



TOWN OF GARDNERVILLE
TOWN OPERATIONS MANUAL
DIRECTIVES AND PROCEDURES

Number 24.23

**SUBJECT: Special Events, Street Closure,
and Parks Reservation Policy**

Issue Date:1/2003, Revised 1/2013,
Revised 11/2019

I. Purpose: To provide a consistent process to the public, Town Staff, and Town Board for review and approval of proposed special events, street closures and parks reservations within the Town of Gardnerville. To ensure all members of the public wishing to hold a special event, close a street or alleyway or reserve a Town Park are treated equally and to provide clear responsibilities and expectations by the Town and applicant when a park is reserved.

II. Directive: The Gardnerville Town Board (“Board”) finds and declares that the public health, safety and welfare of the inhabitants of the Town of Gardnerville (“Town”) requires the regulation and control of persons desiring to promote, encourage or sponsor special events which may include the closure of certain streets or alleyways or reservation of certain parks within the Town. Any entity wishing to hold a special event requiring the closure or partial closure of a Town Right of Way or Town Park shall make application to the Town Office.

Exemptions: Special events and street closures listed below are exempt from application to the Town:

- A. All proposed street closures and special events are subject to Douglas County Code 10.10 Temporary Traffic Control. This section of code states any temporary road closures associated with a construction permit will be issued by Douglas County after review by Town Staff.
- B. Road closures or restrictions of under one hour do not require a permit.
- C. Any temporary road closures necessitated due to emergencies (medical, civil, utility, or similar) are exempt from review by the Town.
- D. If the special event is anticipated to attract more than 500 participants the event is subject to Douglas County Code 5.12 Outdoor Festivals. Applicant for special event or street closure shall be made to the Douglas County Board of County Commissioners who shall provide the Town Board the opportunity to hear the request. All cleaning deposits required in this policy must be submitted to the Town of Gardnerville prior to the event regardless if the event is approved as a County Outdoor Festival.

III. Definition: A special event is defined to include any entertainment event which is organized or promoted for commercial purposes whether or not an admission fee or donation is requested or required. A special event may or may not involve the closure of a street or alleyway or reservation of a Town Park. A special event shall also include any music festival, dance festival, parade, rock festival, similar music activity, or any other activity which may involve the use of the Town streets, alleyways and/or parks.

A special event is also defined to mean any event where the sponsor of the event conducts any

activity related to the event on a street, alleyway or park within the Town of Gardnerville requiring its/their complete or partial closure. Any gathering of more than fifty people in a public space for athletic, commercial, communal, charitable, and educational purposes shall be considered a special event.

IV. Special Event Procedure: A completed "Reservation Form and Release of Liability and Indemnification Agreement" ("application") for permission to conduct a special event, which may or may not involve the closure of a street or alleyway or reservation of a park within the Town, shall be made in writing to the Town Manager. Special events which are anticipated to attract less than 250 participants and will not distribute alcohol and do not propose to provide live music or professional DJ services may be approved at the discretion of the Town Manager. Applications for special events or road closures which are anticipated to attract more than 250, but less than 500 participants, will distribute alcohol or which will provide live music or professional DJ services must receive approval by the Town Board. Proposed events which do not meet the threshold requiring Board approval, but which have unique characteristics or may be noteworthy to the public may be referred to the Town Board at the discretion of the Town Manager. Events which could potentially attract more than 500 participants must make application to the Board of County Commissioners through the County Clerk for an outdoor festival permit.

Applications must be submitted to the Town Offices by the 20th Day of the month preceding the event in order to have time to be agendized before the Town Board. The earlier an application is submitted the better opportunity there will be for staff to work with the applicant or request additional information to ensure the Town Board has all the information they need in order to make an educated decision.

All applications for a special event shall contain the following information to be considered complete and eligible for consideration by the Town:

- A. The name, age, residence and mailing address of the person or entity making the application. If the application is made by an entity, the names and addresses of the principals of the entity must appear. Where the applicant is a corporation, the application must be signed by the president, vice-president and secretary of the corporation and must contain the residence addresses of the corporate officers and a certified copy of the Articles of Incorporation as a part of the application.
- B. A statement of the kind, character or type of special event which the applicant proposes to conduct, operate or carry on, and if applicable, the name(s) of the street(s), park(s) or alleyway(s) within the Town for which permission to close such street, park or alleyway is sought.
- C. The home, office and/or work telephone numbers of the applicant, and if the application is by an entity, the home, office and/or work telephone numbers of the principals. If the application is made by a corporation, the home, office and/or work telephone numbers of the president, vice-president, and secretary shall be supplied.
- D. The address or legal description of the place where the proposed special event is to be

conducted, operated or carried on, The applicant shall also submit proof that the fee owner of the property where the special event is to be conducted consents, in writing, that the site may be used for the proposed special event.

- E. The date or dates and hours during which the special event is proposed to be conducted.
- F. An estimate of the number of patrons, customers, spectators, participants mid/or other persons expected to attend the special event for each day it is proposed to be conducted.
- G. Proof that the applicant has sought and received the requisite approvals from Douglas County, including, without limitation, and if required, a liquor license and/or an outdoor festival and entertainment event license, and that the applicant has received all approvals from Douglas County. Failure to submit the requisite proof of Douglas County approval(s) may lead to the determination that the application is incomplete, and may not be heard by the Town Board until complete. If the applicant is on the agenda of a future Douglas County Board Meeting the Town Board will hear the item to provide a recommendation to the County Board.
- H. Detailed explanation of the applicant's plans to provide security and fire protection, water supply and facilities, food supply and facilities, sanitation facilities, medical facilities and services, vehicle parking spaces, vehicle access and onsite traffic control, and what provision shall be made for numbers of participants in excess of the applicant's estimated attendance. The applicant shall also provide for cleanup and removal of garbage and refuse at the Town Park, street, alleyway or other premises after the event has concluded.
- I. Should the application for a special event/street closure be for a site which is contiguous to U.S. Hwy. 395, or which involves the closure of a street or alleyway intersecting U.S. Hwy. 395, the applicant shall submit with the application written evidence of approval of the special event/street closure by the Nevada Department of Transportation.

V. **Road Closure Application:** In addition to the information provided with the special event application the following information is required for the Town to consider a proposed road closure:

- A. Complete the road closure section of the application. Provide the name, dates, and times of the proposed street or alleyway closure.
- B. A temporary traffic control plan conforming to the Manual for Uniform Traffic Control Devices (MUTCD) shall be provided for any road closures or restrictions.

VI. **Park Reservation Procedure:** No person or entity shall be entitled to reserve any area or the entire area of a Town Park for the operation, maintenance, conduct, or advertisement of any activity, or advance ticket sales related thereto, unless a permit from the Town is first obtained by submitting an application, described below, to the Town Manager with the appropriate decision maker/body approving such application.

A. **Definitions:** An application for Town Park use, which may or may not involve the entire Town

Park facility, shall be construed as a use of that portion of the Town Park to the exclusion of all other public and private users for the reserved period of time ("use" or "park use"). Park use shall be arraigned by the Manager according to this policy. A park use includes any event conducted within a Town Park, whether organized or promoted for commercial purposes or non-commercial purposes, whether or not an admission fee or donation is requested or required, and shall include any exclusive use of a Town park.

- B. Parks Reservation Application: In addition to the information provided with the special event application the following information is required for the Town to allow for the reservation of a park:

Where applicable, if an application proposes the erection of temporary facilities to be used for the event to be conducted in the Town Park, the application shall utilize the Town's template for location of temporary facilities, such as booths, and demonstrate to the satisfaction of the Town Manager that all temporary facilities are located in conformity with the template.

- C. Priority of Users: The Board establishes, in the first instance, that reservation of Town Parks shall be on a first come, first served basis. If an application is received, reviewed and approved, the application to use a Town Park shall take precedence over any other applications even if a later received application requests use of the park for the same time period.

For applications received, but not yet approved, that request the same period of time of use of a Town Park, then park use will be based on a priority pursuant to the Board's findings and the following priorities:

1. Town sponsored activities.
2. Main Street Gardnerville sponsored activities.
3. Student groups sponsored by the Douglas County School District.
4. Youth, family or adult community recreation activities open to the public sponsored or conducted by a recognized community organization.
5. Governmental agency meetings open to the public.
6. Douglas County-based groups or individuals conducting activities restricted to members of the group or entity, and are otherwise closed to the public.
7. Religious, sectarian or political meetings.
8. Commercial uses for financial gain.
9. Out-of-county group or organizational uses.

- D. Board Findings:

The Board has found that certain activities to be conducted within Town parks should be subject to a park reservation fee based upon the following classifications of uses and charges:

1. When two or more applications for use of a Town Park are received by the Town, and each requests use of the park for the same time period, approval of an application for the requested time period shall be based upon the following classification of uses.

No application to use a Town Park for a period of time shall be granted by the Town if the Board has previously approved an application for use of the park during the same period of time. The Town Board's policy is that the classification of uses established in this section of the Policy is to be applied when two or more applications are received, and each requests use of the park for the same period of time.

2. Class I: No fee (0% of basic rate as defined below in this policy)

- a. Non-profit county youth groups when the activity is open to the public for activities and meetings for recreational purposes.
- b. Any park use for an event associated with Main Street Gardnerville.
- c. Groups or community organizations providing adult or youth group recreation activities which are free and open to the public.
- d. All governmental meetings and fund-raising activities sponsored by a government agency when a reciprocal agreement exists with the governmental applicant.

Class I users include, without limitation, county youth groups or agencies serving youth which are non-profit, tax exempt or not-for-profit activities whose primary purpose is to provide for recreation for Douglas County residents. A majority of participants must be Douglas County residents. Any fee charged for the activity must be used for the support of the activity. For governmental agencies, the fund-raising activity must relate to the governmental operations.

3. Class II: One-half (50%) of basic rate

Recreational or charitable fund-raising activities for local, community youth serving groups and non-recreational groups when all funds raised support community, charitable and or recreational activities.

This rate pertains primarily to fund-raising activities by county community organizations and youth serving agencies in support of recreation and/or community activities. Fund-raising activities must have as a main purpose the generation of funds to support the youth or community activities.

4. Class III: 100% of basic rate

Groups included within this classification are religious, political or union groups conducting meetings; private parties, individual uses and family uses which are not open to the general public; and closed and open dances and fund-raising events where the funds which are raised are not used to support a community or local recreational activity.

5. Class IV: 100% of basic rate plus 25% of gross receipts

Class IV uses will include commercial or personal use of the park for financial gain. The full basic rate plus 25% of gross receipts received by applicant during the applicant's use of the Town park and for the specified Town park use.

Class IV includes a significant activity whose purpose is a commercial use and/or which constitutes a major impact upon the public. Any request for a Class IV use must be approved by the Board, which may review, among other factors, the nature of the profit-making organization, company or enterprise.

6. The Board's policy is that, for competing applications for the same period of time, the Manager shall rate the competing applications based upon the classification of uses set forth within this section so long as no other approved application has requested use of the park for the same period of time.

VII. Festival Plans: Larger events which meet Douglas County Code 5.12 “Outdoor Festivals and Entertainment Events” must be processed through the Douglas County Clerk. The Clerk will provide the Town Manager with the application which will be placed on the agenda for the Town Board agenda for the Town’s recommendation to the Board of County Commissioners.

VIII. Insurance: As part of the application, each applicant shall supply proof of insurance. Comprehensive general liability insurance naming the Town of Gardnerville as an additional insured and certificate holder will be required for any special event with minimum limits of insurance of \$1 million for each occurrence and \$1 million annual aggregate. Insurance coverage must include premises, operations, products and completed operations, at a minimum. If alcohol will be provided at the special event the insurance coverage must include liquor liability coverage.

IX. Deleterious Substances:

- A. Tobacco Use and Smoking: Smoking and use of smokeless tobacco is prohibited in Town Parks or Open Space except where specifically authorized.
- B. E-cigarettes or Nicotine Delivery Systems: are prohibited for use within a Town Park or Open Space.
- C. Marijuana: is prohibited for use within any Town owned Park or Open Space.
- D. Alcohol: Should the applicant desire to dispense alcoholic beverages, or to permit the consumption of alcoholic beverages as part of the special event and/or street closure, the applicant must request permission to consume or dispense alcoholic beverages from the Board. The applicant shall ensure that no participant in the special event/street closure shall use or possess any liquid container made wholly or partially of glass or metal, and demonstrate, as a part of the application, the measures to be taken to restrict alcoholic beverage containers and to ensure that no alcoholic beverage will be consumed or dispensed outside of the area of the site where the special event/street closure will occur. The applicant is also responsible for obtaining any other alcohol or liquor permits required by the Douglas County Code or other laws or regulations.

X. Security/Law Enforcement Protection: For every special event, the applicant shall employ, at its own expense, security and/or law enforcement protection. The number and type of officers shall be determined and specified by the Douglas County Sheriff’s Office to provide for the preservation

of order and protection of property in and around the place of the special event/street closure. The applicant shall demonstrate to the satisfaction of the Town Board that the applicant has obtained the approval of the Douglas County Sheriff of all arrangements for security for the special event/street closure. The applicant shall be responsible for all costs of security which shall be determined by, and paid to, the Douglas County Sheriffs Office or its designee, or to a private security firm. Security shall be subject to the complete direction and control of the Sheriff.

XI. Hours of Operation: All special events which are subject to this policy shall close and cease operation continuously between the hours of 12:00 a.m. and 9:00 a.m. of each and every day of the special event, unless different hours of operation of the special event are approved by the Board.

XII. Sanitation Facilities: Every applicant shall provide an estimate of the number of required water closet facility required for their event. The estimate must be based on actual calculations and not estimates. A “portable restroom calculator” such as is found at <https://onsiteco.com/how-may-porta-potties-do-i-need/> or similar may be used. Such factors as length of event, gender of spectators, availability of alcohol, etc affect the number of required restrooms. If Town Staff does not agree with the applicants calculations they may provide a separate calculation which the applicant is required to abide by. This paragraph is subject to the Douglas County Code and NAC 444.825, and toilet facility requirements may vary depending on the event being conducted. If the special event is associated with a building, park, or other facility with permanent sanitation facilities those facilities may count toward the total number of required water closets.

Every applicant shall be required to provide for solid waste disposal. All solid waste disposal shall be provided by the Gardnerville Health and Sanitation Department which, based upon the application, shall determine the number and type of containers, and pickup and removal of refuse, trash, garbage and rubbish. Removal of all trash and refuse shall be at the applicant's expense.

The applicant shall provide adequate assurance to the Town that, at the conclusion of the special event, the site of the special event shall be cleaned, and all refuse and garbage removed within twenty-four (24) hours of the time of the conclusion of the special event/street closure.

XIII. Fees:

- A. The application for a special event shall be accompanied by a fee of \$150; and shall contain the following information to be considered complete and eligible for consideration by the Board.
- B. Simple Traffic Control Plans meeting the MUTCD minimums may be prepared by Town Staff for a fee of \$250. The fee will also include the delivery and pick up of the traffic control devices (signs and cones) to the applicant. This service is based on the workload of staff and the complexity of the traffic control plan. More complex traffic control plans will need to be prepared by a traffic barricade company, professional engineer, or other qualified professional and the plans submitted to the Town for review.
- C. A basic parks reservation fee at the rate of \$50.00 per hour, up to \$300.00 maximum per day ("basic rate") is established by Board. At the time an applicant submits the completed written

application, the Town Manager shall require a reservation fee based on the basic rate, the proposed use and classification of uses set forth above, and the proposed length of time of use, subject to final approval of the Town Manager or Board depending on the proposed event. The reservation fee set forth in this paragraph does not include the cleaning and security deposit described below.

- D. A cleaning and security deposit ("deposit") of \$300.00 will be required to be paid upon submission of each application excluding those submitted for Class I reservations. The \$300.00 deposit applies one time to one event. Only one \$300.00 cleaning deposit shall be paid per event. If the application is denied by the Board, the deposit will be refunded to the applicant within 30 days of the application being denied.

The deposit, once paid, may be refunded to the applicant, in whole or in part, subject to the Board's discretion, at the conclusion of the event after inspection by Town staff for any additional clean-up and/or damages other than normal wear and tear. Cleanup by Town staff will be billed at \$50.00 per hour and will be applied to the deposit, with any remaining portion of the deposit refunded as consistent with this Policy. The applicant will remain responsible for any additional damages or repair expenses as a result of the use. A full or partial refund of the deposit, if Town staff determines it is due, will be returned to the applicant within thirty (30) days of the park use.

If the application is approved, prior to the event the applicant will be given instructions for cleaning the Town park to be used. An applicant shall clean the Town Park to be used after the event. If, after the event has concluded, additional cleaning is required, it will be provided by the Town, which will bill at the rate of \$50.00 per hour as described in the paragraph immediately above

Any applicant whose use of the park, street or alleyway causes damage or excessive wear and tear shall be required to reimburse the Town for all costs to repair, replace, restore, repaint or clean up the affected area to its original condition prior to the use. Any damage caused by an applicant beyond normal wear and tear shall cause any future application submitted by the same person or entity to be reviewed to determine if the applicant will be allowed to use the facilities in the future.

XIV. Additional Charges: Additional charges may be levied over the basic rate charged when any one or more of the following occur:

- A) When the facility would not normally be open and Town staff are required to be on duty to perform a service.
- B) When the applicant requests Town staff to assist in set-up, breakdown, clean-up, park preparation or other maintenance duties when required during other than normal operating hours.
- C) When Town staff are required for control of the event.

The determination of requirements for additional charges shall be made by the Town Manager. The applicant will be charged at the rate of \$50.00 per hour when use of Town Staff is required, such use as determined by the Town Manager. If the applicant protests the additional fees required by the Town Manager an appeal may be filed with the Town Board. The applicant shall pay the fee in full at the time of the application and the Town Board may consider a refund after a public hearing considering both the applicant and Town Manager's recommendations.

A total of the basic rate and any additional deposit, as required by this Policy, shall be paid in full at the time of the submission of the application.

XV. Refunds: Any applicant may cancel an application prior to its approval and receive a full refund minus the \$150 administrative fee plus the costs for any service performed by Town Staff up to the notice of cancellation.

In the event an applicant cancels its reservation for Town Park use at any time prior to the event, the cleaning and security deposit will be refunded regardless of when the cancellation is made.

If an approved applicant cancels a reservation less than 5 business days prior to the event, the reservation fee will not be refunded, except in extraordinary circumstances including but not limited to; extreme weather, natural disasters, or other acts of God.

A cleaning and security deposit of \$300.00 is set forth in the fee section above. Deposits may be refundable subject to the terms of this Policy.

XVI. Miscellaneous Park Rules:

- A. Dumpster Fee and Litter:** Dumpsters will be made available at special events as requested by the applicant. The cost for delivery, retrieval, and emptying of the dumpster shall be \$50 per dumpster. This fee will be collected from the deposit. The applicant may remove their own refuse from the event and receive no charge, however if Town Staff must restore the area to its pre event condition the applicant shall be charged as noted above. Events which will generate small amounts of refuse may use the existing garbage containers and/or wastebaskets and/or removed by park users from the Town park being used.
- B. Winter Restroom Use:** Restrooms are not available at the Town's Parks from the second week in December through March 1st. Any parks reservations during this time will need to provide portable sanitation facilities for their event in accordance with this policy.
- C. Damage or Destruction of Town Property:** No person shall intentionally damage, destroy, remove or modify any Town property. No person shall operate any vehicle, including but not limited to motorcycles, all-terrain vehicles, dune buggies, or other motor vehicles, within a Town park, except on designated paved roads. Vehicles may not be driven on any lawn or surface other than the designated parking areas without the express permission of the appropriate decision maker/body .
- D. Music:** The Board must authorize any live music or professional DJ Services.

- E. Tents, Canopies, Awnings, etc.: The appropriate decision maker/body must authorize the erection of tents, canopies, awnings, or other like structures. Bounce houses, dance floors, or tents larger than 20 ft. by 20 ft. may be subject to additional security deposits and/or insurance coverage, at the discretion of the Board or Town Manager. Stakes are not permitted for use in securing tents, etc.
- F. Signs: Signs are not allowed within the park without the express permission of the Town Board or the Town Manager depending on who approved the special use permit. The applicant shall bear the responsibility to ensure any signage proposed for the special event is placed in accordance with Douglas County Code 20.696 "Sign and Advertising Control." In no case shall any signs advertising the special event be placed on any Town owed street light or traffic signage poles.
- G. Dogs: Dogs, except seeing eye guide dogs, police dogs or service dogs, are not allowed in Town Parks, excluding the K-9 Corral Dog Park located on Grant Avenue and Carrick Lane. Emotional support animals are not permitted within Town Parks. The Board may allow animals including dogs in Town parks when part of an event at its sole discretion.
- H. Hunting, Trapping, and/or Fishing: Hunting and trapping in Town Parks are strictly prohibited. Fishing is not permitted, except in areas specifically designated for that use in the manner provided for. All fishing is subject to and in conformance with Nevada Revised Statutes and Nevada Division of Wildlife Regulations.
- I. Firearms, Crossbows, Air Rifles, and Fireworks: The discharge of firearms, crossbows, air rifles or fireworks is strictly forbidden unless they are part of an approved special event and all applicable permits have been obtained.
- J. Camping: Camping is not permitted in Town parks. Exceptions may be granted at the sole discretion of the Board.
- K. All Other Laws: An applicant requesting to use a Town Park for an event is responsible for complying with all federal, state, and county laws and ordinances, including the Nevada Revised Statutes, the Nevada Administrative Code, and the County Code for Douglas County, Nevada ("Douglas County Code"). This includes but is not limited to any outdoor festival permits, liquor licenses, etc. required by the U.S. government, the State of Nevada, Douglas County- Nevada, or the Town of Gardnerville.

The Town shall provide a copy of this Policy to the applicant at the time of furnishing an application.