



## City of Waterville Public Use Permit Policy

### 1.0 Purpose

The City of Waterville recognizes and values special events as an integral part of its community life, whether public or private. Public events can enhance the quality of life by offering cultural, recreational, or educational opportunities as well as providing economic benefit to the community. These events are typically organized by dedicated volunteers or community groups and may be sponsored by organizations or individuals. Private events can generate revenue, encourage broad and varied uses of public facilities, and help promote the value of those facilities. **The purpose of this policy is to accommodate events in public areas. The policy is designed to ensure effective coordination of events throughout the year so that use by the general public is protected.**

### 2.0 Definitions

- 2.1 Event: An organized activity that has a predetermined start and end, a duration of 24 hours or less.
- 2.2 Non-Profit/Community Event: These are events that include, but are not limited to: festivals, performances, fundraisers, competitions, or other organized public events where public property will be used. These events do not benefit an individual or a “for-profit” organization, although they may raise funds for a charitable purpose. Such events may be sponsored by a for-profit entity; however, proceeds of the event, if any, must be used for a non-profit purpose. A non-profit organizer may be required to provide confirmation of that group’s non-profit status.
- 2.3 For-Profit Event: An event held for the purpose of profiting a business or individual or for promoting a product or service provided by or associated with a for-profit entity.
- 2.4 City Event: An event sponsored solely or in combination by the City, a City department, an organization sponsored by the City, or an organization on whose Board the City is represented.
- 2.5 Private Events: Events where attendance is limited to specific invitees or identifiable groups such as family members, employees of an organization, or members of a club. They include, but are not limited to: wedding ceremonies, family gatherings, company picnics, or other similar events that are not intended for the public.

- 2.6 Public Areas: Those facilities located on City owned property (streets, sidewalks, etc.) or within City Parks available for scheduled exclusive use.

### 3.0 Permit Required

Any event which will make use of any area or any park facility covered by this policy or which will significantly limit the ability of the public to use the area must be permitted by the Waterville Parks and Recreation Department and/or the Waterville Police Department. Permits are not required for events sponsored fully, or in part, by the City. In considering whether a permit shall be granted, the Director of Parks and Recreation or designee, or the Waterville Chief of Police, or designee, shall take into consideration the following:

- 3.1 whether the event is appropriate for the requested area or facility;
- 3.2 the health, welfare, and safety of event participants and the public;
- 3.3 the impact of the event on City staffing and the ability of such staff to continue to provide normal daily services;
- 3.4 whether the requested event conflicts or is incompatible with other events already permitted for that area or park;
- 3.5 the limitations the event will place on public use of the area, if any.

### 4.0 Permit Procedure

Applications for a permit shall be submitted to the Parks and Recreation Department no more than 90 days in advance and no less than 14 days prior to the event. Events that recur each year must submit an application each year.

- 4.1 Applications must be accompanied by a \$25 non-refundable fee payable to the City of Waterville. See attached application for a full list of requirements, restrictions, and fee schedule.
- 4.2 When applicable and available, event promotional material and sponsor information should be submitted with the application.
- 4.3 The permit application must be complete, including any supporting documentation requested. Incomplete applications will be returned and not considered until they are complete.
- 4.4 Upon receipt of an event application, the Parks and

Recreation Department may notify other City Departments, as appropriate, and request that they provide review and comment prior to approval.

- 4.5 If necessary, the Parks and Recreation Department may request that the applicant provide additional information required to adequately review the request.
- 4.6 The applicant will be notified no later than 30 working days after receipt of the application. The deadline may be waived at the discretion of the Director of Parks and Recreation where the nature of the event allows for a more rapid review and where the facility requested is available.
- 4.7 Where more than one application is received for an event and the events are incompatible, permits shall be processed in the order in which they are received.

#### 5.0 Other Requirements

- 5.1 Any areas designated for exclusive use shall be clearly defined on any permit application, including the specific time period during which the area will be closed to the public.
- 5.2 Proof of insurance must be provided for all events. Coverage shall include comprehensive general liability insurance or public liability insurance either specific to the proposed event or covering all activities of the sponsoring organization and must provide coverage of at least \$1,000,000 per occurrence/\$2,000,000 aggregate. The City may require a higher amount if it deems necessary. A current certificate of insurance indicating that the City of Waterville is an additional named insured must be provided no later than ten days prior to the date of the event. When insurance is required, the certificate must be provided before the actual event permit is issued. Permit holder will indemnify and hold harmless the City of Waterville and its agents and employees from any and/all claims made by any party as a result of the use of City property for the permitted activity.
- 5.3 The permit holder is responsible for clean up during and at the end of the event, including removal of all event equipment and trash and restoring the area to its pre-event condition. The permit holder is responsible for any damage to public property resulting from the event. At the sole discretion of the Director of Parks and Recreation or designee, a cleaning deposit and/or damage deposit may be required prior to permit issuance.

- 5.4 Applicants are strongly discouraged from promoting any proposed event to the public until the permit has been approved.
- 5.5 Any refreshments provided during events must be served in plastic or tin containers, no glass.
- 5.6 Event organizers must provide the number of portable restroom facilities required by the event permit, such number to be based on expected attendance.
- 5.7 The permit holder shall be solely responsible for ensuring that any vendors associated with the event have the appropriate permits and licenses required by City ordinances. Information regarding permits and licenses may be obtained from the City Clerk.
- 5.8 Events shall comply with current noise ordinances. Noise, including live music, recorded music, public address systems, etc. shall be limited to levels and times allowed under the City of Waterville Noise Ordinance.
- 5.9 Alcoholic beverages are generally not permitted. Approval may however, be granted for alcoholic beverages at events upon a showing by applicant that appropriate safeguards, including the possession of a valid liquor license issued by the State of Maine, are in place to ensure public safety and welfare. When serving or selling alcoholic beverages is requested, the permit will be subject to review and approval by the Waterville Police Department and any requirements placed on the permit by the Police Department shall be adhered to throughout the event. Non-compliance will result in the immediate revocation of the event permit. The permit holder agrees to specifically indemnify the City against any and all claims which are in any way related to alcohol consumption.
- 5.10 Any disturbance of the surface of an area or facility required to erect a tent, other structure, or for any purpose whatsoever, must be specifically approved by the Director of Parks and Recreation or designee. This may include the requirement of weighted supports rather than stakes. Permit holders shall be responsible for any damage caused to in-ground utilities or installations should a surface be disturbed at any non-approved location.
- 5.11 The permit holder agrees to abide by all other applicable City ordinances not specifically mentioned in this policy.
- 5.12 Approved event applications will receive a signed permit from the Waterville Police Department.

6.0 Miscellaneous

- 6.1 Events lasting longer than one day may be considered but shall be subject to approval by the City Council Committee with jurisdiction over the Parks and Recreation Department.
- 6.2 Any area covered by this policy shall otherwise be available to the public when not in use for a permitted event.
- 6.3 The City of Waterville Parks and Recreation and Police Departments are responsible for the administration of this policy and for its periodic review and revision.

Revised: 1/10/2019