

## Special Event Guidelines

The City recognizes community events may provide cultural enrichment, promote economic vitality, enhance community identity, and create funding opportunities for local service organizations. Public parkland is for the use of the public. Commercial business is subject to restrictions in public parks and spaces. It is the City's intent to protect the rights of people to engage in expressive activities in public places and to establish a reasonable time, place, and manner through regulation of such activities. Special events are subject to cost recovery that allows for the City to recoup some of the costs associated with community events, but which do not unduly impact the viability of events.

### Does my event require permitting?

A special event permit must be obtained from the City Manager, or designee, for the following events:

- Any event that involves assembling or traveling in unison on any public street, highway, alley, sidewalk, or other public way owned, controlled, or maintained by the City and which either:
  - 1) will impede, obstruct, impair, or interfere with the free use of such public street, highway, alley, sidewalk, or other public way owned, controlled, or maintained by the City; or
  - 2) will not comply with normal or usual traffic regulations or controls.
- Any event on property owned, controlled, or maintained by the City involving more than seventy-five (75) people, which does not meet the requirements of solely expressive activity.
- Any event that requires temporary waiver of the City's ordinance prohibiting consumption of alcoholic beverages, or possession of open containers of alcoholic beverages, on public property.
- Any event on City park property requires additional approval from the City Parks and Recreation Department if it involves the consumption of alcoholic beverages, vending/solicitation, or physical alteration to park property (including tents, signs, tables, stages, or any other structure to be placed in the park).

## EVENT CLASSIFICATIONS

### Non-Profit Events

Event is presented as a fundraising event for a specified and confirmed 501.c.3 organization. Event may or may not be open to the public, and it may or may not have an admission fee. All events requesting non-profit status must provide proof of their 501.c.3 status or a letter from the 501.c.3 entity that will be receiving proceeds from the event.

### Commercial For-Profit Events

- For-profit Special Events:

Commercial vending is prohibited within the boundaries of any of the City's public parks without a permit obtained from the Parks and Recreation Department. Special event applications submitted by for-profit entities must have a local non-profit co-sponsor who will obtain a significant portion of proceeds generated from the operation of the event. The City will contact the co-sponsoring 501.c.3 entity following the event to verify the amount of funds donated from the operation of the event.

- Fitness in the Parks:
  - Permits are not required for organized fitness events that are free and open to the public with an anticipated attendance of 15 or less if there are no business signs,

banners, nor advertisements posted in the park, nor any other form of solicitation during the event.

- Permits are required for organized fitness events where anticipated attendance is greater than 15, a fee is charged to participate, or a business will be advertised during the event. Apply by submitting a Fitness in the Park form, required insurance form, and applicable fee.

### **Private/ Family Events**

Event is limited to a family activity that is restricted to invited attendees, no admission is charged, and no vendors are involved in the event.

## **PARKS DEPARTMENT GUIDELINES**

### **General Park Event Guidelines:**

- Vendors of any kind or nature are prohibited without a special event permit. It is unlawful for any vendor to hawk or sell or attempt to sell any goods, wares, merchandise, food, or services within the boundaries of any of the city's public parks, or within two hundred feet (200') of Whitefish City Beach and the designated swimming areas and docks, except by permit authorized and obtained from the director of the Parks and Recreation Department. If a vendor's proposal is part of a larger event that includes other proposed vendors and additional public property (road, other right-of-ways, etc.), for which the City Manager is authorized to consider a special event permit, then the vendor's proposal shall be determined in connection with the City Manager's consideration of a special event permit.
- Parks and playgrounds shall be closed to public use from 11 PM to 5 AM, and no person shall be within the boundaries of said City parks and playgrounds between these hours.
- No dogs are permitted in any public park within the city during any organized athletic or special event, except for service animals and within public dog parks. Event organizers are required to notify attendees that dogs are not permitted in both promotional materials as well as through signage during the event.
- Do not stake anything into park grounds without written approval via a special event application from Whitefish Parks and Recreation Department.
- Restrooms are subject to seasonal closing. For events of 75 attendees or more, event organizers may be required to provide portable toilets.
- Garbage service for events is not provided, and all garbage must be removed after an event. Garbage receptacles and dumpsters can be rented from Republic Services. If garbage cannot be picked up until the next day, bear-proof dumpsters must be rented.
- The consumption of alcohol requires additional permitting from the City of Whitefish.

### **Depot Park Scheduling Limitations:**

- Limit of only one "multi-day event" scheduled per month (June thru September)
- Limit of only one weekend "single-day event" per weekend (June thru September)
- No tent, lodge, shelter, display, or other structure may remain unattended on park grounds.
- Weekly events are subject to rotation of space to be used.
- One weekend per month, no events will be scheduled, preferably the weekend following the major monthly event.

**City Beach Scheduling Limitations:**

- Events are only permitted between 5am and 12pm in both the park and sand areas.
- No commercial vending is permitted within two hundred feet of City Beach park, swimming area, and docks.

**PUBLIC WORKS GUIDELINES****Guidelines regarding road closures:**

- All road closures require the submittal of a detailed Traffic Control Plan.
- All road closures are subject to the approval of the Director of Public Works who reserves the right to deny such a permit for any reason.
- Affected residents, property owners, and businesses must be notified of any interruption to the normal operation of City transportation facilities at least 48 hours beforehand.
- The applicant must notify the Whitefish Police and Fire Departments at least 48 hours prior to any street closures.
- All street closures require the applicant to provide a news release specifying the location and the duration of the closure at least two (2) working days prior to the beginning of any activity.

**Maps, route marking, and MDT Permits:**

- A detailed map showing requested street closures, parking spaces closures, parade route, race route, a description of the event activities, approximate tent/vendor locations in parks, temporary structures or facilities on public rights-of-way, portable toilet locations, and alcohol control points.
- If an event crosses or takes place on an MDT route, the applicant must also have a special use permit for MT State Highways (application available upon request).
- A copy of any directional signage that will be utilized, including the dimensions and location of placement.
- A condition of any race or event is the requirement for route markings or directions along the route. Signs are preferred for marking routes. If marking on streets, trails, or concrete, it must be done in very soluble paint or chalk that will disappear after a rainstorm. Regular spray paint is not allowed.

**POLICE DEPARTMENT GUIDELINES****Road closure:**

- Event organizers are encouraged to utilize parking spaces and parking lots in lieu of requesting street closures.
- Primary traffic routes and routes accessing critical infrastructure will not be subject to closure.
- Parking along requested road closures will not be permitted for half or partial days. Affected residents, property owners, and businesses must be notified at least 48 hours prior of parking limitations.
- Applicants requesting traffic control (flag persons) will be required to hire certified traffic control specialist pursuant to *The Manual on Uniform Traffic Control Devices (MUTCD)*.

## **FIRE DEPARTMENT GUIDELINES**

### **Emergency Access**

Emergency access to all buildings or temporary structures shall be maintained in order to allow access for emergency vehicles to get within 150-feet of all exterior ground level portions of the exterior wall. No structures or fencing may block the emergency access. Any temporary blockage or barricades limiting emergency access shall be easily / quickly removed to provide the proper emergency access for fire and EMS vehicles. There shall be at least one on-site adult who shall be responsible for the emergency removal of any blockage or barricade. The on-site responsible person(s) shall have communication with the on-duty Shift Commander at 406-250-3158.

### **Fire Hydrant access**

All fire hydrants shall be kept accessible to the fire department.

- 36-inch clearance all around
- 60-inch clearance both directions along the roadway

### **Fire Extinguishers**

Fire extinguishers are required for all cooking operations regardless of whether a permit is required or not.

- Charcoal or wood BBQ: Minimum U.L. Rating 2A 20BC
- Propane, Butane or Natural Gas: Minimum U.L. Rating 2A
- Deep Fat Frying (any heat source): U.L. Rated Class K in addition to the proper fire extinguisher based a heat source being used.
- All mobile food trucks that have commercial cooking equipment that produces heat laden vapors shall utilize a type I hood protect by automatic fire extinguishing system.

### **Tents and Air Supported Structures**

- Site plan showing locations of structures including guide ropes and emergency access shall be approved by the Fire Marshal prior to locating or erecting any structures.
- A letter shall be provided to the Fire Marshal verifying the structural integrity of any large tents or air supported structures.
- Certification of flame resistance for any tent or inflatable structure shall be submitted to the Fire Marshal.

### **Flammable Liquids**

- Site plan to show storage area, type of fuel, quantity, and security plan.

### **Fireworks**

In addition to the required Fireworks Permit, please

- Provide a list of the number and size of fireworks with start date and time with the expected length of the display. Sonic booms are not allowed. An alternate (rain date) maybe submitted. Prior to the event, public notification must be submitted to local newspapers.
- Submit a site plan to the Fire Marshal showing on-site storage, launch and landing areas.
- All hazardous fireworks waste, including duds, shall be handled, and managed per applicable Federal and State hazardous waste laws.
- Properly dispose of all non-hazardous waste.

- No later than 24-hours following the display any landing area, water surface and shoreline in the display area shall be inspected and all related materials from the display collected and disposed of per applicable laws.

### **ADMINISTRATIVE GUIDELINES**

#### **Application Approval Process:**

All requests for special events must be submitted via the City Special Event Application. The City Manager will make the final determination of approval based on the following criteria:

- The preparation for, the conduct of and the conclusion of the proposed event will not unreasonably burden City resources necessary to preserve the public's use of the street(s) in the area contiguous to the street(s) or other City property being used for the event.
- The preparation for, the conduct of, and the conclusion of the proposed event will not unduly impede, obstruct, or interfere with the operation of emergency vehicles or equipment within the permitted area, or adversely affect the City's ability to perform Municipal functions or furnish services in the vicinity of the permitted area.
- The proposed event does not otherwise present a substantial or unwarranted health, safety, noise, or traffic hazard.
- The proposed event will be of a nature and size appropriate to the proposed venue or site and will occur during approved hours for that venue or site.
- The proposed event will not cause other adverse impacts on health or safety to surrounding residential or commercial uses, which cannot be effectively mitigated.
- The applicant has obtained all permits required elsewhere in this Code or by other applicable laws, rules, or regulations.

The City Manager may place reasonable conditions on any special event permit concerning time, place, or manner of holding the event as is necessary. The City Manager shall provide the applicant a written explanation for any decision that imposes conditions on the special event permit.

The City will notify an event organizer if the special event permit application is either approved or denied. A copy of the event permit will be emailed to the event organizer or available for pick up prior to the event. The event permit should be reasonably accessible for inspection during the event in either paper or digital form.

#### **Cost Recovery:**

- The City Manager shall charge the applicant an administrative processing fee for a special event permit as established by the City Council.
- If the event involves solely expressive activity, the City Manager shall waive the administrative processing fee for an indigent person that cannot pay for such fees. An indigent person may include, but is not limited to, a person who is eligible to receive, or is receiving, public assistance. An organization in which most of the members are indigent may also be eligible for waiver. The person or organization is required to apply for indigent status at the time of permit application. The person or organization is required to provide such information and documentation as may be reasonably necessary for the City Manager to verify such status. The City Manager may deny an application for indigent status if the applicant fails to timely provide the information and documentation requested.

- The City Manager shall charge the applicant a park/facility fee if the special event involves the exclusive and/or commercial use of a City park or facility, if it involves vending/solicitation, or if it involves physically altering the City park or facility.

**Application Time Requirements:**

A Special Event application must be submitted fifteen (15) days in advance of the special event and can only be submitted one year prior to the event. If the Special Event involves solely expressive activity, a Special Event Application must be submitted three (3) days in advance unless the event qualifies for the spontaneous event exemption.

- Applications for the reservation of Depot Park are open to be received starting January 1 of each year for the period of February through January. Reservation requests for historic events should be submitted in January of each year. Other than historic events, all events will be scheduled on a first come, first served basis.

**Insurance:**

- Event organizers must attach a Certificate of Insurance for comprehensive general liability insurance with either \$2 million per occurrence or \$1 million per occurrence and \$1 million umbrella, naming the City of Whitefish as an “Additional Insured.”