CITY OF WARRENTON
200 West Booneslick
Warrenton, MO 63383
Phone: (636) 456 – 3535
Fax: (636) 456 – 8135
warrenton-mo.org

FESTIVAL/EVENT PERMIT WITHIN THE MAIN STREET OVERLAY DISTRICT

****MUST BE SUBMITTED A MINIMUM OF 30 DAYS IN ADVANCE OF EVENT****

Today's Date: _____ Estimated Attendance: _____

Applicant/Organizer Name: _____ Phone: _____

Email: _____ Address: _____

Contact Person for the Event: _____

Contact's Phone Number: _____ Alternate Number: _____

Date(s) of the event: _____ Start Time: _____ End Time: _____

How will security be provided at this event: _____

Street closure time (for setup): _____ Reopen time (cleanup completion): _____

Name of Event & Description:

_____

_____

Approximate number of Vendors: _____ Are/Will they be informed a Day Merchant License will be needed? ☐ Yes ☐ No

Description of Goods or Services at the Event:

_____

_____

REQUIRED DOCUMENTATION

An application for a Festival/Event Permit shall be filed with the City Clerk by the individual responsible for the event. The application shall include the following:

1. Drawings indicating the location and proposed street closures;
2. Plans showing the intended uses of existing and proposed grounds, structures, and parking areas;
3. Plans showing necessary restroom facilities, crowd control plans, traffic control and traffic ingress/egress plans, and emergency access;
4. Each vendor will need a Day Merchant License

Applicant Signature: _____ Date: _____

This application is required by Warrenton City Code Section 500.080 "Public Festivals/Events within the Main Street Overlay District" (attached) and is not considered accepted until all documentation deemed necessary is submitted and a cleaning deposit of **$500** is received by the City Clerk. Failure to provide all required documentation will void the application.

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To Be Completed By City Staff:

1. Is the application complete and submitted within 30 days of the event? ☐ Yes ☐ No

2. Was a drawing(s) submitted indicating the location where the Festival/Event is to occur and includes the location of street closures. ☐ Yes ☐ No

3. Adequate traffic management, including the impact on businesses and residential areas, assembly areas around the area, ingress or egress to or use of adjoining property, as well as how they will safely move pedestrians and said traffic. ☐ Yes ☐ No

4. Will police officers be needed? If so, have they agreed to the cost? ☐ Yes ☐ No

5. Does the proposed Festival/Event substantially interfere with any business operations accessible from the closed street, construction, or maintenance work schedule(s) at or near the approximate location? ☐ Yes ☐ No

6. Has the applicant previously violated the provisions of a similar permit or violated City ordinances, or any other regulations in connection with a previous planned event in the City? ☐ Yes ☐ No

7. Does this event present an unreasonable danger to the health or safety of participants or other members of the public or could it cause damage to public or private property? ☐ Yes ☐ No

8. Has a permit already been approved for a time and approximate location within the 90 days of the proposed event, or would unreasonably interfere with another Festival/Event for which a permit has been issued, or a City sponsored event? ☐ Yes ☐ No

9. Was the $500 deposit submitted with the completed application? ☐ Yes ☐ No

If all documentation is not included, or is incomplete, the City Clerk will contact the applicant for further information.

Copies of the completed application and documentation was sent to the following departments for comments and recommendations:

Department: _____ Date Sent: _____

Department: _____ Date Sent: _____

Department: _____ Date Sent: _____

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Staff Recommendations:

(each department state recommendations/comments)

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The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

Section 500.080 **Main Street Overlay District. [Ord. No. 2505, 1-21-2020]**

D. Public Festivals Within The Main Street Overlay District. **[Ord. No. 2526, 7-7-2020; Ord. No. 2585, 2-16-2021]**

1. Purpose. It is the purpose of this Chapter to promote festivals/events within the Main Street Overlay District by providing a uniform planning and permitting process to assist sponsors and City staff in allocating available City resources. Conditions in festival/event permits are imposed in the interest of public health, safety, welfare, convenience and economic impact; to provide for fees and charges as authorized by the Board of Aldermen; and to administer the permit process.

2. Definitions. For purposes of this Section, the following terms shall be defined as follows, unless a different meaning is expressly stated:

APPLICANT
The individual person who completes the application and who shall act as the primary contact and responsible party for the festival/event.

FESTIVAL/EVENT
An event held in a fixed location on City property or City right-of-way, which the general public may attend. Festival/event includes arts and craft shows, outdoor barbeques, carnivals, circuses, dances, entertainment activities, exhibitions, fairs, flea markets, shows, or other similar events. Not included in this definition of festival/event are the temporary closure of streets for parades, running events or events exclusively involving political or religious activity or events intended primarily for the communication or expression of ideas where no vendor activities are involved and which are protected under the First and Fourteenth Amendments.

PERMIT
The permit issued by the Board of Aldermen.

SPONSOR
The group or individual who is listed on the permit application as one (1) of the responsible parties for the festival/event.

VENDOR
Any individual, firm, or organization who sells goods or services at a festival/event, including but not limited to concessions, food counters, and booths for the sale of crafts, memorabilia, souvenirs, services, or other similar items.

3. Permit Required.

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a. Any person or group desiring to conduct or sponsor a festival/event within the Main Street Overlay District shall first apply for a permit under this Section. Applications shall be submitted at least thirty days (30) days prior to the proposed date of the festival/event to allow adequate time for review of the application and event planning. The Board of Aldermen shall issue or deny a permit no less than thirty (30) days prior to the event date.

b. Applicants for festival/event permits under this Section must file with the City Clerk or his/her designee a completed application form, which shall include, but not be limited to, the following information:

1. The name(s) of the applicant(s), who will be organizing the festival/event;

2. The phone number and permanent address or business address of the applicant;

3. A description of the nature of the event and goods or services which will be sold at or during the event;

4. The starting time of setup and preparation for the festival/event and the time of cleanup will be completed at the conclusion of the event, including the requested time and locations for street closures;

5. A drawing indicating the location where the festival/event is to occur to include the location of proposed street closures, intended uses of existing and proposed grounds, structures, and parking areas;

6. Indicating that there are adequate recycling and/or waste-collection services provided;

7. Whether there are sufficient crowd-control measures, including accessibility for ingress/egress, and emergency access for public safety personnel;

8. A refundable five hundred dollars ($500.00) deposit ensuring adequate cleanup of the event area;

9. Any other relevant information required by the City.

c. An application is not considered complete until all relevant information and payment are received.

d. A permit issued under this Chapter shall be valid only for the time period approved by the Board of Aldermen and vests no permanent rights in the applicant.

4. Administration.

a. The City shall establish a permit application form and publish such forms on the City's website. Upon receipt by the City Clerk of a complete application for a new festival/event, the application shall be immediately sent to all pertinent City departments for review, comments, and recommendations.

b. In acting on an application, 'City Staff shall state findings and conclusions on the following matters of

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public record:

(1) Whether the information contained in the application required by this Section is complete, whether it is incomplete and has not been addressed after being advised by the City, or contains misleading or false information;

(2) Whether there is adequate traffic management based on the time, place, or size of the proposed festival/event, including its impact on businesses and residential areas contiguous to the proposed event location, including the assembly area(s) around the proposed area; whether it will unreasonably interfere with the safe and expeditious movement of pedestrian and vehicular traffic, ingress or egress to or use of adjoining private property, or unreasonably disrupt the use of a street when it is usually subject to significant traffic congestion;

(3) Whether there are sufficient crowd-control measures, including accessibility for ingress/egress, and emergency access for public safety personnel;

(4) Whether the proposed festival/event would present an unreasonable danger to the health or safety of participants or other members of the public, or cause damage to public or private property;

(5) Whether the conduct at the proposed festival/event would require the assignment or deployment of sworn members of the Police Department resulting in a substantial public service being delivered by that Department and the anticipated costs for such deployment needed to protect public health and safety, persons, and property;

(6) Whether a permit has already been approved for a time and approximate location within ninety (90) days of the proposed event, or would unreasonably interfere with another festival/event for which a permit has been issued, or a City-sponsored event;

(7) Whether there is adequate recycling and/or waste-collection services to be provided;

(8) Whether the applicant has previously violated the provisions of a similar permit or has violated City ordinances, or any other regulations in connection with a previous planned event in the City;

(9) Whether there are any other permit conditions necessary to protect the public health, safety, and welfare of the City and its residents.

5. Approval, Denial Or Modification Of Application.

a. The Board of Aldermen may approve, deny, modify, or condition an application for a festival/event permit based on the criteria set forth above. The Board of Aldermen may include in a festival/event permit, among other provisions, terms or conditions, including, but not limited to:

1. Time, place, and manner of the event;

2. Compliance with health and sanitary regulations;

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3. Provision of emergency services, security, and other services deemed necessary by the City for health, safety, and welfare purposes;

4. Conditions necessary to mitigate the impact and inconvenience caused to businesses affected by the festival/event; and

5. Deposit or payment of or reimbursement for City costs associated with the event.

6. In addition to the reasonable terms and conditions that may be included in a festival/event permit, a festival/event permit shall ensure that:

   a. No fee may be charged nor donations solicited for admission to the festival/event area located within the Main Street Overlay District. This condition does not prevent the event sponsor from collecting vendor fees and charges, or allowing the sale of goods and services at the event, or soliciting or allowing the solicitation of donations for support of non-profit organizations in a manner such that the solicitation would not reasonably be construed by the general public as a charge or donation for admission.

   b. The event sponsor is responsible for all equipment setup and take-down, litter and garbage cleanup and disposal at the event venue, and prompt removal of all event equipment and site cleanup at the conclusion of the event.

   c. No stakes, pegs, or other affixed hardware may be placed into City property or rights-of-way unless such activity is specifically allowed under the permit.

   d. The sponsor of a festival/event shall make provisions for the free exercise of speech at the event. If the sponsor intends to impose any manner and location restrictions on the free exercise of speech at the event the restrictions must be submitted, in writing, with the application and must include a statement as to how the free exercise of speech will be accommodated. Any manner and location restrictions imposed by the sponsor must comply with those clearly set forth in the permit.

   e. Each festival/event at which food is sold or served shall propose a method of notifying event vendors and attendees that only service animals are allowed in areas where food is prepared and served. Sponsors will be presumed to have provided adequate notice by prominently placing in or adjacent to all areas where food is sold or served signs which state "No animals other than service animals allowed in food sales, serving, and preparation areas."

   f. The City may condition any permit on a requirement that the sponsor give written advance notice and provide a written mitigation plan for the festival/event and its probable economic impact on businesses located in close proximity to the festival/event.

   g. Additional permits and licenses may be required for festivals/events to meet the conditions established by the permit or other City, Warren County, or State of Missouri codes, including food permits, liquor licenses and business licenses for vendors.

7. Each permit authorized to be issued by the Board of Aldermen shall contain the following information:

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a. Date(s) and hours of the approved festival/event;

b. Geographic boundaries of the approved festival/event location and road-closure locations;

c. Required conditions and/or restrictions;

d. Festival/event permit number; and

e. Any other conditions deemed appropriate by City staff for the conduct of the festival/event and the enforcement of this Section.

f. The sponsor or his/her authorized representative shall be on-site during the festival/event, and a copy of the permit shall be displayed at the event venue in a manner visible to a City official and shall be exhibited upon demand by any City official.

g. No permit issued under this Section shall be transferable or assignable.

8. Appeal Of Denial Or Revocation Of Permit. Any person aggrieved by the denial, conditional approval or revocation of a permit shall have the right to petition the Board of Aldermen for reconsideration. Such appeal shall be taken by filing with the City Clerk within fourteen (14) days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds for the appeal. The Board of Aldermen shall set a time and place for a hearing on such appeal, and notice of such hearing shall be given to the person in the same manner as provided for in this Section.

9. Fees And Charges. The permit is for the use of City property and the provision of City services associated with the event. Any person, firm, or organization who sponsors a festival/event within the City must also:

   a. Pay all City property usage fees in accordance with applicable code or fee schedules adopted by the Board of Aldermen;

   b. Obtain all applicable State, County and City permits and licenses and pay associated fees;

   c. Apply for and receive approval for City utility services or usage of City utilities in advance of the festival/event and pay associated usage charges and fees in accordance with City billing policies and practices, and pay the City's commercial customer fees for City utility services provided to the festival/event.

   d. Reimburse the City for actual costs of City personnel, services, and supplies required as a direct result of the sponsor's failure to comply with permit conditions for the event within forty-five (45) days of the date of issuance of invoices for such by the City.

10. Waiver Of Fees And Charges.

   a. The Board of Aldermen may waive all or any portion of the following fees and charges for a sponsor, if the Board of Aldermen finds that the festival/event will not cause a significant disruption in the delivery of normal City services and the festival/event is of sufficient public benefit to warrant the

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expenditure of City funds without reimbursement by the sponsor:

(1) The actual cost of City personnel for services incurred on behalf of the festival/event during regular work hours;

(2) Incidental City costs for supplies, mileage and vehicle maintenance that are not included in the ordinary rate for City utility services.

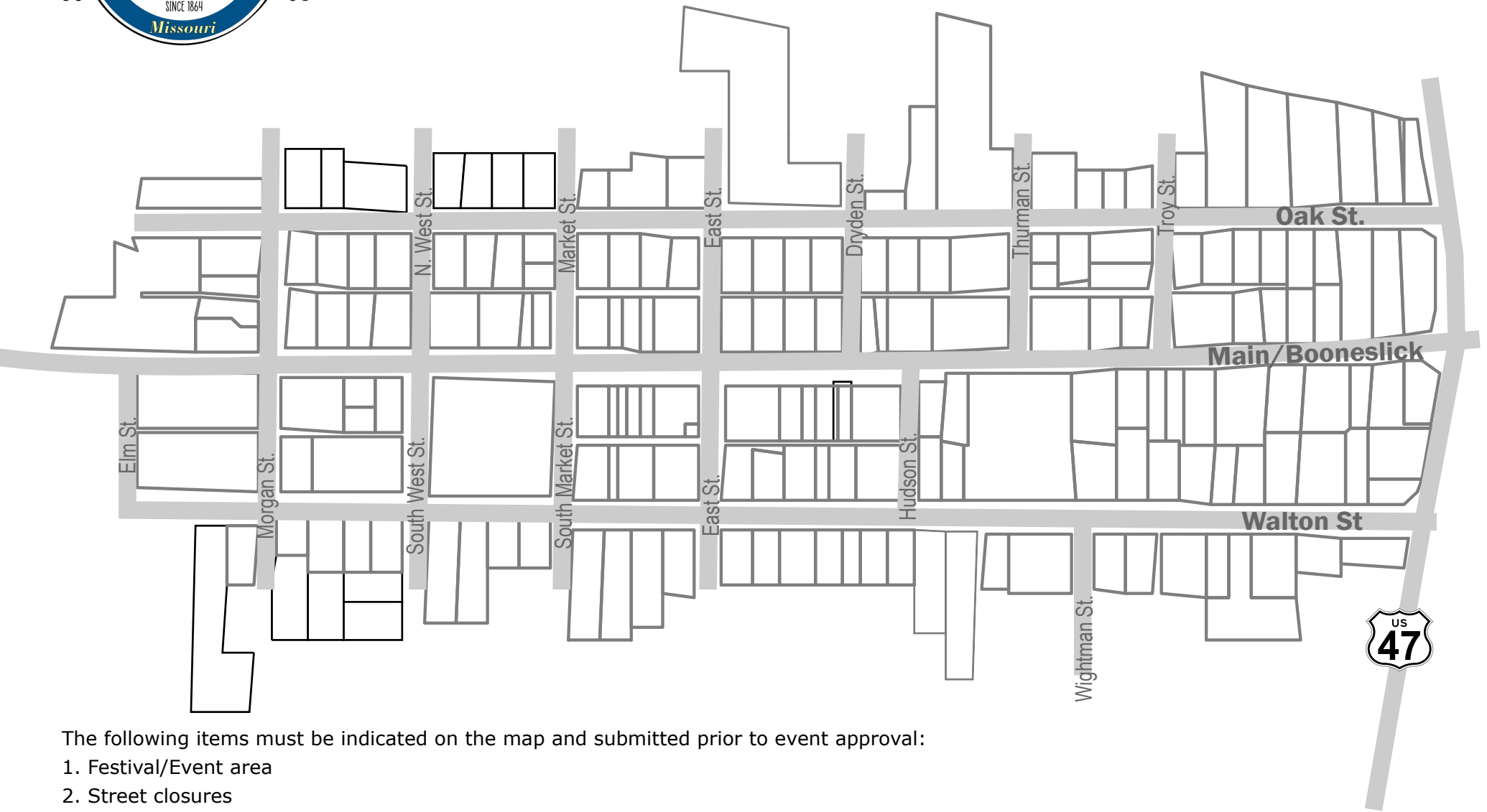
b. The Board of Aldermen's decision to deny a request for waiver of fees or costs may be appealed as directed in this Section. The Board of Aldermen shall take reasonable steps to determine the approximate cost of all City services provided to festivals/events without charge.

11. Hold Harmless. As a condition of the issuance of any permit under this Section, the applicants and sponsors shall agree to defend, indemnify and hold harmless the City, its officers, employees and agents, for any and all suits, claims or liabilities caused by, or arising out of, any use or activity authorized by any such permit.

12. Insurance Requirements. The sponsor shall provide general liability insurance naming the City as an additional insured. Limits and terms of acceptable coverage will be determined as recommended by the City Administrator and set forth in the festival/event permit. Certificates of insurance are to be submitted to the City for approval prior to the issuance of the permit.

13. Revocation Of Permit. Any permit issued under this Section may be summarily revoked by the Chief of Police at any time when, by reason of weather, disaster, pandemic, public calamity, riot, or other emergency or exigent circumstances, the Chief of Police determines the safety of the public or property required such immediate revocation. The City Administrator may summarily revoke any permit issued pursuant to this Section if the City Administrator finds that the permit has been issued based upon false information or when the permittee exceeds the scope of the permit or fails to comply with any condition of the permit. Notice of such action revoking a permit shall be delivered, in writing, to the sponsor by personal service or by posting at City Hall if personal service cannot be achieved.

Main Street Festival/Events - Permit Map Submission



The following items must be indicated on the map and submitted prior to event approval:

1. Festival/Event area
2. Street closures
3. Barricades placement
4. Traffic ingress/egress
5. Emergency safety access location
6. Sanitation locations (Trash receptacles, porta potties, hand washing)
7. Lighting/Electrical locations if applicable

City Clerk Approval Signature/Date