

Memorandum

Department of Public Works



TO: Michael O. Geisel, P.E.
City Administrator

FROM: James A. Eckrich, P.E. *JAE*
Public Works Dir. / City Engineer

DATE: October 18, 2018

RE: Special Activity Permits

A Special Activity is a planned activity, event, or temporary grouping of people that deviates from the normal land use that occurs on the site and interferes with the normal flow or regulation of pedestrians, traffic, or parking. Special Activities may require specific City services including, but not limited to, the provision of barricades, special parking arrangement, or police services. Examples of common Special Activities include parades, bike rides, block parties, carnivals, and promotional events.

The City Staff regulates Special Activities by requiring a Special Activity Permit (SAP). The requirements for obtaining an SAP are detailed within the attached Instructions and Application. Once the City receives an SAP, the application is reviewed by each department, coordinated by the Planning and Development Services Department. The SAP is not approved for issuance until each department has reviewed the permit and provided a signature of approval.

It has recently come to my attention that the requirement for an SAP is not contained within the City Code, or addressed via City Policy. Accordingly, I am forwarding the attached Policy for City Council's consideration. If approved, the SAP program will continue to be administered as it is currently.

Please note that prior to issuing an SAP for an event utilizing the City right of way, such as a large parade, run, or bike ride, the applicant must provide proof of insurance. This same insurance requirement is not applied to smaller events, such as subdivision block parties and children's parades within subdivisions. This does expose the City to some level of liability, which could only be minimized / eliminated by denying the use of the City streets for these purposes, or requiring Home Owners Associations to obtain insurance for events such as block parties.

Action Recommended

This matter should be forwarded to the Planning and Public Works Committee of City Council. If recommended for approval, the attached Policy should be forwarded to the full City Council for adoption.

FORWARD TO PLANNING AND PUBLIC WORKS COMMITTEE FOR REVIEW AND CONSIDERATION.

 2018-10-18

**CITY OF CHESTERFIELD
POLICY STATEMENT**

PUBLIC WORKS

NO. 39

SUBJECT Special Activity Permits

INDEX PW

**DATE
ISSUED** TBD

**DATE
REVISED**

POLICY

A Special Activity is a planned event, activity, or temporary grouping of people that deviates from the normal land use that occurs on the site and interferes with the normal flow or regulation of pedestrians, traffic, or parking. Special Activities may require specific City services including, but not limited to, the provision of barricades, special parking arrangements, or special police services.

The City of Chesterfield regulates Special Activities by requiring a Special Activity Permit (SAP). The requirements for obtaining an SAP are detailed within the attached Instructions and Application. An SAP Application must be completed in full and submitted to the City of Chesterfield at least seven days prior to the event.

Once the City of Chesterfield receives a request for an SAP, the Application is reviewed by the Planning and Development Services Department, the Police Department, the Parks, Recreation and Arts Department, and the Public Works Department. This review is coordinated by the Planning and Development Services Department. Once a representative from each departments has approved the application, via signature, the SAP is issued, along with any appropriate conditions. If the Application is denied for any reason, the applicant is notified, along with the reason for the denial.

Events on City property or City right of way generally require the applicant to provide proof of insurance. This requirement is waived for subdivision block parties and small events entirely contained within one subdivision.

RECOMMENDED BY:

Department Head/Council Committee (if applicable)

Date

City Administrator

Date

City Council (if applicable)

Date



City of Chesterfield Special Activity Permit

Instructions

Please contact Planner of the Day at (636) 537-4733 if you have any questions after reading these instructions.

What qualifies as a Special Activity?

A planned event, activity or temporary grouping of people that deviates from the normal land use that occurs on the site, on City owned or privately owned property, and interferes with the normal flow or regulation of pedestrian or vehicular traffic or parking and may require special City services which include, but are not limited to, the provision of barricades, special parking arrangements or special police services or protection.

Examples of a special activity include, but are not limited to: parades, bicycle or motorized vehicle races, outdoor concerts, craft fairs, block/neighborhood parties, carnivals, shows, outdoor cultural/community events, fundraisers, fun-run/walks, circuses, rodeos, exhibitions, public speaking events, and sales and promotional events. **Retailers in Chesterfield Valley wishing to extend regular business hours on Thanksgiving and "Black Friday" must file for a Special Activity Permit according to the provisions in Ordinance 2725.**

Special Activities require a permit from the City of Chesterfield

Applications for Special Activity Permits MUST be submitted at least 7 DAYS BEFORE the event date

How do I apply for a Special Activity Permit?

- 1) Completely fill out the attached application. Please type or print legibly in ink.
- 2) Please include as much detail as possible and submit a site and/or route plan with the application.
- 3) If parking for the event will not be on site, please provide the location of the proposed parking.
- 4) The property owner or authorized agent **MUST** provide consent to the special activity by either signing the application under "Property Owner (or Agent) Signature" or by providing a letter stating consent.
- 5) Please submit completed applications...
 - via e-mail: specialactivity@chesterfield.mo.us or
 - via mail or hand delivery: Planner of the Day, 690 Chesterfield Parkway West, Chesterfield, MO 63107

A completed application includes: 1) application form; 2) parking plan; 3) detailed site plan and/or route map

Additional information

- **This is not an all-encompassing permit, and in fact, may only be one of several permits required for your event.**
- **If your event includes the use of any County or State rights-of-way, the respective agencies may require separate permits. Acquiring these various permits is the responsibility of the applicant.**
- The City of Chesterfield contracts with St. Louis County for some permit services and you may need to contact the St. Louis County Special Events Permit Processor at (314) 615-5184 to verify if additional permits are needed.
- It is the responsibility of the applicant to verify that all permits for a given event or activity have been applied for before the date of the event. The City of Chesterfield will not approve a Special Activity Permit until all permit requirements have been met, including obtaining all needed permits from other agencies.
 - Please note that all Special Activities involving fireworks will require a separate Fireworks Permit.
- Temporary structures (such as tents) and signage may require additional permits and may be subject to separate regulations, requirements and fees.
- **Events taking place on property or rights-of-way owned by the City of Chesterfield may require insurance.**
- A Special Activity Permit does NOT entitle the bearer to any special exemption from following all State, County, and local laws. For example, a permitted event with a live band does not allow for any variance from the City's general peace disturbance ordinances.
- Special Activities are activities that do not typically or regularly occur on the site, and as such, may only be temporary occurrences.
- Requests for complete road closures of any kind will not be approved except at the Chesterfield Valley Athletic Complex and the Chesterfield Amphitheatre.
- Requests for traffic control devices (street barricades) must be made in the application materials.



City of Chesterfield Special Activity Permit

Application

To allow for adequate review time, applications **MUST** be submitted at least 7 days before the event date.

Organization: _____

Address: _____ City: _____ State: _____ ZIP: _____

Principal Contact: _____

Phone: _____ Cell: _____ E-mail: _____

Event Name: _____

Event Address: _____

Event Date(s): _____ Hours: _____

Expected Attendance: _____

Description of Event: _____

(Please attach additional sheets if more space is needed to accurately describe the event)

- Does this event involve a public street? Yes _____ No _____

*If yes, a traffic control plan **MUST** be attached to this application. (Any event involving County or State rights-of-way must obtain permits for their use **PRIOR** to filling out this application.)*

- Are traffic control devices being requested? Yes _____ No _____

*If yes, the detailed site plan **MUST** show the locations of all requested barricades. Please note that requests to borrow these items are subject to availability and that applicants must pick-up and return these items to the City's Public Works Facility.*

Please indicate the number of barricades needed: _____

Responsible Party: _____

Phone: _____ Cell: _____ E-mail: _____

❖ Responsible Party Signature: _____ Date: _____

❖ Property Owner (or Agent) Signature: _____ Date: _____

(If desired, please attach any comments to this application)

By his/her signature to and acceptance of this agreement, the Applicant hereby agrees to release, indemnify, hold harmless and defend the City of Chesterfield and its employees, agents and representatives from any claim, suit, loss, damage, liability and expense for any and all injuries and damages, including claims for injury or death to persons and damage to property, which are caused, arise or occur as a direct or indirect result of this agreement, or out of the conduct, behavior or activity allowed and permitted under this agreement.

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN AND WITH THIS APPLICATION IS TRUE AND CORRECT AND THAT I WILL CONFORM TO ALL APPLICABLE LAWS AND ORDINANCES OF THE CITY OF CHESTERFIELD AND ST. LOUIS COUNTY.

❖ Applicant Signature: _____ Date: _____

For Office Use Only:

Application Approved by: _____

Signature: _____

Date: _____

Special Activity Permit (SAP) Insurance Requirements

Special Activities which occur on City right of way must provide proof of insurance. This does not include events such as block parties or children parades which occur within one subdivision. The insurance requirements are as follows:

An SAP utilizing public right of way requires the following:

Permit holder is required to procure and maintain, at his / her sole cost and expense for the duration of the Special Activity, Comprehensive General Liability Insurance. The insurance policy must cover the City of Chesterfield, the general public, and all event participants. The General Liability Insurance shall be written by a carrier with an A:VII or better rating in accordance with the current Best Key Rating Guide, and only insurance carriers licensed and admitted to do business in the State of Missouri will be accepted. Permit holder must provide proof of coverage through a Certificate of Insurance naming the City of Chesterfield as an additional insured, along with endorsement. Said certificate must be provided to the City at least two weeks prior to the event.

The City of Chesterfield will not be liable for any claims for injury or damages resulting from or arising out of the Special Activity. SAP permit holder agrees to indemnify the City and hold it harmless against any all such claims, damages, losses, and expenses.

Permit holder shall carry the following standard insurance policies along with the respective minimum amounts required.

- I. General aggregate of \$2,500,000.
- II. Minimum of \$500,000 per occurrence.
- III. Coverage shall be at least as broad as the most current ISO CG form.
- IV. No coverage shall be deleted from the standard policy without notification of the individual exclusions, which must be attached for review and subsequently accepted by the City.

The following are general requirements, which are applicable to all policies:

- I. Deductibles shall be listed on the Certificate of Insurance and are acceptable only on a per occurrence basis for property damage only.
- II. Claims-made policies will not be accepted.
- III. The coverage shall contain no special limitation on the scope of protection afforded to the City, its officials, agents, servants, representatives, volunteers, subcontractors and employees.
- IV. Certified copies of all insurance policies and/or certificates of insurance shall be furnished to the City without cost to the City prior to the scheduled Special Activity.