

# **SPECIAL EVENTS POLICY**

## **PURPOSE**

To establish a process for the processing and approval of requests to host and/or conduct special events and activities in the city that may or may not require funding or support services from the City of Lewiston.

## **BACKGROUND**

It has been the practice of the City of Lewiston to provide various levels of staff resources and/or funding to support a number of special events that offer recreational, entertainment, and charitable fundraising opportunities to residents and other members of the general public.

In order to ensure a uniform procedure is followed when requesting in-kind or funding support from the City of Lewiston, this policy outlines what is required of requesting organizations and provides clarity regarding the expectations of the City Council.

## **SPECIAL EVENT APPLICATION FILING REQUIREMENTS**

All organizations or individuals seeking to utilize or reserve any city-controlled property such as streets, sidewalks, parking areas, or parks for any activity or event requires the use of city services to support an event or activity on city-controlled or private property may be require to pay for fees which include, but are not limited to, processing/park-use fees, permits, and staff time.

## **SPECIAL COMMUNITY EVENT STATUS**

For the purposes of this policy, certain organizations/events shall be granted “Special Community Event Status” given the length of time they have existed and the size of their events. The “Special Community Event Status” shall entitle these events to the permanent creation of a Festival Zone as defined in Section G of this policy. The organizations listed below must file all applicable paperwork for this Festival Zone designation each year.

This status shall not be meant to waive any portion of this policy relative to requirements for funding, payment, and in-kind services. This status shall not restrict the City Council from denying, modifying, or amending any part of the organization’s request or waiving any portion of this policy. The organizations/events eligible for “Special Event Status” under this section are:

- The Liberty Festival Committee or 4<sup>th</sup> of July fireworks funding
- The Great Falls Balloon Festival
- The Dempsey Challenge
- Lewiston Farmers’ Market

## **A. DEFINITIONS**

“**Financial assistance**” shall mean any municipal granting of funds encompassing all forms of direct cash payments for eligible activities.

# SPECIAL EVENTS POLICY

**“In-kind”** shall mean funding any request that requires the utilization of any municipal service, property, program, asset or employee to support the event/program that the non-profit is either sponsoring or participating in.

**“Non-profit organization”** shall mean any non-profit/charitable organization recognized as a tax-exempt IRS approved 501.C.3/4 entity and/or an entity recognized as a legally tax-exempt organization under Maine law. (The City reserves the right to request verification of this status.)

**“Special Event”** shall mean any event held outdoors or indoors that requires some level of city review, approval, service, support or funding. Events defined as “Athletic Events” that only require the approval and oversight of the Recreation Division shall not be defined as a “Special Event.”

**“Special Event Application”** shall mean the form which is so titled and is supplied by the City to all parties who seek city approval to conduct any activity that meets the City’s definition of a “Special Event.”

## B. INTRODUCTION

The Special Events Policy has been established by the City Council to provide guidelines to non-profit and for-profit organizations that are seeking city approval for special events.

All requests for special events require the completion of the “Special Event Application” for any event which will involve, but will not be limited to, the following:

1. Road races/walks may be one or more combinations of running, walking, biking, vehicle racing or any other related activity which will require the use of public streets, ways, public rights-of-way or other city-controlled property.
2. Festivals, carnivals, circuses, entertainment, business shows, or any event that will require the use of any city-controlled property or may require the City to review an activity/event on private-property requiring a permit/license, police approved security plan, fire approved safety plan, or other city approval function.
3. Any special event which may begin in another city or town and will require the use of any city-controlled property or that fall into the categories listed in items B.1 and B.2 above.
4. Requests for any in-kind support through the use of city equipment, structures, assets, public space, services and staffing or any level of funding not eligible for funding through a department budget or other funding source managed by the city.

## C. CONDITIONS FOR CONSIDERTATION AND APPROVAL

### 1. EVENTS/PROGRAMS/REQUESTS NOT REQUIRING CITY COUNCIL APPROVAL

The following non-profit and for-profit requests that do not require City Council approval shall be reviewed for possible approval by City Administration and may be subject to review by applicable city departments.

# SPECIAL EVENTS POLICY

**Administration shall have the final authority to assess the city's ability to support any and all requests that fall under the provisions of this section. Failure to fulfil any and all requirements shall result in the denial of the application by Administration.**

One or more of the following limited conditions may apply; and will not require City Council approval:

- a. The proposed use of city property is compliant with existing city policies and ordinances and will not require additional subsidies through the city budget or impact city staffing and resources.
- b. The proposed use of city properties & assets will not substantially impact the city budget and provides support for county, state, and federal agency/commission meetings, local/state/national organization meetings/workshops/seminars/hearings, and state/federal legislative oversight groups.
- c. Events/activities receiving City Council approval in the prior year and that remains substantially **similar in scope** and which did not require any direct city cash payment or contribution and/or in-kind assistance.

## **2. NON-PROFIT & OTHER ORGANIZATION APPLICATION REQUIREMENTS THAT NEED CITY COUNCIL APPROVAL**

All for-profit and non-profit requests which do not fall under Section B.1 of this policy require filing a Special Event Application which will be subject to City Council approval. **Failure to fulfill any and/or all requirements shall result in the denial of the application by Administration.**

**A. In any instance where a request for city funding or city services/assets is made in the form of in-kind support, such requests shall only be considered from organizations that meet the non-profit organization definition in this policy. All requests require the filing of a Special Event Application in accordance with the following eligibility conditions:**

- To be considered as part of the city budget process, all applications and all required paperwork, **must be submitted** no earlier than January 1<sup>st</sup> and no later than March 1<sup>st</sup> of each year for any event occurring in the next fiscal year (beginning July 1<sup>st</sup> of each year).
- If the application is not submitted between January 1<sup>st</sup> and March 1<sup>st</sup> as part of the city budget process, the City may not be in the position to provide in-kind support.
- Applications must be submitted for events that will be held in the calendar year with all paperwork submitted between March 2<sup>nd</sup> and September 1<sup>st</sup> and no later than 90 days prior to the event for any event occurring in the same calendar year. The application submission deadline may be shortened by Administration upon request and at their discretion.

## **SPECIAL EVENTS POLICY**

- All paperwork as identified in the application must be completed to the city's satisfaction and fees paid no later than 30 days prior to the event.
- The organization provides a recreation, cultural, or community service to a significant proportion of city residents that the city does not otherwise provide.
- The organization has demonstrated through its application that it is a financially viable organization.

B. In any instance where a request for city services/assets is from an organization/entity that is **not** defined by this policy as a non-profit organization, the use of city services/assets shall require payment to the city in accordance with this policy and all other applicable city policies, ordinances, and requirements. All requests require the filing of a Special Event Applications in accordance with the following conditions of eligibility:

- The application along with all required paperwork must be submitted, no later than 90 days prior to the event.
- The application date must be in the same year as the event.
- All applications must be filed between January 1<sup>st</sup> and September 1<sup>st</sup>.
- The organization provides a recreation, cultural, or community service to a significant proportion of city residents that the city does not otherwise provide.
- All paperwork as identified in the application is completed to the City's satisfaction no later than 45 days prior to the event.
- All required fees are paid to the City no later than 30 days prior to the event.
- Deadlines may be shortened by Administration upon request and at their discretion.
- The organization has no outstanding city financial obligations or has failed to fulfil any payment agreement with the city.
- The organization agrees to acknowledge the support of the municipality through the use of the municipal logo, web site and tag line on any promotion material for the event, service, activity, etc. Additionally, the City shall be permitted to set up a booth, table or space at the event, free of charge at a mutually agreed upon location.

### **3. CONDITIONS OF INELIGIBILITY FOR FINANCIAL ASSISTANCE/IN-KIND SUPPORT**

The following will not be eligible for City financial/in-kind assistance unless specifically waived by the City Council:

#### A. Types of Organizations or Individuals

- 1) For-profit organizations.
- 2) Organizations with political affiliations.

## **SPECIAL EVENTS POLICY**

- 3) Faith-based organizations where services/activities include the promotion of and/or required adherence to a faith.
- 4) Political candidates, political parties and political campaigns except where required by law.

### **B. Types of Requests**

- 1) Travel expenses for members of an organization.
- 2) Uniforms.
- 3) Individual support.
- 4) Programs with legislated mandates from other governments.
- 5) Costs for major capital equipment/renovations and financing of deficits.
- 6) Requests from organizations that do not submit the required reporting information for a previous year's city approved event.
- 7) Incorporation costs or Director's Liability insurance costs.
- 8) Requests for the use of city assets transported to non-city owned property as an in-kind donation.
- 9) Events that involve fund raising with no general public purpose; will not be accessible to the general public; or provide a benefit limited only to existing participants, clients, or membership of the organization.

### **D. APPLICATION PROCESS & CONDITIONS**

Prior to or following City Council action on any request for non-profit organization funding or in-kind support, the City Administration is authorized to:

- Terminate and/or cancel all activities on city property by any approved event/activity for non-compliance with applicable permitting, non-payment of applicable fees, and/or non-compliance with applicable city ordinances or city policies. Failure to comply with the terms of the Special Event Application may also result in forfeiture of applicable deposits or fees.
- Require, at Administration's discretion, to obtain a performance bond or security deposit in the form of a cashier's check or money order payable to the City of Lewiston. The performance bond/security deposit will be returned if the reserved area is left clean and undamaged following the event. The deposit or bond must be submitted 30 days prior to event date.
- Ensure that any event where attendance is expected to be approximately 1000 or more is submitted to the City Council for action, if not otherwise required to do so.
- Ensure that all applicable information requested in the Special Events Application is provided in full and in accordance with all stated requirements.
- Preserve the city's authority to reserve the right to deny or approve any/all requests.
- Reject/deny any incomplete Special Events Application.

# SPECIAL EVENTS POLICY

## E. NON-WAIVABLE & NON-REFUNDABLE SPECIAL EVENT FEES

Any entity wishing to schedule an outdoor or indoor event that requires some level of city review, approval, service support, fee waiver, or funding and/or involves the reservation of any city-controlled property is required to complete a Special Events Application and to pay the following:

- A. Processing Fee: \$50 - required to be paid upon successful submission of the Special Events Application. This fee is non-refundable upon receipt by the City.
- B. Park Use Fees (non-refundable less than 30 days prior to event):
  - 50% discount for Lewiston based non-profit organizations(LBNP)
- C. Applicable Park Fees, See Appendix A
- D. City Clerk's Permit Fees

## F. ESTABLISHMENT OF FESTIVAL ZONES

The City Council shall have the authority to establish a Festival Zone if requested by the applicant. The Festival zone will:

- Authorize an event organizer to charge fees to participating vendors/groups that are selling products/services or have registered with the event/activity for some other purpose within the city-controlled property areas designated as the Festival Zone.
- Prohibit the collection of donations by any person, organization, company or group not approved by the event organizer within the Zone **with the exception of any City department or employee that has received approval to do so by City Administration.**

To request such a zone, the event/activity must file a map clearly showing what city-controlled areas are to be set aside and provide a written explanation as to why and how such a designation will be used by the event/activity. Approval of a Festival Zone does not waive the requirement for any person, organization, company or group to obtain all applicable city/state permits/licenses to sell any product/service whether on public or private land

**A Festival Zone designation will not apply to any non-city controlled property within the zone.**

## G. CERTIFICATE OF INSURANCE REQUIREMENTS

For any special event/activity involving twenty-five (25) or more individuals and/or requiring the utilization/reservation of any city owned/controlled property such as a park or street and for events which include but are not limited to walk-a-thons, races, festivals, concerts and similar events, general liability insurance coverage and a Certificate of Insurance naming the City of Lewiston as additionally insured are required.

## **SPECIAL EVENTS POLICY**

The Certificate of Insurance shall name the City of Lewiston; specify the event/activity; the dates for the event/activity; and any other pertinent information. Once an event is approved by the City, the Certificate of Insurance must be received by the City no later than thirty (30) days before the date of the event. This time requirement may be waived by City Administration.

The Certificate of Insurance shall provide general liability coverage of a minimum of One Million Dollars (\$1,000,000) per occurrence.

## APPENDIX A

### Facility and Park Use Policy & Special Events Policy

PARK / FACILITY Use Fees	COMMERCIAL Revenue (Rev)	COMMERCIAL Non-Rev NON-PROFIT Revenue PRIVATE (Personal Use)	NON-PROFIT Non-Revenue	GOVERNMENT Exempt
<b>SIMARD-PAYNE PARK</b> 46 Beech Street	\$500 day \$350 up to 4 hours	\$400 day \$250 up to 4 hours	\$300 day \$200 up to 4 hours	No charge (NC)
Amphitheater (ONLY)	\$175 up to 4 hours	\$150 up to 4 hours	\$100 up to 4 hours	NC
<b>DUFRESNE PLAZA</b> 72 Lisbon Street	\$400 day \$200 up to 4 hours	\$300 day \$150 up to 4 hours	\$200 day \$100 up to 4 hours	NC
<b>KENNEDY PARK</b> 120 Park Street	No charge (NC) Call to Reserve \$50	NC Call to Reserve \$50	NC Call to Reserve \$50	NC
Gazebo	\$200 day \$100 up to 4 hours	\$175 day \$85 up to 4 hours	\$150 day \$75 up to 4 hours	NC
Splash Pad (REC)	\$250 up to 4 hours	\$250 up to 4 hours	\$250 up to 4 hours	NC
Skate Park	\$75 per hour	\$60 per hour	\$20 per hour	NC
Basketball Courts	\$75 per hour	\$60 per hour	\$20 per hour	NC
<b>PETTINGIL SCHOOL PARK</b> 411 College Street <i>Friends of Pettingill</i>	NC Call to Reserve \$50	NC Call to Reserve \$50	NC Call to Reserve \$50	NC Call to Reserve \$50
Pergola & Picnic Tables	Call to Reserve \$50	Call to Reserve \$50	Call to Reserve \$50	NC
<b>GEORGE RICKER PARK</b> <b>POTVIN PARK</b> <b>SUNNYSIDE PARK</b>	Call to Reserve \$50	Call to Reserve \$50	Call to Reserve \$50	NC
<b>LEWISTON ARMORY</b> 65 Central Avenue				
Gymnasium	\$465 1 <sup>st</sup> day \$345 2 <sup>nd</sup> day \$290 3 <sup>rd</sup> day \$60 hour up to 3 hours	\$345 1 <sup>st</sup> day \$290 2 <sup>nd</sup> day \$230 3 <sup>rd</sup> day \$60 hour up to 3 hours	\$175 1 <sup>st</sup> day \$145 2 <sup>nd</sup> day \$115 3 <sup>rd</sup> day \$25 hour up to 3 hours	NC
Meeting Rooms	\$60 up to 4 hours	\$45 up to 4 hours	\$35 up to 4 hours	NC
Activity Room 1	\$115 up to 4 hours	\$90 up to 4 hours	\$75 up to 4 hours	NC
Senior's Room	\$145 up to 4 hours	\$115 up to 4 hours	\$100 up to 4 hours	NC
Concession Stand	\$30 up to 4 hours	\$20 up to 4 hours	\$10 up to 4 hours	NC
<b>PUBLIC LIBRARY</b> 200 Lisbon Street				
Callahan Hall 3 <sup>rd</sup> floor	\$465 day \$60 hour up to 3 hours	\$345 day \$60 hour up to 3 hours	\$175 day \$25 hour up to 3 hours	NC
Jeanne Couture Room 1 <sup>st</sup> floor	\$70	\$60	\$35	NC
Conference Room 3 <sup>rd</sup> floor	\$65	\$55	\$30	NC
Computer Lab 2 <sup>nd</sup> floor	\$315	\$210	\$160	NC

#### ADDITIONAL FEES AND CHARGES FOR THE ARMORY & PUBLIC LIBRARY

Public Address System	\$50 per session	After Hours Staff/Library	\$40 per hour or part thereof
Building Monitor/Armory	\$20 per session	Floor Covering/Armory	\$325
Table(s) Rental Fee/Armory	\$5 per table	Delivery of Tables/Chairs	\$25
Chair(s) Rental Fee/Armory	\$1 per chair		

PARKS/ADMINISTRATION: 513-3121    ARMORY: 513-3005    PUBLIC LIBRARY: 513-3004

\*The City will reserve the right to include custodial, maintenance, or other applicable fees in addition to the fees outlined above and/or exempted fees.

\*\*The City will reserve the right to assess supplemental charges when needed, i.e. turf damage, electricity, use of Police-security, or Public Works.