

**CITY OF BEAUFORT**  
1911 Boundary Street  
Downstairs Conference Room  
BEAUFORT, SOUTH CAROLINA 29902  
**WORK SESSION**  
August 17, 2010

Downstairs Conference Room  
**1911 Boundary Street**

**EXECUTIVE SESSION**

**4:00PM**

Pursuant to Title 30, Chapter 4, Section 70 (a) (2) of the South Carolina Code of Laws:  
Discussion regarding contractual arrangements and receipt of legal advise regarding land acquisition.

**Worksession To Follow Upon Completion of Executive Session**

I. **Call to Order** – Mayor Billy Keyserling

II. **Council Discussion Items**

- A. Discussion regarding Boards and Commissions
- B. Discussion regarding Waterfront Park Special Events Policy and Proposal of new fees for rental of the Waterfront Park related to Private Events
- C. Discussion regarding speed limit on HWY 170
- D. Discussion regarding Re-Designation of HWY 21

III. **Adjourn**

**NOTE: IF YOU HAVE SPECIAL NEEDS DUE TO A PHYSICAL CHALLENGE,  
PLEASE CALL IVETTE BURGESS 525-7070 FOR ADDITIONAL  
INFORMATION**

**STATEMENT OF MEDIA NOTIFICATION**

"In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place and agenda of this meeting."



## **City of Beaufort Special Event Policy Effective \_\_\_\_\_ 1, 2010**

### **Introduction**

The City of Beaufort's Special Event Policy is designed to standardize events held in the community so they are executed with the safety and health of the participants, the protection of public property, and the impact on non-participating citizens taken into account.

The City of Beaufort is committed to ensuring that all events within the City limits are appropriately governed by rules, regulations, and ordinances, and do not violate federal or state laws or regulations. It is the responsibility of the organizer to ensure these guidelines are followed.

### **Overview**

Individuals, organizations, and agencies wishing to conduct public gatherings on City property and public rights of way must obtain approval in advance through the City of Beaufort. Events as outlined below require City approval and oversight if they are to occur on city property or public roadways.

The Special Events Committee, comprised of City of Beaufort department representatives, will review your application for compliance with City guidelines. Upon review for zoning compliance and approval by the Special Events Committee, the City will issue a Memorandum of Understanding (MOU)/Special Events Permit outlining the responsibilities of all involved parties.

The City does not currently charge an application fee, but reserves the right to add a fee in the future.

NOTE: No Special Event application or permit is required for events held on private property, unless it involves the closing of streets or the need for City services. However, there may be a requirement for other permits such as: tent permits (cooking tents and other tents over 200 square feet), zoning compliance, sign permits, etc. Please contact the City Manager's office at (843)-525-7070 or e-mail Ivette Burgess at [iburgess@cityofbeaufort.org](mailto:iburgess@cityofbeaufort.org) for information on additional permitting requirements.

## **Event Criteria**

The City of Beaufort encourages events that educate and expose the public to a range of diverse and rich cultural experiences. Events that contribute economic and social benefits to the community, including those that promote tourism, showcase local talent, invigorate community spirit and revitalize neighborhoods are aligned with City goals. However, keep in mind that the acceptance of this application does not imply automatic approval of your event.

All approved events will be categorized as an event type, either I, II or III, depending on the need for exclusive use of an area, size of the event, impact of the event on citizens and businesses, and other variables. Organizers of all events being held at City Facilities must contact appropriate City staff to arrange for facility rental prior to submitting special event application.

City-sponsored events will take priority in use of any city property or public rights of way. Events which have been held the previous year take priority over newer applicants for the same time and location upon the condition that prior year events have satisfied all financial obligations to the City. This right is revoked if the established event previously failed to comply with guidelines set forth in the Special Event Policy and Memorandum of Understanding.

Items considered in the review process include, but are not limited to:

- General risk to health, safety and welfare to the participants in the event and to the citizens of Beaufort
- Compliance with applicable city, state and federal laws
- Whether the event supports the City's strategic goals and public purpose objectives
- Nature of the event, and how it will serve the community of Beaufort
- Availability of similar facilities provided by private sector enterprises
- Whether the event will generate positive media exposure for the community
- Impact of event on neighboring residents and properties
- Impact and/or cost of the event on City property, support services and holiday schedules
- Risk posed to the City due to the nature of the event
- Impact upon non-participating citizens
- Compatibility of event with requested location
- Dates and times during which the event will occur
- Number of participants
- Parking availability
- Adequacy of adult supervision for minors
- Frequency of the event or similar event(s)
- Past compliance with Special Event Policy and Memorandum of Understanding

There may be other factors taken into consideration in determining whether or not the event is appropriate for the City of Beaufort.

## **Compensation for City Staffing**

Applicant may be required to hire off-duty City of Beaufort staff to provide service. Approval to waive these fees will be at the discretion of the City Manager. See Special Event Fee Schedule for current staffing costs.

**Event Types**

<b>Event Type</b>	<b>Anticipated Number of Participants</b>	<b>Impact to Residents &amp; Businesses</b>	<b>City Services Needed</b>	<b>Road Closure</b>	<b>Sell/Serve Alcohol?</b>	<b>Advance Notice of:</b>
<b>Type I</b>	< 100	None	No	No	No	10 business days (2 weeks)
An event would qualify as Type I if ALL of the above associated conditions are met (significant impact, city services, road closure, and alcohol availability). If such an event takes place on private property, with no road closures or need for city services, a special event permit is not required. However, there may be a requirement for other permits such as: tent permits (cooking tents and other tents over 200 square feet), zoning compliance, sign permits, etc. Please contact the City Mangers office at (843)-525-7070_ for information on additional permitting requirements.						
<b>Type II</b>	100-300	Minimal	Yes	Yes	Yes	15 business days (3 weeks)
An event would qualify as Type II if ANY of the above associated conditions is met (attendance, significant impact, city services, road closure, alcohol availability).						
<b>Type III</b>	300+	Significant	Yes	Yes	Yes	20 business days (4 weeks)
An event would qualify as Type III if ANY of the above associated conditions is met (attendance, significant impact, city services, road closure, alcohol availability).						

NOTE: On Type II and III Events, failure to submit a Special Event Application in the specified time frame prior to the event may result in the event application being denied by the City of Beaufort. Approval to consider applications submitted outside the required timeframes will be at the discretion of the City Manager’s Office.

**Neighborhood Block Party**

A Neighborhood Block Party is an outdoor public party organized by the residents of a neighborhood using sidewalks/streets requiring no city services. A Neighborhood Block Party does not require the completion of the full special events application. However, in the interest of public safety, please submit a Block Party Registration Form to notify officials of potential road blockages and to verify approval by the neighborhood at large.

**City Facilities**

Event coordinators requesting to hold events at City of Beaufort facilities should first contact the City Manager’s Office. Events held in parks and recreation facilities must follow all guidelines and regulations set forth in the City of Beaufort Special Events Policy. These guidelines may restrict available time for some events and prohibit some events entirely. All rental fees for the use of City facilities must be paid in full prior to the events unless other arrangements are approved by the City Manager.

## **Special Event Approval Process**

In order to quickly and efficiently review each Special Event request submitted for approval, the City has developed the following special events approval process.

### ***Step 1: Submit Special Event Application***

The event organizer of a special event submits the Special Event Application, detailing the event and specific needs for City services (trash cans, police, park facilities, event set up/clean up, etc.). Depending on the type of event, more detail will be required as outlined in the application. A checklist is included in the application to ensure all necessary information is provided.

Please send the application to:  
Attention: Special Events Committee  
Beaufort City Manager's Office  
PO Drawer 1167  
Beaufort, SC 29901  
Telephone: (843)-525-7070  
Fax: (843)-525-7013  
[iburgess@cityofbeaufort.org](mailto:iburgess@cityofbeaufort.org)

### ***Step 2: Application Review***

Completed Special Event Applications will be reviewed by the Special Events Committee, which consists of representatives from the appropriate City departments. During the review process, the Committee will work with the event organizer to discuss any questions and/or changes that may arise in order to complete the review process in a timely manner. In some cases, approval from the City Manager's office may be required.

### ***Step 3: Event Memorandum of Understanding (MOU)***

Upon approval of the event, the Special Events Committee will draft a written MOU to set the terms and conditions under which the event will be allowed to operate. The MOU will be delivered to the applicant and a signed copy of the MOU, along with other pending documents must be returned to the City Manager's Office within 5 business days of initial receipt. Delays in providing these items may result in a delay of the review process and eventual approval. Due to the changing components of an event, special event permits are issued only a few days in advance of the event date. The final signed Memorandum of Understanding will serve as the Special Event Permit.

## **Guidelines and Considerations**

1. In order to ensure the protection of the City of Beaufort, its businesses, and citizens, the City of Beaufort may refuse an application, or require alterations to an approved application.
2. Event times may be changed at the sole discretion of the City due to weather, infrastructure requirements, and repairs to utilities, participant behavior, and other considerations of safety for persons, property and good public order. For the same reasons, approval may require additional conditions, dates, locations, and time limitations.
3. Except as provided by law, the City of Beaufort and South Carolina Department of Transportation is under no obligation to issue permits for the use of its streets, sidewalks, plazas, buildings, parks, and other facilities for special events.
4. If blocking a street is necessary, the event coordinator must provide public notification to all businesses and residents affected by the event no less than five (5) business days before the event. A list of downtown businesses and residents is available upon request.
5. Any misrepresentation in an application submitted to the City of Beaufort or deviation from the final terms and conditions described on the application or on the Memorandum of Understanding may result in immediate revocation of approval or closure of event.
6. If you are given approval by the City for your event, you will be subject to all City, State, and Federal laws and regulations as they apply to the event. Failure to comply will result in revocation of approval or closure of event.
7. Event organizers will be responsible for ensuring vendors comply with all South Carolina taxing requirements and SCDHEC food safety regulations.
8. The Event Coordinator must have a copy of the final signed Memorandum of Understanding **on site** at the time of the event to serve as the Special Event Permit.

## **Safety and Security**

Police officers may be required to provide traffic and crowd control and on-site security. The Special Event Committee will coordinate with the Police Department to determine the number of officers needed. Once that information is established, the event applicant will be responsible for contracting with the Beaufort Police Department at the current hourly rate as set forth in the then current Special Event Fee Schedule. Please contact the Beaufort Police Department at (843)-322-7917 to make arrangements. Payments for Safety and Security services are required to be paid in full prior to the event.

In the event of a road closure, the event organizer is responsible for securing approval to close roads from the Beaufort Police Department. Please contact the Beaufort Police Department at (843)-322-7917 to discuss the closures and to obtain information regarding the closure of state roads.

Provision of Emergency Medical Services (EMS) may be required where there is potential risk to participants, officials, or the public. Accordingly, a first-aid or emergency services plan is required to be included in the Special Event Application.

Event organizers and participants are expected to abide by all federal, state and local codes and regulations. With respect to general safety, OSHA guidelines must be followed and setup is subject to inspection by the City of Beaufort.

### **Discrimination**

Events held on City property and public rights of way must not discriminate on the basis of race, color, religion, sex, age, national origin, familial status or disability.

### **Liability Insurance**

The City of Beaufort requires that any organization/group sponsoring any event at a City owned facility/property or right of way provide the City of Beaufort with evidence of insurance as outlined below.

General Liability, Auto Liability and Workers' Compensation, as follows:

- \$500,000 minimum requirement per occurrence for General Liability and Auto Liability **(depending on the size or type of event, this amount may increase)**
- SC State Statutory limits for Workers' Compensation

Also, the City of Beaufort, its Appointed and Elected Officials, employees and volunteers must be listed as an additional insured on the coverage.

A certification of insurance (ACORD) form may be used to submit this information to the City. This form must be submitted to the City Manager's Office at least 10 business days prior to the event. For questions or additional information, please contact the City Manager Office at (843)-525-7070.

Amusement rides are not permitted. Inflatable play equipment require additional insurance, licensing and inspection. The company providing the rides/inflatables will need to provide the City of Beaufort with evidence of insurance as outlined below:

- \$1,000,000 minimum requirement per occurrence (depending on the size of the event or type of rides, this amount may increase)
- The City of Beaufort, its Appointed and Elected Officials, employees and volunteers must be listed as an additional insured on the coverage.

Applicant must contact the City's Building Codes office at (843)-525-7040 for electrical approval and compliance with City adopted codes. For questions regarding the insurance requirements, contact the City Manager's office at (843)-525-7070

If alcohol is served at your event specific approval must be obtained by the City Manager and liquor liability insurance coverage is required with a minimum of \$1,000,000 per occurrence in coverage. The City of Beaufort must be listed as insured on the policy. If you have questions about the required liquor liability insurance coverage and listing the City as an additional insured, please contact the City Manager's office at (843)-525-7070.

**City of Beaufort does not provide nor obtain insurance coverage for any special events. It is the responsibility of the event organizer to obtain and pay for proper insurance coverage.**

**Hold Harmless Clause**

Applicant will be required to sign the hold harmless clause included in the Special Event Application. The clause states:

Permittee/organization hereby shall assume all risks incident to or in connection with the permitted activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person, property or **inventory**, directly or indirectly arising out of or in connection with the permitted activity or the conduct of permittee's operation. Permittee hereby expressly agrees to defend and save the City harmless from any penalties for violation of law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly arising out of or in connection with the permitted activity or conduct of its operation or resulting from the negligence or intentional acts or omissions of permittee or its officers, agents and employees.

**Permits and Licensing**

Please contact the Beaufort Planning Department at (843)-525-7011 for additional information on permitting and inspections.

**Signs**

Per section 7.2 of the Zoning Ordinance, one temporary banner may be permitted per street frontage of a special event site during the special event permit period with a maximum size of thirty-two square feet.

Signs cannot be displayed in the right-of-way. Sign must be staked on premises of Special Event location. Free standing temporary signs cannot exceed 6 feet in height, unless they are flush mounted to the wall of a building. Signs cannot be attached to trees, street signs or utility poles. Pylon or pole-mounted freestanding signs are prohibited.

**Tents**

All tents used for cooking and other tents over 200 square feet require a tent permit. Contact City's Building Codes at (843)-525-7040 for information on the tent permit application process. For information on cooking tent regulations, contact the Beaufort Fire Department at (843)525-7035

**Alcohol**

It is illegal to serve or sell beer, wine or liquor on any City Streets unless a special SC Temporary Beer and Wine Permit is obtained for alcohol sales. Securing a SC Temporary Beer and Wine Permit takes a minimum of 30 days. Contact SC Department of Revenue and Taxation at 803/734-1401 for information regarding the regulations relating to the permitting process.

**Business License for Private Event.**

In order to conduct business in the City of Beaufort, the organizers must obtain a City of Beaufort business license through the Business License Office, City Hall. The Organizer shall be responsible to ensure that all vendors hires to support the Organizer’s event also have a City of Beaufort Business License. This includes but not limited to Caters, Tent Rentals, Florists and Musicians. The Organizer will be held financial responsible for any supplier found not to have a valid business license. For questions or additional information, please call (843)-525-7025.

**Event License for Public Show or Festival**

An Organizer of a show of event opened to the public either for free or for an admission fee shall obtain an Event License from the City. The license shall be for a period not to exceed fifteen (15) consecutive days and the fee shall be:

Estimated gross revenues from space rentals/retail sales up to \$10,000 or up to 25 exhibitors, whichever is greater. **\$125.00**

Estimated additional revenue of each \$10,000 or portion thereof up to \$1,000,000 or each additional five exhibitors or portion thereof, whichever is greater. **\$ 30.00**

**Fireworks Permit**

The company providing pyrotechnic service must submit an application to the State of South Carolina for a State Fireworks permit and provide a copy to the Beaufort Fire Department at (843)-525-7035 at least 30 days prior to the event.

**Road Closure**

In the event of a road closure, the event organizer is responsible for securing approval to close roads from the City Manager’s office. Final approval for all street closures is under the preview of the SCDOT.

**Vendor and Food Sales**

In accordance with provisions of the Memorandum of Understanding, it is the City’s policy to allow the sale of food, beverages and event-related merchandise on City-owned or City-controlled property during special events. When using City facilities, vendor fees may apply. Please contact the Special Events Committee representative at 843-525-7070 or by email at [iburgress@cityofbeaufort.org](mailto:iburgress@cityofbeaufort.org) for more information.

The event organizer is responsible for procuring vendors for the event, and must provide to the City a list of food and beverage vendors and event-related merchandise that will be sold during the event, as well as any electric or water needs for each vendor. The Event Organizer must also provide a diagram showing the proposed location of each vendor. The City requires this information 10 business days prior to the event. **The City reserves the right to exclude any vendor from using City facilities which in its sole discretion is selling a product or service which is contrary to the safety, health or welfare of the public. The City also reserves the right to modify the proposed location of any**

**vendor. All vendors must process a valid business license. Vendors not having a business license must secure a temporary license from the City's Business License Department prior commencing operations. The fee for the duration the duration of the event shall be 75% of the daily rate charged for out-of-city peddlers**

If your organization is selling items, you must obtain a City of Beaufort business license through the Beaufort's Business License Office, City Hall. With questions or for additional information, please call (843)-525-7025

State admissions, sales and other taxes may apply. Please contact the South Carolina Department of Revenue at 803/324-7641 for information on applicable taxes and reporting procedures. SC Revenue Officers will check verify that vendors have secured business licenses as required by South Carolina law. Contact the SC Department of Revenue with your vendor list 10 business days prior to the event.

The event organizer is responsible for notifying all food vendors they are required by Beaufort Fire Department to have the appropriately rated fire extinguisher that is easily accessible, fully operational, and professionally serviced and tagged within 365 days on-site the day of the event. In addition, open flame cooking under a tent or within 20 feet of another tent is prohibited in the City of Beaufort. Contact the Beaufort Fire Department at (843)525-7035 with questions regarding fire safety requirements.

In addition, the event organizer is responsible for making sure all food vendors meet South Carolina Department of Health & Environmental Control (SCDHEC) regulations. For additional information on these regulations, contact SCDHEC at 803/909-7379 or visit their website at <http://www.scdhec.gov/food>.

**The Event Organizer is responsible for the proper containment and disposal of all cooking oil, grease, charcoal and other products used in the preparation of food. Under no circumstances shall any vendor dispose of such products by dumping them into storm drains, in parking lots, upon grass, in flower beds, in waterways, in restrooms or in any other place that risk causing damage to the either the environment or property. The Event Organizer shall be held strictly liable for the actions of all its vendors and concessioners. A fine of \$10,000 for each occurrence shall be levied upon the Event Organizer.**

### **Alcohol Sales and Consumption**

It is illegal to serve or sell beer, wine or liquor on any City Streets unless a special SC Temporary Beer and Wine Permit is obtained for alcohol sales. **Securing a SC Temporary Beer and Wine Permit takes a minimum of 30 days.** Contact SC Department of Revenue and Taxation at 803/734-1401 for information regarding the regulations relating to the permitting process. Alcohol sales and consumption at the event will affect the number of police officers needed.

All events serving or selling alcohol will be required to serve or sell a non-alcohol beverage alternative. The following items must be posted at the sale location:

- SC Temporary Permit
- Sign stating "We reserve the right to re-check ID."

- Sign with serving hours and last call time

If alcohol is served at your event, liquor liability insurance coverage is required with a minimum of \$1,000,000 per occurrence in coverage. The City of Beaufort must be listed as insured on the policy. If you have questions about the required liquor liability insurance coverage and listing the City as an additional insured, please contact the City Manager's office at (843)-525-7070.

### **Signs, Tents and Temporary Structures**

The use of signs, large tents or other temporary structures may require a separate permit from the City of Beaufort.

Event signs may not be placed in the public right of way or off-site of the event. Drilling into pavement (parking lots, streets, sidewalks, curbs, etc.) is strictly prohibited. All signage and anchoring must be accomplished with weights such as sandbags, concrete or water filled barrels.

Please contact the Beaufort Planning and Development Department at (843)-525-7011 for clarification on permitting and inspections.

### **Care of Property and Equipment**

All property and equipment belonging to the City, including but not limited to vehicles, roads, buildings and landscaping located within and around the event is to be handled by the applicant and its invitees with reasonable and due care. Cleanup of public property will be held to the standards set by the City of Beaufort. The applicant shall assume complete and absolute liability for any loss and damage to the City property and/or equipment, which may result from any misuse or mistreatment of the property or equipment during the event, even if the applicant did not cause the damage or loss. The event must not have a negative physical or economic impact on surrounding property.

### **Noise Ordinance**

Permission to include music or amplified sound, including megaphones, as part of a special event may be given. The City reserves the right to limit the sound amplification equipment so that it will not unreasonably disturb non-participating persons around the event. Complaints of loud, disturbing, or unnecessary noise can result in the immediate revocation of your approval or closure of the event if appropriate adjustments are not met.

### **Performing Rights and Licenses**

The event organizer is solely responsible for all contracts and agreements. The City of Beaufort has no responsibility for any performances or their contract and agreements connected with the event, unless exempted by the City Manager and specified in the Memorandum of Understanding.

## PROPOSED WATERFRONT PARK PRIVATE EVENT FEES

<u>Current Fees and Areas</u>		<u>Proposed Fees</u>	<u>Surrounding Venues and Fees</u>	
Green area by Marina	100/day	200/hourly	<i>Rhett House Inn</i>	3000 for use of the venue.
Contemplative Garden	100/day	200/hourly		Party must use rooms on site at a rate of 159-259.
Pavilion	125/day	300/hourly		
Green Area 1	100/day	400/hourly	<i>Cutherbert House Inn</i>	2500 for use of the venue.
Green Area 2	150/day	500/hourly		Party must also rent all 8 rooms on site at a rate of 159-219
Entire Park	500/day	1500/hourly		
 Current Turf Fees				
Green area by Marina	152/day	175/day	<i>The Old Point Inn</i>	1800 for use of the venue with a limit of only 50 people. 25 for each additional person thereafter
Contemplative Garden	65/day	150/day		
Green Area 1	137/day	250/day		
Green Area 2	242/day	350/day	<i>The Beaufort Inn</i>	Have to contract event planner on site, Southern Graces
Entire Park	596/day	925/day		
 Electrical Fees				
Half Day Use	25	50/hourly		
Full Day Use	50	100/hourly		