



Special Events/Street Closure Application

For information or assistance completing application, please contact (910) 772-4177

Special events are important contributors to the quality of life for Wilmington and are welcome activities in our community. The City of Wilmington is happy to assist organizations and groups in providing quality events. A special event is a cultural, recreational, educational or other type of unique activity open to the public, occurring for a limited or fixed duration and presented to a live audience, that impacts the City of Wilmington by involving the use of, or having impact on, the public realm (owned, leased or controlled by the City of Wilmington). Examples of special events include fairs, festivals, parades, performances, rallies and neighborhood block parties.

The City requires completion of this application for all events when any portion of the event occurs on public property within the City of Wilmington. This permit is required in order to consider whether the activities proposed are in conformance with applicable laws and regulations, to ensure activities are not detrimental to public health, safety or welfare and to balance the needs of the residents and business owners affected by these events.

The objective of the event shall fit one of the following criteria: provide a significant social, educational, community or economic benefit, promote tourism and vitality, or be a significant fundraising event.

The City charges a \$35.00 permit fee for events on public property, with or without a street closure, which includes two (2) barricades. Additional barricades can be provided at a cost of \$10.00 each. For events that impact public rights-of-way, the City, at its discretion, may require the use of barricades by the event holder at the same cost of \$10.00 each.

Please review the entire application and complete it as accurately as possible to aid us in expediting your application. The following synopsis of the permitting process takes place once your application is received:

- Applications should be sent to City of Wilmington, Parks & Recreation, 302 Willard Street, Wilmington, NC 28402; emailed to rt.jones@wilmingtonnc.gov or faxed to 341-7852 at least 30 days in advance.
- Upon receipt, copies of the request will be sent to all City departments affected and certain outside organizations and businesses via email.
- After review, if there are no concerns, Parks & Recreation staff will send the applicant a copy of the Special Event/Street Closure Notification signature page listing the event details. The applicant is required to canvass the signature page to all business and residents inside of and within one full block in each direction of the planned activity and or street closure obtaining signatures from the residents and businesses indicating that they are aware of the event and whether they object to or approve of the event/street closure. The canvassing distance requirement may be decreased or increased based on the size and impact of the event at the determination of City staff.
- Each resident, organization or business owner has three to five (3-5) days upon receipt/signing of the Special Event/Street Closure Notification signature page to provide feedback to the request.
- Reasons for rejection will be discussed with applicant.
- Upon City acceptance, a permit will be issued after the Special Event/Street Closure Notification signature page has been completed and fees collected.



SPECIAL EVENT/STREET CLOSURE APPLICATION

Please submit applications to:
City of Wilmington
Parks & Recreation Division
Attn: R.T. Jones
302 Willard Street
Wilmington, NC 28401
Email: rt.jones@wilmingtonnc.gov
Fax: (910) 341-7854

For information or assistance completing application, please contact (910) 772-4177

Date of Application: _____

Contact Person: _____

Phone: _____ Cell: _____

Email: _____

Sponsoring Organization: _____

Organization Address: _____

City: _____ State: _____ Zip: _____

Applicant Status:

Wilmington residential or community group

Government Agency

Not for profit, Federal Tax ID: _____

For profit

Collaborative event (two or more organizations working together)

Private Citizen (9 pm time limit)

Event Title: _____

Event Date: _____

Rain Date: _____

Time of event: _____

Setup time: _____

Break down time: _____

Have you held this event in previous years? Yes No

Approximate # of participants: _____ Estimated Audience: _____

Approximate # of event staff: _____

Describe event activities, entertainment & participants. Attach extra pages if needed:



Location and/or route of event (attach map and emergency plan of action): _____

Will streets need to be closed for this event? Yes No

What streets will be closed? (please be specific, example - Willard Street between 3rd. and 4th Streets): _____

Number of barricades* required: _____(Initial \$35 street closure fee include two barricades. Additional barricades can be provided at a cost of \$10.00 each).

Location for the barricades to be dropped off/picked up (must be the same: _____

*Barricades that are removed from thoroughfares should be placed neatly to the side - out of the path of vehicles, pedestrians, handicap ramps and crosswalks. Barricades must be returned in same condition as they were issued. Repair/replacement cost of \$60.00 per barricade will be charged to the permittee.

Police Safety*/Traffic Control Yes No

*The City reserves the right to require the presence of a police officer at any event.

Portable Restrooms: Yes No

Amplified Sound: Yes No **Describe:** _____

Clean-up/Trash Removal Plan: _____

Vendors (provide # of vendors/type of vendors): _____

INTERNAL USE ONLY

Department	Approval	Review
Community Services Dept.		Date Submitted:
Traffic Engineering Division		Date Approved/Denied:
Police Department		Date Approved/Denied:
Solid Waste Division		Date Approved/Denied:
		Cleanup Start/Finish:
Streets Division		Date Approved/Denied:
Fire Department		Date Approved/Denied:
City Attorney		Date Approved/Denied:

Reason for denial:



RELEASE AND INDEMNITY AGREEMENT, PERMITTEE

AGREEMENT TO RELEASE AND INDEMNIFY THE CITY OF WILMINGTON, NC FOR EVENT _____
_____ TO BE HELD ON _____, 20__ BY

Entity/permittee

In consideration of the issuance of the permit herein applied for by the City of Wilmington, North Carolina (hereinafter "City") to _____ (hereinafter "Permittee") for the above event and other good and valuable consideration, Permittee hereby agrees as follows:

To the fullest extent permitted by law, Permittee shall release, indemnify, keep and save harmless the City its officers, officials, agents and employees (hereinafter collectively "Releasees") from any and all responsibility or liability for any and all damage or injury of any kind or nature whatever (including death resulting therefrom) to all persons, whether, officers, officials, agents or employees of the City or third persons, and to all property proximately caused by, incident to, resulting from, arising out of or occurring in connection with Permittee's use or occupancy of the City's trails, sidewalks, rights-of-way and/or pedestrian ways or alternative routes as may be permitted pursuant a permit (or by any person acting for Permittee or for whom Permittee is or is alleged to be in any way responsible), whether such claim is based in whole or in part on contract, tort (including alleged active or passive negligence or participation in the wrong) or upon an alleged breach of any duty or obligation on the part of Releasees.

The provisions of this agreement shall include any claims for equitable relief or for damages (compensatory or punitive) against the Releasees including alleged injury to the business of any claimant, and shall include any and all losses, damages, injuries, settlements, judgments, decrees, awards, fines, penalties, claims, cost and expenses. Expenses as used herein shall include without limitation the costs incurred by Releasees in connection with investigating any claim or defending any action, and shall also include reasonable attorney's fees by reason of the assertion of any such claim against Releasees. Permittee expressly understands and agrees that any insurance protection required as a condition to the issuance of the permit herein applied for, or otherwise provided by Permittee, shall in no way limit Permittee's responsibility to release, indemnify, keep and save harmless and defend Releasees as herein provided.

Permittee expressly accepts those portions of the City's trails, sidewalks, rights-of-way and/or pedestrian ways to be used for the event identified in Permittee's application for a permit (hereinafter the "Event") and any alternative route used in their present condition.

The intention of Permittee and the City is that this release and indemnity be incorporated into any permit for the Event issued by the City. It is further the intention of the Permittee and the City that this release and indemnity be broadly construed and applied in favor of Releasees, subject to the limitations, if any, set forth in N.C.G.S. § 22B-1.

Signed this _____ day of _____, 20__.

APPROVED AS TO FORM

Name of Permittee/Entity

By: City Attorney

By: _____

Name of Representative, Title

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public for said State and County, do hereby certify that _____ personally appeared before me this day and acknowledged authorization and the due execution of the foregoing instrument on behalf of _____.

Witness my hand and official seal, this the _____ day of _____, 20__.

My Commission Expires: _____

[SEAL]

Notary Public



Street Closure Permitting and Notification Procedure

1. All street closure applications must comply with the provisions of sec. 11-9 of the Wilmington City Code (see below).
2. A completed street closure application shall be submitted to the City Parks & Recreation office for review at a minimum of 30 days prior to the event. Incomplete applications will not be considered or accepted. The City shall notify the applicant when there are conflicts or concerns regarding the application. The City will issue an official sign-off sheet. When the sign-off sheet is returned, a permit on City letterhead will be issued at least seven (7) business days before the proposed street closure date.
3. The applicant is required to canvass the signature page to all businesses and residents within a full block, in each direction, of the planned activity to create awareness and collect signatures indicating that businesses/residents were made aware and have no objection to the street closure (more blocks may be required where traffic flow and parking are heavily impacted). The applicant is responsible for seeing that business tenants and residents on upper floors receive the same notification and consideration as street-level tenants. Each recipient will sign or initial that they have been made aware and will check whether they approve or disapprove. The applicant will submit the original sign-off form to the City's Parks & Recreation office. Incomplete sign-off sheets will not be accepted and may be grounds for permit denial. If the business owner or resident is unavailable, event coordinator must leave behind information about the street closure with a contact number for the organizer as well as the City Parks & Recreation office.
4. Residents/Businesses shall have three to five (3-5) business days in which to notify the City of any concerns or objections in reference to the proposed street closure. The City shall attempt to resolve concerns or objections reported in consultation with the business and applicant.
5. Organizers may be required to provide additional notification of the event to affected residents/businesses. Parks & Recreation staff will work with the applicant to determine the method of notification required based upon the size and location of the event.
6. Parks & Recreation staff shall attempt to resolve concerns or objections reported in consultation with the business and event organizers.
7. In case of inclement weather or emergency situations, exceptions to these time frames may be considered.
8. Events requesting to close a street in the downtown business districts shall provide the City with a certificate of insurance (COI) that shows commercial general liability insurance with a total limit of not less than \$500,000 each occurrence and \$1,000,000 general aggregate for bodily injury and property damage for events with less than 100 participants and \$1,000,000 each occurrence and \$2,000,000 general aggregate for bodily injury and property damage for events with 100 participants or over. Commercial General Liability shall cover the liability arising from premises, operations, independent contractors, products-completed operations, personal and advertising injury, and liability assumed under an insured contract. The City of Wilmington, its officers, officials, agents and employees are to be covered as additional insured by endorsement CG 20 26 or an endorsement providing equivalent coverage. Sample COI attached.



Restrictions

1. Absent of compelling circumstances, a minimum of three blocks separation must be maintained between any two street closure locations occurring at the same date.
2. No more than two permits shall be issued within any downtown business district or residential neighborhood for any given date.
3. A business proprietor or merchant will not be permitted to close a street immediately around the location of his/her business for the sole benefit of that business.
4. The Downtown Business Districts welcome events but have special business needs in reference to vehicular and pedestrian traffic and parking, particularly during special shopping and holiday weekends which may be may be reason for permit denial.
5. Applicant is responsible to clean, clear, repair or pay to repair damage to surrounding properties resulting from event attendees.
6. In the event of natural or civil disasters, the City reserves the right to cancel all outstanding permits on both public and private properties within City limits. Should evacuation of a street, neighborhood, or district be deemed necessary by fire, police, or other emergency authorities, all outstanding permits for that area are null and void. Permits will be re-granted as soon as possible after the State of Emergency proclamation has been lifted.
7. The City reserves the right to change, modify, update, or waive provisions of these guidelines where necessary for the public's health, safety or welfare.
8. The City reserves the right to cancel street closure permits and/or take further restrictive actions where necessary to assure adherence to these guidelines.