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Debra A Green
Park County Clerk

No fee

**PARK COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS
Resolution No. 10**

**A RESOLUTION REPEALING AND REENACTING A PORTION OF
SECTIONS 4-200 AND 5-707 OF THE PARK COUNTY LAND USE
REGULATIONS.**

**BE IT RESOLVED BY THE PARK COUNTY BOARD OF COUNTY
COMMISSIONERS, THAT:**

1. Sections 4-200 (definition of Outdoor Event) and 5-707 of the Park County Land Use Regulations are hereby repealed and reenacted to read as set forth in the attached Exhibit A.

Moved, seconded, and approved this 5th day of March, 2015.

PARK COUNTY BOARD OF COUNTY COMMISSIONERS



Mark Dowaliby, Chairperson

ATTEST:


County Clerk



Article IV – Definitions

Outdoor Event: Group gathering; a group of 150 or more persons assembled together for a meeting, festival, religious or social gathering, or other similar purposes. Outdoor events occur primarily outdoors in any place maintained, operated or used for a group gathering, or assemblage, except an established permanent stadium, athletic field, arena, auditorium, coliseum, fairground, school, or other similar permanent place of assembly. Family reunions and weddings (not more than one per calendar year) attended by 150 to 200 people, are not Outdoor Events.

Traditional Community Outdoor Event: an outdoor event that has been historically held, is open to the public, and has no admission fee or solicitation of donations for entry. The following are examples of Traditional Community outdoor events.

- Guffey Heritage Days (formerly Chicken Fly/Rodeo)
- Park County Fair and Rodeo
- Hartsel Days and Wounded Warrior Parade
- Bailey Car Show
- Lake George Gem & Mineral Show, Tractor Pull, Craft Fair, and Flea Market
- Como Railroad Day
- Como Mountain Man Rendezvous
- Bailey Day(s)
- Bailey Cowboy Christmas
- Bailey Halloween in the Park
- Emily's Parade
- Shawnee History Day
- Hundo
- Events within incorporated towns
 - Burro Days
 - Festival in the Clouds
 - South Park Art Celebration

Article V – Section 5-707 – Outdoor Events

A. Purpose. This section governs the review and conduct of proposed Outdoor Events. These regulations are necessary to ensure that the use is conducted in a manner that is consistent with the land use regulations, protects the public health and safety, and ensures that adequate sanitation, water supply, security, law enforcement, and medical emergency services are provided to the public.

B. Attendance. The attendance of an outdoor event shall include, but is not limited to, organizers, vendors, entertainers, service providers, volunteers, staff, emergency staff, security, support services, and guests; determined by the highest number of people that will be present at any time during the outdoor event.

C. Permits and Permit Applications. Outdoor event permits are required as follows. These regulations are applicable regardless of whether a permit is required.

1. Permits are not required for outdoor events at which attendance will be 150 or fewer people.
2. Permit applications for outdoor events at which attendance will be 151 to 1,000 people will be reviewed administratively, and/or by the Planning Commission and Board of County Commissioners, at the discretion of the Director of Development Services or Designee.
3. Permit applications for outdoor events at which attendance will be between 1,001 and 3,000 people will be reviewed by the Planning Commission and Board of County Commissioners at public hearings in accordance with Section 6-206.
4. Outdoor events at which attendance will be greater than 3,000 people are not allowed.
5. Permit applications must be submitted at least 90 days prior to an outdoor event subject to administrative review, and 120 days prior to an outdoor event subject to Planning Commission and Board of County Commissioners review.
6. Refer to the current permit application for further information on submittal requirements and required application requirements. Staff shall render a completeness determination in accordance with Section 6-202.
7. Applicable agency referrals, in accordance with Section 6-203, are required for all outdoor event applications.

D. Posting and Notice.

1. Posting and notification requirements for outdoor events shall be per Section 6-204. Notice shall be mailed to adjacent property owners.
2. The County shall develop and maintain lists of all pending and approved outdoor event applications on its web site.

E. General Outdoor Event Restrictions. Outdoor events will be permitted only if County, State, and local infrastructure and resources can accommodate the outdoor event on the requested date(s). Priority will be given to Traditional Community Outdoor Events, regardless of the order in which applications are received.

F. Duration. The duration of an outdoor event is the length of time between the arrival of the first guest or paying attendee and the departure of the last guest or paying attendee. Music and camping outdoor events will be limited to a 48-hour duration, unless otherwise approved by the Board of County Commissioners. Time for setting up prior to the Outdoor Event and cleaning up after the Outdoor Event are not included in the duration, but shall be limited to 24 hours each unless otherwise approved by the Board of County Commissioners.

G. Minimum Requirements. At a minimum, an Outdoor Event shall be operated in accordance with the following requirements. Some requirements may be reduced and/or waived for outdoor events with attendance of less than 500 people.

1. Access

- a) The site shall be provided with convenient and safe access for the ingress and egress of pedestrian and vehicular traffic.
- b) The site shall be accessible to a public road via an existing road system meeting the design standards for a public or private road pursuant to the Park County Standard Specifications for Road and Bridge Construction, Appendix D.
- c) Adequate provision shall be made for traffic control and safety on affected public roads. Operators of Outdoor Events shall coordinate traffic control with Park County Road & Bridge, the Sheriff's Office, the Colorado State Patrol, the Colorado Department of Transportation, and Park County Communications and Emergency Operations. The operator shall be responsible for any associated costs incurred by these agencies.
- d) Adequate parking shall be provided, in conformance with County and State requirements, and industry standards.

e) A written access and traffic control plan must be submitted and approved prior to issuance of an outdoor event permit.

2. Grounds

a) At least 20 square feet per person shall be provided for daytime assemblage, and at least 40 square feet per person shall be provided for overnight assemblage.

b) Facilities shall be well drained and so arranged as to provide sufficient space for people, vehicles, sanitary facilities, and appurtenant equipment.

c) Trees, underbrush, large rocks and other natural features shall be left intact and undisturbed to the extent possible. Natural vegetative cover shall be retained, protected and maintained so as to facilitate drainage, prevent erosion, and preserve scenic attributes.

d) Grounds shall be maintained free from dust wherever possible, accumulations of refuse, and other health and safety hazards constituting a nuisance.

e) The size of outdoor event shall be limited to the number of people for which the facilities are designed and approved to accommodate, and provisions shall be made to prevent people in excess of the maximum permissible number from gaining access to the group gathering area. Application fees, guarantees, and fee assessments, and other costs described herein shall be assessed retroactively if the outdoor event attendance exceeds the anticipated attendance.

f) Illumination shall be provided, at night, to protect the safety of the people at the outdoor event. The grounds shall be adequately lighted, but shall not unreasonably reflect beyond the assembly area boundaries. Light level intensities shall be at least five foot candles in assembly areas.

g) A detailed site plan shall be submitted and approved prior to issuance of an outdoor event permit.

3. Noise

a) Activities shall be conducted in conformance with the County noise ordinance and State regulations.

b) A narrative describing anticipated noise impacts and mitigation methods shall be approved prior to issuance of an outdoor event permit.

4. Safety and Security

a) Law enforcement and security services shall be provided and maintained as agreed upon with the Sheriff's Office prior to the outdoor event.

b) The Outdoor Event operator shall arrange for the provision of additional law enforcement services by the Sheriff's office and be responsible for any associated costs.

c) Emergency medical services shall be provided during the Outdoor Event. Where the projected attendance will exceed five hundred (500) people, a manned, full time emergency medical station shall be provided within the site of the Outdoor Event, and shall be enclosed and covered. The operator shall arrange for the provision of emergency medical services by the local ambulance district and/or independently retained services, as approved by the local fire district, and be responsible for any associated costs.

d) Outdoor event sites shall be maintained and used in a manner as to prevent fires and in accordance with applicable local fire prevention regulations. The operator shall arrange for the provision of fire protection services by the local fire district and/or independently retained services, and be responsible for any associated costs.

e) The Sheriff or Designee, in the capacity of fire marshal, may dictate site-specific or local fire bans and/or restrictions. The local fire chiefs may also dictate site-specific fire bans and/or restrictions. Propane/butane or similar apparatuses, as approved by local fire district(s), are allowed. No ember or spark emitting fires are permitted. Individual camp fires within designated fire rings with screening are permitted.

f) All temporary and permanent facilities shall meet all applicable Codes. The County and/or State reserve the right to require inspection of outdoor event facilities, and review of specifications for temporary structures.

g) Telephone and radio communication shall be provided and maintained, as deemed necessary for emergency purposes.

h) A safety and security plan, including communications, shall be approved prior to issuance of an outdoor event permit.

5. Health and Sanitation

- a) All applicable regulations of the State and County Health Departments shall be met. The operator, at the operator's cost and expense, shall provide measures required by these agencies.
- b) All food preparation facilities shall be licensed per State requirements.
- d) An adequate, safe supply of potable water, meeting all applicable requirements, shall be provided.
- e) Required sanitary facilities shall be provided per County and State regulations.
- f) All liquid and solid waste disposal shall meet all applicable requirements.
- g) The storage, collection, transportation, and disposal of refuse shall be conducted as to prevent odor, insect, rodent, and other nuisance conditions; and in accordance with County and State regulations.
- h) A health and sanitation plan shall be approved prior to issuance of an outdoor event permit.

6. Financial Guarantees and Permit Fees

- a) Permit fees shall be adopted by resolution of the Board of County Commissioners.
- b) The County may require monetary deposits, bonds, and/or written agreements to provide for a sufficient financial guarantee, as determined by the County, for restoration and cleanup of site access or other County property or interests.
- c) The Sheriff's office may require monetary deposits, bonds, and/or written agreements sufficient to guarantee payment for services required by this section.
- d) The local ambulance district(s) may require monetary deposits, bonds, and/or written agreements sufficient to guarantee payment for services required by this section.
- e) The local fire district(s) may require monetary deposits, bonds, and/or written agreements sufficient to guarantee payment for services required by this section.

f) Other service agencies may require monetary deposit, bonds, and/or written agreements sufficient to guarantee payment for services required by this section and application County and State requirements.

7. Insurance

a) For events charging admission, a certificate of liability insurance, or letters of commitment for insurance, shall be submitted with outdoor event applications.

b) The coverage shall extend to all activities and events and provide at least a minimum coverage of \$1,000,000 per occurrence; \$3,000,000 aggregate or such higher amounts as may be required by the County.

c) Park County shall be named as an additional insured.

8. Traditional Community Events – Requirement Exemptions

a) Traditional Community Events may be exempt from the following requirements:

(1) Permit fees.

(2) Monetary deposits and performance bonds.

(3) Proof of insurance.

(4) Notification by mail.

(5) Planning Commission and Board of County Commissioners review, regardless of attendance, unless the application is referred for hearing by the Director of Development Services or Designee.

9. Standards of Approval.

a) In considering any application for an Outdoor Event permit, the following standards shall be applied. The applicant shall bear the burden of proof of these and the resolution or administrative decision approving the application shall be issued only if it appears by clear and convincing evidence that the following conditions or circumstances exist.

(1) The subject property has physical characteristics that are compatible with the proposed outdoor event.

(2) The outdoor event will comply with all applicable requirements of these Land Use Regulations and all applicable requirements of other governmental agencies.

(3) Proposed access to the property from public rights-of-way is sufficient to accommodate anticipated traffic and emergency vehicles.

(4) Where the owner, applicant, or affiliated person has previously conducted the proposed outdoor event or substantially similar outdoor event, the event was conducted in accordance with federal, state, and County requirements.

(5) Sufficient emergency response resources have been arranged for and will be provided to ensure the safety of attendees, without impacting the safety of others.

(6) The Outdoor Event is not unduly disruptive to permitted or existing uses in the immediate area.

10. Conditions on Approval of an Outdoor Event Permit

a) The Director of Development Services or Designee, or Board of County Commissioners, may impose reasonable conditions on the approval of any Outdoor Event permit where such conditions are necessary to ensure the continuing use of the property in conformance with these Land Use Regulations or the requirements of other government agencies.

H. Responsibility for Compliance. The Outdoor Event operator and property owner shall be jointly and severally responsible for meeting the provisions of these standards and regulations, assuring that attendance does not exceed the maximum approved, for operational maintenance, for the clean, safe and sanitary condition of the grounds, sanitary facilities and other service equipment; fully implementing the fire, safety and medical plans; cooperating with law enforcement, medical personnel and fire safety staff; complying with all federal, state and local laws; and fully implementing the noise reduction, crowd control and traffic safety plans.

I. Liability of Event Operator and Land Owner. In addition to any fines or penalties assessed under any other law or regulation, event organizers and landowners will be liable for all violations of the noise ordinance, State regulation, and/or noise limits applicable to the Outdoor Event, in the following amounts:

1. \$500 for the first offense, and
2. \$10,000 for the second offense and each subsequent offense.

J. Revocation of Outdoor Event Permit

1. The Director of Development Services or Designee may revoke any Outdoor Event permit by an administrative decision finding that:

- a) The Outdoor Event has failed to comply with any condition of the Outdoor Event Permit and the applicant has not remedied the failure immediately following notification by the County; or
- b) The Outdoor Event has failed to comply with any federal, state, or local law and the applicant has not remedied the failure immediately following notification by the County.