

Village of Pawling, New York

Village Green and Public Assembly Events Policy

ARTICLE I Purpose.

This Policy is intended to provide a transparent and easily understood policy for regulation of the use of the Pawling Village Green and for public assembly within the Village

ARTICLE II Title and Authority.

- A) This Policy shall be known as the "Village Green and Public Assembly Events Policy".
- B) This Policy was adopted by resolution of the Village Board on June 2, 2014.

ARTICLE HI Definitions.

"Authority"	means the Village Board of Trustees.
"Applicant"	means a "person" making application to hold an "Event".
"Application"	means Application for permission to use public property within the Village.
"Event"	means any person or group intending to use the Village Green or other public areas within the Village for the purposes of an assembly, group activity or organized event.
"Non Profit"	means an organization, association, corporation or other entity, no part of the income or profit of which is distributable to its members, directors or officers.
"Person"	means any individual, combination of individuals, association, municipality, or other legal or commercial entity.
"Village"	means the Village of Pawling
"Permit"	means an agreement "Pawling Village Green and Public Assembly Events Permit" to use all, or a specific portion, of the Village Green or other public areas for an Event.
"Village Green"	means that area of the Village of Pawling located on Charles Colman Boulevard, and more specifically as shown on the attached Exhibit A.

ARTICLE IV

Application Review.

The Village Board shall review and make a determination on all applications requesting a Permit to use all, or any portion of, the Village Green or other public areas for an Event.

A) APPLICATION FORM. Applicants for a Pawling Village Green and Public Assembly Events Permit "Permit" must complete an application form including at least the following information:

- (1) the name and contact information of the Applicant;
- (2) the signature of a responsible officer of the organization if the Applicant is an association, corporation or other similar entity;
- (3) the tax status of the Applicant;
- (4) whether it is proposed that amplified sound be used;
- (5) whether it is proposed that electric power be provided;
- (6) whether Village rest room facilities are required;
- (7) where on the Village Green the Applicant would like to hold the event; and
- (8) any and all such additional information as the Village Board feels necessary for determination of compliance with this Policy and the efficient and safe operation of the Village Green and other public areas.

When complete, said application forms shall be returned to the Village Clerk.

B) USE FEE. Applicants shall pay a non-refundable use fee to cover administrative costs including the cost of notifications and other administrative costs, incurred by the Village in reviewing the Application. Said fee to be set from time to time by the Village Board and may be waived at the discretion of the Village Board.

C) PAYMENT FOR COSTS. Applicants are responsible for reimbursing the Village for costs associated with the event, including but not limited to, police, traffic control, clean-up, trash removal, rest room clean-up and any other costs incurred by the Village.

D) APPLICATION DEADLINES. Application for a Permit for an Event shall be filed with the Village Clerk no later than sixty (60) days prior to the proposed date of the event. These timelines may be waived or modified by the Village Board when the Applicant can demonstrate exigent circumstances that merit such a waiver or modification.

E) ELIGIBLE APPLICANTS. Persons eligible to apply for a Permit will be those persons whose proposed event will be in keeping with the good health, safety and welfare of the Village, have as their primary focus or principal attribute a demonstrable public purpose, and whose proposed event will not be for a financial profit; except that for-profit sales may be allowed at certain Events such as Farmer's Markets.

ARTICLE V **Standards for Approval.**

A) STANDARDS. The following standards shall be utilized by the Village Board in reviewing the event application. The Village Board shall make an agreement only if it finds:

- I) the application form has been properly completed;
 - i. the application fee has been paid;
 - ii. the event will not endanger the health, safety and welfare of persons who visit the Village Green or other public areas;
 - iii. adequate sanitary facilities are available or will be provided at the Village Green to accommodate the proposed Event;
 - iv. the Event will not cause damage from destruction or overuse of the grounds, equipment, vegetation, buildings, fences or other amenities of the Village Green. The applicant agrees not to disturb the root system of the trees by maintaining a minimum undisturbed radius of 6 feet from the tree trunks;
 - v. the Special Event will not unreasonably disturb persons who occupy land which is adjacent to the Village Green;
 - vi. the portion of the Village Green requested to be used has not been reserved for other use at the time requested in the application;

B) CONDITIONAL APPROVAL. The Village Board may condition approval of a Permit with suitable conditions for the purpose of assuring compliance with this Policy and the health, safety and welfare of all. Said conditions may include, but are not limited to:

- i) Location: Designating the entire Village Green or a specific area within the Village Green or other public areas where the Special Event shall be allowed to take place (see attached Exhibit A); even if this is a location different from that requested by the Applicant.
- ii) Restrooms: Requiring a minimum number of portable restrooms based on the expected attendance and duration of the special event.

iii) Bond: In large or potentially environmentally disruptive or destructive circumstances, Applicants may be required by the Village Board to post a bond to ensure prompt payment of costs.

iv) Parking: Parking in the Village is limited. Applicant will use all reasonable efforts to minimize traffic disruptions caused by loading and unloading equipment and supplies and will follow directives from Village officials regarding parking area(s) for Event participants.

ARTICLE VI Miscellaneous Provisions.

1) NOISE: Amplified sound may be allowed in the Village Green or other public areas, however:

- A) the need for amplification must be identified on the Application;
- B) the sound shall not unreasonably disturb the peace of homeowners and businesses located adjacent to or in the neighborhood of the Event; and
- C) the Village will not refund any fees paid by an Applicant if the Applicant's Event is cancelled because of noise.

2) WEATHER CANCELLATION: If an event held during inclement weather will likely cause injury or damage to the Village Green or other public areas, the Village Board may cancel the event due to inclement weather or forecasted inclement weather.

3) OTHER CANCELLATION: The Village Board shall reserve the right if warranted by exigent circumstances to cancel an event for failure of the Applicant to follow the Agreement.

4) CLEANUP and OTHER COSTS: The Applicant shall return the Village Green and other public areas to the condition it was in prior to the Event. The Applicant will be billed by the Village for any damages incurred beyond normal wear and tear, as determined by the Village Board in its sole judgment.

5) INSURANCE For any Event to take place, Applicants must provide a certificate of insurance as soon as possible after the Event has been approved and in any case not later than 30 days prior to when said event is scheduled to occur.

The Applicant shall procure and maintain for the duration of the Event, insurance against claims for injuries to persons or damage to property that may arise from or in connection with the use of the Village Green and other public areas. Insurance will be in compliance with Exhibit "B" attached hereto and made a part of this Application.

**PAWLING VILLAGE GREEN AND PUBLIC ASSEMBLY EVENTS PERMIT
APPLICATION FOR PERMISSION TO USE PUBLIC PROPERTY WITHIN THE VILLAGE**

The purpose of this application form is to aid in the application and review process. However, it is not designed to cover every possible circumstance. The Village Board may require additional information in order to approve an application.

Application Date _____ (application must be filed at least 60 days prior to the event)

Name of Entity "Applicant" requesting permission _____
Contact Person _____ Connection with the event _____
Address _____
Phone _____
Email _____

Event Date _____ Event Time and Duration _____
Event Purpose _____
The purpose of the requesting entity ☐ for-profit ☐ non-profit ☐ political ☐ other _____

Expected number of participants _____ Will the event be open to the general public? ☐ Yes ☐ No
If not, who are the expected participants? _____
NOTE: non-participating members of the public may not be excluded from the Green or other public areas

Will there be entertainment or a speaker? ☐ Yes ☐ No. If so, describe _____

Will food or beverages be served? ☐ Yes ☐ No. If so describe _____
Food vendors must have all applicable health department permits.
NOTE: no alcoholic beverages may be consumed on the Village Green or other public areas without specific approval of the Village Board of Trustees.

Please describe any other activities taking place during the event _____

Will there be supplemental illumination or other electrical equipment? ☐ Yes ☐ No
If so, describe items and power source _____
NOTE: permission must be obtained from the Village to use public power sources - \$20 fee

Will there be signage used? ☐ Yes ☐ No. If so, describe form and content _____

What provisions will be made to handle litter or refuse resulting from the event?

What provisions will be made to handle proper sanitation for the event?

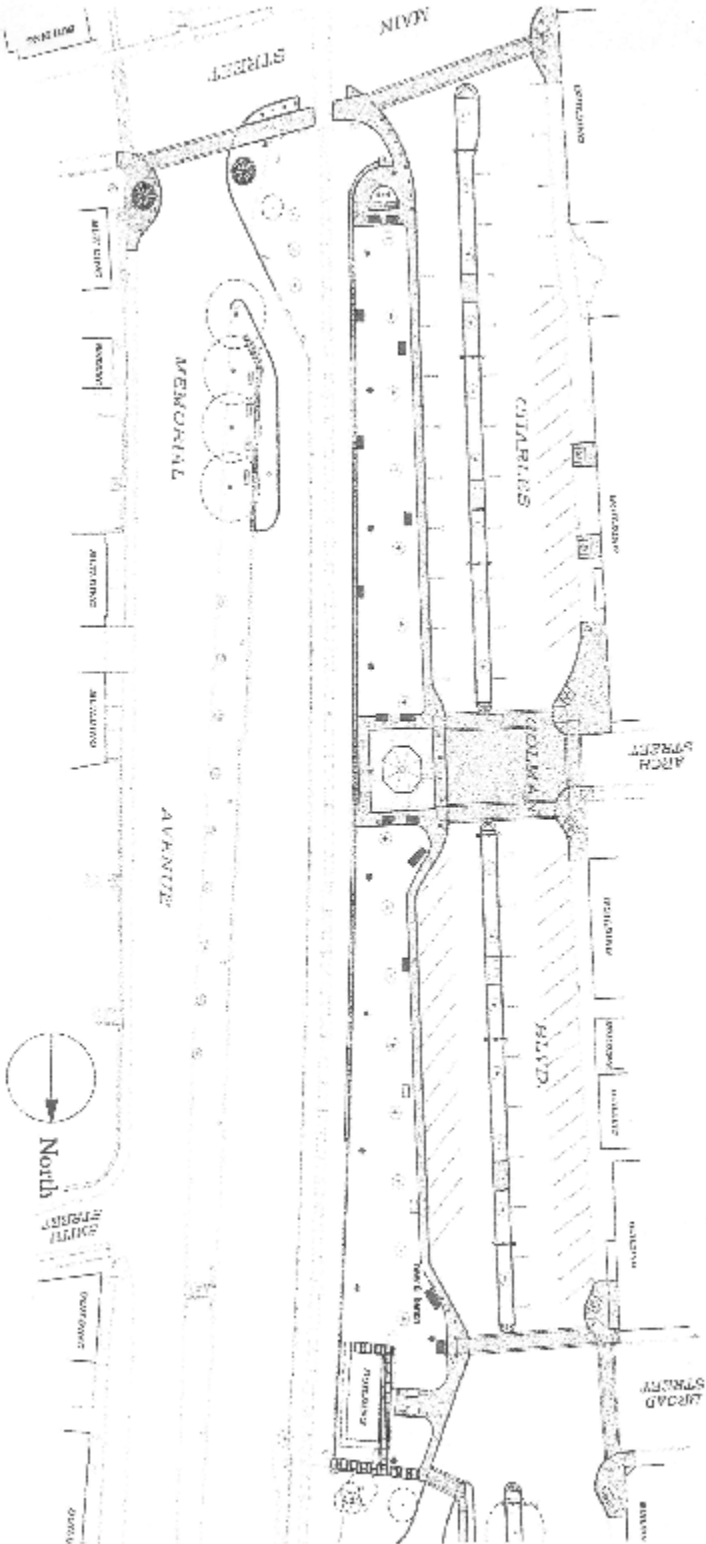
Are there any structures, tents, booths, tables or other large objects planned as part of the event? Yes ☐ No ☐
If so, describe the size, material, location, use, the method (if any) by which they are fixed in place, and how long they will be in place before and after the event. Draw your plan on the attached map.
NOTE: public walkways and seating may not be obstructed

The Village Board grants permission for the above named Entity to hold the above named Event on the above named Date.

Village Clerk: _____ Date _____
Printed Name _____ Date _____
Entity Representative _____ Date _____
Printed Name _____

By signing this application, Applicant agrees to all of the terms and conditions of the **Village Green and Public Assembly Events Policy**.

EXHIBIT "A" Plan of the Village Green



Village Green and Public Assembly Events Policy Insurance Requirements

Exhibit B

Event _____ Date(s) Requested _____

Purpose of Use _____ Time _____ To _____

Name of Organization _____ Address _____

Responsible Person _____ Address _____

Telephone #'s _____

Participants Expected: Adults _____ Children _____
_____ Residents _____ Non-Residents _____

Will an Independent Contractor/Vendor be used? _____. If yes, provide:
Name _____
Service provided _____
• *See additional insurance requirements below*

Admission Fee Charged? _____ Proceeds Use? _____

Material/Equipment/Special Arrangements Needed:

IN THE EVENT OF AN EMERGENCY CALL 911

Insurance Requirements

Review the following insurance requirements and forward to your insurance representative/carrier for issuance of required certificates. NOTE: The Village Board reserves the right to require alternative liability limits when applicable. The organization shall maintain at a minimum the following insurance coverages, giving evidence of same to the Village of Pawling in a *form of a Certificate of Insurance, copy of General Liability Declaration Page, and a copy of the Additional Insured Endorsement, and provide*

30 days notice of cancellation, non-renewal, or material change. New York State license carrier is preferred; any non-licensed carriers will be accepted at the Village of Pawling's discretion. The insurance carrier must have an AM Best Rating of at least A-IX. **Worker's Compensation and NYS Disability coverage is required for any organization that has employees that will be working on the premises.** **Note – Independent Contractors or Vendors used or employed by the organization must comply with Village of Pawling Insurance Requirements for Independent Contractors/Sub-Contractors**

I. Commercial General Liability

Coverage	Occurrence – 1988 ISO or equivalent
Limits	General Aggregate
\$2,000,000	Products-Comp/Ops Aggregate
\$2,000,000	Personal & Advertising Injury
\$1,000,000	Each Occurrence
\$1,000,000	Fire Damage (any one fire)
\$ 50,000	Medical Expenses (any one person)
\$ 5,000	
Additional Insured	The Village and all appointed and elected officials, employees, and volunteers using ISO Form CG2005 or equivalent.
Extension Mandatory	Full Contractual Liability
Mandatory:	If alcohol is being served, evidence of Host Liquor Liability is required.
	If alcohol is being sold, evidence of Liquor Law Legal Liability is required.

II. Umbrella Liability

Coverage	Umbrella Form or Excess Follow Form of primary General Liability and Automobile Liability
Limit	\$2,000,000
Additional Insured	The Village of Pawling and all appointed and elected officials, employees, and volunteers

III. Workers' Compensation and NYS Disability

Statutory coverage is required if the Organization has employees that will be working on the premises.

IV. Hold Harmless

The undersigned, an officer of the organization requesting use of the Village of Pawling's facilities, guarantees observance of all regulations governing the use of facilities of the Village of Pawling, payment of any charges incurred, and states that the organization agrees to indemnify and save harmless the Village of Pawling, all of the Village's elected and appointed officers, employees, and volunteers and/or agents and all claims for damages or injury to persons or property that may be occasioned by, or arise from, the use of such facilities to the fullest extent possible pursuant to the laws of New York State.

Name of Organization

Address

Signature

Name & Title (Please Print)

For the Village of Pawling Use

Date Received	_____	Approved By	_____
Fee	_____	Date	_____
Insurance	_____	Special App.	_____