



TOWN OF CARBONDALE
PARK (OR) STREET RENTAL USE AGREEMENT/
SPECIAL EVENT MANAGEMENT PLAN

Completing this *Park (or) Street Rental Use Agreement and Special Event Management Plan* is required for large special events that will impact the Carbondale community. The purpose is to assist the Event Organizer in planning their special event so that it meets the requirements established by the Town of Carbondale. This Rental Use Agreement & Special Event Management Plan should be submitted 45- 60 days prior to the event. After review by town staff, you will be notified if the event is approved, denied, or if additional information and/or a meeting with town staff is needed.

SECTION 1 - EVENT SUMMARY:

1. Name of Event: _____
2. Primary Event Organizer Name: _____
 - a. Cell Phone: _____
 - b. Email: _____
 - c. Address: _____
3. Secondary Event Organizer Name: _____
 - a. Cell Phone: _____
 - b. Email: _____
 - c. Address: _____
4. Event Location: _____
5. Event Date(s): _____
6. Event Time(s): _____
7. Event Set-up Time(s): _____
8. Event Break-Down Time(s): _____

Procedures must be in place to avoid neighborhood noise disturbance with event break-down. Breakdown within town parks must end at 10:30 pm; and Downtown breakdown at 11:30 pm

SECTION 2 - EVENT SUMMARY INFORMATION:

1. Approximate number of people expected to attend event: _____
2. Approximate Event Personnel Numbers: _____
 - a) Event Staff Leaders/Committee Organizers in charge: _____
 - b) Event Volunteers: _____
 - c) Event Contractors: _____
 - d) Event Security Personnel: _____
 - e) Event Vendors: _____
3. Event training for personnel? (Y) (N)
Describe? _____
4. Fee charged to participants? (Y) (N) If yes, how much? _____
5. Amplified music at event? (Y) (N)
If yes, times music is played (including sound checks) _____

Note: Amplified sound cannot exceed 90 decibels which event organizer is responsible to monitor. Amplified music must be approved by Board of Trustees; Music beyond 9 pm requires Trustee approval.

SECTION 3 – EVENT SITE PLAN (OR PARADE/RACE ROUTE) MAP:

Please provide an accurate detailed drawing or map depicting physical layout of event that includes the following. Must initial each requirement or write N/A (Not Applicable).

1. Boundaries

- Delineate the boundary for the entire event venue, including the names of all streets or areas that are part of the venue and surrounding area _____
- If the event involves a moving route of any kind, show the particular route, indicate the direction of travel, label street names, and identify any street closures _____
- Locate fencing, barriers/barricades, points of ingress/egress, emergency access _____

2. Site Improvements

- Location of stage, tents, canopies, booths, bleachers, other temporary structures _____
- Location of generators, electricity sources, speakers, soundboards, lighting _____
- Location area for trailers, trucks, or other event vehicles _____
- Identify start & finish area (if a race) _____

3. Security, Medical and Safety

- Show security check points _____
- Show placement of traffic control personnel _____
- Locate first aid station, ambulance access point _____
- Locate portable night lighting _____

4. Transportation and Parking

- Identify all parking areas (on/off site) _____
- Locate any drop-off/pick-up areas _____
- Locate area of park where vehicles, food trucks, or other cars will be in park _____

5. Sanitation and Solid Waste

- Locate/identify restrooms/portable toilets and hand wash stations _____
- Locate trash and recycle containers and dumpsters _____

6. Alcohol, Food Service, Vending Booth Areas

- Locate bar/beer garden area, with location of security fencing and entry/exit gates _____
- Location of food service vendor booths _____
- Location of merchandise vendor booths; information and/or demonstration booths _____

7. Smoking Area

- Public special events on town parks/streets are non-smoking, unless area is designated _____

8. Businesses and Neighbors

- Communication is needed to neighboring houses and/or businesses regarding your event. Some events may affect local businesses or impact traffic/noise to neighbors. Please make contact to anyone in the immediate vicinity of your event _____

SECTION 4 – SECURITY PLAN:

Please describe your plan to provide a safe and secure environment (required if dispensing alcohol).

Non-profit sponsored public events that have processed a Special Event Liquor License, may have the security ratios adjusted and/or waived, if they can provide an adequate number of trained volunteers and a comprehensive event management plan that mitigates staff concerns for public safety, event monitoring and the following of applicable federal and state laws. While there is no federal law on crowd safety, the National Fire Protection Association's 101 Life Safety Code is considered the standard. This code recommends having one crowd manager for every 250 occupants at an event.

*Security is required for events larger than 500 attendees. If alcohol is to be served, event organizer shall provide (1) licensed security officer per (250) people in attendance. If alcohol is not to be served, event organizer shall provide (1) licensed security officer per (350) people in attendance. **To determine your security needs, please refer to the appropriate chart below.***

Alcohol Served at Event		No Alcohol at Event	
# of Patrons	Security Needed	# of Patrons	Security Needed
0 – 250 =	0-1	0 – 350=	0-1
250-500 =	1-2	350-700 =	1-2
500 – 750 =	2-3	700 – 1050=	2-3
750-1000 =	3-4	1050 – 1400=	3-4
1000-1250 =	4-5	1400 – 1750=	4-5
1250-1500 =	5-6	1750 – 2100=	5-6
1500-1750 =	6-7	2100 – 2450=	6-7
1750-2000 =	7-8	2450 – 2800=	7-8
2000-2250 =	8-9	2800 – 3150=	8-9
2500 – 2750=	9-10	3150 – 3500=	9-10
2750 – 3000=	10-11	3500 – 3850=	10-11
3000 – 3250=	11-12	3850 – 4200=	11-12
3250 – 3500=	12-13	4200 – 4550=	12-13
3500 – 3750=	13-14	4550 – 4900=	13-14
3750 – 4000=	14-15	4900 – 5250=	14-15
4000 – 4250=	15-16	5250 – 5600=	15-16
4250 – 4500=	16-17	5600 – 5950=	16-17
4500 – 4750=	17-18	5950 – 6300=	17-18
4750 – 5000=	18-19	6300 – 6650=	18-19
5000 – 5250=	19-20	6650 – 7000=	19-20
5250 – 5500=	20-21	7000 – 7350=	20-21
5500 – 5750=	21-22	7350 – 7700=	21-22
5750 – 6000=	22-23		
6000 – 6250=	23-24		
6250 – 6500=	24-25		
6500 – 6750=	25-26		
6750 – 7000=	26-27		

Note: The event promoter is ultimately responsible to ensure no alcohol violations occur, regardless of the number of security required above (Example: Minors in possession of alcohol, no alcohol leaves the premises, no service to visibly intoxicated persons, etc).

A special event may choose to offset the number of security personnel you hire with volunteer security persons. For 2024 all special events can provide up to 25% of the required security personnel, as long as the volunteer security person has met the training requirements below. The event promoter may meet with the chief of police to continue to evaluate the success of the event security ratios and volunteer involvement, to discuss the appropriate percentage allowable to offset the number of professional security personnel with volunteer security for the following year’s event.

1. Required Training for Volunteer Security allowing them to take the place of a hired security guard.

- ICS 100 Incident Command System Training (Available online)
 - <https://training.fema.gov/is/courseoverview.aspx?code=IS-100.c&lang=en>
- ICS 200 Incident Command System Training (Available online)
 - <https://training.fema.gov/is/courseoverview.aspx?code=IS-200.c&lang=en>
- NFPA (National Fire Protection Association) 101 Life Safety Code Crowd Manager Training
 - <https://crowdmanagers.com/>
- CPR First Aid certified.
- Provide Police Chief list of volunteer security in advance (Show completion for each volunteer of training requirements)

2. Volunteer Security Personnel shall be responsible for the following:

- Liaison with on duty law enforcement/professional security for the event
- Monitor to ensure no underage alcohol consumption or illegal drug use occurs.
- Monitor amplified noise at all four corners of event.
- Monitor for fighting or other inappropriate behavior.
- Monitor for weapons and other dangerous devices.
- Monitor weather with National Weather Service
- Monitor parking hourly.
- Monitor event to ensure no alcohol is brought in and no alcohol leaves the premises.
- Monitor the number of attendees and ensure they remain in appropriate areas and not in off limits areas.
 - Be familiar with all exits and emergency exits.
 - In event of an emergency, should assist with mass evacuations.
 - Keep in mind additional emergency services may need to enter area at a designated location. Egress may hinder arrival of additional units.
- Volunteer security must be easily identifiable as on-duty.
 - Off duty Volunteer Security shall not wear material which identifies them as working
- Volunteer security must be sober.
- Volunteer security must work in concert with law enforcement and other security organizations.
- Formal check-in and check-out process with the volunteer security liaison at the start and end of each day.

3. Special Events with liquor licenses:

Event management plan and the volunteer training requirements and reporting has satisfied the maximum of 25% of the security requirements.

___ Yes (take off one private security guard from the ratios above up to 25% of required security. For 2023 75% of security needs will need to be provided by private security guards)

___ No (Trained private security guards at the number circled above are still needed)

The public event must comply by hiring a security company and providing a signed copy of security contract, with # of security guards & hours that match the required private security ratios listed above, minus the volunteer security personnel at the ratio of one per 250 patrons up to 25 % of the required security needs.

4. Have you hired a professional security company to manage event security? (Y) (N)

If Yes, please provide the following information:

- Name of Security Company: _____
- Person in charge at event: _____
- His/Her Cell Phone contact at event: _____
- His/Her Cell Phone Text email address at event: _____
- Number of security personnel assigned to event: _____
- Event times they will be in place: _____
- Describe duties & functions: _____
- Emergency Operations Plan must be submitted to the Carbondale Police Department 45-days prior to the event. Emergency operations plan shall include evacuation plan and mass casualty incident plan. (Most security companies provide this as part of their contract and the Chief of Police can assist with this process)

5. Will Town of Carbondale Police Dept. enforcement services be requested? (Y) (N)

If Yes, please provide the following information:

- List purposes (enforcement, traffic, parking control, event walk-thru):** _____

- List # of officers & times when needed:** _____

Town law enforcement services charged out at Town cost in an agreement with Chief of Police, who has right to place officers as deemed necessary in the best interest of public safety.

SECTION 5 – MEDICAL & EMERGENCY SERVICES PLAN:

Please describe your medical and emergency services plan.

1. Will emergency medical services be summoned through 911? (Y) (N)

If Yes, please provide the following information:

- Name & cell phone of on-site staff designated as medical point of contact: _____

2. Will a licensed Emergency Medical Service provider or EMT be provided on-site? (Y) (N)

If Yes, please provide the following information:

- Name & cell phone of service provider or EMT: _____
- Aid Station location & hours: _____

3. Have you notified the National Weather Service, Grand Junction Office 970-243-7007, of your event dates?

(Y) (N)

Please provide the following information:

- Name & cell phone of the person receiving emergency weather updates: _____

SECTION 6 – TRANSPORTATION & ROAD CLOSURE TRAFFIC MANAGEMENT CONTROL PLAN:

*Required of events involving a road closure. Main Street closure requests require 4-6 months notification to obtain approval. **Event organizers must submit an aerial drawing or map**, showing event location, along with the following information shown on the drawing or map. Must initial each section.*

- Road and/or traffic lane closure request: (Y) (N)
- Location of barricades and/or traffic cones: _____
- Proposed traffic flow map around road closure: _____
- Location of informational signage within road closure area: _____
- Location of safety lighting bar (if needed) within road closure area: _____
- Running or Bike Race route description (with start & finish line) if applicable: _____
- Parade route description (with start & finish) if applicable: _____

With this information the Public Works Director will determine a “traffic control plan” and will indicate the required road closure barricades and road detour signage needed for the event. If equipment is supplied by the Town, it will be provided at Town cost in covering staff expenses on delivery/pickup and setup/takedown. Deposit on Town equipment may be required. At the Town’s discretion, to save expenses, Event Organizer may be requested to set up/take down and safely secure the road closure barricades and signage before and after their event with instructions from the Town. Cost to the event organizer will be determined after review of your event road closure request. If a street must be posted “No Parking” by the Town, the cost is \$5.00 per side of block.

If it’s determined by the Public Works Director that the Town is unable to provide a “traffic control plan,” it may be required that the Event Organizer obtain a plan from a certified traffic control specialist. If the Public Works Director determines that the Town lacks the necessary barricades and signage due to scope and size of road closure (with limited inventory available), it may be required that Event Organizer contract all or a portion of their road closure traffic control management need services with a privately owned traffic control company.

*Town of Carbondale Parks & Recreation Department has a gross weight limit and additional rules on food trucks and other vehicles allowed into Town parks for special events. For large special events, that have permission to bring vehicles into the park, we will require that there is a plan to protect the turf with techniques that will include the following stipulations: . **Must initial each requirement or write N/A (Not Applicable).***

- No vehicle access into the park if the natural weather has saturated the turf.** _____
- If necessary (i.e.-food truck locations), the entry/exit would be protected with sheets of plywood and plywood would be placed under truck wheels where they are parking for the duration of the event.**

- Gross vehicle weight cannot exceed 10,000 lbs. This is a light duty commercial truck class 1 & 2 only.** _____
- Turf damage will be repaired using the damage deposit collected from the event organizer.** _____

SECTION 7 – REFUSE/TRASH PLAN:

Event organizer shall provide for the pickup and removal of all refuse/trash and recyclable materials, both on and off event site, which results from hosting the event. Throughout the duration of the event and immediately upon conclusion, the park and/or street area must be returned to a clean condition (no later than 10:00 am the next day following event). Event organizer may use Town trash receptacles available within the event area, but will need to provide additional containers at their expense, either by hiring a trash contractor who provides appropriate containers, providing their own containers, or provide a refuse removal plan that prevents the accumulation and overflow of refuse from containers provided by the Town.

Failure to perform adequate cleanup, or if damage occurs to public property due to event, and mitigation attempts fail, event organizers will be billed at full Town cost recovery rates for cleanup and repair. In addition, such failure may result in denial of future special event approval.

Event organizer is encouraged to consider a refuse/trash recycling plan for your event. Event organizer is further encouraged to consider creating a "Green" Event. These services can be provided for a fee by local companies. If using a contracted company please provide the following:

- Name of Service Provider:** _____
- Contact Person:** _____
- Mailing Address:** _____
- Cell Phone:** _____ **Email:** _____

SECTION 8 - PORTABLE RESTROOM PLAN:

Event organizer shall provide portable restroom facilities unless you can show the sufficient availability of both ADA accessible and non-accessible facilities in the immediate area of the event. Please make sure these facilities are shown on your site plan. Portable toilets shall be removed from event site by 11:00 am the next day following event. Event organizer is responsible for keeping both portable toilets and park bathrooms clean, unplugged, and stocked with toilet paper from beginning to end of event. Multiple day events may require portable toilets to be pumped out daily. Please use the formula below to figure out your event's porta potty needs.

Duration of Event and number of Portable Toilets needed

Number Of Participants	Duration of Event							
	1 hr	2 hr	3 hr	4hr	5 hr	6 hr	7 hr	8 hr
50	1	1	1	1	2	2	2	2
100	2	2	2	2	3	3	3	3
250	3	3	3	4	4	4	5	5
500	4	4	5	5	6	6	7	7
1,000	6	7	8	8	9	9	10	10
2,000	9	12	15	16	17	17	18	18

Do you plan to provide portable restroom facilities at your event? (Y) (N)

If yes, how many: _____

Number of ADA accessible portable toilets: _____

Is portable handwashing station being provided? (Y) (N)

If no, is there a sanitizer dispenser within toilet? (Y) (N)

Please provide the following information regarding event portable restroom provider:

- Name of Service Provider: _____
- Contact Person: _____
- Mailing Address: _____
- Cell Phone: _____ Email: _____

SECTION 9 – ALCOHOL MITIGATION PLAN & PERMIT REQUIRED:

*Responsible sale and/or distribution of alcohol is critical to a safe and successful event. A Town of Carbondale Liquor License Special Event permit application (\$50.00 per day of alcohol service payable to: Town of Carbondale) must be obtained from the Town Clerk, and submitted and approved by the Board of Trustees to sell alcohol (beer & wine) at your event. Only an incorporated non-profit organization is eligible for obtaining a special event liquor permit. The special event permit you receive will prohibit the consumption of alcohol outside of a controlled area or beer garden. Liquor liability coverage with a \$1,000,000 limit must be included on your certificate of insurance (also naming the Town as additionally insured). **You must submit your special event liquor license application to the Town Clerk at least 45 days prior to your event.** Applications submitted to the Town will require a hearing before the Town Trustees. Event Organizer must post a notice at event site 10-days prior to hearing before Town Trustees. Town Clerk will schedule hearing and provide notice board to be posted by event organizers.*

If your event is going to involve the sale and/or distribution of alcoholic beverages, please provide following information:

- Hours of operation of event (include dates & times):** _____
- Alcohol service times:** _____
(required ending is 15 minutes prior to event shutdown, although 30 minutes prior is recommended)
- A designated fenced-in or secured area for the dispensation and consumption of alcoholic beverages is required. Show this area on your site plan and describe measures taken to secure the area:** _____
- Must provide non-transferable ID bands/bracelets for persons 21 and over (Describe your process for identifying legal vs underage patrons):** _____
- Describe how TIPS trained servers will monitor alcohol consumption and intoxication:**

(Note: Servers should not consume alcohol while working a shift, and should not return to shift if they consumed alcohol)

- Describe how Security staff and/or event server volunteers will provide friendly intervention to individuals who appear intoxicated:**

- Consider (but not required) designating a “family friendly” seating area. If included, describe the location and include on site plan:** _____
- Will event provide alternative beverages to alcohol? If so, what?**

- Will food be available at all times? If so, what?**

- Is there a designated smoking area? If so, describe the location and show it on your site plan:** _____
- How will you handle and mitigate an obviously intoxicated person who is drunk and may be driving home?**

SECTION 10 – FOOD PLAN & PERMIT:

These guidelines should assist you in developing plans for food handling, preparation, and distribution in the most responsible and legal manner. Garfield County Public Health Department paperwork process for Temporary and Special Food Service Events must be followed if you will be having any event in Garfield County where food will be sold to the public. (This includes, fairs, festivals, carnivals, farmers markets.) All vendors must obtain a retail food establishment license to serve open foods (including ice), and potentially hazardous foods that need to be temperature controlled. The event organizer is required to fill out a Garfield County Public Health Event Coordinator Plan Review (appendix A) and each vendor at your event must fill out and apply for an annual Garfield County Public Health Temporary Vendor Application (Appendix B) and a Garfield County Public Health Commissary Agreement (Appendix C) Temporary Vendor Permit Flow Chart (Appendix D). All food vendors at your event must have their original Colorado Retail Food Establishment license on premise at all times.

- **Please list food vendors at your event, name of vendor and product (s) served:**

- **Vendors Exempt from Licensing (Exempt foods include popcorn or kettle corn, raw agricultural commodities such as honeycomb and uncut produce, commercially pre-packaged products that do not require refrigeration and cottage foods such as pickled fruits and vegetables , spices, teas, dehydrated produce, nuts, seeds, honey, jams ,jellies, preserves, fruit butter, flour and baked goods, including candies, fruit empanadas, tortillas and other similar products that do not require refrigeration for safety. Please list food vendors exempt from licensing at your event, name of vendor and product (s) served:**

SECTION 11 – STATE SALES TAX LICENSE SUBMITTAL PLAN:

*If goods and/or services (including the sale of alcohol and food) are to be sold at event, each vendor must obtain a State of Colorado Sales Tax License **Note:** A governmental agency or charitable organization must still obtain a Sales Tax License, and if making taxable sales, they shall collect sales tax and consumers shall pay sales tax on such sales.*

Event Organizers State Sales Tax Collection Responsibilities

The following website link provides all of the information needed for event organizers and vendors at special events to collect and remit sales tax to the State of Colorado.

<https://tax.colorado.gov/special-event-sales-tax>

- *Special event organizers should also contact dor_specialevents@state.co.us with the dates, time, and location of their event so that it can be listed on Revenue Online <https://www.colorado.gov/revenueonline/> for easier filing for the vendors.*
- *Information Flyers and sales tax forms can be provided for the vendors if needed by the event organizer and these can be found at the above State of Colorado website.*
- *Special event organizers bear various responsibilities in relation to the special event. The organizer must inform each seller participating in the event of the various taxes and tax rates that apply to retail sales made at the event.*
- *Additionally, the organizer must provide a list of the sellers participating in the event to the State Department of Revenue. The list must include the names, addresses, and multiple or single special sales event license number, if any, of each seller participating in the event. The organizer must submit such a list*

to the State Department of Revenue within ten days of the last day of the event. This list is important for the state to audit the show vendors for filing and paying taxes for special events.

- *A special event organizer may elect to obtain a special event license in order to file and remit taxes on behalf of some or all of the sellers participating in the event.*

Vendors who did not obtain a Sales Tax License, and who attempt to work the event, shall be shut down by Event Organizers and/or Town staff. Event Organizers are responsible to visually verify and make sure that each vendor has their license and that it is posted within booth.

SECTION 12 – LIABILITY INSURANCE:

Liability insurance coverage must be provided for special event. If your event includes alcohol, liquor liability coverage must also be included. At least one week prior to the event, a certificate of insurance must be submitted to the Town Clerk. The certificate shall name the Town of Carbondale as an additional insured (for example: “Town of Carbondale, its officers, employees, & agents”). This commercial general liability insurance certificate requires the following minimum amount of coverage. Please initial each section.

- \$1,000,000 each occurrence; \$2,000,000 aggregate:** _____
- Host and general liquor liability insurance required in the same amounts listed above:** _____

SECTION 13 – EVENT DEBRIEFING:

An event debriefing may be held following your event at Town of Carbondale staff discretion. You are encouraged to attend this debriefing to help offer insight into the success of your event. The purpose of the debriefing will be to identify areas of success, and also areas in need of improvement, should you decide to hold your event annually.

SECTION 14 – FEES AND DEPOSITS

PARK (OR) STREET RENTAL USER FEE:

- \$100.00 User Fee per each day of use between 100 – 300 participants* Paid Date _____
- \$200.00 User Fee per each day of use with over 300 participants* Paid Date _____

PARK (OR) STREET CLEANUP/DAMAGE DEPOSIT FEE:

- \$200.00 Cleanup/Damage Deposit Fee for event with 100 – 300 participants* Paid Date _____
- \$500.00 Cleanup/Damage Deposit Fee for events with over 300 participants* Paid Date _____

These amounts may be increased if it is deemed necessary for a particular event or activity.

Event Organizer shall submit **two (2) checks payable to: TOWN OF CARBONDALE**

*One check designated for Rental User Fee of the Park/Street, and the other check designated for Park/Street Cleanup/Damage Deposit Fee. **These fees must be submitted with your application** and will be returned if denied. Please note that if the Town deems necessary, a portion of the cleanup/damage deposit fee may be utilized by the Town for the purpose of payment of unforeseen costs necessary to insure and protect public safety during the event, and to ensure the terms and conditions of this Rental Agreement are fulfilled. The deposit shall not limit Event Organizer from liability for such expenses in excess of the Cleanup/Damage Deposit Fee submitted. A refund check for deposit amount (minus any deductions if required) will be issued after the event.*

Initial here: _____

SECTION 15 – LICENSES, PERMITS, AND FEES

Event Organizer shall adhere to all local and state requirements regarding business licenses, taxes, vending, and special event permits and policies.

Initial here: _____

SECTION 16 – INDEMNIFICATION:

*Event Organizer agrees to indemnify the Town, its officers, agents and employees, and to hold them harmless as to any claim, liability or damages, including attorney fees and court costs, arising out of, or directly or indirectly resulting from the conduct of the event. **Certificates of insurance shall be provided to the Town Clerk at least one week prior to event.***

Initial here: _____

SECTION 17 – CANCELLATION OF EVENT:

Event may be cancelled by the Carbondale Town Manager, or his/her designee, if a recommendation is made by the Parks & Recreation Director, Public Works Director, or Chief of Police that the terms of this Agreement and Event Management Plan are not substantially fulfilled in a timely manner, or in the event of an unforeseen catastrophic event or act of God. In the event of such cancellation, the Town shall remit to Event Organizer all rental fees and damage deposits minus any expenditures incurred by the Town. Neither party shall be liable to the other for any lost profits, lost revenues or consequential damages in the event of such cancellation.

Initial here: _____

SECTION 18 – RELEASE OF LIABILITY:

The Town assumes no responsibility whatsoever, for any non-municipal property used within the premises of Event, and the Town is hereby expressly released and discharged from any and all liabilities for any loss, injury or damages to any person or property of Event Organizer, its employees, agents and concessionaires, or of any performer or spectator that may be sustained by reason of the occupancy within the premises of event under this Agreement. I further acknowledge and accept that there are presently additional health risks associated with my participation in this program during the COVID-19 pandemic, and hereby agree to comply with all Town of Carbondale regulations, policies and rules related to the COVID-19 pandemic for so long as the ongoing local COVID-19 health emergency exists as declared by the Town of Carbondale Board of Trustees. With full awareness and appreciation of the risks involved, I also hereby forever release, waive, discharge, and covenant not to sue, the Town of Carbondale, its Parks & Recreation department, officers, employees and agents, with regard to any and all liability, claims, demands, and causes of action whatsoever, directly or indirectly arising out of or related to any loss, damage, or injury, including death, I may sustain related to COVID-19 due to my participation in this program, regardless of any negligence by the Town or its officers, employees and/or agents.

Initial here: _____

SECTION 19 – AUTHORITY TO CONTRACT:

The Town of Carbondale and Event Organizer represent that each has the power to enter into this Agreement, and grant or receive as the case may be, the license herein granted; each represents that it does not require the consent of any other person or entity (governmental or otherwise), and that this Agreement constitutes a valid and binding obligation of the Town of Carbondale and Event Organizer which is enforceable against the respective parties in accordance with the terms hereof.

Initial here: _____

SECTION 20 – ATTORNEY’S FEES:

In the event that suit is brought (or arbitration instituted) or any attorney is employed or retained by any party to this Agreement to enforce the terms of this Agreement, to collect any money due there under, or to collect any money damages for breach thereof, the prevailing party shall be entitled to recover, in addition to any other remedy, reimbursement for reasonable attorney’s fees and costs incurred in connection therewith, including the reasonable value of salaried attorney’s time.

Initial here: _____

SECTION 21 – FIRST AMENDMENT ACTIVITY:

The Event Organizer acknowledges that the constitutional right to free speech and expression is afforded careful protection in traditional public forums like Town parks, streets, and sidewalks.

If an event is open to the general public and occurring on or within a Town park, street, or sidewalk, the Event Organizer acknowledges that the Town, including its Police Department, will not enforce or otherwise support any restrictions on an individual or group’s First Amendment rights, except if determined, in the Town’s sole discretion, that the First Amendment activity raises a significant and real issue of governmental concern, including but not limited to public health, safety, or pedestrian or vehicular traffic impediments, or significantly interferes with the specific expressive message of the event.

Initial here: _____

Event Organizer Name (Please print): _____

Signature: _____

Date: _____

SPECIAL EVENT MANAGEMENT PLAN STAFF REVIEW & RECOMMENDATION

(With Comments, Conditions, and/or Requirements for Event)

PARKS & RECREATION DIRECTOR:

Approval: _____ Approval Pending: _____ (see above) Denial: _____

Signature: _____ Date: _____

PUBLIC WORKS DIRECTOR:

Approval: _____ Approval Pending: _____ (see above) Denial: _____

Signature: _____ Date: _____

CHIEF OF POLICE:

Approval: _____ Approval Pending: _____ (see above) Denial: _____

Signature: _____ Date: _____

TOWN CLERK: (Liquor Licensing Approval)

Approval: _____ Approval Pending: _____ (see above) Denial: _____

Signature: _____ Date: _____

TOWN MANAGER:

Approval: _____ Approval Pending: _____ (see above) Denial: _____

Signature: _____ Date: _____

