

# **TOWN OF GRAND ISLE, VT**

## **---WARNING---**

We, the Selectboard of the Town of Grand Isle do approve the following ordinance. Our action is adopted on April 6, 2020 and becomes effective on June 5, 2020 which is sixty (60) days after our acceptance.

### **Town of Grand Isle Special Events Ordinance**

The full text of the Ordinance may be viewed on the website: [grandislevt.org](http://grandislevt.org) For further information on the above ordinance contact Diane Cota at (802) 372-5446.

V.S.A. Title 24 Section 1937

(a) An ordinance or rule adopted by the municipality may be disapproved by a vote of a majority of the qualified voters of the municipality voting on the question at an annual or special meeting duly warned for the purpose, pursuant to a petition signed and submitted in accordance with subsection (b) of this section.

(b) A petition for a vote on the question of disapproving an ordinance shall be signed by not less than five (5) percent of the qualified voters of the municipality and presented to the legislative body or the clerk of the municipality within forty-four (44) days following the date of adoption of the ordinance or rule by the legislative body.

Approved by the Grand Isle Selectboard dated April 7<sup>th</sup>, 2020

Diane Cota    Jeff Parizo    AnnaMarie DeMars    Adam White    Rachael Griggs

Dated this 7<sup>th</sup> day of April 2020

Attest: Melissa A. Boutin, Town Clerk

TOWN OF GRAND ISLE  
SPECIAL EVENTS ORDINANCE

The Selectboard hereby ordain the following ordinance for the regulation of events:

Section 1. Purpose and Authority

This ordinance is adopted to promote the public health, safety, welfare and convenience of the inhabitants of Grand Isle by regulating special events within the Town of Grand Isle. By requiring a permit for each event, proper coordination of public services is ensured and overburdening of local infrastructure is prevented. This ordinance is a civil ordinance within the meaning of 24 VSA Section 59.

Section 2. Definition

For the purpose of this ordinance, this term shall have the following meanings: Special Event: A non-reoccurring outdoor event, gathering, exhibition or activity of less than seven (7) consecutive calendar days in duration for which money is received or donations of value are required that:(i) proposes to use the public right-of-way and is reasonably expected to result in material disruption of vehicular or pedestrian traffic (considering the day of the week, time of day, and location of the event); or (ii) is reasonably anticipated to involve 100 or more persons convened at a single point in time or over the course of a multi-hour period to participate in, observe or support a circus, carnival, menagerie, play, concert, entertainment, or exhibition of any kind including athletic events, races or tournaments.

Section 3. Permit Requirement

No special events may take place in the Town of Grand Isle unless a special event permit has been obtained from the Selectboard in accordance with this ordinance. Events with fewer than 100 participants (including staff, volunteers, attendees, etc.) are not required to obtain a special events permit.

Section 4. Application

An application for a special event permit, which may be for a series of activities undertaken by a single permittee, under the provisions of this ordinance shall be filed with the Grand Isle Selectboard and must be accompanied by a \$10.00 application fee. The Selectboard, at an official meeting, will decide to approve, approve with conditions/modifications, or deny each application upon consideration of the approval standard set forth in section 5. Prior to any action, the Selectboard may cause the application

to be reviewed by Town departments including, but not limited to, police, fire, and rescue. The Selectboard shall render a decision within (thirty) 30 days of receipt of a completed application for a special events permit. If no action is taken within thirty (30) days, the permit will be deemed granted. Each event will require a separate permit.

Each application for a special events permit shall include:

- 1) The name, address, telephone number and email address of the event sponsor, organizer or contact person if organizer will not be on-site the day of the event;
- 2) The site where the event is to occur (if more than one location, list all affected areas/locations);
- 3) If the applicant is not the owner of the premises where the event is to take place, the name and contact information of the site owner shall be given and the owner's consent to the event must be attached to the application;
- 4) A site plan indicating location and its layout including entrances and exits from public or private roadways, state and local highways, entrances and exits, traffic flow patterns, parking and land uses of the surrounding area;
- 5) The intended date(s) and all hours of operation on each date for the event;
- 6) The maximum total number of people expected to participate in or attend the event including staff, volunteers, attendees, etc. and provisions for accommodating the total;
- 7) Description of the event including a schedule, copies of marketing or promotional materials, and a description of all promotional activities engaged in or to be engaged in;
- 8) Proposed signage for the event, both on-site and off-site directional signage, with a map of locations for proposed directional signage;
- 9) Details as to what arrangements have been made to protect the public health, safety, welfare and convenience during the event including arrangements for traffic control, crowd control and sanitation;
- 10) A current Certificate of Liability Insurance demonstrating \$1 million of general liability insurance per occurrence, \$2 million aggregate. If the event is held on Town Property, the Certificate must name the Town of Grand Isle as an additional insured;

- 11) Provisions for food and beverage, if any;
- 12) If there will be amplified music at the event and if so, that the location of the music is marked on the site plan.
- 13) Other information deemed necessary by the Selectboard.

#### Section 5. Approval Standards

Prior to the issuance of any permit under this ordinance the Selectboard shall determine that the proposed event satisfies the following standards:

- 1) The proposed use and site is in conformance with any applicable Town ordinances.
- 2) The proposed event will not result in undue adverse traffic congestion and unsafe conditions regarding the use of public roads and other public rights-of-ways.
- 3) The proposed event will not present or create a threat to the safety of persons or property because of fire, explosion or other hazard.
- 4) The proposed event will not create unhealthy conditions regarding water supply, sewage disposal or solid waste disposal.
- 5) The proposed event will not interfere with the use of neighboring property for its customary use by the creation of noise, dust, noxious odors, lighting or other activities which extend beyond the boundary of the event.
- 6) The proposed event will not overburden the public infrastructure of the Town. Special attention shall be given to the cumulative impacts of other activities which may be occurring at the same time.
- 7) The proposed event and application have a history of complying with permit conditions, and not disturbing the peace.
- 8) Proposed event will not have an adverse effect on public health, safety, welfare and convenience of the inhabitants of Grand Isle.

#### Section 6. Approval Conditions

When issuing a permit under this ordinance, the Selectboard may attach such reasonable conditions as they may deem appropriate to mitigate or eliminate any impacts reviewable under the Approval Standards set forth above. Such conditions may include but are not limited to:

- 1) Establishing specific hours for the proposed use;
- 2) Establishing noise limits;
- 3) Requiring the provision of traffic control personnel at no cost to the town;
- 4) Requiring the provision of crowd control and medical personnel at no cost to the town;
- 5) Requiring that trash and litter on public streets attributable to the proposed event be collected and removed at no cost to the Town. Event organizers are encouraged to “reduce, reuse and recycle”.
- 6) Restricting or prohibiting the consumption of alcoholic beverages in connection with any regulated event;
- 7) Requiring public sanitation, food, water, and emergency medical facilities as necessary;
- 8) Ensuring the event location is suitable to accommodate the number of people anticipated to attend, including vehicles;
- 9) The event will not substantially impair the provision of fire, police protection, medical and other essential public service.

#### Section 7. Permit Fee

The fee for the granting of any permit shall be \$10.00 for each day of operation for any single event.

The fee for a permit shall be paid at the time of filing the application. In the event that the application is rejected, the fee shall be refunded to the applicant.

#### Section 8. Exemptions

The following activities and venues are exempt from the requirements to obtain a permit and pay a permit fee as long as such use is in conformance with any applicable Town ordinance.

- 1) Activities conducted by schools licensed by the State Department of Education and/or churches, on school or church grounds are exempt from the requirements to obtain a permit and pay a permit fee.

- 2) Development Review Board (DRB) approved venues
- 3) Private property events
- 4) Donaldson Park

Section 9. Applicability of other Laws and Ordinances

The permit required under this ordinance shall not replace or eliminate any requirement to obtain approval under any other applicable laws or ordinances.

Section 10. Enforcement

- 1) The Selectboard may revoke a permit issued under this ordinance for failure to comply with any conditions contained in such permit, or for any disturbance of the public peace or for occurrences detrimental to the public health.
- 2) Violation of this ordinance shall constitute a misdemeanor and may be punishable by a fine of \$500.00 per week, or part thereof, that the violation continues or imprisonment for a term not to exceed one year.
- 3) In addition to enforcement as provided above, the Selectboard may institute an action in the name of the Town to obtain injunctive or other appropriate relief.

Section 11. Severability

If any section, subsection, or any part thereof of this ordinance, is for any reason held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof.

Section 12. Effective Date

This ordinance shall become effective 60 days after its adoption by the Grand Isle Selectboard. If a petition is filed under 24 V.S.A. section 1973, that statute shall govern the taking effect of this ordinance.

Diane Costa  
ada via  
Challman Doherty

Jeff Raye  
Richard Briggs  
April 7, 2020  
 Date