



# GROUP ACTIVITY APPLICATION

**NOTE: All Group Activity Applications MUST be submitted at least 90 days prior to the event. Incomplete applications will not be accepted. A group activity application must be submitted to the Planning Department at least 30 days prior to the Board of Commissioners meeting at which it will be considered. Fees are to be paid at the time application is submitted. A request for waiver of fee by Non-Profit Agencies requires a copy of documentation confirming tax exempt status.**

## 1. General Information

Type of Event: \_\_\_\_\_

Event Name: \_\_\_\_\_

Event Location: \_\_\_\_\_

Event Date (s): \_\_\_\_\_ Alternate Date(s): \_\_\_\_\_

Description of Event \_\_\_\_\_  
\_\_\_\_\_

Event Timeframe: \_\_\_\_\_

Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_

\***Estimated Daily Attendance:** \_\_\_\_\_

## 2. Applicant and Sponsoring Organization Information

Sponsoring Organization Name  
\_\_\_\_\_

Sponsor Status:  Non-profit Charitable

For-profit  Individual  Other

If non-profit, are you: 501c (3) 501c (6) Place of worship \*\*Federal 501c

Letter must accompany application to validate non-profit status\*\*

Applicant Name/Title: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_ Email: \_\_\_\_\_

### FOR OFFICE USE ONLY

#### \*Group Activity Fees:

##### Participants / Fee

___ 1 – 200	\$ 250
___ 201-- 400	\$ 350
___ 401 -- 600	\$ 450
___ 601 - 1000	\$ 1000
___ 1,001 - 2,000	\$ 1500
___ 2001 – 4000	\$ 2000
___ 4,001 +	\$2500

Non-Profit Organization Yes/No  
Tax Exempt ID \_\_\_\_\_

#### Certificate of Liability Insurance

Required: Yes \_\_\_ No \_\_\_

Attached: Yes \_\_\_ N/A \_\_\_



**Day of Event Contact:** \_\_\_\_\_

(Please provide information for a contact person who will be on-site the day of your event.)

Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_ Zip: \_\_\_\_\_

Mobile Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**3. EVENT/ LOCATION DETAILS:**

Please show by site plan or sketch drawing the location of event and layout of activities including the following:

- a. Boundaries of main event and entire site
- b. Any concessions/vendors
- c. Parking and traffic circulation
- d. Trash receptacles
- e. Promotional signage/banners
- f. Sanitary facilities
- g. Electrical & water

**Run/Walk/Parade Route Closure Requests**

Fill out **Appendix A** (attached) if you are requesting approval to conduct a Run/Walk/Parade. Must include written turn by turn directions.

**Event Details:** Please answer the following questions regarding your event.

Yes\_\_\_ No\_\_\_ Does the event involve the **sale or use of alcoholic beverages**?

If "YES": Has the ABC permit been obtained? Yes \_\_\_ No \_\_\_

A copy of the ABC permit is required to be submitted before the event

**NOTE: No alcoholic beverages may be sold or consumed on public property.**

Yes\_\_\_ No\_\_\_ Does the event involve the **sale of any non-food items**?

If "YES", please describe \_\_\_\_\_

Yes\_\_\_ No\_\_\_ Does the event involve the **sale of food**?

If "YES" has the health department been notified? Yes\_\_\_ No\_\_\_

Attach copy of written approval from the County Health Department .

Yes \_\_\_ No\_\_\_ Will there be **musical entertainment** at your event?

If "YES", please provide the following information:

Type(s) of music: \_\_\_\_\_

Reference: Article III Section 22-71 regarding noise and time restraints

**Number, size and types of tents**

Note: Any tents, stages, concessions or other accessory use associated with the event may not be set up more than 24 hours prior to the activity and must be removed within 24 hours after the event. No tent shall be larger than 1600 square feet and must be in good condition and free of any advertising):



Yes\_\_\_ No\_\_\_ Will there be any **tents, canopies, or temporary structures** in the proposed event site?

If "YES", please provide the following information:

Provider of tents: \_\_\_\_\_ # of tents: \_\_\_\_\_

Approximate Sizes: \_\_\_\_\_

Will any tent exceed 400 square feet in area? Yes\_\_\_ No \_\_\_

NOTE: Tent permits will be required from Fire Department if exceeds 400 square feet in area.

**Sanitary Facilities:** A minimum of one toilet must be provided for each sex for every 200 persons attending the event. Portable toilets may not be set up more than 36 hours prior to the activity and must be removed within 24 hours after the event. Location of portable toilets must be coordinated with Town personnel.

Yes\_\_\_ No\_\_\_ Will you be providing **portable toilets** for the general public?

If "YES", please provide the following information:

#Port-A-Johns (sets): \_\_\_\_\_

Requested Location for Placement of Port-A-Johns - please indicate location on the event map

Yes\_\_\_ No\_\_\_ Will you require **access to water** for the event?

If "YES", explain: \_\_\_\_\_

**Utilities Required:**

Yes \_\_\_ No\_\_\_ Will you require **electrical hookups** for this event? If "YES", where?

Yes\_\_\_ No\_\_\_ Will you be using **generators** for this event?

**Admission Fees and Charges:**

Yes\_\_\_ No\_\_\_ Will **admission fees** be charged to attend this event?

If "YES", provide the cost(s) of all tickets: \_\_\_\_\_

**Number and type of concessions/vendors**

NOTE: Food vendors must be in compliance with regulations set forth by the Brunswick County Health Department prior to the event. Any concessions/vendors or other accessory use associated with the event may not be set up more than 24 hours prior to the activity and must be removed within 24 hours after the event).

Number and Type of Concessions/Vendors: \_\_\_\_\_

Include contact information for all vendors on separate attachment.

Yes\_\_\_ No\_\_\_ Will **fees be charged to vendors** to participate in this event?

If "YES", please provide the schedule of fees: \_\_\_\_\_

**Signs:**

List all temporary signs and their locations to be displayed during the event.

NOTE: The amount, type and location of temporary signage are subject to the following:

- ✓ The total amount of temporary signage shall not exceed 500 square feet in area. Such signage may be in a single sign or a combination of signs.



- ✓ All temporary signs shall be located within the boundaries of the area in which the event will be held and shall not be located within a public right of way unless prior permission has been obtained and granted by the Board of Commissioners.
- ✓ Temporary signs shall be displayed only during the actual time period of the event and shall be promptly removed by the close of said event unless other specified time period have been approved by the Board of Commissioners.
- ✓ Temporary signs shall not be illuminated.
- ✓ Temporary signs shall not be located in a manner that impedes the movement of pedestrians or life-safety vehicles.
- ✓ Any sign located in street rights of way or upon public property in contravention of this policy may be removed from and disposed of by Town personnel.

Yes \_\_\_ No\_\_\_ Will any signs or banners be used for this event?

If "YES" provide;

Number and Type \_\_\_\_\_

Provide information that will be posted or attach a sketch of signs or banners that will be displayed:

\_\_\_\_\_

Sizes of each sign: \_\_\_\_\_

Where sign(s) will be placed: \_\_\_\_\_

\_\_\_\_\_

**Trash Collection & Disposal:**

Provisions for collecting and disposing of trash and garbage. Event coordinator will be responsible for removal of litter in areas used and adequate trash receptacles must be provided and removed within 24 hours of the event. Event applicant is responsible to provide and maintain trash receptacles as needed. Please provide plan of action for collection & disposal of garbage:

\_\_\_\_\_

**Traffic, Parking and Crowd Control Plan:**

Adequate parking for persons attending the event shall be required. If off-site parking is to be used to accommodate the event, the applicant must secure a letter from that property owner verifying that excess parking spaces will be available for the event. The use of any required parking places will be allowed only if the property owner agrees in writing that the business will be closed during the hours of the event.



NOTE: The traffic, parking and crowd control plan must be coordinated with the Ocean Isle Beach Police Chief and signed prior to submittal of group activity request.

How will overall traffic and parking be accommodated for this event?

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**Plan Reviewed by Town of Ocean Isle Police Department**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**(Police Chief's signature required)**

**Police Department Notes:**

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**Fire Control and Prevention/Safety Precautions:**

There must be a designated entry and exit to facilitate emergency services. Please indicate such entry and exit points in writing as well as showing a site map.

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**Provisions for Emergency Medical Services and First Aid**

NOTE: The applicant must coordinate provisions for emergency medical services and first aid with the Ocean Isle Beach Fire Chief for signature prior to submittal of group activity application.

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**Plan Reviewed by Town Fire Department**

\_\_\_\_\_ **Date** \_\_\_\_\_

**(Fire Chief's signature required)**

**Fire Department Notes:**

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**Event Advertisement:**

Do not announce, advertise or promote your event until you have a completed and submitted this application and you have received approval.

Yes\_\_\_\_ No\_\_\_\_ Will the event be marketed, promoted, or advertised in any manner?

If YES, please describe the outlets that will be used. \_\_\_\_\_

Yes\_\_\_\_ No\_\_\_\_ Will there be live media coverage at your event?

Please describe: \_\_\_\_\_

**Special Information and Conditions:**

**Necessary Permissions:** All group activities/outdoor performances or event shall be contained within the applicant’s property or within property upon which the applicant has written permission from the owner to use. **ALL LETTERS OF PERMISSION MUST BE INCLUDED WITH THE APPLICATION PACKET. Group Activity Applications will not be submitted to the Board for approval unless these documents are included.**

**Event Advertisement** Do not announce, advertise or promote your event until you have a completed and submitted this application and you have received final approval from the Board of Commissioners.

**Limitation of Group Activities during Summer Season: Due to the amount of traffic and influx of tourists, the Town requests that applicants not plan events during the timeframe of June 20-August 20. The Town reserves the right to limit the number of events during this time period if they would impose traffic or other concerns.** (Town and OIPOA sponsored events are exempt from this restriction.)

**Public Safety:**

Police: If in the opinion of the Police Chief or his designee, a sworn officer is essential for a group activity, the applicant will be instructed on the number of officers needed and if security can be provided with on-duty staff.



**Binding Agreement**

I have read and understand the group activity/outdoor performances and event provisions set out in this application and the attached Article VI Section 38-170 through 38-173 and agree to conduct the event in accordance with these requirements. I agree that the information provided in this application is complete, true and accurate, and also agree to provide corrected information should there be any change in the information provided herein. I understand and agree to disclaimer of liability per Town of Isle Beach Code of Ordinance as follows:

Sec. 38-172. Disclaimer of liability

In no event shall the approval of an application under this article make or cause the Town to be deemed a sponsor of the event. The Town shall incur no liability for injuries or damages to persons or property arising out of any events or activities regulated herein or conducted pursuant hereto. Furthermore, as a condition of approval of the application and by acceptance of the permit issued hereunder, the applicant and sponsor hereby agree to indemnify and hold the Town, its agents, officials and employees, harmless against any and all claims, demands, causes of action, or other liability, including attorney fees, on account of personal injuries or death or on account of property damages arising out of or relating to the events and activities conducted by or under the direction of applicant and sponsor.

\_\_\_\_\_  
Applicant(s) Signature                      Date                      Local Phone Number

\_\_\_\_\_  
Organization

Include all of the necessary documents with the application including the following:

- ✓ Event Layout Plan
- ✓ Run/Walk/Parade Route Description (Appendix A)
- ✓ Letters of Permission from Property owners
- ✓ Evidence of Liability Insurance in the event you are requesting use of Town Property
- ✓ Concession/Vendor Contact Information

Deliver the completed Group Activity Application to:  
Town of Ocean Isle Beach  
Planning Department  
3 West Third Street  
Ocean Isle Beach, NC 28469  
(910) 579-3469





## **GROUP ACTIVITY APPLICATION CHECK LIST**

**ALL DOCUMENTS REQUIRED MUST BE ATTACHED TO GROUP ACTIVITY APPLICATION WHEN SUBMITTED.**

**PLEASE BE ADVISED THE FOLLOWING STEPS THAT MUST BE COMPLETED PRIOR TO SUBMITTING THE GROUP ACTIVITY APPLICATION FOR CONSIDERATION BY THE BOARD OF COMMISSIONERS:**

- THE APPLICANT MUST COORDINATE WITH THE OCEAN ISLE BEACH POLICE CHIEF REGARDING TRAFFIC AND CROWD CONTROL**
- THE APPLICANT MUST COORDINATE PROVISIONS WITH THE OCEAN ISLE BEACH FIRE CHIEF FOR EMERGENCY MEDICAL SERVICES AND FIRST AID**
- GROUP ACTIVITY FEE IS TO BE SUBMITTED WITH THE GROUP ACTIVITY APPLICATION**
- A REQUEST FOR WAIVER OF FEE BY NON-PROFIT AGENCIES ALSO REQUIRES A COPY OF DOCUMENTATION CONFIRMING TAX EXEMPT STATUS**
- APPLICATION DEADLINE: THE GROUP ACTIVITY APPLICATION MUST BE SUBMITTED TO THE PLANNING DEPARTMENT AT LEAST 30 DAYS PRIOR TO THE BOARD OF COMMISSIONERS MEETING IN ORDER TO BE PLACED ON THE AGENDA**
- VERIFY PERMISSION FROM THE PROPERTY OWNER(S)/MANAGERS OF THE PROPERTY BEING USED FOR THE EVENT. THIS ALSO APPLIES TO PARKING AND PLACEMENT OF PORT-A-JOHN'S.**
- LAYOUT MAP FOR THE EVENT HAS BEEN INCLUDED**
- EVIDENCE OF LIABILITY INSURANCE – A CERTIFICATE OF INSURANCE NAMING THE TOWN AS ADDITIONAL INSURED IS REQUIRED IF REQUESTING USE OF TOWN PROPERTY. NOTE: IF A SPECIAL EVENT POLICY WILL BE PURCHASED FOR THE GROUP ACTIVITY, A COPY OF THE SPECIAL EVENT LIABILITY POLICY WILL NEED TO BE PROVIDED.**

**APPLICATION SUBMITTED BY \_\_\_\_\_**  
**STAFF MEMBER RECEIVING APPLICATION \_\_\_\_\_**  
**DATE RECEIVED \_\_\_\_\_**



**FOR TOWN OFFICE USE ONLY**

**Date Received** \_\_\_\_\_

\_\_\_\_\_ **Fee Paid - Date paid** \_\_\_\_\_ **Amount \$** \_\_\_\_\_ **Check #** \_\_\_\_\_

\_\_\_\_\_ **Fee Exempt (May be waived by Town for Non-Profit Organizations)**

\_\_\_\_\_ **Property Owner Authorization letter attached (If applicable)**

\_\_\_\_\_ **Map of Location and Layout of Events Attached**

\_\_\_\_\_ **Hours of Operation in Compliance (7:00 am to 10:00 pm)**

\_\_\_\_\_ **Compliance with signage regulations**

\_\_\_\_\_ **Compliance with Traffic/Parking regulations**

\_\_\_\_\_ **Garbage Disposal accounted for**

\_\_\_\_\_ **Portable Toilets or Sanitary Facilities Provided**



**THIS PAGE TO BE COMPLETED UPON RETURN OF APPLICATION TO  
THE TOWN OF OCEAN ISLE BEACH**

**Comments and/or conditions/restrictions imposed by the Town:**

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**APPROVED BY:**

**DATE**

\_\_\_\_\_  
**Board of Commissioners**

\_\_\_\_\_

**DENIED BY:**

**DATE**

\_\_\_\_\_  
**Board of Commissioners**

\_\_\_\_\_

**Reason for denial:** \_\_\_\_\_

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**FINDINGS MADE BY BUILDING INSPECTOR**

**Per Site Plan - Preliminary Review & Approval of Event Information**

\_\_\_\_\_ **Date** \_\_\_\_\_  
**(Signature - Building Inspector)**

**It is the responsibility of the applicant to schedule a fire inspection prior to the event. Contact the Building Inspections Department (910) 579-3469 Monday through Friday 8:00am – 5:00 pm to schedule an appointment for the inspection prior to the event.**

**The location and use of the radios, phonographs, drums, loud speakers, musical instruments, sound equipment, lighting, temporary structures and electrical outlets or connections to be used during the entertainment hereby meet the North Carolina Electrical Code Guidelines and comply with the Town Ordinance.**

\_\_\_\_\_ **YES**                      \_\_\_\_\_ **NO**

**Date of inspection:** \_\_\_\_\_

**Signature:** \_\_\_\_\_  
**Building Inspector**

**COMMENTS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**FINDINGS MADE BY THE PUBLIC UTILITIES DIRECTOR**

**Per Site Plan - Preliminary Review & Approval of Event Information**

\_\_\_\_\_  
**(Signature - Public Utilities Director)**

**Date**\_\_\_\_\_

**It is the responsibility of the applicant to contact the Public Utilities Department (910) 579-2166 prior to event to confirm adequate waste and toilet facilities have been provided.**

**That the proposed group activity/outdoor performances and entertainment event has complied with all applicable regulations in conjunction with collecting and disposal of solid waste including trash and garbage as well as sanitary facilities.**

\_\_\_\_\_ **YES**

\_\_\_\_\_ **NO**

**Date of inspection:** \_\_\_\_\_

**Signature:** \_\_\_\_\_  
**Public Utilities Director**

**COMMENTS/CHECKLIST:**

\_\_\_\_ **Verify event meets guidelines set out in the application for handling solid waste and toilet facilities**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





**POLICE CHIEF'S EXPLANATION OF FINDINGS**

**Per Site Plan Preliminary Review & Approval of Event Information**

\_\_\_\_\_ **Date** \_\_\_\_\_  
**(Signature - Chief of Police)**

**That the applicant has coordinated all traffic and crowd control with the Police Chief. The area has been thoroughly investigated with regards to compliance with all applicable State and Local laws.**

**COMMENTS/CONDITIONS ON FINDINGS:**

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**APPROVED** \_\_\_\_\_

**DISAPPROVED** \_\_\_\_\_

\_\_\_\_\_  
**Chief of Police**



**FIRE CHIEF'S EXPLANATION OF FINDINGS**

**That the applicant has provided necessary information to facilitate adequate staffing for emergency medical services and first aid. The designated pathway for emergency entry and exit has been reviewed per the site plan and any input has been forwarded to the building inspector.**

**Signature:** \_\_\_\_\_ **Date** \_\_\_\_\_  
**Fire Chief**

**COMMENTS:**

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## ARTICLE VI. GROUP ACTIVITY/OUTDOOR PERFORMANCES AND EVENTS\*

### Sec. 38-170. Defined.

*Group activity/outdoor performances and events.* Fairs, festivals, musical concerts, sporting events, tournaments, contests, promotional events or other types of performances or events on public or private lands that:

- (1) Represent a use or uses of land, buildings and structures not intended to be of a permanent duration;
- (2) Are intended to or likely to attract substantial crowds, participants and/or spectators;
- (3) Are advertised and/or open to the general public; and
- (4) Are unlike the customary or usual day-to-day activities generally associated with the principal use of the property where the performance or event is to be located.

shall be deemed to be a group activity/outdoor performance or event and subject to the provisions of this article. (Ord. of 2-14-2006(2), § 2)

### Sec. 38-171. Approval process.

(a) *Requirements.* Any group activity/outdoor performance or event shall not be held, commenced or advertised until such time as an application is submitted and approved by the board of commissioners in accordance with this article. An approval issued under this article shall be valid during the specified times requested and is not considered to be automatically renewed from one period to the next. All group activities/outdoor performances and events shall be contained either within the applicant's property or within property upon which the applicant has written permission from the owner to use.

(b) *Application.* An application, as required under subsection (a) of this section, shall be submitted to the planning department by any person, group or organization sponsoring an outdoor performance or event. Such application shall be presented not less than three months prior to the scheduled event and shall contain the following information:

- (1) The name and address of the applicant, person, group or organization;
- (2) The name and address of the person, organization or association sponsoring activity, if any;
- (3) The days and hours for which the event is desired; hours of operation shall be between 7:00 a.m. and 10:00 p.m.
- (4) A designation, by reference to identifiable landmarks along with a detailed map of layout of activities, describing the approximate area in which such event will be contained, such area to include planned activity areas, parking, placement of required structures and any other related activities;
- (5) An estimate of the anticipated attendance of both participants and spectators;
- (6) In summary format, the general plans of the applicant and sponsor concerning the following matters:
  - a. Crowd control procedures. The applicant will coordinate traffic and crowd control with the police chief;
  - b. Traffic and parking control;
  - c. The impact of the performance or event on existing parking areas, streets, highways and the burden placed upon public agencies for traffic and crowd security and control;
  - d. The effects of such performance or event on fire control and fire prevention, including safety precautions;
  - e. Provisions for emergency medical services and first aid;
  - f. Provisions for collection and disposal of solid waste, including trash and garbage; and sanitary provisions, including human waste collection and disposal and the providing of sanitary facilities.



A minimum of one toilet must be provided for each sex for every 200 persons attending the event, with a maximum requirement of 20 portable toilets. Portable toilets may not be set up more than 36 hours prior to the activity and must be removed within 24 hours after the event. Location of portable toilets must be coordinated with town personnel. Event coordinator will be responsible for removal of litter in areas used and adequate trash receptacles must be provided and removed within 24 hours of the event.

g. Provisions for returning the site to its pre-event conditions including, but not limited to, the removal of all debris and trash immediately after the event.

(7) The number and types of tents, stages or concessions. Any tents, stages, concessions or other accessory use associated with the event may not be set up more than 24 hours prior to the activity and must be removed within 24 hours after the event. No tent shall be larger than 1,600 square feet and must be in good condition and free of any advertising.

(8) The amount, type and location of temporary signage/banners subject to the following:

a. The total amount of temporary signage/banners shall not exceed 500 square feet in area. Such signage may be in a single sign or a combination of signs.

b. All temporary signs shall be located within the boundaries of the area in which the event may be held.

c. Temporary signs shall not be located on town-owned property or public right-of-way unless prior approval has been obtained from the board of commissioners during the application process.

d. Temporary signs shall be displayed only during the actual time period of the event or other specific time periods as approved by the board of commissioners and shall be promptly removed by the applicant at the close of such event.

e. Temporary signs shall not be illuminated.

f. Temporary signs shall not be located in a manner that impedes the movement of pedestrians or life-safety vehicles.

g. Any sign located in street rights-of-way or upon public property in contravention of this policy may be removed from and disposed of by town personnel.

(9) The obstruction of any parking areas or public street is prohibited unless otherwise approved by the board of commissioners during the application process.

(10) Vendors. The sale of any food or drinks or any product not associated with the event is prohibited. Permission by the board of commissioners is required for the sale of any type of souvenirs or other product associated with the event. Food vendors must be in compliance with regulations set forth by the county health department prior to the event.

(11) Alcoholic beverages. Town ordinance prohibits the public consumption of alcoholic beverages.

(12) Fees. Fees submitted with application per current town fee schedule. Fees may be waived by the board of commissioners for nonprofit agencies.

(c) *Review of application; conditions to be met.* The planning department shall, upon receipt of an application, review the application with the applicant or sponsoring organization to determine whether there are any other matters deemed relevant by the planning department, and to obtain more specific information concerning the items presented in the application. After preliminary review of the application, the planning department shall forward the application to the town clerk for inclusion in the upcoming board of commissioners' regular meeting agenda packets. In determining whether or not to approve such an application the board of commissioners shall consider those items required to be presented in the application and shall also consider conflicts or possible conflicts with other events and performances, the burden placed by the event on public agencies, the adequacy of security, traffic control and crowd control provisions, the health and safety conditions for those attending the performance or event and the capacity of the area designated for the event service or contain the expected number of vehicles, participants and



spectators. The board of commissioners shall approve an application when they find after consultation with the chief of police and other public officials, the following:

- (1) That the proposed activity will not unreasonably interfere with the rights of the general public in having free access along public ways and streets;
- (2) That the proposed activity will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;
- (3) That adequate public services are available for crowd and traffic security and control;
- (4) That the proposed activity is not reasonably anticipated to incite violence, crime or disorderly conduct;
- (5) That the proposed activity will not entail extraordinary or burdensome expense or operations on the police department and other public agencies.

In addition, the board of commissioners must find that the provisions and plans for crowd and traffic control and security, health and sanitation and all matters required to be included in the application are adequate and that the applicant and sponsor have the reasonable capability of carrying out such plans and preparations.

(d) *Form of application; conditions to be set out.* The board of commissioners, after due consideration of the matters contained in this article, shall either grant or deny such application during the board meeting immediately held after an application has been submitted to it by the planning department, provided that said application shall be made at least thirty (30) days prior to the meeting upon which the decision is to be made. The granting or denial of an application shall be made by letter to the applicant setting out all conditions of the permit and incorporating any provisions or conditions in addition to statements and presentations in the application. Any deviation from the terms and conditions of the application or the approve statements contained in the application, or any misstatement of fact made in such application shall be grounds for immediate revocation of the approval at any time by the town.

(e) *Grant not grounds for other violations.* The granting of an application is not grounds for the violation of any other ordinance of the town and the applicant shall take whatever steps are necessary to comply with all ordinances of the town, including but not limited to article III Noise, section 22-71. As a condition of approval, the town may inspect the site prior to, during or after the performance or event to verify compliance with this article, the approved application and all applicable town regulations. Failure to make provisions for complying with this Code shall be grounds for revocation under this article. (Ord. of 2-14-2006(2), § 2)

### **Sec. 38-172. Disclaimer of liability.**

(Ord. of 2-14-2006(2), § 2)

In no event shall the approval of an application under this article make or cause the Town to be deemed a sponsor of the event. The Town shall incur no liability for injuries or damages to persons or property arising out of any events or activities regulated herein or conducted pursuant hereto. Furthermore, as a condition of approval of the application and by acceptance of the permit issued hereunder, the applicant and sponsor hereby agree to indemnify and hold the Town, its agents, officials and employees, harmless against any and all claims, demands, causes of action, or other liability, including attorney fees, on account of personal injuries or death or on account of property damages arising out of or relating to the events and activities conducted by or under the direction of applicant and sponsor.



**Sec. 38-173. Penalty.**

A violation shall subject the offender to a civil penalty at the rate of \$500.00 per day for each day that the violation continues. (Ord. of 2-14-2006(2), § 2) Secs. 38-174--38-190. Reserved.