1. **PURPOSE and POLICY:** It is the purpose of this policy to provide for the issuance of special event permits to regulate events on the public streets, rights-of-ways, parks, and public property of the Town and to provide for fees, charges, and procedures required to administer a permit process. Such events are outside of the usual and expected use of public streets, rights-of-ways, and public property. This policy does not apply to requests for building and shelter/park rentals located in the Town Hall Community Room or Town Park, unless the facility(s) is in conjunction with a larger special event. Any such requests for Community Room and shelter/park rentals should apply via the Park or Community Room application found on the Town’s website ([www.mccordsville.org](http://www.mccordsville.org)), under the Town Manager heading, forms and applications link.

It is the policy of the Town, as implemented through this policy and any procedures adopted hereunder, to recognize the substantial community benefits that result from special events. These events provide cultural enrichment, promote economic vitality, and enhance community identity and pride. These events also provide opportunities for family activities and funding for our community’s non-profit agencies. Partnerships between the Town, event sponsors, and the community are valuable in ensuring successful events. Therefore, the Town will strive to accommodate special events. The Town recognizes that events can be difficult to implement successfully and that the Town requirements may represent a portion of an event’s costs. When setting fees and conditions for events, the Town will be sensitive to their impacts on the event’s costs while balancing the Town’s obligation to protect public health and safety. It is the Town’s goal to have successful special events that enrich and enliven the community.

1. **SPECIAL EVENTS TIER SYSTEM:** Special Events, both Town sponsored and non-Town sponsored, shall be categorized in a three tier system. If the Special Events will be producing noise or music, please indicate such under the Noise Provisions (see Section IX). Event organizers will be allowed a maximum of ten (10) Special Events per year when noise or music is requested as identified in Section IX.
2. **Tier I** –Events that do not require organizers to obtain a permit or notify the Town include but are not limited to the general use of town owned parks or privately owned common areas by groups of 20 or less people, small neighborhood parties by groups of 20 or less people, or anyevent~~s~~ on private property that do not interfere with traffic patterns, do not exceed fire occupancy limitations, and do not include temporary structures larger than 10x10. Events wishing to exceed the Town’s standard noise ordinance limitations, found in Chapter 93.01 of the Town of McCordsville’s Code of Ordinances([**http://library.amlegal.com/nxt/gateway.dll/Indiana/mccordsville\_in/townofmccordsvilleindianacodeofordinance?f=templates$fn=default.htm$3.0$vid=amlegal:mccordsville\_in**](http://library.amlegal.com/nxt/gateway.dll/Indiana/mccordsville_in/townofmccordsvilleindianacodeofordinance?f=templates$fn=default.htm$3.0$vid=amlegal:mccordsville_in)) are not Tier I events. Exception: Events that qualify as residential garage/yard sales, as described by the [Zoning Ordinance](https://www.mccordsville.org/egov/documents/1295559914_346527.pdf), shall not be considered a Tier I event regardless of size of attendance, so long as traffic is not disrupted. Children’s road side stands, as described by the [Zoning Ordinance](https://www.mccordsville.org/egov/documents/1295559914_346527.pdf), shall be exempt from the Special Event Permit regulations.
3. **Tier II –** Events that require the organizers to notify the Town (but do not require a permit) include but are not limited to the use of Town parks and/or common areas of groups of more than 20 but less than 50, small block parties in low traffic subdivisions by groups of more than 20 but less than 50, and the use of Town roads/streets that do not cause disruption to traffic patterns, and do not include any temporary structure larger than 10x10. Disruption to traffic patterns include any use of barricades or items which would restrict, limit, block, re-route, or affect traffic or lanes in any manner. Events wishing to exceed the Town’s standard noise ordinance limitations, found in Chapter 93.01 of the Town of McCordsville’s Code of Ordinances are not Tier II events
4. **Tier III–**Events that require a Special Event permit from the Town include but are not limited to any event with a temporary structure larger than 10’x10’, restrict, limit, block, re-route, or affect vehicular traffic on any public street/roadway, and /or have planned attendances greater than 50. Additionally, any event which seeks to use Town equipment such as traffic cones, barricades, and the like are Tier III at a minimum. Tier III events may include events requesting approval to exceed the noise ordinance limitations.
5. **Tier IV** – Events that require a Special Event permit from the Town include any event meeting the criteria denoted in Tier III and which seek to use Town resources, such as, but not limited to Police Officers or Public Work personnel, and/or seek to use or feature Town equipment or vehicles, such as but not limited to PW and Police vehicles. Tier IV events may include events requesting approval to exceed the noise ordinance limitations.

Please note any temporary signage for any tier event shall require a temporary sign permit.Tier III and IV events can seek approval for a temporary sign within their Special Event permit. Tier I and Tier II events shall seek a separate temporary sign permit.

This above list is not intended to be all inclusive and should be used for informational purposes only. The Town of McCordsville has the final authority in determining a specific event’s tier level. Regardless of tier level, all events must adhere to all applicable federal, state, and local laws.

1. **SPECIAL EVENT PERMIT APPLICATION AND APPLICATION SUBMITTAL**

*a. Applicant(s) – Once an applicant has determined which Tier their event falls within they shall proceed with making the applicable application or notification within the timelines below:*

*i. Tier I – No permit or notification required*

*ii. Tier II – Notification submitted to the Town at least 30 days prior to the date of the event.*

*iii. Tier III – Application submitted to the Town at least 30 days prior to the date of the event.*

*iv. Tier IV - Application submitted to the Town at least 90 days prior to the date of the event.*

Applications are accepted no more than six months prior to the date of the proposed event.

The Town of McCordsville reserves the right to deny the Special Event Permit application to applicant(s) who fail to submit the Special Event Permit Application or Notification within the time frame specific above.

c) The application shall provide relevant event information specified in the permit application, included but not limited to: alternatives for location, route, date, and time. In addition, all applications must be accompanied by the point-of-contact for the on-site decision maker in the event of an emergency.

d) As a condition of the Special Event Permit application all applicants are responsible for providing a specific and accurate representation of the necessary Town services required for the event including.

e) As a condition of the Special Event Permit application, the applicant may be required to provide proof of insurance by submitting a current Certificate of Insurance, covering the specific dates of the special event. If determined by the Town, the applicant may also be further required to submit the Certificate of Insurance naming the Town of McCordsville as an additional insured in the minimum amount of $1,000,000 depending upon the risk to property, people, equipment, and the Town’s liability for Tier III level events. The Town of McCordsville reserves the right to request a higher (or in some circumstances a lower) amount of insurance from the applicant’s provider whether for the proof of insurance or listing the Town as an additional insured. The Certificate of Insurance must show insurance limits that illustrate coverage of combined single limits to cover bodily injury, property damage, and personal injury. Only Tier III are required to provide such insurance coverage. Tier I and II events are not required to provide such insurance. However, for requests of Town equipment in Tier I and II events, the applicant must provide proof of insurance up to the cost to replace the equipment. Such determination will be made by the Town of McCordsville during the staff review process. The Certificate of Insurance (showing insurance limits, combined single limits to cover bodily injury, property damage, and personal injury) along with the Agreement to Defend, Indemnify, and Hold Harmless, is required to ensure that the Town of McCordsville is not held responsible for any incidents of lawsuits that are indirectly or directly related to the Special Event. In addition, applicants must provide Workers’ Compensation for their employees (including paid and volunteer) and insurance covering their equipment and materials. The applicant shall remain responsible for any and all equipment and materials not owned by the Town. The organizer shall retain full responsibility for all damage, theft, or other mishap of any such equipment or materials. Additionally, the organizer will be held responsible for damage, theft, or other mishap of Town property if found to be at fault. This can include but is not limited to failure to place event road closure signs at least two (2) weeks before an event along the event route with coordination with the Public Works Department. This also includes acts of concern or failure to act as instructed by or through the Town of McCordsville policies, procedures, or staff. The Town will seek compensation as applicable through the event organizer’s insurance company or other method(s) as determined appropriate by the Town of McCordsville.

f) Applicants desiring to close a street, whether public or private, must submit a site map with the application showing barricade locations and notation that the barricade is easily removable for emergency access. Non-permitted barricades include vehicles and other large heavy objects which are difficult and cumbersome to remove in an emergency as well as objects which do not clearly indicate a street closure.

g) Fireworks displays by Indiana State Code may require additional regulations as set forth by the Town under Chapter 93.04 (C) (4) of the McCordsville Code of Ordinances**:** [**(http://library.amlegal.com/nxt/gateway.dll/Indiana/mccordsville\_in/townofmccordsvilleindianacodeofordinance?f=templates$fn=default.htm$3.0$vid=amlegal:mccordsville\_in.)**](file:///C:\Users\rcrum\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\JDCE9A2M\(http:\library.amlegal.com\nxt\gateway.dll\Indiana\mccordsville_in\townofmccordsvilleindianacodeofordinance%3ff=templates$fn=default.htm$3.0$vid=amlegal:mccordsville_in.))  Such regulations will be set forth in the approval conditions.

h) Requests to use private security companies or sworn police personnel will be authorized on a case by case basis.

i) The Town may permit any alcohol for any event as appropriate to the event, on any Town property or right-of-way provided it is properly reviewed and approved by the McCordsville Chief of Police and Town Manager. **All State alcohol laws apply**. Links to the Community Room and Park Shelter rules and reservations can be found here: **https://www.mccordsville.org/egov/apps/document/center.egov?eGov\_searchDepartment=14&eGov\_searchType=35**

j) Applicants desiring to place a temporary sign or banner in a Town right-of-way must adhere to the Town’s Temporary Sign Guidelines (will hyperlink). Signs or Banners within the Town right-of-way must be approved by the Town of McCordsville Public Works Commissioner as part of the permit process.

**IV**. **FEES**

1. Applicant(s) and/or sponsor(s), of any events requiring the use of public services and/or defined as a special event, held in the Town of McCordsville, affecting the Town of McCordsville may be required to pay (payable to the Town of McCordsville) for any fees or service charges as deemed necessary and appropriate by the Town of McCordsville. These could include fees and service charges for, but not limited to: police services for events that are determined by the Police Department to be a potential security issue, hazard, or threat; maintenance and trash services; public works maintenance workers; Town vehicles; trailers; or other associated fees such as electrical usage, water usage, park usage, rental fees, barricades, cones, etc. Any public safety employee using any of the Town resources outside normally scheduled working hours may accept payment for services associated with a special event directly from an organizer as approved by their department head. However, such public safety employees must be cognizant that the Town’s insurance may not cover any or all injury, equipment/property damage, casualty, or other type of incident or loss occurring during such outside employment. Unless otherwise determined, Town Sponsored events will not require any fees or service charges. Fees and service charges will be due at the time of application approval before the permit is issued. The applicant will be notified of any cost after staff review.
2. Police Officers Hourly Rate - To be determined per event

Public Works Employees - To be determined per event

Fuel & Equipment Charges To be determined per event

Holiday Charges Hourly charge above x (multiplied by) 1.5

Tier III or if utilizing the Noise Ordinance Exception- Deposit - $75 which will apply to the inspection fee.

Inspection Fee - $75

After-hours Inspection Fee - $150.

\* Town staff requires a minimum four-hour payment commitment

**Application Fees:** Tier I and II events do not require an application fee or a signed permit. Event organizers may proceed with Tier I as provided for in this policy and may contact the Town Planning and Building Department with any questions at (317) 335-3604 or building@mccordsville.org.For Tier II events, organizers shall notify the Town that such event(s) will occur. The Town will then review and respond if any concerns are discovered. Tier III events require an application and fees which must be paid at the appropriate time during the review process. The application may be submitted without payment for Tier assessment and assignment but will not continue in the review process until payment is received.

1. If the event requires additional Town services during its operation that are beyond the estimate from the initial application, the applicant will be invoiced for charges within 30 days of the event and payment will be required upon receipt of invoice.
2. Some event fees may be refundable if the event is cancelled, and written notice of cancellation is received 30 calendar days prior to the event by the Town Manager’s Office. Fees will not be refunded if the event is cancelled due to inclement weather.
3. If the event is cancelled and seeks to be rescheduled by the organizer a new permit must be filled out and submitted to the Town Planning and Building Department.
4. The Town of McCordsville reserves the right to alter or cancel an event at any time due to unforeseen circumstances. If the event is altered or cancelled by the Town of McCordsville due to unforeseen circumstances, event fees are refundable, and the fees will be prorated in order to pay for any services rendered prior to notification of cancellation.
5. Events which have been approved to block or close a road must post signs of road closure two weeks in advance. The Public Works Department will post the signs, the event organizer(s) are responsible for notifying any affected Homeowner’s Associations (HOA’s), other organizations, property owners, and businesses.

There exist specific events that are Town sponsored, meaning they are paid for by the Town.

**V. REVIEW PROCESS**

a. The Town Manager or designee shall initially receive the application (Tier I if received, Tier II and Tier III) and will forward to all applicable departments to determine if all necessary information is provided. Upon review, the event shall be determined whether it will be classified as a Tier I, II, III event.

b. The application for Special Event Permits shall be reviewed using evaluating factors, subject to change, and not limited to, the following criteria:

i. The event complies with all Town, county, state, and federal laws, regulations, and ordinances.

ii. The safety and security of the event is determined through police department regulated security/threat assessment and State and Local regulations.

c. Event location and route can accommodate the expected participants and vendors/exhibitors.

d. The duration and nature of the event does not pose a security risk or threat to residents or visitors of the Town.

e. The event does not conflict, impact, or directly compete for resources, previously approved and/or scheduled construction, maintenance, or other activities/events in the Town.

f. The event location, route, and duration is safe for street and/or alleyway closings, and maintains sidewalk clearance, appropriate flow of traffic, pedestrian ingress/egress, vehicle access, fire & emergency services, and police.

g. Following the staff review, a recommendation shall be presented to the Town Manager or his/her designee for review. The permit application will then be approved, conditionally approved or denied.

i. The Department of Planning & Building shall provide the applicant with written notification about the status of the special event permit application and, if applicable, the required use and costs of Town services.

ii. Conditional approval is granted based upon the applicant(s) required acceptance of location, route, date, duration, and street, sidewalk, and/or alleyway closing alternatives.

**VI. STANDARDS FOR STREET AND/OR OTHER RIGHT-OF-WAY CLOSURE**

a. Following application review by the Police, ~~Fire & Emergency Services,~~ Public Works Departments, and any other applicable department(s), the Public Works Commissioner or his/her designee may grant approval to close a street or other public right-of-way (includes roads, sidewalks, alleyways, multi-use paths, etc.) for a special event if the following conditions are met:

i. The proposed street and/or right-of-way closings, must maintain ADA (Americans with Disabilities Act of 1990) standards and requirements for public right of way and property.

ii. The proposed street and/or right-of-way closing will not unreasonably interfere with normal use of the general public by hindering appropriate flow of traffic, pedestrian ingress/egress, and police, fire & emergency services, and rescue access. **EMAIL SENT TO GREGG FOR VERIFICATION.**

iii. The proposed street and/or right-of-way closing do not present a safety risk, health risk, or environmental hazard.

iv. The proposed street and/or right-of-way closing is compatible with the surrounding area or neighborhood, in consideration of anticipated noise, traffic, crowd capacity, and other identifiable factors.

v. Town resources necessary to support the street and/or right-of-way closing are reasonably available.

vi. The proposed street and/or right-of-way closing are not held primarily for private profit unless the entire Town cost of the event is paid for by the private entity.

vii. Applicants desiring to close a street and/or right-of-way, whether public or private, must submit a site map with the application showing barricade locations and notation that the barricade is easily removable for emergency access. Events which have been approved to block or close a road must post signs of road closure two weeks in advance. The Public Works Department will post the signs, the event organizer(s)are responsible for notifying any affected Homeowner’s Associations (HOA’s), other organizations, property owners, and businesses.

viii. Non-permitted barricades include vehicles and other large heavy objects which are difficult and cumbersome to remove in an emergency as well as objects which do not clearly indicate a street closure.

ix. Applicants may not use any markings on streets for any purpose. Spray chalk is also not permitted. Applicants should contact the Public Works Department for additional guidance on acceptable materials. The use of Town barricades, cones, etc., shall be coordinated through the Department of Public Works.

b. The Public Works Commissioner or designee may conditionally approve a street and/or right-of-way closing, subject to the applicant’s required acceptance of such conditions related to the date, time duration, route or location of the event, and any other alternatives or restrictions that are reasonably necessary to protect the health, safety, welfare, peace and order. All road closures must adhere to the Town’s Code of Ordinances.

**VII. SPECIAL EVENT PERMIT APPROVAL**

a. Once the Special Event Permit Application is reviewed by the Police, Fire & Emergency Services, Public Works, and any other applicable department(s), and the Town Manager or his/her designee, and all evaluating criteria, factors, and standards are met a Special Event Permit is issued.

i. A Special Event Permit Application is conditionally approved, once the applicant accepts the required location, route, date, duration, and/or street and/or right-of-way alternatives.

b. As a condition of the Special Event Permit, the applicant will abide by all requirements outlined in the signed permit. Failure to abide by requirements will void the approval or conditional approval of the permit immediately.

c. As a condition of the Special Event Permit, all applicants are responsible for the payment of all necessary fees and obtaining permits including, but not limited to food and beverage service, signage, tent erection, fire codes, business licenses, the collection of local and state taxes, the payment of any delinquent fines or fees owed to the Town, etc.

d. If deemed necessary for the event, the Town will issue a press release if there is a street closing or traffic alteration.

The Department of Public Works will notify in writing any impacted organizations such as but not limited to INDOT (Indiana Department of Transportation), Mt. Vernon Community School Corporation, Hancock CountyEmergency Management Center and Vernon Township Fire Department if there is a street closing or traffic alteration.

**VIII. SPECIAL EVENT PERMIT DENIAL**

1. Following review by Police, Public Works, and any other applicable department(s), and the Town Manager or his/her designee, if any of the evaluating criteria, factors, and standards are not met, the Special Event will be denied.
2. The Town reserves the right to deny a Special Events Permit for any reason. Permit denial is at the discretion of the Town of McCordsville.
3. As a condition of the Special Event Permit denial, written notification of the application status documenting the reason(s) for the permit denial following the completed review process shall be submitted to the applicant.
4. **FAILURE TO APPLY FOR A PERMIT.** The Town is not responsible for any events that require a Special Event Permit and are held without obtaining the required permit. If a Special Event is held without a Special Event Permit, and/or/is held without notifying the Town, the event organizer(s) will be responsible for all appropriate fees incurred by the Town of McCordsville, and use of its services, in addition to any fines for unlawful assembly. Further, the McCordsville Police Department may shut-down an ~~Special~~ Event that did not acquire the appropriate permit.

**IX. SPECIAL EVENTS REQUESTING NOISE/MUSIC ADJUSTMENTS**

The Town of McCordsville will allow a maximum of ten (10) Special Events where music or noise is allowed to be over the limits allowed under Chapter 93.01 of the Town of McCordsville Code of Ordinances. These Special Events shall adhere to all Town requirements, with the following exception: the sound level limits shall be 90 dB(A) **AT THE SOURCE** during the hours of noon to 10:00 p.m. and 74 dB(A) **AT THE SOURCE** during the hours of 10:00 p.m. to noon. An application for a Special Event Permit that would increase the decibel level shall be submitted to the Town to the Town Manager 30 days prior to the event for internal review. For a Special Event Permit for which a noise adjustment as described is requested, the Town will notify by electronic means that a Special Event will occur which will allow for an increase in the decibel level. To receive the special events notification residents or interested parties must subscribe to whatever electronic outlets provided by the Town at the time of the event. Additional notifications from the special events organizer is encouraged.

**By signing you are giving permission to the McCordsville Police Department to enter onto private property to test the decibel level.**