1.0 Purpose:

The purpose of this policy is to support events and activities by providing guidelines by which the reviews, approvals are granted and give attention to the use of City resources and infrastructure in support of such activities.

(For the purposes of this document the term City shall be used to represent both the governmental organization and Special Event Team).

2.0 General Guidelines and Definitions:

The City has established a Special Event Team (SET) consisting of representatives from the departments of Police, Fire, Parks and Recreation, Public Affairs, Public Works, Administration, and other appropriate departments. In addition, the City has appointed the Tourism and Event Manager to be the main point of contact for all special events.

The Tourism and Event Manager, as a function of the Public Affairs Department, is ultimately responsible for the coordination and implementation of events, accepting applications, reviewing proposals, and working with applicants to ensure that the events are in keeping with City guidelines and policies.

Scope: This policy applies to special events as defined in this policy. Events wholly contained on private property and organized by the property owner are not subject to this policy. Private events that occur wholly within a City park are not required to follow this policy, and will continue to be authorized through the separate Parks Permit process in the Parks and Recreation Department.

Construction related street closures and Demonstrations or Public Gatherings will also be permitted through the Parks Permit process. This policy shall not apply to City facilities that have policies governing their usage.

Special Events: A function or an occasion where an assembly of people are brought together for a specific purpose on a non-regular basis that is open to the public on City property.

City Organized Events: Events organized and facilitated by City of Roswell personnel.

City Supported Events: Events organized and facilitated by private entities that require substantial assignment and use of City resources and/or significant facilitation by City of Roswell personnel. Appropriate fees will be applied.

City Authorized Events: Events organized and facilitated by private entities that do not require use of City resources, excluding Lodgers’ Tax, but have been approved under the terms of this policy to occur. Appropriate fees will be applied.

Parades: Events that require the blocking of streets for purposes of entertainment progressing down the street for public viewing.

Block Parties: Events that require the blocking of streets for purposes of neighborhood resident gatherings.

Normal Business Operations: Routine services by the City.

3.0 Application Process:

1. Application Process: The Tourism and Event Manager will assist and work with the Applicant during any part of the application process. The process is as follows:
   a. Complete and submit the Special Event Questionnaire and Application available on-line or by contacting the Tourism & Event Manager at (575-624-6860). Prior to the issuance of a permit, the Applicant must provide an application fee. Submit application to the Tourism & Event Manager in person, via e-mail, or by fax (575-624-6709).
   b. The Special Event Team will review the application, request follow-up information if necessary, consider the application including costs, if any, and provide a response to the applicant in most cases no later than ten working days from the date of the meeting.

2. Applicant: Applicants requesting a Special Events Permit must be eighteen (18) years of age or older.

3. Applications: Documents should be completed in full using the approved City application forms and should be submitted no sooner than one (1) calendar year in advance of the event and no later than one hundred twenty (120) calendar days prior to the event. Reviews of applications received less than one-hundred twenty (120) calendar days in advance of the special event are not guaranteed to be granted.

4.0 Location of Events:

Special Events shall be reviewed by the City on a case-by-case basis and evaluated to confirm that the proposed location is appropriate for the intended use. Location fees may be required.
5.0 Frequency of Events:

The City shall review and limit the number of events in any one location per twelve-month period at its sole discretion.

6.0 Security:

Security shall be required when participation at the event is governed by Federal or State statute, City code or policy. When security is required, the Applicant must hire licensed security personnel or peace officers who have jurisdiction within the City of Roswell. The Applicant shall be responsible for costs associated with security. Security level reference tables may be found in Attachment A.

7.0 Post Event Requirements:

Applicants are required to return public spaces to their original condition. The Applicant shall not apply any permanent or semi-permanent markings to City property.

8.0 Damage or Loss of Materials:

The City shall not be responsible for damage or loss of materials used or left in any public spaces and does not assume liability on groups or individuals attending an event within said public spaces. Any damages may be subject to cost of replacement or repair on a case-by-case basis.

9.0 Denial of Future Use:

Applicants shall abide by City Ordinances, State and Federal laws, and this and other City of Roswell Policies. Failure to do so may result in the denial of usage of the public space(s) and/or the issuance of a Special Event Permit both at the time of the infraction and in the future.

10.0 Indemnity:

Applicant must agree to indemnify, hold harmless and defend the City, its officers, agents and employees from and against all liability for any and all claims, suits, demands, and/or actions for damages, injuries to persons (including death), property damage (including loss of use), and expenses including court costs and attorney’s fees and other reasonable costs occasioned by or arising out of Applicants use of public spaces and/or activities conducted in connection with or incidental to the requested permit and arising out of or resulting from the intentional acts or negligence of
Applicant, its officers, agents, employees or persons participating in the event sponsored by Applicant.

Applicant must further agree that they shall, at all times, exercise reasonable precautions on behalf of, and be solely responsible for the safety of its officers, agents, employees, participants, visitors, and other persons, as well as their property, while in or on the public spaces or involved in activities in connection with or incidental to the permitted use of the public spaces under this permit. It is expressly understood and agreed that City shall not be liable or responsible for the negligence of Applicant, their agents, servants, employees, customers, visitors and participants.

It will be further agreed with respect to the above indemnity, that City and Applicant will provide the other with prompt and timely notice of any event covered in any way, directly or indirectly, contingently or otherwise affect or might affect the Applicant or City, and City shall have the right to compromise and defend the same extent of its own interests.

Applicant will further agree that this indemnity provision shall be considered as an additional remedy for the City and not as an exclusive remedy.

11.0 Insurance:

The Applicant shall agree to provide liability insurance insuring the above indemnity provisions, and products/completed operations coverage, where applicable, in the following amounts:

1. Bodily injury: $500,000 per person;
2. $1,000,000 per occurrence; and
3. Property damage: $200,000 per occurrence.

Applicant shall further expressly agree that with respect to the above required insurance, the City shall:

1. Be named as additional insured/or an insured as their interest may appear.
2. Prior to execution of a permit, be provided with the original certificate of insurance or their insurance policy evidencing the above requirements.

12.0 Special Event Use of City Personnel:

The City may determine that the Applicant shall pay for the use of certain City personnel, including overtime. Payment may be included as appropriated by Lodgers’ Tax and processed internally.
13.0 Special Provisions:

1. **Food or Beverage Sales:** If serving food and/or beverage to the public, the Applicant must coordinate through the appropriate authority to obtain necessary permits and information on proper dispensing and handling procedures. The Applicant must have City approval to serve or sell alcoholic beverages on public property as part of an event and provide copies of permits and information of State approval to the City. To serve or sell alcoholic beverages at public events, it is the responsibility of the Applicant to obtain the proper licensing and training from the New Mexico Alcoholic Beverage Commission.

2. **Restroom Facilities:** For special events, it is the responsibility of the Applicant to provide an adequate number of toilet facilities, including mobility impaired accessible units, at the expense of the Applicant.

3. **Trash Pick Up & Removal:** The Applicant is responsible for the removal of trash and litter during and after the event. Special consideration for added measures may be determined.

4. **Parking:** The City shall determine that adequate parking is available for the Special Event. Applicant agrees that parking on non-paved surfaces shall be limited to only those areas specifically designated by the City, if on public property.

5. **Pyrotechnics/Special Effects:** All use of pyrotechnics or special effects must be disclosed and discussed with the Public Affairs Department to ensure appropriate on-site assistance and requirements are met.

6. **Vendor Business Licenses:** Vendors are required to obtain a City of Roswell business license, unless exempt, in order to operate at these events.

7. **Barricades:** The amount of barricades needed for an event will be determined by the assigned Special Events Team and the event organizer.

8. **Electrical Service:** When required, all electric service shall be installed by a licensed electrician. Any event requiring heavy electrical usage must identify needs with the Tourism and Event Manager. Electric extension cords shall be utilized properly. Gauge size of cords used must be compatible with equipment. They shall not be frayed. They shall be completely covered with tape or other method to prevent tripping. They shall be properly grounded.
9. **Hydrants and Water Service:** To use a metered adapter on a hydrant, approval will be required from the City of Roswell Public Works. Any event requiring hydrant usage must identify needs with the Tourism and Event Manager.

10. **Amusement Rides:** Amusement rides must meet the requirements set forth by New Mexico Codified Law and Roswell City Ordinance including Chapter 7. All required inspection affidavits, licenses, and fees shall be presented at the time of application for such event.

11. **Tents:**

   a. No tent shall be erected or used unless authorized by the City. Such authorization shall not exceed the length of the event including setup and tear down time.
   
   b. Tents shall not be treated with any substance or preparation which would increase the rate of combustibility of the fabric.
   
   c. The ground occupied by a tent and the area within ten (10) feet of a tent shall be cleared and maintained free of all flammable or highly combustible material or vegetation. The provisions of this section shall not preclude the use of necessary food for animals or other necessary materials incident to the purpose of the tent.
   
   d. The provisions of this section, except as to safety, do not apply to temporary tents under 120 square feet erected for special occasions.
   
   e. Any tent or canopy used for food warming or having an area greater than 120 square feet (10 x 12) and not used for cooking requires a 2-A: 10-B:C minimum rated fire extinguisher in the appropriate number. (Travel distance to the nearest extinguisher shall not exceed 75 feet).

12. **Department of Transportation (DOT) Permit Approval:** The Applicant is responsible to apply for and obtain the necessary approval to close streets within DOT jurisdiction. The City, at a cost, may assist to generate the necessary maps and traffic control plans for submission to DOT with the permit. An approved permit from DOT must be submitted prior to issuance of a Special Event Permit from the City.

14.0 **Assignment/Transfer:**

   It is expressly understood that any permit issued is exclusive to the parties named therein and is not assignable or transferable.

15.0 **Event Marketing and Advertising:**

   The Public Affairs Department shall coordinate the efforts of all marketing and promotion of any City Organized Event. The Public Affairs Department will oversee and approve any City logo or intellectual property usage for any event and will approve or

deny any marketing or promotion of City logo or intellectual property for a City
Sponsored Event. Any sponsorships will be managed by the Public Affairs Department
including monetary or in-kind sponsorships of staff, equipment, etc. Any request for
assistance with this from the Applicant will also be managed through this department.

16.0 City Services:

The Applicant can request services or equipment from the City to conduct the Special
Event; however, the City cannot guarantee these services or equipment.

If requested and agreed to by the City with the granting of a Special Event Permit, the
Applicant shall be responsible for expenses to the City connected with the holding of a
Special Event to the end that the City shall be protected from the gross expenditure of
funds. Once the City has provided those items or services as agreed to for the event, it is
the responsibility of the event holder to provide additional items or support to ensure
the success of their event.

The Applicant will be required to provide the City with a deposit. Additional fees will be
required in the event that City services or equipment are requested and approved.
Outstanding fees owed the City will be billed to the Applicant within thirty (30) days of
the close of the permitted event. All unused portions of the deposit will be returned to
the Applicant within thirty (30) days of the close of the permitted event.

If applicable, Applicant will be required to deposit with the City the estimated sum in full
for services the City has agreed to provide in accordance with the approved Special
Events Fee Schedule prior to the issuance of a permit.

An applicant requesting to be City supported shall make the request at the time of
application and send to Finance Committee for recommendation and full City Council
for approval.

Approved as
Policy Approved:  
Council Ratification
Date:  

City Attorney
Joseph Neel, City Manager
October 30, 2017

Attachment A
Security Level Reference Tables

Listed below are the personnel level standards for the City and recommendations on minimum staffing for security for the Applicant.

<table>
<thead>
<tr>
<th>Estimated Event Attendance</th>
<th>0-100</th>
<th>101-200</th>
<th>201-500</th>
<th>501-1,000</th>
<th>1,001-2,000</th>
<th>2,001-3,000</th>
<th>Greater than 3,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recommended Minimum Staffing</td>
<td>1 to 2 Officers</td>
<td>2 Officers</td>
<td>4 Officers</td>
<td>4 Officers</td>
<td>5 Officers</td>
<td>6 Officers</td>
<td>2 Officers for each 500 additional attendees</td>
</tr>
</tbody>
</table>

**All events should be individually assessed to ensure proper public safety manpower is provided.**

<table>
<thead>
<tr>
<th>Factors which may increase threat level or staffing needs:</th>
<th>Factors which may decrease threat level or staffing needs:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Need for personal protection for speakers, performers, or guests.</td>
<td>Historically minimal attendance.</td>
</tr>
<tr>
<td>Events with multiple locations.</td>
<td>Patron screening.</td>
</tr>
<tr>
<td>Night time events.</td>
<td>Daytime events.</td>
</tr>
<tr>
<td>Outdoor venues.</td>
<td>Indoor venues.</td>
</tr>
<tr>
<td>Live entertainment.</td>
<td>Prior events of similar nature with no history of safety issues or police action.</td>
</tr>
<tr>
<td>Venues with multiple entrances.</td>
<td>Private security staff at event.</td>
</tr>
<tr>
<td>Traffic control needs.</td>
<td>Other agency assistance.</td>
</tr>
<tr>
<td>Specific threat to the event.</td>
<td>Other factors determined by RPD staff.</td>
</tr>
<tr>
<td>Events involving alcohol sales.</td>
<td>Other factors determined by RPD staff.</td>
</tr>
<tr>
<td>Other factors determined by RPD staff.</td>
<td></td>
</tr>
</tbody>
</table>