weekend within the same area of Town. For the purpose of this policy the Town shall designate the three main areas as Downtown, Lower Village and West Kennebunk. In the event that it is not clear which area the event is located, the Special Event will be assigned to the nearest geographic that is likely to be impacted by the event activities.
 - G. The use of Town facilities for any Special Event should limit the impact to the residents.
 - H. Scheduling for the use of the Waterhouse Center will be handled through the Recreation Department (207-604-1335). A separate and additional application is necessary for the use of that facility.
 - I. **A Certificate of Insurance will be required for all Special Events, excluding events held by the Town. The Certificate of Liability Insurance must state under Description of Operation: Town of Kennebunk is an Additional Insured regarding the (must put in title of event) being held in Kennebunk, Maine. One million dollars (\$1,000,000.00) will be considered the minimum amount of liability coverage acceptable to the Town. Non-profit community organizations will be required to sign an agreement holding the Town harmless for liability resulting from the activity taking place on Town property. Governmental entities (i.e. RSU #21 and local Utility Districts) will be exempt from this requirement.**

- J. All Special Events shall comply with all applicable Town Ordinances in particular the following ordinances:
 - 1. Section 1 ó Kennebunk Zoning Ordinance, Article 10 Performance Standards, Section 7 (Sign Permits)
 - 2. Section 2 ó Ordinances Relating to Roadways, Rivers & Traffic
 - 3. Section 3 ó Ordinances Relating to Public Safety and Health
- K. Any decorations or equipment used in association with the event must comply with all current applicable Fire Codes. All supplies/equipment must be flame retardant and stored per Fire Code. If there are any questions regarding this code, please contact the Fire Department (207-604-1340).
- L. It is the responsibility of the Special Event organizer to coordinate and arrange for all set up and tear down work. The duration of the event should include all time that the use of Town facilities or public way is impacted by the event, which includes set-up, removal and clean-up operations. All activities associated with the Special Event shall be outlined in the Special Event application and subject to review by Town Staff.
- M. The Special Event organizer must supply all necessary equipment for the safe and functional operation of the event. All equipment and materials associated with the Special Event (including refuse) must be removed at the end of the event, unless given prior written approval from the Recreation Department. All requests must be made in writing and reviewed as part of the Special Event application process.
- N. The Town will not store materials indefinitely and may dispose of any residual materials. Any equipment left on premise after the event without prior approval may be assessed a storage/handling fee which will be deducted from the deposit.
- O. There shall be no taping, stapling, nailing or hanging up of any posters, banners or these types of promotional activities on any utility poles, walls, posts, windows or doors unless approved by the entity of ownership in writing. Cost associated to repair any damage from these postings is the responsibility of the Special Event organizer and may be subject to any violation of legal statutes.
- P. Failure to comply with the terms of a Special Event application approval or deviation from the approval without the consent of a designated Town official may prohibit the event and/or special event organizer from future events.
- Q. Any entity representing itself as a non-profit organization should be able to produce evidence of non-profit status upon request.
- R. Any special event application that is denied or may appear before the Board of Selectmen to appeal this denial.
- S. A copy of the Special Event application form and permit will be kept on file with the Recreation Department and available for inspection to the public. The Special Event organizer will be required to maintain a copy of the permit application and any approval and subsequent conditions.
- T. Should any road closure or Town department assistance be noted through the application process, the Town will require payment in advance for services of Police, Fire and Public Services (Public Works) based on the Town's estimate, before the permit will be issued.

APPROVED: 2016-02-09

AMENDED: 2016-05-24

**TOWN OF KENNEBUNK
RELEASE AND INDEMNITY AGREEMENT**

In consideration of the permission given to the undersigned by the Town of Kennebunk, allowing use of Town Property for the following date(s)

_____,
_____ (name of organization/ renter), the undersigned, does forever release, discharge and covenant to hold harmless the Town of Kennebunk and any other person or agent of said Town charged or chargeable with responsibility or liability for the use of the Town Property, their heirs, administrators, executors, successors and assigns, from any and all claims, demands, damages, costs, expenses, loss of services, actions and causes of action, arising out of any act or occurrence up to the present time, and particularly on account of all personal injury, disability, property damage, loss or damages of any kind sustained or that may hereafter be sustained, in consequence of the use by _____(name of organization/ renter) of said Town Land on the date(s) above specified.

The undersigned agrees, as a further consideration and inducement for this release and indemnity agreement, that it shall apply to all known, all unknown and any and all unanticipated injuries and damages directly and indirectly resulting from the use of Town Land, as well as to those, which are presently foreseeable.

Signature of Responsible Party

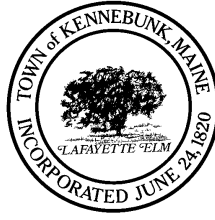
Date

Printed Name of Responsible Party

Address of Responsible Party

Phone Number of Responsible Party

Town of Kennebunk, Maine



Special Event Application

Persons requesting to hold a Special Event in the Town of Kennebunk must complete and submit a "Special Event Application" and submit the application to the Parks and Recreation Department preferably at least sixty (60) days prior to the requested event date. The Town requires a minimum of ten (10) business days to process the application.

For purposes of this application, a Special Event shall be defined to mean: Any activity which occurs upon public or private property that will affect the standard and ordinary use of Town-owned property, public streets, rights-of-way or sidewalks, and/or which requires additional levels of town services. This includes, but is not limited to, fairs, festivals, carnivals, sporting events, foot races/walks, bike-a-thons, markets, parades, exhibitions, auctions, dances, and motion picture filming. Special Events do not include: regular park activities, functions held on school properties that are sponsored by the school district, or regular work being performed by Town agencies. Be advised that the event will not be approved if any part of the event is deemed to be unsafe by the Town of Kennebunk.

1) Event Information

Date of Event _____

Name of Event _____

Location of Event _____

Start Time of Set Up _____

Start Time of Event _____

Finish Time _____

Description of Event _____

Estimated # of Participants _____

Estimated Attendance _____

Mailing Address: 1 Summer Street, Kennebunk, ME 04043

Website Address: <http://www.kennebunkmaine.us/>

E-Mail: bcostello@kennebunkmaine.us



Will food be served or sold? Yes _____ No _____ If yes what? _____

Will anything else be distributed or sold? Yes _____ No _____
If yes what? _____

What equipment, materials, displays and the like will you bring on site? _____

_____ Will you use
signs or banners? Yes _____ No _____
If yes, how many? _____ Size(s) _____
Is there a need for portable restrooms? Yes _____ No _____

2) Organization Information

Name of Organization _____
Address _____

Business Telephone _____ Fax _____
E-mail _____

Is this an annual event? _____ If so, how many years has it been run? _____

Are you a non-profit organization? Yes _____ No _____

Do you have a 501(c)(3)? Yes _____ No _____

501(c)(3) Number _____

3) Contact Person/Event Coordinator

Name _____
Address _____

Telephone _____ Cellular _____
E-mail _____

Relation to above
organization _____

4) Type of Event

Festival / Fair

Race / Walk / Bike Ride

Concert

Parade / March

Other-please clarify _____

If held in the past, is this event changing this year? Yes _____ No _____

If so, how? _____

Will there be entertainment? Yes _____ No _____ If yes, please list
location, times, who, live and the like:

Will the event require the closure and or modification of any Town of Kennebunk
road(s)? Yes _____ No _____ If yes, please describe which road(s) will need to be
closed and or what modification of the road(s) will need to be done.

***5) General Service Questions**

**If town services are required the applicant will be assessed a cost, prepayment is required.*

5. A Department of Public Services

Is the use of barricades necessary/requested for this event? Yes ____ No ____

If yes, number needed _____

Will it be necessary to cover street and/or parking signs or post No Parking signs for this event? Yes _____ No _____ If yes, please note on diagram to be attached or shown on the reverse side of this page.

What is your plan for cleanup and debris disposal for this event?

Is any other Public Works assistance anticipated? Yes _____ No _____

If yes, please describe _____

5.B Parks and Recreation Department

Will this event take place in a Town park or on Town property? Yes ____ No ____

If yes, where? _____. Who have you spoken with in the Recreation Department? _____

Is the Use of the Town of Kennebunk Parks and Fields Request Form signed and enclosed? Yes _____ No _____

Is any Parks and Recreation assistance needed? Yes _____ No _____

5.C Fire Department / Rescue

Will the Fire Department/Rescue have access to all sites at all times in the event of an emergency? Yes _____ No _____

Will you have First Aid or medical staff present? Yes _____ No _____ If so, who and qualifications _____

Will there be any use of fire such as a bonfire? Yes _____ No _____

If yes, the applicant must obtain a fire permit from the Fire Department and attach a copy of the permit to this application.

5.D Police Department

Is there a need for traffic control for this event? Yes _____ No _____

Is there a need for crowd control for this event? Yes _____ No _____

Is there a need for a road closure for this event? Yes _____ No _____

If you answered yes to any of the above questions from 5D (Police Dept), you must contact the Police Dept at 985-6121 prior to filling out the required attached Police Scheduling Detail. A pre-cost estimate will be provided. Payment must be made in advance prior to issuance of permit.

6) Site Plan Sketch of Special Event (Completed by Event Coordinator)

Please provide the following information, if applicable: (attach a separate map if necessary)

- General Map of Vendor Locations
- Street Closures/Parking Information Locations
- Location of Event Coordinator's Booth
- Location of Garbage Can
- Location of Water/Electricity Source
- Location of Loudspeakers/Rest Facilities
- Location of Tents/Stages/Grandstands

7) Indemnification and Release Provisions: Applicant must provide a Certificate of Liability Insurance with the minimum amount insurance being one million dollars (\$1,000,000.00). The following wording must be put in under DESCRIPTION OF OPERATIONS: *The Town of Kennebunk is an additional insured as respects to (name of event) being held on (date(s) of event) being held by (name of insured)*

In consideration for being permitted to use any Town of Kennebunk facility(ies) and/or rights-of-way, the applicant agrees to defend, indemnify and hold harmless the Town, its officers, employees, and insurers, from and against all liability, claims, and demands, which are incurred, made, or brought by any person or entity on account of damage, loss, or injury, including without limitation claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, death, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the use of the Town facilities and/or rights-of way, whether any such liability, claims, and demands result from the act, omission, negligence, or other fault on the part of the Town, its officers, or its employees, or from any other cause whatsoever.

8) Municipal Services and Materials

The Town reserves the right to require municipal services as reasonably deemed necessary by Town staff. If Town materials/equipment, other than motorized vehicles, are needed for the event, a deposit will be required, with the deposit based on the cost of materials/equipment borrowed (up to \$250).

Applicant's Statement of Agreement:

Everything I have stated on this agreement is correct to the best of my knowledge and I have authority on behalf of the firm or agency holding this event to commit it to the statements contained herein. This permit, if granted, is not transferable and is revocable at any time at the discretion of the Town of Kennebunk.

Applicant Signature: _____ Date: _____

Title: _____

Guidelines for events:

- Applicant shall comply with all State of Maine and Town ordinances
- Participants shall use sidewalks and crosswalks where appropriate
- Any trash generated during the event must be collected by the applicant before the end of the event
- Proper advance notifications of persons living and residing within the affected area shall occur

Town of Kennebunk, Maine Special Event Application For Office Use Only

Event Name: _____

Event Date: _____

Date Received: _____

Office Use Only:

Are there any other events occurring on this date? Yes _____ No _____

If yes, please list event name _____

Event start time _____ Event end time _____ # of people expected _____

Recreation: Has the app. fee of \$25 been received and put in MyRec? Yes _____ No _____

Recreation: Is the event listed in the Outlook Public Folder Calendar? Yes _____ No _____

Recreation: Is the event listed on the special event binder? Yes _____ No _____

Police: Is the electronic message board needed for this event? Yes _____ No _____

Public Services: Is the message board available for this event? Yes _____ No _____

If yes, Date to go up _____

Date to take down _____

Language to be used on sign:

*Special Event Permit Approval Signatures***

****This form must be completed within 5 business days from the date received and given to the Town Manager for final approval.**

Recreation Director _____ Date _____
Or designee

Police Chief _____ Date _____
Or designee

Public Services Director _____ Date _____
Or designee

Town Clerk _____ Date _____
Or designee

Code Enforcement Officer _____ Date _____
Or designee

Fire Chief _____ Date _____
Or designee

Rescue Chief _____ Date _____
Or designee

Town Manager _____ Date _____
Or designee

****Does this application require a road closure? Yes _____ No _____**

****Has the prepayment for estimated services been received? Yes _____ No _____**

KENNEBUNK POLICE DEPARTMENT SCHEDULING

DETAIL REQUEST/SCHEDULING/PAYROLL SHEET

OFFICE USE ONLY

POSTED ON BOARD

SCHEDULED

IN IMC

DATE: _____ IMC CALL # _____

RECEIVED BY: _____

DETAIL FOR: _____

- GENERAL DUTY TRAFFIC CONTROL DUTY SECURITY DUTY

HOW MANY OFFICERS: _____ HOW MANY CRUISERS: _____

DATE(S)	DAY(S)	HOUR(S)
_____	_____	_____ - _____
_____	_____	_____ - _____
_____	_____	_____ - _____
_____	_____	_____ - _____

LOCATION TO REPORT TO & SPECIAL INSTRUCTIONS: _____

DETAIL REQUESTED BY: _____

CONTACT PERSON: SAME OTHER: _____

TELEPHONE NUMBER FOR CONTACT PERSON: _____

BILL TO:

For events on any town owned property, an application must be obtained from the Recreation Dept. before we can approve a request for a detail officer.

Signed copy of Facility Request Form shown on: _____ KPD Initials _____

***TO AVOID BEING CHARGED, TOWN/SCHOOL DETAILS REQUIRE 4 HOUR CANCELTION NOTICE. ALL OTHER DETAILS REQUIRE 8 HOUR CANCELTION NOTICE.**

	Public	Private	Minimum
<input type="checkbox"/> Detail Rate	\$40.00 p/hr	\$50.00 p/hr	4 hours
<input type="checkbox"/> Detail Rate With Cruiser	\$45.00 p/hr	\$55.00 p/hr	4 hours

**KENNEBUNK PUBLIC SERVICES
SCHEDULING
DETAIL REQUEST/SCHEDULING**

OFFICE USE ONLY
 POSTED ON BOARD
 SCHEDULED

DATE: _____

RECEIVED BY: _____

DETAIL FOR: _____

HOW MANY STAFF: _____ HOW MANY VEHICLES: _____

DATE(S)	DAY(S)	HOURL(S)
_____	_____	_____ - _____
_____	_____	_____ - _____
_____	_____	_____ - _____
_____	_____	_____ - _____

LOCATION TO REPORT TO & SPECIAL INSTRUCTIONS: _____

DETAIL REQUESTED BY: _____

CONTACT PERSON: SAME OTHER: _____

TELEPHONE NUMBER FOR CONTACT PERSON: _____

BILL TO:

For events on any town owned property, an application must be obtained from the Recreation Dept. before we can approve a request for staff personnel. Signed copy of Facility Request Form shown on: _____ KPS Initials _____

***TO AVOID BEING CHARGED, TOWN/SCHOOL DETAILS REQUIRE 4 HOUR CANCELTION NOTICE. ALL OTHER DETAILS REQUIRE 8 HOUR CANCELTION NOTICE.**

	Public	Private	Minimum
<input type="checkbox"/> Detail Rate	\$40.00 p/hr	\$50.00 p/hr	4 hours