

VILLAGE OF COVINGTON, OHIO

ORDINANCE NO. 19-22

**AN ORDINANCE CREATING AN OUTDOOR SPECIAL EVENT
PERMIT AND REGULATIONS WITHIN THE VILLAGE OF
COVINGTON**

WHEREAS, The Village of Covington has a need and desire to regulate outdoor special events within the Village to provide the Village departments adequate information and time to provide for appropriate emergency provisions or other Village support if needed; and

WHEREAS, it has been determined an Outdoor Special Event Permit application and regulations attached as Exhibit A, is the most efficient, transparent, and cost-effective way to regulate such events; and

WHEREAS, regulations have been created to prioritize health, safety, and welfare of the general public at outdoor events, limiting these regulations to cover only events where the general public is invited or admitted or where income is being generated; excluding personal and private events such as birthday parties, graduation parties, and similar non-public events; and

WHEREAS, a permit shall be required for all Outdoor Events as defined within this Ordinance and all Outdoor Special Event Permit Applications shall be completed at least sixty days prior to any event being held and must include a completed application and materials and fees required within Exhibit A or modified within the Village Fee Schedule; and

WHEREAS, for the purposes of this Ordinance and the Outdoor Special Events Permit, application and regulations the following shall be the definitions used:

- **Outdoor Special Event.** Any event that takes place on public or private property that invites or admits the general public into an area to take part in special activities, attractions, music, or consumption of food or drinks (including alcohol) or similar activities and generally requires payment for access or utilization of those services.
- **Personal / Private Outdoor Events.** Outdoor events that are held for specific individuals or for a group of specific individuals on private property that do not include the invitation or admittance of the general public, nor charge a fee for access to the event.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Covington, State of Ohio, as follows:

SECTION 1: All Outdoor Special Events, as defined in this Ordinance, shall be required to obtain an Outdoor Special Event Permit, receive the appropriate inspections, and pay the required fees prior to any event being held within the Village of Covington as described within this Ordinance.

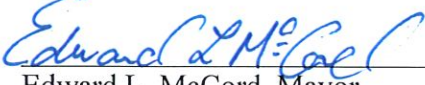
SECTION 2: For the purposes of this Ordinance and the Outdoor Special Events Permit, the following general regulations shall be followed:

- **Permit Application Process.** The person or entity requesting the Outdoor Special Events Permit shall file an application with the Village Administrator or his/her designee on forms provided by the Village within the time specified within this Ordinance.
 - The person or entity shall pay the applicable fees related to the request within the application.
 - A permit request provided for within the Ordinance shall be returned to the person or entity within 15 days of application once all materials have been received by the Village.
 - A permit request that is refused by the Village Administrator or his/her designee may be appealed to the Village Council for formal consideration and decision.
 - A permit request that is granted by the Village Administrator may be appealed to the Village Council by any resident by written request at no cost to the resident at least 15 days prior to the event being held.
 - The Village Council if required shall vote to grant or revoke the permit.
- **Penalty.** Any person or entity that violates the provisions of this Ordinance or does not obtain a permit as required shall be fined not more than one-hundred dollars (\$100.00). A separate offense shall be deemed committed each day during or on which a violation occurs or continues.


SECTION 3: Exhibit A attached, shall be the general regulations and application for the Outdoor Special Event Permit Application, and may be updated by the Village Administrator or his/her designee from time to time as necessary to assure the public health, safety, and welfare.

SECTION 4: This Ordinance shall take effect at the earliest time as provided by law.

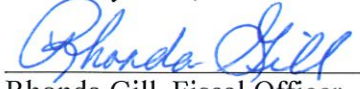
Approved this November 14, 2022.



Edward L. McCord, Mayor



Jesse Reynolds, President of Council



Rhonda Gill, Fiscal Officer



Special Event Permit Regulations & Application

A permit is required for all Special Events as defined in Ordinance 19-22. This applies to both for profit and not-for-profit organizations, and includes but is not limited to outdoor exhibitions, races, carnivals, fairs, circuses, parades, shows, musical performances, speeches, rallies, or motion pictures that are intended to make a profit. No permit is required for personal events, private events, or events that are not intended for the public to attend.

The application packet must be completed in its entirety and submitted at least **sixty (60) calendar days** before the Special Event to the Village Administrator or his/her designee. The permit will not be issued until all comments/concerns have been addressed, signatures have been received, and Village Council approval has been granted.

General Regulations

- All special event requests require a permit from the Village of Covington.
- The Village may place conditions on the Special Event as deemed appropriate to protect the health, safety, and welfare of the public.
- The Village Administrator or his/her designee may revoke a permit and demand immediate cessation of the event based upon violations of the Code, on-premises criminal acts by the event employees or when the event presents an endangerment to public safety.
- Police officers and all other Village officials shall have free access to the grounds and all booths, shows, and concessions on such grounds at all times to ensure that the event is in compliance with all Village codes.
- The size of the premises and/or parcel shall be of sufficient size to adequately accommodate the event and shall be limited to the maximum occupancy for the respective premises at which said special event is held.
- Parking areas, both on and off street, for the particular event shall be of adequate size, properly located, and the entrance and exit drives shall be laid out so as to prevent traffic hazards and nuisances.
- The location of the event shall be designed so that adverse effects on surrounding properties will be minimal, particularly regarding the traffic generated by the event.
- Refuse and recycling shall be in compliance with Village rules, regulations, and ordinances. As needed, a recycling container shall be placed next to each refuse container for public use. Final disposal of the refuse and recyclables shall be placed in the appropriate designated dumpsters.

SPECIAL EVENT PERMIT APPLICATION

Special Event Title			
Special Event Information			
LOCATION			
GENERAL EVENT DESCRIPTION			
START DATE / TIME		END DATE / TIME	
EXPECTED ATTENDANCE	# WORKING EVENT	ADMISSION FEE	EVENT WEBSITE
Sponsoring Organization			
NAME		CONTACT NAME	
ADDRESS W/ CITY, ST, ZIP			
EMAIL			
PHONE			
Event Coordinator			
NAME			
ADDRESS W/ CITY, ST, ZIP			
EMAIL			
PHONE			

SUBMISSION REQUIREMENTS

- 1. Use of a Public Site** – Select this box if the event will require the use of a public site (this includes if any portion of the event will utilize publicly owned space – parks, facilities, etc.). The use of a public site requires the submission of a site plan. Site plans are not required to be professionally drawn, but must be legible, and provide sufficient detail to paint a picture of what your event will look like.

The following is a list of minimum requirements that the site plan should meet:

- Location of Event
- Location of Food tents, service area and/or trucks/vendors
- Location of Alcohol, marking the area being restricted to over 21
- Location of Portable Restrooms
- Location of stages/temporary structures, buildings, fire lanes, streets, sidewalks, alleys and fencing, which must indicate locations of exits and gates
- Location of carnival events, if applicable
- Waste Collection Sites and Refuse Removal Plan
- Parking location and vehicle/pedestrian circulation plan
- Any other specific details of the layout for the event

- 2. Use of Public Roadway(s)** – Select this box if the event will require the use of a public roadway. Special Events that require the closure of a public roadway or the temporary obstruction of traffic flow require the submission of a traffic control plan. The traffic control plan must include the following:

- Traffic layout for safety purposes
- Route map
- Location of directional signage
- Location of other signage
- Location of barricades
- Power / Extension cords
- Parking areas

Traffic Control. Only Village of Covington police officers shall be used for traffic control on Village streets or in Village right-of-way for special events, unless the police chief provides an exemption per Village Ordinance. Fees for traffic control services will be estimated at the time of application; however, applicant will be invoiced according to actual service hours provided by the Village and/or Police Department staff unless waived by the Village Council.

- 3. Serving / Selling Food** – Select this box if you will be serving or selling food. If food is prepared or served, the special event must comply with all applicable local, state and county rules, regulations, and laws. Provide copies of each permit application submitted by the Miami County Department of Health for all participating food vendors.
- 4. Temporary Signage** – Select this box if you require temporary signage for this event. The request must include a description of the sign(s), dimensions, dates of display, and the specific location where the sign(s) is to be displayed.
- 5. Carnival** – Select this box if you are requesting a carnival. The applicant must include the following as part of the application for a special event:
- a. A statement verifying that the carnival operator does not employ any child sex offenders.
 - b. A statement verifying that none of the carnival operator's employees are fugitives from Ohio or any other state's law enforcement agencies.
 - c. An accurate and comprehensive list of carnival workers, including, for example,

driver's license information, social security information, etc. The carnival operator shall also keep this list on site and available for inspection.

- d. A statement verifying that the carnival operator has conducted a criminal background check on each employee.
 - e. A statement verifying that the carnival operator conducts pre-employment or random drug testing of employees.
 - f. All carnival employees must keep government-issued photo identification (such as a state- issued identification card or driver's license) on their person at all times during the public event. The government-issued identification must be presented at any time to an officer of the Village upon request.
 - g. Information provided above is subject to verification by the Village of Covington Police Department.
- 6. Tents or Temporary Structures** – Select this box if you are planning to use tents or other temporary structures, such as staging, etc. Any tent, canopy, and/or temporary structure erected to house all or part of an event shall meet all applicable Fire Codes authorized by the Fire Marshal and Covington Fire & EMS. Construction of a temporary structure may require a building permit or inspections through the Miami County Building Regulations Department. All tents or temporary structures must be removed within three (3) days of the completion of the event.
- 7. Sound Amplification** – Select this box if sound amplification will be used at the event. The Applicant's signature on this application will serve as an acknowledgement to meet all rules and regulations stated regarding operating hours and noise.
- 8. Lighting and Sound Systems Utilization** – Lighting, sound, and/or stage systems will be inspected by Miami County Building regulations where applicable.
- 9. Electrical** – Select this box if your event will require electrical. Special events requiring electrical may require an inspection. A line drawing shall be submitted with the application indicating each device being used, its fusing, and its power source. In addition, for all temporary power sources, a description, source, location contractor name, contact information and a copy of the contractor's license must be submitted with the application.
- 10. Exterior Propane Tanks** - Propane tanks supplying heating and cooking devices are allowed in open, external to permanent structures or vehicles, uncovered areas only and shall not be under tents. All propane tanks must be secured and cannot exceed 100 lbs.
- 11. Hours of Operation** – All events shall define their hours of operation and publicly state such hours. No event shall operate prior to dawn or after dusk, unless explicitly approved through this permit. Approval to begin prior to dawn or continue past dusk, shall be granted to events that can show that noise, lighting, and other negative impacts will be abated to the neighboring properties prior to dawn and after dusk.
- 12. Emergency Action Plan** – For a special events, an event organizer shall prepare an emergency action plan for a special event that is based on the estimated number of attendees and, at a minimum, includes:
- a. On-site security for attendees and property;
 - b. On-site medical coverage, number of a level of certification of emergency medical responders, and the 911 access that will be utilized for the special event;
 - c. Fire safety plan;
 - d. Weather related evacuation and cancellation plans; and
 - e. Documents required in the Special Events Application.

When required for a special event, the number of police officers, emergency medical providers, and fire department employees required for a special event must be based on guidelines established by each separate department.

- 13. Public Safety/Police Services** – Select this box if your event will require additional public safety or police services. Provide a description of your safety plan and list of requested services. If police officers or other Village staff are used for an event, the applicant shall be responsible for their costs based on the associated fee schedule. Fees will be estimated at the time of application; however, applicant will be invoiced according to actual service hours provided.

During the event permitting process, the Covington Police Department will review each application and provide requirements on the number of sworn officers or other security needed for the special event. The Covington Police Department has final authority to require a minimum number of police officers to staff the proposed event. The Covington Police Department has the authority to adjust the scale and certain aspects of the event in order to provide a safe and secure environment.

An event organizer may hire private security, for personal safety or property security during a special event to supplement the services provided by the Covington Police Department. Private security employed must:

- a. Be in uniform;
- b. Be able to contact police, fire, or emergency medical services if necessary;
- c. Remain on-site during the special event, including while the special event is completed and through the take-down process;
- d. Be licensed by the State of Ohio;
- e. Provide necessary documents to show they have been insured and bonded;
- f. Not consume any alcoholic beverages or participate in the special event; and
- g. Meet with the Covington Police Department prior to the event to establish guidelines.

The Police Chief or officer in charge at a special event may, at his or her discretion, reduce the number of police officers posted at a special event.

Unless a police officer has been authorized by the Police Chief or is otherwise on duty and acting in an official capacity of their agency, only peace officers commissioned by the Village of Covington shall be used for traffic control on Village streets or in Village right-of-way for special events, as defined by code.

Exemption: Depending on the size, location and scope of the event, the Police Chief can make the determination to allow volunteers for traffic control.

- 14. Public Works Services** – Select this box if your event will require additional public works services (ex. barricades, cones). Provide a description of the requested services. Fees will be estimated at the time of application; however, applicant will be invoiced according to actual service hours provided based on the fee schedule.
- 15. Medical Services** – Explain what provisions have been made for first aid and emergency medical services. Paramedics may be required at your event at the applicant's expense based upon a full review from Covington Fire & EMS.
- 16. Indemnification Agreement, Waiver and Release** – As a condition of approval of the proposed special event permit, the applicant shall be required to submit an Indemnification Agreement, Waiver and Release provided by the Village.
- 17. Insurance** – Without limiting the applicant's indemnification of the Village, the applicant

shall provide and maintain at his/her own expense for the special event, the below listed policies of insurance or liability coverage covering the activities, services or operations relating to the event. All such insurance shall be secured through a carrier(s) satisfactory to the Village.

The applicant shall furnish the Village with certificates of insurance naming the Village, its officials, agents, employees and volunteers as additional insureds on a primary and non-contributory basis under the policy or coverage by original endorsement, and with original endorsements affecting coverage required by this clause. The additional insured endorsements will be on Insurance Service Office (ISO) forms: CG 2010 or CG 2026. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf.

The Village's insurance or liability coverage shall always be deemed excess over any other insurance or liability coverage whether primary, excess, pro rata, contingent or any other basis. All policies of insurance or liability coverage shall contain a waiver of subrogation as against the Village, its agents, employees, and officers except with respect to the sole negligence of the Village.

- a. Commercial General Liability: Special events require a \$3,000,000 combined single limit per occurrence for bodily injury, property damage and personal injury with a general aggregate of twice the required occurrence limit.
- b. Business Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury and property damage.
- c. Liquor Liability (if applicable): maintain a minimum of \$1,000,000 per occurrence for bodily injury, and property damage, with an aggregate of twice the required occurrence limit.
- d. Workers' Compensation and Employers' Liability (if applicable): Workers' Compensation coverage with statutory limits and employers' liability limits of \$500,000 per accident. This requirement only applies when a sponsor is using employees (not subcontractors or vendors) as part of the event set-up, take down or working in relation to the event.

With reasonable notice to the sponsors and event organizers, the Village reserves the right to require insurance of the event sponsors, organizers, and vendors other than that specifically provided herein, and to change the minimum acceptable limits of liability based on the Village's determination, in its sole discretion, that the risk presented by the public event warrants such changes. The Village does not warrant or represent that the specified insurance is adequate to protect the interests or liabilities of the sponsor, organizer, or vendors.

All insurance documents must be submitted not less than 30 days prior to the event. A public event permit cannot be issued without approved insurance.

- 18. Tax Information** – Any event in the Village that is not tax exempt is required to pay income taxes to the Village of Covington. Information related to the event and its taxable income shall be provided via a form provided to the Village.

Affidavit of Applicant

I, the undersigned applicant, or authorized agent of the above noted organization, swear or affirm that the matters stated in the foregoing application are true and correct upon my personal knowledge and information for the purpose of requesting the Village of Covington to issue the permit herein applied for, that I am qualified and eligible to obtain the permit applied for and agree to pay all fees, to meet all requirements of the Village of Covington Codes, and any additional regulations, conditions, or restrictions set forth in the permit and to comply with the laws of the Village of Covington, the State of Ohio, and the United States of America in the conduct of the Special Event described herein.

I (or the above-named organization) further agree(s) to hold harmless and indemnify the Village, its officials, employees and successors and assigns, for any and all liability, damages, suits, claims and demands for damages at law or in equity it incurs as a result and arising either directly or indirectly out of the public event noted above including but not limited to damages and attorney's fees.

The undersigned represents it has full authority to execute this Special Event Permit Application and Hold Harmless Agreement on behalf of the Permittee/Licensee.

Signature of Applicant

Date

Printed Name of Applicant

SPECIAL EVENT FEE SCHEDULE

Type of Fee	Fee
Application Fee	\$10
Police Services	\$50 / hr. / Officer
Trash Service	
Totter Usage (up to 4)	\$50 / event (4+ will be \$50 /4 afterwards)
Dumpster Usage	\$50 / dumpster (any size)
Security Deposit	\$100
Inspection Fees	
Events with Tents	\$50 / event
Events with Stages	\$50 / event
Misc. Fees	
Background Checks	\$50 each
Barricades / Cones	\$75 each (if not returned)

Example of General Fees for Events

- Parade
 - Application Fee: \$10
 - Police Services: \$50 (one hour of one officer)
 - Total Cost: \$60
- Carnival
 - Application Fee: \$10
 - Trash Service: \$100 (for 4 extra toters and 1 dumpster)
 - Tent Inspection: \$50
 - Total Cost: \$160
- Event in Community/Schoolhouse Park
 - Application Fee: \$10
 - Trash Service: \$50 (for 4 extra toters)
 - Tent Inspection: \$50
 - Total Cost: \$110
- Large Event in Community / Schoolhouse Park
 - Application Fee: \$10
 - Trash Service: \$150 (4 toters extra, 2 dumpsters)
 - Tent Inspection: \$50
 - Stage Inspection: \$50
 - Total Cost: \$260